

## Alternative Dispute Resolution (*As-Sulh*) as a Principle of Islamic Legal System on Marriage Conflicts Among Muslim Ummah

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### Abstract

This paper seeks to analyze the application of ADR (*As-Sulh*) as a principle of the Islamic legal system on marriage disputes among Muslim Ummah and the role of Tafarkin Tsira Islamic Centre Azare Bauchi State Nigeria. The paper will examine the principle of *As-Sulh* for dispute resolution among Muslim Ummah and its applicability in settling marriage disputes in the study area. This study employed qualitative research methods, and the data were gathered through the review of the related literature and interviews with pertinent bodies. The findings revealed that marital conflict among Muslim Ummah is becoming rampant and tends to increase annually. This study also identified that Tafarkin Tsira Islamic Centre Azare, under its Matrimonial Life Training and Counseling section, maintained the principle of ADR (*As-Sulh*) as a reliable alternative and instrument for the resolution of many marital conflicts among Muslim Ummah in the study area through organizing a strong orientation program for intending and married couples on successful marriages, the consequences of marital disharmony, and how to resolve the issues. It is recommended that ADR, if properly maintained and its technicalities applied, several marriages would be saved, peace would be restored, and collective effort to build successful families would be actualized across the communities.

**Keywords:** *Alternative Dispute Resolution, Islamic Legal System, Marriage, Muslim Ummah.*

### Abstrak

Tulisan ini berusaha menganalisis penerapan ADR (*As-Sulh*) sebagai asas sistem hukum Islam pada sengketa perkawinan di kalangan umat Islam dan peran Tafarkin Tsira Islamic Center Azare Bauchi State

Nigeria. Makalah ini akan mengkaji prinsip *As-Sulh* untuk penyelesaian sengketa di kalangan umat Islam, dan penerapannya dalam penyelesaian sengketa perkawinan di wilayah studi. Penelitian ini menggunakan metode penelitian kualitatif dan pengumpulan data dilakukan melalui kajian literatur terkait dan wawancara dengan pihak terkait. Temuan menunjukkan bahwa konflik perkawinan di kalangan umat Islam semakin merajalela dan cenderung meningkat setiap tahunnya. Studi ini juga mengidentifikasi bahwa Tafarkin Tsira Islamic Center Azare di bawah bagian Pelatihan dan Konseling Kehidupan Matrimonial mempertahankan prinsip ADR (*As-Sulh*) sebagai alternatif dan instrumen yang dapat diandalkan untuk penyelesaian banyak konflik perkawinan di kalangan umat Islam di wilayah studi melalui pengorganisasian program orientasi yang kuat untuk pasangan yang berniat dan menikah tentang pernikahan yang sukses, konsekuensi dari ketidakharmonisan pernikahan, dan bagaimana menyelesaikan masalah. Direkomendasikan bahwa ADR jika dipelihara dengan baik dan teknisnya diterapkan, beberapa pernikahan dapat diselamatkan, perdamaian dapat dipulihkan dan upaya kolektif untuk membangun keluarga yang sukses dapat diaktualisasikan di seluruh komunitas.

**Kata Kunci:** *Alternatif Penyelesaian Sengketa, Sistem Hukum Islam, Pernikahan, Umat Islam.*

## INTRODUCTION

A significant number of people around the world have difficulties with their marital relationships, access to justice, and most of the legal conflicts do not reach the consideration by public authorities that can help in removing some barriers (Vladimirovich & Sergeevich, 2022). A system of alternative dispute resolution (ADR) is one of the aspects that might have a big impact on this sector according to the World Bank which is looking into the practice of increasing access to justice (Maru, 2009). Alternative dispute resolution is a process for settling a disagreement that avoids involving the authorities concern by allowing the parties to develop a final action plan that is accepted by all parties. The following forms of ADR are distinguished by some authors: negotiations, arbitration, mediation, and reconciliation (Kumari, 2020). The idea of separation of powers, which calls for the establishment of a separate department of government for the administration of justice, serves as confirmation of the significance of dispute resolution. According to official

figures, the human population is in need of this function (Federal Judicial Caseload Statistics, 2020).

