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IMPLEMENTATION AND EFFECTIVENESS OF PUNCHAYAT SYSTEM AND IMPORTANCE OF STATE'S JUDICIAL SYSTEM IN PAKISTAN

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ABSTRACT:

The research aimed at implementation and effectiveness of punchayat system and importance of state's judicial system in Pakistan. Punchayat system has been fundamental and crucial for the villages of sub-continent and also in Pakistan for justice provision as the decentralized power, and participatory governance and it has never been completely inherited by our government. Instant access to justice is not yet available to people living in remote areas. So, in some areas people go and knock the both, whether its punchayat or state's judicial system. That's why application, easy access, reliability and quick justice is important for common masses. There is no doubt that Pakistan's judicial system still has so many problems, however the current reforms has made it relatively more efficient.

INTRODUCTION

Justice for all, justice delayed is justice denied, are very famous common clichés in this postmodern era world. Different societies practice different justice systems according to their living standards. Courts are considered the key institutions of dispute resolution across the globe. Alternate dispute resolution ADR system is available in the societies legitimacy, competency, and efficiency is not overruled of these systems. Informal justice system is an

ADR system of dispensing justice to those poor communities mostly residing in rural areas. In these forums the disputes are settled between communities, families, tribes or individuals (Yasin&Buniri, 2004).At present, two systems of justice are beingpracticed in Pakistan. One known as punchayat and other means states judicial system.

The two systems, based on the present egalitarian spirit, were stripped of their good features and colonial regime devastated the Punchayat Justice System in the context of International Human Rights Law 10 spirit of such forums during their time and formalized theme into court-like institutions to impose and enforce legitimate unjustifiable and harsh laws just to suppress the village community (Ahsan, 2009).

Punchayatconsist of members selected by village people. It is based on the traditional norms and customs. Ruling elite is responsible for its continuity (Manto, 2004). Pakistan's judicial system is already overburdened with plenty of cases in all courts and judges' strength is mere and the people are avoiding it (Shah & Tariq, 2013).Tribal chiefs, feudal lords, run this parallel system of justice through jirgas and Punchayats in Pakistan and people use these forums for justice (Bellamy, 2008).

The roots of the current judicial system of Pakistan stretch back to the medieval period and even before. The judicial system that we practice today has evolved over a long period of time, spanning roughly over a whole millennium. The system has passed through several epochs, covering the Hindu era, Muslim period including the Mughal Empire, British colonial period and post-independence period. Notwithstanding the successive changes i.e. one rule/dynasty substituted by the other, which naturally resulted in the socio-economic and political transformation of the Indian society, the judicial system generally maintained a steady growth and gradual advance towards consolidation and improvement/refinement, without indeed, having to undergo any major disruption or breakdown.Punchayet system has been fundamental and crucial for the villages in Pakistan for justice provision as the decentralized power, and participatory governance has never been completely inherited by our government. At local level these administrative bodies have been found to be autonomous and self-regulatory, providing the community with workable solutions to their problems and keeping the social cohesion alive. Pakistan is a legally plural society where completely different and independent systems of law like the Islamic law, the state law and the traditional law exist. The state and the state law though do not acknowledge and accept the non-state laws as laws but the reality is that the dominant practiced law in Pakistan is the traditional law. The local people consider the ownership of informal justice system with the frame of traditional conflict resort mechanism (UNDP, 2006).

Traditional law is found in a variety of forms like punchayets, jirgas, informal meetings of families, is dispensed by pirs, or chaudharys, etc (Ali &Arif, 2004).The values of jirga/punchayet recommend that people follow this informal due to failure of state judicial system and lack trust on the state's judicial institutions as this informal system resolve timely as compared to state

system. All three arguments have been rebutted time and again. In his book, Professor Lieven writes that “justice in Pakistan is an extension of politics by other means and everyone with the slightest power to do so tries to corrupt and twist the judicial system to their advantage in every way possible” (Lieven, 2011).

