

RESEARCH ARTICLE

Social reasons for and repercussions of judicial delays in subordinate courts of Karachi: the need for sociological analysis

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Abstract: The problem of judicial delays is universal. It is a phenomenon that occurs across the world in all judicial systems. Being a developing country, the issue of judicial delays is also a persistent issue in the justice dispensing system of Pakistan. This study aims to find out the reasons for and repercussions of the process of judicial delays from a socio-legal perspective and highlights the need for a sociological analysis for the same. In a quantitative approach, this study was conducted in the lower courts of Karachi, Sindh, Pakistan. The study reveals that in addition to administrative and procedural hindrances, the social reasons are also contributing to the phenomenon of delays of proceedings in the judiciary. Poverty, corruption, discrimination, and friendship are among these social reasons, whereas the adoption of unrecognised ways of dispute solutions like jirga and panchayat, loss of public trust, individual disorganisation and financial damages are identified as the social repercussions of judicial delays. Finally, the research identifies that judicial delays are a social problem and further investigations are required to determine possible remedies.

Keywords: Judicial delays; Subordinate Courts; need; Karachi.

INTRODUCTION

Iqbal (2006) states that, the main aim of any judicial system is the quality and quick provision of justice. It will support the well-being, prosperity and harmony of the society. Khan (2015) reveals that, in the courts, throughout the world, thousands of civil and criminal cases are backlogged. An unwanted slowness in the dispensing of justice is considered as the denial of justice, whereas, quick justice is a basic right of the citizens of any state. On the other side, in the criminal system of

justice, the slow provision of justice is recognised as a violation of fair trial.

According to Balakrishnan (2007) the sacrosanct duty of the justice system is that it shows commitment, and guarantees that the surplus of the cases be reduced and the disposal of the cases may be increased. Prolonged justice decreases the faith of the public on the judicial system. Moog (1992) points out that the court systems have been overwhelmed by the process of delays.

Besides, the charters of human rights in multiple numbers pay attention to the quick provision of justice; the Charter of Magna Carta (1215), Virginia Declaration of Rights (1776), and the Sixth Amendment of the Constitution of the United States ensure the right of speedy justice. Apart from this, the International Convention on Civil and Political Rights (1966), in its Article 14, and the European Convention on Human Rights recognize the right of quick justice.

According to Arshad (2017), the Pakistani judicial system is not the only victim of delays of its proceedings; this is an issue even in all the best judicial systems of the world, including the United States of America (USA), United Kingdom (UK) and many other European and Asian countries. In the comparison of other nations of the world, the problem of judicial delays in the Pakistani justice system is long-lasting and deep rooted. Since the inception of Pakistan in 1947, citizens are facing the issue of court backlogs along with other social evils.

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Atif Mirza (2016), reports that the legal system in Pakistan is known for delayed proceedings and ineffective administration of cases. A large number of cases were, and are still put in the long waiting list for quick disposal in the lower as well as apex courts. As per Khattak (2015), 20,480 cases were recorded in pending situation only in the Supreme Court of Pakistan as at 31st December 2013, while this court had 2,0314 cases as a backlog as at 1st January 2013. Whereas, in this year, the highest pendency of cases was observed in the lower courts of Sindh province of Pakistan, with a total number of 124,190. According to Siddiqi (2016), by 31st December 2014, in all courts, including the Supreme Court, High Courts, and in the district judiciary, 1,754,420 cases were pending. According to a press release of the Supreme Court of Pakistan (2017), about 19,253 Human Rights (HR) applications and 14,562 other cases were instituted in the supreme court of Pakistan from 01.01.2016 to 24.08.2016, and disposal of the same was low. Whereas, Sahoutara (2016) highlights that at the beginning of 2015, in the subordinate courts of Sindh, about 135,960 cases were recorded as backlogged, while further 3,362 cases were added to this backlog by the end of the same year. Furthermore, it was found that half of these pending cases were related to the district courts of Karachi. On the other hand, Karachi West, East, Central, Malir, and South districts comprise the administration of justice of Karachi. Furthermore, it is noted that Atif Mirza (2016) has quoted UNDP (United Nations Development Program) and stated, that in 2012, 43% of the cases instituted in the courts in Sindh took 5 to 10 years to be settled.

Delaying features of the legal system

Delays in any legal system are caused by numerous internal and external factors. Additionally, legal procedures and gaps are also responsible for this effect. Sani (2018) describes procedural features, including delays before trial and in the process of trial, relatively high consumption of time during the appellate proceedings and at the time of execution, responsible for causing delays in the legal system. Secondly, vacant positions in the judiciary, lack of accountability of the presiding officers, frequent vacations of courts, the hostility of witnesses, and much time taking for passing judgement are substantive features of a legal system that delays the justice process. Church (as cited in Boyum, 1979) states that the structure of the court, especially, workload, size of the court, activity in the trial and settlement, the practice of case management and calendaring, too has a connection with delayed process. Siddique (2013) considers the shortage of presiding officers of courts as one of the features of the legal system aiding to the

delays. Iqbal (2017) states that the shortage of judges, not completing investigations on time, non-appearance of witnesses and inaccessibility of lawyers are significant causes of delays in the justice system.

STATEMENT OF THE PROBLEM

According to Khan (2011), the issue of judicial delays in Pakistan and the world is not new. Ostrom & Hanson (2007) endorse this point of view and state that this discourse is universal. So, in this perspective, William Gladstone rightly stated that “Justice delayed is justice denied”.

A majority of citizens of Pakistan is approaching courts for the resolution of their problems. Every day a significant number of criminal and civil cases are filed in the Pakistani courts, whereas, the disposal and the dispensing of justice is still slow, despite the great efforts taken by various governments in Pakistan for speedy justice. As per Kalanauri (2012), today in Pakistan, extreme delays occur in the administration of justice. From district judiciary to High Courts, as well as to the Supreme Court, a great number of cases are yet to be disposed within a reasonable time frame.

Particularly, from the perspective of the province of Sindh and generally in Pakistan, social scientists have not paid their attention to this crucial issue of delays in the justice sector. So far, few studies have been conducted with the main objective of knowing the administrative and procedural reasons behind the judicial delays. While the reasons and the repercussions of judicial delays in social perspective have not yet been investigated, in this milieu, sociological and social reasons and repercussions of judicial delays are the research gaps. Apart from this, the sociologists need to pay attention to the legal theory as well in order to examine legal systems under the sociological perspective. Scheppele (1994) notes that legal theory has not been recognised by the sociologist today and that it has not been focused on by the sociologists of law even. Sociology, in terms of a specific discipline, sprouted from jurisprudence and remained in a close relationship with it during the nineteenth century. Earlier sociologists like Weber, Marx, and Durkheim were the supporters of legal theory.

JUSTIFICATION OF STUDY

More or less, every study which has taken into the consideration the perspective of this study has emphasized further scientific investigations regarding the phenomenon of judicial delays. Hossain & Hossain

(2012) have recognized the necessity of a more scholarly discourse on judicial delays, particularly, related to social disorganization as consequences of this phenomenon. Siddique (2011) has also acknowledged many possibilities for future research on judicial delays and has identified that this phenomenon must be taken into consideration in historical, ideological and sociological backgrounds. Besides, Jain (2015) states that the problem of judicial delays can be overcome through combined efforts and scientific discussions conducted by society, courts, bar councils, academic, and media. Fix-Fierro (2003) goes to such an extent in claiming that such a sociological model has had the option to defeat an over-barely characterized worry with access to the law or access to justice. A sociological model of legal process depends upon various scientific necessities, which to some extent, are more wanting. Hence, sociological analysis of the judicial delays is the demand of the time. Susan Silbey (1997: p. 233) (as cited in Ewick *et al.*, 1999) mentions that one should seek after social science understanding of the law because, without that theoretical examination regarding the social organisation and law, critical questions of justice can't be answered.

