

Child marriage among Serbia's Roma population: a tradition or not?*

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ABSTRACT

According to UNICEF data from 2019, among the general population of married women in Serbia aged 20 to 49 or those in a common-law marriage, 79 % entered their first union before the age of 18. Among their peers from Roma communities, this percentage is as high as 57.2 % (UNICEF, 2020:396).

Marriage among adolescent girls and boys, who are physically and psychosocially immature, uneducated, and economically dependent, can no longer be justified by the specific customs and traditions of a community. Understanding and combating this cultural practice requires an explicit public articulation of its harmful nature, particularly because this practice is forbidden by the Serbian legislative system and violates universal human rights.

The persistence of the practice of early marriage of Roma girls in the twenty-first century, a phenomenon with multiple harmful consequences for the Roma population, only confirms its complex and multidimensional nature and the necessity of considering it in interaction with numerous social factors, such as poverty, unemployment, education, social norms, customs, and gender roles in the community, lack of efficiency among institutions and policy instruments, etc. This paper offers the concept of a marginalized environment as an explanatory framework within which the practice of child marriage among the Roma in Serbia has been functioning and perpetuated (UNICEF, 2017).

By means of measures aimed at protecting Roma children from all forms of neglect, violence, and abuse (formulating and implementing appropriate legal solutions,

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raising social awareness, and providing alternatives to at-risk children and their families), state authorities would significantly contribute to reducing existing prejudices against the Roma and empowering members of the Roma community in Serbia for more successful inclusion into Serbian society.

KEYWORDS: Serbia, the Roma, Roma child marriages, concept of a marginalized environment

INTRODUCTION: CHILD MARRIAGE IS A LIMITATION ON LIFE CHOICES AND IS A ROAD TO INEQUALITY

Over the years of fieldwork involving Roma communities in Serbia, we have come across young girls who, through various circumstances, found themselves assuming the role of a mother. Often confused and insecure in the altered circumstances in which their childhood had abruptly come to an end, thus paving the way for the challenges of parenthood, they themselves were not fully aware of the new roles they suddenly found themselves in. In most cases, the fathers were not much older than their partners. Under such circumstances, young girls, mostly by moving into their husband's home, did not have much of a choice other than to relinquish control and guidance to their husband's mother, their mother-in-law. It is precisely the mother-in-law that represents the central figure in such family structures, especially regarding the position assigned to young girls. Not even possessing the necessary skills for their new role, usually without an education or having had to abandon it after marriage, they are faced with a list of new rules with the expectation that they will be followed blindly. This leads to life perspectives being reduced to the reproduction of gender roles, which define women solely as wives or mothers. Within such a mechanism, they climb a clearly defined hierarchy, attempting to reach the role of the mother-in-law to perpetuate the vicious cycle of power relations within the family. The customary practice whereby a married woman relocates to her husband's family household underscores the pivotal role of the mother-in-law within the gender role hierarchy. The young daughter-in-law becomes almost entirely dependent on the mother-in-law, both in managing domestic affairs and in the child care (UNICEF, 2017: 44-45). Attaining the status of mother-in-law thus substantially enhances a woman's influence and social position within the household. This pattern simultaneously reinforces the tendency toward early marriage: the earlier a girl marries, bears a child, and, in the case of a son, arranges his marriage, the sooner she ascends to the role of mother-in-law, which represents the apex of the gendered social structure within the family.

Of course, even though it is neither possible nor desirable to generalize family models, by considering all the complexities of individual cases, we might still make the case that the aforementioned mechanisms could be perceived as a good illustration of sustaining child marriages within marginalized, stigmatized, discriminated, and consequently usually impoverished Roma communities in Serbia.

This article attempts to provide insight into the structural causes that lead to the occurrence and perpetuation of the cultural practice of child marriage and offers a series of recommendations focused on identifying the mechanisms that could be used to initiate an end to these structural limitations. At the beginning of the article we analyze the very concept of child marriage, as well as the global context within which this cultural practice actually functions. Subsequently, we focus on the local level, providing insight into the data on the distribution of child marriage, as well as the means by which the legislature and various formal initiatives are used to approach this harmful phenomenon with the aim of ending it. The following section provides an overview and analysis of the structural causes of child marriage, focusing primarily on marginalization and discrimination as the basic factors that impact the preservation of various customs and practices, the petrification of gender roles within the community based on firm patriarchal principles, as well as on poverty, which is the structural outcome of life in a marginal environment. The central section provides a broader analysis that considers, first and foremost, the factor of the majority environment as the cause of the permanent perpetuation of stereotypes, which results in a completely inaccurate and harmful perception of child marriage as a "Roma tradition." Ultimately, considering the previous analysis, we attempt to define the key points that can contribute to the prevention of the cultural practice of child marriage, insisting on the key responsibility of various actors, such as state institutions and the media, while simultaneously working in Roma communities to increase awareness of the multidimensional harm of this practice in terms of the future and life choices.

