

CHILD MARRIAGE IN THE UNITED STATES OF AMERICA

by

Mimosa Khatun

A dissertation submitted to the faculty of  
The University of North Carolina at Charlotte  
in partial fulfillment of the requirements  
for the degree of Doctor of Philosophy in  
Public Policy

Charlotte

2025

Approved by:

---

Dr. Jason H. Windett

---

Dr. Gordon Hull

---

Dr. Mary L. Atkinson

---

Dr. Gang Chen



## ABSTRACT

MIMOSA KHATUN. Child marriage in the United States of America.  
(Under the direction of DR. JASON H. WINDETT)

This dissertation examines the politics of child marriage in the United States through three complementary studies that analyze legislative behavior, public opinion, and moral reasoning. Despite increased advocacy and awareness, progress toward eliminating child marriage remains uneven across states.

States vary widely in their pursuit of introducing and enacting child marriage bans. These variations reflect the differences in institutional capacity and rigidity, political alignments as well as regional differences. Using a state-chamber-year dataset spanning from 2016 to 2025, the first paper examines how partisan control, institutional persistence and regional diffusion shape the policies surrounding child marriage. Results show that legislative introductions often serve as a symbolic gesture, while their passage into law depends on favorable political alignments and diffusion of bans among neighboring states. Chambers with higher proportions of women legislators were also significantly more likely to enact bans signifying the role of gendered representation in advancing protective policy. Together, these findings reveal that child marriage reform progresses through intersecting political and regional processes that produce uneven policy outcomes.

The second paper examines how linguistic framing using the terms “child”, “minor”, and “teenager” shapes public attitudes toward the legality of marriage under age 18. In a national survey experiment ( $N \approx 1,000$ ) fielded in the 2024 Cooperative Election Study, respondents indicated under what circumstances people labeled as children, minors, or teenagers should be allowed to marry. Results show that referring to individuals under 18 as children significantly increases rejection of early marriage, while describing them as teenagers increases approval under

certain circumstances. The study contributes to framing research by showing how small differences in wording can shape moral reasoning on issues that are emotionally charged but rarely debated.

The final paper develops a normative argument grounded in feminist theory drawing on Susan Moller Okin's framework of the "right to exit." This paper addresses the challenges of implementing legal reforms in a fragmented state-level system. I argue that denying minors the right to exit marriage underscores the need for a federal ban on underage marriage, which provides a necessary foundation for protecting children and supporting their capacity to pursue independent, empowered lives. Despite implementation challenges, I argue that such a ban is a necessary first step.

Together, these studies reveal how institutions, public discourse, and moral claims intersect to sustain or challenge the persistence of child marriage in the United States.

## ACKNOWLEDGMENTS

This dissertation would not have been possible without the guidance, encouragement, and generosity of many people. First and foremost, I owe my deepest gratitude to Dr. Jason H. Windett, my chair, for his constant support, thoughtful feedback, and patience through every stage of this process. His mentorship shaped not only this dissertation but also the way I think about research and scholarship. I am also deeply thankful to Dr. Gordon Hull, whose insight and philosophical guidance were indispensable in developing the normative framework. Dr. Mel Atkinson has been both a mentor and collaborator; our work together on the framing paper profoundly strengthened my writing and analytical clarity. I am also grateful to Dr. Gang Chen, my graduate faculty representative, for his service on my committee.

Beyond my committee, I have been fortunate to learn from and be supported by an extraordinary community of faculty at UNC Charlotte. Dr. Lisa Russell-Pinson has been a constant source of encouragement and guidance throughout my graduate journey. Dr. Roslyn Mickelson taught me how to write and think more critically than I ever imagined possible, and Dr. Elizabeth Stearns provided steady leadership and mentorship as program director. I am also thankful to other members of the Public Policy faculty whose feedback and conversations shaped this dissertation in countless ways.

To my friends—Lilian, Mason, Gideon, Samantha, Jennifer, and Ivan, thank you for grounding me, cheering me on, and reminding me to find joy and grace along the way. Your friendship and support have uplifted and strengthened me.

To my husband, Colin—there are not enough words to capture what your support has meant. You have been my number one supporter, editor, motivator, and constant source of calm through every high and low of graduate school. Thank you for your unwavering belief in me, for

the countless late nights of patience and reassurance, and for making it possible for me to do this work without ever losing perspective. I am endlessly grateful for your love, humor, and partnership. And to my in-laws, thank you for your kindness, encouragement, and belief in my work. To everyone who contributed, encouraged, or inspired me along the way, I am deeply grateful to all of you.

DEDICATION

To Sulagna—

*You will remain, silent, within my heart,*

*In the quiet places, I shall hear your gentle footsteps.*

And to all child marriage survivors and the children of this world—may your lives be free, and your voices never silenced.

## TABLE OF CONTENTS

LIST OF TABLES	xii
LIST OF FIGURES	xiii
LIST OF ABBREVIATIONS	xiv
Chapter 1: Introduction	1
Chapter 2: From Policy to Practice: Factors Affecting Child Marriage Policies in the United States	7
History of Marriage Laws	9
Reforms in Marriage Policies	11
Race-based Reforms	11
Divorce Laws	12
Outlawing Polygamy	12
Legalizing Same-sex Marriage	13
Child Marriage Reform	14
Institutional, Political, and Regional Dynamics of Child Marriage Reform	16
Policy Diffusion	19
Barriers and Pathways to Legislative Success and Failure	22
Data and Methods	27
Results and Discussion	33
Conclusion	52
References	54
Appendix A: Minimum Age	61
Appendix B: Multicollinearity Checks	65
Appendix C: Supplementary Graphs	67

Chapter 3: Framing Childhood: Linguistic Cues and Public Opinion on Child Marriage in the United States	68
Literature	71
Historical and Policy Context of Child Marriage in the United States	71
Framing Theory and Public Perception	73
Framing Debates around Child Marriage	77
Theorizing child marriage frames: moral schemas, context, and opinion formation	80
Data and Methods	83
Results	85
Discussion and Conclusion	89
References	92
Appendix D: Survey	102
Appendix E: Balance Checks	103
Appendix F: Frequency Distribution of Study Participants	106
Chapter 4: Ethical Conflicts of Child Marriage in the United States	107
The U.S. Legal and Policy Landscape on Child Marriage	108
Child Marriage in the U.S.	110
Negative Impacts of Child Marriage	112
Issues with Health	113
Issues of Lower Educational Attainment and Employment Opportunities	115
Issues of Violence and Abuse	117
Effects of Child Marriage in the U.S.	118
Ethical Conflicts of Child Marriage in the U.S.	119

Issues Regarding Age of Consent and Age of Majority	120
Statutory Rape	121
Divorce and the Right to Exit	122
Issues with Consent	123
Parental Consent and Coercion	123
Judicial Consent and Inadequate Safeguards	123
Exceptions to Laws	124
Other Issues	125
Policy Recommendation	127
Conclusion	129
References	132
Chapter 5: Conclusion	144
REFERENCES	147

## LIST OF TABLES

Table 1: Summary Statistics of Variables	31
Table 2: Introduction: Time-series Logit Model for Bill Introductions	34
Table 3: Enactment: Logit Model for Bills Enacted into Law	45
Table 4: Difference-of-means Test for Respondents' Selection of Underage Marriage	88

## LIST OF FIGURES

Figure 1: Estimated Numbers of Child Marriages in the United States, 2000-2021	3
Figure 2: Map of the U.S. states Showing the Status of Different Bills	4
Figure 3: States That Have Enacted a Full Ban on Child Marriage, 2018-2025	20
Figure 4: Count of Bills Introduced Over the Years, by Chamber	28
Figure 5: Count of Bills Limiting Child Marriage Enacted into Law Over the Years, Introduced by Chamber	29
Figure 6: Predicted Probability of Bill Introduction for Electoral Vs Non-Electoral Years	36
Figure 7: Predicted Probability of Bill Introduction by Governor–Legislature Partisan Control	37
Figure 8: Predicted Probability of Bill Introduction by Race of the Governor	38
Figure 9: Predicted Probability of Bill Introduction by Percentage of Female Legislators in Chamber	39
Figure 10: Predicted Probability of Bill Introduction by Legislative Chamber	40
Figure 11: Predicted Probability of Bill Introduction by Ban Status	41
Figure 12: Heatmap for Predicted Probabilities for Bill Introductions in the House	43
Figure 13: Heatmap for Predicted Probabilities for Bill Introductions in the Senate	44
Figure 14: Predicted Probability of Passage by Percent of Female Legislator	47
Figure 15: Predicted Probability of Passage by Percentage of Neighboring State Bans	48
Figure 16: Heatmap for Predicted Probabilities for House and Senate Bill Passage	50
Figure 17: Proportion of Respondents Selecting Each Circumstance by Group	86

## LIST OF ABBREVIATIONS

ACLU	American Civil Liberties Union
ACS	American Community Survey
AIC	Akaike Information Criterion
ARIMA	Auto-Regressive Integrated Moving Average
ASPE	Office of the Assistant Secretary for Planning and Evaluation
CEDAW	Convention on the Elimination of Discrimination against Women
CES	Cooperative Election Study
CRC	Convention on the Rights of the Child
DHS	Demographic and Health Surveys
HIV	Human Immunodeficiency Virus
HPV	Human Papillomavirus
IPV	Intimate Partner Violence
MICS	Multiple Indicator Cluster Surveys
NCSL	National Conference of State Legislatures
PBS	Public Broadcasting Service
PTSD	Post-Traumatic Stress Disorder
SDGs	Sustainable Development Goals
SHADAC	State Health Access Data Assistance Center
STI	Sexually Transmitted Infection
UN	United Nation
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund

UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
USDOT	United States Department of Transportation
VAWA	Violence Against Women Act
WHO	World Health Organization

## Chapter 1: Introduction

At the age of eight, Sherry Johnson of Florida was raped by her church bishop which caused her to become pregnant by the age of 10. Her mother forced her to marry her rapist when she was 11, so that her rapist could avoid criminal charges. Donna Pollard, at the age of 14, was admitted to a behavioral health facility, where a 29-year-old mental health technician groomed her which led to her marrying him at 16 (Johnson, E.W., 2018). Stories of child marriage survivors follow very similar trajectories—abuse, forced pregnancies, halted education and eventually divorce, if lucky (Brown et al., 2019). Many of these child marriage survivors have now entered the policy reform arena and are now fighting to end child marriage in the United States (Chau, 2020; Selby, 2018). These illustrate how survivor-led initiatives have driven public attention and legislative engagement on child marriage reform.

Founded by forced marriage survivor Fraidy Reiss, Unchained At Last has emerged as the leading organization in the U.S. movement to end child marriage. It conducts data-driven research, advocates for state-level reforms, endorses and champions legislation, organizes public demonstrations (“chain-ins”), and raises awareness through media campaigns. Yet despite these efforts, child marriage remains a legally sanctioned practice in much of the United States.

Defined as marriage or informal union involving at least one person under the age of 18 (UNICEF, 2018), child marriage in the United States remains a prevalent practice. Although often perceived as a relic of the past or occurring in ‘poor countries’ or confined to religious sects and cliques, the practice is widely common in the States. Between 2000 and 2021, an estimated 315,000 children—some as young as ten—were married (Unchained At Last, 2025). As one survivor noted, “This didn’t happen in a far-off country. I was raised in an upper-middle-

class suburban home in the midwestern U.S. My family looked a lot like yours probably does.”<sup>1</sup> These reveal that child marriage persists not only in developing countries but also within advanced democracies such as the United States.

Systematic data on child marriage in developed contexts remain remarkably limited as these practices are often overlooked and understudied. International monitoring organizations such as UNICEF and Girls Not Brides which track child marriage prevalence report no available estimates for Canada, the United States, or most Western European countries. However, the practice persists across many of these countries (Arthur et al., 2018). The actual number of annual marriages under the age of 18 in the United States is thus most likely an underestimation.

The invisibility of child marriage in developed countries stems largely from the absence of systematic data collection. Because no central repository collects information on child marriages in the United States, Unchained At Last has sought to fill this vacuum by requesting marriage certificate data from each state’s health department or equivalent agencies since 2000. Retrieving and aggregating marriage license data from each individual state remains the best, if not the only strategy. But this is highly unreliable. States neither track these data systematically nor make them publicly available (Reiss, 2021). The states also make different years of data available to researchers. A PBS report (Tsui et al., 2017) based on marriage license records similarly noted incomplete coverage, as some states maintain records only at the county level or declined to provide data altogether. Consequently, thousands of child marriages likely remain unaccounted for in official statistics.

The numbers of child marriages in the country have consistently fallen over the past two decades. However, in 2021, an estimated 1,717 minors were married—a 3.8% increase from the

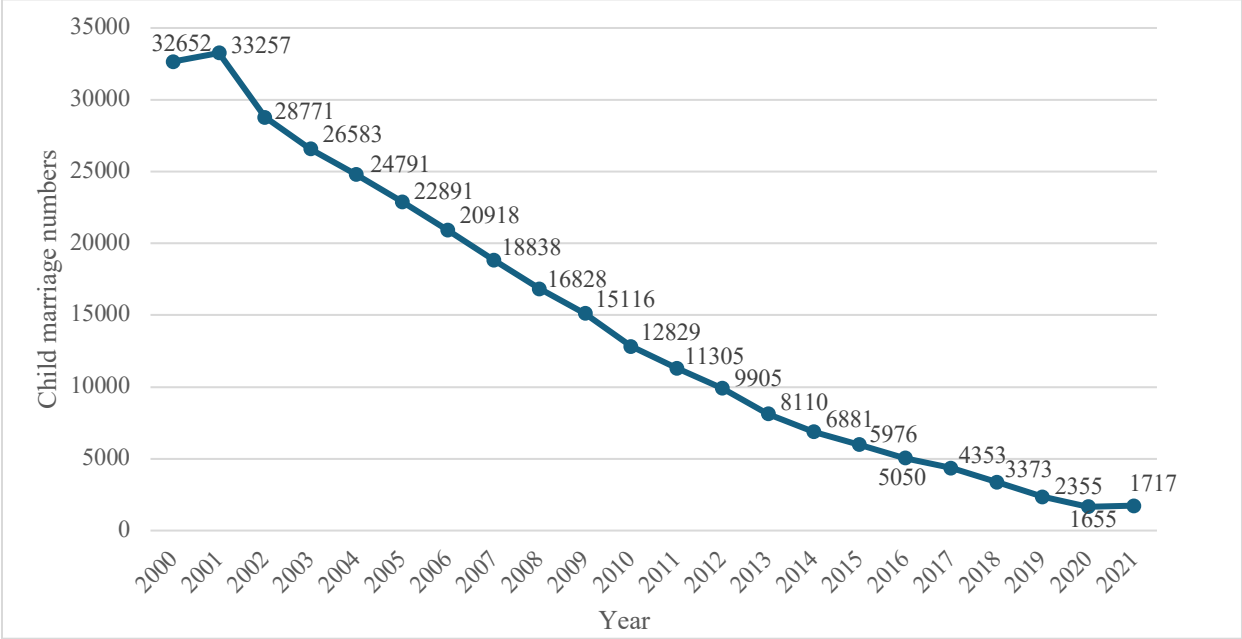
---

<sup>1</sup> See Pat’s and others’ story on Unchained At Last’s website. <https://www.unchainedatlast.org/pats-story/>

previous year, likely the result of the COVID-19 pandemic as child marriage rates tend to increase during social, economic and humanitarian crises (Parsons et al., 2015).

**Figure 1**

*Estimated Numbers of Child Marriages in the United States, 2000-2021*

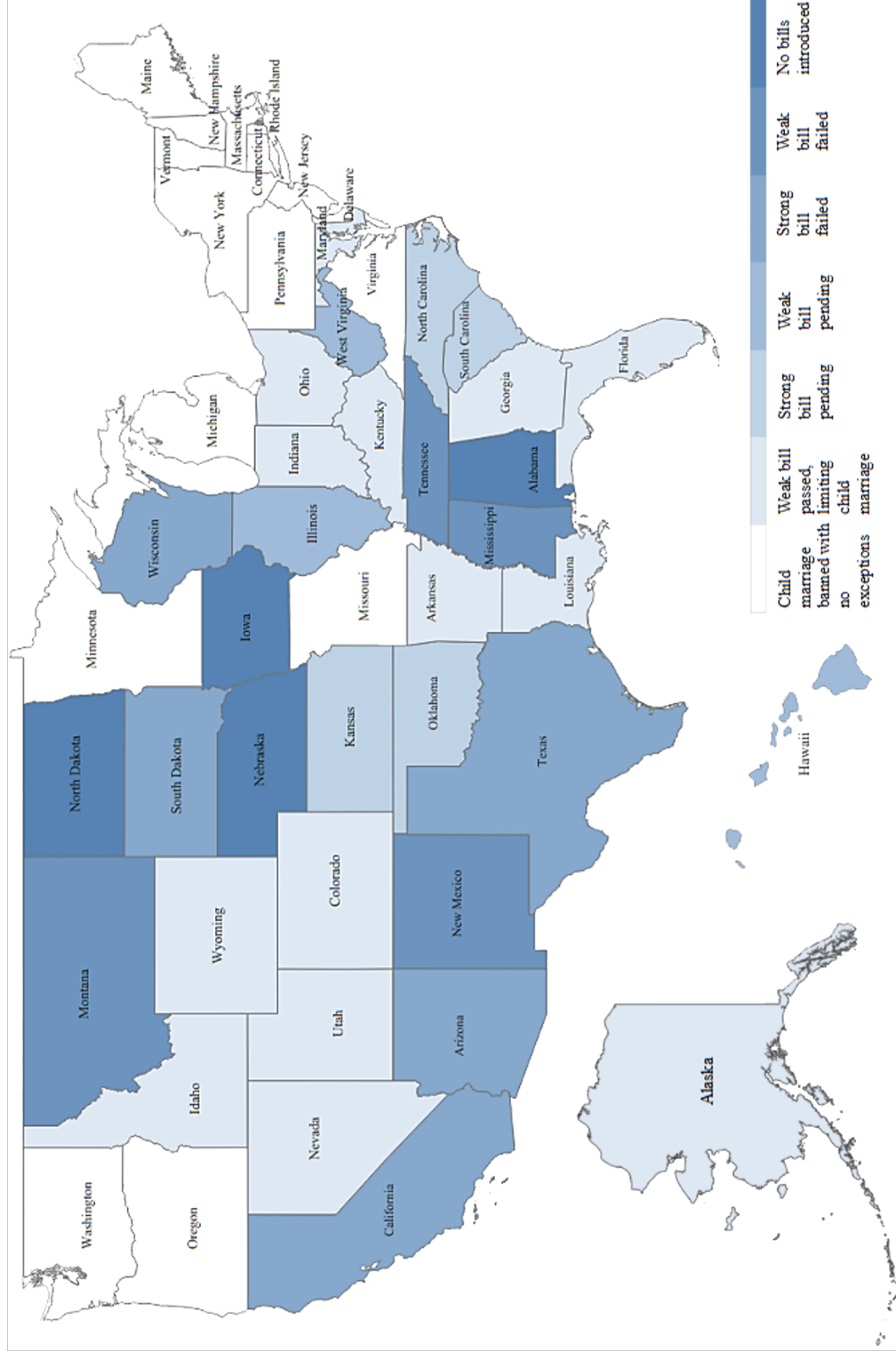


*Note.* Data collected from Unchained At Last’s 2025 report.

Between 2000 and 2022, the states with the highest average rates of child marriage (per 1,000 people) were found to be: Nevada (6.15), Idaho (3.56), Utah (3.23), Kentucky (2.98) and Wyoming (2.55) (Unchained At Last, 2025). Between 2000-2015, 12-year-old children were granted marriage licenses in Alaska, Louisiana, and South Carolina, while 13-year-olds were allowed to marry in fourteen different states, including Florida, New Hampshire, New Jersey, Texas, and Washington (Tsui et al., 2017). Before states started to ban child marriage with no exceptions, which only started in 2018, child marriage rates were quite high in almost all states.

**Figure 2**

*Map of the U.S. States Showing the Status of Different Bills*



*Note.* Map produced based on the data from Unchained At Last' s 2021 report. <https://www.unchainedatlast.org/united-states-child-marriage-problem-study-findings-april-2021/>

*Note.* Strong bill: aims to ban marriage under age 18; Weak bill: limits child marriage but still allows marriage under age 18 with some exceptions.

Currently, only 16 states have banned the practice, with no exceptions. In most other states, the minimum age of marriage is 16 or 17 with parental consent and sometimes coupled with judicial consent, but the child's consent is not required in any of these states (M. Hamilton, 2020). This uneven progress stands in stark contrast to the United States' international stance. Despite its global commitments to end child marriage (USAID, 2012), domestic reform has been fragmented and slow. Although the issue of child marriage has recently witnessed an increase in the agenda setting of most state legislatures, the lack of public attention, media, and support from lobbying groups has made it difficult for child marriage ban bills to be passed into law. Several bills proposed in the state legislature aiming to ban child marriage with no exceptions have been vetoed or otherwise stalled on the state legislative floor. This paradox between international advocacy and domestic inaction raises critical questions about the political, institutional, and social dynamics shaping state responses to child marriage.

This dissertation asks: How do institutional alignments, advocacy networks, and moral framings together shape the trajectory of child marriage reform across U.S. states? To answer this question, I adopt the following three-paper structure:

Chapter 2: Using a time-series logit model covering 2016-2025, I analyze the institutional, political, and regional dynamics shaping the introduction and passage of child marriage bills. The analysis examines how political alignment, prior legislative effort, and regional diffusion influence reform outcomes.

Chapter 3: Drawing on original survey-experimental data from the 2024 Cooperative Election Study, this paper investigates how the framing of underage marriage as involving a "child," "teenager," or "minor", affects public attitudes toward reform. The findings reveal the contingent nature of moral and emotional framing in shaping public support.

Chapter 4: Situating the U.S. within human rights debates, the final paper critically examines the persistence of legal exceptions through the lens of Susan Moller Okin's "right to exit." It argues that U.S. federal inaction reflects the conflicting situation where policies meant to protect children serve to entrap them in abusive circumstances.

## **Chapter 2: From Policy to Practice: Factors Affecting Child Marriage Policies in the United States**

Child marriage remains a persistent and underrecognized practice in the United States, with an estimated 315,000 children married between 2000 and 2021 (Unchained At Last, 2025). Despite common assumptions that the practice no longer occurs domestically, it continues to shape the lives of minors across multiple states. Globally, child marriage has long been a central focus of advocacy and research, particularly in developing nations, and has been established to be a barrier to gender equality, public health, and economic development (UNICEF, 2018). As part of the Sustainable Development Goals (SDGs), the international community, including the U.S., has committed to eliminating child marriage by 2030 (USAID, 2012). Reform efforts to curb the practice have, however, been uneven: while some states have enacted complete bans, the majority of the others continue to allow marriage under 18 in some capacity.

Currently in the U.S., sixteen states have banned the practice with no exceptions. The remaining thirty-four allow marriage under age 18 in some capacity—through parental or judicial consent, pregnancy-related exemptions, or emancipation provisions. UNICEF (2018) defines the “marriage or informal union involving at least one person under the age of 18” as child marriage. Despite committing to the SDGs, domestic efforts in the U.S. have been fragmented with no federal minimum age, leaving marriage policy to the discretion of individual states.

Efforts to end child marriage in the United States have been slow, though momentum has grown in recent years. Delaware and New Jersey became the first states to pass complete bans in 2018. More recently, Maine, Missouri, and Oregon prohibited the practice in 2025. Despite these successes, reform efforts continue to face significant barriers. Bills introduced in many states are often tabled in committee, stall on legislative floors, or are sometimes vetoed by governors. Even

in states that ultimately enacted bans, it was an uphill battle. Since 2016, Maryland has annually proposed to ban child marriage which failed six times before amending the minimum age to be 17 (Holbrook, 2021). New Jersey governor Chris Christie vetoed a child marriage ban bill despite overwhelming support (Friedman, 2017).

Frequent and strong opposition to legislative efforts remains a great concern in the aims of ending the practice. Since 2016, legislators across the states have introduced 177 bills aimed at restricting or banning underage marriage, but only 48 have become law.<sup>2</sup> In 2025 alone, 13 states introduced 23 bills. Only three succeeded. The mixed record of these legislative efforts raises important questions about why some states advance bans while others resist.

Repeated introductions, alongside frequent failures, raise a central question: how do institutional structures, political environments, and regional contexts shape a state's ability to restrict or permit child marriage? To address this, this paper examines state legislative activity on child marriage between 2016 and 2025, focusing on when and where bills are introduced and the factors that influence their enactment. I argue that whether states act to ban child marriage depends on three interrelated dynamics: the interplay of institutions, political alignments and regional diffusion pressures.

By modeling child marriage bans within the broader frameworks of agenda-setting, diffusion, and legislative resistance, the analysis sheds light on how contested social issues emerge and often falter in state policymaking. The findings reveal that successful enactment of bans depend on political alignment and regional diffusion, revealing the difficulty of translating policy efforts into actionable change. The sections that follow review the relevant literature, outline the data and methods, present results, and conclude with implications for reform.

---

<sup>2</sup> Count data is based on the dataset compiled for this study.

## History of Marriage Laws

In the United States, marriage law developed as “an evolving blend of English common law, statutory rules adopted by colonial assemblies, and domestic common law” (V. Hamilton, 2012, p. 1828). English common law regarded marriage primarily as a private arrangement governed by families rather than the state—a framework the American colonies largely adopted. For much of U.S. history, states intervened in marriage only when disputes arose within families (V. Hamilton, 2012). Legal restrictions on underage marriage emphasized parental consent rather than fixed age minimums (Syrett, 2016). Although most American states eventually established minimum marriage ages (Syrett, 2016; Bearat, 2024), parental permission remained the principal safeguard, allowing underage marriages to continue so long as consent requirements were met (Syrett, 2016).

Until the mid-twentieth century, these laws granted parents broad control over their children’s marriages while the age of majority<sup>3</sup> remained 21 (V. Hamilton, 2012; Schuman, 2018). When the age of conscription was lowered to 18 during World War II, it prompted debate about the rights of individuals aged 18 to 21, who could be drafted but lacked full legal autonomy. The issue resurfaced during the Vietnam War, as young men argued that those old enough to fight should be recognized as full legal adults (Wardle, 1983). This prompted an increase in the number of marriages between people who were below the minimum age (Syrett, 2016). During the 1950s and 1960s, before minimum marriage ages became more standardized, the issue of “marriage migration” became prominent where individuals would cross state lines to

---

<sup>3</sup> The age of majority typically is the threshold at which an individual is legally recognized as an adult. Currently, most states in the U.S. set it at 18, though Alabama and Nebraska set it at 19 and Mississippi at 21 (Legal Information Institute, Cornell Law School, n.d.). [https://www.law.cornell.edu/wex/age\\_of\\_majority](https://www.law.cornell.edu/wex/age_of_majority)

avoid the minimum-age laws in one's own state.<sup>4</sup> By the beginning of 1960 however, teenage marriage rates had decreased overall, but in the South, the practice continued with poor and rural children well into the late twentieth century (Syrett, 2016).

In the 1970s, the issue of child marriage gained attention from the National Conference of Commissioners on Uniform State Laws which prompted the enactment and revision of the Model Marriage and Divorce Act (previously called the "Uniform Marriage and Divorce Act").<sup>5</sup> This prescribed that an individual must be at least eighteen years old to marry, but allowed persons under that age to marry by obtaining parental and/or judicial consent, which was only adopted by six states (Varnado, 2024). A burst of legislative activity between 1971 and 1975, in addition to the twenty-sixth amendment to the U.S. constitution that lowered the voting age to 18, led to a convergence in laws across states and gender which dictated 18 as the legal age of marriage with no parental consent required (Blank et al., 2009; V. Hamilton, 2012).<sup>6</sup>

Until the early twenty-first century, child marriage did not garner much attention from lawmakers, journalists or academics (Syrett, 2016). In the 2000s, activism brought this issue into forefront again. Between 2000 and 2010, 32 bills were introduced across the nation that

---

<sup>4</sup> This continues to be an issue in the present times where parents cross state lines to marry their children (Adler, 2019; Bennett, 2021; Robertson, 2021). States are required by the "full faith and credit" clause of the Constitution to recognize each other's marriages which makes the 'marriage migration' essentially a race to the bottom with the most permissible state marital laws becoming the standard for the entire nation.

<sup>5</sup> Uniform Marriage and Divorce Act of 1973 §§ 101-506 (Amended 1971 and 1973).

<https://www.uniformlaws.org/viewdocument/final-act-89>

<sup>6</sup> A table demonstrating minimum marriageable ages over the years along with associated consent requirements can be found in the Appendix (Table A1).

addressed minimum age for marriage, age of consent, exemption issues regarding pregnancy or emancipation, or requirements of parental consent, judicial consent or other additional provisions, of which only six passed.<sup>7</sup> But prior to 2018, marriage under the age of 18 was legal in all fifty U.S. states.

### **Reforms in Marriage Policies**

Marriage in the United States has long been recognized as both a personal choice and a religious and legal institution. Beyond its social and spiritual significance, marriage occupies a central place in American civil liberties, conferring rights and responsibilities that extend far beyond the private sphere (Grossberg, 1985). State legislatures, in defining who may marry and under what conditions, have consistently used marriage law to provide meaning to prevailing social norms regarding the boundaries of family life.

#### **Race-based Reforms**

The first major change in the history of marriages in the United States was to remove the ban on interracial marriages. Anti-miscegenation laws that forbade interracial marriages started with Maryland banning marriage between white and non-whites. Other states soon followed suit—laws were passed in Virginia in 1691, Massachusetts in 1705, North Carolina in 1715, South Carolina in 1717, Delaware in 1721, and Pennsylvania in 1725 among others (Head, 2020). In 1724, Article VI of the Louisiana Code Noir (Palmer, 1996) and the Mississippi Black code in 1865 (Messner, 1968) forbade marriage between whites and blacks.

The Immigration Act of 1917 or the Asiatic Barred Zone Act prevented ‘non-whites’, primarily from Asia, from entering the USA. It also barred those who exhibited “constitutional psychopathic inferiority” which was the classification used for LGBTQ individuals (Agarwal,

---

<sup>7</sup> Count of bills is based on the dataset compiled for this study.

2016). The repeal of anti-miscegenation laws first saw its impetus in 1948 when the California Supreme Court found the state's anti-miscegenation laws unconstitutional (*Perez v. Sharp*, 1948). In the 1967 *Loving v. Virginia* case, interracial marriages were legalized in all the U.S. states with the Supreme Court finding anti-miscegenation laws to be violating the U.S. constitution.<sup>8</sup>

### **Divorce Laws**

Marriage and divorce law in the United States were originally modeled on British common law, which strictly limited divorce and subordinated women's legal identities to their husbands (Kitchin, 1912). Under this system, a wife's "legal existence" was effectively merged with that of her husband, leaving her with few property or contractual rights. Nineteenth-century reforms began to erode this framework, beginning with Mississippi's 1839 Married Women's Property Act, which allowed women to hold property in their own names—a model soon adopted elsewhere (Brown, 1944). The most significant shift came with the rise of no-fault divorce, pioneered by California in 1969 and widely adopted during the 1970s (Hardy, 2015). By 2010, all states had enacted some version of no-fault divorce, marking a broader transition from a moralized legal regime to one centered on individual autonomy and personal choice.

### **Outlawing Polygamy**

Polygamy, though often associated with Mormonism, was historically practiced by multiple religious and cultural groups in North America prior to European colonization. European settlers viewed plural marriage as incompatible with Christian norms, and by the mid-nineteenth century, the U.S. government explicitly criminalized the practice. The Morrill Anti-Bigamy Act of 1862, followed by the Edmunds Anti-Polygamy Act of 1882 and the Edmunds-

---

<sup>8</sup> *Loving v. Virginia* 388 U.S. 1 (1967)

Tucker Act of 1887, specifically targeted Mormon polygamy, disincorporating the LDS Church and criminalizing plural unions (Pearsall, 2019). Facing mounting federal pressure, the LDS Church officially renounced polygamy in 1890. The campaign against polygamy helped solidify monogamous, heterosexual marriage as the moral and legal standard in the United States.

### **Legalizing Same-sex Marriage**

The history of same-sex marriage in the United States illustrates how definitions of marriage both reflect and reshape prevailing social norms. Early activism in the twentieth century through short-lived groups such as the Society for Human Rights and later organizations like the *Daughters of Bilitis*, challenged the criminalization and stigmatization of same-sex relationships (Bullough, 2005; Perdue, 2014). Yet legal recognition remained elusive until the 1990s, when *Baehr v. Lewin* (1993) in Hawaii questioned the constitutionality of prohibiting same-sex marriage, prompting a wave of legislative reaction. Congress responded with the Defense of Marriage Act (DOMA) (1996) which recognized marriage as exclusively between one man and one woman, and within a decade, over half of U.S. states had adopted statutory or constitutional bans. These efforts were driven less by immediate public demand than by organized moral entrepreneurs and interest groups mobilizing fears of social change. The rapid diffusion of restrictive laws reflected both ideological contagion and defensive policymaking—a desire to define and protect traditional marriage in the face of perceived cultural threat.

