

# Indigenous Dispute Resolution Mechanism (IDRM) in Sindh: A Case Study of Sindhi Village

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## Abstract

Pakistan's justice delivery mechanism is based on formal, informal, and sharia laws. The basic purpose of these mechanisms is to facilitate the masses in getting better access to justice for various reasons. Generally, courts involved procedural delays, away from community, foreign language, expensive, and nepotism, thus courts decrease the trust level of people. While IDRM has a speedy justice delivery mechanism, native language, efficient and cost-effective. Earlier, IDRM was not recognized as a law: however, various efforts have been made at national and provincial level to reduce the burden of courts by legitimizing the IDRM. This research is designed to find how it works and evaluate its role through local narrative/perceptions and whether it has the ability to cater to the aspirations of aggrieved families. The (N=92) interviews were carried out with a purposive sampling technique to collect data from *ChangoMurs*, local actors, disputants, and their families. A further 4 FGD's were conducted with the people of the villages at *Otak of ChangoMurs*, and village hotel. The study concludes that the courts are overwhelmed, with less staffing and their own procedural issues, resulting in delays, sluggish processes, nepotism, and high costs. While IDRM gains familiarity, easy accessibility, low cost, attentiveness, personal affiliation, and suitability in nearly every dispute, villagers interpret conflicts as cultural activities and want mechanisms that comprehend the socio-cultural significance and understand the context of dispute. Moreover, the IDRM resolves disputes while taking into account the political, social, legal, economic, and humanitarian viewpoints of the community.

**Keywords:** Dispute, IDRM, family aspirations, cost and time efficacy

## Introduction

Justice, disputes and human existence are as old as the evolution of the first community upon this earth. People living in groups and clans become communities owing to their commonalities of existence. If we look around, we cannot flout the importance of socio-interactive behavior in human society. This

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social interaction is the foundation-behavior of our family system, the formation of governments, and also our global economy (Pennisi, 2011). Engaging with humans often turns into disagreements on protection of interests, which results in disputes between individuals or groups. Thus, disputes arise naturally, until they remain hidden and do not threaten harmony and peace (Attaullah, 2017).

Robbins (2005) defined conflict as a process that begins when an individual or group of people perceives that another individual or group of people has adversely affected or is about to adversely affect. Disputes are often based on perception and emotion, rather than hard facts (Thakore, 2013). For Anthropologists, dispute is an umbrella term, and it is referred to as the multidisciplinary field of conflict studies. To study the dispute in anthropology, it may include how meanings are perceived, symbolism and ritual, indigenous language and methods of verbal and non-verbal interaction, ethnicity and ethnic identification, gender, environmental stress, and sense of place (Christos N Kyrou, 2008). Disputes are an integrated feature of human society, arise naturally therefore, societies do not escape clashes. However, they must bear a social and economic cost of the clash, which differs and depending on the nature of the dispute and the mechanism used to resolve it (Auerbach, 1984). Historically, humans have developed three modes of dispute resolution mechanisms, such as through violence, formal adjudication, and informal means and mechanisms. In formal adjudication, this later form is known as Alternative Dispute Resolution (ADR) (Attaullah, 2017).

These various kinds of justice mechanisms play a momentous role and estimated in their cultural context. Formal justice system (FJS) is described as a system for resolving civil and criminal cases through legal state-based justice institutions by adopting legal procedures such as police, courts, prosecution, and custodial measures (Wojkowska, 2006). Traditional law, in contrast to the FJS system, is based on accepted indigenous norms, values, and culture, which are followed by caste, clan, or tribe (Chudhary, 2009). Traditional law is a system of mechanisms to address and resolve disputes outside of formal justice (state-based legal system). Though IDR has no exact and authoritarian definition, yet it has a certain degree of stability, institutionalization and acceptability. Perhaps various terms have been used to describe IJS, like non-state, traditional, or customary laws (Matthews, 1988).

