



Perspectives on Modes of Marital Dissolution and Children's Access to Parental and Kin Social Support

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Abstract

Marital dissolution is highly prevalent in Malawi, yet little is known about how different pathways of separation shape children's access to parental and kin-based support. This study explores the lived experiences of children and mothers in rural Zomba District, focusing on the consequences of informal dissolution processes and perceptions of formal alternatives. In-depth interviews were conducted with ten mothers and five children who had experienced marital breakdown. All separations were resolved informally through community structures. These pathways were preferred due to accessibility, cultural legitimacy, and limited marriage registration, but offered minimal protection for children. Participants described disrupted schooling, financial hardship, and profound emotional distress. Support from paternal kin was largely absent, while maternal kin assistance was inconsistent and constrained by poverty and stigma. Although Malawi's legal framework provides stronger protections, it remains underutilized in rural areas. Integrating culturally embedded informal processes with enforceable legal mechanisms is essential to safeguard children's well-being.

Introduction

Marriage has long been recognized as a fundamental institution through which societies organize reproduction, kinship, and the socialization of children (Therborn, 2004). In Malawi, similar to many contexts in Sub-Saharan Africa, marriage is embedded within wider kinship and community systems rather than being limited to the married couple alone. Extended family members, operating within lineage-based kinship systems, are actively involved in child-rearing and household support, while customary authorities such as village heads, traditional chiefs, and clan elders provide oversight and guidance in family matters, collectively contributing to children's emotional care, material assistance, and social development (Therborn, 2004).

However, in Malawi, marital dissolution is both common and persistent. Recent demographic analyses drawing on nationally representative DHS data indicate that approximately 45% of first marriages dissolve within 15–24 years (John & Nitsche, 2022). Consistent with this pattern, Mclean (2024) finds that roughly 23% of first unions dissolve within the first four years, and only about 58% of young women's first marriages remain intact by the fifth year. Earlier studies similarly document high levels of marital instability. For example, Reniers (2003) reported that about 40% of first marriages in rural Malawi ended in divorce within the first 20 years. These high

levels of marital dissolution constitute a major disruption to children's foundational support systems, increasing their risk of emotional distress, insecurity and social instability.

Scholars suggest that the implications of marital dissolution for children's wellbeing depend significantly on the mode of dissolution (D'Onofrio and Emery, 2019; Mwambene, 2012). In Malawi, marriages typically end through formal legal channels or through culturally sanctioned mechanisms mediated by community leaders or traditional marriage mediators (*ankhoswe*) (Mwambene, 2012; Grant & Soler-Hampejsek, 2014). These parallel systems can have distinct implications for children's care and access to kin support. Mwambene (2012), for example, notes that formal legal divorce clarifies which parent has custody and legal responsibility for the children, thereby clarifying parental duties. However, court decisions prioritize the child's best interest, often emphasizing the nuclear parents' rights and responsibilities over customary family expectations (Mwambene, 2012). As a result, extended relatives such as grandparents, aunts and uncles who traditionally participate in childcare may be less formally involved or even distance themselves from the child when the outcome does not align with family expectations (Mwambene, 2012). In contrast, separations mediated through culturally embedded mechanisms such as chiefs, clan elders, or family mediators (*ankhoswe*) often maintain or strengthen the involvement of extended family and community networks, as these processes operate within kinship and community structures that continue to guide post-separation caregiving (Bertrand-Dansereau & Clark, 2016; Mwambene, 2012)). However, informal separations may lack legal mandates for childcare and parental support as guardianship typically follows customary marriage systems (matrilineal or patrilineal) (Chae, 2016; Mwambene, 2012). This implies that, if the family responsible for a child under these systems is unable or unwilling to provide care, and the extended family does not step in, the child's access to parental and kin support becomes uneven, placing them at greater risk.

However, despite this well-documented prevalence of marital dissolution in Malawi (John & Nitsche, 2022; Grant & Soler-Hampejsek, 2014; Reniers, 2003; Mclean, 2024; Clark & Brauner-Otto, 2015) and the potentially diverse implications of different modes of dissolution for children's social support and outcomes (Mwambene, 2012; Chae, 2016; D'Onofrio & Emery, 2019), research on how the mode of dissolution – formal legal divorce versus informal separation – affects children's access to parental and kin-based support in Malawi remains limited. Marital dissolution in Malawi has been associated with negative outcomes for children, including disruptions in caregiving arrangements, emotional distress, reduced schooling attainment, and instability in living arrangements (Chae, 2016). Yet, little is known about whether informal marital separation and formal legal divorce differently influence children's access to social support and care. Furthermore, the ways in which these dissolution pathways shape extended kin support and caregiving dynamics following marital breakdown remain underexplored.

