

EXPLORING THE DYNAMICS OF SUCCESSFUL ALTERNATIVE DISPUTE RESOLUTION PRACTICES IN RURAL BANGLADESH

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DOI: 10.2478/eras-2025-0004

Abstract

Alternative Dispute Resolution (ADR) has gained popularity as a widely recognized method for resolving disputes globally. In Bangladesh, the Hulhulia Social Development Council (HSDC) has been practicing ADR practices for over 200 years, playing a significant role in fostering peace and harmony. In the village of Hulhulia, HSDC, a democratically elected body comprising 23 members, operates under a legal framework to ensure fairness and transparency in the ADR process. The village is divided into 12 paras (zones), each electing representatives who facilitate the ADR process. The ADR practice in HSDC begins with family-level negotiations, progresses to para representatives, and lastly in HSDC hearings. This method has been remarkably successful, as this process is contributing to reducing the overload of formal justice system, indicating a high level of community satisfaction. ADR in Hulhulia strengthens social bonds, repairs harm to victims and the community, ensures accessibility, and reduces complexity. It also creates peace, harmony, and social capital within the community. However, challenges such as limited logistical support, insufficient skilled manpower, and political interference complicate this process in some way. Despite these challenges, ADR in Hulhulia remains an affordable, efficient, legitimate, and participatory system. Key recommendations to enhance its effectiveness of this process include raising community awareness, updating legal frameworks, and mitigating political influences. The ADR model in Hulhulia exemplifies a useful approach for other rural areas, promoting inclusivity, peace, and community well-being, and highlighting its potential to address disputes effectively while strengthening social bonds.

Keywords

process of ADR, successful model of ADR, access to justice, peace and harmony, Hulhulia Social Development Council

Introduction

Disputes among people are definitely a part of mankind. The role of the court is to resolve disputes among people to make society peaceful and to uphold human rights, justice, and sustainability. But in most nations around the world, the courts become overwhelmed with caseloads, especially in the cases of civil lawsuits (Sarmiento, 2013).

“Justice delayed, justice denied”, one of the popular quotes, makes us aware that if justice is delayed, the proper execution of justice will not be ensured (Gladstone, 1868). The formal justice system is often costly, time-consuming, and complex, leading people to seek quicker, less formal alternatives for dispute resolution (Kaul, 2012). Access to justice is significant for addressing vulnerability, discrimination, and human rights to foster greater societal acceptance (Sepulveda & Donald, 2015). Yet, only one-thirds of the global population

can access justice (Hiil, 2018).

Informal dispute resolution reduces judicial caseloads, resolves conflicts speedily, and reduces costs and procedural harassment (Islam & Alam, 2018; Moran, 2015). It is legal, accessible, and faster allow both victims and offenders to share their stories while saving time and resources (Ahmed & Islam, 2013). However, challenges such as unawareness, inadequate training, poor execution, corruption, and lack of support exist (Hossain, 2012; Sarker, 2013). Hulhulia, a village located at Singra upazila in Natore district in Bangladesh, is popular for its self-governance system, which includes three layers of executive, legislative, and judiciary. It has an organization named “Hulhulia Social Development Council (HSDC)”, that is responsible for the self-governance system in this village. In the previous 200 years, not a single member of law enforcement entered this village, because they have their own crime prevention and control system (Nagorik TV, 2024).

ADR requires greater academic focus to enhance its effectiveness. Research in Bangladesh has primarily focused on conceptual aspects of informal justice systems, including ADR, village courts, and informal *salish*. However, these studies lack applied analysis. Only a few explore ADR's effectiveness, with no research addressing its societal impact or aftermath which is highlighting a significant gap. This study aims to explore the ADR process practiced by the HSDC, exploring its history, organizational framework, roles, impacts, and challenges. It seeks to provide a comprehensive understanding of how ADR functions within HSDC.

Comprehensive Discussion on ADR Practices around the World

The Alternative Dispute Resolution (ADR) process became popular in the 1960s in the United States. Over 20 ADR methods are now widely accepted, negotiation, mediation, and arbitration being the prominent ones (Nosyreva, 2001). ADR has expanded significantly in the U.S., with over 150 mediation centers in about 40 states (Edwards, 1985). Australia integrates ADR into its legal system through conciliation, settlement conferences, and mediation (Begum et al., 2022). In Japan, ADR combines courts and administrative agencies with conciliatory boards for resolving labor, construction, and traffic disputes (Cappelletti, 1993). ADR framework in Sri Lanka, guided by acts like the Conciliation Boards Act of 1958, reduces judiciary caseloads and promotes informal ADR practices (Dawood, 2024).

Globally, women play a significant role in ADR, with 57% of trainees and many certified mediators being female (Birken & O'Sullivan, 2019). Kazakhstan, Ethiopia, and China also highlight ADR's global adoption, improving access to justice and reducing judicial burdens (Kamla, 2020; Gowak, 2008; Yanming, 2016). Privatization and institutionalization of ADR worldwide continue to make the communities more inclusive and sustainable (Begum et al., 2022).