Objectives

1. To know whether how far poverty, friendship, corruption and discrimination are the reasons for judicial delays.
2. To identify whether loss of public trust, individual disorganization, financial damages, and adoption of unrecognised ways of dispute solution are the repercussions of judicial delays.

Hypotheses

- H₁: The poverty of court disputants is associated with the reason for judicial delays.
- H₂: Friendship is associated with the reason for judicial delays.
- H₃: Corruption is associated with the reason for judicial delays.
- H₄: Discrimination is associated with the reason for judicial delays.
- H₅: Loss of Public trust is associated with the repercussion of judicial delays.
- H₆: Individual Disorganization is associated with the repercussion of judicial delays.
- H₇: Financial Damages are associated with the repercussion of judicial delays.
- H₈: Adoption of unrecognised ways of dispute solution is associated with the repercussion of judicial delays.

THEORETICAL FRAMEWORK AND SOCIOLOGICAL PERSPECTIVE

This phenomenon of judicial delays can well be defined under the theoretical framework of sociology. The theory of functionalism is best applied to the process of judicial delays as courts are one of the social institutions. This very important social institution is interconnected and interrelated with other institutions of society. When working in good governance, judicial institutions can bring harmony and smooth functioning of the society. Conflict theory of sociology can also be fitted to this scenario of courts, as it talks about the inequality and class conflict. Similarly, this study also aims to find out the discrimination, corruption, types of friendship, loss of public trust as the causes and consequences of the judicial delays. All these factors occur due to the inequality and preference to the elite in the court process. So, this study under these circumstances attracts further theories of social discrimination, especially, the theory of social inequality, and theories of stigma become more relevant. The theory of anomie as proposed by Emile Durkheim (1893) is related to this scenario of judicial delays in terms of economic losses and adoption of the unrecognised methods of dispute solution. When the public does not receive early justice from the courts, they begin to act on their own method of revenge. As a result, the lawlessness and chaos in the society further aggravates.

Sociological perspective as an approach of sociological analysis

Mooney *et al.* (2007) state that the way with which one simply looks at the world is called perspective. Doda's (2005) sociological perspective provides an assumption about the society. Berger's (1963) sociological perspective observes the outside appearance of actions of people and organisation. So, a special method of approaching a phenomenon is termed as a sociological perspective. Hence, in this study the sociological perspective helps in a specific manner to analyse the judicial delays in social and sociological settings. Little *et al.* (2014) state that sociology is a science involving multi-perspectives and that these different perspectives offer contending descriptions of social phenomena. Furthermore, the sociological perspective in connection to this present study assists to identify the social reasons and repercussions of the judicial delays purely in a social setting without having the focus on the administrative or procedural factors.

In this context, the data of this study have also been analysed within a sociological framework. The sociological perspective supports the analysis of this study and shapes it socially. According to Bala (2005), it is good to analyse the consequences and causes of a social event in sociological perspective. In this regard, the current study aims to inspect the reasons for and consequences of the social event of judicial delays. Moreover, analysis from a sociological point of view relates the theories, concepts and terms of sociology with the phenomenon of judicial delays.

Sociological perspective, law and the legal system

Šlapkauskas (2010) notes that the sociological perspective establishes the connection between society and law. According to Berger & Luckmann (1991), sociological perspective describes law instrumentally. Banakar (2009) states that law and its countless manifestations fundamentally are social and are attracted by the sociological investigation. According to Banakar & Travers (2005), the strongest feature of socio-legal inquiry is that it provides importance to both sociology and law, whereby it discusses the issues, which cannot be studied alone by sociology or law. Under the above circumstances, it is clear that society and law have a relationship. It is sociological perspective, which brings them together. This sociological perspective is relevant to this study. Hence the researcher wants to discuss the process of judicial delays from a social and socio-legal point of view.

In order to study the law, judicial system, and judicial delays from a sociological perspective, various approaches are to be applied. Tubingen (1911) (as cited in Timasheff, 1937) notes that numerous terms or concepts are used to study law in sociological perspectives. It includes law and society, socio-legal studies, legal cultures and sociology of law. Pound (1912) used another approach to study law from the sociological perspective known as sociological jurisprudence. All these approaches guide the scope of this present study by keeping it within the limits of the social and socio-legal paradigms.

LITERATURE REVIEW

Sharma (2016) feels that the pursuit for speedy justice as the need of the time for today's democratic states. VanDijk (2003) (as cited in Shah *et al.*, 2014) notes that due to judicial delays, the disputes remain unresolved for a very long time, which results in having impacts on tranquility and social harmony. When disputes are not settled within a reasonable time, it increases damage

and resentments among the public and also, indirectly, encourages crime. According to Kumar (2012), 30 million cases are in the pendency in different courts and the average duration for their disposal is 15 years. So, in these circumstances of huge pendency, a judicial system cannot be declared as satisfactory. Callinan (2002) shares that quick and productive process of court systems is very important for any organization related to justice and delay in this process is a quite resistance in achieving the goals.

Poverty has been considered, as a reason for the judicial delays by the previous studies conducted, such as the Supreme Court of Bangladesh (2013). Poverty is a great obstacle in availing the formal courting system of justice because the courting system is expensive, and due to this feature the same is avoided by the common citizen. Cranston *et al.* (1985) states that poverty is one of the reasons for long proceedings in courts whereby an individual is not able to pay charges to his/her advocate. Consequently, people change their advocate, which ultimately cause delays. Besides, it was proved that counsels work quickly when they are paid well and on time.

Sipes *et al.* (1988) note that the readiness, quality, skills, and relevant knowledge of a lawyer have an impact on the duration of a trial. The readiness of a lawyer comes from the payment of his fees within due time. According to Acorn & Buttuls (2013), the main element that can extend or abridge trials is the attorney's demeanor and techniques. Advocates impact and respond to external social and financial forces, with consultations of the close-by legal culture and personal inspirations instruments influencing choices lawyers set forth, along these lines affecting case managing time.

About the relationship between corruption and judicial delays, Hussain *et al.* (2015) states that amongst the grounds of judicial delays in Pakistan, corruption is one such factor and therefore, there is a strong relationship between the delays in the court process and corruption. Mugisha (2009) states that numerous judicial officers being expelled from their responsibilities on various allegations and corrupt practices, is proof for this. Transparency Surveys in 2002 and 2006 (as cited in Siddique, 2013) confirm that litigants in the Pakistani judicial system resort to corruption, and hence, it is ranked among the list of the most corrupted systems in the world. Jain (2015) states that the fundamental elements of any justice sector are equality and parity. Accordingly, in the absence of equality, justice cannot be established.

Eisenberg *et al.* (2012) notes that the confidence and usage of Indian courts have been discouraged due to the balance of the cases. According to Kaweesa (2012), in case of the loss of trust in the courts; the public avoided the use of it, and as a result, the process of a fair trial has been obstructed. Another consequence of losing the confidence of the public from the court is people committing crimes and take the law into their hands. Cranston *et al.* (1985) notes that persons suffering from frustration and loss of confidence in the public are the outcomes of judicial delays. Hazra & Micevska (2004) state that the enforcement of Human Rights (HR), rule of law and democracy is affected and weakened due to the delays in courts. Jain (2015) notes that slothfulness in the justice sector creates damages, distress and resentment, and as a result, disorganization and chaos take place in the society, wherein people decide on their affairs on their own. Norgrove (2011) presents the fact that child development is seriously affected when a delay occurs the family cases because this long court processes destitute the children from permanent homes, depriving them of parents' love and care.

