

Forced Marriage in the USA: FAQ

1. **What is forced marriage (FM)?**

Marriage without consent, which differs from arranged marriage, a cultural practice in which consent of all parties is obtained. FM involves children, the disabled and duress and is so defined by the US Department of State. One or both parties to the marriage may be marrying against their will due to cultural, familial, and societal pressures.

2. **There must be a law against FM.**

There is not one state in the US which prohibits FM. Recently, January 2020, Minnesota enacted a law prohibiting marriage under 18. Until then in Minnesota, parents who had legal custody of a child under 18 were excluded from the perpetrator category. A child who sought assistance from the authorities via child protective services would face the state mandate that children be reunited with their families. Mandated reporters may unknowingly place a child at risk of abuse or death by making a report to CPS. A child who appears at a shelter will likely be turned away because they are a minor. A child who marries legally becomes an adult and thus no longer able to access services for children.

3. **Is it really a problem in the US?**

Tahirih Justice Center in Washington D.C. survey 500 agencies across the US on whether they were receiving cases of forced marriage from immigrant communities. These were their major findings;

- Within a 2 year period agencies reported 3000 cases of known or suspected cases of FM.
- 67% of agencies reported cases of forced marriage in which the fact of FM was not being identified; hence, there is likely a hidden population of victims of FM.
- Service providers reported cases from 56 different countries of origin cutting across several different faiths
- Most agencies reported they were unprepared to deal with FM.

The South Asian community has also been the subject of research in which it was found few victims were able to communicate their circumstances effectively to service providers. The service providers frequently focused on the domestic violence within the marriage. Consequently it is believed there is substantial under reporting.

FM is not limited to the immigrant communities. It occurs in extreme religious communities, Mormon, Fundamentalist Church of Latter Day Saints, ultra-Orthodox Jews.

Recent research by the US based NGO, Gangashakti.org, of domestic abuse workers, students and refugee service providers. 56% reported being aware of at least one case of FM.

In most states the legal age to marry for boys is 18. In many states the legal age for girls with parental consent is as young as 16 and in some cases younger with judicial consent.

4. Why are we hearing about it now?

Human trafficking has gained traction in the US. We are behind most of Europe in addressing these issues. The United Kingdom, The Netherlands, Belgium and many other European states are focusing on FM as a violation of basic human rights.

5. Isn't this just a cultural issue that we should leave alone?

Just as female genital mutilation, breast ironing and other cultural practices are prohibited, despite so-called cultural basis, FM must also be ended. None of these practices are required in the Torah, The Koran or the Bible. The challenge is striking a balance with cultural respect for differences and responding to abuse disguised under the cloak of culture.

Victims of FM suffer significant violence, rape and coercion, resulting in depression, chemical dependency and homicide.

Children who are US citizens are transported overseas to marry people they have never meet in order to permit them to come to the US. Many children outside the US are trafficked in to accomplish a FM. Most reports of FM are not made until someone gives a talk to students.

6. What can you do?

- Raise awareness
- Talk to law enforcement, child protective services, judges and schools
- Become informed: <http://globaljusticeinitiative.wordpress.com/our-team/julia-alanen>
- [/http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2143910](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2143910)
- <http://www.tahirih.org/>
- Reach out to organizations skilled to address these issues in your area.
<http://www.tahirih.org/advocacy/policy-areas/forced-marriage-initiative/>
<http://www.unchainedatlast.org/about/>
- http://www.hks.harvard.edu/cchrp/research/working_papers/VidyaSri_VoicesFromTheFrontline.pdf
- http://www.equalitynow.org/sites/default/files/Protecting_the_Girl_Child.pdf