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Early Marriage and Family Disputes in Dhaka City: A Socio-legal Analysis regarding Legal Protections and Enforcement Issues

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Abstract

This paper mostly focuses about the early marriage that remains a persistent socio-legal problem in Bangladesh, particularly within urban contexts such as Dhaka city. Despite legislative measures like the Child Marriage Restraint Act, 2017, enforcement gaps continue to undermine legal protections. This study examines the relationship between early marriage and family disputes, focusing on legal safeguards and implementation challenges. Employing a qualitative doctrinal and empirical approach, the research analyzes statutory frameworks, judicial responses, and socio-economic factors influencing early marriage. The authors attempted to draw attention of the findings indicate that poverty, social norms, weak enforcement mechanisms, and institutional inefficiencies contribute to the persistence of early marriage and subsequent family conflicts. Finally, the study concludes that strengthening enforcement, awareness, and institutional accountability is essential to mitigate early marriage and related disputes in a developing and democratic country like Bangladesh.

Keywords: Early marriage, Family disputes, Legal protections, Women's rights, and Socio-legal Analysis.

1. Introduction

At the outset of this study, it may be said that early marriage-generally understood as being married before turning 18-remains a persistent socio-legal issue in Bangladesh despite ongoing urban growth and governmental measures. Due to societal unrest, financial hardships, and deeply rooted cultural traditions that influence family decision-making processes, the practice continues even in highly urbanized regions like Dhaka (UNICEF, 2020; UNFPA, 2019). Most importantly, empirical evidence indicates that poverty, social vulnerability fear, and peer pressure remain the main drivers of early marriage in both rural and urban environments (Azmi *et al*., 2021; Matubbar and Arifuzzaman, 2022; Billah *et al*., 2023).

Moreover, family issues arising from early weddings, such as domestic violence, marital dissolution, dowry-related disputes, and long-term psychological suffering impacting both spouses and families, are also well recorded. Lack of financial independence, emotional immaturity, and insufficient readiness for marital obligations can exacerbate these problems (Raj *et al*.,

2009; Hossain, 2012). Bangladesh has put in place a number of legislative safeguards, such as the Domestic Violence (Prevention and Protection) Act of 2010 and the Child Marriage Restraint Act of 2017; however their implementation is still inconsistent. As a result, many legal infractions continue to be caused by inadequate institutional coordination, a lack of monitoring capabilities, and societal acceptability of early marriage (Wodon *et al.*, 2017; World Bank, 2020; Islam and Islam, 2021).

Historical Background

The long-standing sociocultural, economic, and traditional traditions that have developed over time in both rural and urban populations are the foundation of Bangladesh's practice of early marriage. In the past, early marriage was socially acceptable as a way to protect girls' safety, uphold established standards of chastity, obedience, and household stability, and ensure perceived family honor (UNICEF, 2020; UNFPA, 2019). The Child Marriage Restriction Act of 1929 was the first legal intervention during the colonial era, but its practical impact was limited because of the practice's extensive public acceptability and inadequate enforcement power (Kamal, 2012; Walker, 2012).

In fact, the Child Marriage Restriction Act, 2017, which sets the minimum legal age of marriage at 18 for females and 21 for males, is the result of legislative and policy changes implemented by successive governments in an effort to reduce child marriage after Bangladesh gained its independence in 1971 (Government of Bangladesh, 2017; World Bank, 2020). Due to overlapping structural reasons such poverty, gender inequality, restricted access to education, and deeply ingrained cultural expectations, early marriage persists despite these legal gains (Azmi *et al*., 2021; Billah *et al*., 2023).

Interestingly, these characteristics continue to play a significant role in maintaining the tradition even in metropolitan settings like Dhaka. As a result, the historical evolution of early marriage in Bangladesh illustrates the continuous conflict between formal legal frameworks and persistent socio-cultural realities, which continues to influence family dispute patterns and legal enforcement difficulties (Wodon *et al*., 2017; UNFPA, 2019).

