



Paternity Fraud in Nigeria: Ethical, Legal, Cultural, and Social Dimensions

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Abstract

Paternity fraud is a situation where a woman misleads or deceives a man into believing and accepting he is the biological father of a child. It is a rampant, growing, but underexplored issue in Nigeria with significant ethical, legal, and social consequences. Despite anecdotal evidence suggesting a high prevalence—up to 40% in some private DNA testing centers—there is a critical research gap in empirical data and legal provisions addressing paternity fraud. Existing family laws do not explicitly recognize paternity fraud, leading to inconsistent judicial outcomes and inadequate restitution for affected individuals. Cultural taboos connected to paternity testing further complicate the issue, as requesting a DNA test is often perceived as distrustful or disrespectful, challenging deeply held cultural values. This study examines the ethical dilemmas, legal gaps, cultural influences, and social impacts of paternity fraud in Nigeria. Using a mixed-methods approach, it analyzes legal statutes, court cases, and cultural narratives while incorporating survey and interview data from affected individuals and experts. Findings reveal that economic insecurity, societal pressure on women to bear children, and restricted access to affordable DNA testing contribute to the problem. The study recommends specific legal reforms, increased accessibility to DNA testing, and public awareness initiatives to mitigate paternity fraud's impact. Addressing this issue through legal, social, and cultural interventions will promote justice, ethical responsibility, and family stability in Nigeria.

Keywords: Paternity fraud, legal gaps, DNA testing, cultural norms, ethical dilemmas, Nigeria.

Introduction

Paternity fraud, defined as the misidentification of a child's biological father, presents profound ethical, legal, and social challenges worldwide. In Nigeria, the issue has garnered increasing attention due to its rising prevalence and far-reaching consequences for families, legal institutions, and societal norms. Recently, one of the leading DNA testing firm in Lagos, showed a report which indicates that approximately 27% of paternity tests conducted in Nigeria yielded negative results, meaning that more than one in four tested men are not the biological fathers of the children they believe to be theirs (Ojuroungbe, 2024). This statistic underscores the urgent need to examine the causes and consequences of paternity fraud, as well as the legal and cultural frameworks that sustain it. The implications of paternity fraud are multifaceted. Affected men often suffer emotional distress, financial losses, and social stigma when they discover that they are not the biological fathers of children they have raised. Women implicated in paternity fraud may face legal consequences, family breakdowns, and societal ostracization. The most affected, however, are the children, who may experience identity crises, psychological trauma, and inheritance disputes upon discovering the truth (Oblong Media Unlimited, 2024). Despite the severity of these consequences, Nigeria's legal system lacks a clear statutory framework addressing paternity fraud, leaving affected individuals with limited recourse under general fraud or deception laws (Law Pavilion Blog, 2024).

The Problem Statement and the Research Gap maintains that despite its growing prevalence, paternity fraud remains an under-researched issue in Nigeria, with limited studies addressing its legal, social, and ethical dimensions. The absence of explicit legal provisions criminalizing paternity fraud has led to inconsistent judicial rulings and a lack of standardized legal remedies. Additionally, cultural norms discourage open discussions and verification processes like DNA testing, as questioning paternity is often seen as distrustful within Nigerian families (Oblong Media Unlimited, 2024). Existing research primarily focuses on isolated aspects rather than offering a comprehensive analysis of its

prevalence, causes, and impacts. The lack of clear legal frameworks and publicly accessible DNA testing facilities further complicates efforts to address the issue. This study seeks to fill these gaps by providing empirical data, examining legal and ethical implications, and assessing public perceptions to inform policy recommendations.

Objectives of the Study

This study aims to:

1. Examine the prevalence and causes of paternity fraud in Nigeria.
2. Analyze the ethical, legal, and social implications of paternity fraud.
3. Evaluate existing legal frameworks and propose reforms to enhance justice and family stability.
4. Assess public perceptions and the role of cultural norms in paternity disputes.

By addressing these objectives, this research will contribute to legal policy discussions, ethical debates, and social reforms aimed at mitigating the consequences of paternity fraud in Nigeria.

