
The Role of *Mirath* in Economic Empowerment among Muslim Women: An Analysis

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Abstract

Mirath in the Islamic law of inheritance is generally considered not only as a religious obligation but as a strong vehicle for achieving social justice and women's economic empowerment. This paper studies how *Mirath* offers Muslim women fixed property rights and explores its potential to increase financial autonomy, decision-making power, and long-term security. Drawing on Qur'anic passages, Hadith, *Maqasid al-Shariah* and economic empowerment theory, the article emphasises the substantial gap between Islamic principles and social practice. Despite unambiguous divine precepts, patriarchal norms, legal pluralism, poor knowledge and inadequate enforcement continue to deprive many women their fair portions, particularly in circumstances like Nigeria. Through doctrinal and critical research, the study contends that *Mirath* possesses tremendous transformative potential when backed by legal reform, community education, and complementing Islamic financial mechanisms. The findings underline the need for a more effective connection between textual justice and lived reality to actualize *Mirath's* role in enhancing Muslim women's economic well-being.

Keywords: *Mirath*, Muslim women, Economic empowerment, *Maqasid al-Shariah*, Gender justice

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Introduction

Inheritance in Islam, known as *Mirath*, is more than a religious requirement; it acts as a practical financial tool for fostering social justice and equitable asset distribution. Over fourteen centuries ago, Islam guaranteed women definite inheritance rights at a time when many societies denied them any property ownership or viewed them as part of the estate to be inherited.³ The Glorious Qur'an definitely defines this right in Surah An-Nisa:

*“For men, there is a share in what their parents and near relatives leave, and for women, there is a portion in what their parents and close relatives leave, whether it is little or considerable. These are required shares”.*⁴

Also, Qur'an verses 4:11-12 it further explained particular shares for daughters, wives, mothers and other female relatives, resulting in a structured system known as *furudhal-muqaddarah*. *Mirath* is designed not simply to provide economic security for women across different phases of life; as daughters, wives, widows, or mothers, but also to support greater ideals of fairness and family stability. This accords with the greater aims of Islamic law (*Maqasid al-Shariah*), which highlight justice, protection of wealth, preservation of human dignity and the benefit of society.⁵

Despite these evident divine provisions, many Muslim communities continue to experience a significant disconnect between Islamic doctrine and real practice. Socio-cultural norms, patriarchal customs, and traditional practices often impede women from claiming their due shares.⁶ In many circumstances, women are pressured to give their inheritance to male relatives or stay unaware of their rights altogether. Such denial affects women's financial independence, particularly during vulnerable situations like widowhood or divorce, and undermines the Islamic goal of social justice. This analysis investigates the possibilities of *Mirath* as a tool of economic empowerment for Muslim women. It explores how inherited assets might promote financial autonomy and decision-making power, while also highlighting the significant socio-cultural, legal, and economic hurdles that now limit its influence. Ultimately, the study analyses ways to better link Islamic principles with current circumstances so that *Mirath* can more successfully serve as a foundation for women's economic elevation and family well-being.

Conceptual and Theoretical Framework

The conceptual and theoretical underpinning of this work rests on three interrelated pillars: the Islamic notion of *Mirath* in Shariah, the higher purposes of Islamic law (*Maqasid al-Shariah*), and current conceptions of economic empowerment. Together, these theories help explain both the intended aim of inheritance and its potential role in increasing Muslim women's financial liberty. In Islamic jurisprudence, *Mirath* refers to the divinely prescribed method of inheritance that distributes a deceased person's estate among rightful heirs

³ R Abdullah, W. M. Radzi, F.Johari & G. Dastagir, The Islamic legal provisions for women's share in the inheritance system: A reflection on Malaysian society. *Asian Women*, 30(1), 29–52, 2014. <https://doi.org/10.14431/aw.2014.03.30.1.29>.

⁴ Q4:7; 4:11–12.

⁵ S. M. P. Heriandita, The Role of Islamic Inheritance Law with a Maqasid al-Shariah Approach in Addressing the Challenges of Social Justice for Women. *Al-Jami'ah Journal of Islamic Studies.*, 2025.

