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## LITIGATION ON LAND DISPUTES AND ITS IMPACTS ON FAMILY HEALTH AND CHILDREN EDUCATION

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KEYWORDS	ABSTRACT
Natural Resource, Fundamental, Productivity & Efficiency, Multi Factorial Issues	The Land is a finite natural resource and important factor of production since the existence of human being on land. It is a fundamental for survival of life and human livelihood, with immense social, cultural, commercial, aesthetic and spiritual value. The land related disputed and clashes rate is very high in the country due to huge population attached with agriculture and other land cultivations sectors. This time taking situation brings number of the social, psychological and obstacle and barriers in life of concerned litigated families and their children. Considering the intensity and importance of issues and its social impacts on the individual and family life researcher tried to find out the actual primary data from division Gujranwala. The respondents of study were the families involved in the and litigation process for one year at least. Quantitative research method and technique were applied and the data was collected over structured questionnaire. Whole phenomena of land dispute and results in litigation are affecting family and communal life. Family is suffering from social, economic, educational and health problems.
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### INTRODUCTION

Land is a finite natural resource and important factor of production since the existence of human being on the land. It is a fundamental for survival of life and human livelihood, with immense social, cultural, commercial, aesthetic and spiritual value. From the beginning of mankind, the cultivated land has significant association the people for production of their basic living and food needs (Barikisa & Uchendu, 2020). With the passage of time, living condition of people have changed, and they depended more on their natural resources especially production from cultivated land. This is the primary source for their food, livings, clothes, and survival of animals. To improve productivity and efficiency the only way is the batter management and distribution of cultivated land throughout the world especially in developing country (Zhang, Cheng, Cheng & Wu, 2020). Efficient management of cultivated

land not only depends on available resources but also required specific skills and power to control over issues. In the modern world, with rapid increase in the population the land management system has also drastically changed and the traditional methods amended at large scales (Runezerwa, 2019).

This development shifted the traditional approaches to advance technologies, for the better management and more production in agriculture sector. But in meanwhile, various difficulties also arise regarding division, inheritance and management of lands. Litigations and land related issues highly have great significance with socio-economic, educational, and health if individuals and families (Bouwer, 2020). Land related conflicts is common phenomenon and can occur any time and place, especially at time of family inheritance and distribution of the assets among siblings, relatives or those possessing negative intentions to control through illegal means. These land related issues and the litigation emerged in all over the world especially in developing agricultural countries like Pakistan (Brahima & Shixiang, 2020). As Pakistan is a developing country and large portions of its population dependences on agriculture sector, and this sector have the significance contribution in GDP of the country. The land gained the status of material value in Pakistan and day by day increasing value capture intentions of non-agricultural sector as businessman and investors (PLDA, 2019). With incensement of value and importance, numerous land related disputed and conflicts emerged and impacted life of individuals and families from various aspects (Marta, Suwaryo, Sulaeman, Agustino, 2019).

Usually land related litigation matters are considered long time process in Pakistan, due to ambiguous and time taking court process. The delay in the decisions of these issue greatly affect the life of family especially children. Due social and psychological depression on the head of the family or father their personal health and economic conditions badly affected (Afzal, 2016). In Pakistan due to high level of red-tapsim in judiciary department individual lose their self-esteem, prestigious and confidence that ultimately leads them to depression and anxiety. This condition affects their behavior in society especially in family matters. As result of this overall health, personal development, productive participation in socio-cultural life effected and the risks of life and security or criminal actions from opponent increased (Hussnain, Anjum, Hussain, Wakil & Pettit, 2020). On other hand, this process of litigations directly and indirectly affected life of family children with regard to their education, health, confidence, leisure time activities among many others. In this connection, the economic expenditure on litigations becomes the cause of quality and quantity of schooling, family compromises on the various aspects of their children development and wellbeing (Nasir, 2018).