Kaweesa (2012) states that the long time taken in the judicial process affects investment and economic development. Cranston *et al.* (1985) note that the users of the court process undergo economic hardships and stress due to delayed processing. Chemin (2007) states that property rights in terms of security are affected due to the long process in courts and this eventually decreases the enthusiasm of starting businesses. According to Economides *et al.* (2013), the productivity and usefulness of the economy weaken due to judicial delays. Supreme Court of Bangladesh (2013), in a project with UNDP, observed that due to quick process and cost involvement, residents of Dhaka and Kishoreganj, use informal methods of justice to solve their minor affairs such as family, dowry, and property-related disputes.

Supra note 100 (as cited in Kaweesa, 2012: p. 126) notes that anarchy is likely to result from a slow system of the judiciary and the public services and unfortunately, loses the public's trust in the judiciary. Amaral & Bandyopadhyay (2015) noted that criminal activities are

mostly encouraged by lengthy and time consuming trials. Dalla (2008) states that delayed justice has social results and it has been found that long trials in criminal cases have strong relationships with raising the crime rate.

MATERIALS AND METHODS

This is a descriptive and exploratory study, in which cross-sectional study design is employed. According to Matthews & Ross (2010), data can be acquired in various manners including the quantitative way in a cross-sectional study. District courts of Karachi (South), Sindh, Pakistan were the locations of this study. The target population was the litigants of the above-mentioned courts. The sample size was 300; purposive and accidental sampling techniques were used. According to Matthews & Ross (2010), in cross-sectional studies, purposive sampling can be utilized. The data were collected from the litigants through the survey method and for this purpose, a close-ended questionnaire using a Likert scale was constructed. The reliability of the study tool was tested by the administration of the questionnaires to 30 participants in the targeted population. Keeping in view the language competency of the respondents, the questionnaire was translated into the Urdu language. The data were analyzed using descriptive statistics and chi-square test. Through the descriptive analysis, frequency distribution and percentage of responses were drawn. Hypotheses were tested using the chi square test. This test was employed to assess the statistical significance of the relationships between the variables. Zibran (2007) states that, commonly, the chi square test is utilized to know the probability of association. Table 1 reveals that the reliability of the scale in Cronbach's Alpha and the same is 0.863.

The below-mentioned two figures describe the independent and dependent variables of this study. Figure 1 illustrates the independent and dependent variables relating to social reasons for judicial delays. Figure 2 explains the independent and dependent variables relating to the social repercussions of the judicial delays.

Table 1: Statistics of Reliability Test

Cronbach's Alpha	Cronbach's Alpha Based on Standardized Items	N of Items
0.863	0.863	36

Conceptual framework

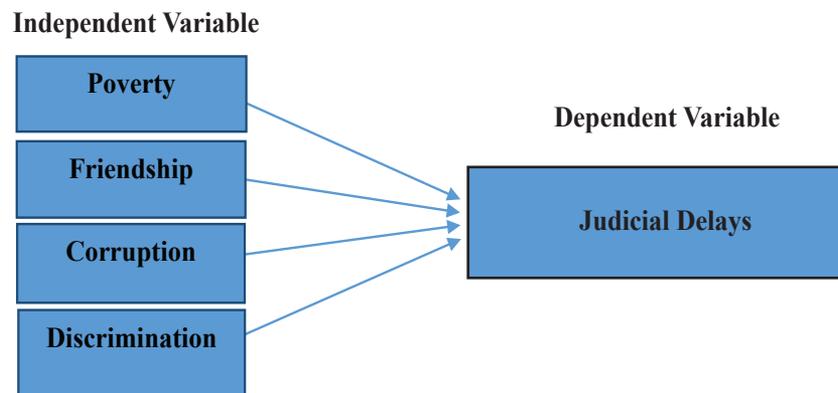


Figure 1: Independent and dependent variables relating the social reasons for judicial delays

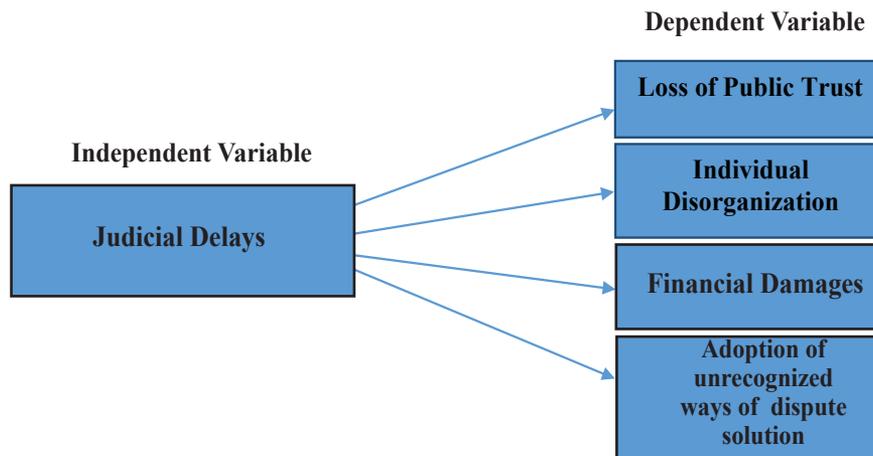


Figure 2: Independent and dependent variables relating the social repercussions of the judicial delays

RESULTS

Data were analysed in three phases by employing software SPSS (Statistical Package for Social Sciences) version 22, descriptive analyse, hypothesis testing and analysis within a sociological framework.

Descriptive analysis

Table 2 reveals that the majority of the respondents of this study were males (71%), and 29% were female participants. It is also shown by the data that 43% of participants of this survey belongs to 26-35 age groups.

Therefore, it can be understood from the findings that most of the people who are bringing their grievances in the subordinate courts belong to the age group 26-35. Regarding the education of the litigants of the courts, it is found that 27.3% of respondents were graduates and 16.3% of participants were illiterate.

The survey shows that 80% of participants reported that they are litigating in the lower courts for less than 05 years and the rest (20%) mentioned that they have been following their cases for more than 05 years. Consequently, it is expressed by the data that the majority of the legal matters in pendency in the lower judiciary are

Table 2: Demographics of respondents

Demographic	Frequency	Valid Percent
Gender	Male	71.0%
	Female	29.0%
Age	18-25	26.3%
	26-35	43.0%
	36-45	18.3%
	46-55	6.0%
	Above 55	6.3%
Education	Illiterate	16.3%
	Primary	11.3%
	Matric	17.0%
	Intermediate	20.3%
	Graduation	27.3%
	Masters	6.7%
	Higher Education	1.0%
Time of Current Litigation	Less than 05 years	80.0%
	More than 05 years	20.0%
Income	Below 15000	30.3%
	15001-20000	32.0%
	20001-30000	22.0%
	30001-40000	8.3%
	Above 40000	7.3%

of less than 05 years. Hence, it is presumed that in the subordinate judiciary of Sindh, Pakistan the pendency period of cases is almost up to five years as per this survey.