## Panchayat System in South Asia (Indian Subcontinent)

The system of *Panchayat* raj prevails mostly in the rural areas of the Indian subcontinent as a self-regulatory body, and it flourished during ancient times. This self-regularity system of the *Panchayat* system was referred to as a blessing for them due to its efficacy. The system was designed to resolve minor disputes among the villages, such as administration or neighborhood disputes. Such a system resulted in harmony and peace due to its features until or unless the colonial powers abolished the spirit of *Panchayat*. They formalized their own body of law (court system), in order to impose and legitimate their power by suppressing the rural masses (Ahsan, 2009). The motif of the colonial powers was to keep the rural masses residing in specific locales and regions of the country (Yasin, 2004). Therefore, special acts, laws, and forums were designed for different people to tackle and control their activities (Yasin, 2004). The various acts were constituted in order to suppress and counter the rural masses (Shahid, 2012).

## Traditional Law in Pakistan

In Pakistan, IJS was enshrined through the institutions of *Panchayat/Jirga/Faislo/log-adalt* at local levels. These terms are fundamentally referring to “A formal gathering of tribal council of dispute settlement to deliberate and adjudicate over an issue by incorporating locale customary laws in men’s sphere”. It is called a ‘*Jirga*’ in Pashto, ‘*Majlis*’ in Persian, a ‘*Panchayat*’ in Punjabi and Hindi, and ‘*Faislo*’ in Sindhi (Justice Saleem Akhter, 2016). The word ‘*Jirga*’ itself is drawn from ‘*Jirga*’, which means “A circle or a wrestling ring” (Justice Saleem Akhter, 2016).

In Pakistani society, the *Panchayat/Faislo* uses an Indigenous Dispute Resolution Mechanism (IDRM) to settle disputes and maintain harmony and peace through the application of locally approved sanctions. The IDRM developed over a period of time while cultures had diverse experiences and practices by different communities living in certain locations in Pakistan. The IDRM are special

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<sup>1</sup> *Faislo, Panchayat, log adalt and Jirga* are interchangeable term used for indigenous dispute resolution mechanism in Pakistan

unwritten customary laws based on entirely different reward and punishment structures. The main feature of the *Panchayat/Faislo* is that it primarily relies on compensation rather than imprisonment.

As the *Panchayat/Faislo* is a self-regulatory system of government, and thus, it is deeply rooted among the rural masses through culture. It creates interdependence between landowners and peasants, and it has been declared as the vehicle of socio-economic transformation in rural areas. Functionality, Effective and meaningful because of interdependence, which dedicates power and authority to the landlord, and they are actively involved in justice and peace making.

Dr. Muhammad Azam Chaudhary (1999) examines many case studies with reference to various forms of "conflict" in his research. For him, *Zan*, *Zar*, and *Zamin*<sup>2</sup>, are the fundamental bases of conflict. These disputes become more serious when honor is at stake, as it is with *Izzat* and *Ghairat*<sup>3</sup>. Moreover, disputes are addressed through local dispute resolution methods with the participation of local authorities (village judiciary body). He concludes that "These systems (formal and informal) are two elements of one system—they may function separately in theory, but in fact, they work together," (Chaudhary, 1999).

Nafisa Shah (2016) in her famous work on "Gender Violence, Law and Power in Southern Pakistan". Mainly she explored the phenomena of raised honor killing (*karo-kari*) and violence against women. Honor killing is tangled up in the social, political, and legal systems. These social and political laws, which were backed up by legal laws, shaped the powerful hands. The reason for damaged honor is physical violence, and "murder for honor" is a common cliché in the area. She further argued that such violence against women was perpetrated by men in order to preserve their own societal interests (Shah, 2016).

