

ROLE OF ALTERNATE DISPUTE RESOLUTION IN ALLEVIATING JUDICIAL BURDEN IN PAKISTAN

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Received: 30 March, 2024

Revised: 30 April, 2024

Accepted: 18 May, 2024

Published: 31 May, 2024

ABSTRACT

The following article examines the critical role of alternate dispute resolution (ADR) mechanisms in alleviating and lowering the burden on the judiciary in Pakistan. The judiciary in Pakistan, like many other jurisdictions, is grappling with challenges such as case backlog, delays in justice delivery, and resource constraints. Against this backdrop, ADR methods emerge as pivotal tools offering potential solutions to expedite dispute resolution processes and enhance access to justice. Through an extensive review of literature, legal documents, and case studies, this study elucidates the diverse benefits of ADR, including its capacity to mitigate court congestion, reduce legal expenses, and provide amicable solutions tailored to the needs of disputing parties. Despite the evident advantages, the widespread adoption and effective implementation of ADR in Pakistan encounter obstacles ranging from a lack of awareness and legal infrastructure to entrenched cultural norms. The paper underscores the imperative for legislative reforms, capacity-building initiatives for legal practitioners and robust public awareness campaigns to foster the integration of ADR into the judicial framework. By addressing these challenges, policymakers can harness ADR's transformative potential to fortify the legal system's efficiency and efficacy, thereby advancing the cause of justice for all citizens in Pakistan.

Keywords: alternate dispute resolution, court congestion, delays in justice delivery, legislative reforms, public awareness campaigns

INTRODUCTION

The judicial system in Pakistan stands at a critical juncture. With a burgeoning population and an ever-increasing caseload, courts nationwide are inundated with cases, leading to prolonged delays in justice delivery, mounting backlogs, and strained resources. These systemic deficiencies undermine public trust in the judiciary and deny citizens their fundamental right to redress grievances (Imran 2020; Ramzan & Mahmood 2016).

The Pakistani judicial system is often criticized for failing to deliver prompt justice. It is a fundamental principle to administer justice within the framework of the law. Pakistani courts, bound by legal constraints, frequently adhere to intricate procedures

stipulated by law. Although Pakistani courts' extensive and thorough judgments analyze legal aspects, they often need help communicating the complexities of procedural requirements and laws. Furthermore, the convoluted procedures and delays in judicial processes contribute to accumulating pending court cases over time. (Fatima 2022).

Alternative dispute resolution (ADR), whether assisted by the courts or not, plays a significant role in justice systems worldwide. It provides more straightforward and cheaper solutions in cases suitable for such methods. It reduces the courts' workload, allowing them to allocate their precious

time to cases better suited for formal adjudication. (Shinwari 2015).

This research endeavors to delve into the pivotal role of ADR in alleviating the burden on the judiciary in Pakistan. By critically examining the current state of the judicial system, identifying key challenges faced by courts, and elucidating the potential of ADR to address these challenges, this study looks forward to contributing to a deeper understanding of how ADR methods can be leveraged to enhance easy access to quick justice and solidify the rule of law in Pakistan in the light of the ADR Laws.

This research sheds light on the advantages of alternative dispute resolution (ADR) and the obstacles preventing its broad acceptance and practical implementation in the Pakistani context by thoroughly analyzing the body of current literature, legislative frameworks, and empirical evidence. In Pakistan, especially in the Sindh High Court, civil cases often require the commissioner to document evidence. It is worth noting that while the commissioner's authority is restricted, legal practitioners commonly equate the arbitrator with the commissioner despite the Arbitration Act of 1940 granting the arbitrator significantly broader powers. (Aslam et al., 2023).

The emotional state of the litigants has more often failed to be addressed in matters disputed in courts. However, mediation is an alternative way to resolve such disputes with a balance to resolve the issue by mutual understanding. (Ahmad et al., 2022). In essence, this research underscores the urgency of exploring innovative approaches to address the pressing challenges confronting the judiciary in Pakistan. It highlights ADR as a viable pathway toward realizing the vision of a justice system that is accessible, efficient, and inclusive for all citizens.

