



Study on conflicts in Adivasi villages

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This study is dedicated to the Adivasi communities of the Joypurhat District.

1. INTRODUCTION

This study was carried out by NETZ Bangladesh¹ in collaboration with Ashrai.

The main objective of the study is to come to a deeper understanding of the conflicts currently occurring in Adivasi villages in Northwest Bangladesh, and specifically in the NETZ and Ashrai's working area.

The study, carried out between June and August 2010, analyses the main causes for disputes and conflicts in Adivasi villages. In this regard there is a special focus on the parties involved and their characteristics. Further points of analysis concern the means and strategies used by the parties in the conflicts as well as the conflict-management methods and procedures. Three case studies provide comprehensive insights into these topics. In-depth examinations concern violence against Adivasi women, psychological aspects of marginalisation and the role of ethnicity in the conflicts.

The study, which mainly provides the reader with qualitative information, concludes with some recommendations for NGOs working with and for Adivasis in the area under analysis.

1 'NETZ Bangladesh - Partnership for Development and Justice' is a charitable and independent organisation registered in Germany and in Bangladesh. Full time employees, non-paid volunteers, individuals, support groups, and enterprises engage since 1989 in actions to end poverty in Bangladesh. Together with partner organisations in Bangladesh, NETZ supports self-help for nutrition, education and human rights. Self-help is strengthened, income generating activities and schools are supported, nutrition and health systems are improved, women's rights and access to the legal system demanded. Through all of these actions, long lasting and far reaching structural changes are enabled.

2. RATIONALE

In the first place it is of great interest for NETZ and Ashrai, two Non-Governmental Organisations (NGOs) working in close contact with ultra-poor people, and in particular with Adivasis, to understand the nature of conflicts at village-level in their project area. An in-depth investigation on the causes, the characteristics and the resolution strategies of local conflicts in the area under study has never been carried out so far.

This study provides NETZ and Ashrai staff members with data and information concerning the nature and the characteristics of conflicts at village-level. Specifically, the findings of this study can be useful for the development of new strategies of conflict-transformation able to overcome structural violence, which is often among the causes of extreme poverty.

It is particularly important to understand which conflict resolution strategies are currently being adopted, which organisations and institutions are involved in the negotiation process and how decisions are taken. This information in particular will serve the SEEUP project² in developing an adequate system of assistance for the beneficiaries, specifically within the remit of the newly formed federations, self-help groups of Adivasi leaders built to promote human and civil rights and to include marginalised social groups in local decision-making processes.

Secondly, a summary of this study will be used for awareness-building sessions within the federations and the shomities, i.e. women's groups, under SEEUP project.

Thirdly, this study will serve as a pilot-study on conflicts in rural Northwest Bangladesh. A further research on conflicts in Ashrai's project areas is planned for 2010/2011 and this study will provide some significant background information in this regard.

2 The SEEUP (Social and Economic Empowerment of Ultra-Poor) project, currently funded by BMZ as well as through private donations to NETZ Bangladesh, is implemented by NETZ Bangladesh and Ashrai in two Upazilas (Joypurhat Sadar and Panchbibi) under the Joypurhat District. The same project is also implemented in Rangpur and Netrakona Districts by two other partner NGOs. The SEEUP project on the one hand aims at reducing extreme poverty through extensive training and the promotion of IGA activities, while on the other hand it empowers ultra-poor families, with a special focus on Adivasis, through awareness programmes and the building up of self-help groups at village level (shomities) and at union level (federations).

3. METHODOLOGY

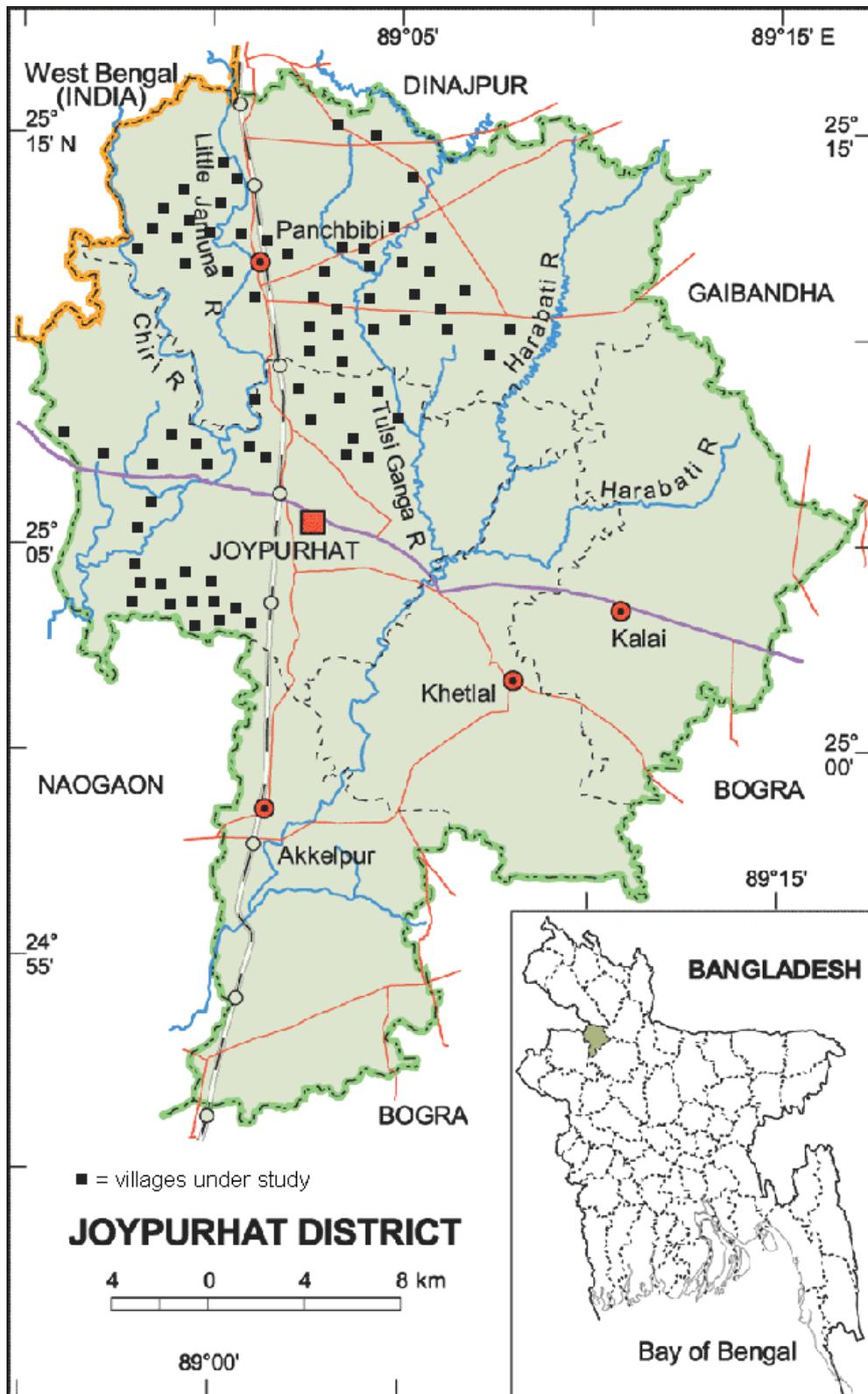
The first step of the study was the screening of conflicts in the 74 villages under study. 12 Field Facilitators (FFs), already working in close contact with the SEEUP beneficiaries, collected quantitative and qualitative information on the conflicts through discussions with the parties involved and through the filling-up of questionnaires. A copy of the questionnaire is enclosed (Annex 1). As a result 28 conflicts, relevant for this study, were found in these villages.

A further step was the collection of in-depth qualitative data. Ashrai senior staff members have conducted interviews with the parties involved in 3 conflicts, selected as specific case studies. During a further discussion session, Ashrai staff members have shared their personal points of view on the conflicts, the current challenges and the adopted resolution strategies. Interviews with one UP Chairman and one Shalish Committee member have also been carried out.

All information and data collected have been analysed by a NETZ volunteer, under the supervision of the NETZ Senior Livelihood Officer and the SEEUP Programme Director.

4. LOCATION

This study analyses conflicts in 74 villages in rural Northwest Bangladesh (Joypurhat District). These villages represent the SEEUP project's working area. A map of the villages follows.



5. FAMILIES, PARTIES AND ALLIANCES

The main actors of the conflicts under analysis are defined here as 'parties'. Each party is formed by one or more 'families'. In case of two or more families forming one party we will define the agreement bounding them as an 'alliance'. Definitions of 'family', 'party' and 'alliance', as intended in this study, are as follows.

5.1 Family

In most Adivasi communities the system of relationships between its members is extremely complex. In small villages, for example, most inhabitants are somehow related to one another and could be defined as belonging to the same extended family. For the accuracy of this study it is important to consider the family as a well-defined entity.

This study considers the family to be a socially and economically autonomous unit. According to M. Hasan³, in Adivasi communities the basis for the formation of a family is marriage. A family typically consists of one or two parents and their children. In some cases a family includes the parents of the head of family and/or his/her parents-in-law. Two married brothers are therefore considered as heads of two separate families. We should keep in mind that the Adivasi communities in the working area are male-headed. Female-headed families are usually found where widows are responsible for the livelihood of their children and, in rare cases, of their parents.

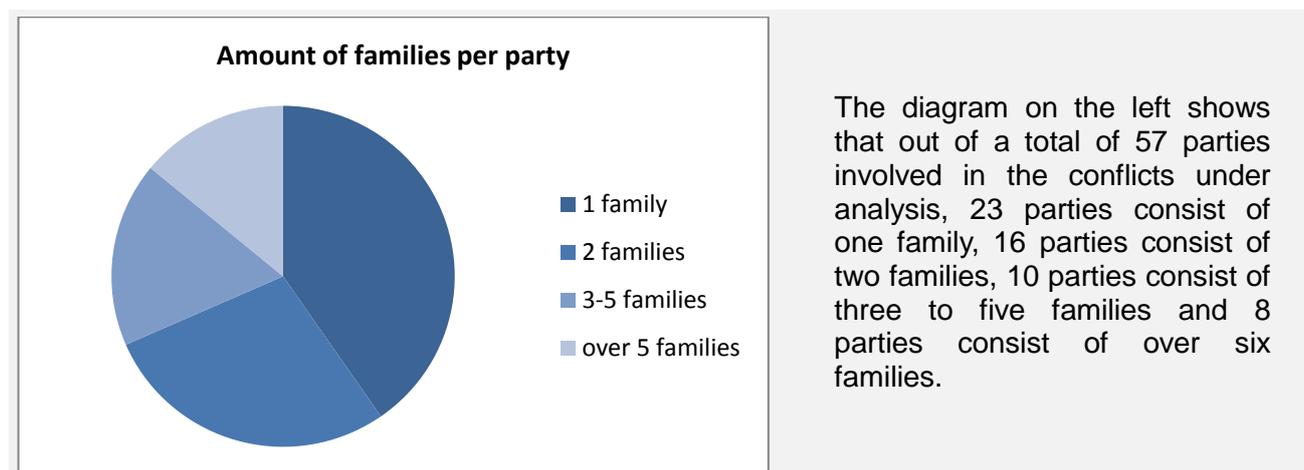
The same definition of family will be applied to the non-Adivasi families involved in the conflicts.