Pakistani court system, has gone through several distinct stages of evolution, including the Hindu Kingdom, the Mughal Empire, and later British flavor. Subsequent independence, current legal system includes a variety of flavors like local normative structure, sharia law, and British doctrine such as organization,

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<sup>2</sup> Issues occurred on women, money and land

<sup>3</sup> Both terms used for honor, defense of honor, and modesty

hierarchy, and trial procedure (Hussain, 2015). The legal system consists of criminal and civil procedural laws, such as the Criminal Procedure Code (1898) and the Civil Procedure Code (1908). Furthermore, the basic doctrine of the legal system, such as court decisions, various bodies and organizations of Bar Associations, is the same as it is in practice in England. (Hoffman, 2008). There are 740 laws in Pakistan, with 203 of them enacted prior to the country's independence, 230 ordinances made during martial law regimes, and 307 laws adopted as an outcome of private or governmental legislation (Sher, 2019). Above all, the law has an indigenous flavor as well (Hussain, 2015).

### **Flaws of Formal justice system**

Why is it that the rest of the community is abandoning the formal judicial system in favor of the informal one? The reason for this is that the formal structure has grown outdated as a result of not keeping up with time. It's expensive, and it leaves the majority of litigants with no money. It's overly lengthy and, as a result, tiresome. It's complicated, despite the fact that humans are prone to simplicity. It's gone, taking its time to reach a decision, which is irreconcilable with humanity's impatience (Attaullah, 2017).

There are several shortcomings in the formal justice system, one of the most serious of which is the large backlog of cases waiting in Pakistan's subordinate courts, high courts, and Supreme Court. The increased filing of lawsuits may be attributed to two factors: the growing population and improved public awareness of rights and duties. Second, unlike the Services Tribunal, other civil courts and supreme courts have been overburdened with cases involving either a state as the claimant or the complaint. The chiefs of the departments concerned have always prioritized their own vested interests and have shown little interest in resolving disputes. Thirdly, some studies have found that the formality of judicial systems intimidates and discourages people from using them. Various court studies, such as one from 2015, conclude that the court's provision for legal counsel is both costly and embarrassing for those who may not feel comfortable dealing with lawyers from a specific caste or background. Because the method is complicated (based on written records and witness bias) and the proceedings are conducted in a foreign language, the majority of the country's population, however, lives in rural regions and is unable to comprehend the procedures and language.

Fourth, legal ethics is restricted to the pages of books, and professional dishonesty is common. Advocates' efficacy is harder to define. The vast majority of users are unsatisfied with their lawyers' performance as a result of their failure to attend court. In a large number of cases, it has been discovered that the lawyer is alone in his chamber or bar but does not come before the court. They sometimes fail to pay attention to his client and disregards his desire to appear in court. In this case, the nasty litigant becomes a shuttlecock between the court and the prosecutor (Attaullah, 2017). Fifth, according to the United Nations Report (2008), four billion people throughout the world are deprived of the opportunity to improve their lives and climb out of poverty because they are excluded from the rule of law (Albright, 2008). Many marginalized people are denied entrance simply because they cannot afford to pay and representation costs necessary to participate in the official court system. Sixth, the judicial systems lack sufficient public outreach activities and are essentially unable to provide access to the general public for involvement and awareness-raising in trials, given that costs are potentially the greatest barrier to structured dispute resolution for many people in Pakistan. As a result, only a tiny urban population has access to the FJS.

The objective of the study is to collect information about IDRM such as how it functions and what are the perception of the indigenous communities. Moreover, does it serve for the best interest of the community and maintain harmony and peacebuilding in the community? This was investigated through the (n=92) interviews were undertaken with disputant groups, local actors (*ChangoMurs* and elders), their families, local media men, and a member of civil society through a purposive sampling from villages of Larkana District. In addition, in-depth interviews (n=04) were conducted with the people of the villages at *Otak* of *ChangoMurs* and at the village hotel.

## **Theoretical Framework**

The research was carried out by using the theories of social capital, analysis conflict, and local indigenous dispute resolution mechanisms. Social capital theory explore how relationships are viewed as social capital, and how this web of social ties is mobilized to enable conflict resolution. The term "capital" is defined by (Stevenson, 2010) as wealth or other types of assets possessed by people, but in

economics (Bourdieu, 1986; Chen et al., 2009; Glaser et al., 2002) it is defined as assets that may be invested for profit. The phrase "social capital" is not new to social science research; it dates back to Durkheim's study on social influences of suicide (Durkheim, 1963), which also emphasized group life, where an individual's participation in group life generates good results. Furthermore, Marx's idea of a class-based society (Marx & Engels, 1978) and this includes the concept of social solidarity.

