



REPOSITIONING *AS-SULH* FOR EFFECTIVE RESOLUTION OF MATRIMONIAL DISPUTES AMONG MUSLIMS IN ILORIN: EMPIRICAL FINDINGS AND POLICY IMPLICATIONS

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Abstract

In Islamic law, marriage (nikāh) is not only a sacred covenant but also a legally binding contract that regulates the rights and responsibilities of both spouses. However, while the marital relationship is ideally designed to be harmonious, emotionally fulfilling, and enduring, it is, nonetheless, susceptible to disagreements, disputes, and eventual breakdown especially when conflicts are poorly managed. Within the Ilorin metropolis, a city renowned for its Islamic heritage and scholarship, marriage is not merely a social obligation but a reflection of deep-seated religious and cultural values. Despite the revered status of marriage, disputes between couples have become increasingly common. Rising incidences of divorce, separation, single-parenthood, and domestic conflict have contributed to the fragmentation of family units, with far-reaching social consequences for children, vulnerable spouses, and the broader community. The paper aims to advocate for Sulh for effective resolution of matrimonial disputes among Muslims in Ilorin. The paper adopts mixed research methods (doctrinal and non-doctrinal methods). Based on the data gathered from the field study, the paper finds that Sulh lacks both recognition and awareness among the Muslims in Ilorin. The paper finds further that challenges hindering effective application and enforcement Sulh among Muslim couples in Nigeria includes lack of legal and institutional framework, limited awareness and knowledge of Sulh among Muslim couples, inadequate institutional capacity and trained mediators etc. The paper recommends legislative, judicial, institutional and community-based reforms to reposition Sulh for effective management of marital disputes in Ilorin.

Keywords: Sulh, Matrimonial Disputes, Muslims, Ilorin, Empirical Findings, Policy Implications

1.0 INTRODUCTION

The problem of matrimonial conflict is as old as the institution of marriage itself and has become an inseparable part of the human experience.¹ It is a global concern that transcends

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geographical, religious, and cultural boundaries, with even the most seemingly stable unions sometimes ending in separation or divorce.² Like all human interactions, marriage can become strained by economic, psychological, social, or spiritual challenges. When such disputes remain unresolved, they can lead to devastating emotional, psychological, and legal consequences for the individuals involved.³ Beyond the personal trauma it inflicts on the parties involved, it creates ripple effects such as the breakdown of family units, child neglect, emotional trauma for children, single parenthood, and, in some cases, juvenile delinquency and moral decadence among the youth.⁴ These consequences translate into larger societal challenges such as increasing crime rates, substance abuse, school dropouts, and other forms of social deviance that threaten communal cohesion.⁵

In Nigeria, particularly in Ilorin, matrimonial disputes have become increasingly prevalent. Ilorin, known as the fountain of Islamic scholarship and a pinnacle of Islamic prestige, is historically celebrated for its rich Islamic heritage and the proliferation of Islamic learning. The city is home to a multitude of Islamic scholars, jurists, and preachers who have played significant roles in the propagation of Islamic knowledge and values. Consequently, Ilorin has attracted various ethnic groups and is predominantly inhabited by Muslims.⁶

Despite its religious and cultural affinity for peace, recent years have witnessed a disturbing rise in the rate of divorce, separations, single-parent households, and cases of domestic violence within the city.⁷ Divorced or estranged couples often fail to adequately provide for their children, leading to lapses in emotional, moral, and financial support. Many separated fathers evade parental responsibilities, thereby exposing their children to psychological trauma and

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¹ O M Temilola, 'Marital Conflict Resolution by Social Welfare Officers in Selected Family Support Agencies in Lagos' *Journal of Social Work in Developing Societies*, [2021] (3) (1), 35.

² M O Esere, and Others. '50 Influence of Spousal Communication on Marital Stability: Implication for Conducive Home Environment' *Edo Journal of Counselling*, [2011] 51(4), 1&2

³ D Berković, 'Marriage and Marital Disputes in the Old Testament' *Evangelical Journal of Theology*, (2018). (Vol. XII) (2) 185,

⁴ E O Israel, 'Causes and Effects of Marital Conflict in Agbado Oke Odo and Ifako Ijaiye Local Council Development Areas in Lagos State' *Global Journal of Arts, Humanities and Social Sciences*, (2021) (9) (3) 65-6.

⁵ S Raji and H M Olorunoje, 'Sulh as Alternative Dispute Resolution Mechanism for Marital Conflicts Among Muslims in Ilorin, Nigeria' *Journal of Management and Social Sciences* (2019) (8) (2) 625.