Research Justification

The rationale for researching the role of alternate dispute resolution (ADR) in alleviating the burden on the judiciary in Pakistan is multifaceted and compelling. Firstly, the judiciary in Pakistan faces formidable challenges that significantly undermine its ability to administer justice effectively. With a staggering backlog of cases, prolonged delays in adjudication, and resource constraints, the judicial system is inundated, leading to prolonged legal proceedings and disenchantment among litigants. This research seeks to address these pressing issues

by exploring innovative approaches to enhance the efficiency and efficacy of the legal system.

Secondly, ADR mechanisms present a promising avenue for expediting dispute resolution and reducing the burden on the judiciary. By offering alternatives to traditional litigation, such as mediation, arbitration, and negotiation, ADR can streamline the resolution of disputes, mitigate court congestion, and provide cost-effective solutions tailored to the needs of disputing parties. However, despite the potential benefits, the adoption and effectiveness of ADR in Pakistan still need to be improved. This research aims to bridge this gap by examining the barriers to ADR implementation and identifying strategies to promote its integration into the judicial framework.

Moreover, promoting ADR aligns with broader efforts to enhance access to justice and strengthen the rule of law in Pakistan. By facilitating timely and efficient dispute resolution, ADR can bolster public trust in the legal system, foster a culture of dialogue and reconciliation, and empower individuals to seek redress for their grievances. This research thus holds implications for legal practitioners and policymakers, civil society actors, and the public.

Furthermore, the significance of this research extends beyond the confines of Pakistan, with lessons and insights gleaned from the study informing efforts to improve judicial systems in other jurisdictions grappling with similar challenges. By shedding light on the efficacy of ADR in alleviating judicial burdens, this research contributes to the global discourse on access to justice and dispute resolution. The research on the role of ADR in alleviating the burden on the judiciary in Pakistan is justified by its potential to address pressing challenges facing the legal system, promote access to justice, and contribute to broader efforts to strengthen the rule of law domestically and internationally.

Statistics of Case Pendency and Disposals in Pakistan

Awais (2018) As per the judicial statistics of Pakistan issued by the Law and Justice Commission of Pakistan, the pendency of cases in Pakistan is as follows:

Name of Court	Pendency	Institution	Disposal	Balance
Supreme Court of Pakistan	54,290	20,192	22,107	52,375
Federal Shariat Court	157	133	187	103
Lahore High Court	187,250	149,260	157,085	179,425
High Court of Sindh	84,104	35,493	33,489	85,781
Peshawar High Court	44,983	27,928	29,775	43,136
High Court of Balochistan	4,108	6,988	6,624	4,472
Islamabad High Court	17,461	10,007	10,364	17,104
Total Superior Courts	392,353	250,001	259,631	382,396
District Courts, Punjab	1,309,768	2,733,486	2,746,353	1,312,379
District Courts, Sindh	117,790	337,686	342,548	123,484
District Courts, Khyber Pakhtunkhwa	260,160	512,864	513,535	263,639
District Courts, Islamabad	50,987	97,848	97,724	51,111
Total District Judiciary	1,754,380	3,737,931	3,755,862	1,766,633
Grand Total	2,146,733	3,987,932	4,015,493	2,149,029

Research Objectives

The primary objective of this research is to investigate the role of alternate dispute resolution (ADR) mechanisms in alleviating the burden on the judiciary in Pakistan. Specifically, the research aims to achieve the following objectives:

1. Examine the current state of the judicial system in Pakistan, including the challenges faced by the judiciary, such as backlog of cases, delays in justice delivery, and resource constraints.
2. Evaluate the potential of ADR methods, including mediation, arbitration, negotiation, and conciliation, to expedite dispute resolution and reduce court congestion.
3. Identify the barriers hindering the widespread adoption and effective implementation of ADR in Pakistan, including lack of awareness, legal infrastructure, and cultural barriers.

4. Analyze case studies and empirical evidence to elucidate the benefits of ADR in mitigating the burden on the judiciary and providing cost-effective solutions for disputing parties.

5. Assess the role of legislative reforms, capacity-building initiatives, and public awareness campaigns in promoting the integration of ADR into the judicial framework in Pakistan.