One of the fundamental responsibilities of any state is to settle legal disputes. The judiciary is typically given this responsibility, but as experiences have shown, the court cannot guarantee the efficient operation of the legal conflict resolution system on its own. Every democratic state understands the value of having alternatives measures of resolving issues, and those who are the subject of the law must have the freedom to choose how their legal problems are to be resolved. Alternative dispute resolution methods include arbitration, mediation, consultation, discussions, intersession, the conciliation process, and others (Volodymyr, 2022). The dispute resolution processes are predated Islam and are applicable in many areas for maintaining peace and stability in human life. Within the tribal Arab and nearby societies, chieftains (shaykhs), so called healers (*kuḥān*), powerful and influential nobles, occupied and played an essential and indispensable role as dispute resolution practitioners in almost all disputes within the tribe or, between opposing factions (Bailey, 2009).

Islam as a universal religion that suit any era and society, urges people to settle their differences via negotiation rather than violence. Therefore, in Islam, the disputing parties use ADR (*Sulh*) processes to settle their differences. This fosters a kinship among the community's peacemakers and enhances the relationship between the disputants. Disputes and disagreements have been as old as man himself right from his creation by the Almighty God. This is due to the complexity of the nature of man. It is often said that no man is an island; instinctively, because man must interact, stay and reason together though in different ways, manners and approaches (Haroon, 2017).

Many researchers have unveiled how the variables of culture, such as communication style, individualist, attitudes and values that normally influence the ways of thinking can affect the way people deal with conflicts and its resolution (Croucher & Al, 2012). As human interaction is inevitable in life, then conflict becomes unavoidable between the parties, more especially in marriage where parties are to stay intimately and tidily as well as to adhere some spiritual rules that sometimes differ from their wishes. Many people may differ in a simple issue and argue wrongly, many people might feel that it is much safer for them to discuss their conflict situation with someone who devotes their time and

attention to actively and politely listen to them if they are not from the same family (Bastomi & Ilham, 2020).

Most of the relationships in Hausa land are not separated with internal or external conflicts, be it minor or major ones (Aremu et.al, 2022). Matrimonial life or relationships are habitually and prearranged to be harmonious, successful and to last forever despite the individual differences of the parties, but the reality proved that many relationships including marriages do not continue as intended by the parties (Lawrence et al., 2019).

In the African Muslim communities, traditionally there is a committee that comprises community elders and religious leaders who annexed the practice of mediation within the field of family law and a times effect the entire families of the disputants more especially in the cases of divorce matters. This traditional legislation imposes a compulsory process of mediation before a divorce is finalized. The rationale of the legislature for integrating the process of mediation into legislation is derived from the problem and fact that family law practitioners often view divorce as an exclusively legal phenomenon and event that need the inclusion of other key role models and stakeholders of the community. Because family law matters are extremely complex consisting of a web of relationships and disciplines which extends beyond the contemporary legal family (Shouket, 2019).

Normally, the marital conflict differs in nature as a result of causes, situation, background of conflict and couples, time, environment, level of maturity and discipline (Adamu, 2020). There have been many solutions offered in dealing with such matrimonial conflicts, among which are alternative dispute resolution methods through dialogue, arbitration, mediation, negotiation, etc. Most of marriages in Hausa land experiences disputes, conflicts that led to dissolution, crises and divorce due to different expectations, hopes, irrelevant application of relationship (Kamaldeen, 2018). It is primarily for this particular reason that the Shari'a has established and formalized amicable settlement (*As-Sulh*) as a dispute resolution mechanism in addition to litigation (Shouket, 2019). Therefore, Islamic legal system has been long utilized alternative dispute resolution (*As-Sulh*) as a tool in resolving marriage disputes among the Muslim Ummah through various forms of dispute resolution available, such as mediation arbitration, consultation, and negotiation.

