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INTERROGATING THE ETHICAL PRINCIPLE OF HUMAN RIGHT AND EQUALITY IN WURKUN LEVIRATE MARRIAGE SYSTEM

By

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ABSTRACT

This study examines the ethical implications of levirate marriage system among the Wurkun people of Karim-Lamido Local Government Area of Taraba State, with particular emphasis on the principles of human rights and equality. The study investigates Wurkun traditional marital system in relation to the dignity, autonomy, and welfare of widows, levirs, and children. Generally, levirate marriage has historically served important social functions such as protecting widows, preserving family property, and maintaining lineage continuity. However, it has raises ethical concerns about coercion, gender inequality, commodification of women, and unequal inheritance. This study adopts an analytical research design and draws on focus group discussions with fifty (50) selected participants from ten Wurkun communities in Karim-Lamido. Findings reveal that widows have the right of choice in selecting a levir, while in other cases social pressure, economic dependence, and family expectations still constrain right of choice. Furthermore, the findings show that children born within levirate unions' face contested issues of identity, inheritance, and fairness in the society as they are always stigmatised. The study concludes that levirate marriage among Wurkun people can only be ethically justified when it is voluntary, non-coercive, and protective of the rights of all parties involved. It recommends reforms that preserve its beneficial social functions while eliminating practices that violate human rights and equality.

Keywords: Levirate Marriage System

INTRODUCTION

Marriage in every society is more than a private union between two individuals. It is also a social contract through which identity, lineage, property, obligation, and moral values are organised. Among the Wurkun people of Karim-Lamido Local Government Area of Taraba State, levirate marriage is one of the traditions through which family continuity, widow protection, and the preservation of property within the lineage have historically been maintained. In this system of marriage, the widow of a deceased man may be married to one of his brothers or close relatives, not only as a personal arrangement but as a social response to death, vulnerability, and the need to sustain the deceased man's family structure. The practice may serve certain communal and economic purposes; it also raises serious ethical concerns that must be examined carefully in light of the principles of human rights and equality.

The major ethical issue addressed by this study is whether a customary practice such as levirate marriage can be ethically justified when measured against the modern idea that every human being possesses intrinsic dignity and equal worth. The Universal Declaration of Human Rights affirms that all human beings are born free and equal in dignity and rights.

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According to this understanding, any tradition that limits freedom of choice, pressures a widow into a relationship, or treats women and children as objects of inheritance rather than persons with dignity becomes open to ethical criticism. At the same time, it would be too simplistic to reject the practice without considering the social realities in which it exists. In many African communities, customary institutions often arise to solve concrete problems of survival, care, and continuity.

Levirate marriage can be defended as a means of safeguarding widows and children economically, preserving land within the family, and ensuring continuity of the deceased husband's name. Yet it can also create situations where widows are pressured into unwanted unions, where their consent is compromised, and where women's freedom to remarry or remain single is reduced. The ethical problem is not merely whether the custom exists, but whether it can be practiced in a way that respects the equal moral status of all persons involved.

This study is grounded in the conviction that human rights are not only legal claims but also moral claims about how persons ought to be treated. A rights-based approach emphasizes that widows should not be forced into marriages they do not want, that levirs should not be compelled against their will, and that children should not suffer stigma, neglect, or confusion about identity and inheritance. Equality, in this context, means more than equal treatment in theory; it requires that women, men, and children be recognized as persons with distinct interests, legitimate choices, and moral worth. When a widow is denied the freedom to choose her marital future, or when a levir is socially pressured into accepting responsibilities he does not freely embrace, the principle of equality is strained. Likewise, when children in a levirate arrangement are treated unfairly in matters of inheritance or belonging, the moral legitimacy of the system becomes questionable.

This study therefore approaches levirate marriage as a moral problem that must be examined through both theoretical and empirical lenses. Philosophically, it engages the principles of human rights and equality as standards for ethical judgment. Empirically, it relies on the experiences and opinions of people within Wurkun communities to show how the practice is understood on the ground. This combination is important because ethical theory alone may overlook local meanings, while cultural description alone may fail to ask whether a practice is just. The aim is not simply to report what people do, but to assess what ought to be done in light of human dignity, social responsibility, and moral fairness.

