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# Conceptualising Coercion in Child/Forced Marriage Through an Intersectional lens: Narratives of Survivors and Practitioners in the US

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[journals.sagepub.com/home/sls](https://journals.sagepub.com/home/sls)**Sundari Anitha** *University of Sheffield, UK***Manjusha Gupte** *Portland State University, USA*

## Abstract

This article examines the nature and the forms of coercion in the forced marriage of minors in the United States. We explore: (i) direct emotional or physical force exercised by parents which is commonly underpinned by dominant constructions of gender and sexuality, a well-rehearsed theme in existing scholarship; (ii) the hitherto unexamined role of intersecting socio-economic disadvantages in vitiating consent; and (iii) how state policies/practices create conducive contexts for child/forced marriage, which is elided in existing scholarship. In extending existing conceptualisations of coercion in child/forced marriage, we explicate the ‘total burden of coercion’ through a focus on the contexts within which consent is constructed at the intersection of social relations of power based on gender, age, race/ethnicity, poverty, sexuality, and state policy/practice. Our analysis also illuminates the complex nature of survivors’ girlhood decision-making in the face of coercive constraints within which their agential capacities are formulated and exercised, and risk negotiated and managed.

## Keywords

Forced marriage, child marriage, gender-based violence, agency, child abuse

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## Introduction

Unlike Europe, where forced marriage has been prominent in media, academic, and policy debates since the 1990s, this problem has gained attention in the United States only recently. Incorporated in the Violence Against Women Act only in 2022, forced marriage is defined as ‘a marriage to which one or both parties do not or cannot consent, and in which one or more elements of force, fraud, or coercion is present’. Marriage is governed by state laws and child marriage remained legal in 37 US states in 2024 with pregnancy, parental consent, and judicial consent lowering marriage age below 18, including in seven states which allowed parties younger than 16 to be married (Unchained at Last, 2024). In these cases, marriage protects the perpetrator from being prosecuted for the statutory rape of a minor (Tahirih, 2023). Nearly 300,000 minors married between 2000 and 2018, out of which 86% were girls and 16–17-year-olds formed the vast majority, making them especially vulnerable because they cannot enter into contracts or stay in shelters (Unchained At Last, 2024).

Since the late 2000s, research has increasingly examined the nature and context of forced marriage and theorised the forms of coercion that vitiate consent to marriage. While forced marriage is a violation of human rights in and of itself, it commonly occurs in the context of and leads to a range of other serious harms, including domestic violence, rape, forced pregnancy, and domestic servitude (Chantler and McCarry, 2020; Noack-Lundberg et al., 2019).

Much of the existing scholarship on forced marriage in the global North has been conducted in the UK and, to a lesser extent, in Europe, and predominantly focuses on South Asian women’s experiences. The scant scholarship on the dynamics of forced marriage in the US inhibits a theorisation of coercion based on the voices and the experiences of a more diverse range of victim-survivors in diverse contexts. We address these gaps through a close analysis of life-history narratives of survivors of child/forced marriage in the US, supplemented with practitioner perspectives on the problem.

We start with an overview of child/forced marriage in the US and examine scholarship on the nature and the forms of coercion in forced marriage. Following an outline of our research methods, we present our findings which explicate three key themes relating to the nature and the forms of coercion in child/forced marriage in the US: (i) direct emotional or physical force exercised by parents; (ii) the role of intersecting socio-economic inequalities in vitiating consent; and (iii) the role of state policies and practices in creating conducive contexts for child/forced marriage. In doing so, our analysis advances existing conceptualisations of coercion as direct (physical or emotional) force by agents to explicate the role of coercive structural contexts at the intersection of social relations of power based on gender, age, class, religion, race/ethnicity, sexuality, and state policy/practice in vitiating consent to marriage.

## *Conceptualisation of Coercion in Relation to Forced Marriage*

Academic scholarship and policy constructions of forced marriage have long engaged with the nature and forms of coercion (Alanen, 2016; Anitha and Gill, 2009; Tahirih, 2017). The conceptualisation of force that is recognised as vitiating consent to marriage has been broadened beyond physical violence to include emotional pressure.

Factors such as social norms regulating sexuality, the privileging of heteronormativity, gendered notions of honour and shame, and the need to preserve connections with the home country and extended family underpin the coercion directly exercised by parents and by wider kin (Chantler et al., 2009; Chantler and McCarry, 2020). Debates that are well-rehearsed in the scholarship on forced marriage in the global North examine how constructions of the self and the community become increasingly tethered to women's roles as preservers of cultural identity and traditions within what might be a hostile context of racist exclusions and minoritisation. Violations of honour codes are construed as signifiers of 'westernisation' and a threat to community and national identities (Chantler and McCarry, 2020; Yuval-Davis, 1997).

The imperative of preserving a connection with the home country and with kinship networks may impel immigrant parents to seek transnational arranged marriages for their children (Charsley, 2007). In the context of immigration controls and bordering regimes which have increasingly closed possible avenues of migration to the global North, transnational arranged marriages may offer the only viable means of facilitating the migration of family members (Palriwala and Uberoi, 2008). Arranged marriages are different from forced marriages, as parents may play an active role in choosing the partner with the consent of the two parties to the marriage. However, scholarship has examined the 'slippage' between the two (Chantler and McCarry, 2020), arguing that consent and coercion can be better understood as two ends of a continuum, between which lie degrees of socio-cultural expectation, control, persuasion, pressure, threat and force (Anitha and Gill, 2009). Where young people within these diasporic communities offer any resistance to such arranged marriages, direct emotional or/and physical coercion by parents may quickly transform it into forced marriage.

