



THE CHALLENGES OF VILLAGE COURTS TO OPERATIONALIZE AT THE LOCAL LEVEL: A CASE STUDY IN THE SOUTHWEST REGION OF BANGLADESH

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Abstract

The village court and alternative dispute resolution (ADR) promised to resolve civil cases instead of regular court proceedings in rural areas, as it takes less time and is a more cost-saving process. Village courts are a useful pattern of dispute resolution in the local community by avoiding formal judicial mechanisms. This study examines the strengths, weaknesses, opportunities, and threats (SWOT) of village courts in rural Bangladesh. Additionally, it identifies the challenges of village court to operationalization at the local level. To do that, by employing multistage sampling technique, nine unions from rural communities in Bangladesh's southwestern districts of Bagerhat, Khulna, and Sathkhria were selected as study areas. Mixed method approach was adopted, where 141 households were surveyed by using a semi-structured questionnaire for quantitative data, and three focus group discussions (FGD) and key informant interviews (KII) were applied to collect qualitative information. Descriptive statistics and SWOT analysis were carried out to address the research objective. The study result demonstrates that the middle-aged (31-40 year) group, secondary level of education, and lower middle-income (10,001-20,000 BDT/month) people are the main stakeholders in reporting disputes to the village court. The findings from qualitative part show that the main challenges of village court are the lack of manpower, logistic support, infrastructure, and lack of training for village court personnel. Other challenges are the lack of awareness of local people regarding the law relating to village courts and their limited pecuniary jurisdiction (up to 75,000 BDT). However, village courts have several strengths, including fair trials, the existence of rules and regulations, a well-accepted body, easy access to justice, and less paperwork. This study demonstrates that resolving the present problems will increase the efficacy of village courts, allowing them to provide cost-effective, timely, and harassment-free justice to local communities. Therefore, the study recommends that the government should take the necessary action and amend the law relating to village courts to overcome the existing challenges and fully functionalize them for the greater wellbeing of local communities in Bangladesh.

Keywords: Village court, Challenges, Dispute resolution, Local community, Bangladesh

Introduction

Two fundamental rights guaranteed by the constitution of the People's Republic of Bangladesh are access to justice and the protection of laws (article 27 & 30) on the basis of equality (Naznin, 2020). The United Nations Development Programme (UNDP) defines access to justice as the "ability of members of disadvantaged groups to prevent and overcome poverty by seeking and getting remedies via the legal system for complaints in accordance with human rights principles and norms" (UNDP, 2005, p. 4). Additionally, these two rights are strongly linked to democracy and are viewed as fundamental protections for effective management for the people in Bangladesh.

Bangladesh, a developing country in South Asia, was liberated from Pakistan's repressive rule in December 1971 following a war of independence. Certain areas where Bangladesh is still unable to achieve success despite its numerous achievements in the domains of Gross Domestic Product (GDP) growth, per capita income, child and mother care, and many more (Bhuiyan et al., 2019). It is an open secret that the official legal system of Bangladesh is

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under strain as a result of the high caseload and backlog, with over 3,65,059 and 24, 95,944 cases awaiting hearing in the supreme and district courts, respectively (Bhuiyan et al., 2019). On the other side, due to a shortage of judges and supporting court staff, things like providing timely and high-quality services became more difficult (Alam, 2014). Furthermore, due to its metropolitan orientation, the formal judicial system is expensive, time-consuming, and challenging to access, especially for the disadvantaged and poor peasants (Hossain & Zaman, 2016). As a result, the aforementioned aspects of the state-run formal judiciary system currently in place have had a negative impact on the development of a proper and equal justice system (Uddin, 2019), especially for the rural poor who cannot afford the costs of cases and are unclear about how to access justice in the courts (Islam, 2018).

Access to justice is one of the key prerequisites for achieving development in rural Bangladesh. The philosophy of access to justice is mostly based on a formal structure with roles formed in line with the rules, procedures, and arrangements for pertinent institutions, along with frameworks for policies, values and others. Accessing justice is a persistent issue for Bangladesh as 40% of the population (Haque et al., 2022) lives below the poverty level and around 80% (Chowdhury et al., 2022) lives in rural areas. Approximately, two-thirds of conflicts are settled locally, either through informal local justice systems like village courts (VCs) or through informal local settlement mechanisms (e.g., *Shalish*) by the local leaders (Begum et al., 2019).