This study seeks to address these gaps by examining the lived experiences and perspectives of women who have undergone marital dissolution, focusing on how different pathways influence children's access to parental and kin support. Drawing on women's accounts of both informal and formal dissolution, the study explores which pathways are perceived as more effective in safeguarding or restoring children's support systems and the motivations underlying the choice of dissolution pathway. It provides insights into how children and families navigate marital breakdown in Malawi, highlighting variations in support from parents and extended kin across formal and informal contexts and identifying barriers children face in accessing adequate care under each system. The findings offer practical guidance for policymakers, child welfare practitioners, and community leaders, pointing to areas where interventions are needed to strengthen child protection mechanisms.

Background

Marriage in Malawi is marked by high levels of instability, with marital dissolutions occurring frequently (John & Nitsche, 2022; Grant & Soler-Hampejsek, 2014; Reniers, 2003; Mclean, 2024; Clark & Brauner-Otto, 2015;

John and Nitsche, 2023; John & Adjiwanou, 2022). Using the Demographic and Health Survey data, John and Nitsche (2022) report that more than 45% of first marriages in Malawi end within 15 to 24 years, placing the country among those with the highest rates of first-union dissolution in sub-Saharan Africa (Clark & Brauner-Otto, 2015; John & Nitsche, 2022). Longitudinal research from rural Malawi further shows that many adults experience multiple marital transitions over their life course, including repeated dissolutions and re-partnering (Myroniuk et al., 2021; Grant & Yeatman, 2014; Grant & Soler-Hampejsek, 2014; Reniers, 2003).

A growing body of research highlights the adverse effects of marital dissolution on children's wellbeing in Malawi. Chae (2016) found that children of divorced parents complete fewer grades and face larger schooling gaps than those from intact families. Adjiwanou et al. (2021) similarly documented poorer educational outcomes among children in stepfamilies across SSA, including Malawi. Beyond educational impacts, Franklin and Makumbi (2024) identified psychosocial consequences for children of divorced parents, such as sadness, anger, confusion, and emotional insecurity. These disadvantages are often linked to disruptions in parental involvement and reduced financial or emotional support from non-custodial parents (Anglewicz & Reniers, 2014).

Although no study in Malawi directly examines how children's outcomes differ according to whether a marital dissolution occurs through formal legal divorce or informal customary separation, evidence from longitudinal and demographic studies suggests that the consequences for children may depend on the pathway of dissolution. This inference is supported by findings that divorce in Malawi can affect children's schooling and living arrangements (Chae, 2016; Grant & Yeatman, 2014), and that family and kinship arrangements influence access to support following marital instability (Myroniuk et al., 2021). These patterns are consistent with broader evidence that the context and nature of parental separation shape children's outcomes (D'Onofrio & Emery, 2019).

In Malawi, marriages may end through formal legal proceedings under statutory frameworks such as the Marriage, Divorce and Family Relations Act of 2015, or through informal customary mechanisms in which kin and traditional marriage advocates (*Ankhoswe*) mediate disputes and separations (socially ending the marriage even if it is not legally terminated) (Mwambene, 2012; Grant & Soler-Hampejsek, 2014). Formal divorce proceedings, regulated under frameworks such as the Child Care Protection and Justice Act (2010), are designed to establish clear custodial and financial responsibilities (Chirwa, 2016). These legal processes, as noted by Chirwa (2016), may safeguard children's wellbeing by ensuring structured parental involvement. Yet, they may also foster adversarial relationships that limit cooperation between parents and may reduce children's access to kin support (Mwambene, 2012). In contrast, informal separations within kinship systems emphasize collective responsibility and preserve ties to extended family, but they lack enforceable provisions and outcomes for children depend on how local kinship norms are applied (Mwambene, 2012; Chae, 2016; Bertrand-Dansereau & Clark, 2016).

