

Customary Law and Gender Inequality in Property Inheritance in Sagamu Local Government Area (LGA), Southwest Nigeria

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Abstract

The degree to which customary law safeguards women's property and inheritance rights in Southwest Nigerian communities was investigated in this study. Even though the African Charter on Human and Peoples' Rights, the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and Section 42 of the Federal Republic of Nigeria, 1999 (as amended) Constitution all guarantee equality and forbid discrimination, women are still subject to unfair inheritance practices under customary law. The study examined the structure of customary inheritance systems, the legal protections provided to women, and the obstacles preventing successful implementation in order to investigate the ongoing gap between formal legal protections and discriminatory customary practices. The study concentrated on a few villages in Southwest Nigeria where customary law is still significant. The study used a socio-legal doctrinal methodology that involved the investigation of constitutional provisions, statutory legislation, judicial judgments, and pertinent scholarly literature. It was informed by legal pluralism theory, feminist legal theory, and a human rights-based approach. The results showed that inheritance customs are still primarily patrilineal, with daughters and widows often denied or given restricted inheritance rights. Even while judicial precedents and constitutional provisions offer significant legal protection, cultural resistance, legal pluralism, insufficient institutional processes, low legal awareness, and socioeconomic impediments continue to hinder enforcement. According to the study's findings, women's inheritance rights are more strongly recognized by law than in reality. It suggested extending legal awareness programmes, bolstering enforcement institutions, encouraging women's economic empowerment, and harmonising customary inheritance laws with international human rights norms and the constitution. By illustrating how legal heterogeneity and patriarchal customary norms continue to jeopardise the effective protection of women's inheritance rights in Nigeria, the study advances socio-legal scholarship.

Keywords: Customary law, women's inheritance rights, legal pluralism, feminist legal theory, human rights, Southwest Nigeria

Introduction

Although Section 42 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) forbids discrimination on the basis of sex and guarantees equality before the law, customary inheritance practices continue to influence the distribution of family property in ways that frequently disadvantage women (Aderinto, 2021). In matters of property inheritance, customary law continues to be a dominant source of regulation, particularly in Yoruba communities of Southwestern Nigeria, including Sagamu Local Government Area (LGA) of Ogun State. Because it presents important issues about gender justice, legal pluralism, and the defense of women's property rights in Nigeria, this conflict between constitutional protections and customary reality has drawn ongoing scholarly attention (Ojo & Salami, 2022).

Inheritance among the Yoruba is customarily arranged following patrilineal lines, giving priority to the male lineage's continuation. Sons typically inherit land, family compounds, and other ancestral holdings, whereas daughters' rights to natal family property are weakened because they are frequently considered part of their husbands' families after marriage (Oladeji, 2020). This cultural conception of lineage continuity has been found as a key component of customary inheritance systems throughout Southwestern Nigeria, and it continues to support gender-based exclusion from inheritance (Balogun, 2023). The

prevalent practice of Yoruba customary law, notwithstanding its lack of uniformity, maintains patriarchal presumptions that limit women's autonomous access to inherited property. Though these benefits are typically based on family goodwill rather than legally enforceable rights, women may occasionally receive gifts or discretionary allocations from family estates, making their access to inherited property unpredictable and insecure (Adeyemi & Ogunleye, 2022).

Customs that prohibit women from inheriting property are incompatible with the equality and human dignity guaranteed by the constitution, according to recent court rulings that have progressively addressed discriminatory customs (Eze, 2021). However, discriminatory inheritance practices continue to exist in many areas, indicating a substantial disconnect between official legislative reforms and their grassroots implementation. Traditional traditions, growing legal consciousness, urbanization, and shifting socioeconomic circumstances all influence inheritance practices in Sagamu Local Government Area. The wider reality of legal pluralism in Nigeria, where statutory and customary laws coexist but frequently clash in practice, is reflected in the fact that while some families have adopted more inclusive approaches to property distribution, many still follow traditional practices that favor male heirs (Akinwale, 2022).

