

**METHODS OF *TAQSIM AL-TARIKAT* IN
THE ISLAMIC INHERITANCE SYSTEM FOR
QUANTITATIVE DATA ANALYSIS IN ISLAMIC
RESEARCH METHODOLOGY**

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UNIVERSITI SAINS MALAYSIA

2025

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RESEARCH METHODOLOGY**

By

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**Thesis submitted in fulfilment of the requirements
for the degree of
Doctor of Philosophy**

August 2025

ACKNOWLEDGEMENT

I wish to register my profound gratitude to the Almighty At this juncture I am also indebted and grateful to the Federal Republic of Nigeria generally and Tertiary Education Trust Fund (TETFUND). My appreciation also goes to my employer, Ahmadu Bello University Zaria. The prestigious Universiti Sains Malaysia, (USM) International postgraduate Studies Units (IPS). and Center for Islamic Development Management Studies (ISDEV) Deserves my considerable thanks and appreciation for giving me the admission, visa, and other related opportunities to stay and study in its beautiful premises.

My humble gratitude and appreciation are sincerely forwarded to my supervisors, Associate Professor Dr. Shahir Akram Hassan and Dr. Murni Yusoff.

I also acknowledge the invaluable contributions of the entire lecturers in [the Center for Islamic Development Management Studies ISDEV-USM (ISDEV) Universiti Sains Malaysia.

My sincere thanks go to my supervisor for putting me part of the research findings entitled Research Design in Islamic-Based Research Methods [(RUI)1001/CISDEV/8016060] which was funded by the Research University Individual (RUI) Grant, USM. Lastly, this research work is dedicated to my Late Beloved father, Alhaji Sabo Sa'idu Malam may Allah SWT forgive his shortcomings and make Jannah his final abode.

Sabo Jamilu Saidu

Centre for Islamic Development Management Studies (ISDEV) Universiti Sains Malaysia (USM)

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LIST OF TRANSLITERATIONS

Consonants

Roman Letters	Arabic Letters	Roman Letters	Arabic Letters
t	ط	a	أ
z	ظ	b	ب
,	ع	t	ت
gh	غ	th	ث
f	ف	j	ج
q	ق	h	ح
k	ك	kh	خ
i	ل	d	د
m	م	dh	ذ
n	ن	r	ر
h	هـ	z	ز
w	و	s	س
,	ء	sy	ش
y	ي	ṣ	ص
ṭ	ة	ṣ	ض

Vowels

Short		Long		Diphthongs		Double (Shadda)	
a		ā	أ	أي	Ay	ي	iyya
I	‘	I	إي				(final
u	—	u	أو	أو	aw	ؤ	form i)
	‘						Uww
							Final
							form U)

Source: Pedoman Transliterasi Huruf Arab Ke Rumi, Dewan Bahasa dan Pustaka (DBP), 1992

LIST OF ABBREVIATIONS

AS	Alaihih al-Salam
CRM	Conventional Research Methodology
DAM	Data Analysis Methods
IRM	Islamic Research Methodology
ISI	Islamic System of Inheritance
MTT	Method of <i>taqsēm at-tarikat</i> .
RA	<i>Radhiyallahu Anhu</i>
SAW	<i>Sallallahu Alaihi Wasallam</i>
SWT	<i>Subhanahu wa Taala</i>

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**KAEDAH TAQSIM AL-TARIKAT DALAM SISTEM PEWARISAN ISLAM
UNTUK ANALISIS DATA KUANTITATIF DALAM METODOLOGI
PENYELIDIKAN ISLAM**

ABSTRAK

Kajian ini meneliti secara terperinci aspek tersebut melalui enam bab, tiga objektif, dan lima soalan penyelidikan. Objektif utama kajian ini adalah untuk mengenal pasti kaedah *taqsēm at-tarikat* sebagai asas dalam analisis data dalam Kaedah Penyelidikan Islam, menganalisis kaedah-kaedah tersebut, dan mencadangkannya sebagai landasan untuk menganalisis data dalam penyelidikan berteraskan Islam. Bagi mencapai tujuan tersebut, penyelidikan ini menggunakan reka bentuk kualitatif, dengan mengumpulkan data melalui kajian dokumen, pemerhatian peribadi, dan temu bual separa berstruktur bersama pakar dalam bidang faraid Islam, statistik pendidikan, dan metodologi penyelidikan Islam. Maklumat yang diperoleh daripada sumber-sumber ini ditranskripsi dengan teliti, dikodkan, dan dianalisis secara sistematik. Hasil dapatan menunjukkan bahawa terdapat hubungan yang positif dan persamaan yang jelas antara kaedah *taqsēm at-tarikat* dengan kaedah analisis data. Kaedah, prosedur, proses, dan jenis pengiraan aritmetik yang digunakan dalam konteks kontemporari amat serasi dengan proses dan pendekatan *taqsēm at-tarikat*, selain beberapa penemuan penting lain. Justeru itu, setelah dilakukan perbincangan dan penyelarasan bersama pelbagai pakar dalam bidang masing-masing, penyelidik mencadangkan bahawa kaedah *taqsēm at-tarikat* boleh diguna pakai dalam menganalisis data yang dikumpul dalam Kaedah Penyelidikan Islam. Hubungan ini lebih menonjol dalam konteks statistik deskriptif berbanding statistik inferens. Oleh sebab itu, penyelidik mencadangkan agar kajian lanjutan dijalankan dengan lebih

mendalam dalam bidang statistik inferens agar metodologi penyelidikan Islam dapat berkembang dengan lebih meluas dan menyeluruh.