Child marriages have existed for centuries in numerous societies, and only one century has actually passed since the initiation of organized programs to end them.¹ Even though a global partnership has been established in the meantime for the recognition of young spousehood as a demographic,

¹ The initial legal attempts were made in India in 1929: new generations of politicians-reformers passed the so-called Sarda Act, which declared that the minimum age for girls to marry was 14 (Mukherjee, 2006). On 12 October, 2012, the International Day of the Girl Child was celebrated for the first time.

social, health, and gender issue, the rates of child marriage are still high in parts of sub-Saharan Africa and South Asia (UNFPA, 2012), especially among the poorest citizens and in rural regions. It has always been a more serious threat to young girls than to young boys.²

In 2010, 158 countries reported that 18 years is the minimum legal age for marriage for women without parental consent or approval by a pertinent authority. However, in 146 countries, state or customary law allows girls younger than 18 to marry with the consent of parents or other authorities; in 52 countries, girls under the age of 15 can marry with parental consent. In contrast, 18 is the legal age for marriage without consent among males in 180 countries. Additionally, in 105 countries, boys can marry with the consent of a parent or pertinent authority, and in 23 countries, boys under the age of 15 can marry with parental consent.

(UNFPA, 2012: 12).

Marriages between adolescents, or entering into a marriage with an adolescent, both represent a premature end to childhood and the imposition of adulthood before an individual is physically, psychologically, and emotionally ready for something like that. Girl brides no longer have the opportunity to further their education,³ their economic potential is limited, as is the possibility for finding work outside the home, their health is endangered due to premature sexual activity and early birth, and the chances of them being exposed to a lack of respect, mistreatment, and violence increase. The lack of a formal education, practical skills, means of social mobility and social relations, autonomy, health, and safety actually deprives girls of their basic human rights and undermines the overall social and economic development of a community, sentencing it to generational poverty (Mathur, Greene, & Malhotra, 2003; Mensch, Singh, & Casterline, 2005; Hervish, & Feldman-Jacobs, 2011).

CHILD MARRIAGE IN SERBIA

This social practice is not widespread in the general population, but is more frequently encountered among certain marginalized groups of the popu-

² It is estimated that in developing countries one in three girls is married before the age of 18, and one in nine before the age of 15. On a global level, only 5% of boys marry before their nineteenth birthday (USAID, 2012).

³ Limited education emerges as a consequence, but also as a cause of child marriage: "According to data from the World Bank, each additional year of education beyond the average boosts women's wages 10 to 20 percent. Often marriage marks the end of schooling for young brides. Studies show that girls with no education are three times more likely to marry or enter into a union before their eighteenth birthday than those who graduate from secondary school or higher" (Lemmon and ElHarake, 2014: 9).

lation, mostly the Roma and Vlach populations in East Serbia (Dinić, 2016; *Child Marriage in Serbia – Analytical Report*, 2016; *Child Marriages – Two Years Later*, 2020),⁴ which additionally contributes to the perpetuation of stereotypes and prejudice towards these groups.

Table 1. Child marriage in the Republic of Serbia 2000-2020

Year	2000	2003	2006	2009	2012	2015	2018	2019	2020
Total number of marriages	42586	41914	39756	36853	34639	36949	36321	35570	23599
Child marriages									
Underage brides	915	629	482	378	230	179	101	108	68
Both underage spouses	35	14	12	6	7	7	-	5	-
Underage groom	68	41	38	15	10	15	5	5	-

Source: Jovanović, 2022: 56.

Specifically, from 1971 to 2008, the ratio of children born out of wedlock was by far the highest among women of the Roma nationality, and consistently at a level of more than half the total number of all Roma children born alive. Thus, for example, in 1971, of the total number of living children born to Roma women, slightly more than one half (53.5%) were children born out of wedlock. In 2000, this was the case for three-quarters (74%) of the children, and the ratio increased to over four-fifths in 2008 (83.8%). According to still unpublished statistical data from 2009, among Roma women, the ratio of children born in wedlock decreased even more and was reduced to less than 13% (87.3% of children were born out of wedlock).

(Penev & Stanković, 2010: 16, author's translation)

We can read about the prevalence of child marriage in the Republic of Serbia in the *Multiple Indicator Cluster Survey 2014*, which points out that 0.8% of women from the general population enter into marriage or a common-law union before the age

⁴ Of the total of 162 Centres for Social Work in the Republic of Serbia, in 2019 and 2020 106 reported that they had received 391 requests for the submission of opinions in the process of court approval for the marriage of minors over 16 years of age: some 257 affirmative responses were issued, no data were issued in the case of 80 requests, while only 54 negative responses were issued. In total, 67 Centres have records of 83 children at risk of being forced into child marriage, and of 230 children already involved in child marriage (Marković, 2021a).