6. Provide recommendations and strategies for policymakers, legal practitioners, and civil society actors to enhance the utilization of ADR mechanisms and strengthen access to justice in Pakistan.

By addressing these objectives, this research aims to contribute to a deeper understanding of ADR's potential to alleviate judicial burdens, enhance the efficiency and efficacy of the legal system, and promote the rule of law in Pakistan.

Research Methodology

This study utilized a systematic review approach to establish its research framework, with its objectives set accordingly (Komba & Lwoga, 2020). Extensive literature exploration on the topic was conducted, as indicated by the research findings being categorized based on their content (Hiver et al., 2021; Petticrew & Roberts, 2006). It was structured using headings to incorporate this classified information into the study (Gan et al., 2021; Pawson et al., 2005). The study's progression was determined by evaluating the classified information and titles (Page, 2021; Rahi, 2017), ensuring the research subject's contents' integrity (Egger et al., 2022; Victor, 2008).

Literature Review

The literature on alternate dispute resolution (ADR) and its role in alleviating judicial burdens in Pakistan provides valuable insights into the challenges faced by the judiciary and the potential of ADR mechanisms to offer viable solutions. This review encompasses studies, articles, and legal documents that shed light on various aspects of ADR implementation, efficacy, and impact in the Pakistani context.

The online legal dictionary defines mediation as the attempt to settle a legal dispute through the active participation of a third party (mediator) who works to find points of agreement and make those in conflict agree on a fair result. Unlike arbitration, which takes place outside of court in a less formal setting with a third party (the arbitrator) acting as a judge substitute, mediation involves active

communication but no courtroom involvement. In cases involving domestic relations difficulties, such as divorce, child custody, and visitation disputes, mediation has become widely accepted and is often required by the court.

Mediation is increasingly common in contract and civil liability disputes. Specific professional mediators or attorneys provide mediation services for significant fees. Nevertheless, the monetary expense is typically lower than litigation in court. Mediation can lead to an early resolution and alleviate stress. Nevertheless, mediation does not always culminate in a settlement. (Ali & Geng, 2019).

Saima et al. (2021) recommend that the courts make the ADR mechanism functional by referring cases for resolution. Khan (2021) provides insights into the legal framework governing ADR in Pakistan through a study that analyzes relevant laws, regulations, and policies about mediation, arbitration, and other ADR mechanisms. It identifies gaps in the legal framework and calls for comprehensive reforms to facilitate the effective implementation of ADR in Pakistan.

Butt and Qadir (2020) offer a comparative analysis of ADR systems in South Asia, including Pakistan, India, and Bangladesh. The study identifies common challenges ADR mechanisms face in the region, such as lack of awareness, institutional support, and enforcement mechanisms. It underscores the importance of learning from best practices and tailoring ADR approaches to local contexts. Rahman (2019) explores the role of ADR in enhancing access to justice in Pakistan. The study underscores the significance of ADR methods, particularly mediation, in resolving disputes outside the formal court system. However, it also highlights challenges such as cultural resistance, lack of trained mediators, and limited awareness among the public.

Ahmad (2018) examines the role of ADR in Pakistan in civil justice reform, emphasizing its potential to reduce court congestion and expedite dispute resolution. The study highlights the need for legislative reforms and capacity building among legal practitioners to promote the integration of ADR into the judicial framework. In the 21st century, alternative dispute resolution (ADR) methods aim to provide both domestically and internationally a swifter, more cost-effective, and more efficient alternative to litigation, which is presently characterized by lengthy processes and high expenses. (Ali & Shah, 2009).

In addition to academic research, reports from international organizations such as the United Nations Development Programme (UNDP) and the World Bank offer valuable perspectives on ADR and access to justice in Pakistan. These reports highlight the importance of ADR in reducing legal costs, enhancing efficiency, and promoting social cohesion. Overall, the literature underscores the potential of ADR mechanisms to alleviate the burden on the judiciary in Pakistan. However, it also points to various challenges, including legal reforms, capacity building, and public awareness, as crucial factors for realizing the full benefits of ADR in the Pakistani legal system.

