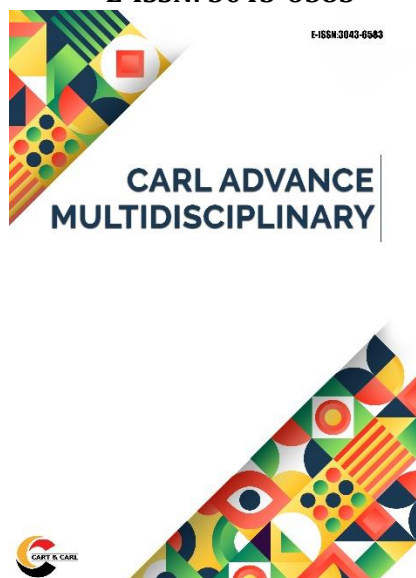




Customary Inheritance and Lineage Systems: Implications for Women's Property Rights in Ekpeyeland, Rivers State, Nigeria

E-ISSN: 3043-6583

E-ISSN: 3043-6583



Authors

Menney-Amgbare, S. H. C,
Onyige, C. D. and Gbenemene, K

Centre for Gender, Conflict and Development Studies,
University of Port Harcourt, Nigeria

Corresponding Author

Menney-Amgbare, S. H. C.
(sarahamgbare@gmail.com)

Received: 29 July 2026

Accepted: 08 August 2026

Published: 10 August 2026

Citation

Menney-Amgbare, S. H. C, Onyige, C. D. and Gbenemene, K. (2026). Customary Inheritance and Lineage Systems: Implications for Women's Property Rights in Ekpeyeland. *Carl Advance Multidisciplinary*, 3(1), 36-43.
<https://doi.org/10.70726/cam.2026.6583005>

Abstract

This study investigated how customary inheritance and lineage systems influence women's property rights in Ekpeyeland, Rivers State, Nigeria, amid persistent gender disparities despite constitutional protections. Specifically, the study assessed the nature of these systems, their impact on women's property ownership, the resulting socio-economic implications, and strategies for equitable reform. Employing a descriptive survey design, the study utilized a multistage sampling procedure to select 400 stakeholders from a target population of 583,900 using the Taro Yamane formula. Data collected through structured questionnaires and key informant interviews were analyzed using descriptive statistics and Chi-square tests at a 0.05 significance level. The findings revealed that customary and patrilineal systems remain the dominant determinants of property ownership, significantly restricting daughters and widows due to entrenched patriarchal norms. This lack of ownership negatively impacts women's economic empowerment, agricultural productivity, and household decision-making. While education and judicial decisions have sparked gradual progress, customary institutions still hold substantial sway. The study concluded that protecting women's property rights requires harmonizing customary practices with constitutional principles of equality. It recommends reviewing discriminatory customs, enhancing legal literacy for women, strengthening judicial enforcement, and fostering collaboration among government agencies, traditional rulers, and civil society organizations.

Keywords: Customary Inheritance, Lineage Systems, Property Right, Traditional Ruler, Women's Property Rights, Ekpeyeland, Rivers State

Introduction

Property ownership constitutes one of the most important indicators of economic security, social inclusion, political participation, and sustainable development. Across the world, ownership of land and other productive assets provides individuals and households with opportunities for wealth creation, agricultural production, business development, access to credit facilities, housing security, and improved standards of living. For women, secure property rights are particularly significant because they contribute to economic independence, improved bargaining power within households, enhanced food security, poverty reduction, and increased participation in community development. Consequently, international human rights instruments and sustainable development frameworks have consistently emphasized the importance of guaranteeing equal property rights for women irrespective of cultural, religious, or social background (United Nations, 2015; World Bank, 2023).