Survey results also reveal the earning capacity of the litigants of the courts. It is observed that out of 300 participants, 32% has a monthly income of PKR 15,001-20,000/-, 30.3% of participants are earning less

than PKR 15,000/-, while 22% of respondents having an earning capacity of PKR 20,001-30,000/-. So, in this context, data shows that the majority of the respondents having less earning capacity. When these less earning capacity holders bring their cases to court, they fail to pay the advocate fees and court fees. As a result, they usually change their counsels, and as such, the final decision delays in the court proceedings.

Table 3: Descriptive analysis of items of social reasons of judicial delays

Statement	Poverty as a reason of Judicial Delays				
	S.D.A	D. A	N	A	S. A
Incapability to Pay the Fees of Counsel	12.0%	19.0%	3.7%	53.0%	12.3%
Incapability to Pay Court Fees	13.0%	34.0%	11.7%	36.3%	5.0%
Incapability to bear Traveling Expenses	19.7%	29.3%	6.7%	39.3%	5.0%
Incapability to bear Expenses of Documentation	15.7%	28.0%	11.7%	38.0%	6.6%
Incapability to bear Costs of Accommodation	16.3%	33.0%	9.7%	32.0%	9.0%
Statement	Friendship as a reason of Judicial Delays				
Lawyer and Lawyer	12.0%	18.7%	6.3%	52.0%	11.0%
Lawyers and Judges	15.3%	24.3%	16.7%	34.7%	9.0%
Lawyers and Court Staff	19.3%	22.0%	12.7%	40.0%	6.0%
Parties and Opponents' Lawyer	20.3%	26.0%	17.0%	29.7%	7.0%
Parties and Judges	17.0%	41.0%	13.0%	22.7%	6.3%
Parties and Court Staff	21.3%	31.0%	12.3%	30.7%	4.7%
Statement	Corruption as a reason of Judicial Delays				
Demand of Pecuniary Benefits	28.3%	17.7%	13.3%	35.0%	5.7%
Demand of Gifts	20.7%	25.6%	17.0%	33.0%	3.7%
Concessions and Benefits	23.7%	32.3%	22.3%	16.7%	5.0%
Misuse of Power / Authority	17.0%	32.7%	25.0%	20.3%	5.0%
Statement	Discrimination as reason of Judicial Delays				
Element of Favoritism	23.0%	10.6%	8.0%	51.7%	6.7%
Element of Preference	9.0%	25.0%	10.3%	44.7%	11.0%
Preference to Elite Class	15.7%	10.7%	5.3%	43.3%	25.0%

Table 3 reveals that most of the respondents agreed with the fact that poverty is one of the reasons behind judicial delays. Out of 300 participants, 53% agreed for failure to give the fees of advocate, 36.3% agreed with the fact that having no capacity to spend on the fees of court, 39.3% agreed with the fact of having no capacity to bear the expenses of traveling, as the reasons for judicial delays. As far as, the expenses of documentation are concerned, 38% of participants agree that it is also one of the factors contributing to delays. Regarding the costs of the accommodation, majority of the participants (33%) disagrees with the fact that it is causing delays in the court proceedings, and 16.3% strongly disagree with this fact.

Excluding a few attributes of the variable 'friendship', as a reason for judicial delays, the majority of the respondents say that they agree with the fact that friendship is causing delays in the court process. Their individual responses for this variable are observed as lawyer and lawyer 52%, lawyers and judges 34.7%, lawyers and court staff 40%, and parties and opponent's lawyer 29.7%. Whereas, 41% of respondents are of the view that relations of parties and judges, 31% of the parties and court staff is not a reason for delayed justice. The data discloses that despite the efforts taken by the

apex courts, still the corrupt practices are present in the courts. Out of 300 total participants, 35% agree that lawyers and court staff demanded them pecuniary benefits, 33% recorded their observations that lawyers and court staff demanded them gifts. Whereas, significant findings are that 32.3% disagree and 23.7% strongly disagreed with the fact that they were not received with benefits or concessions even after providing the staff such pecuniary benefits and gifts.

Favoritism and preference to the people of the elite class is still present in the judicial system. Out of the sample, 51.7% agree that favoritism is one of the factors affecting delays. Only 10.6% of participants disagree and 23% strongly disagree about the occurrence of favoritism. As far as preference, in general, is concerned, 44.7% of participants are agreed, 11% strongly agreed, and were of the view that they have realized the element of preference in the courts. In the response of preference to the individuals of the upper-class, majority of participants (43.3%) agreed that in the court matters, elite class is preferred and 25% expressed as 'strongly agree'. Table 4 shows that, in the response to the social repercussions of judicial delays, out of 300 participants, 36.3% agreed that they have adopted an element of distrust in the justice dispensing system. On the other

Table 4: Descriptive analysis of items of social repercussions of judicial delays

Statement	Loss of Public Trust as a Repercussion of Judicial Delays				
	S.D.A	D. A	N	A	S. A
Distrust in Judicial System	27.0%	18.7%	9.0%	36.3%	9.0%
Unreliability in Judicial System	21.0%	17.0%	14.0%	40.0%	8.0%
Preference to Illegal Methods of Dispute Resolution	30.3%	13.0%	11.0%	32.0%	13.7%
Statement	Individual Disorganization as a Repercussion of Judicial Delays				
Frustration	3.0%	9.0%	4.0%	64.0%	20.0%
Distress	3.0%	13.0%	2.0%	67.3%	14.7%
Damages	4.0%	7.7%	4.0%	66.3%	18.0%
Resentment	9.0%	10.0%	9.0%	53.0%	19.0%
Sense of Discrimination	9.0%	14.0%	13.0%	44.3%	19.7%
Psychological Disorders	15.0%	14.7%	24.0%	35.3%	11.0%
Suicide	38.0%	26.0%	28.0%	8.0%	-----
Drug Addiction	46.0%	20.0%	22.0%	12.0%	-----
Statement	Financial Damages as a Repercussion of Judicial Delays				
Losses of Wealth	20.0%	5.0%	3.0%	55.3%	16.7%
Selling of Property	24.7%	25.0%	19.3%	24.0%	7.0%
Economic Stagnancy	13.7%	15.0%	19.3%	41.0%	11.0%
Restricted Chances of Higher Status	8.7%	21.0%	14.3%	49.0%	7.0%
Statement	Adoption of not unrecognized ways of dispute solution as a Repercussion of Judicial Delays				
Felt to commit crime or to take revenge	12.0%	25.0%	18.0%	35.0%	10.0%
Tried to resolve problem through Punchayat	12.0%	16.0%	6.0%	50.0%	16.0%
Tried to solve problems through Jirga	13.0%	14.0%	6.0%	52.0%	15.0%

end, 18.7% of participants disagreed, and 27% strongly disagreed and they were of the opinion that they have not adopted the element of distrust in the judicial system due to the long time proceedings. 40% of respondents agreed and felt unreliability in the system of justice. On the contrary, 17% of respondents disagreed and 21% strongly disagreed; this group of the respondents kept their trust on the judiciary for the settlement of their issues.

For the question about frustration as one of the consequences of the process of judicial delays, a great number of respondents agreed (64%), and 20% strongly agreed with the fact that the delay in the judicial proceedings creates frustration among the justice seekers. In regard to effect of judicial delays in causing distress, 67.3% expressed as agreed and 14.7% strongly agreed. 35.3% of participants agreed with the fact that court delays had led to psychological disorders. The study has rejected the common perception that court delays have caused people to commit suicide, as 26% of responses reported as disagreed and 38% as strongly disagreed out of the total 300 participants; 28% response obtained as neutral and only 8% as agreed. No single response is acquired in the shape of strongly agree. Therefore, the data reveal that attempting suicide is not a social implication of delays in court matters.

