

Can legislative reform end child marriage? Experimental evidence from Pakistan

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Abstract

Child marriage is widely considered a human rights violation with significant economic consequences for women and their offspring, and its elimination by 2030 is a UN Sustainable Development Goal. While marriage under 16 is now prohibited by law in virtually every country of the world, it is extremely challenging to design laws that are effective in curtailing the practice, and data indicate that legislation has to date been largely ineffective. Two key shortcomings are the fact that legal loopholes are common and liability typically rests on members of the bride’s family, both of which complicate efforts and incentives to prosecute offenders.

Recently, policy advocates have called for countries to enact a second wave of reforms to make age of consent laws more effective by prohibiting exemptions and imposing stiff penalties on administrative officials who register child brides or fail to properly document a bride’s age. In 2015, the province of Punjab, Pakistan, became one of the first and only governments to pass such reforms, which included imposing significant penalties on religious-legal officials who register underage marriages. The reform was followed by a sweeping re-training of all marriage registrars throughout the province.

In this study, we ascertain whether strengthening marriage laws in this manner can succeed in deterring child marriage by evaluating the impact of the Punjabi reform on underage marriage. While the law was imposed on all citizens simultaneously, we collaborated with the Government of Punjab to randomly roll out the registrar training program within three subdistricts and conducted detailed surveys of registrars before and after training. In addition, we collected and digitized data on marriage contracts in trained and untrained districts midway through the program. Finally, we utilize survey data on women’s self-reported marriage age from two separate household survey samples conducted within two years of the training that span trained and untrained districts in Punjab. The analysis of secondary data makes use of the fact that the training program was suddenly halted after one year of roll-out because of a change in government leadership, leaving registrars in roughly half of the province permanently untrained. This allows us to track how underage marriage evolves in the two sets of districts post-training.

Household survey data from both sources indicate that underage marriage (below the age of 16) fell by 40-58% in trained relative to untrained districts post-reform, and show no evidence of differential time

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trends in the pre- period that could confound the interpretation. Alongside, household survey data reveal that women married after the training are 47% more likely to have a national ID card in districts that were trained, while the rate is similar across trained and untrained districts among cohorts married prior to the training. Given that IDs are often sought for young women at marriage, this pattern suggests that registrars are more likely to comply with proof-of-age rules once they learn about the new liability structure.

Finally, data digitized from 14,000 marriage contracts reveal a similar decrease in procedural irregularities on marriage contracts registered by trained versus untrained officials among younger but not older cohorts. Registrars randomly assigned to be trained are 53% more likely to require an ID to register a marriage in the period post-training, and training is associated with a significant reduction in an index of procedural irregularities on marriage contracts. Finally, we observe a significant change in registrars' knowledge of the law associated with a wide range of marriage registration practices, and also significant changes in registrars' knowledge of and belief in the enforcement of penalties associated with registering underage marriages.

Together, this pattern of findings provides novel evidence that legal reforms that close loopholes and impose penalties on administrative officials can be effective tools in the fight against child marriage. This is an important finding given the near universal failure of first-wave age of marriage laws, and offers hope that legal accountability with respect to child marriage can be achieved and serve as a deterrent to a practice that has to date proven very difficult to influence with policy.

Keywords: Child marriage; randomized control trial; family law.

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