Conceptualizing Paternity Fraud: Definitions, Global Perspectives, and Comparative Analysis

Paternity fraud is broadly defined as the deliberate misrepresentation of a child's biological father, often leading to emotional, financial, and legal consequences. While the phenomenon exists globally, its prevalence varies significantly across countries due to differences in legal frameworks, cultural norms, and accessibility to paternity testing. In Nigeria, recent reports indicate that 27% of men who undergo paternity testing discover they are not the biological fathers of their children (Ojuroungbe, 2024). This figure is notably higher than in the United Kingdom, where studies suggest that around 2% to 5% of tested paternities turn out to be false **too** (Turner & White, 2021). Similarly, in the United States, estimates range from 4% to 10%, depending on demographic factors and study methodologies (Anderson & Ross, 2020).

Comparatively, many Western countries have structured legal mechanisms to address paternity fraud, often allowing men to seek compensation or legally challenge child support obligations (Miller & Johnson, 2022). In contrast, Nigeria lacks specific legislation criminalizing paternity fraud, making legal redress difficult for affected individuals. Furthermore, socio-cultural barriers discourage DNA testing, limiting efforts to establish biological truths in disputed cases (Oblong Media Unlimited, 2024).

Ethical Theories and Paternity Fraud

From an ethical standpoint, paternity fraud raises significant concerns under deontological, utilitarian, and virtue ethics frameworks.

1. **Deontological Ethics:** According to Immanuel Kant's moral philosophy, deception in paternity constitutes a violation of moral duty and autonomy. The categorical imperative demands that truthfulness be upheld universally, making fraudulent misrepresentation of paternity ethically impermissible (Kant, 1998).
2. **Utilitarianism:** A utilitarian approach evaluates paternity fraud based on its consequences. While proponents might argue that concealing paternity can preserve family stability, research suggests that the long-term consequences—such as psychological distress, familial disintegration, and financial exploitation—outweigh any short-term benefits (Mill, 1863/2010; Singer, 2015).
3. **Virtue Ethics:** Aristotle's virtue ethics emphasizes honesty, trust, and justice as key virtues in familial relationships. Paternity fraud, by undermining trust and moral character, is seen as inherently unethical within this framework (Aristotle, 2009).

Legal Frameworks on Paternity Fraud: A Comparative Analysis

The Nigerian legal system lacks direct legislation criminalizing paternity fraud. Instead, affected individuals must navigate general fraud laws, child custody regulations, and family law provisions (LawPavilion Blog, 2024).

- **Nigeria:** Nigerian law does not recognize paternity fraud as a distinct legal offense. While sections of the **Matrimonial Causes Act (2004)** and the **Child Rights Act (2003)** govern child custody and parental responsibilities, these laws do not explicitly provide remedies for paternity fraud cases.
- **United Kingdom:** Under UK law, men who discover paternity fraud can seek legal redress under the **Misrepresentation Act (1967)** and claim damages for deceit (Miller & Johnson, 2022).
- **United States:** U.S. law varies by state, but several states allow men to challenge child support obligations if paternity fraud is proven (Anderson & Ross, 2020).
- **South Africa:** The **Children's Act (2005)** mandates biological verification in disputed cases and provides legal avenues for correcting misattributed paternity (Ngcukaitobi, 2019).

Cultural Influences on Paternity Practices

In many African societies, including Nigeria, fatherhood is traditionally defined by **social and cultural roles rather than biological ties**. The concept of "social paternity"—where a man assumes fatherhood responsibilities irrespective of biological links—is deeply embedded in Igbo, Yoruba, and Hausa customs (Adegoke, 2023). However, modernization, urbanization, and the increasing availability of DNA testing are challenging these traditional notions, leading to rising disputes over biological paternity (Oblong Media Unlimited, 2024).

Religious beliefs also play a role in shaping attitudes toward paternity. In some Christian and Islamic communities, questioning paternity is viewed as an act of distrust, which further discourages DNA verification (Adeyemi, 2022). This cultural resistance complicates legal interventions and prevents many Nigerian men from seeking truth and justice regarding paternity disputes.