## RESEARCH METHOD

The study employed qualitative research design, which includes interviewing and documenting procedures for data collection and thematic analysis as an inductive method for data interpretation. In this study, semi-structured interviews are the primary means of collecting data. A semi-structured interview is a type of interview in which the interviewer asks only a few predetermined questions while the rest of the questions are not planned (Pollock, 2019). The method of individual interviews was chosen for this study because it will be a valid and useful way to examine participants' viewpoints and experiences. The host community of Tafarkin Tsira Islamic Center, Azare town in Bauchi state, Nigeria will be examined as a case study, and the clients of Matrimonial life training and counseling section considered as the study sample. The interview respondents were coded as STIC which stand for Staff of Tafarkin Tsira Islamic Centre Azare, MMC which stand for Muslim Married Couples, DTIC which stand for Director Tafarkin Tsira Islamic Centre Azare, GMMC which stand for Guardian of Muslim Married Couples.

## RESEARCH FINDINGS AND DISCUSSION

### **Theoretical Framework of Marriage Conflicts and Alternative Dispute Resolution (As-Sulh).**

#### ***Marriage Conflicts***

Marriage is an institution ordained by God and it has a special significance in our society. Isiugo-Abanihe (1998) defined marriage as a union between a man and a woman that lasts the duration of theman' s life and the woman' s life, as well as a social structure that promotes an association andagreement between two families. In other words, marriage is predicated on the mutual consent of a man and a woman to live together as husband and wife. Ordinarily, an ideal marriage will remain united, undivided and unbroken as Hauwa' u and Adam were permanent partners (Muhammad & Bala, 2020).

In Islam, marriage is seen as a social and legal relationship intended to strengthen and extend family relationships. It begins with a search for an appropriate partner and is solemnized with an agreement of marriage contract, through which the social unit is established and is the only permissible way for men and women to engage in intimacy. Misunderstanding is common in family

relationship and it leads to suspension or divorce of marriage (Muhammad, 2019).

According to Cadigan (1998), divorce is a legal or customary decree that a marriage is dissolved as a result of unexpected marriage disputes. Generally, it is believed that conflict is natural and inevitable in human life, be it a family issue between couples or inter family relationship (Tasew & Getahun, 2021). Marital conflict is not a one man affair, is a collective affair between husband and wife and sometimes including parents and even relatives, it can also, destroy a couple's life style, future, mentality and even lead them in to heartbreaking and divorce (Storer et al., 2021). Olaniyi (2015) noted that despite the many benefits of marriage, these noble goals sometimes do not materialize and not appreciated by the parties due to unwanted, unexpected and unbearable crisis as well as the couple's inability to manage their views, emotions, reactions and tarnished hopes, despite the consideration of families as the foundation of the globe and any continent. It has been discovered that the high divorce rate in African households has a socioeconomic and political impact on the community. In traditional Hausa societies today, divorce is a growing social ill due to several factors, which includes cultural activities, ignorance, immaturity, socialization and technological advancement among others.

According to Tolorunleke (2014); Odebode (2019); Harsari (2020) noted that marriages are not free from conflicts, as a single person can live for years without clashing unless he interacts with others. Misunderstandings between couples for several reasons: the wife is disobedient to her husband; the husband is not responsible for the family, financial problems, infertility, inheritance disputes, and so on. Based on the Qur'anic verses we learn that God discourages divorce and encourages the continuation of marriage no matter how disputes may happen between the couples, is a duty for both husband and wife to safeguard their marriage even in extreme cases of misbehavior. Allah says:

*"If a wife fears cruelty or desertion on her husband's part, there is no blame on them if they arrange an amicable settlement between themselves; and such settlement is best;..." (Q:4:128)*

In another verse, where it is decreed that an arbitrator from each side should be appointed to reconcile the couple, Allah says:

*"If a couple fears separation, you shall appoint an arbitrator from his family and an arbitrator from her family; if they decide to reconcile,*

*God will help them get together. God is Omniscient, Cognizant” (Q: 4:35).*

Therefore, other than death of a spouse, the dispute that can result divorce has been recognized as the most significant life stressor that spouses can face in their life, and through the application of *As-Sulh* this vice can be treated and minimized among Muslim Ummah.

### **Alternative Dispute Resolution (As-Sulh)**

In its linguistic sense, it is accepted by classical Arabic lexicographers that the word originates from the Arabic root word of *Ṣaluḥa* or *Ṣalaha*. It means to be good, right, proper, suitable or, the process of restoring or reconciling. In Islamic law, it is considered to be a method of restoring justice amicably among disputants in order to attain an agreed upon out of court settlement, *Ṣulḥ* is a contract of removing a dispute by consent which becomes a concluded contract by offer and acceptance (ibn Idrīs, 1993; Zuhaili, 1989).