Legal Framework of ADR in Bangladesh

There are several laws, rules and regulations in Bangladesh which allow some organizations to practice ADR to resolve dispute. But there has been a restriction that only less serious crimes can be subjected to the ADR process. The Code of Civil Procedure (1908) permits the court to mediate a dispute or to refer the dispute to any Legal Aid Officer for settlement. This procedure is outlined from Section 89(A) to Section 89(E) in The Code of Civil Procedure (1908). Section 296 to Section 308 of The Income-tax Act (2013) allow a service seeker to apply for ADR if discriminated in any way by the authority of income tax. The Arbitration Act (2001) is the special act to arbitrate all kind of disputes among the parties, allowing a less formal setting and speedy processing of resolving a dispute.

There are some dedicated laws and regulations which are specifically been made for ADR. One of them is The Legal Aid Regulation Act (2000), followed by The Legal Aid

Regulation (2015). This law and regulation ensure justice for all people, regardless their social class. Those who are poor and don't have enough money for the court can get settled of their dispute from the Legal Aid office. This ensures justice for the people regardless any social class and reduces complexity of due process model.

The Village Court Act (2006), followed by The Village Court Rules (2016) is another law which creates great opportunity for the rural people ensuring justice. The people from rural area can settle their dispute easily without going any formal institution. Moreover, these laws create a structural legal framework which provide diverse opportunities to the justice seekers to settle their disputes in an alternative way.

Theoretical Understanding of Alternative Dispute Resolution

The formal justice system most of the time is very costly and complex. This process leaving justice seekers frustrated and disillusioned as legal proceedings are going on for a long time (Ahmad & Wangenheim, 2021). Rural communities, in particular, face significant challenges due to little knowledge of the formal system. Also, the physical distance from courts obstructs their access to justice (World Justice Project, 2019). In such contexts, the informal justice system, including ADR and village courts, play a pivotal role in simplifying the process. ADR emphasizes empowerment, reduces social tensions, respects local customs, and facilitates access to justice at all levels (Khan, 2015). By easing the burden on formal courts, it creates access to justice while ensuring human rights and social harmony, even at the grassroots level.

Peacemaking perspective in criminology is an emerging field which focuses on repairing harm and restoring relationships rather than putting blame on criminals (Melchin & Picard, 2008). This forward-looking approach emphasizes repairing, conflict prevention, and sustainable solutions that benefit all parties involved. Through community engagement, power balancing, and inclusive dialogue, peacemaking led to social cohesion by addressing the concerns of all stakeholders (Galtung, 1996; Blake et al., 2018; Stroup, 2014). Informal justice systems always support the peacemaking efforts and promote fairness, inclusivity, and collective repairing.

Conflict Transformation Theory further indicates the transformative potential of ADR. By addressing root causes of conflict and power imbalances, it fosters empathy, shared responsibility, and sustainable peace (Galtung, 1996; Lederach, 1997). Through inclusive dialogue and community empowerment, ADR integrates these principles to resolve conflicts while strengthening social harmony.

Method

This study mainly uses observation method to observe the whole process of ADR practices in Hulhulia. The whole trial process and other activities related to ADR in HSDC has been observed in this study. Also, qualitative approach was employed in this study to explore into the roles, impacts and challenges of ADR practices. The data of disputes in the village of Hulhulia over the past five years (2019-2024) are shown in the map of Hulhulia. A total of 51 disputes were reported in HSDC from 2019 to 2024. All disputes have been shown in their place of occurrence with coordinates using ArcGIS 10.5.

The observation was made in the village of Hulhulia and in the HSDC from 26th June to 7th July, 2024. The naturalistic observation method was used in collecting data for this study. The researcher has observed the whole process without interfering in the process in its natural setting. As the ADR process is open for all to watch, no problems were faced to observe the process. The observation was totally uncategorized and no questionnaire was used to collect data. The entire process was observed, facilitating the exploration of structure, process, social development initiatives, and related aspects of HSDC in Hulhulia. The data are then presented

in several sections.

For qualitative data, convenience sampling was used to collect data from key informants. Five key informants were identified to collect the in-depth data. All respondents were approached, but only three could be reached. The respondents were: the chairman and ex-chairman of HSDC, and the officer-in-charge of Singra police station. A semi-structured interview guide has been used for face-to-face interviews with the respondents from 10th July to 15th July 2024. The interviews were conducted in Bengali for better comprehension and later translated in English. Data were then coded and categorized into various themes and sub-themes.

