

The Fatherhood Dilemma in Kenya: Navigating Tradition, Rights, and Modern Identity

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Abstract: Fatherhood in Kenya stands at a critical crossroads - deeply rooted in cultural identity, yet increasingly shaped by modern realities. This article delves into the evolving role of Kenyan fathers through three key lenses: traditional African norms, biblical and religious teachings, and contemporary legal frameworks. Traditionally, the father has been the pillar of lineage, family stability, and moral authority. Religious perspectives elevate his role further - as a guide, protector, and spiritual leader. However, modern legal systems now demand more than cultural or moral leadership; they require accountability, equality, and the recognition of every child's rights, regardless of the family setting. As Kenya undergoes rapid societal transformation, fathers face real-life dilemmas around legitimacy, infidelity, and the pressure to meet both traditional expectations and legal obligations. This study draws on both real and symbolic experiences to expose the emotional, ethical, and legal tensions surrounding modern fatherhood. It also offers practical recommendations to help fathers, families, and communities adapt to this complex new reality - where being a father is not just a role, but a responsibility shared in truth, trust, and transparency.

Keywords: Fatherhood in Kenya, Cultural norms, Legitimacy, Parental responsibility, Child rights, Family dynamics.

I. INTRODUCTION

Fatherhood in Kenya is a multidimensional role defined by cultural traditions, religious values, and modern legal frameworks. While traditional views focus on lineage and the importance of male offspring, religious doctrines assign moral and spiritual responsibilities. The Kenyan Constitution and international law now mandate child rights and parental accountability, challenging conventional views on family structures. This paper explores the dilemmas fathers face amid these changing expectations and offers insights into fostering cohesive, equitable family roles.

Recent media reports and case studies highlight the growing tensions between modern paternity obligations and traditional masculinity. For instance, [10], a report by *The Standard* newspaper revealed increasing legal cases where men were compelled through court orders to undergo DNA testing, resulting in familial conflict and public shame. In one such case in Nakuru County, a man sued for child support challenged paternity, only for a court-ordered DNA test to reveal he was not the biological father of the child he had raised for seven years. The fallout led to emotional distress for the man, the child, and the mother, raising complex ethical questions about trust, legitimacy, and the psychological cost of modern legal approaches to fatherhood. Community leaders expressed concern over the erosion of social cohesion and called for a more reconciliatory approach to resolving paternity disputes.

Such cases underscore the modern dilemma of fatherhood - balancing legal enforcement with emotional and societal consequences. They also demonstrate the urgent need to educate communities on both the rights and responsibilities of fatherhood in today's Kenya.

II. PERSPECTIVES

A. Traditional African Societies Perspectives

In many traditional African societies, family roles are distinctly gendered. Fathers are seen as heads of households responsible for economic stability, discipline, and socializing children within cultural norms. Mothers are primary caregivers, nurturing children and instilling early social values. This structure is deeply rooted in many Kenyan communities, where fathers symbolize authority and continuity [1].

Fatherhood in traditional Kenyan culture transcends biological reproduction; it entails ensuring the continuation of family lineage. Male children are particularly valued for this reason. In some communities, like the Kamba, childless women marry other women (Iweto) to bear children on their behalf, demonstrating the cultural importance of lineage [2]. A father is thus defined as the provider of continuity for his family name and legacy.

The societal emphasis on lineage often leads to complex dilemmas surrounding infertility and extramarital affairs. Kenyan culture traditionally places the burden of infertility on women, sometimes pushing them to seek children outside their marriages if they believe their husbands are unable to father children. This perception not only stigmatizes barren women but creates a double standard, as male infidelity resulting in offspring is often tolerated while female infidelity is severely judged [3]. Children born from such unions face societal rejection, raising questions about legitimacy and belonging.

Polygamy is practiced in some Kenyan communities as a way to secure lineage and ensure family prosperity. However, it introduces challenges related to loyalty, trust, and resource allocation among multiple spouses and children. The delineation of roles between biological and foster fathers in such structures often complicates family relationships.

Polygamy, widely practiced in some Kenyan communities, involves a man having multiple wives. This arrangement is culturally and sometimes legally recognized, depending on the society or faith tradition. In a polygamous family, all children born within the union are considered legitimate and are recognized as part of the father's lineage. Polygamy is rooted in traditional African values that emphasize lineage continuity, resource sharing, and social cohesion. For instance, a man in a polygamous marriage is often seen as fulfilling his societal obligation by expanding his family tree through multiple partnerships.

In contrast, children born outside of a formal marital union (commonly referred to as "out-of-wedlock") come from relationships where the man and woman are not married to each other. These children may arise from extramarital affairs, casual relationships, or cohabitation arrangements that lack formal recognition. In such cases, societal perceptions and legal frameworks regarding the legitimacy of these children differ greatly.

