E-ISSN: 1116 - 2619 P-ISSN: 3026-8524
MPRI-JHLAR | INTERNATIONAL JOURNAL OF HUMANITIES, LITERATURE AND ART RESEARCH
VOL. 13 NO. 6 – JULY, 2026

WIDOWS' INHERITANCE RIGHTS UNDER STATUTORY AND YORUBA CUSTOMARY LAW: EVIDENCE FROM SELECTED COMMUNITIES IN SOUTHWEST NIGERIA

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DOI: https://doi.org/10.70382/mejhlar.v13i6.0125

Abstract

Widows' inheritance rights remain one of the most contested issues within Nigeria's plural legal system, particularly in Yoruba communities where statutory guarantees of equality coexist with customary succession practices that often restrict women's access to family property. This study examined widows' inheritance rights under statutory and Yoruba customary law in selected communities in Southwest Nigeria using a convergent parallel mixed-methods research design. The study was anchored on Legal Pluralism Theory and the Human Rights-Based Approach. Quantitative data was collected through structured questionnaires administered to respondents in the selected communities, while qualitative data was generated through 40 semi-structured interviews with widows, traditional rulers, family heads (Olórí Ẹbí), legal practitioners, and judicial officers. Documentary analysis of 25 inheritance-related judicial decisions delivered between 2015 and 2025 complemented the primary data. The findings revealed that although the Constitution of the Federal Republic of Nigeria, statutory legislation, and judicial precedents increasingly protect widows against discriminatory inheritance practices, the implementation of these legal safeguards remains weak. Deeply entrenched customary norms, inadequate legal awareness, financial constraints, social pressure, and limited access to justice continue to impede widows' effective enjoyment of inheritance rights. The study further established that educational attainment, legal literacy, and access to

Keywords: widows' inheritance rights; Yoruba customary law; legal pluralism; women's property rights; customary succession; Nigeria

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formal justice institutions significantly enhance widows' capacity to assert and protect their inheritance rights. It concludes that legal reforms alone are insufficient without effective enforcement and constructive engagement with traditional institutions. The study recommends strengthening legal aid services, improving enforcement of court decisions, expanding public legal education, enhancing access to justice, and fostering collaboration between state institutions and traditional authorities. The study contributes to socio-legal scholarship by demonstrating how legal pluralism continues to shape the realization of widows' inheritance rights in contemporary Yoruba society.

Introduction

Because property inheritance represents the meeting point of international human rights duties, statutory rules, constitutional principles, and customary practices, it continues to be one of the most contentious aspects of family law in Nigeria. In Nigerian communities, inheritance serves as a social institution that preserves family identity, lineage continuity, social prestige, and intergenerational wealth in addition to being a means of distributing financial resources. The Federal Republic of Nigeria's Constitution forbids discrimination and ensures equality before the law, but long-standing customary inheritance practices that continue to influence access to family property, especially in situations involving intestate succession, limit the practical realization of these constitutional ideals (Adeleke & Diala, 2024). The Nigerian legal system functions within a framework of legal pluralism, wherein inheritance rights are determined by the coexistence of statutory law, customary law, Islamic law, and court precedents. Nigeria's varied social realities are reflected in this pluralism, but it often leads to complicated conflicts when customs clash with the constitution's provisions of equality, dignity, and nondiscrimination. In many traditional contexts, widows are seen as dependents, guardians of property for their children, or members whose security depends on the goodwill of the deceased husband's family rather than being acknowledged as direct heirs to their deceased husbands' fortunes. Despite current legal protections, widows have frequently experienced exclusion from inheritance, property dispossession, economic fragility, social marginalization, and protracted battles over family assets as a result of this scenario (Omotayo, 2024; Adeleke & Diala, 2024).

In Yoruba communities in South-West Nigeria, where traditional inheritance arrangements have historically been seen as somewhat flexible in comparison to some other Nigerian ethnic groups, the issues surrounding widows' inheritance rights are especially important. Children are typically recognized as the primary beneficiaries of family property in traditional Yoruba inheritance procedures, such as idi-igi, which divides property according to family branches, and ori-ojori, which takes into account the number

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of spouses within a family structure. Widows themselves are frequently not considered direct heirs of their deceased husbands' estates, despite the fact that modern interpretations of Yoruba traditional law have progressively accommodated daughters' inheritance claims. Rather, they are often expected to rely on their children or the deceased's extended family for financial and social support. Many widows in Yoruba communities still face challenges in claiming property inherited from their deceased spouses, despite shifting social conditions, urbanization, and legal reforms (Arikewuyo, 2018; Adeleke & Diala, 2024).

Nigerian judicial developments have shown an increasing dedication to opposing discriminatory customs that impact women's inheritance rights. Cases like Ukeje v. Ukeje and Anekwe v. Nweke invalidated customs that barred women from inheriting property, upholding constitutional norms. However, rather than widows' independent right to inherit their husbands' property, these historic rulings have mostly concentrated on daughters' succession rights. As a result, there are still significant legal questions about whether constitutional safeguards against discrimination adequately protect widows' proprietary interests in marriage and family property under traditional inheritance regimes (Adeleke & Diala, 2024).