From 2019 to 2021, 53 public prosecutor's offices stated that they had not received a single criminal charge for the felony act of forced marriage, while 45 prosecutor's offices received 360 criminal charges for the felony act of living in a common-law marriage with a minor. Compared to that number, 112 indictments were brought and 97 criminal charges dropped (46 are still in the stage of evidentiary actions, while data have still not been provided in 105) (Marković, 2021b).

of 15, and as many as 16.9% of women from the Roma population. As many as 57% of women from Roma settlements aged up to 49 first entered into marriage (or a common-law union) before the age of 18 years. Data of some concern is that in Serbia, from 2005 to 2014, the percentage of child marriage in informal Roma settlements increased by a total of 11.1%, that is, from the initial 45.9% to 57%.

(Žunić, 2022: 25, author's translation)

In a *child marriage*, both formal and informal, at least one of the partners is a child, that is, an individual under the age of 18. Child marriage should be distinguished from early or forced marriages. In *early marriage*, the partner is underage (usually between the ages of 16 and 18) in countries that allow marriages with underage individuals who have reached the physical and emotional maturity needed to perform marital rights and duties.⁵ *Forced marriage*, on the other hand, is a marriage entered into without the complete and free will of one or both partners and/or in which one or both partners cannot dissolve the marriage due to family or wider social pressure (*/Pre/Rani brakovi /Životne priče Romkinja u Srbiji*, 2016: 13; *Dosadašnja postignuća i preostali izazovi u oblasti dečjih brakova*, 2018: 5). Lawyers warn us that “the essence of ‘child marriage’ is not marriage in the sense of form, but practice (cited as ‘harmful practice’ in documents) which leads to numerous negative consequences for the children, especially young girls who are most often the victims” (Jovanović, 2022: 53, author's translation). At the same time, they point out that this practice is a violation of a list of international regulations⁶ and national laws⁷ which clearly regulate the field of child protection against abuse and neglect.

⁵ This is a case in which both partners are 18 or older, but other circumstances render them insufficiently mature to be able to consent to marriage, such as: the level of physical, emotional, sexual, and psycho-social development or a lack of information on possible life choices.

⁶ Convention on the Rights of the Child, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Convention of the Council of Europe on Preventing and Combating Violence Against Women and Domestic Violence (the Istanbul Convention), Universal Declaration of Human Rights, International Covenant on Civil and Political Rights, International Covenant on Economic, Social and Cultural Rights, Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, General recommendation No. 35 (2017) on gender-based violence against women, Article 38 of the UN Convention on the Rights of the Child and the Joint general recommendation no. 31 of the Committee on the Elimination of Discrimination against Women and no. 18 of the Committee on the Rights of the Child on harmful practices.

⁷ The Constitution, Criminal law, Family law, Law on Prevention of Domestic Violence, Law on Social Protection, as well as the Instruction on the operation of Centres for Social Work – guardianship bodies for the protection of children from child marriage.

Therefore, this is a harmful practice of “entering into marriage early or living in a common-law union (which could actually involve individuals as young as 14 years of age) which is essentially based on traditional or cultural patterns” (Jovanović, 2022: 58, author’s translation). A lack of understanding of the problem is increased by linking such a pattern of behaviour to the “other” and to “different” cultures, some kind of complicated “customary practice” over which the authorities have no power and do not want to intervene in, if such cases are even reported to them. On the other hand, closed off from experiences outside of its own territory, due to a lack of interest from the environment, and the dominant stereotypes and prejudices, a marginalized group justifies the perseverance of the original practice as a successful strategy of survival and self-perpetuation in a hostile world.

Referring to the respect and protection of basic human rights, the Coordination Body for Gender Equality of the Government of the Republic of Serbia and UNICEF, as part of the “For the abolition of child marriage 2018–2020” program, initiated *The National coalition to end child marriage* in 2019, which would peak in the changes made to articles of the Family Law and the prohibition of the possibility of any individual entering into marriage prior to the age of 18.

ROMA WOMEN – THE CARYATIDES OF TRADITIONAL ROMA CULTURE AND IDENTITY

Hotchkiss et al. (2016), analysing a sample of Roma families from Serbia, indicated that in our country child marriage usually occurs in extremely poor Roma families, and among less educated girls both in rural and segregated settlements.

What often prematurely determines the fate of numerous Roma women is the central role they play in the process of reproducing authentic Roma cultural norms: the continued existence of the nation is ensured by binding the female members to the family and to work related to the household (Acton, 1999; Acton, & Mundy, 1997; Guy, 2001; Керник, & Пъксын, 2006; Crove, & Kolst, 1991; Lakatos, 2021; Лижежа, 1999; Stewart, 1997; Тонг, 2003; Fonseca, 2005). Everything that disrupts this kind of idealized representation of the functions of sex and gender within the community is looked upon with contempt and interpreted as a rejection of the Roma identity.