At least two theoretical perspectives help explain these divergent pathways and their implications on children's access to parental and kin social support following marital dissolution in rural Malawi. First, Bronfenbrenner's (1979) Ecological Systems Theory highlights how children's wellbeing is shaped by interactions across multiple systems, from the family (microsystem) to broader cultural and institutional structures (macrosystem). In Malawi, formal divorces reflect the influence of state law at the macro level, while informal processes reflect the meso-level role of kinship and community in shaping caregiving arrangements. These overlapping systems affect not only the availability of material and emotional resources but also the stability of children's caregiving environments. Second, Bowlby's Attachment Theory (Bowlby, 2008) emphasizes the importance of stable, nurturing relationships with caregivers for healthy development. From this perspective, formal divorce with shared physical custody has been associated with more continuity of contact with both parents and more favorable child wellbeing outcomes compared with sole custody arrangements (Nielsen, 2018). Informal dissolutions that maintain kinship ties may preserve broader caregiving networks because extended family care is a common and

culturally embedded form of support for children outside parental care in Africa (Ariyo, Mortelmans & Wouters, 2018). Both systems, however, are constrained: formal custody arrangements often face practical enforcement and compliance challenges in real-world settings, while kinship-based arrangements operate under economic strain and the wellbeing of children in kinship care varies with the socio-economic resources of caregiving households (Nielsen, 2018).

In rural Malawi, where formal welfare systems are limited, extended families provide a crucial safety net for children of divorced parents. DHS data show that about 60% of children from dissolved unions live with maternal relatives (Malawi National Statistic Office, 2016), underscoring the cultural salience of kinship-based caregiving. Maternal remarriage is also closely linked to child fostering, further highlighting reliance on extended kin when family structures shift (Grant & Yeatman, 2014). Yet these arrangements are not always stable or sufficient. Relatives who take in children often face financial hardship, limiting their ability to provide consistent schooling, healthcare, and emotional support (Cotton, 2021). These dynamics underscore the importance of understanding how different modes of marital dissolution – formal legal versus informal customary – shape children’s access to parental and kin-based support. We therefore draw on the lived experiences and perspectives of women in Zomba, Malawi, who have undergone marital dissolution, to examine how pathways of dissolution influence children’s care and support, assess the perceived strengths and weaknesses of both formal and informal systems, and consider the broader implications for safeguarding children’s wellbeing in a context of high marital instability.

Data and Methods

This study employed a qualitative research design to explore perceptions of how different modes of marital dissolution influence children’s access to parental and kin social support in rural matrilineal communities in Zomba District. A qualitative approach was appropriate as it allowed an in-depth understanding of participants lived experiences and the meanings they attach to everyday social realities (Schutt, 2014). Data were generated primarily through in-depth interviews with mothers and children. These interviews were complemented by informal, non-participant observations. Observations were not guided by a structured tool; rather, they involved the researcher’s attentive noting of social interactions, household arrangements, caregiving practices and visible expressions of support or neglect as they occurred naturally. Observational notes were used to contextualize and enrich participants’ narratives rather than serving as a standalone source of data.

The research was conducted in two rural matrilineal communities in Zomba District, Thom Allan and Gilibati. These communities were selected for their accessibility and relatively high population densities, which increased the likelihood of identifying eligible participants. This study focused exclusively on matrilineal communities to enable an in-depth exploration of participants’ experiences within a manageable scope. While including patrilineal communities could have provided additional insights, logistical and financial constraints prevented their inclusion. Consequently, the findings primarily reflect dynamics within matrilineal settings.

The study population comprised mothers and children. Although fathers were initially considered, they were excluded due to cultural norms in these matrilineal settings. In particular, fathers typically reside in their wives’ villages during marriage but return to their natal villages following marital dissolution, while children remain in the maternal household. At the time of data collection, many fathers were therefore physically absent from the communities where the children resided and had limited post-separation involvement. Given this context, the study focused on mothers as primary caregivers and children as direct recipients of support, who were the most accessible and relevant participants for examining children’s everyday access to parental and kin-based support after marital dissolution.

The study initially targeted twenty-two participants; however, practical constraints, including participant availability, resulted in a final sample of fifteen, comprising ten mothers and five children aged ten to seventeen years. Despite the smaller sample, the data were rich and detailed, with recurring patterns emerging across participants' accounts. Given the study's focused scope and the relatively homogeneous nature of the study population, the achieved sample size provided sufficient and relevant data to address the study objectives.