### **Significance of Study**

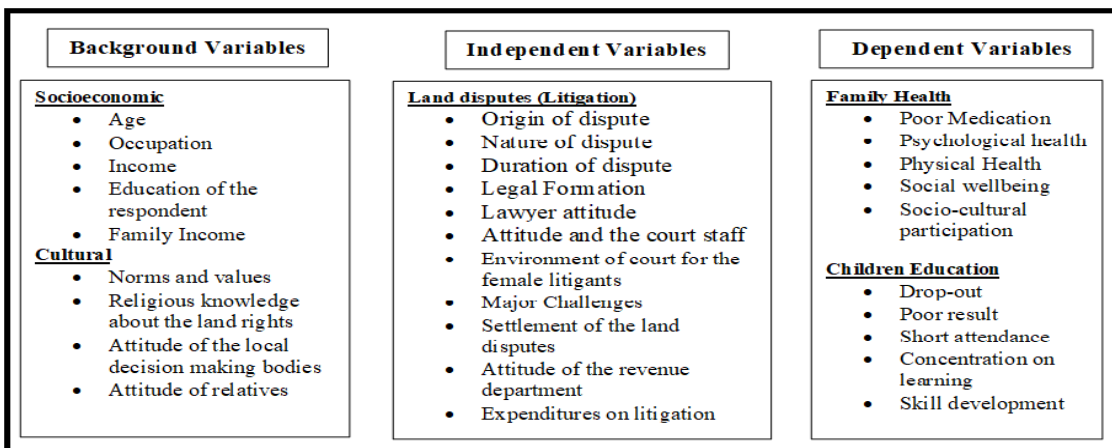
The situation civil matters in Pakistani courts are very time taking process and most of the case takes decades for their decisions. The land related disputed and clashes rate is very

high in country due to huge population involved in agriculture and other land cultivations sectors. Each Tehsil and district of Pakistan has large number of civil cases specially related to land. Due to multi factorial issues as weak system of land records, corrupt practices at individual & institutional level, lengthy proceedings of concerned department, evidence & witness system, and negative approaches and practices of opponent parties prolong the process. This time taking situation brings number of social, psychological and obstacle and barriers in life of concerned litigated families and their children. Considering the intensity and importance of issues and its social impacts on the individual and family life researcher tried to find out actual primary data from division Gujranwala. Litigation on land dispute and its impact on the family health and children education: A study of Division Gujranwala, Punjab, Pakistan, the little contribution from researcher to address the issue in policy and implementation level in Pakistan.

**Objectives of Study**

1. To study the socioeconomic and geographical background land litigated families in division Gujranwala, Punjab, Pakistan.
2. To find out the nature and extent of the land related dispute which leads families for litigation?
3. To explore the consequences of land litigations on individuals, children and overall families.

Figure 1 Conceptual Framework



**RESEARCH METHODOLOGY**

Quantitative research technique was applying in study survey method chose for collection of information from respondents. Structured questionnaire developed with several sections as social, economic and geographical status of respondent. The respondents of the study are the families involved in land litigation process for one year at least. For the purpose of data collection, lists of land related cases were collected from concerns courts and approach

the families. Most of the families were very cooperative and respond positively but some respondents are annoyed and reluctant to meet with researcher. To avoid the issue of non-response researcher, add 30% non-response error in sampling size calculation. After data collection various analysis was carried out for draw results as descriptive analysis was run to highlight frequencies and inferential statistical test was applies to explore the association among dependent and independent variables.

### ANALYSIS & RESULTS

The province of Punjab is very famous for its fertile land and numerous crops and division Gujranwala is one among the most develop area regarding agricultural. Huge proportion of population have their inherited land and thy attached with cultivations of various food items as rice, wheat, sugar cans, fruits and many others. Due to rapid growth in population, people moved from their traditional occupations towards advance and well acknowledged business as developing housing societies, modern forming of animals or vegetables, and other commercial activities. With incensement of land values and continues division among family members is one among the leading cause of land related disputes among families, partners and investors. To conducted the present study researcher was selected districts of division Gujranwala.

Researcher further approached at Tehsil level of these selected districts for the purpose of primary data collection. The results of the study indicated that out of total selected 350 respondent families 18% were belong to Tehsil Bhalwal, district M.B.Din, 16% were from Tehsil and district Hafiz Abad, 14% from Tehsil Gujranwala and 14% from Tehsil wazirabad district Gujranwala, while 38% respondents were selected from Tehsil Pindi Bhatia. The respondents were selected on proportional basis. After descriptive test the frequency and percentage distribution were presented in tabulation form as below mention table no 01 indicated basic information regarding disputed land and other related factors. The results highlighted that the 98% from respondents have their own inherited land and only a small portion of 2% do not have their inherited land. Respondents from these 2% have bought the land but did not have possession due to litigation.

