ABSTRACT: Because of changes in some underlying factors, the land is increasingly becoming a source of conflict in rural areas of Bangladesh. One of the greatest issues Bangladesh is currently facing is the resolution of land disputes, which are causing endless difficulty in the lives of a significant percentage of the people. It adds to the already overburdened judiciary's caseload. Resolution of property disputes in Bangladesh is exceedingly difficult, laborious, long, and exorbitant due to a weak legal structure, delay in judiciary land arbitral proceedings, and rampant corruption in land administration. This Study examines the numerous types of land-related conflicts that exist in Boluvpur village in Cumilla district, to highlight the legal concerns and obstacles that arise in their resolution. The research is conducted through primary and secondary data sources and primary data collected by interviews and mixed questionnaires. The author contends that to solve legal concerns in the settlement of land disputes regarding villages, the outdated land-uses planning system would require fundamental revisions and provide more recommendations.

KEYWORDS: Land, Conflict, Mediation, Village Salish, Boluvpur Village, Bangladesh.

INTRODUCTION

Bangladesh is a highly populated country, with the majority of its citizens living in rural areas. Economic development is rapidly transforming the character of rural Bangladesh. Since pre-colonial times, land and natural resource disputes have been an enduring feature of Bangladeshi social and political life. However, anecdotal data suggests that land disputes have become more common in many districts of Bangladesh in recent decades. The emergence of large-scale extractive resource companies, accelerated rural-to-rural and rural-to-urban migration, continued high rates of population increase, and the expansion of smallholder cash cropping operations are all factors (Allen et al., 2014). Land conflicts, if left untreated, can devolve into individual and inter-group violence, which can then grow into more widespread armed conflict. In Bangladesh, the ancient Shalish system is the most often utilized means of resolving civil and criminal issues (Hoque & Zarif, 2020). Conflicts between rural communities and businesses are arising as a result of these land-use change processes. Conflicts arise as firms win concessions for a property that rural communities claim as their own (Afrizal & Berenschot, 2020). Where there is an interest, however, there is a conflict. As a result, property disputes arise as a result of land ownership, because everyone has an interest in land, and everyone disagrees about it; however, competent land laws, well-structured land administration, dynamic land management in a healthy governance context, and, most all, amicable dispute resolution mechanisms may decrease land disputes to an acceptable level (Siddik et al., 2018). As a result, considerable socioeconomic development may occur in the lives of ordinary people. Local communities participate in rallies, land occupations, road blockades, and significant lobbying of local authorities to defend their access to land or, failing that, to secure sufficient compensation. The land is thought to be too politically sensitive or technically complex to allow for effective settlement; but, as experience has shown, this is a mistake. Disputes are a typical occurrence in all human societies, but the country's formal courts are placed in the head office, far away from the rural population. Furthermore, formal courts are overwhelmed with numerous outstanding lawsuits. The Spanish system in Bangladesh is built on social customs and traditions; it lacks structure and a well-organized operating process since it is not governed by any regulations (Afrizal & Berenschot, 2020).

The Formal Court is considered the key institution of the dispute resolution process across the world. But the village has an alternative dispute resolution called Shalish. Alternative Dispute Resolution is known as informal court or Shalish in Bangladesh, where every people have easy access through village Shalish (Yamano & Deininger, 2005). But poor people or communities who are vulnerable in society mostly benefited from the village Shalish instead of Formal Court (Wehrmann, 2017). Because Formal courts are more expensive than informal courts. In these forums, disputes are settled among communities, families, tribes, or individuals. A Shalish has a better chance of finding a satisfactory solution than the court. The Shalishkars know individuals on an
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intimate level and can identify the root of a conflict in great detail (Islam et al., 2015). The purpose of this research is to look at the structure and operation of traditional Shalish for conflict settlement in rural Bangladesh.

