

**Revival and Consolidation of
Formal Justice Institutions in Rural
Bangladesh:**

A study of an MLAA Intervention:

**Promoting Village Court and
Arbitration Council**

**Dr. Mirza Hassan
Tariq Omar Ali**

Introduction

Madaripur Legal Aid Association (MLAA) have been conducting an institutional reform programme to revive two justice related formal institutions based at the Union Parishad (UP) namely Arbitration Council (AC) and Village Court (VC). The pilot programme is being implemented in 95 Unions in three districts. However, the programme started at different times in different Unions. In 44 Unions, the programme started on or before January 2005. In some of the Unions the programme started much earlier.

The central component of the programme is the Legal Aid *kormi*, an MLAA staff member who is based at the UP. His/her duties are primarily secretarial: the *kormi* does all the paperwork, communicates with litigants, ensures that litigants, representatives and witnesses appear before the court on the appointed date.

Additional tasks for the *kormi* include organizing *uthan boithoks* or community level meetings to spread awareness of the VC and the AC and to encourage justice seekers to come to the AC and the VC.

Additionally, the programme organizes motivational and capacity building workshops and training for UP chairmen enabling them and encouraging them to use the VC and the AC as a medium for dispensing justice.

1. Study objectives and methodology

The study investigates the performance and the impacts of MLAA's programme. The study aims to identify and explore various indicators that enable us to objectively evaluate the performance of the Union Parishad as a dispenser of justice. The study will also explore the extent to which the AC and the VC have been able to establish itself as legitimate dispensers of justice; and the relationship between the more formalized AC and VC and the informal dispute resolution mechanism of the *shalish*.

The study used both quantitative and qualitative methods. A census of all cases received so far in the VC (4,709) and the AC (3,694) was collected. We collected and consolidated information already in possession of the programme about dates of cases being filed, verdict given, and verdict implemented, the margin of the verdict, the content of the verdict, etc. We also did a perception survey of the *kormi*, treating the *kormi* as a knowledgeable expert about his or her union. Lastly, we collected some information about the union and the profile of the chairman (such as, age, education, number of terms served, etc.)

On the qualitative side, we closely studied three unions in one district. Madaripur staff identified a high-performing, mid-performing and a low-performing union. In each union, we interviewed the chairman and the *kormi*. Further, we did 9 case studies of cases received in the VC and the AC. With respect to each case, we did an in-depth interview with the plaintiff and the defendant.

Findings

2. a) Nature of conflicts and gender of defendants and plaintiffs

The types of conflicts that are received at the VC are constrained by the fact that the VC can only try cases whose value is less than 5,000 taka. Within this constraint, the following types of cases have been received at the 91 unions over the course of the programme, tabulated below in Table 1.

Table 1: Types of complaints in VC

<i>Nature of complains</i>	<i>Count</i>	<i>%</i>
Money-related	2,003	42.5
Physical assault	1,094	23.2
Crop/tree/livestock	664	14.1
Land	396	8.4
Theft	162	3.4
Verbal abuse	153	3.2
Others	237	5.0
N =	4709	100.0

As Table 1 above shows, the vast majority of cases are cash-related cases. Most of these cases are to do with informal loans between community members, especially if and when the borrower fails to repay the loan or does not ever acknowledging receiving a loan. It is also worth pointing out two major types of conflicts – one is property-related (including monetary, crop/tree/livestock, land and theft), constituting 84.8% of all cases, and the other is non-property related (physical assault and verbal abuse), constituting 26.4% of all cases.

The arbitration council focuses on marriage-related conflicts and there are three types of marital conflicts that form the focus of the AC: divorce, maintenance, and multiple marriage. Table 2 below shows the distribution of cases amongst these three types.

Table 2: Types of complaints received in the AC

<i>Nature of complains</i>	<i>Number</i>	<i>%</i>
Divorce	714	19.3
Maintenance	2902	78.6
Polygyny	78	2.1
	3694	100.0

There are also interesting differences, in terms of gender, between plaintiffs and defendants in the AC and VC. Female plaintiffs outnumber male plaintiffs for physical assault and verbal abuse cases, though female defendants are significant minorities in such cases. This suggests that most physical assault and verbal abuse cases involve male perpetrators and female victims. For property-

related cases, however, women are a minority as either plaintiffs or defendants, suggesting that most of these cases involve male perpetrators and male victims.

Table 3: Gender of plaintiffs and defendants in the VC

		Male Plaintiff	Female Plaintiff	Male Defendant	Female Defendant
Monetary	C	1,289	714	1,673	299
	%	64.4%	35.6%	83.5%	14.9%
Physical assault	C	449	645	863	188
	%	41%	59%	78.9%	17.2%
Crop/Tree	C	465	199	587	72
	%	70%	30%	88.4%	10.8%
Land	C	320	76	369	23
	%	80.8%	19.2%	93.2%	5.8%
Theft	C	111	51	121	37
	%	68.5%	31.5%	74.7%	22.8%
Verbal abuse	C	75	78	126	25
	%	49%	51%	82.4%	16.3%
Others	C	155	82	199	35
	%	65.4%	34.6%	84%	14.8%
Total	C	2,864	1,845	3,938	679
	%	60.8%	39.2%	83.6%	14.4%

AC cases, since they deal with marital conflicts, are between men and women. In almost all the cases (92.9%), there were female plaintiffs and male defendants. In multiple marriage cases, 100% of plaintiffs are male – basically, male applicants seeking permission to marry again. In almost three-quarters of divorce cases, the plaintiff is a woman asking for divorce for her husband. In maintenance cases, which make up the bulk of marital-conflicts brought before the AC, 100% of plaintiffs are female. For the most part, these are women who have been temporarily abandoned by husbands who do not pay any money to maintain their wives or children.

Table 4: Gender of plaintiffs in AC cases

		Male plaintiff	Female Plaintiff
Divorce	C	184	530
	%	25.8%	74.2%
Maintenance	C	0	2,902
	%	0%	100%
Polygyny	C	78	0
	%	100%	0
Total	C	262	3432
	%	7.1%	92.9%

2. b) Programme performance

We will explore the institutional performance of the AC and VC in the 91 unions where MLAA programme is being implemented. We shall look at the following three criteria of institutional performance:

- **Popularity:** the tendency of justice seekers to go to the AC or the VC in search of justice.
- **Efficiency:** the speed with which the AC and VC are able to dispose of cases.
- **Enforcement:** or the ability of the AC and the VC to implement verdicts.

We will also try and explain why certain unions are better performers than other unions. In this context, we will explore possible relationship between performance and certain features of the union and/or the UP chairman.

Popularity

Amongst the 44 unions where the programme has been running the longest (at least from on or before January 2005), the average number of VC cases received each year is 39.7 and each month 3.3 and the same averages for the AC are 29.3 and 2.4 per year and per month respectively. It is not possible to judge whether these numbers are high or low as we do not know the total number of conflicts that took place within a union in that given year.

It is, however, a reasonable hypothesis that programmes have increased in popularity over the period under question. *Uthan boithoks* and information flows from processed cases should increase awareness of the AC and the VC and may, perhaps, increase the propensity of justice seekers to access the AC or the VC.

There was no month-on-month rise during 2005 in the number of AC and VC cases received in the 44 unions where the programme has been running longest (Table 5).

