



Mukhtaras: Female Leaders in Tribal Justice

By Said Abdallah

Our setting is Gaza: here, a number of women have adopted the title *mukhtara* (literally, “the chosen one”), which denotes a social reconciliatory woman who engages to defend women’s rights and to contribute to social reform by resolving women’s disputes and conflicts. In an attempt to protect the social fabric of Palestinian society and in order to promote the safeguarding of civil peace and communal security, these *mukhtaras* deal with cases that involve women. These are generally cases that their male counterparts, the *mukhtars*, cannot undertake due to religious privacy reasons.

The preferred mechanism for solving family and societal issues in Gaza often consists of turning to influential community leaders for mediation. For Gazan women, however, resorting to mediation by male community leaders can interfere with issues of religious privacy. Since 2012, an increase in violence and injustice against women has precipitated the gradual emergence of *mukhtaras* as a way to support women in resolving disputes and conflicts.



Photo courtesy of UN Women.

of a challenging societal environment.

There are many cases in which the presence of a *mukhtara* becomes vital in order for a woman to feel the credibility and support of an influential community member who catalyzes her ability to discuss her problems freely with the aim of arriving at a solution. In addition, *mukhtaras* provide the appropriate interface to encourage women who are inhibited from sharing sensitive relationship issues with *mukhtaras*. *Mukhtaras* often work for free, having taken on their title and job voluntarily. Nevertheless, a *mukhtara* usually has a number of qualifications. Most *mukhtaras* are at least 35 years old. They are usually well received in society and possess a strong leadership character. Most importantly, a *mukhtara* must have good skills and qualifications in conflict management, arbitration, and mediation management. They develop their skills through training courses in arbitration, mediation, and alternative means to conflict resolution that allow them to gain a better understanding of Palestinian laws – those related to women’s rights, international conventions on women and humans rights, and the personal status law. *Mukhtaras* also gain many of their life skills, such as communication, time management, administration, debating, and awareness raising, through additional workshops and meetings.

The idea of *mukhtaras* was conceived in Gaza in 2012, when there was a notable increase in violence and injustice against women. Women were deprived of the basic rights that fall under the personal status law, such as those that relate to marriage, divorce, custody, alimony, *iddah*,¹ dowry, abandonment by the husband, *ta’leek*,² conflict and dispute over the gold dowry, access to economic rights, property inheritance, and personal rights, all of which are centered on and decided by the male patriarch (father, brother, husband). Some of the *mukhtaras* receive the title because of their lengthy historical engagement and the respect given to them by the community; others receive training through various institutions and emerged as part of the social reform committees that Gaza citizens trust and resort to when needed. The *mukhtara*’s main role is to maintain familial fabric by attempting to resolve and settle the respective issues within the family itself. As the basic building block of the broader society, the family unit is key, most particularly in the context



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The task shouldered by these women is essential to Gazan society, which has its own set of circumstances, namely occupation, siege, war, and increased unemployment and poverty rates. These circumstances prevent Gaza citizens from resorting to formal justice, out of fear that this might create a new array of problems that would loosen the familial-societal foundations and ties. This phenomenon impacts Gazan women in particular as they fear that resorting to formal justice providers may cause a rift within the family, which would impact their children. Women hence tend to resort to solving their problems through the intermediation of reconciliation committees and figures.

Success Stories

Um Majid Hassouna, a *mukhtara* who is 51 years old, has been mandated by the chief of police to resolve family and marital disputes that are received by the police. One of the women who received help stated: “I have lived a year of frustration and despair. But once I heard that there are *mukhtar*s, I talked to them about my problems. One of the women talked to my husband and convinced him to allow me to return home to my children after a year of being deprived of seeing them.” She added that her husband treats her differently now and that much has changed at home, further commenting: “Our society has an urgent need to make use of the *mukhtar*s.”

In another instance, a woman with three children had been abandoned by her husband for two years. The wife's parents refused to let her return home. Many reconciliation elders had tried to intervene in order to solve the problem, but without success. After a *mukhtara* intervened, the wife was returned to her family through mutual persuasion based on Islamic Sharia, and not long afterwards the reunited family was thriving with understanding and love.

Faten Harb, another *mukhtara*, explains, “Gazan society needs *mukhtar*s to be able to solve women's cases that are increasing under the present circumstances of siege and war. It is our duty to protect the social fabric, resolve family disputes, and promote community security.” And *Mukhtar* Abu-Sulaiman Al-Maghni adds, “Many cases have been turned over to *mukhtar*s with the request that they take the lead in solving the case. If we face certain types of challenge, women are called to help because solving the case eventually serves the public's best interest. We automatically resort to the community to cooperate in settling a private family dispute in which one party is a woman. This assures comfort while working, promotes civil peace, and gives the litigants more confidence.”

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This article was translated from the Arabic by Alice Yousef.

¹ Iddah: A period of time set by jurisprudence, which a woman must observe after the death of her husband or a divorce, during which she is not allowed to get married.

² Ta'leek: a case of not granting a woman divorce. Often, her need for the divorce is used as a tool to exert more pressure on her.