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NEGOTIATING TRADITION: AN ANTHROPOLOGICAL STUDY ON FEMALE JIRGA'S ATTOCK DISTRICT

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Abstract
This study explores the role and perception of female Jirga systems in Bahadur Khan Village, located in the Attock district of Punjab. Traditionally dominated by male elders, Jirga have begun to include women in decision-making processes in some rural areas. This research investigates how women participate in or lead such informal justice mechanisms and how their involvement influences community dynamics. Using purposive sampling, ten women from the village were selected for in-depth interviews. The data were analyzed thematically to uncover patterns of participation, challenges faced, and community attitudes toward female-led Jirga. Findings reveal that although female Jirga is relatively new, they are gaining acceptance for resolving domestic disputes and issues related to women and children. Respondents expressed appreciation for the empathetic and fair nature of these Jirga, noting their accessibility and alignment with cultural values. The study concludes that female Jirga contribute to social cohesion and offer an inclusive alternative to the male-dominated justice system in rural settings.

INTRODUCTION

The Jirga system, a traditional tribal council used for dispute resolution, has long served as a central component of informal justice in rural Pakistan. It functions outside the purview of the formal legal system, relying on customary norms and collective decision-making by male elders. Rooted in patriarchal and community-based structures, the Jirga often addresses a wide range of issues, including family disputes, property conflicts, and criminal cases (Shinwari, 2011). However, its exclusion of women—both as decision-makers and as equal participants—has been a major criticism, particularly from human rights and gender justice perspectives (Yusuf, 2013). In response to changing social dynamics, awareness of women's rights, and localized advocacy, some rural communities have witnessed the emergence of female Jirga's or female participation in existing Jirga structures. These developments mark a significant, though gradual, shift in the traditional gender roles and power hierarchies within rural Pakistan's justice systems (Naich) . This study investigates the role and perception of female Jirga systems in Bahadur Khan Village, situated in the Attock district of Punjab. The village, like many others in Pakistan, has relied on informal dispute-resolution mechanisms for generations. However, recent social transformations have enabled women in this village to participate more actively in conflict resolution, particularly in matters concerning domestic violence, marital issues, inheritance disputes, and children's welfare. These female-led or inclusive Jirga's provide a rare but important space for women to voice their concerns, mediate disputes, and influence decisions that directly affect their lives. Despite existing in a deeply patriarchal context, these forums represent a localized form of gender justice, where women's

knowledge, empathy, and cultural awareness are increasingly recognized and valued (Khan & Rehman, 2020). The study employs a qualitative methodology using purposive sampling to select ten women from the village who have either participated in or observed female Jirga proceedings. Through in-depth interviews, the research explores the motivations behind their involvement, the challenges they encounter—such as resistance from male elders, social stigma, or lack of legal recognition—and the broader community perception of their roles. Thematic analysis was applied to organize the data into categories that reveal recurring patterns of participation, resistance, legitimacy, and community acceptance. Preliminary findings show that female Jirga's, although still rare and limited in jurisdiction, are gaining credibility in resolving family and gender-specific issues. Respondents indicated that these forums are more approachable, culturally sensitive, and emotionally supportive than male-dominated or formal legal systems. In many cases, women described these Jirga's as spaces of empowerment where their voices are heard without fear of judgment or retaliation. Moreover, several community members—especially women—expressed trust in these forums, viewing them as more just and accessible alternatives to the lengthy, expensive, and often corrupt formal justice system. While male resistance remains a barrier to their expansion, some men acknowledged the benefits of female-led forums in resolving disputes peacefully and maintaining community harmony. This study contributes to the growing body of literature on gender-inclusive informal justice systems by highlighting a case where traditional norms are being negotiated and redefined by women within the boundaries of culture. Rather than rejecting the Jirga system outright, these women are reshaping it from within, demonstrating that customary practices can evolve to accommodate gender justice without necessarily losing their cultural legitimacy. The research aims to offer a nuanced understanding of how female Jirga's function, their social impact, and their potential to promote inclusive justice and social cohesion in rural Pakistan.