**METHODS OF *TAQSIM AL-TARIKAT* IN THE ISLAMIC INHERITANCE
SYSTEM FOR QUANTITATIVE DATA ANALYSIS IN ISLAMIC
RESEARCH METHODOLOGY**

ABSTRACT

The methods of sharing inheritance is among the most important parts of Islamic Research Methodology Islamic Research Methodology but up to the time of this research (according to the researchers' investigation), the important area has not yet received enough attention from classical researchers albeit with a mere paper presentation in a conference even to coordinate the two variables or excavate the said passive relation existing between the two. The term *taqsēm at-tarikaṭ* is one of the branches of Islamic jurisprudence that deals with how the deceased's estate is distributed among heirs, i.e., beneficiaries in accordance with the rules of the Noble Qur'an and the Sunnah. It has its own guidelines that must be considered before, during, and after the sharing of the estate. Current research explored them in detail under six chapters, three objectives, and five research questions. Identifying the methods of *taqsēm at-tarikaṭ* as A basis of data analysis in Islamic Research Methodology, analyzing the methods, and proposing all as a basis for data analysis in the Islamic Research Methodology are the main objectives of this research. To achieve the afore-mentioned goals, the research adopted a qualitative research design, gathering data from document research, personal observation, and semi-structured interviews with experts in the fields of Islamic inheritance, educational statistics, and Islamic Research Methodology The information collected from them was greatly transcribed, coded, and analyzed accordingly. The outcomes reveal that there is an

optimistic link and decent similarities between the methods of *taqsīm al-tarikaṭ* and that of data analysis. The methods, procedures, processes, and type of arithmetical calculations used recently in the contemporary period are congenial with the process and methods of *taqsīm al-tarikaṭ* among other findings, therefore, after careful articulation and discussion with different experts in the different fields, the researcher suggested that the method of *taqsīm at-tarikaṭ* can be adopted for analyzing the collected data in the Islamic Research Methodology This alliance is observed towards the site of descriptive statistics rather than inferential statistics. Which is why the researcher lastly recommends another deep investigation into the site of inferential statistics for the field of Islamic Research Methodology to thrive vastly.

CHAPTER 1

INTRODUCTION

1.1 Introduction

The *taqsīm al-tarikaṭ* in the Islamic inheritance system is one of the most important and essentials following the burial of a deceased person (Muhsin 2016), and it is as crucial as it is efficacious. Crucial because it appears to be complex due to different conditions that require a decisive understanding of Islamic knowledge, and vast experience in arithmetical calculations before someone became an expert in *taqsēm at-tarikaṭ* Ahmad 2019; Ali, 1961). It is efficacious because, the methods, procedures, and calculations are arguably applied not only to estate distribution but also to data analysis in IRM *taqsīm al-tarikaṭ* is used to mean the branch of Islamic jurisprudence which deals with the devolution of a dead person's estate (*al-Tarikaṭ*) among his/her eligible and qualified heirs as well as a science which leads to the knowledge of the share of each heir from the property of the deceased person (al-Tasawwuly, 1998-648).

According to the literature consulted by the researcher, this important area of study has not yet received enough attention from classical researchers, albeit with a mere paper presentation at a conference, Therefore, leaving this great gap untouched will lead to a great loss of important and useful knowledge, especially in the area of IRM Moreover, the researcher intends to undertake a serious attempt for excavating the passive relationship between the methods of *taqsēm at-tarikaṭ* in the Islamic system of inheritance and data analysis in IRM focusing more attention on the process, mathematical calculation, formulas, and the use of arithmetical operators.

At the beginning of the first chapter after the introduction, there will be background to the study, problem statements, the objectives of the study, research questions for this study to answer, operational definitions, the scope of the study, significance of the study, contributions of the study, and lastly the organization of the thesis.

1.2 Background to the Study

Islamic inheritance law is one of the branches of Islamic jurisprudence that deals with how the deceased's estate is distributed among beneficiaries in accordance with the Noble Qur'an, and the Sunnah of Prophet Muhammad Peace be upon him. (Muhsin, 2016), it is very comprehensive since Allah (STW). gives sufficient justifications on how the estate could be distributed in many places in the Holy Qur'an (Tahir, 2015). One cannot overstate how important it is to understand *taqsīm al-tarikaṭ*. On the other hand, there are a number of *ahādith* in which the Prophet Muhammad (SAW) called on Muslims to learn and teach people how to calculate and distribute *al-Tarikaṭ*.

By extension, the contemporary Muslim scholars (follow the command of the prophet Muhammad (SAW) are still calling Muslims to learn the knowledge and propagate it. The Prophet Peace be upon him, also refers to the science of *Mirāth* as half of knowledge, as He (SAW) stressed the need for the Muslim community to acquire it, as it would be the first branch of knowledge that would be taken away from them, the prophet said.