5.2 Party

We will define party as a single entity having one or more clearly-defined objectives in the conflict. A party can be formed by one or more families.

It is worth noticing that all conflicts under analysis, with one exception, involve two parties. Only one rather complex land ownership-related conflict involves 3 parties.

Interestingly, in over half of the cases (34 out of 57) each party involved in the conflict is represented by more than one family. The remaining 23 parties are represented by one family each and only in 5 conflicts out of 28 both parties are represented by one family each.



5.3 Alliance

We will define an alliance in a conflict as a formal or informal agreement between two or more parties, made in order to advance common goals and to secure common interests. In the conflicts

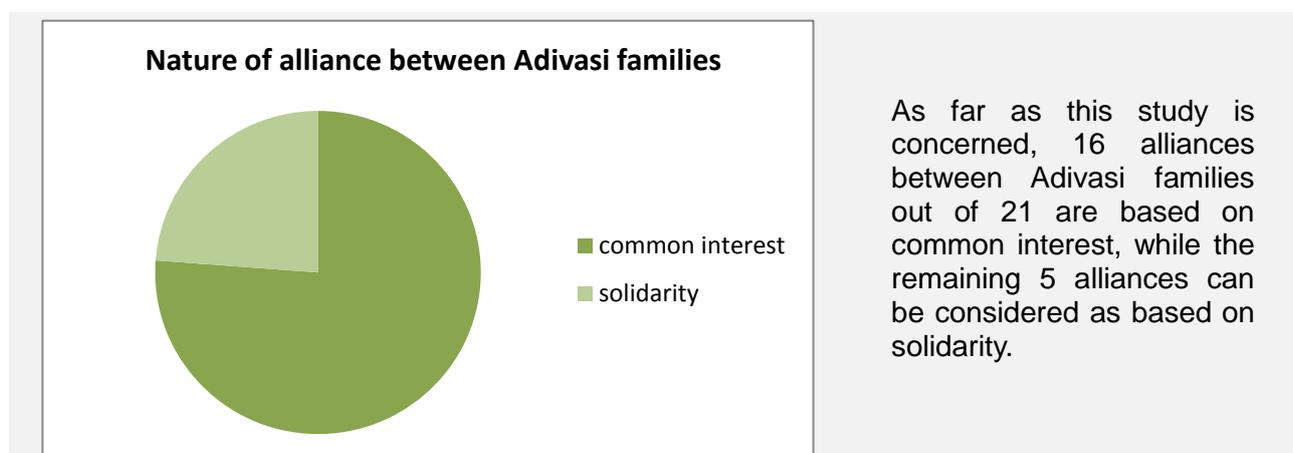
3 Mahbub Hasan, "Livelihood of the Santals – Contemporary Change Dynamics", Center for Applied Social Studies, Dhaka, 2006, p. 62

under analysis most alliances are informal but in some cases, such as those involving court trials, the alliances assume a formal form.

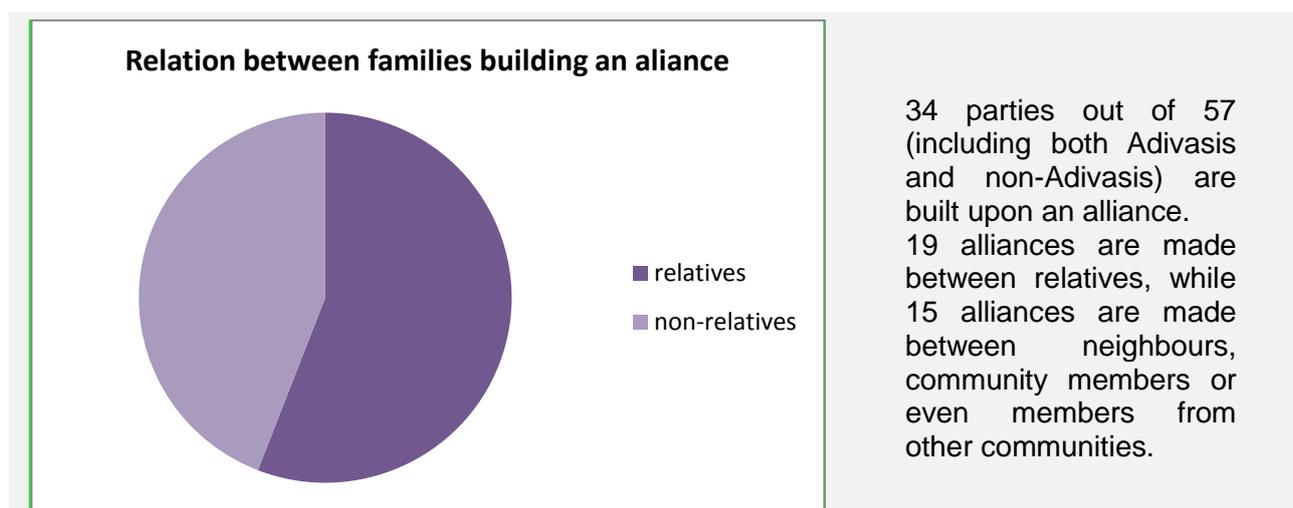
5.3.1 Alliances between Adivasi families and alliances between non-Adivasi families

Two reasons can originate alliances between two or more Adivasi families:

1. Common interest. Often two or more Adivasi families have a common interest from the beginning of the conflict. In some cases a joint productive resource (pond, leased land, etc.) was damaged; in other cases an asset of more than one party has damaged someone else's property. For example in *conflict nr. 8*, 12 ducks belonging to 3 different families damaged a neighbouring field, giving rise to a micro-conflict.
2. Solidarity. In other cases the alliances between families are made after the conflict has started. In this case we find one or more families directly involved in the conflict and one or more families giving their support based on solidarity. This type of alliance is not to be underestimated especially because in several conflicts the support given results in concrete actions and in some cases even in violence.



Both examples are equally valid for alliances between non-Adivasi families. In fact, out of 22 non-Adivasi parties involved in the 28 conflicts, 14 consist of more than one family.



In rural Bangladesh an emerging conflict is often regarded as a family matter. If one family is involved in a conflict the head of family's bother/s or cousin/s are likely to support him. The family honour plays a considerable role in the society, overlapping the nuclear family and touching the extended family.

Similarly, a conflict can be regarded as a community matter. Especially in small communities,

such as those under analysis, where social and economic interdependence is strong, solidarity and mutual support are well established. It is worth mentioning that, as reported by the Ashrai FFs working in the project area, while strong social cohesion is present in Adivasi communities as well as in non-Adivasi communities, social cohesion between the two communities is absent. A social division between Adivasis and non-Adivasis persists to a wide extent in the area under study.

5.3.2 Alliances between Adivasi families and non-Adivasi families

Alliances between Adivasis and non-Adivasis leading to the formation of a common party seem to be explained by common interests rather than by social cohesion or solidarity. In fact out of 5 conflicts involving an alliance between Adivasis and non-Adivasis, 4 are land ownership-related conflicts. We can say that a strong personal interest is a typical reason for this type of conflict. In this regard this study confirms that personal interest is capable of breaking the social and cultural boundary still existing to a large extent between Adivasis and non-Adivasis.

6. PARTIES INVOLVED (GENDER, AGE, SOCIAL STATUS, RELIGION, ETHNICITY)

6.1 Gender

The conflicts under analysis might be perceived, to a great extent, as conflicts between male family members. In fact the conflicts are usually managed by the heads of family who are responsible for securing the family's interests and who, as mentioned earlier, are male in the majority of cases.

Only 8 parties out of 57 are composed exclusively by female family members. These parties are mainly involved in conflicts concerning family matters (divorce, domestic violence etc.) or are victims of deliberate violence. Only one case of female-headed party in a land ownership-related conflict has been reported. In this specific case (*conflict nr. 15*) the head of family is a widow.

We should nevertheless keep in mind that female family members are often involved in conflicts as much as male family members are. Even if a conflict is often perceived as a clash between male heads of family, female family members, who play a significant social and economic role in Adivasi communities, are often involved in the decision making processes within their families. According to Tone Bleie, less restriction for women existing in Adivasi societies, compared to Bengali societies reduce gender segregation⁴.

In some cases female family members are directly involved in quarrels and violent actions characterising most conflicts under analysis. For example, in the land ownership-related *conflict nr. 3*, the wife of one of the head of families representing one of the two parties, was injured during a clash.

In addition it should not be overlooked that a conflict's outcome has repercussions on the whole family which includes male as well as female members.

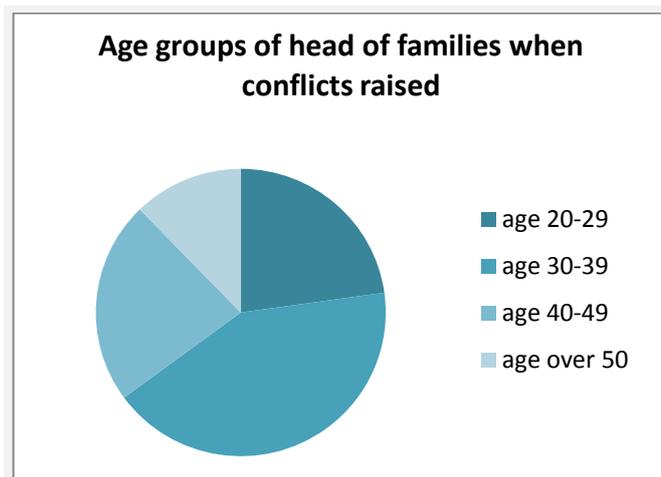
Those parties composed by large numbers of individuals include both male and female villagers. For example in *conflict nr. 22* the whole village, whose access to a *khas* pond⁵ is denied, represents one party.

6.2 Age

The conflicts under analysis involve people from all age groups, including children, young men and women and elder people. Conflicts involving children and women/men under the age of 30 are rather rare, while most conflicts involve people aged 30-50. Some conflicts involve over-50 people. In trying to understand which age group is mostly affected by the conflicts, we will consider the age of the head of family of each party at the time the conflict raised. In case of more than one family forming one party we will consider the average age of the heads of family. We must keep in mind that age-related data are not always accurate; some of the interviewed people have no exact knowledge about their age. We will to a great extent overcome this problem by considering 4 age groups: 20-29 years, 30-39 years, 40-49 years, over-50 years.

4 "Purdah, which literally means curtain, epitomises Bengali women's modesty and confers on them restrictions on interaction with any men who do not fall into a few kin categories with whom close contact is permissible. The cultural construction of gender relations among Santals and Oraons is, in certain respects, different from the cultural values that underpin gender relations in the Bengali majority society. The most conspicuously visible difference is the absence of any purdah-like gender segregation in most aspects of ceremonial, social and economic life". T. Bleie, "Tribal Peoples, Nationalism and the Human Rights Challenge – The Adivasis of Bangladesh", The University Press Limited, Dhaka, 2005, p. 180

5 *Khas* land and *khas* ponds are government-owned properties that are leased to rural communities, giving preference to landless farmers and labourers, as a support to their livelihoods. Often, unfortunately, *khas* land and *khas* ponds are being leased to influential people instead of low-income communities/families.



Out of 57 parties involved in the conflicts, the head of family's ages are classified as follows:

- 13 parties: 20-29 years
- 24 parties: 30-39 years
- 13 parties: 40-49 years
- 7 parties: over 50

In the 2 cases of a large number of families forming one party, we have estimated the average age of the heads of family to be 35.