Policy, media, and some academic constructions of forced marriage in the global North locate it within particular diasporic communities originating in the Middle East, North Africa and South Asia (Dahinden and Manser-Egli, 2023; Kopelman, 2016). This framing often construes forced marriage as an essential feature of 'othered' communities and their supposedly unchanging cultures (Brandon and Hafez, 2008; Gupte and Anitha, 2024), borne out of 'foreign' values that threaten national cohesion (Razack, 2004). This Orientalist rendering has been critiqued for equating difference with inferiority (George and Rashidi, 2014) and for contributing to the exclusionary governance of cultural difference (Enright, 2009; Shariff, 2012).

Three key limitations of current scholarship on forced marriage in the global North include a focus on forced marriage within racially minoritised and 'othered' communities; a near-exclusive focus on socio-cultural factors in motivating the direct exercise of force by parents; and the lack of attention to the ways in which structural disadvantages at the intersection of social, economic, and institutional factors may constrain marital choice, a shortcoming that has been noted before (Enright, 2009).

A focus on the explicit coercive pressure (whether physical or emotional) put on a victim of forced marriage may not reveal the 'total coercive burden' (Feinberg, 1986), which combines experiences of direct coercion with a person's contextual location to understand how pervasive, frightening and/or intense the pressure is (Anitha and Gill, 2009). Such an approach enables recognition of how direct coercion can be situated within the coercive force of intersecting social relations of power (Clawson and Fyson,

2017). However, beyond a focus on direct coercion, we draw upon Liz Kelly's (2007) concept of 'conducive context' to explore how broader socio-cultural, economic, and policy contexts can create conditions that enable and sustain different forms of violence against women. Our work also responds to the challenge posed by this scholarship which calls for a closer attention to the intersectional contexts in which consent is constructed in relation to marriage decisions.

Theorising inter-relationships of gender and violence, Boyle (2019) draws attention to how 'continuum thinking' can unsettle binaries, recognise grey areas in women's experiences of gendered violence, and avoid 'othering' specific communities. Boyle highlights the need to understand connections between manifestations of gendered violence in different contexts whilst nevertheless paying attention to the specificities of such violence, thus maintaining distinctions that are important conceptually, politically, and legally. We utilise this approach to pay attention to victim-survivors' experiences and practitioner perspectives of child/forced marriage in the US.

### *Child/Forced Marriage in the US*

Every year 12 million children, mainly girls, are married globally due to poverty, gender inequality, and social norms (UNICEF, 2023). In 1989, the UN Convention on the Rights of the Child established 18 as the age that demarcated childhood and adulthood. Some scholars consider 18 years an arbitrary cut-off that does not consider the culturally specific construction of childhood and the socio-economic environment which could determine marital choice (Bunting, 2005; Bunting et al., 2016). Our conceptualisation of the relationship between child and forced marriage is premised on the capacity to consent, whereby child marriage is viewed as a form of forced marriage as children cannot exercise full, free, and informed consent to enter into and remain in/leave a marriage. We recognise that culturally specific constructions of childhood may vary across the world and that capacity-related arguments draw attention to the varying maturities of different children of the same age (Bunting, 2005). However, in relation to the US, our approach also complicates an individualistic construction of children's decision-making abilities as it locates such capacities within prevailing legal and policy constructions such as the age of majority. Children are denied the corresponding rights and privileges attached to the legal mantle of adulthood including recourse to protective services to enable exit from the marriage, hence constraining their capacity to leave a marriage.

Child marriage has been historically common in the US (Syrett, 2016) but has decreased each year – from 76,396 in 2000 to 2493 in 2018 (Reiss, 2021: s8). Of those for whom age, gender, and spousal information was available, 78% were girls (under 18 years of age) wed to adult men (aged 18 years or older) (Reiss, 2021: s8). It prevails in communities that are impoverished, Southern, less educated, religious, conservative, rural, immigrant, and predominantly affects females (Esthappan et al. 2021; Koski and Heymann, 2018, Le Strat et al., 2011, Wahi et al., 2019), and is most prevalent among white and Latina teenagers and is least common for Black and Asian teenagers (Le Strat et al., 2011). Other key drivers for child marriage in the US include premarital sex and pregnancy in a context where religio-cultural norms dictate that female sexuality be contained within marriage (Koski and Heymann, 2018; Wahi et al., 2019). Research

documents that the impact of child marriage includes physical, sexual, financial, and mental abuse and illness, restrictions on reproductive rights, higher divorce rates, higher poverty, and lower educational level attainment (Dahl, 2010, Le Strat et al., 2011, Wahi et al., 2019). Much of the existing research on child marriage focuses on the gendered prevalence and risk factors for child marriage and its impact; there is scant research that examines the dynamics of consent in such marriages more broadly (Bunting et al., 2016: 2).

Dominant academic, policy, and media discourses on child/forced marriage in the global South construct parents as the agent of such marriages and the child as a passive object of their decision-making, though development discourses also imagine the child as a potential resistive agent (Bessa, 2019; Bunting et al., 2016). Research also documents a more ambivalent role of the girl child whereby she may acquiesce to or purposefully choose early marriage as a way out of intolerable living conditions. This exercise of a form of constrained agency has been explored in the context of poverty, displacement, civil war, and conflict in the global South (Bartels et al., 2018; Bunting, 2005). However, there is scant research on the role of structural inequalities in creating conducive contexts for child/forced marriage in relation to girls in the global North. In relation to the marriage of minors in the US, Western girls are already/always constituted as freely choosing, neoliberal subjects unimpeded by gendered socio-cultural norms or structural constraints that complicate the agency of their Third World sisters (Mohanty, 1988).

We address this gap by utilising an intersectional feminist lens to understand child/forced marriage in the US as a complex process, not a discrete event, and explore how intersecting social relations of power such as those based on gender, age, class, race/ethnicity, sexuality, and religion shape the experiences of victim-survivors. In doing so, we also explicate the experiences of the victim-survivors within their social relations of power which has hitherto been elided in research on child/forced marriage in the global North, whilst also recognising their complex exercise of agency that is shaped by the constraining contexts they live within.