Data collection was conducted over six days during school holidays, allowing children to participate in a familiar home environment and to ensure assent was obtained from their parent or guardian. Multiple qualitative methods were used to capture rich insights into participants' experiences. Individual, in-depth interviews were conducted with mothers to explore their experiences of marital dissolution and its effects on children's access to parental and kin support. Each interview followed a semi-structured guide with open-ended questions, enabling mothers to discuss their experiences in their own words while ensuring key topics were addressed. Children participated using guided storytelling techniques, including third-person narratives, in which they were asked to describe experiences as if narrating the story of another child in a similar situation. This approach allowed them to share sensitive experiences comfortably without directly personalizing potentially distressing events, while prompts and guiding questions ensured relevant experiences were captured and the narratives flowed naturally. Structured observations were conducted to complement verbal data, focusing on interactions, caregiving practices, and household arrangements. Although no formal checklist was used, the researchers followed a predefined framework based on the study objectives to ensure consistent attention to key aspects of the social environment relevant to parental and kin support. Observations were recorded as detailed field notes, enriching participants' narratives and providing contextual insights. All interviews and storytelling sessions were audio-recorded with participants' consent, and field notes were maintained systematically throughout the data collection process.

Audio recordings were securely stored in an encrypted folder on a password-protected device, with backup copies kept in password-protected email accounts accessible only to the researchers. Transcripts were produced verbatim to capture participants' responses in full. Data were analyzed manually using thematic analysis following Braun's (2012) six-phase framework, which involves familiarization with the data, generating initial codes, identifying and reviewing themes, defining and naming themes and producing the final report. Themes were identified deductively, guided by the study's objectives and research questions. Deductive coding involved applying pre-determined codes based on the study framework and relevant literature to identify recurring patterns and interpret participants' experiences. This approach was well suited to explore complex social processes surrounding marital dissolution and children's access to parental and kin support.

Ethical approval for this study was obtained from the University of Malawi Research Ethics Committee (UNIMAREC). Participation was voluntary and participants were informed of their right to withdraw at any time without consequences. Informed consent was obtained from the parent and children provided assent prior to participation. For children, assent was obtained by explaining the study in age-appropriate language and confirming that they understood they could choose not to participate. Confidentiality and anonymity were maintained using unique identifiers in data analysis and reporting (e.g., PM001 for mothers, PC001-F/M for children). Child-friendly methods, such as third-person questioning and storytelling, were employed to minimize potential distress while facilitating rich data collection.

Our study has some limitations worth noting. The matrilineal context necessitated the exclusion of fathers, limiting the exploration of paternal support perspectives. Additionally, the final sample size was smaller than initially planned – fifteen participants instead of twenty-two – primarily due to participant unavailability. Nevertheless, the data collected provided important insights into participants' perceptions and narratives regarding how different pathways of marital dissolution shape children's care and support.

Results

All participants in this study experienced separation through informal, community-based processes. Nevertheless, it was possible to gain insights into how formal divorces may shape parental and kin support following dissolution by documenting participants' perceptions and observations of friends and extended family members outside their communities who had pursued court-based divorces. While we acknowledge the inherent bias of relying on second-hand accounts, this approach provides valuable perspectives on potential differences in children's access to support under formal versus informal dissolution pathways.

Accordingly, the findings focus on children's experiences within informal separations, including disrupted schooling, emotional distress, and inconsistent support from parents and relatives, while also documenting the perceived influence of formal divorces on similar outcomes. Results are presented in three stages: first, describing children's lived experiences; second, presenting participants' perceptions of separations relative to formal legal divorces; and finally, highlighting patterns of support from extended family. These comparisons are based on participants' experiences and perceptions rather than direct observations of court-sanctioned divorces, reflecting community-level understandings of how different pathways may affect children's access to support.