Table 5: Number of AC and VC cases received per month during 2005 in 44 UPs (where programme has been operational from on or before January 2005)

	Number of cases in AC	Percentage change over one month	Number of cases in VC	Percentage change over one month
January	118		129	
February	110	-6.8%	156	20.9%
March	127	15.5%	148	-5.1%
April	120	-5.5%	154	4.1%
May	95	-20.8%	173	12.3%
June	103	8.4%	154	-11.0%
July	110	6.8%	175	13.6%
August	110	0.0%	172	-1.7%
September	103	-6.4%	155	-9.9%
October	91	-11.7%	153	-1.3%
November	100	9.9%	157	2.6%
December	101	1.0%	127	-19.1%

Efficiency

Efficiency refers to the time taken to resolve disputes; from the time the case is accepted to the date taken to implement the decision at the VC. On average, it takes 2 month to dispose a VC case and 1.7 months to dispose an AC case. 68.4% of VC cases and 71.3% of AC cases are disposed within 2 months. On the other side of the spectrum, 18.6% of VC cases and 12.9% of AC cases linger for four months or more.

VC cases tend to be processed much faster when women are plaintiffs – an average of 56.7 days for cases where women are plaintiffs versus an average of 61.65 days when plaintiffs are men. This might be because the types of cases where women tend to be plaintiffs (physical and verbal assaults) tend to be resolved much more quickly than the property-related conflicts that are more likely to involve men.

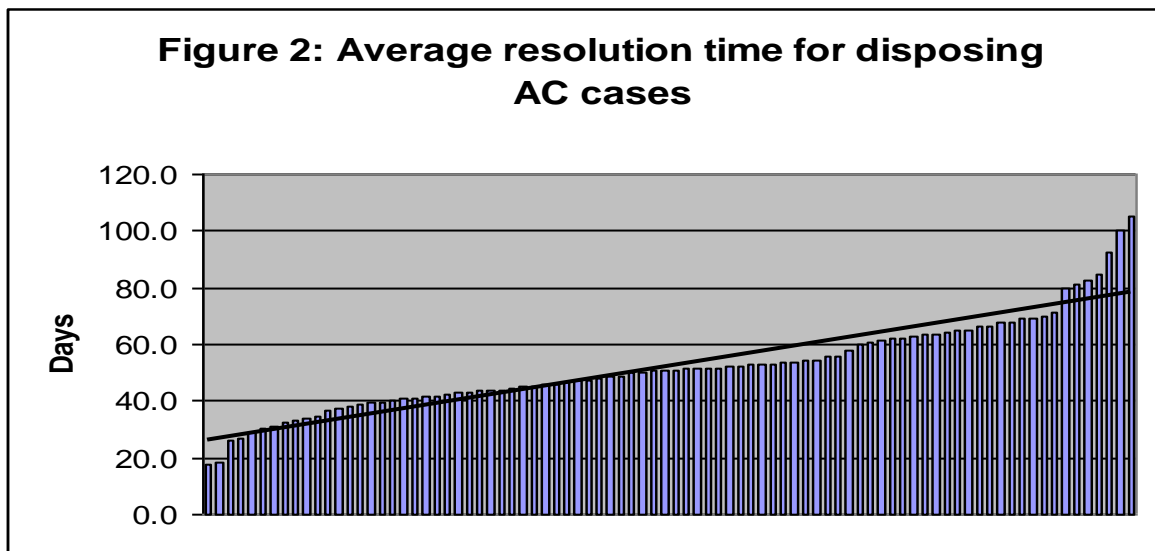
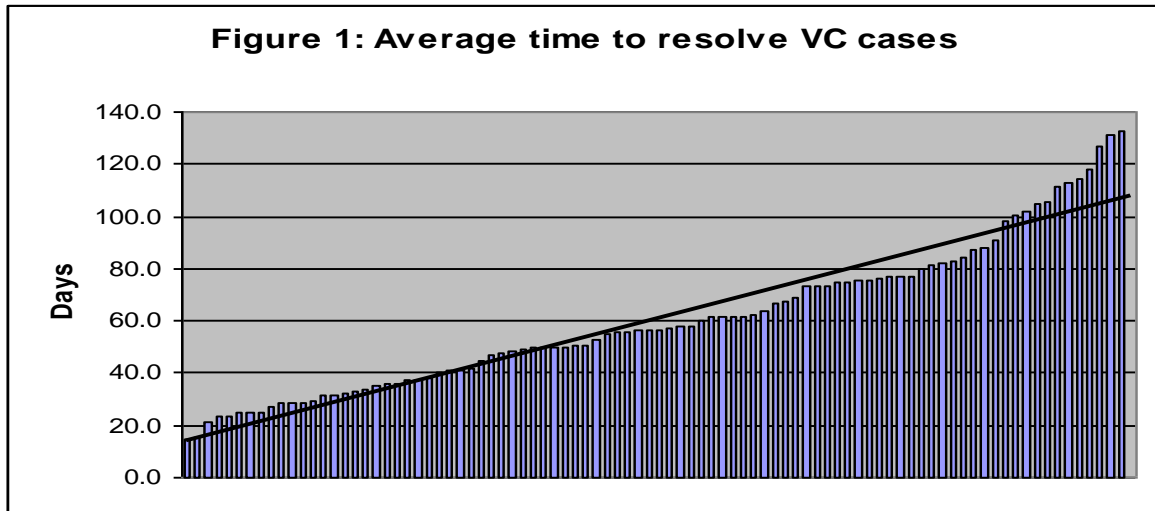
Table 6: Months taken to resolve different types of VC cases

		1	2	3	4	5	6	Total	Mean
Monetary	C	324	302	211	113	55	124	1129	2.4
	%	28.7	26.7	18.7	10	4.9	11	100	
Physical assault	C	357	113	40	9	9	26	554	1.4
	%	64.4	20.4	7.2	1.6	1.6	4.7	100	
Crop/Tree	C	156	98	32	25	11	24	346	1.9
	%	45.1	28.3	9.2	7.2	3.2	6.9	100	
Land	C	84	68	29	21	11	13	226	1.9
	%	37.2	30.1	12.8	9.3	4.9	5.8	100	
Theft	C	45	24	6	1	1	6	83	1.6
	%	54.2	28.9	7.2	1.2	1.2	7.2	100	
Verbal abuse	C	46	14	3	1		2	66	1.1
	%	69.7	21.2	4.5	1.5		3	100	
Others	C	63	32	7	4	2	13	121	1.9
	%	52.1	26.4	5.8	3.3	1.7	10.7	100	
Total	C	1075	651	328	174	89	208	2525	2
	%	42.6	25.8	13	6.9	3.5	8.2	100	

Table 7: Months taken to resolve cases in AC

		1	2	3	4	5	6	Mean
Divorce	Count	93	207	207	168	6	11	2.3
	%	13.4	29.9	29.9	24.3	0.9	1.6	
Maintenance	Count	1077	729	257	93	32	74	1.5
	%	47.6	32.2	11.4	4.1	1.4	3.3	
Polygyny	Count	26	23	12	6	1	1	1.7
	%	37.7	33.3	17.4	8.7	1.4	1.4	
Total	Count	1196	959	476	267	39	86	1.7
	%	39.6	31.7	15.7	8.8	1.3	2.8	

There is considerable union-to-union variation in the time taken to resolve disputes in the AC and the VC, are illustrated in Figures 1 and 2 below. As the figures illustrate, there is a greater margin between the most and least efficient UPs in disposing VC cases in comparison with AC cases.