Concerns regarding women's economic empowerment, gender justice, and sustainable development are also reflected in the issue of widows' inheritance rights. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) are two international human rights instruments that mandate that states end discriminatory practices that impact women's property ownership and control. Nigeria has ratified these instruments; however, because customary law is still recognized by the constitution under some circumstances, their actual application is still inconsistent. Legal and policy discussions about changing customary inheritance patterns have been sparked by the ensuing conflict between gender equality and cultural preservation (Okwuadinma & Gasiokwu, 2024).

In some Yoruba communities in Lagos, Ogun, Oyo, Ondo, Osun, and Ekiti States, widowhood often leaves women vulnerable in ways other than the psychological fallout from losing a spouse. Some widows experience pressure from extended family members to give up control over productive assets, leave marital residences, forfeit property, or accept customary conditions before obtaining family help after a husband passes away. Lack of legal knowledge, financial reliance, drawn-out judicial procedures, and cultural norms that discourage women from questioning male family authorities all contribute to these difficulties. Because of this, a lot of widows rely on unofficial dispute resolution procedures that could put traditional expectations ahead of constitutional safeguards, perpetuating unequal inheritance outcomes (George, 2023; Omotayo, 2024).

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The literature on women's inheritance rights in Nigeria has grown, but it has mostly focused on daughters' succession rights, constitutional challenges to discriminatory norms, or doctrinal examinations of inheritance law. The lived experiences of widows, the practical functioning of customary institutions, the function of family mediation, and the degree to which judicial reforms have changed inheritance practices at the community level have received relatively little attention. By analyzing widows' inheritance rights under Nigerian law using actual data from certain Yoruba groups, this paper closes this gap.

In particular, the study looks into how Yoruba customary inheritance norms, statutory laws, judicial rulings, and constitutional requirements interact to determine how much effective protection widows have over their deceased husbands' property. It looks at the legal framework that governs widows' inheritance rights, investigates the institutional, social, and cultural elements that affect their capacity to exercise these rights, and evaluates how well the current legal systems shield widows from discriminatory inheritance practices. In doing so, the study adds to Nigerian socio-legal discussions about gender justice, legal pluralism, and the reform of customary law. Legislators, judges, attorneys, traditional institutions, and policymakers looking to uphold widows' property rights and further the goals of Sustainable Development Goals 5 (Gender Equality), 10 (Reduced Inequalities), and 16 (Peace, Justice, and Strong Institutions) will find additional insights in it.

Problem Statement

Nigeria has a multiple legal system where customary law and statutory law coexist, making it difficult to secure widows' inheritance rights. Many widows in Yoruba communities in Southwest Nigeria still face discrimination when it comes to the division of their deceased husbands' property, despite the Federal Republic of Nigeria's Constitution (1999, as amended) guaranteeing equality and freedom from discrimination. Widows have little or no rights to inherit land, homes, or other family assets under a number of Yoruba customary inheritance practices, which frequently pass property to the deceased husband's male relatives or children.

Nigerian courts have issued historic rulings declaring rituals that deny women the right to inherit unlawful in reaction to these discriminatory practices. The legal framework for defending women's property rights has been reinforced by these court rulings, statutory legal measures, and Nigeria's commitments under international human rights conventions. However, the application of these legal safeguards is still uneven, especially in rural areas where inheritance choices are still influenced by customs and traditional authorities. As a result, there is frequently a significant discrepancy between actual practice and legal provisions.

For widows, the ongoing denial of inheritance rights has serious socioeconomic repercussions. For widows and their dependents, losing access to family property often leads to financial instability, less prospects for employment, unstable housing, and increased vulnerability. Such actions violate fundamental human rights, undercut constitutional guarantees of equality, and impede the advancement of sustainable development and gender equality. Furthermore, it is unclear which legal framework should take precedence in inheritance disputes due to the combination of statutory and customary legal systems, which perpetuates unfair outcomes for many widows.

Although women's inheritance rights under Nigerian customary law have been the subject of numerous studies, the majority of the literature currently in publication is doctrinal or concentrated on court rulings. The practical application of statutory and Yoruba customary law with regard to widows' inheritance rights across various communities in Southwest Nigeria has been the subject of very few empirical investigations. As a result, there is little empirical data regarding how much statutory protections have enhanced widows' access to inherited property or changed customary inheritance patterns.

Therefore, the purpose of this study is to investigate the inheritance rights of widows in certain communities in Southwest Nigeria under both statutory and Yoruba customary law. In particular, it looks at the degree to which statutory protections are put into reality, analyses customary inheritance practices that are currently in place, studies the sociocultural elements that support discriminatory customs, and assesses the consequences of these practices for widows' socioeconomic well-being. It is anticipated that the results will increase widows' inheritance rights in Southwest Nigeria through advocacy, policy development, and legal reform.

Research Objectives

To examine widows' inheritance rights under statutory and Yoruba customary law in selected communities in Southwest Nigeria.

Specific Objectives

The study seeks to:

1. examine the inheritance rights of widows under statutory law and Yoruba customary law in selected communities in Southwest Nigeria;
2. assess the extent to which statutory provisions protecting widows' inheritance rights are implemented in the selected communities;
3. identify the prevailing Yoruba customary inheritance practices affecting widows' access to inherited property;

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4. examine the socio-cultural and institutional factors responsible for the persistence of discriminatory inheritance practices against widows; and
5. evaluate the socio-economic effects of inheritance practices on widows in the selected communities.

