

## Faith-Based Dispute Resolution Process in Southwest Nigeria: A Study of the Operational Mechanisms of Ogun State's *Shari'ah* Arbitration Panel

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### Abstract

Islamic law (*Shari'ah*) plays a crucial role in shaping the social, marital, and financial lives of Muslims. In Ogun State, the *Shari'ah* Arbitration Panel (SAP) was established to provide faith-based dispute resolution aligned with Islamic principles. This study examined the historical development and administrative procedures of the panel, as well as assess its effectiveness in resolving civil cases within the Muslim community. The study employed a historical qualitative methodology, utilised purposive sampling to select six key informants. Data were collected through semi-structured interviews and participant observation to gain an in-depth understanding of the panel's operational procedures and case management strategies. Findings revealed three core administrative procedures: collection of complaint forms, issuance of invitation letters to defendants, and scheduling of hearings. Plaintiffs are allowed to choose between private or public hearings. The panel primarily adjudicates civil matters such as marital disputes, inheritance issues, child custody, monetary disagreements, and interpersonal or inter-community conflicts. Out of the 106 cases reviewed, 98 were related to marital issues, five involved leadership tussle, two concerned financial disputes, and one addressed inheritance. Although the panel's decisions are not legally binding under Nigerian civil law, they are widely accepted due to religious and communal respect for *Shari'ah*-based rulings. The study concludes that SAP significantly contributes to peaceful dispute resolution and social cohesion among Muslims in Ogun State.

**Keywords:** Faith-based, dispute resolution, Islamic law, Ogun Stat, *Shari'ah* Arbitration.

### Introduction

Faith-based dispute resolution in Nigeria has emerged as a vital alternative to conventional legal systems, especially in a society characterised by religious plurality and legal complexity. Nigeria operates under a tripartite legal system comprising statutory law, customary law, and Islamic law. In such a system, faith-based arbitration and mediation mechanisms are instrumental in resolving civil, matrimonial, inheritance and communal disputes. These mechanisms are typically grounded in religious principles and are often more accessible and acceptable to communities than formal courts (Ladapo, 2008; Shittu-Adenuga, 2024). Thus, the plural legal system of Nigeria is a legacy of colonial imposition and indigenous systems, where Islamic and customary laws operated long before the advent of English common law. Faith-based dispute resolution therefore predates Nigeria's current legal structure and has remained resilient despite modernisation. Among Muslim communities, Islamic dispute resolution, rooted in Qur'anic injunctions and prophetic traditions, continues to provide a moral and spiritual dimension to justice (Makinde, 2017; Oladosu-Uthman & Abdulsalam, 2020). Islamic arbitration mechanism such as *sulh* (amicable settlement) is stressed in the Qur'an (*al-Nisā'*, 4:35) and Hadith. These instruments provide not only alternative dispute platforms but are seen as divine mandates to preserve social harmony and uphold justice. This aligns with Islamic values that prioritise reconciliation (*ṣulh*) over litigation and societal cohesion over

adversarial confrontation (Shittu-Adenuga et al., 2024). In predominantly Muslim communities, especially in the North and parts of the Southwest, these mechanisms have been normalised and widely accepted.

Similarly, Christian communities in Nigeria, particularly among Pentecostal and Evangelical groups, have developed robust internal mechanisms for resolving disputes based on biblical doctrines and ecclesiastical authority structures. These internal procedures are often rooted in New Testament teachings, especially Paul's admonition in 1 Corinthians 6:1–8, which discourages Christians from seeking redress in secular courts for disputes among themselves. Instead, such congregations encourage mediation and arbitration through church elders, pastoral councils and designated reconciliation committees. Within Pentecostal assemblies, for example, pastors often play the dual role of spiritual guide and conflict mediator, handling issues ranging from marital disputes and financial disagreements to moral misconduct. Evangelical churches also emphasise confession, repentance and forgiveness as prerequisites for reconciliation, thereby linking dispute resolution with spiritual renewal (Ojo, 2006). Adebayo and Atolagbe (2021) observe that many churches prefer to handle conflicts internally because it fosters communal unity, protects the image of the church, and allows for swift intervention guided by shared theological values.

