



LEGAL, SOCIAL AND ECONOMIC IMPLICATIONS OF SINGLE PARENTING

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ABSTRACT

Single parenthood is on the increase, not only in Nigeria but globally. There are various reasons for becoming a single parent. They may be by divorce, separation, choice, widowhood, abandonment to name but a few. Single parenthood has enormous legal, social and economic impact not just on the affected person and the family but also on the wider society. The legal implications involve the issue of child contact, support and maintenance. Unfortunately these are all provided for under the Matrimonial Causes Act as ancillary relief. No application can be brought independent of a divorce proceeding. The single parent outside the Marriage Act and the customary law suffers more. The only way of relief currently is the Child Rights Act which many are very ignorant of. The society needs to take pro-active action to protect these single parents and their families by way of new instruments which are wide enough to cover the welfare of every single child and ensure there is no discrimination based on circumstances of birth. The era of free ride where children are abandoned without adequate provision should be over.

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INTRODUCTION

Single parenting is the raising of a child or children without a spouse or a partner. There are different reasons for becoming a single parent. These include parental death, changing social and cultural trends, increased rate of separation and divorce, non-marital child birth, increased employment opportunities for women which enable the women to run their own households independently and adverse economic challenges for men. There has been drastic increase in the number of single parents in recent times. Globally, one-quarter to one-third of all families are headed by single mothers, this calls into question the normativeness of couple headed families. Developed countries, in particular, are experiencing an increase in single-parent families as divorce becomes more common. The United States has the highest percentage of single-parent families (34% in 1998) among developed countries, followed by Canada (22%), Australia (20%), and Denmark (19%). In the developing countries, divorce is not as common, but desertion, death, and imprisonment produce single-parent families, primarily headed by women (Kinnear 1999).

Rates vary from country to country ranging from a low of less than 5 percent in Kuwait to a high of over 40 percent in Botswana and Barbados. In countries such as Ghana, Kenya, Rwanda, Cuba, Puerto Rico, Trinidad and Tobago, more than 25 percent of households are headed by women. It has been estimated that 50 percent of children born in recent cohorts will spend some part of their childhood with a single parent as a result of separation, divorce, or out-of-marriage births.¹The above statistics which is not the most recent is an indication of the global shift from the traditional concept of family where there are two parents available to nurture children. It can be viewed as a breakdown of the family relationship concept or a rebellion against the status quo. Whichever view one chooses to take is not the major call of this paper but rather the legal, social and economic implications of the growing trend of single parenthood and its influence on the economic, political and social aspects of family life.

Legal Implications of Single Parenting: Single parenting has some legal implications depending on the cause. For single parents emanating from separation and divorce, there is the issue of child custody, contact and maintenance.

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¹Single-Parent Families." Gale Encyclopedia of Children's Health: Infancy through Adolescence. . *Encyclopedia.com*. 29 Apr. 2017
<<http://www.encyclopedia.com>

Often times, these are very adversarial especially in Africa. This is unlike in the developed world where the default position is that the mothers have custody of minor children until such children are of age to decide which of the parents to live with. This is provided there are no contraindications for the mother to have custody of the children such as insanity, lifestyle challenges or imprisonment. The law in Nigeria or elsewhere does not provide for the right to single parenting directly. However, there is a right to access the courts for divorce where a marriage is considered to have broken down irretrievably. This is where the courts grant separation and divorce. The court can only be involved in the issue of separation, divorce, child custody and contact as well as maintenance for a child/ party if the marriage was conducted under the Act. The custody of a child, contact with a child and the provision of maintenance and support for such a child are ancillary relief granted to a spouse in cases where there are conflicts in marriage under the Matrimonial Causes Act. The guiding principle in decisions relating to child custody and care is the best interest of the child/children involved in the dispute. In proceedings with respect to the custody guardianship, welfare, advancement or education of children of a marriage, the court shall regard the interests of those children as the paramount consideration; and subject thereto, the court may make such order in respect of those matters as it thinks proper². The best interest of the child was an issue in the case of *Williams v Williams*³. The following principles were laid down and had since then been considered whenever a decision is to be made. Even though these principles are not binding on our courts, they seem to reflect the spirit of our law as captured in the Matrimonial Causes Act. They are:

