

Too Young to Say ‘I Do’?

Underage teens can still get married in most states. But some lawmakers and advocacy groups are trying to change that.

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By Patricia Smith

Skyler was 16 years old when her mother and stepfather marched her into a courthouse in Maryland and forced her to marry a 34-year-old man she’d met only once.

She had tried to object—throwing a fit and locking herself in her room. But her abusive parents wanted her out of the house.

“I was praying to myself, Please let someone stop this. Let someone call the police. He’s a grown adult, isn’t this obvious?” Skyler* recalls of her courthouse wedding in 2009.

After her mother signed the papers in front of a court clerk, Skyler found herself married at age 16.

Forced marriages of underage girls like Skyler are possible only because of marriage laws that human rights groups have been pushing to change. Most states permit 16- and 17-year-olds to marry in some cases, and more than two dozen states set no minimum age at all (*see map*).

Now, several states are considering changes. New Jersey passed a bill in March that prohibits all marriages under age 18; at press time, it awaited Governor Chris Christie’s signature. And California, Connecticut, Maryland, Missouri, New York, Pennsylvania, and Texas are considering similar bills. New Hampshire recently debated raising the marriage age from 13 but rejected the idea.

More Than 167,000 Marriages

From 2000 to 2010, more than 167,000 children—mostly girls and some as young as 12—were married in the U.S., according to Unchained at Last, a nonprofit group working to end child marriage. That’s just in the 38 states that provided them with data; 12 states and the District of Columbia didn’t supply data, so the group estimates the total could be close to 248,000. Most of these marriages were to men 18 or older.

Laws permitting underage marriage have remained on the books for a number of reasons. In some states, lawmakers are hesitant to interfere with cultural or religious traditions in which early marriage is common. Others worry that increasing the marriage age would prevent young soldiers from marrying their partners in order to provide military benefits like health insurance to them and their children. And some are concerned that prohibiting minors from marrying would lead to more single-parent households.

“If we pass this, we will ensure forever that every child born to a minor will be born out of [wedlock](#),” New Hampshire lawmaker David Bates told the Concord Monitor about the recent bill that failed to pass in his state.

But family law experts say that early marriage carries all sorts of costs. Girls are typically wed to older men, some of whom are seeking green cards in the United States. These young women are far more likely than those who marry later to stop their educations, suffer economically, and become victims of domestic violence.

Early marriage can pose other difficulties. For instance, shelters for victims of domestic violence generally don’t accept anyone under 18.

Divorce rates are also much higher for people who marry at a young age. Nearly 70 percent of marriages involving those under 18 end in divorce, according to Vivian Hamilton, a family law professor at William & Mary Law School in Virginia. For those who marry at 16 or younger, which is permitted in nearly 40 states, almost 80 percent of their marriages will end in divorce, Hamilton says. (The overall U.S. divorce rate is about 50 percent.)

Lying to a Judge

Most states that permit those younger than 18 to marry require not only parental consent but also the consent of a judge. This approval from an outside neutral party is meant to safeguard against minors being [coerced](#) into marriage.

But human rights activists say it can be very difficult for a judge to tell if a teenager is being pressured by family.

“The judicial review process is evil, because it puts the [onus](#) on a 17-year-old girl to find a way out of this situation,” says Fraidy Reiss, founder and executive director of Unchained at Last. “If she tells the judge she does not want to marry, her parents will know she said that. We have seen parents [retaliate](#) in many ways—locking a girl in her room or taking her overseas and forcing her to marry there.”

Fatima* was 15 when she was forced by her strict Muslim parents to marry a 21-year-old cousin. She remembers lying to a judge in New York City, claiming she wanted to get married.

‘Because this happened to me, I didn’t live out my youth. I was forced to grow up too fast.’

“I was sweating and nervous,” she recalls. “My mother was hitting me on my knee.” If she’d said no, she says, her father would have beaten her. “They would have kept me locked up in the house forever.”

