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Exploring A Hybrid Legal Framework: A Case Study Of Sharī'ah Councils And Nigerian Muslim Organizations In Resolving Disputes In United Kingdom

[استكشاف إطار قانوني مختلط: دراسة حالة للمجالس الشرعية والمنظمات الإسلامية النيجيرية]

في حل النزاعات في المملكة المتحدة]

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Abstract: Several studies have examined the application of Islamic law and customary law in various countries and contexts. Less attention is given to a hybrid legal framework with specific focus on Islamic and customary laws in addressing matrimonial disputes by considering the roles of Sharī'ah Councils and the Nigerian Muslim Organizations in United Kingdom. The primary objective of this study is to explore the views of Sharī'ah Councils and the Nigerian Muslim Organizations in United Kingdom regarding the mechanisms used to solve matrimonial disputes in the UK. The prime target that sparked by the need to facilitate mechanism for reconciliation of matrimonial dispute as the number of Muslims growth in the context of the UK. Ten (10) participants were involved in the interview. The data was collected through the interview was transcribed and themes were generated therefrom. The findings further showed that, reconciliation is found in in Islamic and customary laws as potential roles of Nigerian Muslim Organizations in London in addressing matrimonial issues. Also, the participants in the interview demonstrated that, Islamic and customary laws can be judiciously utilized in solving the matrimonial disputes among Nigerian Muslim Organizations in the UK. It is therefore recommended that, the stakeholders among Nigerian Muslim Organizations in London should actively collaborate with Sharī'ah Councils in reducing matrimonial disputes.

Keywords: Sharī'ah Councils, Nigerian Muslim Organizations in United Kingdom, Islamic Law and Customary Law.

ملخص: وقد تناولت العديد من الدراسات تطبيق الشريعة الإسلامية والقانون العرفي في بلدان وسياقات مختلفة. يتم إيلاء اهتمام أقل للإطار القانوني المختلط مع التركيز بشكل خاص على القوانين الإسلامية والعرفية في معالجة النزاعات الزوجية من خلال النظر في أدوار المجالس الشرعية والمنظمات الإسلامية النيجيرية في المملكة المتحدة. الهدف الأساسي من هذه الدراسة هو استكشاف آراء المجالس الشرعية والمنظمات الإسلامية النيجيرية في المملكة المتحدة فيما يتعلق بالآليات المستخدمة لحل النزاعات الزوجية في المملكة المتحدة. الهدف الرئيسي الذي أثارته الحاجة إلى تسهيل آلية التوفيق بين الخلافات الزوجية مع نمو عدد المسلمين في سياق المملكة المتحدة. شارك في المقابلة عشرة (10) مشاركين. تم نسخ البيانات التي تم جمعها من خلال المقابلة وتم إنشاء المواضيع منها. وأظهرت النتائج كذلك أن المصالحة موجودة في القوانين الإسلامية والعرفية كأدوار محتملة للمنظمات الإسلامية النيجيرية في لندن في معالجة القضايا الزوجية. كما أظهر المشاركون في المقابلة أنه يمكن استخدام القوانين الإسلامية والعرفية بحكمة في حل النزاعات الزوجية بين المنظمات الإسلامية النيجيرية في المملكة المتحدة. ولذلك يوصى بأن يتعاون أصحاب المصلحة من المنظمات الإسلامية النيجيرية في لندن بشكل فعال مع المجالس الشرعية في الحد من النزاعات الزوجية.

الكلمات الدالة: المجالس الشرعية، المنظمات الإسلامية النيجيرية في المملكة المتحدة، الشريعة الإسلامية والقانون العرفي .

1. INTRODUCTION

Muslim society in Britain has evolved significantly over the years, with Muslims forming a substantial religious community in the country. The presence of Muslims became more visible in the 1970s and 1980s, leading to the establishment of Islamic organizations to represent their interests nationally (Voas & Flieschmann, 2012). The 2011 UK Census highlighted that Muslims are the second largest religious community in Britain, with over 2.7 million Muslims recorded at that time (Ali & Heath, 2013). Research indicates that second-generation Muslims are more likely to identify with British society compared to first-generation Muslims, who often maintain stronger ties to their own culture and religion (Voas & Flieschmann, 2012). The motivation for this study emanates from the fact that, there has been a notable increase in Muslim cultural production in Britain, particularly in performance-based entertainment industries, reflecting a growing agency and involvement of British Muslims in shaping public narratives and reshaping religious practices within their communities (Giuliani, Tagliabue, & Regalia, 2018).

The current demographic trends and socio-economic characteristics of the Muslim population in Britain reveal a diverse and evolving community. The Muslim population in Britain has grown significantly, with data projecting an increase from 21,000 in 1951 to 1.6 million in 2001. This population is heterogeneous, comprising various ethnicities beyond Pakistani, Indian, and Bangladeshi, including European, African, North African, Middle Eastern, and other Asian origins (Hamid, 2011). Gender roles among British Muslims play a crucial role in socio-economic vulnerability, highlighting disparities within the community (Ashraf, 2016; Asfari & Askar, 2020). Additionally, the experiences of British Muslim communities have been influenced by events like 7/7, leading to discussions on multiculturalism, Islamophobia, radicalization, and the impact of anti-terrorism legislation on civil liberties (Ali & Heath, 2013).

Moreso, Nigerian Muslim organizations in the UK have established a relationship with the Muslim society by forming collective identities under a broad 'Muslim' label, transcending denominational and ethnic differences. This relationship has been influenced by contextual factors such as media representation and community cohesion policies, leading to a strong faith-based component in serving the community's needs. The Muslim community in the UK has grown significantly, with Islam having the second-largest number of adherents after Christianity (Turner, 2016). Despite tensions arising from policies like Prevent, which aimed at countering terrorism, the Muslim community has shown resilience and increased visibility, leading to a recognition of their diversity and leadership capacity by both the public and the government. Muslim civil society organizations have actively engaged with the government, contributing to the emergence of national-level Muslim representation and various modes of representation, including 'delegation', 'authority', 'expertise', and 'standing' (Joppke, & Torpey, 2013).

Furthermore, the integration of Muslim communities into British society has seen progress and challenges. Muslim segregation has been a focus, with recommendations for community cohesion and participation in urban projects. Differences in attitudes towards politics exist between Dutch and British Muslim leadership, impacting political participation. The identity of *Ulama* in Britain has become complex due to perceived contradictions between orthodox Islamic values and British values (Bhatti, 2019). Sexual minority British Muslim South Asian men face social exclusion and struggle to reconcile their sexual orientation with religious and cultural identities. Muslim charitable practices offer potential

for social integration, countering counter-terror strategies in the UK (Rafeeq, 2010). Challenges remain in addressing Islamophobia, promoting political participation, and reconciling diverse identities within the Muslim community.

The British colonial administration in Nigeria recognized the existing Islamic legal systems alongside customary and English laws, creating a hybrid legal framework where Islamic law operated within the boundaries set by the dominant English system. This recognition of Islamic law was influenced by colonial activities and the introduction of indirect rule in the northern states of Nigeria (Joppke, & Torpey, 2013). The historical ties between British authorities and the Sokoto Caliphate also played a role in shaping the legal landscape, with the British seeking to alter the fundamental legal system of Sharia to integrate the Caliphate into the international capitalist network (Mandaville, 2013). Despite efforts by Muslim states to re-introduce Islamic criminal law, the overall legal system in Nigeria remains a complex hybrid of English, Islamic, and customary laws.

The Nigerian Muslim community residing in the United Kingdom forms a constituent part of the increasingly diverse Muslim populace in the nation, encompassing individuals from varied ethnicities and backgrounds (Uddin, 2020). Within the UK, Muslims, including those tracing their roots to Nigeria, have encountered instances of bias and prejudice while endeavoring to uphold their religious, ethnic, and cultural heritage. The Muslim community's presence in Britain has exhibited a consistent growth trajectory, with Islam presently standing as the second most practiced religion in the country subsequent to Christianity. This is substantiated by the 2011 census data, which documented 2.7 million Muslims, a figure that has since escalated to over 3 million within the overall population of 65 million (Uddin, 2018). British Muslims, including those with Nigerian heritage, have taken strides to establish mosques, educational institutions, and socio-cultural entities aimed at preserving their unique identities and demonstrating solidarity on broader issues impacting the Muslim collective. Nigerian Muslim entities within the United Kingdom have actively participated in the overarching Muslim organizational landscape that has evolved over time. Since the era of post-World War II migration, Muslim communities, including those hailing from Nigeria, have instituted religious frameworks to cater to their spiritual requirements (Shahin, 2023). These entities have operated under a broad umbrella term of 'Muslim,' transcending denominational and ethnic boundaries in response to community integration policies and media representations. They have proactively engaged in media initiatives to counter adverse depictions of Muslims, assuming a pivotal role in the discourse surrounding educational matters, particularly pertaining to religious instruction and ethical upbringing within educational institutions (Shahin, 2023).