O Abu Hurairah. Learn about the inheritance and teach it, for it is half of knowledge, but it will be forgotten. This is the first thing that will be taken away from my nation. (Ibn Majah No. 2719).

To substantiate the legal importance and superiority of *Tarikāt* distribution in accordance with Islamic Law, the following remarks of some writers on the subject express their admiration for the system, even though they are non-Muslims, but their information is useful. Foremost among these writers is *Coulson (1971) who states:*

“Juristically, the law of succession is a solid technical achievement, and Muslim scholarship takes a justifiable pride in the mathematical precision with which the rights of the various heirs in any given situation can be calculated.”

Rumsey (1980) in praising estate devolution in line with Islamic Law says:

“The Mohammedan Law of inheritance encompasses without a doubt the most refined and extensive system of regulations for the devolution of property that is known to the civilized world”

Anderson (1969) on the nature of estate distribution in accordance with Islamic Law observes that:

“There is no aspect of (Muslim) Law in which the logical and technical excellence of the Islamic system is more advantageously displayed than in the law of inheritance”

Jones, R., (1179) in appreciating the system, observes that

“Another non-Muslim writer on the subject says to Muslims, the Sharia Law of inheritance is ideally perfect, founded on the sure rock of divine revelation and worked out in the utmost detail by that mental ingenuity which God gave to man for the purpose of understanding revelation. "The logical strength of the system is beyond question." (Jones, 1979).

The above observations and comments not only appraise the importance of estate distribution in accordance with Islamic law but also help to demonstrate the superiority of Islamic law as a divine law over and above any other laws. In a family, not fewer than twenty-four categories of members are eligible heirs. Wealth is therefore made to circulate among the larger members.

An heir, whether male or female, can inherit different types of shares and at different capacities. The fact that males get twice the share of their female counterparts did not in any way negate the just nature of Islam. In other systems of succession, a child born outside of wedlock inherits, while a legal child does not. In other systems, widows, in addition to being ineligible to inherit, remain principal suspects at the deaths of their husbands until they drink the water with which the bodies of their husbands are bathed and have their heads shaved for a complete year. In some industrially advanced societies, pets are inherited at the expense of humans, and only the luckiest among heirs have their names and fractions specified in a will (Tahir, 2015).

The researcher discussed in detail under the background of this research: Methods of *taqsēm at-tarikaṭ* in relation to the Historical Circumstances, under this history, the mode of *taqsēm at-tarikaṭ* in Hinduism, Zoroastrianism, Judeo-Christian Traditions, in *Jahiliyya* Period, and the advent of Islam are also explained. In the same background, the issues related to IRM have been tossed briefly, as well as some vital elements under data analysis, as follows:

1.2.1 Methods of *Taq̣sīm al-tarikaṭ* an Overview

There are five sections here as follows:

Taq̣sīm al-tarikaṭ Hinduism and Zoroastrianism, *taqsēm at-tarikaṭ* in Judeo-Christian traditions, *taq̣sīm al-tarikaṭ* in the Jahiliya Period, under this the researcher discussed the grounds of inheritance as primogeniture: compact relationship: adoption, then *taq̣sīm al-tarikaṭ* after the advent of Islam.

1.2.1 (a) *Taq̣sīm al-tarikaṭ* in Hinduism and Zoroastrianism

Hinduism and Zoroastrianism are some of the world's oldest religions, whose origins are unknown but date back three thousand years before the common era. The Laws of Manu, written around 1500 BCE, are the foundation of Hindu (personal) law, which describes righteous codes of conduct, how to pursue a virtuous life, and what acts are permissible, and which are reprehensible. In law, the rules of estate distribution stated that women were to be completely excluded (Shahsavari & Pourezat, 2020). When the woman's father died, all the inheritance would go to her oldest brother, even if he was an adopted son, and he would take over as the father. This is because at all stages of her life, a female must never be independent, not even in her own house. She must always be subject to her kinsmen. (Ahmad Y. Ismail 2017)

Ancient Persia followed similar customs with regard to passing on the family estate. Unlike in Hinduism, under Zoroastrianism, a man was allowed to marry an unlimited number of women. The padishah E. Zan (queen wife) and her children had legal status, but the 'servant wives' were of a lower status. Only the sons of the chakir E. Zan (servant wives), may become part of the family and thus become heirs, but daughters would have to marry within their father's clan to be part of the family again

and even that did not secure possession of any portion of the family estate. As in Hindu law, Zoroastrian law also subjugated women to their fathers, husbands, or brothers (Rahman Abdul, 2015).

The Hindu and Zoroastrian methods of estate distribution are called ‘agnatic primogeniture’ where only the eldest sons are heirs to the entire family property. These are usually the ones with the closest degree of blood relation, being the most privileged. Husbands of daughters, sons of daughters, and adopted sons in this system are also entitled to inherit (Yaakob Ahmad, 2019). However, a daughter, a sister, or a wife must be explicitly "appointed" by the patriarch—which was by far an exception and left women to their own devices. Other world religions and societies practiced similar customs to those of the ancient Indians and Persians. Agnatic primogeniture was common in places that had landholding nobility. (Yaakob Qushayri, A. K. ibn H, 2019).