Beyond legal rights, gender imbalance in inheritance has wider ramifications for social fairness and economic advancement. Wealth creation, agricultural productivity, livelihood security, and intergenerational asset transfer are all still significantly influenced by access to inherited property. As a result, women's exclusion from family property and land leads to higher susceptibility to poverty and social marginalization, restricted access to productive resources, and economic dependency (UN Women, 2023). Many women in Sagamu still face obstacles because of customs that favor male descendants and subject women's inheritance claims to family discretion, even in spite of constitutional protections and increased public knowledge of women's inheritance rights. The efficiency of legal changes, the durability of customary institutions, and the degree to which women may enjoy their constitutional rights to inherit and manage family property are all called into question by this enduring imbalance.

In light of this, this paper examines the connection between gender inequality in property inheritance and customary law in Sagamu Local Government Area, Ogun State. It specifically looks at how customary law affects property inheritance patterns, how much gender inequality is represented in customary inheritance practices, and the socioeconomic effects of women's exclusion from inherited property. In order to address these concerns, the study aims to provide answers to three interconnected questions: how customary law influences property inheritance in the study area; the degree to which customary inheritance practices are characterized by gender inequality; and the socioeconomic consequences of women's exclusion from inheritance due to their gender. The study adds actual data from Sagamu to the expanding conversation in Nigeria about gender equality, legal pluralism, and the reform of customary law. Policymakers, judicial institutions, traditional authorities, gender advocacy organizations, and academics working to advance social justice and sustainable development within customary law jurisdictions, strengthen the application of constitutional guarantees, and encourage equitable inheritance practices are anticipated to benefit from the findings.

Literature Review

Conceptual Review

Three interconnected ideas serve as the foundation for this study: property inheritance, gender inequity, and customary law. Gaining an understanding of these ideas lays the groundwork for investigating Yoruba communities' inheritance customs and how they affect women's access to family property.

The collection of indigenous norms, customs, and practices that govern the social, economic, and legal interactions among residents of a specific community is referred to as customary law. Customary law is accepted as a valid source of law in Nigeria as long as it does not conflict with any written law, natural justice, equity, or good conscience. Particularly in rural and semi-urban areas where traditional institutions continue to hold sway, it continues to govern significant facets of family life, including as marriage, land tenure, succession, and inheritance (Aderinto, 2021). The transfer of family property across generations in Yoruba society is heavily influenced by customary law.

The term "gender inequality" describes the differential rights, opportunities, and treatment that people receive based on their sex. When it comes to inheritance, it shows up as giving male heirs preference over female heirs when it comes to family property ownership, control, and succession. Patriarchal cultural traditions that link family authority and lineage continuity to men perpetuate these discrepancies, limiting women's economic empowerment and inheritance rights (Ojo & Salami, 2022).

The transfer of land, buildings, money, and other types of wealth from a deceased individual to remaining beneficiaries is referred to as property inheritance. Inheritance has historically adhered to patrilineal norms under Yoruba customary law, with boys typically acknowledged as the primary heirs to family property and women's rights frequently restricted or optional (Oladeji, 2020). In many communities, traditional inheritance traditions still have an impact on property allocation, despite constitutional rules and court rulings that progressively support gender equality (Adeyemi & Ogunleye, 2022). Combining these ideas offers a helpful framework for comprehending how gender inequality in property inheritance in Sagamu Local Government Area, Ogun State, interacts with customary law.

Empirical Review

Despite constitutional guarantees of equality, empirical research on customary law and gender disparity in Nigerian property inheritance consistently shows that patriarchal attitudes are nonetheless deeply ingrained in inheritance systems. Sons are acknowledged as the primary heirs of family property, ancestral residences, and other priceless possessions in many Yoruba communities in Southwestern Nigeria, where succession is still governed by patrilineal principles. This tendency is supported by longstanding cultural beliefs that identify lineage continuity, family authority, and property ownership with the male line, hence limiting females' rights to inherit from their natal families (Akinyemi, 2022). In many households and communities, inheritance decisions are still influenced by customary traditions, despite the fact that legal reforms and increased awareness of women's rights have fostered more acceptance of gender equality.