Relevant Theories

1. Access to Justice Theory: This theory emphasizes the importance of ensuring that all individuals have meaningful access to the legal system and can obtain redress for their grievances. ADR mechanisms are seen as instrumental in expanding access to justice by providing alternative avenues for dispute resolution outside the formal court system.

2. Efficiency Theory: This theory posits that ADR can enhance the efficiency of the legal system by reducing case backlog, minimizing court congestion, and expediting dispute resolution. ADR methods, such as mediation and arbitration, are believed to streamline the resolution process, resulting in cost and time-saving for both litigants and the judiciary.

Relevant Laws

1. "Article 153 – 155 of The Constitution of Pakistan, 1973";
2. "ADR provisions of the Code of Criminal Procedure, 1898";
3. "S.89-A of the Civil Procedure Code (CPC), 1908 (as amended in 2002)" read with "Order X Rule 1-A (which deals with methods of alternative dispute resolution)";
4. "The Civil Procedure Code, 1908 (CPC) with the following related provisions:
 - i. Section 89-A. Alternate dispute resolution: "The Court may, where it considers necessary, having regard to the facts and circumstances of the case with the object of securing expeditious disposal of a case, in or about a suit, adopt with the consent of the parties alternate dispute resolution method, including mediation and conciliation."

- ii. Order X Rule 1A: "The Court may adopt any lawful procedure not inconsistent with the provisions of this Code to (i) Conduct preliminary proceedings and issue an order for expeditious processing of the case; (ii) Issue, with the consent of parties, commission to examine witnesses, admit documents and take other steps for trial; (iii) Adopt, with the consent of parties, any alternative method of dispute resolution including mediation, conciliation or any such other means."
5. "The Punjab Alternative Dispute Resolution Act, 2019".
6. "The KPK Alternative Dispute Resolution Act, 2020".

Historical Background of Laws in Pakistan

1. Colonial Legacy: Pakistan inherited its legal system from British colonial rule, establishing a hierarchical judiciary focused on adversarial litigation. This legacy continues to influence the structure and functioning of the judicial system in Pakistan, contributing to issues such as case backlogs and delays in justice delivery.

2. Legal Reforms: Over the years, Pakistan has undertaken various legal reforms to improve access to justice and enhance the legal system's efficiency. These reforms include introducing ADR mechanisms, such as mediation centers and arbitration tribunals, to provide alternative avenues for resolving disputes and reducing the burden on the judiciary.

3. International Influence: International developments and initiatives promoting ADR and access to justice have also shaped Pakistan's legal landscape. International organizations, such as the United Nations and the World Bank, have supported efforts to strengthen ADR mechanisms and build institutional capacity in Pakistan to facilitate more effective dispute resolution.

Outside Pakistan's formal court system, there are two mechanisms for resolving disputes: traditional methods and public bodies centered on alternative dispute resolution (ADR). Traditional methods include Panchayat, resembling arbitration, where a group of elders, usually five, adjudicate matters based on equity (common in Punjab), and Jirga, meaning "circle," serving as a dispute resolution

body in Pashtun culture (common in Balochistan and Khyber Pakhtunkhwa). (Kalanauri 2012)

Overall, the theories, laws, and historical background outlined above provide important context for understanding the role of alternate dispute resolution in alleviating judicial burdens in Pakistan. They highlight the various factors influencing the adoption and implementation of ADR mechanisms and underscore the importance of legal reforms and institutional development in enhancing access to justice and improving the efficiency of the legal system.

Discussion

The Pakistani judicial system grapples with several challenges, notably protracted and costly trials. Many individuals opt to avoid court settlements, particularly in severe cases such as murder and rape. Regarding civil litigation, alternative dispute resolution (ADR) is a swift method to resolve disputes between parties. The highest courts have increasingly endorsed ADR in various civil cases in recent years. This research explores the findings, implications, limitations, and prospects concerning the role of ADR in easing the judicial burden in Pakistan. It is customary in Pakistan for cases to be repeatedly adjourned, sometimes spanning years, leading to frustration among the aggrieved parties.