According to the village court ordinance, 1976, a VC was formed in each Union Parisad (UP). This court was made up of the UP Chairman, two other members from the UP, and two extra members that the Chairman would choose to represent the parties involved (Ahmed and Islam, 2013; Village Court Ordinance, 1976; Village Court Act, 2006). The Village Court Act, 2006 has repealed the Village Court Ordinance, 1976. At present time, although the court lacks the authority to impose a prison term, it is nonetheless able to impose penalties (Islam, 2019). In the majority of other instances, local authorities prioritize social peace and the efficient resolution of local conflicts over following the text of the law. Even in those infrequent instances where conflict resolution takes place. The procedures under the supervision of VCs de facto mirror traditional *Shalish* in terms of group involvement, procedural flexibility and consensus decision-making (Bhuiyan et al., 2019). The informal *Shalish* system is frequently used by the peasants to resolve minor conflicts instead of established institutions. Informal conflict resolution is more accessible and affordable to the poorest people in the community (Saadi et al., 2014).

In rural areas, VCs might be quite beneficial in settling small conflicts and lightening the strain on the formal judicial system. But there are several issues with this local-level government structure. According to Saadi et al. (2014), the VC procedure is less successful because of prejudice, tainted evidence, lack of understanding, and insufficient experience. They also discover that despite the flaws of the VC system, people are only somewhat happy with it. To improve its effectiveness, they propose to create a system free of prejudice. Islam (2019) uses a number of case studies to illustrate how people often see VCs and suggests that, in order to improve their effectiveness, stakeholders should pay particular attention to the court's most disadvantaged and marginalized citizens. Bhuiyan et al. (2019) claim that prejudice, political intervention, corruption, and lack of personnel have all had a detrimental influence on the effective functioning of VCs. To enhance the efficacy of the VC, the authors advise creating a monitoring authority and boosting capacity (Miah et al., 2017). According to research, the overwhelming number of cases, a lack of legal understanding, and inadequate support and assistance are the biggest challenges facing the judicial system.

This research attempts to analyze the patterns in disputes of rural people which are placed in VC for resolution. It demands to know the different patterns in disputes, i.e., the relationships between dispute and age, education, income and distance (from UP) of rural people. Then the specific group regarding age, education and income is selected to report them appropriately for their dispute settlement. It is important to know the reasons that why are rural people choosing VC for dispute resolution. As VC is an important institution to resolve disputes of rural people at local level, it needs to understand the strengths, weaknesses, opportunities, and threats (SWOT) of VC. By identifying the strengths and opportunities of VC, these can support to address the issues of weaknesses and threats properly. In addition, it is essential to detect the major challenges of VC and address these issues correctly to operationalize this institution effectively at local level.

Contemporary literature reveals that VC has its own drawbacks and not fully operationalized as it was expected at the local level (Islam, 2019; Berger, 2020; Khondokar, 2015). VC, by its very nature tends to incorporate three mechanisms of ADR namely negotiation, mediation and arbitration (Ahmed and Islam, 2013) but it needs to

be restructured and people centric to prove its efficacy in resolving disputes at the local level. Therefore, the study is rationale to identify the major challenges of VC by analyzing SWOT of this institution and understanding the patterns in disputes. As a part of bringing equitable justice and strengthening local institutions of sustainable development goals (SDGs), Government of Bangladesh has been offering utmost priority to activating VCs at the grass root level. It needs to make VCs more accessible, affordable, and capable for rural people to ensure their justice (Saadi et al., 2014; Miah et al. 2017).

The present study mainly reveals the patterns in disputes of rural people; the reasons for choosing VC; and assesses the SWOT and challenges of VCs. But there are other platforms of exercising ADR at the local level, namely *Sbhalish* mediated by UP representatives and NGOs. Due to time and resource constraint, we could not go through all these platforms. Moreover, the study only covers Southwestern region of Bangladesh. But there are other regions, which portray peculiar local characteristics and need to be covered. Drawing a reliable conclusion based on a smaller region of Bangladesh may not be a strong basis for generalization. Again, we conducted a small sample size for a questionnaire survey (141 households) due to budget and time constraints. But we led key informant interview (KII) of UP chairman and focus group discussion (FGD) of service recipients of VC to overcome the information gaps of this research.