Pretty's idea emphasizes the importance of social relationships and bonds, whereas Putnam's view emphasizes recurrent elements like norms, rules, trust, and networks. The idea contains numerous areas of probable divergence and contradiction, which impact its application and use as an analytical lens, due to its widespread use and changing nature (McDougall, 2015).

Social capital focuses on it as a resource that is present in terms of groups, as Putnam points out, "the features of social organization, such as trust, norms, and networks, that can improve the efficiency of society by facilitating coordinated actions" (Putnam 1993:167). At the second level, it's about scale and boundaries, which are interlinked. From micro to macro, social capital can be studied and understood in a variety of ways (Lyon 2000). Furthermore, Patulny and Svendsen's focus can be on horizontal or vertical connections of an actor or groups with actors or groups external to them ("bonding" social capital), or on horizontal or vertical connections of an actor or groups with actors or groups external to them ("bridging" and "linking" social capital, respectively) (Patulny and Svendsen 2007). Thus, social capital is referred to as a matter of narrative and a unit of analysis (McDougall, 2015). Finally, the analytical focus is on social capital. Adler and Kwon (2002) discuss both structural and content-related features of groups and networks, as well as norms, values, and common understanding.

Social capital is a relationship that has two potential aspects: structural and content. The structure creates social networks, which are then converted into social ties. For example, it gives opportunities for members of society to engage and conduct transactions. However, the frequency, intensity, and interaction of these links may vary. Such relationships allow individuals to connect and utilize resources, which might include information, transactions, and opportunities to act

together. Norms, rules, and trust, on the other hand, are content characteristics that play a motivating role in the development of social capital (McDougall, 2015).

## Discussion and Analysis

In the Sindhi village, conflicts that escalate and become public are settled through an informal procedure or customary law, "*Faislo*", which was established through generations of traditions. Still, the majority of the conflicts in the recent past have involved women, money, and land issues. Money and land disputes may include property ownership, agricultural land boundaries, access to water, food theft, debt payback, and so on, as well as women's honor issues. Any dispute (verbal or physical) or clash between more than one person over the mentioned reasons can result in a conflict, which can be exacerbated by expressing anger, violence, or impulsiveness. Moreover, issues related to women are even more complicated, as they relate to the culturally constructed notions of *Izzat* and *Gairat* (honor and prestige). In these acts of violation, the reaction is anticipated. It is because the tradition strongly encourages the anticipated action of defending one's honor. Thus, the system offers a detailed resolution and penalty (monetary terms as well) for settling community disagreements. Even though these rules are not documented, everyone is aware of the "laws and punishments." In the field, it was found that different punishments were given, even when they committed the same crime. This is the best evidence of restoring balance, rather than unfairness or vengeance against a single individual. Furthermore, before punishing someone, the community considers the socio-economic situation of the culprits and the families left behind.

As disputes frequently emerge among human beings, laws and communities are unable to stop them from occurring. Therefore, disputes occur, and the communities make certain laws to resolve them, punish the culprits, and give justice to the aggrieved party. Thus, local communities have their own indigenous mechanism to resolve the disputes (Sheikh, 2019). Disputes are resolved into three stages, the first of which is the pre-conflict stage, in which two parties' disagreement evolves into a full-fledged conflict. During the dispute, the issue, after being identified at social gatherings such as *Otak*,<sup>4</sup> requires the participation

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<sup>4</sup> A male Guest spacing for social gathering in the village setting

of local actors and the activation of *Faislo*, while the third stage leads to the resolution and delivery of the resolution. *Otak* provides a platform to help the villagers identify their conflicts and use IDRM to resolve and settle them. Thus, *Otak* is a term that refers to 'social interaction places' as well as public areas where people not only connect but also bring their disagreements to be resolved. For group cohesion and village harmony, the *ChangoMurs*<sup>5</sup> and the elders use their social, economic, and political power to put pressure on both groups.