BACKGROUND
The land is a universally owned asset around the globe. Nobody can deny the importance of land in human life, in truth, we are descended from the ground; we rely on it, move on it, and eventually fade into it; as a result, our need for land is universal, and it is one of the basic human rights (Islam et al., 2015). The management of land is one of the most critical challenges facing developing countries today and poor management of land is causing new disputes and making it more difficult to resolve current ones peacefully (UN-HABITAT, 2012). Changes in the form of illegal conflict, as well as long-term demographics, economic, and environmental developments, provide enormous real problems to international peace. The nature of violent conflict has altered dramatically during the last 60 years; whereas in the past, battles were fought between organized armies of nations, today's conflicts are mostly between governments and armed opposition organizations (Frank, n.d.). The land distribution system may be considered one of the causes of land conflicts, resulting in inequity and grievance among the people and obstructing the establishment of economic and social justice. Nevertheless, governments and the global community have resisted creating systematic and successful ways to handle land disputes and conflicts in the past (Gillespie, 2010). A report showed by the UNDP (2006), in developing societies, informal justice mechanisms deal with 80 percent of the total cases load but these mechanisms often raise serious concerns about their decisions concerning human rights, and these systems are viewed as biased, discriminatory and against the international standards of human rights. Local property disagreements have been demonstrated to flare into large-scale civil unrest and radical groups (Andre and Platteau, 1998; Fred-mensah, 1999; Daudelin, 2002, as cited in Profile, 2020). In general, the phrase 'land' refers to the earth's surface that is used for human living, agriculture, manufacturing ring, and industry. Though the literal sense of land is immovable, the phrase also refers to rights in and over the immovable property (Profile, 2020).

THE OBJECTIVE OF THE STUDY
The main purpose of the research is to explore the land and conflict as well as its mediation process of village Salish, Malabar, the informal and formal court in the Boluvpur village under Cumilla district.

Specific objectives
• To know the reasons for land conflict in Balovpur Village.
• To identify the role of village Salish for land mediation in regarding the village.
• To know the illegal functioning at the time of land mediation in the village.
• To determine the consequences and recommendations regarding the problem in the selected village.

LITERATURE REVIEW
Several research has been undertaken by various scholars and academicians to examine the land disputes in Boluvpur village and their consequences as well as the role of the court, village Salish and people representatives in resolving the conflict. The following are some of the most notable studies in this field. Human activities are influenced by land both directly and indirectly. It is utilized to give humanitarian aid, such as housing or infrastructure, as well as to enable livelihood activities and is regarded as a cultural source. Many scholars have attempted to work on land disputes in Bangladesh and throughout the world, for example, Transparency International (TIB, 2015) conducted a study on land crime in Bangladesh and other nations. A few studies have looked into governance gaps in various aspects of land administration and service supply (Siddik et al., 2018). In addition, some studies focus on the inheritance rights to land (Marbourge, 2015; Scalise, 2009; Uddin, 2011; Jinnah, 2013; Sourav, 2015). According to a few studies, the formal legal system plays a surprisingly limited role in resolving these issues; instead, impacted communities appear to prefer informal dispute settlement, which is mostly aided by local state officials (Afrizal & Berenschot, 2020). The study is that conflict resolution mechanisms are generally quite ineffective. The dispute over the Preah Vihear temple is the most probable issue in Southeast Asia to erupt in an international crisis; the majority of the conflicts sprang from colonial dominance; some remained latent for a long time before resurfacing due to the discovery of natural riches (Frank, n.d.). But the researchers have rarely found any research works that are directly related to land disputes in Bangladesh. Given the paramount importance of the land sector in the economy of the country, this research might help to understand the causes and consequences of land-related disputes in the study area. The research aims to analyze the causes and impacts of land disputes in the study area as well as the role of the formal and informal court, village Salish and representatives act as a mediation.