Despite these international commitments, women continue to experience substantial barriers to property ownership in many developing countries, particularly in Sub-Saharan Africa, where customary inheritance systems remain the principal mechanisms governing land ownership and succession. Although statutory laws increasingly



recognize women's rights to own and inherit property, customary institutions often determine actual access to family and communal assets. These customary systems are deeply rooted in indigenous cultural values, kinship structures, and lineage arrangements that frequently prioritize male descendants over female members of the family. Consequently, the coexistence of statutory and customary legal systems has created significant challenges for the realization of women's property rights in many African societies (Agarwal, 1994; Whitehead & Tsikata, 2003).

Inheritance represents one of the primary means through which property is transferred from one generation to another. It determines ownership succession, family wealth distribution, and continuity of lineage. In most traditional African societies, inheritance is not merely an economic transaction but also a cultural institution that reinforces family identity, social organization, and traditional authority. The principles governing inheritance are therefore closely connected with lineage systems, which define family membership, succession rights, and access to communal resources. Lineage systems determine who belongs to a family, who may inherit ancestral property, and how land is transmitted across generations (Goody, 1973; Shipton, 2009).

Lineage systems in Africa generally operate under either patrilineal or matrilineal arrangements. Under patrilineal systems, descent, inheritance, and succession are traced through the male line, resulting in property being transferred primarily from fathers to sons or other male relatives. Women are often regarded as temporary members of their natal families because marriage is perceived to transfer their primary allegiance to their husbands' families. Consequently, daughters frequently experience restrictions in inheriting family land or ancestral property. Conversely, matrilineal systems trace descent through the female line, although decision-making authority over family property often remains vested in male relatives despite women's stronger lineage affiliation (Fortes, 1953; Berry, 1993).

Nigeria presents one of the most complex examples of legal pluralism regarding property ownership. The country operates a tripartite legal system consisting of statutory law, customary law, and, in some regions, Islamic law. While the Constitution of the Federal Republic of Nigeria guarantees freedom from discrimination and recognizes every citizen's right to acquire and own immovable property anywhere in the country, customary laws continue to regulate inheritance and land ownership in many indigenous communities. In

practice, customary inheritance rules frequently supersede constitutional guarantees in matters relating to family land and communal property, particularly in rural communities where traditional institutions retain considerable authority (Constitution of the Federal Republic of Nigeria, 1999; Nwabueze, 2010). Several judicial decisions of Nigerian appellate courts have attempted to eliminate discriminatory customary inheritance practices. Landmark cases such as *Mojekwu v. Mojekwu* (1997), *Ukeje v. Ukeje* (2014), and *Anekwe v. Nweke* (2014) established that customary practices denying women inheritance rights solely based on gender are inconsistent with constitutional guarantees of equality and non-discrimination. Despite these judicial pronouncements, implementation at the community level remains inconsistent because many customary institutions continue to enforce traditional succession practices that favour male heirs (Ezejirofor, 2018; Izzi, 2022).

Ekpeyeland, located within Ahoada East and Ahoada West Local Government Areas of Rivers State, represents one of the indigenous communities where customary institutions continue to influence inheritance, family organization, and land tenure systems. The Ekpeye people possess a rich cultural heritage characterized by strong kinship ties, lineage-based land ownership, communal resource management, and traditional leadership structures. Family land is generally regarded as ancestral property held collectively for present and future generations. Allocation, transfer, and inheritance of such property are traditionally regulated through customary institutions headed by family elders and lineage representatives. Within the traditional Ekpeye social structure, inheritance practices are closely associated with patrilineal descent. Property succession generally follows the male lineage, while daughters often receive limited inheritance rights because they are expected to marry into other families. Widows may enjoy temporary use of family property during their lifetime but are frequently denied absolute ownership or inheritance rights following the death of their husbands. These customary arrangements have historically promoted lineage continuity and communal cohesion but have also generated concerns regarding gender inequality and women's economic empowerment.