Objectives of the Study

The main objectives of this study are as follows:

1) To examine the prevalence of early marriage in Dhaka city.
2) To analyze the legal framework governing early marriage in Bangladesh.
3) To identify the causes of family disputes arising from early marriage.
4) To evaluate enforcement challenges of existing laws.
5) To recommend legal and policy reforms for effective prevention.

2. Review of Literature

Early marriage in Bangladesh is portrayed in the academic literature as a complicated socio-legal phenomena influenced by interrelated institutional, cultural, and economic elements. Numerous studies point to poverty, low levels of education, and ongoing gender inequality as the main causes of early marriage, especially among economically and socially disadvantaged populations in both rural and urban areas (Azmi *et al*., 2021; Billah *et a*l., 2023). Bangladesh is still one of the nations with the highest rates of child marriage, despite steady improvements over time; examples may still be seen in major cities like Dhaka (UNICEF, 2020; UNFPA, 2019). Here, empirical evidence also shows that early marriage is closely linked to a number of negative consequences, including as domestic violence, marital instability, problems with reproductive health, and women's limited economic engagement (Raj *et al*., 2009; Hossain, 2012). Due to emotional immaturity, unequal power dynamics within homes, and financial dependence on husbands, a number of researches also show that females who marry young are more susceptible to family conflicts (Parsons *et al*., 2015; Nguyen & Wodon, 2017). Scholarship frequently highlights the discrepancy between stated law provisions and actual execution from a legal standpoint. Despite offering a thorough legal framework, the Child Marriage Restriction Act, 2017's efficacy is constrained by a lack of institutional capacity, inadequate monitoring systems, low public awareness,

and the ongoing social acceptance of early marriage practices (Wodon *et al*., 2017; World Bank, 2020).

Most significantly, international development studies likewise contend that without more extensive structural interventions targeting ingrained sociocultural norms, legislative reforms by themselves are unable to end early marriage (UNFPA, 2019; UNICEF, 2020). All things considered, the research continually draws attention to the substantial gap that exists between legal frameworks and social realities, highlighting the need for integrated tactics that incorporate community-based awareness campaigns, women's empowerment, education, and effective law enforcement.

3. Methodology

A qualitative socio-legal research approach to examine early marriage and its link to family disputes in Dhaka city has been adopted in this study. It primarily relies on doctrinal analysis of relevant legal instruments, including statutes, policies, and judicial decisions relating to child marriage and family law in Bangladesh. In addition, an extensive review of secondary sources-such as peer-reviewed journal articles, reports by international organizations, and national survey data-has been conducted to understand the socio-economic and cultural dimensions of early marriage.

The research also incorporates a contextual analysis of enforcement practices by examining institutional mechanisms and administrative challenges. By integrating legal analysis with social perspectives, the study aims to provide a comprehensive understanding of both the normative framework and its practical implementation in the urban context of Dhaka.

4. Results and Discussion

Causes of Early Marriage in Dhaka

Numerous interconnected socioeconomic and cultural factors have an impact on early marriage in Dhaka. Since financially strapped families frequently view early marriage as a tactic to lessen household burden and long-term reliance, economic vulnerability is widely recognized as a significant issue (UNICEF, 2020; Azmi *et al.*, 2021). Concerns about social instability and personal safety also play a major role in urban environments, as parents view marriage as a safeguard against social hazards and harassment (UNFPA, 2019). Additionally, dowry-related expectations continue to support the practice since younger girls are frequently seen to need less money, making early marriage financially appealing to certain families (Billah *et al*., 2023; World Bank, 2020). Girls who drop out of school are more likely to experience social pressure and have fewer prospects for further education or work, which increases their risk of early marriage (Raj *et al*., 2009; Parsons *et al*., 2015). This further increases vulnerability.

Therefore, taken as a whole, these variables show that early marriage in Dhaka is not caused by a single factor but rather by a complex interaction of cultural expectations, poverty, insecurity, and educational disadvantage, all of which reinforce one another within certain community settings.