Additionally, research shows that while customary inheritance laws are applied differently in Yoruba communities, they typically favor male descendants. Daughters are frequently denied the opportunity to inherit family property or are given symbolic distributions that do not grant them complete ownership or the ability to make decisions. Olawale and Adeniran (2023) discovered that Yoruba communities' customary inheritance traditions, which give sons priority in the succession of family land and ancestral property, continue to perpetuate gender inequality. The study found that societal beliefs that girls become members of their husbands' families after marriage and hence had limited entitlement to property inside their natal homes frequently undermined women's inheritance claims. These results show that customary norms still have a significant impact on inheritance practices even in the face of growing legal awareness and constitutional protections.

The vulnerable status of women under traditional inheritance systems is further demonstrated by related data from Southern Nigeria. According to Okafor and Nwankwo (2021), widows and daughters often relied on unofficial discussions or the generosity of male relatives to obtain inherited property. Many

women's access to land and other productive assets was uncertain since they relied on family decisions rather than legally enforceable rights. Due to this circumstance, women are frequently more vulnerable economically, have fewer opportunity to accumulate wealth, and are less likely to become financially independent. The continuation of these customs shows how, in spite of laws that support equality, gender relations within families are nevertheless shaped by customary norms.

Comparative studies conducted throughout Sub-Saharan Africa, outside of Nigeria, reveal that countries where customary law determines succession continue to exhibit gender imbalance in property inheritance. However, because statute law and customary law coexist in a multiple legal system, the Nigerian experience poses particular challenges. According to Babatunde (2022), this coexistence frequently results in inconsistent inheritance rights implementation since deeply ingrained cultural practices and customary institutions frequently undercut constitutional promises of equality. As a result, women may have legal rights under statute law but yet face discrimination at the household and community levels under customary law.

There has also been a lot of empirical research done on the socioeconomic effects of uneven inheritance. Reduced economic stability, limited access to agricultural resources, fewer investment opportunities, and heightened vulnerability to poverty have all been associated with women's exclusion from inherited land and family assets. Women's participation in household decision-making is further limited by their limited ownership of productive assets, which therefore reduces their negotiating power within families and communities. These results undercut initiatives to support inclusive development and sustainable livelihoods and perpetuate larger trends of gender inequality.

Despite these significant contributions, a number of shortcomings are shown by current empirical research. The majority of the literature looks at customary inheritance from a national or regional standpoint, with scant information on how inheritance practices function in particular local contexts. Additionally, the lived experiences of women impacted by customary inheritance practices are not sufficiently documented in much research that focuses on legal or policy assessments. Additionally, there is no empirical data on how customary inheritance systems are changing in semi-urban Yoruba communities like Sagamu Local Government Area due to urbanisation, educational advancement, and increased legal awareness. In order to comprehend how customary law still affects gender inequality in property inheritance and to inform policies meant to promote women's inheritance rights within Nigeria's multiple legal systems, it is imperative that these gaps be filled.

Theoretical Framework

This study is based on two fundamental theories: feminist legal theory (FLT) and legal pluralism theory (LPT).

Feminist Legal Theory (FLT)

Feminist legal theory is a jurisprudential framework that investigates how the law reinforces, legitimises, or confronts gender inequality in society. Feminist legal theory arose as a critical response to the historically "gender-neutral" nature of law, which feminist scholars contend frequently conceals male-centered assumptions ingrained in legal institutions. The theory contends that law is not neutral but rather reflects existing social power systems, particularly patriarchy, which systematically advantages men while marginalising women in terms of rights, access, and representation. Feminist legal theory fundamentally challenges the premise that equality before the law translates into substantive equality in lived experiences. It distinguishes between formal equality (legal equality) and substantive equality. This distinction is critical for understanding inheritance systems in Nigeria, where constitutional requirements guarantee equality but customary practices continue to harm women in property succession.

In the setting of this study, feminist legal theory is extremely essential because it provides a prism through which to examine how customary law in the Sagamu Local Government Area establishes gendered hierarchies in inheritance. Although Nigerian constitutional law outlaws gender discrimination, customary law persists as a parallel normative structure that frequently favours male heirs. FLT explains this conflict by demonstrating how legal regimes can legally accept equality while continuing to support patriarchal results through cultural norms and institutional practices.