Nigerian Muslim organizations in the UK have adeptly adjusted to the evolving social, cultural, and economic milieu while upholding their autonomy and steadfast dedication to serving the community. Shari'ah Councils wield a significant influence in the United Kingdom by addressing matters of Islamic family law for Muslim cohorts. Such councils, exemplified by the Islamic Shari'ah Council (ISC) and the Muslim Arbitration Tribunal (MAT), offer guidance and resolutions on issues encompassing marriage, divorce, and child custody, aligning with the principles of Shari'ah law (Wilson, 2010; Lester, 2015; Walker, 2016). British South Asian Muslim women frequently interact with Shariah councils when seeking Islamic divorces, reflecting a spectrum of compliance and involvement with the councils' protocols. Nevertheless, apprehensions have been raised regarding potential discriminatory practices targeting women within these councils, prompting calls for reform

and oversight to uphold gender equality and safeguard women's rights (Bano, Thiara and Gill, 2010; Mendecka, 2016). Despite their pivotal function in furnishing religious arbitration services, Shariah councils grapple with challenges stemming from the divergent jurisdictions of Islamic and English family law, underscoring the intricacies of navigating religious and secular legal frameworks within the UK (Morrison, 2014; Perreau, 2020).

In the United Kingdom, the establishment and operation of Shari'ah councils are governed by a sophisticated legal framework that combines civil law with customary and religious practices (Uddin, 2023). While civil law deals exclusively with marriage and divorce matters, Shari'ah councils play a pivotal role in offering Islamic divorce services, particularly for Muslim women seeking religious divorces. The Independent Shari'ah Review has suggested the regulation of these councils to prevent gender discrimination. Moreover, discussions have emerged concerning the harmony of Islamic law with the domestic legal system, raising worries about biased practices against women utilizing these councils (Uddin, 2023). The existence of Shari'ah courts and councils in the UK mirrors the broader discourse on the interaction between religious laws and the official legal system, underscoring the necessity for reforms and regulations to safeguard individuals' rights. The legal system of the UK accommodates the religious beliefs and practices of its Muslim populace through the establishment of Shari'ah councils, which provide guidance on Islamic family law matters, particularly Islamic divorces (Al-Astewani, 2019a; Al-Astewani, 2019b). These councils have been operational in England since the 1980s, primarily assisting women seeking Islamic divorces and emphasizing conciliation before granting divorces. Nevertheless, concerns have been voiced regarding potential discriminatory practices against women in Shariah councils, prompting demands for reforms and regulations to ensure enhanced rights and protections for Muslim women (Aftab, 2022). Despite critiques, some contend that Shariah councils fulfill a crucial role in meeting the religious requirements of the Muslim community and can function as a platform for conflict resolution. The presence of Shariah councils illustrates the confluence of religious norms and cultural practices within the legal framework of the UK, shedding light on the intricacies of identities and affiliations of British South Asian Muslim women (Cumper, 2014).

Shariah Councils in the UK exert a notable influence on Nigerian Muslim organizations by offering Islamic divorce services and guidance on family matters. These councils, which were established by community leaders and religious scholars in response to the absence of civil courts for Muslim family law cases, provide mediation and arbitration to address marital disputes, including the issuance of Islamic divorces. While some critics raise concerns about potential gender discrimination by Shariah Councils, others emphasize their positive role as a platform for resolving disputes. The engagements with Shariah councils illustrate the intricate nature of British South Asian Muslim women's identities and affiliations, demonstrating how individuals navigate Islamic norms and values within these establishments (Griffith-Jones, 2013). Furthermore, the recent Independent Shariah Review recommended the regulation of Shari'ah councils to prevent gender bias, underscoring the necessity for reform and enhanced rights for Muslim women (Benhalim, 2018).

In the UK, the operation of Islamic organizations, such as Sharia Councils faces challenges due to conflicts in legal frameworks (Huda, 2020). Islamic organizations operate under Islamic law, which sometimes conflicts with the domestic legal settings of England and Wales in order to demonstrate the convergence of law (Omoola & Nasir, 2020). Additionally, the introduction of Islamic law into the Western legal system, as seen in Sharia Councils,

raises debates on legal pluralism and human rights implications (Bhatti, 2018; Jamal, 2018). Furthermore, the UK's proscription of organizations related to Islamist extremism under the Terrorism Act 2000 reflects how legal frameworks can criminalize support for causes deemed illegitimate by the government (Ali, & Heath, 2013; Statham, & Tillie, 2018). This study tries to bridge the gap of the roles of Shariah Councils and the Nigerian Muslim Organizations in the UK in utilizing reconciliation as a mechanism for matrimonial dispute. The novelty of the study lies on the fact this study an in-depth interview for depth understanding about the phenomenon of this study as contrary to most theoretical studies conducted in this regard. This study therefore seeks to answer this central research question which states thus: How the Shariah Council and Nigerian Muslim Organizations in UK can be helpful in solving the matrimonial disputes using reconciliations?

2. PROBLEM STATEMENT

There are multifarious problems inherent as an integral part of matrimonial issues in different parts of the world. In Islam, divorce is frowned at but when situation becomes unbearable, divorce is legitimately legalized. There are several problems associated with divorce especially social stigmatization is ascribed with it. The prevalence and rate of multifarious matrimonial issues among members of the Nigerian Muslim Organizations in London cannot be underestimated. For instance, a divorced woman can unreservedly experience a number of challenges after divorce such as being rejected by her family relatives, detachment of children from their mother, difficult financial experience, social discrimination against divorced woman in matters relating to divorce, infringement to her rights relating to property, lack of adequate access to education and health services and among others.

More importantly, despite the fact that consummation of marriage used to be done according to Islamic injunction, there used to be many issues with respect to the dissolution of marriage especially in matters relating with the exclusivity of bride-price to the wife, legal position of woman in initiating divorce, issues pertaining to the waiting period (*Iddah*) and child custody after divorce. However, the religion or ethnic affiliation is not indicated. There is insufficient academic research examining the reconciliation as an important mechanism for addressing matrimonial issues among Nigerian Muslim Organizations in London within the frameworks of Islamic and customary laws.

The research on the activities of Shari'ah Councils in the United Kingdom highlights a significant gap in understanding the roles of Islamic councils and Nigerian Muslim Organizations in settling matrimonial issues. While these councils play a crucial role in providing religious dispute resolution services, there is a lack of empirical research focusing on the actual interactions and outcomes for resolving issues that might eventually result to divorces. Additionally, the presence of Shari'ah councils in the UK poses challenges due to the overlapping jurisdictions of Islamic and English family law, leading to discrepancies between religious and civil divorce proceedings. This research gap underscores the need for further studies to delve into the processes, procedures, and outcomes of Shari'ah Council activities and Nigerian Muslim Organizations in resolving matrimonial disputes, in the UK. Therefore, this research attempts to explore reconciliation as an essential mechanism for addressing matrimonial issues among Nigerian Muslim Organizations in London.

3. OBJECTIVES

The following are the prime objectives of this study:

- i. To explore utilization of reconciliations within the framework of Islamic and

Customary Laws on matrimonial issues among Nigerian Muslim Organizations in the UK.

- ii. To investigation judicious applications of Islamic and Customary Laws among Nigerian Muslim Organizations in the UK.
- iii. To find out the application of Islamic (Shari'ah) and Customary Laws in addressing matrimonial issues
- iv. To examine the roles of the Council of Nigerian Muslim Organizations in UK in solving matrimonial issues using reconciliations.

4. DELIMITATION OF THE STUDY

This section delineates the extent and constraints of the present study. The scope of the investigation pertains to the range and concentration of a specific inquiry. Thus, the current study delves into an examination of reconciliation as a strategy for tackling marital challenges and Shari'ah Councils and the Nigerian Muslim Organizations located in UK, utilizing both Islamic and customary legal frameworks. UK boasts numerous Muslim organizations. Accordingly, this study narrows its focus to the ten (10) Nigerian Muslim Organizations situated in the UK, namely: As Salatur Rahman Islamic Association; Camberwell Islamic Centre; Nasfat (UK) & Ireland London; FOMWAN (UK); Jamiatul Rasul Association; Jamuhiyyat At-Taqwah Islamic Society; Al-Bushra Islamic International Prayer Group; Nuurul Salam Islamic Society; Allahu Lateef Society of UK; Islamic Prayer Group (IPG). Conversely, the constraints of this research lie in the limited time and financial resources available to encompass more than ten (10) Nigerian Muslim Organizations in UK. Consequently, this study aims to investigate the application of reconciliation among Shari'ah Council and the Nigerian Muslim Organizations in UK.