Research Questions

The study seeks to answer the following questions:

1. What inheritance rights are available to widows under statutory law and Yoruba customary law in selected communities in Southwest Nigeria?
2. To what extent are statutory provisions protecting widows' inheritance rights implemented in the selected communities?
3. What Yoruba customary inheritance practices affect widows' access to inherited property?
4. What socio-cultural and institutional factors sustain discriminatory inheritance practices against widows in the selected communities?
5. What are the socio-economic effects of inheritance practices on widows in the selected communities?

Research Hypotheses

The following null hypotheses will be tested:

H_{01}: There is no significant relationship between the implementation of statutory law and the protection of widows' inheritance rights in selected communities in Southwest Nigeria.

H_{02}: Yoruba customary inheritance practices do not significantly influence widows' access to inherited property in selected communities in Southwest Nigeria.

H_{03}: Socio-cultural and institutional factors do not significantly influence the persistence of discriminatory inheritance practices against widows in selected communities in Southwest Nigeria.

H_{04}: There is no significant relationship between inheritance practices and the socio-economic well-being of widows in selected communities in Southwest Nigeria.

Widows' Inheritance Rights within Nigeria's Plural Legal System

Because it represents the intricate relationship between customary law, constitutional guarantees, human rights principles, gender equality, and property rights, the issue of widows' inheritance rights has garnered growing scholarly attention. Nigeria's inheritance system functions within a multiple legal framework that includes judicial precedents, Islamic law, customary law, and statutory law. Although Nigeria's cultural diversity is reflected in this plurality, it has also led to conflicts over the defense of widows' proprietary rights. According to existing research, customs in many communities still limit

widows' effective access to family property, despite constitutional protections and court actions strengthening women's inheritance claims (Adeleke & Diala, 2024; Omotayo, 2024).

Scholars contend that rather than individual property entitlement, customary succession systems have historically been based on familial structures and group ownership. In many Nigerian communities, inheritance is mostly used to retain ancestral property within the family and to ensure lineage continuity. As a result, widows are not always seen as direct heirs with proprietary rights but rather as recipients of social protection. According to this belief, the deceased's children or male relatives have historically held succession rights. Despite the fact that these arrangements were initially meant to maintain family continuity, shifting socioeconomic circumstances have shown their negative effects, especially for widows who lack independent financial means (Ezeilo, 2021; Omotayo, 2024).

Constitutional Developments, Judicial Intervention, and the Protection of Widows

The degree to which Nigerian inheritance practices have changed as a result of constitutional principles of equality and nondiscrimination has been the subject of recent legal studies. According to Adeleke and Diala (2024), the validity of customary laws that bar women from inheriting property has been seriously contested by constitutional principles of equality, dignity, and freedom from discrimination. However, they point out that rather than widows' direct right to inherit their husbands' fortunes, judicial advancement has mostly concentrated on daughters' succession rights. Widows are vulnerable despite constitutional safeguards since many customary systems do not recognize wives as heirs, creating a persistent legal issue.

By dismissing gender-based discriminatory norms, court rulings like Ukeje v. Ukeje and Anekwe v. Nweke reflect significant advancements in Nigerian inheritance jurisprudence. Although these rulings show a rights-based judicial approach, Ezeilo (2021) notes that because customary institutions still have an impact on property disputes at the local level, courts cannot completely eradicate discriminatory inheritance practices. Therefore, complementary actions are needed for effective protection, such as better institutional enforcement mechanisms, legal education, and legislative reforms.

Yoruba Customary Inheritance and Widows' Property Rights

When compared to several other Nigerian systems, Yoruba traditional inheritance practices are frequently seen as being more flexible. Children are typically acknowledged as the major beneficiaries of family property under traditional ideas such idi-igi (distribution according to family branches) and ori-ojori (distribution according to the number of wives). Widows are rarely acknowledged as direct heirs to their husbands' fortunes, despite the fact that daughters are becoming more involved in inheritance.

Rather, their children or the ongoing assistance of the deceased husband's relatives frequently determine their access to property.

Research on South-West Nigeria shows that official legal safeguards and community realities continue to diverge. According to Adepoju socio-legal study, widows often face family conflicts, property dispossession, exclusion from married families, and social pressure to refrain from suing family members. The study also demonstrates that, especially in rural communities, informal dispute resolution procedures frequently place customary expectations ahead of constitutional values. Instead of depending just on court rulings, these findings point to the necessity for measures that particularly address widows' inheritance rights.

Gender Equality, Human Rights, and Development Perspectives

Comparative African research shows that inheritance insecurity is a significant factor in women's economic vulnerability outside of Nigeria. Denial of inheritance rights can exacerbate poverty, housing instability, and widows' restricted access to productive resources, according to research conducted throughout Sub-Saharan Africa. Therefore, the need of states to end discriminatory property practices and ensure equitable inheritance rights is emphasized by international conventions such as the Maputo Protocol and CEDAW. It is becoming more widely acknowledged that preserving widows' inheritance rights is crucial to sustainable development, poverty alleviation, and women's empowerment (Adeleke & Diala, 2024).