Applying feminist legal theory to this study allows us to critically examine why women in Sagamu are commonly excluded or marginalised in property inheritance, despite their legal rights. It demonstrates that such exclusion is a socio-cultural and institutional issue, rooted in deeply ingrained patriarchal notions that define property ownership, lineage continuity, and family identity in gendered terms. For example, the common perception that women "belong" to their married families after marriage is more than just a cultural norm; it is a gendered legal premise that influences inheritance outcomes. Furthermore, feminist legal theory contributes to understanding the discretionary nature of women's inheritance rights under customary law. Women may occasionally get property or support, but this is usually informal and based on male relatives' discretion rather than enforceable legal rights.

FLT sees this as a form of patriarchal control over legal recognition and resource distribution, with women's rights being conditional rather than guaranteed. The theory is also useful for examining the socioeconomic implications of gender imbalance in inheritance. Customary law perpetuates cycles of poverty by denying women equitable access to land and property. Feminist legal theory thus relates legal frameworks to broader development outcomes, demonstrating how gender bias in inheritance law influences not only legal status but also economic empowerment and social well-being.

The use of feminist legal theory in this work is justified by its ability to bridge the gap between law and lived experience. Unlike strictly doctrinal legal techniques that focus solely on statutory interpretation, FLT takes into account the social, cultural, and economic dimensions of law, making it ideal for analysing customary inheritance systems in Sagamu. It provides a key paradigm for understanding how gender inequality emerges, persists, and can be fought in both formal and informal legal systems. However, feminist legal theory provides a thorough analytical framework for investigating customary law and gender inequalities in property inheritance. Area.

It allows the study to go beyond descriptive analysis and critically examine the power dynamics contained in inheritance systems, providing deeper insights into the continuation of gender inequality in the Sagamu Local Government Area.

Pluralism as a Theory (LPT)

The second approach emphasised legal pluralism as a theory (LPT), which is a socio-legal framework that explains the coexistence and interplay of numerous legal systems within the same social domain. According to legal pluralism, in many postcolonial cultures, like Nigeria, state law coexists with customary law, religious law, and informal normative systems rather than operating in isolation. These various legal orders frequently overlap, compete, and even fight when it comes to regulating social connections like marriage, inheritance, and property ownership (Merry, 1988; Griffiths, 1986). A major assumption of legal pluralism is that law is not a unified or monolithic system, but rather a complicated arrangement of various normative regimes that people navigate in their daily lives. In this sense, legal authority is distributed, and people may comply with or derive legitimacy from several legal systems based on circumstances, social pressure, and perceived validity. This renders legal results, particularly in areas such as inheritance, highly flexible and socially created rather than strictly governed by formal statute requirements.

In this study, legal pluralism is especially important because Nigeria has a dual legal system in which customary and statutory law coexist. While the Nigerian Constitution guarantees equality and nondiscrimination, customary law still governs inheritance practices in many communities, including Sagamu Local Government Area. This coexistence generates a situation in which women may enjoy constitutional inheritance rights while yet being restricted by customary norms that prioritise male heirs.

Applying legal pluralism to this study sheds light on why gender inequality in property inheritance continues despite progressive legal reforms. It emphasises that the issue is not simply a lack of legislation protecting women but also a struggle amongst legal systems with varying sources of legitimacy. In Sagamu, customary law frequently has greater social validity than formal law, especially in family and lineage affairs. When it comes to dividing inheritance, community members may prioritise customary expectations over formal legal rights. Legal diversity also helps to explain how women's inheritance rights are inconsistently enforced. In certain circumstances, women can legally claim inheritance through courts based on statute law, yet in others, family elders and traditional institutions impose customary standards that prohibit them. This discrepancy underscores the fragmented character of legal power in numerous legal settings, where results are determined by the legal system activated or socially enforced in a specific context. Furthermore, the theory sheds light on the significance of local institutions, including family heads, traditional rulers, and community elders, in determining inheritance outcomes. These players frequently serve as informal legal authorities, interpreting and enforcing customary norms, perpetuating patriarchal inheritance practices even in the face of statutory legal protections for women.

The argument for using legal pluralism theory in this study is its capacity to represent the real-life complexity of inheritance procedures in Nigeria, notably in the Sagamu Local Government Area. Unlike strictly doctrinal approaches that focus just on statutory provisions, legal pluralism allows for a more comprehensive understanding of how diverse legal systems interact to produce gendered results in property inheritance. It is particularly relevant to our study because it explains both the durability of customary inheritance standards and the limitations of constitutional and judicial initiatives in addressing gender inequality. More importantly, legal pluralism theory offers a solid analytical framework for investigating customary law and gender inequality in property inheritance. It allows the study to place inheritance practices within a larger socio-legal context in which several legal systems coexist, compete, and determine women's access to property in the Sagamu Local Government Area.