The backlash that produced these bans eventually gave rise to a powerful countermovement. Massachusetts' 2004 legalization of same-sex marriage sparked a new wave of litigation, advocacy, and public debate. Policy change accelerated as legal precedents accumulated, culminating in *United States v. Windsor* (2013) and *Obergefell v. Hodges* (2015), which legalized same-sex marriage nationwide. This reversal illustrates several key mechanisms

of reform: persistent activism, evolving public opinion, strategic litigation, and the eventual intervention of federal authority to resolve state-level inconsistency. These same forces of advocacy persistence, moral reframing, and the cumulative pressure of uneven state policies, are now visible in efforts to ban child marriage. As with same-sex marriage, the pattern suggests that moral policy reform in the U.S. often unfolds through cycles of resistance, diffusion, and eventual normalization once a tipping point of political and moral legitimacy is reached.

### **Child Marriage Reform**

Early attempts at reforming child marriage policies in the United States date back to late nineteenth century when early reform efforts were addressing matters on what we know today as ‘statutory rape’ and curbing high divorce rates by raising the minimum age for marriage (Varnado, 2024). Reformers criticized the practice for robbing children of their youth, while others warned that it would undermine not only the stability of the families such unions created but also the broader institution of marriage and society itself. In response, state legislatures began tightening restrictions by raising the minimum marriage ages where they already existed, establishing them where they did not, and revising the age thresholds for parental consent (Varnado, 2024).

Twentieth-century reformers framed child marriage as both a threat to children’s well-being and a distortion of the marital institution itself. They argued that protecting children from premature unions would ultimately preserve marriage as a cornerstone of social order. This framing informed a series of legal reforms: instituting waiting periods between license application and issuance, requiring documentary proof of age, urging ministers and clerks to verify eligibility, and raising minimum age for marriage and parental consent. Feminist reformers, meanwhile, pushed for equality between men and women, challenging laws that

allowed girls to marry younger than boys and that codified lower ages of majority for women. While their campaigns achieved limited success—equalizing marital ages and ages of majority in some states—the larger push for federal intervention or constitutional change failed (Ross, 2021), leaving regulation to the states. By the 1930s, the persistence of child marriage, particularly in the South, revealed the limited reach of these reforms (Syrett, 2016).

Economic upheaval in the wartime in the 1930s and 1940s reinforced early marriage rather than deterring it. Reform efforts favored discussions on “why young people got married, not on the legality of how” (Varnado, 2024, p. 662). Only in the 1970s did policymakers again take up the issue formally, when the National Conference of Commissioners on Uniform State Laws introduced the Model Marriage and Divorce Act, recommending eighteen as the minimum marriage age but permitting exceptions through parental or judicial consent (Varnado, 2024). Women’s-rights organizations also campaigned to equalize marital ages across gender lines, yet these victories were undermined by new statutory exceptions, particularly in cases of pregnancy that preserved broad discretion for parents and judges (Syrett, 2016).

To date, there is no federal law prohibiting child marriage within the United States and regulation remains the responsibility of individual states. Congressional efforts to establish national standards have repeatedly failed. Proposals such as the *International Protecting Girls by Preventing Marriage Act* and attempts tied to the United Nations Convention on the Rights of the Child (UNCRC) in 2010 sought to set a federal minimum age but never passed. While the U.S. has enacted measures addressing child and forced marriage abroad with the *Violence Against Women Act* (VAWA) and the 2012 *International Protecting Girls by Preventing Child Marriage Act*, these provisions apply primarily to foreign policy and international aid, leaving domestic child marriage largely governed by state law. Most recently, the 2024 Child Marriage

Prevention Act,<sup>9</sup> renewed calls for a national minimum age of 18, but as of 2025, it remains stalled in Congress. No U.S. state appears to have embedded a child marriage prohibition directly into its constitution either, relying instead on statutory reforms that remain more vulnerable to reversal.

In the absence of federal action, advocacy organizations filled the policy vacuum. Child marriage re-emerged as a policy concern in the early twenty-first century, driven by groups such as Unchained At Last, which played a critical role in problem definition, reframing underage marriage as a public policy issue requiring state intervention. Their reports exposed both the persistence of underage marriage and the absence of systematic data collection in the United States. Yet even as advocacy reframed child marriage as a matter of public concern, reform efforts confronted deeply entrenched legal norms. States continued to rely on parental consent and judicial approval as primary safeguards, mechanisms that in practice often preserved rather than prevented underage marriage (M. Hamilton, 2021).

Despite recent success and renewed focus on the matter, reform outcomes have varied drastically across the states. Understanding these variations requires a closer look at the institutional, political, and regional dynamics that influence whether bill aiming to ban or limit child marriage advance or stall.

### **Institutional, Political, and Regional Dynamics of Child Marriage Reform**

Historically, marriage has served as a foundational institution in American history. Religious frameworks sanctified parental authority and prioritized family autonomy, limiting the

---

<sup>9</sup> Child Marriage Prevention Act, S. 4990, 118th Cong. §§ 1-10 (2023-2024).

state's role largely to recordkeeping or adjudicating disputes (Syrett, 2016). Marriage was thus defined less as a matter of state policy than as a private arrangement within families, overseen by a narrow set of actors—parents, local courts, and religious authorities. Baumgartner and Jones (1993) describe such circumstances as policy monopolies—systems in which a limited circle of decision-makers preserve the status quo and limit the introduction of competing perspectives. In the case of child marriage, this meant that parental consent and judicial oversight remained largely unquestioned.

This emphasis on parental decision-making reflects deep institutional legacies. In recent years, advocacy groups have directly questioned these consent requirements, arguing that parental consent and judicial oversight often fail to protect minors. The Tahirih Justice Center (2017) observes that the line between consent and coercion is frequently blurred, and judges often lack the training to identify coercion or abuse in marriage petitions. These problems are compounded by the uneven way consent requirements are applied across states. In several states, only one parent's approval is required, and parental consent provisions often lose force when the minor is pregnant. In New Mexico, children under 16 require both parental and judicial consent, but these requirements can be bypassed if the girl is pregnant, effectively lowering the age floor to puberty (M. Hamilton, 2020). Judicial authority can also override parental concerns, as in Iowa where judges may authorize marriage if they deem it in the 'best interest' of the child (M. Hamilton, 2020). These examples demonstrate how institutional arrangements that were meant to provide oversight have been reshaped to preserve access to underage marriage.

However, advocacy campaigns and media coverage disrupted this equilibrium by highlighting cases of minors married under troubling circumstances. The result was a sharp rise in legislative proposals, with over 200 bills introduced between 2016 and 2025. This pattern

reflects what Baumgartner and Jones (1993) describe as punctuated equilibrium—long stretches of stability interrupted by bursts of attention when dominant understandings are challenged. Despite increased attention on the issue of child marriage, most proposals stalled before passage, revealing the difficulty of sustaining momentum once the initial burst of visibility subsides. While judicial discretion and consent requirements vary by state, their central role in dictating exemptions for underage marriage reveal patterns of how institutional legacies preserve the practice of child marriage, and thereby reflecting why gaining traction was difficult for child marriage reform.

The heightened visibility of a policy issue not translating into enactment reflects what Kingdon (1995) describes as policy evolution. Ideas undergo mutation, recombination, and refinement before they are viable for serious decision-making. In this sense, the surge in legislative activity corresponds to child marriage reaching the ‘governmental agenda,’ but relatively few proposals advanced to the ‘decision agenda,’ where lawmakers are prepared to make binding choices. The divide between the governmental and decision agendas underscores that visibility alone is insufficient; understanding reform requires attention to the factors that influence passage.

The surge of bills without corresponding enactments underscores a central challenge in child marriage reform: explaining why certain proposals achieve passage while most do not. Unlike many other morality policies, child marriage lacks broad public salience. Rather than following realistic pathways to enactment, laws surrounding child marriage issues may be symbolic in nature, stemming from moral commitment or responsiveness (Pitkin, 1967). Most Americans also are unaware that the practice remains legal in much of the United States (Lawson et al., 2020), leaving reform efforts driven primarily by advocacy organizations rather than mass

demand. This dynamic is consistent with studies that show low-salience or moral issues often are driven by political entrepreneurs rather than public demand (Baumgartner & Jones, 1993; Kingdon, 1995). In this context, legislative outcomes depend less on public opinion and more on institutional dynamics, partisan alignments, and the willingness of key political actors to prioritize the issue (Mooney, 2001).

While Haider-Markel and Meier (1996) emphasize the highly salient and mobilizing nature of many morality policies, child marriage reform represents a different case: the issue has remained largely low-salience, with resistance shaped more by elite actors and cultural framing than by broad public engagement. While public salience is difficult to measure directly, repeated bill introductions serve as an indicator of sustained political attention, even when public engagement is absent. Attention to a policy issue from other states can also inform another state and initiate action on the matter. These dynamics are clearly visible in the case of child marriage too—in 2025, although 3 states enacted bans, ten other states attempted to address the issue of child marriage. Regional closeness plays a key role in this, which is discussed next.

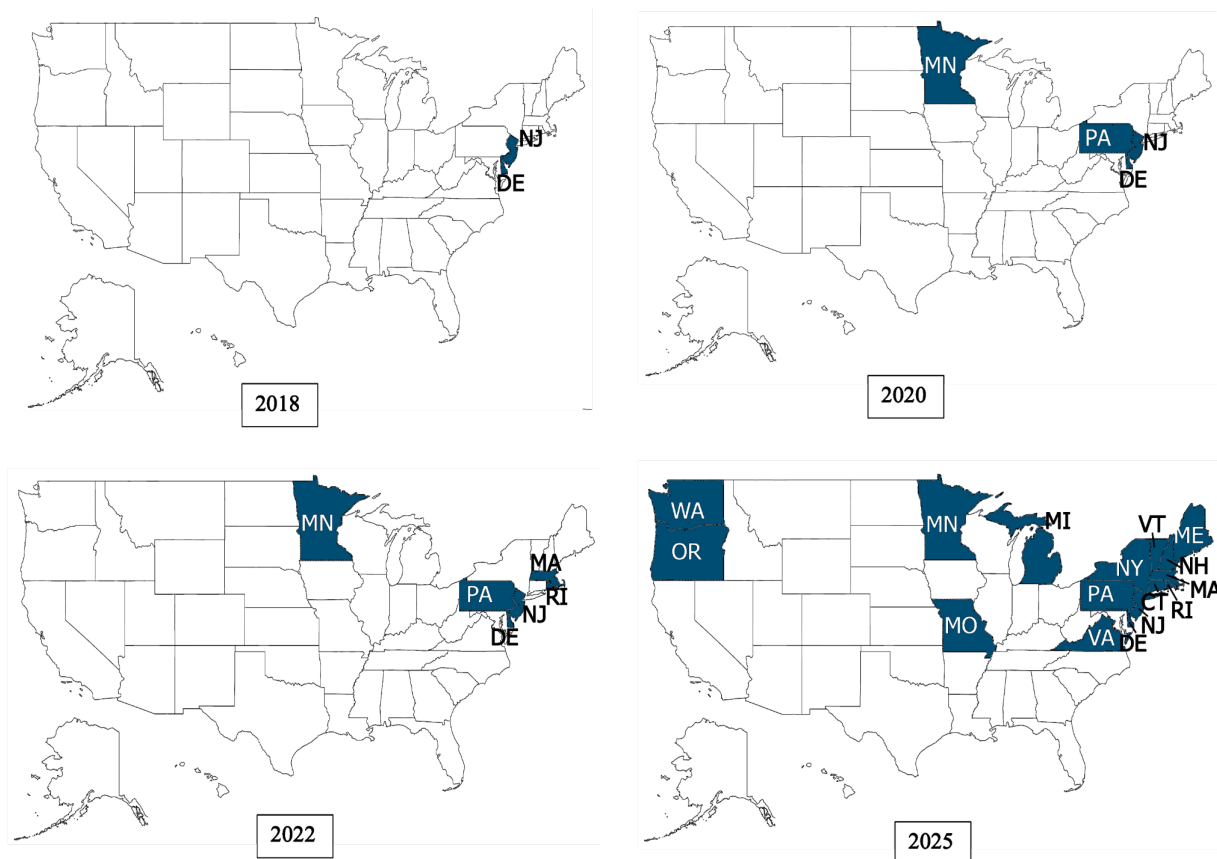
### **Policy Diffusion**

The challenges of reform are not confined to individual states. Efforts to ban child marriage have produced a strikingly uneven national landscape, with some states enacting the bans while others have repeatedly rejected or diluted reform. This uneven geography raises broader questions about how policies spread and why some states prove more receptive than others. Scholars of American state politics have long emphasized the role of diffusion, where reform in one jurisdiction shapes the likelihood of adoption in another (Walker, 1969; Gray, 1973; Berry & Berry, 1990). As Figure 3 illustrates, reform has spread unevenly across the

states, with early adoption in Delaware and New Jersey, followed by clustered advances in the Northeast and later in the Midwest and West.

### Figure 3

*States That Have Enacted a Full Ban on Child Marriage, 2018-2025*



These patterns echo the classic findings of diffusion research. Diffusion scholarship has long shown that states often emulate neighbors, with adoption clustering regionally as legislatures learn from one another's experiences (Walker, 1969; Gray, 1973). Subsequent work formalized these insights, emphasizing the role of both internal characteristics and external pressures (Berry & Berry, 1990) and identifying mechanisms such as learning, competition, imitation, and advocacy networks (Shipan & Volden, 2008).

Diffusion can also occur in the opposite direction, as states recognize the risks of becoming “destination states” for underage marriage. Connecticut resisted reform for years, with repeated proposals failing to advance. Yet once all of its neighboring states had enacted bans, Connecticut passed its own measure—suggesting that regional isolation made continued resistance politically untenable (Moritz, 2023). Missouri and North Carolina, both known for drawing minors from nearby states with stricter laws, eventually faced heightened scrutiny and pressure to act (Bennett, 2021, Robertson, 2021).

While advocacy groups themselves played a role in amplifying diffusion by publicizing legislative victories and encouraging neighboring states to follow suit, the trajectory of reform also illustrates how regional context shapes state decisions. Unlike many morality policies, this issue has not followed a clean partisan divide. In fact, regional diffusion has interacted with partisanship—while some clusters reveal geographic proximity, others reflect ideological conformity. In some states, bans passed with overwhelming bipartisan support. For example, Pennsylvania’s Republican-sponsored ban cleared a Republican legislature unanimously, while Minnesota’s Democratic-sponsored ban passed in a GOP-controlled senate without opposition. Elsewhere, Republican leaders have blocked reform, as in New Jersey with Governor Christie’s veto (Friedman, 2017) or in New Hampshire, where legislators declared a ban “inexpedient to legislate” (Trickey, 2022).

Opposition has also emerged on the left: California’s 2017 bill failed after groups like the ACLU and Planned Parenthood argued it infringed on minors’ rights and could jeopardize abortion access (Clark, 2019; Mays, 2023; Hudson, 2023). This variation underscores that partisanship cannot be treated as a straightforward predictor of reform, since both support and resistance cross party lines. At the federal level, by contrast, opposition to child marriage has

largely been framed through immigration policy, with conservative Republicans advancing proposals to raise the marriage age in visa petitions (Trickey, 2022; Johnson, R.,2019). This divergence underscores that the politics of child marriage look quite different at the national and state levels, with partisanship far less predictable in state legislatures. While these countermobilization efforts also shape child marriage reform, these dynamics are difficult to capture quantitatively and are treated as contextual influences rather than modeled variables.

### **Barriers and Pathways to Legislative Success and Failure**

For much of the early 2000s, child marriage received little domestic advocacy attention, even as other global development priorities such as maternal health, girls' education, and human trafficking, were incorporated into U.S. policy agendas under the Sustainable Development Goals. Despite being part of the same international human-rights framework, child marriage remained largely invisible within U.S. borders. Advocacy groups such as Unchained At Last have since filled this vacuum, drawing on UNICEF's framing of the practice as a human-rights concern. They have commissioned and publicized research-driven data on its prevalence, worked with legislators to draft bans, and mobilized survivors to testify in legislative hearings across multiple states. But the U.S. still lacks a national repository on child marriage data and global organizations such as the United Nations (UN) and *Girls, Not Brides* do not have data on several developed nations, including the U.S.

Reform outcomes often hinge on the alignment of institutional and political actors. In New Jersey, Republican Governor Chris Christie vetoed a child marriage ban that had overwhelming support across both aisles of politics (Friedman, 2017). Maryland illustrates how repeated introductions without strong legislative backing or gubernatorial support can leave bills stalled for years—between 2016 and 2022, six attempts failed before only a partial reform passed

(Holbrook, 2021). Even in states that have enacted bans, the process was rarely straightforward. Most reforms required multiple introductions across several legislative sessions before passage, and many were subject to compromises that limited their scope. Delaware in 2018 stands out as a rare case where a ban passed relatively quickly and without any prior failed attempt while in other states, proposals were repeatedly tabled or amended or required relentless advocacy before advancing. Delaware's success demonstrates how unified partisan control, and small legislative chambers can reduce coordination costs and facilitate rapid policy adoption. These trajectories underscore that even when reform ultimately succeeds, it typically emerges from protracted struggle of institutional norms rather than smooth legislative consensus.

The persistence of cultural and legal norms surrounding marriage continues to shape legislative debates. Lawmakers frequently invoke personal or family experiences with early marriage to justify opposition to reform—Governor Christie argued that a ban would conflict with religious customs and parental authority (Friedman, 2017), while legislators in Michigan and West Virginia referred to underage marriages in their own families argue against a ban (Raby, 2023; Trickey, 2022; Zurick, 2023). In New Hampshire, opponents argued that child-marriage bans undermine parents' ability to guide their children's choices (Trickey, 2022). These appeals to tradition reflect the cultural dimensions of policy monopolies, where dominant narratives (here, the normalization of early marriage) limit the ability of new frames to take hold. Such resistance underscores how historical legacies continue to shape both the law and the politics of child marriage reform.

While these longstanding practices help explain the persistence of resistance, they do not fully account for the recent prominence of child marriage on state legislative agendas. Issues rarely gain such attention on their own; they typically require 'policy entrepreneurs' who frame

them as urgent problems and provide ready-made solutions (Kingdon, 1995). For child marriage, advocacy groups such as Unchained At Last have filled this role. They have utilized UNICEF's framing of the practice as a human-rights concern, commissioned and publicized research-driven data on its prevalence, worked closely with legislators to enact a ban and mobilized survivors to testify in legislative hearings in multiple states. These illustrate how advocacy transformed an issue long treated as a private family matter into a recognized public problem suitable for legislative action.

Beyond institutional hurdles, the rhetoric surrounding child marriage reform also helps explain the uneven fate of proposals. Opponents frequently frame bans as infringements on parental rights, religious traditions, or youth autonomy, while others link them to reproductive rights—arguing either that restrictions would push pregnant teens toward abortion or, conversely, that bans could threaten minors' access to abortion itself (Friedman, 2017; Clark, 2019; Hibbert, 2024; Mays, 2023). Proponents, by contrast, emphasize protection and human rights, citing survivor testimonies and highlighting the inconsistency of allowing minors to marry while denying them other adult rights (Tsui, 2017; Trickey, 2022). These competing frames do not neatly follow partisan lines and contribute to the difficulty of sustaining momentum for reform, even when legislative proposals reach the floor.

Child marriage reform in the United States lies at the intersection of several dynamics—from historical legacies and cultural narratives that continue to sustain entrenched resistance, to legislative outcomes hinging on the alignment of sponsors, governors, and advocacy organizations. Regional clustering suggests that reform spreads unevenly through processes of diffusion, yet partisan alignments cut across traditional divides, complicating expectations about

which states will act. Together, these patterns point to the need for systematic analysis of how institutional, political, and regional factors condition the prospects for reform over time.

The state-level patterns point to three determinants of reform to child marriage laws: institutional persistence, political alignment, and regional diffusion. Each of these can be operationalized through measurable indicators—repeated bill introductions, partisan control across branches, and legislative activity in neighboring states. This allows for systematic testing of how these factors influence legislative outcomes around child marriage.

Taken together, these institutional and political dynamics shape the conditions under which reform either advances or stalls. In empirical terms, they can be observed through measurable indicators of legislative persistence, partisan alignment, and regional context. Repeated bill introductions capture the degree of sustained institutional effort, while unified or divided partisan control reflects the political environment in which reform is debated. Gubernatorial support or opposition further signals executive alignment. Finally, the clustering of enactments across neighboring states points to regional diffusion pressures that may reinforce or discourage action. These factors, developed from the theoretical patterns above, form the basis of the statistical analysis that follows.

This paper asks why some state legislatures in the United States succeed in advancing bans on child marriage while others repeatedly reject or dilute reform. Building on the dynamics highlighted above, I propose that legislative introductions and their outcomes are shaped by three interrelated factors: institutional histories of reform, partisan alignments between legislatures and governors, and regional diffusion pressures. These dynamics unfold across two stages: the introduction of a bill and the passage of said bill. While the former marks the entry of the issue into the legislative agenda, the latter reflects the decision agenda. Each of these processes are

distinct political processes—the introduction heightens visibility and provides the option for sponsorship while the passage of a bill reveals deliberation and coalition-building.

Policy attention rarely emerges spontaneously. Instead, it builds through repeated legislative engagement that normalizes the issue within institutional routines. States that have a record of introducing or debating child marriage bills demonstrate sustained internal pressure and accumulated policy knowledge. This persistence reduces informational and political barriers to subsequent action, increasing the likelihood of eventual passage. In this sense, repeated proposals serve as both indicators and mechanisms of issue emergence, signaling that the problem has moved from external advocacy to institutional agenda-setting. This leads to my first hypothesis:

***Introduction and Enactment-H1 (Institutional Persistence):*** *States that have previously introduced or debated child marriage reform bills are more likely to introduce and enact bans in subsequent years.*

The success of reform depends not only on sustained attention but also on political opportunity. When the legislature and the governor share partisan control, coordination costs are lower, and veto threats are reduced. In contrast, a divided government creates multiple veto points that can block reform even when legislative majorities support it. Repeated introductions not only signal persistence but also institutionalize the issue within the legislative framework. As bills reappear, they evoke a sense of familiarity among legislators and reduce the information gap around the issue. Over time, the cumulative attention increases the possibility of passage, leading to my second hypothesis:

***Enactment-H2 (Unified vs. Divided Government):*** *Child marriage reform is more likely to succeed under unified government than under divided government.*

Finally, state action is shaped by horizontal diffusion pressures. Lawmakers observe neighboring states' reforms, both as policy examples and as symbolic signals of political feasibility. States surrounded by others that have enacted bans may face normative or practical pressure to follow suit—whether to emulate perceived best practices or avoid becoming destinations for underage marriage. This is represented in:

***Introduction and Enactment-H3 (Regional Diffusion):*** *States are more likely to introduce and adopt child marriage bans when neighboring states have already enacted similar reforms.*

Together, these hypotheses capture how both structural and contextual forces shape the trajectory of child marriage reform. Institutional routines determine whether issues remain visible, political alignments affect whether proposals advance or stall, and regional contexts influence when states perceive reform as necessary or feasible. The next section tests these expectations using a time-series cross-sectional analysis of all state legislative sessions from 2016 to 2025, evaluating how institutional experience, political control, and regional diffusion jointly condition the likelihood of bill introduction and enactment. The following analysis examines both political processes: one model estimating the likelihood of bill introduction and the other predicting enactment of bills that were introduced.

### **Data and Methods**

To test my theory, I constructed an original dataset of all child marriage bills introduced in the 50 states from 2016 to 2025.<sup>10</sup> This data tracks the life of each bill through its legislative stages of introduction and enactment. The unit of analysis in this study is the state-chamber-year,

---

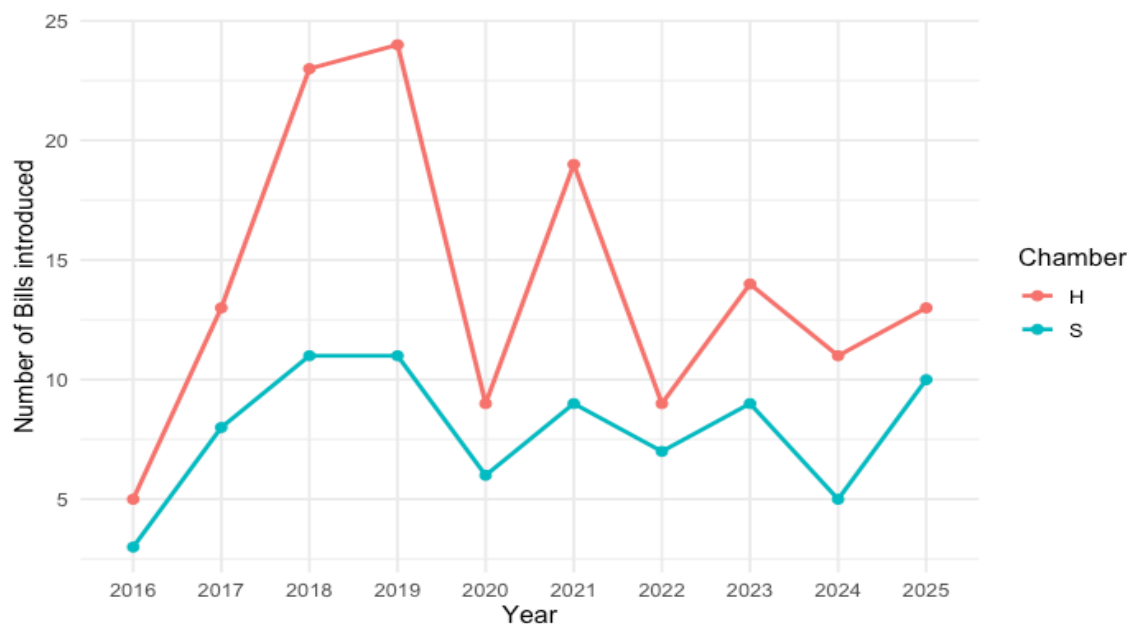
<sup>10</sup> The complete dataset captures reform efforts since 2011, but the 2016-2025 timeframe was used due to the lack of policy efforts between 2011-2016.

meaning that each observation corresponds to one legislative chamber in a given state and year. The dataset is thus paired with chamber-level information, institutional features, political context and state level characteristics.

Bill data were collected from LegiScan and LexisNexis using keyword searches including “minor,” “under the age of,” “child,” “marriage,” and “marry.” Relevant bills between the years of 2016 and 2025 were identified by reviewing individual bill texts. For bills to be included, these bills needed to address attempting a change in the minimum age for marriage, or consent requirements or any exceptions that allow underage marriage. To ensure completeness and accuracy, bill data from LegiScan and LexisNexis were cross-checked with official state government websites, confirming no missing bills and correct coding of relevant bill features.<sup>11</sup>

#### Figure 4

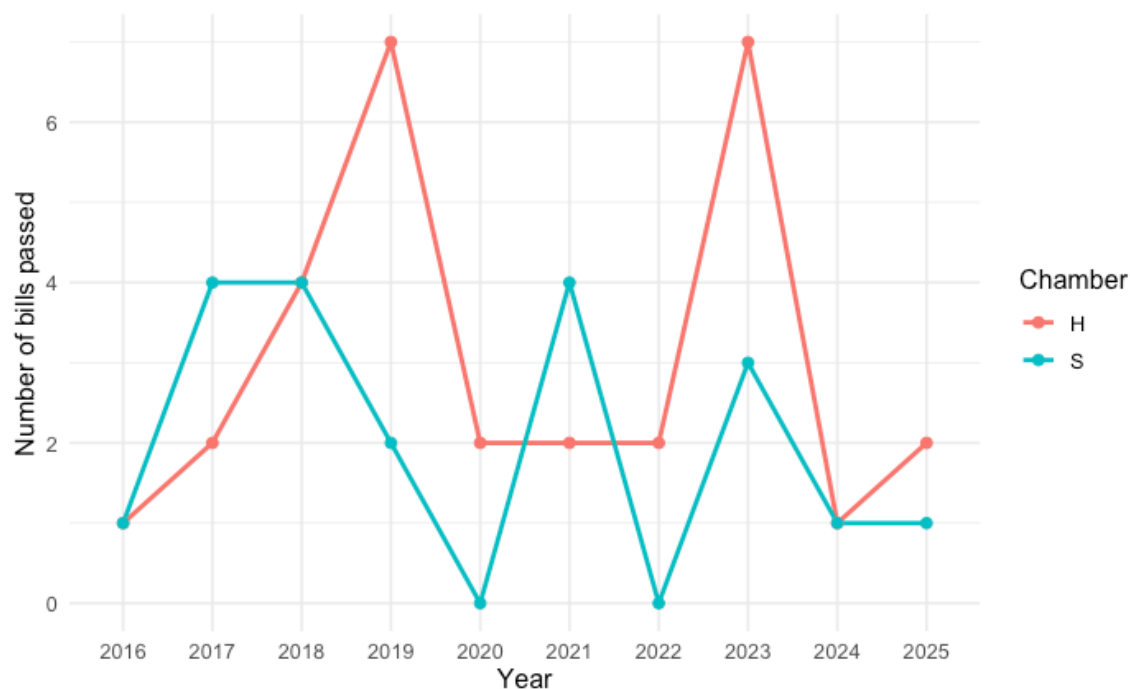
*Count of Bills Introduced Over the Years, by Chamber*



<sup>11</sup> Bills that explicitly addressed the age aspect of child marriage were included in the dataset. Any bill that focused on any other aspect (for example, requiring premarital counseling in addition to consent) was not included.

**Figure 5**

*Count of Bills Limiting Child Marriage Enacted into Law over the Years, Introduced by Chamber*



The analysis in this study consists of two models. The two dependent variables correspond to the two stages of bill progression—introduction and enactment. In the first model, the dependent variable *bill introduction* is coded as 1 if at least one bill addressing child marriage was introduced in a given chamber-year, and 0 otherwise.<sup>12</sup> In the second model, the dependent variable *enactment* is coded as 1 if any introduced bill is signed into law and 0 otherwise, regardless of prior passage in the chambers.<sup>13</sup>

<sup>12</sup> If multiple bills were introduced in a given state-chamber-year, it was coded as 1. The focus is on whether a chamber engaged with child marriage legislation in a given year, not on the number of bills introduced.

<sup>13</sup> If at least one introduced bill was enacted into law, it was coded as 1.

For independent variables, I include institutional demographics such as percentage of female legislators, percentage of Democratic legislators, and governor's gender (male vs female), party (Democrat vs not Democrat), and race (white vs not white) in the model. Additionally, who controls the legislature (Republican, Democrat vs Split) is also included. Political context is captured with an indicator variable for election years (1 if any election year for a given chamber, 0 if not) and the proportion of neighbors that have banned the practice (number of bordering states with bans divided by total possible neighbors) with Alaska and Hawaii coded as 0 as they have no neighbors to diffuse policy from.

State-level characteristics include educational attainment (percentage of the population with high school education (with or without degree), undergraduate education (associate's, bachelor's, some college) and postgraduate education), percentage white population, percentage of immigrant residents (citizen and non-citizen combined), percentage of women aged less than 18, and income inequality (measured by the Gini coefficient). To ease interpretation, percentage-based variables (such as racial composition, educational attainment categories, immigrant share, and inequality) were rescaled by multiplying values by 100. All other variables are included in their original form (See Table 1 for summary statistics of variables).

**Table 1***Summary Statistics of Variables*

Variables	Total count			
Dependent variables				
Introduction =Yes				177
Introduction =No				813
Enacted = Yes				48
Enacted = No				129
Independent variables				
	<b>Mean</b>	<b>SD</b>	<b>Min</b>	<b>Max</b>
State demographics				
Percent white	71.47	14.32	21.35	94.44
Percent immigrant	9.58	6.24	1.53	27.31
Percent female under 18 years of age	10.71	0.95	8.28	14.67
Percent undergraduate education	39.12	2.81	31.00	46.93
Percent postgraduate education	8.71	2.29	5.02	16.13
Poverty (Gini coefficient)	0.47	0.02	0.41	0.52
Chamber characteristics				
Percent female legislators	28.95	10.35	3.00	66.67
Percent Democrat legislators	43.84	20.31	5.88	100.00
Political context				
Percent of neighboring states ban	12.28	25.16	0.00	100.00
Election year =Yes				452
Election year = No				538
Governor characteristics				
Gender = Male				812
Gender = Female				178
Race = White				942
Race = Nonwhite				48
Party = Democrat				424
Party = Not Democrat				566
Legislative Control				
Democrat				332
Republican				604
Split				54
Chamber = H				490*
Chamber = S				500

*Note.* \* The number of observations for the House and Senate varies as Nebraska is unicameral.