CONCEPTUAL CLARIFICATION

Principle of Human Rights

Adetutu (109) defines human rights are those liberties that every individual has the right to enjoy by virtue of that person's humanity. Aideloje et al (156) note that human rights were initially referred to as 'the rights of man' and were grounded on the belief that all humans inherently possess certain inalienable rights simply by virtue of their humanity. This notion is true to all human beings regardless of factors such as race, gender, or social status. They assert that the terminology surrounding human rights extends to various labels such as 'Fundamental Rights', 'Basic Rights', 'Natural Rights', or 'Birth Rights', encapsulating a spectrum of rights including 'Civil Rights', 'Civil Liberties', and 'Social, Economic and Cultural Rights. This position holds that human nature transcend its innate weaknesses thereby advancing the understanding of universal moral consciousness.

The United States Declaration of Independence in 1776 formally acknowledged this understanding of human nature (Aideloje et al 156). Accordingly, On December 10, 1948, the United Nations (UN) General Assembly proclaimed the Universal Declaration of Human Rights as a common standard of achievement for all peoples and in all nations (General Assembly Resolution. 217 A). The preamble of the resolution recognised the inherent dignity and inalienable rights of all members of the human family as the foundation of freedom, justice

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and peace in the world (Archibong et al 3338). The resolution provides that all human beings are born free and are equal in dignity and rights and are entitled to rights and freedoms without distinction of any kind.

This Declaration was re-echoed at the 1993 Vienna Declaration and Programme of Action (UN World Conference on Human Rights in Vienna, 1993), where the universality, indivisibility, interdependence, and interrelationship of all human rights were emphasized (Archibong et al 3339).. The quest for universal application of human rights appears to have set the proponents and opponents of the universality principle on a path of confrontation. This has added to the problem of implementation and ignited a debate between the Universalists and relativists.

The universality principle means that human rights apply everywhere and in all circumstances. This principle has tended to undermine the age-long notions of sovereignty, domestic jurisdiction, and cultural autonomy. Their advocates believe that certain rights should have a universal character, based on the 1948 Universal Declaration of Human Rights (Anyadike et al 50). These instruments were adopted by numerous states parties from all regions of the world without explicit reference to cultural variation

The relativists argue that the doctrine of human rights should respect or take into consideration cultural diversities or peculiarities, which would have the effect of curtailing such rights (Anyadike et al 51). Based on this view, everything centers on notions, interpretations, or judgments that differ from culture to culture. Proponents of cultural relativism argue that human rights should be seen in the context of culture, which in a broad sense include political and religious ideologies and indigenous cultural practices, and not a matter of one culture attempting to impose its ideas on others. Relativist dismissed the idea of universality of human rights as another form of Western cultural imperialism embodied in its liberal political ideology and Christian religious faith, which has seen the elevation and upgrading of Western beliefs to universal principles without regard to the diversity or peculiarity of cultures (Anyadike et al 51).

In Nigeria, respect for human rights appears to have suffered a setback due to certain cultural practices and religious doctrines. The cultural factors include gender inequality, violence against women, child marriage, female genital mutilation, human trafficking, and patriarchy, among others. This is predicated on the argument that human rights do not apply universally and that such rights are relative taking into consideration cultural diversities or peculiarities.

Levirate Marriage System

The term levirate is derived from the Latin *levir* which implies brother-in-law. A levirate marriage, therefore, is a union between a widow and the brother of her late husband (Ademiluka 1). In other words, if after the death of her husband a widow marries her husband's brother it is called a levirate marriage. Among the Yourba people of Western Nigeria this system of marriage is called *isupo* or *opo sisu* (the act of a man inheriting a widow as a wife or the situation in which a widow got married to a younger relative of her deceased husband) (Ademiluka 3).