Methodology

In order to investigate the connection between gender disparity in property inheritance and customary law in Sagamu Local Government Area (LGA), Ogun State, Southwest Nigeria, this study used a qualitative case study research design. Because the study aimed to investigate participants' lived experiences, perceptions, and interpretations of customary inheritance procedures within their socio-cultural context rather than establish statistical links, a qualitative approach was deemed appropriate. An in-depth examination of inheritance customs in a particular Yoruba community where customary law still governs family property and succession was made possible by the case study design. Sagamu LGA was purposefully chosen as a venue for analyzing the relationship between customary law and modern legal principles because it combines robust traditional institutions with growing urbanization and legal knowledge.

Women with inheritance experiences, family heads, traditional leaders, seniors in the community, attorneys, and representatives of customary courts with sufficient understanding of customary inheritance customs made up the study population. Purposive sampling was used to choose participants based on their roles, experience, and expertise with inheritance issues. Until thematic saturation was attained, until more interviews yielded no significantly new information—data collecting continued.

Both primary and secondary sources of information were used in the investigation. Semi-structured, in-depth interviews and focus groups with purposefully chosen participants in the Sagamu Local Government Area produced primary data. To make sure that all research topics were sufficiently addressed, the interview guide was created using the study objectives and pertinent literature on gender inequality, customary law, and property inheritance. Depending on the participants' preferences, interviews were done in either Yoruba or English. They were audio recorded with their permission and then verbatim transcriptions were made for analysis. The interviews were supplemented with focus group discussions that produced common viewpoints on gender relations, customary inheritance practices, and changing community attitudes regarding women's inheritance rights.

In order to offer contextual and documentary evidence for the study, secondary data were methodically gathered from reliable academic and legal sources. Peer-reviewed journal articles, academic textbooks, constitutional clauses, statutes, court rulings, reports on customary law, government publications, policy documents, reports from international organizations, conference papers, dissertations, and pertinent archival materials on customary law, inheritance, legal pluralism, and gender inequality in Nigeria were among these materials. To guarantee the validity and dependability of documentary evidence, only current, reputable, and immediately pertinent periodicals were chosen.

Thematic analysis was used to examine the gathered data. Documentary materials and interview transcripts were meticulously classified, grouped into recurrent themes, and evaluated in accordance with the goals of the study. While member checking allowed participants to confirm the accuracy of the researchers' interpretations, the triangulation of focus group, interview, and documentary evidence increased the findings' trustworthiness. Throughout the research process, ethical principles were rigorously upheld through informed permission, voluntary involvement, confidentiality, anonymity, and respect for cultural norms, especially when interacting with traditional institutions and talking about delicate inheritance issues.

Research Findings

The findings of this study are presented and analysed in accordance with the three research objectives. The analysis combines interview and focus group responses with the socio-legal background of the Sagamu Local Government Area to emphasise the patterns, meanings, and ramifications of traditional inheritance practices.

Objective One: Influence of Customary Law on Property Inheritance in Sagamu Local Government Area

The findings revealed that customary law continues to be the most authoritative framework for controlling inheritance in Sagamu Local Government Area, particularly when it comes to land and family property. Respondents repeatedly stated that inheritance decisions are generally determined by entrenched customary norms enforced by family heads, elders, and lineage authority, rather than statutory legislation. This demonstrates that inheritance is primarily viewed as a communal and patriarchal issue, rather than an individual legal entitlement.

A common pattern noted is the persistent dependence on patrilineal succession, with sons selected as automatic heirs of family property. The first son, in particular, is sometimes positioned as the "custodian" of family assets, overseeing the distribution and protection of lineage property. This system severely limits the involvement of daughters in inheritance processes. Even when statutory legislation is recognised, respondents claimed that families rarely use it unless the issue escalates beyond the family

unit. The investigation revealed that customary law in Sagamu functions as a social enforcement mechanism rather than a codified legal structure, drawing strength from cultural legitimacy, communal consensus, and respect for elders. In fact, this informal but powerful structure frequently takes precedence over legislative provisions, demonstrating the extent of legal heterogeneity in inheritance governance.