⁶ S H Abubakar, 'Sulh (Reconciliation) in the Context of Muslim Marriage in the Ilorin Emirate' *Fais Journal of Humanities*, [2010] (4) (1) 90-91

⁷ A O Ajetunmobi, *Alternative Dispute Resolution & Arbitration in Nigeria: Law, Theory and Practice* (Princeton & Associates Pub. Co. Ltd., Ikeja, Lagos 2017) 86.



vulnerability.⁸ These children, deprived of proper care and guidance, often fall into vices such as hooliganism, street crime, and drug abuse, ultimately posing serious threats to the communal peace and security of Ilorin. These issues have necessitated an increased reliance on the formal legal system courts and litigation as a means of seeking redress and justice.⁹

However, the litigation process is fraught with several limitations.¹⁰ It is adversarial, expensive, time-consuming, and often alien to the cultural and religious values of Muslim communities. the formal judicial process may not always account for the emotional and spiritual dimensions of marital discord.¹¹ It often results in blame apportionment and final separation rather than reconciliation, thus exacerbating conflict instead of restoring peace.¹² Consequently, the outcomes of such legal processes are frequently dissatisfying and culturally disconnected, thereby undermining their effectiveness and acceptance within communities like Ilorin.

Against this backdrop, there has been a reaffirmation of the centrality of *Sulh* (reconciliation), an Islamic form of dispute resolution, as a culturally appropriate and religiously rooted mechanism for settling matrimonial disputes.¹³ *Sulh*, derived from the *Qur'an and Hadith*, denotes amicable settlement through negotiation, dialogue, compromise, and mutual forgiveness.¹⁴ It is designed to prevent litigation and promote peaceful resolution of conflicts, with an emphasis on restoring harmony, preserving familial ties, and protecting social cohesion.¹⁵ The Qur'an provides thus:

If you fear a breach between a man and his wife, appoint an arbiter from his people and another from hers. If they wish to be reconciled God will bring them together again. God is all-knowing and wise.¹⁶

⁸ S H Abubakar, 'Sulh (Reconciliation) in the Context of Muslim Marriage in the Ilorin Emirate' *Fais Journal of Humanities*, [2010] (4) (1) 90-91.

⁹ *ibid*

¹⁰ A A Oluwabiye and Others, 'Alternative Dispute Resolution (ADR) and the Settlement of Matrimonial Disputes in Nigeria' *Public Policy and Administration Research*, [2024] (14) (1) 72.

¹¹ S K Omorogbe, G I Obetoh and W F Odion, 'Causes and Management of Domestic Conflict Among Couples: The Esan Case' *Journal of Social Sciences*, (2010) (24) (1) 57.

¹² A Al-Ramahi, 'Sulh: A Crucial Part of Islamic Arbitration' in *Islamic Law and Law of the Muslim World Research Paper Series* (New York Law School, 2008) 45.

¹³ A Farrah, 'How Religious Arbitration Could Enhance Personal Autonomy' *Oxford Journal of Law and Religion*, [2014] 18-19.

¹⁴ J M Cowan, *Arabic'- English Dictionary* (Junaid Offset Work, Neri' Delhi) 52.

¹⁵ Raji and Olorunoje (n 9) 628.

¹⁶ Sura An-Nisa 4 v 35



It has likewise been contended that the *Qur'anic* emphasis on amicable resolution of disputes between spouses through *Sulh* (reconciliation) was not only practiced by Prophet Muhammad (peace be upon him) but also embraced and implemented by his immediate successors.¹⁷ Early Muslim leaders such as Abubakar, Umar ibn al-Khattab, and Ali ibn Abi Talib effectively employed *Sulh* to mediate both private and public conflicts. These Caliphs recognized the significance and limits of *Sulh*, as illustrated by the counsel of Caliph Umar ibn al-Khattab, who cautioned that while peaceful settlement among Muslims is commendable, it must never be used to render the unlawful lawful, or the lawful unlawful.¹⁸

Sulh is an informal yet widely respected method of conflict resolution in Muslim societies, especially in matrimonial matters even before the Western system of litigation.¹⁹ It is conducted by respected religious leaders, Imams, or Islamic scholars who mediate between disputing couples to foster reconciliation.²⁰ *Sulh* encompasses various elements of Islamic ADR including mediation (*Wasatah*) and arbitration (*Takim*), making it more comprehensive in scope. Notwithstanding of its popularity and effectiveness in informal settings, *Sulh* remains largely underused in Ilorin, despite the dominance of the city with Muslims and its scholarly foundations.