Findings and Results

The village's ADR process began informally around 200 years ago, without any formal organization. In 1940, Late Mosir Uddin Mridha founded the Hulhulia Diamond Club and Library, institutionalizing the process by establishing a written Framework with rules and regulations for the villagers. After that, the Framework led to HSDC, which remains the governing body overseeing village activities for the welfare of the community. The Parishad operates with its own democratic governance system and judiciary, like a small state within the state. It includes a caretaker government, a village chairman, a Framework, and both lower and higher courts. The governance structure consists of a 23-member committee led by a chairman and vice-chairman, along with an advisory council of five members who provide guidance to HSDC when necessary. This village-based ADR system demonstrates a self-sufficient, community-led approach to dispute resolution, maintaining social harmony and reducing the need for external judicial involvement.

The village of Hulhulia has some goals and objectives of its own, that hold significant importance to the villagers. These principles help creating peace, social harmony, and strengthening social capital within the community as well, which are as follows:

1. To establish Hulhulia as a self-reliant, exemplary, and model village in Bangladesh, where all problems within the village are addressed locally, making a cooperative environment by preventing activities leading to conflict or actions that go against the village interests in an organized manner.
2. To protect the legal and human rights of all villagers and ensure their dignity through the Social Development Council. With that, the Council aims to help and motivate residents to fulfill their responsibilities guided by moral and human values, in individual and social levels.
3. To ensure access to proper education for all children in the village, to cultivate a sense of brotherhood, sincerity, harmony, tolerance, and cooperation.
4. To safeguard and promote the individual and collective interests of the village through structured organizational manner.
5. To protect the economic, social, civic, and cultural interests of the village, fostering cooperation and mutual harmony.
6. To uphold the rights of villagers to fundamental resources such as education, health, employment, and others, ensuring these rights are duly observed and protected.
7. To organize cultural and recreational programs for all villagers, to establish libraries, publish newspapers and magazines, and motivate for a strong sense of duty and service within the community.
8. To take necessary measures to secure all just and lawful demands of villagers.
9. To provide all forms of support and assistance in cases of natural disasters or emergencies to those affected within the village.

Overview of HSDC and Hulhulia	
Village	Hulhulia
Population	Almost 5,000
Religion	Muslim
Literacy Rate	99%
Para (Zones)	Chak Para; School Para; Choudhury Para; Talukder Para; Sardar Para; Khalifa Para; Sheikh Para; Molla Para; Mondol Para; Fakir Para; Pramanik Para; Pukur Para
Specialty	Framework of Hulhulia (regulation for villagers) Self-Governance (Have Executive, Legislative and Judiciary bodies of their own within the village) Have own Justice System (Informal; ADR)
Website	https://hulhulia.com/
Location	Union: Chaugram; Post: Hulhulia; Police Station & Upazilla: Singra District: Natore; Division: Rajshahi; Country: Bangladesh
Exact Location	Latitude: 24.572493537087635° N, Longitude: 89.12781694820131° E
Institutions	Hulhulia Social Development Council Hulhulia Diamond Club and Library Hulhulia Post Office Hulhulia Primary School Hulhulia High School Hulhulia Sub-Medical Centre Hulhulia Community Center Hulhulia Boarding Hulhulia Madrasah Hulhulia Central Mosque Hulhulia IT Digital Hub Hulhulia High School Computer Lab
Supervisory Committees	Audit Committee Village Election Commission
Committees	Hulhulia Diamond Club Committee Mosque Committee Madrasah Committee High School Committee Primary School Committee Poor Welfare Committee Baul Committee Graveyard Committee Market Committee Hulhulia Community Center Committee

Table 1. Hulhulia and HSDC at a glance
(Source: Authors)

The Council consists of 23 members. A Chairman and Vice-Chairman are elected through a fair election process, followed by the selection of representatives from each *para* by

the residents of that *para* under the Chairman's supervision. An advisory body consisting of five members and one convener is appointed by the Chairman in the presence of all villagers. Among the advisors, one member from the “Sekor” must be included. “Shekor” is the welfare organization of this village, including the residents who are presently working in various fields in other regions. The Chairman and Vice-Chairman serve as representatives of their respective *para*. The number of representatives from each *para* is different according to its population size. This entire structure is outlined as follows.