Objective Two: Manifestation of Gender Inequality in Inheritance Practices

The findings showed that gender inequality is inherently integrated in inheritance practices in Sagamu Local Government Area. A frequent subject in interviews is the systematic prioritising of male heirs, whereas female offspring are either excluded or given minor roles in property distribution. This exclusion is not always total, but it is frequently explained by culturally engrained logic that daughters are "transferred" to their marriage families and hence do not have rights to natal property.

Gender inequality functions through both legal exclusion and informal conditionality, which is a critical analytical discovery. In some families, women may have access to property, but this access is discretionary, revocable, and contingent on the goodwill of male relatives. This produces "precarious inheritance rights" for women, in which ownership is neither secure nor legally enforceable. The study also discovered that widows faced various levels of vulnerability. While some are allowed to live in their matrimonial residences, their rights are sometimes limited to usage rather than ownership. In more restrictive circumstances, widows must go through customary rituals or suffer expropriation, demonstrating the permanence of patriarchal power over property even after a spouse's death. The study found that gender inequality in inheritance is supported not just by cultural ideas, but also by social pressure mechanisms such as stigma, fear of family conflict, and expectations of conformity. These considerations hinder women from pursuing inheritance claims, even if they are aware of their legal rights.

Objective Three: Socio-Economic Consequences of Gender-based Exclusion

The findings revealed considerable socioeconomic effects for women's exclusion from inheritance. A crucial analytical finding is that inheritance in Sagamu serves as an important avenue for intergenerational wealth growth, particularly through land ownership. As a result, women's exclusion from this system translates directly into diminished economic agency. Women without inheritance rights are reported to be more economically dependent on male relatives, such as husbands, siblings, or extended family members. This dependence weakens their negotiating power inside homes and impairs their ability to make independent financial decisions. The study also found that exclusion from land inheritance limits women's access to formal credit institutions, as land ownership is frequently used as collateral.

Another key result is that economic exclusion promotes informal survival tactics, with many women participating in tiny trading and subsistence activities. While these activities are useful for short-term survival, they do not give long-term financial security or wealth-building chances on the scale of property ownership. The approach also emphasises intergenerational effects. Women who are barred from inheriting are unable to transfer assets to their children, prolonging cycles of poverty and gender inequity. This illustrates that inheritance processes have long-term structural repercussions that extend beyond the immediate distribution outcomes.

Synthesis of Findings

Across all three aims, the study found a consistent pattern: customary law in the Sagamu Local Government Area serves as a powerful institutional framework that perpetuates gender inequality in inheritance. Cultural legitimacy, patriarchal power structures, and insufficient practical implementation

of law protections all contribute to the system's strength. Gender inequality is thus fundamentally incorporated in both inheritance theory and practice, rather than being an afterthought. However, the data revealed that inheritance inequality is not only a legal issue but also a socioeconomic and cultural phenomenon that influences women's lived experiences, economic possibilities, and social standing in the society.

Discussion of Findings

This study looked at customary law and gender inequalities in property inheritance in Sagamu Local Government Area (LGA), Southwest Nigeria. The findings are presented in relation to the three research aims, with a systematic use of current scholarly works to validate, contrast, and deepen understanding.

Objective One: Influence of Customary Law on Property Inheritance in Sagamu Local

Government Area

The findings indicated that customary law continues to be the dominant framework regulating inheritance practices in Sagamu Local Government Area, particularly in terms of land and family property allocation. This supports scholars' claims that, despite the presence of statutory legal frameworks, customary law continues to act as a fundamental regulatory mechanism in family relationships in many Yoruba societies (Akinyemi, 2022; Babatunde, 2022). The sustained authority of family heads, lineage elders, and traditional councils illustrates what Merry (1988) refers to as the "everyday dominance of living law" in several legal situations.

