

**An Examination of the Primogeniture Rule and its compliance with International Human Rights Law: A Study of Nigeria, South Africa and United Kingdom**

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Nigeria**

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### **Certification**

This is to certify that Tonye Sharon, MIRIKI with matriculation number LCU/PG/001830 carried out this research work titled “An Analysis of the Principles of Primogeniture Rule and its Position under International Human Rights Law: A Study of Nigeria, South Africa and United Kingdom” in the Department of Politics and International Relations, Faculty of Management and Social Sciences,, Lead City University, Ibadan, Oyo state, for the award of Master Degree in International Law and Diplomacy and that this has not been previously submitted.

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## **Dedication**

This research work is dedicated to God Almighty and my family for the love and care towards the actualization of this phase of my life.

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## **Acknowledgement**

This master's thesis couldn't have been completed without the support of my great institution and people, and there aren't enough words to explain how grateful I am for their help. The research found many papers and books on the topic of this research project in the library of Lead City University in Ibadan, Oyo State, Nigeria which was instrumental to the success of this research.

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The above-mentioned persons and institutions have assisted in the completion of this thesis, but the responsibility for any errors or omissions is however mine alone.

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### **Abstract**

The most prevalent inheritance law used to preserve undivided property is primogeniture, which has drawn criticism because it prevents female children from inheriting. Not through lack of practice, but typically due to their incapacity to coexist with contemporary formal laws, both municipal and international, many customary practices and laws have become extinct. Hence, this study aims to analyze the principles of primogeniture rule and its position under international human rights law; studying a scenario of Nigeria, South Africa and United Kingdom. The research used a qualitative research design method which is deemed the ideal design to use within the qualitative methodology because it's ability to facilitate exploration of the phenomenon within its context, using a variety of secondary data. The study collected and analyzed non-numerical data (e.g., text, and video) which are all secondary. It is obvious that the primogeniture system has a negative standing in international human rights legislation. The study discovered that primogeniture rule is still significant and applicable in Nigeria, where it is recognized and applied. Customary law and statutes both directly and indirectly support its application. The work suggests a legal framework to be established to handle any failure to uphold the obligation of assistance and care. Also, recommending relatives of a deceased who passes away intestate to have access to a forum where they can decide whether or not they want to be ruled by the customary norm of primogeniture or a codified customary law of intestate succession.

**Keywords:** Inheritance, Primogeniture, International Human Rights Law, Customary Law, Statutes, Intestate Succession

**Word Count:** 243

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## List of Acronyms

<b>Abbreviation</b>	<b>Meaning</b>
ACHPR	African Charter on Human and People's Right
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CSW	Commission on the Status of Women
CRC	Convention on the Rights of the Child
DEMARU	Daughter Eliminating Male Aspiring Rage for Ultrasound
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
INSTRAW	International Research and Training Institute for the Advancement of Women
NGOs	Non-Governmental Organizations
UDHR	Universal Declaration of Human Rights
UN	United Nations

UNESCO

United Nations Educational, Scientific and Cultural  
Organization

UNIFEM

United Nations Development Fund for Women

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