Faith-based dispute resolution mechanisms, whether in Christian or Islamic contexts, are widely regarded as more accessible, morally compelling and contextually relevant than formal court systems, particularly in emotionally sensitive matters. These mechanisms offer culturally grounded alternatives to state-controlled judicial processes, which are often criticised for being costly, time-consuming, and disconnected from local realities (Ojo, 2010). In many rural and low-income urban communities, religious tribunals are trusted for their emphasis on sincerity, humility, and communal harmony. In particular, the growing use and effectiveness of Islamic law as an alternative dispute resolution (ADR) forums illustrate its vital role in Nigeria's plural legal environment. This mechanism not only addresses legal grievances but also reinforces spiritual values and social cohesion, making it indispensable to many communities.

In northern Nigeria, twelve states have formally established *Shari'ah* courts within their judicial systems, granting them constitutional legitimacy under Sections 275 to 279 of the 1999 Nigerian Constitution (as amended). These courts handle matters of Islamic personal law, including marriage, divorce, child custody, *waqf* (endowments) and inheritance, and their decisions are legally binding and enforceable. Their institutionalisation reflects the historical and demographic dominance of Islam in the region, where Muslims form the majority and Islamic law has traditionally guided social and family life. However, in the Southwest and South-South regions, despite significant Muslim populations, there is a conspicuous absence of such constitutionally backed *Shari'ah* courts. This legal vacuum has prompted the rise of informal Islamic dispute resolution mechanisms, such as Independent *Shari'ah* Arbitration Panels (ISAPs), Muslim mediation centres, and local Imams acting as arbiters (Odeniyi & Abdulsalam, 2025). These faith-based mechanisms operate outside the formal legal framework but are widely respected by Muslim communities seeking to resolve issues in accordance with Islamic values. In states like Ogun, Oyo, Lagos, Osun, and more recently Ekiti. These informal panels have evolved to address a variety of civil disputes, particularly marital, inheritance, and financial matters, offering affordable, accessible, and religiously consonant alternatives to the secular courts (Makinde, 2017). They rely on the consent of parties involved, drawing their legitimacy not from state legislation but from communal trust and religious authority. Although their decisions are not always enforceable by law, many parties voluntarily comply due to their moral and religious obligations (Ayinla-Edun, Adebayo & Olohungbebe, 2024). Despite their practical relevance, these panels face challenges such as lack of uniform procedures, limited legal recognition, and difficulty in handling complex or contentious cases. Nonetheless, their emergence underscores the continued relevance of Islamic legal traditions in the everyday lives of Yoruba Muslims, and the need for more inclusive legal reforms that accommodate Nigeria's pluralistic religious landscape.

### An Overview of *Shari'ah* Law Application in South-West Nigeria

The application of *Shari'ah* law in Nigeria dates back several centuries and was central to the governance and legal systems in various pre-colonial Islamic polities. Historical records affirm that the Kanem-Borno Empire had adopted Islam as the state religion as early as the 11th century CE, making *Shari'ah* the official legal framework in the region (Makinde, 2018). Similarly, the establishment of the Sokoto Caliphate under

Shaykh 'Uthmān b. Fūdī (Dan Fodio) in the early 19th century entrenched *Shari'ah* as the normative legal and ethical order, leading to the replacement of many indigenous customs in Hausaland with Islamic jurisprudence (Imam, 2005). This adoption of *Shari'ah* law also influenced parts of Yorubaland where Muslim rulers and communities began to implement elements of Islamic law in both formal and informal settings.

