



The Persistence Of Child Marriage In Traditional Authority(T/A) Kawinga, Machinga District, Malawi: A Qualitative Analysis Of Socio-Cultural And Policy Implementation Gaps

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ABSTRACT :

This research assessed the persistent high girl child marriage rate despite government, community and Non-governmental Organization's interventions in T/A Kawinga, Machinga District Malawi. Despite the enactment of the Marriage, Divorce and Family Relations Act(2015) which sets the minimum marriage age at 18, Malawi maintains one of the highest rates of child marriage rates globally. This study investigates the socio-cultural and policy level factors that sustain the practice in T/A Kawinga, Machinga District, a high -prevalence region.

A qualitative case study design was employed. Data were collected through in-depth interviews with 20-25 adolescent girls aged 14-18 who had experienced child marriage, focus group discussions with the parents, and key informant interviews with the community leaders, NGOs, and government officials(total N=55-65). Data were analyzed using thematic analysis.

The study reveals a critical disconnect between legal frameworks and local realities. Key findings include: High community awareness of the law's prohibition of child marriage, indicating that ignorance is not a primary driver; Early pregnancy acts as a direct catalyst for marriage; Deeply entrenched cultural traditions including matrilineal system ("Mwini Mbumba"), initiation ceremonies, and the practice of "Chiswa Mazira" (where a man marries his daughter), are primary sustaining factors; Severe poverty and parental neglect create conditions where marriage is rationalized as an economic strategy.

The study concluded that the persistence of child marriage is not a failure of law but of its implementation. Current interventions are insufficient against powerful socio-cultural and economic currents. Effective strategies must move beyond legal awareness to directly engage cultural power structures, address economic desperation, and redefine community-based protection systems. Policy and programming require a paradigm shift towards context-specific, culturally-informed approaches.

Keywords: Child marriage, Malawi, Cultural practice, policy implementation, qualitative research, gender-based violence

1. Introduction

Child marriage, defined as a formal or informal union where at least one party is under 18 years of age, is recognized as a critical human rights violation with profound implications for girls' health, education, and socio-economic development (UNICEF, 2021). In Malawi, the progressive Marriage, Divorce and Family Relations Act (2015) legally established 18 as the minimum age of marriage, positioning the country with a stronger legal framework than some of its neighbours (Government of Malawi, 2015). Despite this, national prevalence remains alarmingly high, with 42% of girls married before their 18th birthday, ranking Malawi among the top five countries in Africa for child marriage (Girls Not Brides, 2023).

This stark contradiction between law and practice highlights a significant implementation gap, particularly in rural districts. Machinga District exemplifies this challenge, consistently reporting one of the highest rates of child marriage in the country (Ministry of Gender, Community Development and Social Welfare, 2020). The district's persistent high prevalence, despite being a focus area for numerous governmental and non-governmental interventions, makes it a critical case for investigating the underlying sustaining factors.

Existing literature identifies broad drivers such as poverty, cultural norms, and weak enforcement mechanisms (Walker, 2015; Munthali & Zulu, 2007). However, a granular understanding of how these factors interact and manifest within a specific, high-prevalence local context remains underexplored. This study addresses this gap by conducting a focused qualitative analysis of the socio-cultural, economic, and policy-related drivers of child marriage in T/A Kawinga, Machinga District. The research aims to generate evidence to inform the design of more effective, localized, and culturally-responsive intervention strategies.

2. Literature Review

The discourse on child marriage emphasizes its role in perpetuating cycles of poverty and gender inequality. Globally, research identifies a complex interplay of economic hardship, patriarchal norms, and limited educational opportunities as key drivers (UNFPA, 2020). In the Sub-Saharan African context, including Malawi, studies point to the significant influence of cultural traditions and initiation rites that prepare girls for marriage shortly after puberty (Munthali & Zulu, 2007).

While legal reform is widely advocated as a primary solution, scholarship increasingly notes the limitations of a purely legislative approach. Effective implementation is often hindered by deeply ingrained social structures, customary laws that contradict statutory law, and a lack of political will at the local level (Walker, 2015). This study is situated within this critical perspective, seeking to understand not just the "what" but the "how" and "why" behind the resilience of child marriage in the face of legal prohibition.