## Methods

This study draws upon research on the context, nature, and impact of child/forced marriage in the US, based on life history interviews with seven survivors and semi-structured interviews with seven practitioners working to address child/forced marriage which were conducted in 2018/2019. Given the paucity of research on child/forced marriage in the US, qualitative methods were chosen for this study to facilitate in-depth explanations and meaning construction. The aim was not to seek the application of the findings to other populations or settings where child/forced marriage occurs, but instead to achieve analytical 'generalization to theory' (Carminati, 2018). Lewis and Ritchie's (2003) foundational text on qualitative research practice identifies this as contribution to theory building from qualitative data through the generation of theoretical concepts that have a wider application (Lewis and Ritchie, 2003).

Sample size in qualitative research is determined by the research context, the quality of the data collected, and the method employed (Carminati, 2018). Life history interviews

were chosen as they enable participants to reflect on the entirety of their life and thus enable analysis of their experiences of child/forced marriage within the context of intersecting social relations of power. Interview themes covered upbringing and family background; child/forced marriage context; consent construction; married life; exit; long-term impact; and recommendations for change. Semi-structured interviews with practitioners probed their awareness of child/forced marriage, experience with child/forced marriage cases, and policy recommendations. The thick data generated by life history methods and the triangulation of the findings with practitioner interviews (Denzin and Lincoln, 2011) facilitated generalising to theory (Goodson et al., 2017).

### *Sample, Access and Participant Characteristics*

Accessing forced marriage victim-survivors was challenging because individuals do not always view what happened to them as forced marriage, such marriages remain unreported, and survivors often do not speak out (Chantler et al., 2009). Seven adult survivors no longer living in the forced marriage situation were recruited through organisations who had supported them, through snowballing or recruited directly based on their media appearances.

All victim-survivors were aged 16 or below when they were married, with the age-gap between the partners being 10 years or more for six of them. Six were long-term marriages of more than a decade. All research participants were female-identifying and declared themselves as heterosexual with no identified disability, except one. All were born in the US and six had children during the marriage. Their educational levels varied from high school to Master's degrees. Four respondents identified as White Caucasian, two as multi-racial, and one as Middle Eastern. At the time of the child/forced marriage, five reported their religious affiliation as Christian and two as Muslim.

Practitioners from seven organisations working in the area of forced marriage and domestic violence (including forced marriage) were recruited. Three organisations were based on the East Coast, two in the Midwest, one in the South, and one had a national presence, providing for geographical representation. One organisation worked solely with forced marriage survivors, another provided a forced marriage-specific program within their organisation while the rest came across forced marriage as part of their domestic violence work.

Ethical approval was provided by Portland State University's Institutional Review Board (#184682). Only those who had left a forced marriage and were not experiencing on-going post-separation violence were interviewed. All interviews were conducted in person at a safe and convenient place of the interviewees' choosing or on the phone by the second author. Before each interview, the objective of the study was reiterated to the participants. Measures to seek full, informed, and on-going consent included informing participants that they could choose not to answer any questions, take a break if they needed or indeed withdraw from the interview. Given the potentially distressing nature of recalling traumatic experiences, information on services was at hand in case participants needed it. The well-being of the participants was accorded highest priority and during the interviews, the interviewer stressed the voluntary nature of their decision to answer questions only where they felt comfortable

doing so. Interviews were digitally recorded with participants' permission and then transcribed verbatim. Survivors were assigned pseudonyms and all identifying material was removed to preserve anonymity. Interviews lasted from one to two hours. Survivors were given a \$25 gift card to compensate them for their time. Practitioners were also assigned pseudonyms to ensure confidentiality and anonymity, so that they were able to discuss their organisational experiences and policy issues freely and to protect them from negative repercussions of doing so.

### *Data Analysis*

Once transcribed, data analysis integrated principles of narrative analysis (Riessman, 2008) with those of constructivist grounded theory (Charmaz, 2014). A process of continuous coding, facilitated through the qualitative data analysis software NVivo, captured significant concepts within each interview. Initial codes such as 'physical force' and 'emotional duress' were derived from the interview protocol, which was drafted based on prior literature. The second set of codes, for example, 'the child marriage and state laws,' were developed inductively through analysis of the data. The concepts were then compared across interviews to develop higher level categories. At this stage, a process of constant comparative analysis between and within texts, as well as between categories, enabled the theoretical concepts to be developed. Both authors read all the transcripts closely and met virtually to establish consensus during data analysis.

### *Limitations*

Although it yielded rich data from survivors of different ethnicities, religions, and locations, the small sample size and the qualitative nature of this study means that statistical generalisation to a universal population of child/forced marriage survivors is not possible. All the victim-survivor respondents were born in the US and their age at the interview ranged between 35–61 years. Though our study may have missed out on direct experiences of immigrant victim-survivors and those subjected to child/forced marriage recently, the service providers interviewed had served immigrant populations and those victimised recently. However, the retrospective accounts of survivors from many years ago are still valid and generate insightful findings because aspects of the legal and practice contexts they experienced continue to prevail today – indeed recent debates in state legislatures on minimum age of marriage have utilised the testimonies of survivors of child/forced marriage dating back several years/decades, where the legal contexts that shaped their experiences have remained unchanged. Similarly, the recruitment methods used (email and snowball sampling), may have been biased against those without regular Internet access or currently living in rural areas. Our selection method would also preclude survivors who never sought help from services and those who are still married. Additionally, our findings cannot shed light on the implications of recent and changing structural contexts – including the restriction of abortion rights – upon the marriage decisions of girls.



## Findings

We start with an exploration of physical and emotional pressure exercised directly by agents, following which we examine how exploitation and abuse in the context of intersectional inequalities exacerbates vulnerability for girls. In the final section, we explicate the ways in which state policies and practice create conducive contexts for child/forced marriage in the US.

