

## Managing marital disputes in Lebanese religious courts from a social work perspective: A study on the importance of family mediation offices in Lebanese Druze religious courts as a model

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**Abstract:** This study explores how marital disputes are managed in the Druze community's religious courts from theoretical and practical perspectives and analyzes the methods and mechanisms used to resolve marital conflicts. This study is categorized as a qualitative approach, as it is a descriptive exploratory study that relies on the phenomenological method to explore how marital conflict is managed in the religious courts of the Druze sect for the Monotheist community. This will be done through the study's theoretical framework and by conducting field interviews with the participants, such as social workers, judges, attorneys, and those going through marital problems. Through these interviews, we hope to learn more about their perspectives on handling marital disagreements and their experiences managing them in religious courts and identify alternative methods for resolving these disputes within the courts. The results of this study and recommendations can be utilized to develop a new strategy for managing marital conflict that aligns with needs and considers scientific standards. This study may help intervenors working with couples reevaluate how they handle disagreements.

**Keywords:** Conflict resolution methods, Expertise, Family mediation, Marital disputes, Reconciliation, Settlement.

### 1. Introduction

Recently, the rates of divorce and separation have alarmingly increased in Lebanon. Divorce data have consistently demonstrated a startling trend: while marriage contracts have declined significantly, divorce rates have risen, surpassing 55% over the last two years. "According to a recent study, Lebanon used to see 5,500 divorce cases annually, while divorce cases have exceeded 8,500 as an average increase over the past decades, which is a very high percentage." This illustrates how family life patterns have changed significantly in this nation. According to some studies, many couples resort to ending their marital lives, which indicates the presence of deep issues affecting the stability of marital relationships [1].

Considering this complex reality surrounding marriage and separation and the rapid social changes and ongoing crises, Lebanese families in general, including the Druze monotheistic community, are facing increasing pressures that threaten their stability, which may lead to the separation of couples.

The stability, basis, and continuity of the family have become at risk, particularly with the emergence of problems stemming from unstable conditions and economic and social crises. Harb and Khoury (2022) [2] start a discussion on the function of the personal status system in Lebanon, which differs in terms of its provisions and regulations because various religious sects govern marriage [3].

This variety illustrates the complexities that couples in Lebanon face when dealing with issues of divorce and separation, and it calls for a deep understanding of how various religious and sectarian factors influence this social phenomenon.

In light of this complex reality regarding marriage and separation, and amidst rapid social changes and ongoing crises, Lebanese families in general, including the Druze community, are facing increasing

pressures that threaten their stability. Therefore, this study aims to address the reality of the religious courts for the Druze community and investigate how marital disputes are handled and managed in these religious courts to understand how to improve support for families and maintain their stability under challenging circumstances. In this context, we note that matters may differ in Druze religious courts compared to some other judicial systems in Lebanon; there is no official mechanism in those courts to intervene with the spouses before they present their cases to the court, whether from a legal, religious, or social standpoint [4].

Methodologically, this study uses a qualitative descriptive technique that looks at phenomena and accurately describes, analyzes, and interprets observed facts. It explores non-quantifiable realities and interprets them, allowing for a close examination of personal experiences and viewpoints to gain a profound comprehension of societal and human even. This contributes to building a comprehensive understanding of dimensions beyond numbers and quantitative data, with a particular emphasis on case studies of marital conflicts, which formed the sample. It also considers the views of those involved in the intervention and resolution of matrimonial disputes, such as judges, lawyers, and social work practitioners, through guided interviews, which were the core of the fieldwork in the study. Before that, we will review a theoretical framework that addresses the idea of handling marital issues and couple's intervention techniques.