Table 1 Information Regarding the Income Status

SN		Frequency	Percentage
Ownership of Disputed Land			
1	Yes	344	98.3
2	No	06	1.7
	Total	350	100.0
Total Occupied Land (Acres)			
1	1-5	234	66.9
2	6-8	45	12.9
3	9.11	46	13.1
4	11 and above	43	12.3
	Total	350	100.0

Table 2 Information Regarding Ownership

SN	Ownership of Disputed Land	Frequency	Percentage
Mean: 6.49		Standard Deviation: 5.85	
Total Disputed Land (Acres)			
1	1-5	249	71.1
2	6-8	34	9.7
3	9.11	24	6.9
4	11 and above	43	12.3
	Total	350	100.0
Mean: 6.62		Standard Deviation: 11.06	
Total income from disputed land			
1	1- 20000	11	3.1
2	20001-40000	30	8.6
3	40001-60000	41	11.7
4	60001-80000	36	10.3
5	80000 and above	232	66.3
	Total	350	100.0
Mean: 287000		Standard Deviation: 597181.6	
Economic impacts of land litigation on family			
1	To great extent	120	34.3
2	To Some extent	182	52.0
3	Not at all	48	13.7
	Total	350	100.0

As data presented in above table shows that out of total 350 respondents 67% reported that they have possess 5 or less than 5-acre land which is mostly inherited. The respondent huge portion of income belongs to the disputed land as results highlighted that 66% of respondent families earn 80000 or more from land. Various respondents' families reported that land litigation have significance impacts on families in different way as 86% reported that they have great or some extent impacts on their financial or economic conditions. Only 13.7% respondents out of total explains that their land litigation do not directly impact on their economic conditions.

Table 3 Beginning of Land Disputes

SN	Type of land tenure	Frequency	Percentage
1	Cultivated by owner	231	66.0
2	Cultivated by tenanted	73	20.9
3	Share Cultivation	6	1.7
4	Occupied but not cultivated	6	1.7
5	Owner land cultivated with tenant	22	6.3
6	Owner land cultivated with rented	7	2.0
7	Any other	5	1.5
	Total	350	100.0
SN	Nature of land disputes	Frequency	Percentage
1	Dispute on family inheritance	113	32.3
2	Ambiguous demarcation regarding Land	38	10.9

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3	Disposition by unauthorized persons	64	18.3
4	Disputes regarding cultivations	8	2.3
5	Unequal distribution of land proportions	20	5.7
6	Declaration suits	38	10.9
7	Pre emption	43	12.3
8	Dispute on specific quality of land	21	6.0
9	Hiba Related Issues	5	1.4
	Total	350	100.0
SN	Dispute started by whom	Frequency	Percentage
1	By relatives	171	48.9
2	People from community	105	30.0
3	Neighbors	58	16.6
4	By siblings	6	1.7
5	By husband or wife	5	1.5
6	Any other	5	1.4
	Total	350	100.0
SN	Land Litigation Duration (Complete Years)	Frequency	Percentage
1	1-5	147	42.0
2	6-10	72	20.6
3	11-15	63	18.0
4	16-20	24	6.9
5	20 and above	44	12.6
	Total	350	100.0
Mean: 3.11		Standard Deviation: 1.6	

When the researcher asked about the land cultivation status 66% out of total respondents reported that they cultivated their land and other 21% reported that they work on rented land. While remaining 13% said that they work on the land and share the outcome of land with land owner in the form of crops. This indicated that maximum land owner attached with their land directly and their interest gave more importance, which does not bear any interruptions by any other. This intolerance behavior with regard to land is one of major reasons that lead towards land litigations. When the respondent asked about who started the litigation on land with their family, they reported that almost 80% matters regarding land litigation are because of the inherited land and among siblings and other family members.