Amongst the more efficient UPs, there are **thirteen** where VC cases are resolved in less than a month, taking on average 24.3 days to resolve cases. On the other end of the scale, there are thirteen unions which took more than three months to resolve VC cases (an average of 111.5 days to resolve cases). With respect to the Arbitration Council, there are 5 UPs which resolve cases in less than a month and the average of the most “efficient” 13 UPs is 29.8 days. On the other end of the spectrum, there are only three UPs that took over three months to resolve cases and the average of the slowest thirteen is 80.1 days.

Enforcement

The ability to enforce verdicts is another key measure of institutional performance. With regard to the VC, verdicts are often cash awards to the plaintiff. Hence, a

verdict may be implemented fully, where the entire sum of money is paid, or partially – where some of the money has been paid.

Table 8 below shows the percentage of cases where there have been full, partial or no implementation at all. The highest rates of non-enforcement are for money-related cases, followed by other property-related cases, and the lowest rates of non-enforcement are for verbal and physical assault cases.

Table 8: Implementation of verdicts at the VC

	Fully	Partially	Not at all
Money-related cases	68.3%	19.5%	12.1%
Physical assault	89.3%	8.3%	2.5%
Crop/Tree	84.2%	10.4%	5.5%
Land	79.8%	15.1%	5%
Theft	81.8%	12.5%	5.7%
Verbal abuse	92.5%	6%	1.5%
Others	84.7%	12.9%	2.4%
Total	77.6%	14.7%	7.7%

If defendants' do not comply with the verdict willingly, the UP chairman can take various steps in order to enforce the verdict. The chairman can send a notice to the defendant pressurizing them to comply and/or send on the case to the upazila magistrate who will enforce the verdict. However, as Table 5 below shows, no steps were taken for enforcement in almost 39% of cases. In 29% of cases, the chairman has taken a formal step to send a notice to the defendant. Only in about 8% of the cases, was the upazila magistrate called in for enforcement.

Table 9: Reasons for lack of implementation of VC verdict

Reason for lack of implementation		No steps taken	Chairman has sent a notice	The case has been sent on to upazila magistrate	Case dismissed	Others	Data not available	Total
Money	C	60	47	15	10	17	7	156
	%	38.5	30.1	9.6	6.3	10.8	4.5	100
Physical assault	C	5	2	0	1	0	6	14
	%	35.7	14.3	0	7.1	0	42.9	100
Crop/Tree	C	9	7	2	0	1	1	20
	%	45	35	10	0	5	5	100
Land	C	5	2	0	1	1	3	12
	%	41.7	16.7	0	8.3	8.3	25	100
Theft	C	2	2	0	0	0	1	5
	%	40	40	0	0	0	20	100
Verbal abuse	C	0	0	0	0	0	1	1
	%	0	0	0	0	0	100	100
Total	C	81	60	17	12	19	19	208
	%	38.9%	28.8%	8.2%	5.8%	9.1%	9.1%	100.0%

Enforcement rates are much higher in the marriage-related cases resolved through the AC, than in the VC. As Table 6 below shows, the rates of

enforcement in divorce cases are the highest (98%), while it is much lower in maintenance cases (76%). This is probably related to the fact that maintenance cases usually involve cash payments, and the payment of money is much harder to enforce (the same reason why levels of enforcement are lowest for money-related cases in the VC).

Table 10: Implementation at the AC

Implementation of resolutions	Divorce		Maintenance		Polygyny		Total	
	Count	%	Count	%	Count	%	Count	%
Yes	676	97.7	1725	76.3	59	85.5	2460	81.4
No	16	2.3	537	23.7	10	14.5	563	18.6

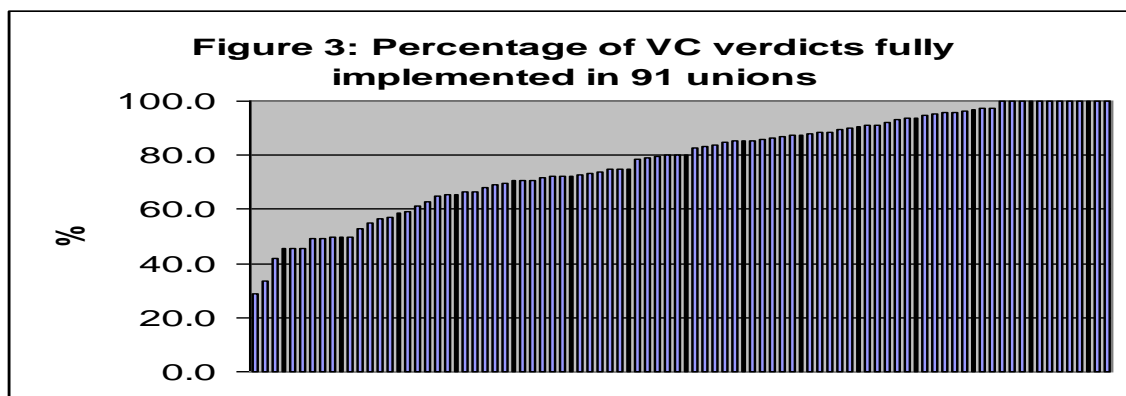
There are no significant differences between cases with male and female plaintiffs with regards to implementation of VC verdicts. However, in the arbitration council, cases with male plaintiffs have much higher rates of implementation than those with female plaintiffs. This may be related to the fact that implementation is lower in maintenance cases, where 100% of plaintiffs are women.

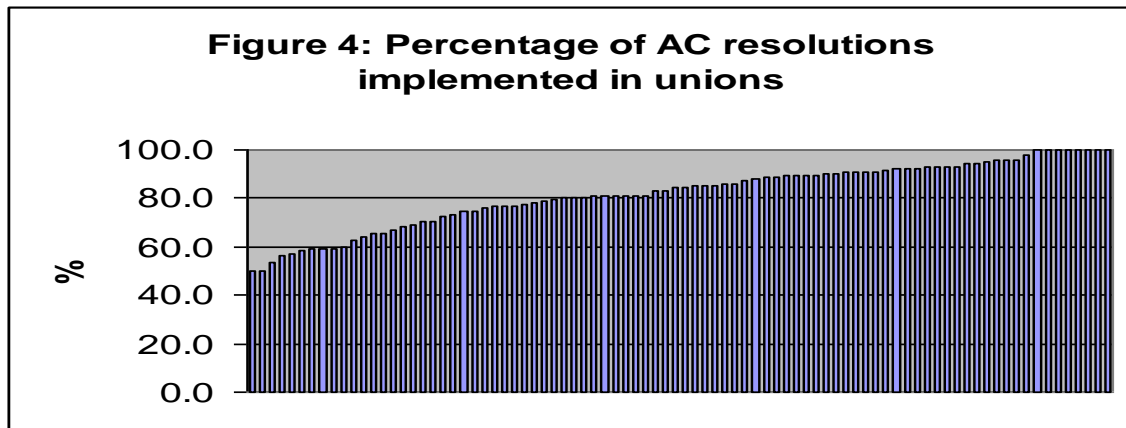
Table 11: Implementation of verdicts in AC and VC according to gender of plaintiff

		Village Court			Arbitration Council	
		Full	Partial	Not Implemented	Implemented	Not implemented
Male	C	1,289	243	134	233	16
	%	77.4%	14.6%	8.0%	93.6%	6.4%
Female	C	833	160	77	2,229	547
	%	77.9%	15.0%	7.2%	80.3%	19.7%

There are also significant variations amongst the 91 unions with respect to the implementation of verdicts. There are 12 unions where 100% of VC verdicts have been fully implemented and, on the other end of the scale, there are 8 unions where less than half the verdicts have been fully implemented (see Figure 3).

