

Bridging Policy and Practice: Combating Child Marriage in Pakistan under Existing Legal Frameworks

Muhammad Arslan Abid¹ Tansif Ur Rehman² Tahmoor³

ABSTRACT: In Pakistan, many young girls suffer from the consequences of child marriage, as it harms their rights and fundamental freedoms. The problem worsens because, despite the Child Marriage Restraint Act of 1929 and the Punjab Amendment Act of 2015, people still wed minor girls due to customs, various religious beliefs, and inaction within the judicial system. In this study, child marriage in Pakistan is considered a child law matter, the obstacles related to child law are discussed, and data are collected from different literature on the subject. The research proved that child marriage is against human rights and takes a toll on a girl's learning, health, and earnings, causing severe risks to her. According to this paper, a solution to eliminate child marriage and increase girls' rights in Pakistan involves strictly following existing policies, carrying out local educational programs, and thinking carefully about making improvements in policies and laws.

KEYWORDS: Child Marriage, Human Rights, Legal Framework, Pakistan, Policy Reforms

¹ Department of Law, Dadabhoy Institute of Higher Education, Pakistan.

Email: arslanbozdar1@gmail.com

² Assistant Professor, Department of Law, Dadabhoy Institute of Higher Education, Pakistan.

Email: tansif@live.com

³ Department of Law, Dadabhoy Institute of Higher Education, Pakistan.

Email: tahmoorahmed2@gmail.com

Corresponding Author:

Muhammad Arslan Abid

✉ arslanbozdar1@gmail.com

Introduction

In Pakistan, child marriage remains a significant human rights issue that mainly impacts young girls who are deprived of education, medical facilities, and career opportunities (Yoosefi-Lebni et al., 2023). Despite the presence of laws and regulations, the customs are still followed in most cases, the major factors being the stubbornness of the traditions, poverty, and religion (Kakal et al., 2023). According to national figures, 21% of girls are married as children in Pakistan, making this region one of the top child-marriage rate places in the area (Ahmad et al., 2025). Other statistics indicate that Pakistan is one of the leading South Asian countries in terms of child marriage, with roughly 21% of girls married before the age of 18. Pakistan has set minimum founding ages for marriage through the Child Marriage Restraint Act of 1929. However, due to contending social and religious traditions, enforcement is lacking (Ambereen et al., 2021).

The resistance of a particular community, unengaged enforcement bodies, and lack of the public's attention prevent the practical application of the laws (Habib et al., 2024). Undoubtedly, issues related to marriage during the childhood phase deeply affect girl children as they are more prone to students' health maladies, loss of educational opportunities, and scarcity of employment (Ahmady, 2021). A combination of these factors results in early childbirth, domestic abuse, and perpetual reliance on someone else for livelihood

(Ahmad et al., 2019). This paper analyzes the steps that Pakistan has taken with regard to child marriage, along with recommending measures that can help in the proper safeguarding of girls and improving their development.

Research Justification

Child marriage in Pakistan is a severe issue, and it's tied to a mix of cultural traditions, economic struggles, and varying religious beliefs. Sure, there are laws in place, but honestly, they often fall flat. Why? Because they aren't enforced properly, and let's face it, many people are resistant to changing long-held customs. It's crucial to dive deep into the laws because there's often a big disconnect between what the policies state and what actually happens on the ground. Child marriage violates fundamental human rights—things like education, health, and safety. Looking closely at what works and what doesn't in our current laws could really get the ball rolling on some crucial conversations. We could think about how to make them better, enforce them more effectively, and really pull communities into the discussion.

There isn't a whole lot of in-depth legal research on child marriage laws in Pakistan. This study could be a real treasure trove for lawmakers, human rights advocates, and legal scholars alike. It brings to light all the social, economic, and health issues tied to child marriage, really highlighting the urgent need for changes in the law and awareness campaigns to safeguard girls' rights.

Research Objectives

1. To discuss the historical context of child marriages in Pakistan.
2. To highlight the theoretical context of child marriages in Pakistan.
3. To analyze the laws against child marriages in Pakistan.
4. To identify key challenges in enforcing the laws against child marriages in Pakistan.
5. To explore the opportunities for strengthening child marriage prevention laws in Pakistan.
6. To propose effective prevention and intervention strategies.