### 1.1. The Methodological Framework of the Study

#### 1.1.1. The Problem of the Study

During a marital dispute, couples sometimes consult family members, close friends, or some religious figures to bridge differing viewpoints and resolve issues. However, these mechanisms remain informal and non-mandatory, varying from one social environment to another, and do not directly impact the course of the case in court. It is worth noting that marital disputes are only dealt with formally at the level of Druze religious courts. The absence of marital dispute management processes within the Druze community has raised many questions about how these issues are handled in Druze religious courts. Therefore, the fundamental question posed by our study is: *How is marital conflict managed in Druze religious courts?* This leads to questions such as:

- Is there a lack of support resources for couples in dispute in Druze religious courts?
- What role does the court play in settling marital disputes?
- What is the importance of diverse intervention methods in resolving marital disputes?
- How might family offices be set up in religious courts to help judges settle marital conflicts by offering support and assistance?

#### 1.1.2. Study Hypothesis

The lack of an effective mechanism for intervention in Druze religious courts deepens marital disputes. Despite the variety of reasons for divorce, the absence of effective methods for managing disputes in religious courts contributes to the exacerbation of problems between spouses without providing a framework to address the roots of those issues. Therefore, we assume that:

1. The lack of family intervention mechanisms in marital problems among couples accelerates separation cases.
2. The religious judiciary performs its duties in separation cases according to the guidelines it has been given; however, family offices that handle marital disputes create a precise, defined, and methodical framework for intervening in and settling marital disputes.
- 3-The more religious courts in Lebanon collaborate to seek the advice of specialists in family and marital counseling, the more it will help reduce the expected number of divorce cases and protect families from the harmful effects of separation on parents, siblings, and children.

#### 1.1.3. Study Methodology

As a descriptive exploratory study that aims to comprehend the function of the Druze religious courts for the Druze community regarding issues related to handling marital disputes, this study falls

under the category of research that follows a qualitative approach. This is achieved by conducting field interviews with pertinent research judges, attorneys, other legal professionals, social workers, and people going through divorce. The aim was to understand their personal opinions and experiences in dealing with marital disputes, how to manage them in religious courts and identify alternative ways to resolve these disputes within the courts.

#### *1.1.4. Importance of the Study*

Sect leaders in Lebanon, especially those in charge of the Druze religious courts, are worried about the increasing number of marriage-related conflicts among the Druze population. The circumstances are not different from those of other sects. Analyzing the Druze Spiritual Authority's 2020 statistics, it was clear that there has been a considerable rise in the number of divorce cases that have been registered as opposed to the 1975 figures. Research indicates a consistent increase in the number of cases involving separation. Consequently, the terrible reality has made the need for intervention to address the impacts of marital problems an imposed necessity. It is essential to merge efforts and scientific and practical capacities to research this area and create a comprehensive and realistic vision to offer appropriate and efficient solutions [5]. Especially since the Personal Status Law for the Druze community states in Article 37 that "the marriage contract cannot be dissolved by divorce except by the ruling of a religious judge" and that the spouses may jointly submit a request to the court to terminate their marital bond, according to Article 42 of the same law. Thus, the trial process begins when one of the spouses approaches the competent religious court with a legal claim, usually a request for divorce when they believe that marriage has become impossible or barely impossible. There is no mechanism for intervention with the spouses before proceeding with the trial.

The importance of the study is to propose the "intervention mechanism," which is a process that supports the work of judges in religious courts by suggesting the establishment of family mediation offices. Their task would be to ease conflicts between spouses as much as possible before reaching the courts for a decision, where it is possible to save family situations and maintain the stability and continuity of their marital life without resorting to the official declaration of a divorce request. Especially since such offices will work on addressing all the previous psychological and social accumulations that affected the couple, which is made worse by stress, in addition to the unforeseen occurrences that happened after marriage and for which the pair was unprepared [6].