State demographic data were obtained from American Community Survey (ACS) 1-year estimates.<sup>14</sup> Income inequality is measured by the Gini coefficient, obtained from the State Health Access Data Assistance Center (SHADAC).<sup>15</sup> Political and institutional covariates were compiled from the National Conference of State Legislatures (NCSL), LegiScan, and Ballotpedia.

Three key control variables are included for the Introduction model. The first control variable is an indicator for whether child marriage was already banned in the state in a given year. This accounts for the fact that some states may have no bill introductions because the practice is already prohibited, while still allowing for occasional new bill introductions in states with an existing ban (e.g., New Hampshire in 2025). The second control variable is prior legislative effort within the state, measured as the cumulative number of child marriage bills previously introduced in the state–chamber. For example, if a bill was introduced in 2013, the prior effort for 2013 is 0; if another bill is introduced in 2015, the prior effort for 2016 would be 2. Chamber dummy is also included in the analyses. The variable *National attention* measures the number of states other than itself that have passed a ban the prior year.

For the *enactment* model, observations are first subset by stage, such that only those state-chamber-years that had a bill introduction are included in the model.<sup>16</sup> Governor

---

<sup>14</sup> ACS 1-year estimates were unavailable for 2020 due to the COVID-19 pandemic. Additionally, at the time of the study, 2024 and 2025 estimates were not yet available. ARIMA forecasting was used on 2011-2023 data to produce estimates on state level demographic data for the years 2020, 2024 and 2025.

<sup>15</sup> ARIMA forecasting was also used to produce estimated Gini coefficients for the years 2020, 2024 and 2025.

<sup>16</sup> The progress is tracked for introduced bills– even if a bill rolls over into subsequent sessions, they are not given a separate ID. For 2025 bills that were reportedly rolled over to the next session, were coded as 0 = not enacted.

characteristics other than party, the indicator variable for ‘already banned’ and other state demographics are removed from this model. Two other variables are included in this model—*national attention* and *bipartisanship*. *National attention* measures the number of states other than itself that have passed a ban the prior year. Sponsorship/co-sponsorship information for bills introduced was coded as *bipartisan* or *not bipartisan* effort only.

To analyze the hypotheses, I employ a time series logit model for the *bill introduction* and an ordinary logit model for *enactment*.<sup>17</sup> Both models include chamber dummies, and *enactment* also includes year dummies to model any temporal change. I also include an interaction between *legislative control* and *governor party* to assess whether a unified or divided government has an impact on the bill introduction and/or enactment.

### **Results and Discussion**

Table 2 reports the estimates and corresponding odds-ratios for the time series logit model predicting whether a state-chamber introduced at least one child marriage bill in a given year between 2016-2025. Standard errors are clustered by state to account for potential correlation of observations within the same state over time.

---

<sup>17</sup> Since *enactment* was a subset of the original dataset, a time series model could not be applied.

**Table 2***Introduction: Time-series Logit Model for Bill Introductions*

Covariate	Coefficient	Odds Ratio
Interaction: Legislative Control × Governor Party		
Democratic Control × Democrat Governor	-0.4334	0.6483
Split Control × Not Democrat Governor	14.0100	1.2 × 10 <sup>6</sup> ***
Political context		
Prior internal effort	0.0681	1.0705
% Neighboring states banned	0.0053	1.0053
National attention	0.0652	1.0674
Election year = Yes	-0.6326	0.5312 *
Legislative Control		
Democrat	0.5382	1.7128
Split	-14.1644	7 × 10 <sup>-7</sup> ***
Governor Characteristic		
Party = Democrat	0.3374	1.4013
Race = White	1.8117	6.1211 *
Gender = Male	0.1590	1.1724
Chamber characteristic		
% Democrat in chamber	0.0147	1.0175
% Women in chamber	-0.0295	0.9710 .
State demographics		
% White	-0.0143	0.9858
% Immigrant	0.0132	1.0042
% Under-18 female	-0.1582	0.8537
% Undergraduate education	-0.0651	0.9370
% Postgraduate education	0.0794	1.0826
Poverty level (Gini)	-0.1531	0.8580 .
Already banned = Yes	-4.4903	0.0112 ***
Chamber = Senate	-0.7678	0.4640***
Lag_intro	0.3497	1.4186
Intercept	8.6928	5959.605
Null deviance: 868.5 on 890 degrees of freedom		
Residual deviance: 755.8 on 869 degrees of freedom		
AIC: 799.8		
Number of Fisher Scoring iterations: 14		
*** $p < 0.001$	** $p < 0.01$	* $p < 0.05$
		. $p < 0.1$

While attention variables (both internal attention with *prior internal effort* and external attention with *national attention*) and bans in neighboring states increase the odds of new bill introductions slightly, these are not statistically significant. Early legislative engagement alone

does not seem to predict whether new bills will be introduced and thus do not provide support for H1.

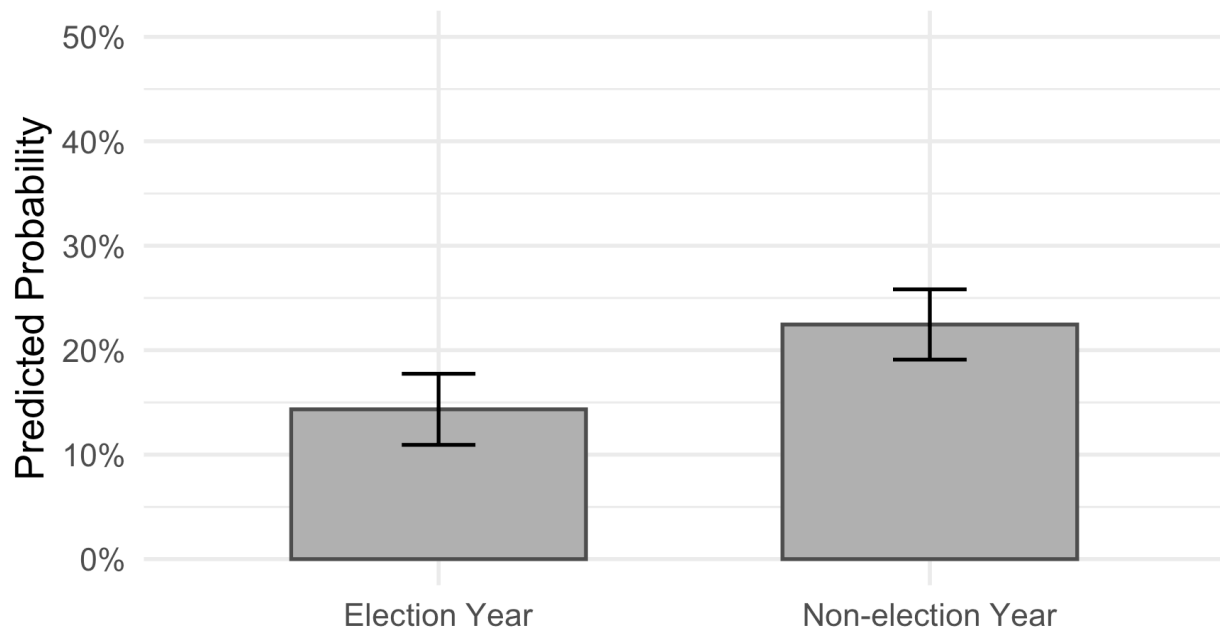
Additionally, H3 cannot be supported either as regional diffusion pressures are absent. The lack of influence from neighboring states shows that diffusion channels are weak at early stages of reform. This pattern reflects what Kingdon (1995) describes as the early stage of agenda-setting, when an issue is recognized by some actors but has not yet gained coordinated attention or political traction. The 2018 reform in Delaware suggests that lawmakers were not aware of parallel reform attempts in New Jersey that began the previous year. This signals that states were working on the same problem independently, indicating that child marriage reform was heavily driven by isolated and disjointed advocacy rather than policy diffusion.

Election years, however, are significantly less likely to introduce legislation, suggesting that policy attention to child marriage declines during electoral years. Election in a chamber reduces the odds of bill introduction in that chamber in that year by almost 47%. In Figure 6, we see that the predictive probability of bill introduction drops to roughly 15 percent during election years compared to more than 20 percent in non-election years.

Election years sharply reducing the probability of child marriage bill introductions reflect that political timing matters. This aligns with Kingdon's (1995) "policy window" for low-salience issues that closes during electoral cycles. Election periods incentivize legislators to prioritize issues that resonate with the voters. Niche policy issues such as child marriage reform with its lack of saliency takes a backseat during these windows.

**Figure 6**

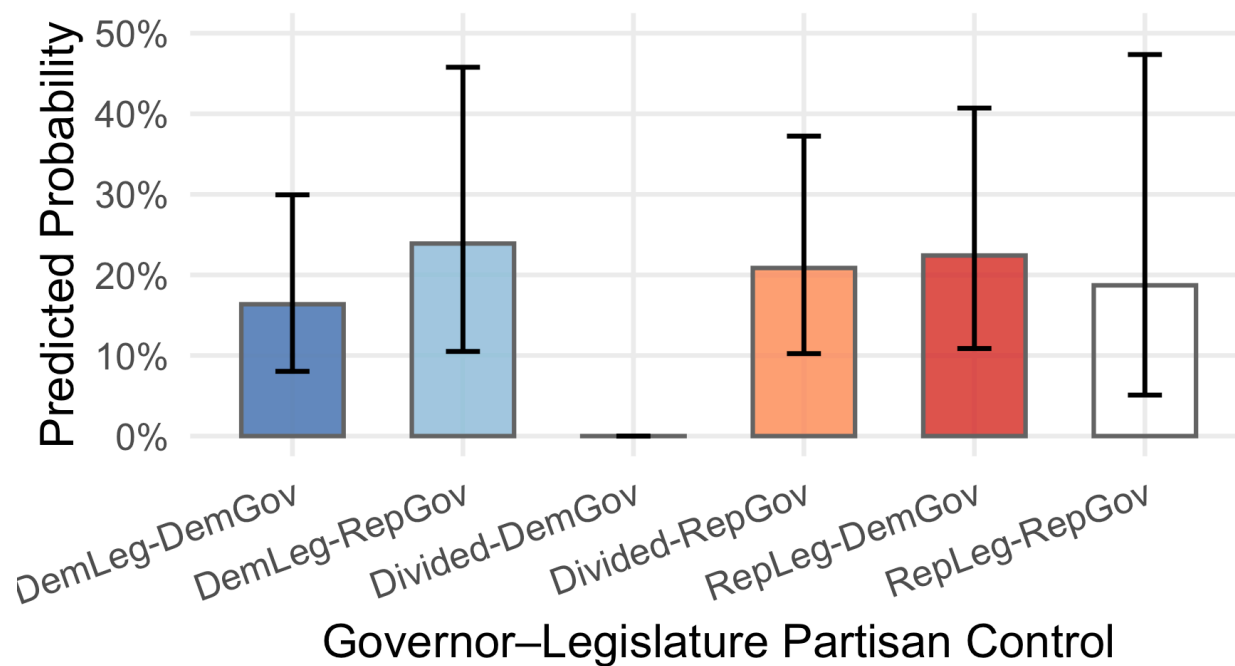
*Predicted Probability of Bill Introduction for Electoral vs Non-electoral Years*



Among political variables, divided institutions as opposed to Republican control of both chambers, show a large and statistically significant negative main effect, meaning chambers under divided control are almost never the source of introductions for child marriage bills. However, the interaction between *Split control* and a non-democratic governor is strongly positive, which offsets that main effect. In Figure 7, one can note that chambers under divided control show the lowest predicted probabilities of bill introduction, except when paired with a Republican governor, where introduction likelihood increases sharply.

**Figure 7**

*Predicted Probability of Bill Introduction by Governor–Legislature Partisan Control*



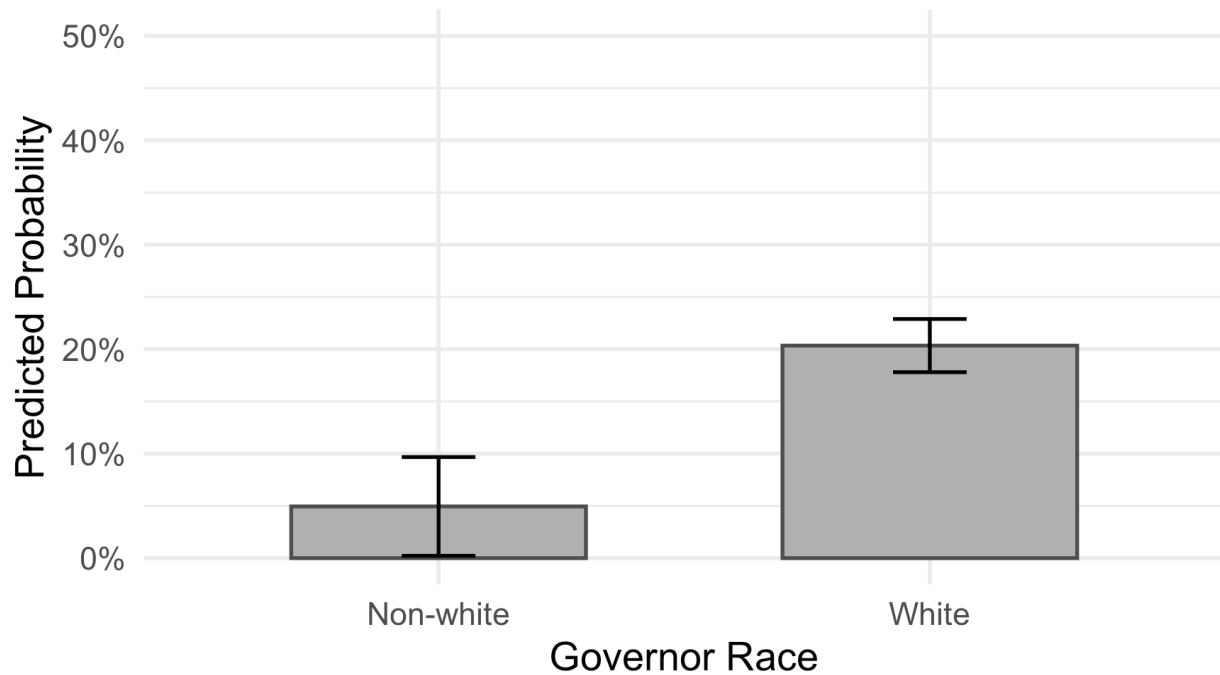
*Note.* No observations exist for divided legislatures with Democratic governors during the study period.

Control over government thus plays a crucial role, reflecting that strategic signaling within divided governments in the form of a struggle to establish moral authority over a policy issue is occurring. Such competition can temporarily heighten policy attention, echoing Baumgartner and Jones's (1993) model of punctuated equilibrium, in which competing elites disrupt long periods of inattention to low-salience issues.

The governor's race was a significant predictor of bill introduction. States with White governors had over six times greater odds of introducing a child marriage bill compared to those led by non-White governors, controlling for other political and demographic factors. The predicted probability of bill introduction is substantially higher in states led by White governors (around 20 percent) compared to fewer than 5 percent under non-White governors (see Figure 8).

**Figure 8**

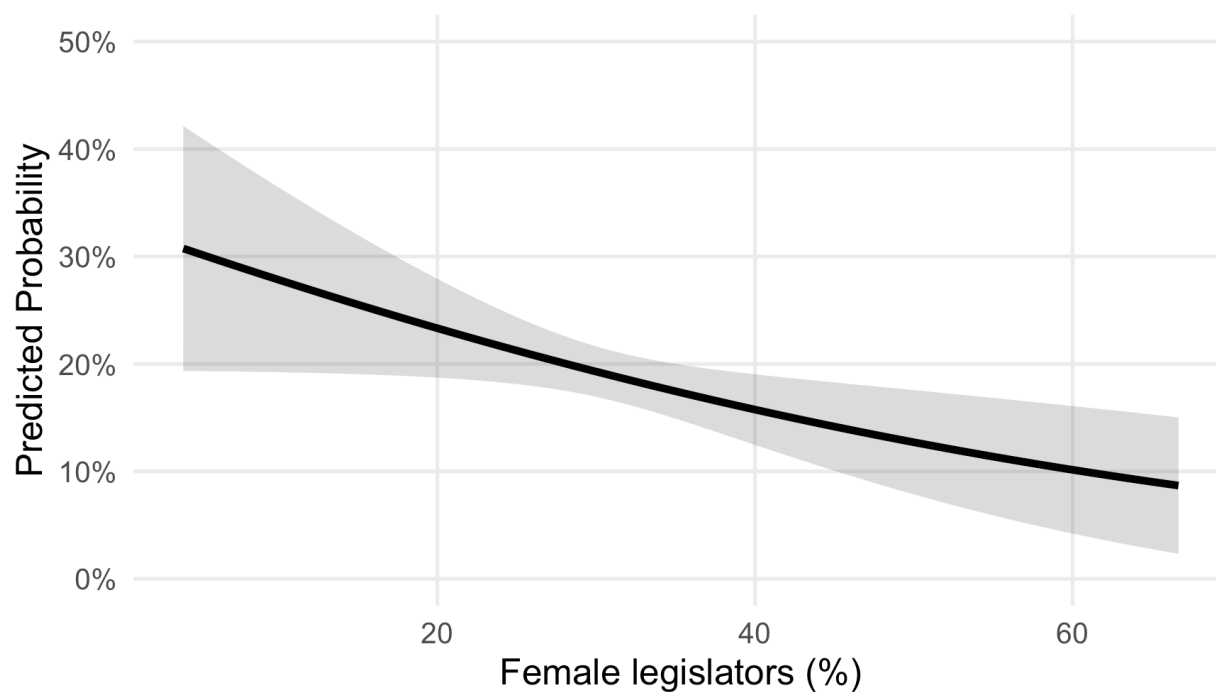
*Predicted Probability of Bill Introduction by Race of the Governor*



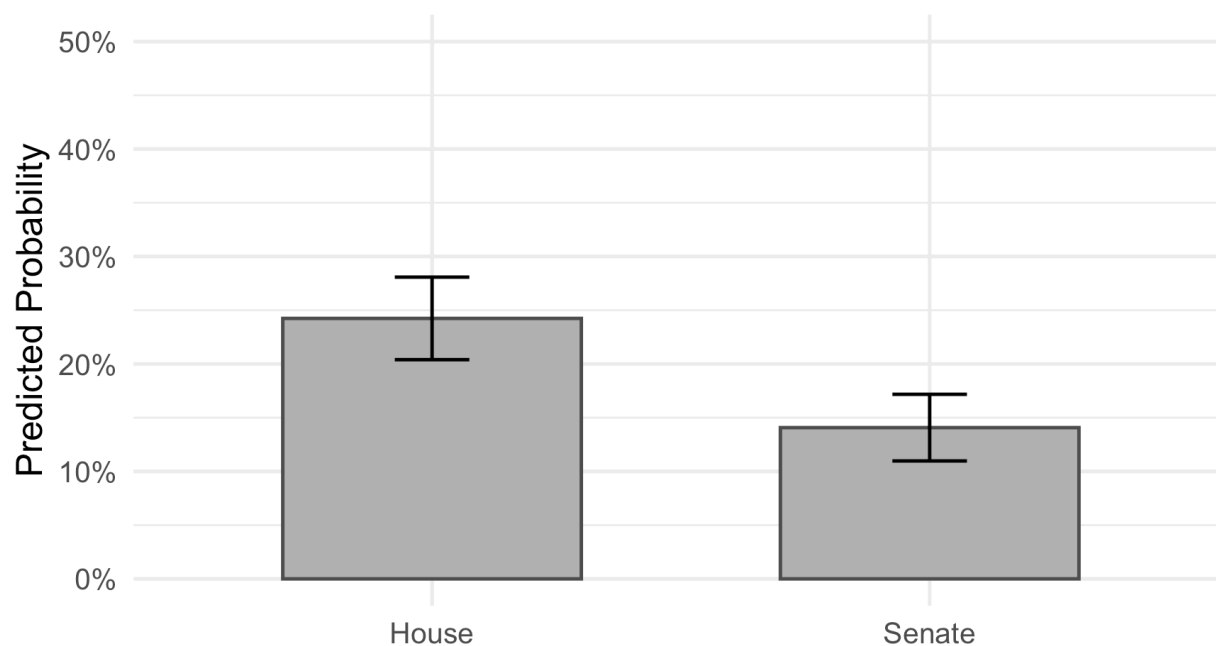
Surprisingly, an increase in the share of female legislators in the chambers reduces the odds of bill introduction (one percentage point increase in the share of women legislators reduces the odds of bill introduction by about 3%). In Figure 9, a clear downward relationship between the predicted probability of bill introduction and women's representation can be observed. Chambers with fewer female legislators (around 10 percent) have a predicted introduction probability near 30 percent, which declines steadily to about 10 percent when women constitute 60 percent of legislators.

**Figure 9**

*Predicted Probability of Bill Introduction by Percentage of Female Legislators in Chamber*



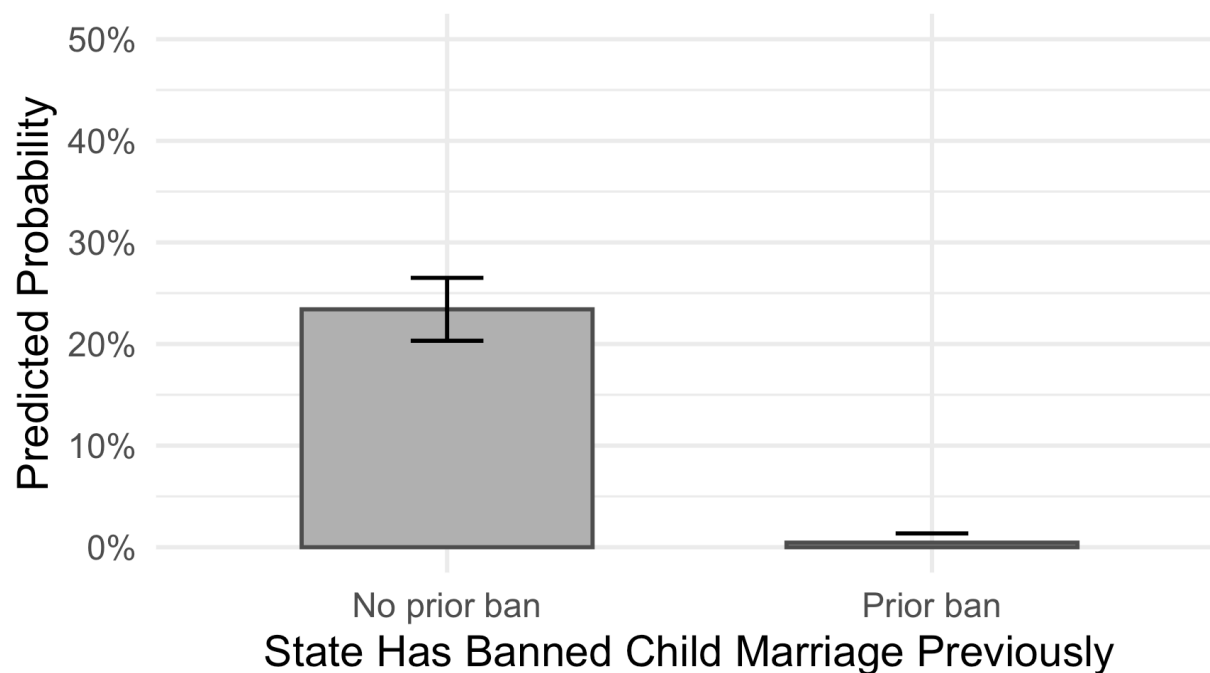
It can also be observed that state Senates were significantly less likely than House to introduce child-marriage bills—the odds of introduction in a Senate were approximately 54% lower than in a House chamber. The predicted probability of bill introduction is substantially higher in the House ( $\approx 25$  percent) than in the Senate ( $\approx 15$  percent) (see Figure 10). This pattern aligns with institutional expectations where state Houses, as lower chambers, tend to introduce a broader range of bills, while upper chambers focus on a smaller number of more comprehensive measures.

**Figure 10***Predicted Probability of Bill Introduction by Legislative Chamber*

While the race of the governor matters, other characteristics of the governor do not. The share of Democrats in the chamber does not significantly predict introductions either. States that had already enacted full bans are extremely less likely to introduce new bills which is in line with informing the model that no new bill introductions occur because the state has already banned it (see Figure 11). None of the demographic or socioeconomic variables of education, race, immigrant share reach significance except the Gini coefficient. Each one-point increase on the 0–100 Gini scale was associated with a 14% decrease in the odds of introduction. The negative association between inequality and bill introduction suggests that states with wider income disparities were less likely to introduce reform. Although the effect is only marginally significant, the direction aligns with expectations that economically unequal states may exhibit weaker policy responsiveness on social protection issues.

**Figure 11**

*Predicted Probability of Bill Introduction by Ban Status*



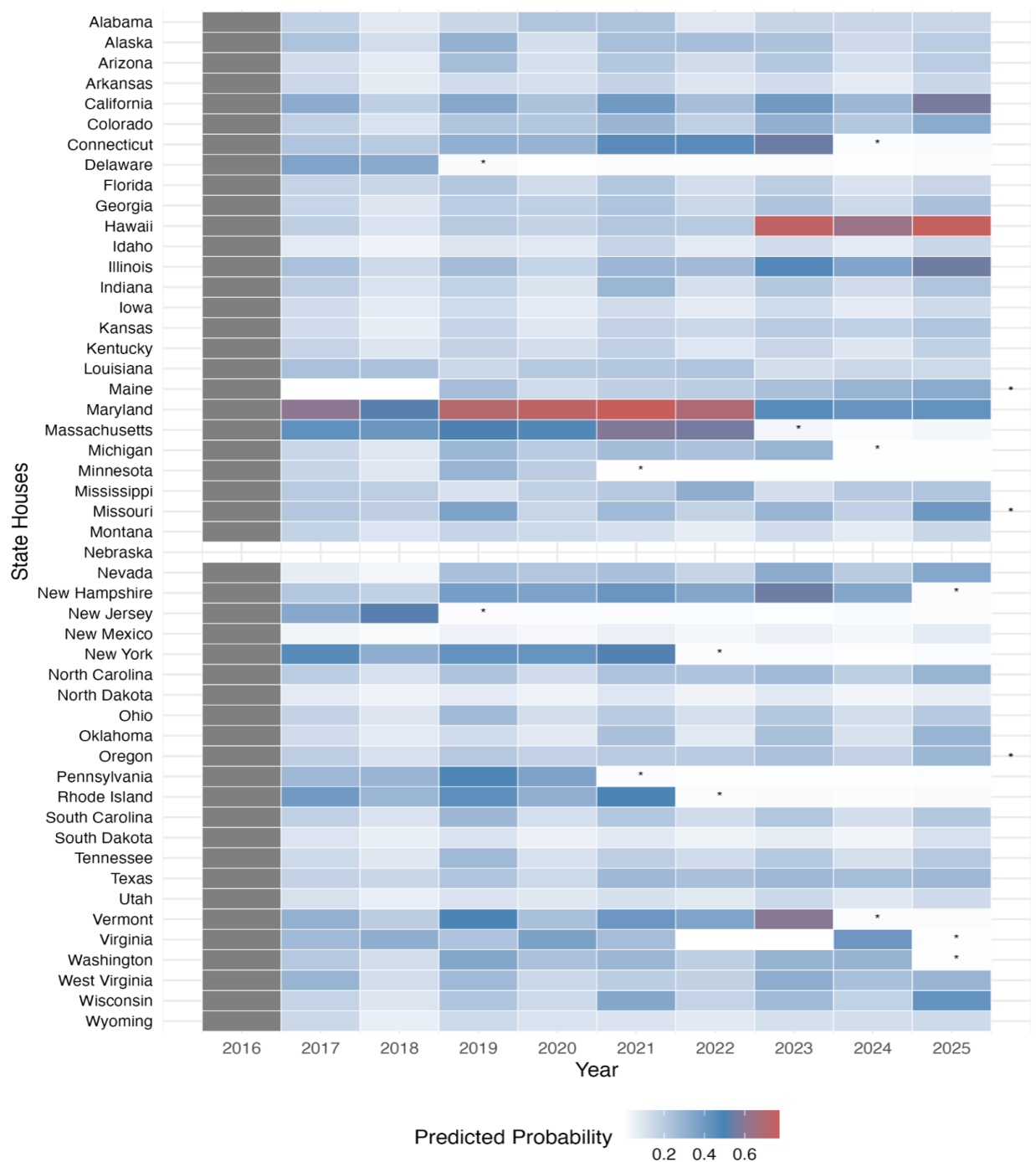
The model explains substantial variation in bill introductions, reducing deviance from 868.5 to 755.8 (AIC = 799.8). Variance Inflation Factors (VIFs) were computed for all predictors to assess multicollinearity (See Appendix B). While most variables exhibited acceptable values (<5), legislative control along with its interaction with *governor party* had extremely high GVIFs (>40). When the interaction was removed from the model, the VIF for legislative control was below 5. This shows that this multicollinearity arises from the mathematical structure of the dummy-coded interaction terms, not from genuine collinearity among the underlying predictors. Since a theoretical justification for retaining this interaction was strong, both the variable and its interaction with *governor party* was kept in the model.

Overall, the probability of bill introduction is strongly influenced by political timing and institutional configuration, rather than accumulated policy experience or regional diffusion, in explaining which legislatures introduce child-marriage bills.

Figures 12 and 13 display heatmaps of predicted probabilities for bill introductions over the years by chamber. Each cell represents a state-chamber-year, with darker blue shades indicating higher likelihoods of introduction, with red tones capturing the particularly high predicted probabilities. The results reveal clear temporal and geographic clustering: early legislative activity appears in states such as Delaware, New Jersey, and Massachusetts, followed by gradual diffusion into parts of the Midwest and West after 2020. Predicted probabilities for a new bill introduction also drastically fall once a ban has been enacted. Interesting patterns emerge for states like California, Hawaii and Maryland where the former two states boast high predicted probabilities for a new bill introduction, but the latter state experiences a fall in its predicted probabilities following a ban on marriage under the age of 17 in 2022. The heatmaps also reveal a clear chamber asymmetry: Houses are consistently more active than Senates in introducing child marriage legislation, as can be seen from darker shades for House as opposed to lighter ones for Senate.

**Figure 12**

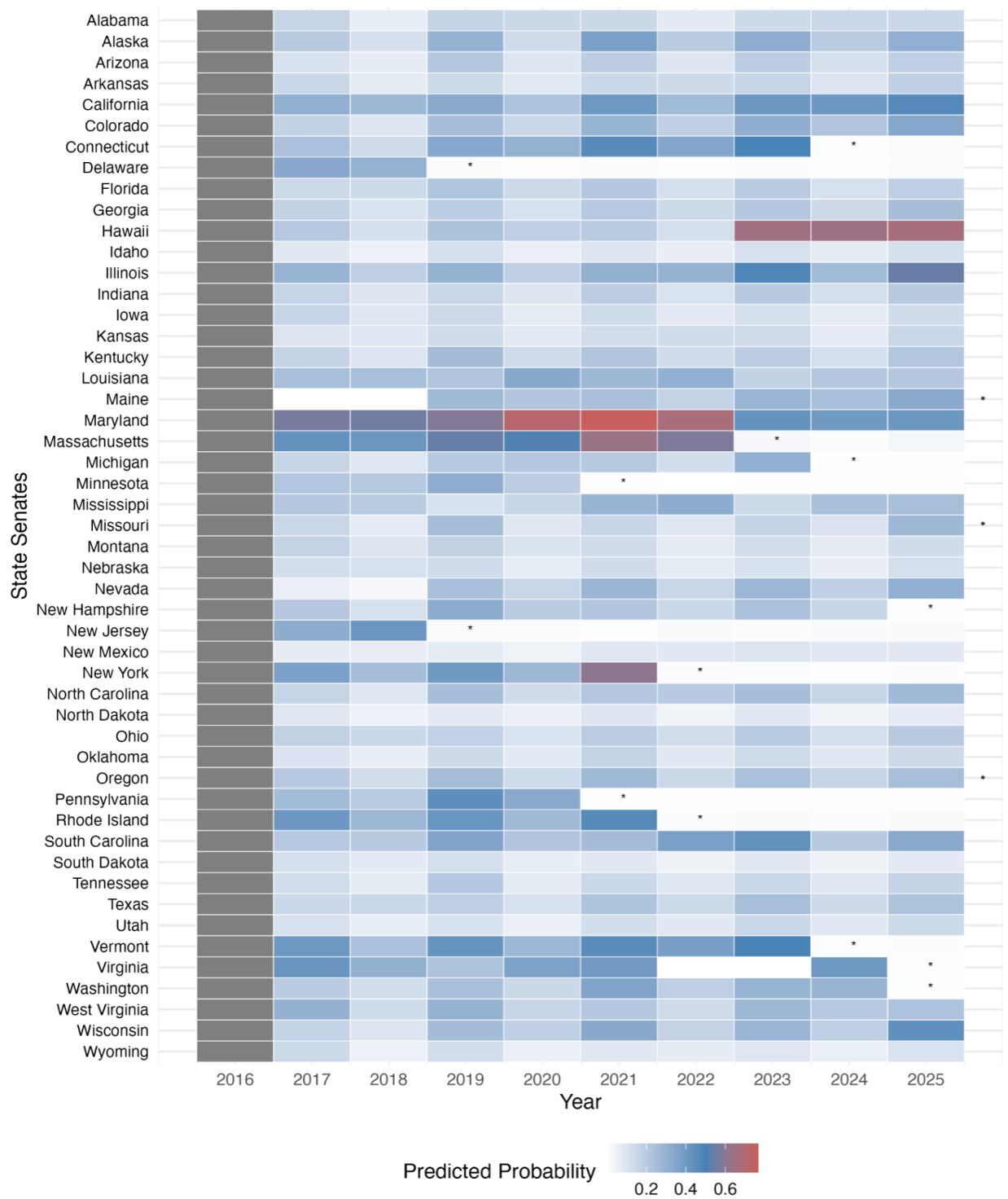
*Heatmap for Predicted Probabilities for Bill Introductions in the House*



Note. \* denotes states that have enacted bans the year prior.