### *Physical and Emotional Pressure: Gendered Socio-Cultural Norms and Control Over Sexuality*

Gendered norms surrounding women's sexuality and notions of shame and honour played an important role in constraining young women's lives across different community and religious contexts. As Aliyah recounted:

He [father] came to pick me up [from school] and he saw a girl coming out ... with a stroller. And he said, what is that in the building? And I was like, that's a daycare. He said, is that for the teachers? I was like, no, that's for the students and he flipped out and said, you're not going back to school anymore.

Aliyah had grown up with gendered honour systems that entail 'not only the preservation of actual virginity but the production of the *public effect* of virginity' (Abu-Odeh, 2011: 12), which was threatened by her attendance at a school where such childcare facilities existed. In migrant contexts, women's (perceived or real) assimilation into western norms may also be identified as a deviation from the culture of origin (Cooney, 2014). The status dislocation experienced by migrant men within racialised labour markets may be compensated through honour systems that restore men's status to patriarchal positions of power, at least within the family setting (Begikhani et al., 2015) through enactment of a dominant masculinity that is shaped by the intersection of culture, class, and migratory status.

When Aliyah was 16, her parents forced her to marry a cousin who was visiting the US from the Middle-East, so he could get a Green Card:

They thought they were doing me a favor. They thought maybe that, instead of me going out finding a boyfriend or whatever, that I'll be married in this way. There'll be no shame coming to the family. Since we were in America, they know that you can get easily lost in this Western civilization, drugs, alcohol, sex, all this other stuff.

Faced with the possibility of uncontrolled female sexuality, Aliyah's father made the decision to marry her off at a young age, thereby handing over the function of control over her sexuality to her husband, thereby also facilitating the immigration of his nephew. Research documents the important role of transnational marriage in facilitating family migration (Palriwala and Uberoi, 2008).

Similar norms that govern control of female sexuality also locate it within the institution of marriage, where female sexuality is regarded as rightfully belonging to one man

and mobilised towards reproduction. It was within these constructions of premarital sex as dangerous and of moral condemnation of abortion that Paula, who came from an evangelical Christian background, recounted parental pressure to marry:

We were sexually active and then because it was against the religion, we always felt guilty about it. [...] So probably about a year after I met him, we decided to get married. ... Because we were sexually active, it was pretty much the only choice. There really wasn't another choice.

Neither did her age – she was 15 – nor the 10-year age gap between Paula and her ‘boy-friend’ raise any concerns among her family or the church community about the predatory nature of the relationship. Paula’s case draws attention to the ways in which gender intersects with age to create vulnerabilities that are exacerbated by large gendered age gaps. Paula’s narrative contains contradictory constructions of the decision to marry as a mutual one (‘we decided’) but also alludes to the lack of choice created by the broader structural factors (‘there really wasn’t another choice’). Pateman, analysing legal issues relating to rape, draws attention to the cultural and structural constraints on choice and the nature of meaningful consent under conditions of social, economic, and gender inequality. To consent freely also means to be able to say no. As such, consent needs to be distinguished from ‘habitual acquiescence, assent, silent dissent, submission, or even enforced submission. Unless refusal of consent or withdrawal of consent are real possibilities, we can no longer speak of ‘consent’ in any genuine sense’ (Pateman, 1980: 150).

Practitioners noted how, for some victim-survivors, there was no clear point when their parents forced them into a marriage. Chantler and McCarry (2020) characterise this process of socialisation as akin to grooming, whereby the capacity to consent is eroded over time. Ruthie, who worked to support forced marriage victim-survivors and described herself as a survivor of forced marriage, reminisced about growing up in an Orthodox Jewish community, where expectations about marriage can be part of the very fabric of everyday life:

That’s the only way marriage happens in that community. So, my parents’ marriage is also a forced marriage. I look at my siblings, it’s a forced marriage. All my friends, cousins, neighbours, that’s all I saw everywhere it was, they didn’t call it forced marriage. [...] They say this is how marriage works. Your parents plan it for you and you go along with it.

Dania, who worked for a regional domestic violence service, drew attention to the range of coercive tactics beyond physical violence that were deployed by the parents to bring about a forced marriage:

We have quite a lot of cases, like the mother will say, ‘if you don’t get married, I’m going to commit suicide’. So they use emotional blackmail, sometimes, the father is like, ‘I’ve given my word to the family. If it doesn’t happen, my reputation is at stake’.

For those seen as deviating from dominant norms of binary genders and heteronormativity, marriage was often regarded as a way of ‘fixing a problem’, as Melinda, from a national organisation, reported:

Certainly, gender and sexuality are big ones because there are unfortunately many families that will use marriage as a form of conversion therapy for an adult or minor child who comes out as gay or LGBTQ. So, if gay or transgender, families will say, nope, you’re not. You’ll see, we’ll marry you off.

Gender regimes privilege heteronormativity. In many communities, the stigma associated with being lesbian or gay may mean that LGBTQI people may be forced to marry for the sake of the family’s honour (Jaspal, 2020), and may be subjected to honour-based violence until they renounce their queerness and obey the ‘honour norms’ (Lowe et al., 2019). Meena, from a regional domestic violence service, reported the pressures inflicted upon a gay man from his family to bring about his heterosexual marriage:

He hadn’t told them that he’d met and married somebody right here [in the US]. So when the mother came [to visit from India], she was very aggressive. The parents are forcing him to marry [...] still finding a match for him, that maybe he will change his mind.

For Sara, the broader background of domestic violence, child abuse, and her father’s involvement in a sect set the stage for her child/forced marriage:

I was told, or my dad was [by the leader of his sect], that there is a man who has been chosen for me. [...] He was old. He was 28 and I was 15. So, to me, he was like an old man when I looked at him. ... that night I was married to him in a ceremony. [...] I felt like I’m supposed to do what my dad tells me because he knows the right way and religiously that’s how I was brought up. ... a part of you I think believes it or you just do what you can to not get hit or whatever.