The Maliki school views *ṣulḥ* as a way of resolving past and future disputes involving disputants (al Umtata, 1996). On the contrary, other schools of law maintained that *ṣulḥ* can only be applicable to past disputes, and not to future ones (ibn Idrīs, 1993). In Islam, the most widely accepted method of resolving conflict is *Ṣulḥ*, which means reconciliation or conciliation. *Ṣulḥ* is resolving disputes through alternative means called Alternative Dispute Resolution (*As-Sulh*) rather than going to court. Such process includes negotiation, compromise, meditation (*wasāṭah*), arbitration (*taḥkīm*), *Fatwa* of Mufti (expert determination), and several other methods that could bring about resolving the conflicts (Serrano, 2016) .

Alternative Dispute Resolution (*As-Sulh*) has gained significant power of our forefathers, and societies in general have appreciated its applicability and its necessity for access to justice through alternative dispute resolution (*As-Sulh*) processes and techniques based on equity and morality. As an institution and a form of justice, ADR has always been part of Hausa Land and Islamic traditions where solutions through *As-Sulh* been given priority for the benefit of all and often regarded as a strong mechanism for conflict resolution across the societies (Allie, 2020).

Alternative Dispute Resolution (*As-Sulh*) is a popular aspect of the Islamic Legal system. Like other Islamic law principles, it is originated from the Qur'an

and supplemented by the Ḥadīth and *ijmā'* (the consensus of Muslim jurists). The basis of *ṣulḥ* is sourced from many verses of the Qur'an:

*"If two parties of the believers happen to fight, make peace between them. But then, if one of them transgresses against the other, fight the one that breaks until it reverts to Allah's command. And if it does revert, make peace between them with justice, and be equitable for Allah loves the equitable. The believers are but one brotherhood, so make peace between your brothers. And be mindful of Allah so you may be shown mercy." (QS. al-Hujurāt [49]: 9-10).*

The above two verses are strongly supported the application of *As-Sulh* for dispute settlement among two warring parties and the essential aspect of doing that justly.

In another verses, Allah also explains *As-Ṣulḥ* (reconciliation) in Islam as reliable means of solving marital disputes; Allah Said:

*"If a woman fears indifference or neglect from her husband, there is no blame on either of them if they seek 'fair' settlement, which is best. Humans are ever inclined to selfishness. But, if you are gracious and mindful of Allah, Allah is All-Aware of what you do." (QS. al-Nisā' [4]: 128).*

In another verse where Allah SWT Said:

*"If you anticipate a split between them, appoint a mediator from his family and another from hers. If they desire reconciliation, Allah will restore harmony between them. Indeed Allah is All-Knowing, All-Aware." (QS. Al-Nisā' [4]: 35).*

This is another term put in place by Islam to settle marital disputes which is called *taḥkīm* (arbitration) meaning to have someone to listen and judge between the two parties. *Taḥkīm* was practiced to resolve various types of civil and commercial disputes before the arrival of Islam, this can be considered as *As-Sulh* between the disputes parties.

Jones & Ali (2019), a panelist on the *shari'ah* council attached to the Birmingham Central Mosque, attested that dispute resolution should be conciliatory in tone: it should bring conflicting parties together whenever possible and strive to seek mutually acceptable solutions that can avoid bitterness and sustain relations. Second, that the search for a resolution should be flexible, sensitive to the given situation and the parties involved. And third, that the parties themselves should be encouraged to find a resolution, rather than going to an outside body such as a court. As Bone puts it, *shari'ah* council members are "not there to judge", but to seek solutions without formal adjudication wherever possible.