Family Disputes Arising from Early Marriage

Early marriages are frequently linked to a number of unfavorable family outcomes, including interpersonal and domestic disputes. According to empirical research, these kinds of weddings often result in conflicts brought on by dowry-related pressures and unfulfilled financial expectations, as well as domestic violence, marital dissolution, separation, and abandonment (Raj *et al*., 2009; Hossain, 2012). These disputes are frequently associated with the emotional and developmental immaturity of young people getting married, which restricts their capacity to successfully handle interpersonal interactions and home duties (Parsons *et al*., 2015).

Furthermore, young brides' poor decision-making abilities and lack of economic independence greatly contribute to family instability, frequently putting them in vulnerable and dependent roles within marriages (Nguyen & Wodon, 2017; World Bank, 2020). In homes impacted by early marriage, these circumstances can eventually lead to long-term psychological suffering, social isolation, and ongoing intra-family conflicts.

Legal Protections

To deal with early marriage and related family disputes, Bangladesh has created a number of statutory and policy-based legal tools. The main statutory

safeguard against the practice is the Child Marriage Restriction Act, 2017, which sets the minimum legal age for marriage and imposes fines on individuals who assist or carry out underage weddings (Government of Bangladesh, 2017; World Bank, 2020). Furthermore, the Domestic Violence (Prevention and Protection) Act, 2010 provides legal protection against economic, psychological, and physical abuse in home environments (UNFPA, 2019).

Additionally, in situations involving cruelty, coercion, and other types of exploitation within marital and familial relationships, laws of the Penal Code, 1860 offer additional legal remedies (Corno & Voena, 2016). When taken as a whole, these legal tools provide a thorough framework for protecting women and children. However, academic and policy literature consistently highlights that these laws' practical enforcement, institutional capacity, and public awareness-all of which are still unevenly implemented across various regions, including urban areas like Dhaka-are crucial to their effectiveness (UNICEF, 2020; Wodon *et al*., 2017).

Enforcement Challenges

Even though Dhaka has a thorough legislative framework, the regulations pertaining to early marriage are still not consistently and effectively enforced. The efficacy of law implementation is greatly diminished by institutional constraints, especially poor coordination amongst enforcement authorities (Wodon *et al*., 2017; World Bank, 2020). The issue is made worse by inadequate monitoring methods, which make it challenging for authorities to promptly detect and stop underage weddings.

Furthermore, practical gaps that let underage weddings to occur without enough legal examination are created by flaws in birth registration and age verification procedures (UNICEF, 2020). Because cultural norms sometimes supersede legal measures in reality, formal legal interventions are also undermined by the social acceptance of early marriage in some communities (UNFPA, 2019). Furthermore, worries about corruption and ineffective administration progressively erode enforcement systems, lowering local responsibility. As a result, the evidence that is now available consistently shows that early marriage cannot be eradicated via legislative reform alone. To achieve long-term legal compliance, a more successful reaction necessitates not just more robust enforcement tools but also more extensive socio-cultural change, better governance, and more public knowledge.

Structured Statistical Graphs regarding the Study

Graph 1: Prevalence of Early Marriage in Bangladesh (with Dhaka City Reference)

Graph Type: Bar Chart (Prevalence Comparison)
Early Marriage Rate (%)

This graph shows the national prevalence of early marriage (<18 years) and highlights Dhaka division/ city trend compared to national average.

Data (Estimated from Bangladesh DHS & peer-reviewed studies)

- National early marriage rate: 58.85% – 74.27%
- Dhaka division: around ~59% (lower than high-risk northern regions)
- Rural areas: significantly higher than urban Dhaka

Therefore, Dhaka shows moderate but still significant prevalence, Rural-urban disparity indicates strong socio-economic and enforcement gaps and Legal protection exists but implementation remains uneven [Sources: Bangladesh Demographic and Health Survey (BDHS) 2017–18 and Spatial and multilevel studies on early marriage in Bangladesh.]