In the Yoruba-speaking regions of South-West Nigeria, the Mālikī School of Islamic law became dominant and significantly influenced the socio-legal fabric of society. Historical evidence indicates that several Yoruba Muslim kings, including Oba Abibu Olagunju of Ede (1855–1856) and Oba Oyelekan (1899–1924), actively practiced and institutionalized *Shari'ah*. Oba Oyelekan even established a *Shari'ah* court in Agbeni, where proceedings were documented in Arabic (Makinde, 2018). In Iwo, Oba Momodu Lamuye (1860–1906) supported a *Shari'ah* court within his palace and appointed a Qādi whose compound remains known as Ile Alikali (Qādi's house) to this day. Islamic legal texts such as the Qur'ān and the *Risālah* of Ibn Abī Zayd were used in adjudication (Makinde, 2018). These efforts reflect a rich legacy of *Shari'ah* application at local levels, demonstrating its organic integration into Yoruba-Muslim legal traditions.

Further evidence of this legacy is seen in the reign of Oba Aliyu Oyewole of Ikerun, who between 1795 and 1820 incorporated *Shari'ah* into palace adjudication and frequently held legal sessions in public areas near his palace (Raifu, 2016). In Lagos, *Shari'ah* gained prominence following the exile of Oba Kosoko to Epe in 1851, where he and his Muslim supporters transformed Epe into an Islamic city. Upon their return to Lagos, they reinforced the use of Islamic legal norms in matters such as *nikāh* (marriage), *talāq* (divorce), and *mi'rāth* (inheritance) (Ajetunmobi, 2017). However, the advent of British colonialism brought significant disruption. *Shari'ah* law was reduced to customary law under colonial policy, which limited its development and imposed European judicial values on Muslim communities (Oba, 2002). This reclassification served administrative convenience but stifled the autonomy and authenticity of Islamic law in the region.

Colonial legal restructuring resulted in judges with no Islamic training presiding over Muslim cases. Abdul-Rahmon (2001) notes that the refusal of successive South-Western governments to establish *Shari'ah* courts has contributed to the prevalence of broken Muslim homes in the region. A study by Noibi and Musa Abdul, as cited by Abdul-Rahmon, found that in over 4,000 annual divorce cases in Ibadan alone, 95% of the Muslim couples were separated through courts lacking Islamic legal authority. This indicates that many outcomes may have differed if *Shari'ah* had been properly applied, as it emphasizes reconciliation and structured mediation in marital disputes. These developments sparked several waves of activism for the restoration of Islamic legal systems in the South-West, especially following Nigeria's return to democratic governance in 1999.

Despite the absence of government-sanctioned *Shari'ah* courts in the South-West, Muslims in the region have consistently advocated for their constitutional rights to Islamic legal adjudication. Historical efforts date as far back as 1923 when Lagos Muslims protested a colonial court ruling in the Awazu Thomas case (Malik, 2001). By the 1970s and 1980s, organizations like the National Joint Muslim Organisations and the Muslim Students Society of Nigeria (MSSN) intensified demands for *Shari'ah* courts. Prominent figures such as Chief M.K.O. Abiola and religious leaders in the League of Imams and Alfas also joined the call (Makinde, 2017). These efforts intensified following the launch of full *Shari'ah* implementation in Zamfara in 1999, prompting South-West Muslim organizations such as NASFAT, NACOMYO, and TMC to mobilize public support through lectures and media campaigns (Makinde, 2017).

In response to these demands, Independent *Shari'ah* Arbitration Panels (ISAPs) were established in Oyo (2002), Lagos (2002), Osun (2006), and Ogun States. Though not formally recognized by the state, these panels serve as alternative dispute resolution forums for Muslims, particularly in matters of personal status like marriage, divorce, inheritance, and child custody. They apply Islamic legal principles and are tolerated as informal mechanisms for resolving disputes among consenting parties. While these panels cannot enforce decisions through the state judiciary, they reflect the resilience of Islamic legal consciousness and the enduring quest for legal pluralism among Yoruba Muslims in the face of historical marginalization (Makinde, 2017; Oba, 2002).