- Where in any proceedings before any Court the custody or upbringing of a minor is in question, the Court in deciding the question shall regard the welfare of the minor as the first and paramount consideration and shall not take into consideration whether from any other point of view the claim of the father in respect of such custody is superior to that of the mother or the claim of the mother is superior to that of the father.
- In regard to the custody or upbringing of a minor, a mother shall have the same rights and authority as the law allows to a father and the rights and authority of mother and father shall be equal and exercisable by either without the other.
- Nor is there necessarily any rule that mother has a paramount claim as against other relations, at any rate where the father is alive and support the application of those relations..
- The welfare of the infant although the first and paramount consideration is not the sole consideration and the conduct of the parties is a matter to be taken into account
- The adultery of a party is not necessarily reason for depriving that party of custody unless the circumstances of the adultery make it desirable.
- All the circumstances must be considered
- The fact and advantages of brotherhood and sisterhood must also be considered when there is more than one child of the family and it is proposed to give custody of one child to one person and another to a different person.

Wakeham Vs Wakeham (1954) 1 ALL ER 434 CA AT 435.

- There is settled rule that a child of tender years should remain in the custody of the mother *Re B. (an infant)* (1962) 2 All ER 872; *W v. Wand C* (1968) 3 All ER 408 but obviously the care and supervision that a mother who is not out at work can give to little children is an important factor. *IN RE O (INFANTS)* (1971) CH748 (1971) 2 ALL ER 744 CA AT 746, 752.
- In dealing with the questions of custody or access the court will have regard to the particular circumstances of each case always bearing in mind that the benefit and interest of the child is the paramount consideration and not the punishment of a spouse for misconduct.
- The wishes of an unimpeachable parent stand first. *REThain, Thain V. Taylor* (1926) CH 676 Approved *InMckeeVsMckee* (1951) AC 352,366; (1951) 1 ALL ER. 942,949 PC" Per Obaseki, J.S.C. (PP. 13-15, PARAS A-E)

The case of *Williams v Williams*⁴ was reiterated in *Achonu v Achonu*⁵, (unreported) in custody battle where the court maintained that to ensure the emotional health of the child being contested, it will be to the child best interest to remain with the mother even though she is loved by both parents. The battle for custody is tied to the paternity of the child or children involved. Where there is no contest as to the paternity of the child then the fight becomes lighter. Otherwise, the paternity of a child in custody matter must be established for two major reasons: Every child has a right to identity with respect to family. A child has a right to know and be known by the father. Secondly, the right to be provided for by a father is tied to paternity. Even in cases of adoption or children from previous marriage/relationship, once that child has been acknowledged as a member of the family then there are rights accrued to such child by the father. In uncontested cases of paternity, a mere identification with the birth of the child or a reflection of a man's name in the birth certificate or during a naming ceremony is enough indication of paternity. Paternity test will be required if contested which will usually involve the use of DNA between the man and the children involved. There are therefore two major ways of establishing paternity, by genetic test (DNA) and by marriage referred to as presumption of paternity. It is only in uncontested cases of paternity that issues of child support, maintenance and custody can be successfully enforced. However, this does not mean that the court will not grant custody to a party because such a party is not a biological parent of a child. Neither would the court let a party free of responsibility on the grounds that he is not the biological parent of a child. By the provisions of the matrimonial causes act section 69, the essential element is that such a child had been previously accepted into the family and has been ordinarily considered a member of such family before the issue before the court arose. Section 69 provides as follows:

In this Part of this Act,-

"Marriage" includes a purported marriage that is void, but does not include one entered into according to Muslim rites or other customary law, and "children of the marriage" includes-

² Sec. 70 (1) Matrimonial Causes Act M7 Laws of The Federation of Nigeria 2004

³*Williams V. Williams* (1987) NWLR (PT. 54) 66

⁴ *Ibid.*

⁵Suit No: Fct/Hc/Fj/59/12

- any child adopted since the marriage by the husband and wife or by either of them with the consent of the other;
- any child of the husband and wife born before the marriage, whether legitimated by the marriage or not; and
- any child of either the husband or wife (including an illegitimate child of either of them and a child adopted by either of them) if, at the relevant time, the child was ordinarily a member of the household of the husband and wife, so however that a child of the husband and wife (including a child born before the marriage, Whether legitimated by the marriage or not) who has been adopted by another person or other persons shall be deemed not to be a child of the marriage; "relevant time" means in relation to proceedings under this Part of this Act either-

the time immediately preceding the time when the husband and wife ceased to live together or, if they have ceased on more than one occasion to live together, the time immediately preceding the time when they last ceased to live together before the institution of the proceedings; or if the husband and wife were living together at the time when the proceedings were instituted, the time immediately preceding the institution of the proceedings. The Act went further to make provision for access to the child/children and the maintenance of such children and the other party to the marriage. This is in section 70 as follows:

- Subject to this section, the court may, in proceedings with respect to the maintenance of a party to a marriage, or of children of the marriage, other than proceedings for an order for maintenance pending the disposal of proceedings, make such order as it thinks proper, having regard to the means, earning capacity and conduct of the parties to the marriage and all other relevant circumstances.
- Subject to this section and to rules of court, the court may, in proceedings for an order for the maintenance of a party to a marriage, or of children of the marriage, pending the disposal of proceedings, make such order as it thinks proper, having regard to the means, earnings capacity and conduct of the parties to the marriage and all other relevant circumstances.
- The court may make an order for the maintenance of a party notwithstanding that a decree is or has been made against that party in the proceedings to which the proceedings with respect to maintenance are related.
- The power of the court to make an order with respect to the maintenance of children of the marriage shall not be exercised for the benefit of a child who has attained the age of twenty-one years unless the court is of opinion that there are special circumstances that justify the making of such an order for the benefit of that child. There is therefore a legal aspect to single parenthood when it emanates from divorce but it must be noted that the provisions of the Matrimonial Causes Act M 7 Laws of the Federation of Nigeria 2004 covers only cases where the marriage was conducted under the Act. It expressly excludes the marriages conducted under the Muslim law and customary law.

Under the customary law, depending on the region, a minor under the Muslim law stays with the mother until the child is weaned. However, by the Yoruba customary law a female child goes to the mother and the male child to the father. In Igbo land, the child belongs to the father if dowry was paid and the parties are married under the customary law. There would normally be provision for the maintenance of such child/children under the Muslim or customary law. If there was no marriage in igbo land, it is the custom that such child belongs to the mother and her family. This therefore means that the woman does not only have the custody of the child but she is also saddled with the responsibility of child care and maintenance. This is very much contrary to what happens in the developed world, where once paternity is not in question, the man through the social services would be compelled to contribute to the child support and maintenance. Thankfully, claims can be brought under the provisions of the Child Rights Act, 2003. Lagos state seems to be taking proactive steps to provide respite for single parents who otherwise would have been without support. Currently by the provisions of The Child Rights Act, 2003 (and the Child Rights Law of Lagos State, 2007, its equivalent) some respite by way of reliefs have been provided. FIRST SCHEDULE (Section 55 subsection 14) of the Child Rights Act, 2003 provides as follows:

An application can now be brought before a Family Court at the High Court or Family Court at the Magistrate Court for an Order for:

- Periodical payment to the children or to the Applicant for the benefit of the children.
- Payment of a lump sum to the children or to the Applicant for the benefit of the children.
- Enforcement of a Maintenance Agreement and Financials Agreement
- Grant of an interim Order to make periodical payments to the children pending the substantive application.
- Appeals. Section 3 of the Child Rights Act, 2003 also adopted for a child the fundamental rights enshrined in Chapter IV of the 1999 Constitution (as amended) as follows:

“The provisions in Chapter IV of the Constitution of the Federal Republic of Nigeria 1999, or any successive constitutional provisions relating to Fundamental Rights, shall apply as if those provisions are expressly stated in this Act.” Lagos state currently runs a family court under its Child rights Law 2007 since 2012 pursuant to section 138 to 139 of the child Rights Law of Lagos State. Section 140 of the Law defines jurisdiction of the court as follows:

“Subject to the provisions of this Law and to such other jurisdiction conferred by any law, the Court shall have unlimited jurisdiction to hear and determine— (a) any civil proceeding in which the existence or extent of a legal right, power, duty, liability, privilege, interest, obligation or claim in respect of a child is in issue; and (b) any criminal proceeding involving or relating to any penalty, forfeiture, punishment or other liability in respect of an offence committed by a child or against a child or against the interest of a child.” Under these two laws the interest of children caught up with difficult relationship is not ancillary to a matrimonial cause. An application can be made for the welfare and benefit of a child/children whether the parents are married or not or whether there is a divorce proceeding

pending or not. It can be an action on its own, independent of any other action. This is a very laudable step and should be followed by other states. It is a development that will go a long way to cushion the impact of financial difficulties experienced by single parent in Nigeria who are predominantly women with very meagre income. Apart from the custody of the children and maintenance, another major legal implication is the issue of child contact. It takes two people to make a baby. Sometimes these two people cannot harmoniously live together even though they have love and interest in the child/children emanating from their relationship. In some cases for whatever reasons, there was no plan whatsoever to cohabit. The bitterness and hurts associated with the breakdown in relationship along with the fight over the custody of the child/children often form a hindrance to having contact with the child/children. However, the Matrimonial Causes Act 2004 provides as follows: Where the court makes an order placing a child of a marriage in the custody of a party to the marriage, or of a person other than a party to the marriage, it may include in the order such provision as it thinks proper for access to the child by the other party to the marriage, or by the parties or a party to the marriage, as the case may be⁶.

The Child Rights Act 2003 Provides as follows:

(1) The Court may

- on the application of the father or mother of a child make such order as it may deem fit with respect to the custody of the child and the right of access to the child of either parent, having regard to—(i) the welfare of the child and the conduct of the parent, and(ii) the wishes of the mother and father of the child;
- alter, vary or discharge an order made under paragraph of this Subsection on the application of—(i) the father or mother of the child, or(ii) the guardian of the child, after the death of the father or mother of the child ; and
- In every case, make such order with respect to costs as it may think just.
- The power of the Court under Subsection (1) of this section to make an order as to the custody of a child and the right of access to the child may be exercised notwithstanding that the mother of the child is at that time not residing with the father of the child.
- Where the Court makes an order under Subsection (1) of this section, giving the custody of the child to the mother, the Court may further order that the father shall pay to the mother towards the maintenance of the child such weekly or other periodical sum as the Court may, having regard to the means of the father, think reasonable.
- Where the Court makes an order under Subsection (1) of this section giving custody of the child to the father, the Court may further order that the mother shall pay to the father towards the maintenance of the child such weekly or other periodical sum as the court may, having regard to the means of the mother, think reasonable.³³
- Subject to this section, no order whether for custody or maintenance shall be enforceable and noliability there under shall accrue while the mother of the child resides with the father, and any such order shall cease to have effect if for a period of three months after it is made, the mother of the child continues to reside with the father.

- An order made under this section may, on the application of the father or mother of the child, be varied or discharged by a subsequent order.