The procedures of dispute resolution according to shari'ah are the principles of *Sulh* (mediation) and *Tahkim* (arbitration). Each is mutually distinct: *As-Sulh* denotes the attempt by a third party to encourage conflicting parties to move towards their own settlement of a dispute, (Bearman et al., 2005; Othman, 2007; Shah, 2009), while *Al-Tahkim* refers to a third party taking responsibility for evaluating a dispute and deciding upon the correct outcome (Bearman et al., 2005; Zahraa & Hak, 2006). However, Islamic scholars as well as academics admit that the two blends into each other in practice, to the extent that some speak of the hybrid concept of Mediation-Arbitration to convey the fluid nature of the duties taken on by a third-party negotiator (Kelsay, 2015).

Many studies have shown that, *As-Sulh* and *al-Tahkim* were drawn from pre-Islamic custom, and are alluded to in many of the sayings and deeds attributed to the Prophet, the Caliphs and the Imams alike revealed how these legal mechanisms were employed by the Prophet and the Companions as the foremost methods for settling disputes right up until an Islamic judicial system and the notion of executive judgement known as (*qada*) was finally consolidated in the Abbasid era. In this sense, *As-Sulh* and *Tahkim* alike carry the sense of being non-judicial or pre-judicial mechanisms that are designed to resolve conflicts in the absence of judicial authority and negotiated through community agreement (Rosen, 2000). Therefore, *Sulh* is considered a contract concluded by offer and acceptance and consists of settling a dispute by mutual consent.

#### **Advantages of ADR (As-Sulh) in Marriage Conflicts.**

1. The diverse interpretations and definitions that scholars have given to *Sulh* suggest that it has a wide range of advantages, benefits, and practical uses. Some of these benefits are as follows: *Sulh* promotes love, mutuality, and oneness; it is safer for judges and complainants alike than court judgments; it is more rewarding than adjudication based on strict legal rights; it saves time due to its straightforward procedures; and it improves and restores more peace, cordiality, and forbearance among disputants (Welsh, 2001).
2. Essential Elements of *As-Sulh*  
According to Islamic law, a *sulh* contract must contain some key components in order to be considered legally binding. These components are: *Al-Musalih Lahu*, or "one who declares a claim", *Al-Musalihu Alaihi* (the person that the accusation is made against), *Al-Musalih Anhu* is the subject-matter for the

claim, The thing provided for the Sulh/Consideration is *al-Musalih Bihi/Badl al-Sulh, al-ijab* (offer) and *al-Qabul* (accepted), (Haroon, 2017) .

### **Historical Background of TafarkinTsira Islamic Centre Azare.**

#### ***Foundation and Services of TafarkinTsira Islamic Centre Azare.***

Tafarkin Tsira Islamic Centre Azare is an educational and religious centre founded by a religious figure and one of the youth scholars in Azare town of Bauchi state. Abubakar Adamu Muhammad, a 41 year old preacher, academics, media analyst and counselor get an idea to initiate a Centre for resolving religious and social disputes in the study area, after several consultations he established and registered the Centre with Nigeria's Corporate Affairs Commission in line with the Federal Republic of Nigeria's 1999 Constitution under the companies and Allied Matters Act 1990, Pursuant to Section 659 dated 10th March 2020. The centre is located at Ahmad Turaki Primary School, one of the prominent public school building in Azare town as its temporary site to run some of its 10 programs: 1. Nursery Schools; 2. Primary Schools; 3. Secondary Schools; 4. Islamiyyah Section; 5. Tahfeezul Qur'an Section; 6. Adult education Section; 7. Matrimonial Life Training and Counseling Section; 8. Special Training and Interventions; 9. Publications; 10. General Educational services.

In the month of June 2022, the Centre built 3 classrooms, staff office and 3 toilets at its permanent site located at Sabuwar Misrah along new Maiduguri-Kano road, Azare and relocate some programs to be in the permanent site. The Centre has a number of staff and students with several responsibilities across the programs. The current number of staffs in the Centre is 22, which includes the director, three sectional heads and classroom teachers, counseling masters, Centre general secretary, cashier, food vendors, and watchman. The population of its students from the adult-females' section for now is 295 across the existing programs while the pupils from Islamiyyah section are 104 as well as 79 students from matrimonial life training and counseling (Muhammad, 2021).