Levirate marriage constitutes "an ancient provision whereby a man who died without male descendants … could have a son by proxy to carry on his name and inherit his property" (Ademiluka 2). Maurice (287) asserts that the practice of Levirate unions is found in many communities of the world. Among the Israelites, it was a common practice for a brother to marry his deceased brother's wife for the purpose of raising children for him particularly a son (Deuteronomy 25:5-10). Also, Maurice reveals that there were next of kin marriages in early Zoroastrian cultures otherwise referred to as nuclear family incest amongst the Sasanian Iran. These were said to be between father and daughter, mother and son or brother and sister in royal or noble families. However later literature refute this and note that the marriages

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NASARAWA STATE UNIVERSITY, KEFFI, NIGERIA

practiced were actually between cousins. Levirate unions also existed in Persia. Such unions were common in Asia. The Punjab and Haryana of India practiced it; in Pakistan and Bangladesh many communities also practiced it (288).

In Africa, Levirate unions are found amongst almost all communities from West to East Africa and from North to South Africa. The Igbos of Nigeria, the Nandi, Luo and Kambas of Kenya, many communities in Zambia, Uganda and Sudan, the Supyire of Mali, Akan of Ghana and the Yoruba of Nigeria all practiced levirate marriages. The Akan of Ghana, the Nuer of Sudan and the Mambila of Cameroon also practice levirate marriage.

Historically, levirate marriage was a means of economic protection for widows, as many traditional communities believed that a woman cannot live independently. Levirate marriage served the purpose of raising male children for the deceased husband, who would perpetuate his name and ensure that ancestral land was retained within the family. In traditional African society, levirate marriage provided sexual satisfaction to the widow without having to pose as a prostitute. Rather than turning to prostitution to meet sexual needs through levirate marriage a widow was able to ‘access partners known in the society without shame, guilt or fear (Maurice 289). In many cultures where the practice obtains, the heir need not be of the same parents with the deceased but a relation ‘from the wider family clan’ or his father or a cousin.

METHODOLOGY

This study adopts analytical research design for the purpose of interrogating the ethical principle of human rights and equality in levirate marriage system among Wurkun people of Karim-Lamido Local Government Area of Taraba State. According to Mbachirin (29) “an analytical method is employed to understand the interrelationship of the various parts of a topic. This means that the method involves a careful consideration of all the parts of a thing”. Wurkun people are found in all the eleven (11) council wards of the Local Government Area comprising of eighty-six (86) communities (Author’s Field Work).

The population of the study includes men, women, and children of levirate families from the eighty-six (86) communities of Wurkun people in Karim-Lamido Local Government Area. The term population is used in a more general sense to include all members of the elements; be they human beings, animals, trees, objects, events etc., of a well-defined group (Nworgu 68). A purposive sampling technique was employed to select fifty (50) participants from the ten (10) sampled communities, namely; Karim lamido town, Bambur, kirim, Balassa, Bamingun, Jikolo, Kwanchi, Darofai, Angulle, Pitiko. These communities are known for resilience practice of Wurkun tradition. Purposive sampling technique was adopted to help the researcher select only group members who were willing and qualified to contribute to the study.

Data was collected through Focus Group Discussion (FGD). The group interview was conducted from 22nd March to 19th April, 2026. This was done on Sundays because most of the participants were available only on Sunday. The analysis of data was based on the responses from FGD in line with the research questions. According to Morgan and Hoffman (64) the focus group method emerged in the early1940s with the work of Robert Merton and Paul Lazarsfeld who used focus groups to conduct studies of influence of war propaganda on audiences. Lazarsfield and others later introduced this technique in marketing. This data gathering method has gained popularity as a means of eliciting qualitative data from various groups in all industries, including health services as well as social sciences research.

Powell and Single (499) defined focus groups as “a group of individuals selected and assembled by researchers to discuss and comment on, from personal experience, the topic that is the subject of the research.” Morgan described focus groups as “an assemblage of interacting individuals who share similar characteristics and are brought together by a moderator, who uses the group and its interaction as a way to gain information about a specific topic in research”. Krueger and Casey saw focus group as, “A carefully planned

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NASARAWA STATE UNIVERSITY, KEFFI, NIGERIA

discussion designed to obtain perceptions on a defined area of interest in a permissive, non-threatening environment" (5). Bryman (92) asserts that data analysis is an important stage that integrates several elements of research. The study used content analysis, so as to have an insight of how universal human rights can be appropriated in Wurkun levirate marriage system. Krippendorff (44) describes content analysis as a research technique that makes replicable and valid inferences from collected data to their context.