#### *1.1.5. The aim of the Study*

This study aims to shed light on the processes and procedures used in these courts to settle marital conflicts and analyze their effectiveness in dealing with the various issues couples face within a specific religious and cultural context. Furthermore, the topic has not been addressed in the context of the Lebanese Druze community before. This research has identified a set of primary objectives, which include:

- Describing the procedure that Druze courts use to settle marital disputes. Explore strategies and methods for managing marital conflicts within the framework of these courts. Identify the relevant parties, their duties, and qualifications, and elucidate the function of social workers.
- Analyze the system's contribution, the techniques employed in conflict management, and the difficulties and constraints it encounters.
- Suggest an approach to marital conflict management that is appropriate for the local community

This study also addresses decision-makers in Druze religious courts, lawyers, social workers, and Druze couples facing conflicts. It is considered a comprehensive study that can be built upon in the future, hoping to meet the urgent needs of Druze religious courts in handling marital disputes. It is worth noting that the community in question lacks local or international scientific research addressing relevant issues.

#### 1.1.6. Previous Studies

The first study was by Abdullah Marzouq Mani Al-Fahadi (2022), titled "The Role of Mediation in Resolving Family Disputes and Achieving Human Security in Saudi Society."

This paper discusses how mediation might help Saudi society achieve human security and settle family conflicts. It aims to identify the role of family mediation in resolving family conflicts, recognize the obstacles that limit the effectiveness of family mediation in resolving family disputes, and understand the impact of family mediation on achieving human security. The researcher employed a descriptive-analytical approach and used a questionnaire as a tool for the study. Every family in Medina that frequently goes to markets and shopping centers made up the study population, and 100 families were chosen randomly as a sample.

Among the study's most significant findings, the overall arithmetic means for the role of family mediation in resolving family disputes indicates a degree of agreement. Similarly, the overall arithmetic means for how obstacles limit the effectiveness of family mediation in resolving family disputes also shows a degree of agreement. Furthermore, the overall arithmetic means for the impact of family mediation on achieving human security reflects a degree of agreement as well.

One of the key recommendations is the necessity of relying on mediation to resolve family disputes, conducting training courses for those preparing for marriage, awareness programs, discussion groups, and seminars, and collaborating with agencies and non-governmental organizations to ensure the success of the mediator's role in resolving family conflicts. It is also essential to enhance family education to preserve faith, piety, and values to achieve family tranquility, promote dialogue, encourage flexibility in thinking, and employ logic in discussions and debates. This also involves changing the concepts associated with marital relationships by educating both genders about their future family roles and organizing training courses for women on how to deal with family problems [7].

The second study is by Mohammed Bani Aboud (2021), titled "Methods of Managing and Resolving Family Conflicts in Jordanian Families from the Wife's Perspective: An Analytical Study on a Sample in Ajloun Governorate." The study aims to identify the methods of managing family conflicts among families in Ajloun from the wife's perspective. The researcher used a descriptive approach, employing both qualitative and quantitative methods to reach the study's results, where the quantitative sample consisted of 100 married women and the qualitative sample included 25 married women. The study used a questionnaire and in-depth interviews to achieve its objectives. The study was conducted on an Ajloun Governorate / Al-Qasaba sample from August 2019 to October 2019. The study's results revealed various conflict management styles among families in Ajloun, with "negotiation" being the most used method, while "arbitration" is the least utilized. Wives tend to avoid having a third party intervene unless necessary, as this method imposes obligations on both parties from a social and legal standpoint.

The results of the study found no statistically significant differences at the significance level ( $\alpha \leq 0.05$ ) in the methods used to manage family conflicts among families in Ajloun from the wife's perspective, based on the variables of (age, husband's education level, wife's education level). The results showed statistically significant differences at the significance level ( $\alpha \leq 0.05$ ) in the methods used for managing family disputes among families in Ajloun Governorate from the wife's perspective, depending on the variable monthly income.

The overall arithmetic means for the function of family mediation in settling family disagreements reveals a degree of agreement, which is one of the study's most notable conclusions. Similarly, the overall arithmetic mean indicates general agreement regarding how barriers reduce family mediation's capacity to settle family conflicts. Additionally, there is some consensus regarding the effect of family mediation on obtaining human security reflected in the overall arithmetic mean [8].