According to the collected data, the average age of the head of families when the conflicts raised is 38 years.

6.3 Social status

All conflicts being analysed take/took place in Adivasi villages. Most Adivasis directly involved in the conflicts depend on seasonal work (agricultural daily labour, fishing, small-scale farming etc.). In rare cases, the Adivasis involved in the conflicts are land owners.

All non-Adivasis involved in the conflicts are land owners and we can assume that their annual income is comparatively high.

Land ownership and level of income represent a first significant social difference. In addition we should keep in mind that non-Adivasis families involved in the conflicts usually have better access to public services and local institutions, while most Adivasis still live in a socially and economically marginalised condition. This aspect will be of some interest when analysing the conflict management strategies.

6.4 Religion

The parties under study belong to two religious groups: Hindus and Muslims. All Adivasis involved in the conflicts under analysis identify themselves as followers of Sanatana Hinduism. Among Adivasis living in rural Bangladesh this religion is often a mixture of traditional Hinduism and elements of animism.

6.5 Ethnicity

The Adivasi inhabitants of the villages have been classified as follows by the Ashrai staff members:

	Malo	Pahan	Urao	Santal	Mahato	Robindash	Mahali	Sing
Joypurhat	1	18	9	0	11	1	3	6
Panchbibi	15	7	10	11	10	6	2	2

Table 1: Amount of Adivasi groups per area

BOX 1: Santals

The Santals, who live in the north-western districts of the country, are the largest plain land Adivasi community in Bangladesh. Even though only a part of the Adivasi villages under study are inhabited by Santals, their socio-economic condition, their culture and their relation to non-Adivasis is to a great extent similar to those of other Adivasi groups under study. The Specific population of Santal population in Bangladesh is unknown, but

according to M. Kamal⁶, it is between 160.000 and 200.000.

Occupation. Santals are traditionally agriculturalists. Most of them, being landless, work as daily labourers or practice land lease and mortgage. Over the past years, however, their occupation has been diversified due to economic pressure, land scarcity, education and external influences such as interaction with non-Adivasis, internal migration, development programmes of NGOs.

Customary Organisation. A three-stage customary social cum administrative structure is operating in Santal communities. 1) *Gram Panchayet* is a 7-member committee, including the headman and the villages' religious leaders, which resolves village-level conflicts, conducts arbitration, delivers judgements and decides collective communal matters. As we will see later on, its effectiveness is severely hindered when disputes or conflicts involve non-Adivasi parties. 2) *Pargana Panchyet* is a governing body consisting of 5 to 6 headmen of adjacent villages. 3) *Jangle Mohashava* is the highest court of the Santal that sets once a year. It mainly decides the religious issues and resolves unresolved matters of its lower level *Panchayets*.

Religious Beliefs. Traditionally the Santals were all animists. However, over time due to various reasons, they have gradually amalgamated with or converted to different formal religions. Many of them, including the Adivasis under study, today identify themselves as the followers of Sanaton religion, which has close resemblance with Hinduism. However, some Santals have also converted to Christianity.

Marriage. The Santals have 9 different forms and types of marriage, according to the social status of the wife. Traditionally, marriages are not registered in the Adivasi societies. Sanatani Adivasis still do not have a registration system, which has been introduced in Christian Santal societies. After marriage a Santal wife becomes part of her husband's family and by rule patrilocality is practised. Traditionally divorce is permitted among the Santals for mainly two reasons: adultery and witchcraft.

6 Kamal M., Islam J., Chakma S., "Adivasi Janagoshtthi (Indigenous people)", Bangladesh Cultural Studies Series 5, Bangladesh Asiatic Society, Dhaka, 2007, p. 322

7. THE CONFLICTS

This study analyses conflicts involving Adivasis under the previously mentioned villages, which occurred after January 2008. Some of the collected conflicts started earlier than that date and were solved after 2008, some other conflicts (17 out of 28) are ongoing at time of writing this study.

7.1 Types of conflicts and causes

The conflicts under analysis are various in nature and have been classified into 6 major groups.

1) damage to property

These conflicts, whose dynamic is similar in all cases under study, can be considered as neighbourhood disputes. These disputes start as one party, more or less consciously, damages to some extent the property of the other party, for example through bathing in a fish pond, through cutting trees, or through collecting sugar-cane leaves. The landowner reacts in an aggressive way and a clash begins. The real cause of these conflicts does, however, not always seem to lie in the damage occurred. The damage of property, which is often of little significance, seems to be “used” as an excuse to generate a neighbourhood clash. All 6 conflicts falling under this group involve some sort of violent reaction, often totally disproportioned if compared to the damage suffered. These conflicts typically occur between Adivasis and non-Adivasis (only 1 conflict out of 7 occurred between 2 Adivasi parties). A common characteristic is a rather rapid and successful solution-process through the intervention of local elites/authorities, mainly shalish⁷ (5 out of 7 conflicts have been solved within one year).

Causes: Damage to property conflicts are usually caused by lack/scarcity of natural resources, various in nature, among ultra-poor people. These resources are, in different forms and ways, vital for the livelihood development of rural communities. Some examples include: growing shortage of firewood, scarcity of water sources for bathing and washing clothes, unavailability of animal feed and lack of space for cattle farming. Ultra-poor communities, including Adivasis, are being pushed towards the margins of society, not only socially and economically but also physically. Often resources essential for their survival can only be obtained through drawing on someone else’s property. This behaviour often originates a clash between the property owner and the person without resources. These clashes are accentuated by prejudices and intolerance when happening between Adivasis and non-Adivasis.

2) land ownership

Most conflicts under analysis are land ownership-related. These conflicts are often very complex and difficult to solve. In fact only 2 land ownership-related conflicts out of 13 have been solved so far. These conflicts are characterised by a lack of adequate and reliable documentation concerning land property, untrustworthy selling and purchasing procedures, clashes between Adivasis and non-Adivasis (9 conflicts out of 13), incapability of local elites/authorities in solving the conflicts and long trials at local courts.

This study will specifically focus on this type of conflict, of great importance for ultra-poor livelihoods given the fact that land ownership-related conflicts have been growing in number throughout the past years, according to Ashrai FFs.

Causes: The main cause of land ownership-related conflicts is the immense pressure on productive land, increased by rapid demographic growth, which characterises rural Bangladesh. Uncontrolled and unreliable selling and purchasing practices and procedures play a significant role in exacerbating these conflicts. According to M. Hasan, “different forms of land alienation are recorded as persistent in the Barind region. The first and foremost is the manipulation of land records. The unsatisfactory state of land records contribute to escalation of land alienation

7 Shalish: see chapter 8.1.1, p. 19

problems. This is because the Santals had never been recognised as legal owners of land but cultivators.”⁸ In some cases unwritten agreements between relatives concerning land property generate conflicts that last for years and disrupt entire families. Lack of adequate and reliable documentation concerning land property as well as corruptible local institutions hinder the development of conflict solution processes.

3) water resource

Two conflicts concern access to water resources. In one case the access to a *khas* pond is denied to a large number of villagers while in the other case two villagers don't have access to a watering system for their field.

Causes: Bangladesh alternates enormous excess of surface water in the summer months (July to October) with relative scarcity in the dry winter months; water supply, bound to land and resource property, is a major problem in the rural areas. Access to a water sources enables irrigation, cattle watering, fish farming and domestic supply (cooking, washing and sanitation). Hand pump wells, available in small numbers in extreme-poor villages, are primarily utilised as a common source, mainly cover domestic water needs and can rarely be utilised for income generating activities. Therefore the access to bigger water sources such as ponds and small rivers/canals becomes crucial in rural areas. Specifically delicate is the management of government-owned *khas* ponds. These ponds are supposed to be utilised by the poor communities to cover their non-drinking water needs, but they are often inaccessible for them. In the area under study corruption and nepotism at institutional level have made it particularly difficult for marginalised groups to gain access to such resources.

4) access to road

Two conflicts (*conflicts nr. 22* and *nr. 28*) concern the access to a main road. These conflicts are related to land ownership and common use of private property. These conflicts will be analysed more in detail later on.

Causes: Denying access to public infrastructures is often used as a means during a conflict. In some cases this denial is the source of the conflict itself. Most Adivasi villages in the area under study are physically separated from non-Adivasi settlements and in most cases the land surrounding these villages is owned by non-Adivasi landlords. Often the roads leading from the village to the main street, cross paddy fields owned by these landlords. Regulations concerning the ownership of these roads are in many cases not well-defined. Conflicts originating from denial of access to public infrastructure can also be caused by neighbourhood quarrels or intolerance.

5) family disputes

3 conflicts concern disputes between families originated by divorce requests, unfaithful marital behaviour, maintainability of family costs. In this study we will not investigate the causes of these conflicts, very peculiar and requiring a case-to-case analysis. However, the conflict resolution strategies adopted provide us with some useful examples.

Causes: Even though it will not be possible to investigate the various causes of family disputes in Adivasi communities, it is possible to list some of the common roots of these conflicts. In the first place we can consider peculiar marital customs, widespread among Adivasi communities following Sanaton religion. The marriages, as well as the divorces, of Adivasi communities are often not recognised by law but are regulated by local authorities, based on traditional and customary rules and regulations. There is a tendency among local institutions not to interfere with Adivasi marriages, leaving the women involved in related conflicts without any institutional/legal assistance. In addition many women are still not able to defend their rights because economically dependant upon their husbands and because not well-informed about their rights and the ways to

8 Mahbub Hasan, "Livelihood of the Santals – Contemporary Change Dynamics", Center for Applied Social Studies, Dhaka, 2006, p. 91

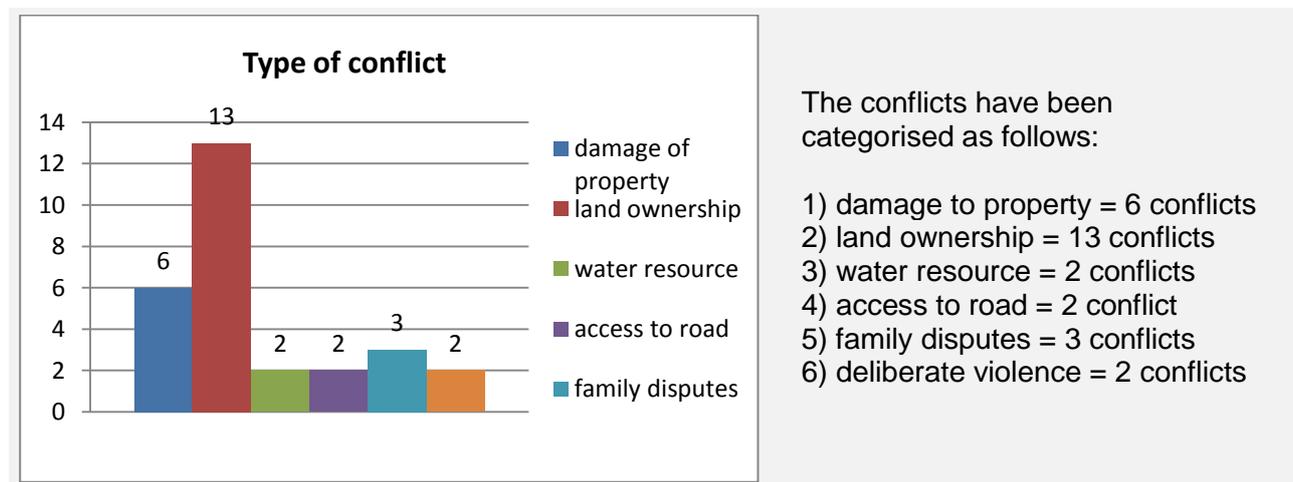
promote them.