#### ***TafarkinTsira Islamic Centre Azare and its Role in Resolving Marital Conflicts***

Tafarkin Tsira Islamic Centre Azare adopts *As-Sulh* method in resolving marital disputes among married and intending couples for eliminating or reducing matrimonial conflicts among Muslim Ummah in the study area. Several interviews were conducted on the subject matter and many reactions were recorded on basic achievements.

*“The Centre basically engaged the disputant parties to understand the concept of sulh as an alternative dispute resolution provided by Islamic shariah which means a contract that is concluded by two disputant parties under which each party waves part of his right to reach a mutual and final resolution of a conflict. This can happen either in the presence of third party or not” (STIC).*

The Centre utilizes this method to settle several marital disagreement and crisis among the married and intending couples by inviting only the disputants or together with their parents or guardians because a times they play a vital role in assisting the disputants or reconciliatory board members in arriving at a mutually and acceptable solution to the matters arise.

*“Yes we are invited here together with my guardian and my wife too with her father on some critical issues that always create misunderstanding between us, really I appreciate the way they handle the matter in a logical way and we have arrived at a mutual point and agreed to maintain peace forever Insha Allah” (MMC)*

The members of the Centre serve as mediators between the disputants and helps them to resolve critical matters in a way that will be acceptable to both parties.

*“The very interesting point in this counseling Centre is, normally the mediators start with admonishes and share many experiences with their clients which will help them to calm down and get more peace of mind for easy arrival to the right point, they are really certified counselors perhaps” (GMMC).*

Since this Centre is not a court and has no power to dissolve marriage contract, when As-Sulh method did not yield any positive result of reconciliation and settling the disputes then the disputants would be advised to appeal their case to a nearby Shariah court for further action.

*“Regard to the number of cases handled by this Centre, it is well impressive through the information gathered that the number of cases that have been received are increasing from 23 filed cases in 2022 to 39 filed cases in this year 2023 were 24 out of the 39 filed cases are treated, cases resolved and marriages saved, 2 cases refer to shariah court and the remaining 4 filed cases of this year are on the process” (DTIC).*

### **Recommendations**

1. It is recommended that As-Sulh should be formally recognized as one of the best modes of dispute resolution among members of the society through strengthening its practice and recommendation by the community leaders and to be introduced across the areas where it is not in practice.

2. Workshops, seminars and other educational programmes should be organized for judges, lawyers, religious leaders, Imams, traditional rulers and other stakeholders on the concept of *As-Sulh*, its significance, relevance and applicability to relationship disputes among the citizens.
3. The Shariah court Judges and lawyers should give the room and option for *As-Sulh* between the disputants to settle their disputes outside court without recording any loss.
4. It is recommended that the government at all levels should make provisions that will aid the practice of Sulh across the Muslim communities.
5. The Judicial council, judicial service commission, the executive, the legislature and all other bodies involved in the appointment of Shariah courts Judges should ensure that persons to be appointed must be knowledgeable about *As-Sulh* and its principles.
6. Religious leaders are encouraged to educate married and intending couples about the benefit of *As-sulh* and discourage them from delving into courts immediately when they have any conflict.

## CONCLUSION

Human rights are adequately protected by Islam. As a unique among the legal systems of the world regard to its adequate provisions for ADR and confidence in its applicability, Islamic law offers a number of options for resolving personal conflicts, including private reconciliation or settlement, arbitration, and adjudication by a judge. All parties involved in any relationship including couples have personal and individual differences of opinions, values, needs, desires, aspirations, background, and upbringings that can generate friction and criticism, which if not properly managed, may lead to violence, conflict, serious disagreement, and even separation of the couples or divorce. Consequently, this presents a chance to integrate these Shariah-based strategies within the regional legal framework. By maintaining collective and effective orientation programs for engaged and married couples on successful marriages, the effects of marital disharmony, and how to resolve the issues, Tafarkin Tsira Islamic Centre Azare maintained the principle of ADR (Sulh) as a trustworthy alternative and instrument for the resolution of many marital conflicts among Muslim Ummah in the study area.

