

LEGAL ANALYSIS OF RECONCILIATION IN
MATRIMONIAL DISPUTES UNDER THE LAW REFORM
(MARRIAGE & DIVORCE) ACT 1976 IN MALAYSIA

By

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The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

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ABSTRACT

Marriage is considered in almost every religions and customs as to be a sacred relationship between two persons, especially in the Malaysian community who holds dearly to the Eastern values. It is viewed as the basic core of the society since the product of a marriage would normally be children, and then form a small social group as a family. As sacred as it may be, the relationship formed between spouses through marriage however, is not absolute. The relationship is always vulnerable to marital conflict where if the spouses did not resolve the conflict between them, the conflict may lead to the undesirable result, which is the breakdown of marriage. As was mentioned previously, the society frowns upon the breakdown of marriage. Which is why, in order to prevent such event, should the spouses are unable to resolve their marital dispute on their own, and they may opt to undergo the process of reconciliation for assistance by third party to facilitate the marital dispute resolution. Thus, this research paper is aimed to study the law of reconciliation in regard to the matrimonial dispute resolution. The research would focus on the practice of reconciliation process in the divorce of between non-Muslim couple. Critical analysis of the divorce law and issues of reconciliation law in practice will be included in order to identify the loopholes or defect in law and its direction of study to recommend proposal of new provisions for improvement.

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