In other words, the priority of Roma girls is to become mothers as soon as possible,⁸ to enter into marriage as virgins, and to be loyal to their husbands until they die, not to experiment with their sexuality, get an education, or seek employment (Šikić Mićanović, 2005; Sedlecky, & Rašević, 2015).

Being on the outskirts of the structures of power and established institutions has contributed to a significant part of the members of the Roma ethnicity still basing the representation of their own exceptionality on archaic “emblems of distinction”: the perception of marriage through the cult of virginity, female chastity as an issue of honour and the reputation of the family, early marriage as a preventive measure for premarital sexual relations and pregnancy, and so on. What is not taken into consideration is that this “difference is a direct cause for the marginalization, discrimination and further social exclusion by the broader social environment which will label such rules as antiquated or backward” (Kutnjak Vrtarić, & Družić Ljubotina, 2021: 75, author’s translation).

Child marriage between underage girls and boys among the Roma population in Serbia “should be seen as a social form that survives within the interplay between marginalization and the response of the Roma community to it.” (UNICEF, 2017: 88). The sinewy creation known as patriarchy is the basic cause behind the occurrence and perpetuation of the practice of child marriage among the Roma.⁹ What develops inside such a dominant code is double gender oppression: in addition to being less educated, less frequently employed in the sphere of formal employment,¹⁰ and increasingly more involved in the unpaid labour in the household and neglected in public institutions, Roma women are disenfranchised in a specific way in their own environment.

⁸ There is a widespread belief among the Roma that children are a sign of prestige and luck, and that a larger family must be a more satisfied one. High fertility is a social and gender obligation.

⁹ We agree in our thinking with the Roma girls engaged in the non-governmental sector. Ana Saćipović, the president of the Roma women’s association “Osvit”, is explicit: “It is a fact that child marriage is not a Roma tradition and that it is an outcome of patriarchy, and the Roma community is closed off as a result of the prejudice and discrimination which it encounters when attempting to realize its rights in institutions, and it is because of that closed off nature that the bonds of patriarchy are still holding strong” (B. T., 2022: 9, author’s translation).

¹⁰ Even then not at the highest political, educational, entrepreneurial, and corporative positions, but instead in the underpaid and precarious fields of work (cleaners, cooks, kindergarten teachers, gerontology home health aids, nurses, health mediators, pedagogical assistants, artists, etc.).

In fact, personal choice and the freedom to control one's own body are subjected to the will of their parents who dispose of it in the name of preserving ancient social norms and structures (the deeply rooted cult of virginity as an expression of the girl's chastity and that of her closest family members), whose violation brings exposure to disgrace and degradation (Savić et al., 2001; Savić, 2007; *(Pre)Rani brakovi (Životne priče Romkinja u Srbiji)*, 2016). In order for the burden of the imposed social responsibility to be borne more easily and to avoid the collective stigmatization which comes as a result of sexual relations outside of wedlock, formal and informal marriage vows are exchanged among underage individuals or between an adult and an underage individual (Beker, 2019: 22–34; Beker, Janjić, & Lepojević, 2019; Bosnjak, & Acton, 2013; Kyuchukov, 2011). Child marriages are also frequently arranged, the bride and groom exchange goods or money as part of the marriage ritual,¹¹ which is why this form of Roma cultural practice can be viewed as a form of trade of the female body.¹² Naturally, in cases involving underage grooms, the same severe violation of children's rights is evident, and boys may likewise be conceptualized as victims of child marriage. However, in comparison to girls, their position within the social hierarchy remains considerably more advantageous, and they are not subjected to the health risks that are borne exclusively by young women, particularly in relation to pregnancy and childbirth (UNICEF, 2017: 50–51).

¹¹ Along with the justification that this is a case of establishing and maintaining deeper social relationships among the members of the same community and strengthening affinal kinship: "In actuality, this procedure is unrelated to anything that might refer to as a trade transaction. No one is selling anyone else. The so-called price of the bride is a symbolic way of expressing respect for the cleanliness/innocence of the bride and her family. Traditionally it is expressed in gold, but not in the sense of commercial value, but that gold represents value and a symbol of honour. This gold cannot be sold and nothing else could be bought for it, since that gold is not for sale. It is the *pakiv* (respect, honour, integrity, faith, trust) of the family" (Davis, 2005: 174, author's translation).