Sara reflects on the coercive power of socio-cultural and religious norms but is also cognisant of the threat of physical violence that loomed. Resisting a forced marriage can result in retaliatory violence through social isolation, psychological and physical mistreatment, domestic violence, marital rape, and even murder (i.e., honour killings) (Payton, 2014). Unlike Sara, Aliyah made her lack of consent very clear to her father, but to no avail:

I tried to tell them, no, but that didn’t work, that did *not* work. ... He just looked at me straight in the face and was like, you can’t say no. You don’t have a choice. I was crying and begging and pleading...I wreaked havoc every day. I wouldn’t eat. [...] I’m basically a prisoner in my own home. [...] I knew my dad had a way to make things uncomfortable in the home and he was always in a bad mood. And when he was in a bad mood, everybody in the house felt it. So, I didn’t want to be the reason for my mom’s unhappiness, my siblings’ unhappiness.

Aliyah's mother seemed to go along with her father's attempts to force her into the marriage – 'she just said that's the way it is', Aliyah recounted. Elsewhere in the interview, Aliyah referred to how everyone in the household was afraid of her father, his history of domestic violence against her mother, and his regime of control whereby 'she [mother] wasn't allowed to work' by her father. Kandiyoti (1988) characterises women's perpetration of violence against other women or their silence in the face of such violence as 'patriarchal bargains' that they adopt as a survival strategy where the costs of resisting patriarchal family regimes may be too high, and reinscribing these regimes may bring them some advantages within the constraints of patriarchy. In a context where mothers are often held responsible for enforcing honour codes and inculcating daughters into dominant gender norms (Begikhani et al., 2015), Aliyah was also wary of the repercussions of her resistance upon her mother and sisters, a factor that was also mentioned by Melinda, who worked for a national forced marriage agency:

Some of the more difficult situations involve really complicated victim-perpetrator households where should they take a decision to go against [the forced marriage], then their mother, who they've seen be a victim of severe domestic violence throughout their lifetime, will be blamed for their defiance or for their running away. And they fear so much for their own mother's safety because that is a dynamic that the main abuser in the household has set up. So they are paralysed in terms of taking action for themselves because they know that taking action for themselves will have extreme repercussions for household members that are left behind.

The accounts of survivors and practitioners outline how gendered socio-cultural norms and control over sexuality operate as key factors underpinning parental exercise of direct physical and emotional coercion, a context for child/forced marriage that has been well-documented in existing scholarship.

### *The Role of Intersecting Socio-Economic Inequalities: Exchange, Exploitation, and Abuse in the Context of Unmet Needs*

Victim-survivors' narratives also highlighted the role played by poverty, domestic violence against their mother, child abuse/neglect, and parental struggles with alcohol, drug use, and/or mental health issues in creating a conducive context for their child/forced marriage.

Fourteen-year-old Jane's stepfather was violent towards her – she described him as 'super abusive' and she was taken into care for a few months. When she was 14, she 'was returned to my mum', and her stepfather's violence resumed. She recalled, 'I was trying to, like, not be in the house, because it really sucked in there' and while out shopping for the family, which was her responsibility, she met an older man:

It was like a two-mile walk each way. [...] During some months it gets very, very hot and a four-mile walk is, is a bit much. [...] One day when I was walking to the store, there was a man down the street, he was like, 'hey, you look like you could use some help. [...] I can give you a ride to the store'. If I did that, then my mom would know that I wasn't gone as long [as it takes to walk there and back] so, then I ended up just hanging out at his house. ... I was 14.

He would have been 42. Things got creepy kind of right away, but I was, I found myself in a situation where it still was a place to escape from my stepdad beating me up or whatever else, so I just ignored the creepiness.

While Jane outlined the constraints that characterised her early life, her narrative also alluded to what she constructs as a form of constrained agency, whereby she described a strategy of survivorship to escape her stepfather's violence, but in doing so is confronted with the possibility of other forms of violence ('things got creepy'), that she decided to 'ignore'. In a context where a life free of violence and abuse does not seem to be possible, she recalled that she chose to live with what seemed to her the more tolerable form of violence and abuse.

Debra remembered feeling unwanted as her dad had a succession of relationships after her parents separated when she was a baby, and recounted violence and abuse by her stepmother and her father's failure to protect her when she was 11. It was in this context that a 31-year-old man inveigled himself into her parents' good graces:

He was a good family friend and he showed up often and hung out with my parents and he started building a relationship with me and my parents were comfortable with it. Over time he would just show up on a Friday and say, 'hey, I'm going away for the weekend. I'll take her if you want'. And my parents would say yes without me kind of having the choice of saying no. And so I was spending weekends at his home. [I was] 11 and a half, 12 years old. [...] Looking back, [...] with your adult eyes and through a different lens, I think there is some of that 'I'm just not going to acknowledge this thing that might be happening or this weird behavior that is there'. I think there was a choice to look away.

Paula's 'courtship' at 15 by a 25-year-old man from her church took place in full view of her family, the church group, and her school community:

He would pick me up at high school on his Harley Davidson, which I thought was very impressive and garnered a bit of attention from the other high school students, 'who is the big guy with a motorcycle'. So probably within six months I had essentially moved in with him.

Similar to Paula and Debra who both noted the dereliction of parental duty, Brittany recounted the lengths to which her mother – who had severe mental health issues – went to, in order to facilitate her relationship:

I was around 13 and there was a boy that I had a crush on. My mom found out that he was African American and freaked out [...] And then when I was 14 I met my perpetrator – he was 29 and she let me 'date' him. And I really believe that she saw that as an opportunity to offload me as her responsibility onto someone else.

Brittany's mother preferred her age-inappropriate relationship with an older man from the same race rather than the possibility of her dating a Black boy of her own age. Thompson (2009) argues that the interlocking sets of power relations based on race, gender, and

sexuality constitute dominant discourses that are integral to understanding the historical regulation of, and contemporary attitudes towards, interracial intimacy in North America (Herman and Campbell, 2012).