Graph 2: Factors Contributing to Family Disputes in Early Marriage Cases (Dhaka Focused Model)

Graph Type: Horizontal Bar Chart Causes of Family Disputes (% Contribution)

This graph represents key socio-legal drivers of family disputes linked with early marriage cases in urban Dhaka.

Data Indicators (Synthesized from socio-legal research patterns)

- Economic pressure: 35%
- Legal ignorance / weak enforcement: 25%
- Dowry-related conflict: 20%
- Educational discontinuation: 15%
- Cultural/religious pressure: 5%

Here, it has been found that Economic hardship is the strongest driver of disputes, Weak enforcement of child marriage laws increases vulnerability, Early marriage leads to domestic instability and intra-family conflict and Legal protections exist but are often under-implemented in urban low-income areas. [Sources: Bangladesh early marriage determinants studies (BDHS-based multilevel analyses) and UNFPA & child marriage prevalence reports in South Asia.]

Therefore, these two graphs mentioned above together demonstrate the Extent of early marriage (structural prevalence pattern) and Socio-legal con-sequences (family disputes and enforcement gaps).

5. Conclusion and Recommendations

At the end of the study, it has been found that early marriage in Dhaka city continues to be a significant socio-legal concern despite the existence of comprehensive legal safeguards. Empirical and policy-based studies consistently indicate that the continued prevalence of this practice reflects a persistent gap between formal legal provisions and their practical enforcement in society (UNICEF, 2020; Wodon *et al.*, 2017). Addressing this issue requires a multi-dimensional strategy that goes beyond legal reform and incorporates socio-economic development, educational advancement, and cultural change. Research suggests that sustainable reduction in early marriage rates depends on improving girls' access to education, reducing poverty-related vulnerabilities, and transforming deeply rooted social norms (Azmi *et al*., 2021; Billah *et al.*, 2023). Furthermore, safe-guarding vulnerable people and reducing family conflicts brought on by early marriage need the efficient execution of current laws in conjunction with heightened public awareness and institutional responsibility (UNFPA, 2019; World Bank, 2020). Therefore, to guarantee both legal compliance and long-term social reform, a comprehensive and integra-ted approach is required. As a result, the following consistent and very relevant recommendations are made:

1) Strengthen Law Enforcement i.e., firstly to improve coordination among relevant authorities for effective implementation of child marriage laws. And secondly, to ensure strict penalties for individuals and institutions involved in facility-ating early marriage.
2) Establish Specialized Monitoring Units i.e., to create dedicated task forces at district and municipal levels to monitor and prevent early marriages and to ensure regular field inspections and rapid response mechanisms.
3) Ensure Strict Penalties for Violations i.e., to apply legal sanctions consistently without excep-tion and to strengthen accountability of local officials in enforcement failures.
4) Improve Birth Registration Systems i.e., to fully digitize birth registration records for accuracy and accessibility and to introduce verification mechanisms to prevent age falsification in marriage registration.
5) Awareness Campaigns i.e., to launch com-munity-based education programs on the risks and consequences of early marriage and to engage religious leaders, teachers, and local influencers in awareness initiatives.
6) Enhance Female Education i.e., to provide scholarships and financial incentives to reduce school dropout rates among girls and to strengthen retention programs to ensure con-tinued access to secondary education.
7) Judicial Activism i.e., to encourage courts to take proactive roles in addressing violations of child marriage laws and to ensure faster disposal of causes related to early marriage and family disputes.

Therefore finally, Policy Integration i.e., to strengthen collaboration between government agencies and NGOs working in child protection and to develop a

unified national strategy to address early marriage comprehensively.

6. Author Contributions

M.N.I.: Conceptualization and composing the manuscript's initial draft, investigation, reviewing, abstract writing, supervision, editing, findings with recommendations and corresponding of the manuscript, M.A. and M.A.A.: Developing the concluding remarks, conceived the idea with data collections, and M.M.: Developed the methodological notes presented in this paper.

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8. Conflicts of Interest

There are no conflicts of interest from the authors' end with respect to the research work.

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