**Figure 13**

*Heatmap for Predicted Probabilities for Bill Introductions in the Senate*



Note. \* denotes states that have enacted bans the year prior.

Table 3 reports estimates and odds ratios for the enactment phase. As a time-series model could not be employed, we test the model using ordinary logit regression with year dummies (reference year = 2016) to account for temporal variation and with fewer covariates, mainly excluding state demographic variables.

**Table 3***Enactment: Logit Model for Bills Enacted into Law*

<b>Covariates</b>	<b>Coefficient</b>	<b>Odds Ratio</b>
Interaction: Legislative Control × Governor Party		
Democratic Control × Democrat Governor	2.2253	9.2564 *
Split Control × Not Democrat Governor	NA	NA <sup>†</sup>
Political context		
Bipartisan effort = Yes	0.6725	1.9591
Prior internal effort	-0.1697	0.8439
National attention	-0.8674	0.4200 .
% Neighboring states banned	0.0311	1.0316 **
Election year = Yes	-0.6786	0.5073
Legislative Control		
Democrat	-1.3402	0.2618
Split	1.3412	3.8236
Governor Characteristic		
Party = Democrat	-1.0479	0.3507
Chamber characteristic		
% Democrat in chamber	-0.0253	0.9750
% Women in chamber	0.0510	1.0523 *
Chamber = Senate	0.2054	1.2281
Year dummies		
2017	-0.0366	0.9641
2018	-0.3755	0.6870
2019	0.9774	2.6574
2020	-1.4603	0.2322
2021	0.3359	1.3991
2022	0.6958	2.0053
2023	0.4400	1.5527
2024	0.7296	2.0743
2025	NA	NA <sup>+</sup>
Intercept	-0.4755	0.6215
Null deviance: 206.89 on 176 degrees of freedom		
Residual deviance: 175.07 on 157 degrees of freedom		
AIC: 215.07		
Number of Fisher Scoring iterations: 5		

\*\*\*  $p < 0.001$ \*\*  $p < 0.01$ \*  $p < 0.05$ •  $p < 0.1$

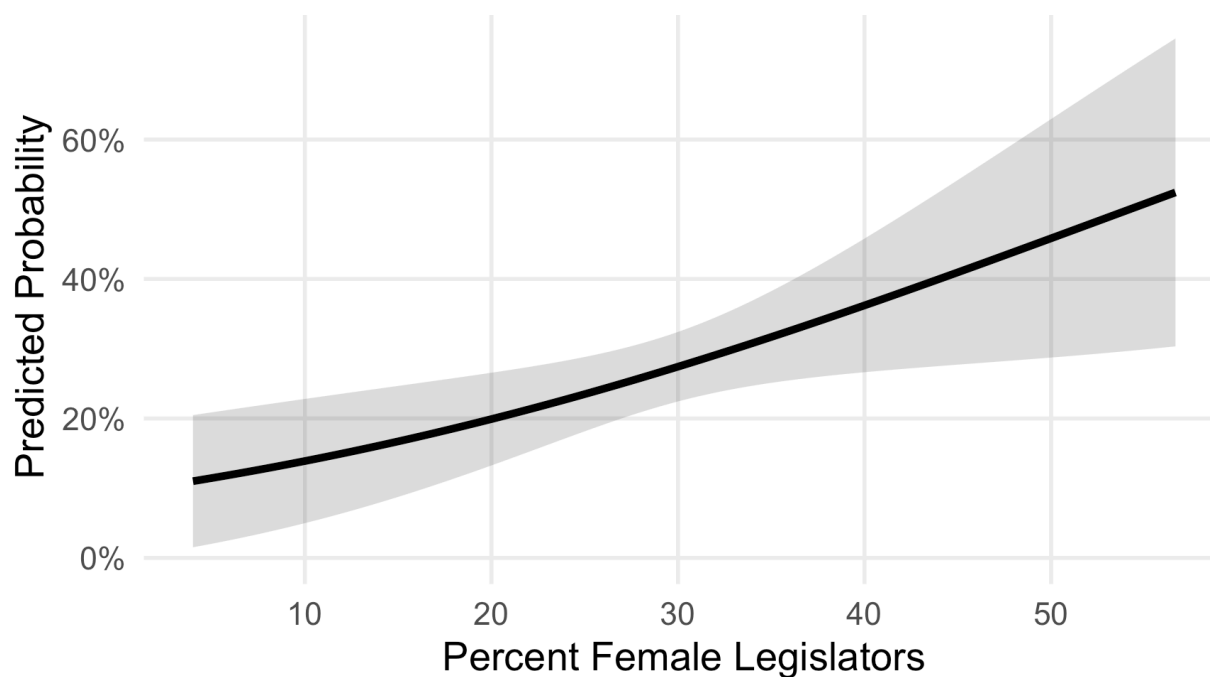
† The interaction category Split Legislative Control × Non-Democratic Governor was omitted from estimation due to perfect prediction; no enactments occurred under that configuration during the study period.

+ The 2025 dummy was omitted due to perfect collinearity with other year indicators.

Results from this model indicate that the interaction between Democratic legislative control and a Democratic governor is positive and significant with the odds of enacting a child marriage ban under a unified Democratic government being over nine times more likely than under Republican legislatures with non-Democratic governors. This pattern suggests that partisan alignment facilitates reform primarily when it reflects a Democratic governing coalition, rather than institutional unity alone. Because the number of independent governors during the study period is extremely small (limited to Alaska with Republican control of legislature), and there are no observations for the *Split* × *Not Democrat* category, the comparison set is necessarily constrained. For that reason, I interpret this as partial rather than full support for H2, noting that the observed pattern primarily reflects the greater propensity for reform under unified Democratic governments rather than institutional unity per se.

Regarding legislative presence, an opposite picture emerges for female representation. Each additional percentage point of female legislators corresponds to an estimated five percent increase in the odds of passage, reflecting that gendered perspectives within institutions may amplify the moral urgency of reform. The positive association between enactment and female legislative representation as well as with a unified Democratic government show that while policy entrepreneurship and advocacy may spark initial attention, institutional alignment and regional learning are crucial to converting symbolic gestures into substantive change. This finding aligns with H2, underscoring that reforms are more likely to succeed when legislative and executive branches share partisan control.

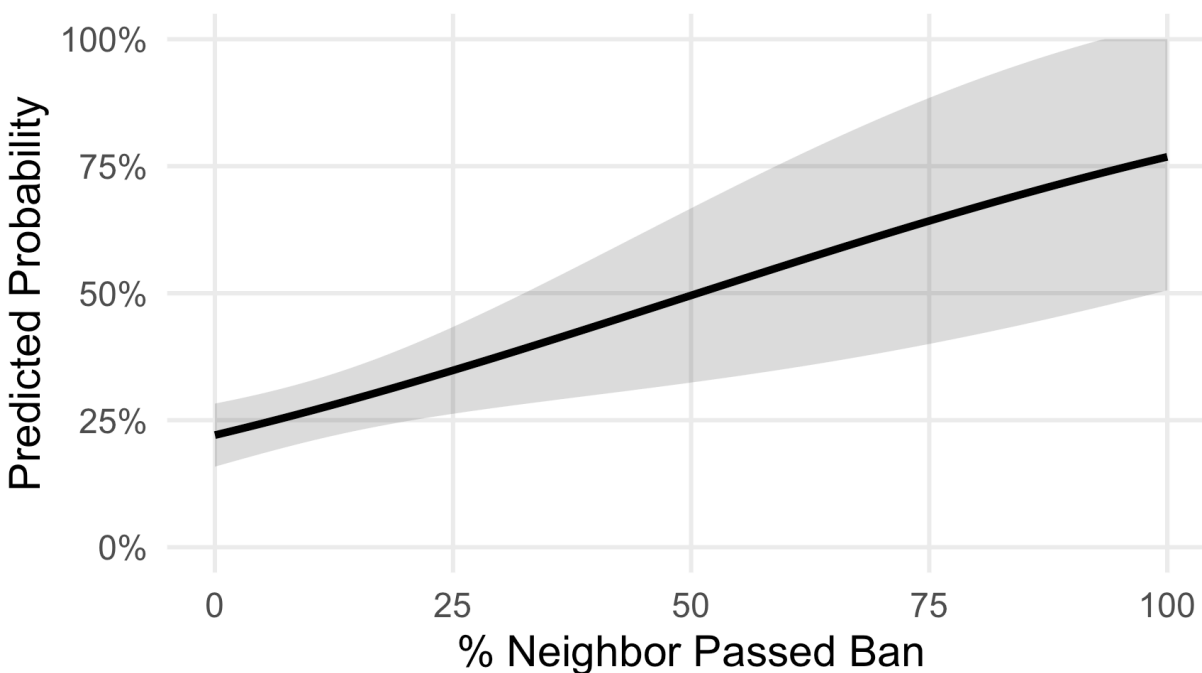
As can be seen from figure 14, chambers with higher proportions of women legislators show greater predicted probabilities of passage. This result is also in sharp contrast to what is observed for introduction of bills– a negative relationship was found for bill introduction but positive for passage. This implies that women legislators contribute more to the successful advancement of reforms than to their initial introduction.

**Figure 14***Predicted Probability of Passage by Percent of Female Legislator*

The enactment stage, by contrast, shows a clearer, stronger effect from diffusion. A ten-percentage-point increase in the share of neighboring states that have banned child marriage (e.g., an increase from 20% to 30% of neighbors) corresponds to approximately a 34% increase in the odds of enactment ( $OR = 1.03$ ;  $1.03^{10} \approx 1.34$ ). The likelihood of a bill passing into law increasing as more neighboring states enact bans, suggests that external cues and policy emulation play an important role (Walker, 1969; Berry & Berry, 1990). Figure 15 shows that as the share of neighboring states with child-marriage bans increases, the predicted probability of passage rises.

**Figure 15**

*Predicted Probability of Passage by Percentage of Neighboring State Bans*



States appear to learn from one another's experiences or feel pressure to act once regional norms begin to shift. This pattern is evident in the case of Connecticut, which struggled for six years to pass a ban but ultimately did so only after all of its neighboring states had already enacted similar laws. Lawmakers expressed concern about Connecticut becoming a "destination state" for underage marriage (Moritz, 2023). This example highlights how regional diffusion can transform an isolated issue into a shared policy priority across states where states appear to look at other states for legitimacy and reassurance that reform is politically feasible. This pattern directly supports H3, indicating that states are more likely to act when surrounded by others that already have bans.

All other variables, including bipartisan sponsorship, prior legislative effort, national attention, and election timing, are statistically insignificant at conventional levels. Model fit improves substantially relative to the null model with an AIC of 215.07.

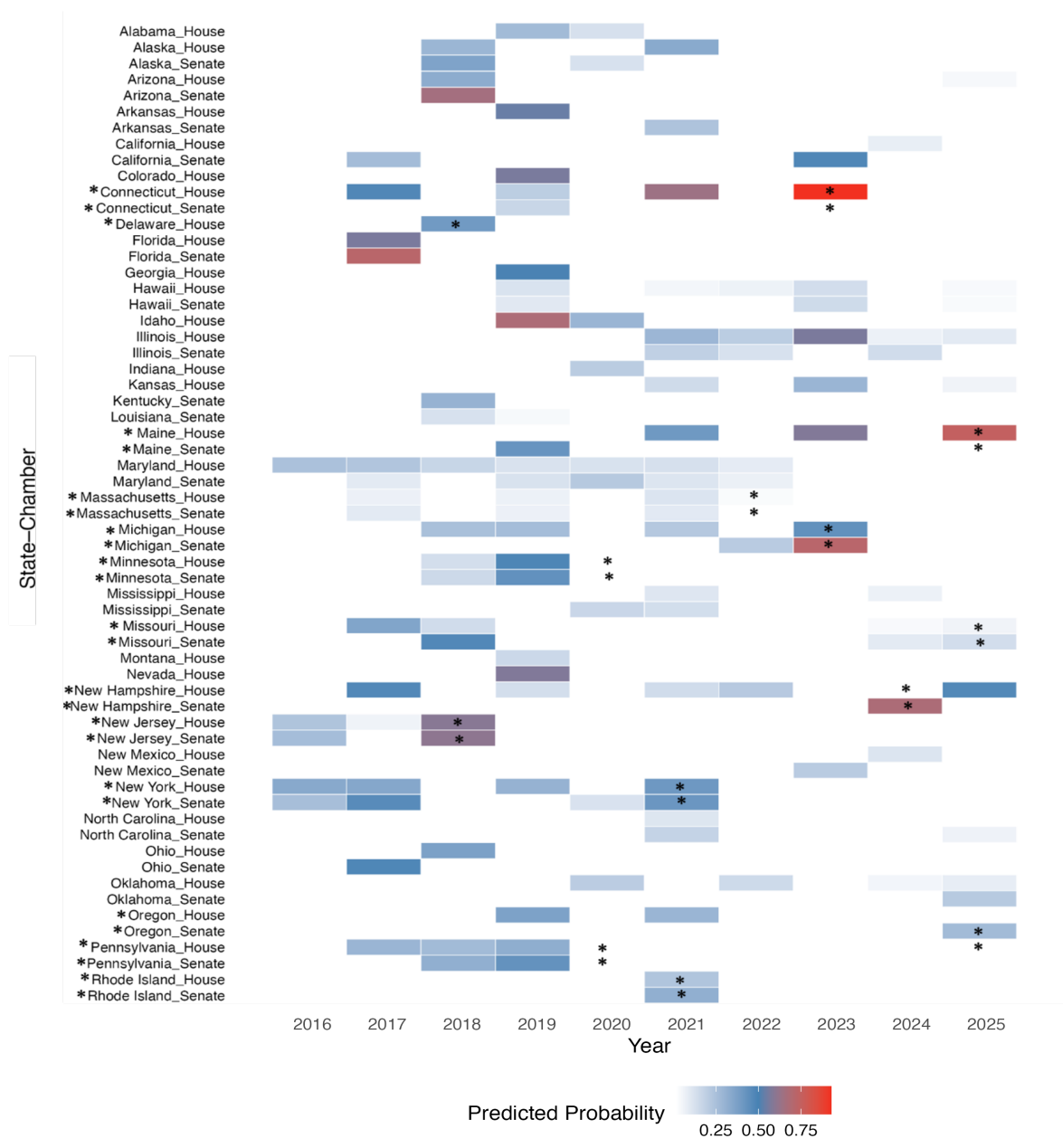
Figure 16 depicts a heatmap of the predicted probabilities of child-marriage bill enactment across U.S. state houses and senates from 2016 to 2025. States like Connecticut, Maine, and Michigan show high predicted probabilities corresponding to actual enactments while most states exhibit low predicted probabilities for an enactment given a bill has been introduced. Regional clusters appear more for northeast and upper Midwest regions but are generally more sporadic in nature. Patterns also emerge over the timing of enactment—recent years of 2023, 2024 and 2025 have seen a burst of these enactments, but prior to this, an overall stagnation can be observed during and after the pandemic years. Overall, these heatmaps show that legislative progress regarding establishing bans is limited and haphazard.<sup>18</sup>

---

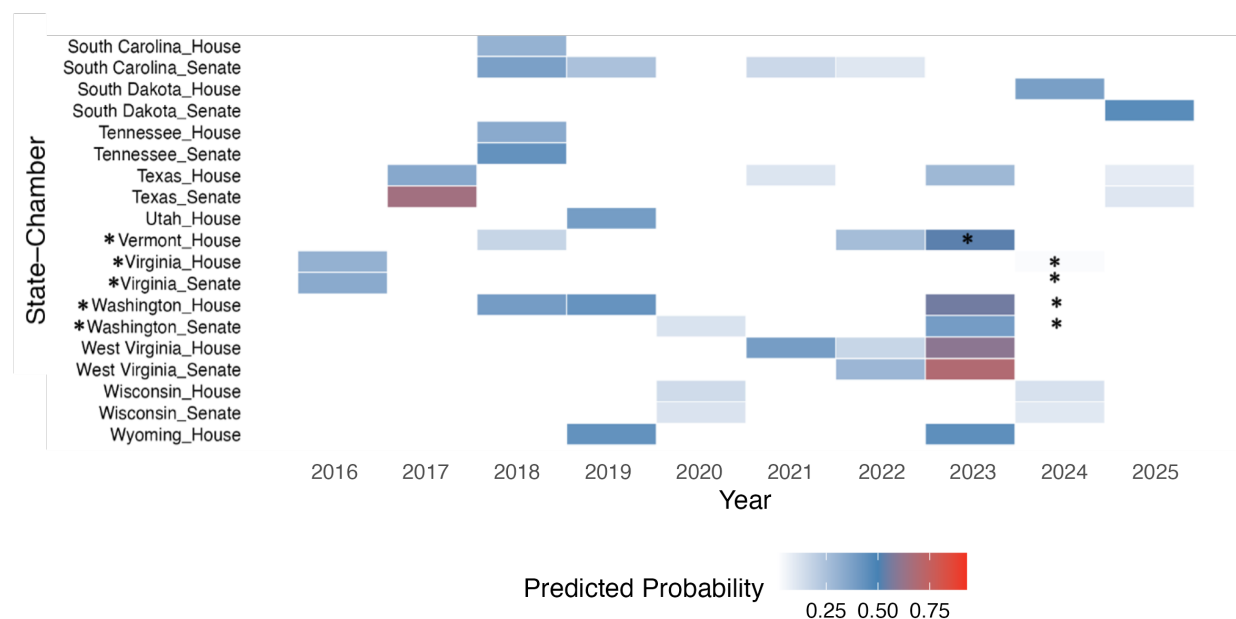
<sup>18</sup> A line graph tracing the predicted probabilities over time for child marriage bill enactments can be found in Appendix C.

Figure 16

Heatmap for Predicted Probabilities for House and Senate Bill Passage



Note. \* denotes states that have enacted bans the same year

**Figure 16 (Continued)***Heatmap for Predicted Probabilities for House and Senate Bill Passage*

Note. \* denotes states that have enacted bans the **same year**

Note. Missing state\_chamber depicts that no bills were introduced in said chamber.

The divergence between the two stages highlights a deeper feature of morality policy development: the difference between symbolic representation and policy transformation. Many introductions likely serve as a symbol signaling moral commitment or responsiveness to advocacy pressure, with no heed to whether such an introduction has the strength to advance from legislative agenda to the decision agenda. This pattern aligns with Pitkin's (1967) notion of symbolic representation, in which legislative acts communicate shared values more than they enact concrete outcomes. However, the act of introducing a bill still matters. Each introduction helps institutionalize the issue, lowering informational and procedural barriers to future deliberation and gradually normalizing child marriage as a legitimate topic of state policy (Baumgartner & Jones, 1993).

By contrast, the rare successful enactments reflect moments when symbolic commitments translate into substantive change, typically requiring the convergence of political opportunity, institutional alignment, and regional diffusion. Taken together, the growing number of introductions signals a desire by lawmakers to appear committed to protecting minors, while the limited number of enactments underscores the structural and cultural limits of symbolic action within existing political and institutional systems (Haider-Markel & Meier, 1996; Mooney, 2001).

### **Conclusion**

The results show that partisanship does not strongly shape how states approach child marriage, suggesting that it is not a highly visible or politically charged issue on its own. However, when legislators debate child marriage, they often connect it to other, more controversial topics such as abortion or transgender rights. These debates tend to center on questions of parental authority, religion, and the role of the state in family decisions. In doing so, child marriage becomes part of larger moral and cultural conflicts, even when lawmakers are not directly focused on the issue itself. This helps explain why child marriage laws do not follow clear partisan lines: politicians often treat the issue as secondary, using it to signal broader ideological positions rather than to advance concrete policy change. Child marriage thus operates as a low-salience morality policy (Haider-Markel & Meier, 1996; Mooney, 2001) that functions symbolically within wider value debates rather than as a central policy priority (Pitkin, 1967). While repeated attempts help keep an issue on the agenda, they do not necessarily translate into successful enactment without favorable political conditions or diffusion pressures.

Several limitations for this study warrant acknowledgment but also suggest promising directions for future research. The analysis is limited by the availability of comparable state-level

data for recent years; variables such as religiosity, legislative effectiveness, and state policy mood could not be incorporated but remain important avenues for future work as new data becomes available. The models also capture bill introduction and enactment but not the intermediate stages—committee deliberations, amendments, or floor debates—where much of the policy process unfolds. Future research could use qualitative or mixed-method approaches, such as content analysis of hearings or sponsor statements, to better understand how symbolic commitments evolve into substantive reform.

Despite these limitations, the findings offer a strong foundation for future work. Expanding data availability on religiosity, institutional performance, and public attitudes will allow future analyses to more precisely test the interaction between cultural context and institutional capacity. As child marriage reform continues to evolve, understanding these deeper dynamics will be crucial to explaining how moral issues move from symbolic gestures to durable policy change.

Child marriage reform in the United States has advanced unevenly, driven by advocacy and shaped by political alignment and regional pressures. Legislative introductions serve symbolic purposes with their enactments depending on favorable alignments of partisan control and neighboring examples that reduce political risk. Looking ahead, future reform efforts might consider alternative policy pathways, such as ballot initiatives, which could bypass legislative inertia and directly engage public opinion. Ultimately, this study shows that the path from symbolic recognition to substantive policy reform is neither linear nor uniform. Even as the number of state bans grows, the politics of child marriage remain a window into broader struggles over morality, family autonomy, and the limits of state intervention in private life.

## References

- Agarwal, K. (2016). Queer migrations: A perspectives quick study. *Perspectives on History*, 8-9.
- Baehr v. Lewin*, 852 P.2d 44 (Haw. 1993).
- Baumgartner, F. R., & Jones, B. D. (1993). *Agendas and instability in American politics*.  
University of Chicago Press.
- Bearat, H. (2024). Caged by a Marriage: How child marriages in the United States are enabled by our immigration system. *Drake L. Rev.*, 71, 1.
- Bennett, J. (2021, November 16). The harsh truth of child marriage in the US. *Berkeley Journal of Gender, Law & Justice*. Retrieved January 19, 2024 from  
<https://genderlawjustice.org/under-deconstruction/the-harsh-truth-of-child-marriage-in-the-us#:~>
- Berry, F. S., & Berry, W. D. (1990). State lottery adoptions as policy innovations: An event history analysis. *American political science review*, 84(2), 395-415.
- Blank, R. M., Charles, K. K., & Sallee, J. M. (2007). *Do state laws affect the age of marriage? A cautionary tale about avoidance behavior* (No. w13667). National Bureau of Economic Research.
- Brown, E. G. (1944). Husband and wife: Memorandum on the Mississippi Woman's Law of 1839. *Michigan Law Review*, 42(6), 1110-1121.
- Bullough, V. (2005). *When did the gay rights movement begin?* History News Network.  
<https://hnn.us/articles/11316.html>
- Clark, D. (2019, April 1). *'Wide-open potential for abuse': States are ground zero in the fight against child marriage*. NBC News. <https://www.nbcnews.com/politics/politics-news/wide-open-potential-abuse-states-are-ground-zero-fight-against-n988496>

- Friedman, M. (2017, May 11). Ban on child marriages conditionally vetoed by Christie. *Politico*.  
<https://www.politico.com/states/new-jersey/story/2017/05/11/ban-on-child-marriages-conditionally-vetoed-by-christie-111987>
- Gray, V. (1973). Innovation in the states: A diffusion study. *American political science review*, 67(4), 1174-1185.
- Grossberg, M. (1985). *Governing the hearth: Law and the family in nineteenth-century America*. Univ of North Carolina Press.
- Haider-Markel, D. P., & Meier, K. J. (1996). The politics of gay and lesbian rights: Expanding the scope of the conflict. *The Journal of Politics*, 58(2), 332-349.
- Hamilton, M. A. (2021). *2021 report on child marriage in the United States: A national overview of child marriage data and law*. Child USA. <https://childusa.org/wp-content/uploads/2022/01/2021-Report-on-Child-Marriage.pdf>
- Hamilton, V. E. (2012). The Age of marital capacity: Reconsidering Civil recognition of adolescent marriage. *Boston University Law Review*, 92(6), 1817–1863. Retrieved from BU archives <https://www.bu.edu/law/journals-archive/bulr/volume92n4/documents/HAMILTON.pdf>
- Hardy, J. (2015). The history of divorce law in the USA. *History Cooperative*.  
<https://historycooperative.org/the-history-of-divorce-law-in-the-usa/>
- Head, T. (2017, March 17). Timeline and history of marriage rights: A short history. *ThoughtCo*.  
<https://www.thoughtco.com/marriage-rights-history-721314>
- Hibbert, C. M. (2024, May 7). New Hampshire legislators pass bill to ban child marriage. Changing US immigration laws should be next, expert says. *Northeastern Global News*.

Retrieved September 28, 2025, from <https://news.northeastern.edu/2024/05/07/child-marriage-law-new-hampshire/>

Holbrook, J. (2021, April 22). *Maryland failed to end child marriage once again. Why?* | *Commentary*. Capital Gazette. <https://www.capitalgazette.com/2021/04/22/janet-holbrook-maryland-failed-to-end-child-marriage-once-again-why-commentary/>

Hudson, V. (2023, November 6). *How is child marriage still legal in the U.S.? An archaic practice gets support from surprising places*. The Atlantic. <https://www.theatlantic.com/ideas/archive/2023/11/us-national-child-marriage-state-regulation/675909/>

Johnson, R. (2019). *How the U.S. immigration system encourages child marriages*. Majority staff report of the committee on Homeland Security and Governmental Affairs. <https://www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/Child%20Marriage%20staff%20report%201%2009%202019%20EMBARGOED.pdf>

Kingdon, J. W. (1995). *Agendas, alternatives, and public policies* (2nd ed.). HarperCollins College Publishers.

Kitchin, S. B. (1912). *A history of divorce*. Kessinger Pub LLC.

Lawson, D. W., Lynes, R., Morris, A., & Schaffnit, S. B. (2020). What does the American public know about child marriage? *PLOS ONE*, 15(9), e0238346.

<https://doi.org/10.1371/journal.pone.0238346>

Mays, M. (2023, August 3). *Why child marriage is legal in California — and the unexpected groups fighting to keep it that way*. Los Angeles Times.

<https://www.latimes.com/california/story/2023-08-03/why-child-marriage-is-still-legal-in-california-at-any-age>

Messner, W. F. (1968). *The Mississippi Black Code of 1865*. University of Wisconsin-Madison.

Mooney, C. Z. (2001). Modeling regional effects on state policy diffusion. *Political Research Quarterly*, 54(1), 103-124.

Moritz, J. (2023, March 14). Advocates warn Connecticut could become a haven for child marriage as other states raise legal age to 18. *Chron*. Retrieved January 19, 2024 from, <https://www.chron.com/politics/article/ct-child-marriage-ban-support-susan-bysiewicz-17836978.php>

*Obergefell v. Hodges*, 576 U.S. 644 (2015).

Palmer, V. V. (1995). The origins and authors of the Code Noir. *La. L. Rev.*, 56, 363.

Pearsall, S. M. S. (2019). *Polygamy: An early American history*. Yale University Press.

Perdue, K. A. (2014). Writing desire: The love letters of Frieda Fraser and Edith Williams.

[Doctoral Dissertation, York University]. YU Archives.

<https://yorkspace.library.yorku.ca/server/api/core/bitstreams/9552e2b0-c1e4-4c0b-bc6b-f60f05e603e2/content>

*Perez v. Sharp*, 32 Cal. 2d 711, 198 P. 2d 17 (Cal. 1948).

Pitkin, H. F. (1967). *The concept of representation*. University of California Press.

Raby, J. (2023, March 1). Bill to ban child marriage passes West Virginia House. *AP News*.

Retrieved September 17, 2025, from <https://apnews.com/article/child-marriage-west-virginia-ban-legislation-e84a97e9202b8cbde05b726d4dde17eb>

- Robertson, G. D. (2021, August 17). North Carolina is child bride destination; bill could end it. *AP*. Retrieved January 19, 2024, from <https://apnews.com/article/lifestyle-north-carolina-bills-6a16aab6b0847a3600e29fd243e9c578>
- Ross, W. (2021). Protecting the child bride: Following Texas' middle ground approach. *UALR L. Rev.*, 44, 99.
- Schuman, R. L. (2018). State regulations are failing our children: An analysis of child marriage Laws in the United States. *Wm. & Mary L. Rev.*, 60, 2337.
- Shipan, C. R., & Volden, C. (2008). The mechanisms of policy diffusion. *American journal of political science*, 52(4), 840-857.
- Syrett, N. L. (2016). *American child bride: A history of minors and marriage in the United States*. UNC Press Books.
- Tahirih Justice Center. (2017). Falling through the cracks: How laws allow child marriage to happen in today's America. <https://www.tahirih.org/wp-content/uploads/2017/08/TahirihChildMarriageReport-1.pdf>
- Trickey, E. (2022, January 9). 'Why is child marriage still legal?': A young lawmaker tackles a hidden problem. *Politico*. <https://www.politico.com/news/magazine/2022/01/09/cassie-levesque-new-hampshire-child-marriage-524159>
- Tsui, A. (2017, September 14). *Married young: The fight over child marriage in America*. Frontline, PBS. Retrieved December 12, 2024, from <https://www.pbs.org/wgbh/frontline/article/married-young-the-fight-over-child-marriage-in-america/>

Unchained At Last. (2025). *United States' child marriage problem: Study findings 2000-2021*.

<https://www.unchainedatlast.org/wp-content/uploads/2025/09/Unchained-at-Last-US-Child-Marriage-Problem.pdf>

United Nations (UN). (1989). *Convention on the rights of the child. Treaty Series, 1577, 3*.

<https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-rights-child>

United Nations (UN). (1979). *Convention on the elimination of all forms of discrimination*

*against women. Treaty Series, 1249, 13*. <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

United Nations Children's Fund (UNICEF). (2018). *Child marriage: Latest trends and future*

*prospects*. <https://data.unicef.org/resources/child-marriage-latest-trends-and-future-prospects/>

United States Agency for International Development (USAID). (2012, October). *Ending child*

*marriage & meeting the needs of married children: The USAID vision for action*.

<https://reliefweb.int/report/world/ending-child-marriage-meeting-needs-married-children-usaid-vision-action>

*United States v. Windsor*, 570 U.S. 744 (2013).

Varnado, S. S. (2024). Child marriage in the United States: Past, present, and future. *J. Am.*

*Acad. Matrimonial Law*, 37, 643.

Walker, J. L. (1969). The diffusion of innovations among the American states. *American*

*political science review*, 63(3), 880-899.

Wardle, L. D. (1983). Rethinking marital age restrictions. *Journal of Family Law*, 22(1), 1-58.

Zurick, M. (2023, June 22). These Michigan Republicans voted against child marriage ban.

*Newsweek*. Retrieved September 5, 2025, from <https://www.newsweek.com/these-michigan-republicans-voted-against-child-marriage-ban-1808308>

## Appendix A: Minimum Age

Data for 1920 and prior collected from Syrett's (2016) book "American child bride: A history of minors and marriage in the United States."