#### 1.1.7. Commenting on Previous Studies

Previous studies have highlighted the importance of understanding effective methods for resolving family conflicts. The study by Abdullah Marzouq Mani Al-Fahadi (2022) focuses on the role of family mediation in resolving disputes and achieving human security, while the study by Mohammed Bani Aboud (2021) reviews methods of managing family disputes from the wife's perspective. Both studies emphasize the importance of improving family conflict management strategies, with Al-Fahadi's study

offering recommendations to enhance mediation. In contrast, Bani Aboud's study illustrates the impact of social and economic variables on the methods used.

## *1.2. The Conceptual Framework of the Study*

### *1.2.1. Marital Disputes*

Marital conflict is a state of tension and stress between spouses characterized by mutual differences in opinions, feelings, or goals. It leads to negative interactions that affect the stability and effectiveness of the relationship.

### *1.2.2. Reconciliation*

The process of judicial reconciliation evolved in France and the Netherlands in the late eighteenth century as an alternative means of resolving disputes in response to the rigidity of courts bound by complex procedures and rituals. Judicial reconciliation is considered a friendly means of resolving disputes and is often used to address conflicts that arise in daily life. This process can occur outside the formal court setting, either before a judge or before a person appointed by the judge who acts as a mediator. Judicial reconciliation is a simple and quick procedure, unlike other conflict management methods that may require costs or complex procedures. One of the features of judicial reconciliation is that it does not replace specialized treatments for internal psychological, behavioral, or cognitive issues. If the reconciliation is successful, a complete or partial agreement is signed by the parties involved in the presence of the mediator, and the judge signs this agreement to become enforceable as a judicial ruling. The primary goal of this process is not to achieve a deeper psychological understanding as in psychotherapy, nor to modify the parties' behavior as in mediation, but rather to reach a negotiated solution to the disputed issues documented in a record of agreement. It aims to empower the parties to reach an agreement without the need for judicial intervention or going through all the trial stages.

Judicial reconciliation offers a couple of advantages such as integrity, efficiency, confidentiality, and speed. However, you may encounter one difficulty: the parties' refusal to sign the agreement minutes or implement the concluded agreement, which could lead to the reoccurrence of the conflict that was thought to be resolved [9].

### *1.2.3. Means of Dispute Resolution*

#### *1.2.3.1. Negotiation*

It is one of the fundamental methods for addressing conflicts between spouses. It is a process that requires continuous communication and the exchange of meaningful opinions to reach compromises that satisfy all parties involved. To achieve effective negotiation, it is essential to have open and honest communication between the spouses, as this approach allows each party to express their feelings and concerns without hesitation or fear of criticism, thereby fostering an environment of trust and mutual respect between the two. In addition to the importance of communication, negotiations should focus on the fundamental interests of each party instead of sticking to specific demands or positions. The search for creative solutions is a fundamental part of the negotiation process. Instead of limiting themselves to traditional options that may be restricted, couples should explore unconventional alternatives that are more effective and acceptable. Creative thinking opens up new horizons for solutions and enhances the chances of reaching an agreement that satisfies all parties involved. For example, the couple may develop new and unexpected solutions that contribute to resolving the conflict in an innovative and mutually acceptable way [10].

In some cases, negotiation may require concessions to reach an acceptable agreement. Each party must then analyze the possible concessions necessary to achieve a balance that satisfies both sides, which should be done carefully to ensure that the core interests of either party are not harmed. When reaching an agreement, it is essential to document it formally to ensure that both parties stick to the agreed-upon terms through a written contract or a record of the negotiation discussions. This helps maintain transparency and prevents misunderstandings, as it ensures an apparent reference for what has been agreed upon and reinforces both parties' commitment to the established terms.