Children's Experiences Following Marital Separation and Perceived Outcomes of Divorce

Children whose parents experienced separation through informal, community-based processes described multiple disruptions to their education. Many reported being sent home from school due to unpaid fees, lacking basic learning materials or missing school for extended periods, which increased the risk of grade repetition. For example, one child explained: *"Sometimes I have to stay home from school because there is no money for fees"* (PC001-F). Another child noted: *"I do not always have books or pens for school. I have to share with my siblings and sometimes I cannot do homework"* (PC004-M). A third child highlighted repeated absences: *"I missed several weeks last term because my mother could not pay school fees. I am worried I might repeat the grade"* (PC006-F). Mothers confirmed these experiences, emphasizing the challenges of covering school expenses alone. One mother shared: *"My 15-year-old daughter has been staying at home this whole term because she was sent back for school funds. She is more likely to repeat again this year, just like last year. What I want most is for her to be educated, even without her father, as he does not support her"* (PM003).

In contrast, participants shared their perceptions and reflected on their observed cases of parental divorce outside their immediate families and community to understand how children fare in formal divorce processes. Women noted that children whose parents pursued court-sanctioned divorce often had more structured financial support from fathers, which sometimes reduced school disruptions, though challenges remained in cases where maintenance was irregular or delayed. For example, one mother noted that *"My friend, who went through a formal divorce with her ex-husband, shared that although he doesn't give as much as he used to, it's still enough to cover the children's basic needs. At least her children don't go without, unlike other children whose fathers provide nothing like my ex-husband"* (PM010). This aligns with Malawi's statutory frameworks, which are designed to establish custodial responsibilities and child maintenance under formal legal proceedings (Malawi, 2010; Malawi 2015).

Emotional and psychological distress emerged as a prominent theme in children's accounts. Children described feelings of sadness, anxiety and loss following the absence of their fathers after separation. For example, one child said: *"I feel sad when I think about how things used to be with my dad. Sometimes I just want him to be here, but he got married again and will never return"* (PC005-F). The child's mother confirmed these experiences, highlighting her daughter's emotional insecurity and concern: *"Why doesn't Dad talk to me anymore? Did I do something wrong?"* (PM005). To provide a comparison, mothers also shared observations and perceptions of

children whose parents had pursued court-based divorce based on friends or acquaintances from other rural communities. These mothers reported that children in formal divorce cases generally had basic needs met, such as school fees and food, which reduced some practical stressors. However, they observed that emotional distress could still be present, as reported by the children or inferred from their behaviors. For instance, one mother shared: *"I know my friend's child she is a girl whose parents went to court. She seems less worried about school because her father provides support, but I have heard from her mother that she sometimes feels sad"* (PM012). Another mother explained: *"A friend's son whose parents divorced through court rarely misses school, yet I am told he sometimes feels lonely or anxious because his father is not fully present"* (PM014). A third mother reported: *"I know a child whose parents had a court divorce. He receives school fees from his father, but I have heard he still worries about not having a father at home"* (PM016). These narratives highlight both children's lived experiences and mothers' observations and perceptions, illustrating that while informal separation often combines emotional distress with unmet basic needs, formal divorce may secure practical support, but emotional challenges can persist. These findings align with Bowlby's Attachment Theory, which emphasizes that disrupted or inconsistent caregiving can affect children's emotional well-being, social relationships and engagement in learning.

Informal Versus Formal Pathways of Dissolution

The second objective of this study was to examine how the mode of marital dissolution shaped parental support outcomes. Although none of the participants had pursued court-led divorce, their narratives illuminated the barriers to formal processes and the consequences of relying exclusively on informal mechanisms.

Participants frequently cited the legal ambiguity of customary unions as a key barrier to formalizing divorce through court proceedings. As one mother reflected,

"We never registered our marriage in the first place... people discouraged me, saying I will not be helped since the court does not consider us as a married couple. I actually wanted to go to court so the father could be ordered to support the child, but people told me it's useless if the marriage wasn't legal" (PM004).

For others, the inaccessibility and cost of courts shaped their decision.

"The court is too far from where we stay. You need transport, and when you arrive, they tell you to come back another week. With the chief, we resolved it in one sitting. It was simple, fast, and fair" (PM002).

Some participants also felt that legal recourse would be futile where fathers lacked income. As one mother explained, *"Even if I went to court, he would not have been able to assist because he had no job. I felt it would only bring more problems, not solutions"* (PM007).