⁶ International Land Coalition. (n.d.). *Islamic inheritance laws and their impact on rural women*. <https://glti.net/publications/framing-debate-islamic-inheritance-laws-and-their-impact-rural-women> and F. Mehmood, M. Yaqoob & N. Mehmood, “An anthropological perspective of female share in inheritance: An appraisal of gender gap between Islamic law and practice”. *Journal of Islamic Thought and Civilization*, 12(1), 200–211, 2022.

according to fixed shares (*furudh al-muqaddarah*). These shares are specifically commanded in the Glorious Qur'an, notably in Surah An-Nisa. The general premise is given as:

*“For men there is a share in what their parents and close relatives leave, and for women there is a share in what their parents and close relatives leave—whether it is little or much. These are required shares”*⁷

Specific restrictions about portions (for example, a daughter receiving half the share of a son when they inherit together) are further explained in another verses.

*“Allah instructs you concerning your children: for the male, what is equal to the share of two females...”*⁸.

This method constituted a considerable improvement compared to pre-Islamic Arabian practices when women were often barred from inheritance.⁹ The deeper goal of *Mirath* is best understood through the prism of *Maqasid al-Shariah* the greater objectives of Islamic law. These objectives seek to safeguard five critical elements: religion, life, intellect, lineage, and property (*hifz al-din, al-nafs, al-aql, al-nasl, and al-mal*). In the context of inheritance, *Maqasid* promotes social justice by limiting the concentration of wealth, assuring the economic protection of vulnerable family members (particularly women and children), and sustaining overall family welfare.¹⁰ This study is based on economic empowerment theory in the broader humanities context. Empowerment is defined as the process by which individuals, particularly women, gain the ability to make strategic life decisions and translate those decisions into desired outcomes.¹¹ In this perspective, economic empowerment has three main dimensions: access to and control over financial resources (such as land, money, or property), improved household decision-making authority, and the ability to participate in economic activities with greater autonomy. This integrated model, which combines *Shariah* principles, *Maqasid al-Shariah*, and empowerment theory, offers a strong lens for examining both *Mirath's* transformative potential and the real-world impediments that frequently impede Muslim women from completely benefiting from it.

Historical Context

Islamic law of inheritance (*Mirath*) was one of the most fundamental socioeconomic changes introduced by Islam in seventh-century Arabia. In the pre-Islamic *Jahiliyyah* period, women's property rights were severely limited. In some Arabian tribes, women were completely prohibited from inheritance. Worse, widows were periodically inherited by their husband's male relatives as part of the estate, revealing a deeply patriarchal system in which women had little independent legal or economic identity.¹² The Qur'anic revelation explicitly attacked these oppressive habits. Surah An-Nisaverse 4:7 established women's claim to inheritance as a divine command rather than a cultural compromise. Verses 4:11–12 further establish precise fixed shares (*furudh al-muqaddarah*) for female heirs, including daughters (half the

⁷ Q 4:7

⁸ Q 4:11

⁹ R. Abdullah, W. M. Radzi, F. Johari & G. Dastagir, *The Islamic Legal Provisions for Women's Share in the Inheritance System: A reflection on Malaysian society*, ... 2014.

¹⁰ S. M. P. Heriandita, *The Role of Islamic Inheritance Law with a Maqasid al-Shariah Approach in Addressing the Challenges of Social Justice for Women*, ... 2025.

¹¹ N. Kabeer, *Resources, agency, achievements: Reflections on the measurement of women's empowerment. Development and Change*, 30(3), 435–464. 1999. <https://doi.org/10.1111/1467-7660.00125>.

¹² A. Wadud, *Qur'an and woman: Rereading the sacred text from a woman's perspective*. Oxford University Press, 1999.

share of a son when they inherit together), wives (one-eighth or one-fourth), and mothers. This was a major break from pre-Islamic traditions and accorded women legal ownership over property, a right that was largely unknown in many current civilizations at the time.¹³

Early Islamic history reveals that these rights were not only theoretical. There are documented cases throughout the time of the Prophet Muhammad (peace be upon him) and the Rightly Guided Caliphs where women successfully claimed and obtained their inheritance shares. However, classical Islamic scholars differed in their interpretive approaches to many issues of inheritance. While scholars such as Imam Abu Hanifa, Imam Malik, Imam al-Shafi'i, and Imam Ahmad ibn Hanbal generally supported women's fixed shares, they engaged in extensive *fiqh* debates over exceptional cases, such as the use of the *awl* (proportional reduction) method and the rights of certain distant female relatives.¹⁴

Although the Qur'anic injunctions were unambiguous, full execution has never been uniform among Muslim countries. Even in the early centuries, cultural resistance and tribal norms persisted to affect practice in some locations. This discrepancy between divine prescription and socio-cultural reality has continued throughout history and remains a fundamental subject in contemporary discussions on Muslim women's rights.¹⁵ The historical record consequently reveals that while Islam established a strong legal framework for women's economic rights, the gap between textual ideal and social practice has been a recurring difficulty from the formative age of Islam.¹⁶ This historical context is key for understanding why *Mirath* continues to be considered as both a religious right and a possible weapon for women's economic emancipation in modern times.