The implications of customary inheritance systems extend beyond legal ownership to broader socio-economic development. Women who lack secure property rights frequently experience limited access to agricultural land, housing, productive assets, credit facilities, and investment opportunities. The inability to

inherit or control property reduces women's financial independence, increases economic vulnerability, and limits their participation in household and community decision-making. Numerous studies have demonstrated that secure property rights contribute significantly to improved agricultural productivity, household welfare, children's education, poverty reduction, and sustainable community development (Deere & León, 2001; World Bank, 2023).

Recent empirical studies continue to demonstrate that customary inheritance practices remain among the strongest determinants of women's property ownership in Nigeria. Udoh, Folarin, and Isumonah (2020) found that cultural traditions rather than statutory laws constitute the principal barriers to women's inheritance rights in many Nigerian communities. Similarly, Adesina and Ayodeji (2025) reported that patriarchal inheritance systems continue to limit women's ownership of family property despite increasing legal awareness and constitutional protections. Xia, Deininger, and Gao (2026) further established that although land registration reforms significantly improve women's property rights, socio-cultural norms continue to moderate their effectiveness because customary institutions frequently influence practical implementation of formal land rights.

Although previous studies have extensively examined women's property rights, customary law, and inheritance practices in Nigeria, relatively limited scholarly attention has been devoted specifically to the operation of customary inheritance and lineage systems within Ekpeyeland. Existing literature often focuses on broader Nigerian or Niger Delta contexts without providing detailed analysis of how indigenous Ekpeye cultural institutions influence women's access to family and communal property. This represents an important knowledge gap because property ownership patterns vary considerably across ethnic groups depending on their historical, cultural, and customary institutions.

It is against this background that this study examines customary inheritance and lineage systems and their implications for women's property rights in Ekpeyeland. The study seeks to analyse prevailing customary inheritance practices, evaluate the influence of lineage structures on women's access to family and communal property, assess the socio-economic consequences of restricted inheritance rights, and propose culturally appropriate strategies capable of promoting gender equity while preserving legitimate customary values.

Literature Review

Ajiboye (2026) examined the jurisprudence of land ownership in Nigeria from a gender perspective. Using doctrinal legal analysis, the study reviewed constitutional provisions, statutory land laws, customary legal principles, and judicial decisions affecting women's access to land. The findings established that Nigerian land ownership continues to be characterized by legal pluralism in which patriarchal customary institutions frequently undermine constitutional guarantees of equality. The study further revealed that customary lineage systems often regard women as temporary members of their natal families, thereby limiting their inheritance rights. The author recommended harmonisation of customary and statutory law, stronger judicial enforcement, and institutional reforms capable of protecting women's land rights. This study is particularly relevant because it provides legal explanations for how lineage structures continue to shape women's property ownership in Nigeria. Chukwu and Okafor (2026) investigated the legal development of women's inheritance rights in South-East Nigeria. The researchers employed doctrinal legal research involving analysis of constitutional provisions, judicial authorities, customary law, and comparative legal frameworks. The findings revealed that landmark judicial decisions such as *Ukeje v. Ukeje* have substantially strengthened women's legal rights to inherit property. However, the study found that implementation remains weak because many communities continue to enforce patriarchal inheritance customs through traditional institutions. The authors concluded that legal reforms require complementary community sensitisation programmes capable of changing deeply rooted cultural attitudes toward female inheritance. This study provides useful comparative evidence applicable to customary inheritance practices in Ekpeyeland.