DISCUSSION OF FINDINGS

Ethical Principle of Human Rights in Wurkun Levirate Marriage System

i. Rights of Women (Widows) in Wurkun Levirate Marriage system

Data collected to ascertain the rights of women within Wurkun levirate marriage system clearly shows an evolving position from a deeply family-coerced obligation into a complex negotiation balancing personal autonomy and economic survival. Members of all FGD agreed that the wife of the late husband has the choice to choose the levir. In her words, Esther Baba notes the changes in the tradition as she asserts that "widow's personal choices in selecting the levir were heavily restricted by our forefathers. Sometimes, women were forced by the levir to have sexual intercourse against their will. In most cases refusing the levirate arrangement meant a woman had to forfeit custody of the late husband's property" (FGD, 29/03/2026). Baby Dakko adds that the refusal does not means she has to return to her natal family or return portions of the bride price (FGD, 19/04/2026).

Simeon Namarwa agreed with this position but argues that the levirate system of marriage among Wurkun people has significantly changed as Women are granted the privilege to choose and even approach a potential levir for marriage(FGD, 29/03/2026). Among the Yoruba of Western Nigeria, where sometimes old men married a young wife or wives, they usually choose the levir before death. They can made arrangements as to which of the sons or relatives would inherit the wife or wives. Sometimes, a young wife would have identified herself with one of her husband's relatives even while the old man was still alive (Ademiluka 3).

In cases where this arrangement had not been made, the family of the deceased performed this responsibility after the death of the husband. In rare circumstances where there were several relatives interested in a widow, she would be guided to choose one of them (Ademiluka 3). This is contrary to the levirate system of marriage among Wurkun people as Doris Adebo, Pasuma Garba, Saratu Saul and Kafi Yaro assert that the woman is solely responsible for choosing who to marry within the family (FGD 22/03/2026, 12 and 19/04/2026).

However, Besta Bissalla, William Ardo and Danladi Ardo assert that if the widow absolutely refuses to enter a levirate arrangement with any of the eligible brothers and decides to leave the clan completely, the levir acting as the head representative of the late husband's immediate household will holds the customary right to demand a refund of the original bride price from the widow's natal family (FGD, 29/03/2026 and 12/04/2026). This is because the initial bride price (*Kudin Gaisuwa)* was paid collectively by the levir's family lineage, the family maintains a structural stake in the woman's marital status.

In Yourba culture Baloyi (487) observes that the purpose of the levirate marriage is not only sexual because even if the 'heir might not engage in conjugal relations with' the widow, he had the responsibility to care for her and her children. The Yoruba traditionally allowed a brother or son of the deceased husband, but not the son of the woman, to take care of the widow. The elder son was allowed to take the youngest wife of his father to bear children for the deceased. However, Ramatu Yoila observes that most levirate marriages in contemporary Wurkun communities are motivated by conjugal desires (FGD, 19/04/2026).

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NASARAWA STATE UNIVERSITY, KEFFI, NIGERIA

The submission of Maurice (289) buttresses a contrary view when he states that levirate marriage was of immense economic support particularly for poor widows who required support in terms of wealth and farm management which the guardian would do. Esiri (232) puts it this way, "the purpose of marrying a widow is to help the woman to care for the children of the deceased husband".

ii. Rights of Men (Decease brothers or Relatives) in Wurkun Levirate Marriage system

Data collected show that men have the choice of accepting or rejecting to act as a levir for their late brother's wife. Historically, Yoila Sambo note that in Wurkun culture once a bride price was paid, the marriage was viewed as an enduring covenant between two broad family lineages rather than just two individuals. Therefore, it is an obligatory for the family to maintain the covenant between the lineages (FGD, 22/03/2026). Consequently, the late husband's structural place and duties are passed down to a surviving brother or close paternal cousin.

However, Thomas Maiturare was emphatical about the consequences of rejecting the offer as he asserts that "refusing to step in and care for a late brother's estate and offspring is a profound betrayal of ancestral solidarity and family honor" (FGD, 19/04/2026). This tradition re-echoes the biblical injunction in Deuteronomy 25:7 where the levirate law makes provision for the deceased's brother to decline if he does not want to marry his widow. The refusal might imply that the brother hoped to inherit the dead man's property in the absence of a male heir.