6) deliberate violence

Two conflicts concern deliberate violence: one rape attempt and one child abuse. Both cases are ongoing and seem to be of difficult resolution. These very specific cases do not represent an object of in-depth analysis in this study.

Causes: Cases of deliberate violence are obviously generated in the first place by unjustified illegal behaviour. Nevertheless, we can consider some additional social elements among the causes of deliberate violence against women or children.

Public teasing practices, often unpunished, by male individuals and groups are widespread in rural Bangladesh. Women and girls are in the majority of cases not able to take proper action against male-generated provocations or physical approaches. Psychological subordination or inhibition in the majority of cases hinder women to protect and defend themselves. It can be assumed that some cases of deliberate violence which happened in the villages under analysis have not been reported because considered to be personal and capable of giving rise to scandals. We should not forget that there are also forms of psychological violence, whose repercussions can be as severe as those originated by physical violence. According to the Ashrai FFs, several provocations have not generated a conflict but have nonetheless negatively affected their victims who generally are unmarried women and girls.



7.2 Duration

There is a considerable difference between the conflicts as far as their duration is concerned. The shortest conflict was solved within 4 days, while the longest one is ongoing since 1971. Amongst the 10 solved conflicts, 8 conflicts were solved within one year and only in 2 cases the solution occurred after the first year. Land ownership-related conflicts tend to last longer and often end with a court trial.

7.3 Means of conflict

The parties' strategies and related means represent the conflict's most evident manifestation. Each party follows a strategy on how to interact with the opponent party. The related means used in the conflict can be thought-through (intentional damage of property or violence, premeditated stealing etc.) or can be improvised/caused by emotional reactions as, for instance, quarrels degenerating into violence.

The means used by the parties in the conflict have been categorised into 4 groups as follows:

1) physical violence

Physical violence is a frequent means used during the conflicts under analysis: physical force, in various forms, occurred in 18 conflicts out of 28 being analysed. It is not easy to understand how far these violent actions were premeditate.

Physical violence can originate from an escalating quarrel or occur as a self-defensive reaction or as a response to a provocation. This seems to be the case in most conflicts involving physical clashes. A quarrel/discussion in a public place degenerating into a forceful clash is the typical scenario of violence. Often neighbours or passers-by intervene either assisting one party or trying to mitigate the clash.

In some cases, however, the violent action seems to be planned in advance. Punitive actions, generally committed during the night hours, clearly base on a premeditate intention. The absence in most villages of police authorities as well as inefficient and corruptible justice institutions provide incentives to such actions. These actions are often accompanied by deliberate damage of property.

It is important to note that violent actions are often regardless of gender. Women have been injured in 6 conflicts out of 18 which included physical violence.

Physical violence is usually committed with simple means: hand fight, stones, work tools, sticks.

2) quarrels and threats

Quarrels are often the first stage of the conflicts under analysis. Discussions without a negotiator often degenerate into threatening or violence. Out of 28 conflicts under analysis, 12 included some form of threatening. Death threats as well as threats to commit violence have been reported. The scope of threatening is usually to make psychological pressure on the opponent party. Women-headed parties appear to be more vulnerable to threats.

3) damage to property and theft

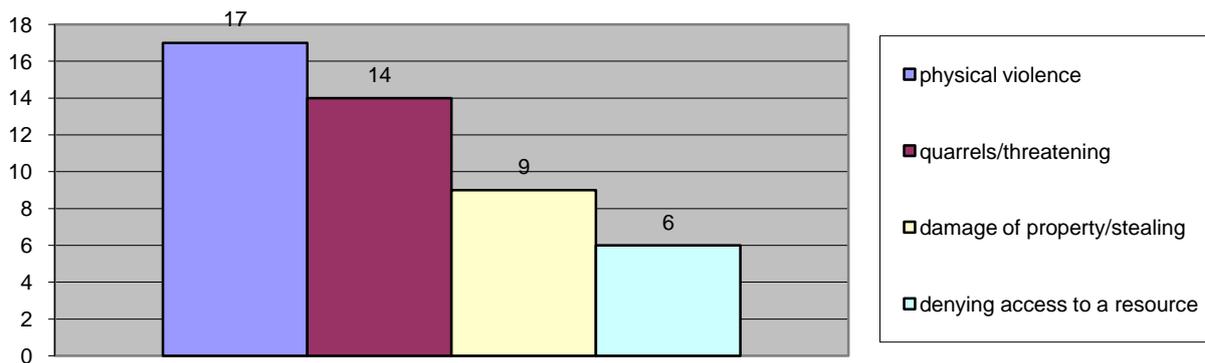
In 9 conflicts damage to property or theft have been reported. These actions are premeditate and are perpetuated with various scopes. Some parties, when discontent with the conflict's solution or with its duration, go for self-justice in an attempt to punish the opponent party or to obtain a "compensation" for the damage suffered. In some cases we can consider these actions as a revenge, while in other cases damaging a property has the objective to exercise pressure on the opponent party.

4) denying access to a resource

In 6 cases one party hindered the opponent party to access or to make use of a resource. In 3 cases the access to a road was denied. This can easily happen in Adivasi villages, where narrow streets run along the huts/houses and it is not clear whether these belong to the house owner or if they are of public use. The lack of proper documentation on land property exacerbates this type of conflict.

In land ownership-related disputes very often both parties try to establish property of land while the conflict is still ongoing. When one of the two parties tries to build a house on the land under dispute, the opponent party usually hinders the construction. In other cases, one party hindered the opponent party to cultivate the land. Fertile lands are so left unutilised for years as the dispute/conflict goes on. In several conflicts concerning land boundaries, one party built an artificial border (wall or fence) which was subsequently destroyed by the other party.

Means of conflict



BOX 2: Violence against Adivasi Women

According to Eshani Chakraborty and Md. Ayub Ali⁹, in their study on women’s positions and gender relations in Adivasi societies, violence against women within Adivasi communities is traditionally hindered by a strong social value system and can primarily be considered as a consequence of exposure to Bengali culture: *Adivasi people are seldom harassed by their own community people. This is more or less a universal picture for all Adivasi societies residing in Bangladesh. There exists strict social sanction against its violation as decided by the traditional administrative structure in consultation with the members of the village. (...) However, ethical values of the Adivasi are being contaminated over the years due to exposure to Bengali culture and association with them. Consequently, women’s insecurity and vulnerability are increasing within their own societies. Some isolated incidents of Adivasi women’s harassment in the hands of Adivasi men are being heard, but still to a very limited extent. The uniqueness of the Adivasi societies is the in-built cultural values not to harass / assault women in public – which is indeed a valuable asset that has markedly differentiated them from Bengali society. This is to be further cultivated, nourished and disseminated in order to restrict its gradual erosion as well as to imbibe Adivasi young people with the relatively progressive values of their own culture.*

The same authors explain the causes of violence against Adivasi women outside their communities: *Bengali domination is one of the main reasons of oppression against Adivasis in general. The state machinery and mainstream culture are insensitive to Adivasi causes. Thereby ethnic repression and human rights violations are quite common in the Adivasi areas. Within this general setting, Adivasi women are particularly vulnerable. In many ways, they are especially targets of violence simply because they are Adivasi women.*

From the authors’ Focus Group Discussions with Adivasi women, it emerged that *all unanimously maintained that non-physical assaults eg. teasing, taunting, insulting and passing degrading and ill remarks by the Bengalis are common and widespread. Amongst all, harassments at work place especially in the wage labour sector by Bengali employers are quite rampant, alleged female participants. Sometimes, employers or their representatives offer “bad/indecent proposals” in exchange of providing employment or paying debts. It was also mentioned that Bengalis consider Adivasi*

9 Eshani Chakraborty and Md. Ayub Ali, “The Hidden Matrix: Women’s positions and gender relations in Adivasi societies”, Pathak Shambesh, Dhaka, 2009, pp. 138-140

women “cheap” and therefore easily available and anything can be done to them. Consequently, women do not feel safe to move around or go far alone, and their men in the families are also unwilling to allow them to do so for security reasons. At times land related dispute is another source of violence against women. Getting hold of Adivasi owned lands and properties is easy by threatening women of the community/family. Hence women are particularly targeted for something on which they have no or very little control and access. Still many of them felt that there were not many instances of harassment by the Bengalis in their villages.

Religious factors also seem to play a significant role in the conflicts: apart from gender specific violence, general discrimination/violence are also common. Those who are still adhering to Shanaton/Animist religion are reportedly often ridiculed by Bengali Muslims for their observance of their beliefs and practice. Their use of alcohol as part of cultural practice is also subjected to criticism by the Muslims; sometimes they pose threat, create chaos and resort to vandalism to foil the observance of Adivasi festivals. Patra people reported that there are instances of being ridiculed, harassed and looted by non-indigenous people during wedding ceremonies. In all such occasions, women are particularly targeted and assaulted through many ways.

One more point mentioned was the difficulty Adivasi women have in obtaining justice at the local institutions: it was also alleged that police and administration often do not provide necessary support to deliver justice; they are even reluctant to accept cases filed by the Adivasis and carry out proper investigation into the matters. Adivasi women are discriminated against this respect for being Adivasi. Existing legal support from different development organisations is also inadequate, and these people are unable to pursue a case by themselves for long primarily due to financial constraints and unfamiliarity with state judicial process. Moreover, the concerned family and sometimes the whole community are threatened if they pursue such cases or make such incident publicly known. The fear of retaliation and reprisal thus resist many to disclose such matter.

8. CONFLICT MANAGEMENT

8.1 Bodies/institutions for conflict management in rural Bangladesh

In rural Bangladesh there are different institutions/bodies dealing with conflict management.

8.1.1 Shalish

Shalish is a traditional dispute-resolution mechanism, widespread in rural Bangladesh. A shalish is formed for informal adjudication of petty conflicts and disputes at village level. A shalish committee can be formed upon request by the parties involved in the conflict or by the Union Parishad (UP) chairman or local elite members, involved in the conflict-resolution process. It groups up to ten local notables, often including retired government workers, teachers, imams and other local elites.

Normally, the shalish process starts with an interrogation of the parties and conflict-related witnesses by the committee. After the interrogation, which considers the diverse opinions and ascertains the facts, the committee meets separately for a consultation. Within one week (in some cases even on the same day) the shalish committee comes to a conclusion and proposes a solution to the parties. When a conflict is solved through shalish, the resolution is often a financial settlement up to 1.000 Taka.

In case of small conflicts the parties involved usually accept the proposed settlement. Nevertheless, if a conflict cannot be solved through shalish or the proposed solution is refused by one or more parties, the UP chairman decides whether to continue the negotiation himself or to suggest formal legal adjudication.

On the one hand, a shalish is prompt to assemble, it allows the parties to freely express their opinion and it provides justice quickly. Both parties can obtain justice free of charge. Shalish committee members usually don't have a professional knowledge of legal matters, nevertheless they know their own community and its social equilibrium better than any court and this can add significant quality to their decisions.