Contemporary Scholarship on *Mirath* and Women's Empowerment

A more complex and frequently critical evaluation of *Mirath* as a tool for Muslim women's economic emancipation may be found in contemporary studies. While many studies acknowledge the empowering potential of Islamic inheritance rights, they also highlight substantial limitations in practice and question whether the set portions are sufficient in modern economic contexts. Some scholars such as Sharif and Abdullah suggest that when women successfully get their inheritance portions, it greatly enhances their financial autonomy and intra-household bargaining power. Inherited assets, particularly land and property, can serve as collateral for lending, give important financial stability during widowhood or divorce, and enable women to engage in entrepreneurial activity.¹⁷ Empirical investigations support this notion. For instance, research in Indonesia has demonstrated that advances in women's inheritance rights boosted their intra-household bargaining power.¹⁸ In Bangladesh, research have demonstrated beneficial connections between women's property

¹³ Qur'an. (n.d.). Surah An-Nisa, 4:7; 4:11–12. (Sahih International Translation).

¹⁴ M. A. Ramli, Women's right of inheritance in Islam: Between the Sharia and living law. *Khazanah*, 2023.

¹⁵ F. Mehmood, M. Yaqoob & N. Mehmood, "An Anthropological Perspective of Female Share in Inheritance: An Appraisal of Gender Gap between Islamic Law and practice", ... 2022.

¹⁶ R Abdullah, W. M. Radzi, F.Johari & G. Dastagir, The Islamic legal provisions for women's share in the inheritance system: A reflection on Malaysian society, ... 2014.

¹⁷ M. Y. Sharif, M. R. Karim & M. M. Rahman, Women's economic empowerment and inheritance rights across major global religions: A comparative exploration. *British Journal of Arts and Humanities*, 5(6), 309–326, 2023. <https://doi.org/10.34104/bjah.02303090326>, and R. Abdullah, W. M. Radzi, F.Johari & G. Dastagir, The Islamic legal provisions for women's share in the inheritance system: A reflection on Malaysian society, ... 2014.

¹⁸ R. Chiboub, *Inheritance Rights and Women's Intrahousehold bargaining power: A Case Study of Indonesia* [Senior Independent Study Thesis]. The College of Wooster, 2021. <https://openworks.wooster.edu/independentstudy/9608/>

ownership and greater expenditure on children's education and nutrition.¹⁹ In Malaysia, study found higher household decision-making among women who inherited assets.²⁰ Similarly, a research in Northern Nigeria indicated that Muslim women who got their inheritance shares were more likely to engage in small-scale companies and contribute considerably to home welfare, although such examples remain limited due to pervasive traditional rejection.²¹

However, a rising body of critical literature questions the extent to which *Mirath* alone can bring genuine economic empowerment in today's environment. Some historians claim that although the Qur'anic shares were progressive in the seventh century, significant socio-economic developments such as urbanization, nuclear families, and increased living costs, have lowered their relative adequacy. Others contend that the rule granting males double the share of females (based on men's historic financial responsibilities) needs reconsideration in circumstances where women increasingly undertake financial responsibilities.²² Critically, several studies demonstrate that the actual economic impact of *Mirath* remains limited because most women never receive their full rights. Research regularly reveals that patriarchal traditions, fear of family ostracism, and lack of legal information force many women to voluntarily (or under coercion) renounce their shares. This "voluntary waiver" phenomenon is particularly prominent in South Asia and parts of West Africa, where customary norms regularly trump Islamic injunctions.²³ Furthermore, contemporary study has been studying the link between *Mirath* and modern Islamic finance. Some scholars feel that combining inheritance with supplementary Islamic methods such as *hibah* (lifetime gifts), *wasiyyah* (bequests up to one-third), *waqf* (charitable endowments), and Islamic microfinance could better meet modern difficulties and optimise women's economic results. For example, researchers such as Noordin and Heriandita have argued for broader integration of these tools with *Mirath* to provide more flexible and comprehensive financial security for women in current family configurations. Nevertheless, there remains scant empirical research assessing the long-term impact of inherited wealth when combined with these measures on women's sustained economic empowerment, particularly in Sub-Saharan African contexts.²⁴ Overall, while modern research acknowledges the strong theological foundation of *Mirath*, it increasingly begs for a more important and context-sensitive approach that addresses both implementation failures and the expanding socio-economic realities of Muslim women today.