According to a Danish Foreign Ministry investigative report, 'the majority of the population is often not in a position to access the formal legal system for various cultural, linguistic and logistical and financial reasons (Shinwari, 2015). Much of their access to justice depends on the work of informal systems, which have been neglected in terms of external support. Studies estimate that in many developing countries, the customary or traditional justice system accounts for 80% of the case burden. Informal justice systems are often viewed as discriminatory, and they do not always meet international human rights standards (Risse et al, 1999).

In case of Pakistan, we need to differentiate between what comprises alternative dispute resolution which expedite justice procedure on one side, and what has originated and or being practicing by punchayat forums through special unwritten customs confined to those communities residing in certain location on the other hand. The punishments given by punchayats are entirely different from the penalties awarded by state judicial systems (Zahid, 2009). Human rights perspective in punchayat justice forums has been explicitly discussed in this research. Also attempts and efforts were made to inquire the hidden truth and nuts and bolts of centuries old traditional justice system. Despite the challenges, the informal justice system is necessary for enhancing access to justice for the poor and disadvantaged. Traditional or informal justice system is an alternative system of dispensing justice by which the disputes are settled for individuals and between two families, communities and intra or inter tribes. In the context of Pakistan, this legal pluralism has taken the shape of tribal justice system under various forms and denominations. Prominent denomination amongst those is Jirga in KPK, Tribal Area and Baluchistan, Faisloin Sindh and Punchayat in the Punjab province. The growing body of scholarly work has focused on the realm of Jirga/Faislo/Punchayat as customary practice which legitimizes the ‘Honor’ related crime s(Zaid, 2007).

The second aspect of Jirga/Faislo/Punchayat includes mediation; arbitration and reconciliation which are used as other methods of alternative dispute resolution that is the focus of this study. This aspect of Jirga has not been subjected to inquest proportionate to the supplemental role it can play not only to reduce the back log of cases in official judiciary but provide redress mechanisms for the victims. Thus traditional justice system in the form of Jirga is not new and has been prevalent and practiced in both officially designated and non-designated areas in Pakistan. In the aftermath of development of ADR mechanisms through court-annexed and other institutional arrangements around the world has revitalized the debate in the country as well as realization in the UN specialized agencies to analyze the impact of these mechanisms and their interaction with formal justice system.

METHODOLOGY

Methodology is the logic of scientific procedure. Methodological technique and way of analyzing the observation are important to sociological pursuits and empirical research (Raof et al., 2021; Abdulmuhsin et al., 2021; Basheer et al., 2021; Yan et al., 2020; Nuseir et al., 2020; Asada et al., 2020). It helps us to describe and explain research design and techniques of research the validity and precision of a study may give a misleading picture unless the study has not been put to rigorous and scientific methodology (Neuman, 2001). This research titled as "a comparative study of Panchayat system and state's judicial system in Punjab, Pakistan". The methodology of this study is basically quantitative in nature.

The target population of the study includes the six union councils of the three sampled districts such as Rawalpindi, Chiniot and Dera Ghazi Khan. At first stage of the sampling three districts are selected from the sampling frame of districts using systematic random sampling. The sample from the districts at three different locations of the province is considered as the best representative sample of the target population.

The sample size of this study is 480 respondents from six union councils of the three sampled district of the Punjab who are still active or remained active in judicial process and panchayat system. The selection of respondent was based on researcher judgment (judgmental sampling).

The surveys employed nonprobability sampling design. In probability sample every unit in sampling frame has equal probability of being selected and otherwise in nonprobability sampling. Sampling design might be single or multistage while single stage random sampling is considered quite easy and ideal if feasible (Kumar, 1999). The selection of the two union councils from each of the selected district is done using convenient sampling scheme and the participants are selected through the subjective sampling scheme.

The data that a researcher uses which has already been produced by others (Matthews and Rose, 2010). The rural areas of Punjab are gender sensitive. So the variables related to the gender issues in the villages were exempted from the interview schedule because respondents were hesitant to respond such question. The study is quantitative data base study, to compare Panchayat System and State's Judicial System in Punjab, Pakistan (Sekaram, 1992). The primary data for this study is collected using a closed ended questionnaire through a sample survey. The study is based on quantitative data, to compare Panchayat System and State's Judicial System in Punjab, Pakistan.