1.2.1 (b) *Taqṣīm al-tarikat* in Judeo-Christian Traditions

Agnatic primogeniture was also practiced in ancient western civilizations such as Greece and Rome (Shaban, 2017). One of the major contributors to western legal theory, Henry Maine, writes in his book '*Ancient Law*' that whenever looking at a family tree, the particular branch that stops is the females, who are considered to be *mulier est finis familia*. (Latin: the ceasing of the family).

This is because a female is the genealogical stopping point, and her descendants are excluded in primitive notions of family. Furthermore, applying for a woman's role in relation to property meant that the formal consent of her guardians had to be explicit. Fractured from family relations, a woman's role in society was merely to be no more than that of an incubator. Though it was expected that the eldest

son who inherited would spend it on the younger siblings (Yaakob Ahmad, 2019), very few records of such behavior exist now.

Considered to be the predecessors to Islam, Judaic and Christian traditions concerning inheritance, where long-established centuries before Islam came. Both traditions made some improvements compared to ancient civilizations (Yaakob Ahmad, 2019).

Talmudic Law gave daughters the right to inherit only in the absence of brothers and under the condition that she marries within her father's clan. Yet at the same time, under no circumstance did inheritance go to the mother, and if there were no daughters, the inheritance went to the husband's brothers, then his family, but not his wife (Muhammad 2013). One reason for a daughter's inheritance was to provide a dowry for her husband since this escaped the condition of purchasing her as a slave. In addition to providing dowry, the husband inherited the wife, but the wife did not inherit her husband, or her father (Osman, 1991).

Christian law was like Judaic law but not as clear-cut as that of Hinduism and Zoroastrianism (which were based on codified law). 'Christian law' was heavily based on customs from the Anglos, Saxons, Germanic tribes (Salic law), the Catholic Church, and other sources. Nonetheless, the pattern of female exclusion from the family estate continued well up until the end of the 19th century. Catholic priests institutionalized doctrines related to marriage, divorce, and witness testimony that made it nearly impossible for women to inherit any amount of property, thus strengthening the absolute patriarchy. Some women, however, managed to gain part of the family estate (Rizvi, nd).

1.2.1 (c) *Taqṣīm al-tarikat* in the *Jahiliyya* Period.

Before the advent of Islam, societies around the world determined the status of a family and its members by the amount of property owned. the ancient societies were fundamentally status-based and tribal, children were heavily dependent on the wealth of their parents in order to survive, the property included livestock, shelter, farmland, crops, land, jewelry, clothes, weapons, slaves, and sometimes women (Yusuf, 2021), Those of the lowest status owned nothing and were either free peasants or slaves. Women were considered to hold no status whatsoever, which made them non-existent in the question of inheritance unless another man inherited them as property (Ahmad, 2019).

Consequently, discriminatory customs such as withholding from a wife, a daughter, or a sister the right to their portion of the family estate socialized misogyny and sexism into the fabric of society. Ancient and mediaeval scriptures claim evidence for this fact by alienating women from the family tree and justifying their eternal state of poverty (Yusuf, 2021). Being at the mercy of male family members meant that a woman's status did not stand for itself—it was interpolated into a man's prestige. (Ahmad, 2019).

Another type is ultimogeniture, it's an opposite of agnatic primogeniture where the youngest surviving (male) relative (brother, nephew, uncle, etc.) inherited. The people of Tlaxcala and Mesoamerica practiced this ultimogeniture. Not all societies were patriarchal, though, matrilineal primogeniture was (and still is) practiced among the tribes of south India, parts of Latin America, and sub-Saharan Africa. However, matriarchal societies turned patriarchy upside down by means of reverse sexism, which was still an injustice. In the overall scheme of history, women have been treated like

minors. A daughter's son could inherit from her family, whereas she would be passed over in favor of distant male relatives, and as for the son's son, it was customary to inherit from grandfathers and great-grandfathers (Ahmad, 2019). Sequentially, wealth remained in the hands of a few at the expense of the majority. The Islamic law of inheritance was the first to sanction equity and restore justice to women.

Inheritance before the prophetic mission of Prophet Muhammad (SAW) was only enjoyed by either the senior male member of a family or by the strongest. The grounds of inheritance in this period can be summed up as follows:

i- Primogeniture

This is a system in which the most senior male member of the family inherits the entire estate left by the deceased person. In this case, the wife, children, mother, and younger brothers, and sisters of the deceased person were not eligible to inherit (Ahmad, 2019).

ii- Compact Relationship

This is a mutual relationship established by two strangers who are bound by friendship on the condition that they would fight each other's enemies, help each other, and share in the payment of blood money. If one of them should die, the other should inherit 1/6 of his estate (Muhammad, 1980).

iii- Adoption

The child of another person was adopted as one's biological son and made an eligible heir to the adopting father. This was formalized by a public acknowledgement of the person who intended to adopt.