DEFINITION OF KEY CONCEPT
Salish: Salish is a traditional practice of the Bangladeshi rural justice system. It is an informal arrangement for the settlement of small civil and criminal problems in which both the complainant and the defendant are present. Community Salish aims to preserve social order in the village by enforcing discipline. Salish is defined by Siddique and Huq (1988) as a social
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system for informal adjudication of small civil and criminal disputes by local notables such as Sanders (leaders) or shalishkars (adjudicators).

**Formal Court:** In Bangladesh, the official justice system remains unavailable to the majority of the population. Those in vulnerable categories, such as women and children, ethnic minorities, the impoverished, and people with impairments, have a hard time getting access to official courts. The formal court has certain unique regulations that are formed by an institution by a particular procedure. The official court follows a lengthy procedure that is extremely costly for underprivileged communities to sustain. They are rarely able to obtain justice through the official judicial system.

**Samaj:** The term ‘Samaj’ refers to a group of individuals who share similar cultural characteristics, such as the same language, clothing, and social standards. In a Samaj, people have shared interests and are intimately acquainted. They are also depending on one another, with many individuals unable to fathom their lives without social interaction. Furthermore, Bangladesh has a wide range of social systems, each of which differs from the others.

**Land Dispute:** Land disputes are frequent in almost all communities. Strong institutions and clear procedures can, in an ideal world, settle such issues or, at the very least, channel them into a process that reduces their potential to generate violent conflict. In environments marked by instability, inequality, and weak or unrepresentative institutions, however, such frustrations may be exacerbated by blatant neglect or predatory or discriminating practices (Pantulliano et. al., 2009).

**FIELD DESCRIPTION**

Under the Cumilla district, there are 17 Upazilas and 180 Unions. It is a Bangladeshi district around 100 kilometers south-east of Dhaka that is surrounded to the north by the districts of Brahmanbaria and Narayanganj, to the south by the districts of Noakhali and Feni, to the east by the Indian state of Tripura, and to the west by the districts of Munshiganj and Chandpur. Comilla district is located in Bangladesh's southern region. The study area is the Boluvpur village is treated as an agrarian village which is located under the kalirbazar Union that is suited under Adarsha Sadar Upazila of Cumilla district. The village is divided into four parts, these are namely north, south, east, and west para. This is surrounded to the south by Josspur village, to the north by Balunnaghar, to the east by Donuakhula, and to the west by Bataicori and Sayadpur.

Map: Boluvpur Village in Cumilla District

Source: https://www.google.com/maps/vt/data.
Village Profile

<table>
<thead>
<tr>
<th>Features</th>
<th>Total Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Area</td>
<td>Rural (1.1 sq.km.)</td>
</tr>
<tr>
<td>Total Population</td>
<td>1620</td>
</tr>
<tr>
<td>Educational Institutions</td>
<td>01 (Primary school)</td>
</tr>
<tr>
<td>Madrasah</td>
<td>04</td>
</tr>
<tr>
<td>Literacy rate</td>
<td>45%</td>
</tr>
<tr>
<td>Mosque</td>
<td>09</td>
</tr>
<tr>
<td>Temple</td>
<td>01</td>
</tr>
<tr>
<td>Agriculture land</td>
<td>98 a.</td>
</tr>
<tr>
<td>Non-agriculture land</td>
<td>80 a.</td>
</tr>
<tr>
<td>Graveyard</td>
<td>04</td>
</tr>
</tbody>
</table>
Respondent Profile

<table>
<thead>
<tr>
<th>Features</th>
<th>Total Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>10</td>
</tr>
<tr>
<td>Female</td>
<td>08</td>
</tr>
<tr>
<td>Education status</td>
<td>Under S.S.C/H.S.C/Graduate</td>
</tr>
<tr>
<td>Occupation</td>
<td>Housewife/Farmer/Private employee/Teacher/Businessmen</td>
</tr>
<tr>
<td>Income</td>
<td>Between 10,000 to 35,000 thousand</td>
</tr>
</tbody>
</table>

