

Yemeni Women in the Judiciary

The Importance of Women in the Judicial System for the Pursuit of Justice

Women in Yemen's Judiciary: Active Feminism in Times of Conflict and Peace

WIDP

المجلة في التنمية والسلام

WOMEN IN DEVELOPMENT AND PEACE

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The First Female Judge in the Arabian Peninsula was Judge Hamida Zakaria from Aden Governorate

The appointment of the first Yemeni woman as a member of the Supreme Judicial Council took place in 2022



Women's Participation in the Judicial System Enhances the Principles of Justice and Equality

Women's involvement in the judiciary is a major challenge in a conservative society with strict customs and traditions. Yet, it is essential for promoting the principle of justice, equality and the effective participation of women in decision-making positions. This was confirmed by human rights activists, who considered the presence of women in the judicial system in Yemen a victory for women themselves and for society, restoring their dignity and fulfilling their desire to actively participate in the judicial and legal fields. Such participation may contribute to allowing women to go to these institutions with greater confidence and present their own issues and problems without being ashamed or afraid.

By: Afrah Ahmed
Women in Development and Peace

Reality and Law

According to Khaled Al-Nasser, a lawyer, "It is necessary to involve Yemeni women in the judicial and justice system

as a matter of fact, because this contributes to enhancing women's access to justice. Additionally, the experiences of female judges in their lives stimulate their awareness of some issues such as stereotypical perceptions and judicial reforms, especially since it is acknowledged at the institutional level that women in the legal

system constitute a change-factor towards creating a judicial system that is more sensitive to gender differences. Women in judicial institutions have the ability to identify stereotypical perceptions, attitudes and behaviors that cause problems, and to show how to address them."

He added that there is a distribution

of judicial positions within the authority, and Yemeni women have been assigned to investigate personal status issues due to their religious nature and to preserve privacy.

Women's participation in politics and the judiciary is a fundamental right and a powerful weapon to guarantee rights. It is also a prerequisite for advancing the rule of law and eliminating all forms of discrimination. Thus, strong, independent, and inclusive judicial systems around the world apply this system.

When assessing the situation of women in the judiciary from a legal perspective, Khalid stated "The participation of women in the judiciary in the Arab countries in general and Yemen in particular is considered limited, although the

participation of women in public life is an essential element of gender equality." According to the Universal Declaration of Human Rights, the International Covenant on Civil, Political and Cultural Rights, the political rights of women, and the Yemeni Constitution, provisions related to women's participation in public are considered to be on an equal basis with those relating to men.

Khaled referred to the role of women in the judiciary through their representation in the judiciary in their capacity as judges and members of the prosecution. When comparing between the past and the present, he emphasized that the percentage of women's presence is low. In 2004, the percentage of women's representation in the judiciary was *continuepage2*

Women's Participation in the Judicial System Enhances the Principles of Justice and Equality

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1.7%, and currently the percentage of women's representation in the judiciary is only 5%.

General Statistics

According to a report issued by the United Nations on the occasion of the International Day of Women Judges on March 10, women represented 40% of judges in 2017; that is, an increase of 35% from 2008. In some European countries, the number of female judges exceeds the number of male judges or investigative judges. However, women represent 41% of the judges in the national supreme courts, and only 25% of the heads of the courts.

Women in the Judiciary

Abeer Al-Qubati, a lawyer, stated in the context of the general discussion about the participation of women in the judiciary, "A judicial system has been established to adjudicate people's issues, arbitrate

among themselves, and resolve disputes in general. Therefore, since this function has only ever been reserved for men and not for women, women must have a clear and prominent role in this system."

Al-Qubati explained that there are family disputes that necessitate the presence of women, because there are sensitive issues related to family as well as other issues and disputes.

Women & the Judiciary in Society

Regarding the importance to society of women's presence in the judiciary, Al-Qubati believes that it is necessary for women to have an effective role in society and in any sector, whether private or public. This is because their presence is essential; as teachers who develop critical thinking skills in future generations, doctors who treat patients, lawyers who support and reveal the truth, and other professions in which women have an effective role.

She stressed that a society without the

presence of active women in it is not considered a home, especially at the present time, since women have excelled in all fields in which they worked, including the judiciary. This is because they had an active role in it, even if it was in small proportions, based on their presence, to the extent that some of the female attorneys and judges performed better than men.

Worthy of Work

The importance of women's presence in the judiciary and the justice apparatus in society, facilities and institutions, as well as its importance for the women themselves was also mentioned. In this regard, the lawyer Hayel Al-Hilali said, "it has become very important for women to be present in the judicial system, especially since women have unique features that make them better than men, such as order, discipline and accuracy in work."

Al-Hilali added that women's scientific capabilities have surpassed men's in many

fields, and it is now necessary for women to be present in all sectors, just like it is for males, including the judicial authority as judges, prosecutors, administrators, and in judicial oversight and inspection.

Al-Hilali also stressed that the past years witnessed a very small presence of women in the judicial system. However, the limited number of women judges who were appointed to the judiciary, with the rank of judge and member of the prosecution, proved that they are worthy of their positions. They also proved that they are competent and have integrity and the ability to resolve some issues, in addition to applying the law in a remarkable manner. This is what constituted a conviction among the public to believe that women ought to be present in the judiciary.

According to Mujiba Al-Shamiri, a journalist, the presence of women in the judiciary, in particular, indicates that there is hope for those who want to resort to the judiciary,

especially women, to achieve justice. This is in order to prove their presence and participate in the decision-making process, and this confirms that the presence of women in the judiciary is very important.

She added that since women face some cultural, social and family influences in society, any woman has the right to participate in the judiciary and have an effective role in it in order to achieve justice. The presence of women in the judiciary will also include a kind of neutrality and equality between both sexes to facilitate the work of the justice system.

The presence of women in the judicial system is thought to be crucial for achieving meaningful participation on behalf of women and for acknowledging the leadership roles and contributions of women in finding solutions, resolving conflicts, and making decisions to establish peace at the personal level before the social level. Hence, there will be true gender equality in these settings.

Historical Overview on Women's Involvement in the Judiciary

A significant historical controversy over women's participation in the justice system has developed with the development of the social system based on tribes and clans, the government, and the development taking place in organizational institutions and authorities, both past and present, including the judiciary. It has additionally evolved due to the development of the systems of customs, traditions, and religious contexts that have influenced it in one way or another.

By: **Afrah Ahmed**
Women in Development and Peace

In the context of discussing women's participation in the judiciary, both in the past and the present, it is necessary to discuss the historical development of the judicial system, and the role of women in this system.

In the Pre-Islamic Era

Hebah Abdulmaqsood Morsi, an Assistant Professor in the Department of History at Ain Shams University, wrote in a research entitled "The Judicial System among the Arabs Before Islam." She stated, "The Arabs in the Arabian Peninsula were not a group with its own independent entity; rather, they were a nation without a limited land, and without authority except the authority of tribal chiefs. Each tribe had its own customs and traditions that may differ from the customs and traditions of other tribes and may agree with them in many or few ways. Therefore, the disputing Arabs used to sue one another to the sheikh of the tribe or to soothsayers who represented authority and governance."

Although the pre-Islamic era saw the development of the judicial system, it was a primitive and rickety system that did not exist in the modern sense, because there was no obligation for the people to resort to these rulers except when it is necessary to resolve their problems and disputes. The ruler is only a person chosen for his wisdom and ability to resolve the dispute, and the disputants have the right to accept or reject what the ruler decides, except in one case, which is the rebellion against the ruling of the sheikh of the tribe. In this case, the rebel is exposed to the wrath of the tribe's members, so they refuse to protect him, leading him to be expelled and calling him a "Khalie"- the expelled person. Moreover, there was no law, so they depended on the law

established by customs and traditions. Therefore, many negative phenomena prevailed among them, such as revenge, clan battles, and assaulting the perpetrator's tribe without holding the offender accountable.

"Arbitration among Arabs during Jahiliyyah (pre-Islamic era) was not limited to men only, but they also resorted to some women who demonstrated superiority in understanding, intelligence, and sound judgement in rulings. Among the women who became famous as judges in the pre-Islamic era were Sahar bint Luqman, Juma bint Habis Al-Ayadi, Jutham bint Al-Rayyan, and others," Morsi added.

According to Morsi, the notions of justice and injustice in the pre-Islamic era changed into diverse and contradicting imagery and meanings. In addition, there was a tendency for the strongest to make judgments, an influence of bribery in most cases, and a prevalence of injustice. Among the examples of injustice during Jahiliyyah is the deprivation of women, children and the elderly from inheritance due to their weakness and their inability to hold weapons and defend themselves or to take away their rights by force.

Despite the emergence of a few examples that represent the role of women in the judiciary in the pre-Islamic era, the vast majority of women in this era suffered a lot from social injustice by depriving them of inheritance, as indicated by Morsi. In addition, they were considered as belongings that are inherited, such as money and possessions. There was also pessimism surrounding them at their birth, which exposed many of them to female infanticide (by burying them alive) immediately after their birth.

In the Islamic Era

After the emergence of Islam, the judicial system developed significantly, and the values of justice and

equality were manifested. Additionally, laws and rulings were made clear within the framework of divine law and legislation brought by our noble Messenger. Accordingly, a set of principles, values, and good ethics emerged, in addition to the provisions of inheritance, hudud (limits), penalties, etc. The women also found themselves in the most significant historical turning points in their life, because they moved from an ignorant society that deprived them of their most basic rights and restricted their freedoms, to a society that preserved their dignity and rights. Thus, women enjoyed many rights just like men.

Since the Prophet's era, the gradual development of the judicial system has been aided by the growth of the Islamic state through its historical stations, passing through the era of the Rightly Guided Caliphates, then the Umayyad and Abbasid states, and others. This is due to the fact that the Arabs transformed from mere separate tribes governed by customs and traditions to a large state and empire governed by heavenly values, rulings and legislation, and from mere societies framed by nomadism to a single society based on civilization. This inevitably necessitates the development of the patterns of governance, the judiciary and the justice system in it.

In his book entitled "History of the Judiciary in Islam," Professor, Muhammad Al-Zuhaili, stated, "The Messenger of God, Muhammad, peace be upon him, was the first judge in the Islamic state, and the first judge in the history of Islam. He was regarded as the foremost authority to consult when resolving conflicts inside and between groups and sects in Medina society, because he was commanded by God Almighty to rule and settle disputes, and he was assigned to undertake this task according to the agreement among them. Therefore, he practically exercised this function, adjudicated disputes, and adjudicated numerous lawsuits, as well as disputes regarding penalties, money, hudud, rights, transactions and personal status, debts, lands, real estate, and inheritances."

Readers of Prof. Dr. Muhammad Al-Zuhaili's book will learn from his summary that the Messenger, peace be upon him, appointed a number of judges everywhere he went. He sent a number of them to the regions, and he entrusted the governors with carrying out the work of the judiciary and adjudicating disputes.

As a result, the situation persisted

under the Rightly Guided Caliphate's rule and the Islamic State's growth. Despite the emergence of numerous developments in the field of judicial specialization during the era of the Umayyads and Abbasids, as well as the emergence of the so-called (Chief of Judges), whose authority is to appoint and dismiss judges in cities, etc., the situation remained the same.

Regarding the participation of women in the judicial authority in the Islamic era, we find that their participation in the judiciary does not exist. However, much evidence shows that women's indirect involvement in the judiciary was limited to pleadings, consultation, and taking opinion from them in many cases. In his caliphate, Umar Ibn Al-Khattab appointed Al-Shifa' bint Abdullah Al-Qurashi as judge for the marketplace.

Jurisprudential Doctrines and the Judiciary of Women

Muhammad Anas Sarmini, a researcher, claims in his study, which was published in the Journal of Islamic Studies at Istanbul University, "Women's Eligibility for Testimony and Judiciary in Penalties", that one of the things about which the fuqaha' (Islamic jurists) differed was the ruling on women becoming judges. The majority of scholars from the Maliki, Shafi'i, Hanbali, and a few from the Hanafi schools of thought are of the view that it is not permissible for women to be appointed judges and that their rulings are not enforceable at all. On the other hand, the Hanafi school of thought has two views on the subject. The first is that women are not allowed to hold any positions in the judiciary at all. However, if they are appointed by the Sultan, then the sin is on the Sultan, and their rulings were implemented in matters in which it is permissible to testify, that is, in matters other than punishments and felonies. Regarding the other view made by some Hanafis, they argued it was permissible, and they said that their rulings are enforceable in matters other than the hudud.

In addition to the opinions of the majority of jurists and the Hanafis, there is a third viewpoint. This viewpoint is held by some jurists and their adherents, such as Al-Hassan Al-Basri, Ibn Al-Qasim, and Ibn Hazm, who allowed the woman to judge without restrictions. They base this on the legitimacy of a woman serving as a mufti and the fact that Al-Shifa bint Abdullah took over control of the market

during the reign of Omar Ibn Al-Khattab, Sarmini continued.

According to these views, the participation of women varied in the era of states as well as in our present time due to the prevailing doctrine within the scope of Arab and Islamic countries.

Women's Participation in the Judiciary System in the Modern Era

Regarding the representation of women in judicial institutions, there are still significant differences among the Arab countries. While there has been a modest growth in the number of female judges in other nations, including the Gulf states with the exception of Bahrain, there has been a large increase in the number of female judges in countries like Jordan, Tunisia, Algeria, Palestine, and Lebanon. Regarding Somalia and Oman, no female judge has been appointed in the judiciary, and the presence of women in the judiciary is still a secondary interest in most Arab countries.

According to a study issued by the United Nations Economic and Social Commission for Western Asia (ESCWA) in 2019, entitled "Women in the Judiciary in the Arab Countries: Removing Barriers, Increasing Numbers", Lebanon is the largest Arab country in which women work in the judiciary and public prosecution at a rate of (49.3%). Then, Tunisia with a rate of (43.1%), and Algeria with a rate of (42%). Whereas the percentage of women's participation in some Arab countries decreased to less than (2%), such as Yemen with (1.8%), Qatar with (1%), and Saudi Arabia with (<1%). However, some Arab countries did not appoint any women in the judiciary, such as Oman, Somalia and Kuwait.

In Yemen, the female Yemeni judge entered the field of law with a clear vision and deliberate actions because she was able to advance through the ranks of positions in the judiciary, beginning with work in the prosecution and appeals and ending at the Supreme Court.

There are women who have recently assumed positions in the judiciary, including Judge Samia Mahdi, as the first member of the Supreme Court to hold this position, followed by Judge Sabah Al-Alwani, who assumed the position of the first Yemeni woman in the Supreme Judicial Council recently on August 8, 2022. Currently, there are 39 female judges in the judiciary in the courts of appeal and first instance.

The Role of Education in Empowering Women in Judicial Institutions

Although the gender gap narrows in various countries around the world, in Yemen, it often widens to the point of complete disconnect. In the public sectors, the situation is worse, since it reaches the level of social stigma and being a disgrace. This is due to the fact that the participation of women in certain fields is seen as a social defect, so they are exposed to bullying by all individuals in the society.

By: Hebah Mohammed
Women in Development and Peace

Education in all of its forms is key to promoting societal openness and achieving social justice and equality. Moreover, educational institutions are the basis for empowering women and pushing them towards development, creating real job opportunities for them, and involving them in the judicial authorities, public prosecution, and trial courts, among others.

The Role of Education in Empowering Women in the Judicial System

In order to integrate women into all governmental institutions, systems, and the judicial system, they must have the competence and skills that enable them to achieve development. This cannot be achieved without education, because development and education are interrelated and a means of empowering women in the legal system.

Mr. Abdul Hakim Moqbel, Director General of the Culture Bureau in Ibb Governorate, commented on the status of education in Yemen and its contribution to empowering women in the legal system. He said, "Education in Yemen suffers from many imbalances that prevent it from playing its typical role of advancing Yemeni women and empowering them in all spheres of life. However, we are experiencing today a significant decline in education as well as the spread of ignorance and illiteracy in different regions of Yemen. The reason may be the conflict that destroyed all education plans aimed at combating the phenomenon of societal discrimination and empowering women in decision-making positions, including the judicial system."

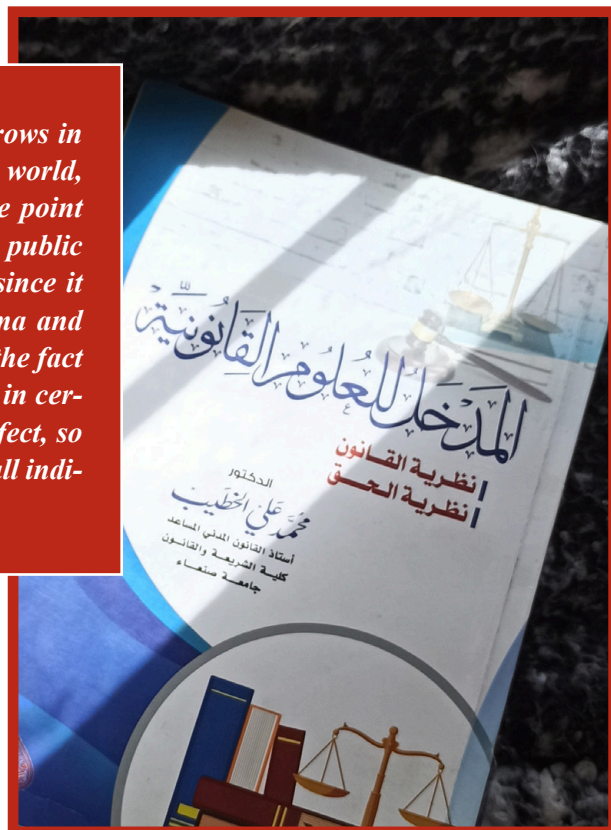
Regarding the roles of the Ministry of Higher Education in empowering women in the judicial system, Moqbel asserted that the Ministry of Higher Education has no tangible interest in advancing women's education. It is content with simply accepting girls at public universities and has no desire to pay them any attention.