¹² Objectifying the female body as if it were a commodity opens up the possibility of further handling it in accordance with the free will of the husband and his family. Numerous reports from neighbouring countries have marked precisely Roma girls as victims of forced marriage outside their country's borders, mostly in the direction of Western Europe, where quite frequently, under the guise of an arranged marriage, they are abused and taken advantage of, whether as a labour force, or as sexual slaves. For more see: <https://citysmart.media/vesti/drustvo/decji-brakovi-izlaz-iz-zacaranog-kruga-siromastva-ili-pokrice-za-kriminalnu-trgovinu-decom/>. Occasionally a case surfaces regarding the drastically inhumane relationship between parents and their children among the Serbian Roma, as was the case dating back the beginning of March 2023 involving the Bulgarian Roma. But in accordance with the methodological guidelines, which emerged in a discussion between a Finnish Roma woman by the name of Saga Weckman and the Serbian Romologist Dragoljub B. Đorđević (Đorđević, 2014), it will not be revealed.

Under the extensive pressure of the patriarchal legacy, young brides remain inferior in their approach to various forms of capital and are doomed to being locked into a ‘vicious cycle of poverty’: “A low level of education and underdeveloped professional abilities reduce the chances of Roma women integrating successfully and contribute to their special vulnerability, greater exposure to discrimination, violence, and the disruption of their health” (Korać Mandić, 2011:10, author’s translation). The most important consequence of child marriage is the interruption of regular education and “exclusion” from the education system. Both young and more mature girls receive no qualifications, sometimes even remaining illiterate, condemning themselves to a life of subordination, economic dependence, and the continuation of life in poverty, but also exposing themselves to other traumatic experiences (physical, psychological, and sexual violence) (Đorđević, 2021).

THE PROBLEM OF CHILD MARRIAGE IS NOT A PROBLEM OF THE ROMA COMMUNITY

Should we be shutting our eyes before the blatant breaking of the law and supporting a transgenerational pattern which does not respect basic human rights just because it is, supposedly, imposed by the customs of a certain community?¹³ The issue of marital age and the birth of the first child to Roma girls has so far not been highly ranked on the state and social agenda. It is accompanied by the essential incomprehension of its complex nature by those employed in public institutions and facilities (social workers, employees in the education system, health system, police force, and justice system) and the lack of any unified activities on the part of various actors with the aim of ending early marriage. Furthermore, under the parole of adhering to cultural diversity, support was provided for indirect discrimination against the youngest of Roma girls.

What was overlooked is that behind each individual case of child marriage, shrouded in a veil of legacy, there are specific individual reasons of a personal, economic, political, or some other nature.

Even though by analysing factors that spoke on behalf of the actors (running to a boy, ignoring parental warnings, peer pressure, convictions of the lack of any alternatives to marriage, the expectations that everything would be better in a marriage),

¹³ Infrequent experiential research has confirmed that harmful behaviour continues even when the young boys and girls become familiarized with the fact that child marriage is illegal. See: Buzdovan, 2018: 55-56.

it might be concluded that this was just the self-will and desire of the girls to get married, if we take into consideration the overall context of growing up in the midst of poverty, social exclusion, and prejudice, the poor upbringing and educational capacities of the parents, obstacles encountered during education, growing up in an insecure and marginalized environment, and finally even the limited psycho-emotional capacities of adolescents to understand the complexity and requirements which stem from the role of a spouse, it is not difficult to note the determination of what only on the surface seems to be an independent decision.

(Kutnjak Vrtarić, & Družić Ljubotina, 2021: 86, author's translation)

Even in the case of the Roma population in Serbia, it is usually to be found in the poor financial status of the family marrying off their daughter, that is, in a state of chronic poverty. According to a UNICEF study, almost 70% of the Roma children in Serbia are poor, and more than 60% of the Roma households in which there are children live below the poverty line. Furthermore, only 27.2% of the total population of Roma are involved in some sort of economic activity, while the unemployment rate in the Roma community is four times greater than that of the general population. Not all the Roma families living in poverty receive welfare, while 16% of poor Roma families do not receive any kind of help from the state.

What is symptomatic is the fact that in Serbia more than 4/5 of the Roma children live in families in which the remaining members do not even have an elementary education... For example, there is no data that a single child from the Roma community under the age of 3 is attending preschool. Less than 4% of Roma children actually attend preschool, and approximately 57% do not attend any programs preparing them for school. Only half of the Roma children enrolled in the first grade make it to the fifth grade, that is, 21 to 37% of the Roma children enrolled in elementary school also finish it, while less than 8% enrol in high school. Only approximately 1% of Roma in Serbia have university degrees.

(Aleksić, 2015: 53–54, author's translation)

Once again, we ask the same question: What is the basic motivation for this kind of reproductive behavior among the Roma? And we provide the following answers:

1. no promising prospects in terms of equal life opportunities with their non-Roma neighbours (inclusion in the institutional world of employment, participation in the structures of power, and holding decision-making positions),
2. a deeply rooted prejudice towards them in the public sphere and
3. their sensationalist and stereotypical representations in the media.

Summa summarum, the lack of any perspective for the future! A future that resembles the present!

The state is tasked with creating an *environment* and actual *local opportunities* as motivation for staving off early parenthood. It is only after this that we can make demands for “increased civic responsibility” of the Roma in terms of setting up common-law marriages between adolescents or with an adolescent.