This was seen as betraying fraternal affection. It was met with social consequences. The law allows the widow to report his brother-in-law's refusal to the court of the elders. If the court is unable to make the brother of the deceased husband change his mind, in the presence of the elders the widow shall remove his sandal from his foot and spit in his face (Numbers 28 1-9). This humiliating ritual of shoe removal indicates that the relative had abandoned his responsibility while spitting in his face symbolising the shame of such negligence. The removal and exchange of shoe signified the renunciation of ownership of property (Ademiluka 2)

Halima Edward, Kivong Baba, Plato Idrisu, and Litini Madugu among other group members notes that widows usually veto an abusive, financially unstable, or incompatible brother-in-law in favor of a relative she respects (FGD, 05 and 19/04/2026). This means that the right to choice of a potential levir is not always respected. Men's right depends on women preference. Olanisebe and Oladosu (5) discovered that, in Yoruba land, a special day is fix for the widow to choose her new husband. "Before the day agreed upon for the choice of the new husband by the widow, the men from the deceased's family who qualified would have been going to make their intentions known to the widow. On the agreed day, place and time, various items belonging to all the contestants would be brought including chewing sticks, head caps and shoes. The widow would be ask to choose or point to only one of those items". Invariably, the owner of the item chosen by the widow would be her inheritor.

Among the KwaZulu Natal of South Africa, the widow to be inherited 'is provided with sticks representing the deceased's brothers and relatives to select from and whoever is represented by the stick she chooses is the one to care for her (Maurice 289). Ademiluka (4) notes that this custom ensures the widow is not left destitute. She retains access to the family's land and housing, and no fresh bride-price is paid. At the same time, the issue of inheritance through male children would make levirate marriage attractive even for a widow who already had males before the death of her original husband. This is because if she got married within the family of her late husband, the status of her children as heirs to their father's property ensured her economic protection. On the contrary, Olanisebe (6) asserts that

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NASARAWA STATE UNIVERSITY, KEFFI, NIGERIA

this practice has been totally abandoned and rejected especially among women of great economic means and high level of education.

In Wurkun there is a right of refusal. Pasuma Garba note that the immediate younger brother of the deceased holds the primary right of first refusal. He further state that elderly brothers are traditionally barred from inheriting the wives of their junior brothers, as it is viewed as a violation of traditional ancestral order. If the levir chooses not to exercise his right due to age, financial inability, or religious conversion, he retains the right to formally delegate this option to a younger, eligible sibling or paternal cousin within the same lineage pool (FGD, 22/03/2026).

In Wurkun traditional setup, Salla Buba and Gambo Jerison note that the levir does not actually own the late brother's properties as his personal inheritance. His primary duty is to safeguard the home for the family lineage (FGD, 05 and 19/04/2026). This is similar to Yoruba tradition as Ademiluka (4) explained that *isupo* was necessary to raise male children who would inherit the property of a man who died without any and not for the levir to take the property as his own. Thus, if a man died, leaving behind wealth', usually landed property in the Yoruba traditional setting, a male child would be required to inherit it and his brothers.

iii. Rights of Children (Children of the Deceased and Levir) in Wurkun Levirate Marriage system

Eskiya Hagai observes that the children levir fathers with the inherited widow has the right to carry his name, inherit his direct property, and are structurally recognised as his biological and legal lineage (FGD 12/04/2026). This directly distinguishes the Wurkun levirate marriage system from ghost marriages found in other African cultures, where a brother fathers children strictly in the name of the dead man. Among the Wurkun, it is a functional widow inheritance**,** meaning the levir assumes full status as the new structural husband. Unlike the Hebrew culture where the first male product of a levirate marriage belonged to the deceased husband (Deuteronomy 25:6). Among the Yoruba the children arising from *isupo* are 'for the deceased' (Olanisebe and Oladosu 5). This fact is demonstrated by such children usually bearing the family name of the deceased rather than that of their biological father.