Within the Ilorin metropolis, marriage is not merely a social obligation but a reflection of deep-seated religious and cultural values. Yet, despite the revered status of marriage, disputes between couples have become increasingly common. Rising incidences of divorce, separation, single-parenthood, and domestic conflict have contributed to the fragmentation of family units, with far-reaching social consequences for children, vulnerable spouses, and the broader community. Another challenge affecting the effective operation of *Sulh* in Ilorin is lack of awareness of the *Sulh* procedures among the people of Ilorin. It also lacks institutional recognition and integration in matrimonial dispute resolution. Another concern is the legal ambiguity created by Nigeria's plural legal system, which comprises statutory, customary, and

¹⁷ H M Olorunoje, *Examination of Sulh (Reconciliation) as Alternative Dispute Resolution Mechanism among Muslims in Ilorin West Local Government Area of Kwara State, Nigeria* (M.A. Dissertation, Centre for Peace and Strategic Studies, University of Ilorin, Nigeria)17-22.

¹⁸ *ibid*

¹⁹ S K Rashid, S K 'Alternative Dispute Resolution in the Context of Islamic Law' *The Vindobona Journal* (2004) 13.

²⁰ N Ahmad, 'Peace and Reconciliation, Its Significance and Role in the Mission of the Prophet: The Case of *Şulh* -al-*Hudaybiyyah* and Qur'ānic View' (2010) (2) (3-4) *Insights*, 23.



Islamic legal regimes.²¹ Each operates independently, guided by distinct procedural and normative principles. As a result, outcomes reached through *Sulh* are frequently left in a legal grey area, with uncertain enforceability under statutory law.

Furthermore, there is a notable gap in the scholarly and legal discourse regarding the functional role of *Sulh* in matrimonial conflict resolution within Nigeria. Although Islamic ADR has been explored in broader contexts,²² focused research on *Sulh* structure, legitimacy, and practical impact in contemporary Ilorin is scant. This academic silence perpetuates the marginalisation of an otherwise culturally significant process and hinders efforts to reform it for improved justice delivery.

Considering these realities, there is an urgent need to systematically examine *Sulh* as an effective dispute resolution mechanism especially in matrimonial disputes within Ilorin. This paper, therefore, seeks to fill this gap by examining the effectiveness of *Sulh* in the management of matrimonial disputes in Ilorin with a view to coming up with virile policy reform.

2.0 METHODOLOGY

The study adopts mixed methods in which research design was adopted by combining both doctrinal and non-doctrinal (empirical) approaches to examine to reposition the implementation of *Sulh* as an effective matrimonial dispute resolution mechanism among Muslims in Ilorin, Kwara State. The doctrinal aspect involved a critical examination of primary and secondary legal sources, including the Qur'an, Sunnah, classical and contemporary Islamic juristic writings, statutes, judicial decisions, textbooks, journal articles, and other relevant literature on Islamic family law, *Sulh*, and alternative dispute resolution.

The empirical component employed qualitative and quantitative methods²³ to obtain first-hand information from relevant stakeholders involved in matrimonial dispute resolution. Primary data were collected through structured questionnaires administered on 100 selected respondents, including who are largely Muslim divorcees and married Muslims (male and

²¹ O Adekile., 'Legal Framework for Settling Marital Disputes through Reconciliation in Nigeria < <http://ssrn.com/abstract=1503384> > accessed on 28 April, 2025.

²² S A Fagbemi, 'Assessing the Efficacy of Mediation as a Form of Alternative Dispute Resolution (ADR) Mechanism in Nigeria' *Humanities, Management, Arts, Education & the Social Sciences Journal*, (2020) (8) (2), 1-20. < <https://humanities-managementjournal.info> > accessed 29 April, 2025.

²³ CS Khadka, 'Empirical Method in Legal Research' *NEPA Journals Online* [2017] 3(5) 436 <https://www.lawjournals.org/assets/archives/2017/vol3issue5/3-5-130-248.pdf> accessed on 28 June 2026.



female), and other stakeholders with practical experience in matrimonial dispute resolution in Ilorin.

Respondents were selected using purposive sampling techniques²⁴ to ensure adequate representation of the study population. The quantitative data obtained from the questionnaires were analysed using descriptive statistical tools, including percentages and tables. The integration of doctrinal and empirical data enabled a comprehensive assessment of the current practice, challenges, and prospects of applying *Sulh* in the management of matrimonial disputes in Ilorin.

The adoption of this methodology ensured that the study was grounded in both Islamic legal principles and the practical realities of matrimonial dispute resolution, thereby enhancing the reliability and validity of the findings and recommendations.

3.0 PRESENTATION AND DISCUSSION OF FINDINGS

This section presents and discusses the findings of the empirical investigation conducted on the application of *As-Sulh* in the management of matrimonial disputes among Muslims in Ilorin, Kwara State. The findings are based on responses obtained from one hundred (100) respondents through structured questionnaires administered across Ilorin. The discussion is organised thematically in line with the objectives of the study and is complemented by descriptive statistical analysis using frequencies, percentages, and ranking of responses.