A *myriad* of expertly designed *policy* documents and strategies, bound by a joint denominator known as “Roma inclusion”, were met by minor success within the legal framework.¹⁴ In real life, for a start, we could first consider the proportionally relatively unsuccessful highly educated Roma youth by solving their problem of finding a position on the job market (with or without recourse to what are at this point heavily disliked affirmative measures) and finding positions for them in public office, so popular even among the non-Roma population.¹⁵ These individual examples could serve as litmus paper for changes in the optics of a society toward impoverished people, and for the majority living in ghettoed areas as a model and true incentive to not give up easily on education as a channel of social mobility and promotion.

However, in order to overcome the overall ethno-class position (Đorđević, 2010, 103-107) of the not inconsiderable Roma community in Serbia, what is necessary is *inter-sector cooperation* and a *holistic approach* in the socio-economic, legal-political, and cultural fields are necessary. The existing practice is mostly reduced to the extensive effort and the enthusiasm of primarily Roma activists who have for decades been working in communities, supported mainly by projects financed by individual international organizations. Attempts made by the representatives of institutions, even when they exist, are often limited by a lack of staff and a lack of inter-

¹⁴ If we were to put aside (the possibly excessive?) accusations of an existing *Gypsy industry*, aimed at civic society organizations (both non-Roma but Roma as well) of a profitable ethno-business initiated at the start of the new millennium and supported by the logical and project capital of western, neo-liberal foundations.

¹⁵ We have had our fill of the justifiable sad stories of NGO activists and Roma leaders in everyday life regarding the perfect, yet unemployed professionals in the field of medicine, law, economy... from among the ranks of the Roma. After that we could work out specific alternative programs of self-employment and Roma micro-entrepreneurship in both old and new professions alike (Đorđević, Živković, & Todorović, 2002a).

The prevalence of the Roma in public administration bodies is minor. According to the statement made by Osman Balić, the president of the Presidency of the Standing Conference of the Roma Associations of the Citizens – The League of Roma, it was only three months ago that three highly-educated Roma individuals obtained part-time employment in the local self-government of Niš (Miladinović, 2023: 8).

est on the part of state organizations to sustainably finance programs that would lead to the end of child marriage. Even though some steps forward undoubtedly have been taken, especially in environments where a synergy has been established between local non-governmental organizations and the local authorities, these examples of good practice are still unfortunately the exception rather than the norm.

It is only the partnership between other actors (official government institutions, private funds, international, national, and local civic organizations, Roma families), with considerable financial support, working to achieve an improvement in the quality of life of Roma men and women – obtaining a high school diploma, maintaining safe jobs with a regular income, comfortable living conditions, available kindergartens for children, the right to vote and be voted for – that could end the existing yet unhealthy practice of juvenile arranged marriages.¹⁶ Without that, the dilemma of a Roma teenager from the Mačva plane, full of resignation, would remain hanging over our heads: “Why should I wait? It’s not like someone [something better] is coming my way!” (Čvorović, 2011: 33).

STEPS TO LIMIT THE PRACTICE OF CHILD MARRIAGE

Joint reactions and dedicated activities should include:

1. work on *prevention*, firstly at the level of the local Roma community:
 - a) initiating campaigns to raise awareness of the difficult consequences of a forceful transition of the youngest of the population into the world of adults;
 - b) organizing open discussions, workshops, and public debates on topics such as reproductive health, family planning, and contraception;
 - c) developing self-awareness of the risks of early sexuality;
 - d) promoting an inter-generational dialogue within Roma families, especially between mothers and adolescent daughters;

¹⁶ The overall existing preventive measures have been shouldered by Roma women’s non-governmental organizations. Through their work a kind of archive was compiled on the devastating effects of marital and common-law matches between underage girls and boys, but also the first signal lights were turned on regarding the manifold discriminations of Roma women in our society.

- e) a re-analysis of historical roles, norms, and values;
 - f) strengthening awareness of healthy partner relationships and gender equality, which would also mean taking proactive measures against domestic violence,
2. developing *programs* and *social services* in the community that would provide support, motivation, and enlightenment for the Roma:
- a) providing shelter and rehabilitation services to young mothers and married couples;
 - b) providing advice to improve parental skills;
 - c) providing care for new-borns and young children;
 - d) empowering young girls by offering courses and qualification and requalification programs for the completion of their formal education and the development of various life skills;
 - e) establishing support networks for women and girls for their emancipation and the realization of their rights,
3. the creation of *protocols* for the implementation of procedures in cases when one's childhood was interrupted:
- a) training and strengthening teams of professionals (health mediators and coordinators, teaching assistants in elementary schools, social workers) for the timely recognition of at-risk groups of children and discrimination itself, the mutual exchange of information, and professional help in the field;
 - b) regulating steps to monitor and report on cases of potential and actual dropping out of school;
 - c) clarification of mandates, determination how to lead a unified records system, and coordinated cooperation between the institutions in charge (schools, centres for social work, health institutions, the police, state attorneys);
 - d) introducing SOS hotlines to help victims of domestic violence;
 - e) the processing of reported cases in the relevant institutions and the more rigorous punishing of individuals who break the prescribed regulations¹⁷;