The emphasis on male heirs, particularly first sons, is consistent with Oladeji (2020) observation that Yoruba customary inheritance is basically patrilineal, with property viewed as a lineage asset used to sustain family identity through the male line. This study's result that statutory law is rarely invoked at the family level is consistent with Tamanaha (2008) observation that formal legal systems frequently lose practical authority when customary norms have greater social legitimacy. Thus, the findings support the broader literature that legal diversity in Nigeria is more than just coexistence; it is a hierarchy of norms, with customary law frequently dictating inheritance concerns at the grassroots level.

Objective Two: Gender Inequality in Inheritance Practices

The findings revealed ongoing gender disparity in inheritance procedures, with female children routinely excluded or only conditionally included in property distributions. This echoes the findings of Okafor and Nwankwo (2021), who discovered that women in Southern Nigeria frequently rely on informal discussions with male relatives rather than enforced rights in inheritance concerns. Similarly, Ojo and Salami (2022) contend that, notwithstanding constitutional assurances of equality, customary inheritance systems continue to yield gendered outcomes that harm women, especially in rural and semi-urban areas. The current study builds on this point by demonstrating that, even when women are not completely excluded, their inheritance rights are frequently discretionary, revocable, and socially mediated rather than legally secured.

The vulnerability of widows revealed in this study is consistent with Adeyemi and Ogunleye (2022) findings that widows under Yoruba customary law frequently endure unstable tenure over matrimonial property unless supported by strong familial relationships. This is consistent with Babatunde's (2022) claim that customary law establishes gendered power relations that favour male authority in property choices. Theoretically, these findings supported feminist legal theory's (MacKinnon, 1987; Fineman,

2005) assertion that formal equality does not always translate into substantive equality, particularly when patriarchal norms shape legal decisions.

Objective Three: Socio-economic Consequences of Gender-Based Exclusion

According to the study, exclusion from inheritance has a considerable negative impact on women's economic independence, access to credit, and long-term welfare. This finding is consistent with Adebayo and Fashola (2023) argument that lack of land ownership among Nigerian women directly relates to economic vulnerability and inhibits involvement in productive economic activities. Similarly, UN Women (2023) underlines that inheritance disparity in Sub-Saharan Africa has far-reaching implications for poverty cycles, household instability, and intergenerational inequality. The current study corroborated this by demonstrating that women who are barred from inheritance are frequently forced to engage in informal economic activities that do not promote long-term wealth building.

The discovery that women's exclusion affects intergenerational asset transmission is consistent with Nussbaum's (2000) capabilities perspective, which emphasises that loss of property rights restricts individuals' true freedoms and life choices. In Sagamu Local Government Area, this emerges as women's lower ability to secure economic futures for their children, sustaining structural inequality across generations.

Overall, the findings substantially support previous research that has identified customary law as a major cause of gender inequality in Nigeria's inheritance systems. However, this study adds a particular dimension by demonstrating how these processes play out in Sagamu Local Government, where customary authority systems remain powerful despite increased urbanisation and legal awareness. The study also contributes to the literature on legal pluralism (Griffiths, 1986; Merry, 1988) by demonstrating that, in fact, customary law not only coexists with statute law, but frequently overcomes it in socially sensitive realms such as inheritance. Furthermore, it reinforces feminist legal critiques by demonstrating how gender prejudice is incorporated not just in formal regulations but also in everyday cultural practices and enforcement mechanisms. The discussion demonstrated that gender inequality in inheritance in Sagamu Local Government Area is a structurally rooted result of intersecting customary authority, patriarchal attitudes, and inadequate institutional enforcement of statutory rights. While current research generally identifies these tendencies, this study provides empirical validation at the local level and demonstrates how legal pluralism and patriarchy work together to maintain women's exclusion from property inheritance.

Conclusion

This study looked at customary law and gender inequalities in property inheritance in Sagamu Local Government Area (LGA), southwest Nigeria. The findings revealed that customary law remains the primary framework for governing inheritance practices in the research area, with a heavy emphasis on patrilineal rules that favour male heirs over female heirs. Despite legislative guarantees of equality, inheritance practices continue to reflect strongly held cultural views that undermine women's rights to family property. The study found that gender inequality in inheritance manifests itself not just through open exclusion of women, but also through conditional and discretionary access to property that is dependent on male relatives and family elders.