### The Growth and Development of Islam in Ogun State

Ogun State was established on February 3, 1976, under General Murtala Muhammed's regime as part of a broader national agenda to decentralize governance and improve administrative reach. Named after the Ogun River, the state was created from the former Western State and includes a diverse mix of Yoruba subgroups such as the Egba, Ijebu, Remo, Egbado (Yewa), and Awori (Ajayi, 2019; Falola & Akinyemi, 2016). With Abeokuta as its capital, the state's geography supports agriculture and industry, making it one of Nigeria's most economically dynamic regions. Historically, Ogun State's communities were organized around traditional monarchies before being integrated into colonial administrative frameworks, which brought Western education, legal systems, and missionary influence (Olukoju, 2001).

Since independence, Ogun State has played a pivotal role in Nigeria's political and intellectual history, being the home of notable national figures like Olusegun Obasanjo and Wole Soyinka. It has also invested heavily in tertiary education and economic diversification through manufacturing and agro-allied industries (Akinrinade, 2018). In recent years, Ogun has become one of Nigeria's fastest-developing states due to its proximity to Lagos and infrastructural reforms. However, the state still grapples with urbanization pressures and socio-environmental challenges. Despite this, Ogun continues to integrate its historical and cultural legacy with modern governance strategies to remain a central player in national development (Adebayo, 2021).

The growth and development of Islam in Ogun State is deeply rooted in the broader history of Islam in Yorubaland. Islam is believed to have entered the region through trans-Saharan trade routes and Muslim itinerant scholars as early as the 14th century, although it became more established in the 18th and 19th centuries through the activities of Muslim clerics and merchants (Clarke, 1982). In Ogun State, particularly in areas like Abeokuta, Ijebu-Ode, and Yewa, Islam spread significantly through the influence of returning Muslim slaves from the Americas and Islamic reformist movements such as the *Qādiriyya* and *Tijāniyya* Sufi orders. These groups contributed to the religious education and spiritual revivalism that defined early Islamic life in the region.

Abeokuta, the capital of Ogun State, played a central role in the early growth of Islam in the 19th century. The Egba Muslims were particularly instrumental in establishing Islamic institutions, mosques, and Arabic schools, often referred to as "*madāris*," where Islamic jurisprudence, Qur'anic memorization, and Arabic grammar were taught. The establishment of the Egba Muslim Community in the early 20th century helped formalise Islamic administration and coordinate religious activities among the Muslim population. Prominent Islamic scholars such as Alfa Nla of Abeokuta and Sheikh Yahya Alayande were influential in this phase of growth, contributing to the entrenchment of Islamic values in social, legal, and cultural spheres (Sodiq, 1992).

In addition to traditional Islamic learning, Ogun State witnessed the emergence of modern Islamic organizations and educational institutions in the 20th century. These include the Ansar-ud-Deen Society, Nawair-ud-Deen Society and Ahmadiyya Movement, which all established schools, hospitals, and mosques throughout the state. These organizations bridged the gap between Western education and Islamic values by promoting English literacy alongside religious instruction. As a result, Islam was no longer confined to religious rituals but became a major contributor to the socio-economic and intellectual life of Ogun State (Kenny, 1996). This dual educational approach laid the foundation for Muslim professionals who began to take active roles in the civil service, politics, and business sectors.

The post-independence era saw further consolidation of Islam in Ogun State through political participation, inter-religious dialogue, and infrastructural development. Muslim leaders in the state played active roles in advocating for religious rights, the inclusion of Shari'ah in civil matters, and the establishment of Islamic welfare organisations (Onapajo, 2020). Faith-based arbitration panels, such as the *Shari'ah* Arbitration Panel in Abeokuta and Sango-Ota, emerged to provide alternative dispute resolution rooted in Islamic legal and ethical principles. These institutions offered services in marital mediation, inheritance, and child custody, thus reinforcing the relevance of Islam to everyday life. This development reflects how Islam in Ogun State is not only a religious identity but also a framework for governance and conflict resolution.