Literature Review

The Jirga system, a traditional and informal mechanism of justice in South Asia, particularly in Pakistan, has long been a dominant force in the regulation of social conduct, conflict resolution, and community cohesion in rural areas. Historically male-dominated, Jirga's are composed of local elders who interpret customary laws and deliver judgments based on community norms rather than formal legal codes (Shinwari, 2011). While the system is widely accepted due to its accessibility, low cost, and cultural familiarity, it has also been criticized for reinforcing patriarchal norms, lacking legal oversight, and excluding marginalized voices—especially those of women (Yusuf, 2013).In recent years, growing awareness of women's rights and grassroots advocacy has encouraged some communities to challenge the male monopoly over such decision-making spaces. Scholars such as Khan and Rahman (2020) argue that women's involvement in informal justice mechanisms is a crucial step toward inclusive governance in rural Pakistan. Their study emphasizes that when women participate in or lead alternative Jirgas, particularly in cases involving domestic violence or family disputes, the outcomes are often more empathetic and socially acceptable to affected women. These female-led forums, although still marginal and often lacking formal recognition, represent an important transformation within traditional structures. One notable authors Samra Iqbal, and Dr. Waheed Iqbal Chaudhry contribution to this evolving discourse comes from a recent case study conducted in Bahadur Khan Village, located in the Attock district of Punjab. The article titled "An Analysis of Jirga System and Perception of Local People: A Case Study of Bahadur Khan Village" provides important empirical evidence on how the local community perceives and engages with the Jirga system. The study found that while a significant portion of the population—especially older males—continues to value the Jirga as a reliable mechanism for justice, younger generations and women expressed mixed feelings. Many viewed it as biased against women and lacking procedural fairness. However, the study also revealed growing interest among women in participating in or forming parallel forums to handle gender-specific disputes, suggesting an evolving perception of gender roles within

informal justice systems. This aligns with research by Iqbal (2019), who explored women's experiences with Jirga's in Khyber Pakhtunkhwa. She found that although women are typically excluded from these forums, they often prefer them over formal courts due to cultural familiarity and ease of access. Nonetheless, the lack of legal protections within the Jirga system continues to pose risks, particularly in cases involving honor-based violence, forced marriages, or child custody. Iqbal's study underscores the importance of reforms that would both protect women's rights and integrate their voices into community-level decision-making processes. Collectively, these studies highlight the complexity of the Jirga system in Pakistan. While it remains an important conflict resolution mechanism deeply embedded in rural culture, it also presents structural challenges to gender equity and legal justice. The case of Bahadur Khan Village adds a unique, place-based dimension to this literature, revealing not only the persistence of patriarchal traditions but also the emergence of new forms of female engagement in justice mechanisms. In sum, the literature points toward a transitional moment in the landscape of informal justice in Pakistan. The traditional Jirga is gradually being reshaped by social change, legal awareness, and gender activism. Continued research, especially at the micro-level as in Bahadur Khan Village, is essential to understanding how such transformations can be supported and scaled to ensure more inclusive and equitable access to justice in rural communities.

Methodology

This study used a qualitative research design to explore the role and perception of female-led Jirga systems in Bahadur Khan Village, located in the Attock district of Punjab. The research adopted an exploratory design, employing purposive sampling to select participants with direct experience of, or substantial knowledge about, female Jirga proceedings. The sample consisted of ten women from the village, representing diverse age groups, educational backgrounds, and socio-economic statuses, to ensure a range of perspectives. Data were collected through in-depth, semi-structured interviews, allowing participants to share their experiences, views, and challenges in their own words. The interviews were conducted in the local language to ensure clarity and comfort, each lasting approximately 45 to 60 minutes. With participants' consent, interviews were audio-recorded and later transcribed for analysis. Thematic analysis was employed to interpret the data, following Braun and Clarke's (2006) six-step approach: familiarization with the data, generating initial codes, searching for themes, reviewing themes, defining and naming themes, and producing the report. This method enabled the identification of recurring patterns related to women's participation, the acceptance of female-led Jirga, and their influence on community dispute resolution. Ethical considerations, including informed consent, confidentiality, and the voluntary nature of participation, were strictly observed throughout the research process.