### 1.2.3.2. *Arbitration in Marital Disputes*

It is a procedure in which a dispute is submitted, by agreement of the parties, to one or more arbitrators who decide on the dispute. This process begins when the couple submits a request to a judge chosen for their competence and experience. The arbitrator is often someone with a legal background or experience in marital relationships who sets the rules and procedures for the sessions, gathers the evidence that led to the dispute, and listens to the testimonies of the conflicting parties. Arbitration aims to reach a fair settlement that satisfies both parties while maintaining the confidentiality of the proceedings to avoid disclosing sensitive details. Arbitration is characterized by several advantages, including speed and efficiency, compared to traditional courts, and it may also be less costly. It provides flexibility for the parties in choosing the arbitrator and determining the arbitration rules, allowing for the customization of the process to suit the parties' specific needs. However, the implementation of arbitration decisions may face challenges if one of the parties refuses to comply with them, and there may be legal restrictions related to the enforcement of arbitration decisions in some instances.

Compared to other means of dispute resolution, arbitration focuses on issuing binding decisions based on the evidence and testimonies presented. In contrast, negotiation relies on direct dialogue between the parties without the intervention of a third party, allowing for significant flexibility but potentially being less formal. Mediation involves the intervention of a neutral third party (the mediator) to facilitate understanding without imposing binding decisions. As for reconciliation, it seeks to achieve a quick and informal friendly settlement of the dispute. However, it relies on the parties' commitment to the agreement and is not permanently binding in 2007[11].

### 1.2.3.3. *Family Mediation*

It is considered one of North America's earliest forms of assistance. This mediation was inspired by theories applied since the 1970s by American mediators such as the lawyer and psychologist Kugler and the social worker John M. Heinz, along with Roger Fisher and William Ury from the Harvard Negotiation Project in Boston. After a few years, mediation spread in Canada, and it began to distinguish itself from other methods of managing family disputes, such as conciliation, arbitration, or expertise. Thankfully, that is attributed to the different stances of the mediator and the way final decisions are made. We note that this mediation emerged in the 1980s in several institutions in France. Mediation is a process aimed at "building or rebuilding family ties that focus on the independence of the parties involved in cases of separation or divorce. A neutral, independent, and qualified third party, known as the family mediator, facilitates the management of the conflict by organizing confidential sessions within the family context, which encompasses its diversity and evolution." It aims to reduce conflicts, facilitate communication, identify the parties' needs, discover creative solutions, improve the legal system's use, and maintain the relationship between parents despite divorce or separation. Levesque (1998) states that it is essential to distinguish between mediation and conciliation, as mediation is not limited to resolving the emerging problem as conciliation does but also seeks to establish a sustainable, healthy relationship between the conflicting parties while respecting the principles of neutrality and independence of the disputing parties [12].

### 1.2.3.4. *Family Therapy*

It is considered an effective therapeutic method to address the issues between spouses during conflict. By treating the couple as a unit instead of focusing on each member individually, this kind of therapy makes it possible to address the relationships between family members. One of the main goals of this therapy is to improve communication between spouses and enhance each party's understanding of the other's perspective. A common cause of marital discord is miscommunication or the inability to communicate needs and feelings adequately. By doing this, therapists may assist couples in learning how to communicate effectively, which includes active listening and forthrightly expressing wants and feelings. It also seeks to modify behaviors to enhance the dynamics of a healthy relationship, helping couples overcome difficulties and strengthen their bond positively and sustainably. (Dupont, S.) Family therapy offers a neutral, secure space where all parties may communicate their emotions and worries without worrying about being judged or criticized. This safe environment contributes to building trust

between the spouses and allows them to work on resolving conflicts in constructive ways. Counseling clients are frequently more inclined to resolve disagreements positively, strengthening and stabilizing their union. Additionally, it enhances the standard of family life and helps the relationship regain equilibrium. Counseling clients are frequently more inclined to resolve disagreements positively, strengthening and stabilizing their union. Additionally, it enhances the standard of family life and helps the relationship regain equilibrium [13].