Most of the existing literature focuses on the issues of prejudice, tainted evidence, performance, and public impressions of the VC. The study identifies some research gaps are mentioned as follows:

- a. The patterns in disputes of rural people are absent,
- b. The reasons for choosing VC for dispute resolution are not exist appropriately,
- c. The SWOT of VC is not present, and
- d. The major challenges of VC at local level are not properly stated in literature.

Therefore, addressing these research gaps the study first attempts to reveal the patterns in disputes of rural people. There are few studies in literature that specifically address the issue with such motivation. Therefore, this paper attempts to identify the major groups regarding age, income, and education level (socio-demographic and socio-economic variables) of disputants at local level. In addition to this, present study efforts to make a strength, weakness, opportunities, and threat analysis of VCs to understand the problem properly in selected rural areas of the southwestern region of Bangladesh. Finally, this research goes to find out the major challenges of VC to minimize the weaknesses and threats of this institution and make it more operationalize at local level. By properly identifying the problems, i.e., patterns in disputes, SWOT and major challenges of VC, the study will recommend some policies to strengthen VC as to delivery services for rural people effectively in dispute resolution. Hence, this study considers four research questions are mentioned as:

- (1) Which are the main patterns in disputes of rural people undertaken for settlement in VC?
- (2) Why are rural people choosing VCs for dispute resolution?
- (3) What are the strengths, weaknesses, opportunities, and threats of VC to resolve disputes? and
- (4) What are the major challenges that the VC faces at the local level in dispute resolution?

Materials and Method

Data Source and Study Area

To fulfill the research objective, we consider both qualitative and quantitative approaches. It is based on primary data gathered through a field study utilizing a semi-structured questionnaire. This study uses a multistage sampling strategy (Table 1) to choose the study area.

At the first stage, we purposively select three districts, e.g., Khulna, Sathkhira and Bagerhat, from the southwestern region of Bangladesh. Further, we randomly select nine unions among the three Upazilas named Kolaroa, Rampal and Dumuria, which comprise almost 25% of the unions in the selected Upazilas. After selecting the Union Parishad, authors collect the list of disputants who report dispute issues in the VC. Considering the list of disputants, the authors used systematic random sampling to select the final respondents and collect 141 responses. We consider every fifth respondent on this list. The survey was conducted by the trained enumerators from 1 May 2022 to 20th June 2022. The survey questionnaire includes both closed-ended and open-ended questions. The questionnaire includes both socio-economic and dispute-related information.

Table 1. Sampling distribution and study area

District	Upazilla	Union	Sample Size
Khulna	Dumuria	Dumuria	27
		Roghunathpur	9
		Rudhaghara	7
		Baintola	14
Bagerhat	Rampal	Bastoli	11
		Rampal	13
		Chandanpur	16
Sathkhria	Kolaroa	Langoljhara	17
		Keralkata	15
Total			141

Variable Description and Analysis Method

In accordance with the objectives of the study, the gathered data was summarized. The data were cleaned, coded, and tabulated to get them ready for analysis. The collected data was then subjected to a two-stage analysis. Following the initial round of fieldwork, the gathered data were analyzed, and the tabulated findings were then compared to the study's objectives. Quantitative data analysis has traditionally employed descriptive statistics, including cross-tabulations and figures, to trace out the first research question in this study. For the second research question, the authors employed qualitative data collection methods, including focus group discussions and key informant interviews. Authors also use a five-point Likert scale, e.g., 1 (Strongly Disagree), 2 (Disagree), 3 (Neutral), 4 (Agree) and 5 (Strongly Agree) to collect the respondents' perceptions about choosing VCs. SWOT analysis has been performed to visualize the collected information. SWOT analysis is vital for identifying challenges in VCs (Panigrahi & Mohanty, 2012). By assessing, Strengths, Weaknesses, Opportunities, and Threats, gives a thorough knowledge of the court's internal capabilities and external variables. This helps identify areas that require work (weaknesses) and possible development paths (opportunities). Additionally, it assists in anticipating prospective obstacles (Threats) and maximizing already-existing benefits (Strengths). This type of strategic review equips VCs with the authority to address issues successfully, improve effectiveness, and advance fair and accessible justice, while enhancing community trust and well-being (Chakraborty & Chakma, 2020; Dutta & Senapoti, 2011). Three focus group discussions, including those with elected members of UPs, civil society representatives, and disputants, were conducted. In addition, three KII has been conducted with the UP Chairman. As analytical tools, STATA 13.0 and Microsoft Excel have been employed.