According to Jawad Al-Nabhi, a legal advisor, "The Ministry of Education has no role in empowering women in the judicial system. Rather, society, heads of families and civil society organizations play the most part in advancing the status of women in all fields. Moreover, the Ministry of Education, at the present time, is unable to provide curricula for students in all public schools, and it requires monthly fees from students in public schools and universities, which deprives many girls of education due to the economic situation."

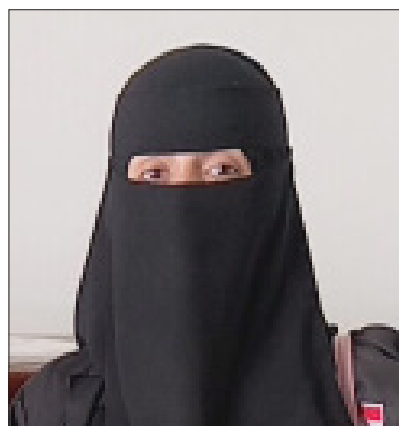
Regarding the extent of the presence of institutes and universities that facilitate women's enrollment in the judicial system, Burhan Mansour, a Supreme Court lawyer said, "Sharia and law colleges and institutes are only present in a few governorates; however, the enrollment rate for women is low. Moreover, rural women are deprived of higher education because of societal customs and traditions, as well as material conditions." He stressed that the Ministry of Education and Higher Education has no role in educating the public about the importance of involving women in legal education. It did not present any awareness initiative targeting the community for the empowerment of women. Additionally, it did not offer any incentives, facilities, or advantages to encourage women to be enrolled in higher education.

The Culture of Raising Awareness

According to Siham Al-Khobani, a lawyer, "The educational process, represented by schools and universities, plays an important role in empowering women in all fields. Those in charge of it are responsible for spreading



lawyer / Adel Al-Duais



lawyer / Siham Al-Khobani

a culture of hope and awareness-raising to motivate girls at all levels of education, from primary and secondary to universities. Women lack nothing to be like their male counterparts, and they have the right to hold leadership positions in all fields, not just in the judicial sector."

"Comprehensive efforts from all societal agencies are needed to spread awareness of the importance of women's participation in the judicial system. This awareness begins at home with the family, then extends to schools, sermons in mosques and speeches in universities regarding the need to treat women with respect, provide them with help, and respect their aspirations so that they can achieve development and advance the country economically and politically."

Al-Khobani emphasized the need for society to educate girls and spread a comprehensive community awareness culture that aims to eradicate the inferior perception of women as being unfit to hold leadership positions. Thus, the government and society must work together to combat that backward mindset.

The Higher Institute for the Judiciary and the Empowerment of Women

Institutes and universities specializing in the empowerment of women in the field of Sharia and law have spread in a limited number of Yemeni governorates, and many students of both genders have enrolled in them. However, the problem of determining a percentage of seats for women in the Higher Institute for the Judiciary is almost non-existent, despite its efforts to provide training for male and female entrants.

Adel Al-Duais, a judge working in the judicial inspection of the judiciary, explained, "The Higher Institute for the Judiciary seeks to qualify students with a legal education so that judges can carry out their duties effectively. This can be achieved through providing educational curricula, which include Sharia, jurisprudence, legal, and judicial studies during the years of study, as well as practical application in courts and prosecution offices."

He emphasized that the decision to allow female students to join the Higher Judicial Institute will enhance the role of women in the judiciary. It will also be considered clear evidence that the Supreme Judicial Council views women equal-

ly with men and encourages many girls to work wholeheartedly to perform their duties in the various courts and prosecution offices. He pointed out that Yemen ranks sixth among Arab countries in terms of the proportion of women who work in the legal system.

Efficiency and Eligibility

Al-Duais, pointed out that the reason for the low enrollment proportion of female students at the Higher Institute for the Judiciary is due to the lack of competence and eligibility. There are no obstacles preventing them from applying for the admission exams other than their ability to face challenges and take responsibility. There are a number of female applicants who have the qualifications that enable them to pass the oral and written exams, so they are accepted directly. However, there are also a number of applicants who do not have the qualifications that enable them to be accepted in this position. Therefore, I do not think that there is any exclusion of women.

Al-Duais asserted that if women have the required competence, courage, and the ability to ensure justice for the oppressed and issue of correct judgments in the cases presented, then we would undoubtedly stand by them and support them in their work. This is due to the fact that women are partners with men in all economic, social and political fields.

Nadia Abdulwahed Saeed, a lawyer, explained that the universities and colleges offering law programs are not enough. In addition, the Higher Institute for the Judiciary in Sana'a and do not produce the sufficient number of qualified graduates who could meet the country's need for judicial cadres. Therefore, there must be branches of it in universities and institutes in all governorates, so that women can enroll in them easily without any obstacles. This is due to the fact that society does not accept women's enrollment in any of the law schools outside the governorate in which they live.

On the other hand, the legal advisor, Jawad Al-Nabhi, believes that there are restrictions in the institutes and universities in which the judicial system is taught, represented in the lack of equality and depriving girls of obtaining their rights of being enrolled in the Higher Institute for the Judiciary or studying law. Additionally, there is no facilitation for

women, even for the applicants to the Higher Institute of the Judiciary. This is due to the fact that they travel long distances from all parts of the Republic, which costs them a lot, including, the high registration fees and the difficulty of obtaining housing while students wait to take admissions exams, in addition to the high housing costs. Then, we find that the names of many female applicants are not among the accepted ones. Accordingly, we find no facilitation and support provided by the competent authorities to support women, and we did not see anything worth mentioning.

The Inferior View of Women's Education

The enrollment rate of girls in education has declined significantly since the beginning of the conflict due to the economic and social conditions that resulted from it. The situation was worsened by the society's poor perception of women and the restriction of their roles to the home and raising children, especially in rural areas where the proportion of women is high, and prevent them from continuing education, or joining colleges and institutes specialized in Sharia and law.

Siham Al-Khobani, a lawyer, said, "There are thousands of girls who have become more hardened by circumstances and society because of its inferior view towards women who step outside traditional roles to learn and choose a specialization through which they can participate in decision-making positions and in the justice agencies." Yemeni society, to this day, still fights Yemeni women who are successful in their work and prevents them from joining the faculties of law and the Higher Institute for the Judiciary, because it contradicts societal norms and traditions. This backward view is deeply rooted in society due to the spread of ignorance and illiteracy as well as the conflict in Yemen.

Al-Khobani confirmed that she joined the Faculty of Sharia and Law under difficult circumstances, and that despite her father's approval, she has met opposition from her relatives. Moreover, she faced many problems from both her male and female relatives. The reason for that is that they believe women are not fit to be lawyers in courts and prosecution offices. She pointed out that the people in her society tried repeatedly to convince her father to reject her enrollment to the legal field, because she is a female and that by doing so, she contradicted their norms. However, he did not accept all these societal pressures.

Al-Khobani believes that Yemeni people fail to recognize the urgent need for women lawyers today. Women need advocates who can encourage them to assert their grievances and forgotten causes to a woman like them without hesitation or shame. In addition, the presence of female judges in the courts enhances the possibility of women resorting to the judiciary to deter injustice against them, establish justice, strengthen legal systems and develop the judicial system.

It is impossible for any country to progress without strong educational institutions that help in attaining this, raising the cultural and intellectual level of its citizens, and involving the most affected groups, such as women, in development programs. Therefore, there is no point in looking for another way to empower women in various fields without paying attention to education.

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Our Vision

A society that believes in the importance of women in establishing peace and raises their public awareness. Therefore, they become able to participate in all areas of building and developing the society.

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The Judge is a Woman..

The Result of a Long Struggle for Women's Participation in Judicial Institutions

All conclusive evidence and events confirm that the participation of women in the judiciary helps in the establishment of independent judicial institutions. These institutions take into account the principle of equality between men and women and achieve gender justice in society since social balance results in sound and balanced decisions.

By: **Hebah Mohammed**
Women in Development and Peace

Women's participation in the judiciary is considered by many countries around the world a developmental and necessary goal that has many positive effects. However, there must be some basic requirements to enhance the role of women in order for them to participate properly in the judiciary.

Basic Requirements for Women's Participation in the Judiciary

Despite women's current poor and insufficient participation in the judiciary, the events demonstrate the success of Yemeni women in many decision-making positions. In order for women to have access to all the different judicial institutions, basic pillars must be in place to provide a suitable environment for women's equal participation in the judiciary easily.

In this regard, lawyer Ishraq Al-Haj, indicated that the main problem is the competent authorities' real recognition of the need to involve women in all judicial authorities without discrimination.

Al-Haj pointed out that Yemeni women need rehabilitation and empowerment in the legal field. They should be given all the facilities to join the Higher Judicial Institute without obstacles or exceptions. A sufficient period of time should also be given to Yemeni women to prove their success or failure, just like men.

"Although there are a number of qualified judges who have the ability to assume the judiciary, some are not qualified. However, the competent authorities allowed them to work in the judicial authority to practice the profession," she added.

In addition, human rights activist Ishraq Al-Sabri stressed the need for state authorities to push and encourage Yemeni women and raise their job positions they now occupy, in application of laws and regulations that stipulate equality and equal opportunities between men and women.

According to Al-Sabri, there is no problem with the laws protecting women and their rights. The problem lies in implementing these regulations in a patriarchal society that does not accept equality between men and women in all fields, including the judicial authority. Decision makers are convinced that men control these jobs due to the lack of effort by government agencies, which regulate judicial work, to support women and educate society to get rid of the culture of discrimination and exclusion among its members. Therefore, the state must take steps to open all fields and specializations for the participation of women in all judicial authorities in accordance with the required standards and qualifications.

Promising Opportunities

The human rights activist and lawyer Walid Al-Kathiri considers the limited enrollment of Yemeni women in the judiciary in some governorates as a positive indicator. This is an opportunity for women to prove their eligibility to hold high positions in the Judicial Council. It is also an oppor-



The key requirements for women's participation in the judiciary include real political will, qualification, and equal opportunities.

tunity for laws and legislation to allow female students to join the Higher Institute for the Judiciary, which did not make males a condition for joining. This is one way for female students to join the institute, from which many female judges graduated and now work in some courts.

Al-Kathiri pointed out that Yemeni women have achieved a greater presence in the legal profession compared to the judiciary. He explained that a large number of Yemeni women are practicing law, which is part of the judiciary, since lawyers support and help the judiciary in accordance with the law of the local authority.

"Women Judges": the result of a long struggle

Having proven successful in many positions in the state, Yemeni women have long struggled to seize the reins of power in the courts.

The lawyer Nawal Al-Raimi, said, "the accession of women to high positions in the Judicial Council, which is monopolized by Yemeni men of

"Some argue that the judiciary needs strength and firmness. If the judge is merciful, which is a quality inherent to women, it will affect the rights and lives of people. Nevertheless, a number of women ended this male monopoly on the positions of state authorities. In 2022, the first Yemeni woman was appointed as a member of the Supreme Judicial Council, which is considered the highest hierarchy of the judicial authority," she added.

Al-Raimi believes that this appointment is a result of a long struggle and continuous requests in the courts and prosecution offices that lasted for more than ten years. She has proven her competence and ability to work efficiently and professionally. She was able to adjudicate all kinds of cases, whether civil, penal, criminal, or other kind of case.

Al-Raimi and her colleagues hope that there will be similar appointments to include women in all judicial institutions in the coming years. They also wish to provide them with opportunities to assume the presidency of courts and prosecutions of first instance and appeals courts, the Supreme Court, and judicial inspection.

Significant Steps

Some specialists in the judicial system propose necessary steps to help Yemeni women work in the judiciary. Walid Al-Kathiri pointed out the need for a real political will for this. An equal number of females and males should be allocated in classrooms in order to distribute them in the field to work mainly in the personal money cases and courts, and to make those jobs exclusive to them.

Al-Kathiri asserts that society will accept women's participation in judiciary if they can prove their competence and ability to work. Then, women will impose their entitlement to expand judicial work in civil, commercial, and labor courts. According to him, there are two important factors: genuine political will and women's inherent determination, which together can achieve progress and advancement for women within the judicial system.

The lawyer, Siham Al-Khobani, suggests that the competent authorities develop radical solutions to eliminate all forms of discrimination against women. Such discrimination hinders women from participating in development and integrating them into state agencies, including the judiciary. She also recommends the implementation of the Human Rights Charter, which helps alleviate the exclusion of women in the judiciary.

Al-Khobani also calls for the activation of women's rights stipulated in the constitution, laws and legislation, and the implementation of those laws, especially those that enhance women's roles in establishing justice and work rights in the judiciary. She advises to overcome the legal obstacles that prevent women from occupying job opportunities by developing legislation related to women's work, so that they can join any job under the specified conditions, just like men.

In addition, the social researcher Dr. Amin Al-Khayyat stresses that the participation of women in the judiciary and its affiliated bodies is a fundamental issue. Society members in general and men in particular must be made aware of the importance of this in raising the country's level of economic, social and cultural development. Women's organizations must coordinate and cooperate with each other to advocate for women's issues and put pressure on the competent authorities to involve women in the judicial system and achieve the principle of equal opportunities for men and women.

The lawyer Borhan Mansour believes that the administrative, legal and material barriers prevent women from participating in the judicial system. She also stresses that overcoming these obstacles will enhance women's wider participation in decision-making positions.

For decades, Yemeni women have been fighting to regain their rights, which have been unlawfully reduced due to society's narrow-mind. Today, they are still fighting to obtain all their constitutional rights. Despite their recent setback, they have become stronger and more cohesive to reject marginalization, exclusion and discrimination, overcoming all economic and social obstacles and the deteriorating living conditions.



Lawyer Walid Al-Kathiri

some families, gives a dose of hope. Despite all the justifications and logical motives that impose women's participation in the judicial profession, society does not accept women's participation in the judiciary.

Despite Challenges, Yemeni Women in the Police Force Are a Beacon of Hope

Asmahan Ali (pseudonym) has dreamed and planned to join the women's police since childhood, but her brothers have opposed her lifelong dream. She said bitterly, "I have often imagined myself in military uniform running missions to establish security and order. All I have dreamed of will not be erased from my mind as long as I live. Girls and women should realize that some of their desires and dreams will not be fulfilled as long as they live in a male-dominated society."

By: Yasmine Abdulafeez
 Women in Development and Peace

Asmahan added, "after I joined a department different than the one I aspired to, I realized that if a woman wants to achieve a goal, she must fight for it. It is not easy to give up one's own ambitions and succumb to other's desires and what they see fit for you."

Asmahan said that her dream of becoming a prestigious policewoman in a society dominated by customs and traditions did not come true. However, she will not give up on achieving the dream of her daughters, Samah and Afra'a, to become policewomen, as long as they aspire to do so.

According to activists, the first batch of policewomen graduated in 2002. Since then, many policewomen have appeared in various facilities such as universities, hospitals, airports, venues for women's events, schools, shops, and electoral districts in order to enforce the law and secure and organize various events and festivals in which women participate.

The emergence of the names of several women in the police force - albeit few - is a source of joy for many women in Yemen. This is for two reasons: the first relates to women's constant calls for their empowerment in various fields and the need for their presence in all state institutions without exception; the other reason is that the presence of women in police stations will encourage many families and guardians to let their girls and women enter these facilities and take their rights by their own. They will not have to worry about tribal customs and traditions, because women deal only with women, not men, in these institutions.

Others believe that the urgent need for women in the police is due to several factors, including securing women in various facilities because of the spread of crimes committed by males disguised in women's clothing. This requires the inspection of women in some places, and thus the presence of women under the military police is highly important.

Society's General View

Samah Abdo told the story of her sister who was abandoned by her fiancé after she decided to join the women's police force. She said, "as soon as he heard of my sister's desire to join the police force, my sister's fiancé's father came to meet my father and told him that he refused to let his son marry a policewoman who works in a profes-



sion specific to men. His said his relatives would mock him and his son, as this occupation is exclusive to men. My father had no choice but to tell him that my sister insisted on joining the military police next year, so her engagement was broken off."

Samah said, "my sister has aspired since her childhood to be a policewoman serving the country and people. When my sister graduated from high school, she forced my brothers to agree, even though they refused when she told them of her desire to join the military police. However, her insistence and unlimited ambition prompted them to accept."

Afaf Noman, a human rights activist, said that the presence of Yemeni women in police stations is an urgent necessity, given that very often, some of the cases that reach some police stations have to do with women who find no women to help them there.

Afaf Noman believes that society views women's work in policing as a violation of the prevailing customs and traditions in our Yemeni society, which unfortunately is dominated by a masculine view. Despite this, there are those who encourage, support, and advocate for Yemeni women to reach some positions that were previously reserved for men only.

For her part, Sahar Ali Mohammed Abdulaziz, the head of the Investigations Department in Civil Status, Public Administration in Taiz, said that society's view is limited towards women working in the police or the military in general. She said, "when the security director decided that policewomen should assume the positions of deputy departments, there were voices opposing this decision from society itself and mosque preachers, and there was a media uproar, which led to the amendment of this decision."

A policewoman (who preferred not to be named) said that the challenges faced by women members of the po-

lice are many, including the limited view of the police and affiliates of the same profession towards women. They believe women's capabilities are not compatible with security missions, and that their role in these security agencies is very limited.

She added, "the family also does not trust her daughter and that she has the right to realize her dream and contribute to security, order, and stability. Some parents are not aware of the importance of the presence of women in the police in a conservative society. Persecuted women can go to the police stations and claim their rights by their own under the law."

Opportunities Available

Maria Rashid, Director of Media and Information Department at the Women's National Committee, said, "we have a female member in the Ministry of Interior. She is the Director of the Women and Children's Department. We strive to support the presence of women in the police, and we aspire for policies that will create more opportunities for women in the police field."