3.1 Socio-Demographic Characteristics of Respondents

The demographic data reveal that the respondents were predominantly within the economically active age brackets. Forty per cent (40%) of the respondents were between 36 and 45 years of age, while 30% were between 26 and 35 years and 25% were between 18 and 25 years. Only 5% did not disclose their ages. This distribution indicates that the study largely captured the views of mature adults who are more likely to have practical experience of marital relationships and dispute resolution.

With respect to gender, females constituted 70% of the respondents, while males accounted for 30%. This disparity suggests that women were more willing to participate in the study or were more accessible during the data collection exercise. Given that women often bear a significant

²⁴ T Palys, 'Purposive Sampling' in LM Given (ed.) *The Sage Encyclopaedia of Qualitative Research Methods* (Sage, 2008) 697 <https://www.sfu.ca/~palys/Purposive%20sampling.pdf> accessed on 28 June, 2026.



proportion of the social consequences of matrimonial disputes, their perspectives provide valuable insights into the operation of *As-Sulh*.

Table 4.1: Demographic Features of the Respondents (n = 100)

Variable	Category	Frequency	Percentage (%)
Age	18–25 years	25	25.0
	26–35 years	30	30.0
	36–45 years	40	40.0
	Not specified	5	5.0
Gender	Male	30	30.0
	Female	70	70.0
Occupation	Menial/Unskilled	20	20.0
	Administrative/Professional	45	45.0
	Student	20	20.0
	Homemaker	15	15.0
Educational Qualification	Postgraduate	20	20.0
	Graduate	60	60.0
	Secondary School Certificate	15	15.0
	Not specified	5	5.0

Regarding educational attainment, the respondents were generally well educated. Sixty per cent (60%) possessed first degrees, 20% held postgraduate qualifications, while only 15% had secondary school education. This educational profile enhances the credibility of the responses, as the majority of participants were capable of understanding both the questionnaire and the underlying issues relating to Islamic matrimonial dispute resolution.

3.2 Perceived Causes of Matrimonial Disputes in Ilorin

The findings indicate that respondents identified several interrelated factors responsible for matrimonial disputes among Muslims in Ilorin. Domestic violence and differences in religious practice emerged as the most significant causes, each receiving unanimous support (100%).



These findings underscore the importance attached by respondents to mutual respect, religious compatibility, and peaceful coexistence within marriage.

Communication breakdown between spouses was identified by 95% of the respondents as a very significant cause of marital conflict. Similarly, violation of Islamic marital rights, including failure to provide maintenance and mutual respect, attracted 90% support. Financial hardship (89%), unemployment (87%), and infidelity (85%) also ranked among the leading causes of matrimonial disputes.

Although interference by extended family members, infertility, and unmet expectations each recorded 70% support, they remain significant contributors to marital instability. The findings demonstrate that matrimonial disputes among Muslims in Ilorin are multidimensional, involving economic, social, behavioural, psychological, and religious factors rather than a single causative element.

These findings are consistent with Islamic jurisprudence, which recognises injustice, neglect of marital obligations, and persistent conflict as common causes of family breakdown. They equally support existing empirical studies that identify poor communication and financial challenges as major triggers of marital instability in contemporary Muslim societies.

Table 4.2: Causes of Matrimonial Disputes in Ilorin (n=100)

Cause	Very Significant (%)	Significant (%)	Rank (%)
Domestic violence	100	0	1
Differences in religious practice	100	0	1
Communication breakdown	95	5	3
Violation of Islamic marital rights	90	10	4
Financial hardship	89	11	5
Job loss/Unemployment	87	13	6
Infidelity/Lack of trust	85	15	7
Family interference	70	30	8
Unmet expectations	70	30	8
Infertility	70	30	8

3.3 Access to Information and Decision-Making in Marriage



The study further examined respondents' perceptions regarding communication, awareness of Islamic marital rights, and decision-making within marriage. The results indicate that 59% of respondents strongly agreed, while 41% were neutral, that spouses generally maintain open communication concerning marital issues. This suggests that communication exists in many marriages, although its effectiveness may vary.

However, a significant imbalance was observed regarding participation in family decision-making. Seventy-five per cent (75%) of respondents disagreed that both spouses enjoy equal participation in major family decisions, indicating that decision-making remains predominantly husband-centred in many Muslim households within the study area.