Research Methodology

This study employed a systematic review methodology, with research objectives established accordingly. A comprehensive literature review was conducted (Komba & Lwoga, 2020). Research findings were categorized based on their content (Hiver et al., 2021; Petticrew & Roberts, 2006), and classified information was incorporated into the study by organizing it into headings (Gan et al., 2021; Pawson et al., 2005). The evaluation of classified information and titles formed the basis of the study (Page, 2021; Rahi, 2017), ensuring the integrity of the research subject and its contents (Egger et al., 2022; Victor, 2008). The criteria for selection are enlisted.

1. **Relevance:** Researches that directly addressed the questions posed by this study are included.
2. **Quality:** Studies that meet a certain quality threshold (e.g., methodological rigor, bias risk) are included. Most of the research is from Scopus-indexed and Clarivate Analytics journals and reputed publishers.
3. **Recency:** Consideration of the publication date to ensure that the review reflects the most current evidence. Most of the studies are from the last three years.
4. **Language:** Only studies published in English are included.

5. **Data Completeness:** Previous studies must provide sufficient data on outcomes of interest for practical synthesis; it is also ensured in this research.

This study did not use primary data from human participants; therefore, no ethics clearance letter from the ethics committee was required.

Literature Review

Pakistan's history, culture, and law inform the reasons for child marriage. The culture is firmly attached to traditions, while law enforcement is problematic, resulting in many legal constructions. I will focus on the story, the laws, the social and economic outcomes, the gaps within the law, the barriers to effective implementation, and the solutions to the concerns.

Historical and Cultural Context

Child marriage has long been a custom in Pakistan, primarily done to fortify family connections, safeguard family honor, and ensure financial stability. In rural societies, it is viewed as a means to safely secure young girls and lighten the financial burden (Javed & Mughal, 2020). Given the strength of this belief, it makes marriage, for most people, a necessity instead of a choice. While Pakistan was being colonized, the Child Marriage Restraint Act (CMRA) of 1929 legislated a minimum age for marriage to be set at 16 for girls and 18 for boys. The act was difficult to enforce because a lot of people either didn't agree with the law or were utterly clueless about it (Ahmad et al., 2019).

Legal Efforts and Challenges

Unmarried children becoming spouses has been viewed as a problem for the region long before Pakistan was recognized in 1947. Actually, the British government introduced the Child Marriage Restraint Act in 1929 to stop the problem right away. While independence was achieved, some provinces refreshed the legislation to fit the requirements of the day. Sindh passed its legislation in 2013, and Punjab made changes in 2015. While these steps helped, carrying them out hasn't been simple. In many areas, especially rural ones, deep-rooted customs still carry more weight than the law (Ashiq et al., 2020). Moreover, because religions differ on when marriage may be allowed, it is even harder to create just one rule for everyone in the country.

Socio-Economic and Health Effects

In Pakistan, a dire need for funds results in a sharpened focus on child marriages. The majority of lower-class families tend to view early marriage as a solution to their poverty, particularly via dowries (Nasrullah et al., 2016). Due to a lack of access to education and the limited scope of employment available, a large number of girls are married at a young age. Child marriage imposes serious risks to one's health, including the possibility of early pregnancy, death due to childbirth, and a host of mental health complications. It also stops girls from obtaining an education, which constrains their future potential and perpetuates the cycle of poverty and inequality (Kakal et al., 2023).

Barriers to Enforcement

Child marriage is illegal in Pakistan, but it is still not simple to bring it to an end. The government often doesn't have enough will or money to enforce the rules correctly, and corruption makes things worse (Ullah et al.,

2021). Because of strong cultural and religious beliefs in various remote areas, it is often tough for leaders to act. In addition, there are many people who don't understand the laws fully or what might come from breaking them. Because of this, child marriage still happens a lot, quietly and without much pushback (Naveed & Butt, 2020).

Combating Child Marriage in Pakistan

To tackle this issue properly, Pakistan really needs one clear rule for the whole country: no one should be allowed to marry before they turn 18 suggests cutting out any religious exceptions that let people get around the law (Nasrullah et al., 2014). Having one strong, simple law would make it easier to enforce and protect kids no matter where they live or what their background is.

Historical Context of Child Marriages in Pakistan

Child marriage has been a part of Pakistani culture and beliefs for many generations. Some families often believe that giving their daughters in marriage while they are young keeps the family's status as well as the obligation to feed and house their daughters (Habib et al., 2024). In the countryside, there is a belief that early marriage protects girls from challenges in their community and reduces spending by the family (Ambereen et al., 2021). In some places, people opt to marry young girls instead of allowing them to make their own decisions.