1.2.1 (d) *Taqṣīm al-tarikaṭ* after the advent of Islam

After the advent of Islam, this technique *taqṣīm al-tarikaṭ* became one of the most integral aspects of Islam, which is built on the foundation of fairness, justice, equity, and integrity. The system possessed its own unique procedure, and excellent pattern of distributing the estate. Unlike the then Arabian Peninsula during the ignorance period (جاهلية) (as stated earlier) where strength, force, and masculinity were the major considerable and recognized grounds of possessing estate (Ahmad, 2019). Now the relatives of all genders and ages, by consanguinity and affinity, could henceforth inherit their deceased relatives and their spouse's relics, not only that, but also a child in the womb should now inherit, so long as it meets the stipulated requirements. Females could inherit as well as males, and minors could also inherit as well as majors, regardless of usefulness or non-usefulness to the clan, tribe, or society (Nutadde, 2017).

In addition, the *taqṣīm al-tarikaṭ* in the Islamic system of inheritance has its own rules, that must be considered before, during, and after the sharing of an estate, such as determining all the eligible heirs, determining those who will inherit, and those who are excluded, identifying the fractional share of each heir, finding the 'origin of the problem' determining the share of each heir from the origin, determining the monetary share of each heir from the estate, and arriving at the correct distribution. Therefore, any distribution follows the above-mentioned steps correctly is what the researcher refers to as *taqṣīm al-tarikaṭ*, while investigating the prospect of linking its methods and procedures as a basis of data analysis in the IRM is the major concern of the current study.

1.2.2 The Outline of Islamic Research Methodology

Coming to the IRM in relation to history, we can find out that Islamic knowledge is among the oldest knowledge on earth, or it might be the first, just because it has been in existence since when Allah (SWT) created humans, as the Glorious Qur'an explains in the second sura in the holy Qur'an, where Allah mentioned Adam's honor over the angels, by inspiring him with knowledge of the names of everything. Where Allah says. (Bausani, A. 1974).

“And ‘remember’ when We said to the angels, “Prostrate before Adam, so they all did—but not Iblīs, who refused and acted arrogantly, becoming unfaithful.” (al-Quran, 2:34).

From there, the historical origin of knowledge begins (Ahmad, 2019). The Islamic knowledge began descending, and spreading throughout the globe, right from the time of Allah's prophets down to their inheritors/heirs, who happened to be ulama' (scholars). Because the prophets of Allah don't leave behind estate rather than knowledge, in an authentic Hadith narrated by *at-Tirmidhi* and others, then authenticated by al-Albanian, the prophet, peace be upon him, said: “...The scholars were the heirs of the prophets, that the prophets did not inherit a dinar or a dirham, but inherited knowledge” (Muhammad, 2022). In the same vein, the prophet, peace be upon him, used to call upon his companion to transmit his message to those who were not around, his messages during his last pilgrimage at *Arafah* are the typical example of this claim.

The IRM is not a new area of study, as opined by al-Buti (1990). it has existed for centuries, particularly in the golden age of Islamic knowledge, and it has not much

different from its counterparts (the conventional research methodology), As both were designed to solve the problems that arise throughout the research process or to add positive value to the existing ocean of literature (al-Buty, 59–60). But some contemporary scholars and classical researchers like Salleh, (2008), have some divergent views on this issue when he opined that.

‘.... there is the need to find alternatives to conventional research methods because the common research method itself is weak or lacking...’ Islamic research does not exclusively focus or confine on certain aspects, problems, and issues, but also is used as the source and tool for the reconstruction of life and society in its entirety, as the concern of Islamic research is to be based on the true, authentic, realistic, and correct view of life and society. Islamic research is conducted to guarantee a holistic, comprehensive, and sustainable development of life and society.” (Muhammad M., 2022).

Hence, according to the above analysis, true research is that which takes into consideration all aspects of life and society, the processes of which engage us in understanding at the very beginning, the truth of life, society, and the world in their physical, metaphysical, and spiritual senses. Such research can be genuinely called Islamic research (Yusuf, 2015). Islamic research is one that takes all aspects of life integrally and presents its findings to improve quality of life, bring development to life and society, and make use of this world for our comfortable and meaningful stay, without destroying its purity and originality (Muhammad, M., 2022). Thus, Islamic research as opened by Ali (1961) in any field seeks to encompass the following.

- a) An understanding of the truth and reality of life, society, and the world.
- b) Generate new visions, new knowledge, and new information.

- c) It is applied not only to solve problems or issues, but to improve the quality of life, society, and the natural world.
- d) It guarantees a better quality of life.

Merely understanding mechanisms and the structure of the physical aspects of life, society, and the world without knowing their metaphysical and spiritual truth and reality does not guarantee quality research, even though it is based on some specific methodology and sound methods. This kind of research is superficial and mechanical (Muqim, 1997). It does not only support the solving of problems or an increase in the quality of life but also focuses merely on indicators, and root causes of problems, with the clear aim of solving them. Therefore, researchers cannot conduct research simply for the sake of understanding the mechanisms or problems of life, society, and the world.

People need to know with certainty before they understand the mechanism, the truth, and the reality of life, society, and the world, in its metaphysical and spiritual sense. It is the true, realistic, authentic, and universal view of life and society that makes other research to be "Islamic research." The details of this will be discussed in the second chapter of this study.