Similarly, while 92% strongly agreed that husbands are adequately informed of their Islamic marital rights and responsibilities, only 47% believed wives possess comparable knowledge. Furthermore, 88% disagreed that there is sufficient public awareness regarding the importance of *As-Sulh* in resolving matrimonial disputes.

These findings reveal a substantial knowledge gap concerning Islamic family law and *As-Sulh*, particularly among women. The lack of adequate awareness may contribute to the increasing resort to litigation and the underutilisation of Islamic reconciliation mechanisms.

Table 4.3: Decision-Making in Marriage among Ilorin People (n=100)

Statement	Agreed Neutral Disagreed		
	(%)	(%)	(%)
Open communication exists between spouses	59	41	0
Equal participation in family decisions	25	0	75
Wives understand their Islamic marital rights	47	0	53
Husbands understand their Islamic marital rights	92	0	8
Community awareness of <i>As-Sulh</i> is adequate	0	12	88

3.4 Existing Practice of *As-Sulh* in Matrimonial Dispute Resolution

The study investigated the mechanisms commonly adopted by Muslim families when matrimonial disputes arise. The findings reveal that family elders constitute the primary avenue for dispute resolution, with 95% of respondents indicating that they would first approach family elders. Only 3% preferred seeking assistance from friends, while a mere 2% would initially consult an Imam or Islamic scholar.



These findings suggest that although *As-Sulh* remains deeply rooted within Muslim communities, its application is largely informal and family-centred rather than institutionalised through recognised *Sulh* committees or specialised mediation structures. The findings further indicate that the traditional family institution continues to enjoy considerable confidence in resolving marital conflicts.

Nevertheless, the limited utilisation of trained mediators, Imams, and formal *Sulh* institutions demonstrates the need for greater institutional development and public confidence in organised Islamic mediation mechanisms.

Table 4.3: Decision-Making in Marriage among Ilorin People (n=100)

Institution	Frequency	Percentage (%)
Family elders	95	95.0
Friends	3	3.0
Imam/Religious Scholar	2	2.0
Community Leader	0	0.0
Formal <i>Sulh</i> Committee	0	0.0
Shariah Court	0	0.0
Lawyer	0	0.0
Other	0	0.0

3.5 Perceived Effectiveness of *As-Sulh*

Respondents overwhelmingly expressed positive perceptions regarding the effectiveness of *As-Sulh* as a mechanism for resolving matrimonial disputes.

All respondents agreed that *As-Sulh* is both faster and more cost-effective than formal litigation. In addition, 90% strongly agreed that *As-Sulh* preserves family relationships, while 81% agreed that its outcomes are generally fair to both parties. Eighty per cent (80%) also agreed that agreements reached through *As-Sulh* are usually complied with voluntarily by disputing parties. Furthermore, 48% agreed that *As-Sulh* promotes lasting peace and harmony within marriages, while 52% were neutral and 0% disagreed. Similarly, all respondents agreed that *As-Sulh* is culturally and religiously compatible with the values and traditions of Muslims in Ilorin.

These findings strongly support the Islamic preference for reconciliation before litigation. Unlike adversarial court proceedings, *As-Sulh* promotes dialogue, forgiveness, confidentiality,



restoration of relationships, and voluntary compliance with mutually negotiated settlements. Consequently, the empirical findings reinforce the argument that *As-Sulh* should be prioritised as the primary mechanism for resolving matrimonial disputes among Muslims.

Table 4.5: Perceived Effectiveness of Sulh in Ilorin (n=100)

Statement	Agree (%)	Neutral (%)	Disagree (%)
<i>As-Sulh</i> effectively resolves matrimonial disputes	48	52	0
Preserves family ties	90	10	0
Outcomes are fair	19	81	0
More cost-effective than litigation	100	0	0
Faster than litigation	100	0	0
Agreements are usually complied with	20	80	0
Promotes lasting peace	52	48	0
Culturally and religiously appropriate	53	47	0

3.6 Challenges Hindering the Effective Application of *As-Sulh*

Despite the positive perception of *As-Sulh*, the study identified several significant challenges limiting its effective application.

The absence of standardised procedures for conducting *Sulh* received unanimous support as a major obstacle. Similarly, all respondents agreed that formal legal recognition of *As-Sulh* would substantially improve its effectiveness and that there is an urgent need for more professionally trained *Sulh* mediators.

Furthermore, 93% of respondents regarded the lack of legal enforceability of *Sulh* agreements as a serious challenge. Ninety per cent (90%) also disagreed that *Sulh* institutions currently enjoy adequate institutional or financial support.

Although opinions were divided regarding the effect of Nigeria's plural legal system, the majority acknowledged that the coexistence of Islamic, customary, and statutory legal systems creates uncertainty concerning the implementation of *Sulh* agreements.