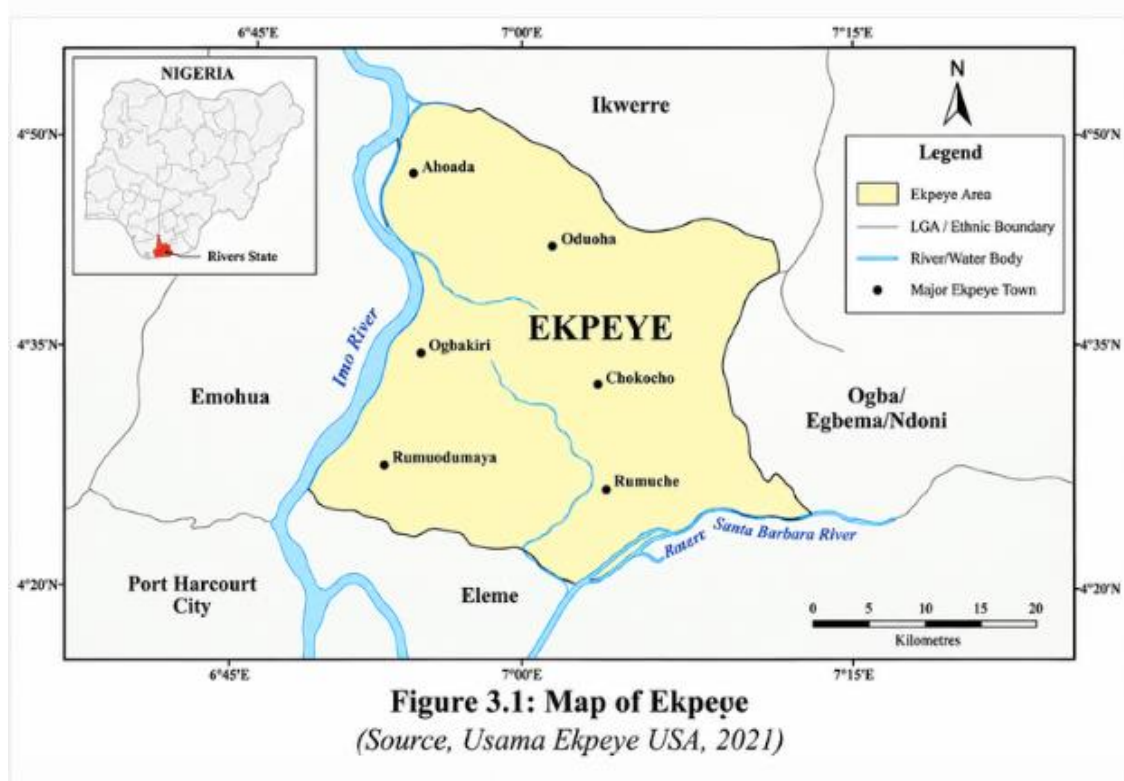
Adesina and Ayodeji (2025) examined gender inequality in property inheritance in Ibadan, Nigeria. Using a mixed-methods research design, the study collected quantitative data from 195 respondents and qualitative information from 30 in-depth interviews involving traditional rulers, legal practitioners, and community members. The findings showed that customary inheritance practices continue to discriminate against women despite constitutional protections. The study established that patriarchal cultural norms, family traditions, and male-dominated customary institutions significantly influence inheritance decisions. The researchers recommended continuous public enlightenment, legal literacy campaigns, and greater

involvement of traditional rulers in promoting equitable inheritance practices. The findings support the argument that socio-cultural norms remain major determinants of women's property rights in Nigeria. Anazor (2025) critically analysed women's inheritance rights under Nigeria's customary and statutory legal systems. The study adopted a doctrinal legal methodology involving constitutional provisions, inheritance statutes, judicial precedents, and customary legal principles. The findings revealed that although statutory laws provide legal protection for women, implementation remains constrained by deeply entrenched customary inheritance systems, weak institutional enforcement, and low legal awareness among rural women. The study recommended harmonisation of statutory and customary laws, enhanced public education, and institutional reforms to improve women's access to inherited property. This study is relevant because it highlights the continuing conflict between customary inheritance systems and constitutional guarantees of equality. Anzolo et al., (2025) investigated the rights of females to inherit property under Nigerian customary laws. Combining doctrinal legal analysis with empirical interviews, the researchers found that discrimination against women often extends beyond customary rules to

include religious interpretations, intimidation by family members, social stigma, and institutional barriers. The study observed that many women fail to pursue inheritance claims due to fear of family conflict and community rejection. The authors recommended stronger judicial protection, increased legal awareness, and active support from women's rights organisations to improve enforcement of inheritance rights. This study demonstrates that socio-cultural pressures continue to influence women's access to family property despite legal reforms.