After taking conducting survey, each interview schedule was rechecked by the researcher for possible errors and missing entries. Variables and their categories were coded for the purpose of analysis. After editing and coding, data was entered in the spreadsheet of SPSS. The statistical package for social sciences (SPSS) is computer software designed for analyzing the data regarding social sciences. The data for this study is quantitative in nature and the various statistical techniques are used to analyze the survey data. The complete analysis of this data is conducted on statistical software such as

Microsoft Excel, Statistical Packages for Social Science (SPSS) and Strata. The data was analyzed using frequency distribution, descriptive analysis of study measures, graphical analysis, correlation analysis, non-parametric tests and chi-square test.

The study measures such as respondents' family, family head, qualification of the respondents, and level of the household monthly income and occupation of the respondents are the explanatory factors behind the reporting station of their domestic, communal and social disputes.

RESULTS AND DISCUSSION

Table 1: Distribution of Respondents' Age (Years)

Age groups (years)	Frequency <i>f</i>	Percentage/ %age
15-30	71	14.8
30-45	243	50.6
45-60	155	32.3
60 & above	11	2.3
Total	480	100.0

The results of above table show that majority of the respondents (50.6%) belong to the age group of 30-45 years while the respondents above 60 years old are relatively lower in proportion which are (2.3%). There are (14.8 %) of the respondents in 15-30 years age group while (32.3%) of the respondents fall in 45-60 years old age category.

Table 2: Opinion about the Effectiveness of State's Judicial and Punchayat System

The State's Judicial system is effective in solving issues of and engagements and marriages in your family?	The Punchayat system is effective in solving issues of and engagements and marriages in your family?			
	Agree	Neutral	Disagree	Total
Agree	57(11.9)	64(13.3)	39(8.1)	160(33.3)
Neutral	73(15.2)	52(10.8)	47(9.8)	172(35.8)
Disagree	48(10)	44(9.2)	56(11.7)	148(30.8)
Total	178(37.1)	160(33.3)	142(29.6)	480(100)

$\chi^2_{(10)} = 10.665^*$, $\phi = 0.149^*$ and Cramer's $V = 0.105^*$ (braces contain percentages of frequencies, * and ** indicate value is significant at 5% and 1% level of significance respectively)

The above table presents that the majority of the respondents are agree that that the State's Judicial system is effective in solving issues of engagements and marriages while they are undecided about the effectiveness of punchayat system in tenacity of the same issue. There are 57 comprising 11.9% of respondents who are agree with the statements that the State's Judicial system is effective in solving issues of engagements and marriages and they also

agree that the punchayat system is effective in solving issues of engagements and marriages. There are 8.1% of the respondents who are agreed with the statement that the State's judicial system is effective in solving issues of engagements and marriages while they are disagreed about the effectiveness of punchayat system in tenacity of the same issue. The majority (15.2) of the respondents are agreed that the punchayat system is effective in resolving the issues of engagements and marriages in their family while they are neutral about the effectiveness of the State's judicial system in the same issue. There are 10.8% of the respondents are neutral and undecided about the effectiveness of both state judicial and punchayat system in resolving the issues of engagements and marriages in their family There are 47 comprising 9.8% of the respondents are disagreed that the punchayat system is effective in resolving the issues of engagements and marriages in their family while they are neutral in opinion about the effectiveness of the State's Judicial system in the same issue. The majority of the respondents disagreed that both the State's judicial system and punchayat system are effective in resolving the issues of engagements and marriages. There are 10% of the respondents disagreed the State's Judicial system is effective in resolving the issues of engagements and marriages while they agreed about the effectiveness of Punchayati system regarding the same issues. There are 44 comprising 9.2% of the respondents disagreed about effectiveness of State's judicial system in resolving the issues of engagements and marriages while they are neutral in opinion about the effectiveness of punchayat system regarding the said issue.

The Pearson chi-square value is 10.665 and statistically significant. There is statistically significant association between the effectiveness of state's judicial system and punchayat system in resolving the issues of engagements and marriages. The effect size (coefficient of Cramer's V) is weak (0.105) and statistically insignificant. The correlation between "the effectiveness of state's judicial system and panchayat system in resolving the issues of engagements and marriages statistically insignificant.