So, in those two years that we were dating, she [my mom] would drive up from [our town] to [a faraway town] so that we could meet him in the middle. Yeah, and she would drop me off at, like, a hotel with him, what have you. So, she would go off and do whatever she did for like, four hours and then she would pick me up.

The context within which child abuse/neglect unfolded was commonly one of poverty, parental ill-health, and alcohol/drug abuse by parents. In these cases, men inserted themselves into the family through cumulative acts of buying food, presents, and alcohol/drugs and the parents actively colluded with the abuser to create a conducive context for the sexual abuse of their daughter by a man who was several years older.

Once the 'relationship' was well established, the men contrived to present marriage as the only possible way forward as well as the best option, as Jane recounted about her 43-year-old suitor:

He was just like, well, your mom signed over guardianship to me, so you're mine now. And he's like, nobody's going to help you and nobody wants you. So, he told me how he was saving me and he was gonna offer me a better life.

While some women's accounts mentioned the emotional attachment they felt for the perpetrator, they also reflected on the various tactics that were brought to bear on them to condition them and to break their resistance. Brittany reflected:

I did have two years of being conditioned by my perpetrator to believe that he really loved me unconditionally, and this was okay despite the fact that he was 15 years older than me. And even when I did have that feeling of insecurity, like something wasn't right, I didn't feel like I could trust myself. I didn't feel empowered to speak up, so I didn't.

The role of the parents and the strategies of the predatory men who entered the lives of these young women can be understood as direct coercion which overwhelmed their free will. However, an exclusive focus on the men and the concept of 'grooming' that their behaviour evokes cannot explain the entirety of the coercive circumstances. Such an approach risks narrowing our focus to particular agents as enablers and perpetrators of child/forced marriage while eliding a closer examination of the structural factors that exacerbate the vulnerability of the victims and are weaponised by the perpetrators. Across participant narratives, there emerged a pattern of parental neglect and unmet needs which created minimal options for safety or economic security, in the face of which the perpetrators seemed to offer to the girls the promise of food, clothing, shelter, and emotional attachment, albeit within a transactional relationship premised on their sexual availability. As Brittany confided, marriage was presented to her as an opportunity to escape parental abuse:

And then before long I turned 16 and he started talking about how we should get married because it would just be a formality and it would get me away from my mom and I could be with him and have all this freedom and be able to start my life. And so, I jumped at the opportunity [...] I was torn and really conflicted because I really wanted to believe that this is what was going to set me free from being abused by my mother. What ended up happening was I ended up being in an even worse situation being exploited by him.

Some women reflected on the processes that shaped their decision-making and reflected on the constraints that shaped this process, as outlined by Debra:

From the time that we learned that I was pregnant, my abuser was telling me like ... let's just get married. So, it'll fix everything. You don't have to be here in this environment anymore. And my stepmother was emotionally and physically abusive towards me and he knew that, so he was kind of playing that card – here's option A and here's option B, it's your choice. [...] And so him constantly saying, you'll have a better life [...] I'll get you away from her. You're not gonna have any rules where we live. So, when you're telling a 13-year-old that, it's enticing I suppose.

Brittany's and Debra's accounts highlight the ways in which the men strategised to bring about the marriage, but equally, they also reiterate the ways in which young women whose lives are characterised by poverty, violence, neglect, and unmet needs exercise a constrained agency in seeking what seemed to be the most viable out of a set of undesirable options. Victim-survivors' recollections about their marriage decisions highlight the complicated nature of constrained agency and the complex ways in which coercive constraints shaped their decision-making as they attempted to navigate and survive the different forms of interpersonal as well as structural violence that shaped their everyday life. Despite the conditions of severe oppression that they inhabited, certain forms of agential activity (e.g., contacting social services) might seem unlikely to be successful in bringing about an escape from the oppression compared to others that are socially authorised – indeed, in two cases, the violence had continued despite brief periods of social service interventions. Marriage presented itself as a socially authorised means to escape parental neglect and violence ('I jumped at the opportunity') but the research participants also allude to their ambivalent feelings about the marriage ('I was torn and really conflicted'; 'feeling of insecurity, like something wasn't right'; 'I didn't feel empowered to speak up'). We cannot understand their decisions without thinking of them as agents embedded in specific historic, cultural and socio-economic contexts and without giving sufficient attention to existing social relations of power within which their agential capacities are formulated and exercised, and risk negotiated and managed (Madhok and Rai, 2012). These survivor accounts illuminate the coercive force of broader structural inequalities which create conducive contexts (Kelly, 2007) for child/forced marriage.

### *State Policy and Practice: Conducive Contexts for Child/Forced Marriage*

Common within the women's narratives was the role played by state laws in enabling their marriage and subsequently, on-going sexual violence and other forms of domestic violence that they endured as children within a legally sanctioned marriage. In the US

context, conceptualising coercion in relation to forced marriage requires us to widen the lens through which we can understand the factors vitiating consent. Beyond direct coercion exercised by parents and predatory men as well as the coercive contexts created by child abuse, poverty, and unmet needs, we need to understand the role of the state in creating 'conductive contexts' for child/forced marriage. The ways in which state policies and professionals' responses, which are shaped by these policies, constructed young women's vulnerability and exacerbated the constraints they faced is explored below.

Lack of easy access to abortion services, strong socio-cultural norms against single motherhood, and state laws on minimum age of marriage made pregnancy a catalyst for child/forced marriage. Shawna, whose parents were senior church members, experienced sexual abuse perpetrated by several men. She reached out to her mother for help but was not believed, which she said, caused her 'to zip my mouth and not talk about it anymore and just to allow it to happen.' Her teachers realised she was pregnant when she was aged 11 and informed her mother, who was herself living with intimate partner violence. Shawna recounted the victim-blaming discourses deployed by her mother and her family's efforts to 'get rid of me' through marriage:

She blamed me for getting pregnant. [...] She would say things [...] that I'm fast and I'm a little hot girl or stuff like that, for a 40, 50-year-old man to have sex with me. At 11 years old I didn't know what to expect [from the marriage], what to feel, what was next. [...] It was awful. [...] Each time I got pregnant after we'd gotten married, he would leave and come back. So that was an ongoing situation for six years. So, it was really rough.