On the other hand we should mention that, according to Kamal Siddiqui¹⁰, while a shalish is supposed to lead to a conciliation between the contesting parties, in the context of Bangladesh's rural social structure, it seems to have often been used as an appendage of the existing rural power structure, sometimes influenced by religious bigotry. In addition, often village-based shalish have developed serious functional complications owing to intense factional infighting and rivalries in the villages. In addition, it must be remembered that the proposed solution is not binding and can therefore be refused by one or more parties involved in the conflict.

8.1.2 Union Parishad (UP)

The Union Parishad (UP), in English 'Union Council', is a body of local government invested with several functions which include social development (sanitation, awareness programmes etc.), implementation of safety net programmes (i.e. the selection of allowances for old or disabled people), construction of infrastructure, electricity and water supply, natural disaster mitigation and, last but not least, conflict resolution. The Union Parishad is composed by 13 committee members (including one chairman) who are elected for a period of 5 years. A Secretary is appointed by the government. Each Union Parishad is responsible for an area of 10-20 villages. The Union Parishad mainly carries out its functions through standing committees. Each standing committee is composed by at least one UP committee member and by local elites and is invested with competences in a specific field (finance, water/sanitation, agricultural development etc.).

In the specific case of the Balighata Union Parishad, the UP chairman is directly responsible for conflict negotiations. After a request to solve a conflict, he either addresses the contesting parties

¹⁰ Kamal Siddiqui "In Quest of Justice at the Grass Roots". Journal of Asiatic Society in Bangladesh, Vol. 43, Nr 1, 1998

to a local shalish or he fixes a date to solve the conflict within the Union Parishad. We have already seen in the previous chapter how conflicts are solved by shalish. In the second case a sort of “one-session” trial is organised. All UP committee members meet together with the contesting parties. Third parties or witnesses are also invited. After an interrogation of the parties involved, the UP committee meets for a consultation. A verdict is usually returned within 7 days. Compensations up to 25,000 Taka can be decided. If all parties agree on the proposed solution, the case is closed, while if one or more parties do not agree on the proposed solution, the UP committee refers the contestants to a court.

According to Md. Abul Hossain Mondol, UP Chairman of Balighata (Panchbibi Union, Joypurhat District), approximately half of all conflicts concern land disputes, 20% are family matters (divorce, domestic violence etc.), 20% concern debts between private citizens, and the remaining conflicts concern minor disputes. In general, he points out, land ownership-related conflicts are rarely solved by the UP committee. A court trial is usually the only institution able to solve such delicate and often complex disputes.

Mr. Mondol points out that he rarely deals with conflicts involving Adivasis. On the one hand Adivasis represent a minority in his Union and on the other hand, on his opinion, there are already well-established and efficient conflict-resolution mechanisms within Adivasi communities. These include informal negotiations of elite villagers and local shalishs. Nevertheless he mentions that most conflicts involving Adivasis are disputes between Adivasis and non-Adivasis.

According to Mr. Mondol the fact that Adivasis are slowly becoming more aware of their rights is lessening their involvement in conflicts. He also mentioned that more awareness-building programmes, especially among non-Adivasis, need to be promoted.



Photo 1: Union Parishad Building at Balighata, Panchbibi, Joypurhat District

8.1.3 Police

Police can be considered as a body for immediate conflict resolution. Conflicts concerning physical violence, stealing and other criminal acts can, according to Bangladesh’s law, not be handled by the Union Parishad. Police officers called for a urgent intervention, can negotiate between the parties in an attempt to come up with a prompt solution. If none of the parties can be declared as

guilty and if it is not possible to negotiate an agreement between them, the police refer the parties to a court.

8.1.4 Court

In Bangladesh a court is a governmental institution with the authority to adjudicate in legal disputes between parties. Courts are located in every district. Trials in Bangladesh are well-known for their length and there is a wide-spread tendency for people with conspicuous financial means or with social influence to be advantaged during the trial process. A court trial is considered the last measure when all other conflict resolution mechanisms have failed.

BOX 3: Activating Village Courts in Bangladesh

A new programme, started by the Government of Bangladesh in collaboration with UNDB Bangladesh and European Union is being undertaken to make the legal system more efficient and accessible to poor and vulnerable groups.

The formal justice system in Bangladesh is under tremendous pressure with much workload and inadequate number of officials and staff to dispose of the cases. Sometimes corrupt practices by people concerned create much problem in dealing with cases in various courts. As a result, the case backlogs add up to the existing pending cases and at present it stands to about half a million cases. It creates a negative impact for the rural poor and groups of vulnerable people who cannot afford the expenses of cases and do not have clear understanding of how to get access to justice in the upper courts on some issues that could be easily resolved at the local level. The Ministry of Local Government Division (LGD), UNDP and the European Union jointly have undertaken a programme titled 'Activating Village Courts in Bangladesh' to provide support to the justice system through this project in 500 selected Union Parishads (UP) of the country. It also intends to develop capacity of the village court members, elected representatives and support staff. Motivation programme will be carried out in order to sensitise all concerned about the role and functions of village courts and their benefits on the overall justice system. www.villagecourts.org

8.1.5 NGOs

NGOs are playing a growing role in conflict negotiation as well. Even though there are no specific programmes for conflict mediation carried out by NGOs in the villages under study, NGO staff members working in Adivasi villages often get in touch with villagers involved in conflicts. Ashrai staff members working in livelihood programmes, for instance, assist and advise their beneficiaries involved in conflicts and follow-up the development of the conflict management process; where possible they also mediate between the parties. In addition to occasional initiatives of their staff members, Ashrai is also supporting Adivasis in the building up of self-help groups (shomities, federations, Lahanti Akras etc.) which have among their goals awareness-building and right promotion for marginalised Adivasi communities. In such kind of programmes, Adivasi leaders are taught to assist people from their communities in human rights promotion and in conflict mediation.

The efficiency of NGOs in the conflict mediation process is nevertheless limited. NGOs in Bangladesh tend to change staff frequently, especially field-level employees, causing limitations to any mediation role. In addition, the intervention of an NGO in a village is bound to the project's duration. Often, as soon as a project is over, the contact between the NGO and the villagers is interrupted.

A further point, limiting the mediation capacity of NGOs is they are rarely accepted as a neutral mediator. For example, most non-Adivasi parties involved in the conflicts under study don't consider Ashrai, an NGO working almost exclusively with and for Adivasis, as a reliable mediator. A similar problem has been reported to emerge even as far as conflicts happening within the Adivasi

communities are concerned: those villagers who are excluded by Ashrai's projects and programmes tend to think that Ashrai staff members primarily support their project's beneficiaries.

8.2 Conflict management in the conflicts under analysis

We can state that on the one hand conflicts such as damage to property or family disputes are generally solved through shalish or through the intervention of a UP chairman, whereas, on the other hand, more complex conflicts such as land ownership-related disputes or conflicts involving severe physical violence tend to be solved by local courts.

As confirmed by Ashrai FFs, the tight social relations at village-level give authority to local elites and institutions. In some cases the mediation of one single influential person was sufficient to solve the conflict. Specifically, in all 11 solved conflicts under analysis, a shalish was involved either in the mediation or in the decision-making process.

It is often difficult to understand which person or institution is the real conflict solver. The intervention of a shalish often occurs at the same time as the UP chairman's negotiation. It is interesting to note that local elites, who mediate either privately or within the remit of local institutions at village-level, are able to put social pressure on the parties to accept the verdict. Rejection of solution proposed by an influential and socially recognised person would cause a loss of honour by the parties involved.

From the data collected it emerged that the local conflict resolution methods seem to work well also when the conflict is between one Adivasi party and one non-Adivasi party. In fact out of 11 solved conflicts, 8 conflicts were between one Adivasi party and one non-Adivasi party.

We can say that the success of the conflict resolution process seems to be related to the nature of the conflict rather than to the characteristics of the parties involved.

The conflict resolution process of land ownership-related disputes is less successful. As far as the conflicts under analysis are concerned, only one case (*conflict nr. 15*) of such type of conflict has been successfully solved.

According to Md. Abul Hossain Mondol, UP Chairman of Balighata, land-ownership conflicts are almost impossible to solve for Union Parishads or other local authorities. It is not possible for these bodies to control the authenticity of the documentation presented by the parties. A court trial is often the only possible way to solve such type of conflicts. In fact, out of 12 conflicts under analysis being handled through court trials, only 2 have been solved so far. We have already seen how problematic a court trial process can be for the parties involved. Case study 1 and 2 will provide additional information on court trials in rural Bangladesh and their implications for the parties involved.

We must not forget that also other bodies and institutions (police, NGOs) can be involved in the conflict resolution process. The conflicts under study are not able to provide sufficient information on the efficiency of these interventions. All 3 conflicts involving a direct intervention of police have been solved, while 2 conflicts out of 3 involving intervention of NGOs have been solved. It is not possible here to state how relevant the mediation of police and NGOs have been in the conflict resolution process, as in all cases also shalish and UP chairman were involved in the mediation process. We must also keep in mind that, as mentioned earlier, NGOs are not yet well-accepted by all parties as mediators and their capacity to intervene in the conflict management process is rather limited.

8.3 Control

In the context of villages in rural Bangladesh, once a conflict has been solved, it is often left up to the society to control whether the parties comply with the agreement/verdict. Tight social relations among the villagers often render social control effective: once it has been accepted by all parties, an adjudication by an elite person or a local UP chairman, is considered as a rule that needs to be followed. Going against such a "rule" would result in a loss of honour. In some cases also NGOs

which have been involved in the mediation process are able to carry out a control function once the conflict has been solved. If one of the parties goes against a verdict which has been returned by a court, the intervention of police is usually invoked by the opponent party. According to Ashrai FFs these are exceptional cases.

	shalish	UP	police	court	NGO	Indiv.	society
Mediation	V	V	V		V	V	
Decision making	V	V	V	V			
Control					V	V	V

Table 2: Involvement in the conflict management

BOX 4 : Psychological aspects of marginalisation

From various interviews with Adivasis and from discussions with Ashrai Field Facilitators, who work in close contact with Adivasis in the area under analysis, it emerged that the marginalisation and subordination process most Adivasi communities in Northwest Bangladesh underwent in the last decades, came along with psychological repercussions.

It has repeatedly been stated by elder Adivasi villagers that, while the pre-independence period (before 1971) was characterised by a rather peaceful cohabitation between Adivasis and non-Adivasis, a degeneration occurred in this regard during the past decades. Discriminatory acts against Adivasis have steadily grown in number. These included, not only various forms of harassment, but also fraudulent acts aimed at taking advantage of their social and economical marginalisation and vulnerability. In many of the villages under study, the Adivasi population perceives a living condition of constant tension with their non-Adivasi neighbours. Even culturally, most Adivasis are not able to act freely in the public: several traditional Adivasi celebrations have been sabotaged by non-Adivasis in the past years and Adivasis are often considered to be impure people by mainstream Muslim society due to their consumption of alcohol and pork meat.

As a minority trying to survive in an often hostile environment, Adivasi communities tend to live in isolation, physically and socially separated from their non-Adivasi neighbours. Restrictions were introduced in Adivasi societies: most women no longer leave their villages without being accompanied by their husbands and men became more selective about their jobs, often avoiding work environments where they would be in minority. In some cases Adivasi parents prefer their children to go to exclusively Adivasi schools.