Rakiya Isah and Maryamu Dandazo add that, by stepping into the role of the levir, the brother gains the customary right to act as the primary custodian and administrator of his late brother's economic assets (05 and 12/04/2026). This includes the right to manage and cultivate his late brother's farmlands, preventing the land from being fragmented or lost to outsiders. Control over the household assets, farming tools, and livestock. However, Alisabatu Ahmadi notes that tradition dictates that the levir must manage these in trust to ensure the welfare of the deceased brother's children, rather than personal liquidation (FGD, 19/04/2026). This is not always the case as observed by the research in the study area.

Concerning the rights of the children in levirate marriage system among Wurkun People of Taraba State, members of the FGD particularly Uba Maiturare notes that no social stigma or illegitimacy is assigned to them by tradition**.** They are fully legitimate members of the father's patrilineal clan. The entry of the levir does not erase their identity or change their lineage name (FGD, 22/03/2026). Even children fathered later by the levir are fully integrated into the family ecosystem. Kaje Bera adds that they bear the surname and direct lineage identity of the levir himself, who is recognised as their functional, legal, and biological father (FGD, 05/04/2026). On the contrary, Istifanus Bappah argues that this right is always abuse as children of the widow are treated as second class children. Favouring biological children over inherited children is considered a severe moral failure and a breach of ancestral duty by Wurkun People (FGD, 19/04/2026).

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In addition to the above rights of children within Wurkun levirate marriage system, Salome Ahmadi and Elmina Henry assert that the eldest son of the deceased husband retains his birthright. When he reaches maturity, he has the right to claim absolute ownership of his late biological father's personal farmlands, weapons, and local assets. The levir only holds these assets in trust and cannot permanently confiscate or sell them (FGD, 22/03/2026). However, children born to the levir during the levirate marriage possess full, equal rights to inherit the personal property and land holdings accumulated by the levir himself, separating their inheritance pool from that of their older half-siblings.

Hussaini Musa, Zainabu Ishaku and Kumbo Kafinta among other FGD members agreed that if a widow decided to leave the deceased husband's village, the children had a strict structural right to remain within their father's patrilineal homestead. Wurkun tradition forbids the levir or the extended family from expelling the children or forcing them to leave with the widow if she marries into an outside clan (FGD, 22 and 29/03/2026, 19/04/2026)).
Elsie Haruna argues that the sons of the deceased inherit the compound and lands of the original husband. They generally hold no inheritance rights in the house of the new husband (FGD, 12/04/2026). In view of Numbers 27:6–11 that makes provision for daughters to inherit their fathers' property. According to Numbers 36:8, the inheritance of a man who dies without a son goes to his daughters, in which case such daughters shall marry only within their father's tribe.

Principle of Human Equality in Wurkun Levirate Marriage System

i. Equality of Women(Widows) in Wurkun Levirate Marriage system

The principle of human equality demands that women possess the same fundamental right to self-determination as men. Data collected to understand the role of this principle in levirate marriage system among Wurkun people of Taraba State clearly show instances of compromised equality. Members of FGD particularly Biyaya Ardo observes that even when women are given a choice among her late husband's brothers, her freedom is confined within the boundaries of one family(FGD 12/04/2026). True equality requires the freedom to choose whether to remarry at all, or to marry outside the lineage the same way men are allowed to marry who they want. Olanisebe and Oladosu (5) found out that, in Yoruba culture old women were excluded from *isupo* even if they had no children before the demise of their husbands.
Findings of this study show that levirate marriage systems only poor and uneducated women. Saratu Saul observes that western education and modernisation have not only enhanced the status of women but also empowered the modern educated lady to be rich and independent thereby devaluing the need for levirate marriage. She added that some educated women views levirate marriage as an encroachment on their freedom to get married to some they want (FGD, 22/03/2026). This disposition creates inequality between the poor and the rich in the practice of levirate system among Wurkun people of Taraba State.
Another aspect of inequality as discovered by this study has to do with commodification of womanhood. Several participants including Plato Idrisu, Lare Ardo, Maimuna Thomas, Liuna Baba and Doris Adebo among others were of the opinion that widows are viewed as part of the estate to be inherited (FGD, 29/03/2026 and (FGD, 05/04/2026)). This commodification directly violates her inherent human dignity by treating her as a possession rather than an equal human agent. On the contrary, Maurice (288) states that levirate marriage has been wrongly referred to as widow or bride inheritance. He argues that the practice, in almost all communities, does not accommodate or appear to include the word inheritance. This is because the word inheritance means to take over property as an heir after the death of the owner or succession of a trait.