#### *1.2.3.5. Marital Counseling as a Supportive Mechanism*

During the early 20th century, marriage counseling became famous for helping couples with problems in their marriage. This practice began under the influence of secular feminist movements and other religious ones, especially Catholicism. Through the planning of group activities and individual counseling sessions, couples counseling aims to support individuals or couples experiencing emotional, relational, or sexual difficulties. It provides informational, preventive, and educational activities related to emotional, sexual, and family life. The marital counselor aims to listen to the beneficiary and help them gain a deeper understanding of their situations and behaviors, especially in the presence of difficulties in the relationship. They serve as a guide in restoring dialogue between the spouses. Although marital counseling can improve the relationship between the spouses and contribute to resolving crises, it is not a treatment in itself. Marriage counseling does not focus on two levels; it encompasses an integrated process that addresses multiple aspects of the couple's life. This helps the couple comprehend how their life paths cross and how those experiences affect their current relationship by allowing them to reflect on their past and how it has affected their present. The consultation also focuses on their current experiences and events while working to improve communication and understanding between them. Even though it can help improve crisis management, couples therapy or other specialist psychological therapies are still necessary to help partners deal with difficulties more productively and successfully [14].

#### *1.2.3.6. Expertise as a Tool in Resolving Marital Disputes*

Expertise in the judicial system is considered a vital informational tool to support the court's convictions and provide evidence for the disputing parties. To effectively support justice under the direction of the legal authorities, it seeks to give a thorough and impartial assessment of the parties' social and familial circumstances. The expertise process usually involves consulting specialized experts to provide a detailed report on the dispute, and the judge relies on this report to clarify the decision that will be made in the case.

Expertise is mainly used in contested divorce cases and painful separations, as the expert plays a pivotal role in clarifying details related to housing and visitation rights following the children's best interests. For example, in custody cases, the expert assesses the child's psychological and social situation and provides recommendations regarding the best arrangements for stability and safety. This assessment includes a study of the potential effects on children based on the proposed arrangements, such as living with one parent or visiting both parents regularly.

Experienced judges can better make well-informed decisions based on information since they have gathered and analyzed evidence, heard witness testimony from both sides and offered professional opinions. These activities help shed light on the many parts of the disagreement. The judge's report is crucial in helping the court understand the family's genuine needs and the individual members' actual capacities.

Expertise relies on the expert who provides a comprehensive view of the family situation, which helps ensure justice by giving accurate and reliable information. It plays a crucial role in resolving marital disputes, as it offers an objective assessment that allows the judge to make decisions that align with the interests of all parties, especially the children. It is not a substitute for psychotherapy or marital counseling but rather a complementary tool that helps enhance the integrity of the judicial process and ensures justice is achieved [15].

### 1.2.3.7. *The Druze Sectarian Judiciary*

The Druze religious judiciary is a legal system specific to the Druze community that regulates personal status according to the community's spiritual laws. The Law for Organizing the Religious Judiciary of the Druze Community, issued in 1960, governs the religious judiciary.

The Druze judicial system includes six primary courts in areas where the community is predominantly located and a high appellate court in Beirut that handles appeals. Each primary court is presided over by a doctrinal judge, while the composition of the Supreme Court of Appeal consists of three judges who are required to meet additional criteria

### 1.3. *Thirdly, The Practical Framework of the Study*

This study reviews the experience as lived from the perspective of the individuals involved, examining the subjective experiences of couples that external observers do not directly observe. (Meyer 2014) It aims to connect the experiences of couples who have encountered marital conflicts and the parties involved in resolving these disputes within the Druze religious courts. The sample includes some couples facing conflicts and relying on these judicial bodies, judges who render decisions, divorce lawyers who represent clients in court, and social experts tasked with reviewing conflict files. The sample also includes social experts tasked with studying conflict files and providing their assessments of the social and family situations of the parties involved. The sample consisted of 43 individuals, including ten religious judges, 13 lawyers, seven social experts, and 13 spouses experiencing family disputes.