To reveal the stakeholders in dispute settlement, the authors employ cross-tabulation between the number of disputes and several socio-economic variables. At the first stage, the number of disputes in one year has been divided into two categories, e.g., (less than 2/year) dispute and (greater or equal 2/year) dispute. Age is measured in years, and for extractive patterns, it is divided into four categories: 20-30; 31-40; 41-50; and 51-60. Besides, income (BDT/month) is distributed among 4 categories: less than 10,000; 10,001-20,000; 20,001-30,000; and 30,001+. Education is measured in years of schooling units and is divided into 5 categories: illiterate, primary, secondary, higher secondary, and graduation. Distance is also divided into two categories: less than or equal to 3 kilometers and greater than 3 kilometers.

Results

Summary statistics: Table 2 summarizes the frequency and percentage distribution of socio-demographic related variables.

This table reports that nearly two-fifths of the respondents to this study belong to the age category 31-40. It depicts that most of the respondents who face the dispute settlement problem are middle-aged people. It is also observed that almost 95% of respondents are married. It signals that married people are mostly facing dispute-related issues.

In addition, the analysis result reports that more than two-fifths of the respondents' secondary education and almost 26% respondents' primary education were completed. Thus, it reveals that the people who face dispute settlement issues and use VCs have some educational knowledge. Noticeably, almost 9% of the respondents have no

formal education. This study also finds that almost four-fifths of the respondents belong to the nuclear family and suffer from dispute problems. It is also depicted that nearly half of the respondents earn 20,001- 30,000 BDT per month. Thus, it is revealed that middle-income people mostly suffer from the dispute problem.

Table 2. Socio-demographic information of the respondents

Variable Name	Frequency	Percent
Age		
20-30	19	13.48
31-40	60	42.55
41-50	35	24.82
51-60	27	19.15
Marital Status		
Married	135	95.74
Unmarried	6	4.26
Education		
Illiterate	13	9.22
Primary	37	26.24
Secondary	63	44.68
Higher Secondary	15	10.64
Honors and Masters	13	9.22
Family Type		
Joint	30	21.28
Nuclear	111	78.72
Income (BDT per month)		
<10,000	48	34.04
10,001-20,000	76	53.90
20,001-30,000	10	7.09
30,001+	7	4.96
Total	141	100.00

Pattern of Dispute Settlement

To reveal the main stakeholders in dispute settlement, authors perform pattern analysis by using cross-tabulation between the number of disputes in one year and socio-demographic variables, following Chowdhury and Haider (2022).

Age and Dispute: Table 3 demonstrates that the tendency to report disputes is higher among the middle-aged group (31-40). It also delineates that the tendency is decreasing with increasing age. The percentage of less than 2 disputes per year is almost 10.64 among the 20-30 age group; it is almost 34% for the 31-40 age group, followed by 17.02% for the 41-50 age group and 13.47% for the 51-60 age group. It also depicted that the percentage of 2 or more disputes per year is almost 2.84 among the 20-30 age group, almost 8.51% for the 31-40 age group, followed by 7.80% for the 41-50 age group, and 5.68% for the 51-60 age group. Thus, it indicates that the middle age group (31-40) is the main stakeholder in the dispute resolution system.

Table 3. Cross-tabulation between age and dispute in one year

(Dispute in one year)	(Age Group)				Total
	20-30	31-40	41-50	51-60	
<2 Dispute	15 (10.64)	48 (34.04)	24 (17.02)	19 (13.47)	106 (75.18)
≥2Dispute	4 (2.84)	12 (8.51)	11 (7.80)	8 (5.68)	35 (24.82)
Total	19 (13.48)	60 (42.55)	35 (24.82)	16 (19.15)	141 (100.0)

Income and Dispute: Table 4 figures out the relationship between income and dispute in one year. The data shows that the tendency toward dispute settlement is higher among lower- and middle-income people (10001-20000). It is sharply decreasing with increasing income. Thus, it can be concluded that increasing income leads to a decrease in the tendency to engage in dispute settlement process.