Data from this survey shows that economic and financial losses are consequences of prolonged court proceedings, 55.3% of respondents agree in this regard. However, 25% of participants disagreed and 27.7% of respondents strongly disagreed and pointed out that they do not have properties to sell out to bear prolonged proceeding’s expenses. Besides, 49% of respondents are of the view that their higher chances of status in the society were obstructed due to long proceedings.

Regarding adopting unrecognised dispute solving approaches as a social repercussion of delays, the data exposes, 35% of participants agreed that during the lengthy proceedings of their cases they felt the urge to take revenge. Whereas, 50% of respondents agree and say that they referred their issues to Punchayat during the pendency of their cases in a court of law. Further, 52% agreed and 15% strongly agreed regarding referring their disputes to Jirga while pending in courts.

Testing of hypothesis

A total of eight hypotheses were constructed in this study and the same are tested applying a chi-square test. Whereas, the statistical rule for analysing the problem is given below.

Problem Analysing

$H_0: f1 = f2$

$H_1: f1 \neq f2$

$\alpha = 0.05$

Test Statistics: χ^2

$\chi^2 = \sum (fo - fe)^2 / fe$

So, Rule of Decision is

Rejection of H_0 if computed $\chi^2 >$ tabulated χ^2

Total four hypotheses regarding the social reasons for the judicial delays have been constructed, and their results are given in Table 5.

Applying the chi-square test on all the four hypotheses on reasons for judicial delays has shown that the calculated values of all four hypotheses are higher than the tabulated values of each hypothesis. P values of all these hypotheses were also found to be less than 0.05. As such, it is clear that the findings are statistically significant. Hence, all four alternative hypotheses $H_1, H_2, H_3,$ and H_4 are accepted and it is shown by the data that poverty, friendship, corruption and discrimination are causes of judicial delays.

Table 5: Findings of chi-square test statistics of social reasons of judicial delays

Sr. #.	Hypothesis	Tabulated Value	Calculated Value	Df	Asymp. Sig.	$\alpha =$	Empirical Result
H_0	Poverty of court disputants is not associated with the reason of Judicial delays	26.2962	249.100	16	0.000	0.05	Rejected
H_1	Poverty of court disputants is associated with the reason of judicial delays						Accepted
H_0	Friendship is not associated with reason of judicial delays	32.6706	159.360	21	0.000	0.05	Rejected
H_2	Friendship is associated with the reason of judicial delays						Accepted
H_0	Corruption is not associated with reason of judicial delays	24.9958	140.427	15	0.000	0.05	Rejected
H_3	Corruption is associated with reason of judicial delays						Accepted
H_0	Discrimination is not associated with the reason of judicial delays	21.0261	318.973	12	0.000	0.05	Rejected
H_4	Discrimination is associated with the reason of judicial delays						Accepted

Table 6: Chi-square test statistics applicable to social repercussions of judicial delays

Sr. #.	Hypothesis	Tabulated Value	Calculated Value	Df	Asymp. Sig.	$\alpha=$	Empirical Result
H ₀	Loss of public trust is not associated with the repercussions of judicial delays						Rejected
H ₅	Loss of public trust is associated with the repercussion of judicial delays	21.0261	146.247	12	0.000	0.05	Accepted
H ₀	Individual disorganization is not associated with the repercussion of judicial delays						Rejected
H ₆	Individual disorganization is associated with the repercussion of judicial delays	32.6706	171.827	21	0.000	0.05	Accepted
H ₀	Financial damages are not associated with the repercussion of judicial delays						Rejected
H ₇	Financial damages are associated with the repercussion of judicial delays	24.9958	180.747	15	0.000	0.05	Accepted
H ₀	Adoption of unrecognized ways of dispute solution is not associated with the repercussion of judicial delays						Rejected
H ₈	Adoption of unrecognized ways of dispute solution is associated with the repercussion of judicial delays	19.6751	165.120	11	0.000	0.05	Accepted

Table 6 presents the results of the hypothesis testing in connection with four hypotheses regarding the social repercussions of judicial delays.

The chi-square test was also applied to the four hypotheses concerning the social repercussion of judicial delays and all four alternative hypotheses; H₅, H₆, H₇, and H₈ were accepted in the light of the significance of the results. It was found that the calculated values of the chi-square test of all these four hypotheses were greater than the tabulated values. According to the statistical results, people lose their trust in the courts when proceedings become prolonged. They become frustrated and personally disorganised. The litigants incur financial damages and finally adopt unrecognised methods of dispute resolution. They refer their cases to the *Biradari*, *Punchayat*, and *Jirgas*.

Analysis within a sociological framework

In the light of the findings of this study, it is clear that poverty causes delays in the judicial system. Poverty is caused by different factors, in which various interconnected and interrelated social institutions are involved. If, worked properly, poverty can be alleviated. As a result, the capacity to bear different social expenditures of the individuals can be improved, and finally, they can bear litigation expenses too. Hence, the functionalist perspective is demonstrated. In addition, according to Rucell & Shildrick (2015), some sociologists think poverty is caused by unequal division of resources. This attribute involving delays at justice systems is being covered in the conflict perspective of sociology. Theories of stigma by Erving Goffman (1963) can be taken in favour of poverty in relation to

the court delays. According to Libretxts (2020), Erving Goffman's stigmatized features are capable of 'Spoiling' the identity of the individual's obedience to social norms. Hence, poverty, when it becomes the reason for judicial delays, also stigmatized the poor litigants and as consequences, these underprivileged litigants settle their disputes through unlawful means and violate the recognised norms, in addition to violating the state laws. Sociologically, the functionalist theory is related to friendship, the social attribute of judicial delays in latent manners. Furthermore, strain theory, as provided by Robert Merton (1938) can be taken in favor of the friendship, as a cause of the delays in the case when two lawyers cannot get their specific goals as per the described norms of society. They achieved the same through deviance and by favoring to each other at the cost of their clients.

Corruption, in different manner, is present in the Pakistani judicial system and causes a delay in the process of justice. This phenomenon demonstrates the theory of anomie as proposed by Emile Durkheim (1893). Gonçalves & Andrade (2019), consider corruption as a social fact, with harmful consequences to the society and favorable to the private interest. They further confirm the Durkheimian perspective, whereby corruption is considered as a 'pathological fact' caused by conditions of social anomie and regenerated by the structure of social institutions. Theories of C. Wright Mill (1956) and Karl Marx (1848), in sociology, consider economic, political conditions, distribution of power, and presence of social class as causes of corruption in the society.

The survey data identifies that the discriminatory element is present in the Pakistani judicial system in terms of providing a favor and preferences to the people of a special class. Hence, this attribute of the judicial system brings intervention to various sociological theories, including the theories of social discrimination, stratification, social inequality and social class. All these theories in sociology observe equal opportunities and equal access to the justice institutions in society.

Lewis & Weigert (1985) in the sociological perspective, consider trust is to be understood as collectivities; it is a functional prerequisite for deep social order and is a social reality. This study reveals feelings of loss of trust in the judicial system in the wake of continued delays. Hence, the functional prerequisite of the trust could be achieved. Eventually, deep social order, tranquility, and the status quo, the features of the functionalist perspective of sociology can be achieved. If courts as an institution provide timely justice, it will generate trust among the masses, and in this scenario,

three characteristics as provided by Füzér (2016); linking, bridging and bonding, can be applied to the phenomenon of loss of trust as consequences of judicial delays.