5. LITERATURE REVIEW

This section presents review of related literature which are examined through interconnectedness between different aspects such as An Overview of Shari'ah Councils in United Kingdom, Nigerian Muslim Organizations in UK and a hybrid of legal Framework.

5.1 An Overview of Shari'ah Councils in United Kingdom

In the United Kingdom, the establishment and operation of Shari'ah councils are governed by a complex legal framework that intertwines civil law with customary and religious practices (Trakic, 2022). While civil law exclusively handles marriage and divorce matters, Shari'ah councils play a crucial role in providing Islamic divorce services, especially for Muslim women seeking religious divorces (Busari, 2021). The Independent Shariah Review has proposed the regulation of these councils to prevent discrimination against women. Additionally, debates have arisen regarding the compatibility of Islamic law with the domestic legal system, with concerns about discriminatory practices against women who use these councils (Cortelezzi, F., & Ferrari, 2022). The presence of Shari'ah courts and councils in the UK reflects the broader discussion on the interaction between religious laws and the official legal system, highlighting the need for reform and regulation to ensure the protection of individuals' rights (Yilmaz, 2024). The UK's legal system accommodates the religious beliefs and practices of its Muslim population through the establishment of Shariah councils, which provide guidance on Islamic family law matters, particularly Islamic divorces Bone, 2020). These councils have been operating in England since the 1980s, predominantly assisting women seeking Islamic divorces and emphasizing reconciliation before granting

divorces. However, concerns have been raised regarding potential discriminatory practices against women within Shariah councils, leading to calls for reform and regulation to ensure greater rights and protection for Muslim women (Al-Astewani, 2019; Alkhamis, 2023). Despite criticisms, some argue that Shariah councils play a vital role in meeting the religious needs of the Muslim community and can serve as a forum for dispute resolution. The presence of Shariah councils reflects the intersection of religious norms and cultural practices within the UK's legal framework, highlighting the complexities of British South Asian Muslim women's identities and affiliations (Uddin, 2018).

Islamic organizations like the Islamic Shari'ah Council and Muslim Arbitration Tribunal operate in the UK to apply Islamic law, sometimes conflicting with domestic legal settings in England and Wales (Huda, 2020). The UK's legal system navigates conflicts between common law and Islamic rules, especially in family law, highlighting controversies around Islamic Alternative Dispute Resolution (ADR) institutions (Odoriso, 2020). The key legal principle governing conflicts of law in the UK, especially concerning Islamic organizations, is legal pluralism, which raises concerns about human rights implications of applying Islamic law. The key legal principle in the UK is the conflict between arbitration law and equality law, as seen in the Ismaili arbitration case, highlighting challenges in addressing cultural diversity within Islamic organizations (Bhatti, 2019). Similarly, literature advocates for reconciliation as an integral part of ADR in solving matrimonial issues among Muslim Organizations in London (Abiodun & Rahman, 2024)

The legal principles governing conflicts of law in the UK, especially concerning Islamic organizations, involve a delicate balance between liberal individualism, multiculturalism, and the application of Islamic law within the British legal framework. The encounter with Islam has prompted English law to navigate tensions between individual rights, community interests, and the coexistence of different legal systems. In addressing conflicts, it is essential to consider conflict management systems within organizations, including policies, organizational conditions, local regulations, and procedures for preventing and resolving disputes effectively. Furthermore, the role of Islamic leadership (Imamate) in guiding religious and worldly affairs is a fundamental principle that influences how conflicts within Islamic organizations are managed and resolved. Classical pluralism theory is applied to British Islam and English law, addressing conflicts between individual and community rights, religion and state, and proposing reforms for optimal law-religion relationship.

In the United Kingdom, Shariah councils play a significant role in addressing Islamic family law matters for Muslim communities. These councils, such as the Islamic Shari'ah Council (ISC) and Muslim Arbitration Tribunal (MAT), provide guidance and resolutions on issues like marriage, divorce, and child custody, aligning with Shari'ah law principles (Sandberg and Thompson, 2016; Omoola and Nasir, 2020). British South Asian Muslim women often engage with Shariah councils when seeking Islamic divorces, showcasing a spectrum of compliance and engagement with the council's procedures. However, concerns have been raised regarding potential discriminatory practices against women within these councils, leading to calls for reform and regulation to ensure gender equality and protection of women's rights (Shahin, 2023). Despite their role in providing religious dispute resolution, Shariah councils face challenges due to the differing jurisdictions of Islamic and English family law, highlighting the complexities of navigating religious and secular legal systems in the UK (Ahdar and Aroney, 2010).

Shariah Councils in the UK play a significant role in influencing Nigerian Muslim organizations through their provision of Islamic divorce services and guidance on family matters (Menea, 2023). These councils, established by community leaders and religious scholars due to the unavailability of civil courts for Muslim family law cases, offer mediation and arbitration to resolve matrimonial disputes, including the issuance of Islamic divorces (Moustafa and Sachs, 2018)). While some critics argue that Shariah Councils may discriminate against women, others highlight their positive contribution as a dispute resolution forum (Ali, 2013; Griffith-Jones, 2013). The interactions with Shariah councils reflect the complexity of British South Asian Muslim women's identities and affiliations, showcasing how individuals navigate Islamic norms and values within these institutions. Additionally, the recent Independent Shariah Review proposed the regulation of Shariah councils to prevent discrimination against women, emphasizing the need for reform and greater rights for Muslim women.

5.2 Nigerian Muslim Organizations in UK

The Nigerian Muslim community in the United Kingdom is part of the diverse and growing Muslim population in the country, which includes individuals from various ethnicities and backgrounds (Cumper, 2014). Muslims in the UK, including those of Nigerian origin, have faced prejudice and discrimination while striving to maintain their religious, ethnic, and cultural identities. The Muslim presence in Britain has been steadily increasing, with Islam now being the second-largest religion in the country after Christianity, as evidenced by the 2011 census recording 2.7 million Muslims and a subsequent rise to over 3 million in the total population of 65 million (Cumper, 2014). British Muslims, including those of Nigerian descent, have established mosques, schools, and socio-cultural organizations to preserve their identities and have shown solidarity on broader issues affecting the Muslim community.

Nigerian Muslim organizations in the United Kingdom have been part of the broader Muslim organizational field that has evolved over the years. Since the post-World War II migration period, Muslim communities, including those from Nigeria, have established religious infrastructures to cater to their religious needs (Benhalim, 2018). These organizations have worked under a broad 'Muslim' label, transcending denominational and ethnic differences, in response to community cohesion policies and media misrepresentation (An-Nacim, 2010). They have actively engaged in media work to counter negative portrayals of Muslims and have played a critical role in the educational debate, particularly concerning religious education and moral development in schools. Overall, Nigerian Muslim organizations in the UK have adapted to the new social, cultural, and economic environment while maintaining their independence and faith-based commitment to serving the community (Al-Astewani, 2019; Bone, 2020; Alkhamis, 2023).

Nigerian Muslim organizations in London play crucial roles in promoting education, sports, and unity and peaceful co-existence among the Muslim Ummah which will strengthen Nigeria-British relations as literature contends (Efebeh & Okereka, 2020). These organizations aim to uplift community standards by focusing on education, sports activities, and fostering unity among Nigerian Muslims. The Nigerian Supreme Council for Islamic Affairs (NSCIA) was established to address disunity challenges among the Muslim Ummah in Nigeria, emphasizing the need for unity despite existing divisions. Additionally, Muslim women civil organizations contribute to decision-making processes affecting women in society, highlighting the importance of women's participation in governance. Overall,

Nigerian Muslim organizations in London focus on education, sports, unity, social support, healthcare, and women's empowerment, reflecting their multifaceted roles in community development as literature contends (Afolabi, Bunce, Lusher & Banbury, 2020).