Farming is the major occupation of the people of Baluvpur, this area is known for the cultivation of a variety of crops such as rice, yam, bean, vegetables, cabbage, and Colliflower; besides, cattle firming and poultry in substantially large quantities. Easy access to data and respondents as well as participation ensured that represents the research problem. About 90% people of the village are illiterate and uncultured as well as engaged in agricultural activities; so, their attitudes are different from urban in terms of land, therefore, they arise and participate in conflict on the easy matter due to lack of mutuality. Finally, before conducting this study, nothing research was conducted in the village on this issue; so, it is another significant reason for selecting this field.

METHODOLOGY
The research methodology adopted for this study was through the collection of both primary and secondary data. The primary sources of the data were accumulated from the field through direct personal interviews and in-depth interviews with people by using an open-ended questionnaire to explore the causes of land-related conflicts, and their outcomes as well as the traditional Shalish system and civil court for the dispute resolution process in Baluvpur village which is suited in Kalibazar union of Adarsha Sadar Upazila under Cumilla district. The people of that village both male and female were interviewed for this study. The secondary sources of data have been collected through a review of published and unpublished documents, journals, websites, articles, research reports, and books. A total of 13 persons were interviewed such as the Union Chairman and member, disputants, teachers, businessmen, shopkeepers, and Sarder of Boluvpur village. Data will be analyzed through in-text and MS Excel.

SAMPLING
This study was conducted through both snowball and random sampling. The present study is the causes of land conflict and its impact on the overall socio-economic situation of Boluvpur village under the Cumilla district. Formal and informal courts as well as village Salish provided consultation and act as media to solve the land-related conflict detected by the researcher. The research has been administered to examine some forceful reasons for happening and arising land conflicts regarding the village. Snowball sampling was used for those who suffered from such problems by other respondents’ information. The men and women and other respondents of the village were selected through random sampling. The information was collected within seven days period from December 26, 2021, to January 1, 2022.

DESCRIPTION OF THE FIELDWORK
The purpose of researching the subject of land and conflict is to start our journey in the 1st part of the day in Ballavpur village. The study area is so far away from the town where I currently stay. So, transportation facilities are not available for always, because, small vehicle like CNG, Auto-rickshaws, or by foot is the only means of going to the field. The road of the village has gone through the deep jungle and hill track; the street was narrow. Originally this village is a very remote area where road development has not been done properly yet. The roads inside this village are dirt roads. There is very little traffic. And so after we used CNG from Kothari to Kalibazar, we walked inside the village and collected information. We went out very early in the morning to collect information. I took my friend Alamin as my assistant to help me with the information gathering and for my safety as a girl. Basically, after entering the village we collected information in different ways. We have tried to collect our information by asking questions directly to the village elders, uncles, aunts, shopkeepers,
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and drivers. I have tried to find out the information sitting in the yard of the house. We have enjoyed the rural environment of the area a lot. Besides, we have been fascinated by the hospitality and simplicity of the villagers. However, when we went to collect information in this village, we encountered some problems. Some of them are:

1) The women of the village were afraid to give information.
2) Some boys of the village tried to have fun in various ways.
3) Some village elders could not take us well.
4) The people of the village did not want to give accurate information.

Despite facing some problems, we still like the village very much. Since this village is not very developed and the rate of education is not high, they have not yet been able to share in the touch of modernity. Lastly, there is still the possibility of doing a comprehensive study in this sector. There will be even more opportunities to uncover issues that the government should emphasize if there is a massive investigation with enough time and money.

DATA ANALYSIS

Data from the literature review was aggregated and synthesized into categories that were either directly relevant to elderly men, women, and youth or relevant to the supporting environment, which comprised companions, family, school, community, service delivery, policy, and legal contexts. For the study of qualitative data from the focus group talks, the discussions were captured, transcribed, and conceptually coded by two coders. At the various levels of the systems theory (person, family/community, service delivery, and policy levels), data were classified according to a priori themes based on the focus group discussion guide. The coders then looked at each level's inductive approach for emerging subtopics.

