



AMERICAN ATHEISTS

June 11, 2019

The Honorable Sen. Lisa Baker
Chair, Senate Judiciary Committee
Pennsylvania State Capitol
501 N 3rd St, East Wing, Room 8E-B
Harrisburg, Pennsylvania 17120

Re: SUPPORT for SB 81, Support for an Act to End Child Marriage in Pennsylvania

Dear Chairperson Baker and Members of the Senate Judiciary Committee:

As a Pennsylvania native and Vice President for Programs at American Atheists, which has over 1,700 constituents in Pennsylvania, I write in strong support of SB 81, a bill which would end child marriage in Pennsylvania. This bill will protect young people in Pennsylvania 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.

Current Pennsylvania law permits young people under the age of 16 to marry with the approval of a court if they have consent from a parent or guardian. Appallingly, there is no minimum statutory age for marriage through this process. Young people above the age of 16 can file for a marriage license with no additional requirements. A young person who is married through these loopholes is still considered a minor under the law, putting them in a tenuous legal position: A child spouse cannot file for divorce, sign binding contracts such as housing agreements, or take other legal action.

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.¹ An estimated 207,549 minors were

¹ Hamilton, Vivian E. (2012). The Age of Marital Capacity: Reconsidering Civil Recognition of Adolescent Marriage. William & Mary Law School Scholarship Repository, Faculty Publications, 1430. Available at <http://scholarship.law.wm.edu/cgi/viewcontent.cgi?article=2467&context=facpubs>

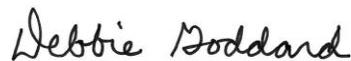
married in the U.S. between 2000 and 2015, with 86% of those marriages being between a minor and an adult.² Studies show that 3.3 out of every thousand 15- to 17-year-olds in Pennsylvania are married.³

The U.S. State Department has called marriage before age 18 a “human rights abuse.”⁴ 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, Pennsylvania law currently contains no effective procedural safeguards against the danger of forced child marriage.

While some have argued that some children are mature enough for marriage, this argument lacks merit. The same argument could be made for any age-restricted law in our society. Mature children must still meet age requirements to purchase tobacco or alcohol, to drive, to enlist in the military, and to vote in elections. The simple fact is that if child marriage is allowed to exist, then it will continue to be misused to the detriment of Pennsylvania’s children.

By adopting SB 81, Pennsylvania would effectively eliminate harmful loopholes in current law and join states such as New Jersey and Delaware which have taken proactive steps to end this practice. Thank you for considering this important bill to protect the safety and well-being of young people in Pennsylvania. If you should have any questions regarding American Atheists’ support for SB 81, please contact Alison Gill, Vice President for Legal and Policy, at 908.276.7300 x309 or by email at agill@atheists.org.

Sincerely,



Debbie Goddard
Vice President, Programs
American Atheists

cc: All Members of the of the Pennsylvania Senate Judiciary Committee

² Tsui A, Nolan S, and Amico C. (July 6, 2017). Child Marriage in America: By the Numbers. Available at <http://apps.frontline.org/child-marriage-by-the-numbers/>

³ David McClendon and Aleksandra Sandstrom. (2016). Child marriage is rare in the U.S., though this varies by state. Pew Research Center. Available at <https://www.pewresearch.org/fact-tank/2016/11/01/child-marriage-is-rare-in-the-u-s-though-this-varies-by-state/>

⁴ U.S. Department of State, et al. (March 2016). United States Global Strategy to Empower Adolescent Girls. Available at <https://www.state.gov/documents/organization/254904.pdf>