Before discussing child access, it might be worth mentioning that the custody of a child is completely different from Parental responsibility.

In other words, one can have custody of a child but not have any parental responsibility towards such a minor. The Child Rights Act provides for the custody and access to child/children irrespective of the marital status of the parents. From the foregoing, there is a legal provision for the custody, maintainance and access to the child/children under the care of single parents. The problems associated with child access often emanate from the bitterness harboured by the warring parties who out of revenge would want to deny the other party access or custody of the child. This is a major source of emotional trauma in single parent families but it can be addressed with more information on how to handle the existing differences. Sometimes when application for contact is made, the court after considering the situation may grant only supervised contact with the child. This is where there is allegation of violence, abuse which may be psychological or physical. In such situation, it is a common place that the parent with custody may fight any form of contact at all. There are instances where all forms of contact with a parent is prohibited. This will be the case where contact with the child is detrimental to the child's wellbeing in any aspect.

Harrassment, Molestation and Stalking: Single parenting is often a result of failed relationships except in cases of widowhood. It therefore follows that often times there will be complaints of harassment, stalking, and molestation. In such situations, there may be reports of repeated attempts to impose unwanted communication, aggressive pressure or coercion to attend a meeting. Instances of being compelled to do things contrary to ones wishes with respect to the failing relationship or communication that instils fear, intimidate, irritate and unsettles a person, following a person, watching or spying a person or forcing contact with them even through social media will be considered harassment, stalking or molestation.

These are often received through direct contact by an ex-partner or their relations, text messages, emails or any other forms of communication. A victim of any of these actions can apply for protection under the law by way of ex parte motion for restraining orders. The court will normally grant such application if it is proved that the victim has unjustly suffered any of the things mentioned above. Prohibitive injunctions restraining a person from coming in contact with the victim through any means other than through the victims advocate, or coming near the victim or within a specified distance would normally be put in place. A non molestation order can be put in place for the protection of a victim of molestation. Unfortunately many single parents are not aware they can be rescued by the courts through injunctions whether married or not. In other words, restraining orders are not available for failed marriages under the Act only. Any aggrieved party can bring such an action successfully.

Social implications of single parenthood

The social impact of single parenting is a global issue. The dimensions may differ from one location to the other but

⁶ Section 71 (4)

generally the issues are seemingly the same. The challenges include but are not limited to the following issues:

- Cultural bias/stigma
- Gender discrimination
- Task overload
- Loneliness and difficulty in finding stable relationship
- Psychological trauma on children resulting in a complex
- Anti-social behaviour
- Drug abuse
- Destruction of extended family relationship
- Health related challenges as a result of reduced standard of living
- Early marriage; non marital child bearing, divorce

It will be a daunting task to discuss all the-afore mentioned issues but we will consider just a few of them.

Cultural Bias/Stigma: The greatest social challenge of single parenthood emanates from cultural bias. Often times when cultural bias is mentioned one would normally think “yeah Africans have a way of reasoning and looking at freedom” but no, cultural bias cuts across the globe. Now have a look at a discussion between two very successful ladies who at one time were single parents:

Dr. Patricia Leavy: Thanks for having this conversation; it’s an issue near and dear to me. I became pregnant in graduate school and learned first-hand how single mothers are vilified in our culture. I immediately experienced people’s negative judgments. People made it clear they thought I was heading for failure. What’s remarkable about this to me is I already had a Bachelors and Master’s degree, and was in the midst of getting my Ph.D. Why people would automatically assume I was less capable of career and personal success than people in any number of other situations is beyond me. As it was, I was the first person in my cohort in graduate school to receive a Ph.D. It took me five years, whereas it took others a minimum of six years. I supported myself teaching at local colleges; by the time my daughter was two years old, I had a Ph.D., tenure-track job as a professor, and I had published my first book with Oxford University Press. I did receive help from my immediate family, but many two-parent families receive babysitting and other support from their parents or siblings. What bothers me is the cultural bias against single parenthood and the host of negative connotations that come to bear, all of which single parents are forced to deal with daily, through micro-aggressions. For example, when my daughter was a toddler in her stroller, she dropped a ball she was holding when I was in a department store. A salesperson picked it up and said, “I bet you like to play ball with your dad.” These kinds of interactions happened all the time, when people falsely assume. I also had many interactions with students who found it “shocking” to learn I was a single parent because “I was so successful.” What they meant was that I challenged their stereotype of what a single mom is. I know you have your own experiences you might want to share.