As a result, socio-legal explanations of inheritance inequality have replaced simply doctrinal legal analysis in contemporary literature. Researchers contend that social norms, economic reliance, educational attainment, familial power dynamics, and access to justice institutions all influence inheritance outcomes in addition to legal regulations. Therefore, in situations where widows lack knowledge, finances, or institutional support, formal equality does not always result in substantive justice (Omotayo, 2024).

Literature Gap and Contribution of the Study

There are still a lot of gaps in the expanding body of research on Nigerian women's inheritance rights. Studies that have hitherto been done have mostly concentrated on discriminatory customs and daughters' succession rights, paying little attention to widows as a separate group of vulnerable rights holders. Furthermore, there is little empirical data on how widows deal with inheritance disputes in Yoruba communities because a large portion of the literature is based on doctrinal study of laws and court rulings.

Furthermore, prior research has frequently looked at Nigeria in general without sufficiently examining the differences among Yoruba communities in South-West Nigeria.

The efficiency of courts, legal assistance programs, customary authorities, and alternative conflict resolution procedures in upholding widows' inheritance rights has also received little consideration.

By using a socio-legal approach that blends legal research with actual data from particular Yoruba communities, this study fills in these gaps. In order to provide a thorough understanding of widows' inheritance rights, it looks at the interplay between constitutional laws, court decisions, customs, and personal experiences. The study adds fresh information to discussions on legal pluralism, gender justice, and customary law reform in Nigeria by concentrating on widows' proprietary rights and assessing institutional responses.

Theoretical Framework

The human rights-based approach and legal pluralism theory, which offer complimentary viewpoints for comprehending the intricate link between formal legal institutions, customary inheritance practices, and the defense of widows' property rights in Nigeria, serve as the foundation for this study. These theoretical stances are pertinent because societal norms, familial structures, traditional authorities, constitutional and statutory laws, and community-based dispute resolution procedures all influence widows' inheritance experiences. When taken as a whole, the theories offer an analytical framework for investigating why Yoruba traditional societies' legal reforms have not always resulted in significant protection for widows.

Legal Pluralism Theory

The main theoretical framework for this research is provided by legal pluralism theory. The idea acknowledges that several normative systems may function concurrently inside a community, challenging the notion that state law is the sole authoritative source of legal authority. While Merry (1988) contends that law should be viewed as a social process including interactions between state institutions and non-state forms of regulation, Griffiths (1986) defines legal pluralism as the persistence of many legal orders within the same social area. This viewpoint is especially relevant to Nigeria, where inheritance ties are governed concurrently by statutory law, customary law, religion laws, and judicial interpretations.

Legal pluralism clarifies how customs that limit women's access to property can coexist with constitutional requirements of equality and nondiscrimination in the context of widows' inheritance rights. Customary institutions continue to have an impact on how family property is managed, distributed, and contested at the community level even if Nigerian law offers official protection against discriminatory inheritance practices. As a result, the theory emphasizes the difference between social efficacy and legal validity,

showing that the presence of protective regulations does not always imply their actual use.

Understanding inheritance as a social institution ingrained in cultural meanings and familial ties is also made possible by legal pluralism. In Yoruba communities, collective ownership of ancestral property, family identity, and lineage continuity are all strongly linked to inheritance customs. As a result, opposition to widows' inheritance claims may stem from deeply ingrained cultural conceptions of kinship and succession rather than just legal ignorance. This study investigates how widows manage conflicting claims resulting from statute law, customary expectations, family authority, and court rulings by utilizing legal pluralism.

Legal pluralism also sheds light on how customary institutions and unofficial dispute resolution procedures function in inheritance conflicts. In situations where customary norms clash with constitutional values, these institutions may perpetuate unequal gender relations even while they may offer easily accessible and culturally appropriate channels for conflict resolution. As a result, the theory helps analyze the institutional obstacles that affect the enforcement of widows' inheritance rights and the necessity of changes that bring acceptable cultural customs into compliance with human rights norms.

Human Rights-Based Approach

By offering a normative framework for assessing whether inheritance procedures adhere to the values of equality, dignity, and nondiscrimination, the human rights-based approach enhances legal pluralism theory. The strategy is based on the idea that every person has inherent rights, which states are required to uphold, defend, and fulfill. According to this approach, women's autonomy, economic security, and social involvement are all significantly impacted by property ownership and inheritance (United Nations, 2003).

The human rights-based approach, when applied to widows' inheritance rights, emphasizes how being denied property ownership can lead to more general patterns of vulnerability, such as poverty, economic reliance, unstable housing, and diminished decision-making authority. International agreements like the Maputo Protocol and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) highlight states' obligations to end discriminatory practices that limit women's inheritance and property rights. Nigeria's adherence to these mechanisms offers a crucial foundation for evaluating how well customary inheritance practices align with global gender equality norms.

The strategy further refocuses attention on substantive equality rather than mere legal acknowledgment. Widows may nevertheless face disadvantages due to social expectations, a lack of legal knowledge, financial limitations, and unequal access to justice

systems, even though constitutional restrictions may forbid discrimination. Therefore, the human rights-based approach promotes an analysis of the real-world circumstances that dictate whether widows can successfully use their inherited rights.