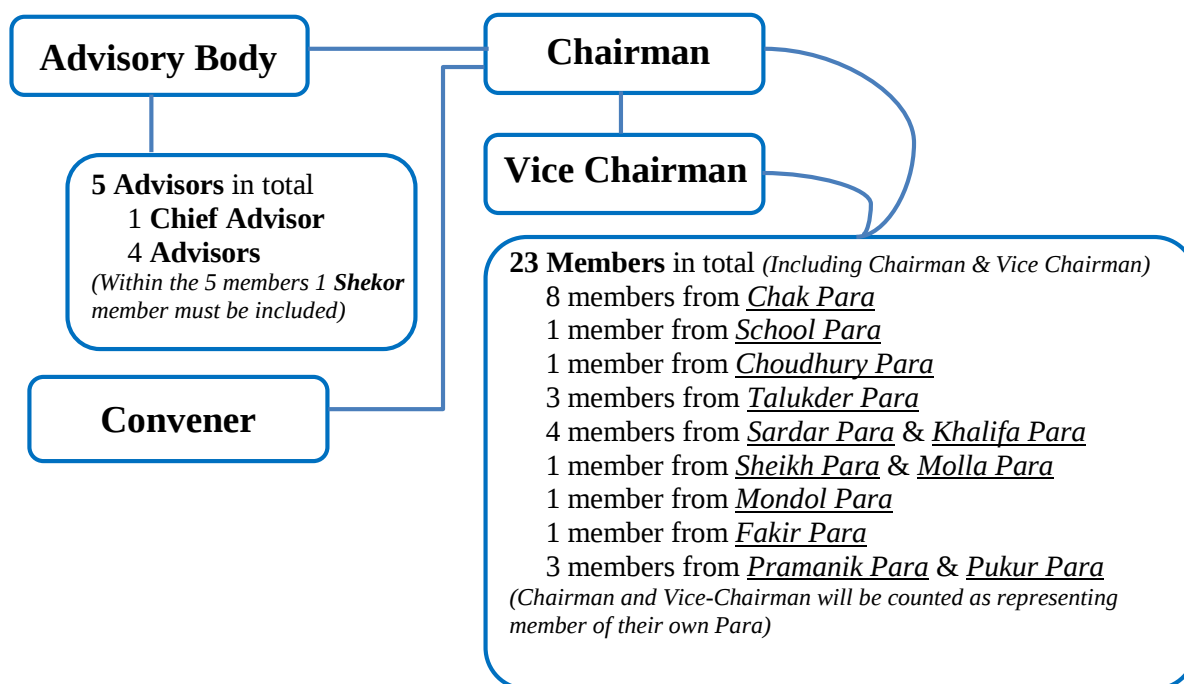


Figure 1. Structure of HSDC
(Source: Framework of Hulhulia)

This organization operates independently and maintains no connection with any governmental body or organization. However, any individual may attend council sessions to observe the ADR process in Hulhulia. Long before independence, this village had its own organization, rules, and regulations, that led to lack of any formal connection between the council and governmental organizations.

In 1940, under the guidance of Mosir Uddin Mridha, the dreamer behind the “Model Village of Hulhulia”, the villagers and residents of Hulhulia established the village’s Framework. This Framework includes all rules and regulations for governing the HSDC, various committees, and the villagers themselves. It is made to protect the rights of all residents and to provide easy access to justice. Moreover, it prescribes punishments for specific offenses within the village.

The Framework outlines the electoral processes and roles of the Chairman, Vice-Chairman, and other council members, as well as the responsibilities of all committees and commissions. Male adult residents of the village may vote to elect the Chairman and Vice-Chairman, who then appoint the heads and members of the committees in the presence of all villagers. Villagers of each *para* elect their representatives to the council. An empowered Audit Committee, as defined by the Framework, has the authority to review any irregularities related to any institution or committee. Amendments to the Framework need the consensus of the

villagers, and any rule that conflicts with current law of Bangladesh may be removed. The Framework does not primarily focus on offenses or punishments, as most disputes and conflicts are resolved through mediation. However, three specific offenses and their associated punishments are outlined in the Framework:

Offence	Punishment	Article of Framework
Marriage without Notifying the Community	Taka 500	28
Anti-Social Marriage without Notifying the Community	Taka 1000 each	28
Assisting in Marriage without Notifying the Community	Taka 5000	33

Table 2. Rules on Offenses and Punishments in the Framework
(Source: Framework of Hulhulia)

The absence of prescribed punishments for other offenses provides an opportunity which is, if a new type of offense occurs, the Chairman, advisors, and council members can collectively determine proper measures and punishment.

In Hulhulia, several committees are responsible for various tasks, all of which operate under the supervision of the HSDC council. All these committees and the Chairman, Vice-Chairman and members of HSDC have the tenure of two years. The committees include:

- Hulhulia Diamond Club Committee
- Mosque Committee
- Madrasah Committee
- Education Committee (*For Primary and Secondary School*)
- Poor Welfare Committee
- *Baul* Committee
- Graveyard Committee
- Market Committee
- Hulhulia Community Center Committee

These committees have their specific tasks and must execute the tasks abiding framework's rules of Hulhulia to effectively serve the community. To support all committees and the HSDC, there are two additional support committees:

- Audit Committee: this committee consists of five members, including one Chief Auditor and four Auditors, who are responsible for auditing all institutions and committees within the village. All committees and the council execute their tasks under the supervision of the Audit Committee, which serves as an internal oversight body for the village's institutions and committees.
- Village Election Commission: this commission is formed every two years to conduct elections for the positions of Chairman and Vice-Chairman. It includes an Election Commissioner and four members, who organize the election following the Framework of Hulhulia. The commission is established 15 days prior to the election, and within 7 days after the election it transfers responsibilities to the elected Chairman, upon which it dissolves itself.