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NASARAWA STATE UNIVERSITY, KEFFI, NIGERIA

Furthermore, he notes that in African communities it is the widow who looks for the kinsman or brother in law to take care of her. Any children born belong to the late husband and never to the caretaker. The widow remains a widow even when she is living with this other man. She is also in a position to dismiss the caretaker at any time she feels like particularly when offended. This cannot be truly called inheritance. However in Africa, death does not end any marriage. The widow remains the wife of the deceased until her death. This position is contrary to the practice of levirate marriage system among Wurkun people as members of FGD agreed that children in levirate marriage belongs to the levir and not the deceased husband.

When the principle of human equality is prioritised, the custom must evolve. For a widow's dignity to be preserved, the levirate arrangement must be completely voluntary, free from family pressure, and legally non-binding if she wishes to leave. Ayodele (127–128) found out that in Ilara-Mokin community of Ondo State, some relatives of deceased men still seek to impose themselves on widows. The findings of this study reflects this position as members of FGD particularly Yoila Sambo and Gambo Usman assert that women are sometimes forced into levirate arrangement due to fear of societal stigmatization (FGD, 22/03/2026).

ii. Equality of the Levir in Wurkun Levirate Marriage System

The principle of human equality dictates that no individual should be forced into a social or economic contract against their will. Esther Dauda asserts that young levir are faced with intense societal pressure to accept his deceased brother’s wife and children (FGD, 19/04/2026). This obligation can restrict his life choices, reproductive autonomy, and financial freedom. True equality ensures that the levir has the right to refuse the arrangement without facing social stigma or accusations of abandoning his family duties.

iii. Equality of Children in Wurkun Levirate Marriage System

The principle of equality insists that every child deserves a secure identity, legal clarity, and equal access to their parents' legacy. This is because children born into the levirate union are culturally attributed to the deceased brother, a biological disconnect is codified. This can lead to psychological identity crises for the children as they grow. Maurice (288) notes that all African communities that practice levirate marriage system had a way of managing or taking care of their children to ensure equal treatment. For instance, the Kamba of Kenya had a man going into the house of a widow late at night to spend a night with her and leave around five in the morning so that the children do not notice him. It is argued that the children should know of only one man as their father and thus should not notice any other spending a night on the bed where their late father used to spend. It is as such a sign of respect to the children of the late. The man’s role is to get children for the deceased. Other elderly members of the community may know about it but are not obliged to discuss it in open places.

However, Rejoice Zailani assert that children of levirate union in Wurkun society are face with unequal treatment compared to the deceased brother’s children, or the levir's children from another wife. They always engage in disputes over land and compound ownership due to unequal and unfair share (FGD, 12/04/2026).

CONCLUSION

This study has shown that levirate marriage among the Wurkun people of Karim-Lamido Local Government Area is a deeply rooted cultural practice that has continued to shape family life, inheritance, and social responsibility. It demonstrates that the custom was originally sustained by the need to protect widows, preserve the dignity of the deceased man’s family, retain property within the lineage, and secure the future of children. In this sense, levirate marriage served important social and economic functions in Wurkun society. However, the study also reveals that the practice now raises serious ethical concerns, especially when measured against the principles of human rights and equality.

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NASARAWA STATE UNIVERSITY, KEFFI, NIGERIA

The findings indicate that while some widows are now able to make choices freely, others still experience pressure from family members and the wider community. Similarly, some levirs accept the arrangement willingly, while others enter into it because of social expectation rather than personal conviction. The study also shows that children born within such unions may face conflicts over identity, inheritance, and equal treatment, particularly where family members fail to uphold fairness. These realities suggest that the practice cannot be ethically defended in any form that denies consent, equality, or human dignity.

