

A Comparative Analysis on the Laws of Succession in Nigeria and the United Kingdom

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Being a Thesis Written in the Faculty of Law and Submitted to Post Graduate School, Lead City University, Ibadan In Partial Fulfilment of the Requirement For The Award Of Master Of Laws(Lm)

2023

DECLARATION PAGE

I, ISHAKU SARAH BAMRO hereby declare that the work in this thesis “A comparative analysis of the laws of succession in Nigeria and the United Kingdom was carried out by me in the faculty of law, Lead City University Ibadan under the supervision of DR. Oluyemisi Abimbola. The information derived from the literature has been duly acknowledged in the text and list of references provided. No part of this work has been presented for another degree at any institution.

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APPROVAL PAGE

This research entitled a comparative analysis on the laws of succession in Nigeria and the United Kingdom written by ISHAKU SARAH BAMRO has been read and approved as meeting the standards of the faculty of law in partial fulfilment of the requirements for the award of the Master of Laws (LLM) degree of Lead City University, Ibadan.

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DEDICATION

This thesis is dedicated to God Almighty and to my mother Mrs. FLORENCE ISHAKU for her constant love, prayers and support throughout this LLM Program.

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Even though the above, mentioned institutions and persons have assisted in the process of this research, I stand responsible for this thesis.

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ABSTRACT

The Nigerian Legal System developed from the British legal system as Nigeria was a British colony until independence in 1960. The law of succession in Nigeria is thus governed by various legal instruments which includes Received English laws, Nigerian legislation and Administration of Estate laws and customary laws of the various ethnic groups and Islamic law while the United Kingdom's legislature have passed legislations to regulate succession such as the Wills Act 1837 and the Administration of Estate Act 1925. This thesis was carried out through a qualitative research, materials were sourced from both primary and secondary source which include statutory laws, customary laws, books, journal articles and the internet. This thesis examined the laws of succession in Nigeria and the United Kingdom and carried out a comparative analysis and despite the seeming similarities of the laws of succession between the two countries, the laws differ from one another and have distinctive features in terms of uniformity, codification and the rights of testators, spouses, family and dependants. This thesis offer ways on how the estate of a deceased can be properly administered and distributed hindering meddling interlopers claiming rights that are not theirs in the first place which is common under the customary law of inheritance. This thesis has carried out a comparative analysis between the laws of succession in Nigeria and the United Kingdom stating similarities and differences and provided solutions to the challenges.

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