Today, Islam in Ogun State continues to grow both in population and institutional presence. The state boasts of numerous secondary schools, Islamic universities and vocational training centres that serve

both Muslims and non-Muslims. The proliferation of Islamic NGOs, youth groups, and women's associations has enhanced community development and advocacy for social justice. Despite occasional inter-religious tensions, the coexistence between Muslims, Christians and Traditional worshipers in Ogun State has generally been peaceful, reflecting a mutual respect for religious pluralism (Falola & Akinyemi, 2016). The future of Islam in Ogun State looks promising as new generations of Muslims continue to integrate Islamic ethics with modern societal needs.

### **History, Scope and Operational System of Ogun State *Shari'ah* Arbitration Panel**

The Ogun State *Shari'ah* Arbitration Panel (SAP) was conceptualized and initiated by Mallam Abdul Qadr 'Uthman, Amir of the Centre for Islamic Propagation in Africa (CIPA), inspired by similar faith-based initiatives in Ibadan and Osun States which resolve disputes based on the Qur'an and Sunnah. Recognizing the need for a localized Islamic adjudicatory structure in Ogun State, Mallam Abdul Qadir initiated the process by inviting the Grand *Qādī* of Oyo State, *Shaykh* Ahmad Tiamiyy, in 2017 to educate Muslims on "The Application of *Shari'ah* in a Multi-Religious Society." This public lecture laid the ideological groundwork and helped garner communal awareness and acceptance of the proposal among both scholars and lay Muslims (Oloyede, 2024; Uthman, 2024).

Following the sensitization, Mallam Abdul Qadir partnered with Dr Khidir Mustapha Babatunde, Mudeer of Zulikha School of Arabic and Islamic Studies, who provided intellectual and logistic support. Together, they resolved to establish a state-wide committee that would include representatives from all four geo-political zones of Ogun State: Egba, Yewa, Ijebu, and Remo. They collaborated with scholars such as Imam Abdul Azeem and Ustadh Yusuf Oloyede, conducting visits to prominent Islamic leaders in each zone. These visits were instrumental in securing endorsements, including the allocation of Egba Central Mosque, Kobiti, Abeokuta, as the panel's official venue, approved by *Shaykh* Sadallah Bamgbola under the authority of the late Chief Imam of Egbaland, *Shaykh* Liadi Orunsolu (Musa, 2024).

After securing the necessary approvals, the committee was formally inaugurated, comprising Islamic scholars of high integrity such as Dr Khidir Mustapha, *Shaykh* Abdul Rasheed Mayaleke, Dr Afiz Musa, Dr Jimoh Owoyele, and others. The inaugural meeting was held on March 5, 2017, at the NAJOMO Da'wah Centre in Abeokuta. At this meeting, Brother Solih Amolegbe, the General Secretary of CIPA, formally introduced the committee's vision, while the Assistant Secretary briefed members on prior engagements with *Shari'ah* panels in Oyo and Lagos States. The attendees collectively deliberated on the structure, scope, and limitations of the arbitration panel, focusing on civil matters rather than criminal or capital cases.

During the discussions, *Shaykh* Abdul Rasheed Mayaleke highlighted past national attempts to institutionalize *Shari'ah*, noting setbacks due to public misconceptions and the discrediting of key figures. He outlined three essential questions: Who qualifies as judges? Who will submit their cases? And who will accept the rulings? Mallam Abdul Qadir emphasized that the panel would handle only civil disputes such as marital conflicts, inheritance, and community disagreements. Ustādh Owoyele suggested forming a smaller executive body for agility, supported by a broader advisory council. Consequently, a five-man technical committee was formed, headed by *Shaykh* Mayaleke and including Dr Afiz Musa, Imam Musa Badrudeen, Imam Abdul Lateef Muhammad Basheer and Mallam Abdul Qadr 'Uthman. The committee was, therefore, tasked with reaching out to chief Imams, gathering information from existing *Shari'ah* panels in other states, planning awareness campaigns, and developing sustainable funding mechanisms. After several planning meetings, the panel was officially inaugurated on January 21, 2018, at Egba Central Mosque. Since then, it has held regular sessions, resolving numerous disputes among Muslims across Ogun State. The panel expanded its competence by appointing two legal practitioners, Barrister Ibrahim Atanda and Barrister Saliu Ayinde Bakare, to provide legal guidance and strengthen the administrative process of arbitration and documentation (Uthman, 2024).