1.2.3 Data Analysis in Islamic Research Methodology

The word data is a plural of datum, it is referred to as; raw facts that are meaningless, and it can also be called; figures, or particulars, or specifics details, etc. Some scholars and researchers, like Peterson (1982). Defined the word data as "...factual information (as measurements or statistics) used as a basis for reasoning, discussion, or calculation" (Peterson, 1982).

In the research method, there are two types of data primary and secondary. ‘The primary data are those which are collected afresh and for the first time and thus happen to be original in character (Uusitalo, 2014; Caracelli & Greene, 1993). While the secondary data, according to Cohen et al. (2020) Are those that have already been collected by someone else and have already been passed through the statistical process.

Data analysis in relation to the IRM is referred to as the process of systematically applying statistical and logical techniques to describe, illustrate, condense, and evaluate the raw facts that are identified from true and authentic sources.

Both data collection and data analysis methods in IRM achieved considerable attention from classical researchers such as Hassan, Nor Hanani, Nur Sakina (2010) studied data collection method in IRM.

Syahmi, Nawli, Suwaiba Islamiyah, Kasimah (2020) investigated data analysis methods in IRM according to the researcher’s investigation, these are the research conducted with theme of data analysis under IRM but the current study based its tangent on the methods of *taqsīm al-tarikaṭ* in the Islamic system of Inheritance as a basis of data analysis in IRM This is the major difference between all.

Furthermore, The Islamic system of inheritance offers a well-structured and mathematically grounded method for wealth distribution, known as *taqsīm al-tarikaṭ*. However, Despite the rich heritage of the Islamic system of inheritance, the methods of *taqsīm al-tarikaṭ* have not been adequately explored as a framework for data analysis within the Islamic Research Methodology (IRM). This study seeks to bridge this gap by examining the applicability and relevance of these methods in contemporary Islamic data analysis.

1.3 Statement of the Problem

The following are the main cardinal points levelled by the researcher as the four main focal issues that lead to conducting this research. Here is the summary of the main points, the explanation follows immediately.

Firstly: up to the time of writing this thesis, the hand of researcher doesn't reach a single thesis or dissertation on *taqṣīm al-tarikaṭ* in relation to data analysis in IRM This is according to the researcher's enormous investigation, and also the literature, reports, interviews at hand confirmed the said statement.

Secondly: According to Mohd S. Hanapi, Wan Mohd Khairul Firdaus (2017) some contemporary researchers have written extensively on IRM but mostly on research design methods, data collection methods, philosophical underpinning, etc., the researcher agreed with their notion hundred percent because the literature conducted by him confirmed their argument. As very few authors found contributed on arithmetical calculations for data analysis. Chapter two of this study under past studies and literature review the researcher listed must of those books), nevertheless, according to the investigation in relation to this regard, apart from Nawi, (2012). who studied the *tasawwur* aspect as a branch of algebra applied in the data analysis in research related to Islam, there is yet to find an authentic report to confirms someone wrote on the arithmetical aspects in relation to data analysis in Islamic-based research.

Thirdly: Lack of application of Islamic-based research methods into practice by most Islamic studies students' researchers (Hanapi & Khairuldin, 2018) and some lecturers, they stuck to conventional research methodology in their investigations despite it appeared to have some unbridled fallacies and undesirable deficiencies in both its philosophical and epistemological paradigms.

Fourthly: The quantitative approach to analysis using statistical techniques, also gains little (if not any) consideration from many contemporary Muslim researchers, this problem seemed to be a result of their equivocal nature of approach, understanding, and unfamiliarity with statistics. The next paragraph contains a profound discussion on this assertion.

According to the researcher's investigations there is an optimistic link and decent similarities between the process, methods, and strategies of *taqsīm al-tarikaṭ* in the Islamic system of inference, and the methods of data analysis in the IRM nonetheless, to unearth this passive connection via conduction a research that can co-ordinates this two important variables, or to excavates the hidden relationship between the two is yet to be found out up till the time of conducting this investigation. Therefore, to bridge this wide gap, and save this vital knowledge from being lost, there is need for conducting research of this nature.

Almost all of what Islamic studies students and researchers rely on (in relation to data analysis) is the adoption of conventional mode of analysis that has rooted from hermeneutic tools, this as a result of lacking a standard tool (s) for data analysis under IRM be it traditional or classical. This vital information had been reiterated many times by researchers like Hassan (2019), as he opined that.

"...there has not been much work that discusses the technical aspects of research, particularly in the site of research design, data collection methods, and data analysis methods. If anything, it is still very early and fragmented. Also"

Ezzy (2002) Laments that some conventional tool of analysis used by researchers are hermeneutic analysis tool originates from the method used by Christian

theologists to interpret the Bible...'. while any analytical tool that has direct based with Christian beliefs is not encouraging for investigating crucial information on Islamic affairs like theology or legal issues, this view also tallied with the views of many Muslim researchers, among them Salleh (2008). As he opined that

"...Islamic-based research should be based on the epistemology and philosophy of Islam..., ' -he continues-, "because conventional research methods may harm the researcher's faith by separating the religion or theology from the observation of social reality" (Salleh, 2008).