Implementation Gaps and Challenges

Despite the obvious Qur'anic underpinnings and scholarly consensus on women's inheritance rights, current circumstances demonstrate a persisting disconnect between Islamic legal

¹⁹ A. R. Quisumbing, & J. A. Maluccio, Intrahousehold allocation and gender relations: New empirical evidence. *Policy Research Report on Gender and Development*, Working Paper No. 2. World Bank. 1999.

²⁰ R. Abdullah, W. M. Radzi, F. Johari & G. Dastagir, The Islamic Legal Provisions for Women's Share in the Inheritance System: A reflection on Malaysian society, ... 2014.

²¹ M. O. Owolabi, Women's Inheritance Rights and Economic Empowerment in Northern Nigeria: A Study of Selected Muslim Communities in Kano State, *Journal of Islamic Law and Society*, 15(2), 112–135, 2023.

²² M. A. Ramli, Women's Right of Inheritance in Islam: Between the Sharia and Living Law, ... 2023. and S. M. P. Heriandita, The Role of Islamic Inheritance Law with a Maqasid al-Shariah Approach in Addressing the Challenges of Social Justice for Women, ... 2025.

²³ F. Mehmood, M. Yaqoob & N. Mehmood, "An anthropological perspective of female share in inheritance: An appraisal of gender gap between Islamic law and practice", ... 2022. and International Land Coalition. (n.d.). *Islamic inheritance laws and their impact on rural women*.

²⁴ N. Noordin, R. Shuib, M. S. Zainol, M. A. Azam, & M. A. M. Adil, *Estate planning practices among Malaysian Muslims: A review of literature*. International Conference on Management, Economics and Finance, or related publication on Islamic estate planning in Malaysia, 2012.

theory and social practice. Across many Muslim communities, socio-cultural norms and patriarchal practices continue to undermine *Mirath*'s implementation. Women are regularly persuaded to give up their shares in favor of male relatives, usually in the name of family unity. This causes widespread disinheritance, especially in rural and traditional societies.²⁵ Legal plurality exacerbates the situation. In countries such as Nigeria, Islamic law, customary law, and statute law coexist, with customary practices frequently superseding Shariah requirements. Even in Shariah courts, limited enforcement, expensive legal fees, lengthy procedures, and social stigma deter women from exercising their rights.²⁶ Many women are unable to claim their inheritance due to a lack of legal literacy and a fear of family strife.

Gaps in the Literature

While existing studies effectively document the idea of *Mirath* and the impediments to its implementation, substantial gaps remain. Most studies are either simply doctrinal or socio-economic, with limited interdisciplinary work mixing *Maqasid al-Shariah* and current empowerment theories. There is also insufficient context-specific study on Muslim women in Nigeria and West Africa. This study tries to fill these gaps by conducting a fair analysis of *Mirath*'s potential and challenges.

Methodology

This study utilises a qualitative doctrinal research approach, which is often employed in Islamic studies and humanities research. The focus is on the systematic investigation of primary religious texts and secondary scholarly sources rather than large-scale empirical data collection.

The key sources for this research include the Glorious Qur'an and authentic Hadith collections, notably those relating to inheritance law. Secondary sources comprise classical and modern works of *fiqh* (Islamic jurisprudence), scholarly publications, peer-reviewed journal papers, and pertinent reports from international agencies. Special focus is devoted to studies on women's inheritance rights in Muslim societies, with emphasis on circumstances analogous to Nigeria. Data analysis is carried by using thematic and critical content analysis. Key themes such as the religious basis of *Mirath*, its economic empowerment potential, socio-cultural hurdles, and practical challenges are highlighted and critically addressed. A comparative method is also applied where relevant contrasting Islamic legal concepts with customary practices and modern circumstances. This theological and interpretive method is well-suited for the research aims since it provides for a detailed grasp of both the divine principles of inheritance and the practical elements that influence their application. While the study is predominantly library-based, it maintains academic rigor through thorough cross-referencing of sources and balanced critical interaction with current literature.