Materials and Methods

The research design adopted for this study is descriptive survey research design. The study area was Ekpeyeland in Ahoada East and West, two of the Local Government Areas in Rivers State, which came into existence in 1967. The state had formerly been known as Oil River Protectorate because of its pivotal position in the colonial oil trade. The state makes a substantial dent in Nigeria's foreign currency revenues due to its abundance of oil minerals. Port Harcourt, sometimes called the garden city, is the capital of the state. Figure 3.1 shows the map of Ekpeye land (Usama Ekpeye USA, 2021).



The target population of this study comprises of all adult members in Ekpeyeland. The Table 1 shows that the population of Ekpeye which comprises of Ahoada East and Ahoada West local

government areas is 583,900. The sampling technique adopted for this study is the simple random sampling technique.

Table 1: projected population of Ahoada East and Ahoada West Local Government Areas

Name of local government	Population
Ahoada East	233,700
Ahoada West	350,200
Total	583,900

The Taro Yamane formula was adopted in order to obtain an unbiased sample size.

$$n = \frac{N}{1 + N(e)^2}$$

$$1 + N(e)^2$$

where:

n=sample size

N=population under study

e=level of tolerable error (0.05)

$$n = \frac{583,900}{1 + 583,900(0.05)^2}$$

$$1 + 583,900(0.05)^2$$

$$n = \frac{583,900}{1 + 583,900(0.0025)}$$

$$1 + 583,900(0.0025)$$

$$n = \frac{583,900}{1 + 1450}$$

$$1 + 1450$$

$$n = \frac{583,900}{1451}$$

$$1451$$

$$n = 400$$

Results and Discussion

The Table 2 shows that Items 1, 2, 3...7 were accepted because they all have a mean score above the critical mean of 2.50. In Ekpeyeland, customs and beliefs about the role of men and women have assigned different functions for both sexes, so that men have come to hold preponderance of power over women. Accordingly, men dictate property relations in the land. They decide who should get what plot of land or when to sell what property. Cultural norms about land are tailored in such a way that women usually depend on men to have access to land for whatever purpose. Women are forced to take permission from men who are custodians of inherited communally owned family land. In this state of affairs, women have to voice concerning land. They can only be permitted to use a piece of land at the behest of men who make such decisions. Women do not have equal access to land as men in Ekpeyeland. They usually take permission from me to cultivate a piece of land.

In Ekpeyeland and Nigeria as a whole, socio-cultural beliefs about children tend to favor male children over

their female counterparts. The idea is that the sons will continue the family name, while the daughters will marry and live with their husbands. This accounts for why male children are favoured, including giving them a greater share of their parents' inheritance. Due to how male children are favoured in numerous households, women in marriage are mostly given lesser share of their inheritance rights. On the other hand, male children get a greater share of their parents properties. Socio-cultural norms also make it possible for male relatives to dictate what to do with a man's property in cases of his demise and such a person only has male children.

Due to customary practices concerning land ownership, women do not have equal access as men. Men make all the decision concerning what to do with communally owned land. Women who desire to cultivate a piece of land that is communally owned for agricultural purposes must take permission from family elders who are men. Whether or not she is given the piece of land is at the prerogative of such men. In this sense, patriarchy has enabled female dependence as the economic survival of women lies in the hands of men.

Conclusion

This study examined the implications of customary inheritance and lineage systems for women's property rights in Ekpeyeland, Rivers State, Nigeria. The study established that although property ownership constitutes a fundamental human right and an essential driver of economic empowerment, gender equality, and sustainable development, women in Ekpeyeland continue to experience significant barriers to acquiring, inheriting, and controlling family and communal property due to deeply entrenched customary inheritance practices and patrilineal lineage systems.