Although these accounts highlight the accessibility and cultural resonance of informal pathways, they also reveal their limitations in securing children's welfare. Mothers consistently reported that *ankhoswe* or chiefs emphasized resolving marital disputes rather than enforcing child support. As one mother put it, *"Ankhoswe only help in resolving marital issues and do not focus much on supporting children. After they confirm the separation, they don't follow up on whether the children are being supported"* (PM010). Another mother regretted not pursuing legal recourse: *"Looking back, I realize that if I had gone to court, I might have gotten help for my children. Neither father nor their relatives support the children. I carry the burden alone"* (PM001). These findings underscore the paradox of informal dissolution: while accessible, it leaves mothers without enforceable mechanisms to secure consistent financial support, in contrast to the provisions outlined under Malawi's Marriage, Divorce and Family Relations Act (2015).

Kin-Based Support Following Informal Dissolution

The third objective of this study was to assess how kin-based support differed between formal and informal separation. Since all participants had experienced informal separation, their accounts revealed that kin networks, both maternal and paternal, were often unreliable sources of support. Contrary to expectations in matrilineal communities, maternal kin provided little sustained assistance. Some women reported initial help that soon faded, while others faced rejection. One woman who left an abusive marriage explained: *“When I went back home, my mother just said, ‘You are bringing shame to us.’ It hurt me deeply and I decided to look for a rented house. Now I survive with my children through piecework”* (PM013).

These accounts suggest that stigma and poverty undermine kin support where informal dissolution was pursued. Women who separate are sometimes perceived as bringing shame to the family, leading relatives to distance themselves, while even supportive kin may be limited by financial constraints, making sustained assistance difficult. These findings align with research showing the weakening of extended family safety nets under modern pressures (Clark et al., 2024; Radey, 2018). Paternal kin support was virtually absent. Fathers’ families often severed ties following separation, citing poverty or shifting blame onto mothers. One participant shared: *“His family told me I was free to move on. Since then, they never helped with the children. They said they are also struggling and cannot add my children to their burden”* (PM005). Such responses reveal how informal processes leave paternal kin unaccountable for children’s welfare.

Overall, the findings demonstrate that while informal separation is accessible and culturally embedded, it can undermine children’s welfare by failing to guarantee parental or kin support. Children face disrupted schooling and deep emotional distress; mothers are left with disproportionate caregiving burdens and kin support is inconsistent, often constrained by stigma and poverty. Although Malawi’s Marriage, Divorce and Family Relations Act (2015) provides more robust protections, these remain underutilized in rural areas due to structural, economic and cultural barriers.

Discussion and Conclusion

This study focuses on children’s access to parental and kin-based social support following marital dissolution in rural matrilineal communities in Zomba District, based on the experiences of mothers and children who underwent informal separation mediated through community-based structures such as *ankhoswe* and village chiefs. Although none of the participants had personally pursued court-based divorce, their narratives revealed shared understandings and observations of formal legal dissolution drawn from experiences within their wider social networks. These perceptions shaped how women assessed their options following marital breakdown and influenced decisions to rely on informal processes. The absence of direct cases of legal divorce reflects the limited accessibility and familiarity of statutory institutions in rural areas where distance, costs and uncertainty surrounding the legal recognition of customary unions discourage engagement with formal courts. Examining informal separation within this context provides insight into how children’s care and support are negotiated in settings where informal mechanisms remain the primary and often only pathway through which marital dissolution is managed.

The findings indicate that informal marital dissolution exposes children to significant material and educational disadvantages. Disruptions to schooling were a common experience, with children describing repeated absences, lack of basic learning materials and being sent home due to unpaid school fees. Mothers frequently spoke of the strain of meeting educational costs on their own, particularly in the absence of consistent financial support from fathers. These patterns mirror earlier evidence linking marital dissolution to poorer educational outcomes for children in Malawi (Chae, 2016) and across sub-Saharan Africa (Adjiwanou et al., 2021). From an ecological

systems perspective, the lack of enforceable parental responsibility at the institutional level directly shapes household conditions, limiting children's access to resources necessary for sustained educational participation and development.

In addition to material hardship, children's accounts revealed substantial emotional and psychological strain following parental separation. Through third-person storytelling, children expressed feelings of sadness, loneliness and uncertainty related to the absence of their fathers. Mothers reinforced these observations, noting changes in their children's emotional wellbeing and the difficulty of meeting these needs without broader support. These experiences reflect the importance of stable caregiving relationships emphasized in Bowlby's Attachment Theory and are consistent with research documenting psychosocial challenges among children in families affected by marital dissolution in Malawi and similar contexts (Franklin & Makumbi, 2024).