The data used in this paper come from 13 interviews including depth- interviews and open-ended questions. This interview was conducted as part of the research on land and conflict in the Bolluvpur Village.

Nature of conflict: In Bangladesh, the land is regarded as a valuable asset and is often referred to be the primary source of civil lawsuits. In the study, several reasons for land conflicts were discovered, including succession problems, possession by force, fake papers, missing information in records, selling multiple times, inaccessible record documents to the possessor, lack of updated records or documents, and so on. It has been shown that the majority of disputes have arisen as a result of succession issues and others as a result of forcible possession. False papers, on the other hand, are another crucial reason, while missing information in record accounts for a maximum portion of the conflict.

Causes of conflict: after talking with the village people some causes of conflict are listed. They are: (a) False documents, (b) missing information in the record, (c) no record, (d) more than one-time sale, (e) land auctioned but the owner does not know, (f) Abuse of power, (g) attempt to seize by force, (h) Attempt to unjustly evict the poor, etc.

Political influence: in this village maximum conflict is influenced by the political parties. The people of the ruling party are harassing the poor opponents by using themselves in conflict with their power.

Conflict resolved by Salish: village poor People said that most of the conflict is solved by the village Salish. As they are poor and uneducated so they are not aware and don't want to involve themself in a complicated process. So normally they go to Sardar's. After discussion with Sardar then fixed a date. If the conflict is kind of small Sardar with the help of a member and other matabbor tries to solve the conflict, but if the conflict is kind big the Chairman also attends arbitration for dismissal of the case.

The outcome of Salish: Maximum outcome of Salish is negative. Because, judges are influenced by bribery, and power. as a result, the poor people of this village do not get justice. But they depend on this village arbitration

Resolved by the court: In most cases, victims in rural areas choose to settle their problems through village Salish (judgment presided over by a community leader). If the matter is complicated, they are obliged to pursue civil court action. However, in many cases, the issues are resolved following a conversation in village Salish between the complainant and the respondent. The majority of the polled families said they sought to address the matter in village shalish, while the rest of the population went to civil court to settle land disputes. Less than half of individuals who went to civil court had attempted to address their issues in village Cabis first.

Impact of land conflict: Land is one of our society's most precious assets, as well as a major cause of conflict when considering socioeconomic level. The majority of such confrontations in the research region are between neighbors, relatives, and family members, between buyer and seller, and between government and residents.

Consequences of conflict: The consequences of conflict are mostly negative. People are involved in conflict with their neighbors, relatives, family, etc. Sometimes people get into fights as a result of this conflict and many people are seriously injured, and many people die. Besides these conflicts have led to abusive acts, such as rape.

Bangladesh's Land Laws: Under different laws in Bangladesh, land might be held by a person, a cooperative, or the government. Land is a critical component of agricultural productivity and, as a result, is inextricably related to food security. As a result, land
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interest security is a crucial basis for social and economic progress. Furthermore, preserving land rights is especially important for the security of vulnerable groups, such as the poor, women, and indigenous peoples. This way, social and economic progress may be achieved by ensuring land rights. Although Bangladesh's land laws have a lengthy history, the following Acts and Ordinances, among others, apply in this respect in Bangladesh:

- The Survey and Settlement Manual 1935
- The Non-agricultural Tenancy Act 1949
- The State Acquisition and Tenancy Act 1950
- The Land Development Tax Ordinance 1976
- The Land Reforms Ordinance 1984 S. Islam et al. 1995
- The Immovable Property (Acquisition and Requisition) Ordinance 1982 • The Land Reform Board Ordinance 1989
- The Land Appeal Board Ordinance 1989
- The Land Management Manual 1990

FINDINGS
This research was carried out among households that were involved in land disputes. The results demonstrate that in the research region, service is the most common and dominating profession among the questioned families. Service is the primary source of income for most households, followed by small-scale enterprises. Agriculture, on the other hand, is the source of income for just a small percentage of households, and day labor makes up a very small part of it. The type of household head's occupation has a significant impact on a family's income. As previously said, lower-quality services and small-scale businesses are the most common. The most common source of income among those polled families that earn a minimal amount of money is the survival of life.