The views of Respass (2020) relate to the findings of this study, and describe the disorganisation from a sociological perspective. He states that there are three aspects of social disorganization; firstly, when an individual takes the lenient view, it does not disturb the social order, secondly, the individual becomes violent and respond positively, and thirdly, in the response of social disorganisation human being wants to escape from the social world, hence in this condition he or she can commit suicide too. As, the findings of this study reveal that judicial delays do not contribute to committing suicide, the theory of suicide by Emile Durkheim (1897) attracts the findings in the view of social forces. The social force of judicial delays causes frustration, anxiety, and psychological disorders among the individuals of the society.

Financial losses in this study have been observed in terms of losses of wealth, property, economic stagnancy and restriction of chances of higher status. It has been proven that litigants experienced financial losses due to judicial delays. In this regard, sociologically, the conflict perspective can be applied as a restriction of higher status and economic stagnancy due to judicial delays and this means the exploitation of the litigants. This exploitation is caused on account of the delayed process at the court of law.

The sociological concept of anomie is best fitting to the fact of this study that people, due to the delays in the justice system, are compelled to commit a crime and take revenge. They resolve their problems through unrecognised ways of dispute resolution. Hence, rules are broken and a state of lawlessness is created owing to the delay in the pursuit of justice.

DISCUSSION

This investigation aims to scientifically and analytically determine the social causes and outcomes of judicial delays. It also aims to highlight the need for a sociological analysis of judicial delays. Though this phenomenon has been studied earlier in administrative and procedural terms, sociological analysis remained a gap in research. So, the findings of this study show that social reasons and consequences have a direct relationship with the process of judicial delays. H₁(poverty as a social reason) has been accepted and identified as a reason for judicial delays. Due to poverty, the public fail to pay fees of lawyers, fail to hire competent counsel and fail to meet the expenses

of the litigation. As a result, they become prey to the delayed process. The findings of this hypothesis are reliable and related to the earlier literature, Cranston *et al.* (1985), and the Supreme Court of Bangladesh (2013). This connotes that the poverty of the litigants contributes to delay in court matters.

Additionally, the study has expressed the fact that friendship of different kinds in the court process is also a reason for judicial delays. This friendship may be between a lawyer and a lawyer, a lawyer and judge, and a lawyer with court staff, etc. So, in this connection hypothesis, two (H_2) has been accepted, and its results also follow the previous studies.

Furthermore, the results of this study suggested that corruption has some relationship with judicial delays. Pertaining to this, H_3 (corruption) has been accepted. The findings of this study are relevant to the previous work of researchers, such as Hussain *et al.* (2015), Mugisha (2009), and Transparency Surveys 2002 and 2006 (as cited in Siddique, 2013). This reveals that corrupt practices are still present in Pakistani courts. Though strict measures have been adopted by the higher judiciary and government to eradicate corruption from the system of justice, this study reveals that corruption is also one of the reasons for delays of the litigation in the courts.

This study also suggests that discrimination is one of the causes of the judicial delays in Pakistani courts, as H_4 has been accepted. The results of this hypothesis are also in line with previous studies such as Jain (2015). This means that the element of favoritism and preference are still present in the justice dispensing system. Elite people are preferred over the poor litigants.

The hypothesis H_5 , i.e. 'Loss of public trust is associated with the repercussion of judicial delays' has been accepted. Previous studies, like Cranston *et al.* (1985), Kaweesa (2012) and Eisenberg *et al.* (2012) are relevant to the results of this hypothesis. These studies have identified that lengthy court proceeding decreases the confidence of the litigants and as a result, they avoid using the formal court system for the settlement of their disputes.

Moreover, in this study, efforts were made to fully describe the consequence of the judicial delays in terms of individual disorganisation. So, the results were in favor of the alternative hypothesis H_6 , and this has been accepted. The results are also in consonance with the previous studies (Jain, 2015). This study has identified the slowness of the judicial process creates worry, damages, and anger among the public. Whereas

in this study responses about the usage of the drug and committing suicide due to judicial delays were also obtained, but average percentages of the responses about these two factors were low. But overall, H_6 , i.e. 'Individual disorganisation is associated with the repercussion of judicial delays', was accepted.

The results of hypothesis H_7 were also observed statistically significant and the same were supported by the previous scientific investigations. Kaweesa (2012) has identified the effects of a long time taking judicial process on economic developments and investments. Secondly, Cranston *et al.* (1985) were of the view that litigants face stress and economic difficulties. The study of Chemin (2007) describe the effects of judicial delays on property rights. Economides *et al.* (2013) state that productivity and usefulness of the economy weaken owing to the delays in judicial matters. These studies have also discovered more or less the same findings and the results of hypothesis H_7 . As per this study, it is identified that due to judicial delays people suffer financial losses, but data descriptively refute one item of the analysis that people do not sell out their property to meet the legal expenses.

The findings reveal that the public adopt unrecognised ways of dispute resolution when the court proceedings become slothful and take a long time. People bring their disputes outside the courts to be decided by means which are not accredited by the laws, such as Jirga, Panchayat, and Biradari System. As a result, lawlessness and criminal activities take place in society, as the litigants are compelled to take revenge and settle their disputes as per their desires. The result of H_8 is statistically significant and is in line with the previous literature, such as Supra note 100 (as cited in Kaweesa, 2012: p.126), Amaral & Bandyopadhyay (2015) and Dalla (2008).

Contribution to the sociological theory

From a theoretical perspective, this research is beneficial in numerous ways. This study signifies the reasons for and repercussions of judicial delays in social and socio-legal perspective, whereas, most of the studies on this topic have determined the reasons for and outcomes of judicial delays in administrative and procedural perspective. This study is based upon various sociological theories, including functional perspective. According to Macionis (2009), the functional paradigm describes society as a system of a complex nature, whose various parts collectively work and as a consequence bring stability in the society. Similarly, courts are one of the entities and social institutions of the society, performing functions of the dispensing of justice. So, this study critically

evaluates the function of this institution and describes the results of the malfunctioning of this very important institution of the society. The hypotheses of this study are also drawn from the conflict theory of sociology. Radical Marxists such as Thompson, Taylor, and Quinney, think law and the legal system as a tool of one class. So, the legal system favours a specific class, and hence, it creates discrimination in society. The findings of this study also related with this concept and it is identified that elite people are given preference in the Pakistani judicial system. Additionally, Marxist theory can be invoked in favor of this study as Spitzer (1983) states that in sociological perspective, generally, Marxist theory and especially, Marxist interpretation of law occupies a central position. The study is also benefited by the theory of social inequality in the perspective of the inequalities of opportunities. According to Ashley Crossman (2020), unequal provision of opportunities occurs in various systems of social life including the justice system. Social inequality resists social and individual progress and sociologists identify how laws and policies contribute to this. Similarly, this present study has also identified that judicial delays result in the restriction of higher status in society. This study furthermore bridges the gap between social and legal theory, the common issues of society. Scheppele (1994) (as cited in Owens & Ford, 2019) sociological theories have resemblance with social theories of the judiciary, both of these theories are from the same family, but this feature has not been taken into consideration by the sociologists.