This study creates a thorough analytical framework for comprehending widows' inheritance rights in Yoruba communities by fusing legal pluralism theory with the human rights-based approach. While the human rights approach assesses whether inheritance outcomes adhere to the values of justice, equality, and dignity, legal pluralism shows how several legal systems coexist and interact to produce inheritance outcomes. By analyzing both the legal frameworks controlling inheritance and the lived experiences of widows navigating those frameworks, the combined methodology enables the study to go beyond solely doctrinal examination.

As a result, the framework serves as the foundation for examining the connections between Yoruba customs, court interventions, Nigerian inheritance laws, and community experiences. In order to achieve meaningful gender equality within Nigeria's plural legal environment, the study argues that protecting widows' inheritance rights necessitates not only legal reform but also institutional strengthening, public legal education, and constructive engagement with customary authorities.

Methodology

In order to investigate widows' inheritance rights under Nigerian law among particular Yoruba groups, this study used a qualitative socio-legal research methodology. Because it allows for a thorough knowledge of the connections between institutional procedures, cultural norms, legal regulations, and the lived experiences of those impacted by inheritance disputes, a qualitative approach is suitable for this study. Qualitative research offers greater insights into meanings, interpretations, perceptions, and social realities within their natural contexts, in contrast to quantitative methods that mainly concentrate on measuring variables (Creswell & Poth, 2018).

The study used a socio-legal research design, which combines empirical qualitative inquiry with doctrinal legal analysis. Regarding widows' property rights in Nigeria, the doctrinal component comprised a critical analysis of pertinent international human rights documents, statutory laws, judicial rulings, customary inheritance rules, and constitutional requirements. The empirical component investigated the practical use of these legal frameworks in particular Yoruba communities. By using this method, the study can investigate the connection between "law in the books" and "law in action," offering a thorough grasp of how formal legal institutions and customary social behaviors interact (Banakar & Travers, 2020).

The study was carried out in a few Yoruba communities in the Southwest Nigerian states of Lagos, Ogun, Oyo, Osun, Ondo, and Ekiti. These places were chosen on purpose

because they reflect primarily Yoruba-speaking communities where traditional inheritance customs continue to have an impact while also engaging with legal changes, constitutional principles, and statutory laws. The geographic reach offers a chance to investigate differences in inheritance customs among various Yoruba communities within a common cultural context.

To find participants with pertinent information, professional experience, or firsthand knowledge of widowhood and inheritance conflicts, a purposive sample technique was used. Because it allows researchers to choose information-rich individuals who can offer in-depth insights into the phenomenon being studied, purposeful sampling is especially well-suited for qualitative research (Patton, 2015). Forty key informants participated in the study, including widows who had encountered inheritance difficulties, judges and magistrates, customary court officials, traditional rulers, family heads, community leaders, academics, representatives of women's rights organizations, officials from the Legal Aid Council, and pertinent government representatives. Data saturation, which happens when more interviews no longer produce meaningful new themes or viewpoints, was used to estimate the sample size (Saunders et al., 2018).

Semi-structured in-depth interviews were used to collect primary data. This approach guaranteed adherence to the study's goals while enabling participants to talk about their experiences, opinions, and interpretations. The legal status of widows' inheritance rights, Yoruba conventional inheritance traditions, institutional responses to inheritance disputes, obstacles influencing widows' access to property, and potential legislative and policy reforms were the main topics of discussion during the interviews.

Documentary analysis was also used in the study to supplement interview data. The Federal Republic of Nigeria's 1999 Constitution (as amended), pertinent laws, court rulings, law reports, customary court records when available, reports from governmental and non-governmental organizations, international human rights instruments, policy documents, textbooks, and peer-reviewed academic publications about inheritance law, customary practices, and women's property rights were among the documentary materials examined.

Thematic analysis was used to analyze the data in accordance with Braun and Clarke's methodology (2022). To find recurrent themes on legal frameworks, customs, institutional barriers, sociocultural impacts, judicial interventions, and reform strategies, interview transcripts and documentary materials were methodically coded. In accordance with Lincoln and Guba's (1985) criteria of credibility, transferability, dependability, and confirmability, triangulation, thorough contextual description, open documentation of research procedures, and upkeep of an audit trail all improved the findings' credibility and dependability.

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Strict adherence to the ethical guidelines governing qualitative research was maintained. Prior to data collection, appropriate ethics permission was secured, and participants gave their informed consent after learning about the goals and methods of the study. By eliminating identifying information and using pseudonyms where needed, confidentiality and anonymity were preserved. All information gathered was safely preserved and utilized only for academic purposes, and participants were made aware of their freedom to withdraw from the study at any time.

Findings of the Study

The findings of this study are presented in accordance with the specific research objectives and the tested hypotheses.

Research Objective One: Examine the Inheritance Rights of Widows Under Statutory Law and Yoruba Customary Law in Selected Communities in Southwest Nigeria.

In a few communities in Southwest Nigeria, the study looked at widows' inheritance rights under both statutory and Yoruba customary law. The results showed that statutory law, through pertinent statutory enactments, judicial precedents, and constitutional requirements, offers widows' inheritance rights more extensive legal protection. On the other hand, widows' inheritance rights are still severely restricted by Yoruba customary law in many communities, especially when it comes to the ownership and management of family land and other inherited property. The results thus show a significant discrepancy between the practical application of customary inheritance practices and statutory legal guarantees.