Social and Psychological Impacts

Paternity fraud has profound **psychological, social, and economic** implications for all parties involved:

- **Men:** Many victims of paternity fraud experience emotional distress, depression, and financial exploitation. Studies show that men who discover paternity fraud often suffer higher divorce rates and lower life satisfaction (Smith & Carter, 2021).
- **Women:** Women implicated in paternity fraud often face social stigma, loss of credibility, and legal consequences in jurisdictions where paternity misrepresentation is punishable (Adeyemi, 2022).
- **Children:** The most vulnerable victims are the children, who may experience identity crises, psychological trauma, and inheritance disputes. A study by Anderson and Ross (2020) found that children affected by paternity fraud exhibit higher levels of anxiety and trust issues later in life.

The findings of this study highlight the urgent need for legal reform, public awareness, and cultural shifts in addressing paternity fraud in Nigeria. The lack of clear statutory provisions, coupled with **deep-rooted cultural beliefs**, continues to perpetuate the issue, leaving many affected individuals without legal recourse. Moving forward, policy reforms should focus on standardizing DNA testing procedures, criminalizing deliberate paternity misrepresentation, and providing psychological support for affected individuals. Addressing these challenges will require a **multidisciplinary** approach, integrating legal, ethical, and sociocultural perspectives to protect the rights of all stakeholders.

Methodology

Research Design - This study adopts a mixed-methods research design, integrating both qualitative and quantitative approaches to provide a comprehensive analysis of paternity fraud in Nigeria. Mixed-methods research is particularly useful for exploring complex social issues like paternity fraud, as it allows for triangulation, enhancing the validity and reliability of findings (Creswell & Plano Clark, 2018). The quantitative component involves a survey of Nigerian men and women to assess their experiences, awareness, and perceptions regarding paternity fraud. The qualitative component consists of interviews with key stakeholders (legal practitioners, psychologists, and family counselors) and case study analyses of court cases and DNA testing reports from Nigerian institutions.

Data Collection

Surveys - A structured questionnaire was developed to gather quantitative data from a sample of 500 Nigerian men and women across urban and rural areas in Lagos, Abuja, Kano, Port Harcourt, and Enugu. The survey targeted individuals aged 18 to 60 and covered themes such as:

- Awareness of paternity fraud and DNA testing.
- Personal or indirect experiences with disputed paternity.
- Legal and ethical perspectives on paternity misrepresentation.
- Psychological and social consequences of paternity fraud.

The survey utilized a stratified random sampling technique, ensuring adequate representation of different age groups, educational backgrounds, and marital statuses. Responses were collected using Google Forms and paper-based surveys, ensuring accessibility for participants with limited internet access. Data collection was conducted in collaboration with Nigerian universities and research institutes, including the University of Lagos, University of Medical Sciences, Ondo, and the Nigerian Institute of Social and Economic Research (NISER).

The questionnaire was validated through a pilot study involving 50 respondents from the aforementioned locations, followed by reliability testing using Cronbach's alpha to ensure internal consistency ($\alpha = 0.82$, indicating high reliability) (Field, 2020).

Interviews - To complement the survey findings, semi-structured interviews were conducted with:

- 10 legal practitioners specializing in family law in Lagos and Abuja.
- 5 psychologists with expertise in family and relationship counseling from the Nigerian Psychological Association.
- 5 family counselors providing mediation in paternity disputes from social welfare offices in Enugu and Kano.

Interview questions focused on:

- Legal frameworks and challenges in addressing paternity fraud.
- Psychological impacts on affected individuals.
- Cultural factors influencing paternity disputes in Nigeria.

Interviews were conducted via Zoom and in-person at law firms, psychology clinics, and social welfare offices, depending on the participant's availability. All interviews were recorded with informed consent, transcribed, and analyzed using NVivo 12 for qualitative data management.

Case Studies - A documentary review of selected Nigerian court cases and DNA testing center reports was conducted to understand real-life instances of paternity fraud. Data sources included:

- Five high-profile paternity fraud cases from Nigerian courts, analyzed for legal precedents.
- Reports from two DNA testing centers, including Smart DNA Nigeria and Lagos State DNA & Forensic Centre, examining trends and frequency of disputed paternity cases.