Nigerian-initiated Islamic organizations just like the Nigerian-initiated churches in London encounter legal challenges such as racism, cultural misunderstandings, and perceptions about their theological beliefs (Adenekan-Koevoets, 2022). On the other hand, Nigerian Muslims in the US face issues like maintaining their Islamic identity amidst Islamophobia and parenting in a predominantly Christian environment. In Nigeria, Islamic legal norms face challenges due to the absence of a systematic administration framework and conflicts with international human rights laws (Tombleson & Wolf, 2017). The Nigerian legal system's pluralistic nature, incorporating Islamic law, faces challenges in the ad hoc administration of Sharia law and customary law, particularly in estate distribution which can be strengthened through enhancing cross-cultural communication (Oti, Adepeju & Oyebola Ayeni 2013; Tombleson & Wolf, 2017; Afolabi, Bunce, Lusher & Banbury, 2020). To address these challenges, Nigerian Muslim organizations in London engage in ecumenical relations, social community projects, and political activities to integrate into British society (Modood & Meer, 010). Nonetheless, literature identifies that their health services being provided to Nigerian students in UK whereby the experiences attract mixed reactions of either being expensive and qualitative (Alloh, Tait & Taylor, 2018)

The UK government regulates Nigerian Muslim organizations in London by overseeing their civic engagement activities and ensuring compliance with British law. Nigerian-initiated Muslim Organizations in London engage with British society ecumenically and through social projects, establishing their presence within the community which manifested from the feeling of being Muslims residing in Britain (Uberoi, Meer, Modood & Dwyer, 2011). Additionally, Nigerian Muslim Organizations in London are involved in civic activities that resist neoliberal politics and address social and economic justice issues, showcasing ethical forms of resistance (Yusha'u, 2014; Anyia, 2017). However, there is specific Islamic law in the UK, and Islamic organizations are regulated by the Prudential Regulatory Authority which provides counter-terrorism guidelines, without receiving special treatment. This regulatory framework aims to facilitate the activities Nigerian Muslim Organizations in the UK by making regulations and legislations to support Islamic Organizations (Anyia, 2017).

Currently, Nigerian Muslim organizations in the UK primarily rely on Sharī'ah councils for resolving disputes. These councils play a crucial role in handling matrimonial disputes, especially in issuing Islamic divorces, through mediation and arbitration processes. In the UK, the establishment of Sharī'ah Councils was necessitated by the unavailability of civil courts to address cases related to Muslim family law and other relevant matters (Oseni, 2015). Similarly, in Nigeria, there is a growing desire among Muslims to have their commercial disputes settled in accordance with Islamic principles, highlighting the need for appropriate dispute resolution mechanisms that align with Shari'ah law. The integration of Islamic arbitration within the legal framework is crucial to meet the demands of Muslim citizens residing in the UK which literature regards as diversity and hybridity of ADR in promoting justice in the country as literature contends (Azzouz, 2023).

Nigerian Muslim organizations play a significant role in promoting cultural exchange and understanding between Nigeria and the UK. They engage in various activities such as education, sports, and community projects, contributing to social cohesion in London's

diverse community as literature contends (Yusha'u, 2014; Anyia, 2017). However, the impact of international diaspora organizations, including Nigerian ones, on local development in Nigeria is found to be limited compared to local actors and internal migrants. While these organizations do support marginalized groups like women and the poor, their interventions sometimes reinforce existing gender and socio-economic inequalities. London-based Nigerian diaspora organizations can both perpetuate divisive politics of belonging and contribute to a unified and prosperous Nigeria through their transnational interventions (Shah, 2016a; Shah, 2016b Nash, 2022).

5.3 A Hybrid of Legal Framework

It is significant to note that the cursory literature recognizes the utilization of reconciliations or arbitrations within the framework of Islamic and customary laws in solving matrimonial issues. More importantly, Islamic law according to the provision of Quranic injunction has provided reconciliation as an important mechanism for solving disputes amicably between the couples. In so doing, the institution of marriage would be safeguarded against divorce (Abiodun and Rahman, 2024).

Furthermore, there are various issues identified in the extant literature identifies different issues that contribute to matrimonial issues. Of such issues are right of women to instigate divorce, children's custody after divorce and among others (Abiodun and Rahman, 2024). Literature further posits that the aforementioned issues should be addressed in accordance with Islamic injunctions or Islamic legal system and provisions of customary law specifically among the Nigerian Muslim Organizations in the UK. In so doing, through reconciliation, peaceful co-existence, cooperation and understanding between couples would be promoted.

Reiteratively, it is not doubtful to assert that Nigerian Muslim Organizations in UK have been playing paramount roles in creating awareness that will facilitate reconciliation and understanding between couples using the view-lens of Islamic and customary laws (Abiodun and Rahman, 2024). It is paramount to note that Muslim Organizations just like in Nigeria, have been striving to ensure that Shari'ah law is promoted (Anyia, 2017). This is in agreement with the study that advocated that the first and second generations of Muslims have strived to assimilate in America (Ashraf, 2016; Asfari and Askar, 2020). Nonetheless, studies have advocated for psychological well-being of first and second generation among immigrant Muslims (Hamid, 2011; Giuliani, Tagliabue and Regalia, 2018).

Muslim organizations in the UK often utilize Alternative Dispute Resolution (ADR) mechanisms, including arbitration and Sharia councils, to settle disputes. These mechanisms allow parties to choose the law governing their agreements and arbitrators to resolve disagreements, enhancing pluralism within the legal system (Jones, 2020). Sharia councils, in particular, provide privatized spaces for resolving family law disputes, raising questions of agency and autonomy for Muslim women. The British Muslim community, like in Hounslow, has seen the integration of secular ADR methods alongside religiously-based ADR, reflecting a balance between tradition and adaptation to urban British norms. Overall, the diverse ADR practices within British Muslim communities cater to the specific needs and values of the individuals and organizations involved, promoting social integration while respecting religious principles (Jones, 2020).

In the UK, Nigerian Muslim organizations utilize various mechanisms to settle disputes. One prevalent method is the application of Sulh (Reconciliation), following Islamic

law principles, which involves external mediators facilitating conflict resolution through soft bargaining and pleas. Additionally, informal, faith-based dispute resolution processes have emerged within Muslim communities in Britain, challenging the hegemony of state law in family matters (Keshavjee, 2016; Zare, 2018). These processes often reflect specific cultural and religious norms, providing alternative avenues for resolving family disputes according to Sharia and Muslim jurisprudence. The utilization of *Sulh* in the UK by Muslim mediators showcases a credible alternative dispute resolution mechanism with promising outcomes, emphasizing the need for its introduction by the government to enhance the alternative justice system (Jamal, 2018).

Thus, alternative dispute resolution (ADR) has a potential for helping Muslims to foster ethical values within the framework of Sharī'ah (Keshavjee, 2016). Literature further contends that alternative dispute resolution (ADR) to demonstrate diversity and hybridity of legal framework in (Bhatti, 2018; Bhatti, 2019; Jones, 2020; Azzouz, 2023). It is due to the advocacy for diversity and hybridity of legal framework that literature posits that legal integration can be useful in solving multifarious challenges in the society (Joppke and Torpe, 2013). This position has been further profoundly established the law of convergence of laws has been observed in England where Sharī'ah is being practised in the English Courts (Omoola and Nasir, 2020). Literature contends that Islamic Sharī'ah Council have been playing significant role concerning the arbitration using Islamic legal system in England, Wales and United King (Jamal, 2018; Huda, 2020). Undoubtedly, the relationship between Nigeria and Britain has influenced the extent by which dispute can be addressed.

6. METHODOLOGY

Qualitative method using an in-depth interview was employed in this study. Indeed, the study by Crewell (2014) regards interview as part of survey research design while collecting data for a particular study. There are fifteen popular and registered Nigerian Muslim Organizations in London which re regarded as the population of the study. A total of 10 were seleted as the sample for the study. Thereby, the researcher selected 1 participant from each Nigerian Muslim Organizations (NMO) in UK with whom interview was conducted. This inferably means that, total number of ten (10) participants were chosen for the interview. The setting for conducting this study is United Kingdom. The data was collected among members of Nigerian Muslim Organizations in UK who are also familiar with the activities of Sharī'ah Councils in the UK. Central research question was used to guide the study from which interview questions were generated. Concerning the analysis of the data, codes/themes, regrouping of the codes and identification of commonalities of concepts were done and discourse units were used for different themes and concepts. Table 1 shows distribution of participants for the interview among members of NMO.