Lack of institutional support and difficulties in gaining access to the local justice system have influenced Adivasis perception of themselves: still today many Adivasis do, in fact, feel as second-class citizens.

The growing pressure on natural resources has exacerbated the problem. Besides considering themselves as victims of harassment and basic and human rights deprivation, many Adivasis now feel that the process of marginalisation and exploitation is ongoing. As natural resources are becoming scarcer, fights to gain control over them are becoming tougher.

Especially economic subordination causes a vicious circle, leading Adivasi communities deeper into poverty. For many Adivasis it is depressing to see that they are unable to break this circle and even though the Government of Bangladesh is officially promoting policies to support Adivasis in Bangladesh, these policies mainly focus on the preservation of an Adivasis identity, rather than actively promoting a social and economic integration process. In the area under study this challenging task is carried out almost

exclusively by NGOs.

It must be said that there are also examples of peaceful coexistence and true friendship between Adivasis and non-Adivasis. But in general terms, we can state that in the area under analysis Adivasis perceive themselves as relegated to a lower social standing and as economically severely penalised.

BOX 5: The role of ethnicity in the conflicts

It is extremely difficult to understand the role of ethnicity (Adivasis vs. Bengalis) and the role of religion (Sonatana Hinduism vs. Islam) in the conflicts under analysis. For example in rural Bangladesh land ownership-related conflicts are frequent also among Bengalis and the data and information collected are not sufficient to establish a direct link between ethnicity and frequency of conflicts. This is however not the study's objective.

Nevertheless certain elements such as frequent mutual cultural prejudices between the parties involved, socio-economic differences related to ethnicity and difficulties in mediating between Adivasis and non-Adivasis must be kept in mind when analysing the conflicts under study.

8.4 Quality of the conflict resolution

It is not easy to determine when a conflict has been successfully solved. Often conflicts are considered to be solved when both parties come to an agreement or when a court returns a verdict. This does however tell us very little about the solution's quality: does the solution take into consideration the social and cultural environment and does it lead to a long-lasting condition of pacification?

When determining the quality of a conflict's solution we should first of all consider if the decision, whether it is an agreement between the parties or a court verdict, is in line with the national laws and, more specifically, with internationally recognised human rights. We can add here that the dignity of all individuals involved in the conflict must be preserved during the conflict resolution process as well as in the post-resolution condition.

Further on we must consider if the solution is comprehensive, if it covers all aspects of the conflict. Conflicts are often multifaceted. For example a land ownership-related conflict can produce acts of violence or retaliation. The more all conflict-related aspects and facets are taken into consideration by the decision maker (shalish, UP chairman, court etc.), the higher the quality of the solution will be. It goes without saying that neutrality of the decision maker stands for higher chances to have a balanced solution.

Turning our attention from the decision-maker to the parties involved in the conflict, a further aspect to be taken into consideration concerns the acceptance of the solution. The quality of the conflict's solution depends also on the level of acceptance by the parties involved. Moreover we must consider as well the social acceptance of the solution within the community where the conflict took place.

Finally, we can consider the stability and endurance of the post-conflict condition as criteria to determine the quality of the solution. These two elements are to a great extent determined by the previously mentioned factors.

9. CASE STUDIES

9.1 “A never-ending trial” (*conflict nr.7*)

Topics of case study

- prejudices against Adivasis
- consequences of long trials
- eruption of violence

Informal land ownership

The village where the conflict takes place is inhabited both by Santal Adivasis and Muslim Bengalis. There is a widespread belief among non-Adivasi villagers that most Adivasis, being socially marginalised and often uneducated, are not aware of the formal rules and regulations in force.

Before Bangladesh's independence (1971) many Adivasis in the village used to own huge land properties and live in wealth. They were land owners through inheritance but were not knowledgeable about legal procedures of land-ownership registration. Land ownership among Adivasis was still governed by informal and customary rules. Some non-Adivasi inhabitants of the area became aware of this weakness and started developing strategies to gain possession of Adivasi-owned land properties. These strategies include false deeds, disguised land registration documents and untrue statements on land purchase.

1971: losing possession of the land

Two Adivasi brothers were owning 19.5 bigha (about 2,6 hectares) cultivable land before Bangladesh's independence. They inherited the land from their parents. This sort of inheritance was unregistered at that time. The two brothers fled to India during the persecutions of 1971. One year later they returned to the village and found their land cultivated by a group of non-Adivasis (9 families). Their houses had been burned down.

An Indian man claimed that he obtained the land from the brothers in exchange of his properties in India and subsequently sold the land to some non-Adivasi families through registered deed.

1972-2010: a never-ending trial

The two brothers took legal action at the Bogra Judge Court in 1972. The trial, which in the meantime has been moved to the Joypurhat Judge Court, is still going on, without returning a verdict.

During trials, the land under dispute is usually uncontrolled by authorities. This means that the “stronger” party takes control of the land and makes use of it until the conclusion of the trial. In fact the 9 non-Adivasi families never stopped cultivating the land and benefiting from its resources. They also built their houses on the land, in the hope that their land-ownership right would be reinforced. This led to several clashes with the two brothers and their families. With the support of their relatives the two brothers were able to take control of 0,73 hectares land in 1995. Out of these, 0,46 hectares are being cultivated by the brothers and on the remaining 0,27 hectares 16 Adivasi families, related to them, built their houses.

Tension and violence

Tension and violence between the rival parties never stopped during the 38 years of trial. For example, both parties, driven by frustration, have harvested crops from the land controlled by the opponent party. A condition of constant tension characterises the life on the 2,6 hectares land. In the past decades the population living on the land has been growing (nearly 100 people currently live on the land), increasing the pressure on its resources. On some occasion members from both

parties were seriously injured during violent clashes.

Present situation

The conflict is ongoing and there is no solution in sight in the short/medium term. The Adivasi families involved in the conflict have already spent 2,50,000 Taka to cover legal costs, handling charges and travel expenses; some of them had to sell their assets in order to cover these costs. Every week at least two members of the party have to visit their advocates, losing countless days of agricultural work. Every trial session costs the Adivasis around 1,000 Taka travel expenses. Some of these families were dishonoured by their relatives because of the huge legal costs they have to cover. The non-Adivasi families involved in the conflict spent around 1,50,000 Taka to cover legal costs.

At present many Adivasis in the village are in fact working on a land that once belonged to their ancestors.

Initiatives taken by the Ashrai staff

The Ashrai FF of the SEEUP Project is giving advice to the Adivasi community through group meetings, individual counselling and special day observations. Negotiation between the two parties seems impossible at this stage. Some members of the Adivasi community involved in the project have become beneficiaries of the SEEUP project.

Lessons learnt

Even if land ownership-related conflicts are common in rural Bangladesh, we can state that widespread prejudices and the permeating belief that Adivasis are uneducated and unfamiliar with legal land ownership matters still induces non-Adivasis to illegally gain control of Adivasi-owned land properties. In an institutional context characterised by corruption and where informal contacts with authorities play a significant role, wealthy and socially well-integrated communities can still take advantage of their socio-economic status.

A further aspect emerging from the conflict under study is the fact that long court trials, which can stretch over decades involving different generations, tend to favour non-Adivasi communities. In the first place, parties coming from marginalised and poor communities have more difficulties in coming up with legal costs and in receiving legal assistance from experienced lawyers. In the second place, we have seen that long trials leave the land under dispute in the hands of the 'stronger' party. Economically weaker parties or parties receiving less support from local institutions appear to be more vulnerable in this regard. Tension and eruption of violence are frequent and uncontrolled.

Village-level institutions and conflict management mechanisms (shalish, Union Parishad, local leaders etc.) rarely seem able to solve land ownership-related disputes. Intervention capacity from NGOs on such delicate matters seems rather limited. Nevertheless, there appears to be substantial room for improvement as far as preventive actions are concerned.

The information have been collected in June 2010 by

1. Md. Bodrul Hasan, Ashrai Panchbibi Upazila Coordinator
2. Moudud Ahmed, Ashrai Livestock Trainer
3. Shohodeb Kumar Urao, Ashrai Field Facilitator



Photo 2: the land under dispute (case study 1)

9.2 “Who is the land owner?” (*conflict nr. 9*)

Topics of case study

1. falsification of documents
2. pressure through violence

The incident

The village where the conflict takes place is inhabited both by Santal Adivasis and Muslim Bengalis. An Adivasi blacksmith inherited 17,5 bigha land from his father and before his death in 1974 he distributed the land among his five sons and three grandchildren through a registered deed.

One day in 2004, four non-Adivasi brothers started making use of the land, claiming that the blacksmith sold the land to them before his death. The four brothers however refused to show the land acquisition documents. After the UP chairman was requested to negotiate, severe clashes between the two parties occurred. The non-Adivasi families tried to build a house on the land and various violent actions (including punitive expeditions) were undertaken by both parties. The blacksmith’s sons and grandchildren took legal action. According to the Adivasi villagers, the non-Adivasi party is currently coming up with false documents to prove ownership of the land.

The land has been abandoned and as soon as one party tries to make use of it, the other party reacts, often through the use of violence.

Lessons learnt

The main point emerging from this case study concerns the lack of adequate and reliable documentation on land property. Selling and purchasing procedures appear to frequently be

unregistered and institutions appear to be corruptible.

Furthermore we can point out how the disputants often suffer a bigger economic damage from land-related disputes: legal costs are often not affordable or can only be covered through huge sacrifices. In this case the Adivasi party had to sell part of its assets to tackle trial-related costs. The Adivasi party also reported that the huge expenditure on legal costs dishonoured them in their family members' eyes.

The information have been collected in June 2010 by

1. Md. Bodrul Hasan, Ashrai Panchbibi Upazila Coordinator
2. Moudud Ahmed, Ashrai Livestock Trainer
3. Md. Hanif, Ashrai Field Facilitator

9.3 “Violence against an Adivasi woman” (conflict 14)

Topics of case study

1. public teasing and violence against women
2. private relationship to authorities
3. difficulties in obtaining justice through informal ways

The incident

One day in July 2009 a married Adivasi woman was standing along the main street of her village, waiting for her mother to return from the market. A young non-Adivasi villager started to annoy her. The woman, who became disturbed by the man's behaviour, replied to him by using slang words. A fervid discussion between the two started and the man eventually started beating her, first with his own hands and later on by using a bamboo stick. The woman started crying and some other villagers came to rescue her.

A difficult path towards justice

After the incident, the woman's relatives tried to obtain justice informally. They went to the aggressor's father and informed him about what happened. After hearing the story, he promised that he would talk to his son and take action accordingly.

The woman's mother also went to the UP chairman to demand justice. The UP chairman, who turned out to be the aggressor's uncle, told her that if she wanted to obtain justice, she'd have to go to the man's working place and talk to his employer.

When the woman's mother informed the man's employer about what happened to her daughter, he replied that it is not his responsibility to deal with his employees' private issues. When the woman's family returned to the aggressor's father, he told them that he would not try to mediate anymore. He explained that he came to know that the women's mother went to his son's employer and that in his opinion she tried to influence him to fire his son.

Lessons learnt

Firstly, here we have a concrete example of how public teasing of women is still widespread in rural Bangladesh and how it can lead to violence. It still seems very difficult for women to properly react to deliberate provocations and to escape subordination. The fact that such acts remain in most cases unpunished is certainly not helping women on their way towards emancipation. A vicious circle is created: the more such acts are happening, the more women's freedom to move around alone is being limited. The more women are kept away from public space, the less they are able to develop skills to defend themselves against acts of verbal or physical violence.