Table 3: Opinion about effectiveness of State's Judicial System and reporting station of property conflicts

The State's Judicial system is effective in solving issues of property conflicts	Where do you take the property / land conflicts to get decision			
	At Police Station	In Punchayat	Both at police and Punchayat	Total
Agree	57(12)	43(9)	72(15)	172(35.8)
Neutral	41(8.5)	59(12.3)	49(10.2)	149(31)
Disagree	56(11.7)	54(11.3)	49(10.2)	159(31.1)
Total	154(32.1)	156(32.5)	170(35.4)	480(100)

$\chi^2_{(4)} = 10.142^*$, $\phi=0.145^*$ and Cramer's V = 0.103* (braces contain percentages of frequencies, * and ** indicate value is significant at 5% and 1% level of significance respectively)

The results of the above cross tabulation show that there are fifty-seven comprising 12% of the respondents who agree about the effectiveness of state's judicial system in settling the property conflicts and they report their property conflict at police station. There are 72 comprising 10.6% of the respondents who are agreed the effectiveness of state's judicial system in settling the property conflicts and they report their property conflict at both police station and punchayat system. There are 9% of the respondents who reported their property conflict in punchayat system they are agreed about the effectiveness of state's judicial system in settling the property conflicts. There are 41 comprising 8.5% respondents who are neutral in opinion about the effectiveness of state's judicial system in settling the property conflicts and they report their property conflicts at police station. There are 59 comprising 14.6% of the respondents who reported their property conflicts at punchayat and are neutral in opinion about the effectiveness of state's judicial system in settling the property conflicts. It is clear from the results that 49 comprising 14.4% of the respondents who are neutral in opinion about the effectiveness of state's judicial system in settling the property conflicts and reported their conflicts at both police station and punchayat. There are 56 comprising 11.7% of the respondents who are neutral in opinion about the effectiveness of state's judicial system in settling the property conflicts and reported their conflicts at police station. There are 11.3% of the respondents who reported their property conflicts at punchayat and are neutral in opinion about the effectiveness of state's judicial system in settling the property conflicts. There are 49 comprising 10.2% of the respondents who are neutral in opinion about the effectiveness of state's judicial system in settling the property conflicts and reported their conflicts at both police station and punchayat.

The Pearson chi-square value is 10.142 and statistically significant that can be concluded as, there exist a significant association between the respondent's opinions about effectiveness of state's judicial system the reporting station when they have property conflicts with someone else. The effectiveness of state's judicial system has a moderate but statistically significant effect on the respondents' reporting station about property conflicts. There exists a statistically significant correlation between "effectiveness of state's judicial system" and "the respondents' reporting station".

Table 4: Opinion about Tenacity of Property Issues and Reporting Station

In your opinion, which system resolves inheritance issues timely?	Where do you take the property / land conflicts to get decision?			
	At Police Station	In Punchayat	Both at police and Punchayat	Total
Formal judicial system	59(12.3)	40(8.3)	38(7.9)	137(28.5)
Punchayat System	47(9.8)	78(16.2)	79(16.4)	204(42.5)
Both Formal judicial and Panchayat System	48(10)	38(7.9)	53(11)	139(28.9)
Total	154(32.1)	156(32.5)	170(35.4)	480

$\chi^2_{(4)} = 17.476^{**}$, $\phi=0.191^{**}$ and Cramer's $V = 0.135^{**}$ (braces contain percentages of frequencies, * and ** indicate value is significant at 5% and 1% level of significance respectively)