Shawna went on to have five children by the time she turned 16, and it was several years before she was able to leave that marriage.

In the context of neglect from her father and stepmother, sexual exploitation and consequent pregnancy also provided the impetus for 13-year-old Debra's parents to marry her off to their 32-year-old family friend:

At that time in my life, abortion was like a sentence to hell. [...] I feared the wrath of God if I terminated the pregnancy and I remember a fear of the process they used to terminate the pregnancy. [...] Even if I agreed to adoption, she [stepmother] just simply did not want me in the house. I think he told my parents right from the beginning that he wanted to marry me. He wanted to get married, to raise the baby, he wanted me to keep the baby. [...] And this was very appealing to my parents. I think he knew the reason he lived with us was because my parents didn't want to parent me. So, they just looked at him to take care of me. So, at this point it was kind of a win-win for the adults, not for me. [...] I honestly just kind of felt like I had been sold off to this adult man. So, I mean he was the happy one. He avoided a prison sentence. He was totally off the hook and happy.

Debra's narrative demonstrates how teenage pregnancy in the face of socio-religious norms against abortion and state marriage laws can create coercive pressure to marry. In her case, this also enabled her abuser to escape prosecution for rape. Several US states have historically included marital exemption clauses to the crime of statutory rape of a minor if the persons engaging in the sexual act were married to each other



(Van Roost et al., 2022). This provides for different standards of protection from sexual abuse to minors based on their marital status and enables perpetrators to escape the legal consequences of their actions.

Three women recounted how their abusers or parents sought the most permissive jurisdictions for their wedding. Brittany, who was 15 when she married, recounted how ‘the clerk didn’t even look up. She just said, which one’s the minor.’ Similarly, 15-year-old Jane was married to a 43-year-old man after her mother found out about their relationship and selected a state where such a marriage was permitted:

So, in the state we lived in, one had to be 16 and pregnant and I was neither of those things. And so that didn’t work out. We went up to Las Vegas and I don’t remember why, but that didn’t work out there either. And so, we went all the way to Utah, but the judge said no, which judges can do. [...] Ultimately somehow the adults in my life figured out that Mississippi probably was a good bet. [...] Nobody asked me if I wanted to get married. Nobody asked me, where’s your parents, are you alone? I think the judge just took out the book and started reading...

Research estimates that 80% of child marriages in some states would have been considered crimes without exemptions such as those related to pregnancy (Van Roost et al., 2022). Such marriage laws allowed for statutory defence to or exception from prosecution for statutory rape and/or other age-based sex offenses in at least 40 US states and the District of Columbia.

State policies which enable the marriage of minors also shaped the ways in which practitioners constructed the category of a vulnerable child and the threshold for protective interventions, as, Ruthie, noted:

Child protective services or social services do not, unfortunately, view a forced marriage as a form of abuse. Child protective services say these are legal marriages, so preventing a legal marriage is not in our mandate. So, they will not intervene unless there’s also physical abuse that rises to the level of removing a child from the home. And the police won’t intervene because again, there’s no crime being committed and the parents are allowed to marry off their child.

Ruthie was critical of the role played by state marriage laws in preventing practitioners from recognising and intervening in what would otherwise be recognised as child sexual abuse. She drew attention to how additional physical violence had to be evidenced to meet the threshold for intervention to remove a child from her marital home.

However, even where this threshold might have been met, such interventions were not forthcoming, as reported by Brittany. She commented on lack of any investigation or professional curiosity when she faced domestic violence in a marriage which was marked by a 15-year age gap between her and her 30-year-old husband:

The police would show up, because our fights would be so loud [...] and he would tell them that I had been abused when I was a child and I was having flashbacks and I wasn’t stable, he

was helping me work through it. [...] They didn't question it any further. And actually, I remember one time one of them said, 'well it looks like you've got a very good support system here, don't screw it up'. So I mean, talk about feeling defeated!

Though she used the euphemism 'fight' here, elsewhere in the interview Brittany explicitly characterised it as 'domestic violence', stated that 'he was hurting me' and described how he refused to take her to the doctor when a sepsis following an abortion left her in severe pain when she was 16 and unable to access medical care without his help.

Reflecting on their experiences, several women questioned the failure of the adults and other professionals whose role it was to recognise what was happening to them as abuse and to intervene. Shawna, who had 5 children before she was 16, declared:

I blame the city, I blame the state of Florida for what happened to me because no one protected me. And they all knew about it, but they wouldn't protect me. So I felt that they should have done more, everybody, the hospital I gave birth in, the doctor, the school, [...] everybody knew about me being pregnant, no one then stepped to the plate to do anything.

Accounts by victim-survivors and practitioners allows us to examine how state policies on minimum age of marriage and pregnancy-related exemptions create a conducive context for child/forced marriage as well as shape inadequate service responses to child/forced marriage in the US.

## Concluding Discussion

While some of the conditions within which child/forced marriage occurs in the US are similar to what research from other countries has discovered, our findings also highlight context-specific factors that sustain such marriages in the US.

The first of these factors is direct coercive pressure from parents, which has been well-documented in the literature. This coercion is underpinned by gendered socio-cultural norms, which is often deployed by parents to exert control over female sexuality through notions of honour and shame, heteronormativity, preference for marriage within the community, imperative to maintain connections with the home country through transnational marriage, and factors associated with immigration (Anitha and Gill, 2009; Chantler et al., 2009, Chantler and McCarry, 2020). Unlike existing research evidence which documents child/forced marriage predominantly in relation to immigrant communities in the West, our research also highlights the ways in which socio-cultural norms on gender and sexuality shapes coercive pressures within religious families more broadly.