## REFERENCES

- al Umtata, I. A. M. A. U. (1996). *Kitāb al-Aqdiya (Book of Judgments)*. Book of Judgments.
- Allie, S. (2020). *Exploring the concept of conciliation (ṣ ulḥ ) as a method of alternative dispute resolution in Islamic law* [LLM Degree, University of The Western Cape]. <https://etd.uwc.ac.za:443/xmlui/handle/11394/7632>
- Bailey, C. (2009). *Bedouin law from Sinai & the Negev: Justice without government / Clinton Bailey*. Yale University Press.
- Bastomi, A., & Ilham, L. W. (2020). Alternative Dispute Resolution in High-Context Culture and Collectivist Society: Possibilities to Apply Conflict Coaching Approach in Indonesia. *Revista Brasileira de Alternative Dispute Resolution - Brazilian Journal of Alternative Dispute Resolution – RBADR*, 2(3).
- Bearman, P., Bianquis, T., Bosworth, C. E., van Donzel, E., & Heinrichs, W. P. (Eds.). (2005). *Encyclopaedia of Islam, Second Edition. Middle East And Islamic Studies*. BRILL. <https://brill.com/display/db/eieo?language=en>
- Cadigan, R. J. (1998). Woman-to-Woman Marriage: Practices and Benefits in Sub-Saharan Africa. *Journal of Comparative Family Studies*, 29(1), 89–98. <https://doi.org/10.3138/jcfs.29.1.89>
- Croucher, S. M. & Al. (2012). Conflict Styles and High-low context cultures: A cross-cultural extention. *Communication Research Reports*, 29(1), 64–73.
- Federal Judicial Caseload Statistics. (2020). *Federal Judicial Caseload Statistics 2020 | United States Courts* [Government]. United States Course. <https://www.uscourts.gov/statistics-reports/federal-judicial-caseload-statistics-2020>
- Haroon, Hon. J. I. A. (2017). The Use of Alternative Dispute Resolution (Sulh) in Sharia Cases. *Enhancing Administration of Justice in the Area/Sharia/Custimary Courts*. The National workshop for Area/Sharia/Custimary CourtJudges/Directors and Inspectors of Area/Sharia/Custimary Courts, Kwara State Sharia Court of Appeal, Ilorin. [https://nji.gov.ng/images/Workshop\\_Papers/2017/Area\\_Sharia\\_Customary\\_Judges/s4.pdf](https://nji.gov.ng/images/Workshop_Papers/2017/Area_Sharia_Customary_Judges/s4.pdf)

- Harsari, R. J. T. (2020). A Perspective of Husband and Wife Roles in Long-Distance Marriage. *Advances in Social Science, Education and Humanities Research*, 268–271. <https://doi.org/10.2991/assehr.k.200120.056>
- ibn Idrīs, A. ‘Abdullāh M. (1993). *Al-Shāfi ‘ī kitāb al al-Umm*. Dar el-fikr.
- Isiugo-Abanihe, U. C. (1998). Stability of marital unions and fertility in Nigeria. *Journal of Biosocial Science*, 30(1), 33–41. <https://doi.org/10.1017/S0021932098000339>
- Jones, J., & Ali, S. S. (2019). *Muslim marriage and divorce practices in contemporary Britain*. Islamic Law Blog.
- Kamaldeen. (2018). *Roles of Imams as Marital Conflicts Mediator in Ilorin Metropolis*.
- Kelsay, J. (2015). Islam, Sharia and Alternative Dispute Resolution: Mechanisms for Legal Redress in the Muslim Community. *Journal of Islamic Studies*, 26(1), 56–59. <https://doi.org/10.1093/jis/etu071>
- Kumari, P. (2020). *Alternative Dispute Resolution (ADR)* (SSRN Scholarly Paper 3626625). <https://papers.ssrn.com/abstract=3626625>
- Lawrence, E. M., Rogers, R. G., Zajacova, A., & Wadsworth, T. (2019). Marital Happiness, Marital Status, Health, and Longevity. *Journal of Happiness Studies*, 20(5), 1539–1561. <https://doi.org/10.1007/s10902-018-0009-9>
- Maru, V. (2009). *Access to Justice and Legal Empowerment: A Review of World Bank Practice*. The Legal Vice Presidency, The World Bank. <http://hdl.handle.net/10986/18102>
- Muhammad, A. A. (2019). Steps to Legal Divorce: A Lasting Solution to Rampant Divorce among Contemporary Muslim Couples. *International Conference on The Biography of Prophet Muhammad(S.A.W)*, 4, 189–206.
- Muhammad, A. A. (2021). The Impact of Infaq Fisabilillah Program for Vulnerables under Tafarkin Tsira Islamic Centre Azare, Bauchi State-Nigeria. *Al-Hikmah Journal of Islamic Studies*, 9(4), 8–17.
- Muhammad, A. A., & Bala, B. (2020). Interaction between Culture and Islam on Divorce in Akko LGA of Gombe State. *Journal of University Scholars in Religions (JUSREL)*, 2(8), 8–16.
- Odebode, A. A. (2019). Marital Stress among Working Class Women in Kwara State, Nigeria: Implications for Counselling Practice. *Canadian Journal of*