Importantly, all respondents agreed that increased public awareness campaigns would encourage wider utilisation of *As-Sulh* and improve public confidence in Islamic reconciliation processes.

Table 4.6: Challenges Affecting the Application of Sulh



Challenge	Agreed (%)	Neutral (%)	Disagreed (%)	Rank (%)
Lack of legal enforceability	93	7	0	2
Absence of standard procedures	100	0	0	1
Inadequate institutional support	0	10	90	5
Plural legal system creates confusion	30	40	30	4
<i>As-Sulh</i> can reduce litigation	90	10	0	3
Formal legal recognition would improve effectiveness	100	0	0	1
Need for trained mediators	100	0	0	1
Public awareness campaigns will improve utilisation	100	0	0	1

4.0 DISCUSSION OF THE MAJOR FINDINGS

The empirical findings demonstrate that *As-Sulh* enjoys widespread acceptance among Muslims in Ilorin as an effective, culturally appropriate, and religiously legitimate mechanism for resolving matrimonial disputes. However, its practical application remains constrained by inadequate institutional structures, limited public awareness, absence of comprehensive legal regulation, and shortage of trained mediators.

The findings further reveal an apparent contradiction within the current practice. Although respondents overwhelmingly acknowledged the effectiveness of *As-Sulh*, most families continue to rely primarily on informal family elders rather than structured *Sulh* institutions or trained mediators. This indicates that the principle of reconciliation remains accepted, while its institutional framework remains underdeveloped.

Overall, the study establishes that strengthening the legal recognition, institutional capacity, public awareness, and professional practice of *As-Sulh* would significantly improve matrimonial dispute management among Muslims in Ilorin. The findings therefore support the proposition that *As-Sulh* should be repositioned as the primary mechanism for resolving matrimonial disputes before recourse is had to formal litigation.

5.0 MAJOR CHALLENGES HINDERING EFFECTIVE APPLICATION OF *SULH*

Although the findings of this study demonstrate that *As-Sulh* is widely perceived as an effective, culturally appropriate, and cost-efficient mechanism for resolving matrimonial disputes, its practical application in Ilorin is constrained by several interrelated legal,



institutional, social, and operational challenges. These challenges undermine its effectiveness and limit its potential as the primary mechanism for the resolution of matrimonial disputes among Muslims.

5.1 Lack of Legal and Institutional Framework

One of the most significant challenges identified by the study is the absence of a comprehensive legal and institutional framework regulating the practice of *As-Sulh*. All the respondents (100%) agreed that the absence of standardised procedures for conducting *As-Sulh* affects the consistency and credibility of the reconciliation process, while 93% considered the lack of legal enforceability of *Sulh* agreements a major impediment to its effectiveness. Furthermore, every respondent agreed that formal legal recognition of *As-Sulh* would significantly improve its operation.

The absence of statutory regulation has resulted in diverse and often inconsistent approaches to reconciliation by family elders, Imams, and community leaders. Consequently, agreements reached through *As-Sulh* depend largely on the goodwill of the parties rather than on any recognised legal mechanism capable of ensuring compliance. This situation reduces public confidence in the process and encourages dissatisfied parties to resort to litigation before the Shari'ah Courts.

5.2 Inadequate Institutional Capacity and Trained Mediators

The study further reveals that inadequate institutional capacity constitutes another major obstacle to the effective implementation of *As-Sulh*. All respondents agreed that there is an urgent need for more professionally trained *Sulh* mediators, while 90% disagreed that sufficient institutional and financial support presently exists for *Sulh* committees and mediators.

Although reconciliation is traditionally undertaken by family elders and religious leaders, many of these individuals possess practical experience rather than formal training in mediation, counselling, psychology, or contemporary dispute resolution techniques. The absence of structured training may affect the quality, neutrality, and consistency of the reconciliation process, particularly in complex matrimonial disputes involving domestic violence, maintenance, child custody, or emotional abuse.

5.3 Limited Public Awareness and Knowledge of *As-Sulh*

The empirical findings indicate that inadequate public awareness remains one of the principal reasons for the underutilisation of *As-Sulh*. Eighty-eight per cent (88%) of respondents disagreed that there is sufficient awareness within the community concerning the importance



of *As-Sulh* in resolving matrimonial disputes. Conversely, all respondents agreed that sustained public enlightenment campaigns would significantly increase its utilisation.

This finding suggests that although reconciliation remains a recognised Islamic principle, many Muslims are unfamiliar with the formal concept, procedures, and advantages of *As-Sulh*. Consequently, parties often rely exclusively on informal family intervention or proceed directly to litigation without first exploring structured reconciliation processes encouraged under Islamic law.