The results show that there fifty-nine comprising 12.3% of the respondents who consider formal judicial system to resolve inheritance issues timely and they report their property conflicts at police station. There are 40 comprising 8.3% of the respondents who consider formal judicial system to resolve inheritance issues timely and they report their property conflicts in punchayat. There are 7.9% of the respondents who report their property conflicts to both police station and punchayat and they consider formal judicial system to resolve inheritance issues timely. There are 47 respondents who consider formal judicial system to resolve inheritance issues timely and they report their property conflicts at police station. There are 78 comprising 16.2% of the respondents who reported their property conflicts to get decision in punchayat while they consider formal judicial system to resolve inheritance issues timely. It is clear from the results that 79 comprising 16.4% of the respondents who consider formal judicial system to resolve inheritance issues timely and they report their property conflicts at both police station and punchayat. There 48 comprising 10% of the respondents who consider formal judicial system to resolve inheritance issues timely and they report their property conflicts at police station. There are 38 comprising 7.9% respondents who consider formal judicial system to resolve inheritance issues timely and they report their property conflicts at punchayat and punchayat system and they report in punchayat if something is stolen from their home. There 53 comprising 11% of the respondents who consider formal judicial system to resolve inheritance issues timely and they report their property conflicts at both police station and punchayat system.

The chi-square value 17.476 is statistically highly significant which is concluded as there exist a highly statistically significant association between the judicial system resolve the inheritance issues timely and the respondents' reporting station about the property conflicts. The respondent's opinion about the judicial system in resolving the inheritance issues timely has a moderate but statistically significant effect on the respondents' reporting station. There exists a statistically significant correlation between "respondent's opinion about the judicial system in resolving the inheritance issues timely" and "the respondents' reporting station on having property conflicts".

Table 5: Comparison of reliable and timely justice systems regarding business deals

	Which system is more reliable and affordable justice system in your village?			
Which system is giving you timely justice regarding the issues of business matters among the villagers at local level?	State judicial system	Punchayati System	Both	Total
Formal judicial system	66(13.8)	63(13.1)	16(3.3)	145(30.2)

Punchayat System	56(11.7)	114(23.8)	27(5.6)	197(41)
Both Formal judicial and Punchayat System	51(10.6)	69(14.4)	18(3.8)	138(28.8)
Total	173(36)	246(51.3)	61(12.7)	480(100)

$\chi^2_{(4)} = 10.748^*$ $\phi=0.150^*$ and Cramer's $V = 0.106^*$ (braces contain percentages of frequencies, * and ** indicate value is significant at 5% and 1% level of significance respectively)

The above table presents that the majority 114 comprising 23.8% of respondents who consider punchayat system in delivering the timely justice on issues of business matters at local level and they also consider Punchayati system more reliable and affordable justice system. There are 66 comprising 13.8% of the respondents who consider state's judicial system more reliable in delivering justice while they consider formal judicial system in delivering the timely justice on issues of business matters at local level. There are 3.3% of the respondents who consider formal judicial system in delivering timely justice on business issues and they consider state judicial system and Punchayati system more reliable in delivering justice. There are 56 comprising 11.7% of the respondents who consider punchayat system in delivering timely justice on business issues while they consider state's judicial system in more reliable. There are 5.6% of the respondents who consider the punchayat system effective in delivering timely justice on business problems while they believed that both state judicial and Punchayati system are more reliable and affordable. There are 51 comprising 10.6% of the respondents who both favored formal judicial system and Punchayati system in delivering the timely justice on issues of business matters at local level while they consider state judicial system more reliable and affordable. There are 69 comprising 14.4% of the respondents who both favored formal judicial system and Punchayati system in delivering the timely justice on issues of business matters at local level while they consider punchayat system more reliable and affordable.

The Pearson chi-square value is 10.748 and statistically significant. There exists a significant association between the respondent's opinion regarding the delivery of timely justice on issues of business matters at local level by judicial system and the reliability and affordability of justice system. The respondent's opinion regarding the delivery of timely justice on issues of business matters at local level by the judicial institutions has a weak but significant effect on the reliability and affordability of justice system. There exists a statistically significant correlation between the respondent's opinion regarding the delivery of timely justice on issues of business matters at local level by the judicial system and the reliability and affordability of justice system.

