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# TRAFFICKED IN THE NAME OF TRADITION: UNVEILING THE REALITY OF BRIDE TRAFFICKING

-Vidhika Chaudhary, Lavanya Bhatt & Shashwat Bharadwaj<sup>1</sup>

“Mainu le gaya pardesi, na poochhe kithon aayi”<sup>2</sup>

*The outsider took me away, and no one asked where I came from*

The above text describes the situation and story of thousands of women taken away from their homes, sold and bartered by families, used and manipulated by strangers, forced by poverty or circumstances, into the lives they never wanted. While other aspects of human trafficking exist, bride trafficking remains the most overlooked and least understood despite its deep roots in the complex web of Indian society. While human trafficking is to use humans for bonded labour, forced begging, and sexual exploitation, bride trafficking is to use girls for reproductive and domestic purposes where the abuse they face is masked under marriage in the name of tradition or economic hardships of the families. It is often legitimised by caste, tradition, custom, and patriarchy.

In areas where the female sex ratio is dangerously low due to female foeticide and infanticide<sup>3</sup>, women are frequently bought and transported across state borders in exchange for money to meet the demand for wives. These women, often minors or of rural and vulnerable backgrounds, are bartered or sold and robbed of their identities; they are forced to live with strangers who become their husbands with no consent, freedom, mobility, or basic human rights. Once sold, they are subjected to lifelong abuse in the name of a sacred bond, with no social status, family to go back to and legal protection. These women are often used for reproductive purposes only and are forced to engage in sexual acts with the brothers of their husbands in some regions, as they are seen as a measure to fulfil their sexual needs. The fact that marriage is used as a legal cover to operate bride trafficking in the shadows makes it more dangerous, as no one can suspect the threat under the sacred social contract made to bring two souls together. Victims are rarely counted as trafficked persons, and the culprits hide behind the

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<sup>2</sup> is an adapted version inspired by Punjabi folk songs and laments (known as suhag or ghorian) traditionally sung by women during weddings or farewells.

<sup>3</sup> *Female Foeticide and Female Infanticide*, VIKASPEDIA (n.d.), <https://socialwelfare.vikaspedia.in/viewcontent/social-welfare/women-and-child-development/child-development-1/resources-on-safe-childhood-for-panchayat-members/female-foeticide-and-female-infanticide?lgn=en> (last visited July 15, 2025).

socially accepted designation of 'husband'. They are protected by gaps in law and take advantage of the societal indifference. The lack of focused legal provisions and normalisation by society makes bride trafficking quietly spread like a disease. It grows secretly, hidden by privacy and old customs.

This paper explores factors that lead to bride trafficking and the absence of law regarding it. Poverty, lack of education, societal pressure, and conflicts are key factors that push women and girls towards trafficking networks. On the other front, the need for a wife as a reproductive or domestic subject and not as a partner satisfies society's patriarchal ego. These “purchased brides” are treated as property and are only brought for labour, to give birth to male child and serve the rest of the family by all means including sexual favours to other males of the family. They are raped, forced into pregnancies and face severe mental trauma that is ignored by the family, and isolation from outsiders make it impossible to seek help or find a shoulder to rely upon. In regions like Assam, Jharkhand and Chhattisgarh<sup>4</sup> families face severe economic hardships, girls are only seen as a financial burden and are prime suspects of traffickers who promise a future of beautiful marriage and a better life for the girl and lure the families into with money in exchange of the girl when in reality it is an elaborate trap of an inhuman life. In the districts of Haryana and Rajasthan<sup>5</sup>, where there is a chronic shortage of women, bride trafficking is seen as the best method for marriage. Such brides, known as Paro or molki, are brought for reproductive purposes to give the family a next of kin. In parts of western Uttar Pradesh, the phrase "Jaat ke aayi, jaatni keh laiye" is commonly used. This saying implies that a girl marrying into a Jaat family loses her former identity and is solely recognised by her new marital status. This phrase is said with the intention of justifying the practice in society. It's believed that in the Balasore region in Odisha, a bride can be sourced for trafficking in 12 hours. This phenomenon is primarily due to the financial hardships of the families and the higher number of girls in the community.

Even with international legal frameworks such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW<sup>6</sup>) and the Palermo Protocol 2000<sup>7</sup>, which dictate that

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<sup>4</sup> *Assam Next to Only 2 States in Human Trafficking*; NCRB, THE SENTINEL (Oct. 31, 2020), <https://www.sentinelassam.com/cities/guwahati-city/assam-next-to-only-2-states-in-human-trafficking-ncrb-508973> (last visited July 15, 2025); *The Unspoken Epidemic of Human Trafficking in Jharkhand*, OUTLOOK INDIA (Mar. 5, 2024), <https://www.outlookindia.com/national/the-unspoken-epidemic-of-human-trafficking-in-jharkhand> (last visited July 13, 2025).

<sup>5</sup> Aarti Dhar, *In Male-Dominated Haryana, Rajasthan, Cross-Regional Brides Are Deprived of Rights*, *The Hindu* (Oct. 18, 2016), <https://www.thehindu.com/news/national/other-states/In-male-dominated-Haryana-Rajasthan-cross-regional-brides-are-deprived-of-rights/article12340404.ece> (last visited July 10, 2025).

<sup>6</sup> Convention on the Elimination of All Forms of Discrimination Against Women, U.N. WOMEN, <https://www.un.org/womenwatch/daw/cedaw/cedaw.htm> (last visited July 15, 2025).

<sup>7</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol), UNODC, <https://www.unodc.org/unodc/en/organized-crime/intro/UNTOC.html> (last visited July 1, 2025)

participating states eliminate all forms of trafficking and exploitation of women, the implementation of the same in India remains weak and inconsistent. Despite being a signatory to these conventions, India fails to establish strong laws in the context of bride trafficking. A significant lack of legal provisions makes it difficult for victims to fight for their rights. The recently enacted criminal code of India Bharatiya Nyaya Sanhita, BNS 2023 excludes bride trafficking as an offence and only covers the trafficking of a person for prostitution or ransom<sup>8</sup>. In many cases, police officers fail to even identify brides as victims and treat them as illegal migrants. The judiciary also has shown limited sensitivity towards trafficked brides, as the conviction rates are extremely low, with only two or three convictions a year<sup>9</sup>, and most case laws are focused on child trafficking and human trafficking. India's criminal justice system lacks a survivor-centric approach to bride trafficking. Legal reforms are required to define bride trafficking as a crime and a violation of human rights. Brokers, middlemen and even family members are to be treated as criminals and should be punished accordingly if not India will continue to fail women and girls, whose lives are priced by vultures in the face of husbands. Without dedicated legal reform and mandatory reporting of the crime, traffickers will continue to seek opportunities in the pain of families and the greed of society.

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<sup>8</sup> *Human Trafficking in India: Emerging Trends and Issues*, BUREAU OF POLICE RESEARCH AND DEVELOPMENT, MINISTRY OF HOME AFFAIRS, GOV'T OF INDIA 9 (Feb. 2024), <https://bprd.nic.in/uploads/pdf/202402240442135776652HumanTrafficking.pdf> (last visited July 15, 2025).

<sup>9</sup> Annie Kelly, *India's 'Brides for Sale': Desperate Indian Women Trafficked for Marriage*, THE GUARDIAN (Dec. 17, 2014), <https://www.theguardian.com/global-development/2014/dec/17/india-bride-trafficking-foeticide> (last visited July 15, 2025).