The panel's aims include sensitising Muslims on the necessity of living by the dictates of *Shari'ah*, organizing marital and organizational counselling, adjudicating civil disputes involving marriage, leadership, and inheritance, and ensuring strict compliance with judgments issued. It also assists in the application of Islamic inheritance law and fosters social harmony by peacefully resolving intra-community disputes. The panel further contributes to promoting Islamic legal literacy and ethical governance in

Muslim communities throughout Ogun State, serving as a trusted alternative to conventional courts for Muslims who prefer dispute resolution through Islamic principles (Oloyede, 2024).

The authorities of the Ogun State *Shari'ah* Arbitration Panel are distinguished scholars with profound academic and practical grounding in Islamic jurisprudence, Arabic studies, and legal systems. Leading the panel is Dr Khidir Mustapha Babatunde, an eminent scholar trained in Saudi Arabia with degrees from the Islamic University of Madinah and Umm al-Qura University in Makkah, where he earned his PhD in 'Aqīdah. He is the principal of Markaz Zulikha Abiola and currently serves as the Grand *Qādī* of the panel. Supporting him is Dr Afiz Oladimeji Musa Adeyemi, the Deputy Grand *Qādī*, who holds advanced degrees in *Shari'ah* and Islamic Civilization from institutions in Syria, Libya, and Malaysia, and directs the Insight Institute of Islamic and Technical Studies. Barrister Saliu Ayinde Bakare, trained in both *Shari'ah* and Common Law at the University of Ilorin and the Nigerian Law School, provides legal insight from his private law practice, further strengthening the panel's arbitration framework (Oloyede, 2024; Musa, 2024).

Other members also bring a wealth of experience and scholarship. Amir Abdul Qadir Uthman Olaolu combines a background in business administration with Islamic scholarship, holding a BA and MA in Islamic Studies from Al-Hikmah University and currently pursuing a PhD. He also lectures at Lagos State University and serves as the panel's administrator. Imam Abdul Razaq Abdul Azeez Jumah, the Chief Imam of Minaret Central Mosque, has studied at Zulikha Abiola School and holds degrees from Ahmadu Bello Institute and Olabisi Onabanjo University, with an MA in progress. Mallam Muhammad Yusuf Oloyede, a graduate of the University of Ilorin, is the panel's secretary and a proprietor of an Islamic school in Abeokuta. Collectively, these individuals are not only academically qualified but also respected community leaders committed to applying *Shari'ah* principles in resolving civil disputes among Muslims in Ogun State (Oloyede, 2024; Abdul Razaq, 2024).

The members of the *Shari'ah* Arbitration Panel serve on a part-time basis, balancing their professional and religious responsibilities with their commitment to faith-based dispute resolution. While some members are seasoned teachers in Arabic and Islamic institutions, others serve as Imams and community leaders in various mosques across Ogun State. Despite their demanding schedules, they demonstrate exceptional dedication by convening every fortnight on Thursdays to address and resolve cases brought before the Panel. Notably, these arbitrators render their services voluntarily, without any form of financial remuneration. Their unwavering commitment stems from a deep sense of religious duty and communal responsibility. This selfless service reflects the spirit of *Ikhlāṣ* (sincerity) and *Amānah* (trustworthiness) in Islamic ethics, as they strive to uphold justice and promote social harmony in accordance with the principles of *Shari'ah*. Their voluntary efforts not only reinforce the legitimacy of the Panel but also foster communal trust and respect for its decisions (Uthman, 2024; Musa, 2024).