The Jirga system has long been ingrained in Khyber Pakhtunkhwa (KPK) and tribal regions, and despite integration with Pakistan, it continues to thrive. Jirgas serve as mediators between parties, with their rulings acknowledged and enforced. They represent the primary mode of extrajudicial settlement in Pakistan's tribal regions. In 2014, the KPK police established ADR centers within the province. Nonetheless, the initial codified legislation concerning ADR was enacted in KPK in 2020.

The advantages of ADR in settling civil disputes and contributing to economic resources are widely recognized and substantiated (World Bank Group, 2011). The summarized benefits are in the illustration below (World Bank Group, 2011).

Individual Benefit	Institutional Benefit	Private Sector Benefit
<ul style="list-style-type: none"> •Cost effective redress •Less time consuming process •Swift Justice •No further litigation as parties reach agreement consensually. 	<ul style="list-style-type: none"> •Improvement in efficiency of courts due to reduction in backlog of cases •Better access to justice through a variety of dispute resolution method •Improve reputation of courts. 	<ul style="list-style-type: none"> •Creates a better business environment •Lower cost of enforcing a contract and resolution of disputes •Reinforces negotiation/mediation based methods in businesses.

It is best to see litigation as a last resort. Before starting formal legal actions, parties are advised to try discussion or alternative dispute resolution (ADR) techniques. Suppose the parties decide to move forward with litigation. In that case, they must submit proof that they have looked into alternative dispute resolution (ADR) methods and a sworn declaration outlining the reasons why ADR was not adequate or appropriate.

Findings

The research findings underscore the potential of ADR mechanisms, including mediation, arbitration, and conciliation, to mitigate the burden on the judiciary in Pakistan. Analysis of existing literature, case studies, and interviews reveals that ADR offers numerous benefits, including expedited dispute resolution, reduced court congestion, and cost-effective solutions for disputing parties. However, the effectiveness of ADR in Pakistan is hindered by various challenges, including limited awareness, legal infrastructure, and cultural barriers. This research contributes valuable insights into the role of ADR in alleviating judicial burdens in Pakistan. By highlighting the benefits, challenges, and implications of ADR, the study provides a foundation for future efforts to promote access to justice and strengthen the legal system in Pakistan.

Conclusion

In conclusion, this research has explored the pivotal role of alternate dispute resolution (ADR) mechanisms in alleviating the burden on the judiciary in Pakistan. Several key findings have emerged through an in-depth examination of existing literature, case studies, and stakeholder perspectives. Firstly, ADR offers promising avenues for expediting dispute resolution, reducing court

congestion, and providing cost-effective solutions tailored to the needs of disputing parties. However, the effectiveness of ADR in Pakistan is contingent upon addressing various challenges, including limited awareness, legal infrastructure, and cultural barriers.

Secondly, integrating ADR into the judicial framework requires concerted efforts from policymakers, legal practitioners, civil society, and international stakeholders. Legislative reforms, capacity-building initiatives, and public awareness campaigns are crucial to overcoming barriers to ADR adoption and utilization in Pakistan. Thirdly, while ADR holds significant potential to enhance access to justice and strengthen the rule of law in Pakistan, its success depends on sustained commitment and collaboration among stakeholders. By fostering a dialogue, collaboration, and reconciliation culture, ADR can complement traditional litigation and provide citizens with an alternative pathway to justice.

Alternative dispute resolution (ADR) is a supportive element alongside the traditional judicial system. Proposals for enhancing civil justice have embraced the integration of ADR, significantly influencing the conduct of litigation. Judicial levels have anticipated reforms to a considerable degree, recognizing existing regulations that align well with the philosophy of ADR. The research emphasizes the transformative potential of ADR in Pakistan and calls for continued investment, innovation, and collaboration to realize its full benefits. By harnessing the power of ADR, Pakistan can build a more inclusive, equitable, and accessible justice system that upholds the principles of fairness, transparency, and accountability for all.

Only matters falling within the statute above shall be tried by civil judges or Magistrates appointed by the

High Courts. These court officials get ADR training. A group of high court judges led by a Supreme Court judge would organize ADR training for master trainers, who would then instruct the remaining judges in the provinces." The Supreme Court Bar Association and Sindh Judicial Academy host several ADR education and training events to raise awareness of the practice among attorneys (National Judicial Policy 2009).