**Table A1**

*Changes in Marriageable Age Minimums Over the Years*

State (Year joined U.S.)	Girls/Boys marriageable minimum ages				Notes
	Prior to 1865	In 1865 or when first passed	In 1920	Girls/Boys under age consent required (1920)	
<b>Northeast</b>					
New Jersey (1787)	—	—	—	18/21	No minimum age
Pennsylvania (1787)	—	—	—	21/21	No minimum age
Massachusetts (1788)	—	—	—	18/21	No minimum age
New Hampshire (1788)	—	12/14	13/14	16/18	13/14
New York (1788)	—	—	—	18/21	No minimum age
Connecticut (1788)	—	—	—	21/21	No minimum age
Vermont (1791)	—	—	—	18/21	16/16
Maine (1820)	—	—	—	18/21	No minimum age

Parental consent for under 18, additional judicial consent under 16

Parental consent for under 18, additional judicial consent under 16

Parent or guardian consent under 18

Parental consent for under 18, additional judicial consent for under 16

Parental consent for under 18, additional judicial consent under 16

Parental consent for under 18

Parental consent for under 18, additional judicial consent for under 16

Table A1 (Continued)

*Changes in Marriageable Age Minimums Over the Years*

State (Year joined U.S.)	Girls/Boys marriageable minimum ages					
	Prior to 1865	In 1865 or when first passed	In 1920	Girls/Boys under age consent required (1920)	2016	Notes
<b>Midwest</b>						
Ohio (1803)	14/17	14/18	16/18	18/21	No minimum age	Parental or custodian consent for under 18
Indiana (1816)	14/17	14/17	16/18	18/21	15/15	Parental consent under 18, additional judicial consent for 15 year old girls if pregnant
Illinois (1818)	14/17	14/17	16/19	18/21	16/16	Both parents consent or judicial consent for under 18
Missouri (1821)	–	–	15/15	18/21	No minimum age	Single parent consent under 18, additional judicial consent under 14
Michigan (1837)	14/18	16/18	16/18	18/–	No minimum age	Parental consent for under 18, additional judicial consent for under 16
Iowa (1846)	14/18	14/16	14/16	18/21	16/16	Parent and judicial consent for under 18
Wisconsin (1848)	14/18	15/18	15/18	18/21	16/16	Parental consent for under 18
Minnesota (1858)	15/17	15/18	15/18	18/21	16/16	Parental consent for under 18
Kansas (1861)	12/15	12/15	16/18	18/21	15/15	Parental or judicial consent for under 18
North Dakota (1889)	NA	15/18	15/18	18/21	16/16	Parental consent for under 18
South Dakota (1889)	NA	15/18	15/18	18/21	16/16	Parental consent for under 18

Table A1 (Continued)

*Changes in Marriageable Age Minimums Over the Years*

State (Year joined U.S.)	Girls/Boys marriageable minimum ages				Notes	
	Prior to 1865	In 1865 or when first passed	In 1920	Girls/Boys under age consent required (1920)		
<b>South</b>						
Delaware (1787)	—	—	—	18/21	No minimum age	Parental petition for under 18
Maryland (1788)	—	—	—	18/21	15/15	Parental consent under 18, may be waived if the girl is pregnant
South Carolina (1788)	—	—	14/18	18/18	No minimum age	Pregnancy under 18 has occurred
Virginia (1788)	—	—	12/14	21/21	16*/16	Parental consent for under 18; *under 16 females can marry if pregnant
North Carolina (1789)	—	14/16	14/16	18/18	14/16	Parental consent for under 16, judicial approval for 14 year old girls if pregnant
Kentucky (1792)	—	12/14	12/14	18/21	16/16	Parental consent for under 18
Tennessee (1796)	—	—	—	18/18	No minimum age	Parental consent for under 18
Louisiana (1812)	—	12/14	12/14	21/21	No minimum age	Parental consent for under 18, additional judicial consent for under 16
Mississippi (1817)	—	—	—	18/21	15/17	Parental consent for under 21
Alabama (1819)	—	14/17	14/17	18/21	16/16	Parent or guardian consent for under 18
Arkansas (1836)	—	14/17	14/17	18/21	16/17	Parental consent for under 18
Florida (1845)	—	—	—	21/21	16/16	Pregnancy exception for females under 16
Texas (1845)	12/14	12/14	14/16	18/21	16/16	Parental or judicial consent for under 18
West Virginia (1863)	12/14	12/14	16/18	21/21	No minimum age	Parental consent for under 18, additional judicial consent for under 16

Table A1 (Continued)

State (Year joined U.S.)	Girls/Boys marriageable minimum ages					Notes
	Prior to 1865	In 1865 or when first passed	In 1920	Girls/Boys under age consent required (1920)	2016	
<b>West</b>						
California (1850)	–	–	15/18	18/21	No minimum age	One parent's consent for under 18
Oregon (1859)	15/18	15/18	15/18	18/21	17/17	Parental consent for under 18
Nevada (1864)	16/18	16/18	16/18	18/21	No minimum age	Parental consent for under 18, additional judicial consent for under 16
Colorado (1876)	NA	–	–	18/21	No minimum age	Parental consent for under 18, additional judicial consent for under 16
Montana (1889)	NA	–	16/18	18/21	16/16	Parental or judicial consent for under 18
Washington (1889)	NA	–	15/–	18/21	No minimum age	Parental consent for under 18, additional judicial consent for under 17
Idaho (1890)	NA	16/18	18/18	18/18	No minimum age	Parental consent for under 18, additional judicial consent for under 16
Utah (1896)	NA	–	14/16	18/21	15/15	Parental consent for under 16-17, additional judicial consent for 15
Oklahoma (1907)	NA	15/18	15/18	18/21	–*/16	Parental consent for under 18; *below 16 can marry with one parent's consent if pregnant
Arizona (1912)	NA	–	14/18	18/21	No minimum age	Parental consent for under 18, additional judicial consent for under 16
New Mexico (1912)	NA	–	15/18	18/21	No minimum age	Parental consent for under 18, additional judicial consent for under 16
Alaska (1959)	NA	–	–	18/21	14/14	Parental consent for age 16-17, additional judicial consent for age 14-15
Hawai'i (1959)	NA	12/14	15/18	18/21	15/15	Parental consent for age 16-17, additional judicial consent for age 15

## Appendix B: Multicollinearity Checks

**Table B1**

*Variance Inflation Factor for Bill Introduction: Model with Interaction between Legislative Control and Governor Party*

Covariate	GVIF	Df	GVIF <sup>1/(2*Df)</sup>
Interaction: Legislative Control × Governor Party	3.19×10 <sup>6</sup>	2	42.2478
Legislative Control	4.59×10 <sup>6</sup>	2	46.2798
Political context			
Prior internal effort	2.0715	1	1.4393
% Neighboring states banned	1.6555	1	1.2867
National attention	1.5050	1	1.2268
Election year	1.0811	1	1.0398
Governor Characteristic			
Party	2.6537	1	1.6290
Race	1.5046	1	1.2266
Gender	1.2415	1	1.1142
Chamber characteristic			
% Democrat in chamber	6.9416	1	2.6347
% Women in chamber	2.3349	1	1.5280
State demographics			
% White	2.9781	1	1.7130
% Immigrant	3.5398	1	1.8814
% Under-18 female	2.3073	1	1.5190
% Undergraduate education	2.1136	1	1.4538
% Postgraduate education	3.1335	1	1.7702
Poverty level (Gini)	2.4500	1	1.5652
Already banned	1.1284	1	1.0622
Chamber	1.1378	1	1.0667
Lag_introduction	1.3789	1	1.1743

**Table B2***Variance Inflation Factor for Bill Introduction: Model without Interaction between Legislative**Control and Governor Party*

<b>Covariate</b>	<b>GVIF</b>	<b>Df</b>	<b>GVIF<sup>1/(2*Df)</sup></b>
Legislative Control	4.7775	2	1.4784
Political context			
Prior internal effort	2.0055	1	1.4162
% Neighboring states banned	1.6646	1	1.2902
National attention	1.4919	1	1.2214
Election year	1.0803	1	1.0394
Governor Characteristic			
Party	1.6085	1	1.2683
Race	1.5065	1	1.2274
Gender	1.2372	1	1.1123
Chamber characteristic			
% Democrat in chamber	6.7931	1	2.6064
% Women in chamber	2.3113	1	1.5203
State demographics			
% White	2.9495	1	1.7174
% Immigrant	3.5326	1	1.8795
% Under-18 female	2.3052	1	1.5183
% Undergraduate education	2.0526	1	1.4327
% Postgraduate education	2.9779	1	1.7257
Poverty level (Gini)	2.4323	1	1.5596
Already banned	1.1304	1	1.0632
Chamber	1.1393	1	1.0674
Lag_introduction	1.3497	1	1.1618

## Appendix C: Supplemental Graphs

**Figure C1**

*Predictive Probabilities for Bill Enactments Over Time, Separated by Chamber (H=House; S=Senate)*



*Note.* The right panel (Senate) does not include Delaware and New Hampshire as the states had not introduced a bill in the senate.  
*Note.* \* denotes states that have enacted bans (the year markers do not necessarily align with the years a ban was enacted)

### **Chapter 3: Framing Childhood: Linguistic Cues and Public Opinion on Child Marriage in the United States<sup>19</sup>**

Public concern over sex trafficking and the sexual exploitation of minors reflects a broad societal consensus that children cannot meaningfully consent to sexual relationships with adults. Under federal law, any commercial sex act involving a minor is classified as human trafficking, underscoring the principle that minors lack the capacity to consent even when coercion cannot be proven (USDOT, 2025). A recent survey finds that 82.4% strongly agree trafficking is a problem in the U.S. (Purcell, 2025). But despite relatively unified opinion around that issue, the public is far more divided on whether minors should be allowed to legally marry. Only 16 states (plus the District of Columbia) now ban child marriage entirely with no exceptions) meaning 34 states still permit marriage under age 18 under certain conditions. In fact, in many states, the legal marriage age (with exceptions) is lower than the statutory age of consent for sex, enabling the formal legalization of relationships that would otherwise amount to statutory rape. Researchers estimate that child marriages violated statutory rape laws in 14 states, and in 33 states some or all statutory rape laws explicitly exempt sex within marriage (Van Roost et al., 2022).

Child marriage, commonly defined as a marriage or informal union involving at least one person under the age of 18 (UNICEF, 2018), is quite prevalent in the United States. About 315,000 children were married between 2000 and 2021 (Unchained At Last, 2025)— and the majority of them were girls (Koski & Heymann, 2018; Reiss, 2021; Tsui et al., 2017). Girls married before 18 are more likely to suffer from social, educational, and health consequences than those who marry later in life (Koski & Heymann, 2018). Studies based on developing countries find that marrying before the age 18 increases maternal morbidity and mortality rates

---

<sup>19</sup> This chapter is co-authored with Dr. Mary L. Atkinson and is included in this dissertation with her permission.

(Conde-Agudelo et.al., 2020; WHO, 2018), heightens the risk of sexually transmitted infections (Dupre & Meadows, 2007; Nour, 2009), and amplifies rates of intimate-partner violence and mental-health disorders (Kidman, 2017; Le Strat et al., 2011). Marriage prior to 18 also curtails schooling and economic participation, perpetuating long-term poverty (Field & Ambrus, 2008; Nguyen & Wodon, 2015). U.S. studies mirror these global patterns (Dahl, 2010; Eshbaugh, 2008), highlighting how evidence of harm has not translated into widespread legislative action. This suggests that factors beyond empirical evidence such as moral framing or political priorities shape this policy inertia.

Despite the associated risks, only 16 states have banned child marriage without exception, starting with Delaware and New Jersey in 2018. The most recent states to ban child marriage were Maine, Missouri, and Oregon in 2025. Yet legislative progress has been uneven: between 2018 and 2025, more than one hundred bills attempting to address the issue of child marriage failed, with several state legislatures continuing to defend the practice. In 2025 alone, ten other states introduced bills to prohibit child marriage, but none succeeded. Most surprisingly, New Hampshire attempted in 2025 to create new exceptions for underage marriage despite enacting a full ban only a year prior (Bailey, 2025). This uneven progress indicates the slow shift of legal norms along with evolving narratives about childhood, consent, and protection.

The variation in policy outcomes stems from more than simple legislative inaction—it reflects varied interpretations of what child marriage represents. In public debates, legislators, advocates, and media actors invoke a range of frames—moral, religious, rights-based, and gendered—to cast marriage under 18 as an issue of protection, autonomy, or tradition. Tracing

how these competing frames structure elite rhetoric and influence public opinion is crucial for understanding the uneven pace of reform.

Debate around child marriage reform reveals several contrasting and sometimes overlapping frames. Opponents often invoke religion, cultural autonomy, or youth rights, sometimes linking the issue to broader moral or political conflicts over abortion and gender identity, and favoring more neutral, adult-coded terms such as “teens,” “youth,” or “individuals” to describe this group. Proponents, by contrast, emphasize protection, human rights, and the gendered vulnerability of girls, framing child marriage as coercive and outdated, and using words such as “children,” “kids,” and “girls.” While media coverage fluctuates between these two approaches, legislative documents predominantly use “minor” to describe individuals under 18 years of age. These competing narratives hinge on language; the chosen labels reflect distinct strategic goals— to highlight exploitation and immaturity or to portray young people as capable decision-makers.

This contrasting language raises a key question: does labeling individuals under 18 as children, teenagers, or minors shape what people think about the permissibility of marriage for people who are not yet legal adults? Using a survey experiment administered on the 2024 Cooperative Election Study, we test how these frames influence support for underage marriage. Compared to the neutral term ‘minor,’ respondents show far less support for marriage when the term ‘child’ is used and more support when ‘teenager’ is used. But the degree to which frames shape opinion is conditioned by the context in which the frames are offered. These findings suggest that subtle shifts in language can meaningfully alter public attitudes on an issue where legislative change remains contested.

## Literature

The persistence of child marriage in the United States raises questions about how historical norms, legal frameworks, and cultural narratives have sustained the practice over time. Understanding this context is essential for situating contemporary policy debates and patterns of reform.

### **Historical and Policy Context of Child Marriage in the United States**

Marriage in the United States has long been regulated by individual states rather than the federal government, with most laws tracing their origins to colonial English common law. Early statutes permitted minors to marry with parental or judicial consent, reflecting social norms that treated marriage as a way to regulate sexuality and legitimize pregnancy rather than as a contractual union between equal parties (Coontz, 2005; Syrett, 2016). Throughout much of the twentieth century, nearly every state allowed exceptions for girls and boys under the ‘legal’ age to marry (Coontz, 2005; Grossberg, 1985)— typically relying on consent from parents, guardians or masters/mistresses in the case of indentured servants (Syrett, 2016). The increased focus on consent was mostly economically incentivized, as parents feared the loss of their property and assets if their ‘girl child’ were to marry someone they did not deem worthy (Syrett, 2016). These show that early marriage was used as a corrective to perceived sexual impropriety, based on gendered assumptions about maturity and morality.

Reform movements began to challenge these assumptions in the late nineteenth and early twentieth centuries, when progressive reformers sought to raise both the age of consent and the legal age for marriage (Varnado, 2024). These early efforts were often linked to broader campaigns for moral reform and women’s protection rather than to a rights-based understanding of childhood. Despite scattered successes, marriage under the permitted age remained common

well into the mid-twentieth century as long as consent was obtained. During World War II, the reduction of the draft age from 21 to 18 contributed to a surge in early marriages, with increased school dropout rates, early pregnancies, and divorces. Public discussion focused less on legality than on morality, emphasizing why young people married rather than whether they should be permitted to do so (Varnado, 2024). Post-war, the issue largely faded from national debate, dismissed as a rural or exceptional practice (Syrett, 2016).

Legal structures that permit marriages under the legal age, such as parental consent, still remain in place. The United States lacks a federal minimum age for marriage, and thirty-four states continue to allow minors to marry under certain conditions, including parental consent, pregnancy, or judicial approval. These provisions create a patchwork of age thresholds and consent requirements, and in several states the minimum marriage age is still legally lower than the age of consent for sexual activity.<sup>20</sup> This legitimizes sexual relationships that might otherwise constitute statutory rape<sup>21</sup> (Koski & Heymann, 2018; Reiss, 2021). Because minors cannot easily file for divorce, enter domestic-violence shelters, or sign contracts, such laws can effectively trap them in exploitative relationships (Fershee, 2012).

The recent wave of reform beginning in 2018 reflects renewed attention to these contradictions. Starting with Delaware and New Jersey, sixteen states have thus far enacted complete bans on marriages under the age of 18, while others have implemented partial

---

<sup>20</sup> In most states, the age of consent is referred to as the age at which an individual is legally considered capable of consenting to sexual activity. It generally ranges between 16 and 18, depending on the jurisdiction (Legal Information Institute, Cornell Law School, n.d.). [https://www.law.cornell.edu/wex/age\\_of\\_consent#:~](https://www.law.cornell.edu/wex/age_of_consent#:~)

<sup>21</sup> Statutory rape refers to sexual activity between an adult and a minor who is legally unable to provide consent due to age. (Legal Information Institute, Cornell Law School, n.d.). [https://www.law.cornell.edu/wex/statutory\\_rape](https://www.law.cornell.edu/wex/statutory_rape)

restrictions. Despite this recent success, between 2018 and 2025, more than one hundred recent bills designed to curb child marriage failed to advance, and several legislatures continue to defend exemptions. These uneven policy outcomes reflect more than legislative inertia; they reveal competing ways of understanding what child marriage represents. The frames used by political actors debating child marriage reflect these varied conceptions of the issue. Different frames are employed by different political actors—lawmakers, advocacy groups, media—to define whether underage marriage is a question of protection, autonomy, or tradition. Understanding these frames, and how they shape both elite discourse and public attitudes, is central to explaining why policy progress remains inconsistent.

### **Framing Theory and Public Perception**

Framing is an inherent part of communication as speakers must decide what to say and how to say it. These choices are “central organizing ideas” that highlight certain dimensions of an issue while downplaying others, implying what information is central and what is peripheral (Entman, 1993; Gamson & Modigliani, 1989). More recent views describe frames as combinations of ideas that trigger people’s existing mental schemas (Wood et al., 2018). In short, framing serves as the lens through which people make sense of information and form opinions about an issue.

The effect of framing on attitude formation has widely been researched in cognitive psychology and political psychology literature. Researchers have extensively focused on the psychological process through which frames impact cognition and behavior (Chong & Druckman, 2007b; Iyengar, 1991; Nelson, Oxley & Clawson, 1997; Zaller, 1992). While initially viewed as an accessibility-driven process (Kinder & Sanders, 1996) (i.e., frames draw sharp focus on certain aspects of an issue thereby making it more accessible for opinion formation),

later studies find the process to be more deliberate and complex. Multiple studies by Nelson and colleagues argue that framing influences people by signaling which aspects of an issue deserve more attention and which should be given less importance (Nelson, Clawson & Oxley, 1997; Nelson, Oxley & Clawson, 1997; Nelson & Oxley, 1999). They found that framing changed the level of importance people attached to certain values. This change in perceived importance, not just how easily the values came to mind (i.e., the accessibility), explained differences in people's opinions on the issue.

Research on framing suggests that elites can shape public opinion through how they present issues (Druckman, 2001). In policymaking, relevant actors deliberately construct frames to attach specific meanings or messages that help guide public understanding. These frames function as sets of arguments: linked claims and symbols that define a policy issue, diagnose its causes, and suggest remedies. A frame in communication refers to how elites, advocates, and media present an issue through specific language, imagery, and moral cues, while a frame in thought describes how audiences internalize those cues and use them to interpret and evaluate information (Chong & Druckman, 2007b; Nelson, Oxley & Clawson, 1997). In doing so, frames serve as “bridges between elite discourse about a problem or issue and popular comprehension of that issue” (Nelson, Clawson & Oxley, 1997, p. 224).

Frames are suggestive rather than directive: by prompting audiences to connect to ideas by elevating certain aspects of said ideas, they affect how individuals interpret and evaluate political issues. Numerous studies demonstrate that framing can shift policy preferences across a wide range of domains. Baumgartner et al. (2008) show that as public debate on capital punishment moved from moral retribution to concerns about innocence, aggregate support for the death penalty declined. Merolla et al. (2013) find that describing immigrants as “illegal”

rather than “undocumented” or “unauthorized” substantially increases punitive attitudes toward immigration, while Haider-Markel and Joslyn (2001) show that attributing gun violence to individual behavior rather than social conditions heightens support for rights-based, individualistic responses.

Media framing research reveals parallel mechanisms. Rose and Baumgartner (2013) demonstrate that shifts in media portrayals of the poor from victims of circumstance to abusers of public aid reduced public sympathy and support for assistance programs. Similarly, Kellstedt (2000) shows that framing racial inequality as structural rather than individual increases support for government intervention, and Gilliam and Iyengar (2000) find that local crime coverage linking violence to Black suspects activates racial stereotypes and increases support for punitive policies. Together, these studies show that the media act as a key intermediary between elite discourse and public opinion, amplifying certain moral cues and guiding how citizens assign blame, interpret causality, and evaluate policy. Framing thus redefines which moral considerations appear relevant and shifts emphasis from one element to another, thereby altering public opinion.

Framing effects are, however, not free from influence; several factors can bolster or mitigate these effects. Political knowledge (Nelson, Oxley, & Clawson, 1997) and values (Shen & Edwards, 2005) shape how people process frames, though findings are mixed. Some studies find that less knowledgeable individuals are more easily influenced (Kinder & Sanders, 1990; Schuck & de Vreese, 2006), while others reach the opposite conclusion (Krosnick & Brannon, 1993; Nelson, Oxley, & Clawson, 1997). Druckman and Nelson (2003) suggest that these inconsistencies reflect how knowledge is measured and argue that framing effects depend more on the availability of relevant information and existing attitudes than on knowledge per se.

Individuals with a strong “need to evaluate” or firmly held opinions are less susceptible to reframing efforts, consistent with research on ‘motivated reasoning’ showing that people tend to discount information that challenges their prior beliefs (Redlawsk, 2002; Taber & Lodge, 2006).

Resistance to reframing efforts is amplified by perceived issue importance. Individuals care more deeply about some issues than others, both personally and politically (Baumgartner & Jones, 1991; Boninger et al., 1995). Attitudes toward highly important issues are more accessible, stable, and resistant to change (Krosnick, 1989; Jacks & Devine, 2000). Because these individuals tend to possess richer knowledge and stronger value connections, they process new information more critically and are less likely to be swayed by a single frame.

Contextual factors also moderate framing effects. The credibility of the source and the presence of competing frames both influence whether a frame resonates with the audience (Druckman, 2001; Chong & Druckman, 2007b). Likewise, the type and salience of the issue matter: Iyengar (1991) shows that episodic and thematic frames yield different effects, while Haider-Markel and Joslyn (2001) find that people are more resistant to reframing on high-salience issues. When an issue receives sustained attention from elites and the media, exposure to multiple, competing frames can further reduce the influence of any single message (Haider-Markel & Joslyn, 2001; Chong & Druckman, 2007a). As a result, framing effects are typically strongest for issues that are less familiar, less salient, or less personally meaningful to individuals.

The passage of time itself can influence framing effects, as continued exposure to new frames gradually changes which considerations remain salient in public opinion. Baumgartner et al. (2008), for example, show how the dominant frames surrounding capital punishment shifted across decades—from moral retribution to wrongful conviction—reshaping public discourse and

contributing to a decline in support for the death penalty. This change over time shows that framing can build up gradually, as long-term shifts in how issues are discussed lead to lasting changes in public opinion.

This body of research demonstrates that framing is not simply a matter of rhetoric but a mechanism through which meaning, morality, and responsibility are constructed. Across issue domains, frames determine what is seen as the central problem, who is held accountable, and which values are invoked in deciding what ought to be done.

### **Framing Debates around Child Marriage**

Debates over child-marriage reform in the United States reveal how framing operates in practice, as policymakers, advocates, and opponents draw on distinct moral narratives to define what the issue represents and what kind of response it demands. Opponents of bans on child marriage often frame their resistance around religion, culture, and individual autonomy of young people to make their own marital choices, arguing that government restrictions infringe upon family and faith traditions. In New Jersey, Republican Governor Chris Christie vetoed a ban citing protection of religious customs (Friedman, 2017), while in Louisiana and West Virginia, conservative legislators defended marriage as a “cherished institution” to preserve family unity (Clark, 2019; Donahue, 2023). Lawmakers frequently cite family histories of marrying young (Raby, 2023) or present early marriage as a way to protect “sanctity of family” since the prevention of such could discourage teen parents from being able to raise their children under one roof (Clark, 2019; Padilla, 2023).

Other legislators portray marriage as a ‘lifeline’ for abused teens – for example, in Maryland teenagers cannot legally emancipate themselves from their parents or guardians, so opponents argue that ‘early marriage’ can provide teenagers with abusive home lives an escape

route (McNamara, 2022). It is also viewed by some as a fundamental right the state should not restrict (Clark, 2019; McNamara, 2022) or that it infringes on parental rights (Padilla, 2023; Vlamis, 2023). Anti-trans rhetoric related to child marriage has also been on the rise. These arguments claim it is inconsistent to allow minors to pursue gender transition while prohibiting them from choosing marriage (Kirsch, 2024; Zurick, 2023).

Arguments for and against marriage for minors are also related to reproductive rights. Anti-abortion legislators in Missouri, Maryland and West Virginia argued that in the absence of marriage as an option, teens who become pregnant will seek abortion, give birth out of wedlock, or travel to another state to marry (Bates, 2024; Hibbert, 2024; Raby 2023). At the same time, groups such as Planned Parenthood in California and a women's group in Maryland opposed bans fearing that restricting marriage by raising the age could set a precedent for limiting abortion and other reproductive rights and create other unintended consequences for vulnerable young women (Clark, 2019; McNamara, 2022). Skeptics in states such as Idaho and Massachusetts further questioned whether age restrictions for marriage were necessary at all, describing them as excessive or ineffective (Clark, 2019). Together, these examples illustrate how child marriage debates extend beyond questions of age or consent to reflect broader conflicts over family, sexuality, and the boundaries of state authority.

Proponents of stronger age restrictions on marriage consistently emphasize vulnerability, coercion, and human rights. They frame child marriage as a form of abuse that facilitates coercion, human trafficking (Bates, 2024; DeWitt, 2024), and lifelong harm, often invoking survivor testimonies of forced or abusive unions (Stuart, 2024; Tsui, 2017; Yetter, 2018). These advocates also highlight legal inconsistencies, noting that minors are prohibited from voting, signing contracts, or accessing other adult rights and argue that marriage should be no different

since the absence of a marriage-age floor undermines statutory rape protections (Trickey; 2022; Tsui, 2017).

Other proponents stress the dangers of exploitation, framing child marriage as a tool for “grooming” or a “get out of jail free card” for statutory rape (Donahue, 2023; Mays, 2023). They also portray reform as necessary to modernize state reputations, warning that the absence of a minimum age makes states appear regressive or “backward” (Donahue, 2023; Robertson, 2021). Proponents further underscore gendered impacts, emphasizing that child marriage overwhelmingly harms girls and reflects entrenched patriarchal traditions (Padilla, 2023; Trickey, 2022). These arguments frame bans not only as legal necessities but also as symbolic commitments to protecting children and aligning policy with contemporary human rights norms.

Media framing of child marriage largely mirrors the language and logic of political actors. News coverage typically oscillates between portraying underage marriage as a human-rights crisis and depicting it as a question of parental or cultural autonomy. Advocacy-driven stories tend to emphasize coercion, trafficking, and gendered harm, while coverage of legislative debates often highlights moral or religious objections to reform. Rather than establishing independent frames, mainstream media frequently reproduce elite narratives, amplifying the same moral dichotomies that dominate legislative discourse (Gupte & Anitha, 2023).

These competing framings do more than advance policy arguments—they construct fundamentally different understandings of how teens below the age of 18 should be. Proponents emphasize that these are children who must be protected, while opponents portray them as youths capable of choice. Words such as “girls,” “kids,” and “children” evoke innocence and dependency, whereas “teens,” “individuals,” and “young people” suggest maturity and agency. By selecting one label over another, political actors assign moral meaning to the same

population, prompting audiences to interpret underage marriage either as coercion or as personal freedom. These linguistic choices reveal that the struggle over child marriage is not only about legality but about how childhood itself is perceived, moralized, and politicized.

### **Theorizing child marriage frames: moral schemas, context, and opinion formation**

Public opinion on child marriage exists at the intersection of two conditions that make framing both possible and constrained: the issue is morally charged but weakly structured. Americans know very little about the prevalence of the issue in the United States (Lawson et al., 2020) and fewer Americans have direct experience with the policy itself. Yet, the topic is high in moral salience as it evokes strong intuitions about childhood, sexuality, and family authority. As research on framing effects shows, such conditions heighten the importance of linguistic cues. When people lack detailed knowledge, they rely on accessible schemas to make sense of moral ambiguity (Nelson, Clawson & Oxley, 1997; Chong & Druckman, 2007b). Thus, the language used by policy actors to describe individuals under 18 can activate distinct moral logics and emotional responses, shaping how citizens understand the legitimacy and acceptability of marriage under the age of 18.

Linguistic framing acts as a cognitive shortcut, linking words to familiar ways of thinking about situations and morality. The terminologies used to describe individuals under 18, whether child, minor, or teenager, thus functions as more than a legal classification. Each label represents a distinct semantic frame, carrying its own associations with dependency, vulnerability, and maturity. These linguistic cues do more than denote age; they activate competing moral logics that guide interpretation. When legislators describe marriage under 18 as a matter of “protecting children,” the phrasing foregrounds vulnerability and state responsibility; when framed as a “right for teens,” it emphasizes autonomy and family choice. Through this process, frames in

communication become frames in thought, shaping how individuals evaluate the legitimacy and acceptability of marriage for individuals under the age of 18.

The experimental scenarios used in this study mirror the arguments most often advanced in legislative debates. We use three linguistic frames – “child”, “teenager” and “minor” to evoke specific mental imagery. Describing someone under 18 as a “child” is expected to evoke a moral schema of innocence and dependency, constituting the ‘vulnerability frame’. It foregrounds dependency, vulnerability and the obligation to protect, activating emotional responses of sympathy and moral outrage when that protection is violated. In contrast, calling the same person a “teenager” is expected to activate a schema of emerging agency, associated with autonomy and identity. In this ‘maturity frame’, marriage may be interpreted less as coercion and more as a personal or cultural choice. The word “minor”, by comparison, is a neutral, bureaucratic category commonly used in statutory language. It lacks the moral and affective resonance of the other labels, serving as an ideal baseline of a ‘legal frame’ for testing whether emotional and moral cues alter perception.

However, framing effects rarely occur in a vacuum. They are shaped by contextual information that determines how frames are interpreted (Druckman, 2001). Our experiment includes scenarios reflecting the most common justifications offered in legislative debates—pregnancy, parental consent, judicial approval, same-age unions, emancipation, and cultural and religious backgrounds. By embedding our linguistic frames within these contextual cues, the study tests whether invoking the ‘vulnerability frame’ or the ‘maturity frame’ compared to that of a ‘legal frame’, increases or reduces support of marriage earlier than 18. For example, in the pregnancy condition, respondents may view marriage as a moral remedy for perceived sexual transgressions; however, labeling the pregnant party a child might shift moral attention from

responsibility to exploitation. Similarly, parental consent or judicial approval scenarios evoke institutional authority and legitimacy; yet describing the person as a teenager may reinforce assumptions of maturity, reducing perceived need for protection.

It is to be noted that a distinctly separate context of ‘sexual assault’ is also included in the study. It is important to distinguish this context from the pregnancy scenario included in the study. While marriage following a rape may also involve pregnancy, it evokes a fundamentally different moral schema—one in which marriage is framed as a means of restoring honor, correcting a transgression, or legitimizing a violation. This contrasts with the pregnancy frame, where marriage is often viewed as a practical or moral response to early sexual activity. Reports of survivors who were compelled to marry their rapists (Basu, 2018; Kristof, 2018; Kristof, 2021) further underscore how this framing situates marriage as a corrective to sexual assault.

Our study design allows us to evaluate whether linguistic framing operates through moral reclassification—that is, changing not what respondents know, but how they categorize the actors involved. As Baumgartner et al. (2008) show in the death penalty debate, shifts in dominant frames can redefine the moral landscape of an issue: innocence replaced retribution as the central moral focus. Likewise, the present study examines whether describing individuals under 18 as “children” redirects moral focus from consent to coercion, while “teenager” redirects it toward autonomy. If these frames change the evaluative lens, we should observe systematic variation in respondents’ willingness to endorse legal exceptions to marriage under the age of 18.

However, as the contexts presented in the experiment are not mutually exclusive (respondents can select multiple circumstances under which individuals under the age 18 can be married), respondents may interpret them as intersecting rather than distinct. This overlap introduces potential interaction among frames, indicating that framing effects will depend both

on the moral content of the label and the situational cues that define what kind of moral reasoning is relevant.

Accordingly, we expect the following:

***H<sub>1</sub> (Vulnerability Frame):** Relative to ‘minor’, labeling individuals as ‘child’ will decrease approval for underage marriage across contexts, indicating stronger opposition.*

***H<sub>2</sub> (Maturity Frame):** Relative to ‘minor’, labeling individuals as ‘teenager’ will increase approval for underage marriage across circumstances, indicating greater acceptance.*

To evaluate these expectations, the next section presents a survey experiment designed to test how linguistic and situational frames jointly influence public opinion on underage marriage. By randomly assigning respondents to different label conditions (“child,” “teenager,” or “minor”) and providing contextual circumstances under which marriage under age 18 is proposed, the design measures the effects of framing on support for the practice.

### **Data and Methods**

This study utilizes the Cooperative Election Study (CES) – an annual online survey conducted by YouGov in collaboration with Harvard University. This survey provides a nationally representative sample of U.S. adults and includes both a common content questionnaire and team-content modules designed by individual researchers.