Table 6: Opinion about Resolution of Murder Cases and Preferred Reporting Station

In your opinion, which system is resolving the issues of murder cases in time?	Where do you take matters of murder in the village?			
	At Police Station	In Panchayat	Both at police and Panchayat	Total
Formal judicial system	56(11.7)	48(10)	51(10.6)	155(32.3)
Panchayat System	43(8.9)	53(11)	82(17.1)	178(37.1)
Both Formal judicial and Panchayat System	51(10.6)	48(10)	48(10)	147(30.1)
Total	150(31.2)	149(31)	181(37.7)	480

$\chi^2_{(4)} = 10.063^*$, $\phi=0.145^*$ and Cramer's $V = 0.102^*$ (braces contain percentages of frequencies, * and ** indicate value is significant at 5% and 1% level of significance respectively)

The above table presents that there are 56 comprising 11.7% of respondents who consider formal judicial resolves the murder cases in time and they report the matters of murder in their villages at police station. The ten percent of respondents report the matters of murder to panchayat while they consider formal judicial resolves the murder cases in time. The majority (13.1%) of the respondents who consider formal judicial resolves the murder cases in time and they report the murder cases to both panchayat and police station while 8.9% and 11% report the matters of murders at police station and panchayat system respectively. The majority (10.6%) of the respondents who consider both formal judicial system and panchayat system resolve the murder cases in time while they report the murder cases at police station. There are 48 comprising 10% of the respondents report the murder cases while they consider both formal judicial and panchayat system in resolving the cases of murder timely. There are 48 and 10% of the respondents who consider both state judicial and panchayat system in resolving the cases of murder timely and they report the murder cases in their villages to both panchayat and formal judicial system.

The Pearson chi-square value of 10.063 is statistically insignificant which might be concluded that as there exists a significant association between the respondent's opinion regarding the timely justice on murder case by the judicial institutions and respondents' reporting station about the murder cases in their villages. The opinion about the timely justice on murder case by the judicial institutions has significant effect on respondents' reporting station about the murder cases. There exists a statistically significant correlation between the respondent's opinion regarding the timely justice on murder case by the judicial institutions and respondents' reporting station about the murder cases in their villages.

Table 7: Opinion about Resolution of Honor Cases and Reporting Station

Honor issues related to women, which system is solving timely?	Where do you take the conflicts regarding honor issues of women?			
	At Police Station	In Panchayat	Both at police and Panchayat	Total
Formal judicial system	49(10.2)	42(8.7)	42(8.7)	133(27.7)
Panchayat System	55(11.5)	77(16)	74(15.4)	206(42.9)
Both Formal Judicial and Panchayat System	38(7.9)	49(10.2)	54(11.2)	141(29.4)
Total	142(29.6)	168(35)	170(35.4)	480

$\chi^2_{(4)} = 4.957$, $\phi = 0.102$ and Cramer's $V = 0.072$ (braces contain percentages of frequencies, * and ** indicate value is significant at 5% and 1% level of significance respectively)

The results show that there are 49 comprising 10.2% of the respondents who favored formal judicial system in resolving honor issues regarding the women timely and they reported conflicts regarding honor issue of women at police station. There are 42 comprising 8.7% of the respondents who report conflicts regarding honor issue of women at police station and they consider formal judicial system in resolving honor issues regarding the women timely. Disagree with both of the statements. There are 8.7% of the respondents who preferred formal judicial system in resolving honor issues regarding the women timely and they report conflicts regarding honor issue of women at both police station and panchayat. The majority (77 comprising 16%) of the respondents consider panchayat system in resolving honor issues regarding the women timely and they report conflicts regarding honor issue of women to panchayat system while 55 comprising 11.5% and 74 comprising 15.4% of the respondent report conflicts regarding honor issue of women at police station at police station and both police station and panchayat system respectively. There are 38 comprising 7.9% of the respondents who report conflicts regarding honor issue of women at police station and they consider both formal judicial system and panchayat system in resolving honor issues regarding the women timely. There are 49 comprising 10.2% of the respondents preferred both formal judicial system and panchayat system in resolving honor issues regarding the women timely and they report conflicts regarding honor issue of women at panchayat system. There are 54 comprising 11.2% of the respondents preferred both formal judicial system and panchayat system in resolving honor issues regarding the women timely and they report conflicts regarding honor issue of women at both police station and panchayat system.