She added, "in Aden, Yemeni women had a successful experience of joining the army in the period before 1990. There of them are still alive and can be benefited from by nurturing a new generation of policewomen, but unfortunately, they have been marginalized at the present time."

A policewoman (who preferred not to be named) said, "being affiliated with the police entails that my mission will be at airports, criminal investigations, or the Department of Civil Status, and I might be recruited as a guard in a women's prison. So, the presence of the military police in these facilities to protect women is very important."

She continued, "being a guard in a prison, I work to provide all women's needs, including food and clothing, and to ensure communication with their families and relatives. I also ac-

company women prisoners to the court and the prosecution at the time of their trial or to hospitals in emergency cases. All of these and other tasks cannot be done by men. These roles that we play in various security departments, public places and vital areas are of great importance to empower women in the police."

Challenges

Regarding the challenges facing women police officers, Major Laila Al-Nashiri (Director of the Family Protection Department - Women's Police and Women's Issues in Taiz) said that the presence of women in the police is to serve and protect women, preserve their dignity, advocate for their rights, and work to solve their problems.

Al-Nashiri continued, "policewomen are present in all places that provide services for women, such as Civil Status and Passports departments, police stations, courts, hospitals, markets, and others. Despite the importance of their presence in the police, they face many challenges, including conflict, salary delay, lack of coordination between the relevant authorities, and the lack of cooperation by some civil society organizations with them."

She added, "among the challenges is the weak powers of policewomen in some areas and the lack of a means of transportation to be able to work better and send the accused and juveniles to the competent authorities."

Al-Nashiri considered the lack of an operating budget in the facilities she manages, the absence of incentives and rewards system, the absence of temporary detention facility for juveniles, and the lack of dedicated workplaces for females - especially considering that their work is limited to the city - are among the most significant challenges.

She went on, "lack of job rotation to gain experience, lack of policewomen's empowerment in leadership po-

sitions, exclusion of women from participating in leadership decisions, and the absence of a special uniform for policewomen to distinguish them from others are all some challenges facing policewomen."

For her part, Amira Al-Bakli, Deputy Director of Training and Rehabilitation of the Taiz Police General Department, said that the presence of policewomen is minimal in the police force compared to the military. In addition, policewomen work extensively as secretaries, archiving units, and service places such as offices, prisons, and civil affairs, but they are not empowered to hold high positions.

Al-Bakli attributed this to society's narrow and inferior view of women working in the police field or the military in general. Therefore, many challenges arose, including not giving women the ranks they deserve according to seniority and academic qualifications, and not empowering them to hold leadership positions in their field of work according to experience.

Solutions

Major Laila Al-Nashiri believes that among the solutions to empower women in the police is to provide all the women's needs in these services, recruit more policewomen, and support them by civil society organizations and relevant authorities.

Najah Al-Tuwairi, a Second Lieutenant in the Family Protection Unit in Taiz Police, believes that granting female police officers the power to investigate every case that reaches them, and take the necessary measures, providing temporary places of detention, rehabilitating and training policewomen in all respects, and paying attention to the women's police in all aspects are among effective solutions.

Al-Tuwairi added, "decisions regarding the appointment of women officers to positions in departments, including the Women and Children's Department were issued by the Director General of Taiz Police. The Family Protection Department has also recently been opened in Taiz security to solve the problems of women and children, and we are in the process of activating it and appointing women officers to come up with results that serve the two aforementioned groups."

Training and Rehabilitation

There are many training courses that have been implemented in a number of Yemeni governorates to support and develop the capabilities and skills of women in the police, including the training course that was held in Aden targeting 30 policewomen participants in the field of law enforcement, which lasted for six days and ended on September 22, 2022.

On November 14, 2022, 30 women affiliated with the military police in Aden were rehabilitated on criminal investigation and evidence collection.

On November 23, 2022, approximately 60 policewomen were trained on personal skills and security awareness in Hadramout Governorate.

These workshops and trainings, which were implemented by competent authorities and others, are conclusive evidence that the presence of women in the police is extremely important to maintain security and ensure that the rights of women, whether those who violate the law or women who are keen on not being subjected the search and scrutiny of male officers.

The Importance of Women in the Judicial System for the Pursuit of Justice

One of the pillars of societal security that will contribute to promoting the principle of equality, participation, and decision-making for both sexes is women's participation in the administration of justice. Despite the common benefit that will improve workflow on a sound approach, the prevailing culture about the possibility of women taking over the reins of authority and decision-making still represents a barrier that denies them their right to work in this field.

By: Haneen Al-Wahsh
& Hanan Hussein
Women in Development and Peace

Societal Impact

Regarding the societal impact on the presence of women within the judiciary, Dr. Iftekar Mahyoub, who works at the Faculty of Sharia and Law - Sana'a University, stated, "Customs and traditions have greatly affected the presence and work of women in the judiciary system as well as their enrollment in education in the Faculty of Law and Police. Furthermore, many litigants are still unwilling to send their cases to female judges due to their lack of acceptance of them. Despite their competence, many judges still refuse to have female judges on the criminal side because of customs and traditions."

According to Judge Suleiman, head of the Members Affairs and Projects Department of the Yemen Judges Club, "If women provide real experience in conflict resolution, they will be empowered in the social dimension away from the formal one. Thus, society itself will accept women as judges, as evidenced by some examples in rural areas where women had an effective role in resolving and adjudicating issues. Women also played an active role within the official side."

Judicial Restrictions

According to Iman Shaif, a former judge and currently Head of the Information and Systems Department in the House of Representatives, "the perception of women working in the field of law in Yemen has changed significantly from what it was in the past. Perhaps there was an inferior view of women in some regions and governorates, while this view was acceptable and normal in other areas." She added that women entered the judiciary in Aden in the seventies. Yemeni women were the first in the Arabian Peninsula to hold a position in the judiciary system, despite the fact that there were some legal provisions that prevented them from joining the legal professions until the Law of Justice and the Judicial Authority Law of the Higher Judicial Institute were issued.



Shaif confirmed that society started to accept this job, except for some conservatives who believe that women are not allowed to work in the judiciary except in specific aspects such as civil cases or personal status issues. On the other hand, according to their belief, they are not qualified to go into significant issues that require witnesses and criminal cases. She added that reality has dispelled this misconception and idea, because women have had a variety of experiences in the field of justice and have been accepted by society. However, there is still a rejection of them by decision makers, because they fear the success of women and their empowerment or granting them worthy positions in the judiciary.

She added that appointments and granting women legal positions are where the inferior view of women lies, not in society or the family, as both are supportive and encouraging. Additionally, their psychological and social composition does not constitute an obstacle in front of them at all. Given their close connection with reality, society, and family, they may be more impacted than males, but these factors do not stand in the way of them making decisions in their work as judges.

On the role of social upbringing in rejecting or accepting the presence of women in the judicial system, Judge Shaif said, "Social upbringing, customs and traditions may play a prominent role in accepting women in the judiciary. However, with continuous practice and presence of women in the judiciary, in addition to proving their competence in reality, this will contribute to overcoming these customs and traditions."

Descending Proportions

A report on women in the judiciary in the Arab countries, conducted by the Economic and



Fayrouz Ali

Social Commission for Western Asia (ESCWA) in 2019, indicated that despite women's involvement in the judiciary since the 1970s, only a few female judges sit in the judge's seat today.

The report added that in 1990, half of the judges in southern Yemen were females. After that, a different culture was formed that fought the presence of women in the judiciary and re-appointed female judges to administrative and clerical positions. According to the latest available data – up until 2006 – regarding the presence of women in the judiciary, women accounted for only 1.8 percent. This indicates a decline in societal awareness compared to the past.

Community Vision

Regarding the prevailing societal view of female workers in the judicial field and its impact on public turnout, Heba Al-Sa'adi, a community activist, said, "Why should men have any concern about women's ability to protect the integrity of justice since they are men's partners and guardians of their honor, homes, and children? Thus, when we talk about the judicial au-

thority and arbitration, we mean the lawyer, the judge, the policewoman, and everyone who joins this field. From my point of view, I believe that women can rule over some issues better than men, because women are both compassionate and firm at the same time."

According to Najat Yassin, "Yemen is overflowing with outdated traditions and customs. Unfortunately, many of them consider the woman as a person who has no opinion or decision since she is a dependent and not a breadwinner, always the second choice after men in most decisions of her life. Therefore, most of her life decisions come second after the man. Moreover, from childhood, children are brought up on values and customary norms, with the understanding that the male is the guardian of his sister and has final say in the house. This is only at the family level. This upbringing is reflected in the level of acceptance of women in the judiciary and decision-making positions in the country with all its components."

Fayrouz Ali, a female journalist, believes "The accumulation of cultural heritage and the distorting of the idea of customs and traditions that were initially intended to respect and promote the role of women in society is the cause of some people's opposition to having women in the judiciary. Thus, we will need to devote a significant amount of time and energy to addressing this conception as a whole."

She explained that changing these

Having women in the Judiciary is crucial to ensure social harmony and public safety

misconceptions about women's rights requires a lot of educational targeting plans for most groups of society by many means. She added that awareness campaigns must

be held in order to target specific age groups starting from 10-16 years, which is a proactive stage of adolescence in which the formation of awareness and intolerance of ideas occurs based on what the individual receives from the environment.

Regarding the presence of women in the judiciary, Fayrouz said that society views the presence of women in the judicial authority or the judicial system as a whole as a secular orientation that aims to reform the judicial system. This is by assigning the task of adjudicating people's issues to personalities who are not qualified for this position.

Fayrouz emphasized the necessity to instill women with full confidence in order to improve their participation in society in all of its facets, since there are no psychological or societal barriers preventing women from engaging in this activity. Moreover, they may be more capable in terms of psychological formation to resolve differences and problems and satisfy the conflicting parties. Therefore, they only need the trust of society.

Despite some people's inferior views on the presence of women within the judiciary, which led to restrictions on and framing of their role, there is general agreement that they are qualified to work alongside their male partners in resolving conflicts and disagreements that reach the judiciary, and they fulfill the role to the fullest.

Difficulties of Women's Self-Affirmation in Legal and Human Rights Education

One of the main rights for women that is universally acknowledged as a human right, is women's participation in the judicial system. The presence of women in judicial institutions is considered a crucial requirement that contributes to the establishment of strong, independent and transparent judicial institutions.

By: Alia Mohammed
Women in Development and Peace

Sustainable Plans

According to the 2030 Agenda for Sustainable Development, the fifth goal of the Sustainable Development goals is achieving gender equality and empowering all women and girls.

Goal 16, on the other hand, referred to the necessity of encouraging the establishment of peaceful societies that seek to achieve sustainable development, and provide access to justice, in addition to building effective, accountable and inclusive institutions at all levels.

Joining educational institutions for justice and the judiciary is regarded as the first step for increasing women's participation in the judicial system. It is also regarded as one of the most crucial measures to removing the barriers and challenges encountered in this field.

Multiple Stages

According to Judge Dhia Muhairiz, an assistant at the Faculty of Law and a member of the National Commission for the Investigation of Human Rights Violations, "Women's participation in the judicial system went through multiple phases and stages. Before the unification, however, the situation in southern Yemen was different from that in the north since women's participation was encouraged and supported; whereas in the north, women's roles in the judiciary were limited."

"During these stages, no judicial degrees were given to female lawyers who worked within the framework of the Ministry of Justice, or to those employees working at the administrative level in the Public Prosecution Office. Additionally, the Judicial Authority Law stipulated that a person may not receive a judicial degree unless they had graduated from the Higher Judicial Institute," she added.

Muhairiz described her personal experience, in which she got nominations for a position in the court from the heads of the courts, which was rejected because the Judicial Authority Law does not apply to her. This is because she does not have a higher institute certificate, although she has a master's degree.

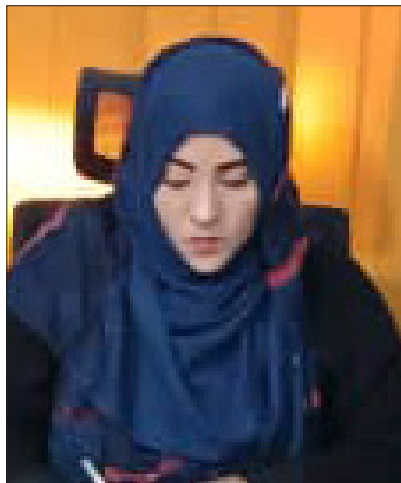
"During that time, a decision was made on the application to the Higher Judicial Institute, and those who applied were given a form with many conditions and details, the most significant of which is that the applicant must be a male. This makes it clearly apparent that women's involvement in court work is unacceptable", she added.

She asserted that during that period, women were trapped between a rock and a hard place, and were given few judicial degrees, secretly and without regard for standards. This situation persisted for a period of time until a decision was issued to accept females to enroll in the Higher Institute as a unique experience to break what was forbidden and change the prevailing view that women are unable to work in this field.

She indicated that during this period, the number of applicants for the second batch of enrollment for the Higher Judicial Institute reached 70 female law graduates from different governorates.

The Status of Women in the Judiciary

Regarding the status of women in the ju-



Judge Faiza Bahamdeen

diary, Judge Faiza Bahamdeen, head of the juvenile court in Hadramout and a personal status judge in the West Mukalla Court, stated, "In previous periods, there was a misconception about women's participation in the judiciary. This point of view didn't imply that she wasn't capable of making judgments; rather, it was based on the idea that women are naturally more emotional than men, and this job demands rigor."

She added that there is no reason that prevents women from practicing their legal work in the judicial system, since women are capable of formulating judgments and dealing with the accused with their various cases. In addition, they have the ability to adapt to the legal situation, and to issue judicial rulings, and they are aware of how to implement it and how to deal with the security authorities.

Bahamdeen pointed out that the partici-

pation of women in the judicial system has witnessed a high and more distinguished development in reality, whether on the scale of female lawyers or judges. The most prominent example of this is the presence of a large number of female judges in the prosecution offices and courts.

"Among the distinguished participations that occurred for the first time in Yemen is the appointment of Judge Sabah Alwan as a member of the Supreme Judicial Council. By being the first woman who represents female judges in the Judicial Council, Judge Sabah was distinguished for making great efforts to serve justice and fairness to women," she asserted.

Regarding her personal experience, Bahamdeen said, "I personally dealt with Judge Sabah Alwan, who is a courageous and wise judge, a virtuous mother, and a respected sister. Thus, we raise our hats to such people for what they have achieved due to their efforts and their work in the service of the judiciary. She also indicated that the Institute of the Judiciary brings a large number of female judges to the field with high efficiency. Accordingly, there is an acceptance of the role of women in the judiciary among society, enabling them to look into criminal and civil cases in general. Whereas in the past, they were confined to personal status cases only."

Girls' Reluctance to Judiciary

Regarding the girls' reluctance to be enrolled in faculties of law, Muhairiz explained that at the beginning of the opening of the Faculty of Law, there was a significant increase in the number of women enrolling in law faculties due to the benefits graduates received at the time, such as their appointment as



Judge Dhia Muhairiz

judges in the prosecution offices and courts as judges or public prosecutors after graduation.

Despite possessing a master's degree in studies, women started working as administrative employees when these advantages were abolished, she continued, "while men with master's degrees hold positions greater than them."

Muhairiz pointed out in her speech to the most important factors that contributed to the reluctance of some girls to enroll in the Faculty of Law, the most prominent of which was the suspension of many courts, the suspension of the work of institutions due to the ongoing strikes, in addition to the scarcity of employment. Thus, many female students believe that enrolling in another major is better than enrolling in the Faculty of Law because of the difficulty in obtaining employment after graduation.

Regarding her personal experience, Judge Muhairiz said, "A decision was issued to appoint me in the court, and when I went to work, I was asked 'why don't you work as a teacher?'" Then, my appointment was rejected on the pretext that Aden Governorate is full of judges and will not have room for me. I then requested to be transferred to another province."

She confirmed that there is a prevailing view that the judiciary and law is a profession for men and not women, because of our continuous movements in the courts. The common perception is that lawyers should be men because they have connections and are able to work more than women. This view is not so much demeaning as it is a fear of the challenges and obstacles that women face in this field, especially since there is no single complex that houses all courts and prosecution offices. Therefore, female lawyers are forced to move between multiple places, which is not compatible with their background and family circumstances.

Learning Difficulties

Regarding the difficulties occurring at the educational level, Judge Faiza Bahamdeen believes that there is a difficulty in comprehension between the academic materials and the students as a result of the lack of academic curricula that are commensurate with the student's abilities, especially with the technological developments. In addition, the questions that are placed in the tests are not commensurate with the level of students in the first level, and the questions that are asked may depend on memorizing rather than understanding. This constitutes a difficulty for some students in comprehending and understanding the questions, resulting in difficulty in providing the ideal answer.

Our academic curricula are generally based on old curricula and are devoid of modernization in line with the development taking place in the world. It also lacks the aspect of practical application, in addition to the student's reliance on recitation rather than the practical aspect in the field, which requires attending courts and getting acquainted with the organizational and administrative structure of the court and the documentation department, attending sessions and listening to legal procedures.

Bahamdeen emphasized the importance of having a subject that specializes in practical application in order for students to acquire real knowledge about reality on their own. Bahamdeen indicated that there are other reasons that constitute difficulty for law students, including the distance of the university, and the lack of commitment to attendance and punctuality by students, which constitutes a major challenge in completing the study in this major.

Solutions

A report issued by the Economic and Social Commission for Western Asia (ESCWA) in 2018 referred to the most important factors motivating the increase in girls' enrollment in judicial education and training institutes and academies. Among the most prominent of these factors are job security, providing flexible work conditions, in addition to eliminating negative stereotypes which consider women incapable of issuing fair judgments due to mood shifts resulting from emotional and biological reasons.

Additionally, Judge Faiza emphasized the significance of updating curriculum and employing scientific approaches in line with the stage of technological progress the world is at. She believes that a number of female students have found a lack of agreement with the curricula they take in classes and their application on the ground.