The British enacted CMRA during their rule to shield girls from child marriage. Lawmakers made sure that girls had to marry at the age of 16 (between 14 and 18 if the judge allowed it), while boys could marry at the age of 18 (Charan et al., 2024). Yet, because many individuals believed differently or hadn't heard of the law, it was hard for those in charge to carry it out. While Pakistan's independence came in 1947, the CMRA remained, but notable members of religious and tribal groups continued trying to weaken it. Sindh and Punjab have introduced bills in recent times, setting the legal age of marriage for girls at 18 (Arif et al., 2024). Nonetheless, there are places in Pakistan where old traditions interfere with how effectively the law is applied

Theoretical Context of Child Marriages in Pakistan

Young girls in Pakistan are facing child marriage that deprives them of their human rights. Child marriage can be considered with regard to the law, human rights, or its consequences for society's economy. Legally, Pakistan has to prevent child marriages because of international agreements like the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). So, here's the thing: the Child Marriage Restraint Act of 1929? It's pretty much ignored in a lot of rural areas. And honestly, that's a real problem. When a girl gets married young, she faces so many hurdles. Education? Forget about it. She might deal with health issues from pregnancy way too early or end up facing domestic violence. It's heartbreaking, really.

Plus, this whole situation keeps the cycle of poverty and gender inequality going, which is so unfair. It really clashes with the rights to equal protection and respect that Articles 25 and 9 of Pakistan's Constitution promise. It's just not right, you know? It has been hard to change the laws, as people are guided by traditional beliefs in their society. From a human rights perspective, it's argued that child marriage laws should be

implemented more strictly and that the minimum marriage age should be raised to 18 across the country. The problem with Pakistan's girls will not be solved unless more legal steps and information are taken.

Laws Against Child Marriages in Pakistan

Although Pakistan has rules to stop child marriages, these laws are not approved in every situation. In addition, problems occur when religious laws are in conflict with those provided by the state.

Child Marriage Restraint Act (1929)

This is one of the oldest laws in South Asia made to prevent child marriages. In Saudi Arabia, the law says that girls may get married at 16 and boys at 18. Parents or religious leaders who contribute to child marriages will be sent to jail by the law. However, because of strong cultural values and a lack of public awareness, the law is often violated (Javed & Mughal, 2020).

Sindh Child Marriage Restraint Act (2013)

This law increased the legal marriage age to 18 for both boys and girls. It also decided that jail time and charges would be given to offenders. It is one of the stronger laws in Pakistan, but some religious groups still oppose it, which affects enforcement. Punjab Child Marriage Restraint (Amendment) Act (2015): Punjab also updated the law to raise the marriage age for girls to 18 (Manzoor, 2022).

Punjab Child Marriage Restraint (Amendment) Act (2015)

Punjab also updated the law to raise the marriage age for girls to 18. It made punishments stricter, too. However, in rural areas, old customs continue to control marriage practices, making the law hard to apply (Karim et al., 2019).

Islamic traditions and culture significantly influence Pakistan's laws

Those against the age restriction believe that marriage after puberty is acceptable in accordance with their interpretations of religion. Because of this, there is a legal conflict between religious beliefs and state laws. Traditional practices like "Watta Satta" and "Vani" also support child marriage, even though they are illegal (Rana et al., 2022).

Challenges in Enforcing Anti-Child Marriage Laws in Pakistan

Despite having laws, Pakistan finds it hard to apply them because of issues related to society, culture, and institutions.

Enforcement and the Work of the Courts

Law enforcement is not reliable, and many flaws exist in court procedures. In many cases, the laws forbidding child marriage are not appropriately enforced. It is mainly because there isn't enough political will, there's a lot of corruption, and law enforcement agencies don't have enough training. In many rural communities, police officers and judges may hesitate to move against child marriage as it is accepted there. Many of these officials are influenced by local customs, and they don't act because they don't know enough about these sensitive

cases or don't have the resources to handle them. It makes the justice system less effective when it comes to young girls (Anam, [2024](#)).

Religious Interpretations and Opposition from Clerics

Since religion is central to Pakistan's culture, many people from the clergy can influence community beliefs and laws. Many clerics are against setting a legal minimum age for marriage, arguing that Islamic law allows marriage once a girl reaches puberty. Due to this belief, it is challenging to decide on the legal age of marriage and enact laws banning child marriage. As a consequence, people who oppose child marriage often use religion as an argument, which makes it challenging to apply the rules.