To ensure that the participants' identities in this study are protected and their statements are not disclosed, we carefully selected volunteers through networks using the ethical framework of scientific research and confidentiality principles. Before direct communication with the participants, we obtained their informed consent to guarantee that we would adhere to moral principles and respect their privacy. We also chose the judges comprehensively. As for the lawyers, we relied on a non-probability sample based on the vision of our research and the sample's suitability for the scientific study's objectives. The research sample was selected to identify the means that social experts can employ to intervene with conflicting couples. As for couples facing legal disputes, they were randomly selected while we were researchers in the Druze religious courts [16].

## 2. Data Collection Tools

Semi-structured interviews, a popular method in qualitative research, were employed to get information from the participants. It allows for the collection of rich information by directing the conversation with participants toward the specific topics outlined in the interview guide we prepared in advance. This approach will enable us to delve deeper into participants' experiences, broadening the scope of data that may be gathered. These interviews allow for an understanding of the participant's subjective experiences of the conflicts they have gone through, as this approach will enable us to listen to their perspectives and suggestions regarding divorce procedures in Druze religious courts. Additionally, discussing the proposals of the parties involved in divorce helps us better understand the temporary processes for addressing these issues from the viewpoint of individuals seeking to resolve disputes and find reconciliation.

## 3. Study Findings

The study examines the marital conflicts brought before the Druze religious courts. These include, but are not limited to, adultery, domestic abuse, financial hardships, deviant behavior, problems with women's employment, extreme jealousy, a lack of accountability, and the absence of sacrifice. The findings showed that:

- There are multiple attempts to resolve disputes before resorting to the courts, with various entities that can intervene. At the forefront of these parties, the couple's families seek to intervene based on family culture and past experiences, even though the intervention of religious leaders and village elders is diminishing due to changes in the system of social values.
- In an attempt to discover practical and scientific answers, some couples seek the advice of associations and professionals in marriage counseling.



- Some courts try to settle the disagreement informally before starting the formal legal process. Some spouses seek legal counsel or consult attorneys regarding divorce situations. When deciding to end the marital bond, some couples go directly to court, while others prefer to resolve the dispute amicably first.
- When formally applying to the religious court, it becomes clear that there is no established mechanism for addressing marital disputes before filing for divorce. Some couples tend to file for divorce through indirect channels like cohabitation or alimony claims, reflecting a lack of a well-defined plan for settling disagreements outside the court system. The Druze community's religious courts get to work as soon as a divorce request is filed. Divorces can be mutually consented to, meaning that the parties part ways peacefully, or they can be contested, meaning that the court makes the final judgment
- Divorce by mutual consent is considered the best solution due to its advantages and positive effects on both parties and the children. However, in some cases, consensual divorce is merely formal, making it difficult for the weaker party to achieve their demands.
- Contentious divorce occupies an essential space in the work of religious courts. The first stage begins with submitting the request and exchanging briefs, followed by the trial phase, which may involve appointing a social expert and conducting interrogation sessions. A court decision that settles the disagreements and outlines children's and marital rights marks the end of the procedure.
- The judge uses various techniques to get involved in conflicts, such as mediation and reconciliation, negotiation with the help of an attorney, and arbitrator-led arbitration. Social and psychological experts might also intervene to analyze the situation and provide assessments. These are the means available to the court; however, they are not mandatory, and often, not all are relied upon.
- Social experts face significant challenges, such as low fees, a lack of conviction, couples' refusal to attend joint meetings, and exposure to threats. These difficulties affect the effectiveness of their work and limit their positive impact on conflict resolution. The general challenges in managing marital disputes in religious courts include the lengthy duration of trials, the accumulation of cases, a shortage of judges, evasion of notification, and public hearings that can be embarrassing and violate confidentiality.