On the other hand, with respect to the AC, there are 8 unions where 100% of resolutions have been made effective; unlike the VC, there are no unions where less than half the resolutions were implemented. There are however, 9 unions where between 50 to 60% of resolutions were implemented (see Figure 4).





Explaining better performance

In the 44 unions where the programme has been running since January 2005, or earlier, multivariate regression analysis suggests that the following characteristics of chairmen result in unions receiving more cases. Results of a multivariate regression are tabulated in Table 8. As the table shows, younger chairman receive more VC cases than older chairman, though chairman’s age does not significantly affect received AC cases. A chairman who has served multiple terms is significantly more likely to receive greater numbers of both AC and VC cases than a chairman who has served a single term. A chairman living inside the union is more likely to receive AC cases than one living outside the union, though place of residence does not affect number of VC cases received. The education of the chairman significantly affects number of VC cases received, not so much AC cases (a higher degree has a marginally significant affect on number of AC cases received). Unions located more than away from 20 km from the district town receive more AC cases than unions less than 20 km from district town, though distance from district town does not have a significant association with numbers of VC cases received.

Table 12: Multivariate regression explaining number of cases received in VC and AC

	Village Court	Arbitration Council
Age of Chairman	0.89 (0.046)**	0.95 (0.053)
Number of terms served as Chairman	1.17 (0.053)***	1.28 (0.064)***
Does Chairman live in union or outside	1 (0.056)	1.13 (0.067)**
If chairman holds a BA degree	1.2 (0.071)***	1.13 (0.072)*
If chairman holds a HSC degree	1.24 (0.067)***	1.08 (0.064)
Distance of union from district town	1.02 (0.045)	0.87 (0.042)***
If chairman is politically active	1.18 (0.056)***	0.94 (0.050)

Conversations with MLAA *kormi*'s suggests that the chairman and his enthusiasm (*agroho*) is the most important factor in determining a union's performance. Most respondents felt that chairmen were not very enthusiastic at the start of the project (71.4%); however, an overwhelming proportion of *kormis* feel that the Chairman's enthusiasm has increased over the course of the project (90.1%).

Table 13: *Kormi*'s perception of chairman's enthusiasm towards the project

		Count	%
Chairman's enthusiasm at start of project	Enthusiastic	13	14.3%
	Less enthusiastic	65	71.4%
	Not enthusiastic	13	14.3%
Change in enthusiasm over the course of the project	Increased	82	90.1%
	Decreased	2	2.2%
	Stayed the same	7	7.7%

However, it is possible that the chairman's political incentives might interfere with their judicial role. The chairman may not want to displease anyone through his judicial role and would, therefore, avoid involving himself in cases where a judgment would displease one side or the other. Further, they might be reluctant to pursue cases where supporters or key constituents are involved. However, *kormi*'s feel that political incentives do not come into play when accepting cases or passing decisions but much later in the process, during enforcement (see Table 14 below). Table 10 above shows that there are cases where no action is taken by the chairman; this lack of action may have its roots in the chairman's electoral and political incentives.

Table 14: *Kormi*'s perceptions of the stage at which chairman influences justice outcomes

	Count	%
In receiving applications	21	23.1
In taking decisions	24	26.4
In enforcing verdicts	57	62.6

2.c) Legitimacy

We will investigate the extent to which the AC and the VC have been able to establish themselves as legitimate dispensers of justice. We will focus on five dimensions of legitimacy:

- **Usefulness:** users of the AC and the VC are able to use the institution to obtain justice.
- **Consensus building:** the institution provides a mechanism where consensus about what constitutes justice can be reached.
- **Compliance:** people willingly accept the verdicts and decisions reached in AC and VC.

- **False cases:** if people abuse the institution to harass people, as is widely reported for the formal courts, it subtracts from the legitimacy of the institution.
- **Sources of legitimacy:** the underlying sources of the VC's and AC's legitimacy.

Usefulness

The use-value of the AC and the VC to the justice seeking individual who has accessed the institution is reflected in the nature of their engagements with the institution. If justice seekers stick with the institution through the process, this suggests that they are deriving some use out of the organization.

Most users of the AC and the VC stay with these institutions right through to the end (64% for VC and 82% for AC). Within the VC, people are more likely to stick with the institution for property-related cases: 70.7% for land-related cases, 69.3% for money-related cases, and 62.7% for crop-related cases. On the other hand, less than half (47.1%) of justice seekers stick it out with VC for “verbal abuse” cases. This suggests that, perhaps, people are more likely to stick it out with the VC for cases which involve resources and money. For cases involving personal relations, they perhaps prefer informal resolutions (such as domestic conflict/violence).

Table 15: Sticking it out or exiting: the village court

		People staying with the system	People leaving VC			Total Number of cases
			Number of people leaving	Before hearing	After hearing	
Monetary	C	1,389	614	400	214	2,003
	%	69.3%	30.7%	65.1%	34.9%	100%
Physical assault	C	616	478	351	127	1,094
	%	56.3%	43.7%	73.4%	26.6%	100%
Crop/Tree	C	416	248	161	87	664
	%	62.7%	37.3%	64.9%	35.1%	100%
Land	C	280	116	63	53	396
	%	70.7%	29.3%	54.3%	45.7%	100%
Theft	C	101	61	35	26	162
	%	62.3%	37.7%	57.4%	42.6%	100%
Verbal abuse	C	72	81	62	19	153
	%	47.1%	52.9%	76.5%	23.5%	100%
Others	C	142	95	74	21	237
	%	59.9%	40.1%	77.9%	22.1%	100%
Total	C	3,016	1,693	1,146	547	4,709
	%	64.0%	36.0%	67.7%	32.3%	100%

Table 16: Sticking it out or exiting: the arbitration council

		Staying with AC	Exiting AC	Total
Divorce	Count	692	22	714
	%	96.9	3.1	100
Maintenance	Count	2,262	631	2,902
	%	77.9	21.7	100
Polygyny	Count	69	9	78
	%	88.5	11.5	100
Total	Count	3,023	662	3,694
	%	81.8	17.9	100

Exiting the VC or the AC, however, often implies that the justice seeker resolved the conflict internally or through the traditional *shalish*. It is likely that the VC or AC was useful in the *shalish*, in that it increased the bargaining power of the plaintiff in that institution. Research has shown that the traditional *shalish* is biased towards men and towards the powerful and the wealthy. It is possible that women and poorer people are able to increase their bargaining power in the *shalish* and counteract the biases of the *shalish*. From this perspective, it is interesting that women are more likely than men to exit the AC and reach a resolution in the “shadow of the AC” (Table 17).