The percentage of less than 2 disputes per year is almost 24.82 among the less than 10,000 income group; it is almost 42.55% for the 10,001-20,000-income group, followed by 4.26% for the 20001-30000 and 3.55% for the 30,000+ income group. It also depicted that the percentage of 2 or more disputes per year is almost 9.22 among the less than 10000 income group, almost 11.35% for the 10,001-20,000-income group, followed by 2.84% for the 20,001-30,000-income group, and 1.42% for the income group of 30,000 and above.

Table 4. Cross-tabulation between income and dispute in one year

(Dispute in one year)	(Income Distribution)				
	<10,000	10,001-20,000	20,001-30,000	30,001 and above	Total
<2 Dispute	35 (24.82)	60 (42.55)	6 (4.26)	5 (3.55)	106 (75.18)
≥2Dispute	13 (9.22)	16 (11.35)	4 (2.84)	2 (1.42)	35 (24.82)
Total	48 (34.04)	76 (53.90)	10 (7.09)	7 (4.96)	141 (100.0)

Education and Dispute: Table 5 claims the relationship between the education level of the respondents and the dispute in one year. It has been reported that dispute settlement tendencies are higher among respondents who have completed primary and secondary education. Thus, it shows that education plays a significant role in the dispute settlement process.

Table 5. Cross-tabulation between education and dispute in one year

(Dispute in one year)	(Education)					
	Illiterate	Primary	Secondary	Higher Secondary	Honors and Masters	Total
< 2 Dispute	9 (6.38)	26 (18.44)	48 (34.04)	13 (9.22)	10 (7.09)	106 (75.18)
≥ 2Dispute	4 (2.84)	11 (7.80)	15 (10.64)	2 (1.42)	3 (2.13)	35 (24.82)
Total	13 (9.22)	37 (26.24)	63 (44.68)	15 (10.64)	13 (9.22)	141 (100.00)

Distance from UP and Dispute: Figure 1 reports the inverse relationship between home distance from UP and dispute in one year. It has been observed that increasing home distance from UP leads to a decrease in the percentage of disputes in one year. It is observed that almost half of the respondents who report less than two disputes in VC live around 3 kilometers from the VC, and it is almost one-fifth report two or more disputes. Therefore, it indicates that home distance from the VC is an important issue for dispute settlement.

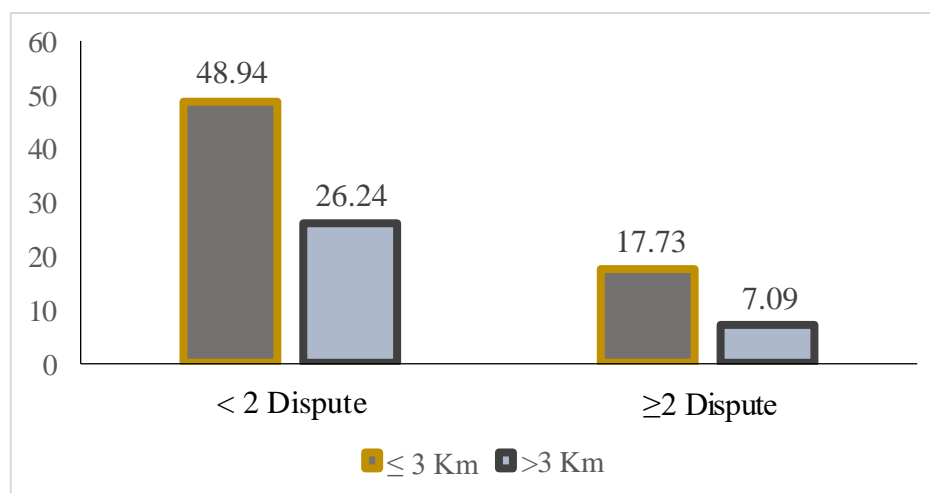


Figure 1. Distance from UP and dispute in one year

Reasons for choosing VCs

Table 6 illustrates the reason for choosing the VC as a medium of dispute settlement. It is revealed that people strongly agree that VCs serve people at a lower cost. Respondents agreed that the VC is a familiar medium, and people have easy access to it. In addition, they use VCs for lower distances, and they think that it protects the disputants' reputations. But a concerning issue is that people are neutral about the fairness and reliability of the VC.

