

KAZGUU LIBERAL ARTS DIGEST

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INFORMATION ABOUT THE JOURNAL

“KLAD” is a student journal first published at M. Narikbayev Kazguu University School of liberal arts. This journal is aimed at enhancing students’ involvement into science and research.

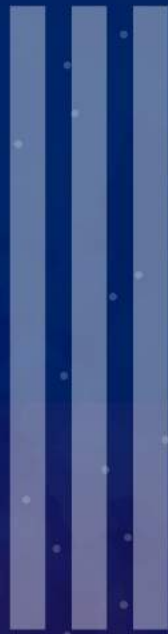
«KLAD” journal admits for publication various types of articles: original research, review articles, short reports or essays, reflections, case studies, methodologies and cases in english; containing the results of fundamental and applied research in the field of philosophy and identity, history of kazakhstan, pedagogy, linguistics and methods of teaching languages, translation, and tourism.

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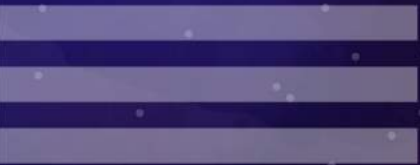
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PART 03

KAZGUU LIBERAL ARTS DIGEST **ESSAYS**





YOUNG WOMEN SHOULD GET MARRIED ACCORDING TO CIVIL LAW BUT NOT TO TRADITIONS

AKKUZINOVA LEILA

In the past, and even not so far away, women were even more restricted in their freedom. Their wishes, interests, and voices had no significance at all. This was especially acute regarding marriage and wedding concerns. The dreams of a beautiful marriage ceremony, a loved partner, and happy family life were taken away as women were exposed as a commodity, and property. This property that needed to be advantageously transferred into the possession of another man. Instead of their personal choice, the age of marriage and the partner were determined by traditions. Although it appears to be an atrocity and offense nowadays, this is still happening in different parts of the world. Fortunately, shocking news about forced marriage and other humiliations still encourage people to eradicate this problem. Thereby most women today have a right to resolve issues related to marriage independently.

It is noticeable how traditions gradually outlive their usefulness and lose their meaning; hence now the whole world prefers equality. Traditions carry the continuity and individuality of the nation, and neglect of them will lead to their disappearance. However, many of them may contradict civil law "On marriage" (1962) that regulates public relations, including marriage. According to it, marriage is necessarily a voluntary and equal union between people. It also protects in case of its termination (Article 6). Adherence to these rules means, first, guaranteeing mutual respect and freedom

of choice. Sincere love is rare and great luck, and at the level of the law, it should be consolidated with dignity following its norms. Traditions, being echoes of the past, should not violate fundamental human rights, in particular women. They tend to age because the world is changing rapidly and progressively.

Marriage traditions disparage the role of women in society and, as a result, bring all kinds of suffering in modern realities. Most of them are flagrant violations of human rights. The perception of a woman as a weak and defenseless creature causes a feeling that it will be easier for a man to control her. Thus, they try to subdue them to make them personal devices. Enright (2009) adheres to the position that such a woman's duties in the family, which are focused on householding, protecting the honor, and maintaining the authority of her husband can be above her personal safety and freedom (p. 342). "Every day I regretted that I was born because no one deserves such crushing pain." - hollers the girl Maysoun, who was forcibly married at the age of 15, because of which she was forbidden to finish school, fated to the painful indulgence of her husband. The girl was also exhausted mentally; she saw hallucinations. Women have been fighting for fundamental rights for so long not so that today patriarchal foundations will prevail, depriving them of a happy life, prospects, and an elementary right to choose. Underestimated expectations of

a girl's social role in the future, as well as neglect of her education, is a crucial factor in strengthening such traditions (the United Nations Population Fund, 2014). It seems that the occurrence of these expectations has deep roots in upbringing because the imposition of stereotypical gender roles is entrenched in society's consciousness since childhood. Parents teach girls to be submissive, servile, and quiet, instilling in their traditional family values. Undoubtedly, having a family is happy, but it should be a conscious personal choice of a woman.

According to the United Nations statistics, millions of female representatives suffer mentally and physically, being oppressed by cultural practices (2014). A few million are just those cases about which the girls were not afraid to tell; how many of the same crimes are unknown – it is scary to imagine. Fearing society's condemnation, rejection by the family, and being ridiculed and humiliated, they keep silent about it. Forced marriage is not a guarantee of a good life, which implies prosperity and healthy relationships; on the contrary, the attitude and perception of a woman by a man who forcibly took possession of her will be under the prism of neglect than that of the one who married her mutually and for love (Steiner & Becker, 2019, p. 589). Abusive traditions are, to some extent, a desecration of marriage. After all, marriage is love, which was decided to be consolidated at the level of the law. Recognition by law gives protection to the rights of property, as well as the rights of children born in marriage. By contrast, traditions are obsolete cultural features preserved by some peoples, mainly Eastern ones. Nowadays, it is nonsensical when outdated concepts infringe on human rights, especially women. However, it is impossible to condemn the supporters of traditions since they defend the significance and dignity of culture and call for respect for the cultural characteristics of ethnic minorities (Rimonte, 1991, p. 1321).

A vivid example of cruel traditions,

widespread in Central Asian countries, is the rite of bride abduction. Kidnapping is punishable by imprisonment from 4 to 7 years (Article 125 of the Criminal Code of the Republic of Kazakhstan on July 3, 2014). Thus, civil law protects the rights of women in the case of violence, both physical and emotional.

Marriage should mean responsibility for each other and mutual respect. Civil law also aims to reduce the occurrence of forced marriages. The humiliation of dignity and violation of freedom cannot be covered up by traditions, thanks to civil law. It is necessary to educate young people who think about marriage. People should know their rights and be sure that they will be protected by law. Contacting law enforcement agencies should not be something to be ashamed of or condemned. The more people talk about it, the faster this problem will be eradicated.

Today's realities are too progressive for the old traditions, so those that infringe on the rights do not fit in and seem to be something alien. At the same time, it is impossible to judge adherents of culture because their values include national traditions. However, this remains an acute problem in society related to human rights. Bunch (1990) argues that the most severe problem violating human rights is gender abuse and inequality (p. 486). Since most of the rituals related to marriage oppress women, civil law provides protection, which is why young women should marry by this and not according to traditions. This law regulates such issues as the age of marriage, consent, and equality within its framework.

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