The experiment was fielded during the 2024 pre-election wave, with 1,000 respondents completing this module. Participants were randomly assigned to one of three linguistic framing conditions: “child”, “teenager”, or “minor”. The term “minor” functions as the control condition because it mirrors the neutral, legalistic language typically used in statutes and legislative

documents. The frames “child” and “teenager” serve as treatments that emphasize vulnerability or maturity, respectively.

Respondents were asked: “In what circumstances do you feel that a [minor/child/teenager] should be allowed to legally marry? (Select all that apply.)” All respondents evaluated the same list of eight possible circumstances: pregnancy, both parties being in the same age category, parental consent, judicial consent, emancipation, following a sexual assault, religious background, and cultural background. Respondents could select as many options as they wanted. However, a ninth option, “Not allowed under any circumstance,”<sup>22</sup> allowed respondents to reject marriage for anyone under 18 entirely. Selecting this final option automatically prevented the selection of any others, ensuring that answers reflected either complete disapproval or approval in one or more specific situations. The full set of the question and the options presented can be found in Appendix D.

Our primary outcomes of interest are the conditions or circumstances under which subjects believe minors should be allowed to marry. Each of these circumstances was coded as a binary indicator (1= selected, 0 = not selected), resulting in eight possible *conditional approval* outcomes and one *categorical rejection* of the practice if ‘never’ was selected. Because respondents could select multiple circumstances (except ‘never’), these outcomes are not mutually exclusive, allowing for patterns of overlapping approval.

Our key independent variable is the linguistic framing: being assigned to any of the treatment groups “child” or “teenager” or the control group “minor”. Randomization was implemented automatically within the CES platform, giving each respondent an equal chance of

---

<sup>22</sup> Referred to as ‘never’ henceforth.

assignment to any frame. Among the 1,000 participants in our sample, 329 were assigned to the control frame “minor”, 338 to “child”, and 333 to “teenager”.<sup>23</sup>

We then assessed framing effects in two steps. First, we computed descriptive statistics showing the proportion of respondents’ approval of each circumstance within each frame. Second, we used difference-of-means tests (two-sample t-tests) to compare each treatment to the control group (child vs minor, teenager vs minor). All analyses were conducted on the unweighted sample, reflecting the observed responses of the CES respondents who completed the module.

### Results

The most common response in “minor” and “child” group was “Not allowed under any circumstance.” In contrast, respondents in “teenager” were more likely to endorse *conditional approval*, with parental consent and emancipation emerging as the two most frequently selected circumstances. These options also ranked as the second- and third-most common responses in the “child” and “minor” frames. Figure 17 shows the proportion of respondents within each group (“child”, “teenager” and “minor”) endorsing specific circumstances under which underage marriage should be permitted. Percentages are calculated relative to the total number of respondents in each group. Roughly half of respondents (51%) in the control group “minor” rejected all forms of under-18 marriage. This *categorical rejection* increased under the “child” frame (65%) and declined sharply under the “teenager” frame (31%).<sup>24</sup>

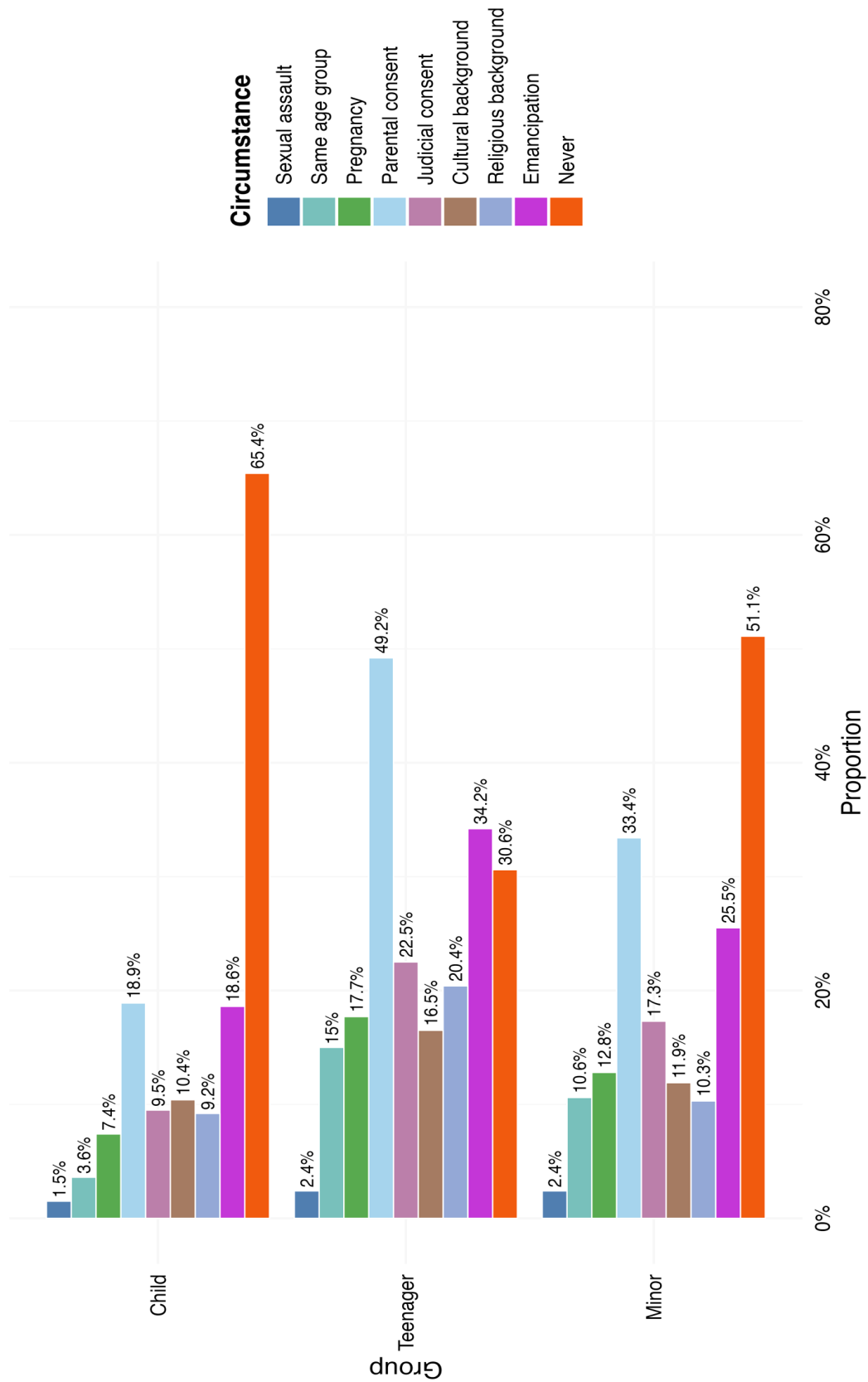
---

<sup>23</sup> To verify randomization, demographic covariates (age, gender, race, and partisanship) were compared across the three frames using a multinomial logistic regression. Results showed no significant differences across major demographic categories, confirming balance. Minor discrepancies in very small demographic subgroups (e.g., nonbinary respondents) reflect sparse data rather than systematic bias (see Appendix E).

<sup>24</sup> See Appendix F (table F1) for the frequency distribution of participants and their selected options

**Figure 17**

*Proportion of Respondents Selecting Each Circumstance by Group*



Among the circumstances presented, parental consent was the most frequently supported, ranging from 19% under “child” to 49% under “teenager”. Moderate support also appeared for emancipation and judicial consent, again highest in the “teenager” frame. In contrast, pregnancy, religious background, and cultural background were selected by far fewer respondents, and marriage following sexual assault was almost universally rejected (<2%).

To assess whether the different wordings (“child,” “teenager,” or “minor”) led to statistically meaningful differences in responses, we compared the percentage of respondents who selected each circumstance across groups using t-tests. Each circumstance such as pregnancy, parental consent, or judicial approval was analyzed separately. Table 2 summarizes the average proportion of respondents who chose each circumstance for every version of the question, along with the difference between each experimental wording (“child” or “teenager”) and the baseline wording (“minor”). The table also reports whether these differences are statistically meaningful.

Table 4

*Difference-of-means Test for Respondents' Selection of Underage Marriage*

	Pregnancy	Same Age Group	Parental Consent	Judicial Consent	Emancipation	Sexual Assault	Cultural Background	Religious Background	Never
Child	7.40	3.55	18.93	9.47	18.64	1.48	10.36	9.17	65.38
Minor	12.77	10.64	33.43	17.33	25.53	2.43	11.85	10.33	51.06
<b>Difference</b>	<b>-5.37*</b>	<b>-7.09***</b>	<b>-14.50***</b>	<b>-7.86**</b>	<b>-6.89*</b>	<b>-0.95</b>	<b>-1.50</b>	<b>-1.16</b>	<b>14.32***</b>
Teenager	17.72	15.02	49.25	22.52	34.23	2.40	16.52	20.42	30.63
Minor	12.77	10.64	33.43	17.33	25.53	2.43	11.85	10.33	51.06
<b>Difference</b>	<b>4.95•</b>	<b>4.38•</b>	<b>15.81***</b>	<b>5.20•</b>	<b>8.70*</b>	<b>-0.03</b>	<b>4.66•<sup>+</sup></b>	<b>10.09***</b>	<b>-20.43***</b>

*Note.* <sup>+</sup> Holm-adjusted p-values were calculated to account for multiple comparisons, we report the unadjusted p-values in the table for

clarity. The adjustment did not materially change the results, except for this comparison. The Holm-adjusted p-value was not significant at the 90% level of significance.

\*\*\*  $p < 0.001$

\*\*  $p < 0.01$

\*  $p < 0.05$

•  $p < 0.1$

When compared with the frame “minor”, the frame “child” produced a clear shift toward opposition. Respondents who saw “child” were about 14 percentage points more likely to say that marriage should never be allowed for anyone under 18. They were also significantly less likely to select most of the specific circumstances, including pregnancy, parental consent, judicial consent, emancipation, and same-age relationships.

The opposite pattern emerged for the “teenager” wording. Compared with the “minor” group, respondents that were in group “teenager” were about 20 percentage points less likely to reject marriage under 18 outright and more likely to approve of it under certain conditions—especially when parental consent, emancipation, or religious reasons were involved. Smaller increases also appeared for pregnancy, same-age relationships, judicial consent and cultural reasons.

### **Discussion and Conclusion**

This study examined how subtle linguistic differences shape public attitudes toward underage marriage. Consistent with expectations, framing individuals under 18 as children produced stronger opposition to marriage, while framing them as teenagers increased support for marriage under limited conditions. These findings align with framing theory, which posits that linguistic cues activate moral schemas and guide interpretation of ‘frames’ when citizens encounter complex or low-visibility issues. In our case, the linguistic frame of “child” combined with contextual frames elevates the association with innocence, vulnerability and dependency, which prompted respondents to view marriage under the age of 18 as inappropriate across multiple dimensions (*categorical rejection*). On the other hand, the “teenager” frame suggested independence, autonomy and maturity, making *conditional acceptance* more likely. Overall,

these comparisons show that simply changing one word in the question can shift public judgments in opposite directions.

Our study shows that linguistic framing offers a cognitive shortcut: people rely on the moral cues embedded in the wording to decide which principle—protection or freedom should dominate their judgment. The findings also suggest that public opinion on child marriage is neither fully resistant nor uniformly responsive to framing. It reflects Druckman’s (2001) contingent framing environment where respondents have strong emotional associations to the cues but no fixed opinions. Because underage marriage is both morally salient and politically obscure, its meaning depends heavily on how it is described. This helps explain why public attitudes and legislative outcomes remain divided.

The insights from our study carry broader implications for understanding moral framing and social policy communication. They demonstrate that linguistic framing can subtly shift how citizens navigate moral trade-offs between protection and autonomy, particularly on issues that sit at the intersection of childhood, sexuality, and family authority. The persistence of public outrage over cases like Jeffrey Epstein’s alongside continued legislative ambivalence about underage marriage, illustrates how the same moral intuitions can yield divergent policy responses depending on how the issue is framed. For advocates and policymakers, the findings underscore the importance of language not only as a method for persuasion but as a structure of moral reasoning.

The study, however, is not free from limitations. While our results provide clear evidence that linguistic framing shapes public opinion, whether these attitudinal shifts translate into policy preferences or legislative action remains uncertain. Our experimental design also lacks broader discursive and visual cues which generally are present in real-world communication. Legislative

debates, media coverage, and advocacy campaigns often pair language with emotional appeals such as survivor testimonies, personal narratives, or symbolic imagery. These may strengthen or dilute the effects observed in our study which solely focuses on lexical variation.

Additionally, the scenarios presented in our study oversimplifies complex realities of a multidimensional issue: real cases of underage marriage often involve intersecting factors of coercion, religion, family pressures, or pregnancy that cannot be fully captured in survey vignettes. Lastly, although the data were drawn from a large, nationally representative survey, the experimental module's smaller subsample ( $n \approx 1,000$ ) limits the precision of subgroup analyses. Future research could extend these findings by using larger samples and examining whether certain subgroups are more predisposed to respond to particular frames or to select specific circumstances under which underage marriage seems acceptable. Factors such as religiosity, gender norms, political ideology, or personal exposure to early marriage may moderate framing effects, influencing how individuals interpret cues about protection, autonomy, or tradition.

Language does more than reflect public beliefs; it helps constitute them. By choosing between words like "child" and "teenager", political actors cue distinct moral frameworks that shape how the public interprets legitimacy, consent, and protection. In the case of child marriage, these semantic choices determine whether the issue is understood as exploitation or as a matter of personal freedom, revealing the power of framing in shaping the boundaries of moral and political action.

## References

- Bailey, M. (2025, February 25). One year after total child marriage ban, New Hampshire considers new exceptions. *The Fulcrum*. Retrieved August 23, 2025, from <https://thefulcrum.us/governance-legislation/child-marriage-ban-new-hampshire>
- Basu, M. (2018, January 31). Sherry Johnson was raped, pregnant and married by 11. Now she's fighting to end child marriage in America. *CNN*. Retrieved January 18, 2024, from <https://www.cnn.com/2018/01/29/health/ending-child-marriage-in-america>
- Bates, C. (2024, May 17). Legislation enacting total ban on child marriage in Missouri dies in the House. *Missouri Independent*. Retrieved September 10, 2025, from <https://missouriindependent.com/briefs/legislation-enacting-total-ban-on-child-marriage-in-missouri-dies-in-the-house/>
- Baumgartner, F. R., De Boef, S. L., & Boydston, A. E. (2008). *The decline of the death penalty and the discovery of innocence*. Cambridge University Press.
- Baumgartner, F. R., & Jones, B. D. (1991). Agenda dynamics and policy subsystems. *The Journal of Politics*, 53(4), 1044-1074.
- Boninger, D. S., Krosnick, J. A., Berent, M. K., & Fabrigar, L. R. (1995). The causes and consequences of attitude importance. In R. E. Petty & J. A. Krosnick (Eds.), *Attitude strength: Antecedents and consequences* (pp. 159-190). Mahwah, NJ: Lawrence Erlbaum.
- Chong, D., & Druckman, J. N. (2007a). Framing public opinion in competitive democracies. *American Political Science Review*, 101(4), 637-655.
- Chong, D., & Druckman, J. N. (2007b). Framing theory. *Annu. Rev. Polit. Sci.*, 10(1), 103-126.
- Clark, D. (2019, September 8). End child marriage in the U.S.? You might be surprised at who's opposed. *NBC News*. Retrieved September 18, 2025, from

<https://www.nbcnews.com/politics/politics-news/end-child-marriage-u-s-you-might-be-surprised-who-n1050471>

Conde-Agudelo, A., Romero, R., & Nicolaides, K. H. (2020). Cervical pessary to prevent preterm birth in asymptomatic high-risk women: a systematic review and meta-analysis. *American Journal of Obstetrics and Gynecology*, *223*(1), 42-65.

<https://doi.org/10.1016/j.ajog.2019.12.266>

Coontz, S. (2006). *Marriage, a history: How love conquered marriage*. Penguin.

Dahl, G. B. (2010). Early teen marriage and future poverty. *Demography*, *47*, 689-718.

<https://doi.org/10.1353/dem.0.0120>

Dewitt, E. (2024, May 2). House passes bill to raise minimum marriage age to 18, sending it to governor. *New Hampshire Bulletin*. Retrieved October 3, 2025, from

<https://newhampshirebulletin.com/2024/05/02/house-passes-bill-to-raise-minimum-marriage-age-to-18-sending-it-to-governor/>

Donahue, K. & Associated Press. (2023, March 10). W.Va. child marriage bill going to the governor's desk. *WSAZ News Channel 3*. Retrieved January 10, 2024, from

<https://www.wsaz.com/2023/03/11/wva-child-marriage-bill-be-taken-up-senate/>

Druckman, J. N. (2001). On the limits of framing effects: Who can frame?. *The Journal of Politics*, *63*(4), 1041-1066.

Druckman, J. N., & Nelson, K. R. (2003). Framing and deliberation: How citizens' conversations limit elite influence. *American Journal of Political Science*, *47*(4), 729-745.

Dupre, M. E., & Meadows, S. O. (2007). Disaggregating the effects of marital trajectories on health. *Journal of Family Issues*, *28*(5), 623-652.

<https://doi.org/10.1177/0192513X06296296>

- Entman, R. M. (1993). Framing: Toward clarification of a fractured paradigm. *Journal of Communication, 43*(4), 51-58.
- Eshbaugh, E. M. (2008). Teen mothers: Marriage, cohabitation, and educational achievement. *Journal of Family Social Work, 11*(1), 3-16.  
<https://doi.org/10.1080/10522150802007162>
- Fershee, K. H. (2012). A parent is a parent, no matter how small. *William and Mary Journal of Race, Gender, and Social Justice, 18*(3), 425-473.  
<https://scholarship.law.wm.edu/wmjowl/vol18/iss3/2>
- Field, E., & Ambrus, A. (2008). Early marriage, age of menarche, and female schooling attainment in Bangladesh. *Journal of Political Economy, 116*(5), 881-930.
- Friedman, M. (2017, May 11). Ban on child marriages conditionally vetoed by Christie. *Politico*. Retrieved November 2, 2023, from <https://www.politico.com/states/new-jersey/story/2017/05/11/ban-on-child-marriages-conditionally-vetoed-by-christie-111987>
- Gamson, W. A., & Modigliani, A. (1989). Media discourse and public opinion on nuclear power: A constructionist approach. *American Journal of Sociology, 95*(1), 1-37.
- Gilliam Jr, F. D., & Iyengar, S. (2000). Prime suspects: The influence of local television news on the viewing public. *American Journal of Political Science, 560*-573.
- Grossberg, M. (1985). *Governing the hearth: Law and the family in nineteenth-century America*. Univ of North Carolina Press.
- Gupte, M., & Anitha, S. (2024). Gender violence or tradition?: Media coverage of child/forced marriage in US newspapers. *Feminist Media Studies, 24*(1), 34-50.
- Haider-Markel, D. P., & Joslyn, M. R. (2001). Gun policy, opinion, tragedy, and blame attribution: The conditional influence of issue frames. *Journal of Politics, 63*(2), 520-543.

- Hibbert, C. M. (2024, May 7). New Hampshire legislators pass bill to ban child marriage. Changing US immigration laws should be next, expert says. *Northeastern Global News*. Retrieved September 28, 2025, from <https://news.northeastern.edu/2024/05/07/child-marriage-law-new-hampshire/>
- Iyengar, S. (1994). *Is anyone responsible?: How television frames political issues*. University of Chicago Press.
- Jacks, J. Z., & Devine, P. G. (2000). Attitude importance, forewarning of message content, and resistance to persuasion. *Basic and Applied Social Psychology*, 22(1), 19-29.
- Kellstedt, P. M. (2000). Media framing and the dynamics of racial policy preferences. *American Journal of Political Science*, 245-260.
- Kidman, R., & Heymann, J. (2018). Prioritising action to accelerate gender equity and health for women and girls: Microdata analysis of 47 countries. *Global Public Health*, 13(11), 1634-1649. <https://doi.org/10.1080/17441692.2018.1427272>
- Kinder, D. R., & Sanders, L. M. (1990). Mimicking political debate with survey questions: The case of white opinion on affirmative action for blacks. *Social Cognition*, 8(1), 73-103.
- Kirsch, R. (2024, February 7). Republican lawmaker sends late night anti-trans email in response to child marriage proposal. *The Daily Cardinal*. Retrieved September 23, 2025 from <https://www.dailycardinal.com/article/2024/02/republican-lawmaker-sends-late-night-anti-trans-email-in-response-to-child-marriage-proposal>
- Koski, A., & Heymann, J. (2018). Child marriage in the United States: How common is the practice, and which children are at greatest risk?. *Perspectives on sexual and reproductive health*, 50(2), 59-65. <https://doi.org/10.1363/psrh.12055>

- Kristof, N. (2018, June 1). An American 13-year-old, pregnant and married to her rapist. *The New York Times*. Retrieved October 15, 2025, from <https://www.nytimes.com/2018/06/01/opinion/sunday/child-marriage-delaware.html>
- Kristof, N. (2021, June 19). A 14-year-old bride, wed to her rapist, playing on a jungle gym. *The New York Times*. Retrieved October 15, 2025, from <https://www.cnn.com/2018/01/29/health/ending-child-marriage-in-america>
- Krosnick, J. A. (1989). Attitude importance and attitude accessibility. *Personality and Social Psychology Bulletin*, 15(3), 297-308.
- Krosnick, J. A., & Brannon, L. A. (1993). The impact of the Gulf War on the ingredients of presidential evaluations: Multidimensional effects of political involvement. *American Political Science Review*, 87(4), 963-975.
- Lawson, D. W., Lynes, R., Morris, A., & Schaffnit, S. B. (2020). What does the American public know about child marriage?. *PLoS One*, 15(9), e0238346.
- Legal Information Institute. (n.d.). *Age of consent*. Retrieved October 15, 2025, from [https://www.law.cornell.edu/wex/age\\_of\\_consent](https://www.law.cornell.edu/wex/age_of_consent)
- Legal Information Institute. (n.d.). *Statutory rape*. Retrieved October 15, 2025, from [https://www.law.cornell.edu/wex/statutory\\_rape](https://www.law.cornell.edu/wex/statutory_rape)
- Le Strat, Y., Dubertret, C., & Le Foll, B. (2011). Child marriage in the United States and its association with mental health in women. *Pediatrics*, 128(3), 524-530.  
<https://doi.org/10.1542/peds.2011-0961>
- Mays, M. (2023, August 3). Why child marriage is legal in California – and the unexpected groups fighting to keep it that way. *Los Angeles Times*. Retrieved December 10, 2024,

from <https://www.latimes.com/california/story/2023-08-03/why-child-marriage-is-still-legal-in-california-at-any-age>

McNamara, S. (2022, April 22). Child marriage is banned in Maryland. *Washingtonian*.

Retrieved October 6, 2025, from <https://www.washingtonian.com/2022/04/22/child-marriage-is-banned-in-maryland/>

Merolla, J., Ramakrishnan, S. K., & Haynes, C. (2013). “Illegal,” “undocumented,” or “unauthorized”: Equivalency frames, issue frames, and public opinion on immigration. *Perspectives on Politics*, *11*(3), 789-807.

Nelson, T. E., Clawson, R. A., & Oxley, Z. M. (1997). Media framing of a civil liberties conflict and its effect on tolerance. *American Political Science Review*, *91*(3), 567-583.

Nelson, T. E., & Oxley, Z. M. (1999). Issue framing effects on belief importance and opinion. *The Journal of Politics*, *61*(4), 1040-1067.

Nelson, T. E., Oxley, Z. M., & Clawson, R. A. (1997). Toward a psychology of framing effects. *Political Behavior*, *19*(3), 221-246.

Nguyen, M. C., & Wodon, Q. (2015). Global and regional trends in child marriage. *The Review of Faith & International Affairs*, *13*(3), 6-11.

<https://doi.org/10.1080/15570274.2015.1075756>

Nour, N. M. (2009). Child marriage: a silent health and human rights issue. *Reviews in Obstetrics and Gynecology*, *2*(1), 51.

Padilla, M. (2023, July 5). Child marriage is still legal in two-thirds of U.S. states. Here’s why. *The 19<sup>th</sup>*. Retrieved September 28, 2025, from <https://19thnews.org/2023/07/explaining-child-marriage-laws-united-states/>

- Purcell, M. (2025). Preliminary results of a survey of American perceptions of human trafficking in the United States. *UC Irvine Blum Center*.  
[https://drive.google.com/file/d/1Kf8M1oPBhVnCqKi8J7N8v2QL\\_LZxvI2V/view](https://drive.google.com/file/d/1Kf8M1oPBhVnCqKi8J7N8v2QL_LZxvI2V/view)
- Raby, J. (2023, March 1). Bill to ban child marriage passes West Virginia House. *AP News*. Retrieved September 17, 2025, from <https://apnews.com/article/child-marriage-west-virginia-ban-legislation-e84a97e9202b8cbde05b726d4dde17eb>
- Redlawsk, D. P. (2002). Hot cognition or cool consideration? Testing the effects of motivated reasoning on political decision making. *Journal of Politics*, 64(4), 1021-1044.
- Reiss, F. (2021). Child marriage in the United States: Prevalence and implications. *Journal of Adolescent Health*, 69(6), S8-S10. <https://doi.org/10.1016/j.jadohealth.2021.07.001>
- Robertson, G. D. (2021, August 17). North Carolina is child bride destination; bill could end it. *AP*. Retrieved January 19, 2024, from <https://apnews.com/article/lifestyle-north-carolina-bills-6a16aab6b0847a3600e29fd243e9c578>
- Rose, M., & Baumgartner, F. R. (2013). Framing the poor: Media coverage and US poverty policy, 1960–2008. *Policy Studies Journal*, 41(1), 22-53.
- Schuck, A. R., & De Vreese, C. H. (2006). Between risk and opportunity: News framing and its effects on public support for EU enlargement. *European Journal of Communication*, 21(1), 5-32.
- Shen, F., & Edwards, H. H. (2005). Economic individualism, humanitarianism, and welfare reform: A value-based account of framing effects. *Journal of Communication*, 55(4), 795-809.
- Stuart, T. (2024, May 11). Why are some republican lawmakers hellbent on preserving child marriage? *Rolling Stone*. Retrieved October 2, 2025, from

<https://www.rollingstone.com/politics/politics-features/republican-lawmakers-child-marriage-abortion-1235018777/>

Syrett, N. L. (2016). *American child bride: a history of minors and marriage in the United States*. UNC Press Books.

Taber, C. S., & Lodge, M. (2006). Motivated skepticism in the evaluation of political beliefs. *American Journal of Political Science*, 50(3), 755-769.

The Washington Post. (2025, July 29). We texted nearly 1,100 Americans about Trump and the Epstein files. Here's what they said. *The Washington Post*. Retrieved October 18, 2025, from <https://www.washingtonpost.com/politics/interactive/2025/epstein-files-poll-trump-doj/>

Trickey, E. (2022, January 9). 'Why is child marriage still legal?': A young lawmaker tackles a hidden problem. *Politico*. Retrieved December 12, 2024, from <https://www.politico.com/news/magazine/2022/01/09/cassie-levesque-new-hampshire-child-marriage-524159>

Tsui, A. (2017, September 14). *Married young: The fight over child marriage in America*. Frontline, PBS. Retrieved December 12, 2024, from <https://www.pbs.org/wgbh/frontline/article/married-young-the-fight-over-child-marriage-in-america/>

Tsui, Nolan & Amico. (2017, July 6). *Child marriage in America: By the Numbers*. Frontline, PBS. Retrieved December 12, 2024, from <http://apps.frontline.org/child-marriage-by-the-numbers/>

Unchained At Last. (2025). *United States' child marriage problem: Study findings 2000-2021*.

<https://www.unchainedatlast.org/wp-content/uploads/2025/09/Unchained-at-Last-US-Child-Marriage-Problem.pdf>

United Nations Children's Fund (UNICEF). (2018). *Child marriage: Latest trends and future prospects*. <https://data.unicef.org/resources/child-marriage-latest-trends-and-future-prospects/>

United States Department of Transportation. (2025, August 15). *Human Trafficking 101*.

[https://www.transportation.gov/stop-human-trafficking/human-trafficking-101?utm\\_](https://www.transportation.gov/stop-human-trafficking/human-trafficking-101?utm_)

Van Roost, K., Horn, M., & Koski, A. (2022). Child marriage or statutory rape? A comparison of law and practice across the United States. *Journal of Adolescent Health, 70*(3), S72-S77.

<https://doi.org/10.1016/j.jadohealth.2021.10.023>

Varnado, S. S. (2024). Child marriage in the United States: Past, present, and future. *J. Am. Acad. Matrimonial Law, 37*, 643.

Vlamis, K. (2023, April 12). A Missouri lawmaker defended child marriage, saying kids he knows who got married at age 12 are 'still married'. *Business Insider*. Retrieved October 2, 2025, from <https://www.businessinsider.com/mike-moon-gop-missouri-lawmaker-defends-childs-right-to-marry-2023-4>

Wood, M. L., Stoltz, D. S., Van Ness, J., & Taylor, M. A. (2018). Schemas and frames. *Sociological Theory, 36*(3), 244-261.

World Health Organization (WHO). (2018). *Adolescents: Health Risks and Solutions*. Retrieved October 25, 2023, from <https://www.who.int/en/news-room/fact-sheets/detail/adolescents-health-risks-and-solutions>

- Yetter, D. (2018, February 22). Child marriage is still legal in Kentucky. A former bride wants to put an end to it. *Courier Journal*. Retrieved December 5, 2024, from <https://www.courier-journal.com/story/news/politics/2018/02/22/child-marriage-legalkentucky/340374002/>
- Zaller, J. (1992). *The nature and origins of mass opinion*. Cambridge university press.
- Zurick, M. (2023, June 22). These Michigan Republicans voted against child marriage ban. *Newsweek*. Retrieved September 5, 2025, from <https://www.newsweek.com/these-michigan-republicans-voted-against-child-marriage-ban-1808308>

### Appendix D: Survey

**Question Text:** In what circumstance do you feel that a minor/child/teenager should be allowed to legally marry? (Select all that apply)

Code	Option text
1	The <b>[minor/child/teenager]</b> is pregnant.
2	The marriage is occurring between two <b>[minors/children/teenagers]</b> .
3	The parents of the <b>[minor/child/teenager]</b> have consented to the marriage.
4	A judge has approved the marriage.
5	The <b>[minor/child/teenager]</b> is emancipated.
6	The <b>[minor/child/teenager]</b> has been sexually assaulted.
7	Early marriage is part of the <b>[minor's/child's/teenager's]</b> cultural background.
8	Early marriage is part of the <b>[minor's/child's/teenager's]</b> religious background.
99	Not allowed under any circumstance.