Therefore, the Institute of Judiciary or the College of Law must therefore add new academic courses so that students can take advantage of them and learn how to apply the law to the real-world of the judiciary. Additionally, we must close the gap by applying new ideas and presenting new materials that demonstrates how to evaluate evidence with modern techniques.

The enrollment of girls in judicial and legal educational institutions remains the way to ensure that people's fear of unfair judgments is addressed.



The Uphill Battle for Women in the Judiciary

We always hear things like “women are half of society”, but some still consider them marginalized, and it is too much for them to advance in society. Points of view differ. There are some families who support their daughters to join the judiciary. However, other families do not accept that their daughters join it or its related agencies. They think that these jobs are hard and more suitable for men.

By: Hanan Hussein
Women in Development and Peace

Does society trust women's work in this field? Does it see their participation in the judicial system commensurate with their social roles and biological composition? This survey tries to answer these questions.

Legal Women

According to Bunyan Jamal, head of the legal support unit at Mwatana Organization for Human Rights, women struggle a lot to get to the judiciary, despite the fact that everything is legal. Therefore, we can find them engaging in numerous struggles, beginning with their family and ending with society. However, based on my point of view and my courtroom experience, I discovered that women are somewhat respected because of the positive overall impact that honest female judges or lawyers have had, which fosters a sense of trust from society towards women.

She added, “the nature of Yemeni society is somewhat conservative. However, I and other members of the judiciary felt that there is great public support. Perhaps this happened because society started to be more aware or because of the presence of distinguished women and professionals in the legal field. This was proven through their experiences, which made people believe in the existence of honest and empowered women, because women always seek to prove these values. This is a positive step because it enhances the right of women to reach judicial positions with merit.”

She added that women today have a

major role in society, because there are female lawyers as well as female judges, and their work has inevitably become a reality, imposed by women over years of accumulated struggle; to establish themselves in the community, and there is absolutely no turning back.

“Due to the ongoing conflict and the opposing viewpoints of some parties, women may experience some rejection during this time and attempts to minimize their role, but society and people strongly support them,” Bunyan added.

According to Khadija Al-Osaimi, a lawyer, “Society supports the presence of women in the judiciary, whether they are lawyers or judges, and it is proud of them. Thus, it anticipates greater judicial performance in the future for them, in addition to anticipating more improvements that affect women in this system. On the other hand, we also find that there is another perspective among a group of people who believe that the women's place is in the home and that their main work is to take care of the family, husbands and children, and that they have no place in the judiciary.”

“Some people's reactionary view of women changes when women plead their cases, which creates a positive view and admiration of their work because of their honesty, commitment and honest work in the course of the cases. This enhances their confidence in female lawyers or judges, which makes them seek female attorneys to handle their cases and defend them, especially if the judge is a female,” Al-Osaimi added.

Regarding those who wonder if women are appropriate for judicial positions due to their different social and psycholo-

gical composition in the family and society, Al-Osaimi said, “At the beginning, it seems that this task is challenging for women. Thus, those who doubt them see that this is the work of men because of the difficulty of making decisions. However, when women take the risk and enter the legal profession, they find that it is easier than some might think, particularly when their personalities are strong and they strictly follow the legal profession's rules,” she added.

In terms of women's psychological formation, from her point of view, when women are mothers and housewives, this is not an easy task. Since women's psychological development depends on their passion for their work, which they cannot give up, women's work in any field is hardly free from challenges. Therefore, they should be committed to setting limits and controlling their emotions when interacting or practicing justice among people. They must also be strict in defending their cases and rendering fair and logical judgments.

When we talked about social upbringing and its role in looking at women in the justice system, Al-Osaimi said, “The nature of our society rejects the presence of women in the judicial or justice sector in general because of wrong customs and traditions. However, fortunately, people are starting to become more aware of the importance of the presence of women in the judiciary as a result of the decrease in the level of ignorance. Certainly, with the passage of time, the negative view of women will fade away due to the presence of conscious, classy and educated people who view women in justice work in a more refined manner and with a high culture, and I personally witnessed this in reality.”

On the contrary, Saleh Abdullah, a lawyer, confirmed that the current situation helps to enhance and support the role of women. However, some are still afraid of women to hold power because they would eliminate the role of men.

Weak Justifications

According to A.M., a policewoman, “as a female element of the judicial system, we are frequently at work. We also encountered many difficulties at the beginning of our work. Through my experience and my work for many years in the field of security, I found that society started to accept the idea of our existence, but due to the current situation, our presence was limited to offices and administrative work to some extent and in some



Bunyan Jamal, (Head of the legal support unit at Mwatana Organization for Human Rights)

judicial matters. However, we do our duty to the fullest, challenging and insisting on this presence because our work is a participatory work with the men. Despite the scarcity of female presence than male, the presence of female elements is still important because they have a national and social duty that must be imposed.”

“The female presence in the judicial security system is closely linked to many societal issues, because there are places that men cannot enter, especially since our society is conservative and requires the presence of a woman. This is due to the fact that policewomen have the ability to raid and seize women of their gender in a way that preserves their limits and dignity, so society views us as being a necessary element in the legal system,” she added.

According to Najwa Al-Halali, a 24-year-old media student, “Since there are cases that concern men and others that concern women, the judicial system must include all segments of society equally. This is due to the fact that only a woman can truly understand another woman, so we encourage emotion as long as it is balanced with reason in order to treat all sides fairly.”

Likewise, the existence of policewomen is crucial, despite the fact that some people still see them negatively since they frequently interact with men and enter departments and courts in a manner that society views as a major flaw. Furthermore, policewomen's presence is just as essential as that of policemen, because there are matters that necessitate the presence of a woman, such as apprehending

thieves or criminals. Additionally, when a husband raises a case of obedience against his wife and she refuses, then they assign a woman to fetch her, not a man.

According to Abdullah Naji, a cleric who is 55 years old, “We see that there is no harm in terms of women taking over the judiciary in the general texts, because it does not contradict Sharia. This is due to the fact that it only relates to the capabilities of each person to hold positions and roles in the judicial system, in accordance with the moral and practical qualifications, in addition to performing what is required from them to the fullest, because some cases are considered serious and related to people's fate, interests, and societal interests as a whole.

Support

Hayat Mohammed, 44, who is pursuing a case in the court, added “I have been pursuing an outstanding case for five years. At first, a man pleaded for me, but he was procrastinating and unprofessional. He asked me for a lot of money in exchange for the pleading. After a while, I hired a woman lawyer. I found a very big difference. She is committed and professional and I feel that I will win the case thanks to her professionalism and accuracy.”

However, Salih Bashamas, 33, who has a case in court, believes that “men are available at any time and place, and you do not fear for them pleading your case because they are men. However, for a woman, you fear for her from your opponents if she wins the case, and this certainly illustrates that they are sincere and excellent. The same goes for female police officers. Despite the fact that their presence is very important, some people view them as being open and having no boundaries in their interactions. Then they start gossiping about such women, no matter how high-ranking they are. In contrast to men who are given respect, value, and prestige,” he added.

In conclusion, women have occupied high positions in the judicial system. This is an achievement for women. Just as women struggled in the past in order to reach a prestigious position today, they will certainly not stop striving to reach a place that befits them and their work in the judicial system as a whole. Everyone knows that the participation of women in the judicial system is imperative and of utmost importance, just like men. It is not surprising that we find many girls today pursuing majors related to the judiciary with passion and enthusiasm.

A Closer Look at Yemeni Women's Representation in the Judiciary

The appointment of the first Yemeni woman as a member of the Supreme Judicial Council took place in 2022

Women have always played the role of just rulers in small frameworks such as the family, and they have transcended these boundaries and proved their active presence in society. They started to get involved in the security and judicial system. They also started to hold high positions that had been earlier occupied only by men.

By: Haneen Al-Wahsh
 Women in Development and Peace

The acceptable participation of women in the judiciary helps to establish a judicial system that takes into account gender equality. This system, in turn, contributes significantly to the development of society and benefits both men and women.

Women Pioneers in the Judiciary

As a result of the positive trend in empowering women in state authorities, especially in the judicial authority, Judge Sabah Al-Alwani was appointed at the end of 2022 as a member of the Supreme Judicial Council. This marks the first time in Yemen's history that a Yemeni woman became a member of the Supreme Judicial Council.

This decision enhances the role of Yemeni women and their participation in the government and decision-making positions. The judiciary in Yemen has for decades been limited to men. Until the end of 2006, there had been only 39 female judges in the appeals and first instance courts. Currently, two female judges work in the technical office of the Public Prosecutor's office, five are public prosecutors, and more than 35 work as lawyers, according to the National Information Center in Yemen.

Varying Proportions

Regarding the presence of women in the judiciary, Prof. Iftikar Dabwan Al-Mikhlaifi, associate professor at the Faculty of Sharia and Law at Sana'a University, said "there are women judges in the judiciary in varying proportions. The percentage of their participation is very low compared to men. The issue is not new. Female graduates from all batches of the Higher Judicial Institute does not exceed thirty." "There is no doubt that the situation has affected women's enrollment in the Higher Judicial Institute. There is a decline in the acceptance rate in line with the general orientation and view of women," she added. She also emphasized the in-



fluence of the surrounding environment, saying, "we live in a male-dominated society full of customs and traditions that consider the judiciary a profession exclusively for men. All these affected the presence of women in these fields."

In addition, Judge Suleiman Abdullah said that there has been a decline in the number of women in the judiciary recently. They were often hired to occupy administrative positions. Some women work in the judicial and administrative fields, but they still suffer from exclusion.

Limited Numbers

Law expert Rowaida Al-Mulaiki said, "women are not represented in the judicial authority in sufficient numbers. This is a problem with the real political will to include women in this field."

She added that there is a weakness in the qualification of the female cadre to assume judicial positions. Despite the presence of qualified judges who have the ability to be

appointed, there are some who lack even basic legal knowledge they must know, yet they are present in the judiciary.

She also drew attention to the importance of including women in the judiciary despite society's lack of belief in them. She stressed the need to give them an opportunity to prove themselves in this field, in addition to their need for a real will to be included.

In addition, lawyer Hind Al-Yafei confirms that the number of female judges has remained the same since the unification of Yemen in 1990. No new female judges have been employed in the judicial authority. She added that the Judicial Authority Law stipulated that those who graduated from the Higher Judicial Institute should be admitted to the judiciary. No woman has graduated from the institute since the unification. Surprisingly, some men who were not from the judicial authority were appointed, such as university professors appointed to the commer-

cial judiciary. On the other hand, no female university professors have been appointed in this area.

Lawyer Jameel emphasized that the number of female judges was greater in 1990, but the participation of women in the judiciary was reduced by facilitating retirement for some female judges. After 1990, there was a large number of women working as judges, but they began to retire. Their job has also been limited to personal status and accident cases. Their work was limited, and they were rarely assigned judicial positions despite their competence and seniority.

On the status of women in the judiciary, he pointed out that there is a decline in the number of hired women. Their roles were confined to a specific field, often concentrated in the administrative staff. He stressed that there are higher positions that are filled by unqualified and incompetent men. He explained that the reason is the prevailing culture that influenced the perception of women

as judges.

Challenges and Difficulties

Regarding the challenges facing women's work in the judiciary, Al-Mikhlaifi said "the main challenges that impede the involvement of women in the judicial system are the weakness of the infrastructure, the real instability of the judiciary, and the current weakness of the state due to the conflict." She also indicated that most female judges are more independent, which exposes them to problems with the judicial inspection agencies and society. In addition, they do not obtain promotions, assume the presidency of courts, or obtain the judicial degrees they deserve.

Likewise, Judge Solaiman explained that there is a transgression in the controls and criteria for appointment to judicial positions. This is due to the negative impact of the social values that affect achieving fairness in the establishments.

The Role of Government Bodies in Supporting Yemeni Women's Participation in the Judicial System



Yemen has witnessed the graduation of 5 female students as the first batch from the Higher Judicial Institute

By: Yasmine Abdulafeez
Women in Development and Peace

Yemeni society is divided between supporters and opponents of the presence of women in the justice system. Most importantly, laws and legislations in Yemen give women the right to participate in the justice system, and also grant them the authority to exercise their duties as judges, policewomen, and lawyers among others. This is what obliges government bodies to exert real efforts in implementing these laws and legislations and encouraging women's participation in the justice system.

Judge Sabah Al-Alwani, a member of the Supreme Judicial Council, said, "society looks at women judges or lawyers in a discriminatory way. Women face implicit and explicit rejection from their colleagues or community. Both do not trust women's ability to undertake such tasks and appointments, which made women's involvement in the judiciary or legal profession limited, despite the existence of constitutional and legal provisions. The narrow view of society and those around women prevented them from being involved more widely in this field."

In a press statement to Sawt Al-Amal newspaper, Al-Alwani said, "there are many challenges facing women's work in the judiciary, including society's lack of confidence in women's ability to take over the affairs of the judiciary or any judicial leadership position, lack of interest in rehabilitating them and increasing their participation, and societal upbringing that reinforces gender differences. All this hinders women's access to leadership and decision-making positions and prevents them from proving themselves competent." She added that these challenges

and other obstacles limit the continuation of women's contributions in the justice system and their empowerment in this field. Therefore, government bodies should make unremitting efforts to give women the right to participate more in this field and to have access to opportunities to hold honorable leadership and decision-making positions, just like men.

Judge Sabah Al-Alwani stressed that the ways to address these challenges include leaders supporting qualified women, developing a specific strategy for their inclusion in the judiciary, empowering them in decision-making positions therein, ensuring gender equality, and adopting qualifications and skill-based appointments.

The Role of Government Bodies

On the role of government bodies in supporting women's participation in the justice system, Ali Hazazi, head of the Department of Human Rights and Civil Society Organizations at the Presidency of the Republic, said, "Yemen has come a long way in this field. This made it one step ahead of many countries in the Arab region. Women in the southern regions have held the position of judges since the seventies." Laws and legislation in the Republic of Yemen guarantee this in Article 57 of the Constitution and Article 31 of the Judicial Authority Law. The outcomes of these articles have come to light since 2007, when the first batch of five female students graduated from the Higher Judicial Institute.

He added that since then, efforts have been made to support women's participation in the judicial bodies at all levels. The outcomes of the National Dialogue Conference guaranteed a 30% inclusion quota for women in political and judicial positions. The Presiden-

tial Leadership Council's decision in 2022 to appoint Judge Sabah Al-Alwani as a member of the Supreme Judicial Council was the culmination of these efforts.

Activist D.L stated that government bodies should make unremitting efforts to empower Yemeni women further in the justice system. This is by accepting a larger number of women judges in the courts, holding courses and workshops for judges in order to develop their capabilities and skills by getting acquainted with all new things such as international laws and treaties, and encouraging many women to join the Higher Judicial Institute.

She added that the concerned authorities should implement many awareness courses and programs on the importance of empowering women in the judicial system, whether in schools, institutes, universities, media outlets, or social media platforms. These awareness programs include laws, legislative programs, international human rights conventions, international humanitarian law, and any other conventions and agreements that empower women in the justice system.

She added that the Women's National Committee is a governmental body. It played a major role in assisting female members in different ministries, implementing many training programs to hone their skills, supporting them to access many leadership positions, and contributing to implementing many plans and programs that will empower women in the judiciary, the legal profession, and other related fields.

On the role of government bodies in supporting women's empowerment in the justice system, journalist Samira Al-Fahidi commented, "the role of government bodies in supporting women's presence in the Judicial Council

is tangible. I hope they will also be present in the prosecution offices and all judicial bodies, including the judicial police. Women play an indispensable role in building societies, so supporting and empowering them in the justice system will reflect positively on society."

She pointed out that the establishment of training centers to rehabilitate and develop the capabilities of women working in this field is very important. Rehabilitation gives women the opportunity to become active members in this aspect.

Training Centers

On the importance of training and rehabilitation centers, activist D.L believes that the Higher Judicial Institute is of great importance in qualifying and developing the skills of the judicial staff and all members of the judicial authority in general, and women in the justice system in particular. She confirmed that the Higher Judicial Institute has given many women specialists the opportunity to gain more experience. Therefore, they have enrolled in the institute in large numbers, especially in recent years.

She added that several international conventions and some human rights laws, such as international humanitarian law have been incorporated into the curricula of the Institute. This would contribute to women's participation in courts, prosecution offices among others, and would allow them to hold leadership and decision-making positions.

For his part, Lawyer Ali Hazazi said that the establishment of women's rehabilitation centers in the judicial bodies is highly cru-

cial to refine and develop the capabilities of women working in the field of justice. Rehabilitation is not limited to women in the justice system, but includes all those working in the judicial and law enforcement bodies. This will enable these bodies to provide more quality and accurate judicial services."

Types of Training Programs

Hazazi said, "regarding the courses and programs that we consider necessary to enhance the role of women in judicial bodies, I suggest that distinguished female students in Sharia and Law faculties be selected and well prepared for the exams of the Higher Judicial Institute." He continued that governmental legal aid programs should be supported for women in general and women prisoners in particular. Programs should be developed to regulate legal aid provided by organizations and individuals in a way that ensures continuity in providing legal aid. Additionally, programs should be established to promote and support the involvement of women in the legal profession. Equal external and internal training opportunities for women in the field of justice should be achieved.

The role of government bodies in empowering women in the justice system in Yemen is not limited to these roles. Rather, they are required to pay working women's salaries, insurances, and bonuses, ensure equality of opportunity between the sexes, contribute to building institutes to include more fields of study that fall within the justice system, and intensify awareness campaigns about the importance of employing women in this field.

Government's Commitment to Public Awareness and Women's Empowerment in Judiciary in Hadhramout



Yemeni women are present in the judicial system in its various bodies and departments, albeit only modestly. However, we have recently witnessed appointments of women to high positions in the judiciary for the first time in Yemeni history. This is considered an enormous victory for women's rights. Women's representation in high judicial positions contributes to combating corruption in any authority in which they are appointed, achieving its independence and autonomy, reducing political pressures endured by men, improving the performance of the judicial system in general, and immensely raising the level of local and global trust in women.

