



The Judicial Service Commission (JSC) is set to advertise positions in Kadhi courts that will be taken up by women.

According to Chief Justice Willy Mutunga, other countries already have women representatives in the Kadhi courts and as part of the on-going judicial reforms; Kenyans should expect to have women sitting in these courts by the end of the year.

In an interview, Chief Kadhi Sheikh Al-Muhdhar Hussein explained that in the Kenyan constitution there is possibility of a woman becoming Kadhi, if not now then in future since the constitution is silent on the gender issue.

Although the issue is sensitive among Muslims, Hussein explained that Islamic law is also silent on gender. “There is no where you will find it prohibits women from becoming Kadhis. If our law is silent then it means women can take that position if they meet the requirements and qualifications according to Sharia and the Laws of Kenya. In Islam, this is acceptable.”

He went ahead to emphasize that in Islam it is not an issue. “Women have proved themselves as members of parliament, doctors and other high positions in the community. If now we have a woman for a Deputy Chief Justice, why not have a woman as Kadhi as long as she meets the requirements?”

This announcement comes after an organized dialogue forum by UN Women, in collaboration with the League of Muslim Women of Kenya (LMWK) was held on 23rd December 2010. During this forum Kenyan women mentioned the lack of female Kadhis and court clerks as one of the barrier to access justice. They mentioned that discussing matters involving pertinent personal

issues was difficult and at times embarrassing as all the officers in the Kadhi courts were male.