CONCLUSION

This study identifies that judicial delays are a social problem and need to be further analysed in a sociological manner. Hence, the study reveals that the majority of the litigants in the lower courts of Sindh, Pakistan belongs to the middle class of the society, as the majority of them earn less than PKR 15,000/- or their per month income is ranging between PKR 15,001-20,000/-. Thus, this population, when bringing cases to the court of law, become prey to delays owing to failure to provide the advocate fee or cannot endure related expenditures of the lawsuit. In terms of the relationship of friendship, the study reveals that the friendship of a lawyer with another lawyer is another reason behind delays at the courts, whereas, other attributes of friendship, as set for the purpose of this study, were also significant. Pecuniary demands and demands of gifts by court staff and lawyers have been recognised as corrupt practices and the same has been found as a cause of delays in the judicial system. Discrimination in terms of favoritism, preference, especially to the individuals of a higher class has been

identified as a common scenario of the court system and one of the causes of delays of the court proceeding. The study reveals that the litigants lose their confidence in the judicial system when court proceedings take much time, and people also feel unreliability in the justice dispensing system. This research exposes that long-running court proceeding, cause psychological disorders, anxiety, frustration, and resentments as symptoms of individual disorganisation in the court litigants. The study does not support the common perception that judicial delays make affected people commit suicide or become drug addicts. Delays in the court proceedings as per this study cause them financial and economic damages. Finally, it is also exposed that the public try and preferably bring their disputes to Jirgas and Panchayat during the pendency of their cases at court of law.

RECOMMENDATIONS

Further studies of judicial delays should be conducted by the sociologists in Pakistan. This can be done by taking judicial projects, assigning projects of socio-legal studies to the prospective sociologists. Organisation of symposia and research discourse on topics of sociological analysis of judicial delays will further prove to be helpful.

Awareness should be created among the public of social reasons for and repercussions of judicial delays, as they are only aware of the administrative and procedural factors of the judiciary delays. This can possibly be achieved through the work of sociologists, social workers, legal aid organisations and media.

Policymakers at the time of constituting a judicial policy must keep in mind the social reasons and repercussions that delay the process of justice. Special provisions in the policy should be inserted to mitigate the social reasons for judicial delays.

Special programs must be initiated to the help of the poor litigants by the government and the existing programs of helping poor litigants must be improved. In these programs, the judiciary should be consulted and engaged.

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CONFLICTS OF INTEREST

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REFERENCES

- Acorn, A. & Buttuls, J., (2013) The Not Now Habit: Procrastination, Legal Ethics and Legal Education. *Legal Ethics*, 16 (1), pp.73-96. DOI: <http://dx.doi.org/10.5235/1460728X.1.1.73>
- Amaral, S. & Bandyopadhyay, S. (2015) Court backlogs and crime in India. *IIM Kozhikode Society & Management Review*, 4(2), pp.86-91.
DOI: <http://doi.org/10.1177/2277975215604065>
- Arshad, S. J. (2017) Criminal Justice System in Pakistan: A Critical Analysis. *Courting the Law* [Online] Available from: <http://courtingthelaw.com/2017/02/15/commentary/criminal-justice-system-in-pakistan-a-critical-analysis/> [Accessed: 02nd January 2018].
- Atif Mirza, A. (2016) Delays and lapses in Pakistan's criminal justice system. *South Asia@LSE*.
- Balakrishnan, K. G. (2007) Delay in Disposal of Cases. Speech delivered in China on 6th November, 2007 [Online] Available from: http://www.supremecourtindia.nic.in/speeches/speeches_2007/Judicial_reforms_in_China.pdf [Accessed: 01st January 2018].
- Banakar, R. (2009) Law through sociology's looking glass: Conflict and competition in sociological studies of law. *The new ISA Handbook in Contemporary International Sociology: Conflict, Competition and Cooperation* Ann Denis, Devorah Kalekin-Fishman, eds., Sage.
- Banakar, R. & Travers, M. (2005) 'Law, Sociology and Method', in R. Banakar and M. Travers (eds.) *Theory and Method in Socio-Legal Research*. Oxford: Hart Publishing. pp. 1-25.
- Bala, A.R., (2005) Sociological analysis of divorce: A case study from Pokhara, Nepal. *Dhaulagiri Journal of Sociology and Anthropology*, 1, pp.129-145.
DOI: <https://doi.org/10.3126/dsaj.v1i0.284>
- Berger, P., 1970. 1. (1963) *Invitation to Sociology*.
- Berger, P.L. and Luckmann, T. (1991) *The social construction of reality: A treatise in the sociology of knowledge* (No. 10). Penguin UK.
- Boyum, K.O. (1979) A perspective on civil delay in trial courts. *The Justice System Journal*, pp.170-186.
- Callinan, R. (2002) Court delays in NSW: Issues and developments. New South Wales Parliamentary Library Research Service.
- Chemin, M. (2007) The Impact of the Judiciary on Entrepreneurship: Evaluation of Pakistan's Access to Justice Programme. CIRPEE Working Paper No. 07-27. Available at SSRN.
DOI: <http://dx.doi.org/10.2139/ssrn.1018901>
- Cranston, R., Peter, H., Julia, P. & Ian, S. (1985) *Delays & Efficiency in Civil Litigation*, Australian Institute of Judicial Administration.
- Crossman, A. (2020). *The Sociology of Social Inequality*. ThoughtCo. [Online] Available from: <https://www.thoughtco.com/sociology-of-social-inequality-3026287> [Accessed: 05th November 2020].
- Dalla Pellegrina, L. (2008) Court delays and crime deterrence – An application to crimes against property in Italy. *European Journal of Law and Economics*, 26 (3), pp.267-290.
DOI: <https://doi.org/10.1007/s10657-008-9076-4>
- Doda, Z. (2005) *Introduction to Sociology*, The Carter Center, the Ethiopia Ministry of Health, and the Ethiopia Ministry of Education.
- Economides, K., Haug, A.A. & McIntyre, J. (2013) Are Courts Slow?: Exposing and Measuring the Invisible Determinants of Case Disposition Time (No. 1317). University of Otago, Department of Economics.
- Eisenberg, T., Kalantry, S. & Robinson, N. (2012) Litigation as a measure of well-being. *DePaul L. Rev.*, 62, p.247.
- Ewick, P., Kagan, R.A. & Sarat, A. eds. (1999) *Social science, social policy, and the law*. Russell Sage Foundation.
- Fix-Fierro, H. (2003) *Courts, justice, & efficiency: A socio-legal study of economic rationality in adjudication*. Hart Publishing.
- Füzér, K., 2016. The social theory of trust and the sociological theory of social capital. BELVEDERE.
DOI: 10.14232/belv.2016.1.9
- Gonçalves, V.B. & Andrade, D.M. (2019) Corruption in the Durkheimian perspective: a case study of the Operation Car Wash. *RAP: Revista Brasileira de Administração Pública*, 53(2).
DOI: <https://doi.org/10.1590/0034-761220180192>
- Hazra, A.K. & Micevska, M.B. (2004) The problem of court congestion: Evidence from Indian lower courts (No. 88). ZEF Discussion Papers on Development Policy.
DOI: <http://hdl.handle.net/10419/21844>