By: Ahmed Omar
Women in Development and Peace

Government bodies have worked to support women's participation in state facilities in general, including the judiciary, and to enhance their presence by issuing laws and decisions that allow women to hold important positions in the judiciary. They also established training and qualification centers and organizations for women in various fields. The most important of these bodies are the Yemeni Women's Union and the Women's National Committee. Both have adopted many issues pertaining to women and referred them to the relevant government bodies. Also, women's representation, whether in the judiciary or other authorities, is one of the tasks of these bodies.

Programs and Plans

The program for qualifying female law graduates in the field of law is one of the pioneering programs at the national level implemented by the Women's National Committee in Hadhramout Governorate. It targeted 13 female graduates from the Faculty of Law and included a training package consisting of six specialized courses, including interrogating defendants, drafting legal briefs, understanding litigation procedures,

and more. In addition, there was also a course on body language as a basic requirement for the personality of a lawyer, and two courses in the field of self-marketing and project management.

The program includes theoretical and practical training. Practical training was conducted through field trips to courts and prosecution offices and attending judicial sessions in cooperation and prior agreement with the judicial authorities in the governorate. This part of the training consisted of two stages: the first stage was for observation and learning before training started, and the second stage aimed to connect the information obtained in the theoretical part to the practical reality in the judicial bodies.

The project empowered 13 female law graduates in the legal field, who subsequently practiced their profession by pleading in several court cases.

This program came out with a number of recommendations. Through communication with the trainees, a problem encountered by all the trainees was identified, which is the lack of law offices and firms that hire female lawyers. Therefore, the Women's National Committee proposed the establishment of a law office for graduates of the program to enable them to practice their legal profession and obtain a syndicate membership

card. The Committee took responsibility of the procedures for obtaining permits for the establishment of the office in cooperation with the Faculty of Law and carried out a feasibility study for the project to ensure its success and continuity. The Committee is also seeking funding for implementation, which is the second phase of the project, according to Faiza Bamatrf, head of the Women's National Committee in Hadhramout.

Bamatrf said that representatives of the judiciary, the Public Prosecution and the Women's National Committee participated in it, in cooperation with Hadhramout University, specifically with the Faculty of Law. Moreover, this training course was distinguished and useful on the practical level. The female lawyers participating in the training are now the ones who plead in the courts.

Government's Role in Raising Public Awareness

In every country, the government's role in educating all segments of society is considered pivotal. One of the most important awareness programs for the official authorities is training and qualifying women to obtain their rights, in addition to providing support for those who defend women in courts and prosecutions.

This is why organizing workshops and training courses for male and female lawyers is important. Perhaps the workshop held by the Women's National Committee is one of the most important workshops. It was held in coordination with the Faculty of Law at Hadhramout University, and was hosted by Judge Afrah Badwilan, Head of the Anti-Corruption Commission. It was an induction workshop for the tasks of the Anti-Corruption Commission and the role of the female law graduate in the judiciary. Judge Afrah Badwilan was a distinguished model, as being the first female judge in Hadhramout.

The Higher Judicial Institute

Law No. 34, which was issued on June 30, 2008 for the establishment of the Higher Judicial Institute,



Faiza Bamatrf

contained 49 articles. The institute aims to prepare, qualify, and train the enrolled students with academic and practical judicial qualification, and to continuously follow-up with members of the judiciary during their service to improve their performance. It is also concerned with qualifying and training judicial supporters, contributing to the dissemination of judicial culture and deepening our legal understanding. The Institute also aims to conduct theoretical and field studies and scientific research aimed at developing the judiciary.

This law is considered one of the most important laws issued in the field of governmental training and qualification of judges. According to professionals, the establishment of this institute constituted a quantum leap. It contributed to supplying the judiciary with new staff and young male and female students who obtained a bachelor's degree in Sharia and law.

The Higher Judicial Institute played a pivotal role in supporting legal women's participation in the judiciary. It helped them get formal judicial qualification to become judges and have equal rights with men before the law without any discrimination.

Gender Equality

Lawyer Fatima Al-Batati said "Ye-

meni law has equalized men and women in employment in the judiciary and in wage equality. Practicing law for women is not that difficult. There are many honorable female models. Despite this, the legal profession is tiring as a result of society's view of women working in this field. On the other hand, women receive a lot of support and contribution from the union and court workers."

She added that the law allows women to be involved in the judiciary, but there is still no female judge in important judicial positions, such as appeals, for instance. The judicial role of women is limited to personal lawsuits. Female judges, no matter how high their rank is, are not appointed in the non-personal divisions. However, there are some exceptions such as Judge Sabah Al-Alwani, who is the first Yemeni woman in the Supreme Judicial Council and the Anti-Corruption Authority, which is chaired by Judge Afrah Badwilan.

She also added that in the judiciary, a woman cannot work in public prosecution, as deputies for example, even though Yemeni law does not prevent them from doing so. However, she believes that the poor general security situation in the country does not help, because they may be exposed to risks due to their work. The public prosecution is an extraordinary adversary that seeks to reveal the bare truth and thereby exposes members of this profession to some non-legal related risks.

Al-Batati stressed that the oversight role of the judiciary is fundamental in the judiciary and its protection from corruption. No matter how high the wages and bonuses are, and whether male or female judges are equal, without the presence of a supervisory authority over the work of judges and their subordinate, corruption is inevitable.

"Women working in the judiciary receive equal wages based on their judicial rank and position. However, corruption is an evil that must be fought before seeking to raise wages and equality," she added.

The Crucial Role of Civil Society Organizations in Judicial Training of Women in Yemen

International organizations pay great attention to women and their rights worldwide and work to achieve equality between men and women in all aspects of life. These organizations actively operate in developing countries and armed conflict-affected countries, such as Yemen. Women often disproportionately bear the scourge of conflict, as they are among the most vulnerable groups to suffer from various violations, including physical assault, arbitrary arrest, enforced disappearance, and marginalization of rights.



By: Ahmed Omar
Women in Development and Peace

UN Women and other organizations contribute to mitigating the effects of armed conflicts on women and empowering them in various fields, including the judicial system. They also train and qualify women to participate in the judiciary, and support them to hold positions in courts, public prosecutions, government legal departments, and women's police. International organizations also consider women's participation in the judicial system as a starting point towards achieving gender equality.

International Organizations' Efforts in Qualifying Women

The United Nations Security Council Resolution No. 1325 of 2000 on women, peace and security, which Yemen signed, is considered an effective starting point for women's empowerment and participation in peace processes and decision-making within the three branches of government: legislative, judicial, and executive. According to specialists, this decision is a significant development in claiming women's rights and is the first official and legal document issued by the Security Council in this regard. The issuance of this decision is attributed to the efforts of international organizations working in the field of women.

The United Nations has established an initiative called the "Yemeni Women's Pact for Peace and Security." This initiative consists of 60 women and aims to enhance women's presence, increase their participation and inclusion in negotiations, and enable them to claim their rights and access leadership positions. It serves as an advisory body to the Office of the United Nations Special Envoy in Yemen.

Against this backdrop, UN Women, which established its office in Yemen in 2014, seeks to address issues of structural gender inequality, meet urgent needs of women and girls, and empower them with their rights in various fields. In its report, UN Women stated that Yemen was ranked at the bottom of the Gender Gap Index 2017 (144th out of 144 countries). According to the report, this indicates that Yemeni women's empowerment requires much more efforts by international organizations to reduce this gap, including the gap in the judicial system.



Noha Bin Suhailan

On November 13, 2020, the Diplomatic Service of the European Union stated in a report entitled, EU-Yemen Relations, that the EU continues to call upon the government to appoint women to leadership positions, including the judiciary.

Activities and Programs

On October 12, 2021, a workshop was held on the absence of women in the hierarchy of the judicial and university authorities in Aden Governorate, according to the "Yemeni Women's Voices Platform". This was to analyze the obstacles that stood in the way of women's access to leadership positions in the judiciary. The workshop indicated that one of these obstacles is the non-independence of the judiciary system in Yemen, the widespread corruption in the judiciary deprived women of their judicial rights, and some religious orientations which stand against women's rights.

The workshop, which was chaired by Judge Angham Faisal Qaid Ali, Vice President of the Supreme Court, Member of the Technical Office of the Supreme Court in Aden, the first Chief Justice of the Court of First Instance at the level of the Republic, concluded with a set of recommendations, the most important of which are: Demanding the independence of the judiciary, applying the Judicial Authority Law in promotions and positions of the judicial



Rashid Basarih

authority, demanding compliance with all international human rights resolutions and covenants signed by Yemen, and demanding the outcomes and recommendations of the first judicial conference held in Marrakesh, Morocco, which was stated to guarantee the representation of women judges in the supreme councils of the judiciary.

Efforts of Local Organizations: Hadhramout as a Model

Adalah Foundation for Legal Development in Mukalla, Hadhramout Governorate (southern Yemen), trained and qualified law students and graduates and allocated 30% of its seats in all its events for girls. During the last three years, the percentage of women's participation in the legal trainings provided by the Foundation reached 50%. In addition, developing the legal aspect of women is a key interest of Adalah Foundation, according to the Foundation's Executive Director, Noha Bin Suhailan.

Funded by international organizations, the Foundation implemented a program concerned with the training and qualification of those involved in the legal aspect under the name "Adalah" in 2017. The same program was renewed in 2018 and 2019. The program was mainly concerned with training and qualifying those involved in the legal field. In its first edition, the program targeted 60 male and female trainees, of whom 30 were engaged in the military judicial field and 30 were involved in the civil judicial field.

The program aimed at developing the skills of the legal personality and the drafting of lawsuits, contracts and defenses. The first training course lasted four months of theoretical training, followed by a practical application in government facilities for two months. The women's share in the three

editions of Adalah program was 60 women compared to 120 men in the civil and military corps.

A number of separate training workshops were also implemented, including Professionalism in the Legal Profession targeting 28 male and female trainees who were all graduates of the College of Law to enable them to acquire legal and pleading skills in courts.

The Political Forum offered Hadhramout University students many specialized programs in the legal field, including special programs and events for male and female students of the Faculty of Law on cyber-crimes, and special training programs for the judiciary and legal pleading, in coordination with specialized judges in courts and prosecution offices of the Ministry of Justice. Also, among these programs was the Be a Pleader legal program which targeted 25 male and female students of the Faculty of Law at Hadhramout University. The program worked on qualifying the trainees in judicial justice, civil cases, and pleading.

Challenges Facing International Organizations

International organizations encounter many challenges in carrying out their activities inside Yemen. Among these challenges are the difficulty of moving between areas witnessing intense confrontations between the conflicting parties, and the poor donor funding for organizations, according to several statements issued by the United Nations, which forced these organizations to reduce some of their activities, focusing only on food security and displacement. Also, the scarcity of funding weakens these organizations' interest in Yemeni women who are the most affected by the repercussions of the conflict.

In its report "Yemen: One of the Worst Places in the World to be a Woman," issued on December 16, 2019, Amnesty International stated that international organizations endure a lot of hardships to reach women in some areas because of gender discrimination, customs, and traditions which do not allow girls and women to enroll in education or work in projects of civil society organizations, whether international or local.

Furthermore, Amnesty International called on the Yemeni government to protect women's right to gender equality and address the underlying social and cultural

attitudes that stand against women's protection from violence and discrimination inside and outside of their homes.

Solutions and Suggestions

According to Noha Bin Suhailan, Executive Director of Adalah Foundation for Legal Development, women's participation in the judicial system requires setting an annual percentage, as something obligatory, for all law offices and firms to train female law graduates on various issues, including personal, civil and criminal status.

Bin Suhailan called on international organizations and bodies to put pressure on the Yemeni government to enhance women's presence in the Supreme Judicial Authority and form a women's committee that brings together all women, whether judges, lawyers, or policewomen and officers, to discuss their needs and the problems they face to come out with solutions.

Rashid Basarih, head of the political forum for Hadramout University students, pointed out the importance of raising public awareness of the importance of women's participation in the judicial system in its various bodies. Reducing gender inequalities and ensuring no one is left behind are integral to achieving sustainable development throughout Yemen.

He also stressed the need for the government to implement all agreements and treaties concluded with international bodies, especially the Security Council, on women. The government should allow international organizations to freely work in various fields, including training, rehabilitation and empowerment of women.

There are overlapping reasons that have negatively affected the role of international organizations in enhancing Yemeni women's presence in the judiciary. The most prominent of which are the lack of funding and the lack of interest in women's issues, because these organizations have diverted their attention to the urgent, life-saving interventions necessary to address the effects of the armed conflict in Yemen.

Local civil society organizations exert their efforts according to the limited capabilities available to them, which keeps their role very limited. Furthermore, due to their limited role, these organizations cannot even address issues at the local level. Therefore, they need support and assistance to expand the circle of their activities.

Lack of Funding and Addressing the Effects of Conflict Marginalized the Role of International Organizations

The Limited Role of Local Organizations Needs Support & Assistance

Yemeni Women Face Harsh Realities in Judiciary Despite Promising Laws

In Yemen, the constitutional and legislative laws in force regarding women's work in the judiciary and the judicial control apparatus are a surplus and have no effect on the ground. Although women have gained legislative and legal gains and fairness in religious texts, their suffering continues, and their presence is almost non-existent in decision-making positions.

By: Hebah Mohammed
 Women in Development and Peace

The Legal System Does Justice to Women

In reality, although the constitution and the legal authority did not prevent Yemeni women from holding positions in the judiciary, including Head Court of First Instance and Appeal and other positions in the Supreme Court and Public Prosecution Offices, women have been prevented from obtaining portfolios in the judiciary and the judicial control apparatus throughout Yemen's history.

Lawyer Nawal Al-Raimi stated that Yemeni law gives women the right to hold judicial positions, including judges. Unfortunately, after 1990, women were completely prevented from holding positions in the judiciary in north and south Yemen, and even from being empowered in state authorities.

She affirmed that Yemeni law stands by women in enabling them to obtain their rights, participate in political life and decision-making and hold leadership positions in the judiciary. Article 41 of the Yemeni Constitution states that citizens are all equal in rights and duties. This explicitly indicates ensuring full equality of all citizens in public rights and duties.

Al-Raimi continued, "Article 24 also stipulates that the state shall guarantee equal opportunities for all citizens in the fields of political, economic, social, and cultural activities and shall enact the necessary laws for the realization thereof.

This constitutional article affirms that applying the principle of equality among all citizens without discrimination against or exclusion of women is the responsibility of the state. This article obliges the state to enact laws to ensure that each citizen has equal opportunities to participate in the justice system, according to lawyer Al-Raimi.

Legal advisor Abdulrahman Al-Zabibi confirmed, "according to the Yemeni Constitution, Yemeni citizens are equal in rights and duties, and the state guarantees equal opportunities for all."

"According to this constitutional principle, Yemeni women shall participate in all state institutions and authorities without discrimination or exception, foremost of which is the judiciary. The judiciary is considered the house of justice. So, if there is an absence of justice in the

house of justice, then the judicial system is discriminatory and unconstitutional," he added.

Challenges Facing Women in the Judiciary

Despite the clarity of the constitutional texts, Yemeni women endure a lot of challenges, and their access to the judiciary is hindered by legal violations.

Al-Zabibi indicated a number of these challenges, including the non-representation of Yemeni women in the Supreme Judicial Council, which manages and leads the Yemeni judiciary.

He explained, "there is only one woman appointed at the end of 2022 as a member of the Supreme Judicial Council in Aden. This impeded Yemeni women's access to leadership positions in the judiciary. They don't receive career-ladder promotions, and are not given leadership positions as chief justice, member of the Court of Appeal, or member of the Supreme Court."

He continued, among the difficulties that women face in the judiciary is the absence of women at the entrance to the judiciary. The Higher Judicial Institute is the gateway to entering the judiciary. Unfortunately, there are no women in the leadership of the Higher Judicial Institute, not even in the admissions committee. This affects the rate of women's admission to the institute, and in turn affects the weak participation of women in the judiciary. In one of the years, the number of female students who were admitted to the institute were 5 compared to 70 male students.

Al-Zabibi said, "the judicial inspection is devoid of the membership of any female judge and is limited to men only. The judicial inspection is considered one of the most important judicial bodies. It is concerned with supervision, inspection, evaluation of judges, and submission of nomination proposals for judges. This unjustified absence of women in the judicial inspection hindered women

Implementing the Quota System and Enacting more Laws to Ensure Women's Active Participation

judges from being granted leadership positions in judicial institutions.

In addition, lawyer Sondos Al-Attab believes that the biggest challenges are misleading information about women in the judiciary. She explained, "despite the emergence of female judges who are distinguished by integrity and discipline, misconceptions regarding women's participation in the judiciary are widely spread, including the weak hadith: "never will succeed such a nation that makes a woman their ruler."

Lawyer Nawal Al-Raimi added, "among the challenges that Yemeni women face in their judicial work are the narrow societal view, harassment by some colleagues, including judges, and the patriarchal society's culture towards women.

Women Quotas according to the Outcomes of the National Dialogue

Legal advisor Abdulrahman Al-Zabibi, along with a number of female activists and lawyers, called for activating the quota system for women according to the National Dialogue outcomes which stipulated that women must be involved in all state institutions by at least 30%.

He went on that if this provision has been activated in all state institutions, including the judicial institutions, women's participation in the judiciary would have been raised and many of the obstacles to their participation in the judiciary overcome.

Lawyer Nawal Al-Raimi confirmed that female lawyers are strong competi-

of women to be judges in any case.

Al-Humidi, who also works as a cultural advisor in Italy, added that ancient Islamic history did not witness a woman holding the first position in the judiciary, and that all the judges were men but not women.