Table 17: Men and women in the “shadow of the AC”

		Resolved within AC	Resolved in the shadow of AC	Total
Male plaintiff	C	249	22	271
	%	91.8%	8.1%	100%
Female plaintiff	C	2,776	640	3,416
	%	81.3%	18.7%	100%
Total	C	3,025	662	3,687
	%	82.0%	18.0%	100%

Another possible reason for exiting the AC or the VC could be impatience with the process, especially in the VC, which can take quite a long time. A reasonable hypothesis would be that the unions where it takes longest to process VC cases are also the unions with the highest rates of exit. However, as Table 18 below shows, there is not much variation in the exit rates between very efficient and less efficient unions. This supports our above argument that exit is perhaps primarily due to improved bargaining positions in the traditional resolution mechanisms rather than due to impatience with a lengthy process.

Table 18: Exiting VC in according to UP's efficiency

	Percentage of exit	Average time to resolve disputes
Top 13 unions	31.8%	24.3
Middle 64 unions	36.6%	57.7
Bottom 13 unions	36.4%	111.5
Total 90 unions	36.0%	60.6

Consensus

One of the interesting things about the VC is the level of consensus amongst the jurors. There are usually five jury members consisting of two representatives each of the plaintiff and the defendant and the chairman. However, many cases were brought up before a VC consisting of three or four jurors. In the vast majority of VC cases (92.3%), there was complete consensus amongst the jurors. The ability to reach consensus amongst jurors is a sign of the legitimacy of the institution. In the absence of legitimacy, representatives would not accept verdicts that went against the side they were representing.

Table 19: Consensus in VC cases

Type of VC case		Consensus verdict	Non-consensus verdict	Total
Monetary	C	1189	96	1285
	%	92.5%	7.5%	100.0%
Physical assault	C	524	44	568
	%	92.3%	7.7%	100.0%
Crop/Tree	C	339	27	366
	%	92.6%	7.4%	100.0%
Land	C	212	26	238
	%	89.1%	10.9%	100.0%
Theft	C	81	7	88
	%	92.0%	8.0%	100.0%
Verbal abuse	C	65	2	67
	%	97.0%	3.0%	100.0%
Others	C	114	10	124
	%	91.9%	8.1%	100.0%
Total	C	2524	212	2736
	%	92.3%	7.7%	100.0%

As a formal court, the VC follows adversarial system much like the higher courts in Bangladesh. However, in practice, the VC appears to operate on consensus. A consensual system of justice has much in common with the traditional practice of the *shalish* and the VC appears to be incorporating traditional values of justice embodied in the *shalish*. The ability of the VC to reach consensus suggests that the institution is deeply rooted in community practices and norms, which perhaps lends to its legitimacy.

Compliance

As discussed earlier, in most cases VC and AC verdicts are implemented. In cases of non-implementation, the chairman often takes no measures (39%) or takes relatively weak measures like sending a notice to the defendant (29%). In only 8% of instances of non-implementation is the case sent on to the upazila magistrate.

Given that defendants could probably get away with not complying with the verdict, the relatively high levels of implementation suggest self-enforcing behaviour on part of defendant. In other words, defendants willingly comply with AC and VC verdicts. This willing compliance suggests that the institution of the VC and AC has a degree of legitimacy.

Misuse of VC

There is a possibility that people would use the VC to harass people by filing false cases against them, especially since there is a widely held perception that the formal courts are abused like this. However, the VC has certain safeguards against possible misuse. The VC is not as expensive and the cases do not take as long as in the formal courts making it a less likely instrument of harassment. Further, the VC is conducted by community members who are more likely to know the true facts of the incident. In comparison, the Nari Nirjaton Domon Ain led to considerable abuse of the law as it was conducted in the formal courts, was expensive, was less open and less accountable to the community as it was distant from the community and community members.

In a very small minority of VC cases are accusations disproved – a total of 5.4% of all cases that have had a verdict in the VC. Only in case of thefts, 14.8% of cases could not be proved. This may be more related to the nature of the offense – it is hard to establish the identity of the thief – rather than with mis-use. The fact that most accusations are proved as true in the VC suggests that there is not much mis-use which supports the view that community members look at the VC as a legitimate justice dispensing institution where real conflicts are to be resolved.

Table 20: VC cases where accusation was disproved

	Total number of cases where a verdict was given	Cases where accusation was disproved	
		C	%
Monetary	1,285	51	4.0%
Physical assault	568	29	5.1%
Crop/tree/livestock	366	31	8.5%
Land	238	18	7.6%
Theft	88	13	14.8%
Verbal abuse	67	0	0.0%
Total	2,612	142	5.4%

Sources of legitimacy

There are four possible sources of the legitimacy of the VC and the AC which we shall discuss in this section. Firstly, the VC and AC might derive legitimacy from community norms of justice. Secondly, officialdom and state sanction might be their source of legitimacy. Thirdly, the legitimacy of the UP chairman, an elected, local-level representative, might bestow legitimacy on the VC and AC. Lastly, the presence of the MLAA – a well-known and long-running local NGO – might bestow justice on these institutions.

The reasons why people like the VC and the AC, according to legal aid *kormis*, are tabulated below. According to the *kormi*, justice seekers like the VC and the AC because the verdicts are just, impartial and open – a sense that the verdicts are – within margins – in correspondence to community norms and perceptions of justice. Also, as discussed earlier, the consensual mechanism of the VC is similar to the *shalish* mechanism. Hence, the VC and the AC’s legitimacy may derive from their similarities to community norms of justice.

Table 21: *Kormi*’s perceptions of why people like the AC & the VC

<i>Legal Aid Kormi's perceptions</i>	<i>Count</i>	<i>%</i>
The verdict is just, impartial and open.	50	54.9
The village court is based on the law	41	45.1
It is not very costly	30	33
The defendant is summoned to the AC or the VC by a written document	21	23.1
You can appoint your preferred individuals to the VC	21	23.1
A judgment through the chairman is stronger and more powerful than judgment at the village shalish	20	22
The verdict at the VC and the AC is much more enforceable than a verdict at the shalish	20	22

Further, Table 15 shows that officialdom, particularly official papers, are important reasons for why people like the VC and AC. People like that the village court is based on the “Law” and that defendants are summoned through “written documents”. In fact, the practice of both the VC and the AC has the trappings of a formal justice system, with witnesses being called, paperwork being signed and so forth. It is possible that these trappings of formality and officialdom are an important source of legitimacy.

The table also shows reasons why people find greater use of the VC and the AC, as compared to the *shalish*. The VC is more authoritative, it is cheaper, it is participatory and it has greater enforceability. The above factors point towards the greater use-value of the AC and the VC, a dimension of legitimacy discussed earlier.

However, it is possible that the presence of MLAA, which has a long history of justice-related interventions, is the real source of legitimacy for the AC and the VC in intervention areas. In fact, MLAA is popularly known amongst residents of the unions as “Negal” (Legal, i.e., Legal Aid Association). This hypothesis is supported by the MLAA *kormi*’s perception that most people, or at best only half the people, cannot distinguish between the AC and VC and MLAA.