The study revealed that customary inheritance in Ekpeyeland is predominantly patrilineal, with succession to family land and other ancestral property largely restricted to male descendants. Women, particularly daughters and widows, are often regarded as temporary members of their natal families or custodians rather than

owners of family property. Consequently, they are frequently excluded from inheritance or granted only limited rights of use without legal ownership. These practices are reinforced by traditional beliefs concerning lineage continuity, family identity, ancestral obligations, and male authority, which collectively sustain gender-based inequalities in property ownership. The findings further indicate that the continued application of discriminatory customary inheritance practices has far-

reaching socio-economic consequences. Women's limited access to land and productive assets reduces their opportunities for agricultural production, entrepreneurship, wealth accumulation, access to credit, housing security, and participation in local economic development. It also reinforces economic dependence, household vulnerability, and intergenerational poverty while limiting women's participation in family and community decision-making processes.

Table 4.1: inheritance and lineage practices and women's access to property within family and communal structures in Ekpeyeland

S/N	Items	S. A	A	S. D	D	X	Decision
1	Communally owned land are mostly controlled by men in Ekpeyeland	172	198	19	11	3.32	Accepted
2	Women usually take permission from men to cultivate a piece of land for agricultural purposes in Ekpeyeland	184	198	11	7	3.39	Accepted
3	Men decide whether to sell communally owned land without consultation of women in Ekpeyeland	186	203	6	5	3.5	Accepted
4	Women do not have equal access to land as men in Ekpeyeland.	172	198	19	11	3.32	Accepted
5	Social cultural norms in society influence families to allocate a greater part of their properties to male children in Ekpeyeland.	233	148	6	10	3.52	Accepted
6	Female children who are married and are living with their husbands are in certain cases deprived from inheriting property of their parents in Ekpeyeland.	186	203	6	5	3.5	Accepted
7	In cases where a man gives birth to only female children, the father's relatives often dictate how properties are to be shared following his demise.	172	198	19	11	3.32	Accepted

Source: Field Work, 2025

Critical Value=2.50

The study equally found that the coexistence of statutory law and customary law has created legal contradictions regarding women's property rights. Although the Constitution of the Federal Republic of Nigeria guarantees equality before the law and Nigerian courts have consistently invalidated discriminatory inheritance customs through landmark judicial decisions, implementation remains weak because customary institutions continue to exercise considerable authority over inheritance matters within local communities. Thus, legal protection alone has not translated into practical equality due to the persistence of cultural resistance and weak institutional enforcement. Furthermore, the empirical evidence reviewed demonstrates that similar patterns of discrimination continue to exist across many Nigerian communities despite increasing public awareness, judicial activism, educational advancement, and advocacy by women's rights organizations. However, these developments also suggest that gradual transformation is occurring as communities become

more receptive to constitutional principles of equality and inclusive development. Overall, the study concludes that achieving equitable property rights for women in Ekpeyeland requires a balanced approach that respects legitimate cultural traditions while eliminating discriminatory customary practices that undermine constitutional rights, social justice, and sustainable development. Reform efforts must therefore address not only legal structures but also the socio-cultural values and traditional institutions that shape inheritance practices within the community.

Based on the findings of this study, the following recommendations are made:

1. Review of Customary Inheritance Practices: Traditional rulers, councils of elders, lineage heads, and community stakeholders should review customary inheritance practices to eliminate discriminatory provisions that deny women equal rights to inherit family property

while preserving positive aspects of Ekpeye cultural heritage.