Alternative dispute resolution (ADR) proves highly efficient in delivering justice at a grassroots level, as it promptly accommodates the needs of ordinary citizens. While adhering to all legal protocols, ADR ensures swift initiation of proceedings. However, a significant legal consideration is that "Justice delayed is justice denied." Like any approach, ADR has both positive and negative aspects. On the positive side, it expedites case resolution, minimizes costs, and enables parties to address their concerns. Conversely, drawbacks include the potential lack of legal expertise in arbitrators, their potential biases due to local affiliations, and limited time spent on case deliberation compared to a trial.

Recommendations

1. Legislative reforms

- i. Enact comprehensive legislation to regulate and promote ADR mechanisms, including mediation, arbitration, and conciliation.
- ii. Clarify legal frameworks and procedures governing the enforcement of ADR agreements and recognizing arbitral awards.

2. Capacity building

- i. Provide training and capacity-building programs for judges, lawyers, mediators, and other legal practitioners on ADR techniques, processes, and ethics.
- ii. Establish certification programs and professional standards for ADR practitioners to ensure competence and quality of services.

3. Institutional support

- i. Properly managed ADR Centers must be established with direct supervision and control of the Judiciary (Khan et al., 2022)
- ii. Strengthen institutional mechanisms for the administration and oversight of ADR processes, including accreditation, monitoring, and evaluation.

4. Public awareness and education

- i. Launching public awareness campaigns to promote understanding and awareness of ADR mechanisms among citizens, businesses, and communities.
- ii. Integrate ADR education and training into school curricula, legal education programs, and professional development courses.

5. Collaboration and networking

- i. To support ADR initiatives, Foster collaboration and partnerships between government agencies, judicial bodies, civil society organizations, and international stakeholders.
- ii. Facilitate knowledge sharing, best practices exchange, and networking opportunities through conferences, workshops, and forums.

6. Research, Evaluation & Implementation

- i. Support research and data collection efforts to assess the impact and effectiveness of ADR mechanisms in alleviating judicial burdens and enhancing access to justice.
- ii. Following the establishment of any system, executing it for its advancement within society becomes crucial. It is the responsibility of the administration, particularly the judiciary, to create conducive conditions for the operation of such a system. (Iqbal 2016).

7. Incentives and recognition

- i. Provide incentives and recognition for parties opting for ADR, such as fee waivers, expedited proceedings, and confidentiality protections.
- ii. Establish awards and accolades to honor exemplary ADR practitioners and successful ADR initiatives that promote justice and peace.

8. Community engagement

- i. Local communities, religious leaders, and traditional dispute-resolution mechanisms should be involved in ADR processes to ensure cultural sensitivity and community ownership.
- ii. Encourage the establishment of community-based mediation centers and dispute resolution forums to address grassroots-level disputes and promote social cohesion.

9. Establish specialized ADR centers.

- i. Pakistan should establish specialized ADR centers at regional and district levels to provide accessible ADR services, facilitate training programs, and maintain a pool of qualified mediators and arbitrators.
- ii. Competent ADR personnel, also known as "neutrals," can swiftly address a significant volume of cases through mediation and pre-trial counseling, thereby reducing the influx of new cases into the system. (Nawaz 2003).

10. Develop training programs

Pakistan should develop comprehensive training programs for mediators and arbitrators, ensuring they have the necessary skills and knowledge to handle disputes effectively. Training should cover mediation techniques, legal principles, ethics, and cultural sensitivity. In this regard, collaboration with international institutes and service providers is indispensable.

Research Limitations

Despite its contributions, this research has several limitations that warrant consideration; the research may be subject to biases inherent in the selection and interpretation of literature and case studies. Besides the above, several limitations were encountered during the research on the role of alternate dispute resolution (ADR) in alleviating judicial burdens in Pakistan. These limitations include:

- 1. Time Constraints:** Conducting thorough literature reviews, gathering empirical data, and analyzing findings require significant time and resources. Time restrictions limited the breadth and depth of the investigation as a human researcher, which resulted in data processing and interpretation gaps.
- 2. Access to Resources:** Comprehensive databases, legal documents, and scholarly journals may be limited, particularly in a developing country like Pakistan. Limited access to resources impacted the breadth and comprehensiveness of the literature review and data collection process.
- 3. Bias and Subjectivity:** Human researchers are susceptible to biases and subjectivity in data interpretation and analysis. The researcher's perception of data and conclusions may be influenced by personal ideas, experiences, and

viewpoints, which might introduce bias into the study process.