Table 1

Distribution of Participants for the Interview among Members of NMO

S/N	Nigerian Muslim Organizations in London	Research Community (N)
1.	As Salatur Rahman Islamic Association	1
2.	Camberwell Islamic Centre	1
3.	Nasfat (UK) & Ireland London	1
4.	Nasfat Ireland London	1
5.	FOMWA(UK)	1

6.	Jamiatul Rasul Association	1
7.	Jamuhyyat At-Taqwah Islamic Society	1
8.	Al- Bushra Islamic International Prayer Group	1
9.	Nuurul Salam Islamic Society	1
10.	Allahu Lateef Society of UK	1
Total=		10

7. FINDINGS

This part explains the results obtained from the interview conducted in order to answer research question earlier raised for this study which states thus: How the Council of Nigerian Muslim Organizations in UK be helpful in solving the matrimonial disputes using reconciliations? An in-depth interview was conducted among the participants. Ten (10) participants were able to partake in the interview. Hence, discourse units (1-10) were considered as the responses obtained from an in-depth interview. There are various interview questions raised and henceforth, there are themes and sub-themes generated from the interview which are presented in the subsequent subheadings.

7.1 Participants' Opinions on Utilization of Reconciliations Within the Framework of Islamic and Customary Laws on Matrimonial Issues

The results of the interview are presented according to the themes and sub-themes generated from the responses obtained from the participants.

Theme: Educational Empowerment/Premarital Counselling; Protection of Institution of Marriage/ Marital Responsibilities

Sub-Theme 1: Educational Empowerment/Pre-marital Counselling

The first interviewee (discourse unit-D.U.1) posits that, the Council of Nigerian Muslim Organizations in London be helpful in solving the identified matrimonial issues using reconciliations through the following mechanisms: "Educational empowering of people; having dialogue; couple should know their responsibilities and through counselling programme". Discourse Unit (D.U. 2) regarding reconciliation in settling dispute husband and wife, it also asserted that: "They should be called (i.e., husband and wife) and they should be talked; they should follow the injunction of the Qur'an; they should be exposed to pre-marital counselling. Furthermore, Discourse Unit (D.U. 3) regarding husband and wife fulfil their obligations in order to avoid matrimonial issues; it explained that, to use the Qur'anic injunction; call both of them amicably; trust between both sides' and to be patient. In addition, Discourse Unit (D.U. 4) pertaining to protection of the institution of marriage in order to avoid divorce, it was noted that, there is a need to organize symposium or seminar, by calling them together; they should attend the pre-marriage counselling; by emphasizing on the importance of marriage in Islam.

Sub-Theme 2: Protection of Institution of Marital Responsibilities

More so, Discourse Unit (D.U. 5) explains that it is vital to explain to them in lectures; calling the couples and inform them the importance of caring for each other; they need to understand importance attached to it by Islam; spouses need to nurturing the marriage (D.U. 5). Discourse Unit (D.U 6), it is reiterated that, matrimonial issue can be addressed "By making use of Islamic and legal provisions accordingly; allowing people to know their

significance; couple should be aware of their obligations and fear Almighty Allah in discharging them; the couples must follow the rules guiding the marriage. Discourse Unit (D.U 7), enabling to empower people and education; calling both parties and advise them; by following the rules of marriage according to Islamic guidance; organizing classes or courses to put things right. Discourse Unit (D.U 8), engaging the couples with message of both (Islamic and customary laws) on peaceful relationship; bring couple to the round table for proper understanding; the couples need to be duly informed about their responsibilities; any regular enlightenment programme on good relationship. Discourse Unit (D.U 9), explaining the benefit of both Islamic and customary law to the people; by bringing the two parties to the roundtable; showing the couples their responsibilities; allowing pre-marriage counselling. Discourse Unit (D.U 10), by implementing the rules that govern both; making people by way of settlement; the husband and wife need to follow injunction of Allah that state their duties; protecting institution of marriage by regular admonition.

7.2 Participants' Opinions on Judicious Applications of Islamic and Customary Laws

Among Nigerian Muslim Organizations in the UK

Theme: Women's Rights under Islamic Law; Bride-price (mahr) is for wife

Sub-theme 1: Women's Right to Instigate Divorce

Indeed, Nigerian Muslim Organizations in UK be helpful in solving the identified matrimonial issues using reconciliations specifically by considering the Qur'anic perspective; allowing women to have right to instigate divorce (*talaq*); to determine the pregnancy; allowing children to be under the custody of their mother after inevitability of divorce" (D.U. 1). Discourse Unit (D.U. 2) posits that, bride-price (*mahr*) is exclusively for the wife; yes, she is allowed; to establish the pregnancy; women are better unless they are not capable mentally. Discourse Unit (D.U. 3) contends that: "To explain that it is for women only; it is permissible for women to instigate divorce; to determine the pregnancy; it should be under the custody of wife" (D.U. 3). Discourse Unit (D.U. 4) contends that, it is essential to explain that bride-price (*mahr*) is from husband to wife and given proof from Qur'an and Sunnah; The woman has the right to instigate divorce (*talaq*) if they can no more live together with peace; the waiting period is to ascertain the pregnancy in woman; custody of child after divorce should be with wife (D.U. 4). Discourse Unit (D.U. 5) noted that, "The bride-price (*mahr*) is for wife only; it is permissible for woman to instigate divorce; waiting period is to ascertain pregnancy; the child should be under the wife (D.U. 5).

Sub-Theme 2: Bride-price (mahr) is for wife

Discourse Unit (D.U 6), it is mentioned that, the pride price is solely for wife; it is permissible for women to instigate divorce in accordance with Islamic jurisprudence; to determine pregnancy of the wife; it should be under mother. Discourse Unit (D.U 7), to let them realize the hadith that bride-price (*mahr*) is for the bride only; Yes, it is permissible in Islam; it brings peace between couples; it should be under the wife. Discourse Unit (D.U 8), letting the people know that the bride-price (*mahr*) is for wife only; yes. It is permissible for women to instigate divorce; waiting period is used to determine whether the wife is pregnant or not; the child should be with the mother. Discourse Unit (D.U 9), *Bride-price (mahr)* is for wife and comes from husband; Yes, it is permissible for wife to instigate divorce (*talaq*); the period determines whether the wife is pregnant or not; the child should be under the custody of wife; Discourse Unit (D.U 10), bride-price (*mahr*) is exclusively for the wife; yes, it is

permissible for a woman to instigate divorce; waiting period is the period of mourning for the deceased husband and to determine pregnancy; custody of child should be under mother.

7.3 Participants' Opinions on The Application of Islamic (Sharī'ah) And Customary Laws in Addressing Matrimonial Issues

Theme: Arbitrator from each Family/Peace among the Couple

Sub-Theme 1: Arbitrator from each Family

It is reiterated that; Council of Nigerian Muslim Organizations in UK be helpful in solving the identified matrimonial issues using reconciliations by initiating good idea to bring peace; involving one arbitrator from each family; therapy and counselling; wife should be allowed to move for divorce (D.U.1). Discourse Unit (D.U. 2); if the two concerned are ready to reconcile; invite family from side; being honest to each other; the man should not take it back (D.U. 2). Discourse Unit (D.U. 3) emphatically stressed that, "If both agree to reconcile; they should choose intelligent people from each family; to be patient and prayerful; to allow peace to reign and for women to regain full freedom" (D.U. 3). Discourse Unit (D.U. 4) to allow peace within family and community; by inviting them as Qur'an indicates; appealing to spouses on importance of good relationship; by applying both (D.U. 4). Discourse Unit (D.U. 5) contends that, it is good to let the couple appreciate what reconciliation stand for; representative of the two families need to be invited according to the Qur'an; be conscious of Allah in dealing with each other; telling them the necessity to return in accordance with Sharī'ah h (D.U. 5).

Sub-Theme 2: Reconciliation brings peace among the couple

Discourse Unit (D.U 6), very useful in making peace in matrimony; inviting each member of family according to the Qur'an; by dealing with each other with respect; Islamic law is in favour of returning the pride price also customary. Discourse Unit (D.U 7), couples may change their mind; they need to come together to support the couple; safeguarding by organizing symposium on successful marriage; it should be returned to husband if divorce is instigated by wife. Discourse Unit (D.U 8), it good to resolve issue amicably; the representative from each family should be involved; proper understanding between couples; the stand of both laws on refund of bride-price (*mahr*) needs to be explained. Discourse Unit (D.U 9), referring couples to previous success of reconciliation; the family members need to in settling issues; people need to realize the importance of marriage in Islam; both Islamic and customary laws encourage refund of bride-price (*mahr*) after divorce. Discourse Unit (D.U 10), reconciliation brings peace among the couple; the families of couples are invited to intervene to be peace; cooperation and understanding of couple; the position of Islamic law and customary law is to refund the bride by wife.