The chi-square value 4.957 is statistically insignificant which is concluded as there is no significant association between the respondents' opinion about judicial institution in resolving honor issues regarding the women timely and the respondents' reporting station about the conflicts regarding honor issue of

women. The respondents' opinion about judicial institution in resolving honor issues regarding the women timely has a weak and statistically insignificant effect on the respondents' reporting station. There exists a statistically insignificant correlation between the respondents' opinion about judicial institution in resolving honor issues regarding the women timely and the respondents' reporting station about the conflicts regarding honor issue of women.

Table 8: Comparison of Panchayat System on Domestic Disputes and Accessible Justice System

The Panchayati system is effective in solving issues of domestic disputes?	Which system is easy and accessible for all			
	State judicial system	Panchayati System	Both	Total
Agree	50(10.4)	86(17.9)	69(14.4)	205(42.7)
Neutral	51(10.6)	49(10.2)	44(9.2)	144(30)
Disagree	31(6.5)	52(10.8)	48(10)	131(27.3)
Total	132(27.5)	187(39)	161(33.5)	480(100)

$\chi^2_{(4)} = 6.851$ $\phi = 0.119$ and Cramer's $V = 0.084$ (braces contain percentages of frequencies, * and ** indicate value is significant at 5% and 1% level of significance respectively)

The results of the above cross tabulation show that the majority (86 comprising 17.9%) of the respondents has favored the effectiveness of Panchayati system in resolving the domestic dispute and they consider the Panchayati system easy and accessible. There are 50 comprising 10.4% of the respondents who are agreed that the Panchayati system is effective in resolving the domestic dispute while they consider state judicial system easier and more accessible. There are fifty-one comprising 10.6% of the respondents who are neutral in opinion about the effectiveness of Panchayati system in resolving the domestic dispute while they consider state judicial system easier and more accessible. There are 10.2% of the respondents who are neutral in opinion about the effectiveness of Panchayati system in resolving the domestic dispute while they consider Panchayati system easier and more accessible. There are 44 comprising 9.2% of the respondents who are neutral in opinion about the effectiveness of Panchayati system in resolving the domestic dispute while they consider both state judicial and Panchayati system easier and more accessible. There are 31 comprising 6.5% of the respondents who are disagreed in opinion about the effectiveness of Panchayati system in resolving the domestic dispute while they consider state judicial system easier and more accessible. It is clear from the results that there are 52 comprising 10.8% of the respondents who are disagreed in opinion about the effectiveness of Panchayati system in resolving the domestic dispute while they consider Panchayati system easier and more accessible.

The Pearson chi-square value of 6.581 is statistically insignificant. There exist a statistically insignificant association between the respondent's opinion about the effectiveness of panchayat system in resolution of domestic dispute and

accessible justice system. There exists a statistically significant correlation between “the effectiveness of punchayat system in resolution of domestic dispute” and “accessible justice system property”.

Table 9: Comparison of Effectiveness of punchayat system on domestic dispute and system delivering justice on time

The Panchayat system is effective in solving issues of domestic disputes?	Which system is giving you timely justice			
	Formal judicial system	Punchayat System	Both Formal judicial and Punchayat System	Total
Agree	47(9.8)	101(21)	57(11.9)	205(42.7)
Neutral	56(11.7)	50(10.4)	38(7.9)	144(30)
Disagree	42(8.7)	46(9.6)	43(9)	131(27.3)
Total	145(32.1)	197(41)	138(28.8)	480(100)

$\chi^2_{(4)} = 14.341^{**}$ $\phi = 0.173^{**}$ and Cramer's $V = 0.122^{**}$ (braces contain percentages of frequencies, * and ** indicate value is significant at 5% and 1% level of significance respectively)