Table 6. Reasons for choosing the VC

Reasons	Mean	Std. Dev.	Min	Max
Cost of settlement is lower	5.00	0.00	5	5
We are familiar with the VC member	4.86	0.38	4	5
We use it because settlement time is lower	4.29	1.11	2	5
It safe our reputation and solve the problem	4.29	0.76	3	5
I use VC because of lower distance from my home	4.14	1.46	1	5
It is easier to access the judiciary service	4.00	1.41	1	5
It is more reliable than other service	3.86	0.69	3	5
We trust with the fairness of settlement	3.86	1.22	2	5

Findings from Focus Group Discussion and Key Informant Interviews: SWOT analysis is developed based on FGDs and KIIs.

One FGD participant of civil society member mentioned:

The main challenges to the proper functioning of the VC are local political pressure, pressure from local elites, and sometimes nepotism, which hinders effective judgment. He expressed that the majority of local leaders want to settle the cases by using informal mechanisms like *Shalish because*, in this mechanism, they exercise their power without a legal boundary. Therefore, they demotivate the disputants to report the cases to the VC.

Table 7. SWOT analysis of the VC

Strength	Weakness
<ul style="list-style-type: none"> • Fair justice process • Well accepted body • Existence of specific rules and laws • Existence of Union Parisad: A well-organized local body • No requirement of advocates • Existence of procedures against corruption • Solving local level problems • Focus on coordination rather to provide hard punishment • Easy accessible 	<ul style="list-style-type: none"> • Lack of infrastructure • Lack of workforce to collect fines • Limited pecuniary jurisdiction (up to 75,000 BDT) • Unexperienced judges panel • Domination of male members • Lower women participation • Irregularity
Opportunity	Threat
<ul style="list-style-type: none"> • Solving disputes takes less time • Less cost • Express own views fearlessly • Effective judgment for small disputes • Free from harassment • Focus on maintaining social ties • Reduce the pressure on the formal justice system • Develop strong leadership 	<ul style="list-style-type: none"> • Nepotism • Local-level political pressure • Pressure from elite people • Bias judgment • Conflict among committee members

Another FGD participants, an elected member, focuses on:

The major weaknesses of VCs towards full operationalization are a lack of logistical support, infrastructural facilities, and a lack of workforce to collect fines. He describes that in most cases, they try to solve the cases without imposing any penalty since they do not have sufficient support to collect the fines or impose the penalty. Therefore, the disputant searches for an alternative mechanism like a district court or police station.

One of the KII participants, a VC member, mentioned on the same issue that the lack of an experienced judge's panel, the lack of infrastructural facilities, and women's participation in the committee are the major challenges towards the full operationalization of VCs.

In summary, the main strengths of the VC are that it ensures fair justices, the existence of rules and regulations, a well-accepted and organized body, easy access and less paperwork. Interestingly, the majority of VC service recipients expressed satisfaction and confidence in the service. To justify the prospects of VC, respondents report that the cost of VC is considerably cheaper than the formal courts in terms of both cost of service and time. Regarding the problems of VCs, they identify that people are not very aware of VCs, and lack of manpower, logistic support, infrastructure, and limited pecuniary jurisdiction (up to 75,000 BDT) are the major barriers to making VCs an effective alternative of formal court system. They also identified nepotism, corruption, irregularities, and local political pressure as major threats to ensuring proper justice in VCs. Table 7 describes the SWOT analysis of the VC mechanism.

Challenges of VCs

Several challenges were identified in VCs, these are as follows:

1. Lack of awareness about the VC law

The study reveals that people have limited knowledge about the VC, but they are not aware of the basic VC law, which creates barriers to making it fully operational at the local level. This is consistent with the previous findings of Hossain, 2012 and Sarker, 2013 where they report that VC ensures the justice locally but remains ineffective because of a lack awareness about the law of VC.