### **Modus Operandi of the Panel**

At the initial stage, the Panel's operations began with a formal application process requiring plaintiffs to purchase a case form, One thousand naira (₦1,000), and, later increased to Two thousand naira (₦2,000). This form includes the plaintiff's personal information, a concise explanation of the case, and comprehensive details of the defendant. Once submitted, the Panel Secretary promptly issues a letter summoning the defendant and assumes responsibility for consistent reminders to ensure the defendant appears on the hearing date. Plaintiffs are given the right to choose between public or private hearings depending on the sensitivity of the case. In a public hearing, the session is conducted at the Kobiti Central Mosque, with both litigants present and community members allowed to witness the proceedings. This form of hearing promotes transparency and encourages communal adherence to Islamic legal practices. On the other hand, private hearing may be granted at the request of a plaintiff. These are held at secluded venues to ensure privacy and protect the dignity of those involved, especially in delicate cases like marital disputes or family issues (Oloyede, 2024; Mustapha, 2024).

According to Bakre (2024), the Panel sits weekly or biweekly, depending on caseload. On hearing days, the Secretary presents all scheduled cases in the order they were filed, typically handling three to four per sitting. Plaintiffs are first invited to lay their claims, followed by the defendant's response. If the defendant is absent, they are allowed to present their case at a later date. However, both litigants are

summoned to appear jointly in subsequent sittings for thorough cross-examination. Adjournments are granted when necessary to allow for fair and exhaustive deliberations. Similarly, witnesses play a critical role in the process and are invited to provide evidence or testify in support of either party. The Panel allows for claims, counter-claims, and witness testimonies before engaging in detailed cross-examinations to ascertain the truth. The judges rely heavily on the Qur'an, Hadith, and the rulings of classical Islamic scholars (*fuqahā'*) to guide their verdicts. All proceedings are conducted in Yoruba to ensure understanding, and judgments are delivered by the *Qādi* only after a consensus is reached among all panellists.

Unlike secular courts, judgments given by the Panel are not legally binding or enforceable through state mechanisms. However, litigants generally accept the rulings in good faith, believing they are based on divine law. Before judgments are issued, the *Qādi* usually delivers moral and religious admonitions, reminding both parties of the importance of submitting to Allah's commandments. This spiritual atmosphere enhances compliance and upholds the integrity of the Panel. Moreover, the physical setup of the Panel reflects Islamic decorum and order. Panellists sit at a front-facing table, while the two litigants are seated on designated chairs when called upon. The audience is seated according to gender, with males and females arranged separately. The public is reminded to remain silent, respectful, and not to engage in any form of recording. Occasionally, phones are required to be switched off to maintain the sanctity of the proceedings. In addition, all Panel services were rendered free of charge except for the application form. Over time, modest fees such as transportation charges for serving summons to defendants were introduced, to be paid by the plaintiff. The Panel also devised internal means of funding, including officiating *nikkāh* (marriage) ceremonies, issuing marriage certificates and increasing the form fee (Mustapha, 2024). These efforts helped sustain the Panel's activities without compromising its accessibility or religious integrity.

### **Jurisdiction of the Panel**

The jurisdiction of the Ogun State *Shari'ah* Arbitration Panel (SAP), according to Mustapha (2024), is limited strictly to civil matters, in accordance with Islamic legal tradition and the Nigerian legal framework. The Panel does not entertain criminal cases but focuses on issues that affect the social and familial well-being of Muslims within the community. These include disputes related to marriage, divorce, child custody, inheritance, monetary disagreements, family conflicts, mosque leadership or property disputes, and interpersonal or inter-community grievances among Muslims. The Panel's authority is moral and religious rather than legal, drawing its legitimacy from communal respect for Islamic law and the integrity of its members.