Through these committees and initiatives, the villagers consistently strive to benefit the community, that lead to strong, positive social capital within this community.

When a dispute arises in this village, the families of the disputing parties first attempt to

resolve the conflict. If this first attempt fails, the representative of the *para* then tries to mediate and resolve the dispute between the parties. When the attempts at both the family or lower court level fail, it is then reported to the higher court, HSDC. The case processing fee is set at Taka 600. By paying this fee, any villagers may register a report of conflicts or disputes. Upon filing the report, all council members and the disputing parties, along with their families, are summoned to the council. The Chairman then hears statements from both parties; if a party is unable to present the statement directly, they may do so through a representative. Documentary evidence is examined as part of the process, with a lawyer reviewing legal documents in cases related to land disputes. After examining all statements and documents, the Chairman, along with all council members and advisors, try to reach a fair decision. Once a decision is made, it is then communicated to the disputing parties. If one or both parties are dissatisfied with the council's decision, they may go to the formal justice system within 21 days. If one or both parties don't go to the police or court, then that case is granted as resolved.

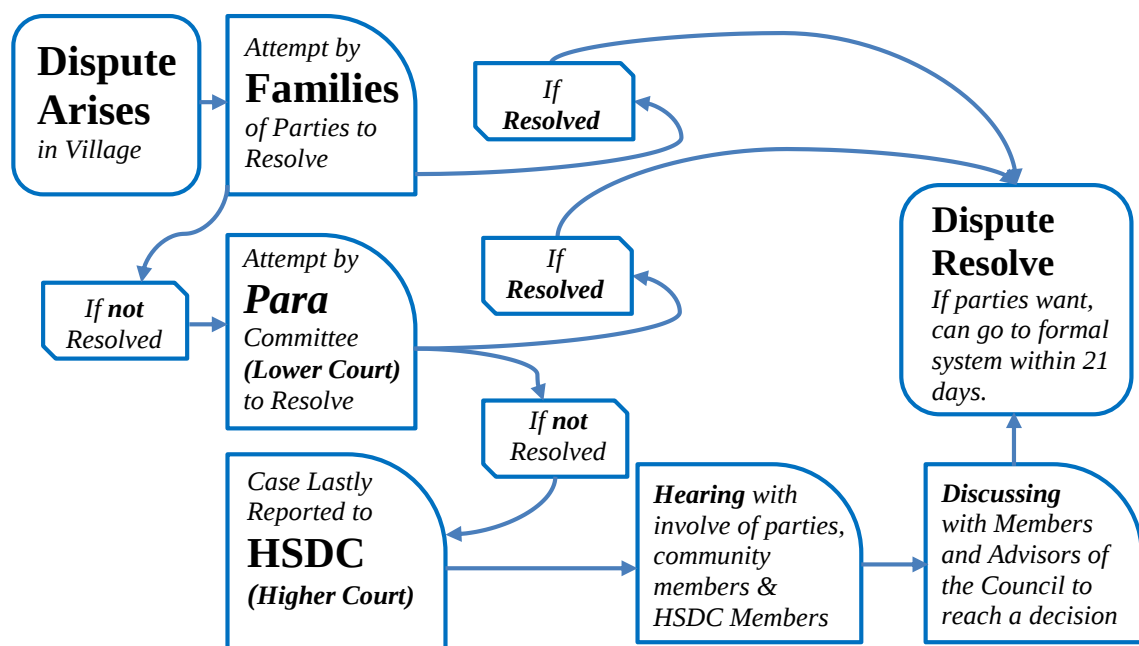


Figure 2. Process of ADR in Hulhulia
(Source: Authors)

Till now, there is not such case where the disputing parties have sought assistance from the formal justice system. It is said in this village that “no police have entered in this village for crime related issues, they only come for verification for passport and government job.”

Advantages of Hulhulia and the HSDC Council

All institutions and committees in Hulhulia work toward the village's development, aiming to establish it as a model community that is developed, updated, and technology-centered. The advantages of the council to reach this aim include:

- All villagers have access to fundamental, educational, and basic human rights, including health, education, cultural values, customs, and technology.
- Secondary is mandatory in this village, with all children required to at least complete their higher secondary education.

- The developmental committees of this village assist the villagers with their utmost effort, which make strong social bond within the community.
- Villagers demonstrate a strong sense of mutual assistance and positive social capital within the community.

Limitations of Hulhulia and the HSDC Council

While the Framework, institutions, and committees in Hulhulia strengthen the bonds among villagers and encourage mutual support, certain structural limitations make challenges, which are as follows:

- All power is concentrated in the hands of the HSDC Chairman, who can make any decisions convincing the council members.
- The council operates independently, with no connection to any governmental body, which limits external oversight.
- Only adult males are allowed to vote, which restricts electoral rights for female villagers, this being a serious violation of women rights.
- Disputing parties often prefer privacy in conflict resolutions, which in many cases restricts community participation in hearings.