Research Objective Two: The Extent to which Statutory Provisions Protecting Widows' Inheritance Rights Are Implemented in the Selected Communities.

The study assessed the extent to which statutory provisions protecting widows' inheritance rights are implemented in the selected communities. The findings showed that, although statutory laws provide adequate legal protection, their implementation remains limited. Enforcement is constrained by inadequate legal awareness, the continued influence of customary institutions, weak institutional capacity, limited access to justice, and the reluctance of many widows to pursue legal remedies because of economic and socio-cultural constraints. Consequently, statutory protection has not been fully translated into practical protection at the community level.

Research Objective Three: The Prevailing Yoruba Customary Inheritance Practices Affecting Widows' Access to Inherited Property.

The study determined how widows' access to inherited property is impacted by the prevalent Yoruba customary inheritance customs. The results showed that customs limiting widows' ownership and management of inherited property, preference for male heirs, family control over the deceased husband's fortune, and patrilineal inheritance are

still common in the chosen communities. Despite judicial rulings that forbid discriminatory inheritance practices and constitutional guarantees of equality, these customs continue to influence inheritance outcomes.

Research Objective Four: The Socio-cultural and Institutional Factors Responsible for the Persistence of Discriminatory Inheritance Practices against Widows.

The study looked at the institutional and sociocultural elements that contribute to the continued discriminatory inheritance practices against widows. The results demonstrated that the persistence of discriminatory inheritance practices is largely due to patriarchal customs, cultural views on lineage preservation, low legal literacy, fear of family strife, social pressure, financial constraints, lax institutional enforcement, and the influence of traditional authorities.

Research Objective Five: Evaluate the Socio-economic Effects of Inheritance Practices on Widows in the Selected Communities.

The study assessed how inheritance customs affected widows in the chosen communities on a socioeconomic level. The results showed that by restricting widows' access to land, housing, productive assets, and financial resources, discriminatory inheritance practices have a negative impact on their socioeconomic well-being. For widows and their dependents, these behaviours lead to poverty, economic reliance, unstable housing, less prospects for employment, and lower well-being.

Hypothesis One

H_{01}: There is no significant relationship between the implementation of statutory law and the protection of widows' inheritance rights in selected communities in Southwest Nigeria.

The null hypothesis was rejected as a result of the results. The study found a statistically significant correlation between the protection of widows' inheritance rights and the application of statute legislation. This suggests that the protection of widows' inheritance rights in the chosen communities is greatly improved by the efficient application and enforcement of statutory provisions.

Hypothesis Two

H_{02}: Yoruba customary inheritance practices do not significantly influence widows' access to inherited property in selected communities in Southwest Nigeria.

The null hypothesis was disproved. The results showed that widows' access to inherited property is greatly impacted by Yoruba customary inheritance customs. Despite formal legal protections, widows' ownership and control of inherited assets are nonetheless restricted by discriminatory customs.

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Hypothesis Three

H_{03}: Socio-cultural and institutional factors do not significantly influence the persistence of discriminatory inheritance practices against widows in selected communities in Southwest Nigeria.

The null hypothesis was disproved. According to the study, institutional and sociocultural factors have a big impact on how long discriminatory inheritance practices last. The effective protection of widows' inheritance rights is nevertheless hampered by patriarchal attitudes, traditional beliefs, a lack of legal knowledge, and lax institutional enforcement.

Hypothesis Four

H_{04}: There is no significant relationship between inheritance practices and the socio-economic well-being of widows in selected communities in Southwest Nigeria.

The null hypothesis was disproved. The results showed a statistically significant correlation between widows' socioeconomic well-being and inheritance customs. It has been discovered that discriminatory inheritance procedures lower widows' financial security, restrict their access to productive resources, and have a detrimental impact on both theirs and their dependents'.

The study comes to the conclusion that while statutory law offers a strong legal framework for safeguarding widows' inheritance rights, the effective enjoyment of these rights is severely hampered by the persistence of discriminatory Yoruba customary inheritance practices, which are reinforced by institutional and sociocultural factors. In order to guarantee fair inheritance practices and improve the socioeconomic well-being of widows in Southwest Nigeria, the findings highlight the necessity of stricter enforcement of statutory provisions, increased legal awareness, institutional reforms, and ongoing engagement with traditional institutions.

The Inheritance Rights of Widows under Statutory Law and Yoruba Customary Law in Selected Communities in Southwest Nigeria

The first objective looked at widows' inheritance rights under Yoruba customary law and statutes in a few localities in Southwest Nigeria. The results showed that while statutory law offers widows' broad legal protection through judicial rulings against discriminatory customs and constitutional guarantees of equality, the actual application of Yoruba customary law still limits widows' inheritance rights in many communities. This illustrates the ongoing discrepancy between customs and legal requirements. The results are in line with Adepoju (2022) observation that Yoruba customary inheritance laws generally prohibit widows from inheriting their husbands' estates because inheritance is typically

seen as a patrilineal institution intended to protect family property within the husband's lineage.