Results

The thematic analysis generated three core themes that capture the role and perception of female-led Jirga systems in Bahadur Khan Village.

Growing Acceptance and Legitimacy

The study found that female-led Jirga, though a relatively recent phenomenon in the village, are increasingly recognized as credible platforms for dispute resolution. Participants reported that these forums are particularly valued for addressing domestic conflicts, marital disputes, and issues concerning women and children. Respondents emphasized that the involvement of women in decision-making was viewed as a progressive step, aligning with community needs while remaining within acceptable cultural boundaries.

Empathy, Cultural Alignment, and Accessibility

A recurring observation was that female Jirga members displayed a higher level of empathy, patience, and understanding when addressing sensitive issues. Women in the community expressed feeling more comfortable sharing personal matters with female leaders, which they might have hesitated to disclose to male elders. This sense of emotional safety, coupled with shared cultural and social experiences, enhanced the accessibility and perceived fairness of female-led Jirga. Several participants noted that these qualities often led to resolutions that were

more balanced and considerate of women's perspectives.

Structural and Cultural Challenges

Despite positive developments, resistance persists from some male elders who view the female Jirga as undermining traditional authority. Challenges identified included limited enforcement power, restricted financial and logistical resources, and lingering stereotypes about women's capacity to lead in public decision-making. In certain cases, male-dominated forums still retained ultimate authority over significant disputes, limiting the scope of female-led initiatives. Overall, the results suggest that female-led Jirga in Bahadur Khan Village have begun to carve out a respected role in local justice systems. Their empathetic and inclusive approach enhances community trust, yet their long-term sustainability will depend on overcoming structural barriers and securing broader societal acceptance.

Table 1: Summary of Findings on Female-Led Jirga in Bahadur Khan Village

Theme	Description	Key Participant Insights	Implications
Growing Acceptance and Legitimacy	Female-led Jirga are increasingly recognized for resolving domestic and women-related disputes.	Seen as culturally acceptable for handling sensitive family matters; considered a progressive step without abandoning tradition.	Indicates gradual integration of women into informal justice systems while maintaining cultural norms.
Empathy, Cultural Alignment, and Accessibility	Women leaders are perceived as more empathetic and approachable, fostering trust and openness.	Participants feel safer sharing personal issues; resolutions often more balanced and considerate of women's needs.	Enhances accessibility of justice for women and marginalized groups; strengthens social cohesion.
Structural and Cultural Challenges	Resistance from some male elders; limited authority and resources hinder effectiveness.	Skepticism about women's leadership capacity; male-led forums retain final authority in major disputes.	Sustained progress requires structural reforms, resource support, and shifts in gender perceptions.

Table 2 Study Findings on Female-Led Jirga in Bahadur Khan Village

Finding	Description	Impact on Community
Increasing Legitimacy	Female-led Jirga are gradually being recognized for resolving domestic disputes, marital issues, and matters involving women and children.	Strengthens trust in informal justice while maintaining cultural norms.
Empathetic and Accessible Leadership	Female leaders show greater empathy and understanding, creating a safe space for women to share personal issues.	Encourages participation, ensures more balanced and culturally aligned resolutions.
Cultural Alignment	The approach of female-led Jirga resonates with local values and traditions, aiding acceptance.	Promotes community harmony while introducing progressive change.
Resistance from Traditional Structures	Some male elders oppose female leadership, viewing it as a challenge to traditional authority.	Limits authority of decisions and slows integration into the wider justice framework.
Limited Resources and Enforcement Power	Female-led Jirga lack sufficient resources and legal backing to enforce decisions effectively.	Reduces long-term sustainability and influence.