Table 22: *Kormi* perceptions of people’s ability to distinguish between MLAA and AC or VC

	Count	%
Most people can distinguish between MLAA and AC/VC	8	8.8
Most people can’t distinguish between MLAA and AC/VC	46	50.5
Half the people can distinguish and half the people can’t distinguish between MLAA and AC/VC	37	40.7

However, as has already been discussed, the chairman plays a pivotal role in ensuring a well-functioning AC and VC. As an elected representative, the chairman is a hugely legitimate figure with wide-ranging executive functions. The chairman is also widely expected to play a prominent role in the traditional dispute resolution mechanisms. The functioning of the AC or the VC, hence, relies to a great extent on the chairman successfully transferring his legitimacy as a judicial figure to the AC and VC.

2. d) The formal and the informal: a state of fluid coexistence

Conventionally, it is thought that the emergence of the formal rule of law is an absolute event, completely displacing existing traditional norms and practices of justice. However, our findings suggest that the relationship between the formal and the informal is not an either-or one or a zero-sum game, where one prevails and the other subsides. Rather, the two can coexist in a fluid and free-flowing state, where justice seekers move to and fro between formal and informal institutions, informal justice looks like formal justice and formal institutions mimic prevailing societal values and expectations.

In this section, we will investigate the relationship between the formal institution of the AC and the VC and the informal mechanism of the *shalish*. We will focus on the following:

- Justice seeking behaviour, particularly the movement of justice seekers to and from the UP and the *shalish*.
- Comparing the language of verdicts and conflict resolution in the AC and VC with that of the *shalish*.

Justice seeking behaviour

There are movements to and from the *shalish* and the UP, i.e., people exit the *shalish* and come to AC and VC and, also, they exit the VC or AC and go back to the *shalish*. We will look at both types of movements.

The only source of information for exiting *shalish* and coming to the VC or AC are qualitative data from case studies of disputes resolved through the VC or the AC; we do not have large-scale quantitative data on this subject. In this section, we will briefly review, from these cases, why people left the *shalish* to come to the VC and the AC.

- Defendants do not appear at the *shalish* and it is not possible to hold a *shalish*.
- The *shalish* verdict was given, but the defendant refuses to comply with the verdict.
- The plaintiff is not satisfied with the verdict of the *shalish* and comes to the AC or the VC hoping for a more lucrative verdict.
- The AC and VC became recently available to justice seekers in long-running disputes, where multiple *shalish* have been held over the years, appear before the AC or the VC.

On the other hand, people move in the other direction – from the AC or VC to the *shalish*. As argued earlier, this is because they have greater bargaining power in the *shalish* due to the AC or VC; i.e., they can use the threat of the AC or VC to get a better verdict at the *shalish*. Also, we found that impatience is not a major reason as to why people move from one institution to the other – which is supported by the case studies as there were no instances of people moving out of the AC or VC because it is taking too long.

A review of the case studies also points toward the centrality of the chairman in the decision of justice seekers to move out of the AC or VC. There are two cases of where the chairman recommended that the litigants resolve their dispute informally. In a land-related case, where the disputed transfer of land took place 40 years ago, the chairman recommended that the plaintiff resolve the case through *shalish* as witnesses from that long ago would not be available.

In another case, involving the theft of a rickshaw-van, the owner of the van brought a case against the father of the thief, as the thief was absconding in Dhaka. In this instance, the chairman recommended that the dispute be resolved informally, as the father was a respectable person in the community, whose “honour” would be compromised by making him stand before the village court. We do not know if the “shame” of being brought before the village court is a widespread phenomenon. This “shaming” would, however, positively impact the threat value of the VC and AC.

The dominant trend of justice seeking behaviour is one of moving back and forth between the traditional *shalish* and the formal UP institutions. The fluid movement of people back and forth is, further, supported by the most powerful institutional players, the chairman. There is no clean break between the two institutions and accessing one does not close off access to the other. Rather, the two institutions complement each other. The *shalish* is exited when it fails to deliver justice; the VC or the AC is exited when it is felt a better deal can be worked out through the *shalish* or the formal requirements of the VC and AC cannot be fulfilled.

Language of the verdicts and resolutions

The tables in Appendix I compare the most prominent verdicts in the VC and AC with that of the *shalish* for different types of cases. A close review of the tables shows that there is no basic difference in the substance of the judgment between the VC or the AC and the *shalish*. The correspondence between AC conditions and traditional *shalish* conditions is even stronger and justice outcomes are extremely similar in both. The outcomes and consequences for the contending parties are largely similar. This suggests that the institution of the VC and the AC are not imposing an alien culture of justice and dispute resolution into Bangladeshi communities. Rather, there are significant similarities between the formal UP institutions and the informal traditional mechanisms, which supports an earlier point we had made about how the VC and the AC may be deriving legitimacy from its close correspondence with traditional values and norms of justice.

There are, however, some subtle yet significant differences in the language of the verdict that are worth considering:

- The *shalish* verdicts often invoke the absolute authority of the *shalishkars* and the absolute moral obligation of litigants to obey *shalish* conditions.
- There are many references to the role of *murubbis* (village elders) and their moral authority is invoked quite frequently.
- The formal court system asks defendants to pay for damages and bear medical expenses more often than in the traditional *shalish*.
- *Shalish* verdicts often ask defendants to beg forgiveness from the plaintiff. On the other hand, VC verdicts often contain the plaintiff's willing forgiveness of the defendant.
- VC verdicts contain language such as "decreed" or "directed", suggesting enforcement. On the other hand, the language of the *shalish* emphasizes phrases like "resolved" and "compromised" through the medium of money or payment of damages, or the authority of *murubbis*.

These differences are reflections of the difference between, on the one hand, an informal and traditional justice mechanism, steeped in village values and norms of justice and dispute resolution, and, on the other, a formal institution that is supported and empowered by the Law to dispense justice. Hence, the *shalish* invokes the moral authority of traditional leaders or *murubbis* and emphasizes compromise through various mediums. The official verdicts, on the other hand, "decree" fines and punishments and "direct" litigants to do certain things. However, these differences are overshadowed by broader similarities between the two systems, particularly with regard to specific justice outcomes and consequences for litigants. The overlaps in the form of justice suggest that the new formal system is mimicking the existing mechanism and developing close similarities.

3. Concluding Observations and Recommendations

The research has brought out many positives of the VC and the AC in MLAA programme areas. The following features of the AC and the VC are very

encouraging and suggest that, over time, this institution should consolidate and sustain.

Firstly, **institutional performance** has been, by and large, very good. The UP disposes its cases quite efficiently and the variation between the UPs, in this respect, suggests that efficiency can improve if the less efficient unions start behaving like the more efficient ones. Enforcement is also reasonably good: in most cases, verdicts are implemented and several UPs have achieved 100% enforcement. The only sign of concern is that the popularity of these institutions do not seem to be growing, with greater numbers of cases being processed through the AC and VC.

Secondly, there are clear signs that the institutions are **legitimate**. Its use-value seems to be high given that people stick with the institution through to the end. It also has considerable “threat-value”, in the sense that justice seekers can use it as a bargaining chip to negotiate better outcomes in the traditional *shalish*. There is a high degree of compliance with verdicts. The institution is not being abused through false cases. The inevitable delays that come with formal procedures are acceptable to service users.

Thirdly, the institution is **pro-women and pro-poor**. Transaction costs are low. Cases with female plaintiffs tend to be processed faster. Further, poor people and women who have low bargaining power in the traditional *shalish* can enhance their bargaining strength because of the AC and the VC.