Dr Donna Y. Ford: I appreciate hearing your story. I was barely 18 when I had my son. I had recently graduated from high school and was attending college on a full scholarship. Need I say that all were shocked to see this honour student (I was also President of the National Honour Society) becoming a parent? I hid my pregnancy for eight months, dropped out of

college, and fled to another state to live with my father — all out of shame and disappointment at letting my mother down. I grew up in a single-parent home once my parents divorced. I think those who grow up in single-parent homes due to divorce or loss of a loved one are not as negatively stereotyped as those who have children ‘out of wedlock,’ which is a phrase that makes me cringe even today. Terminology aside, now I was becoming a single mother but not due to divorce. And the stereotypes ran rampant. I can identify with all of the negative and dismal comments you faced. I was determined, like you, to defy those stereotypes and associated odds. This is not the lottery yet the odds are real. I was going to gamble, so to speak, on beating the odds that said I could not win and succeed at reaching my goals.⁷ The above discussion took place between two ladies who at a time were single parents emanating from relationships outside marriage in the Western world. When it comes to cultural bias about single parenting, the real issue here is single moms! Single parenting by fathers do not seem to attract the much heated cultural bias single mothers receive. Here in Africa, a woman’s life is considered ruined if she ever has to be a parent without marriage or at least one single man known to be the father of her child/children. The social bias against single parents when it occurs in a teenager is that he/she is irresponsible. Single parenting from teenage age normally lies with the girls and most often such girls are labelled irresponsible and often seen as cheap and willing to offer sex to the highest bidder. This is not true as it can be shown that pregnancy can occur at any stage of life and not just during teenage life. The effect is that long after this unwanted pregnancy, the lady who is brave enough to care for the child or children is stigmatised and even prospective young men are discouraged from marrying such girls. They are considered not good for marriage. Questions are asked about who owns the child, why would one want to raise another man’s child. Who could guarantee the lady to be faithful having been that cheap before? This bias is unfortunate and unfounded seeing that even responsible people can become single parent by choice depending on their circumstances. The social bias against single parents comes out strong at any stage when they want to marry or remarry. A typical example is the question posted on a Whats App group chat: Good morning all... Please I have a problem..... If you are a single woman can you marry a man that is married before but his wife is late and has three kids..... What are the criteria that will make you marry such a man.....Thank you

Chat.... Are you sure he loves you or may be looking for a nanny to take care of his kids.....is your family willing to support you? (My own family won’t anyway).

Chat.....Extremely tough can you deal with it?

Chat.....The man already has three children, considering this economy, how many kids will you have? On and on it went. The crux of the discussion so far was the 3 kids and not the merits of the man in question. There was no consideration whether he could make a good husband, is he loving and hard working? If a single father is sifted and filtered despite his potentials, what happens to a single mother can better be imagined than described. She just doesn’t deserve love and companionship anymore. She is a single parent.

⁷Patricia Leavy, A Conversation About Single Parenting: Challenging The Stereotypes Jan 15, 2017

Tenancy/accommodation issues: The social bias is not only during marriage or attempt to get married. Most single moms find it difficult to get a tenancy agreement in Nigeria. Landlords are biased against giving their houses to single mothers believing that they must be women of cheap virtue and they would not want to have running battles with men who come for a visit. Widows are not spared this agony hence many single mothers are forced to remain in accommodations they ordinarily would not want to be in because of difficulties associated with convincing landlords to grant them tenancy.