Spatial Representation of Disputes in Hulhulia

This figure presents the visual representation of frequency and nature of disputes in Hulhulia. In Hulhulia, eight types of disputes have occurred within the past five years (from January, 2019 to May, 2024). This data was collected from HSDC.

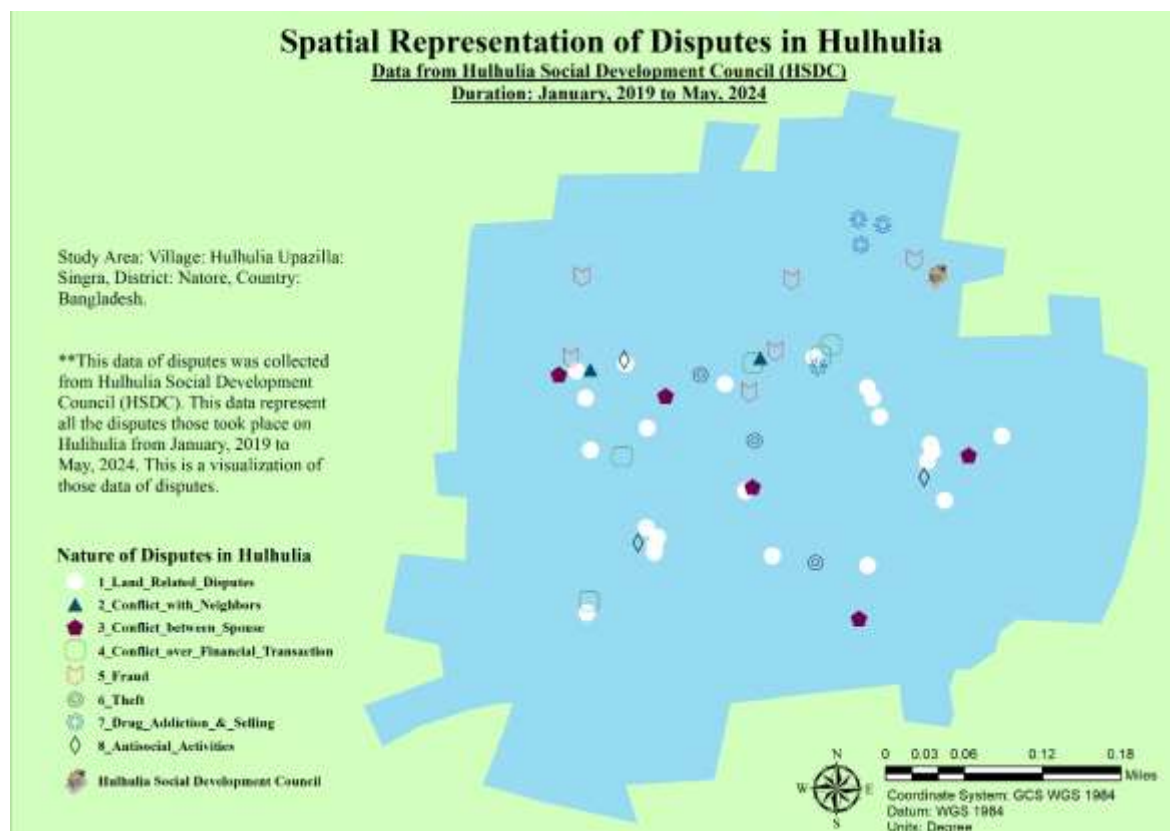


Figure 3. Spatial Representation of Disputes in Hulhulia
(Source: Authors)

Roles, Impacts and Challenges in the ADR Practice in Hulhulia

About 200 years ago, a dispute resolution system is introduced in Hulhulia, which continues to benefit its residents till now. This system has led to the development of an inclusive, supportive society, free from discrimination. As the former chairman of HSDC said, *“Our ancestors made a Framework of our village to ensure justice in an informal way. By that Framework, people can discuss within themselves to solve any disputes among them, and this process is easy and very effective. Anyone in this village can register a conflict or dispute only for Taka 600 as the fee of this whole process. As that fee is an expense, the Chairman of our Parishad, with other members, will solve, mediate, conciliate, or arbitrate the dispute within 30 days. If the defendant or plaintiff can't get satisfied with the outcome, they can go to the formal justice system within 21 days”*.

Over the years, this system has gained fame from all over the country. Many new media have reported this as a role model of the whole country. As the Officer-In-Charge of Singra Police Station stated, *“I am very amazed to see the informal justice system in Hulhulia. They always sort out their own problems; that is a matter of praise. But if a victim of any crime seeks services from the police, we will be there to help them”*.

This informal system has created opportunity to access justice from the doorstep. Availability of such system has inspired many people to take action to get justice. As the Officer-In-Charge of Singra Police Station expressed, *“They always follow the rules, regulations, and customs of the society of Bangladesh. The informal justice system there in Hulhulia ensures access to justice for root-level people”*.