Fourthly, the **institution is rooted in the traditional cultural values of justice and dispute resolution**. It is not alien to traditional norms of justice that is being forcefully implemented from above. The practice of justice through consensus, the complementary relationship between the VC and AC, and the close correspondence between justice outcomes at the AC or VC and the *shalish* are indicators that the AC and VC are deeply rooted in community norms and values.

However, in spite of all these positives, the institution is very vulnerable. The AC and the VC are very much in their infancy and the fact that the institutions are practically non-existent in the rest of the country points towards their extreme vulnerability. One of the major reasons of vulnerability is that these institutions are highly dependant on the willingness of the chairman to make the institutions functional – to dispense justice through the mechanism of the AC and the VC. Why should the chairman devote time and resource towards this process, which being official, implies paperwork and time-consuming processes?

Further, the executive and the judiciary are fused together in the figure of the chairman which brings its own risks with it. The chairman’s political and electoral incentives might run counter to the formal process. Very often, the chairman tries to stay out of controversial disputes because of the risk that he or she might alienate or anger some portion of his constituency.

In this context, an external agency like MLAA has a very important role to play in nurturing these emergent institutions. The Legal Aid *kormi* is essential in providing secretarial support to the chairman. Other communication and

advocacy activities are also necessary both to kick-start the institution into functioning and to, through its formative years, maintaining momentum and ensuring that the institution does not simply run out of steam. We strongly feel that were the MLAA to withdraw right now, the AC and VC might simply stop functioning in most Unions. Further, it should be remembered, that Legal Aid *kormis* feel that most community members cannot distinguish between “Negal” and MLAA.

Justice-related NGOs like MLAA are playing a very important role in ensuring that poor and vulnerable groups can receive justice. There is a broad similarity between the AC and the VC and the alternative dispute resolution (ADR) activities carried out by most NGOs. These programmes provide alternative pro-poor and pro-women spaces for justice delivery which, further, can be leveraged to improve bargaining positions within the traditional justice delivery mechanism.

However, the responsibility for ensuring access to justice for all citizens ultimately rests with the state. If the AC and VC are to have long-term success, the state must intervene in a meaningful manner – providing resources and supports to Union Parishads and creating effective accountability structures to monitor AC and VC performance. As a pilot programme, MLAA’s intervention shows that, with the right forms of support, the AC and the VC can be effective justice dispensing institutions. The responsibility for scaling up this programme across the country belongs to the state.

Appendix I: Comparing verdicts and conditions in the AC and VC with the *shalish*

Table A: Verdicts and compromise conditions in money-related cases

VC verdicts			<i>Shalish</i> conditions		
	Count	%		Count	%
Defendant will repay plaintiff by specified date	841	65.4	Money will be paid to applicant for a compromise	367	59.8
Defendant has been directed to repay plaintiff	203	15.8	The defendant begs forgiveness from the plaintiff and the conflict is forgotten	198	32.2
Plaintiff can reclaim money through means specified in judgment	192	14.9	The conflict is resolved in the presence of Local elders (murubbis)	118	19.2
Defendant will return the money to the plaintiff and will bear medical expenses	128	10.0	Defendant will repay plaintiff by specified date	88	14.3
The plaintiff forgives the defendant the amount of money involved in the case	64	5.0	The defendant and the plaintiff will live side by side in peace	62	10.1
Since the accusation could not be proved, the defendant does not have to pay any money	51	4.0	The plaintiff has withdrawn his case	26	4.2
The money will be repaid in installments	36	2.8	The dispute cannot be presented in any court in the future	22	3.6
The defendant is warned not to cause any problems in the future	18	1.4	In the future, the defendant and the plaintiff will not have any disputes on this issue	21	3.4
The land will be returned/given to the plaintiff	10	.8	For damages and medical expenses, the expense will be borne and the dispute is resolved	20	3.3
			In the future the defendant cannot swear at the plaintiff	20	3.3
			In the future, the plaintiff does not have any claims on the defendant	20	3.3

Table B: Verdicts and compromise conditions in physical assault

VC verdicts			<i>Shalish</i> conditions		
	Count	%		Count	%
The plaintiff will be paid by the defendant for damages and medical expenses	204	35.9	The defendant begs forgiveness from the plaintiff and the dispute is forgottend	294	61.5
The plaintiff forgives the defendant for the offense	162	28.5	The two will live together in peace	116	24.3
In the future, the defendant is warned not to cause any problems for the plaintiff	112	19.7	In the presence of local mmurubbis, the case is resolved	107	22.4
The defendant will pay the plaintiff the money by he specified date	100	17.6	The case is resolved after payment for damages and medical expenses	76	15.9
Plaintiff can reclaim money through means specified in judgment	60	10.6	The defendant will not beat up the the plaintiff in the future	66	13.8
The defendant will not beat the plaintiff any more	53	9.3	In the future, the defendant will not swear at the plaintiff	61	12.8
Plaintiff will be repaid the amount of money	30	5.3	Through paying money, the case is resolved and compromised	46	9.6
Since the accusation cannot be proved, the defendant is relieved of the accusation	29	5.1	If in the future, the defendant causes any damage to anyone, (s)he will have to accept the decision of the <i>shalishkars</i>	41	8.6
Defendant and plaintiff will live together	28	4.9	In the future the plaintiff and the defendant will not cause any problems related to this issue	34	7.1
Land will be returned/given to the plaintiff	10	1.8	The dispute is dismissed	12	2.5
N=	568		N=	478	

Table C: Verdicts and compromise conditions in crop/tree/livestock

VC verdicts			Shalish conditions		
	Count	%		Count	%
The defendant will pay for damages and medical expenses	114	31.1	The defendant begs forgiveness from the plaintiff and the dispute is forgotten	109	44.0
The defendant will return the mone to the applicant by a specified date	99	27.0	The dispute is resolved/compromised for a specified amount of money	51	20.6
The plaintiff forgives the defendant the sum of money	48	13.1	Through local muurbubbis, the dispute is resolved/compromised	44	17.7
Plaintiff can reclaim money through means specified in judgment	43	11.7	The two will live together in peace	43	17.3
In the future, the defendant should not cause any problems	32	8.7	The dispute is resolved/compromised through payment for damages and medical expenses	30	12.1
Because the accusations could not be proved, the defendant is relieved of the accusation	31	8.5	The defendant and plaintiff cannot cause any problems on this issue, in the future	13	5.2
The plaintiff will have to be returned/given the crops	23	6.3	The dispute is dismissed	12	4.8
The defendant is directed to return the money to the plaintiff	22	6.0	The branch of th the tree must be cut off	12	4.8
The plaintiff will have to be brought a specified tree by a specified date	17	4.6	Will relinquish claim on tree, the two sides will split the proceeds from the tree	10	4.0
The defendant and plaintiff will live in peace	10	2.7	If in the future, defendant causes any damage, (s)he will have to accept the <i>shalishkar's judgment</i>	10	4.0

