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Sharī'ah court-annexed dispute resolution of three commonwealth countries - a literature review (Article)

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Abstract

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Purpose-The purpose of this study is to examine the legal framework for **court-annexed dispute resolution** in courts with **Sharī'ah** jurisdiction in Nigeria, Malaysia and Singapore. The major part of the study is dedicated to propose reforms in the administration of justice system in the courts with **Sharī'ah** jurisdiction in Nigeria and the relevance of such reforms to the ongoing reforms in the Middle East and North African (MENA) countries. **Design/methodology/approach**-This is an integrative **literature review**, which adopts a comparative approach in analyzing the conceptual framework of **amicable dispute resolution** in the modern world with particular reference to the **Sharī'ah court**. **Findings**-The findings of this research illustrate the adaptability of the practices in Malaysia and Singapore in the courts with **Sharī'ah** jurisdiction in Nigeria and the MENA region. **Practical implications**-An exposition of the **dispute resolution** processes in Islamic law reveals the relevance of these processes in modern reforms of the administration of justice system. The practical implications of this study include the streamlining of the rules and procedures of modern **Sharī'ah courts** in post-revolution Arab countries to allow for **court-annexed amicable (alternative) dispute resolution** initiatives. **Originality/value**-As far as it is known, this is the first conceptual study on the **court-annexed dispute resolution** frameworks of **Sharī'ah courts** in **three commonwealth** jurisdictions. © Emerald Group Publishing Limited.

Author keywords

Alternative **dispute resolution**; Malaysia; MENA countries; Nigeria; **Sharī'ah court**; Singapore

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