The second set of coercive circumstances we highlight relate to the macro structural and socio-economic factors, which have been neglected in the forced marriage literature. While parents actively abetted and colluded with older predatory men to bring about a child/forced marriage, the behaviour of these men also highlights how gendered power differentials are exacerbated by the large age gaps in relationships. However, a focus on coercion directly exerted by individual agents – in this case, through grooming by predatory men – takes our attention away from the structural factors that facilitate child/forced marriage. The primary focus within the existing scholarship and policy

framings of child/forced marriage on direct coercion elides the ways in which consent is context-bound and remains embedded in social relations and institutional power. The coercive power of socio-cultural norms and gendered expectations is indeed recognised in the literature on ‘girl brides’ in the global South while acknowledging the age-related absence of a capacity to consent. However, beyond the vulnerabilities associated with the intersection of gender and age, coercion in relation to child/forced marriage in the US needs to be understood in the context of their victims’ location within intersectional social relations of power based on poverty, parental ill-health, religious and socio-cultural norms, child abuse and neglect. These structural disadvantages create conditions within which some girls become vulnerable to being sexually exploited and where consent in relation to a relationship or marriage cannot be meaningfully exercised. The inaccessibility of sexual and reproductive health services – particularly following the *Dobbs* 2022 Supreme Court decision that overturned federal abortion protections – and social norms against abortion and single motherhood in some parts of the US also reinforce the conducive contexts for child/forced marriage. The victim-survivor narratives enable us to understand how, within a broader context of child abuse and unmet needs, gendered social norms about sexuality and notions of family honour can normalise practices like child/forced marriage in particular contexts.

The third key finding from our research sheds light on the ways in which the state can create a conducive context for child/forced marriage by signalling the acceptability of this practice through laws that legitimise child marriage more broadly, but particularly in the context of pregnancy. Such pregnancy-related exemptions to the minimum age of marriage not only enables perpetrators to get away with rape by marrying their victim, but can also create a legal climate where child protection and health services are unable to recognise the sexual abuse of adolescent girls. Such legal and practice conditions can also make it more difficult for victims to recognise what is happening to them as harm and to take steps to exit the child/forced marriage. State policies and practices need to be recognised as constitutive of the ‘total burden of coercion’ experienced by subjects.

Age constraints capacity to consent, but as Bunting (2005) argues, the socio-economic conditions in which girls, adolescents, and young women live and marry need to be examined to explicate the nature of coercion in cases of child/forced marriage. The narratives of the survivors indicate additional constraints beyond those faced at the intersection of gender and age. Survivor narratives alluded to these intersecting constraints they navigated whilst also utilising a language that constructed their actions and thought processes as agentic.

Our analysis offers a critique of dominant neoliberal constructions of child marriage in the US whereby such decision-making by girls in the global North is characterised as individual capacity untethered from the social contexts within which such capabilities are produced and marshalled. Rejecting a binary characterisation of girls as passive victims or as free agents, our research analyses victim-survivors’ accounts of marriage to highlight their constrained agency within conditions of interpersonal and structural violence. Conditions of severe oppression shape the forms of agential activity that are possible. Survivors who participated in our research reflected on the ineffectiveness of help-seeking from the social services or their teachers compared to their strategies of

marrying to escape parental neglect, abuse, and deprivation. However, the only socially authorised means to escape their intolerable conditions also created new contexts for oppression.

Hallet (2017) throws light on the complex role of agency and the coping strategies that young people adopt to survive child sexual exploitation, which mirrors the experiences recounted by the survivors of child/forced marriage who shared their stories with us. Their sense of exercising agency needs to be located and understood within the context of their multiple disadvantages and adverse circumstances. Existing in an environment of poverty, neglect, abuse, and unmet needs, some of the girls sought a semblance of security through transactional relationships with adult men, resulting in sexual abuse and exploitation. They can thus be seen to be availing of a constrained form of agency, seeking the most tolerable among a set of undesirable options. Their survival strategies in the face of myriad challenges also requires us to consider how we might reconcile an approach that recognises the agency they exercised while explicating the ways in which their (sometimes avowed) consent was vitiated by coercive constraints, beyond a simplistic account of age-related notions of agency and consent.

This study extends prevailing conceptualisations of coercion in child/forced marriage beyond explicit force exercised by agents to illuminate the ways in which coercive contexts created by structural inequalities and policyscapes enable and sustain child/forced marriage in the US. We demonstrate how intersecting social relations of power based on gender, age, class, race/ethnicity, religion, socio-cultural norms, and state policies/practices can be a part of a coercive apparatus that vitiates consent to marriage. Our analysis also extends the scholarship on the complex articulations of agency within oppressive contexts.

Beyond extending existing conceptualisations of coercion in child/forced marriage, our findings have implications for policy responses to the problem. In order to be effective, responses to child/forced marriage need to be based on a more nuanced understanding of how different forms of coercion and broader coercive contexts vitiate consent. These survivors' historical experiences continue to be relevant today as a majority of US states still allow child marriage and abortion restrictions imposed since 2022 are likely to further constrain the options available to pregnant young girls and those in age-inappropriate relationships. From a policy perspective, we recommend setting 18 as the minimum marriage age at the state-level. Till that becomes legislatively feasible, a minimum marriage age of 16 with legal emancipation will enable access to services. Consent from judges trained in child protection matters should be required if the age gap between partners is more than four years. Based on research which indicates that age intersects with gender to exacerbate power imbalance in relationships (Oudekerk et al., 2014; Volpe et al., 2013), organisations working to end child/forced marriage have called for a minimum age gap of 4 years where one of the parties to the marriage is a minor, a call that we endorse in a policy context where the lifting of minimum age of marriage to 18 may be far from being realised. Finally, the pregnancy exception should be eliminated. More broadly, availability of support for children at risk of disadvantage and/or child abuse/neglect as well as better access to reproductive health will also address the structural underpinnings of child/forced marriage in the US.

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