This process consistently motivates villagers to engage whenever any kind of conflict arises. It allows the participation of all the stakeholders, including the defendant, plaintiff, community members, and experts. As the former chairman of HSDC noted, *“This process ensures the participation of the plaintiff, defendant, and community to solve any disputed matter. With a little fee, anyone can register the complaint and get it resolved within a short amount of time. Also. If they don't like the outcome, they can go for the formal justice system. This ensures access to justice for all the people in this village”*.

Accessing justice can be complicated in the due process in Bangladesh. Any alternative method to access justice can motivate people to participate to get justice easily.

The plaintiff, defendant, and other stakeholders can easily participate in this process without any complexities, as it is free from complex rules or regulations. With simple guidelines, both offenders and victims can share their stories without tolerating a long due process. As the chairman of HSDC stated, *“In this process, the plaintiff and defendant both can share their side of the story. Also, they don't have to go through the long due process that saves time and money. But, all the time, a win-win situation can't be ensured, as in some complex land-related and criminal complaints”*.

The existing adversarial justice system in Bangladesh make the parties waiting for a long time to enter and process in criminal justice system. Even many people don't seek justice for this dilemma. The ADR process of HSDC has reduced those complexities for the villagers. As the Officer-In-Charge of Singra Police Station said, *“The people don't have to face the due process of police and court, so they can easily access justice without delay and harassment. Also, this process makes people law-abiding, and they respect their people even more. This whole process saves a lot of time as they don't have to pay the advocates or continuously go to the police and court”*.

The ADR process in Hulhulia not only reduces complexities and creates opportunities for accessing justice, but also maintains peace and harmony within the community. This system is accessible to all, as it emphasizes repentance, repairing harm, and restoring relationships. As the former chairman of HSDC stated, *“With the support of various committees, this institution*

can provide any kind of help or welfare to the villagers that ensure peace and harmony in our community. Everyone gets education and gets any kind of help from this process. If anyone faces any problems, all the villager in their capacity can help to solve any problems”.

This process has brought to another significant innovation which is the formation of several developmental committees in Hulhulia. These committees address different aspects of community life, including support for the poor, marriage, education, the mosque, and more. Through these committees, those in need can receive assistance, further strengthens the bond within the community. As the chairman of HSDC expressed, *“We have an education committee, a mosque committee, an audit committee, a welfare committee, etc. to help all the people of this village. These committees ensure education to all people, help the poor members of our village, and solve any problems within their authorities. This way, peace, harmony, and social bonds can be ensured”.*

This process has several positive impacts, including reducing the workloads of both the police and judiciary. It saves time and money for the people, as justice-seekers in Hulhulia are no longer required to enter in the adversarial justice system. As the Officer-In-Charge of Singra Police Station remarked, *“I perceive this system with positive perception as it decreases the workload and pressure of police. They themselves can sort their problems easily. this process is very effective as it saves a lot of time, money, and harassment. Other villages in Bangladesh can also follow this process to easily access justice and make their society stronger”.*

The primary challenge which has currently emerged in Hulhulia is the growing political influence. Several political groups have introduced minor divisions among community members, which has become the main issue facing the community today. As the Officer-In-Charge of Singra Police Station and the former chairman of HSDC stated, *“...this process is very transparent, but in recent days, some political involvement somewhat questioned this process. Any political or other kind of coram or group can also be challenging in this process”.* *“The rural political influence and coram need to be decreased to ensure more peace and harmony”.*

This type of fractionalization is not only disrupting the harmony within the community but also casting doubt on the effectiveness of the ADR process in the village. Such occurrences had not been seen in Hulhulia for many years. As the chairman of HSDC remarked, *“Several groups with their adverse points of view have created some tensions in the village recently”.*

Challenges can emerge in any system, but finding a constructive way forward is the most effective approach to neutralizing them. Aside from political influences, no other significant issues have been observed in Hulhulia. Therefore, addressing and mitigating this challenge would be the most prudent course of action. As the Officer-In-Charge of Singra Police Station stated, *“... they have to be strict in abiding by their own rules and regulations of the Framework of Hulhulia. making this kind of political groups and coram need to be prevented”.*

Addressing the demands of all individuals within a common framework and giving importance to diverse opinions, values, and beliefs, can lead to the making of an inclusive society where everyone feels empowered to raise voice when necessary. So, giving importance to everyone voices should be ensured to mitigate the political group’s issues. As the chairman of HSDC remarked, *“Political influence has to be decreased to ensure peace. Every group's point of view can be respected, and discussing the problems can solve the current tension in this village. The other villages or communities can also adhere to this kind of process of ADR to ensure easy access to justice without any harassment”.*

This process is well-known throughout Bangladesh, and every community that has adopted this kind of approach has experienced significant positive changes. That’s why other villages across the country should consider establishing similar ADR practices to make vibrant

and harmonious societies. As the former chairman of HSDC stated, “Any village in Bangladesh can follow the ADR processes like us to eradicate harassment in due process and ensure access to justice, peace, and harmony in their community”.