Suggestions for Development

Lawyer Nawal Al-Raimi believes that there are necessary steps to develop and advance women's work in the judiciary, including enacting new laws that guarantees their rights to hold higher positions in the judiciary, and also providing legal protection to practice their work as judges and lawyers.

She stressed the need to adopt educational and cultural programs to educate society about the status of women in society and their pivotal role in building society, and to develop and inform society of their entitlement and competence in judicial work without any aversion, and the need to protect and preserve women as a moral, ethical and religious duty.

"As female lawyers, we need to have a private office inside the court or, more precisely, a hall to have our meals and perform prayers on time because we work for 8 hours," she said.

Yemeni society is prepared to recognize the importance of fully integrating women into the judiciary, but it still has reservations about some specific aspects. Therefore, it is necessary to reconsider the way educational and practical judicial institutions treat women. This is to enhance their participation in all levels of the judiciary, from the top of the pyramid to the smallest judicial unit, without discrimination or exception, achieve justice and equality within the house of justice, not to mention the need to implement the legislative and constitutional laws issued in this country.



Lawyer Nawal Al-Raimi

tors to male lawyers and may even outperform them. They are well-informed and have critical observation. Perhaps they may sympathize with the clients because of their overwhelming affection, but they strive hard to achieve justice and fairness to the oppressed more than men. In addition, they do not accept injustice or bribery.

Islamic Law and Women's Work in the Judiciary

The opinions of jurists differ regarding the work of women in the judiciary. Sheikh Abdulbasit Al-Humidi, the Grand Mufti of Ibb Governorate, explained, "the majority of scholars are of the view that it is not permissible for a woman to assume the role of judge. Abu Hanifa believed in the permissibility of women taking over the judiciary in regard to money, but not Qisas (retribution) and Hudood (fixed punishments). However, there are some believe the permissibility

Women's Work in the Judiciary is a Necessity Dictated by Logical Reasons and Justifications

By: Yasmine Abdulhafeez
Women in Development and Peace

Yemeni women have been able to break the restrictions of customs and traditions, transcend society's view, and achieve a remarkable presence in positions that are thought to be the exclusive domain of men, the most important of which are the courts, prosecution offices, police stations, and others. Through their participation in the various judicial authority institutions, they have also played an increasing role in the development of security and order as well as the implementation of the law. This has encouraged women in the country to resort to the judiciary and demand their rights.

Noha Jamil, a resident, claimed, "My father was injured in a motorcycle accident that caused a fracture in his right leg. The doctors recommended surgery in which the cost was a significant amount of money, which my family was unable to afford. The motorcyclist had promised to pay him, but he changed his mind later. Therefore, I had to intervene and go to court and claim my father's rights. When I saw that there are female members in the court, this encouraged me even more to claim my father's right without hesitation, although I was apprehensive at first, because the court's facilities are controlled by male employees."

Noha, a young girl in her twenties, was able to go to court, because her family encourages her to claim her right and go to the police stations and courts, as she said. Nevertheless, Noha may be one of dozens of girls whose guardians and relatives refuse their entry to these facilities under the pretext that they are institutions where women's entry is considered shameful according to the prevailing societal culture.

Similarly, the young woman Mona Ahmed said that she went to court to claim the rights of her father, because he was robbed by his relatives. "I went with my father to one of the police stations in the city where I live after he was severely beaten because of a dispute over an area of land that my father had bought. When I returned home, I found my mother nervous with a worried look on her face. When I asked her about the reason, she told me that the neighbors were talking (badly) about my going to the police station, because there were only men there and no women," she added.

"My mother was upset about the talk that she heard from her relatives about my going to the police station. I tried to convince her that I had to go, because we do not have male brothers, but she insisted that I would not enter these facilities again. This was years ago, but now there are women in the same police station. This significantly encourages women to be present in these places so that they can claim their rights and the rights of their families and change society's perception of women resorting to judicial institutions, because we are dealing with women there, not just men."

The Status of Women's Partici-



The presence of women in the judicial and police agencies preserves their privacy and guarantees their rights

Participation in the Judiciary

Regarding the status of Yemeni women's participation in the justice system, Najeeb Al-Hajj, a lawyer and human rights activist, said, "The Yemeni Constitution and Yemeni law regarding Judicial Authority Law guarantee women the right to hold any position in the judiciary and public prosecution just like men without any discrimination. Many Yemeni women, who have held roles in the judiciary, as well as their work in the judiciary's support bodies, including the women's police, have proven remarkable and tangible achievements. Thus, they have been able to prove their presence and have achieved remarkable success, breaking all societal restrictions and difficulties."

Al-Hajj asserted that the presence of Yemeni women in the judiciary and the judicial control apparatus is an urgent necessity that calls for their participation in various aspects of life, and not only within the framework of the judicial authority. Women are half of society, and their role is essential in any community. Thus, they are essential partners in enhancing the judiciary's message and increasing its authority.

According to Durah Abdullah Mohammed Haidar, a judge and the Head of the Juvenile Court in Taiz Governorate, the status of women's participation in the judicial authority and judicial control apparatus has improved recently in terms of numbers, but in terms of the positions they occupy, women are still confined to certain areas. She believes that women have been distinguished by accuracy and humanity in their dealings, which is what the judicial authority and judicial control apparatus lack.

"While we find some traditions that stand as a barrier to women working in the judiciary system in terms of society's view of them and the lack of acceptance of their existence, we also find a lack of recognition of their competence compared to men as well as refraining from dealing with them," she added.

To Protect Women's Privacy

Despite the inferior view of women working in the judiciary and the judicial control apparatus, as well as the attempts to confine them to limited areas, there are many opportunities and motivations that prompted women to be able to occupy several positions, whether in the police, judiciary or security apparatus.

In this regard, Najeeb Al-Hajj, a lawyer, said, "The presence of women in the judiciary and the judicial control apparatus in Yemen is imposed by the distinctive characteristics of our conservative society, which requires women to be appointed to certain judicial positions, such as personal status, juvenile and childhood cases. This is because they are more capable of achieving justice in these areas than men. Nevertheless, practical life has imposed the presence of women and their active role in society, overcoming all prevailing obstacles, difficulties and restrictions."

Regarding the importance of the presence of women in the judicial authority and the judicial control apparatus in Yemen, Amal Al-Sabri, a lawyer, said, "The presence of women in the judicial authority is legally guaranteed. Additionally, their presence is also important from a social point of view to change the cultures of society that hinder women's access to justice due to customs and traditions. However, women remain the most affected ones and bear all the suffering. Therefore, the presence of women as employees in the judiciary system will alleviate the suffering of women in front of the judicial apparatus."

"The presence of women in it will also work to build trust between society and the justice agencies, allowing women to access all justice agencies," she added. "Customs and traditions are among the reasons that hinder women's access to the judiciary and justice systems."

Due to society's practice of prohibiting women from accessing the courts, this is regarded as a major reason for the oppression practiced against women and for their bearing of the hardships of life as well as remaining silent, which make them endure all the negative

consequences. She noted that the law guarantees women some rights that protect them from any abuse they may be exposed to."

Allocating Special Police Stations for Women

Abdul-Ilah Al-Sabri, head of the Freedom Foundation for Human Rights, said that the presence of women in the judicial authority and the judicial control apparatus is a social necessity imposed by our religion, customs and traditions, provided that their presence is genuine and enables them to freely practice their work without being under pressures or under male dominance. Additionally, the presence of women in the prosecution, the judiciary, and police departments is crucial for investigating suspects.

Al-Sabri also suggested that special police stations should be established for women. They should be led and investigated by women, away from male interference, at least in the provincial centers if they are not available in every district.

He added that the suspects in the police stations may be exposed to bad situations. This is due to the fact that even in women's prisons, we find that the guards, the deputy prosecutor, the director of investigation, the director of security, and the interrogators are all male, which constitutes an obstacle for women to work there.

Maintaining Security

Amal Al-Sabri, a lawyer, believes that achieving security is the first and main pillar in preserving the safety and reassurance of any society. Thus, in order to achieve security, women must be protected in order to access justice. She affirmed that the lack of women in the judiciary and the police stations is one of the problems that women suffer from, whether being as holders of the right to work or as litigants in it.

In this regard, Sarah Qasim Haitham, a member of the political department of the Yemeni Islah Party in Taiz, said that Yemeni women must now be present in the legal system due to the current circumstances that Taiz, and Yemen in general, are going through. The excep-

tional and unstable circumstances make the presence of women a crucial requirement.

"Because Yemen is a conservative country, women have a social privacy that is valued by Yemeni society. Therefore, in order to maintain security and preserve the privacy that women feel and society as a whole, it is important for official and civil institutions to encourage the empowerment of women in security institutions," she added.

A Hard Path

According to Abdul-Ilah Al-Radfani, a lawyer, "Yemeni women still suffer from exclusion and marginalization due to the domination of the tribal mentality in northern Yemen, while in the south they were able to reach some leadership positions in the judiciary, health and education. Women worked in the legal profession, and thus a number of prominent models emerged in this field."

After the unification of Yemen, political pluralism women certain entitlements, which the male-dominated society sees as a form of honor bestowed upon them, rather than their inherent rights. Additionally, they were allowed to enroll in universities, and they joined the educational and health corps. However, women's enrollment in the judiciary was not possible because they faced obstacles, and the law still places restrictions in terms of allowing women to take over the judiciary or be included in the structure of the security services.

Al-Radfani believes that Yemeni women fought a hard struggle until they were able to impose their entitlements. They were able to influence the legislation that allows them to impose penalties on their abusers, especially from relatives such as husbands and fathers. Thus, there were provisions in the laws that forbid violence against them or forcing them to marry against their will, leading to the prohibition of underage marriage and considering it a crime punishable by law.

"From my personal point of view, I see that we need to update and revise laws and add articles and texts that affirm the fact that males must respect women's right to live, work, and learn. In addition, they should exercise their legitimate rights completely freely, away from male power. After that, we move on to activating the quota, which gives women a certain percentage in appointment to public office, in which real criteria are taken into account in selecting them depending on their competence, qualifications and practical experience, and not a partisan quota. This is because political parties and components devour the share of women with female members who are more concerned with upholding the demands of their parties than with what they can provide their gender," he added.

He stressed that the society, the elites, the women's entities and trade unions must raise their voice to demand and take the rights of their sisters. They have a responsibility to raise awareness, starting in schools and colleges, so that we can raise a generation that is equipped with the knowledge necessary to assert their rights.

These and other justifications remain an important motive for women to work in Yemen's legal system, particularly in light of the male-dominated authority that tries to force women into certain fields only. Therefore, these motives were born at a time when women are looking for something that can support them to reach their goals.

Women in Yemen's Judiciary: Active Feminism in Times of Conflict and Peace

The First Female Judge in the Arabian Peninsula was Judge Hamida Zakaria from Aden Governorate

The country's continuous conflict, which has persisted for eight years and has had an impact on all aspects of Yemeni society as well as government institutions, including the judicial system and its associated infrastructure, has not spared the judicial institutions from its repercussions.

By: Alia Mohammed
 Women in Development and Peace

According to the report issued by the International Legal Aid Association (ILAC), "the work of the judicial authority was suspended in the areas that witnessed violent confrontations, and the judicial system fragmented according to the dominant parties."

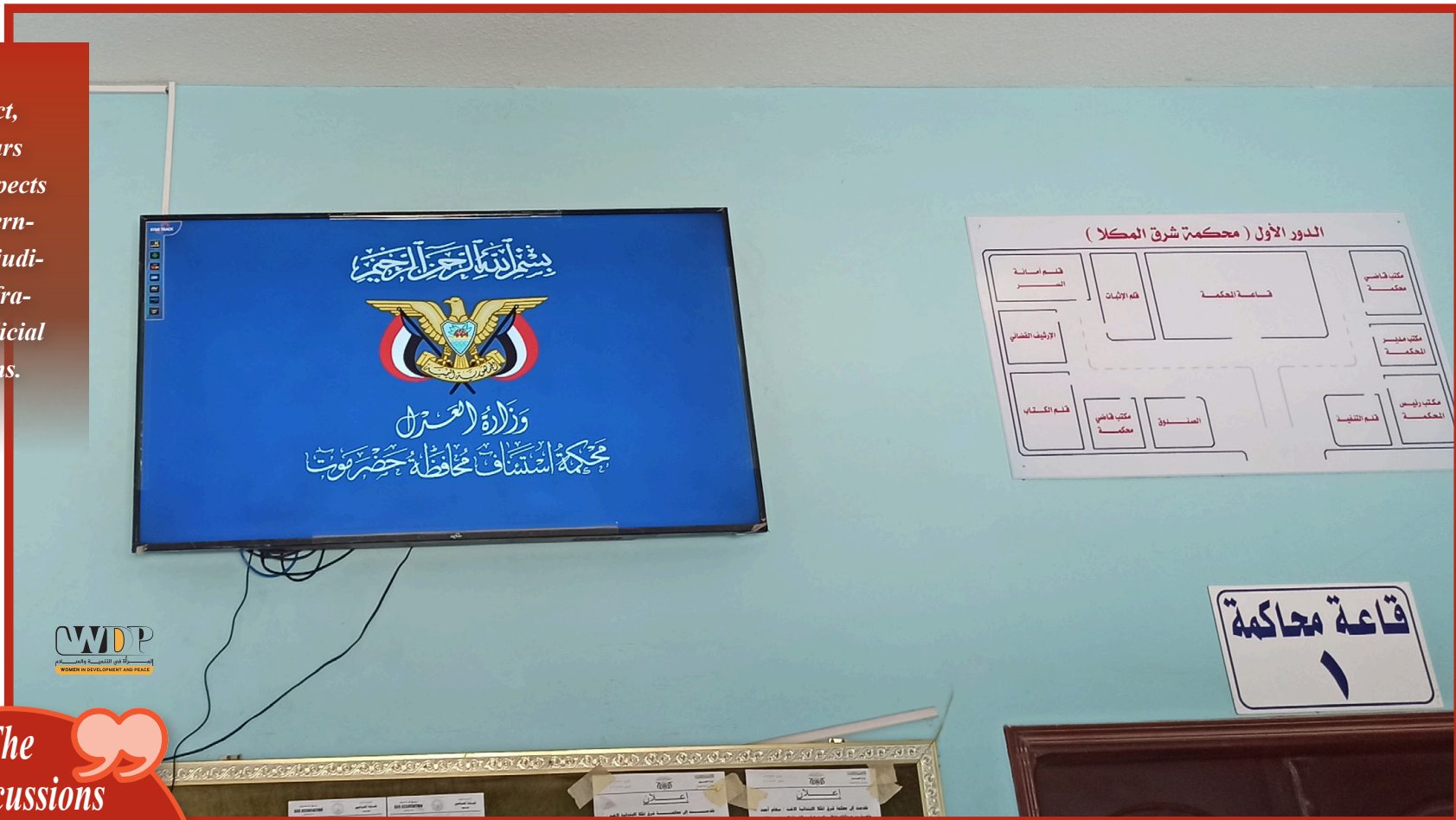
The repercussions of the conflict affected the government's judicial institutions and women working in the judicial system. Additionally, their conditions have changed too. In this report, we will present the conditions of women participating in the Yemeni judicial system before and after the conflict, and we will highlight a number of challenges and difficulties faced by women in this field.

The Repercussions of the Armed Conflict Reduced the Chances of Women's Participation in the Judicial System

The Judiciary before the Conflict
 Before the conflict, the judiciary consisted of two legal systems: the first one was under government supervision and the other was based on customary and tribal practices. The official judicial system included three main bodies including, the Supreme Judicial Council, the Ministry of Justice, and the Public Prosecution Office.

According to Ahlam Yassin, a lawyer, "The judicial system and security are the main pillars for the establishment of the government, and that justice is the basis of governance." She emphasized that the rule of law is a priority, but achieving it will not be an easy task. "Before the outbreak of the armed conflict, it was difficult to achieve justice in the bodies and agencies related to the judiciary and security. After the outbreak of the conflict, the situation persisted and worsened further due to the presence of groups operating outside the framework of government control and the presence of detainees outside the framework of the law."

According to Ishraq Al-Maqtari, a judge and member of the National Committee to Investigate Allegations and Violations of Human Rights, the work of women in the judicial authority and its affiliated bodies have various forms, since women participated in the field of law and the executive judiciary, in addition to working in the field of prosecution. "Women's long-term struggles against



marginalization and exclusion, as well as their limited access to these institutions, led to the involvement of women in the judiciary and its affiliated bodies," Al-Maqtari added.

"Women and the feminist movement have a long struggle in this field. Accordingly, Hamida Zakaria, a Judge, from Aden Governorate, was the first female judge in the Arabian Peninsula, followed by a number of female legal activists who joined the legal profession and the judiciary. In northern Yemen, for instance, Nadia Al-Khulaifi was the first female lawyer in 1972, while in the south, the most famous female lawyer was Raqiah Humaidan. Thus, the Yemeni judiciary's female models have persisted in their struggle to prove that women can succeed in the profession," she continued.

Al-Maqtari explained that the Faculty of Law at the University of Aden in southern Yemen provided the judiciary with female judges who practiced effective, efficient and influential work in the judiciary since the early 1960s until 1994. However, after 1994, women became frustrated and the government's strategies and visions in the field of empowering women in the judicial field diminished. There were also legal obstacles preventing women from joining the Higher Judicial Institute.

"The situation did not remain as it was, and Yemeni women eventually returned to engage in the judiciary. Thus, since the thirteenth batch, women have begun to expand their participation in the judiciary through enrolling in studies at the Higher Judicial Institute. This occurred after 13 batches of women were denied admission to the Higher Judicial Institute due to legal barriers," she added.

Al-Maqtari confirmed that after 2000, there was an intense feminist movement of Yemeni women's elites and civil society organizations to encourage women to engage in the legal profession, as well as to work in the legal field in ministries and legal offices.