7.4 Participants' Opinions on The Roles of The Shari'ah Council and Nigerian Muslim Organizations in UK in Solving Matrimonial Issues Using Reconciliations

Theme: Awareness Programme/Support Welfare Fund; Enlightenment of Rights of Husband and Wife

Sub-Theme 1: Awareness Programme/Support Welfare Fund

It is responded by the participant through the discourse unit (D.U. 1) that, "More awareness programme should be initiated; they can signpost people to appropriate network;

there should be agreement between spouses; we can use both Islamic and customary law to reconcile issues between husband and wife (D.U. 1). It is also said by the Discourse Unit (D.U. 2) that, there is need for regular lectures before and after marriage; they can support welfare fund; mother should be in-charge, but fathers should have access to them; it is possible to integrate both Islamic and customary provisions together in solving matrimonial problems (D. U. 2). Discourse Unit (D.U. 3), it said by the participant (D.U. 3) that, by different lectures and workshop on marriage; they can only give them advice; put the children with mother; it is possible to integrate both (Islamic and customary laws) in order to bring lasting solutions to matrimonial issues (D.U. 3). Discourse Unit (D.U. 4), it is stressed that, matrimonial issues can be addressed by organizing education programme; they assist and signpost them to government; by having rigorous discussion between couple; by applying both husband and wife effectively (D.U. 4). Discourse Unit (D.U. 5) contends that, NMO needs to organize lectures to enlighten their members; to direct them to where to get additional support; by negotiation between couples; CNMO needs to consider both Islamic and customary laws (D.U. 5).

Sub-Theme 2: Enlightenment of Rights of Husband and Wife

Discourse Unit (D.U 6), CNMO should involve in marriage counselling before marriage; NMO needs to talk extensively to husband to perform his duties; the couples need to agree in principle; using both together to end dispute. Discourse Unit (D.U 7), lectures, marriage courses and counselling should be organized; to let the husband know the responsibility and signpost them to where they can get necessary support; arrangement between but mainly should be care of mother. Discourse Unit (D.U 8), CNMO needs to organize free marriage counselling; NMO needs to explain the obligation of husband in providing the basic needs; the mother should consider first; by making use of both. Discourse Unit (D.U 9), NMO organizes regular lectures on rights of husband and wife; through the enlightenment of rights of husband and wife; agreement and negotiation; integration of both laws can be done by using both in solving dispute among couples. Discourse Unit (D.U 10), arranging pre-Marriage counselling and organize lectures; NMO promotes basic need by through explaining the rights of couples especially for husband to provide them; making arrangement between husband and wife; referring to both Islamic law and customary law in making reconciliation between couples.

7. DISCUSSION OF MAJOR FINDINGS

This part presents the discussion of major findings of the study. The results of qualitative data obtained from the participants demonstrated that Islamic and customary laws can be harmonized in addressing matrimonial challenges; specifically, it can be applied in settling dispute between husband and wife. It is affirmed that, enlightenment or empowerment, dialogue and counselling programme can used in addressing matrimonial issues among members of Council of Nigerian Muslim Organizations in the UK. This assertion buttresses the earlier and previous studies have elaborately elucidated that there is need to device mechanism in avoiding matrimonial dispute especially using reconciliatory approach or alternative dispute resolution (Nwauzi, 2009, Bhatti, 2019).

The participants further noted that, if the husband and wife can fulfil their obligations, matrimonial issues would be avoided. However, in case of quarrelling between husband and wife, the injunction of the Holy Qur'an should be used as a basis for utilizing reconciliation as an alternative (Abiodun and Rahman, 2024). It is in so doing that, the institution of marriage

would be protected without occurrence of incessant cases of divorce especially in London where there is liberty for couples to go to the court and pronounce divorce. This view by the participants is also in consonance with previous studies that both Islamic and customary laws advocate for fulfilment of matrimonial obligations by both husband and wife (Adigwe, 2000; Azzouz, 2023). However, the ability of wife to be submissive to directives, advices and to appreciate any amount of support the husband whose contribution is inevitable in the matrimonial home cannot be equalled to any assistance from outside the matrimonial home should be satisfactorily appreciated (Abiodun and Rahman, 2024). The reasons are numerous but not limited to the fact that the head of the house knows best where his house is leaking when it rains. Besides, the blessing of Allah in any intervention subscribed by the husband is always with the Blessings of Allah who vehemently pronounced in the Glorious Qur'an that:

“Let the man of wealth provide according to his means. As for the one with limited resources, let him provide according to whatever Allah has given him. Allah does not require of any soul beyond what He has given it. After hardship, Allah will bring about ease” Quran.com (65:7).

Against this background, a submissive wife will excel throughout her life in the matrimony if she accepts these promises in Allah's message because Allah does not assign to any of His Creature any obligation, he/she could not bear. This means that wife should be satisfied with whatever, the husband could contribute to the development of the matrimony at a certain moment because that is the best, he has been endowed with. But with the promise of Allah, some more enjoyable days of plenty lie ahead when they will glorify God for His infinite blessing on the who members of the family (Abiodun and Rahman, 2024). In this perspective, the participants buttressed his point on patience and submission for a peaceful and successful matrimonial life (Malikan, 2022).

Result further showed that, there are multifarious indicators of matrimonial issues hindering judicious applications of Islamic and customary laws among Nigerian Muslim Organizations in London. More importantly, bride price is one of the indicators of matrimonial issues. It is noted that by the participants that, the ruling of Islamic law is that bride price is an exclusive right of the wife which is in line with the position of the existing literature on bride price according to the provisions of Islamic and customary laws (Ajuzie, 2011). It is also mentioned by the participants that, it is permissible for a woman to instigate divorce. Further, it is posited by the participants that, during the waiting period under Islamic law, a child should be under custody of mother after divorce.

More so, the participants in the interview further demonstrated that, there is relationship between Islamic (Sharī'ah) and customary laws in addressing matrimonial issues among the Nigerian Muslim Organizations in the UK. The findings indicated that both Islamic (Sharī'ah) and customary laws considered reconciliation as an important tool for resolving matrimonial issues. This is also in line with previous studies that postulated that, Islamic and customary laws attached paramount importance to the use of reconciliation in addressing matrimonial disputes (Abdullahi, 2002; Ladan, 2003; Abiodun and Rahman, 2024).

In addition, it is reiterated that families of both husband and wife are expected to partake in reconciliation of matrimonial issues prior to the pronouncement of divorce. Similarly, the sacredness of institution of marriage can be safeguarded from collapse when the families of husband and wife discharge their responsibilities sincerely (Abiodun and Rahman,

2024). However, it is noted that, if the wife could not bear the situation, it is permissible for her to seek for divorce (*talaq*) and bride-price should be refunded according to the stance of Islamic and customary laws.

Further still, the Council of Nigerian Muslim Organizations in the UK can be helpful in solving matrimonial issues using reconciliations. It is mentioned that enlightenment regarding the right of husband and wife can be useful in order to curtail the matrimonial dispute as literature contends (Abiodun and Rahman, 2024). (i) Basic needs in order to avoid matrimonial issues that can lead to divorce; (iii) Custody of the children after divorce; (iv) integrate between provisions of Islamic and customary laws in solving the matrimonial issues among NMO members in the UK.

In some cultural settings, Muslim marriage with its polygamous nature is being considered as invalid. Undoubtedly, literature considers Islamic marriage s innovative standards because rights and duties of women are clearly spelled out (Yusuf, 2005). For instance, the manifestation of marriage standard can be seen from the fact directive of husband to give dowry (*mahr*) to the wife. The institution of marriage in Islam has been considered as virtues act. Nonetheless, dissolution of marriage is permissible which should be exercised in accordance with the dictate of Islamic legal provision. Prior to dissolution of marriage, Islam gives preference to reconciliation between husband and wife with an involvement of family members of the spouse (Yusuf, 2005). Muslim jurists have elaborately elucidated that woman is also permitted to instigate divorce if the situation is unbearable for her.

The wife's instigation of divorce is termed Khul as being explained in most classical literatures. More specifically, Khul means right of woman to divorce her husband under Islamic legal provision. In addition, it is expected of a woman to release mahr given to her by husband during the consummation of marriage and consequently, woman is liberated from her marriage (Booley, 2014). However, there is an argument pertaining to the issue of return of *mahr* either some or all. Muslim jurists contend that, it is expected of Shari'ah h court to determine what should be returned when a women instigate divorce. It is noteworthy to say that, during the consummation of marriage, mahr can be paid instantly or deferred (Abiodun and Rahman, 2024).