*Family and Youth / Le Journal Canadien de Famille et de La Jeunesse*, 11(1), 20–40. <https://doi.org/10.29173/cjfy29410>

Olaniyi, A. A. (2015). Analytical Study of the Causal Factors of Divorce in African Homes. *Research on Humanities and Social Sciences*, 5(14), 18–30.

Othman, A. (2007). “And Amicable Settlement Is Best”: Sulh and Dispute Resolution in Islamic Law. *Arab Law Quarterly*, 21(1), 64–90. <https://doi.org/10.1163/026805507X197857>

Rosen, L. (2000). *The Justice of Islam*. Oxford University Press.

Serrano, D. (2016). Bringing arbitration (taḥkīm) and conciliation (ṣulḥ) under the qāḍī’s purview in Mālikī al-Andalus (10th to 12th centuries C.E.). *Revue Des Mondes Musulmans et de La Méditerranée*, 140(0), 73–100. <https://doi.org/10.4000/remmm.9623>

Shah, S. S. (2009). Mediation in Marital Discord in Islamic Law: Legislative Foundation and Contemporary Application. *Arab Law Quarterly*, 23(3), 329–346. <https://doi.org/10.1163/157302509X454726>

Shouket, A. (2019). *Exploring the concept of conciliation (Ṣulḥ) as a method of Alternative Dispute Resolution in Islāmic law research paper submitted in partial fulfilment of the requirements for the llm degree university of the western cape.*

Storer, H. L., Rodriguez, M., & Franklin, R. (2021). “Leaving Was a Process, Not an Event”: The Lived Experience of Dating and Domestic Violence in 140 Characters. *Journal of Interpersonal Violence*, 36(11–12), NP6553–NP6580. <https://doi.org/10.1177/0886260518816325>

Tasew, A. S., & Getahun, K. K. (2021). Marital conflict among couples: The case of Durbete town, Amhara Region, Ethiopia. *Cogent Psychology*, 8(1), 1903127. <https://doi.org/10.1080/23311908.2021.1903127>

Tolorunleke, C. A. (2014). Causes of Marital Conflicts Amongst Couples in Nigeria: Implication for Counselling Psychologists. *Procedia - Social and Behavioral Sciences*, 140, 21–26. <https://doi.org/10.1016/j.sbspro.2014.04.381>

Vladimirovich, M. A., & Sergeevich, E. K. (2022). Alternative dispute resolution in digital government. *Revista Brasileira de Alternative Dispute Resolution - Brazilian Journal of Alternative Dispute Resolution - RBADR*, 4(7), Article 7. <https://rbadr.emnuvens.com.br/rbadr/article/view/122/89>

- Volodymyr, Z. et al. (2022). Application of forms of alternative dispute resolution in Ukraine. *Revista Brasileira de Alternative Dispute Resolution - Brazilian Journal of Alternative Dispute Resolution – RBADR*, 4(7).
- Welsh, N. A. (2001). Making Deals in Court-Connected Mediation: What's Justice Got To Do with It. *Washington University Law Quarterly*, 79, 787. <https://heinonline.org/HOL/Page?handle=hein.journals/walq79&id=797&div=&collection=>
- Zahraa, M., & Hak, N. A. (2006). Tahkīm (Arbitration) in Islamic Law within the Context of Family Disputes. *Arab Law Quarterly*, 20(1), 2–42. <https://www.jstor.org/stable/27650536>