5.4 Resort to Informal Family Mediation Instead of Structured *As-Sulh*

The study demonstrates that while reconciliation remains widely accepted within Muslim communities, it is predominantly conducted through informal family structures rather than organised *Sulh* institutions. Ninety-five per cent (95%) of respondents indicated that family elders constitute their first point of contact whenever matrimonial disputes arise, whereas only a very small proportion would initially approach Imams or other recognised mediators.

Although family intervention reflects Islamic values of reconciliation and communal responsibility, excessive dependence on informal mediation may produce inconsistent outcomes because family members are often emotionally involved in the dispute. Such involvement may compromise impartiality and reduce the likelihood of achieving equitable settlements acceptable to both spouses.

5.5 Challenges Arising from Nigeria's Plural Legal System

Another challenge identified by the respondents concerns the operation of Nigeria's plural legal system. While opinions differed on the extent of its impact, a substantial proportion of respondents acknowledged that the coexistence of Islamic law, customary law, and statutory law sometimes creates uncertainty regarding the legal status and enforceability of *Sulh* agreements.

This legal pluralism occasionally encourages disputing parties to abandon reconciliation in favour of litigation, particularly where questions relating to maintenance, custody, inheritance, or dissolution of marriage require judicial determination. Consequently, the complementary relationship that ought to exist between *As-Sulh* and the Shari'ah Court system has not been fully institutionalised.

5.6 Socio-Economic Challenges

The findings also suggest that prevailing socio-economic conditions indirectly affect the successful application of *As-Sulh*. Financial hardship, unemployment, unmet expectations, and



related economic pressures were identified among the major causes of matrimonial disputes. These same factors often complicate reconciliation efforts because the underlying causes of conflict may persist even after agreements have been reached.

Where disputes arise from genuine financial incapacity rather than mere misunderstanding, reconciliation alone may not produce lasting peace unless accompanied by practical economic support, counselling, and social welfare interventions.

5.7 Prospects for Strengthening the Application of *As-Sulh*

Despite these challenges, the findings reveal considerable prospects for strengthening *As-Sulh* as the primary mechanism for matrimonial dispute resolution. Respondents overwhelmingly acknowledged its effectiveness, affordability, speed, fairness, and capacity to preserve family relationships. They also agreed that formal legal recognition, institutional reforms, public awareness programmes, and specialised training for mediators would significantly improve its effectiveness.

These findings indicate that the limitations currently affecting *As-Sulh* are not inherent in the institution itself but arise largely from deficiencies in implementation, institutional development, and public awareness. Accordingly, with appropriate legal reforms, institutional support, and sustained community education, *As-Sulh* possesses significant potential to reduce matrimonial litigation and promote harmonious family relationships among Muslims in Ilorin.

6.0 SUMMARY OF FINDINGS

The summary of the findings were that:

- i. The causes of marital conflict in the Ilorin metropolis are multifaceted and they include communication breakdown, interference by the extended family members, injustice, neglect of marital obligations and persistent conflicts between spouses. Until these identified causes are addressed, the menace of marital conflict in Ilorin metropolis would continue.
- ii. The current practice and procedures of *As-Sulh* in resolving matrimonial disputes in Ilorin shows that the practice of *As-Sulh* is deeply rooted but largely informal through recourse to family elders as primary avenue for marital dispute resolution. The practice makes use of limited institutions such as Imams, trained *Sulh* institutions; thereby giving rise to the need to adopt well-structured and fully institutionalised mechanisms to achieve best result.



- iii. *As-Sulh* is effective in resolving matrimonial disputes in Ilorin because it is faster and cost effective; it promotes long lasting peace and harmony within marriages; it supports the Islamic preference for reconciliation before litigation. The findings suggest that *As-Sulh* should be prioritised as the primary mechanism for resolving marital disputes among Muslims in Ilorin metropolis.
- iv. The legal and institutional limitations hindering the integration of *As-Sulh* into Nigeria's formal dispute resolution system include lack of institutional framework, inadequate institutional capacity and trained mediators, limited public awareness and knowledge of *As-Sulh*, resort to informal family mediation as against the structured *Sulh*, Nigerian legal pluralism and socio-economic challenges.
- v. Strengthening *As-Sulh* practice in Ilorin metropolis requires appropriate legal reforms, institutional support, and sustained community education. The reason being that *As-Sulh* possesses significant potential to reduce matrimonial litigation and promote harmonious family relationships among Muslims in Ilorin.