The results of the above cross tabulation show that the majority (101 comprising 21%) of the respondents consider punchayat system more effective in delivering timely justice while they are agreed that the punchayat system is effective in resolving domestic dispute. There are 47 comprising 9.8% of the respondents who have said that the punchayat system is successful in resolving domestic dispute related while they consider formal judicial system effective in delivering timely justice. There are fifty-seven comprising 11.9% of the respondents who are agreed that the punchayat system successful in resolving domestic conflicts and they consider both formal judicial system and punchayat system in delivering timely justice. There are 11.7% of the respondents who are neutral in their opinion about the effectiveness of punchayat system in resolving domestic dispute while they consider formal judicial system in delivering timely justice. There are 50 comprising 10.4% of the respondents who are neutral in opinion about the effectiveness of punchayat system more in resolving domestic dispute and the punchayat system in delivering timely justice. There are 38 comprising 7.9% of the respondents are neutral in opinion about the effectiveness of punchayat system more in resolving domestic dispute while they consider both formal judicial system and punchayat system more successful in delivering timely justice. It is clear from the results that the majority (42 comprising 8.7%) of the respondents who are disagreed that the punchayat system is effective in resolving the domestic dispute while they consider formal judicial system in delivering timely justice. The majority (46 comprising 9.6%) of the respondents who are disagreed that punchayat system is effective in domestic

dispute and they consider punchayat system in delivering timely justice. There are 42 comprising 8.7% of the respondents who consider punchayat system unsuccessful in resolving domestic conflicts and they consider punchayat system in delivering timely justice. There 43 comprising 8.9% of the respondents who consider punchayat system unsuccessful in resolving domestic dispute and they consider both formal judicial system and punchayat system in delivering timely justice.

The Pearson chi-square value of 14.341 is statistically highly significant. There exist a statistically significant association between the punchayat system effective in resolving domestic dispute and the effectiveness of justice system in delivering timely justice. The respondent's opinion about the punchayat system is successful in resolving domestic dispute has a weak but statistically significant the effectiveness of justice system in delivering timely justice. There exists a statistically significant correlation between "the punchayat system is successful in resolving domestic dispute" and "the effectiveness of justice system in delivering timely justice".

CONCLUSION

This study helps to understand such level of justice mechanism in Punjab, Pakistan. The study would be helpful to make understand the social and cultural phenomenon related to the crimes in the society. The methodology of this study is quantitative. The total 480 respondents constitute the study sample. The Mughal dynasty continued until the middle of the 19th century. During Muslim rule, Islamic law became the law of the land in resolving civil and criminal disputes. On the other hand, common mores and values were also formulated in determining secular matters (Saran, 1941). In Mughal period the punchayats were comprised of non-professionals working independently without any government influence (Sharma, 1965, p. 199). People contact with the punchayat to solve their disputes which is a routine matter in rural areas. Punchayat can play a pivotal role where the state justice system is not able to provide a realistic relief. Punchayat is often used to avoid the state justice systems as the outcomes are not perceived as favorable to the community. Punchayat even resolve criminal cases such as killing a person, within the community to restore the harmony of the community.

The majority of the respondents are agreed that the Punchayat system is capable of resolving issues of domestic dispute and the issues of property conflicts. Most of the respondents are agreed that the Punchayat system is effective in resolving the issues of murder. The majority reported that to some extent and to great extent the Punchayat system is successful in resolving robbery issues and the matters of marriage and engagements respectively. Most of the respondents reported that to some extent the Punchayat system is successful in solving property problems and inheritance, property disputes. The majority favored to great extent that the Punchayat system handling matters of murder and the business deal matters among the villagers. The majority reported their dispute about someone's marriage in the Punchayat while in case murder and land and property they consider both police and Punchayat. Most of the respondents reported their conflicts to Punchayat regarding honor issues of women and business matters. In her article of Law and Gender (Hussain, 2006) reported that due to poor system of police

investigation in cases of honor crimes in Pakistan, 85% culprits are either released or get lenient sentences.

Majority of the respondents found the panchayat system over state judicial system stricter towards criminal punishments, more conscious about human rights in their villages and more effective in delivering decision on merit. The majority found favoritism in both of the systems i.e. panchayat and state judicial system in their judicial process while they considered the Panchayat system easy and accessible for all. Most of the participants found judicial system more expensive while they consider Panchayat more reliable and affordable system of justice in their villages.

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