2. Lack of budget and logistic support

Manpower is an important element for an organization to fully operationalize; otherwise, there is a chance of slow performance by the institution. Generally, the UP chairman and members perform the duty of judge in the VC (Village Court Act, 2006). It is also important to sanction a separate budget to operate the organization. But the VC faces a lack of budget as well as the logistic support like manpower, trial rooms, computers and others. This finding is consistent with the findings of Islam and Alam, 2017.

3. Monitoring and accountability problems

The absence of proper monitoring and accountability creates hindrances to operationalizing VCs at the local level. Generally, the UP-chairman exercises supreme power at the local level. Additionally, the work of judges is not properly monitored, and the chairman is not held accountable for his/her decisions.

4. Lack of training

For every job to be done correctly, training is a crucial prerequisite. The study found that VC officials have not yet received the proper training they need. Even UP representatives were found to lack a fundamental understanding of the VC's law.

5. Reducing corruption

Reducing corruption is a significant challenge for policymakers and stakeholders in the VC. Because of the lack of a monitoring system, there is a huge possibility of corruption.

6. Lack of legal knowledge among VC members

The lack of legal knowledge among VC (VC) members hinders their ability to make informed and fair judgments. It can lead to misinterpretation of laws, resulting in inconsistent or incorrect rulings. This deficiency may erode public trust in the VC system and impede access to justice. Additionally, inadequate legal understanding can contribute to delays in case resolution and may necessitate referrals to higher courts, increasing the burden on the formal judicial system.

Suggestions to overcome the challenges of VCs

This study also tries to reveal the suggestions from service recipients and civil society groups to overcome the challenges. The service recipient group suggests that Union Parishad can solve the challenges by

1. Arranging yard and ward meetings for increasing awareness among villagers regarding VC;
2. Creating a fair and free environment to provide impartial judgment for the service recipients.

In addition, they also think that local government bodies can fix the challenges by

1. Monitoring VC-related activities properly;
2. Providing necessary logistic support and recruiting a field supervisor and an assistant for VC;
3. Amending the VC Act regarding the pecuniary jurisdiction of 75,000 BDT; and
4. Arranging training for VC-related personnel to improve their skills.

Civil society groups also suggest that UP members and local administration bodies have some responsibility to solve the challenges e.g.,

1. Increasing publicity for VC;
2. Free from political power and nepotism; and
3. Arranging ward meetings.

They also suggest central government can raise awareness nationally to disseminate knowledge about VC by

1. Developing regular monitoring of VC activities;

2. Broadcasting VC-related programs on radio and television;
3. Arranging live broadcasts (sometimes) of VC trials and judgments;
4. Media coverage of VC-related programs; and
5. Installing billboards in different places of public gathering, such as huts, bazars, and stations.

Discussion

This study aims to identify stakeholders in dispute settlement and conduct a SWOT analysis of VC, which is denoted as an effective alternative dispute settlement mechanism. Basically, it reduces the pressure of a huge caseload of formal judicial mechanisms, specifically cases that can be solved locally. A mixed method approach has been adopted to collect the qualitative and quantitative data. The study found that middle-aged people mostly report disputes in VCs. Basically, middle-aged people are engaged with outside homework and most of the time they play the role of household head. Therefore, they suffer from disputes and manage them. The study findings are consistent with Abusaleh & Islam (2019), where they find that almost 30% of the respondents in the 31-40 age group visit VC to settle the disputes.

The study also finds that the respondents who completed primary and secondary education are mostly filing disputes in VCs. It is expected that educated people are more concerned about the negative effects of disputes. On the other hand, most of the uneducated people are not much concerned about the disputes, and generally, they engage in informal work where the probability of involving disputes is higher. It is consistent with the findings of Sarker & Islam (2013), where they report that most of the disputants are below Secondary School Certificate level.

The study findings also concluded that distance and income were negatively related to dispute filing in VCs. It is because easy access to VCs generally increases the probability of filing disputes. Literature describes low-income people as mostly uneducated and engaged in informal work (Sarker & Islam, 2013). Therefore, they have a higher probability of engaging with issues that trigger them to report disputes to VCs. It is in line with the findings of Sarker & Islam (2013).