The study's findings also show that mediation has been a significant factor in obtaining settlements that please the parties, demonstrating the value of this technique in obtaining amicable agreements. However, couples face difficulties expressing their needs due to a lack of emotional support and their incomplete understanding of the mediation process, which undermines their ability to benefit from the support. Regarding the judicial system, judges and lawyers pointed to issues such as slow procedures and insufficient psychological support, leading to frustration, and hindering access to quick and fair solutions.

These issues highlight the urgent need for reforms in the judicial system, including expediting procedures and providing adequate psychological support. It also shows other weaknesses, such as lacking social specialists and psychologists in the courts, where they are only assigned occasionally and not regularly. This deficiency negatively impacts the effectiveness of mediation and treatment processes, causing procedure delays. These findings demonstrate the shortcomings and difficulties in the legal system and the need for better specialist assistance to guarantee more equitable and prosperous resolutions of marital conflicts. Thus, there is a necessity to propose a project for the establishment of family offices to assist in resolving matrimonial disputes within the corridors of the courts, which can be structured as follows:

### *3.1. Proposed Project: Family Mediation Offices in Religious Courts*

The judicial path for resolving disputes between conflicting parties is no longer the sole or optimal way to address conflicts. Modern legislation has shifted towards adopting alternative means such as marital counseling, family therapy, mediation, arbitration, expertise, reconciliation, negotiation, and

other suitable intervention methods. According to scientific literature, there are various methods for managing marital disputes and divorce, along with supportive mechanisms used to attempt to repair relationships between spouses.

These methods include family mediation, therapy, reconciliation, negotiation, arbitration, marital counseling, and expertise. These means are essential because they allow the parties to express their experiences and needs in front of a neutral and specialized third party. For example, this third party can be a mediator, a family counselor, a judge, or a legal representative in the judicial settlement. The main goal of these methods is to achieve some form of agreement and resolve the dispute with minimal harm or to reach a complete or partial agreement, which contributes to managing shared matters in married life during or after the occurrence of the judicial dispute. For this reason, we propose the establishment of family offices whose task is to mediate and resolve conflicts. Establishing a family office is an essential and significant step within the Druze community's religious courts. This office will be the specialized reference for dealing with marital conflict issues through a professional social, psychological, legal, and rights-based approach. This office is located in the courts of the Druze community. This presence can achieve many advantages, including enabling judicial oversight and facilitating effective communication between the office and the court. Such as permitting judicial supervision and promoting efficient communication between the court and the office. Furthermore, the office's permanent location will give it an official appearance that increases couples' faith in its services and reliability.

#### 4. Recommendations

The study presents a set of suggestions for improving the management of marital conflicts, focusing on providing a suitable environment to address these disputes in the best possible way. Among the prominent suggestions:

1. Training for Professionals in Marital Conflicts: Specific training in conflict resolution methods, such as bargaining and mediation, is provided to enable judges, attorneys, and social workers to manage divorce cases and marital problems successfully.
2. Early intervention with couples: The study concluded with an important finding: it emphasizes the significance of early intervention, whether before filing a lawsuit or immediately after it is submitted.
3. The existence of a specialized body to oversee the implementation of decisions related to children: Some rulings regarding children, such as visitation and contact, often face significant difficulties in their execution due to one parent's incitement against the other. This situation necessitates support and monitoring for the parents regarding the children.
4. Adopting a clear, systematic, and practical mandatory methodology for managing marital disputes: The study observed that the available means for managing marital disputes are not followed scientifically and are entirely subject to the opinion of the judge handling the case. Typically, there is no precise sequence in following those means and mechanisms, and many rulings have shown judges neglecting those mechanisms due to the circumstances of the cases presented before them.
5. Facilitating access to lawyers and implementing legal aid: Improving access to legal services and enhancing legal support for disputing couples.
6. Accelerating trial procedures: Improving the speed and efficiency of judicial processes to reduce delays and alleviate time pressure on the parties involved.
7. Increasing the number of judges: Hiring more judges can help speed up procedures and minimize case backlogs.

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