3. Methodology

3.1 Research Design

This study employed a qualitative case study design. This approach was selected for its utility in providing an in-depth, contextualized understanding of a complex real-life phenomenon the persistence of child marriage within its natural setting (Machinga District).

3.2 Participants and Sampling

A purposive sampling strategy was used to recruit participants who could provide rich, context-specific insights. The final sample consisted of 55-65 participants, including:

- 20-25 adolescent girls (aged 14–18) with lived experience of child marriage
- 15 parents or guardians of affected girls
- 8-10 community leaders (Traditional Authorities and village chiefs)
- 10-12 key informants from NGOs, government child protection services, and school systems

3.3 Data Collection

Data were collected through semi-structured in-depth interviews (IDIs) and focus group discussions (FGDs). IDIs were conducted with the girls and key informants; three FGDs were held with parents and community leaders. All sessions were audio-recorded, transcribed, and translated from Chiyao/Chichewa to English. Documentary review of district reports and NGO documents provided secondary data for triangulation.

3.4 Data Analysis

Thematic analysis, following the framework of Braun and Clarke (2006), was used to analyze the data. The process involved familiarization with the data, generating initial codes, searching for themes, reviewing themes, and defining and naming themes.

3.5 Ethical Considerations

Ethical approval was obtained from relevant institutional boards. Informed consent, including parental consent and minor assent, was secured. Confidentiality was maintained through pseudonyms and secure data storage.

4. Findings and Discussion

4.1 High Legal Awareness Contrasted with Cultural Primacy

A foundational finding was the near-universal awareness among participants that child marriage is illegal. As one key informant stated, "Child marriage is a crime in Malawi and is punishable according to the laws of Malawi" (Participant A). This finding critically challenges the assumption that persistence is primarily due to ignorance, redirecting focus toward the power of socio-cultural norms that override legal knowledge.

4.2 The Interlocking Drivers of Persistence

4.2.1 Early Pregnancy as a Catalytic Trigger: Pregnancy was a direct and immediate driver, with marriage framed as a solution to manage shame and economic burden. One participant explained, "After discovering that I was pregnant, I had no choice but to get married because my pregnancy meant more problems for my parents and family" (Participant K).

4.2.2 The Overpowering Influence of Cultural Systems: Cultural norms were the most significant sustaining factor.

- The Matrilineal System ("Mwini Mbumba"): The authority of the wife's brother often superseded the father's, influencing decisions about a girl's marriage against paternal wishes.

- Initiation Ceremonies: These rites conferred adult status, irrespective of chronological age. A participant noted, "When girls are out of the initiation ceremony, they see themselves as adults... This mentality pushes girls to get married early" (Participant A).
- Chiswa Mazira: This practice, where a man marries his own daughter to retain family wealth, represents a stark example of cultural norms directly contravening national law and human rights principles (Participant B).

4.2.3 Economic Rationalization of Marriage: Severe poverty led families to view marriage as an economic strategy. Participants reported parents influencing daughters to marry men with resources, while girls sought relationships to obtain material goods.

4.3 Limitations of Current Interventions

While participants were aware of interventions like school bursaries and awareness campaigns, these were perceived as insufficient. Their impact was diluted by a failure to address the foundational cultural and economic drivers, demonstrating a need for more integrated and structurally-aware approaches.

5. Conclusion and Recommendations

This study concludes that the persistence of child marriage in Machinga District is a symptom of the limited reach of national law into the complex socio-cultural fabric of local communities. Legislation, while necessary, is insufficient without strategies that directly confront the cultural and economic logics that sustain the practice.

The study recommends a fundamental re-orientation of intervention strategies:

1. Engage Cultural Governance Structures: Develop programs that work directly with Traditional Authorities and religious leaders to reform harmful aspects of cultural practices from within.
2. Integrate Economic and Social Interventions: Combine girls' education initiatives with robust, sustainable livelihood programs for families to reduce economic pressures that drive child marriage.
3. Strengthen Local Accountability: Enhance the capacity and resources of local child protection systems, including community child protection workers and mother groups, to provide a responsive and culturally-competent safety net.
4. Promote Community-Led Dialogue: Facilitate critical community conversations about the reinterpretation of traditions in ways that uphold the rights and futures of girls.

Future research should explore comparative case studies with lower-prevalence districts and longitudinal studies to assess the long-term impact of culturally-engaged intervention models.

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