## Appendix E: Balance Checks

**Table E1**

*Balance check for demographic variables*

1. Age (continuous)

<b>Group</b>	<b>n</b>	<b>mean_age</b>	<b>sd_age</b>	<b>median_age</b>	<b>IQR_age</b>
Group 1 – Minor	329	49.93313	17.70202	53	30
Group 2 – Child	338	52.91420	17.20952	55	27
Group 3 – Teenager	333	52.03604	17.74735	54	28

2. Age- group

<b>Group</b>	<b>18-34</b>	<b>35-49</b>	<b>50-64</b>	<b>65+</b>
Group 1 – Minor	78	73	94	84
Group 2 – Child	66	68	98	106
Group 3 – Teenager	66	76	101	90

3. Gender

<b>Group</b>	<b>Man</b>	<b>Non-binary</b>	<b>Other</b>	<b>Woman</b>
Group 1 – Minor	155	3	1	170
Group 2 – Child	158	4	0	176
Group 3 – Teenager	155	2	0	176

4. Race

<b>Group</b>	<b>Asian</b>	<b>Black</b>	<b>Hispanic</b>	<b>Native American</b>	<b>Other</b>	<b>Two or more races</b>	<b>White</b>
Group 1 – Minor	8	49	25	0	7	14	226
Group 2 – Child	6	39	44	0	5	10	234
Group 3 – Teenager	13	52	28	3	6	16	215

5. Party ID

<b>Group</b>	<b>Democrat</b>	<b>Independent</b>	<b>Not sure</b>	<b>Other</b>	<b>Republican</b>
Group 1 – Minor	129	80	12	15	93
Group 2 – Child	132	77	19	15	95
Group 3 – Teenager	130	108	8	8	79

**Table E2**

*Balance check test: modeling the probability of being assigned to each treatment as a function of covariates*

<b>Comparison</b>	<b>Estimate</b>	<b>SE</b>	<b>z</b>	<b>p</b>
<b>Group- Child</b>				
(Intercept)	-0.957	0.608	-1.570000e+00	0.116
age	0.013	0.528	1.800000e-01	0.854
Gender				
Non-binary	0.522	0.005	2.690000e+00	0.007
Other	-13.206	0.005	1.700000e+00	0.088
Woman	0.017	0.800	6.500000e-01	0.514
Race				
Black	0.057	0.936	-3.300000e-01	0.738
Hispanic	0.910	0.000	-1.227364e+08	0.000
Native American	-4.096	0.000	-1.430519e+07	0.000
Other	-0.118	0.160	1.100000e-01	0.915
Two or more races	-0.018	0.160	4.000000e-01	0.691
White	0.310	0.588	1.000000e-01	0.922
Party ID				
Independent	-0.026	0.500	-9.600000e-01	0.336
Not sure	0.665	0.601	1.510000e+00	0.130
Other	0.028	0.534	-6.300000e-01	0.526
Republican	-0.073	0.000	-1.563309e+09	0.000
<b>Group-Teenager</b>				
(Intercept)	0.097	0.000	4.386762e+07	0.000
age	0.008	0.805	-1.500000e-01	0.884
Gender				
Non-binary	-0.313	0.727	-9.700000e-01	0.330
Other	-11.000	0.687	-3.000000e-02	0.979
Woman	0.064	0.587	-7.000000e-01	0.482

**Table E2 (Continued)**

*Balance check test: modeling the probability of being assigned to each treatment as a function of covariates*

<b>Comparison</b>	<b>Estimate</b>	<b>SE</b>	<b>z</b>	<b>p</b>
<b>Race</b>				
Black	-0.481	0.555	5.600000e-01	0.576
Hispanic	-0.339	0.468	-1.280000e+00	0.200
Native American	15.273	0.206	-1.300000e-01	0.899
Other	-0.708	0.196	1.520000e+00	0.128
Two or more races	-0.413	0.405	1.640000e+00	0.101
White	-0.600	0.484	-7.000000e-01	0.481
<b>Party ID</b>				
Independent	0.299	0.398	7.000000e-02	0.945
Not sure	-0.341	0.464	-1.200000e+00	0.231
Other	-0.555	0.199	-3.700000e-01	0.713
Republican	-0.201	0.205	-9.800000e-01	0.328

## Appendix F: Frequency Distribution

**Table F1**

*Frequency distribution of participants and selected options*

Conditions/Contexts	Child	Teenager	Minor	Total
Pregnancy	25	59	42	126
Two of the same group	12	50	35	97
Parental consent	64	164	110	338
Judicial consent	32	75	57	164
Emancipated	63	114	84	261
Sexually assaulted	5	8	8	21
Cultural background	35	55	39	129
Religious background	31	68	34	133
Never	221	102	168	491
<b>Total</b>	<b>338</b>	<b>333</b>	<b>329</b>	<b>1000</b>

#### **Chapter 4: Ethical Conflicts of Child Marriage in the United States**

In 2013, President Barack Obama called child marriage a “threat to fundamental human rights” in a statement commemorating the International Day of the Girl. Despite promoting international efforts to eliminate the practice, the United States lacks a federal minimum age for marriage, allowing 34 states to continue to permit under-18 marriages as of this writing. Donna Pollard, married at age 14 to an abusive man, later found herself unable to access a domestic violence shelter because she was still legally a minor. Forced to drop out of school (Ziege, 2021), she also could not sign a lease or file for divorce (Yetter, 2018). Her experience is not unique. This contrast between global advocacy and domestic inaction highlights a deeper structural failure: U.S. law continues to permit the entry of minors into legal contracts without guaranteeing them the ability to exit.

This paper investigates a central paradox: while the U.S. advocates for the elimination of child marriage abroad, its own decentralized legal framework allows for the practice domestically, often in ways that undermine minors’ autonomy and safety. I argue that this patchwork system fails to protect the rights of children, particularly girls, by permitting them to enter legally binding marriages without guaranteeing them the parallel right to exit.

Drawing on Susan Moller Okin’s (2002) concept of the “right to exit,” I frame child marriage as a structural injustice: one that denies minors the real ability to leave coercive or harmful familial arrangements. Even if a minor nominally “consents” to marry, their minor status often prevents them from dissolving the marriage, accessing housing or shelter, or asserting bodily autonomy. Without a meaningful right to exit, their consent is rendered hollow. Generally considered as a form of forced marriage, child marriage leads to an unequal marriage and the resulting inequalities make even the idea of an exit not very plausible.

In this way, existing U.S. marriage laws create ethical and legal conflicts that disproportionately burden minors, particularly girls from marginalized backgrounds. This paper recommends a federal ban on child marriage to address them. I explore three kinds of conflicts: between age of marriage consent and age of legal majority (creating loopholes for statutory rape laws); between divorce laws and other marital issues; and between parental and judicial consent requirements. I also discuss other issues, such as lax requirements for proof of age and residency, which worsen the major conflicts mentioned above in a patchwork system like that in the U.S. Because the existing system is patchwork, I argue that a federal minimum marriage age of 18, with no exceptions, is both a policy necessity and a moral imperative grounded in liberal democratic commitments to autonomy and justice.

Section 1 provides a brief background of the current legal and policy landscape regarding child marriage in the U.S. Section 2 examines the negative impacts of child marriage and discusses the social and economic costs associated with the practice. Section 3 examines the ethical conflicts that exist within the law and the consequences of their inter-connectedness. Section 4 discusses the potential of a federal age floor as a policy recommendation and lastly the conclusion discusses other avenues of research.

### **The U.S. Legal and Policy Landscape on Child Marriage**

Child marriage to this day remains a globally pervasive issue. The United Nations defines child marriage as “a marriage of any person before age 18 years” (UNFPA, 2012). This generally accepted definition has been used to establish developmental goals to curb and eliminate child marriage globally as it has been established that child marriage severely threatens a girl’s health, education, and economic opportunities and is hence, considered a violation of human rights (UNFPA, 2012).

The UN has made considerable efforts to curb the practice. The ‘Convention on the Rights of the Child’ (CRC) (UN, 1989), and the ‘Convention on the Elimination of Discrimination against Women’ (CEDAW) (UN, 1979) are two treaties that explicitly condemn child marriage as a violation of human rights, yet the U.S. is the only UN member not to ratify the CRC (Amnesty International USA, 2010) and thus remains outside the binding obligations of these agreements (UNICEF, n.d.). This undermines both the credibility and coherence of U.S. global advocacy.

US development and foreign policy holds a double standard when they focus on ending the practice abroad but not within its own communities. While USAID developed a roadmap to end child marriage by 2030 (Freij, 2010), the United States does not have any federal laws of its own that ban child marriage (Ferguson, 2018). The marital laws in the U.S. are largely shaped by the English common law which put more emphasis on parental consent than strict age minimums (V. Hamilton, 2012). Today, in the U.S., the age of consent and the minimum age to marry vary by state, with most states relying on parental and judicial consent for underage marriages.

The lack of a unified legal mechanism with differing state laws creates a patchwork system with wide inconsistencies. Each state and territory in the U.S. has the autonomy to set a minimum marriage age – either set by a statute or sometimes by common law. Different states have different policies regarding minimum age to marry and exceptions to it – some states require only one parent’s consent while others allow judicial bypasses in cases of pregnancy or "best interest" findings (Baxter, 2018). As this paper will argue, this patchwork increases the potential for abuse and loopholes.

As of July 2025, only 16 states have banned the practice with no exceptions. The majority of the other states have a minimum age of 16 to marry, but these policies are riddled

with exemptions. Four states—California, Mississippi, New Mexico, and Oklahoma—effectively have no minimum legal age once all exemptions are applied (Unchained At Last, 2021). Because of the Full Faith and Credit Clause, states must also recognize marriages performed elsewhere, meaning that minors can travel to more permissive jurisdictions to get legally married. States like Missouri and North Carolina have previously become so-called ‘destination states’ for underage marriages (Adler, 2018; Robertson, 2021). This creates a ‘race to the bottom’ where national child marriage policy is effectively the policy of the most permissive state.

### **Child Marriage in the U.S.**

Child marriage practices in developed countries are often overlooked and understudied. UNICEF and Girls Not Brides, among other agencies, track the prevalence of child marriage in various countries through data sources like DHS (Demographic and Health Surveys) and MICS (Multiple Indicator Cluster Surveys) but report no estimates present for Canada, the U.S. and countries in Western Europe (Girls Not Brides, n.d.). The practice still however persists in most of these places (Arthur et al., 2018).

Reliable national data on child marriage in the U.S. is difficult to obtain. No central agency tracks these marriages comprehensively and surveys often censor data for individuals below a certain age. Estimates based on American Community Survey (ACS) (Koski & Heymann, 2018) suggest that about 6.2 per 1,000 children aged 15-17 had been married at any given time. Independent investigations by NGOs like Unchained At Last, estimate that between 2000 and 2018, almost 300,000 children were married in the U.S., often to adult men substantially older than themselves (Reiss, 2021). The Public Broadcasting System (PBS) reported that over 200,000 children across 41 states were married below the age of 18 between 2000 and 2015—87% of them being girls and 13% boys (Tsui et al., 2017), with over 78,000

minors married between 2010 and 2014 alone (Torrieri, 2014). Another study estimated that between 8.9% and 11.96% of women in the United States were married as a child (Le Strat et al., 2011). The Pew Research Center shows that, on average, almost 5 of every 1,000 15-17-year-olds are married in the United States (McClendon & Sandstrom, 2016).

These figures are likely an underestimation. Many states do not publish child marriage data or lack accurate records as they do not systematically track them. Reiss (2021) found that there were several instances where states retained marriage license data when counts were less than 10 each year, or states randomly irretrievably deleted data on child marriage when age of the marriage was below 15 years. Even when age floors in states exist, they are often undermined by weak proof-of-age requirements: in many states, minors are not required to furnish official documents like birth certificates to verify their eligibility to marry. Potential stigma around child marriage may also lead to further concealment of facts by parties involved in it. This means that there are potentially thousands of additional child marriage counts falling through the cracks.

The top 5 states with the highest per capita rate of child marriage are: Nevada, Idaho, Arkansas, Kentucky and Oklahoma respectively (Reiss, 2021). Between 2000-2015, 12-year-old children were granted marriage licenses in Alaska, Louisiana and South Carolina, while 13-year-olds were allowed to marry in several other states (Tsui et al., 2017).

Currently, only 16 states have banned the practice with no exceptions. In most of the other states, the minimum age of marriage is 16 or 17 with exceptions—a child can get married if they receive judicial approval, parental consent or sometimes if the child is pregnant or has given birth. In some states, one must meet two or more of these conditions if they are to get married below age of majority. Notably, the child's consent is not a requirement in any of these states (M. Hamilton, 2020).

## **Negative Impacts of Child Marriage**

The burdens of child marriage in the U.S. fall disproportionately on girls, especially from immigrant and racially marginalized backgrounds. Research by Koski and Heymann (2018) shows that girls from Chinese, Indigenous, and Hispanic communities, as well as immigrant minors, experience higher rates of child marriage. According to Syrett (2016), minors in rural and poor areas are most likely to get married; this result was echoed in Tsui et al.'s (2017) findings. Most child marriages in the country are also heterosexual in nature (Unchained at Last, 2017). Because the overwhelming majority of child marriages involve girls married to adult men, these unions perpetuate gender hierarchies and power imbalances, as demonstrated throughout the discussion of their disproportionate harms to women and girls.

The lack of research on child marriages in the U.S. makes it difficult to study the full extent of the impact of the practice. Much of what is known about the harms of child marriage including health risks, educational disruption, and long-term economic disadvantages, comes from studies conducted in low- and middle-income countries. The impact of early marriage, early pregnancy, and childbearing results in higher rates of mortality and morbidity, unfinished schooling, and poor future productivity due to limited human capital. It subsequently negatively impacts the future children they would have, their families and their nations (Conde-Agudelo et al., 2020; Parsons et al., 2015; Nour, 2009; Patton et al., 2009).

Despite contextual differences, these findings are instructive, as they reveal systemic patterns of harm that are likely to be mirrored in the U.S. context. What follows is an overview of these impacts, drawing from both global literature and limited domestic data to illustrate the multidimensional costs of underage marriage.

### **Issues with Health**

Child marriage is often detrimental to the girls involved because they have not yet reached sexual maturity. Historically, the age of puberty and the capability to reproduce have been the determining factors for setting the age of marriage in most cultures. Throughout the Middle Ages, girls were married off before or when they started menstruating, at the parents' or family's discretion (V. Hamilton, 2012).

Although the onset of menstruation holds cultural significance in many countries, it is not a reliable indicator of a girl's physiological readiness for sexual activity (Dixon-Mueller, 2008). Across the globe, a declining trend in the average age of menarche has been reported since the beginning of 20th century (Ramraj & Subramanian, 2021; Onland-Morret et al., 2005; Parent et al., 2005). In most developing countries, the average age of menses has shown a downward trend to an average of 12-13 years (Parent et al., 2003; Breinbauer & Maddaleno, 2005; Lloyd, 2005; Patton & Viner, 2007), an age at which a girl's skeletal and muscular growth is incomplete. In the U.S., the average age of the first menstrual period has been declining, especially for those belonging to racial minorities and lower socioeconomic statuses (Wang et al., 2024). The growth and maturation of reproductive organs, along with protective processes such as cervical and vaginal lubrication, generally occur after the onset of the menstrual cycle, as a delayed effect of estrogen accumulation (Dixon-Mueller, 2008). Consequently, girls aged 14 and younger are almost universally too young to engage in sexual intercourse from a physiological standpoint.

Girls in late puberty (ages 15–17) may reach a level of physiological maturity sufficient for intercourse only if menarche occurred relatively early, between ages 11 and 13 (Dixon-Mueller, 2008). However, reaching physiological maturity does not inherently eliminate the health risks associated with sexual activity, particularly in the context of child marriage. They face an elevated risk of acquiring sexually transmitted infections (STIs) including HIV,

gonorrhoea and chlamydia resulting from frequent unprotected intercourse with their older adult spouses who often have had prior sexual partners (Nour, 2009). As child marriage is often associated with virginal status, this coupled with physical immaturity not only increases the risk of HIV transmission but also inflicts lacerations to their hymens, vaginas and cervixes (Nour, 2006). Early marriage is also associated with a higher risk of human papillomavirus (HPV) infection and cervical cancer (Zhang, 1989). Girls who marry before age 19 also have higher lifetime risks of cancer, diabetes, heart attack or stroke than those who marry later (Dupre, 2007).

Globally, complications related to pregnancy and childbirth constitute a major cause of mortality for adolescent girls aged 15-19 (WHO, 2018), as their reproductive system is not fully developed, leading to increased risk of obstetric complications. The risk of death is 5 to 7 times higher for mothers aged 10-14, and twice as high for those aged 15-19, compared to those who give birth after age 19. Issues like eclampsia, postpartum hemorrhage, sepsis, HIV infection and obstructed labor are highly associated with early childbearing (Nour, 2009). The risk of a pre-term delivery (with high mortality risk for the baby) is 35%-55% higher for young mothers giving birth before turning 18 compared to those who give birth after turning 19 (Nour, 2009).

Child marriage furthers this issue as child brides often lack self-agency in reproductive planning, have limited access to safe sex practices or the knowledge of them, are at a higher risk of frequent and unprotected sex, are often subjected to short birth intervals (Conde-Agudelo et al., 2020) due to social pressures to prove their fertility (Nour, 2009), and have higher chances of being diagnosed with obstetric fistula as a result (UNICEF, 1998).

*Intergenerational impact:* The children born to underage mothers often suffer from high morbidity and mortality, including low birth weight and poor nutritional health (Wachs, 2008)

which in turn negatively affect long term educational, health and other life attainments. Early childbirth raises the risk for being diagnosed with obstetric fistula by 88% (UNICEF, 1998) which makes girls incontinent, often resulting in the death of the baby within the first week of its life (Malhotra, 2010). During their first year of life, they face a 28% higher mortality rate in the next 4 years of their life than the infants born to mothers over 18 years of age (Adhikari, 2003), with high morbidity and mortality risks well into their later lives (Nour, 2009). In the U.S., compared to those born of older mothers, children born to teenage mothers have lower Apgar scores (a measure of newborn health at birth) (Chen et al., 2007).

### **Issues of Lower Educational Attainment and Employment Opportunities**

When girls are married early, their education generally does not take priority in their new household's investment decisions (Nour, 2006) and they often are forced to cease their formal schooling and education. This not only stops them from acquiring knowledge and skills (Khanna et. al., 2013, UNESCO, 2012), but additionally removes schools as a potential social network and support structure – affecting lifelong earning potential. It also limits their access to health and welfare information, including guidance on safe sexual practices (Abu-Ghaida & Klasen 2004; Semba et al. 2008). This isolation from support systems in turn makes them more dependent on their spouses.

Early marriage is highly correlated with low levels of schooling. Below the age of 18, each year of early marriage reduces the probability of completing secondary school by 4 to 6 percentage points (Field & Ambrus, 2008; Nguyen & Wodon, 2015). Insufficient education acts as an added barrier to participation in the formal labor market (Grown et al. 2005), confining these women to informal household chores that involve inferior working conditions and low (almost nonexistent) wages (Cameron, et, al., 2001). Traditional gender norms put pressure on

married young girls to take on the role of the primary caregiver which not only delays their entry into the job market and halts their growth, but also decreases the opportunity cost of participation in the formal labor sector against staying home, making formal employment less lucrative for them later in their lives (Klasen & Pieters, 2012).

In the U.S., we see a culmination of all the above—Dahl (2010) found that girls who marry before turning 16 are 31% more likely to live in poverty during adulthood, while non-completion of high school only increased the risk of so by 11%. This is because child marriage affects a girl's life in more ways than just early termination of schooling. Conversely, delaying marriage correlates with significant improvement in future wages for women (around 1.8% increase for every year of delay), an effect size which is 4 times larger than that for men (Wang & Wang, 2017).

*Intergenerational impact:* Low educational attainment of married minors intergenerationally affects their children in the forms of lowered educational attainment, poor nutritional status and physical health as the young mother's reduced education translates into poorer access to health and welfare information for both the mother and her children. (Abu-Ghaida & Klasen, 2004; Semba et al. 2008). Lower maternal education correlates with higher rates of child malnutrition and reduced likelihood of vaccination against (Pfeiffer et.al., 2001; Smith & Haddad, 2015). Such children also tend to have behavioral problems that increase with age, score low on tests and experience higher rates of abuse and neglect (Hoffman & Maynard, 2008). They have an increased likelihood of being sent to foster care and of being incarcerated in later life (Hoffman & Maynard, 2008) than children born to adult parents.

## Issues of Violence and Abuse

Girls who marry as children are disproportionately vulnerable to abuse and violence. While the practice of child marriage can itself be viewed as a ‘form of violence’ against the children (Amin, 2014; Solotaroff & Pande, 2014), traditional gender values and patriarchal norms often make young girls more prone to accepting violence in their early marriages as normal. Girls who marry early, experience higher rates of intimate partner violence (IPV) (be it physical, sexual, or emotional) at the hands of their husbands than girls marrying after they turn 18 years of age (Clark et al., 2006; Myers & Harvey, 2011). IPV also is not limited to spousal violence, as the husband’s families and in-laws also direct violence towards the child brides (UNICEF, 2014b). Coupled with unfinished schooling, this diminished agency within family increases their vulnerability to violence (Malhotra, 2010).

IPV can lead to mental health issues in young brides such as depression, anxiety, and post-traumatic stress disorder (PTSD) and can result in higher rates of unintended pregnancy, induced abortion, complications from pregnancy and childbirth, low birth weight of their future children, and sexually transmitted infections (Carbone-Lopez et al., 2006). Risks of mental health disorders and substance abuse in later life are higher in girls who marry as a child (Le Strat et al., 2011). In the U.S., during their lifetime, girls who married before age 18 faced substantially higher mental health risks over their lifetime, including a 43% greater likelihood of developing major depressive disorder and almost a threefold increase in the risk of antisocial personality disorder, compared to those who married after age 18 (Le Strat et al., 2011).

*Intergenerational impact:* Exposure to IPV affects the children in the family just as much as the young mother (Duvvury et al., 2013; UNICEF 2014a), and such exposure to IPV can have immediate and long-term effects. A child’s physical and mental health, school attendance and

performance all suffer if the child experiences exposure to violence, even if they are not directed at the child (Anand et al., 2012). Later in life, these children are also more susceptible to continuing violence in their own lives – girl children grow up to be more accepting of such violence, while boy children are more likely to grow up to be the one inflicting violence (Kishor & Johnson, 2004).

Weaker agency in her family, strict boundaries set on her, controlled access to information, lower access to health services and weak personal identity translates into poorer health choices and outcomes, poorer career and life choices, poorer economic decision, lower self-confidence, and esteem. Combined with diminished schooling, all of this contributes to lower agency for the children within their families and their community (Clark et.al., 2006) which in turn increases their vulnerability to violence (Malhotra, 2010).

### **Effects of Child Marriage in the U.S.**

While research on child marriage specific to the United States is scarce, demographic research on U.S. teenage marriage shows that women who are married as teenagers tend to have lower educational attainment than women marry later in life (Dahl, 2010; Eshbaugh, 2008). Compared to women who marry later in life, those married earlier are less likely to complete high school (Dahl, 2010; Eshbaugh, 2008), more likely to divorce (Dahl, 2010), tend to have more children (Dahl, 2010), face a higher risk of psychiatric disorders in adulthood (Le Strat et al., 2011), and experience elevated rates of poverty (Dahl, 2010).

In the U.S., as in the rest of the world, early marriage significantly lowers educational attainment for girls who marry as children compared to their peers who marry later. (Le Strat et.al., 2011). Marrying before age 19, increases the likelihood of girls dropping out of high school by 50%. It is also 4 times less likely for them to complete college (Dahl, 2010) leaving

their literacy, financial management and future attainments to be severely limited (Malhotra et al., 2011; Myers & Harvey, 2011; Vogelstein, 2013).

The combined effect of reduced health attainment, lower female earnings, high fertility rate and consequent intergenerational impact can have a ripple effect on the economy and contributes to intergenerational poverty (Wodon & Petroni, 2017), productivity losses and hindering of UN developmental goals (Klugman et al., 2014). The long-term benefits of marrying later such as improved health, higher education, higher lifetime attainments, reduced likelihood of experiencing violence and abuse, increased agency and decision-making ability are taken away from a child that gets married early (Wodon et al., 2016).

### **Ethical Conflicts of Child Marriage in the U.S.**

Addressing the harms of child marriage is difficult in the U.S. for reasons specific to it. The most general problem is the need to balance laws that protect children and allow them independence and autonomy with the need to protect them from being trapped in a hostile environment they cannot escape. Okin's concept of the 'right to exit' (2002) offers more insight into how the legal and ethical contradictions in child marriage are aggravated as the path to exit is further narrowed for those who marry early.

Okin argues that justice within families and cultures requires individuals, especially women, to have the ability to leave oppressive relationships. Without the practical means to exit, formal rights are not sufficient. This insight is especially salient in the case of child marriage in the U.S., where minors are permitted to marry, but face structural barriers to leaving those marriages: they cannot file for divorce in most states, cannot access shelters or housing, cannot rent apartments or cars, cannot open bank accounts or obtain credit cards (Fershee, 2012), and are often forced to halt their education. All of these increase their dependency on the very

individuals they may seek to escape, making it very difficult for them to exit oppressive situations. Without the ability to exit, the consent to marriage becomes morally illegitimate.

### **Issues Regarding Age of Consent and Age of Majority**

The legal contradictions between the age of consent and the age of majority in the United States further enhance the vulnerabilities of minors who marry. The age of majority typically defined as the age at which an individual is legally considered to be an adult (LII, n.d). At majority, an individual would be able to exercise the full legal rights and responsibilities an adult would normally have, such as the right to vote, join the military, form a contract and control their own medical care. The age of majority is typically assumed to be 18. The age of consent on the other hand refers to the age one can give ‘meaningful’ consent to something (LII, n.d)—in this case, to sexual activity. Sexual intercourse below the age of consent is generally legally considered to be nonconsensual.

Age of consent laws vary by state, typically ranging from 16 to 18, yet in many states, marriage laws often allow individuals younger than the age of consent to marry under exceptions like pregnancy or parental approval even though they are not legally recognized as capable of making other major decisions—such as consenting to sex, voting, entering contracts, or seeking medical treatment. This creates a legal loophole in which sex that would otherwise be classified as statutory rape becomes legal within the context of marriage. The law thereby legitimizes potentially exploitative relationships, granting legal cover to adult spouses (usually men) who might otherwise face criminal prosecution (Aizenman, 2017).

### **Statutory Rape**

Statutory rape occurs when one side engaged in a sexual activity is below the age of consent—generally when a perpetrator knowingly is involved in a sexual act with a child aged

between 12 and 16, and the perpetrator is at least 4 years their senior, though these laws also vary by state (ASPE, 2004) depending on their definitions of age of consent. However, statutory rape laws almost never apply if the parties are married. In such cases, the issue of whether the child consented or even could consent becomes legally irrelevant. This creates a loophole where an adult engaging in sexual acts with a minor spouse is shielded from prosecution, thereby legitimizing what would otherwise be criminal sexual conduct. It undermines the purpose of statutory rape laws, which are meant to acknowledge the inherent power imbalance and inability of minors to offer meaningful consent.

Historically, marriage has been used in the United States to mask and minimize the criminal nature of adult-minor sexual relationships (Syrett, 2016). Cultural and religious norms have also reinforced this trend. In communities where premarital pregnancy carries stigma, marriage is often framed as a moral or protective solution—even when the pregnancy resulted from statutory rape (Kristof, 2017; Tsui, 2017). This reinforces a culture of impunity for perpetrators and a cycle of silence for victims. From Okin’s perspective, such legal and cultural frameworks do not merely fail to protect minors, but they actively reproduce structural subordination and deny the minor both the right to refuse and the power to exit.

### **Divorce and the Right to Exit**

Further complicating the matter is the age of majority. In most states, this threshold is 18, meaning that a minor who is legally married still cannot take independent legal action such as filing for divorce, opening a bank account, or securing housing. A central conflict then emerges when minors are granted permission to marry but are denied the parallel right to end their marriages. Most states prohibit minors from independently filing for divorce (Belanger, 2017). As a ‘married status’ does not automatically grant the minor an ‘emancipated status’, this

discordance leaves minors doubly disempowered: legally bound in marriage yet lacking the rights needed to navigate or exit it.

This double standard for what is recognized as legal in terms of age is only the beginning of the problems that married minors suffer because even if the problem of divorce can be resolved, leaving a marriage as a minor is extremely difficult for other reasons. In the case of an abusive marriage, many domestic violence shelters do not take in minors (Tahirih Justice Center, 2017). Seeking other forms of legal help or housing is also problematic as the minors cannot enter enforceable contracts. Even when legal pathways to exit a marriage may technically exist, they may be inaccessible in practice—particularly for minors with limited education, lack of financial independence or stable employment, or deep-rooted social conditioning. Many young people simply do not know their rights, and for those raised in conservative, religious, or patriarchal environments, the idea of leaving a marriage may be not only unfathomable but morally forbidden—“...neither of these options is thinkable to her, for, given the manner in which she has been raised, by doing either, she would lose much of what she most values in life” (Okin, 2002, p. 222).

### **Issues with Consent**

As Okin (2002) argues, genuine consent requires the structural conditions for refusal and withdrawal. The legal contradictions cast serious doubt on the substantive validity of “consent” in underage marriages. There are also formal problems: if minors are not legally recognized to consent on any matter, how can their agreement to marry be considered valid? Even when a minor expresses willingness to marry, that expression must be evaluated considering their legal and social dependency. Are they consenting in the way that the law defines those aged 16 and older in sexual contexts, or are they merely acquiescing within a framework that offers them no

meaningful alternative? Moreover, when third parties such as parents or judges are permitted to give or override consent on behalf of the minor, the notion of voluntary participation becomes further diluted. The very difficulties surrounding a minor's ability to exit such a marriage underscore how deeply flawed the process of entering into it is in the first place.

### ***Parental Consent and Coercion***

Parental consent is a requirement in most states for the marriage of minors, but this creates a blurred line between consent and coercion (Tahirih Justice Center, 2017;). Children may be pressured, subtly or overtly, into agreeing to marriages that serve their family's interests rather than their own. A child's dependency on parents for decision-making fundamentally compromises the authenticity of such consent. If a young person cannot meaningfully refuse, they also cannot meaningfully consent—thus invalidating the ethical legitimacy of the marriage.

### ***Judicial Consent and Inadequate Safeguards***

Judicial consent, the other safeguard in place, also suffers from significant flaws. Many states do not require the judge to be a family law judge or trained in handling cases with minors involved. In some states, judges in generalist courts preside over minor marriage petitions. These judges could be from any division—often lacking the experience, training, and resources needed to conduct sufficiently diligent inquiries that may be necessary to evaluate cases (Tahirih Justice Center, 2017; Baxter, 2018) and fully grasp the extent to which a child marriage potentially negatively impacts the child's future in forms of violence and abuse, coercion, forceful termination of education, etc. Several states also allow clerks instead of judges to issue marriage licenses (Tahirih Justice Center, 2017).

While judicial approval processes in certain cases may be quite rigorous, these approval proceedings are often limited to the youngest minors, leaving other children without adequate

protection. For instance, the statute might codify an age floor at eighteen but involve judges only in the matters of 15-year-olds getting married. As a result, children aged between 15 and 18 are married off without much scrutiny, making the enforceable age floor at 15 and not 18 (M. Hamilton, 2021). This selective application of judicial review further weakens the overall protective framework and exposes older minors to the same risks without the institutional safeguards.

### ***Exceptions to Laws***

Exceptions to parental or judicial consent also introduce problems. In several states, only one parent's consent is required, which reduces oversight and increases the risk of coercion. Other states have a pregnancy threshold that allows for marriage at ages younger than what laws would otherwise dictate. For example, in New Mexico, minors under 16 typically need both parental and judicial consent to marry—but this requirement is waived if the girl is pregnant, effectively reducing the age floor to puberty (M. Hamilton, 2020). Judicial consent may also be more readily granted when a minor is pregnant or has already given birth. Koski and Heymann (2018) state:

“Although these policymakers appear to believe the marriage of minors is justifiable in specific circumstances, knowledge of the social factors that perpetuate child marriage in the United States and other high-income countries is very limited. Who has instigated these marriages and their reasons for doing so, especially in recent years, remain unclear. One commonly hypothesized reason for child marriage in the United States is the so-called shotgun wedding, entered into under pressure from family members or others who aim to avoid perceived stigma resulting from premarital sexual activity and pregnancy. (p. 6)”

Judicial review in approving underage marriages can vary widely by state, and sometimes grants judges the ability to override even parental objections to an underage marriage. In Iowa, for example, judges can disregard parental objections if they determine the marriage to be in the “best interest” of the child. This arbitrary and subjective standard is not at all uncommon in judicial review, especially when minors are pregnant or facing familial pressure.

Following Okin, one can argue that consent emerging under conditions of constrained agency, dependency, and lack of exit options cannot be regarded as ethically meaningful. Without the structural conditions for refusal or withdrawal, such consent reflects subordination rather than autonomy.

### *Other Issues*

Beyond the primary ethical and legal conflicts, several additional loopholes and inconsistencies in state marriage laws further undermine protections for minors. One significant issue is the lack of consistent age floors. In some states, if certain exceptions such as parental consent or pregnancy are met, there is no minimum age to marry. Even in states with minimum ages, there is often no enforced proof-of-age requirement, rendering the age floor effectively non-existent (M. Hamilton, 2021).

Additionally, the decentralized nature of U.S. marriage laws has created a ‘race to the bottom,’ where minors can cross state lines to marry in jurisdictions with more permissive rules. Because of the Full Faith and Credit Clause of the Constitution, all states must recognize legal marriages conducted elsewhere, even if they would be illegal at home. This undermines reforms in more protective states and allows the most permissive states to set the national standard. Some states, such as Missouri and North Carolina (before recent reforms), became known as ‘destination states’ for child marriage where families would travel from across the country to

marry off minors where local laws allowed it. In one documented case from 2015, a man drove his 15-year-old daughter over 1,000 miles to Missouri to marry her 24-year-old rapist (Adler, 2018). Before marriage laws were amended in North Carolina in 2021, individuals would travel from nearby states like Georgia, Kentucky, South Carolina and Tennessee once those states raised their minimum age to marry (Robertson, 2021). Prior to Connecticut banning child marriage with no exceptions in 2023, advocates feared it would become a ‘destination’ for child marriages as neighboring states had already banned child (Moritz, 2023).

These legal inconsistencies ranging from weak proof-of-age requirements to the exploitation of interstate differences, further fragment an already disjointed system. When multiple parties—parents, judges, and the minors themselves—hold conflicting roles in authorizing a marriage, the process becomes more opaque than protective. The practice of child marriage has instead led to outcomes marked by high divorce rates, poor mental and physical health, and long-term economic instability among those who marry young (Tahirih Justice Center, 2017). These suggest that these mechanisms often legitimize, rather than prevent, exploitative unions.