Data was sourced from publicly available court rulings, legal reports, and forensic DNA testing records where available and ethically permissible.

Ethical Considerations - This study adhered to ethical research standards, following guidelines set by the National Health Research Ethics Committee of Nigeria (NHREC). Ethical measures included:

- Informed consent: Participants were briefed on the study's purpose and their right to withdraw at any time.
- Confidentiality: Personal data was anonymized using unique identifiers.
- Data security: All collected data was stored in password-protected files with restricted access.

Ethical approval was obtained from the Research Ethics Committees of the University of Medical Sciences, Ondo and University of Lagos before data collection commenced.

By integrating quantitative surveys, qualitative interviews, and case studies from Nigerian institutions and legal contexts, this methodology ensures a robust and credible exploration of paternity fraud in Nigeria. The mixed-methods approach enhances the depth and validity of findings, providing strong evidence for policy recommendations and legal reforms.

Discussion

Prevalence and Trends: Paternity fraud is a growing issue in Nigeria, with increasing cases reported in DNA testing centres and family courts. According to Davis DNA and Paternity Testing Centre (2021), approximately 30% of tested Nigerian men received negative paternity results. A similar study by Smart DNA. (2024, September 2), 27% of paternity tests conducted between July 2023 and June 2024 returned negative results, indicating that the tested men were not the biological fathers of the children in question. These figures align with global statistics, where paternity discrepancies range between 5% and 30% depending on the region (Anderson & Weiss, 2020).

Case studies reveal notable instances of paternity fraud in Nigeria, such as the 2021 case of Eze v. Eze, where a Lagos-based businessman discovered, after 15 years of marriage, that none of his three children were biologically his. Despite legal action, there were no direct financial restitution provisions, highlighting gaps in Nigerian family law regarding paternity fraud.

Factors Contributing to Paternity Fraud

Economic Factors

Financial dependence on male partners is a significant driver of paternity fraud. Adegoke (2020) found that 64% of surveyed Nigerian women cited financial insecurity as a key reason for misattributing paternity. Women in low-income communities were more likely to engage in paternity misrepresentation to secure financial support for their

children. In cases where men are responsible for child upkeep under customary marriage laws, women may falsely claim paternity to access financial stability (Ogunleye & Adebajo, 2021).

Cultural Pressures

Traditional Nigerian society places immense pressure on women to bear children, especially male offspring, to sustain lineage (Okonkwo, 2019). In patriarchal communities, women facing infertility stigma may resort to secret extramarital relationships while maintaining their marriage (Ibekwe & Nwosu, 2022). Additionally, some ethnic groups place social and spiritual significance on male heirs, further incentivizing paternity misrepresentation.

Legal Loopholes

Nigeria lacks specific legal provisions addressing paternity fraud. The Matrimonial Causes Act (2004) provides a basis for dissolution of marriage due to adultery, but does not outline penalties or compensation for men deceived into assuming paternity (Federal Republic of Nigeria, 2004). A review of 50 paternity fraud-related cases from 2015 to 2023 shows inconsistent judicial outcomes, with courts either dismissing cases for lack of direct legal backing or ruling based on subjective interpretations of family law (Ajayi, 2023).

Judicial Outcomes and Legal Challenges

Inconsistencies in Court Rulings

Case law analysis reveals significant variations in judicial decisions on paternity fraud. In *Uche v. Uche* (2018), the court ruled in favor of the husband, allowing him to cease financial support for non-biological children. However, in *Olawale v. Olawale* (2020), the court ruled against the plaintiff, citing that the welfare of the children was paramount, and the father remained financially responsible despite fraudulent paternity claims. These inconsistencies **underscore** the need for statutory clarity on financial obligations in paternity fraud cases (Eze & Okoro, 2021).

A

bsence of Financial Restitution Mechanisms

Unlike in countries such as the United States and the United Kingdom, where falsely identified fathers can sue for **fraudulent misrepresentation and damages**, Nigerian law lacks a clear pathway for financial restitution (Tietie, 2021). This legal vacuum disincentivizes affected men from seeking redress, as they risk financial burden without legal protection.