During interviews, the villagers reported that *Faislo* is a basic mechanism to seek access to justice in the village. One of the most important features of *Faislo* is that it is situated within the village and is easily accessible for all at any time. *Faislo* conducts its process when everyone is free from their work, and every member of the community, disputant parties and all other interested groups can participate. The disputant pays nothing to anyone and seeks justice. One of the respondents narrated that one charge was because for villagers, peacebuilding is the basic requirement, and all villagers are just like families, and providing services to family members costs nothing, but it is *Sawab* (reward from Allah) and happiness. In response to a question during the interview, villagers interpret conflicts as cultural activities and want solutions and mechanisms that comprehend the sociocultural significance and understand the context of the dispute. As a result, there is a widespread belief that the courts' definitions, solutions, and body of laws do not support them, and their mechanisms are an interruption in their daily lives. Moreover, a villager said that the concept behind presenting cases to *Faislo* is that it is the community's common obligation to settle people's issues, so that everyone should spend their life peacefully. Thus, it is the obligation of all community members to ensure the well-being of other fellow community members, or *Biraderi* members. So *Otak* addresses those issues that are vital for the community, and it can disrupt the social fabric and overall functionality.

*Faislo*, on the other hand, requires that both parties accept and acknowledge submitting their issues to the council and that they further empower the council by relinquishing their rights to resolve and settle disputes through judgments

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<sup>5</sup> the head of a *Faislo* and a trustable elder of ethnic group

made through discussions, dialogues, and consensus. The gathering of both *Dhur*<sup>6</sup> in the *Otak* of *ChangoMurs* indicates that they have delegated their authority to the council; as a result, arbitrators determine rewards and penalties on their behalf after conclusive evidence and witnesses.

In rural Sindh, the traditional laws are practices, which are subject to traditional authorities' influence (elder, *ChangoMurs*, Sardar). *ChangoMurs* (traditional leaders such as socio-cultural and religious leaders) and elders of *Biraderi* serve as arbitrators, and the mechanism they use in the village is referred to as the Indigenous Dispute Resolution Mechanism (IDRM). It has been in practice in this part of the world for many centuries, and various provincial and national assembly acts support IDRM in commercial and civil cases, but hearings or procedures related to criminal cases are banned by the provincial and national assemblies, respectively. In *Otak*, the aggrieved party or his *Biraderi* member brings their case. The *ChangoMurs* call upon both parties' elders. The village elders and *ChangoMurs* of the village come together to act as a neutral third party to resolve the dispute between both parties. The arbitrators follow local customs, traditions, or religious teachings, all based on the nature of the case and the current situation and context. Local NGOs, police, and civil society get involved in the process of *Faislo* in high-profile cases.

### **IDRM Mechanism**

When a conflict arises, the mass consults with local actors for settlement. The process begins when a *Dhur* or a *Dhur's*<sup>7</sup> approaches the local arbiter. In most cases, the *ChangoMurs* act as arbitrators, resolving disputes according to local customs and values. The *ChangoMurs* and *Biraderi* elders play an intermediary role and initially talk about the nature of the dispute, reasons for the dispute, who resolves it better, where to resolve it, gathering witnesses, and possible options and consent of both *Dhurs* for acceptance, etc. The willingness to join *Faislo* on a specific date means that the disputing parties vest their powers and trust in *Faislo* for resolution. IDRM consists of several steps, which are as follows:

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<sup>6</sup> disputing parties along with their *Biraderi* members and elders' perusing their case