The current legal framework fails to uphold Okin’s standard for a just familial structure. The inability to exit undermines any claim that these marriages are entered into freely. If the state sanctions a marriage contract without sanctioning the ability or the right to exit by specifically the more vulnerable party, it perpetuates structural inequality.

### **Policy Recommendation**

To resolve the legal and ethical conflicts posed by child marriage, this paper proposes the implementation of a federal minimum marriage age of 18, with no exceptions. This is not merely a matter of procedural uniformity or policy efficiency but a requirement for safeguarding the most basic conditions of autonomy. Children are permitted to enter a lifelong legal contract but

are denied the rights and resources necessary to exit it. A uniform federal standard that synchronizes the age of marriage with the age of majority and the age of consent would eliminate these contradictions. Such a standard would close exploitative loopholes, prevent the legal endorsement of coercive relationships, and affirm the principle that consent requires both legal recognition and functional autonomy.

A federal law banning marriage under the age of 18 offers a blanket regulation that eliminates the loopholes that exist across state borders, overrides the problems created by the Full Faith and Credit Clause which render the individual state bans ineffective, and eliminates the major conflicts regarding age of consent and age of majority issues. The statutory rape defense is no longer applicable, and the inability to seek divorce in an abusive or unhappy marriage vanishes.

Beyond addressing domestic legal inconsistencies, a federal ban would also reaffirm the United States' role as a global advocate for children's and women's rights. It would align U.S. law with its stated international commitments, moving the country closer to fulfilling the United Nations' Sustainable Development Goals and the principles outlined in treaties like the CRC and CEDAW.

Despite growing legislative interest in ending child marriage, frequent opposition has stalled progress in many states. Bills that would ban child marriage without exceptions have been vetoed or indefinitely postponed, often due to concerns about cultural, religious, or reproductive autonomy. In New Jersey, for instance, Governor Chris Christie vetoed such a bill, citing its potential to interfere with religious beliefs (Friedman, 2017); in California, advocacy groups like the ACLU and Planned Parenthood argued it infringed on individual rights (Mays, 2023). These

objections reveal the political challenges of reform, but they do not negate the urgent ethical need for a uniform federal standard.

Using Okin's "right to exit" as a normative lens, a federal ban becomes more than a policy recommendation—it becomes a moral obligation. Laws that allow marriage under 18, often through judicial or parental consent, routinely fail to ensure that minors can leave those marriages. They cannot independently file for divorce, obtain safe housing, or support themselves financially. In practice, child marriage is most often forced rather than genuinely consensual. Okin (2022) characterizes these circumstances as 'quasi-slavery' as they systematically enforce minors' dependence—a characterization that resonates with the International Labour Organization's classification of forced marriage as a contemporary form of slavery (2022). The lack of alignment between age-based legal standards reduces the effectiveness of the protections meant to safeguard minors and any claim of true consent becomes questionable.

Moreover, the practice is not only harmful at the individual level but imposes significant public costs, in terms of subsidies, benefits and tax breaks to married units and public assistance for needy divorcees. The social and economic cost of child marriage as demonstrated earlier adds further financial burden on the society as a whole. Research shows that "if child marriage had ended in 2015, the global economy could have saved \$566 billion by 2030" (Travers, 2017). The overwhelming evidence of the negatives associated with child marriage calls for raising the age to marry. While evidence shows that delaying marriage to twenty-two would be most effective in terms of marital stability (Heaton, 2002; Larson & Holman, 1994) raising the minimum age to marry to the age of majority will garner less opposition and resistance. The high social and

economic cost that child marriage imposes upon the society, should be impetus enough for the US to step in and amend the laws to abolish the practice of child marriage altogether.

Ultimately, a federal minimum age is the clearest and most enforceable way to guarantee that children are not trapped in legal arrangements they cannot escape. It affirms the principle that true consent requires the possibility of refusal—and true autonomy requires the ability to exit.

### **Conclusion**

The persistence of child marriage in the United States reflects a legal and moral failure—one that undermines both the autonomy of minors and the nation’s commitment to human rights. While some may argue that state-level reform is sufficient, the reality is that the decentralized legal landscape has created dangerous inconsistencies, leaving many children, especially girls, vulnerable to coercion, exploitation, and lifelong harm. As this paper has shown, the costs of inaction are profound: a cycle of poverty and violence, poor health and education outcomes, and the erosion of agency.

While marriage laws serve pragmatic purposes within the cultural and economic structures of society, the institution of marriage has seen drastic changes in current times. Today, a household often requires both married individuals to be in the labor force which in turn necessitates higher levels of education, increased awareness of gender identity and equality, and increased flexibility in pursuing employment—factors that support women’s independence and a smoother exit from marriage if they choose. Child marriage denies young women these modern safeguards. This exemplifies the need for a comprehensive law that eliminates the deep contradictions and legal gaps that trap minors in coercive relationships. A federal ban on marriage under the age of 18 with no exceptions, is not only an effective policy tool but

necessary to be able to protect all children. It would eliminate harmful loopholes, homogenize legal standards, and align U.S. practice with its international advocacy.

One limitation of this paper is that it does not fully grapple with the practical and legal challenges of implementing a federal ban on child marriage. While the normative case is strong, enacting and enforcing such a law would require navigating complex state-by-state variations in family law, judicial discretion, and cultural practices. Moreover, the paper does not address potential tensions with youths' rights and autonomy: a rigid ban could, in rare cases, conflict with minors' agency in consenting to marriage under particular circumstances, raising questions about paternalism versus protection.

Additionally, the analysis does not explore broader structural factors beyond marriage law, such as access to comprehensive education, economic opportunity, and social safety nets, which also critically shape the outcomes discussed here. Finally, the paper's focus on the United States limits its generalizability; child marriage is a global phenomenon, and the interplay of law, culture, and gender may look very different in other contexts. A fuller understanding of solutions would require integrating these complex dimensions, which are beyond the scope of the current analysis.

Understandings of U.S. marriage and gender inequality are incomplete without attending to the structural conditions that lead to child marriage, the lived experiences of youth who are married, and the impacts of social policy and societal institutions on girls' lives. The limited research on U.S. child marriage does the important work of outlining the economic and health consequences of early marriage, but more research is needed to understand the social conditions that lead girls to get married in the United States and how they make sense of their experiences and navigate their sexual lives. Expanding this scholarship will enhance understanding of marital

practices and customs, gender disparities, and youth sexualities, while also informing social policies that better support young women and girls.

In the U.S., young women marginalized by intersecting systems of gender, race, and class oppression may lack the ability to live independently outside of heterosexual marriage. Future work should draw upon the body of critical research on youth sexualities that departs from normative understandings of sexual risk and investigates how institutions shape sexual experiences and relationships for young people.

Ending child marriage in the United States requires more than legislative change—it demands a comprehensive transformation of the cultural, economic, and institutional frameworks that enable its persistence. Central to this transformation is safeguarding the right to exit a marriage, which requires a legal system that does not just presume consent but ensures the freedom to withhold or withdraw it. A federal age floor is the foundation upon which that freedom can be built.

## References

- Abu-Ghaida, D., & Klasen, S. (2004). The costs of missing the Millennium Development Goal on gender equity. *World Development*, 32(7), 1075-1107.  
<https://doi.org/10.1016/j.worlddev.2004.02.003>
- Adhikari, R. (2023). *Early marriage and childbearing: risks and consequences*. Geneva: World Health Organization; 2003.
- Adler, E. (2018, July 13). Hundreds of Missouri's 15-year-old brides may have married their rapists. *The Kansas City Star*. Retrieved January 19, 2024 from  
<https://www.kansascity.com/news/state/missouri/article204292464.html>
- Aizenman, N. (2017, August 30). *The loopholes that allow child marriage in the U.S.* NPR.  
<https://www.npr.org/sections/goatsandsoda/2017/08/30/547072368/a-look-at-the-loopholes-that-allow-child-marriage-in-the-u-s>
- Amin, A. (2014). Preventing Violence Against Adolescent Girls: What Works? WHO Dept. of Reproductive Health and Research. *3rd International Day of the Girl Child-Empowering Girls: Breaking the Cycle of Violence*. Geneva: WHO.
- Amnesty International. (2010, July 7). *President Obama: This Summer, help women and girls around the world*. <https://www.amnestyusa.org/blog/president-obama-this-summer-help-women-and-girls-around-the-world/>
- Anand, S., Marques, N. C. D., & Fuje, H. (2012). The cost of inaction: Case studies from Rwanda and Angola. *Cambridge, MA: François-Xavier Bagnoud Center for Health and Human Rights*, Harvard University Press.
- Arthur, M., Earle, A., Raub, A., Vincent, I., Atabay, E., Latz, I., ... & Heymann, J. (2018). Child marriage laws around the world: Minimum marriage age, legal exceptions, and gender

- disparities. *Journal of Women, Politics & Policy*, 39(1), 51-74.  
<https://doi.org/10.1080/1554477X.2017.1375786>
- Baxter, T. D. (2018). Child marriage as constitutional violation. *Nev. LJ*, 19, 39.  
[https://ir.law.utk.edu/utk\\_lawpubl/154](https://ir.law.utk.edu/utk_lawpubl/154)
- Belanger, A. (2017, September 8). Child marriage and divorce in the United States. *Teen Vogue*.  
<https://www.teenvogue.com/story/child-marriage-and-divorce-in-the-united-states>
- Breinbauer, C., & Maddaleno, M. (2005). Promoting healthy behaviors in adolescents. *Youth: Choices and Change*, 262-264.
- Cameron, L. A., Malcolm Dowling, J., & Worswick, C. (2001). Education and labor market participation of women in Asia: Evidence from five countries. *Economic Development and Cultural Change*, 49(3), 459-477.  
<https://www.journals.uchicago.edu/doi/pdf/10.1086/452511>
- Chen, X. K., Wen, S. W., Fleming, N., Demissie, K., Rhoads, G. G., & Walker, M. (2007). Teenage pregnancy and adverse birth outcomes: a large population based retrospective cohort study. *International Journal of Epidemiology*, 36(2), 368-373.  
<https://doi.org/10.1093/ije/dyl284>
- Clark, S., Bruce, J., & Dude, A. (2006). Protecting young women from HIV/AIDS: the case against child and adolescent marriage. *International Family Planning Perspectives*, 79-88.
- Conde-Agudelo, A., Romero, R., & Nicolaidis, K. H. (2020). Cervical pessary to prevent preterm birth in asymptomatic high-risk women: a systematic review and meta-analysis. *American Journal of Obstetrics and Gynecology*, 223(1), 42-65.  
<https://doi.org/10.1016/j.ajog.2019.12.266>

- Conde-Agudelo, A., Rosas-Bermudez, A., Castaño, F., & Norton, M. H. (2012). Effects of birth spacing on maternal, perinatal, infant, and child health: a systematic review of causal mechanisms. *Studies in Family Planning*, *43*(2), 93-114. <https://doi.org/10.1111/j.1728-4465.2012.00308.x>
- Dahl, G. B. (2010). Early teen marriage and future poverty. *Demography*, *47*, 689-718. <https://doi.org/10.1353/dem.0.0120>
- Dixon-Mueller, R. (2008). How young is “too young”? Comparative perspectives on adolescent sexual, marital, and reproductive transitions. *Studies in Family Planning*, *39*(4), 247-262. <https://doi.org/10.1111/j.1728-4465.2008.00173.x>
- Dupre, M. E., & Meadows, S. O. (2007). Disaggregating the effects of marital trajectories on health. *Journal of Family Issues*, *28*(5), 623-652. <https://doi.org/10.1177/0192513X06296296>
- Duvvury, N., Callan, A., Carney, P., & Raghavendra, S. (2013). *Intimate partner violence: Economic costs and implications for growth and development*. World Bank. <https://srhr.dspace-express.com/server/api/core/bitstreams/ebb64e18-6d74-4c48-9a60-88bf656b78c9/content>
- Eshbaugh, E. M. (2008). Teen mothers: Marriage, cohabitation, and educational achievement. *Journal of Family Social Work*, *11*(1), 3-16. <https://doi.org/10.1080/10522150802007162>
- Ferguson, S. (2018, October 29). *What you need to know about child marriage in the U.S.* UNICEF USA. <https://www.unicefusa.org/stories/what-you-need-know-about-child-marriage-us>

- Fershee, K. H. (2012). A parent is a parent, no matter how small. *William and Mary Journal of Race, Gender, and Social Justice*, 18(3), 425-473.  
<https://scholarship.law.wm.edu/wmjowl/vol18/iss3/2>
- Field, E., & Ambrus, A. (2008). Early marriage, age of menarche, and female schooling attainment in Bangladesh. *Journal of Political Economy*, 116(5), 881-930.
- Freij, L. S. (2010). "Safe age of marriage" in Yemen: Fostering Change in Social Norms—A Case Study. USAID, Extending Service Delivery (ESD). Available from:  
[https://www.intrahealth.org/sites/default/files/attachment-files/ESD\\_Legacy\\_Child\\_Marriage.pdf](https://www.intrahealth.org/sites/default/files/attachment-files/ESD_Legacy_Child_Marriage.pdf)
- Friedman, M. (2017, May 11). Ban on child marriages conditionally vetoed by Christie. *Politico*.  
<https://www.politico.com/states/new-jersey/story/2017/05/11/ban-on-child-marriages-conditionally-vetoed-by-christie-111987>
- Girls Not Brides. (n.d.). *Child marriage atlas*. Girls Not Brides.  
<https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/>
- Grown, C., Gupta, G. R., Kes, A., & Projet Objectifs du millénaire. (2005). *Taking action: achieving gender equality and empowering women*. London: Earthscan.
- Heaton, T. B. (2002). Factors contributing to increasing marital stability in the United States. *Journal of Family Issues*, 23(3), 392-409.  
<https://doi.org/10.1177/0192513X02023003004>
- Hamilton, M. (2021). *2021 report on child marriage in the United States: A national overview of child marriage data and law*. Child USA. <https://childusa.org/wp-content/uploads/2022/01/2021-Report-on-Child-Marriage.pdf>

- Hamilton, M. (2020). *2020 report on child marriage in the United States: A national overview of child marriage data and law*. Child USA. <https://childusa.org/wp-content/uploads/2020/04/2020-Report-on-Child-Marriage-in-the-US.pdf>
- Hamilton, V. (2012). The age of marital capacity: Reconsidering civil recognition of adolescent marriage. *Boston University Law Review*, 92(6), 1817–1863.
- Hoffman, S. D., & Maynard, R. A. (Eds.). (2008). *Kids having kids: Economic costs & social consequences of teen pregnancy*. The Urban Institute.
- International Labour Organization and Walk Free Foundation (2022). *The global estimates of modern slavery: Forced labour and forced marriage*. International Labour Organization, Walk Free Foundation.
- Kishor, S., & Johnson, K. (2004). *Profiling domestic violence: A multi-country study*. MEASURE DHS+, ORC Macro.
- Khanna, T., Verma, R., Weiss, E., & ICRW. (2013). *Child marriage in South Asia: Realities, responses and the way forward*. International Center for research on Women (ICRW). <https://www.icrw.org/publications/child-marriage-in-south-asia-realities-responses-and-the-way-forward/>
- Klasen, S., & Pieters, J. (2012). Push or pull? Drivers of female labor force participation during India's economic boom. *IZA Discussion Papers (No. 6395)*. <https://dx.doi.org/10.2139/ssrn.2019447>
- Klugman, J., Hanmer, L., Twigg, S., Hasan, T., McCleary-Sills, J., & Santamaria, J. (2014). *Voice and agency: Empowering women and girls for shared prosperity*. World Bank Publications.

[https://www.worldbank.org/content/dam/Worldbank/document/Gender/World\\_bank\\_gender\\_voice\\_LOWRES.pdf](https://www.worldbank.org/content/dam/Worldbank/document/Gender/World_bank_gender_voice_LOWRES.pdf)

- Koski, A., & Heymann, J. (2018). Child marriage in the United States: How common is the practice, and which children are at greatest risk? *Perspectives on Sexual and Reproductive Health, 50*(2), 59–65. <https://doi.org/10.1363/psrh.12055>
- Kristof, N. (2017, May 26). 11 years old, a mom, and pushed to marry her rapist in Florida. *New York Times*. <https://www.nytimes.com/2017/05/26/opinion/sunday/it-was-forced-on-me-child-marriage-in-the-us.html>
- Larson, J. H., & Holman, T. B. (1994). Premarital predictors of marital quality and stability. *Family Relations, 43*, 228-237.
- Legal Information Institute (LII). (n.d.). *Marriage laws of the fifty states, District of Columbia and Puerto Rico*. Retrieved January 17, 2024, from [https://www.law.cornell.edu/wex/table\\_marriage](https://www.law.cornell.edu/wex/table_marriage)
- Le Strat, Y., Dubertret, C., & Le Foll, B. (2011). Child marriage in the United States and its association with mental health in women. *Pediatrics, 128*(3), 524-530. <https://doi.org/10.1542/peds.2011-0961>
- Lloyd, C. B. (Ed.). (2005). Growing up global: The changing transitions to adulthood in developing countries. *National Academies Press*.
- Malhotra, A., Warner, A., McGonagle, A., & Lee-Rife, S. (2011). *Solutions to end child marriage*. Washington, DC: International Center for Research on Women. <https://www.healthynewbornnetwork.org/hnn-content/uploads/Solutions-to-End-Child-Marriage1.pdf>

- Mays, M. (2023, August 3). Why child marriage is legal in California – and the unexpected groups fighting to keep it that way. *Los Angeles Times*.  
<https://www.latimes.com/california/story/2023-08-03/why-child-marriage-is-still-legal-in-california-at-any-age>
- McClendon, D., & Sandstrom, A. (2016). *Child marriage is rare in the US, though this varies by state*. Pew Research Center. FactTank.  
<http://www.pewresearch.org/fact-tank/2016/11/01/child-marriage-is-rare-in-the-u-s-though-this-varies-by-state/>
- Moritz, J. (2023, March 14). Advocates warn Connecticut could become a haven for child marriage as other states raise legal age to 18. *Chron*. Retrieved January 19, 2024 from, <https://www.chron.com/politics/article/ct-child-marriage-ban-support-susan-bysiewicz-17836978.php>
- Nguyen, M. C., & Wodon, Q. (2015). Impact of early marriage on literacy and education attainment in Africa. In *Child Marriage and Education in Sub-Saharan Africa*, edited by Q. Wodon. Washington, DC: World Bank.
- Nour, N. M. (2009). Child marriage: a silent health and human rights issue. *Reviews in Obstetrics and Gynecology*, 2(1), 51.
- Nour, N. M. (2006). Health consequences of child marriage in Africa. *Emerging Infectious Diseases*, 12(11), 1644.
- Office of the Assistant Secretary for Planning and Evaluation (ASPE). (2004). *Statutory Rape: A Guide to State Laws and Reporting Requirements*. <https://aspe.hhs.gov/reports/statutory-rape-guide-state-laws-reporting-requirements-1>

- Okin, S. M. (2002). “Mistresses of their own destiny”: Group rights, gender, and realistic rights of exit. *Ethics*, 112(2), 205-230.
- Onland-Moret, N. C., Peeters, P. H. M., Van Gils, C. H., Clavel-Chapelon, F., Key, T., Tjønneland, A., ... & Riboli, E. (2005). Age at menarche in relation to adult height: the EPIC study. *American Journal of Epidemiology*, 162(7), 623-632.  
<https://doi.org/10.1093/aje/kwi260>
- Parent, A. S., Rasier, G., Gerard, A., Heger, S., Roth, C., Mastronardi, C., ... & Bourguignon, J. P. (2005). Early onset of puberty: tracking genetic and environmental factors. *Hormone Research*, 64(Suppl. 2), 41-47. <https://doi.org/10.1159/000087753>
- Parsons, J., Edmeades, J., Kes, A., Petroni, S., Sexton, M., & Wodon, Q. (2015). Economic impacts of child marriage: a review of the literature. *The Review of Faith & International Affairs*, 13(3), 12-22. <https://doi.org/10.1080/15570274.2015.1075757>
- Patton, G. C., & Viner, R. (2007). Pubertal transitions in health. *The Lancet*, 369(9567), 1130-1139. [https://doi.org/10.1016/S0140-6736\(07\)60366-3](https://doi.org/10.1016/S0140-6736(07)60366-3)
- Pfeiffer, J., Gloyd, S., & Li, L. R. (2001). Intrahousehold resource allocation and child growth in Mozambique: an ethnographic case-control study. *Social Science & Medicine*, 53(1), 83-97. [https://doi.org/10.1016/S0277-9536\(00\)00311-7](https://doi.org/10.1016/S0277-9536(00)00311-7)
- Myers, J. & Harvey, R. (2011). *Breaking Vows. Early and Forced Marriage and Girls' Education*. Plan UK. <https://resourcecentre.savethechildren.net/pdf/5930.pdf>
- Ramraj, B., & Subramanian, V. M. (2021). Study on age of menarche between generations and the factors associated with it. *Clinical Epidemiology and Global Health*, 11, 100758.  
<https://doi.org/10.1016/j.cegh.2021.100758>

- Reiss, F. (2021). Child marriage in the United States: Prevalence and implications. *Journal of Adolescent Health, 69*(6), S8-S10. <https://doi.org/10.1016/j.jadohealth.2021.07.001>
- Robertson, G. D. (2021, August 17). North Carolina is child bride destination; bill could end it. *AP*. Retrieved January 19, 2024, from <https://apnews.com/article/lifestyle-north-carolina-bills-6a16aab6b0847a3600e29fd243e9c578>
- Semba, R. D., de Pee, S., Sun, K., Sari, M., Akhter, N., & Bloem, M. W. (2008). Effect of parental formal education on risk of child stunting in Indonesia and Bangladesh: a cross-sectional study. *The Lancet, 371*(9609), 322-328. [https://doi.org/10.1016/S0140-6736\(08\)60169-5](https://doi.org/10.1016/S0140-6736(08)60169-5)
- Smith, L. C., & Haddad, L. (2015). Reducing child undernutrition: past drivers and priorities for the post-MDG era. *World Development, 68*, 180-204. <https://doi.org/10.1016/j.worlddev.2014.11.014>
- Solotaroff, J. L., & Pande, R. P. (2014). *Violence against women and girls: Lessons from South Asia*. World Bank Publications - Books, The World Bank Group, number 20153.
- Syrett, N. L. (2016). *American child bride: a history of minors and marriage in the United States*. UNC Press Books.
- Tahirih Justice Center. (2017). *Falling through the cracks: How laws allow child marriage to happen in today's America*. <https://www.tahirih.org/wp-content/uploads/2017/08/TahirihChildMarriageReport-1.pdf>
- Torrieri N., ACSO, DSSD, & SEHSD Program Staff. (2014). *American Community Survey Design and Methodology, second ed.* United States Census Bureau. <https://www2.census.gov/library/publications/2014/acs/acs-design-methodology.pdf>

Travers, E. (2017, July 6). *Costs of child marriage: What does the World Bank research say?*

GIRLS NOT BRIDES. <https://www.girlsnotbrides.org/articles/costs-child-marriage-world-bank-research-say/>

Tsui, A., Nolan, D., & Amico, C. (2017). Child marriage in America: By the numbers. *PBS*

*Frontline*. <http://apps.frontline.org/child-marriage-by-the-numbers/>

Tsui, A. (2017). Married young: The fight over child marriage in America. *PBS Frontline*.

<https://www.pbs.org/wgbh/frontline/article/married-young-the-fight-over-child-marriage-in-america/>

Unchained at Last. (2021). *United States' child marriage problem*. Unchained At Last.

<https://www.unchainedatlast.org/united-states-child-marriage-problem-study-findings-april-2021/>

United Nations. 1979. *Convention on the Elimination of All Forms of Discrimination Against*

*Women*. UN. <https://www.un.org/womenwatch/daw/cedaw/>

United Nations. 1989. *Convention on the Rights of the Child*. UN.

<https://www.ohchr.org/en/professionalinterest/pages/crc.aspx>

United Nations Children's Fund (UNICEF). (1998). *Fistula in Niamey, Niger*. New York: United Nations Children's Fund.

United Nations Educational, Scientific and Cultural Organization (UNESCO). (2012). *Youth and Skills: Putting Education to Work*. Paris: UNESCO.

United Nations Population Fund (UNFPA). (2012). *Marrying too young: End child marriage*.

New York: UNFPA. <https://www.unfpa.org/sites/default/files/pub-pdf/MarryingTooYoung.pdf>

- United Nations Children's Fund (UNICEF). (2014a). *Ending Child Marriage: Progress and Prospects*. New York: UNICEF
- United Nations Children's Fund (UNICEF). (2014b). *Hidden in Plain Sight: A Statistical Analysis of Violence Against Children*. New York: UNICEF
- Vogelstein, R. B. (2013). Ending child marriage: How elevating the status of girls advances US foreign policy objectives. *Council on Foreign Relations*.
- Wachs, T. D. (2008). Mechanisms linking parental education and stunting. *The Lancet*, 371(9609), 280-281.
- Wang, C., & Wang, L. (2017). Knot yet: minimum marriage age law, marriage delay, and earnings. *Journal of Population Economics*, 30, 771-804. <https://doi.org/10.1007/s00148-017-0632-5>
- Wang, Z., Asokan, G., Onnela, J. P., Baird, D. D., Jukic, A. M. Z., Wilcox, A. J., ... & Mahalingaiah, S. (2024). Menarche and time to cycle regularity among individuals born between 1950 and 2005 in the US. *JAMA Network Open*, 7(5), e2412854-e2412854. <https://doi.org/10.1001/jamanetworkopen.2024.12854>
- Wodon, Q., Nguyen, M. C., & Tsimpo, C. (2016). Child marriage, education, and agency in Uganda. *Feminist Economics*, 22(1), 54-79. <https://doi.org/10.1080/13545701.2015.1102020>
- World Health Organization. (2018). Adolescents: Health Risks and Solutions. WHO. <https://www.who.int/en/news-room/fact-sheets/detail/adolescents-health-risks-and-solutions>
- Yetter, D. (2018, February 22). Child marriage is still legal in Kentucky. A former bride wants to put an end to it. *Courier Journal*.

<https://www.courier-journal.com/story/news/politics/2018/02/22/child-marriage-legalkentucky/340374002/>

Zhang, Z. F., Parkin, D. M., Yu, S. Z., Esteve, J., & Yang, X. Z. (1989). Risk factors for cancer of the cervix in a rural Chinese population. *International Journal of Cancer*, 43(5), 762-767.

Ziege, N. (2021, August 10). From child bride to advocate. *WKU Journalism*.

<https://wkujournalism.com/from-child-bride-to-advocate/>

## Chapter 5: Conclusion

Child marriage reform in the United States has been fragmented. Although there has been a recent surge in the awareness and legislative change in policies surrounding child marriage, only sixteen states have enacted complete bans, leaving a long way to go towards nationwide prohibition. This dissertation examines the factors that influence policy reform and inaction, evaluates public opinion and offers a normative framework in favor of a federal ban on the practice. Together, the three papers in this dissertation demonstrate that reform is not simply a matter of legislative will but the product of intersecting forces such as party alignment, regional diffusion, public framing, and normative beliefs about protection and autonomy that determine whether moral consensus becomes legal reality.

In Chapter 2, I examined the institutional and political dynamics that shape the trajectory of child-marriage reform across U.S. states. Using a state-chamber-year dataset from 2016 to 2025, the analysis traced bills proposing changes to the legal minimum ages. The findings show that introductions of such bills are most likely to be influenced by electoral timing and political alignment, while those bills being enacted into law depends on regional pressures, democratic unified government and female representation. The disproportionate number of bill introductions relative to their enactments reflects that many of these bills are symbolic in nature. Nevertheless, repeated introductions may help institutionalize the issue, assisting future bills to progress more smoothly and increasing their chance of success. These findings suggest that expanding opportunities for direct citizen involvement such as ballot initiatives, could help translate public concern into legislative action and overcome institutional inertia.

In Chapter 3, I build on this focus on public engagement by examining how language and moral framing shape public opinion toward child-marriage reform. Drawing on original data

from the 2024 Cooperative Election Study, the survey experiment tested whether different terms to describe individuals who marry under the age of 18 as “*child*”, “*minor*” or “*teenager*”, affect respondents’ opinion for banning marriage under the age of 18. Results show that framing the issue as involving a *child* evokes protective responses, whereas referring to a *teenager* emphasizes autonomy and maturity. This suggests that public opinion is an underexplored arena in which language and its emotional associations shape how citizens perceive vulnerability, responsibility, and the appropriate scope of state intervention.

In Chapter 4, I extend this discussion of state intervention by examining the ethical and legal contradictions that persist in the regulation of child marriage. Despite mounting evidence of its negative consequences of lowered educational attainment, increased vulnerability to abuse, and poorer health and life outcomes, most states continue to permit marriage below the age of eighteen under various exceptions. These exceptions reveal conflicting scenarios within U.S. policies surrounding child marriage. Minors who marry often cannot file for divorce, access domestic violence shelters or enter contracts (Fershee, 2012). Yet by allowing for exceptions, these policies sanction their lack of ability to consent and validate their marriage contract. It lacks however, the pathways to allow them a parallel right to exit. Drawing on Susan Moller Okin’s (2002) concept of the “right to exit”, the chapter argues that these inconsistencies reveal a failure to protect those without genuine capacity to choose. Through this lens, the paper advances a normative case for a federal ban on child marriage.

In my dissertation, I show that institutional design, public framing, and moral reasoning jointly shape the trajectory of child marriage reform in the United States. Effective policy must therefore operate across these dimensions. At the state level, closing statutory loopholes and ensuring consistent data collection would strengthen enforcement and accountability. At the

federal level, a comprehensive ban would provide uniform safeguards against exploitation. Greater investment in survivor support services and interstate data coordination could also address the hidden consequences of early marriage that state-specific efforts often overlook. Future research should continue to examine how institutional dynamics, public discourse, and normative reasoning interact across other areas of gender and family policy. The findings from this dissertation underscore that legal reform alone is insufficient. Ending child marriage in the United States will require translating public concern and moral conviction into sustainable policy change.

## REFERENCES

- Arthur, M., Earle, A., Raub, A., Vincent, I., Atabay, E., Latz, I., ... & Heymann, J. (2018). Child marriage laws around the world: Minimum marriage age, legal exceptions, and gender disparities. *Journal of Women, Politics & Policy*, 39(1), 51-74.  
<https://doi.org/10.1080/1554477X.2017.1375786>
- Brown, J., Riviera, J., & Kingston, S. K. (2019, July 31). Child brides in the US share stories of exploitation, becoming a wife: 'I knew I was 11. I knew he was 20.' *ABC News*.  
<https://abcnews.go.com/US/child-brides-us-share-stories-exploitation-learning-wife/story?id=64589713&utm>
- Chau, N. B. (2020, June 30). Child marriage is “extremely prevalent” in U.S.: “The cycle perpetuates across generations”. *CBS News*.  
<https://www.cbsnews.com/news/child-marriage-united-states-donna-pollard/>
- Fershee, K. H. (2012). A parent is a parent, no matter how small. *William and Mary Journal of race, Gender, and Social Justice*, 18(3), 425-473.  
<https://scholarship.law.wm.edu/wmjowl/vol18/iss3/2>
- Johnson, E. W. (2018, March 16). Kentucky Votes To Ban Child Marriage. *NPR*.  
<https://www.npr.org/sections/thetwo-way/2018/03/16/594253182/kentucky-votes-to-ban-child-marriage>
- Okin, S. M. (2002). “Mistresses of their own destiny”: Group rights, gender, and realistic rights of exit. *Ethics*, 112(2), 205-230.
- Parsons, J., Edmeades, J., Kes, A., Petroni, S., Sexton, M., & Wodon, Q. (2015). Economic impacts of child marriage: a review of the literature. *The Review of Faith & International Affairs*, 13(3), 12-22. <https://doi.org/10.1080/15570274.2015.1075757>

- Reiss, F. (2021). Child marriage in the United States: Prevalence and implications. *Journal of Adolescent Health, 69*(6), S8-S10. <https://doi.org/10.1016/j.jadohealth.2021.07.001>
- Selby, D. (2018, January 30). I Was Married Aged 11 in Florida. Now I Shine a Light on Child Marriage in the US. *Global Citizen*.  
<https://www.globalcitizen.org/en/content/child-marriage-bride-survivor-florida-law-sherry/>
- Tsui, A., Nolan, D., & Amico, C. (2017). Child marriage in America: By the numbers. *PBS Frontline*. <http://apps.frontline.org/child-marriage-by-the-numbers/>
- Unchained At Last. (2025). *United States' child marriage problem: Study findings 2000-2021*.  
<https://www.unchainedatlast.org/wp-content/uploads/2025/09/Unchained-at-Last-US-Child-Marriage-Problem.pdf>
- United Nations Children's Fund (UNICEF). (2018). *Child marriage: Latest trends and future prospects*. <https://data.unicef.org/resources/child-marriage-latest-trends-and-future-prospects/>