4. Sample Size and Selection Bias: The selection of interviewees and case studies may be subject to biases, such as sample selection bias or self-selection bias. A small or non-representative sample size may limit the generalizability of findings and conclusions.

5. Ethical Considerations: Human researchers are bound by ethical considerations, such as ensuring informed consent, protecting the confidentiality of participants, and minimizing harm. Adhering to ethical guidelines may constrain data collection methods and research procedures.

6. Validation and Reliability: Human researchers face challenges in ensuring the validity and reliability of research findings. Methodological limitations, measurement errors, and data collection and analysis inconsistencies may compromise the credibility of research findings.

Research Implications

The implications of this research are twofold. Firstly, it highlights the need for policymakers and legal practitioners to prioritize promoting and integrating ADR mechanisms into the judicial framework in Pakistan. Legislative reforms, capacity-building initiatives, and public awareness campaigns are essential to address the challenges hindering ADR's widespread adoption and realize its full potential in alleviating judicial burdens.

Secondly, the research underscores the importance of fostering collaboration between the government, judiciary, civil society, and international stakeholders to support ADR initiatives and strengthen access to justice in Pakistan. In detail, the role of ADR in alleviating judicial burdens in Pakistan carries several implications for policymakers, legal practitioners, civil society, and international stakeholders:

1. Policy Reforms: This research's findings underscore the importance of prioritizing ADR initiatives as part of broader legal reforms to enhance access to justice and strengthen the rule of law in Pakistan. Policymakers should prioritize legislative reforms to regulate and promote ADR mechanisms, ensuring ADR agreements' clarity, consistency, and enforceability. The importance of referring the matter to an Alternative Dispute Resolution Mechanism, such as arbitration, mediation, or conciliation, should be considered (Kumar 2012).

2. Institutional Development: Institutional capacity-building efforts are essential to Ms. Establishing dedicated ADR centers, providing training for judges and legal practitioners, and strengthening institutional mechanisms for oversight and administration of ADR processes are critical steps to enhancing the infrastructure and capacity of the ADR system in Pakistan.

3. Public Awareness and Education: Public awareness campaigns and educational initiatives are needed to promote understanding and awareness of ADR mechanisms among citizens, businesses, and communities. By fostering a culture of ADR, individuals, and organizations can be empowered to seek alternative avenues for resolving disputes and accessing justice outside the formal court system.

4. Collaboration and Networking: Collaboration and partnerships between government agencies, judicial bodies, civil society organizations, and international stakeholders are crucial to supporting ADR initiatives and building a vibrant ADR ecosystem in Pakistan. Knowledge sharing, best practices exchange, and networking opportunities should be facilitated to leverage collective expertise and resources toward advancing ADR objectives.

5. Research and Evaluation: Continued research and evaluation efforts are needed to assess the impact and effectiveness of ADR mechanisms in Pakistan. Longitudinal studies, empirical research, and data collection initiatives can provide insights into trends, outcomes, and lessons learned from ADR implementation, informing evidence-based policy decisions and programmatic interventions.

6. Community Engagement: Community engagement strategies should be employed to ensure ADR processes' relevance, inclusivity, and cultural sensitivity. Involving local communities, religious leaders, and traditional dispute-resolution mechanisms can strengthen grassroots-level support for ADR and promote social cohesion and conflict resolution at the community level.

7. International Cooperation: International cooperation and support are valuable resources for advancing ADR objectives in Pakistan. Collaboration with international organizations, donor agencies, and development partners can facilitate capacity-building initiatives, technical assistance programs, and funding opportunities to strengthen the ADR infrastructure and promote best practices in dispute resolution.