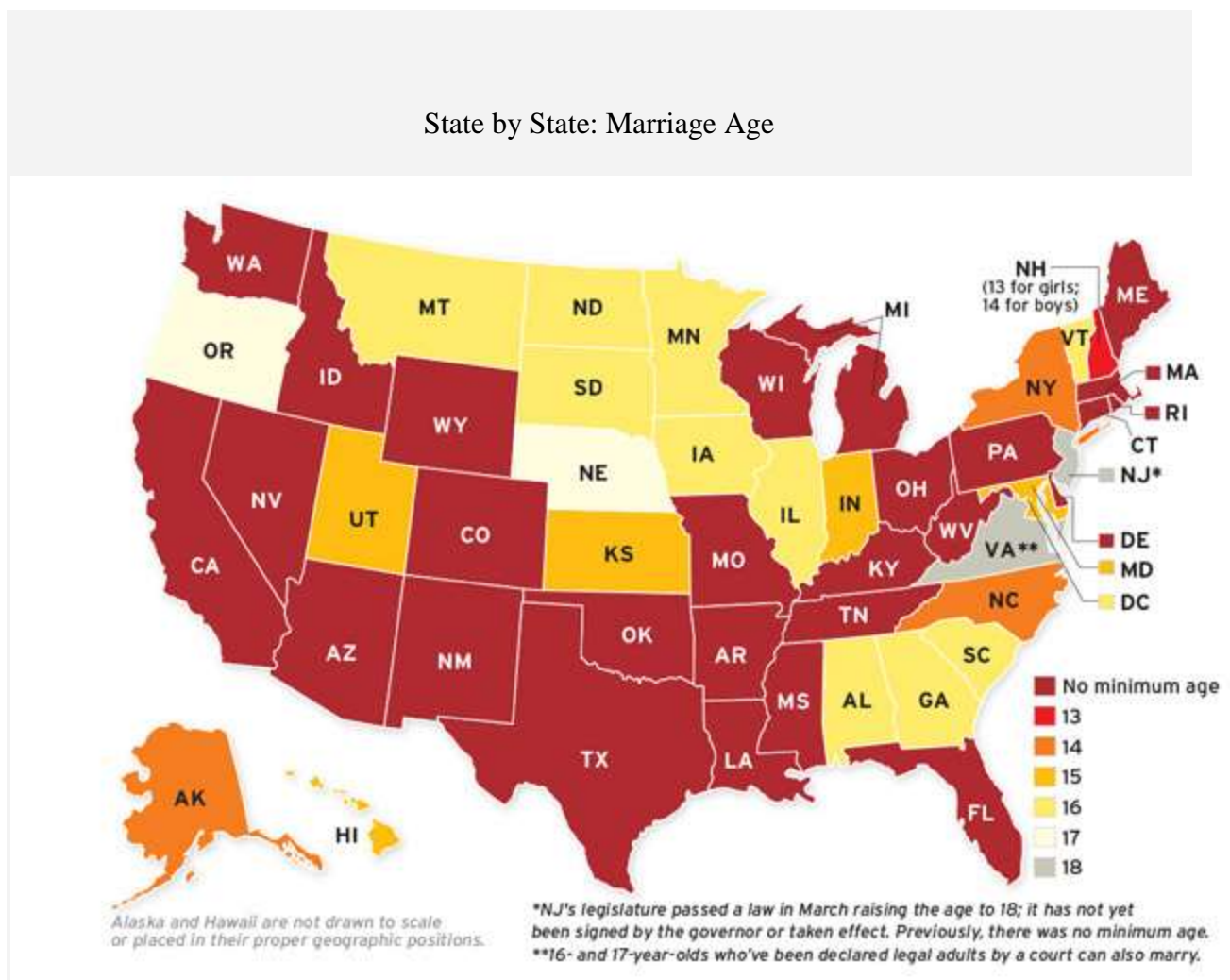
She was miserable for the next four years. Finally, her grandmother threatened to disown her father and uncle if they didn’t let Fatima end the marriage. They agreed, but her parents immediately arranged another marriage for her.

Fatima was married for 18 years to her second husband and had four children. Now 45 and divorced, she works as an office manager in New Jersey.

“Because this happened to me, I didn’t live out my youth,” she says. “I was forced to grow up too fast. I didn’t do what teenagers did. I didn’t get to go to school. I was a straight-A student. It was a dream of mine to become a doctor. I never forgave my father for that.”

**Both Skyler and Fatima spoke on the condition that their last names not be used.*

With reporting by Lisa W. Foderaro of The New York Times.



Jim McMahon; SOURCE: Tahirih Justice Center

Marriage laws are determined by states, not the federal government. Most states permit underage teens to marry with the approval of a parent, a judge, or both. This map shows the youngest age at which someone can marry in each state.