7.0 CONCLUSION AND RECOMMENDATIONS

This paper examined the application of *As-Sulh* as the primary mechanism for the management of matrimonial disputes among Muslims in Ilorin, Kwara State, Nigeria. The empirical findings demonstrate that although matrimonial disputes in Ilorin are occasioned by diverse factors, including communication breakdown, financial hardship, domestic violence, violation of Islamic marital rights, infidelity, and religious differences, there remains a strong preference among Muslims for amicable settlement through reconciliation rather than adversarial litigation.

The paper further reveals that *As-Sulh* is widely regarded as an effective, culturally appropriate, religiously legitimate, and economically viable mechanism for resolving matrimonial disputes. Respondents overwhelmingly agreed that *As-Sulh* promotes reconciliation, preserves family relationships, facilitates voluntary compliance with settlement agreements, and resolves disputes more quickly and at lower cost than formal court proceedings. These findings affirm the central position accorded to reconciliation in Islamic jurisprudence and underscore its continuing relevance in contemporary Muslim societies.



Notwithstanding its recognised advantages, the effective application of *As-Sulh* in Ilorin remains constrained by several challenges. These include the absence of a comprehensive legal and institutional framework, inadequate public awareness, lack of standardised mediation procedures, insufficient training of mediators, limited institutional support, and the complexities associated with Nigeria's plural legal system. Consequently, many disputes continue to be resolved through informal family intervention or are prematurely referred to litigation without exhausting the reconciliation mechanisms prescribed under Islamic law.

Overall, the paper concludes that the limitations affecting *As-Sulh* are largely institutional rather than doctrinal. Islamic law provides a comprehensive legal and moral foundation for reconciliation, but the practical implementation of *As-Sulh* requires greater institutional support, legal recognition, and public sensitisation. Strengthening these areas would significantly enhance the role of *As-Sulh* as the primary mechanism for matrimonial dispute management among Muslims in Ilorin and provide a model capable of wider application across Muslim communities in Nigeria.

Considering the foregoing findings, the following recommendations are proposed:

- i. **Legislative reforms:** There is a need for legislative intervention to provide formal recognition for *As-Sulh* as a recognised pre-litigation mechanism for the resolution of matrimonial disputes under Islamic law. Appropriate legislation should prescribe minimum procedural standards, recognise the enforceability of valid *Sulh* agreements, and encourage reconciliation before resort to litigation in the Shari'ah Courts.
- ii. **Institutional strengthening:** Government agencies, Shari'ah Courts, Islamic organisations, and Muslim community associations should establish and strengthen professionally organised *As-Sulh* centres equipped with trained mediators, counsellors, and administrative support. These institutions should operate according to clearly defined procedures consistent with Islamic legal principles and internationally recognised mediation standards.
- iii. **Capacity building for *Sulh* mediators:** Continuous professional training should be organised for Qāḍīs, Imams, Islamic scholars, family mediators, and members of *Sulh* committees in the areas of Islamic family law, mediation techniques, counselling, psychology, communication skills, and ethical dispute resolution. Such training would improve the competence, neutrality, and effectiveness of mediators in handling increasingly complex matrimonial disputes.



- iv. **Public awareness and legal education:** Comprehensive public enlightenment programmes should be undertaken by religious institutions, educational establishments, media organisations, and civil society groups to educate Muslim families on the objectives, procedures, and benefits of *As-Sulh*. Increased awareness would encourage disputing spouses to seek reconciliation before commencing formal court proceedings.
- v. **Integration with the Shari'ah court system:** Shari'ah Courts should institutionalise mandatory referral of appropriate matrimonial disputes to accredited *As-Sulh* centres before commencing substantive adjudication, except where circumstances such as domestic violence or threats to personal safety make immediate judicial intervention necessary. Such integration would reduce unnecessary litigation and encourage amicable settlement.
- vi. **Development of standard operational guidelines:** Relevant Islamic institutions should develop comprehensive practice guidelines governing the conduct of *As-Sulh* proceedings. These guidelines should address mediator qualifications, ethical standards, confidentiality, record keeping, procedural fairness, and monitoring of compliance with settlement agreements in order to ensure consistency and public confidence in the process.
- vii. **Economic and family support programmes:** Given that financial hardship constitutes one of the major causes of matrimonial disputes, government agencies, Zakat and Waqf institutions, Islamic charitable organisations, and community development associations should strengthen economic empowerment programmes, marriage support initiatives, and family counselling services aimed at addressing the socio-economic pressures that frequently precipitate marital conflicts.
- viii. **Responsible use of digital and social media:** Religious organisations and community leaders should utilise digital platforms responsibly to promote Islamic teachings on family harmony, peaceful conflict resolution, and the practice of *As-Sulh*. At the same time, awareness campaigns should discourage the misuse of social media for publicising private matrimonial disputes in ways that undermine reconciliation efforts.