<sup>7</sup> well-wisher

In the first step, who is permitted to participate in IDRM? Normally, every male member of the community is eligible to participate in the *Faislo*. As a result, there are no hard and fast rules about who will participate or not, but rather the community and *ChangoMurs* encourage individuals to engage for the sake of learning and influence. The *Faislo* is usually attended by four categories of individuals: 1) those who are hurt, 2) those who are suspected, 3) observers, and 4) the impartial *Dhur*, who genuinely wants to resolve the conflict. In the second step, the *Faislo* could be held inside or outside the *Otaks* of the village based on the nature of the disputes and cases, such as major criminal crimes being settled in separate *Otaks* of *Sardar* (outside of the village), and regular civil matters being arbitrated by *ChangoMurs* of the community or elders of *Biraderi*. In the third step, caste is the most important binding source in village structure, since it organizes its members, and caste structure is built on a substantial number of its members, demonstrating power. Each caste has its own elders, *ChangoMurs*, and they form an alliance with other castes' *ChangoMurs*. If a conflict arises inside a family, the arbitrator will be nominated from within *Qoum*. The elders, or *ChangoMurs*, of the *Qoum*<sup>8</sup> act as arbitrators in intra-family disputes, such as sibling rivalry, conflicts over marriage, divorce, and children, and so on. While intra-village or intervillage disputes are resolved by the *ChangoMurs* of the village, or *Sardar*.

In the fourth step, each side nominates two *Musheer* from each *Dhur* to collect evidence and assess both *Dhur's* strengths and weaknesses. Later, *ChangoMurs* and both *Musheer* debate their respective groups' points of view, as well as their weak and strong points. This talk analyzes the case and reveals the facts that helped to reach consensus and a verdict. In six steps, both *Dhur* present relevant evidence before *Faislo* to identify the cause and evidence of disputes. The evidence consists of circumstantial and contextual evidence. The purpose of these efforts is to establish links between the events. The evidence will not be considered substantial or relevant if it does not correlate with the time, place, identity, or illegal activities of the accused or the context of the offence committed. In the seventh step, witnesses are verified. First and foremost, the most genuine approach to authenticating the witness and his evidence is to have him swear on the Holy

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<sup>8</sup> intra-family

Quran. Second, the history of the witness and his family is examined. Finally, it is attempted to establish a relationship between the witness and the circumstance, such as what he was doing there "contextual verification?" In the last steps, penalties in the form of monetary terms are a relatively new concept. Nevertheless, prior to financial compensation, a barter system was used, i.e., life for a life or giving away goods of equivalent worth to those who were lost. The concept of compensation stems from public concern about the impact of post-dispute punishment on the family and those left behind. Even imprisoning the guilty would make the left-behind family reliant on the others. As a result, the majority of underprivileged individuals who are not put to pay high compensation or imprisonment and capital punishment.

IDRM is a social organization that is based on relationships or social networking. This relationship, or social networking, is considered social capital and it focuses on providing easy access and fair justice. Social capital inculcates tolerance among community members for peacebuilding and collaboration for community solidarity. As a result, aggrieved *Dhur* are able to heal their mental and emotional damage by addressing their difficulties and restoring social ties. Therefore, rather than official courts, community members rely on the indigenous system.

Dispute resolution is viewed as a wide concept that covers a variety of approaches to settling conflicts. As Tamang stated, there are realist (coercive and diplomatic) liberal (political, military, economic) and social perspectives on managing disputes. According to him, these different techniques and procedures are intended to resolve disputes (both criminal and civil) and the ultimate goal is to restore communal harmony and peace. Therefore, communities used various techniques to restore peace, such as coercive power, political influence, or diplomatic method (Tamang, 2015).

According to community members, the IDRM resolves disputes while considering the political, social, legal, economic, and humanitarian viewpoints of the masses. a) The political perspective refers to the authority that comes with the positions that are allocated to *ChangoMurs* in *Faislo*. This shows the political structure of the village and *Faislo*. The village's political hierarchy is made up of the village's rural elites. They are not just resourceful, but they also own the majority of the

village's land. *ChangoMurs* does not allow individuals to leave the town for resolution or to create space, and he has complete control over his subordinates' life. As a result, *Faislo* is seen as a significant mechanism that maintains *ChangoMurs'* function relevant and meaningful.