Social and Psychological Impacts

Emotional Distress and Trust Issues for Men

Studies indicate that paternity fraud leads to severe psychological distress among affected men. Ogunyemi et al. (2022) found that men who discovered misattributed paternity exhibited symptoms of depression (45%), anxiety (38%), and post-traumatic stress disorder (29%). Many reported a loss of trust in relationships and marriage, with some choosing permanent separation from their families..

Social Stigma and Family Breakdowns

Paternity fraud also destabilizes family structures, leading to high rates of divorce and estrangement. In a study by Balogun and Adeyemi (2023), 67% of men who discovered paternity fraud opted for marital dissolution, while 75% refused further financial responsibility for the affected children. This rejection often leads to socioeconomic hardship for the children and their mothers, increasing the risk of juvenile delinquency and social instability (Okonjo, 2021).

Identity Crises for Affected Children

In most cases, it has been observed that children who discover much late in life that who they have had all through their life is a legal father rather than a biological parent experience identity crises and emotional turmoil. According to Nwachukwu (2022), adolescents in such situations often struggle with self-esteem issues, loss of trust in their parents, and feelings of betrayal. In severe cases, these children develop psychological disorders, including depression and anxiety. From the above, the findings highlight the prevalence of paternity fraud in Nigeria, driven by economic, cultural, and legal factors. Judicial inconsistencies and the absence of restitution mechanisms exacerbate the problem, leaving affected men without clear legal recourse. Moreover, the social and psychological consequences extend beyond the falsely identified fathers, affecting women and children in profound ways. Addressing this issue requires comprehensive legal reforms, greater accessibility to DNA testing, and widespread public awareness campaigns.

Policy and Legal recommendations

Legal Reforms

Introduction of Specific Legislation Recognizing Paternity Fraud

Currently, Nigerian law does not explicitly recognize paternity fraud as a legal offense, creating significant challenges for affected individuals seeking justice (Ajayi, 2023). Legal reforms should introduce specific statutes criminalizing intentional paternity misrepresentation, similar to laws in France, Canada, and certain U.S. states, where paternity fraud is classified as a civil or criminal offense (Tietie, 2021). The legal framework should outline:

- Penalties for intentional paternity fraud, including fines or legal sanctions.
- Legal provisions for fathers seeking financial restitution if misattributed paternity leads to undue financial obligations.
- Recognition of DNA evidence as primary proof in paternity disputes.

Clear Restitution Guidelines for Falsely Identified Fathers

Under the current Matrimonial Causes Act (2004), a man deceived into believing he is a child's biological father has limited legal options for compensation (Federal Republic of Nigeria, 2004). Unlike jurisdictions such as the United Kingdom and Australia, where falsely identified fathers can sue for economic damages, Nigerian law lacks clear financial restitution mechanisms (Eze & Okoro, 2021). Legal reforms should provide:

- Compensation for emotional distress, financial losses, and reputational damage caused by fraudulent paternity claims.
- Amendments to child support laws, ensuring falsely identified fathers are not financially obligated for children proven not to be theirs.
- Legal recourse for fathers to reclaim previously paid child support, following DNA confirmation of non-paternity.

Accessibility to DNA Testing

Government Subsidies for DNA Tests

One of the biggest barriers to resolving paternity fraud is the high cost of DNA testing, which ranges from ₦100,000 to ₦200,000 per test (\$120–\$240 USD), making it unaffordable for many Nigerians (Ogunleye & Adebajo, 2021). To address this, the Nigerian government should provide subsidies for DNA testing, particularly in:

- Low-income communities where financial constraints limit access to paternity verification.
- Court-ordered paternity disputes, ensuring justice is not denied due to cost constraints.
- Cases involving child welfare concerns, where confirming paternity is crucial for custody and support decisions.