It is noted in the existing body of knowledge that, when a woman instigates divorce through the means of Khul, it will undoubtedly affect the payment of mahr when it is deferred. In other words, when a woman seeks divorce from her husband through Khul, the husband is no more responsible for the payment of deferred mahr. In spite the fact that, Khul is well grounded in Islamic literature, yet, the practice remains so difficult to obtain because of the fear of abuse, desertion or sin in order to grant the divorce (Asghar, 1992). Hence, since *Khul* is associated with return of some or all mahr given by the husband, only women who are financially capable might be able to seek for divorce using *Khul*. In traditional *fiqh* with reference to the Qur'an and Hadith, *Khul* is an Arabic word which means an excuse and technically according to *Shari'ah* h legal provision, it means a woman's initiation to seek divorce from her husband. This is explicitly elaborated in Islamic legal system that *khul* is considered as procedure for a woman to give divorce to her husband either by returning any item of mahr either material or monetary which the wife received from the husband (Nasir, 2009; Macfarlane, 2012). This procedure should be based on the dictate of jurist (*Qadi*) or court decree.

Onwards, the findings have demonstrated that the Shari'ah Councils and the Nigerian Muslim Organizations have been playing significant roles in ensuring that the legal frameworks are utilized to address multifarious family issues in the context of UK. Reiteratively, the Islamic legal system and cultural factor have great influence on the activities of Shari'ah Councils as literature contends (Walker, 2016; Al-Astewani, 2019; Shahin, 2023). Literature advocates that (Cumper, 2014; Aftab, 2022) This is in consonance with a number of study that there is an existing legal framework being used for regulation of the activities of Shari'ah Councils and the Nigerian Muslim Organizations in the UK (Al-Astewani, 2019; Perreau, 2020; Uddin, 2020; Uddin, 2023). More specifically, the study by Walker (2016) that Shari'ah Councils in the context of UK. This study has further established the need to intimate between Islamic and customary laws in solving matrimonial issues. This is in agreement with the existing body of knowledge that has further identified interdisciplinary approach in legal system with specific focus in addressing matrimonial disputes such as violence against women (Bano, 2010; Wilson, 2010; Mendecka, 2016; Walker, 2016). In spite the fact that literature has identified the recognition of Shari'ah family law in the context of UK (Alkhamis, 2023); other studies have confirmed that the unification of Islamic law and customary laws can be regarded as harmonious legal systems that would demonstrate a hybrid legal system (Zare, 2018; Busari, 2021; rakick, 2022). Literature has identified the prevalence of divorce among Muslim women in the UK despite the fact that Muslim family law has been given prime importance in the UK legal system (Uddin, 2018). This has ben further affirmed that Shari'ah has been recognized in the English Courts and literature advocates for the convergence of laws in England Ahdar and Aroney, 2010; (Griffith-Jones, 2013; Omoola and Nasir, 2020). Undoubtedly, studies have confirmed that Shari'ah law has given prime importance for women and the soft legal pluralism in the UK has further given or accord due position for women (Manea, 2023).

8. CONCLUSION AND RECOMMENDATIONS

The paper has painstakingly presented the analysis of an in-depth interview conducted among the participants regarding the roles of the Nigerian Muslim Organizations in the UK. The data analyses have indicated that the objectives of the study have been achieved. The finding indicated that, the Nigerian Muslim Organizations in the UK have been playing a significant role in solving the identified matrimonial issues using reconciliations or alternative dispute resolution (ADR). Alternative dispute resolution (ADR) has been well pronounced as an arbitration mechanism in business transaction. This study has emphatically stressed on the use of ADR in reconciling matrimonial disputes with specific attention on the roles of *Shari'ah* councils and the Nigerian Muslim Organizations in the UK. Undoubtedly, the proliferation of Muslims in UK has a tendency of increasing matrimonial issues that requires mechanism for solving the issues among the couples. This is necessary for reforming the activities of *Shari'ah* Councils and the Nigerian Muslim Organizations in the UK towards proactive step in this regard. Therefore, the following recommendations are provided:

1. That the Islamic marriage counselling is an essential way of enlightening husband and wife in addressing matrimonial issues within the framework of Islamic and customary laws.
2. That the representative of families of the couples should be engaged in the reconciliation process between husband and wife in order to avoid divorce by considering Islamic and customary laws as hybrid legal framework in the UK.
3. That the avenue for regular lectures that will sensitize both husband and wife regarding their rights and duties as stipulated by Islamic and customary laws in the UK.

REFERENCES

- Abiodun, F. K., & Rahman, A. (2024). Reconciliation As an Alternative Dispute Resolution (ADR) in Solving Matrimonial Conflict Among Nigerian Muslim Organizations in London. *Migration Letters*, 21(2), 833-844.
- Adenekan-Koevoets, A. A. (2022). *Nigerian Pentecostals and reverse Mission in London and Amsterdam* (Doctoral dissertation, University of Roehampton).
- Afolabi, O., Bunce, L., Lusher, J., & Banbury, S. (2020). Postnatal depression, maternal–infant bonding and social support: a cross-cultural comparison of Nigerian and British mothers. *Journal of Mental Health*, 29(4), 424-430.
- Aftab, A. (2022). *Accommodating Sharia: A Feminist Institutional Analysis of Sharia law in Australia, Canada and the United Kingdom* (Doctoral dissertation, Macquarie University).
- Ahdar, R. J., & Aroney, N. (Eds.). (2010). *Shari'a in the West*. Oxford University Press, USA.
- Al-Astewani, A. (2019a). Loci of Leadership: The Quasi-Judicial Authority of Shariah Tribunals in the British Muslim Community. *Religions*, 10(7), 406.
- Al-Astewani, A. (2019b). The Legal Framework for Regulating Shariah Councils in the UK A Potential Model for Ireland? In *Minority Religions under Irish Law* (pp. 193-216). Brill.
- Ali, S. S. (2013). Authority and Authenticity: Sharia Councils, Muslim Women's Rights, and the English Courts. *Child & Fam. LQ*, 25, 113.
- Ali, S., & Heath, A. (2013). *Future Identities: Changing identities in the UK—the next 10 years*. London: Government Office for Science.
- Alkhamis, A. M. (2023). *Recognition of Shariah family law in the UK: assessing the application of Shariah succession within Scots law in theory and practice* (Doctoral dissertation, University of Glasgow).
- Alloh, F., Tait, D., & Taylor, C. (2018). Away from home: A qualitative exploration of health experiences of Nigerian students in UK university. *Journal of International Students*, 8(1), 1-20.
- An-Nacim, A. A. (2010). The compatibility dialectic: Mediating the legitimate coexistence of Islamic law and state law. *The Modern Law Review*, 73(1), 1-29.
- Anyia, A. (2017). Muslim organisation and the mobilisations for Sharia law in northern Nigeria: The JNI and the NSCIA. *Journal of Asian and African Studies*, 52(1), 82-102.

- Asfari, A., & Askar, A. (2020). Understanding Muslim Assimilation in America: An Exploratory Assessment of First & Second-Generation Muslims Using Segmented Assimilation Theory. *Journal of Muslim Minority Affairs*, 40(2), 217-234.
- Ashraf, M. (2016). *Experiences of young adult Muslim second generation immigrants in Britain: beyond acculturation* (Doctoral dissertation, University of St Andrews).
- Azzouz, F. (2023). Islamic ADR in Britain: Diversity, Hybridity, and Women's Experiences of Community Justice. *Oxford Journal of Law and Religion*, rwad019.
- Bano, S., Thiara, R. K., & Gill, A. K. (2010). Shariah Councils and the Resolution of Matrimonial Disputes. *Violence against Women in South Asian Communities: Issues for Policy and Practice*. Edited by Ravi Thiara and Aisha K. Gill. London: Jessica Kingsley Publishers, 182-210.
- Benhalim, R. (2018). Religious Courts in Secular Jurisdictions: How Jewish and Islamic Courts Adapt to Societal and Legal Norms. *Brook. L. Rev.*, 84, 745.
- Bhatti, M. (2018). *Islamic law and international commercial arbitration*. Routledge.
- Bhatti, M. (2019). Islamic dispute resolution in the United Kingdom. In *Dispute Resolution in Islamic Finance* (pp. 54-67). Routledge.
- Bone, A. (2020). Islamic Marriage and divorce in the United Kingdom: The case for a new paradigm. *Journal of muslim minority affairs*, 40(1), 163-178.
- Busari, J. M. (2021). Shari 'a as Customary Law? An Analytical Assessment from the Nigerian Constitution and Judicial Precedents. *AHKAM: Jurnal Ilmu Syariah*, 21(1).
- Cortelezzi, F., & Ferrari, A. (Eds.). (2022). *Contemporary Issues in Islamic Law, Economics and Finance: A Multidisciplinary Approach*. Taylor & Francis.
- Creswell, J. W. (2014). *Research design: Qualitative, quantitative, and mixed methods approaches*, 3rd edition, Sage Publications, Inc., Thousand Oaks, CA.
- Cumper, P. (2014). Multiculturalism, human rights and the accommodation of Sharia law. *Human Rights Law Review*, 14(1), 31-57.
- Efebeh, V. E., & Okereka, P. O. (2020). Nigeria-British relations: Implications for Nigeria in the post-Brexit era. *PalArch's Journal of Archaeology of Egypt/Egyptology*, 17(7), 8811-8822.
- Giuliani, C., Tagliabue, S., & Regalia, C. (2018). Psychological well-being, multiple identities, and discrimination among first- and second-generation immigrant Muslims.