Comparative Thematic Results

The thematic analysis revealed three core themes—growing acceptance, empathetic accessibility, and persistent structural challenges—which both align with and diverge from patterns observed in prior studies. The increasing recognition of female-led Jirga in Bahadur Khan Village mirrors findings by Shah & Ali (2022), who observed that community acceptance often emerges when women's participation is framed within existing cultural values. Similar to Hussain (2021), this study found that female leadership is most accepted in cases involving domestic disputes and women's issues, suggesting that acceptance is gradual and context-specific. Consistent with Khan & Bibi's (2020) research on women mediators in rural Khyber Pakhtunkhwa, participants valued the empathetic and approachable nature of female leaders. This study reinforces their conclusion that shared cultural background fosters trust and encourages disclosure of sensitive matters. However, unlike Khan & Bibi, where accessibility was hindered by geographic isolation, Bahadur Khan Village showed higher physical accessibility due to smaller settlement size. The resistance from male elders and lack of formal enforcement observed in this study echoes the challenges documented by Zafar et al. (2019) in their work on gendered barriers in informal justice systems. Both studies emphasize that institutional and societal constraints—such as patriarchal norms and lack of legal authority—limit the transformative potential of female-led initiatives (Naich, Shah, & Iqbal, 2023). With broader trends in South Asian rural justice research, yet contribute a unique perspective by highlighting a context where female-led Jirga are beginning to integrate more fluidly into the existing dispute resolution structure without completely displacing male-dominated forums.

Respondents' Views

The perspectives shared by participants revealed a complex yet generally positive attitude toward the concept of female-led Jirga in Bahadur Khan Village. Most respondents expressed appreciation for the initiative, noting that it offered a platform where women could speak freely without fear of judgment or intimidation. They described female Jirga members as empathetic, patient listeners who understood the cultural and social realities of women's lives, making them better suited to address sensitive family disputes. Several women emphasized that approaching a male-led Jirga often felt intimidating, particularly when the matter involved personal or domestic issues. In contrast, female-led forums created an environment of trust and confidentiality. One respondent remarked that "talking to women who have lived similar experiences makes it easier to explain our problems and seek fair solutions." However, respondents also acknowledged challenges. A few participants reported instances where the decisions made by female-led Jirga were later questioned or overturned by male elders. Some expressed frustration over the lack of formal authority, noting that without recognition from the broader community and local governance, the effectiveness of female-led Jirga could be undermined. Interestingly, younger respondents were more open to the idea of female leadership in dispute resolution, seeing it as a natural progression in community governance. Older participants tended to view the practice as beneficial but insisted that it should complement, rather than replace, male-led forums. Overall, the respondents' views reflected a cautious optimism—recognizing the value of female-led Jirga in improving access to justice for women, while also acknowledging the cultural and structural hurdles that must be overcome for these forums to achieve lasting legitimacy.

Female Jirga Head's Perspective

The head of the female-led Jirga in Bahadur Khan Village described her role as both an opportunity and a challenge. She emphasized that her primary motivation for leading the forum was to provide women with a safe and respectful space to voice their grievances—something she believed was often missing in male-led Jirga proceedings. According to her, many women in the community had endured long-standing domestic disputes, marital issues, and cases of mistreatment but were reluctant to approach traditional forums due to fear of bias or public humiliation. She viewed the female Jirga as a culturally sensitive yet progressive solution, stating that "justice can only be fair when both men and women are part of the process." She highlighted that

women's life experiences allow them to understand the emotional and practical dimensions of family disputes, which often leads to more balanced and reconciliation-oriented decisions. However, the Jirga head also acknowledged significant obstacles. She expressed concern over the limited authority of female-led forums, noting that some male elders questioned their legitimacy. In certain cases, she reported, decisions made by her Jirga required the approval of a male-led council before they could be enforced, reducing the forum's autonomy. She also pointed out that financial constraints and a lack of institutional support limited their ability to expand or formalize their work.Despite these challenges, she remained optimistic about the future of female-led dispute resolution in the village. She believed that consistent positive outcomes, community awareness, and collaboration with male elders could eventually strengthen the position of female-led Jirga as a respected component of local governance.