- Hossain, M.S. & Hossain, M.I. (2012) Causes of Delay in the Administration of Civil Justice: A Look for Way Out in Bangladesh Perspective. *ASA University Review*, 6(2).
- Hussain, M., Dinar, H. & Ghazanfar, S. (2015) Prolonged Litigation: Finding Causes and Factors Impeding Justice Provision in Pakistan. *The Explorer Islamabad: Journal of Social Sciences*. Vol-1, Issue (9):320-323.
- Iqbal, J. (2006) The Role of the judiciary as a catalyst of Change. Proceedings of International judicial conference at the eve of 50th Anniversary Celebrations of Supreme Court of Pakistan (11-14-2006) [Online] Available from: <http://www.supremecourt.gov.pk/ijc/ijc.htm> [Accessed: 15th January 2018].
- Iqbal, K. (2017) several reasons behind 'delay in justice, The News, [Online] Available from: <https://www.thenews.com.pk/print/184786-Several-reasons-behind-delay-in-justicehtm> [Accessed: 15th November 2020].
- Jain, A. (2015) Right to Speedy Justice in India, Law Mantra Think Beyond others, *International Monthly Journal*, Volume 2 Issue 8, [Journal.lawmantra.co.in](http://www.lawmantra.co.in).
- Kalanauri, Z. I. (2012) Combat delayed Justice, Proposal for Reform in the Judicial System in Pakistan [Online] Available from: <http://www.zklawassociates.com/wp-content/uploads/2012/03/Combat-Delayed-Justice1.pdf> [Accessed; 19th October 2017].
- Kaweesa, G.O.D.F.R.E.Y. (2012) Case Backlog and the right to due process: The Uganda Judiciary. Unpublished LLM thesis, Makerere University, Kampala.
- Khan, A. N. (2015) Justice Delayed is Justice Denied [Online] Available from: http://www.pja.gov.pk/system/files/Justice%20delayed%20is%20justice%20denied_0.pdf [Accessed: 05th August 2017].
- Khan, M.D. (2011) The Weariness of Judicial System in Pakistan and its Impacts on Common Man [Online] Available from: <https://pljlawsite.com/2011art10.htm> [Accessed: 10th September 2017].
- Khattak, I. (2015) 1.7 m cases pending with SC, lower courts NA told, The Nation, [Online] Available online:<http://nation.com.pk/national/15-Jan-2015/1-7m-cases-pending-with-sc-lower-courts-na-told> [Accessed: 03rd November 2017].
- Kumar, V.A. (2012) Judicial Delays in India: Causes & Remedies. *JL Pol'y & Globalization*, 4, p.16.
- Lewis, J.D. & Weigert, A. (1985) Trust as a social reality. *Social forces*, 63(4), pp.967-985.
DOI: <https://doi.org/10.1093/sf/63.4.967>
- Libretexts. (2020) Deviance and Social Stigma, [Online] Available from: [https://socialsci.libretexts.org/Bookshelves/Sociology/Book%3A_Sociology_\(Boundless\)/07%3A_Deviance_Social_Control_and_Crime/7.01%3A_Deviance/7.1C%3A_Deviance_and_Social_Stigma#:~:text=Erving%20Goffman%20presented%20the%20fundamentals,in%20other%20facets%20of%20self.](https://socialsci.libretexts.org/Bookshelves/Sociology/Book%3A_Sociology_(Boundless)/07%3A_Deviance_Social_Control_and_Crime/7.01%3A_Deviance/7.1C%3A_Deviance_and_Social_Stigma#:~:text=Erving%20Goffman%20presented%20the%20fundamentals,in%20other%20facets%20of%20self.) [Accessed: 09th November 2020].
- Little, W., Vyain, S., Scaramuzzo, G., Cody-Rydzewski, S., Griffiths, H., Strayer, E. & Keirns, N. (2014) Introduction to Sociology-1st Canadian edition. Victoria, BC: BC campus. Retrieved from <https://opentextbc.ca/introductiontosociology>.
- Macionis, J. J. (2009) Sociology. Pearson Education, Inc, Tenth edition.
- Matthews, B. & Ross, L. (2010) Research methods: A practical guide for the social sciences. Pearson education limited.
- Moog, R. (1992) Delays in the Indian Courts: Why the Judge Don't Take Control. *Just. Sys J.*, 16, p.19.
- Mooney, Knox, & Schacht. (2007) *Understanding Social Problems*, 5th edition.
- Mugisha, A. (2009) Judge Choudry Asked to defend himself, The New vision. [Online] Available from: https://www.newvision.co.ug/new_vision/news/1228891/judge-choudry-defend [Accessed: 05th January 2018].
- Norgrove, D. (2011) Family justice review: Final report. The Stationery Office.
- Ostrom, B.J. & Hanson, R.A. (2007) Implement and use court performance measures. *Criminology & Pub. Pol'y*, 6, p.799.
- Owens, B.R. & Ford, L. (2019) Judicial Social Theorizing and Its Relation to Sociology. *Qualitative Sociology*, 42(2), pp.229-249. DOI: <https://doi.org/10.1007/s11133-019-9409-3>
- Rucell, J. & Shildrick, T. (2015) sociological perspectives on poverty, Joseph Rowntree Foundation (JRF), [Online] Available from: <https://www.jrf.org.uk/report/sociological-perspectives-poverty> [Accessed: 09th November 2020].
- Respass, D. (2020) Personal Disorganization, Sociology Guide. [online]. Available from: <https://www.sociologyguide.com/social-pathology/personal-disorganization.php#:~:text=Personal%20disorganization%20represents%20the%20behavior,a%20wide%20variety%20of%20degree.&text=Accordingly%20individuals%20respond%20either%20positively%20or%20negatively%20to%20social%20disapproval.essay.php?vref=1> [Accessed: 11th November 2020].
- Sahoutara, N. (2016) 'Sindh's district Courts: over 135,000 cases await adjudication', The Express Tribune, [Online] Available from: <https://tribune.com.pk/story/1027570/sindhs-district-courts-over-135000-cases-await-adjudication/> [Accessed: 01st August 2017].

- Sani, B.H. (2018) Factors causing delay in justice delivery system in Delhi district courts, *International Journal of Law*, 4 (5).
- Scheppele, K.L. (1994) Legal theory and social theory. *Annual Review of Sociology*, 20(1), pp.383-406.
DOI: <https://www.jstor.org/stable/2083371>
- Shah, R.U., Khan, S.U., Farid, S. & Qureshi, Q.A., (2014) Procedural Barricades in the Way of Speedy Dispute Resolution. *International Journal of Management Sciences*, 3(3), pp.112-125.
- Sharma, A. (2016). Dispensation of Justice: Drawbacks, Consequences and cures, Chetana Education International.
- Siddiqi, F. (2016) Is speedy justice possible? Dawn News.
- Siddique, O. (2011) Approaches to Legal and Judicial Reforms in Pakistan: Post-Colonial Inertia and the Paucity of Imagination Times of Turmoil and Change. DPRC Working Paper 4.
- Siddique, O. (2013) Pakistan's experience with formal law: an alien justice. Cambridge University Press.
- Sipes, D.A., Oram, M.E., Thornton, M.A. & Valluzzi, D.J. (1988) On trial: The length of civil and criminal trials (pp. 9-10). Williamsburg, VA: National Center for State Courts.
- Šlapkauskas, V. (2010) The significance of the sociological approach to law for the development of jurisprudence, *Societal Studies*, 4(8), pp.167-181.
- Spitzer, S. (1983) Marxist perspectives in the sociology of law. *Annual review of sociology*, 9(1), pp.103-124.
- Supreme Court of Bangladesh. (2013) Summary Report on Court Services Situation Analysis, Judicial Strengthening Project (JUST), UNDP Bangladesh.
- Supreme Court of Pakistan. (2017) Review of Performance of Supreme Court of Pakistan during the Period of from 01.01.2016 to 24.08.2016. [Online] Available from :http://www.supremecourt.gov.pk/web/user_files/File/Press_Release_31082016_3.pdf [Accessed: 01st August 2017].
- Timasheff, N.S. (1937) What Is "Sociology of Law"? *American Journal of Sociology*, 43(2), pp.225-235.
- Zibran, M.F. (2007) Chi-squared test of independence. Department of Computer Science, University of Calgary, Alberta, Canada, pp.1-7.