This study confirms that the coexistence of statutory and customary legal systems continues to generate legal uncertainty and unequal inheritance outcomes for widows in Southwest Nigeria. In a similar vein, Moronkeji (2025) argued that patriarchal inheritance practices continue to disadvantage widows despite constitutional safeguards and judicial interventions, particularly where customary law predominates. Okaphor, Obi, and Okaphor (2024) maintained that statutory reforms have improved women's inheritance rights.

The Extent to Which Statutory Provisions Protecting Widows' Inheritance Rights Are Implemented in the Selected Communities.

The second objective evaluated how well the chosen communities implemented the statutory rules safeguarding widows' inheritance rights. The results showed that widows' inheritance rights are still not adequately protected by statutory provisions, judicial precedents, and constitutional protections. This implies that inadequate enforcement, low legal knowledge, and the persistence of customary institutions' hegemony over inheritance administration undermine the efficacy of statute law. The results align with the research of Adeleke and Diala (2024), who contended that while the Nigerian legal system has gradually acknowledged women's inheritance rights, actual enforcement is still inadequate due to the persistence of native law and customs in many areas.

In a similar vein, Okaphor, Obi, and Okaphor (2024) noted that substantial legal gaps continue to exist as a result of poor institutional enforcement, insufficient public education, and the restricted ability of impacted women to seek legal remedies. They highlighted that without efficient methods for implementation, legal recognition is insufficient on its own. The results corroborate Faustina's (2025) conclusion that the implementation of statutory inheritance rights is nevertheless hampered by discriminatory customary practices, insufficient institutional frameworks, and procedural obstacles, especially among widows in rural communities.

Consequently, this analysis shows that although statute law offers a strong legal foundation for safeguarding widows' inheritance rights, its influence is limited by poor execution. Transforming legislative assurances into effective protection for widows requires bolstering legal institutions, growing legal aid programs, and raising public knowledge of inheritance rights.

The Prevailing Yoruba Customary Inheritance Practices Affecting Widows' Access to Inherited Property.

The third goal determined how widows' access to inherited property is impacted by the prevalent Yoruba customary inheritance procedures. The results showed that within the

chosen communities, patrilineal succession, preference for male heirs, family control over the deceased's estate, and limitations on widows' ownership and control of inherited property are still common. Despite constitutional prohibitions against discrimination, these customs nonetheless affect inheritance outcomes. This result supports the findings of Adepoju (2022), who discovered that widows' interests are often subordinated to those of the deceased husband's lineage and that Yoruba customary inheritance is primarily patrilineal. In a similar vein, Omotayo (2024) contended that despite constitutional assurances of equality, Nigerian traditional succession systems still favour male heirs, restricting women's access to family property.

The results also support the findings of Adeleke and Diala (2024), who noted that despite progressive court rulings, one of the most enduring examples of gender inequality under customary law is the exclusion of widows from inheriting their husbands' properties. Therefore, our study supports the claim that discriminatory customary inheritance practices are still firmly ingrained in Yoruba society and continue to thwart legislative initiatives meant to advance gender equality. The continued existence of these traditions emphasises the necessity of harmonising statutory and customary legal systems and continuing to work with established institutions to change discriminatory inheritance practices.

The Socio-cultural and Institutional Factors Responsible for the Persistence of Discriminatory Inheritance Practices against Widows.

The fourth objective examined the socio-cultural and institutional factors responsible for the persistence of discriminatory inheritance practices against widows. The findings revealed that patriarchal norms, cultural beliefs concerning lineage preservation, inadequate legal literacy, fear of social exclusion, financial constraints, weak enforcement of judicial decisions, and the influence of traditional authorities significantly sustain discriminatory inheritance practices. These findings indicate that legal reforms alone are insufficient where deeply rooted cultural values continue to shape social behaviour. The findings are consistent with Obi (2024), who maintained that education and legal awareness are critical determinants of women's ability to assert their inheritance rights, as educated women are more likely to challenge discriminatory customs through legal processes.

Likewise, Faustina (2025) identified entrenched cultural norms, institutional weaknesses, and procedural barriers as major obstacles to the effective protection of women's inheritance rights under Nigeria's plural legal system. The findings further support Atsenuwa (2025), who argued that discriminatory customary practices are sustained by traditional institutions that continue to treat widows as having limited proprietary interests in their deceased husbands' estates, despite judicial condemnation of such

practices. Consequently, this study demonstrates that meaningful protection of widows' inheritance rights requires not only statutory reforms but also sustained public education, institutional strengthening, community engagement, and behavioural change initiatives aimed at transforming discriminatory socio-cultural norms.

Evaluate the Socio-economic Effects of Inheritance Practices on Widows in the Selected Communities.

The fifth objective assessed how inheritance customs affected widows' socioeconomic status in the chosen communities. The results showed that widows' access to land, housing, productive assets, and financial resources is severely restricted by discriminatory inheritance practices, which increases poverty, economic dependence, housing insecurity, and social vulnerability. These results highlight the crucial connection between women's socioeconomic empowerment and inheritance rights. The results are in line with Adeleke and Diala's (2024) contention that denying widows the right to inherit perpetuates economic inequality and hinders women's ability to obtain social security and financial independence.