Qualitative analysis result indicates that fair justices, the existence of rules and regulations, a well-accepted and organized body, easy access and less paperwork are the strengths of VCs, which is consistent with the findings of Bhuiyan et al. (2019). The challenges of the VC are a lack of manpower, awareness, logistic support, infrastructure and limited pecuniary jurisdiction (up to 75,000 BDT). It is necessary to have sufficient staff to manage the operations for any institution or organization to operate well; otherwise, there is a high likelihood of slow performance. Due to a lack of staff, the UPs' secretaries are required to do the VC's administrative tasks. For the continuance of better and quicker services, logistical assistance is also crucial. Numerous investigations revealed that the VCs operate with an insufficient personnel system. Additionally, it lacked logistical resources like a "Trial Room," a computer for VC work, and a separate facility, all of which made it more difficult to make effective (Islam and Alam, 2017).

Solving disputes in less time and cost, expressing views without harassment and reducing the pressure of formal justice delivery mechanisms are the opportunities of VCs, which is consistent with the findings of Ahmed and Islam (2013). Nepotism, corruption, irregularity and local political pressure are the most concerning barriers to the effectiveness of VCs. Numerous studies have shown that VC chairmen and members are corrupt, making decisions that benefit themselves or their preferred parties (Islam and Alam, 2017). Due to Bangladesh's unique political culture, local government party leaders have a direct influence on the elected party men who decide disputes in VCs. Political parties not only elect or nominate the chairman of UPs but also the majority of the local representatives; as a result, party-elected members don't actually have any power over the UP (Saadi et al., 2014).

This study is not beyond its limitations. The limitation of this study is that no econometric modelling has been performed for analysis. This study considers only the service recipients' group. Thus, the findings cannot be generalized to all.

Conclusion

In developing countries like Bangladesh, access to justice continues to be an issue, especially for the rural poor. Access to justice on an equitable basis is crucial for fostering effective government. To offer justice for rural impoverished people who cannot regularly interact with an urban-centric legal system, the VC was formed. Another

goal was to reduce the workload of the formal courts in addition to developing this rural legal system. This study uses cross-sectional data to investigate the pattern of dispute settlement and SWOT analysis of VCs in rural Bangladesh.

This study recognized that middle-aged individuals with lower- and middle-income backgrounds play a key role in reporting disputes in VCs. The SWOT analysis identified the challenges, i.e., manpower shortages, logistic and infrastructure limitations, corruption, training gaps, and accountability issues. However, from this study VCs exhibited strengths in delivering fair justice, adhering to established rules, being well-organized, offering accessibility, and minimizing paperwork. By identifying the key stakeholders and understanding the challenges and strengths through SWOT analysis, policymakers can devise targeted strategies. The findings of this study provide valuable insight to the policymakers and stakeholders about how to support and improve the VC system to address these challenges for the betterment of rural communities. With potential benefits like cost and time savings, reduced harassment, and eased burden on formal courts, policymakers must address these challenges to enhance the effectiveness of VCs. The key recommendations are as follows: a) Policymakers can provide essential policy supports for regular training to ensure that VC personnel and related stakeholders are equipped with the skills and knowledge of VC and related laws to carry out their duties effectively, b) The government should take necessary initiatives to strengthen VC with recruiting necessary manpower and providing essential logistic supports (e.g., awareness building and publicity of VC) for its proper functioning, and c) Policymakers can take initiatives to fix the cut off limit 2,00,000 BDT for the present time. The amount of BDT should be changed based on inflation rate for every 10 years.

The novelty of this study is identification of the challenges of VC, and the strengths and opportunities of VC to overcome its challenges and making VC more operative and effective. Adopting above mentioned policies can make VC as an effective, accountable, and inclusive institution for providing easy access to justice for rural community and their wellbeing. It needs further research regarding knowledge, attitude and perception of local people to VC; socio-economic and cultural benefits of VC; and institutional perspectives of VC to achieving SDGs. Thus, it is urgent to take the necessary action to develop the VC structure to make it more functional.

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Conflict of Interest

The authors declare no conflict of interest.

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