From 2012 to 2014, the judicial system in Yemen witnessed a deterioration in government institutions, since the conflict caused severe damages to the infrastructure of the judiciary, and the damages varied between material and institutional ones. Moreover, many works have been suspended due to the fragmentation of the system as a result of political divisions, and the judiciary has stopped performing its duties in most Yemeni governorates.

Al-Maqtari indicated that the status of women and their participation in the judicial authority and its affiliated bodies have changed because they have been affected by the repercussions of the conflict in the country. "Since 2014 and 2015, the suffering of women in the legal profession has gotten worse. They were also subjected to intimidation and a lot of challenges as a result of the lack of security and the rupture and dispersion of parts of the country, in addition to the difficulty of moving from one place to another," she added.

According to Al-Maqtari, "The economic conditions prompted women to work in several fields, including joining the Yemeni Bar Association. Therefore, this field has been advanced dramatically. When comparing the number of female lawyers in 2013 and the number of female lawyers in 2020, the number of women engaged in this field has increased."

Ahlam Yassin, a lawyer, confirmed that the judiciary has a variety of difficulties that have an impact on the efficiency of the judicial workflow in general, especially affecting the smooth performance of women who are appointed to positions in the judiciary. Among these challenges are, the lack of speed in the completion of cases, the difficulty of women going to the pro-

secution offices and prisons for inspection to expedite the settlement of detainees' cases, the failure of developing the judicial work, in addition to the failure to address the deficiencies in the judicial system in general. This in return leads to a humanitarian catastrophe due to the overcrowding of the remand prisons and penal institutions with detainees as well as the difficult living conditions for the inmates.

Yassin called on the competent authorities to take the necessary measures to facilitate the work of women in the judiciary, the most important of which is to provide the necessary needs for some courts and prosecution offices, based on the available capabilities.

Manar Al-Mahdali, a lawyer, referred to the main obstacles she faced in her participation in the legal profession, saying, "We have numerous customs and traditions that limit women's roles and prevent them from holding decision-making positions. Many groups in society believe that women are incapable of serving as judges, lawyers, or other legal professionals, and many people share this opinion."

"Men in our society prefer their male partners to defend them, and they refuse to have women to take over their cases because they don't trust them to do so," she added.

A Glimmer of Hope

Ishraq Al-Maqtari, a judge, confirmed that through the recent appointments of the President of the Supreme Judicial Council, the recent judicial movement has succeeded in achieving a victory for women working in the judiciary. This is due to the fact that women have been promoted in the appellate division to presiding over first instance courts in different governorates, which is considered a quantum leap for women.

"Despite the turning point in women's participation in the judicial system, there is still a gender gap. This gap is widening as a result of the absence of a clear vision and broad strategy to empower women

and eliminate the gap in all fields, especially the justice field," she added.

Al-Maqtari indicated that for women to access justice, they need to be represented by other women in all departments and areas of the legal system, whether they are in court or demanding their rights. Thus, she stressed the need to develop an actual strategy to eliminate the gender gap and empower women in all positions, justice departments, tasks and businesses that can really make an impactful difference in women's rights.

Solutions and Treatments

Ahlam Yassin, a lawyer, stressed the need for government policies to improve the presence of women in judicial institutions and increase opportunities for their participation. She also emphasized the importance of developing laws that enhance opportunities for gender equality and eliminate forms of discrimination based on gender.

"Strategies and procedures must be put in place to achieve gender equality and contribute effectively to strengthening the role of women in the judicial system," she added.

According to Ishraq Al-Maqtari, a judge, "After 2018, there was an improvement in the presence of women in judicial institutions. However, there were many challenges they had to overcome, the most prominent of which are, the security barriers, the decreasing space for rights and freedoms, the high number of violations, the deterioration of the economic situation, and the government institutions' failure to follow the recommendations made to them by the CEDAW Committee and the Human Rights Council."

"In order to create an environment that is conducive to women working in the judiciary and its affiliated bodies, the feminist movement must take into account all of these factors and seek to discover the appropriate solutions to deal with them in collaboration with governmental institutions and decision-makers."

Neglect of Traditional Media and the Impact of Technology on Women's Participation in the Judiciary

By: Ahmed Omar
Women in Development and Peace

Instead of reconciling different viewpoints, bringing peace, advocating for human rights, and supporting women's issues, Yemen's local media turned into a propaganda machine for the parties to the conflict, fueling division and hatred. Local media has not played its expected role in highlighting and addressing social and peace issues as well as women's issues, such as women's participation in the judiciary and judicial control, gender equality, and women's rights guaranteed by the constitution and stipulated in international covenants and treaties.

Most media outlets in Yemen are affiliated with political parties and blocs that aim to improve their image politically, raise their status, and reach power. Almost all media outlets are concerned with politics and the ongoing armed conflict. There are currently no local media outlets, whether television or radio, concerned with violations committed against women during armed conflicts among other issues.

The Role of Media in Supporting Women's Participation in the Judiciary

The website Sayd Alfawaid stated in a report, entitled the Media and Women's Issues, that various media outlets misrepresented Islamic concepts regarding women's affairs. They show Islam as a religion that looks down upon women, oppresses them, and questions their ability to respond to life's demands. The report indicated that these perceptions are due to the directed media. It also pointed out the necessity of correcting these concepts through raising public awareness of women's rights, demanding their fulfillment, and appointing a qualified female staff in decision-making positions.

In 2019, a group of Yemeni women journalists established Neswan, an electronic media platform. According to the same report, Neswan is the first Yemeni platform of its kind, which is mainly concerned with publishing news of Yemeni women, paying attention to their issues, and immortalizing their achievements. It aims to reach every Yemeni woman, make their voices heard, advocate for their issues, defend their rights, and support their success including their participation in the justice system.

Local TV channels - albeit timidly- are in line with empowering women and claiming their rights. There are social programs, broadcast by channels, that deal with women's rights and highlight their participation in the legal profession, the judiciary, and the police force.

The Media and Awareness

In the framework of the role of the media and its impact on the awareness process that enables women to participate in real positions, the director of the official Mukalla Radio and former head of the press and media department at Hadhramout University, Dr. Doa'a Bawazir, said, "the media plays a major role in daily life because of its direct and indirect impact in spreading awareness in all fields. It also gave a great impetus to women's participation in the judiciary in its various fields, which was exclusive to men. She added that the media of all kinds can provide the opportunity for women to appear in front of public opinion and interview all spectrums directly."

She clarified that the successes of women that they have achieved and the leadership positions they have held to this day are the result of their own strenuous efforts and arduous struggle. There is a very close link between these successes achieved by women and the role played by the media for many years to empower women at all levels. In addition, the reduction of family and societal pressure on women has greatly contributed to these successes.

Bawazir called on the official and private media institutions and their affiliates to keep



lawyer Sabreen Bamdhahj



Journalist Mariam Al-Maari



Dr. Doa'a Bawazir

abreast of the challenges facing women in Yemen, such as reducing their presence in the judicial system, committing violations against them because of armed conflict, imposing restriction on them regarding freedom of expression, undermining media freedom and pluralism, as well as electronic media training and meaningful media discourse.

Journalist Mariam Al-Maari called for greater efforts from the various local media outlets to support women's issues and empower them in all government bodies, including the judicial system. Women have enormous potentials that enable them to contribute to combating corruption in courts and prosecution offices. Al-Maari believes

that the media today has become the first platform on which discourse is produced and consumed and the most influential in society. Therefore, intensifying programs that call for the empowerment of women and give them their rights in various fields, in which men now make up the majority, is very important.

In addition, Mariam Bafadhl, a social activist, confirmed that the media, especially television, has very little interest in women's issues. This has contributed to the marginalization of women in society particularly in the professional aspect. She noted that there is no equality between the sexes in media discourse and stressed that allocating programs and seminars calling for gender

equality and supporting women in achieving their goals are of great importance. One of those goals is to empower them in the judicial system (courts, the legal profession, and women's police), whose representation in this system is low compared to men.

Impacts of New Media

New media (or social media) is nowadays the most interactive, popular, and influential on public life. Social media platforms are not subject to the standards and controls of the official media or a specific policy, and are distinguished by their independence and speed in reporting events, shaping public opinion, promoting social change, and representing the most supportive type of

media for societal issues and women's issues. They also play an important role in monitoring and following up some parties, correcting their path, and exposing sources of corruption.

Journalist Al-Maari pointed out that the new media has a great impact on the judicial system and correcting its path. In addition, the appointment of some women judges to judicial positions in which the new media played a pivotal role in highlighting women's activities inside and outside the courts, their independence, strong personality, and justice. Pioneers, influencers, and celebrities of social media in Yemen are required to make more efforts to empower women in leadership positions, especially in the judicial authority as being the body authorized to establish justice and equality between the sexes.

Activist Mariam Bafadhl said that the role of social media platforms regarding women's issues collides with ideas, customs and traditions that obscure the role of women in conservative Yemeni society. Therefore, the new media requires educating society through educational flash videos that attract public attention and inform them of women's rights, including their involvement in the judicial system in all its fields and their right to hold prestigious positions in it.

Bafadhl mentioned that the new media is credited with the presence of women, encourages their participation in several fields within the government sectors or the private sector, provides opportunities for women to hold jobs worthy of them and their status in society, and makes them an important focus among other societal issues.

She added that the media in general, in the current circumstances, is greatly affected by effects of the conflict that the country is enduring, including weak credibility and politicization of issues to serve the interests of the rival factions.

Experts' Opinions

Women's rights activist and lawyer Sabreen Bamdhahj said that the media has an important role in monitoring and following up on many cases and exposing them to the public, such as violations against women and children, or job inequality between the sexes, especially in the current situation the country is going through.

She added that women's right to participate in the judicial system is limited only to the legal profession and pleading. In the courts, women judges are not given cases except for personal or juvenile cases. This is in accordance with the misconception of women and their psychological and emotional makeup, and they are not allowed to engage in criminal cases. She also called on the media to intensify efforts and media discourse to transgress obstacles that stand against women's rights, according to what was stated in the law and international treaties to which Yemen is a signatory.

She explained that the new media adopts women's issues more by proving their role and enhancing their presence in all fields as a main partner, including the judiciary. She cited international reports proving that women are less vulnerable to corruption than men.

Unlike political and economic issues, social issues, women's issues, and development have not received the required attention in the local media discourse today. This is due to the armed conflicts that Yemen is witnessing, which has affected women's rights and stood in the way of their empowerment.

The Absence of Women's Issues in the Media

Women in the Judiciary and the Judicial Control Bodies: A Youth Perspective

The presence of women in the judiciary and the judicial control is highly important in all aspects of public life. Women must have exactly the same rights and opportunities as men to assure gender equity and equality. However, the reality confirms that the presence of Yemeni women in all justice bodies is weak and needs more advocacy and support.

By: Afrah Ahmed
Women in Development and Peace

As youth constitute the most significant and influential segment of the population, they have a prominent role in advocating for women's rights in the judiciary. In this survey, we learn about the opinions of young people about the presence of women in the judiciary and judicial control, its extent, and how to increase their participation?

Ensuring equal justice for both men and women, and the actively involving them in the pursuit of protecting their rights and freedoms, is crucial for achieving a just society

Women in the Justice System

Ismail Al-Qadi, an independent journalist, said that the presence of women in the judiciary, such as courts, prosecution offices, police stations, and criminal investigation departments, is imperative for more justice to be achieved. Women should be encouraged to be strongly present in these bodies and highly influential in adopting and advocating for important issues.

"Women also contribute significantly to the decision-making process, and to the quality of the justice decision itself. Women judges around the world have acquired the necessary qualifications, made achievements, and met the judicial selection criteria with great merit" Al-Qadi said.

"During the previous years, Yemeni women could obtain more entitlements in the judiciary and the judicial control. For example, Judge Somaya Mahdi was appointed as a member of the Judicial Committee in 2006, and Judge Sabah Al-Alwani was appointed as a member of the Supreme Judicial Council by a presidential decision in 2022. Women have also become more present in po-



lice stations, prosecution offices, and courts, as judges or lawyers" Al-Qadi confirmed.

"Women have proven their competence in all judicial bodies and their branches. We must work to further increase the representation of Yemeni women in such bodies to occupy high positions therein" Al-Qadi added.

Journalist Ismail Al-Aghbari believes that the presence of women in the judiciary and other justice bodies is insufficient. Their participation is still insignificant and very limited. He said, "the presence of women in the judiciary and the judicial control in particular is still considered insufficient and very modest."

Al-Aghbari said, "women's participation in the judiciary is very important for achieving justice. Since women judges are better in understanding women's cases than male judges, the judiciary and judicial enforcement bodies are in dire need of them."

Experts' Opinions

Judge Abdulda'im Al-Dhalei said, "in accordance with the principle of equal opportunities, the law, the constitution, and the outcomes of the National Dialogue Conference, every Yemeni citizen who meets the appropriate conditions, whether male or female, has the right to join the justice apparatus."

Al-Dhalei continued, "according to the outcomes of the Comprehen-

sive National Dialogue Conference, to which all parties committed themselves to giving women the opportunity to join all state bodies and institutions, including the judiciary and the judicial control. Accordingly, the presence of women in various fields, especially in the judiciary, has become inevitable, even if it is still weak."

He stressed that the presence of women in the judiciary and the judicial control bodies is not sufficient enough to ensure their rights.

In addition, human rights activist Sorour Al-Maqtari said, "the judicial and security authority is the basis for the establishment of a state, given that justice is the basis of governance. Therefore, we must ensure gender equality and involve both men and women in the process of protecting rights and freedoms and achieving justice and legal redress for the oppressed. She cited historical facts to prove the importance of women and their positive influence in the political, military, judicial and security fields of the state.

Al-Maqtari said that the presence of women in the judiciary and the judicial control is not sufficient. Although there are honorable Yemeni women role models who have proven their competence in this field, they do not find the same ovation, encouragement and support as their counterparts in Arab and foreign countries.

Poor Participation

Journalist Asem Al-Khadami said, "there are no differences between women and men in the rights to participate and be present in state bodies, such as the judiciary among others." For example, there are women who ruled Ye-

men in the past, such as Queen Bilqis and Queen Arwa. Therefore, I cannot differentiate between women and men in roles. Women must have a role in participating in all state apparatuses and holding positions therein."

Al-Khadami indicated that there are many women who have achieved success in their participation in the political, social and other fields. However, on the contrary, the presence of women in the judiciary and the judicial control is not sufficient. There is a marginalization of Yemeni women and a clear negligence on the part of all political parties and official authorities to advance women in the judiciary and its related bodies.

Journalist Mohammed Abed said, "I believe that the presence of women in the justice system, especially the judiciary, is an inevitable necessity, so as to impose a kind of balance. I do not believe that women are overwhelmed by emotions and incapable of fulfilling their duties if they hold judicial positions."

Abed confirmed that there are women judges, lawyers, and policewomen who have proven their competence and ability to carry out their duties in most countries of the world, and sometimes they outperform men.

Women's Emotions and the Judiciary

Judge Abdulda'im Al-Dhalei said that juvenile and family cases, to name just a few, require the compassion enjoyed by women.

For his part, Anwar Al-Tayeb said that women have the right to work in the justice system. This is a right guaranteed by the constitution, local and

international laws, and United Nations conventions.

Al-Tayeb stressed that the presence of women in this system is not enough compared to men. This is considered a confiscation of women's rights and a clear violation of international conventions and treaties regarding women's involvement in work.

Journalist Ahmed Al-Bayti believes that some believe that women should not be appointed in the judiciary because they are emotional, not rational. However, governments around the world have a completely different view. They entrust women with judicial affairs, as these matters, according to them, are subject to clear and strict laws and legal provisions.

In this regard, Yaser Al-Amiri said, "in our Arab countries, and in Yemen in particular, we rarely find in any court or prosecution a woman who is a chief judge/head of court. Perhaps the most important reason for not placing a woman at the top of the judicial authority pyramid is discrimination of any kind. There is a prevailing belief that women are not entitled to play different roles other than taking care of household affairs and bringing up children. However, he said that there are many Arab countries in which women have occupied judicial positions, such as Sudan, Egypt, and Jordan. It is possible to take advantage of the experiences of these Arab countries in Yemen by virtue of the shared religious and social culture.

Through the aforementioned views of youth, we conclude that to work and hold positions in the judiciary and judicial control, serve society, and achieve justice, Yemeni women must be given exactly the same rights and opportunities as men.

The Crucial Role of Social Institutions in Advancing Women's Participation in the Judiciary

Women in Yemen are a key partner in achieving the goals of peacebuilding and sustainable development, especially recently. There may not be any transformations or developments without their active presence. Despite successive conflicts and crises, Yemeni women have managed to reach high positions in the judicial system, and have held positions of judges, lawyers, and police officers. One of the most prominent obstacles that Yemeni women face is society's opposition to some of their legally guaranteed rights.

By: Hanan Hussein
Women in Development and Peace



The Culture of Shame

Salwa Ahmed, a Sharia and law student, talked about the difficulty of enrolling in the Faculty of Sharia and Law because of her family's rejection, especially her young brothers, under the pretext of shame. She said, "my older brother rejected my enrollment in this college, because I will enter courts and police stations in my work and handle men's issues that women are not allowed to engage in."

She added, "society hinders every woman who wants to excel in a new field. I do not know the real reason, but I think it is the culture of shame."

Abdullah Saleh, a 45-year-old citizen, confirmed, "women may not rule in some cases because they are emotional. So, they should not adopt some issues, such as divorce and khula (divorce instigated by the wife). They may sympathize with women when they see them crying or complaining without thinking that the other side may not be the wrong party, and in some other cases, they may sympathize with the perpetrator or the victim without verifying the truth of the matter. Roua Al-Nasser, a law student, said, "we spent years studying in this field, and when we plead in a case, we

find that there are those who refuse to have a woman pleading in courts, just because she is a woman no matter how excellent she is. According to them, women should not have authority over men."

Abdullah Salem, a 19-year-old high school student, said, "women are the basis of society and are greatly valued and appreciated. My sister and my wife are all housewives. I don't think I support women taking on a larger role than their role in the family and society."