Secondly, we have seen how difficult it can be for some citizens to obtain justice through the

existing informal conflict-resolution system. In the case under analysis, a shalish could not be arranged because shalishs don't deal with certain crimes, such as deliberate violence. We have seen that the UP chairman is in some cases not able to deliver justice. In this case the UP chairman is related to one of the parties involved and decided not to intervene, instead he rather preferred to address one party to somebody else (employer of one party), who is in fact not appointed for conflict resolution. Other attempts to informally solve the conflict (direct negotiation between the heads of family of the two parties involved and request for support to the employer of one of the parties) also failed.

When asked why they did not rely on formal ways of conflict resolution, the woman's family replied that they thought an informal way would be more appropriate and capable of preserving the social balance within the village. "That is how we have been solving conflicts for centuries" said the woman's mother. "It is too late to involve the police, and they probably wouldn't have supported us anyway. And we certainly don't have enough money to take legal action. The compensation would be far less than the legal costs anyway. What we want in the first place is to get our honour back".

The information have been collected in June 2010 by

1. Md. Bodrul Hasan, Ashrai Panchbibi Upazila Coordinator
2. Moudud Ahmed, Ashrai Livestock Trainer
3. Md. Samsuzaman, Ashrai Field Facilitator

10. RECOMMENDATIONS

Even though the decision-making capacity of non-governmental organisations in conflicts in rural Bangladesh seems to be rather limited, there is a potential for improving prevention measures and mediation capacity. Some recommendations in this regard follow:

1) **Prevention** of conflicts

- General awareness programmes on human rights for marginalised communities should be carried out.
- Specific awareness-building programmes for marginalised communities with a special focus on land acquisition procedures and property registration, access to public services and infrastructures, protection of belongings/properties should be carried out.
- Adivasi values should be reinforced through cultural programmes.
- Vulnerable villagers, especially female and under-aged family members, should be empowered. In this regard strategies to lower marginalisation should be developed.
- Awareness programmes should involve also non-Adivasi communities. Opportunities for interaction between Adivasis and non-Adivasis should be created. In general, the integration process must be reinforced and local communities should be made aware of the fact that cultural and social diversity is a positive value.

2) **Monitoring** of conflicts

- NGOs should become more aware of the conflicts occurring in the villages where their projects are implemented. Beside the regular interaction with the project's beneficiaries, a direct contact with other villagers is important in this regard.
- Internally, information about newly erupted conflicts should be exchanged by NGO staff members.
- Monitoring of the conflict's development should become a regular activity. Unsolved conflicts risk compromising the efficiency of social or economical development programmes.
- Knowledge of conflict-resolution dynamics and creative resolution approaches should be disseminated at NGO-level and self-help group-level.

3) **Mediation**

- A thought-through strategy to mediate between the parties involved should be defined. In this regard areas and modalities of intervention should be identified.
- Mediation can only be successful if the mediator is perceived as a neutral actor. If an NGO considers mediation as a task to fulfil, prerequisites in this regard must be attained.
- NGOs should provide training in conflict management, mitigation and transformation to their staff members working in close contact with marginalised communities and families.
- Where a direct mediation is not possible, NGOs can train community members in this regard. This can only be done, keeping the already established conflict-resolution bodies and institutions in mind.

4) **Assistance**

- Marginalised groups should be supported in getting access to resources (i.e. *khas* land, *khas* ponds) and services (i.e. old-allowance, public jobs), which they are often deprived of;
- Self-help groups should be trained to assist community members involved in conflicts;
- Neutral legal consultation should be provided to marginalised groups.
- Contacts with institutions and specifically with UP chairmen, shalish members and local elites should be established and followed-up.
- NGOs should improve their assistance to communities involved in conflicts through special consultancies done by peace mediators or by conflict resolution experts.

11. CONCLUSION

Most conflicts currently occurring in rural Bangladesh, including in Adivasi villages, are related to land ownership or to access to resources. Conflicts caused by damage to property as well as cases of deliberate violence have also been reported.

Parties involved in conflicts often comprise two or more families and in most cases these families are somehow related to each other. Solidarity and mutual support in case of conflicts are well-established in the villages under study. Alliances between Adivasis and non-Adivasis seem to be possible if the parties involved have a strong common personal interest.

Even though conflicts are usually managed by male family members, women often play a relevant role as decision-makers. In addition, female family members are frequently directly involved in conflicts, even as the target of violent actions.

Scarcity and unequal distribution of natural and productive resources as well as growing demographic pressure are among the main causes for disputes and conflicts in rural Bangladesh. In some areas under study, gaining access to resources, mainly land and water, has taken the form of a fight for survival. Often all possible means are used by community members to secure a better present and future for their families. Mutual distrust and widespread prejudices between Adivasi and non-Adivasi communities have exacerbated this problem. Growing tension is causing behavioural changes: socio-economic limitations, suspicion and self-isolation characterise the everyday-life of many Adivasi communities.

The conflict-management system in Bangladesh is still inefficient, often favouring those parties with better financial means or with close contact to institutions. Poor and marginalised groups are clearly disadvantaged. Nepotism and corruption hinder smooth conflict resolution processes.

Traditional conflict management and resolution procedures (mediation of elite villagers, shalishs) and the intervention of Union Parishads, seem to work well for small-scale conflicts. Nevertheless, their efficiency is severely limited in most land ownership-related conflicts.

Finding new ways to improve conflict management in the complex context described in this study is an enormous challenge. A simplification of the currently existing conflict resolution procedures, in particular the formal ones, is sorely needed and can only be promoted through an active institutional participation. The root-cause of the emergence of conflict must be addressed. Implementation of awareness programmes, promotion of integration processes, prevention of circumstances leading to destructive conflicts, improvement of monitoring and mediation capacity: this is where NGOs have a significant role to play.

GLOSSARY:

BMZ: Bundesministerium für Wirtschaftliche Zusammenarbeit (German Federal Ministry for Economic Development Cooperation)

BRAC: Bangladesh Rural Advancement Committee (Non-Governmental Organisation from Bangladesh)

FF: Field Facilitator (SEEUP staff members supervising self-help groups and their activities as well as promoting the formation of self-help federations)

IGA: Income Generating Activity

NGO: Non-Governmental Organisation

SEEUP: Socio-Economic Empowerment of Ultra-Poor (for details see footnote 2, p. 4)

UP: Union Parishad (Union Council, in English, is a local government body of Bangladesh)

ANNEX 1

Questionnaire for a study on conflicts in SEEUP villages (January 2008 - today)

1) GENERAL INFORMATION ON VILLAGE/PARA

1.1 Village name:

1.2 Upazila:

1.3 Union:

1.4 Nr. of inhabitants of Para: (Source.....)

1.5 Nr. of families of Para: (Source.....)

1.6 Nr. Adivasi inhabitants: 1.7 Nr. Non-Adivasi inhabitants: Source
(.....)

1.8 Ethnic group:

1.9 Religion(s):

1.10 Field Facilitator: 1.11 Date of data collection.....

2) TYPE OF CONFLICT:

2.1 Land

2.2 Water resource (pond, deep well, canal etc.)

2.3 Stealing of objects

2.4 Denying access to infrastructure or gov. service

2.5

Others.....

.....

2.6 Brief DESCRIPTION of the conflict (emerging, development, current status).....

.....
.....
.....
.....
.....
.....
.....
.....

3) DURATION OF CONFLICT:

3.1 Started:

3.2 Ongoing

3.3 Solved (when

4) MEANS USED:

4.1 Physical violence

DESCRIPTION.....
by whom.....

4.2 Threat

DESCRIPTION.....
by whom.....

4.3 Theft

DESCRIPTION.....
by whom.....

4.4 Illegal use of resource/asset

DESCRIPTION.....
by whom.....

4.5 Damage to property

DESCRIPTION.....
by whom.....

4.6 Others

DESCRIPTION.....
by whom.....

5) PARTIES INVOLVED:

Party 1

- 5.1.1 number of families:
 - 5.1.2 Adivasi? Y N
 - 5.1.3 name(s) of head of family
 - 5.1.4 gender.(s).....
 - 5.1.5 age(s).....
 - 5.1.6 religion(s).....
 - 5.1.7 tribe(s).....
 - 5.1.8 occupation(s)/profession(s).....
 - 5.1.9 damage(s) suffered.....
 - 5.1.10 estimation of damage(s) in TK.....
 - 5.1.11 costs for conflict management in TK.....
 - 5.1.12 aim(s) in the conflict.....
-
-

Party 2

- 5.2.1 number of families:
- 5.2.2 Adivasi? Y N
- 5.2.3 name(s) of head of family
- 5.2.4 gender.(s).....
- 5.2.5 age(s).....

- 5.2.6 religion(s).....
- 5.2.7 tribe(s).....
- 5.2.8 occupation(s)/profession(s).....
- 5.2.9 damage(s) suffered.....
- 5.2.10 estimation of damage(s) in TK.....
- 5.2.11 costs for conflict management in TK.....
- 5.2.12 aim(s) in the conflict.....

Party 3 (if any)

- 5.3.1 number of families:
- 5.3.2 Adivasi? Y N
- 5.3.3 name(s) of head of family
- 5.3.4 gender.(s).....
- 5.3.5 age(s).....
- 5.3.6 religion(s).....
- 5.3.7 tribe(s).....
- 5.3.8 occupation(s)/profession(s).....
- 5.3.9 damage(s) suffered.....
- 5.3.10 estimation of damage(s) in TK.....
- 5.3.11 costs for conflict management in TK.....
- 5.3.12 aim(s) in the conflict.....

5.6 Any SEEUP beneficiary involved?

- 5.6.1** Yes (how many.....):
names:.....
- 5.6.2** No

6) CONFLICT MANAGEMENT

6.1 Type of conflict management:

- 6.1.1** informal (how.....)
- 6.1.2** shalish (where.....)
- 6.1.3** court (where.....)
- 6.1.4** police (where.....)
- 6.1.5** NGO (which.....)
- 6.1.6** other way.....

6.2 Negotiator(s):

- 6.2.1 name(s).....
- 6.2.2 Adivasi? Y N
- 6.2.3 religion(s).....
- 6.2.4 social role(s).....
- 6.2.5 occupation(s).....
- 6.2.6 gender(s).....

6.3 Lawyers involved

6.3.1 Party 1: Name.....

6.3.2 Party 2: Name.....

6.3.3 Party 3 (if any): Name.....

6.4 Decision Maker(s):

6.4.1 name(s)/name of institution.....

6.4.2 Adivasi? Y N

6.4.3 religion(s).....

6.4.4 social role(s).....

6.4.5 occupation(s).....

6.4.6 gender(s):.....

6.5 In case of *solved conflicts*: who controls?

6.5.1 name.....

6.5.2 Adivasi? Y N

6.5.3 religion.....

6.5.4 social role

6.5.5 occupation.....

6.5.6 gender:.....