The utilization of IRM is not new issue because majority of earlier scholars and researchers applied in their writings, this led to understand that from their methods of investigation, many branches of Islamic research ramified. Nevertheless, the IRM as a field of study becomes somehow new, the situation that leads to the shortage of literature in the field, even though there are some keen Muslims researchers those investigated extensively in the field and proffer tremendous contributions to mention an example; Muhammad Syukri Salleh, Muhammad Mumtaz Ali, Muhammad Muqem, Shahir Akram Hassan, Yusuf Dalhat, Wan Mohd Khairul Firdaus Wan Khairuldin, Siti Fatima, and many more. Even though, according to the research's investigation most of the Islamic studies' students are not applying the IRM in their projects, dissertations, or theses, and their implementations of IRM in their day-to-day research is inadequate, and it's very skimpy to be precise.

To bring the above claim clearly, for example, in Nigeria, where Muslims are the majority. According to the National Universities Commission of Nigeria (NUC, June 2023), there are fifty-two (52) Federal universities, sixty-three (63), state universities, one hundred and forty-seven (147), private universities, two hundred and five (205) colleges of education, and one hundred and fifty-seven (157) polytechnics;

the ground total is 624; this means there are six hundred and twenty-four tertiary institutions within thirty-six (36) states in the country. After the researcher conducted a thorough investigation, he found out that less than half of these institutions offering Islamic studies as a cardinal course of study, then none of them offering ‘IRM’ as an independent course to be study.

Therefore, doing investigation in this area with the aim of bridging this gap may help to the sustainable thrive of IRM all over the world, and vice-versa if this type of research is not conducted, the old heritage, its aspects, and prestigious value of Islamic studies might have deteriorated.

1.4 Research Objectives

Research objective can be seen as a specific covenant taken by the researcher, who aims to fulfil at the end of his study, mostly in the fourth chapter of any classical research. Therefore, in relation to the main problems stated earlier in this chapter, the general purpose of this research is to excavate the hidden relationship between the method of *taqsīm al-tarikaṭ* of the Islamic system of inheritance and the methods of data analysis in IRM hence this proposed treatise is sought to:

- i) To identify the prerequisites and process of *taqsīm al-tarikaṭ* in the Islamic system of inheritance
- ii) To analyze the roles of *Awl and Radd* of the Islamic system of inheritance on data analysis under the IRM.
- iii) To propose the *taqsīm al-tarikaṭ* methods as a basis for data analysis in the IRM.

1.5 Research Questions

This is where the researcher will prolifically, tenaciously, and indefatigably explain what he intended to do, which would be accomplished by posing some strong questions in order to simplify the research objectives in the current study. They are as follows:

- i) What are the prerequisites and process of *taqsīm al-tarikaṭ* in the Islamic system of inheritance?
- ii) What are the relationships between the methods of *taqsīm al-tarikaṭ* in the Islamic system of inheritance and data analysis under IRM.
- iii) How to analyze the roles of *Awl and Radd* of the Islamic system of inheritance to contribute on data analysis under the IRM?
- iv) How are the methods of *taqsīm al-Tarikaṭ* applied as a basis for data analysis in IRM.?
- v) What are the experts' viewpoints on proposing the methods of *taqsīm al-tarikaṭ* as a basis for data analysis in the Islamic Research Methodology IRM?

Table 1.1 The Summary of the Research Objectives and the Research Questions

Research Objectives	Research Questions
1) To identify the prerequisites and process of <i>taqsīm al-tarikaṭ</i> in the Islamic system of inheritance.	i) What are the pre-requisites and process of <i>taqsīm al-tarikaṭ</i> in the Islamic system of inheritance?
2) To analyze the roles of <i>Awl and Radd</i> of the Islamic system of inheritance on data analysis under the IRM.	ii) What are the relationships between the methods of <i>taqsīm al-tarikaṭ</i> in the Islamic system of inheritance and data analysis under IRM? iii) How to analyze the roles of <i>Awl and Radd</i> of the Islamic system of inheritance to contributes on data analysis under the IRM? iv) How are the methods of <i>taqsīm al-tarikaṭ</i> applied as a basis for data analysis in Islamic Research Methodology IRM?
3) To propose the <i>taqsīm al-tarikaṭ</i> methods as a basis for data analysis in the IRM.	v) What are the experts' viewpoints on proposing the methods of <i>taqsīm al-tarikaṭ</i> as a basis for data analysis in the Islamic Research Methodology IRM?

1.6 Operational Definitions

There are four relevant keywords that lead to the focal issues discussed in this study; they are referred here in this chapters as "operational definitions," and they partially discussed under this sub-head to justify their exact meaning and usage in this study. The explanation of these concepts will be based on the scope of the current

study in order to ensure their definitions are congenial with the main objective of this study.

1.6.1 *Taqṣīm al-tarikaṭ* (Distribution of Estate)

The estate in the Islamic system of inheritance is divided among the heirs in one of the following ways a) the way of division (طريقة القسمة) b) the path of multiplication (طريقة الضرب) and c) the methods of sharing cases based on individual portions. For example, if someone dies, leaving behind a wife, mother, and uncle, then RM 120000 as the entire estate. The issue is ‘twelve’ which is the origin of the case: the wife is one over four, the mother is one over three, and the remaining is for the uncle. RM 30,000, then RM 4000, then RM 40,000. and RM 50,000, respectively. Examples of these are in chapter four in this study.