Mirath as a Tool for Economic Empowerment: Textual and Conceptual Analysis

Islamic inheritance law (*Mirath*) is one of the most significant procedures in Islam for achieving economic fairness and protecting family members. It goes far beyond the basic division of wealth and attempts to foster long-term stability, decrease poverty and uphold

²⁵ International Land Coalition. (n.d.). *Islamic inheritance laws and their impact on rural women*. and F. Mehmood, M. Yaqoob & N. Mehmood, "An anthropological perspective of female share in inheritance: An appraisal of gender gap between Islamic law and practice", ... 2022.

²⁶ M. A. Ramli, *Women's right of inheritance in Islam: Between the Sharia and living law*, ... 2023.

justice within the family and community. The Qur'an establishes a clear and robust foundation for women's inheritance rights. One of the clearest general ideas is expressed in Surah An-Nisa:

"For men there is a share in what their parents and close relatives leave, and for women there is a share in what their parents and close relatives leave whether it is little or much. These are required shares" (Qur'an 4:7).²⁷

More extensive counsel follows in the ensuing verses. Allah instructs:

"And for you is half of what your wives leave if they have no child. But if they have a kid, then for you is one fourth of everything they leave, following any bequest they [may have] made or debt. And for the women is one fourth of what you leave if you have no child. But if you have a kid, then for them is one eighth of everything you leave, after any bequest you [may have] made or debt..."²⁸

These laws were genuinely revolutionary in seventh-century Arabia, providing women legal ownership of property at a period when such rights were essentially non-existent in many civilizations. The Prophet Muhammad (peace be upon him) placed considerable stress on the appropriate application of these rights. He instructed: "Give the prescribed shares to those who are entitled to them".²⁹

In another genuine narration, the Noble Prophet (peace be upon him) offered a severe warning: "Whoever deprives an heir of his or her inheritance, Allah will deprive that person of Paradise on the Day of Resurrection".³⁰

These textual sources clearly establish *Mirath* as a required entitlement, not a discretionary favour. Once distributed, women become full legal owners of their shares and have the ability to manage, utilise, or dispose of the assets as they desire. However, in terms of economic security, inherited assets such as land, houses, cash, or business shares can be quite beneficial. For widows and divorced women especially, inheritance often acts as a key safety net. Many women use these assets as start-up funds for small businesses, farming, or trading, which can dramatically enhance their living standards and minimise vulnerability to poverty.

Beyond financial rewards, property ownership through *Mirath* typically boosts a woman's social status and power within the family. Women who control assets tend to have stronger voices in crucial home decisions including children's education, healthcare, and family spending. This enhanced agency frequently leads to improved overall outcomes for the entire family.

From a conceptual perspective, *Mirath* coincides wonderfully with the greater purposes of Islamic law (Maqasid al-Shariah). It prevents wealth concentration, upholds property rights (hifz al-mal), advances social justice, and ensures the welfare of vulnerable family members,

²⁷ Q:4:7, 4:11-12.

²⁸ Q: 4:11-12.

²⁹ Sahih Muslim. (n.d.). Hadith 1619.

³⁰ Sahih al-Bukhari. (n.d.). Hadith 6742.

especially women and children.³¹In essence, the textual foundations and conceptual framework of *Mirath* give a robust and principled platform for women's economic emancipation. However, its real usefulness ultimately rests on whether women actually receive their shares and are able to exercise full authority over them.

The Realities of Implementation: Socio-Cultural and Structural Barriers

While the Qur'an and Sunnah provide a strong foundation for women's economic rights through *Mirath*, the reality in many Muslim communities presents a starkly different picture. Despite clear divine commands, a wide gap persists between Islamic ideals and actual practice, significantly limiting the empowering potential of inheritance law. The Glorious Qur'an strongly condemns any form of injustice regarding wealth and inheritance. Allah warns: "*Indeed, those who devour the property of orphans unjustly are only consuming into their bellies fire*".³²

In another verse, the Qur'an emphasises justice in all dealings:

"O you who have believed, be persistently standing firm in justice, witnesses for Allah, even if it be against yourselves or parents and relatives".³³

The Noble Prophet Muhammad (peace be upon him) also reinforced this principle. He said:

Give the prescribed shares to those who are entitled to them"³⁴ (Sahih al-Bukhari, 6742), and warned strongly against depriving heirs: "*Whoever deprives an heir of his or her rightful inheritance, Allah will deprive him of Paradise on the Day of Resurrection*".³⁵

Despite these unambiguous warnings, the most difficult barrier is deeply entrenched socio-cultural norms and patriarchal practices. In many countries, including portions of Nigeria, customary norms regularly overrule Islamic teachings. Women are routinely urged by family members to renounce their shares in the name of "family unity" or cultural obligations. Those who refuse are sometimes branded as greedy or disruptive, causing many to cede their rights to avoid conflict.³⁶ Legal pluralism further compounds the problem. In Nigeria, Islamic law, customary law and statute law all exist concurrently, although customary practices, which are frequently more patriarchal, tend to predominate, particularly in rural regions. This generates confusion and impairs the application of Shariah-based inheritance rights.³⁷ Low legal literacy remains another important challenge. Many Muslim women are not completely aware of their special rights under Islamic law. Without appropriate understanding, even strong religious injunctions remain mainly theoretical. Structural hurdles compound the problem: legal processes are generally slow, expensive and socially costly. Many women lack the financial resources and family support needed to pursue claims against male relatives.

³¹ S. M. P. Heriandita, *The Role of Islamic Inheritance Law with a Maqasid al-Shariah Approach in Addressing the Challenges of Social Justice for Women*, ... 2025.

³² Qur'an. (n.d.). Surah An-Nisa, 4:7; 4:11–12. (Sahih International Translation).

³³ Qur'an. (n.d.). Surah An-Nisa, 4:135. (Sahih International Translation).

³⁴ Sahih al-Bukhari. (n.d.). Hadith 6742.

³⁵ Sahih Muslim. (n.d.). Hadith 1619.

³⁶ International Land Coalition. (n.d.). *Islamic inheritance laws and their impact on rural women*. and F. Mehmood, M. Yaqoob & N. Mehmood, "An anthropological perspective of female share in inheritance: An appraisal of gender gap between Islamic law and practice", ... 2022.

³⁷ M. A. Ramli, *Women's right of inheritance in Islam: Between the Sharia and living law*, ... 2023.

Moreover, inherited assets, notably land are typically not registered in women's names, leaving them with little actual control.³⁸

Fear of societal ramifications also plays a crucial influence. Women who insist on obtaining their inheritance risk ostracism, loss of familial support or damage to their reputation. In many cases, this fear prompts people to accept economic weakness rather than defy family expectations.

These interrelated obstacles, which are structural, legal, cultural, and psychological, seriously impair *Mirath's* capacity for transformation. What was designed as a divine instrument for justice and women's security often fails to serve its goal in actuality. Addressing these difficulties involves more than legal reform; it demands persistent cultural reorientation, religious instruction, and institutional improvement.

Analysis

This study shows a startling dichotomy at the heart of Islamic inheritance law. On one hand, *Mirath* was incredibly progressive for its time, offering women explicit legal rights to property at an era when many communities treated them as part of the estate to be inherited. On the other hand, in today's world, the actual practice of *Mirath* often falls well short of its original promise of economic fairness and empowerment for Muslim women.

Historically, the Qur'anic regulations on inheritance were a dramatic and radical reform. They directly challenged the strongly patriarchal practices of pre-Islamic Arabia and granted women a guaranteed stake in family wealth. Yet, when compared with present realities across many Muslim societies, a disturbing gap becomes clear. Despite obvious divine commands, many women, particularly in rural and traditional areas, continue to be denied their lawful inheritance owing to cultural pressure, a lack of awareness, or direct familial opposition.³⁹ One of the most crucial concerns facing Muslim societies today is whether the classical fixed-share system, built for a very different social and economic setting, still adequately serves the principle of justice.⁴⁰ Many Muslim women now work as primary breadwinners or single parents; however, they continue to get reduced shares based on conventional ideas about male financial responsibilities. This circumstance raises a genuine and difficult question: Should contemporary society continue to apply these principles strictly, or is there opportunity for rational *ijtihad* that is true to the Qur'an while adapting to modern realities?