2. **Strengthen Enforcement of Constitutional Rights:** Government should strengthen the enforcement of constitutional provisions and judicial decisions protecting women's inheritance and property rights. Relevant institutions should ensure that customary practices inconsistent with constitutional guarantees of equality are not permitted to override statutory law.
3. **Community Sensitization Programmes:** Continuous public enlightenment campaigns should be organized within Ekpeyeland to educate community members on the economic, social, and developmental benefits of promoting women's equal access to property. Such programmes should involve traditional rulers, religious leaders, women leaders, youth associations, and civil society organizations.
4. **Legal Literacy and Awareness:** Government agencies, legal aid organizations, and non-governmental organizations should intensify legal literacy programmes to improve women's awareness of their constitutional, statutory, and judicially recognized inheritance rights. Increased legal awareness will encourage women to assert their rights through appropriate legal channels.
5. **Gender-Sensitive Alternative Dispute Resolution:** Traditional dispute resolution mechanisms should incorporate principles of fairness, equity, and gender sensitivity when resolving inheritance and family property disputes. Women should also be adequately represented in community mediation committees and customary arbitration panels.
6. **Women's Economic Empowerment:** Government and development partners should implement programmes that improve women's economic capacity through access to agricultural land, credit facilities, entrepreneurship training, vocational skills, cooperative societies, and financial inclusion initiatives. Economic empowerment reduces dependence on discriminatory inheritance systems.
7. **Legislative Harmonization:** Federal and State Governments should harmonize statutory land laws with customary inheritance practices to eliminate inconsistencies that create uncertainty regarding women's property rights. Clear legislative guidelines should define the extent to which customary law may regulate

inheritance without violating constitutional protections.

Declaration of Competing Interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

References

- Adesina, O. Y., & Ayodeji, M. O. (2025). Gender inequality in property inheritance: Cultural norms, legal frameworks, and women's rights in Ibadan, Nigeria. *International Journal of Research and Scientific Innovation*, 12(2), 1088–1097.
- Agarwal, B. (1994). *A field of one's own: Gender and land rights in South Asia*. Cambridge University Press.
- Ajiboye, N. A. (2026). Gender, power, and property: Reconstructing the jurisprudence of land ownership in Nigeria. SSRN Electronic Journal. <https://doi.org/10.2139/ssrn.6373098>
- Anazor, A. F. (2025). A critical analysis of women's inheritance rights under customary and statutory law. Alex-Ekwueme Federal University Faculty of Law Projects.
- Anzolo, F. E., Danjuma, M., & Suleiman, M. Y. (2025). The rights of females to inherit under Nigerian customary laws: Hostile factors exogenous to customary laws. *International Journal of Comparative Law and Legal Philosophy*, 7(2).
- Berry, S. (1993). *No condition is permanent: The social dynamics of agrarian change in Sub-Saharan Africa*. University of Wisconsin Press.
- Chukwu, C. (2026). Developments in the inheritance rights of women in South-East Nigeria. *Journal of Private and Property Law*, 24(1).
- Constitution of the Federal Republic of Nigeria. (1999). Federal Government Printer.
- Deere, C. D., & León, M. (2001). *Empowering women: Land and property rights in Latin America*. University of Pittsburgh Press.
- Ezejiolor, G. (2018). Customary inheritance law and women's property rights in Nigeria. *Nigerian Journal of Legal Studies*, 12(1), 45–63.
- Fortes, M. (1953). The structure of unilineal descent groups. *American Anthropologist*, 55(1), 17–41.

Goody, J. (1973). *The character of kinship*. Cambridge University Press.

Izzi, M. O. (2022). A legal appraisal of property rights of women in Nigeria. *Journal of Private and Property Law*, 18(1), 1–22.

Nwabueze, B. O. (2010). *Nigerian land law*. Nwamife Publishers.

Shipton, P. (2009). *Mortgaging the ancestors: Ideologies of attachment in Africa*. Yale University Press.

Udoh, O. D., Folarin, S. F., & Isumonah, V. A. (2020). The influence of religion and culture on women's rights to property in Nigeria. *Cogent Arts & Humanities*, 7(1), 1750244.

World Bank. (2023). *Women, business and the law 2023*. World Bank.

Xia, F., Deininger, K., & Gao, X. (2026). Can women benefit from household land titles? Evidence from Nigeria. *Australian Journal of Agricultural and Resource Economics*, 70(2), 488–502.