The study therefore concludes that levirate marriage among the Wurkun should not be completely dismissed, since it still carries certain social benefits, but it must be critically reformed to align with contemporary ethical standards. Any form of the practice that is coercive, discriminatory, or economically exploitative should be rejected. What remains valuable in the tradition should be preserved only under conditions of free consent, mutual respect, and legal and moral protection for women and children. In this way, the Wurkun community can maintain its cultural identity while also respecting the universal values of human rights and equality

RECOMMENDATIONS

The following are recommended based on the findings of this study:

i. The Wurkun community should ensure that levirate marriage is entirely voluntary, so that no widow or levir is forced into the arrangement by family pressure, fear of stigma, or economic dependence.
ii. Community leaders and elders should educate families on human rights and equality, with special emphasis on the dignity of women, the freedom of choice, and the protection of children.
iii. Widows should be given full freedom to remain single, remarry outside the lineage, or choose a levir without losing access to lawful property, custody rights, or social support.
iv. The rights of children born within levirate unions should be clearly protected, especially in matters of identity, inheritance, custody, and equal treatment within the family

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NASARAWA STATE UNIVERSITY, KEFFI, NIGERIA

Appendix A: Questions for Focus Group Discussion

S/N	Question
1	Does the widow has the choice to choose any of the late husband's brothers as a levir or the family can decide a levir for her?
2	Can a widow reject the levirate marriage system? If yes, what are the consequences?
3	Does the family have the right to demand for bride price refund if the woman rejects levirate marriage system?
4	Does a potential levir have the right to reject the widow's choice or proposal for levirate marriage? If yes, what are the consequences of such rejection?
5	What rights does a levir have on the properties of his late brother?
6	What are the rights of children in Wurkun levirate marriage system?
7	Are the parties involved in Wurkun levirate marriage treated equally?
8	Do men, women and children have equal rights in Wurkun levirate marriage system?
9	How does economic status affect the principle of human equality in Wurkun marriage system?
10	Are widows inherited as part of the late brother's properties?
11	Is there any form of pressure from the society for the potential levir to accept the widow?
12	How is the identity of children within Wurkun levirate marriage system protected to ensure equal access to parental legacies?

Appendix B: List of People Interviewed

S/N	Name	Gender	Age (Yrs)
1.	Yoila Sambo	Male	70
2.	Kafiyaro Buba	Male	66
3.	Edward Yoila	Male	55
4.	Ramatu Yoila	Female	67
5.	Lare Ardo	Female	34
6.	Eskiya Hagai	Female	32
7.	Kafinta Ayuba	Female	34
8.	Litini Madugu	Female	65
9.	Elmina Henry	Female	56

ISSN: 2971-7760 | VOL 10, ISS 1 | 22 NOVEMBER 2026
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NASARAWA STATE UNIVERSITY, KEFFI, NIGERIA

10.	Istifanus Bappah	Male	78
11.	Hussaini Musa	Male	45
12.	Gambo Jerison	Female	43
13.	Rejoice Zailani	Female	30
14.	Zainabu Ishaku	Female	50
15.	Mante Denis	Female	40
16.	Salla Buba	Male	27
17.	William Ardo	Male	25
18.	Danladi Ardo	Male	40
19.	Halima Edward	Female	38
20.	Gambo Usman	Female	57
21.	Kumbo Kafinta	Female	56
22.	Lamido Ayuba	Female	34
23	Haruna Ayuba	Male	40
24.	Elsie Haruna	Female	46
25.	Baby Dakko	Female	43
26.	Kaje Bera	Female	45
27.	Rakiya Isah	Female	47
28.	Esther Dauda	Female	70
29.	Hajara Ali	Female	67
30.	Plato Idrisu	Female	54
31.	Serah Baba	Female	32
32.	Kivong Baba	Male	20
33.	Moses Baba	Male	44
34.	Uba Maiturare	Male	46
35.	Saratu Saul	Female	67
36.	Pius Namarwa	Male	49
37.	Simeon Namarwa	Male	54
38.	Doris Adebo	Female	50
39.	Solome Ahmadi	Female	48
40.	Besta Bissalla	Female	50
41.	Thomas Maiturare	Male	36
42.	Maryamu Dandazo	Female	26
43.	Amina Haruna	Female	25
44.	Pasuma Garba	Female	30
45.	Turai Denis	Female	31
46.	Liuna Baba	Male	28
47.	Biyaya Ardo	Female	41
48.	Kati Albert	Male	36
49.	Maimuna Thomas	Female	25
50.	Alisabatu Ahmadi	Female	27