Notably, the majority of cases adjudicated by the Panel fall under the category of marital disputes, reflecting the central role of the institution of marriage in Muslim society and the frequency with which marital challenges arise. These often involve issues of neglect, domestic violence, failure to provide maintenance, incompatibility, or the process of divorce (*talāq*). In total, the Panel has adjudicated on 106 cases since its inception (Oloyede, 2024; Bakre, 2024). The case breakdown is as follows:

Table 1: Table showing numbers of cases adjudicated by the Panel

S/N	Types of Cases	Total Number	Status
1.	Marital Disputes	98	82 public 16 private
2.	Leadership Tussle	5	Public
3.	Monetary Dispute	2	Public
4.	Inheritance	1	Private
	Total	106	

Out of the total 120 cases submitted to the *Shari'ah* Arbitration Panel (SAP), 106 were successfully deliberated and resolved, while the remaining 14 were either voluntarily withdrawn or abandoned by the plaintiffs. In most cases, plaintiffs opted to settle their disputes at the family or community level, often influenced by cultural norms that emphasize internal resolution over public adjudication (Oloyede, 2024). This practice of informal settlement aligns with the traditional Islamic preference for *sulh* (amicable reconciliation), which is often encouraged before formal legal steps are taken (Al-Qaradawi, 1999). However, the inability of some plaintiffs to follow through with their cases also points to challenges such as legal illiteracy, fear of social stigma, or lack of resources, which inhibit access to religious arbitration systems (Sait & Lim, 2006).

The data further reveal that marital disputes overwhelmingly dominate the cases addressed by the Panel, accounting for 98 out of 106 resolved matters. This high volume reflects the growing concern about the state of marital stability within the community. According to Olowu (2013), marital conflicts in Nigerian Muslim societies have become increasingly common due to modern socio-economic pressures, erosion of traditional values, and weakened family structures. Islamic jurisprudence views marriage (*nikāh*) as a sacred contract that should be preserved through patience, dialogue and community mediation (Kamali, 2008). However, when the bonds of marriage are irreparably broken, Islamic law permits divorce as a last resort, provided it is conducted with justice and dignity (Qur'an 2:229). The SAP, therefore, serves an essential function in balancing these principles through structured yet faith-based dispute resolution.

Alarmingly, of the 98 marital cases decided, only 25 ended in reconciliation, while the remaining 71 resulted in the dissolution of marriage. This figure indicates a divorce rate of over 72% among cases brought before the Panel, underscoring a disturbing trend of marital breakdown. Studies by Adebayo (2017) have shown that financial hardship, poor communication, polygamy-related stress and religious misunderstandings are among the leading causes of divorce in southwestern Nigeria. From an Islamic legal standpoint, although divorce is permitted, it is considered the most disliked lawful act before God (*abghad al-halāl ilā Allāh aṭ-ṭalāq*) (Ibn Mājah, 1987). The high rate of separation suggests that many couples may not be accessing or benefiting from pre-marital counselling, Islamic marital education, or adequate community support systems before or during their marriages.

The implications of this trend are far-reaching. The breakdown of marriages has a significant impact not only on the couples involved but also on children, extended families, and the broader social fabric. According to Yusuf (2021), increased divorce rates correlate with higher incidences of child neglect, emotional trauma, and even youth delinquency in many Muslim communities. Islamic family law, as interpreted and implemented by panels such as SAP, thus plays a crucial role not only in dispute resolution but in social rehabilitation. This further validates the call for integrated support services, such as marital workshops, conflict resolution training, and pre-marital education that are grounded in both Islamic teachings and contemporary realities.

## Conclusion

This research has critically assessed the historical evolution, jurisdictional boundaries, operational mechanisms, and challenges facing the *Shari'ah* Arbitration Panel (SAP) in Ogun State. The results revealed that the panel plays a major role in resolving civil disputes, particularly marital, inheritance and financial cases, by relying on Islamic legal principles that resonate deeply with the Muslim community. While most cases involved marital conflicts, many resulted in divorce due to issues such as financial instability, poor communication, and a lack of understanding of Islamic marital duties. The panel's commitment to Islamic jurisprudence ensures culturally appropriate and morally grounded rulings, yet its lack of formal recognition hampered its broader effectiveness and enforcement capacity. Despite the challenge, the SAP remains a significant faith-based alternative to conventional courts, fostering peace and unity in the Muslim community. Sustaining and enhancing its impact will require legal acknowledgment and increased public awareness to further integrate its role into Nigeria's plural legal landscape.

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