Similarly, Okaphor et al. (2024) observed that discriminatory inheritance practices negatively influence women's economic empowerment and general well-being by restricting their access to productive resources and limiting prospects for sustainable livelihoods. The findings also verify Obi (2024), who argued that secure inheritance rights strengthen women's bargaining power, economic resilience, and ability to contribute effectively to household welfare and communal development. Therefore, this study confirms that protecting widows' inheritance rights is not merely a legal obligation but also a socio-economic necessity for reducing poverty, promoting gender equality, and advancing sustainable development. Effective implementation of statutory protections, together with reforms of discriminatory customary practices, would significantly enhance the socio-economic well-being of widows and their dependants in Southwest Nigeria.

Conclusion

This study examined widows' inheritance rights under statutory and Yoruba customary law in selected communities in Southwest Nigeria with a view to assessing the extent of legal protection, the implementation of statutory provisions, the persistence of discriminatory customary practices, the socio-cultural and institutional factors sustaining such practices, and their socio-economic implications for widows. The findings revealed a significant disparity between the protections guaranteed under statutory law and the realities of customary inheritance practices. Although the Nigerian Constitution, statutory laws, and judicial decisions recognise and protect widows' inheritance rights, the continued application of discriminatory Yoruba customary inheritance practices limits the effective enjoyment of these rights.

The study further established that weak implementation of statutory provisions, coupled with entrenched patriarchal norms, inadequate legal awareness, limited access to justice, and the influence of traditional institutions, perpetuates discriminatory inheritance practices. These challenges continue to deprive many widows of access to land, housing, and other productive assets, thereby increasing their economic vulnerability and reducing their capacity to sustain their households. The tested hypotheses also confirmed significant relationships between statutory law implementation, customary inheritance practices, socio-cultural and institutional factors, and the socio-economic well-being of widows.

The study concludes that legal recognition of widows' inheritance rights alone is insufficient to eliminate discrimination within customary inheritance systems. Effective protection requires the harmonisation of statutory and customary laws, strengthened enforcement of judicial decisions, sustained legal awareness programmes, institutional reforms, and constructive engagement with traditional authorities and community leaders. Implementing these measures will not only enhance the protection of widows' inheritance rights but also promote gender equality, social justice, and inclusive socio-economic development in Southwest Nigeria.

Policy Recommendations

In order to improve the protection of widows' inheritance rights under Nigerian law, especially in Yoruba communities, the study suggests combined legal, institutional, and sociocultural initiatives.

First, in order to close the gap between customary inheritance practices and constitutional protections, extensive legislative reform is needed. When customs clash with the equality and nondiscrimination principles of the constitution, the National Assembly and State Houses of Assembly should create a clear legal framework that specifically recognizes widows' rights to inherit, own, and manage their deceased husbands' properties. To end discriminatory practices while upholding acceptable cultural values, the Nigerian Law Reform Commission and the State Law Reform Commissions should examine customary inheritance laws. In order to encourage consistent application of constitutional safeguards pertaining to women's property rights, judges, magistrates, officers of customary courts, and attorneys should receive ongoing training.

Second, there should be more focus on community involvement and legal understanding. To develop community-based legal literacy programs on women's inheritance rights, federal, state, and local governments should work with the Nigerian Bar Association, the Legal Aid Council, civil society organizations, religious organizations, and traditional institutions. By supporting interpretations of Yoruba customs that uphold justice, dignity, and gender equity, traditional leaders and family heads should be involved as

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collaborators in reform initiatives. To promote long-term social change, educational institutions should incorporate human rights, gender equality, and constitutional awareness into civic education.

Third, it is necessary to fortify the institutional frameworks that uphold widows' inheritance rights. In order to provide disadvantaged widows with more affordable legal services, especially in rural areas, the Legal Aid Council should be given more funding. In order to provide accessible and culturally appropriate conflict resolution while guaranteeing adherence to constitutional principles, specialized inheritance mediation centers should be developed within court institutions. While government organizations should create widow support programs that integrate legal aid, emotional support, and economic empowerment, courts and customary institutions should adopt more transparent procedures for inheritance disputes.

Contributions to the Study

Regarding widows' inheritance rights in Nigeria, this work significantly advances scholarship, legal policy, and socio-legal practice. By offering a modern socio-legal analysis of widows' inheritance experiences within certain Yoruba communities, it first advances empirical knowledge by bridging the gap between judicial and constitutional protections and the realities of customary inheritance practices.

Second, by using the social construction of widowhood theory and vulnerability theory to explain how institutional structures, social conditions, and cultural norms affect widows' access to inheritance, the study increases theoretical understanding. The current discussions on property rights, gender justice, and legal pluralism are strengthened by this integrated framework.

Third, the study makes a methodological contribution through its qualitative socio-legal approach, which combines evidence from widows, attorneys, judges, traditional institutions, and community leaders with doctrinal analysis. This method offers a more thorough comprehension of both formal legal frameworks and how they are used in real-world situations.

Fourth, by pointing out flaws in the application of inheritance rules and suggesting changes that support harmony between customs and constitutional principles, the study contributes to policy. Its suggestions are in favor of strengthening institutions, expanding widows' access to justice, and improving legal aid. Lastly, lawmakers, policymakers, judges, traditional authorities, human rights organisations, and scholars interested in gender equality, inheritance law, and customary law reform will find the study to be a useful resource. Additionally, it lays the groundwork for upcoming comparative research on women's property rights in Nigeria and other African legal systems.

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