ANNEX 2: Brief description of all conflicts analysed

CONFLICT 1

This micro-conflict between two Adivasi families started when four hens and some eggs were stolen from a villager's house. He accused 2 children, who live in the neighbouring house, of the theft. The relationship between the families rapidly degenerated and when the same two children went to the man's pond for bathing, a new dispute arose. According to the man and his brothers, who own the pond, several fish died due to the soap used during bathing. They forbade the children to bath in their pond and to walk on the road bordering the pond. Some fights between the children of the families (10-12 years old) occurred. After 8 months of petty neighbour clashes a shalish was organised to restore peace. During a meeting with elder villagers the two parties came to an agreement. The children's parents did not have to pay any compensation, instead they had to promise that their children would act respectfully in the future.

CONFLICT 2

In February 2009 an Adivasi woman went to a banana field, located in a nearby village, to collect grass. The non-Adivasi owner of the field saw her and a quarrel began. According to the land owner, the woman is not allowed to collect grass from his field. The quarrel degenerated into a fight and the land owner broke the woman's hand. Other villagers heard her cries and came to help her. They accompanied her to the local hospital, where she obtained medical assistance. After the shalish's intervention, the woman received 12.000 Taka compensation. Even if the damage was of 2.000 Tk only, she threatened to take legal action against the land owner (which would have been expensive for both parties). The man agreed to give 10.000 Tk more to avoid a trial. The conflict was solved within 10 months.

CONFLICT 3

This conflict involves two Adivasi brothers and their cousin. The brothers' father was the owner of a piece of land. He allowed his nephew to build a house on that land and live there. When he died, his nephew stated that he had bought the piece of land where he had built his house. He showed property documents, which have been considered invalid by the two brothers. The nephew attacked one of the two brothers, injuring his wife and threatening to kill her. According to the brothers, the nephew also stole some fruit and damaged the roof of their house. A shalish was arranged by the elite persons of the village and it was decided that the nephew must destroy the house he built and leave the land, which belongs to the two brothers. Since the nephew didn't leave the land, the two brothers sued him. The UP chairman was also unable to negotiate between the two parties and the conflict is currently unsolved.

CONFLICT 4

An Adivasi land owner gave his land in mortgage to another Adivasi man. This man in turn sold the land to a non-Adivasi family. The land owner went to the settlement office, which confirmed that the land belonged to his father and that it has never been sold. During an arranged village meeting, in presence of the UP chairman, it was also confirmed that the land belongs to him. When the owner wanted to regain possession of his land again, a clash with the man he gave the land in mortgage and the non-Adivasi family started. A case is currently progressing at the Joypurhat Judge Court.

CONFLICT 5

This micro-conflict started when a pig belonging to two Adivasi brothers ate crop from a non-Adivasi landlord's field. According to the brothers, the retainers of the landlord attacked them and stole one mobile phone and 500 Tk from their pockets. The conflict was solved by the UP chairman: the landlord had to pay of 2,000 Tk in compensation to the brothers. The conflict was solved within 4 days.

CONFLICT 6

Twenty-three Adivasi families own 68 decimal of cultivable land near to their small village. In October 2009 they hired an expert to measure the land and establish the exact boundaries. According to that measurement their land includes a part of a neighbouring field owned and cultivated by two Adivasi neighbours. The twenty-three families built pillars around the border of their field, according to the measurement and by doing so they invaded their neighbours' field. The two neighbours reacted by destroying the pillars. The conflict is ongoing without any formal or informal conflict management/negotiation.

CONFLICT 7

See case study 1, page 22

CONFLICT 8

A dozen of ducks owned by 3 different Adivasi families ate rice from a paddy field owned by a non-Adivasi landlord. At night, some of the landlord's family members attacked the Adivasis with sticks and stones. This micro-conflict was solved within one month by the Union Parishad, with a 4,500 Tk compensation fine that the non-Adivasi family had to pay in compensation.

CONFLICT 9

See case study 2, page 24

CONFLICT 10

An Adivasi land owner decided to leave his village and sold half of his land to some relatives, promising that they could buy the remaining half once they would have enough money. In the meantime the man sold the other half of the land to a non-Adivasi man, without informing his relatives. A dispute between the man's relatives and the non-Adivasi man started. Since the UP chairman and a village shalish were not able to negotiate between the parties, the case is now handled by the Joypuhat Judge Court.

CONFLICT 11

A married couple living in a small village used to frequently quarrel on petty matters. These quarrels often degenerated into violence and the husband's brother and mother always supported him. He requested divorce and forced his wife to leave their home. The woman still wants to return to her husband because she is left on her own and doesn't have any regular source of income. Neither the marriage nor the divorce was ever officially registered. The case is currently being handled by the Joypurhat Judge Court, after previous negotiations by BRAC NGO staff members and by the local UP chairman failed.

CONFLICT 12

This family dispute was solved within five months. A young Adivasi man left his village with a married women. The two went to an unknown place and got married; this marriage was unregistered though. The woman's mother asked the man's family for compensation and

went to the police. The police handed over the case to the court which in turn appointed the UP chairman to solve the case. The UP chairman decided that the man's family had to compensate the woman's mother with 15,000 Tk. So they did. The woman came back alone after five months and married her first husband again.

CONFLICT 13

An old woman was living with her daughter and her son-in-law's family. After a quarrel between her daughter and the son-in-law's sister concerning a loan, the old woman was beaten by some of her son-in-law's relatives. They were claiming that she has no right to live with the family of her son-in-law. During an arranged shalish it was decided that she had to leave the village. During the shalish incidents including physical violence to the old woman occurred. She left the village.

CONFLICT 14

See case study 3, page 25

CONFLICT 15

Some years ago an Adivasi woman inherited 6 decimal of land from her husband. Her neighbours, mother and daughter, tried to chase her out of the village by stealing objects and damaging her properties (trees, animals etc.). They wanted to put her under pressure to sell the land to a low price. One day she built a fence around her little property. The two neighbours destroyed the fence and injured her with a stick. A few days later, 2,500 Tk were stolen from the woman's house. Some villagers informed her that the money was stolen by her neighbours. As a consequence she went to the UP chairman for justice. The UP chairman solved the conflict in collaboration with elite villagers (shalish): he two neighbours had to pay 3,500 Tk in compensation to the woman. The conflict lasted for over one year.

CONFLICT 16

This recent conflict involves two neighbours: an Adivasi man and a non-Adivasi man. The non-Adivasi man built a pond and planted a tree on his property, beside the Adivasi's house. One night somebody broke the tree and the non-Adivasi man blamed his neighbour for this act. The Adivasi man was beaten in a fight and consequently went to the UP chairman with a written application to demand justice. The UP chairman fixed a date to negotiate between the parties (29.05.10) but the non-Adivasi did not attend the meeting. The case will therefore be handled by the local court.

CONFLICT 17

This unsolved conflict involves two Adivasi cousins. The father of one of them gave a piece of land for residence to his nephew and died at times of liberation war (1971). The nephew states that the land was sold to him, while his cousin claims that the land was given by his father only for residency. The nephew is still living on the land. There is no reliable documentation on the land property. The conflict, handled at the Joypurhat Judge Court, has been going on for over 2 years.

CONFLICT 18

This land ownership-related conflict involves four Adivasi families and one non-Adivasi family. In May 2000 a non-Adivasi family started to claim the ownership of the land which was owned by four Adivasi families. According to the non-Adivasi family, the land was sold to them by one of the 4 Adivasi co-owners. After a trial, the Lower Court declared the

Adivasi families as owners of the land. Nevertheless the non-Adivasi family continues claiming the ownership of the land and a new trial is now ongoing at the Civil District Court. The non-Adivasi family also hindered the Adivasi family in building a brick house on the land.

CONFLICT 19

Two non-Adivasis owned a piece of land with a big pond. In 2008 an Adivasi family bought 5 decimal land from one of the two non-Adivasis. When they wanted to build their own residence on the land the other non-Adivasi man hindered them from doing so and used physical violence against them. This land ownership-related conflict is currently ongoing and no negotiation is taking place.

CONFLICT 20

Two Adivasi brothers sold a piece of land to a non-Adivasi family. The non-Adivasi family started claiming that the land is near to the main road and the local market, while the Adivasi brothers said that the sold land is inland and not near the road. The non-Adivasi family reacted by using physical violence and stealing some objects belonging to the Adivasi family. The UP chairman and local political leaders were involved in the conflict solution: they confirmed that the Adivasi brothers were right, according to the official papers. The non-Adivasi family had to eventually accept this verdict. The conflict was solved only after 7 years.

CONFLICT 21

Two Adivasi brothers, inherited 23 decimal of land from their father in 1995. In 2000 the older brother sold the whole land to a non-Adivasi man without informing his younger brother. When the younger brother wanted to build a house on the land he thought still belonging to him, he was hindered to do so by the non-Adivashi man. He went to the Union Parishad to ask for a solution. The non-Adivasi man did not show up at the negotiations. No violence occurred but the conflict is ongoing. The younger brother could not go ahead with the construction of the house due to lack of money.

CONFLICT 22

A group of Adivasis used to cross a paddy field on a narrow path near their village to reach the main road until 2008. When the group of Adivasis requested the field-owner to enlarge the path, so that rickshaws can reach their village, the owner refused. He started denying access to the path because he was afraid that the Adivasis would enlarge the path on their own against his will. Negotiations of the UP chairman and Ashrai staff members were not successful and the Adivasi group now has to take a longer path to the main road.

CONFLICT 23

A non-Adivasi man has been using a large government-owned *khas* pond for many years. A group of Adivasis want to establish their right to use the pond for fish culture but the man, who is a relative of the UP chairman, does not allow them access the pond. The access to *khas* land and *khas* ponds is managed by the UP. The conflict has been lasting for 8 years and has not yet been solved. Ashrai's Lahanti Akra self-help organisation is following the case.

CONFLICT 24

A non-Adivasi man, kidnapped a 7-year old Adivasi girl and brought her to his house. As he tried to undress the child, neighbours were attracted to the house by her shouts. The

girl was set free and the man was arrested. He is currently in prison and a trial will start soon.

CONFLICT 25

This micro-conflict involved an Adivasi boy and a non-Adivasi man. An Adivasi boy aged 8 broke some maize plants in a field owned by non-Adivasis. He was seen by a neighbour and beaten up. The local shalish solved the conflict within 3 weeks: the parents of the boy had to pay 200 Tk for the damage to the maize and the man had to pay 50 Tk for medical treatment expenses.

CONFLICT 26

Two Adivasi brothers, mortgaged a piece of land but the landowner did not provide access to water, as he had previously promised. Therefore the paddy is not productive. The landowner committed to provide a compensation of 20,000 Tk but never did so. The brothers shared this with elite villagers. No solution has been found so far and the conflict has been going on for 9 months.

CONFLICT 27

When some Adivasis collected sugar cane leaves from a field owned by a non-Adivasi man a big quarrel began. Since that date the access to a main road was denied to them and some violent clashes occurred. An Ashrai lawyer followed the case, which was eventually solved by the UP chairman after 3 years: the non-Adivasi family had to pay 1,000 Tk in compensation and commit not to act violently again.

CONFLICT 28

A group of Adivasis used to utilize a road leading from their huts to the main road. This road crossed the property of a non-Adivasi family. When the Adivasis asked to enlarge the road in order to utilize vans and rickshaws, the non-Adivasi family refused. A long quarrel started, exacerbated by the fact that a long-lasting land ownership-related conflict between Adivasis and non-Adivasis was going on in the village. Finally the access to the road was restored to the group of Adivasis but the road was not enlarged.