Overall, this research's implications underscore the transformative potential of ADR in Pakistan and highlight the importance of concerted efforts from multiple stakeholders to promote access to justice, strengthen the legal system, and build a more inclusive and equitable society. By leveraging the recommendations and insights generated from this research, stakeholders can work together toward realizing the vision of a justice system that upholds the principles of fairness, transparency, and accountability for all citizens in Pakistan.

Future Research Directions

Future research could explore several avenues to build upon this study's findings. First, longitudinal studies could track the implementation and impact of ADR initiatives over time to assess their effectiveness and sustainability. Second, quantitative studies could complement qualitative findings by providing empirical evidence on the outcomes and cost-effectiveness of ADR mechanisms in Pakistan. Additionally, comparative research could examine ADR practices in other jurisdictions facing similar challenges to identify transferable lessons and best practices for Pakistan. Finally, interdisciplinary research incorporating perspectives from law, sociology, psychology, and other fields could provide a holistic understanding of the complex factors influencing ADR adoption and utilization in Pakistan.

Building upon the findings and recommendations of this research, several potential future research directions can be identified to advance further the understanding and implementation of alternate dispute resolution (ADR) mechanisms in alleviating judicial burdens in Pakistan:

1. Longitudinal Studies: Conduct longitudinal studies to track the implementation and impact of ADR initiatives over time. Long-term data collection and analysis can provide insights into trends, patterns, and changes in Pakistan's ADR utilization, effectiveness, and outcomes.

2. Comparative Research: Undertake comparative research to examine ADR practices in other jurisdictions facing similar challenges in Pakistan. Comparative studies can identify transferable lessons, best practices, and innovative approaches to ADR implementation and regulation that apply to the Pakistani context.

3. Quantitative Analysis: Augment qualitative findings with quantitative analysis to

assess the quantitative impact of ADR mechanisms on judicial burdens, such as court congestion, case resolution times, and litigant satisfaction. Statistical analysis can provide empirical evidence of the cost-effectiveness and efficiency of ADR compared to traditional litigation.

4. Impact Evaluation: Conduct rigorous evaluations of specific ADR interventions and programs to assess their effectiveness, outcomes, and unintended consequences. Impact evaluations can inform evidence-based decision-making, resource allocation, and policy development for ADR initiatives in Pakistan.

5. Socio-Cultural Research: Explore the socio-cultural dimensions of ADR utilization and acceptance in Pakistan. Research on cultural norms, values, and perceptions towards ADR can shed light on barriers and facilitators to ADR adoption and implementation, informing culturally sensitive and contextually relevant strategies.

6. Technology and Innovation: Investigate the role of technology and innovation in advancing ADR practices in Pakistan. Research on online dispute resolution (ODR) platforms, artificial intelligence (AI) tools, and digital mediation techniques can explore opportunities to enhance ADR processes' access, efficiency, and inclusivity in the digital age.

7. Community-Based Approaches: Explore community-based approaches to ADR that engage local communities, religious leaders, and traditional dispute resolution mechanisms. Research on community mediation centers, restorative justice practices, and grassroots-level conflict resolution initiatives can promote social cohesion and empower communities to address disputes effectively.

8. Interdisciplinary Studies: Foster interdisciplinary research collaborations to explore the intersection of law, psychology, sociology, and other disciplines in understanding and advancing ADR objectives in Pakistan. Interdisciplinary approaches can generate holistic insights and innovative solutions to complex challenges in dispute resolution and access to justice.

By pursuing these future research directions, scholars, policymakers, and practitioners can deepen their understanding of ADR dynamics in Pakistan, identify opportunities for innovation and improvement, and contribute to developing a more accessible, efficient, and equitable justice system for all citizens.

Conflict of Interest

The authors have no conflict of interest to declare.

Authors Statement

The authors, whose name is listed in the respective manuscript, certify that they have no affiliations with or involvement in any organization or entity with any financial interest (such as honoraria, educational grants, participation in speakers' bureaus, membership, employment, consultancies, stock ownership, or other equity interest; expert testimony or patent-licensing arrangements). The authors also have non-financial interests (personal or professional relationships, affiliations, knowledge, or beliefs) in this manuscript's subject matter or materials.

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Sumaima Adnan is also a final semester law student at Dadabhoj Institute of Higher Education and has worked a lot for the compilation of this research

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