Europe's journal of psychology, 14(1), 66.

- Griffith-Jones, R. (Ed.). (2013). *Islam and English Law: rights, responsibilities and the place of Shari'a*. Cambridge University Press.
- Hamid, S. (2011). British Muslim young people: Facts, features and religious trends. *Religion, State and Society*, 39(2-3), 247-261.
- Huda, M. N. (2020). Activities of Islamic Sharī'ah Council and Muslim Arbitration Tribunal to Apply Islamic Law in England and Wales. *Al-Milal: Journal of Religion and Thought*, 2(2), 1-16.
- Jamal, A. A. (2018). ADR and Islamic law: the cases of the UK and Singapore. In *Research Handbook on Islamic Law and Society* (pp. 120-138). Edward Elgar Publishing.
- Jones, J. (2020). Muslim Alternative Dispute Resolution: Tracing the Pathways of Islamic Legal Practice between South Asia and Contemporary Britain. *Journal of Muslim Minority Affairs*, 40(1), 48-66.
- Joppke, C., & Torpey, J. (2013). *Legal integration of Islam: A transatlantic comparison*. Harvard University Press.
- Keshavjee, M. M. (2016). Alternative dispute resolution (ADR) and its potential for helping Muslims reclaim the higher ethical values (Maqasid) underpinning the Sharia. *The state of social progress of Islamic societies: Social, economic, political, and ideological challenges*, 607-621.
- Lester, S. (2015). The State and the Operation of Sharia Councils in the United Kingdom. *Journal of Religion & Society*, 17.
- Malikan, K. (2022). *Marriage In Islam: 8 Quranic Verses About Marriage - Quranic Arabic for Busy People*. Retrieved from <https://www.getquranic.com/marriage-in-islam-8-quranic-verses-about-marriage/> on 15th April, 2024.
- Mandaville, P. (2013). Muslim transnational identity and state responses in Europe and the UK after 9/11: Political community, ideology and authority. In *Muslims and the State in the Post-9/11 West* (pp. 138-153). Routledge.
- Manea, E. (2023). Women and Shari'a Law: The Impact of Soft Legal Pluralism in the UK. In *The Sharia Inquiry, Religious Practice and Muslim Family Law in Britain* (pp. 27-59). Routledge.
- Mendecka, K. (2016). Sharia councils in western society—compromise or surrender (with particular reference to the United Kingdom). *Interdisciplinary Approach to Law In Modern Social Context*, 171.

- Modood, T., & Meer, N. (2010). Britain: Contemporary developments in cases of Muslim–state engagement. In *Muslims in 21st Century Europe* (pp. 88-112). Routledge.
- Morrison, S. (2014). Shariah boards and the corporate governance of Islamic banks in the United Kingdom. *Journal of Islamic Economics, Banking and Finance*, 10(1), 96-109.
- Moustafa, T., & Sachs, J. A. (2018). Law and society review special issue introduction: Islamic law, society, and the state. *Law & Society Review*, 52(3), 560-573.
- Nash, P. S. (2022). *British Islam and English Law*. Cambridge University Press.
- Odorisio, E. (2020). The Muslim Arbitration Tribunal (MAT). *Comp. L. Rev.*, 11, 79.
- Omoola, S. O., & Nasir, M. A. (2020). Shari'ah in the English Courts: Towards a New theory of Convergence of Laws in England. *Mimbar Hukum-Fakultas Hukum Universitas Gadjah Mada*, 32(3), 450-460.
- Oseni, U. A. (2015). Shari'ah court-annexed dispute resolution of three commonwealth countries—a literature review. *International Journal of Conflict Management*, 26(2), 214-238.
- Oti, Adepeju, and Oyebola Ayeni (2013). "Yoruba culture of Nigeria: creating space for an endangered specie." *Cross-Cultural Communication* 9, no. 4 23.
- Perreau, L. (2020). Gender equality at the test of sharia councils in the UK. *Youth and Globalization*, 2(1), 65-86.
- Rafeeq, M. (2010). Rethinking Islamic Law Arbitration Tribunals: Are they compatible with traditional American notions of justice. *Wis. Int'l LJ*, 28, 108.
- Sandberg, R., & Thompson, S. (2016). The sharia law debate: the missing family law context. *Law & Just. -Christian L. Rev.*, 177, 181.
- Shah, P. (2016a). *Legal Pluralism in Conflict: coping with cultural diversity in law*. Routledge-Cavendish.
- Shah, P. (2016b). Transforming to accommodate? Reflections on the shari'a debate in Britain. In *Legal practice and cultural diversity* (pp. 87-106). Routledge.
- Shahin, S. (2023). *The Islamic Legal and Cultural Influences on Britain's Shari'a Councils* (Doctoral dissertation, School of Advanced Study).
- Statham, P., & Tillie, J. (2018). Muslims in their European societies of settlement: a comparative agenda for empirical research on socio-cultural integration across

- countries and groups. In *Muslims in Europe* (pp. 1-20). Routledge.
- Tombleson, B., & Wolf, K. (2017). Rethinking the circuit of culture: How participatory culture has transformed cross-cultural communication. *Public Relations Review*, 43(1), 14-25.
- Trakic, A. (Ed.). (2022). *Shari'ah and Common Law: The Challenge of Harmonisation* (Vol. 4). Walter de Gruyter GmbH & Co KG.
- Turner, B. S. (2016). Legal pluralism, state sovereignty, and citizenship. In *Legal pluralism and Shari'a law* (pp. 7-27). Routledge.
- Uberoi, V., Meer, N., Modood, T., & Dwyer, C. (2011). Feeling and being Muslim and British. In *Global migration, ethnicity and Britishness* (pp. 205-224). London: Palgrave Macmillan UK.
- Uddin, I. (2018). *Muslim family law: British-Bangladeshi Muslim women and divorce in the UK* (Doctoral dissertation, Middlesex University).
- Uddin, I. (2020). Islamic Family Law: Imams, Mosques, and Shari'a Councils in the UK. *Elec. J. Islamic & Middle EL*, 8, 25.
- Uddin, I. (2023). Shariah Councils in the UK: Reform and Regulation. In *The Sharia Inquiry, Religious Practice and Muslim Family Law in Britain* (pp. 60-77). Routledge.
- Voas, D., & Fleischmann, F. (2012). Islam moves west: Religious change in the first and second generations. *Annual review of sociology*, 38, 525-545.
- Walker, T. (2016). Shari'a councils and Muslim women in Britain: Rethinking the role of power and authority. In *Shari'a Councils and Muslim Women in Britain*. Brill.
- Wilson, J. (2010). The Sharia Debate in Britain: Sharia Councils and the Oppression of Muslim Women. *Aberdeen Student L. Rev.*, 1, 46.
- Yilmaz, I. (2024). *Sharia as Informal Law: Lived Experiences of Young Muslims in Western Societies*. Taylor & Francis.
- Yusha'u, M. J. (2014). Nigerian or British: Muslim identity and the framing of Umar Farouk Abdulmutallab in the British press. *Journal of Arab & Muslim Media Research*, 7(1), 75-92.
- Zare, M. (2018). Creating laws for economic growth in a hybrid Islamic legal system. *S. Cal. Interdisc. LJ*, 28, 429.