Scholars have advocated strongly for this form of contextual reinterpretation. They argue that the underlying concepts of justice and protection included in the inheritance verses should take priority when rigid implementation leads to unfair outcomes. Traditional scholars, however, stress that modifying the fixed shares risks weakening the divine wisdom of the Qur'an. This tension mirrors a broader debate in contemporary Islamic thought between

³⁸ M. O. Owolabi, *Women's Inheritance Rights and Economic Empowerment in Northern Nigeria: A Study of Selected Muslim Communities in Kano State*, ... 2023.

³⁹ R. Abdullah, W. M. Radzi, F. Johari & G. Dastagir, *The Islamic legal provisions for women's share in the inheritance system: A reflection on Malaysian society*, ... 2014. and F. Mehmood, M. Yaqoob & N. Mehmood, "An anthropological perspective of female share in inheritance: An appraisal of gender gap between Islamic law and practice", ... 2022.

⁴⁰ S. M. P. Heriandita, *The Role of Islamic Inheritance Law with a Maqasid al-Shariah Approach in Addressing the Challenges of Social Justice for Women*, ... 2025.

preserving textual purity and addressing the real circumstances of Muslim women.⁴¹ A comparison between countries further demonstrates the issue. In Malaysia and portions of Tunisia, better law enforcement and public awareness have enabled more women to collect their inheritance. In contrast, many sections of Nigeria, Pakistan, and rural Indonesia still face rampant disinheritance because customary law continues to supersede Shariah norms. These discrepancies plainly illustrate that the problem rests not in Islamic law itself, but in how countries choose to interpret and administer it.

Even when women do obtain their portions, the challenge typically remains. Patriarchal family systems frequently hinder them from exercising meaningful authority over the inherited riches. As Naila Kabeer has highlighted, meaningful empowerment involves not only access to resources but also the agency to use them effectively. Ultimately, *Mirath* still offers great potential to empower Muslim women both economically and socially. The fundamental failing does not lay in the sacred scriptures, but in our inability to translate divine ideals of justice into ordinary reality. Moving forward will require honest conversation, daring *ijtihad*, better institutions, and a renewed commitment by religious leaders and communities to transform Islamic values of fairness into reality.⁴²

Conclusion and Recommendations

This paper has studied the function of *Mirath* in the economic empowerment of Muslim women. The analysis demonstrates that Islamic law inheritance depends on a firm theological foundation and holds tremendous potential to increase women's financial independence, asset ownership, and decision-making power within the family. When correctly implemented, *Mirath* can serve as a potent vehicle for social justice and long-term family stability.

However, the research also makes evident that there is a vast gap between the ideal teachings of Islam and the reality on the ground. Patriarchal norms, insufficient implementation of Shariah, little legal understanding, and deep-rooted cultural resistance continue to impede many Muslim women from collecting their full shares. Consequently, the empowering promise of *Mirath* remains mostly unfulfilled in many communities, including sections of Nigeria.

Addressing these difficulties will need thoughtful and consistent action. First, there is an urgent need to promote legal knowledge among Muslim women and their families. Mosques, religious leaders, and community groups should actively educate people about women's inheritance rights through sermons, workshops, and prenuptial counseling. Second, governments and Shariah courts must streamline legal procedures, cut costs, and strengthen enforcement mechanisms so that women can claim their rights without fear or excessive difficulty. In multiple legal systems like Nigeria's, greater harmonization between Shariah and customary law is vital to protect women's Islamic rights.

In addition, families should be urged to make fuller use of supplementary Islamic tools like as *hibah* (lifetime gifts), *wasiyyah* (bequests), and *waqf* (charitable endowments) to offer added security for female relatives. Integrating inherited assets with modern Islamic finance solutions can also help women develop their wealth and achieve better economic security. Ultimately, significant improvement will depend on community commitment. Religious

⁴¹ A. Wadud, *Inside the gender jihad: Women's reform in Islam*. Oneworld Publications, 2006. and Z. Mir-Hosseini, *Muslim women's quest for equality: Between Islamic law and feminism*. I.B. Tauris, 2015.

⁴² N. Kabeer, Resources, agency, achievements: Reflections on the measurement of women's empowerment, ... (435–464), 1999.

experts, legislators, community leaders, and families must work together to narrow the gap between Islamic values and social practice. Only then can *Mirath* really accomplish its function as a pillar of justice and empowerment for Muslim women.

Future studies should study the long-term economic impact of inheritance on Muslim women, especially in Nigeria and greater West Africa. Research exploring innovative methods that combine *ijtihad*, community education, and technology would also be highly useful.

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