Social and Cultural Norms

Believing mothers should obey their husbands is a common reason for arranging child marriages in Pakistan. In many places, early marriage serves to preserve the family's reputation and provide for its finances. In many communities, girls are seen as a financial burden, and marrying them off young is seen as a way to pass that responsibility to the husband's family. Because of these beliefs, society strongly opposes laws that could end child marriage. Being accepted by the community matters more to some families than complying with the laws against child marriage, making it difficult to enforce those laws.

Lack of Awareness and Education

A large part of Pakistan's population, especially in rural areas, doesn't know about the laws against child marriage and what they mean (UNICEF, [2023](#)). Many people miss the importance of this and marry off young girls because they believe there is no other life for them. Without education, girls often can't stand up for themselves, and their families might feel that marrying them off early is the only way to secure their future.

Poverty and Economic Tensions

Many financial challenges in Pakistan lead young people to seek early marriage. Families struggling with money might marry off their daughters to have one less person to support. In many cases, families see marriage as a financial deal, where the girl's dowry is a way to ease their money problems. The fact that women often don't have economic independence makes this worse, as many girls are married off without their agreement and can't easily resist pressure from their families (Habib et al., [2024](#)).

Opportunities for Strengthening Anti-Child Marriage Laws in Pakistan

Child marriage in Pakistan is so common that the solution must address the issue from various angles. It is essential to improve the laws, help communities know about them, ensure they are enacted, and financially assist the families involved. They may shape people's minds, enhance legal protection, and give assistance to lower the rate of child marriage in the nation.

One primary method to combat child marriage in Pakistan is by passing new laws. A minimum age of 18 for marriage nationwide is necessary since marriage laws in different provinces lead to inconsistent enforcement. If the federal and provincial laws were the same, everyone in Pakistan would be treated equally by law. It's also crucial to close any legal loopholes that allow for religious exceptions. Some explanations of

Islamic law suggest that marriage is permitted for a girl once she becomes a woman, leading to troubles with the law. Strengthening the legal system would make sure that religious or cultural reasons don't go against the government's laws, providing more explicit rules for law enforcement and discouraging early marriages.

It is also essential to educate people living in the community through specific programs. Obsolete traditions in many places lead to daughters being married without parents fully realizing the unfavorable effects this has on their well-being, schooling, and future opportunities. Running national initiatives for parents, religious leaders, and the wider community can help change people's views. These campaigns should teach communities about the legal consequences of child marriage and promote girls' education as a way to delay marriage. Those who have been educated as girls tend to marry at an older age and do good for society. If these positive aspects are explained, this can help families choose education before getting married.

Training for police officers and judges is needed to help enforce laws against child marriages. Officers should respond to incidents related to child marriage and be aware of related cultural circumstances. A trusted system for monitoring child marriage must be set up. It would help officials to act quickly and ensure everyone is accountable. If monitoring is used, risks can be tracked and addressed with suited approaches.

Helping Women and Families Financially: Financial problems that influence child marriage should be addressed. The reason many people marry off their daughters is because they lack financial resources. If help is given by providing funds for families who send their daughters to school, many pressures can be reduced. They could provide scholarships, direct money to students, and tools to lessen the expense of learning. Creating more job training programs for young girls is necessary as well. Helping girls earn an income helps prevent them from entering marriage at an early age. Learning new skills in a job program builds girls' confidence and strength for the future.

Discussion

The research paper titled "The Impact of Child Marriages on Girls' Rights in Pakistan: A Legal Analysis." It really digs into the current legal, social, and policy issues surrounding child marriage in Pakistan. You know, it's interesting — despite having laws like the Child Marriage Restraint Act from way back in 1929, along with some updates from different provinces, child marriage still occurs. It's kind of surprising. There's such a massive gap between what the laws say and how people really live their lives every day. Honestly, it's a serious issue that deserves way more focus than it currently receives.

When you really think about it, factors like traditions, religious beliefs, and economic hardships make enforcing these laws a real challenge. This article does a fantastic job of breaking it down—showing how child marriage robs girls of their fundamental rights, like access to education, healthcare, and the opportunity to stand on their own two feet financially. And it's not just about those rights being taken away; it makes these girls more vulnerable—more likely to face domestic violence, reproductive health issues, and, well, just a cycle of poverty with barely any opportunities to break free from it. It's heartbreaking, really.