Although informal pathways of marital dissolution are culturally legitimate and more accessible than formal court processes, the findings point to clear limitations in their ability to secure consistent child support. Ankhoswe and traditional leaders were primarily concerned with resolving spousal disputes, with little emphasis on monitoring children's welfare once separation had been confirmed. Consequently, mothers assumed disproportionate caregiving and financial responsibilities, while fathers' obligations toward their children remained largely unenforced. In contrast, formal court-based divorce was widely perceived by participants as a process that could establish clearer custodial and financial responsibilities, particularly through child maintenance orders. However, these perceived protections were often viewed as difficult to access or enforce in rural settings due to distance, costs, uncertainty surrounding the recognition of customary unions and fathers' limited economic capacity. Similar patterns have been documented across sub-Saharan Africa, where informal dispute resolution mechanisms are widely used but rarely ensure sustained child support (Button et al., 2016). This reveals a central tension within informal systems: while they are readily available and socially embedded, they lack the authority and enforcement mechanisms required to protect children's long-term wellbeing.

Among mothers who experienced informal separation, kin-based support was often unreliable. Some received short-term help from maternal relatives, but most described little or no sustained assistance, limited by poverty and local expectations. Families sometimes distanced themselves, saying women had "brought shame to the family" by leaving their marriage. Paternal relatives were largely absent from caregiving. In contrast, formal divorce under Malawian law is designed to clarify parental responsibilities and provide mechanisms for child support, but these legal protections were largely inaccessible to participants in rural areas. These findings suggest that while kinship networks remain important (Radcliffe-Brown & Forde, 2015), their ability to safeguard children after informal separation is constrained by economic, social and cultural factors (Bigombe & Khadiagala, 2004; Nyambedha, 2004).

Although informal methods of ending marriages are common and culturally accepted in rural Malawi, they do not create legally enforceable obligations for child support. In many communities, people rely on traditional authorities because formal courts are often distant, costly and slow, even though there is general confidence in the judiciary (Afrobarometer, 2024). Customary forums resolve conflicts through negotiation but cannot mandate child maintenance payments (International Development Law Organizations, 2023). Evidence from legal pluralism research suggests that gaps between informal and formal systems can be narrowed by providing community education on legal rights, establishing clear referral mechanisms from traditional leaders to statutory courts and training customary authorities to recognize cases requiring formal enforcement (Svensson & Wood, 2021). Policies could be made more concrete by introducing standard child maintenance guidelines, mechanisms to track compliance and accessible channels for caregivers to seek legal remedies when informal arrangements

fail. Initiatives such as Malawi's e-Court demonstrate how digital tools can expand access to formal justice and support the connection between statutory protections and local practices (UNDP, 2024).

Our study shows that informal marital dissolution is the most commonly used pathway in rural Malawi, but it often leaves children without clear or consistent support. Mothers continue to carry most caregiving responsibilities, while child support is rarely clarified or enforced. Improving child protection in situations of marital breakdown requires better coordination between informal and formal systems. Rather than handling child support matters themselves, customary authorities such as *ankhoswe* and village leaders could direct cases involving children to statutory courts, where maintenance responsibilities can be formally determined. Giving priority to such cases within the court system may help reduce delays and additional costs for caregivers. In this way, informal structures can guide families toward formal protection, while courts remain responsible for enforcing children's rights.

These findings point to the need for strengthening child support arrangements in contexts where marital dissolution is largely managed through informal community-based systems. Although the Marriage, Divorce and Family Relations Act (2015) provide clearer guidance on parental responsibilities, its use in rural areas remains limited by low legal awareness, distance to magistrate courts and slow case processing. Bridging this gap requires clearer operational links between customary dispute resolution and statutory mechanisms. Traditional marriage mediators could be supported to formally refer cases involving children to district magistrate courts or district social welfare offices, rather than attempting to resolve child maintenance informally. At the same time, magistrate courts could prioritise cases involving children from dissolved unions to reduce delays that currently discourage rural families from seeking formal remedies. Where children experience schooling disruption or basic material hardship, district social welfare officers, in collaboration with education offices and child-focused NGOs, could provide targeted, short-term support without assuming that all children from separated families face the same level of vulnerability. Together, these measures offer a realistic pathway for strengthening child protection in rural Malawi, while respecting existing community practices.

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