This practice fosters structural inequalities and reduces women's job stability and economic independence. Women who are barred from inheritance have less access to land, fewer economic prospects, and are more vulnerable to poverty and dependency. More crucially, the study found that the continuance of gender inequality in inheritance in Sagamu Local Government Area is due to the

interaction of customary authority, patriarchal norms, and inadequate implementation of statutory protections at the community level. This indicates the long-term influence of legal diversity on inheritance outcomes in Nigeria.

This study has certain drawbacks. First, the study is geographically restricted to the Sagamu Local Government Area, which may limit the findings' applicability to other parts of Nigeria with distinct cultural and traditional practices. Second, the study is mostly based on qualitative data, which, while detailed, may not capture the statistical prevalence of inheritance patterns in the community. Third, access to some players, particularly family elders and traditional authorities, was restricted due to cultural sensitivities surrounding inheritance discussions. This could have altered the variety of perspectives acquired.

Based on the study's findings and limitations, several topics warrant additional investigation. To begin, future research may use a comparative approach across different local government areas in Southwestern Nigeria, examining differences in traditional inheritance procedures and gender results. Second, a quantitative study might be undertaken to determine the prevalence and breadth of women's exclusion from inheritance, as well as to make wider statistical generalisations. Economics may look further into how inheritance inequality affects poverty, development, and household well-being in Nigeria. Third, future research might look into the influence of legal awareness, education, and urbanisation in influencing attitudes regarding gender equality in inheritance among younger generations. Furthermore, research might look into the impact of judicial interventions and statutory reforms in altering traditional inheritance practices at the grassroots level. Finally, multidisciplinary research combining law, sociology, and economics could investigate how inheritance disparity affects poverty, development, and household welfare in Nigeria.

Policy Recommendations

In accordance with the findings and aims of this study on customary law and gender inequality in property inheritance in Sagamu local government area (LGA), the following policy recommendations are made:

1. There is a need for deliberate policy intervention to align customary inheritance processes with the Nigerian Constitution's equality guarantees. Governments at both the state and federal levels should strengthen legal frameworks that clearly prohibit discriminatory inheritance practices under customary law. This should involve the adoption and enforcement of gender equality norms in customary courts and traditional dispute resolution systems. Traditional rulers and family heads should also be trained and equipped to match customary inheritance decisions with constitutional non-discrimination norms.
2. The findings revealed that cultural beliefs strongly support male-preferential inheritance practices. Therefore, targeted community sensitisation campaigns should be implemented in the Sagamu local government area to improve awareness of women's inheritance rights. These programmes should involve traditional leaders, religious institutions, women's groups, and youth associations to challenge entrenched norms that exclude women from inheritance. Legal literacy initiatives should also be expanded to educate women on their constitutional rights and available legal remedies, thereby empowering them to assert claims to family property where necessary.
3. Given the socioeconomic consequences of inheritance exclusion, policies should be introduced to enhance women's access to land and property ownership outside customary inheritance structures. Government and development agencies should promote land reform policies that facilitate joint ownership of family property between spouses and ensure that women can independently acquire and register land. Microcredit schemes and housing support programs should also be linked.

Contributions to Knowledge

This work contributes significantly to existing knowledge on customary law, gender inequality, and property inheritance in Nigeria. First, it provides actual evidence from the Sagamu local government area, which has been understudied in the current literature. While much research on inheritance and gender inequality looks at larger national or regional patterns, this study takes a micro-level approach, capturing the particular dynamics of Yoruba customary inheritance practices in a semi-urban setting. This improves comprehension of how inheritance norms work in actual community circumstances rather than in abstract legal terms. Second, the study adds to the gender and development literature by emphasising the socioeconomic implications of inheritance exclusion. It highlights how women's inheritance rights are denied or limited, which has a direct impact on their economic independence, access to productive assets, and intergenerational welfare. This supports the premise that inheritance inequality is both a legal and a development concern.

Third, the study makes a theoretical contribution by using legal pluralism and feminist interpretation to explain the continuation of gender disparity in inheritance practices. It combines cultural, legal, and socioeconomic factors to provide a more complete analytical framework for understanding customary inheritance systems. Finally, the study provides policy-relevant findings that might inform legal change, gender sensitisation programmes, and community-level interventions aimed at enhancing women's access to property rights in Nigeria.

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