Table D: Verdicts and compromise conditions in land-related case

VC verdicts			Shalish conditions		
	Count	%		Count	%
Land will be returned/given	130	54.6	The boundaries of the land will be measured and the land will be returned to the plaintiff	51	44.0
Plaintiff can reclaim money through means specified in judgment	42	17.6	The defendant begs forgiveness for his offense from the plaintiff and the dispute is forgotten.	34	29.3
The defendant will return the mone to the applicant by a specified date	30	12.6	The dispute is resolved/compromised through local <i>murubbis</i>	21	18.1
The land will be measured and the plaintiff will be given his share of land	30	12.6	The plaintiff and defendant will live side by side in peace	18	15.5
As the accusation could not be proved, the defendant is relieved of the case.	18	7.6	The land occupied by force will be returned	14	12.1
Until the land is surveyed again, the current occupants will remain on the land.	11	4.6	The dispute is dismissed	10	8.6
The house will have to be removed from the boundary/someone else's land.	9	3.8	The dispute is resolved/compromised through payment of money	6	5.2
The plaintiff will be paid for damages and for medical expenses.	8	3.4	If the defendant tries to cause any harm in the future, (s)he will accept the decision of the <i>shalishkars</i>	5	4.3
The defendant is warned not to cause any trouble in the future	8	3.4	The dispute cannot be taken into any court in the future	3	2.6
The plaintiff forgives the defendant the amount of money decreed by the court	6	2.5	In the future, the defendant cannot take any fish from the plaintiff's pond	3	2.6
N=	238		N=	116	

Table E: Verdicts and compromise conditions in theft

VC verdicts			Shalish conditions		
	Count	%		Count	%
The defendant will pay the plaintiff for damages and bear his medical expenses.	29	33.0	The defendant begs forgiveness from the plaintiff and the dispute is forgotten	30	49.2
The defendant will pay the plaintiff the specified money by a specified date.	22	25.0	The dispute is resolved/compromised through payment of money	22	36.1
Because the dispute could not be proved, the defendant is relieved of the accusation.	13	14.8	The dispute is resolved/compromised through local <i>murubbis</i>	15	24.6
Plaintiff can obtain the decreed money through specified means	13	14.8	Defendant will return the plaintiff's property and will not try to take them in the future	10	16.4
The defendant is directed to give the plaintiff the money that is due.	9	10.2	The two will live together in peace.	9	14.8
The plaintiff forgives the defendant and does not take the decreed money	9	10.2	The case is resolved/compromised through payment for damages and medical expenses	4	6.6
Gold jewelry/valuable goods will be returned	5	5.7	The case is dismissed	3	4.9
The defendant has been warned not to cause any problems in the future.	5	5.7	If in the future, the defendant causes any harm, (s)he will have to accept the decision of the <i>shalishkars</i>	3	4.9
			The defendant will never steal again.	3	4.9

Table F: Verdicts and compromise conditions in verbal abuse

VC verdicts			Shalish conditions		
	Count	%		Count	%
The plaintiff forgives the defendant the decreed fine/payment.	36	53.7	The defendant begs forgiveness from the plaintiff and the dispute is forgotten	47	58.0
The defendant is warned not to cause any trouble in the future.	31	46.3	The defendant and the plaintiff will live together in peace	22	27.2
If the plaintiff is threatened or conspired against, (s)he will take legal steps.	5	7.5	The dispute is resolved/compromised through local <i>murubbis</i>	22	27.2
The defendant and the plaintiff will live together in peace.	4	6.0	In the future, the defendant will not swear at the plaintiff.	22	27.2
The defendant is directed to give the plaintiff his/her due money.	3	4.5	In the future, the defendant and the plaintiff cannot cause any problems on the above issue	11	13.6
The defendant will pay the plaintiff for damages and bear medical expenses	3	4.5	The case is dismissed	7	8.6
The defendant will return the specified sum of money to the plaintiff by a specified date.	3	4.5	If in the future, the defendant causes any problems, they will have to accept the <i>shalishkar's</i> verdict.	7	8.6

Table G: Verdicts and compromise conditions in divorce cases

AC verdicts			Shalish conditions		
	Count	%		Count	%
The husband and wife do not want to withdraw their petition for divorce	343	49.6	The divorce is effective	9	40.9
Since neither the “divorcer” nor the “divorced” came to court, a decision could not be implemented.	317	45.8	Husband and wife will live together in the same house	7	31.8
The divorce is effective	290	41.9	The former wife will be paid for maintenance	6	27.3
The court cannot	206	29.8	The divorce petition is withdrawn and a notice will be sent to the <i>kazi</i> office.	5	22.7
The applicant will pay maintenance for his former wife	29	4.2	They do not desire to withdraw their divorce petition	5	22.7
They will live together in the same house	29	4.2	Since both “divorcer” and “divorced” did not come, no decision was implemented	4	18.2
The husband has withdrawn his divorce petition and has informed the marriage registrar	25	3.6	The marital status remains as it was.	2	9.1
The marital status remains as it was.	8	1.2			
N=	692		N=	22	

Table H: Verdicts and compromise conditions in maintenance cases

AC verdicts			Shalish conditions		
	Count	%		Count	%
The wife will be given maintenance	1753	77.5	The wife be given maintenance	538	85.3
They will live together in the same house	1267	56.0	They will live together in the same house	509	80.7
Will pay for the maintenance of the child	1114	49.2	They will be civil to each other and speak justly to each other.	451	71.5
The demand for maintenance during the past is withdrawn	1011	44.7	The demand for maintenance during the past is withdrawn	394	62.4
The husband will not beat his wife any more	895	39.6	Will pay for the maintenance of his child	343	54.4
The husband will not behave badly with his wife	834	36.9	The husband will not beat his wife any more	107	17.0
They will talk to each other in a just manner	471	20.8	Even though they bought a maintenance problem to court, their real problems are different	46	7.3
The marriage is still current	445	19.7	The court cannot direct the husband and wife to separate and, therefore, the <i>shalish</i> is concluded	42	6.7
The court cannot direct the husband and wife to separate and, therefore, the meeting is concluded	334	14.8	The wife does not want to go to her husband’s home	39	6.2
They will live separately	333	14.7	They could not come to an agreement to live together as husband and wife	28	4.4
The money will be paid by the first week of the English month	314	13.9	The wife will withdraw her claim for maintenance	15	2.4
Even though they have come with a demand for maintenance, their main problem is different	303	13.4	The divorce is effective	13	2.1
If maintenance is not paid, land will be given to the wife as revenue	275	12.2	The marriage is still current	12	1.9
The wife does not want to go to her husband’s home	268	11.8			
N=	2262		N=	631	

Table I: Verdicts and compromise conditions in multiple marriage cases

AC verdicts			<i>Shalish</i> conditions		
	Count	%		Count	%
Permission for a second marriage has not been given	43	62.3	The wife will be paid maintenance	7	77.8
The applicant could not give any logical reason or medical reason for a second marriage	21	30.4	The husband and wife will live together in the same house	7	77.8
Could not back up accusations that wife is mental ill with any evidence	10	14.5	Will pay for maintenance of child	6	66.7
Applicant may marry again	10	14.5	They will speak to each other justly and not behave badly with each other	6	66.7
The applicant will pay maintenance for his wife	9	13.0	The applicant will withdraw his request for a second wife	6	66.7
Could not prove inability to fulfill conjugal duties (sex)	9	13.0			
The husband cannot ignore his first wife	7	10.1			
They will live together in the same house	5	7.2			
He will have to behave similarly with both his wives and look at them as equals	5	7.2			
He will pay for the maintenance of his child	4	5.8			
The marriage of both sides is still current	4	5.8			
They will speak justly to each other	2	2.9			
He is unable to maintain more than one wife	2	2.9			
N=	69		N=	9	