¹⁷ Even though the Criminal Law is quite explicit – sexual relations with an individual under the age of 14 is a criminal act which carries a minimum sentence of five years in prison – the Appellate Court in Belgrade, in June 2019 reversed, with the help of a court expert and lawyer, a first-degree conviction and freed of all guilt an adult, a member of the Roma minority, who had beyond any reasonable doubt been proven to have had sexual relations with a thirteen-year-old girl (the intercourse resulted in pregnancy), demonstrating in that way a leniency before the so-called common law. For more on this visit: <https://www.>

4. the improvement of *public policies* and the current *legal framework*:
 - a) framing and consistently taking steps to fight child marriages and common-law marriages between underage individuals as part of local action plans;
 - b) the prevention of Roma children “falling through the cracks” of the educational system, that is, ensuring that all children complete the obligatory elementary and junior high school education;
 - c) providing social assistance, which specifically refers to attending classes (transportation, clothing, books, mentoring, and scholarships);
 - d) inclusion in the curriculum of courses which would provide a more thorough education on reproductive health and protection from sexual violence;
 - e) greater involvement on the part of the Ministry of Human and Minority Rights of the Republic of Serbia, the Coordinating Body for Gender Equality, and the National Council of the Roma in the prevention of gender-based harassment, but also the promotion of gender equality;
 - f) the introduction of a ubiquitous age limit of 18 years as the legal marrying age;
 - g) changes and amendments to the Criminal, Family, and Law on Prevention of Domestic Violence and other by-laws for the prevention and ending of child marriage and
5. a change in the way *media information* is disseminated: in the merciless struggle for higher circulation and viewership, the dominant sensationalist reporting on the sad fates of young girl-mothers tethered by the marital noose instead of enjoying girlhood only increases the representations of the second-rate importance of the Roma culture and the members of the Roma minority in Serbian society.

Through the overall endeavours of the greater auditorium to put an end to child marriage in Roma mahallahs, the omnipresent means of mass communication should include videos and stories on:

- a) Roma parents uncompromisingly face patriarchal morality;
- b) proactive interactive work of official institutions and civic organizations;
- c) initiatives begun by members of the local Roma communities;

- d) the state invests in improving the material and work-legal status of Roma men and women;
- e) positive role models for both genders on the threshold of physical, mental, and emotional maturity;
- f) educational success and extracurricular activities of exemplary elementary and high school students;
- g) examples of strengthening the practical skills and creativity of under-age Roma, etc.

CONCLUSION

Ergo, marriage between individuals under the legal marrying age, or a common-law marriage, are both examples of socially unacceptable behaviour, even a violation of human rights, but are also the outcome of the environment and circumstances in which underage participants reside, primarily from among the Roma. Under the pressure of the authority exerted by the “head of the family”, poverty, and the social vulnerability some less educated family members, through exploitation in the form of child labour or, simply, through a lack of any alternative model in sight – (in)advertently accept their stolen childhood and in advance misspent youth by providing an (in)formal marriage vow. Without even having come into contact with the spectrum of possibilities life has to offer, young Roma girls whose bodies are only just assuming female attributes become imprisoned by extreme poverty and various forms of devious behaviour and violence, their health is endangered by unwanted birth cycles, their educational resources are denied, and thus also the availability of jobs with a good income (even more precisely: the dramatic lack of competition on the labour market), their communication skills become insufficiently developed, in a legal sense they are invisible, isolated, and without parental support, or the support of relatives and friends, experts and physicians, they are followed around by derisive looks and a pronounced distance from the non-Roma environment. They become anxious and depressed, unhappy and dissatisfied with the repeated cycles of motherhood in hopeless circumstances, without the freedom or power to decide, dependent on the hand of their partner, which would just as often strike than stroke them.

In addition to the public articulation of the unacceptability of a union between a young boy and girl, both underage, institutional interventions in the social space are needed. By leaving this problem on the margins, the

establishment has consistently overlooked its devastating nature, as well as the fact that in this way it is carrying out a benign discrimination against the Roma population in Serbia. Child marriage is no longer just a question of human rights, but also an occurrence which limits the economic potential of the community: it leads to greater healthcare costs (the poor state of health of the mother and child) and welfare costs (greater social benefits due to poverty). However, which tools are needed to solve the puzzle known as “child marriage”?