In the village of Hulhulia the people of the community resolve their own disputes. In this way they don’t have to go to the police or court. In this way, people can easily access justice without complexity, and the loads of police and judiciary also get reduced. Communities from different regions can take initiatives like this to get the benefit of ADR.

Discussion

Alternative Dispute Resolution is quite popular in various communities worldwide as an effective mechanism for dispute resolution. In Bangladesh, HSDC practices ADR to resolve disputes and conflicts in the village of Hulhulia. In this village, this practice traces its roots back to around 200 years. HSDC, as the central institution, oversees and executes the entire ADR process. The members of this organization are democratically elected by the villagers, ensuring representation and inclusivity in decision-making. The organization operates within a defined legal framework, which has structured regulations to ensure best practices of ADR with fairness and transparency.

HSDC is composed of 23 members and includes several committees dedicated to the welfare of the community. The village is divided into 12 *paras* (zones), each *para* members selecting their representatives, as illustrated in Figure 1. A chairman and vice chairman are being elected by the votes of the villagers. The chairman and the vice chairman also act as representatives for their respective *para*.

The ADR process in Hulhulia follows a structured approach. If at any stage the dispute is successfully resolved, the process concludes at that point, as depicted in Figure 2. When a dispute arises, the families of the disputing parties first attempt to resolve the issue informally. If the families fail, the matter is taken to the *para* representative to resolve. If the *para* representative cannot resolve the dispute, it is referred to the chairman of HSDC. The chairman, after discussing the matter with the disputing parties, makes a decision with all the members of HSDC.

The decision of HSDC is communicated to the involved parties, who have the right to report their disputes to the formal justice system within 21 days upon any dissatisfaction. However, till now, no disputes from Hulhulia have been reported to the formal justice system, which represents the community’s satisfaction with the ADR process. This practice is a great example of harmonious combination of tradition, democratic participation, and legal framework, ensuring the well-being, harmony and peace of the Hulhulia community.

Interviews from key informants explored the role of ADR to access to justice, reducing complexity, building social capital and maintaining peace and harmony, despite challenges as political factionalism. This finding posits the findings of previous studies of role of ADR to make a community peaceful and harmonious (Gandu et al., 2023; Haq et al., 2021; Rahman, 2022). Several challenges of this ADR practice have been identified in this study, which include lack of logistical support, lack of skilled personnel, and political interference. These findings are as same as the prior studies highlighting the need for greater awareness, structured regulations, and skilled manpower (Alam, 2014; Islam & Alam, 2018). The ADR practices in this village have a positive impact in the community. People who participated in this process are quite satisfied with this process. Informants emphasized affordability, speed, legitimacy, and participatory practices, which are also similar as the earlier researches (Faruque & Khaled, 2010; Haq et al., 2021). Key recommendations include raising awareness, increasing manpower, updating laws, and mitigating political interference to increase the effectiveness of ADR. Moreover, ADR in Hulhulia has been beneficial, suggesting its potential application in

other rural areas of Bangladesh.

The findings of this study have been aligned completely with the theoretical perspectives of ADR. This process is making peace throughout the community and strengthening the bond among the villagers. It is repairing the harm done to the victims without causing any adverse effects, which is completely consistent with the peacemaking perspective. Access to justice through this process also reduces the complexity of getting justice. Furthermore, conflicts are being resolved in a manner that leaves all parties satisfied. In this way, ADR is transforming conflicts into shared responsibilities, facilitating the offender's repentance with repairing the harm to the victim and the community. Moreover, by providing access to justice without any complexity, the ADR process in Hulhulia not only transforms conflict into shared responsibilities but also builds peace within the community.

Conclusions

Justice is the perception through which individuals feel that the right action has been taken. To ensure justice, several approaches have been adopted worldwide, including informal systems like ADR. Hulhulia village has practiced ADR for over 200 years for resolving disputes. This practice ensures access to justice, reduces complexity, builds social harmony and social capital. The practice of ADR in Hulhulia is managed by HSDC. This practice has positively impacted the community in social, cultural, legal, and economic aspects.

Village court initiatives in Bangladesh have struggled in some areas due to technical issues. However, ADR model of Hulhulia offers several good practices. It could be replicated in other regions to reduce the burden on formal judicial systems. A comprehensive approach of testing, assessing, and evaluating this model could dispose the groundwork for nationwide implementation. Involving victims, offenders, communities, and all the stakeholders, this system ensures a participatory justice process. Given its long-standing success, ADR practice in Hulhulia is a proven and effective system. A comprehensive plan could extend this model across Bangladesh, creating a sustainable, inclusive, and efficient method for resolving disputes.

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