b) The legal perspective refers to access to justice that involves the implementation of feasible, cost-effective, and efficient justice mechanisms, as well as the legal empowerment of all members of society, particularly disadvantaged people, children, and women who have the ability to exercise their rights through formal and informal justice systems. The IDRM provides quick, easy to access, native language, and no cost for hearing. The masses are aware of the *Musheer* and arbitrators, and they are available at their doorstep. While the state court system prevails and provides services at the research site. The state courts are costly, take a long time, fix work hours, are away from the village, in a foreign language, and the masses are unaware of the rules, lawyers, staff, and judges.

c) Economic perspective refers to the villagers' socioeconomic status. Living in rural areas are mostly marginalized groups of people. Therefore, they are unable to pay the heavy fees of lawyers and court procedure fees, and they bribe the police. Therefore, for them, IDRM is relevant, which resolves their dispute at no cost.

d) The presence of well-known or well-connected community members is a good indicator of how successfully and quickly a dispute will be resolved. The greater the social networks among community members, the better the masses recognize their responsibilities, and ultimately, there are more possibilities for resolving issues. This means not only is one's socioeconomic status linked to one's social standing, but also to the relationships and ties one has with someone of high socioeconomic level.

e) During a dispute, the humanitarian perspective of IDRM is "emergency response of local actors". The local actors make sure of the safety and protect the lives of disputing parties, and stop further aggression, restoring community harmony and peace. On humanitarian grounds, the IDRM contributes positively by fostering or beginning conversation between disputant parties, while keeping in mind the sensitivity of the subject.

During the focus group discussion, it was found that the *Faislo* has the ability to address the rural masses' issues. Many social actors believe that traditional justice, which can force legal order on the parties, is the preferable way to achieve social peace. While the FJS is perceived as slow and out of date, the administration, lawyers, and judges are more concerned with their pay and are trapped by the *Biraderi* network and are engaged in making extra money from disputant parties. Furthermore, it was revealed that in some situations, one party opted for FJs for delay tactics to put pressure on the other party into agreeing to a compromise. For that, the lawyer does not appear in court or request that the registrar set a new date for the case's hearing. Furthermore, using the *Biraderi* card, Sardar or *ChangoMurs* can approach the FJS and influence the procedure by slowing it down for their political point scoring. As a result, the justice process has lowered its gear, and ultimately, judges and lawyers suggest that a dispute be resolved outside of court. Thus, local actors' emphasis is more on *Faislo*. However, they suggest that the *Faislo* proceedings can be guided so that they understand their jurisdiction and restrictions and avoid making controversial decisions. In addition, written procedures, such as formal laws, should be implemented, or in other situations, individuals responsible for IDRМ should be trained and held accountable by observation and recording of a trial.

As a result of these perspectives, we can see why the masses consider *Faislo* to be important in their lives. These perspectives of the community, which have developed through time as a result of their different experiences with IDRМ and the courts, and indigenous mechanisms, best suited them.

## Conclusion

The *Faislo* mechanism (IDRМ) is based on ethical traditions, principles, religion, and moral significance that aim to reduce the degree of violence. Therefore, *Faislo* is still in use and influencing the behaviors and actions of people that have developed over a period of time through a social learning and adaptive environment process. The social learning process and every day experience build trust among the masses on *Faislo*; as they investigate the root reasons of the conflict, hold long conversations, share viewpoints and information, establish common points, and develop consensus for the mutual benefit of both parties.

For villagers, the IDRM is accessible, does not involve lengthy procedures or delays, and is conducted in one's native language, making it very cost-effective. For resolution, "emergency response of local actors" is a significant step, which shows that local actors make sure of the safety and protect the lives of disputing parties. Thus, the local arbitrators evaluate the case at their doorstep, keeping in mind the efficacy of the verdict and trying to match the aspirations of the aggrieved party with it. Therefore, in an indigenous setting, the villagers handle the political, social, legal, economic, and humanitarian aspects of the verdict and it must stop further aggression, restoring community harmony and peace. This shows the political structure of the village and *Faislo*.

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