1.6.2 Islamic System of Inheritance

The Islamic system of inheritance is an important branch of Islamic sciences that deals with the devolution of a person's estate to his siblings who fulfil the condition of inheriting the estate after death. According to Umar (n.d.)

“Islamic inheritance in Arabic is popularly known as "Al-mirāth" or "Ilm- al-farāid which literally means a fixed share. in Islamic legal parlance, it is a branch of Islamic jurisprudence that deals with how the estate of the deceased is distributed among the legal heirs and other claimants” (Umar, n.d.).

It is the first knowledge to vanish from earth Abdullah bin Mas'ud reportedly quoted Prophet Muhammad (SAW) as saying,

"Learn the laws of inheritance and teach them to the people." Truly, it will be taken away (by death); indeed, the knowledge will be lost, and hardships will take precedence so that when two individuals disagree on the norm of inheritance, they will not be able to locate a third party to mediate between them" (al-tirmizi, al-akim No 260).

Another Hadith quotes the Prophet Muhammad (SAW) as saying.

"Learn the knowledge of inheritance and teach it to mankind, for it constitutes half of all knowledge." It will be forgotten, and the first thing my ummah will lose is this". (Ibn Majah 1997, Hadith No 154 & Al-Hakim 898 Hadith No 287).

Abdul-Rahman et al. (2017) explained that:

'...al-farā'id," is known as Islamic inheritance law is one among three of the main knowledge in Islam. al-lfarā'id," is the plural word for al-farā'id," which means something that is required or the division that has been fixed with their respective rates' (Abdul-Rahman et al., 2017).

In his effort to differentiate between the words *Mirāth* and *Alfarā'id*, Lakhyi (2011) discoursed that *al-Mirāth* and *al-farā'id*," are alternately used to signify inheritance, with Muslim jurists most frequently using the latter. He then supplied each word's literal meaning before elaborating on its significance from a legal standpoint as follows.

The word "*al- mirāth* " comes from the Arabic verb "*waratha*," which means to inherit something. In its literal sense, the word "*mirāth*" also refers to the act of passing something from one person to another. Additionally, the plural form of *al-fardh*, *al-farā'id*, comes from the verb *al-farā'id*, which has the figurative meaning of

"a fixed share." In legal terminology, it involves understanding some *Shari'ah* laws that govern who will inherit and who will not, as well as what proportions of the deceased's property will go to the heirs (Lakhyi, 2011).

The aforementioned statements clearly indicates that *al- mirāth* deals with the guidelines for administering and distributing a deceased person's estate to their rightful heirs as established by Allah, as explained by Prophet Muhammad (peace be upon him), and as interpreted by jurists among his companions and generations of succeeding Muslim jurists. The Islamic inheritance system Islamic family law is complemented by the Islamic inheritance system, which is also a component of divine law. Islam was the first religion to develop the idea of administering and distributing a deceased person's inheritance to the designated lawful owner. About 35 verses in the Qur'an include the word "*mirāth*," which has the sense of inheritance or one of its derivatives (Doi 1983). For instance, in the Qur'an. 3 verse 180 and Qur'an 57 verse 10 etc. explain the above statement.

This provides legal possession to living persons of a dead person's property. Islam bases its inheritance laws on five key principles:

- i) To disperse wealth across society rather than keep it concentrated among a small number of people.
- ii) To honor an individual's property rights that they have honestly earned.
- iii) To drive home to man's understanding that he is not the total master of the money he creates, but rather its trustee, and, as such, is not permitted to transfer it to others in the manner of his choosing.
- iv) To strengthen the family system, which serves as the Islamic society's basic social structure.

- v) To promote economic activities as allowed by Islam and to encourage labor (Ali, 1961). All these five cardinal principles of Islamic inheritance have solid similarities with the basis of data analysis in IRM

1.6.3 Data Analysis Method

The classical scholars of research methodology such as (have cautiously classified the methods of data analysis into three phases. First, qualitative data analysis; second, quantitative data analysis; and third, mixed methods data analysis. The qualitative method is a process that involves understanding complexity, detail, and context of the research subject, often consisting of texts such as interview transcripts and field notes, or audiovisual materials. Quantitative data is data that can be described numerically in terms of objects, variables, and their values (Hox & Boeije, 2004).

The mixed-methods analysis is a practice of combining both qualitative and quantitative data for further action. The mixed-method studies according to Sandelowski (2000). 'Entail concrete operations at the technique level of research by which "qualitative" and "quantitative" techniques are used together and either remain distinct design components or are explicitly integrated. In addition, mixed-method studies entail concrete operations at the technique level of research by which "qualitative" and "quantitative" techniques are used together and either remain distinct design components or are explicitly integrated'. Therefore, going by the above points, the mixed method design appeared to be more relevant and appropriate to most contemporary researchers for its unique feature of expanding and improving the subject matter, theme, and scope of a specific study.