

New report highlights legal loopholes that permit child marriage in 34 US states

US lawmakers are urged to protect children from child marriage by making 18 years old the minimum age of marriage in every state, without exceptions.

NEW YORK, NY, UNITED STATES, October 9, 2025 /EINPresswire.com/ -- Between 2000 and 2021, over 314,000 children were legally married in the United States - some as young as 10, and the vast majority of them girls. A new report, Legal Gaps and Enduring Harm: [Analysing the Persistence of Child Marriage in the United States](#), by Equality Now and Unchained At Last, exposes how legal loopholes allow this harmful practice.

The graphic features the letters 'EN' in a large, bold font. The 'E' is green and the 'N' is pink. To the right of 'EN', the word 'Equality' is written in green and 'Now' is written in pink.

A just world for all women and girls

The graphic features the word 'UNCHAINED' in large, bold, red capital letters. Below it, the words 'at last' are written in a smaller, black, lowercase font. A red chain link graphic runs horizontally across the bottom of the text.

The US has no federal minimum age of marriage, and each state sets its own age, creating a patchwork of laws that leaves children unprotected. Thirty-four states still permit child marriage through legal exceptions. Alarming, California, Mississippi, New Mexico, and Oklahoma set no absolute minimum age, allowing a minor of any age to marry with parental or judicial approval.

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Child marriage is a human rights abuse hiding in plain sight in the United States. The legal system must protect children, not legalize their abuse and encourage their exploitation.”

Fraidy Reiss, Unchained At Last

CHILD MARRIAGE HARMS GIRLS

Child marriage is internationally recognized as a [serious human rights violation](#) with devastating, life-long consequences. Girls who marry before 18 face much

greater risks of physical, sexual, emotional, and financial abuse. Many experience early and unplanned pregnancies and poor mental and physical health.

Child marriage legitimizes child sexual abuse and statutory rape under the guise of marriage.

Research by Unchained At Last identified that, between 2000 and 2021, [86% of all children married in the US were girls](#), with most wed to adult men.

At least 66,415 of these marriages involved a child either too young to legally consent to sex or an age gap between spouses large enough that sexual intercourse would be statutory rape under state law. Nineteen states have an explicit legal exception or defence to statutory rape laws in instances of marriage, effectively shielding adults from prosecution for engaging in sexual activity with children.

Age gaps in marriage create substantial power imbalances that can make it even harder for younger spouses to assert their rights or escape harm. Child brides are more likely to drop out of school, curtailing their educational, employment, and economic opportunities, and making them more dependent on their spouses. Long term, child marriage makes it more likely that a survivor will earn less, face greater economic insecurity, and live in poverty compared to those who marry in adulthood.

Unlike adults, children who marry do not have full legal capacity, leaving them uniquely trapped in harmful situations. Married minors are often not able to independently hire a lawyer, file for divorce, or obtain a protective order. Due to their status as minors, they are frequently denied entry into domestic violence shelters, and can be labelled as runaways if they leave home.

Anastasia Law at Equality Now says, “Child marriage laws legitimize what should be recognized as child sexual abuse. Legal loopholes turn cases that would otherwise be prosecuted as statutory rape into legally sanctioned marriages, stripping vulnerable children of the state protections they need.”

CHILD MARRIAGE LOOPHOLES

US federal law sets no minimum age for foreign spousal or fiancé visas. An adult US citizen can use the immigration system to bring a foreign child spouse or fiancé into the country, effectively enabling the trafficking and exploitation of children. In addition, non-US citizen adults can gain legal status by marrying a minor with US citizenship.

In the military, marriage can serve as a defence against charges of sexual assault of minors, while federal benefits create financial incentives for child marriage through student financial aid and homebuyer credits that are unavailable to unmarried peers.

Arkansas, Maryland, New Mexico, and Oklahoma allow legal exceptions to the minimum age of marriage when a girl is pregnant or has given birth to the child of the prospective spouse. This treats pregnancy or parenthood as justifications for marriage, rather than as potential signs of coercion, statutory rape, or child abuse.

Unregistered marriages, such as those performed through religious ceremonies without being

registered with the state, leave children completely outside of the law's protection. Minors in unregistered marriages may have no legal standing to seek spousal support or protection from abuse.

THE US IS REQUIRED TO END CHILD MARRIAGE UNDER INTERNATIONAL LAW

The US has committed to protecting children from violence, exploitation, and abuse. Yet by allowing child marriage to continue under the law, the country is not meeting these commitments.

In particular, the US has ratified the International Covenant on Civil and Political Rights (ICCPR), a human rights treaty guaranteeing that marriage must be based on the free and full consent of both parties. Because children cannot give that level of consent, international law makes clear that marriage under 18 is a violation of a child's rights to health, education, safety, and freedom from violence.

In 2023, the United Nations Human Rights Committee, which monitors how countries comply with the ICCPR, raised concern that child marriage is still legal in the majority of US states and urged the US to set 18 as the minimum age for marriage in every state, with no exceptions.

CLOSING LEGAL GAPS TO END CHILD MARRIAGE

Until 2018, child marriage was legal throughout the US. Survivors and campaigners have spoken out about the devastating impacts and have pressed for law reform. Thanks to these efforts, today, 16 states and Washington, D.C., have set their minimum marriage age at 18 without exceptions.

Equality Now and Unchained At Last are calling on every state to close all legal loopholes that enable child marriage, and create safe pathways to assist vulnerable minors who cannot remain at home. States must also raise public awareness about child marriage's harms, and invest in stronger prevention, protection, and response systems.

At the federal level, lawmakers should ensure the US is meeting its commitments to uphold international human rights standards. This includes incentivizing all states and territories to establish 18 as the universal minimum age of marriage, closing any federal loopholes, and increasing federal funding for support services.

"Child marriage is a human rights abuse hiding in plain sight in the United States," explains Fraidy Reiss, founder of Unchained At Last. "The legal system must protect children, not legalize their abuse and encourage their exploitation."

- ENDS -

About: Equality Now is a worldwide human rights organisation dedicated to securing the legal and systemic change needed to end discrimination against all women and girls. Since its inception in 1992, it has played a role in reforming 120 discriminatory laws globally, positively impacting the lives of hundreds of millions of women and girls, their communities, and nations, both now and for generations to come.

Working with partners at national, regional, and global levels, Equality Now draws on deep legal expertise and a diverse range of social, political, and cultural perspectives to continue to lead the way in steering, shaping, and driving the change needed to achieve enduring gender equality, to the benefit of all. For more details, go to www.equalitynow.org

About: Unchained At Last is a survivor-led nonprofit organization dedicated to ending forced and child marriage in the United States through direct services and systems change. Unchained provides crucial legal and social services, always for free, to help people in the U.S. to escape arranged/forced marriages and rebuild their lives. At the same time, Unchained pushes for social, policy and legal change; the organization started and now leads a growing national movement to eliminate child marriage in every U.S. state and at the federal level. For more details, go to www.unchainedatlast.org

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