First of all, breaking down the chains of systemic poverty in the *slums*: the Roma must be given jobs and an income sufficient for a decent life over a longer period of time. Of the approximately 400.000 Roma in Serbia, 200.000 are capable of work, but are unemployed. There are approximately 28.000 Roma on record at the National Employment Service: the majority of them do not want to be part of the system, as that would mean that they would lose the right to their welfare privileges. Based on their own socio-economic position, the Roma minority is considered one of the worst positioned groups in Serbia (Cvetković, 2003). Their survival strategy is based on the least acknowledged “waste-collection” jobs which require no qualifications (gathering secondary resources, seasonal physical labour, wage labour) (Birmančević, 2021; Birmančević, & Pavlović, 2021; Simpson-Herbert, Mitrović, Zajić, & Petrović, 2006), they have a reputation for being the city poor on welfare, while the humiliating rummaging through garbage bins, or through layers of debris on landfills, as well as begging are ascribed to their lifestyle “on the bottom”, and they are identified with jobs in the “grey” market (open markets, fairs, flea markets) (Đorđević, Živković, & Todorović, 2002b).¹⁸ To add to that, they are also labelled with the following set of attributes: slow, filthy, lazy, irresponsible, slovenly, etc. (Đorđević, Todorović, & Milošević, 2004). Their social mobility is reduced to the bare minimum.

With increased income in the household, it is easier to send children to school: education is then not considered a luxury and an unnecessary

¹⁸ The initiatives of the Roma leaders to have the unstable and stigmatized work in the world of collection of secondary raw materials from waste included in the acknowledged and legal courses by founding cooperatives and associations of collectors are praiseworthy, whereby the status of a great many “urban miners” would be elevated, and their image in terms of work culture and reputation in the eyes of the majority of the Serbian population would be improved (Balić, 2008; Kasumović, & Momčilović, 2020; Balić i Todorović, 2025). The national union of secondary raw material collectors was founded in 2011 in Niš (Drmaku, 2017).

expense. Only knowledge combined with work can bring a level of professional ability that enables equal participation on the market and life devoid of existential threats. Achieving a higher level of education will additionally develop the self-confidence of Roma girls and women to re-assess the hermetically sealed cultural patterns and the mentality of the mahallah and develop their full life potential.

Ultimately, with the conventional achievements that adulthood brings (a high school diploma, full-time employment and wages), “access to a greater variety of mechanisms of social promotion at different social levels” (Cvetković, 2008: 148, author’s translation), and other open possibilities which override the rigidity of the internal group control that is centuries old, the Roma youth would be able to rationally respond to the civic demands to put a stop to early reproduction.

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Romski dječji brakovi u Srbiji: Tradicija ili ne?

SAŽETAK

Prema podacima UNICEF-a iz 2019. godine, u općoj populaciji žena, starosti od 20 do 49 godina, koje su ikada bile u braku ili vanbračnoj zajednici, 7,9 % je u prvu zajednicu stupilo prije 18. godine. Među njihovim vršnjakinjama iz romskih naselja, ovaj postotak bio je čak 57,2 % (UNICEF, 2020, str. 396)!

Udaja ili ženidba osoba na pragu puberteta, fizički i psihosocijalno nezrelih, slabo obrazovanih i ekonomski zavisnih, ne smiju se više opravdavati specifičnošću običaja i tradicijom jedne nacionalne zajednice, već zahtijevaju izričitu javnu artikulaciju njihove neprihvatljivosti, jer su u suprotnosti s postojećim zakonodavnim sustavom i proklamiranim univerzalnim ljudskim pravima.

Opstanak prakse rane udaje romskih djevojčica u dvadeset i prvom stoljeću, fenomena s višestruko štetnim posljedicama po romsku populaciju, samo potvrđuje njegovu složenu i višedimenzionalnu prirodu i neophodnost sagledavanja u interakciji s brojnim socijalnim čimbenicima kao što su siromaštvo, nezaposlenost, obrazovanje, sustav vrijednosti, norme, običaji i rodne uloge u zajednici, neefikasnost nadležnih institucija i instrumenata javne politike i dr. Stoga se u radu polazi od koncepta *marginaliziranog okruženja* kao eksplanatornog okvira unutar kojega funkcionira i reproducira se praksa dječjih brakova u romskim zajednicama, u Srbiji (UNICEF, 2017).

Mjerama zaštite romske djece iz svih gledišta zloupotrebe, nasilja i zlostavljanja (formuliranje i primjena odgovarajućih zakonskih rješenja, promjena društvene svijesti i osiguravanje alternative djeci u potencijalnoj opasnosti/riziku i njihovim porodicama) državni organi bi značajno doprinijeli smanjenju postojećih predrasuda prema Romima i omogućili pripadnicima romske zajednice u Srbiji uspješnije uključivanje u društvene tijekove.

KLJUČNE RIJEČI: Srbija, Romi, romski dječji brakovi, koncept marginaliziranog okruženja