Pointless Social Values!

Nasser Ali Abdullah, a language student, said that women are a basic partner and indeed a building block for society. In Yemeni society, men have authority over women, their life decisions, and fields of study and work. He added that women are dependent on and subordinates to men in everything. For instance, women are not given all their rights, including their right to marry themselves off. In addition, Fathia Yahya, a housewife, said that differentiation and discrimination between girls and boys starts at home.

Boys are brought up with a superiority complex while girls are made to internalize the culture of shame and accept an inferior position in society.

Abdullah Yahya, a 44-year-old freelance worker, believes that the presence of women in the police is unacceptable, let alone their presence in the judiciary and the legal profession. For him, women should take care of their home and family, not chasing down culprits and causing trouble.

Fairouz Ali, a journalist, said that society rarely trusts the capabilities and integrity of women in performing judicial tasks as much as men due to the prevailing traditional and cultural background.

Human rights activist Abdullah Saleh Naji said, "there is a very large gender disparity in Yemen due to a deeply rooted culture that is against women's right to work in general, not to mention their work in the judiciary. This belief is derived from the distorted customs and

traditions towards women."

Naglaa Al-Najashi, a commerce student, believes that although society's view of women has slightly changed, some people still see women's presence in the judiciary as a shame and a social stigma. Saleh Naji, a student, said, "men and women are indeed partners in all aspects of life, but women's work should be confined to their homes and taking care of their families."

Saleh Abdullah, a 34-year-old worker, said that there are issues of a deeper human dimension that must be paid attention to. Life pressures are greater than arguing about why certain positions are held by men not women. Unemployment affected all members of Yemeni society, and we should not focus on higher positions in society.

system as men. Women are partners with men in all aspects of life, and their social roles should not be limited to specific areas."

Lawyer Laila Abdulhaq confirmed that Yemeni women face double the challenges faced by Arab women, but Yemeni women work to improve their capabilities and conditions and push the wheel of development in building Yemen.

Teacher Abdullah Abdullah believes that women have the right to participate in all fields and hold any position, provided that their dignity is preserved.

From the point of view of Ahmed Ali, a 22-year-old student, it is not permissible for a woman to become a judge. Judges are required to deal with opponents and attend public gatherings to settle disputes, and this is something that women cannot do.

Nadia Abdullah, a graduate of Sharia and Law, believes that there is no room for emotions when making judgments, as there are clear legal texts that everyone must abide by.

Amna Naji, a 55-year-old housewife, said "there are female lawyers pleading in many personal status cases, but I do not prefer their involvement in criminal cases, because women are overwhelmed with emotions no matter how rational they are."

Yemeni women have succeeded in becoming teachers, doctors, journalists, university professors, and excelling in other various professions. They can prove their competence and ability in any field, overcoming difficulties with a leadership spirit.

According to the National Information Center, there are 39 women judges in the courts of appeal and first instance, two at the technical office of the Attorney General's Office, five as public prosecutors, and more than 35 women working as lawyers. Until September 2006, we still find some negligence in women's participation in the judicial system.

Women's Role in the Judiciary Amidst Support and Opposition

Just and Fair!

Roua Abdullah, a student, confirmed that "there is no difference between men and women. Restrictions are imposed on women in several respects, as some are afraid of their success or strength. Despite all this, strong and determined women have proven their worth to occupy the highest positions. One of their rights is to have access to the most prestigious positions. I bet that women in the judiciary will be more just."

Abdullah Al-Rouni, a 34-year-old social activist, said, "women are indispensable, whether inside or outside the home. Among their most basic rights is to grant them powers at work and in life in general. There must be more just and fair laws. Women have the same right to be present in the judicial



As a lawyer who has worked in many Yemeni courts, I recall a memorable incident during a visit to the Commercial Court in Sana'a with one of my clients. While passing through a courtroom, my client abruptly halted, eyes fixed in disbelief at one of the female judges presiding over a case. «What is that woman doing in the judge's seat?!» he exclaimed. My explanation that she was duly appointed and arbitrating the case was met with a mixture of surprise and disapproval. Sadly, this reaction is quite common amongst many Yemeni citizens who are not familiar with the judicial process and seldom visit the courts.

Women Work in the Judiciary

Yemeni society is not accustomed to seeing women in positions of power, particularly when it comes to serving as judges. This is due to deeply ingrained gender roles and cultural traditions that often understate women's abilities as decision-makers. However, these perceptions are changing quickly as citizens increasingly demand fairness and proper procedures, regardless of who represents them in the judiciary.

Women who pursue careers in the justice system face numerous obstacles, particularly when it comes to reconciling their femininity with their professional responsibilities. Rather than being valued solely for their intellect and expertise, female justice workers are often expected to embody a specific set of traits and behaviors that are deemed appropriate for their gender - gentle, empathetic, and nurturing. However, women are also required to be tough and decisive in their work and to make swift and just decisions in every case presented.

Women are deterred from pursuing careers in the judiciary due to the difficulties and pressures that judges face, as well as the potential threats they may encounter. Despite these challenges, there are also systemic reasons for the underrepresentation of women in the field. For instance, becoming a judge - regardless of gender - requires completion of studies at the College of Sharia and Law, followed by admission to the Higher Institute for the Judiciary. Those interested in pursuing this path must also be provided with greater support and guidance at the university level, including encouragement to apply to the Institute, assistance in meeting admission requirements, and opportunities to observe and learn from the work of the courts.

While the enrollment rate for women in the Faculty of Sharia and Law is encouraging, there is a mismatch between the number of graduates and the demand for female judges at the Higher Judicial

Institute. This can be attributed, in part, to the absence of a supportive learning environment for women during their studies. University administrators could help promote greater interest in the field by arranging field trips to courts, hosting meet-and-greet events with female judges, and providing opportunities to explore the workings of the Higher Judicial Institute. Such activities would not only help motivate women and expand their career ambitions, but also expose them to the realities of the profession and allow them to make informed decisions about their future.

Despite not imposing formal gender restrictions, admission to the Higher Judicial Institute is subject to competitive written and oral exams, as well as personal interviews. Women who satisfy these criteria are eligible to apply, but the reality is that the number of male applicants consistently outstrips that of female applicants. This results in disappointing levels of female representation in the institute and, by extension, in the broader judicial system. One potential solution to this issue involves distributing admission slots to different regions of the country in proportion to population density, as was done in 2014. A similar approach could be taken to ensure that a certain number of spots are reserved for qualified female candidates. This could be an important first step in bringing more women into the legal profession and fostering greater gender parity in the justice system.

Expanding opportunities for women's participation in the judiciary should extend beyond just appointing them as judges. One area that has been neglected thus far is the administrative staff of the courts. Increasing the number of women in these roles would promote greater integrity, transparency, and professionalism. It would also foster healthy competition in terms of career advancement and litigation services, as the current



underrepresentation of women in court employment is unjustifiable. It is essential that the Ministry of Justice and the Ministry of Civil Service and Insurance prioritize the inclusion of women in all aspects of court administration to create a more inclusive and just legal system.

For an effective judicial system, security personnel such as the judicial police are essential to enforcing court orders. Given the importance of ensuring the rule of law and safeguarding the rights of all citizens, women must have an active role in the judicial police. This is especially important in cases that involve women, where female officers are needed to enforce the law during arrests, searches, or in custodial facilities. The Ministry of the Interior is responsible for the recruitment, training, and deployment of police personnel to courts.

Therefore, it is vital that the Ministry establish a mechanism for enrolling and training women in the judicial police, to ensure gender diversity and promote inclusivity in the justice system.

Appointing women as judges in juvenile and family courts has proven beneficial to society. Women are equipped to handle these cases professionally, particularly because one of the parties involved is often a juvenile or a woman. Moreover, female judges demonstrate expertise and excellence in the commercial and civil judiciary as well as in prosecution offices. To strengthen the judiciary, it is necessary to ensure sufficient numbers of qualified women, starting from motivating women during their university studies, granting them equitable admission to the Higher Judicial Institute, and engaging them in administrative work in courts and security agencies. This requires a coordinated effort between relevant authorities, including universities, the Higher Institute for the Judiciary, the Ministry of Civil Service and Insurance, the Ministry of Justice, the Ministry of Interior, and other relevant entities.

Society's view of women's roles should not impede progress, as women have already shown during recent years their ability to overcome societal barriers to achieve success in various fields, including ministerial positions. Although it may take time, the acceptance of women in the field of justice is inevitable. It is worth noting that in rural areas, where customs and traditions hold more influence, women may still be deterred from seeking justice in court because of the perceived shame. However, appointing women as judges or administrators in the courts can help break the silence of those seeking justice and empower them to overcome strict customs and traditions to demand their constitutional and legal rights.



By the lawyer:
Ra'afat Ha'el Al-Silwi

Therefore, we recommend the following measures:

1. Encouraging women to enroll in law faculties, including sharia and law, as this is the first step towards entering the judicial field.
 2. Organizing court visits and judiciary institute tours for male and female students to gain familiarity with the judicial work environment, and to help female students overcome any psychological barriers to joining the judiciary.
 3. Allocating a proportionate number of positions to women in the Judiciary Institute.
 4. Including women as members of the teaching staff at the Judiciary Institute.
 5. Appointing women to leadership positions in the Ministry of Justice, justice institutions and courts.
 6. Reserving a percentage of administrative positions in the courts for women.
 7. Prioritizing the appointment of women in penal and police facilities.
- Finally, we acknowledge the immense contributions of women in the field of justice, who work tirelessly alongside their male counterparts to ensure justice is served and upheld in their respective roles.





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84.2% of the Participants Believe that it is Necessary to have Women in the Judiciary in Yemen

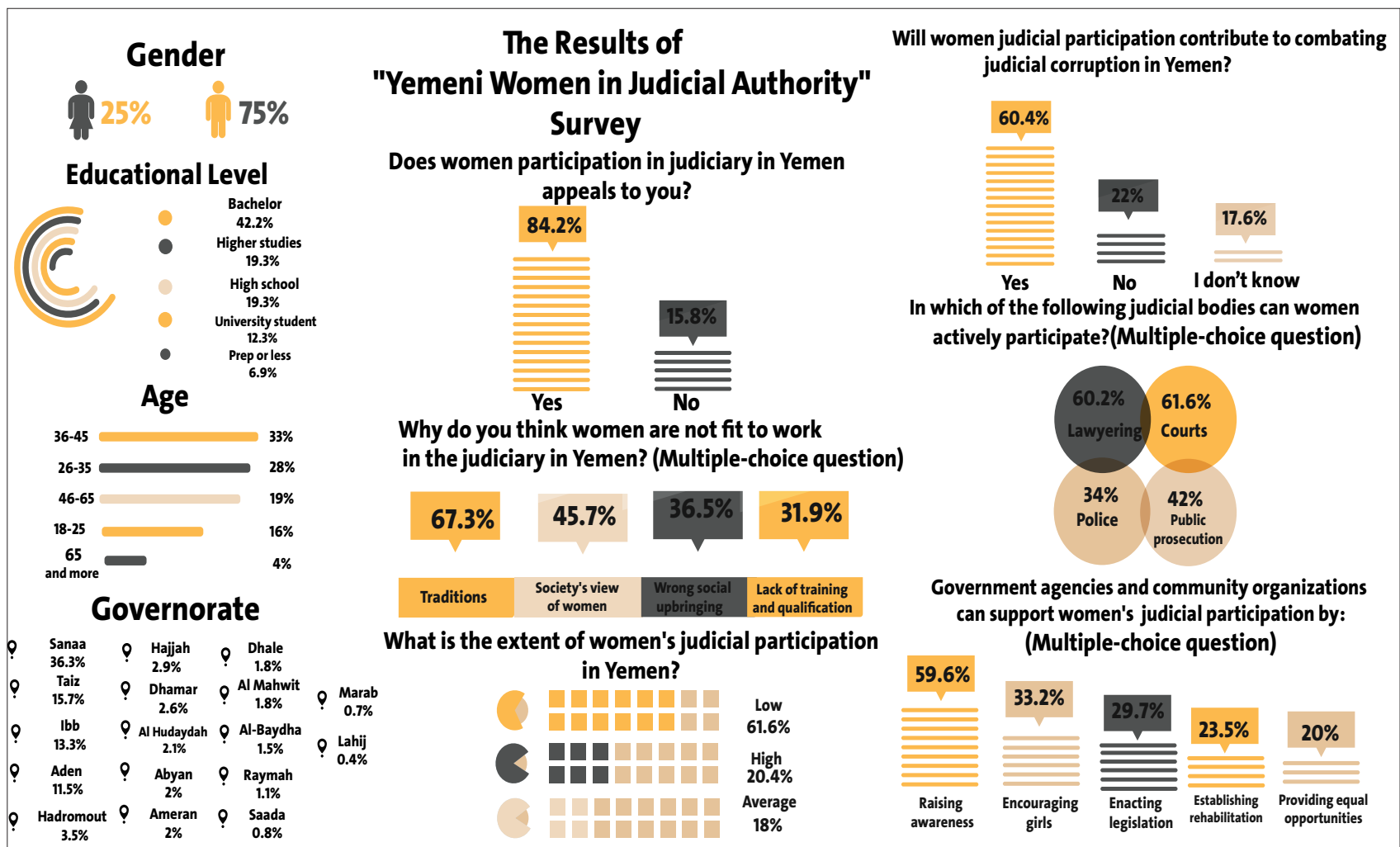
By: Yomna Ahmed
Women in Development and Peace

The judicial authority is the authority responsible through its institutions for achieving justice and settling disputes. It is independent in performing its functions and one of the three powers of the state (which are the executive, legislative, and judicial powers). The judiciary plays an essential role in maintaining order in society by adjudicating disputes and ensuring justice and equality. This makes women judicial participation an urgent necessity to achieve and ensure societal gender equality and modernize the law, and for women to contribute significantly to law enforcement in judicial institutions and to intensify efforts to combat corruption.

Before the outbreak of the conflict in Yemen, Yemeni women had been able to significantly participate in state institutions, especially in the legislative authority. There are female models in decision-making positions in parliaments, consultative (shura) councils, and cabinets. However, women's participation in the judicial institutions was very scarce, despite the efforts made by women themselves to ensure increased participation and gender equality guaranteed by Yemeni law in its constitutional provisions. These provisions constitute a legal basis for Yemeni women to exercise their political, social, and economic rights, and to enhance their participation in all state institutions. As a result, the Information and Opinion Survey Unit at "Yemen Information Center" conducted a survey showing the attitudes and beliefs of Yemeni society regarding women's participation in the judicial power in Yemen.

The survey was conducted on a research sample of 931 people. Most of the participants were males 75.6% compared to 24.4% of females of different age groups. 33.2% of them are 36-45 years old, 28.1% are 26-35 years old, 19.2% are 46-65 years old, 15.8% are 18-25 years old, and only 3.7% are 65 years old and over.

Regarding the participants' educational levels, most of them had



a bachelor's degree 42.2%. Those with higher degrees and a high school certificate came next with percentage of 19.3% for both of them. Then, university students 12.3%, and those who had a preparatory certificate 6.9%.

The survey covered a wide geographical area, including 17 Yemeni governorates out of 21 as follows: Sana'a 36.3%, Taiz 15.7%, Ibb 13.3%, Aden 11.5%, Hadramout 3.5%, Hajjah 2.9%, Dhamar 2.6%, Al-Hodeidah 2.1%, Abyan 2%, Amran 2%, Al-Dhalea 1.8%, Al-Mahweet 1.8%, Al-Bayda 1.5%, Raymah 1.1%, Sa'adah 0.8%, Ma'rib 0.7%, and Lahj 0.4%.

Main Results

84.2% of the participants believe that women should participate in the judiciary in Yemen. On the contrary, 15.8% believe the opposite, considering their participation unnecessary for many reasons. The reasons they provided include: the emotional nature of women in making decisions

which makes them unfit for the judiciary, women's work in the judiciary is not permissible in Sharia, women are not qualified enough, customs and traditions, the nature of work in the judiciary, etc.

When asking the participants whether women participation in the judiciary would contribute to getting rid of judicial corruption in Yemen, 60.4% of them answered "yes" because they believe in the ability of women to reduce corruption. 22% answered "No", which means that they do not believe in their abilities. However, 17.6% said that they do not have any idea about the topic.

Regarding the judicial bodies which would be more suitable for women to work in, the participants answered as follows: "The answers to this multiple-choice question were analyzed individually, with an estimated score of 100% for each answer."

- Courts 61.1%
- Lawyering 60.2%
- Public prosecution 42%
- Police 34%

However, 20.4% of the participants believe that women's participation in these bodies is high. 18.1% believe that it is average, while 61.6% believe that it is very low.

It is known that women work in state bodies faces many challenges and obstacles. According to the participants, the main challenges in the judiciary are as follows: "The answers to this multiple-choice question were analyzed individually, with an estimated score of 100% for each answer."

Customs and traditions 67.3%. Society's view of women 45.7%. Wrong social upbringing 36.5%.

Lack of training and qualification 31.9%.

The participants believe that government bodies and community organizations can support and enhance women's participation in the judiciary by: "The answers to this multiple-choice question were analyzed individually, with an estimated score of 100% for

each answer."

Raising awareness of women's role in these bodies 59.6%.

Encouraging girls to enroll in law colleges 33.2%.

Enacting legislation to support women's participation in the judiciary 29.7%.

Establishing rehabilitation and training centers for women 23.5%.

Providing equal opportunities for both males and females 20%.

In conclusion, the participants agree that the judiciary plays a major role in ensuring security and stability and combating the spread of crimes. In order to maintain justice and equality, the participants believe that women should be more involved in all judiciary bodies, as they would be more able to do a lot in the judiciary. They also believe that their greater judicial participation would contribute to combating corruption, and will advance the Yemeni judicial system. Most of the participants hope to see more female models in the Yemeni judiciary in the future.