Comparing the Two Scenarios

i.) Social Legitimacy: In polygamy, children are socially and culturally recognized because the relationships between the man and his wives are formalized, even if unconventional by Western standards. Such families are seen as extending the father's lineage legitimately. Conversely, children born out of wedlock often face societal stigma, especially when their parentage is the result of infidelity or casual relationships. They may be excluded from inheritance rights or lack social recognition within their father's extended family.

ii.) Parental Responsibility: In a polygamous family, the father is culturally and sometimes legally obligated to provide for all his children, regardless of the number of wives. The wives, in turn, share in the caregiving responsibilities for all children. For out-of-wedlock children, the father's acknowledgment and involvement often depend on personal choice or legal enforcement. In some cases, fathers deny their paternity, leading to disputes and potential neglect of their parental duties. Women in such situations are often left to bear the financial and emotional burdens of raising the child.

iii.) Gender Double Standards: In Kenyan society, men who sire children with multiple women (inside or outside of marriage) are often viewed with leniency, with their behaviour normalized as part of masculinity. Women, however, who have children with multiple men, face harsher societal judgment. They may be labelled as promiscuous and seen as less worthy of respect or marital prospects, irrespective of the circumstances. This double standard perpetuates gender inequality, placing a heavier moral and societal burden on women.

iv.) Legal Implications: Polygamous marriages are recognized under [9], which allows customary, Islamic, or Hindu marriages to include multiple spouses. As such, children from these unions enjoy inheritance rights and legal recognition.

For children born out of wedlock, their legal status is governed by Article 53 of the Kenyan Constitution, which ensures that every child has the right to parental care and protection. However, establishing paternity and ensuring a father's financial or emotional support often requires legal intervention, such as mandatory paternity tests or court orders.

v.) *Continuity vs. Fragmentation of Lineage*: Polygamy aims to strengthen the family lineage by creating a structured, multi-family household where all children contribute to the father's legacy. Out-of-wedlock situations often result in fragmented families, where children may grow up disconnected from their paternal relatives or lineage. This fragmentation can lead to disputes over inheritance, identity crises for the children, and challenges in maintaining familial cohesion.

B. Biblical and Religious Perspectives

According to Christian doctrine, the roles of father and mother are mutually supportive, forming a balanced family unit. In the Bible, fathers are commanded to raise their children "in the training and instruction of the Lord" 'Ephesians 6:4' [4], while mothers are seen as nurturers 'Proverbs 31' [4]. This division of responsibilities underscores a moral framework in which fathers lead by example, serving as spiritual heads and providers for their families.

In religious terms, a father is more than a biological progenitor; he is seen as a moral and spiritual leader. Biblical texts urge fathers to be faithful, responsible, and godly. Infidelity is condemned as a sin that violates family sanctity 'Exodus 20:14' [4], and fidelity is highly encouraged to uphold the unity and integrity of the family. This religious ideal emphasizes that fatherhood should reflect God's image, aiming to provide a stable, morally grounded family environment.

Infidelity is seen as a major disruption to family unity and peace in religious teachings. The Bible advises against adultery, viewing it as a transgression that breaks the bond between spouses and affects children's welfare 'Proverbs 6:32' [4]. Religious beliefs condemn both male and female infidelity, stressing the importance of marital faithfulness for the stability and wellbeing of the family.

C. Modernity Perspective

Modern Kenyan society, through [5] and international legal standards, places a strong emphasis on children's rights and parental accountability. Article 53 of the Kenyan Constitution guarantees every child the right to parental care and protection, regardless of their parents' marital status. This shift toward child-centred policies challenges traditional norms, ensuring children's rights to identity, support, and care [6].

Single-parent families, often led by mothers, are increasingly common in Kenya, and the absence of fathers in many children's lives has far-reaching social consequences. [8] shows a rise in single-parent homes, with economic hardship and social instability among the major challenges faced by these families. This phenomenon highlights the need for laws that hold fathers accountable, even when they are not physically present.

Infidelity and trust issues have become significant concerns in modern Kenya. The Constitution of Kenya and international conventions now recommend paternity testing as a measure to confirm fatherhood and ensure parental responsibility. Establishing legal paternity through DNA testing is seen as a step toward transparency and child welfare, with implications for inheritance rights and family lineage. Requiring both parents to be named on a child's birth certificate, except in cases of rape or abandonment, aims to secure each child's right to know their biological origins.

III. PRACTICAL AND ETHICAL CONSIDERATIONS

i.) *Parental Accountability*: Regardless of marital status, fathers and mothers should be held equally accountable for their children's welfare, including financial support, emotional guidance, and legal acknowledgment.

ii.) *Child Rights*: All children, whether born within polygamous marriages or out of wedlock, should have equal access to inheritance, education, and family connections as mandated by Kenyan law.

iii.) *Social Stigma*: There is a need to address societal biases that stigmatize women for bearing children with multiple men while excusing men for fathering children with multiple women. Education and dialogue can help foster fairness and mutual respect.

iv.) *Legal Enforcement* Laws should ensure that fathers take responsibility for all their children, irrespective of their relationship with the mother. Mechanisms like mandatory paternity tests and co-parenting agreements can help address this.