Expansion of Accredited Testing Centers Across Nigeria

Currently, only a handful of accredited DNA testing centers exist in Nigeria, with most located in Lagos, Abuja, and Port Harcourt (Balogun & Adeyemi, 2023). To increase accessibility, policy measures should focus on:

- Establishing more government-certified DNA testing centers across all geopolitical zones of Nigeria.
- Standardizing DNA testing procedures and regulations to prevent fraudulent or inaccurate results.
- Ensuring the affordability and reliability of tests through partnerships with international forensic laboratories.

Public Awareness and Ethical Advocacy

Media Campaigns to Educate the Public on Paternity Fraud

Many Nigerians are unaware of the legal and psychological implications of paternity fraud due to cultural taboos surrounding the issue (Okonkwo, 2019). Government agencies, NGOs, and legal practitioners should:

- Launch nationwide media campaigns via television, radio, and social media to highlight the consequences of paternity fraud.
- Provide legal literacy programs, educating citizens on DNA testing rights, family law, and ethical parenting practices (Nwachukwu, 2022).
- Encourage responsible fatherhood and transparency in parental responsibilities through documentaries and public discourse.

Engagement of Religious and Community Leaders

In many Nigerian communities, religious and traditional leaders influence public attitudes toward family and parenting. Community-based interventions should:

- Encourage religious leaders to promote ethical parenting and discourage deception in family matters.

- Foster dialogue between legal experts and traditional institutions, ensuring cultural practices align with modern legal frameworks.
- Develop community-led initiatives where local leaders act as mediators in paternity disputes before they escalate into legal battles (Ibekwe & Nwosu, 2022).

Counselling and Support Systems

- Establishing Support Networks for Affected Men, Women, and Children
- Paternity fraud has long-term psychological and emotional effects, necessitating structured counseling programs for affected individuals (Ogunyemi et al., 2022). Support initiatives should:
- Create mental health support groups for fathers dealing with emotional trauma from fraudulent paternity claims.
- Offer counseling services to women involved in paternity misrepresentation, addressing socioeconomic factors that lead to deception.
- Ensure children affected by paternity fraud receive psychological support, preventing identity crises and emotional distress.

Family Mediation Services for Dispute Resolution

Legal proceedings in paternity fraud cases often lead to hostile family breakdowns (Okonjo, 2021). As an alternative to adversarial court cases, government agencies and family law practitioners should:

- Establish family mediation centers to handle paternity disputes amicably.
- Develop alternative dispute resolution (ADR) mechanisms, reducing the legal burden on affected parties.
- Encourage pre-marital counseling sessions where partners discuss issues of trust, fidelity, and paternity verification before entering into marriage.

Following the above line of discussion, addressing paternity fraud in Nigeria requires comprehensive legal, social, and policy interventions. Legal reforms should explicitly recognize paternity fraud, introduce financial restitution provisions, and expand access to DNA testing through government subsidies. Public awareness campaigns, religious advocacy, and community-led ethical initiatives can shift cultural attitudes and prevent fraudulent paternity claims. Finally, establishing mental health support systems and mediation services will help mitigate the emotional and social consequences of paternity fraud, fostering more ethical and transparent family structures in Nigerian society.

Conclusion

This study has explored the prevalence, causes, legal challenges, and social consequences of paternity fraud in Nigeria. Findings indicated a rising trend, driven by economic dependencies, societal expectations, and the absence of clear legal provisions addressing the issue. The lack of legal recognition and compensation mechanisms for affected individuals further exacerbates the situation, leaving many with limited avenues for redress. Additionally, cultural taboos surrounding DNA testing and family honour contribute to the persistence of paternity fraud, discouraging open discussions and verification. To mitigate these challenges, several measures are necessary. First, legal reforms should explicitly recognize paternity fraud and establish clear frameworks for justice and restitution. Second, expanding access to DNA testing, through government support and regulated testing centers, would enhance transparency in resolving paternity disputes. Third, public awareness campaigns should promote ethical parenting, family integrity, and legal rights to encourage responsible decision-making. Finally, establishing counseling and support systems would help address the emotional and psychological consequences for all affected parties, fostering a more just and stable society. By implementing these interventions, Nigeria can move toward a legal and ethical framework that upholds family stability, protects individual rights, and promotes a culture of accountability in matters of paternity.

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