



# AMERICAN ATHEISTS

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January 18, 2019

The Honorable Rep. Patrick Long  
Chairperson, House Committee on Children and Family Law  
New Hampshire House of Representatives  
LOB Room 206  
33 N. State Street  
Concord, NH, 03301

**Re: SUPPORT for HB 378, Concerning Raising the Minimum Age for Marriage**

Dear Chairperson Long and Members of the Committee on Children and Family Law:

American Atheists, on behalf of its constituents in New Hampshire, thanks you for considering HB 378, a bill to end child marriage in New Hampshire. This bill would protect young people in New Hampshire from being coerced into marriage against their will, a harmful and archaic practice that happens all-too-frequently across our nation. We urge you to swiftly pass this important legislation.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the “wall of separation” between government and religion created by the First Amendment. We strive to create an environment where atheism and atheists are accepted as members of our nation’s communities and where casual bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building and work to end the stigma associated with being an atheist in America. American Atheists believes that children should never be coerced into marriage due to the religious beliefs of their parents or guardians.

The marriage age in New Hampshire is 18, but the current law allows a dangerous exception: Children age 16 or 17 can marry if a parent or guardian petitions the court for the marriage and a judge approves.<sup>1</sup> The harm caused by child marriage is daunting. It destroys the child brides’ health, education and economic opportunities, and increases their risk of experiencing violence. Those who marry before 18 have a 70 to 80% chance of getting divorced—and teen mothers who marry and then divorce are much more likely to end up in poverty than teen mothers who stay single.<sup>2</sup> An estimated 207,549 minors were married in the U.S. between 2000 and 2015, with 86% of those marriages being between a minor and an adult.<sup>3</sup> In New Hampshire, 202 marriage licenses for children were granted between 2000 and 2017, for children as young as 14.<sup>4</sup>

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<sup>1</sup> N.H. R.S.A. § 457:4, § 457:6, and § 457:7.

<sup>2</sup> Hamilton, Vivian E., "The Age of Marital Capacity: Reconsidering Civil Recognition of Adolescent Marriage" (2012). William & Mary Law School Scholarship Repository, Faculty Publications. 1430. Available at <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=2467&context=facpubs>.

<sup>3</sup> Tsui A, Nolan S, and Amico C. Child Marriage in America: By the Numbers. (July 6, 2017). Available at <http://apps.frontline.org/child-marriage-by-the-numbers/>.

<sup>4</sup> Based on an unpublished analysis done by Unchained at Last (<http://www.unchainedatlast.org/>).

In fact, the U.S. State Department has called marriage before age 18 a “human rights abuse.”<sup>5</sup> However, children can easily be forced to marry before they turn 18 and become legal adults, because they face overwhelming legal and practical barriers if they try to leave home, enter a domestic-violence shelter, retain an attorney, or bring a legal action. Moreover, a requirement of parental "consent" hardly mitigates the danger of forced child marriage because when a child is forced to marry, the perpetrators are almost always the parents. There will always be parental “consent” when there is parental coercion in the first place. Therefore, New Hampshire law currently contains no effective procedural safeguard against the danger of forced child marriage.

By adopting HB 378, New Hampshire would effectively eliminate this loophole and join states such as New Jersey and Delaware which have taken proactive steps to end child marriage. If you should have any questions regarding American Atheists’ support for HB 378, please contact me at 908.276.7300 x9 or by email at [agill@atheists.org](mailto:agill@atheists.org).

Very truly yours,



Alison Gill, Esq.  
Vice President, Legal and Policy  
American Atheists

CC: All Members of the House Committee on Children and Family Law

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<sup>5</sup> U.S. Department of State, et al., United States Global Strategy to Empower Adolescent Girls (March 2016), available at <https://www.state.gov/documents/organization/254904.pdf>.