IV. FINDINGS

The research reveals a complex landscape where traditional, religious, and modern perspectives on fatherhood intersect and conflict. Traditional societies emphasize lineage and societal stability through the concept of fatherhood, while religious teachings focus on moral and spiritual roles. Modern legal frameworks, however, prioritize the rights of the child, advocating for transparency in parental responsibility. Each perspective brings valuable insights but also reveals significant dilemmas, particularly around the legitimacy of children, issues of infidelity, and the rights of children born outside wedlock.

V. RECOMMENDATIONS FOR POLICY AND PRACTICE

The findings of this study highlight an urgent need to recast fatherhood as a responsibility anchored in the child's right to identity, rather than an optional social role. First, we recommend that free, mandatory paternity testing be conducted at birth - except in cases of rape or abandoned infants. This measure would guarantee every child's right to know their biological parentage while safeguarding men and women alike from false claims. By eliminating cost barriers, the policy would be equitable across economic classes and reduce the temptation to evade testing.

Second, both biological parents should appear on every birth certificate, whether or not they are married. Legal recognition of both parents from the outset assigns clear responsibility for care, inheritance, and decision-making. It also protects mothers from shouldering the burden of proof in later years and supports fathers who want to be present but are excluded by circumstance or custom.

Third, we propose the creation of a secure, publicly searchable lineage database. With appropriate data-protection safeguards, such a registry would allow children, adults, and medical professionals to verify familial connections—critical for issues ranging from inheritance disputes to genetic disease tracing. Transparency in lineage promotes social trust, but must be balanced with robust privacy controls and opt-out provisions for proven cases of risk or harm.

Finally, community-based education on infertility and shared parental duty is essential. Many women still face stigma when couples struggle to conceive, yet male-factor infertility accounts for nearly half of all cases. Public forums, media campaigns, and curriculum modules can dispel myths, encourage shared responsibility, and foster empathy.

VI. DIRECTIONS FOR FUTURE RESEARCH

- i.) *Psychological impact of mandatory paternity testing.* Qualitative and longitudinal studies should examine how routine testing influences marital trust, father-child bonding, and broader kinship ties.
- ii.) *Ethics of online lineage records.* Scholars and technologists must interrogate consent, data security, and potential misuse of open genetic databases, proposing safeguards that uphold both transparency and individual privacy.
- iii.) *Child development in single-parent contexts.* Rigorous, context-sensitive investigations are needed to differentiate the effects of father absence from concurrent influences such as poverty, community support, and maternal wellbeing.

Collectively, these recommendations and research avenues seek to uphold children's rights, distribute parental accountability more fairly, and deepen our understanding of modern family structures in an increasingly data-driven world.

VII. CONCLUSION

Fatherhood in Kenya is no longer a single, clearly marked path; it is a criss-crossing network of cultural expectations, spiritual imperatives, and legal obligations that can tug a man in different directions at once. Traditional wisdom still speaks powerfully to the desire for lineage and community stability—values many fathers honour with quiet pride. Religion, meanwhile, adds a deeper, more personal call: to be a moral compass and spiritual anchor in the lives of one's children. Yet twenty-first-century Kenya is also guided by a Constitution that gives every child an unambiguous right to care, identity, and protection. These three voices—ancestral, spiritual, and legal—do not always harmonise.

Our study shows how easily good intentions can turn into real-world dilemmas. A father who follows customary norms may still face legal scrutiny if a child's birth is not formally recognised. A man who seeks forgiveness through his church may still confront deep emotional fallout from infidelity. Parents who split under modern pressures can find themselves battling in court over DNA tests, while the very children those laws are meant to defend watch their family ties fray. Most striking of all is how "legitimacy" shifts depending on who is speaking: elders, clergy, or magistrates.

Yet there is room for hope. When a father steps forward—acknowledging every child he has sired, sharing caregiving duties, and treating the mother with respect—he can satisfy the core of all three traditions: preserving family, showing moral integrity, and upholding legal rights. Communities can reinforce this by replacing stigma with support, offering mediation before litigation, and celebrating responsible fatherhood of every stripe. Faith leaders can preach not only fidelity but also repentance and inclusion. Lawmakers can ensure that paternity procedures are swift, affordable, and child-centred, sparing families prolonged anguish.

Ultimately, reconciling these perspectives is less about rewriting statutes or scriptures than about nurturing empathy. When we see each child as deserving of love and each father as capable of growth, the “fatherhood dilemma” transforms into an opportunity—a chance for families, villages, and the nation to model accountability wrapped in compassion.

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