Task overload: This is another social challenge of single parenting. Parenting responsibility is enormous when shared by two people. It is much more enormous when shouldered by one individual. The single parent runs the home and rears the children alone. Their time is shared between household chores like laundry, preparation of meals, housekeeping, shopping, school run and home care generally. All these responsibilities are in addition to economic and career obligations. The result is that one is overworked with no time for active social involvement. This in turn affects the quality of family time with the children and parenting impact on such children.

Anti-social behaviour: it is on record that children from single parents are more inclined to antisocial behaviour. This often is a result of absent fathers. It is believed that children need positive male role models impact to develop socially. Most fathers reduce physical contact with their children after the first year of divorce. For a new single parents, balancing work, parenting and family life can be a very daunting task. Consequently parental discipline over the children wanes with time. This leaves the children vulnerable to negative external influence with resultant anti-social behaviour like illegal drug use, stealing, street life, sexual abuse, poor grade at school to name but a few.

Distraction of extended family relationship: Is another negative social impact of single parenting. Africans pride in their extended family system. In igbo land, it is believed that one is stronger with many more relations around him ("madukaeji aka"). This is however adversely affected by single parenting. Most times there is a challenged relationship in single parenting even if it emanated by death. The bitterness of raising children alone often limits relationship with the family of the spouse who left. The children are barred from relating with the other family. In very severe cases, that relationship is completely lost.

Psychological/emotional trauma: Both the children and the single parent are often emotionally and psychologically traumatised from the pain of separation, hurts from the insensitivity of the people around, psychological complex associated with feeling of vulnerability and loss of protection which could be either financial or physical. There is the feeling of inadequacy by the children raised by single parents often because of the cultural bias that such families are less than normal. At a very young age, there is a feeling of shame and inadequacy in the midst of other children.

Conclusion

The legal and social implications of single parenting are enormous. The impact is not only on the single parent and the family but also on the wider society as a whole. It is a healthy family that makes a healthy society. Single parent families are on the increase not just in Nigeria but globally despite the

social and cultural bias. Unfortunately, the affected families do not seem to know that they have some remedies under the law by way of securing support from the other partner through the legal system. The society will do well to come out from the denial state, Single parenthood will continue to increase and we just have to start addressing the needs associated with single parents in accordance with our constitution and the various legal instruments affecting child's right and by updating existing provisions on the rights and protection of children.

Recommendation

As the population of single parent families is on the increase, the social problems it creates continue to grow. We as a society must then rise to these challenges and find solutions to ameliorate its impact. The legal provisions on the support and maintenance of children should be revisited. The Matrimonial Causes Act provides for child custody, support and access as ancillary relief. There are families contracted under the Act that are no longer co-habiting but there is no divorce. There is abandonment going on every day. People should not be forced to initiate divorce proceedings before they can get relief from the spouse on dissolution. The review should make the application for custody, maintenance and access to a child an independent application which can be pursued by any of the parties. In Nigeria, we can no longer deny that there are many children being raised by unmarried people. People who are neither married under the Act nor under the customary law are the individuals mostly hit by the social and economic challenges of single parenting. They are the people who know little about the existing laws yet are affected in every aspect of their lives. These challenges affect the wider society as a whole and have since been breeding bitter and deeply hurt children who are revengeful on the society. We must then rise and create instruments that protect these vulnerable people. It is time to call people to take responsibilities for their actions. Taking so many of children off the streets, reduce crime and illiteracy can only be achieved by making provision for the care of single parent families.

We should create awareness on the rights and availability of the legal system to address these issues. Many single parents do not know they can receive support legally and socially through the non-governmental agencies. There is also the need to address those issues that cause relationship breakdown such as divorce and separation in the society. There is high level of adultery going on every day. Broken people will produce broken homes and broken society.

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