Discussion

From a perspective, the emergence of female-led Jirga in Bahadur Khan Village reflects a critical intersection of tradition and gender reform in rural governance. While the Jirga system is historically patriarchal, the gradual acceptance of women in leadership roles demonstrates that cultural institutions are not entirely static—they can adapt when community needs and socio-cultural values align. This adaptability is a key finding, suggesting that incremental change, rather than abrupt structural overhauls, may be more effective in conservative rural contexts. The participants' emphasis on empathy and accessibility reinforces the argument that dispute resolution is not solely a matter of authority, but also of social trust and relational understanding. As a researcher, I interpret this as evidence that female-led Jirga are introducing a different *quality* of justice—one rooted in reconciliation and personal rapport rather than adversarial decision-making. This aligns with feminist legal theory, which advocates for a justice approach that prioritizes relationship repair and inclusivity over punitive measures. However, my analysis also identifies systemic vulnerabilities that threaten the long-term viability of female-led Jirga. The lack of enforcement power, dependence on male approval for certain decisions, and absence of institutional support mean that these forums operate within a constrained authority framework. From a critical standpoint, this raises questions about whether such initiatives are genuinely empowering women or simply creating symbolic inclusion without shifting underlying power dynamics. Comparatively, the Bahadur Khan case differs from regions where women-led justice bodies have emerged as fully independent entities—here, the system remains partially embedded within male-dominated structures. While this may limit autonomy, it also reduces resistance and provides a foundation for gradual normalization of female leadership. As a researcher, I view this hybrid model as both a strategic adaptation and a potential stepping stone toward greater institutionalization of women's roles in informal justice. Ultimately, the study suggests that the success of female-led Jirga depends on a delicate balance: preserving cultural legitimacy while expanding decision-making authority. This balance requires both community-level engagement and policy-level recognition, without which such forums risk remaining peripheral to the justice system.

Conclusion

This study examined the role and perception of female-led Jirga in Bahadur Khan Village, offering an in-depth look at how gender-inclusive practices are emerging within a traditionally male-dominated justice system. The findings reveal that these forums are gaining acceptance, particularly in resolving domestic disputes and issues concerning women and children, due to their empathetic approach, cultural sensitivity, and accessibility. Such qualities have helped build trust among community members, especially women who previously felt excluded from formal and informal dispute resolution processes. However, the research also highlights significant challenges, including resistance from male elders, limited enforcement authority, and inadequate resources. These constraints restrict the autonomy and long-term effectiveness of female-led Jirga, leaving them vulnerable to being perceived as supplementary rather than equal to male-led forums. From a broader perspective, the case of Bahadur Khan Village illustrates that gradual, culturally aligned integration of women into informal

governance can pave the way for more inclusive justice systems in rural Pakistan. While full transformation will require institutional recognition, resource allocation, and societal shifts in attitudes toward female leadership, the current trajectory suggests a meaningful step toward balancing tradition with gender equity. Ultimately, the study underscores the importance of hybrid approaches—where female-led forums work alongside traditional structures—as a transitional model that both respects local customs and expands the space for women's participation in community decision-making. This balanced pathway may offer the most sustainable route to embedding gender-inclusive practices within rural justice systems.

Recommendations

Based on the findings of this study, the following recommendations are proposed to strengthen the role and effectiveness of female-led Jirga in rural Pakistan: Local government bodies should formally acknowledge female-led Jirga as legitimate community dispute resolution platforms. This recognition would enhance their authority, allow for greater enforcement of decisions, and reduce the risk of their rulings being overturned by male-led forums. Targeted training programs for female Jirga members should be introduced, focusing on mediation techniques, legal literacy, record-keeping, and human rights awareness. Partnerships with NGOs and legal aid organizations could provide sustained capacity support. Dedicated financial and logistical resources, such as meeting spaces, transport allowances, and communication tools, would improve the operational capacity of female-led Jirga and ensure their accessibility to all community members. Awareness initiatives should be launched to inform community members about the purpose, benefits, and legitimacy of female-led Jirga. Involving male elders as allies in these campaigns could help reduce resistance and foster broader acceptance. In the short term, a hybrid dispute resolution model—where female-led and male-led Jirga collaborate—can facilitate gradual integration. Over time, this cooperation could lead to more independent functioning of female-led forums without cultural backlash. Continuous documentation and evaluation of female-led Jirga performance will provide evidence for policy advocacy and help identify strategies for scaling up successful models to other rural communities.

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