It points out clearly that the current laws in Canada, at all levels, allow for some room for polygamy to continue. The article highlights that when we discuss human rights, we quickly see that policies should be the same and should consider community involvement. The study's suggestions, like making religious interpretations agree with child protection laws, training law enforcement, and starting community awareness

programs, offer a well-rounded, step-by-step way to deal with the issue. Additionally, using economic incentives to delay marriage demonstrates that poverty is a leading reason. The article, in short, covers girls' rights in Pakistan and offers practical guidelines to help change the law, spread awareness, and develop organizations to combat child marriages.

Conclusion

One of the most significant barriers to gender equality and fundamental rights in Pakistan is child marriage. Despite a number of laws, loose enforcement, religious groups, and issues in society continue to support it. When girls are married before they turn 18, they often experience poor health, abuse, and poverty, so key groups need to address this. The research indicates that to really cut down on child marriages, we need some profound changes. I'm talking about revamping laws, launching educational initiatives to raise awareness, and making a concerted effort to boost women's economic status. If we can make laws easier to enforce, educate the public, and involve scholars in the conversation, we could actually see a drop in early marriages in Pakistan. With ongoing policy efforts and some social shifts, Pakistan can take real strides toward safeguarding girls' rights. Imagine a future where they can truly thrive and reach their full potential.

Recommendations

1. Set 18 as the minimum age for legal marriage for all people in the country: It should be 18 for both boys and girls everywhere.
2. Introduce harsher penalties for anyone involved in setting up child marriages.
3. Educate large groups in rural areas by carrying out big-scale awareness events.
4. Speak with religious leaders to explore methods for Islam to uphold the laws that safeguard children.
5. Require all girls to attend high school so that they can gain more education: Make it mandatory for girls to go to secondary school.
6. Support families by giving economic reasons for them to put off arranging marriages for their daughters.
7. Ensure that police and other law enforcers are able to spot and stop child marriages.
8. Set up child protection units in rural areas to prevent children from becoming married at an early age: Create unique groups in rural areas that work to prevent early marriages.
9. Arrange for fast proceedings through the use of special courts for child marriage cases.
10. Partner with international organizations such as UNICEF to introduce and use the best practices for preventing child marriage.

Research Limitations

While this research is significant, there are some points to remember when using it. It is challenging to study how child marriage affects girls in Pakistan. Many cases of violence are ignored because society fears exposing it and because laws are not properly executed. You know, it's pretty tough to get a clear picture of child marriage when the official stats don't really reflect how often it happens. And then there's the whole issue with laws—it's a mixed bag because different regions and social groups have their own rules. Take Sindh,

for example. Their laws are stricter compared to a lot of other provinces in Pakistan. But, with all the religious and traditional influences at play, even new laws can have a hard time making an impact.

there's a lack of long-term studies tracking girls, which makes it really hard to grasp the lasting social, economic, and psychological effects of child marriage. Most of the research out there is based on interviews and observations, but honestly, those findings might not really apply to everyone. Looking ahead, it would be great to see legislation and policy backed by research that pulls from different fields and really digs deep into the cases. That's how we can start to make real progress.

Research Implications

What researchers discovered about child marriage really matters for the laws, policies, and society in Pakistan. It turns out that there's a pressing need for national legislation that applies universally—like raising the minimum marriage age to 18. And hey, it's not just about setting the age; we also need to beef up enforcement. That's crucial. Since the laws we have, such as the 1929 Child Marriage Restraint Act, are rarely enforced, it is obvious that stricter rules and harsher punishments are required to reduce child marriage.

Prevention of child marriage should be included in teaching, health care, and community programs. It stresses that more information should be shared to help people understand the problems with this custom. Socially, the research emphasizes that it's necessary to empower girls through education and economic opportunities to break the cycles of poverty and inequality between genders. In the future, it would be helpful to measure the effectiveness of new laws and adjust the ways information is collected and shared to support the interests of vulnerable girls.

Future Research Directions

The impact of child marriage on Pakistani girls should be further studied by following them for a long time to measure its long-term results in their lives. Analyzing child marriage laws from different provinces may reveal the effectiveness of the law in each region by looking at how strict Sindh's rules are compared to others. It makes sense for researchers to look into how religious and cultural traditions shape law enforcement. Paying attention to local customs and the influence of religious leaders on society could help in making better legal decisions.

And hey, we can't overlook the numbers here! We really need to dive into some data and run detailed surveys to find out if laws against child marriage are being flouted in various areas. Plus, it's crucial for experts to really dig into how different programs and community efforts influence how these laws are enforced. Addressing these points could help us improve the rules and the strategies we employ to fight against child marriage. It's all about making a real impact.

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