An incident related to the land conflict regarding the village is a finding of the study, respondent suffers such problems about three years ago with neighbors, and he informed village Salish and other neighbors who could deal with this issue, ultimately, this problem is an ongoing process.

Most of the people in this village are illiterate, uncivilized, uncultured, and afraid of the difficulties of the legal system of government-related land disposal; therefore, they are reluctant to concern the police, court, and other informal courts. Few Salish of the village takes bribes from the opposite party and verdicts against the victim. Comparatively, in this village land disputes issues are decreased because of social capital and harmony; women are afraid of any occurrences and some of them do not talk owing to breaking good relationships.

"The necessity to address urgent and short-term challenges in the context of a longer-term developmental goal," according to the findings of this study. Failure to do so might jeopardize any coordinated recovery plan following the Comprehensive Peace Agreement. This means that all immediate and mid-term corrective, preventative, and retentive land and property related measures aimed at easing the return and recovery process must be streamlined with an overall land policy, implemented by appropriate land legislation, and backed up by relevant institutions.

RECOMMENDATION
As the land conflict has become a common issue in this village, some steps should be taken for reducing this crucial situation.

1. Stopping corruption of the actors involved in the village arbitration.
2. Stopping corruption of the actors involved with the land sector.
3. Establishing the digital record system.
4. Raises awareness among village people about the civil courts.
5. Surveying the land on regular basis.
6. Ensure the improvement of poor justice.
7. Particularly in civil court cases, it is important to keep the duration of the argument as brief as possible.
8. Establishing intra-sector cooperation amongst land-related offices.
9. To preserve people's land rights, legislation such as the Land Right Act and the Land Dispute Settlement Act can be drafted.

CONCLUSION
Because of the increasing importance of land conflicts in a rural area, the study examined the determinants of land conflicts and estimated the impacts of such conflicts on village harmony and peace, rural politics, social capital, socio-economic conditions, displacement, and production. Land conflicts in Bangladesh are extremely difficult to resolve. As the preceding discussion demonstrates, the current structure for resolving land disputes is riddled with difficulties and obstacles (Profile, 2020). The laws and procedures governing land disputes are centuries old, primarily inherited from the colonial era, and are frequently found to be inadequate in addressing the concerns and challenges that the current land administration faces. Land ownership determination, guaranteeing coordination among various government agencies dealing with land-related services, land surveys, and records, verifying damage to land records at various levels, land transfer registration, and so on are among the issues that require immediate
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attention (Allen et al., 2014). Shalish is an informal community-based dispute resolution mechanism that exists in the Indo-Bangladesh subcontinent (Fitzpatrick, 2008). Panchayat was a type of rural administrative entity that also had certain judicial powers. With the arrival of the Muslim era in India, Hindus have become hesitant to take their issues to official courts, which are run under the Islamic legal system. As a result, throughout the Muslim era in India, panchayats served as an alternate means of resolving disputes, particularly for Hindus. This research has looked at important issues related to land conflicts that have major repercussions for the studied area's socio-economic growth. To begin with, it offered a foundation for understanding the fundamental reasons for land conflicts in Bangladesh's Balovpur village. The investigation also exposed the problem of who controls the area's land management and administration. The investigation revealed the government's inadequacies, both at the state and municipal levels, in controlling the use of the property as codified in the Land Use Act of 1978 (Wehrmann, 2017), instead of allowing individuals and, in some cases, families to select who owns the land and for what purpose.

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