Limited number cases started by the other than family relative, and they involved because of sale and purchase of land. Respondents also reported that the land related disputes duration is unpredictable as out of total 42% cases were prolonged up to 5 years. 21% cases duration is between 6 - 10 years and 18% families were involved in the process since 11 - 15 years and a big portion 20% family faces land litigation from more than 15 years. When the researcher asked about the various difficulties and burden bears by the families due to land disputes and litigations, the responses were very interesting and alarming as presented in below table.

Table 4 Challenges and Difficulties Due to Land Dispute and Litigation

SN	Type of Difficulties	Frequency	Percentage
1	Economic issues	27	7.7
2	Absence of male family member	7	2.0
3	Courts related issues	63	18.0
4	Fear of opponent	67	19.1
5	Clashes among family	15	4.3
6	Impacts on family income	45	12.9
7	Involvement of unproductive work	53	15.1
8	Burden on work/business	9	2.6
9	Depression	17	4.9
10	Tensions among household members	8	2.3
11	Time consuming	17	4.9
12	Shrinking resources	22	6.3
	Total	350	100.0
SN	Type of Challenges	Frequency	Percentage
1	Unawareness with laws	36	10.0
2	Non-cooperation by court staff	63	18.0
3	Miss behavior by relatives	35	10.0
4	Rebel among community	7	2.0
5	Economic deficiencies	56	16.0
6	Time taking process	37	10.6
7	Relative hardships in relations	32	9.1
8	Loans or sale of asserts	23	6.6
9	Family conflict	14	4.0
10	Isolation inn society	29	8.3
11	Others	18	5.1
	Total	350	100.0

The above said table presented various difficulties and challenges faced by the respondent families due to land litigation and disputes. As 19% respondent’s families received threats from the opponent due to land dispute and 13% out of the total families does not have money even to run day by day expenditures of their family. While 35% family reported that due to land dispute their family effects and change the day-to-day life activities. A huge portion of the respondents claims that they are unaware regarding basic laws and non-cooperative behavior by the law officer and court staff. Thus, they suffer a lot due to transportation and mismanagement of government facilities; they are complaining of time taking process. Out of the total 24% respondents had identified various challenges in their monthly family income, expenditure on health, education and other livelihoods. A lot of economic expenditures were observed on the lawyer’s fee, transportations, management of witness among many others.

Table 5 Economic Expenditures on Land Litigation

SN	Total Expenditures (in Rs.)	Frequency	Percentage
1	1 - 20000	49	14.0
2	20001 - 40000	96	27.4

3	40001 - 60000	54	15.4
4	60001 - 80000	36	10.3
5	80001 and above	115	32.9
Total		350	100.0
Mean: 107000		Standard Deviation: 175031.4	

Table 6 Economic Expenditures by Duration of Land Litigation in Courts

Case Duration	Expenses on suits (Rs)			Total
	1 - 20000	20001 - 40000	40000 and above	
1 - 5	20.3 (31)	33.3 (51)	46.4(71)	43.7(153)
6 - 10	16.1 (15)	28.0 (26)	55.9(52)	26.6(93)
10 and above	2.9 (3)	18.3 (19)	78.8(82)	29.7(104)
Total	14.0 (49)	27.4 (96)	58.6(205)	100.0(350)
Chi Square: 30.18 Df:4			Significance level: 0.000	
Gamma: 0.416			Significance level: 0.000	

As above results indicated that there are 33% respondents' families, which bear expenses more than 80000/- on the land litigation. 27% bear 20001 to 40000 and remaining families bear 40001 to 60000 respectively. Beside this huge amount spent on fesses, transportation and documentations process among others.

Table 7 Impacts of Land Disputes and Litigations on Health Status of Respondents

Case Duration	No	Yes	Total
1 - 5	32.0 (49)	68.0 (104)	43.7(153)
6 - 10	22.6 (21)	77.4 (52)	26.6(93)
10 and above	17.3 (18)	82.7 (86)	29.7(104)
Total	25.1 (88)	74.9 (262)	100.0(350)
Chi Square: 7.568 Df:2		Significance level: 0.023	
Gamma: -0.282		Significance level: 0.005	

Out of total there are 92% respondent's families who face various health issues and that kind of land disputes impacts them badly. Continues expenditures on the land disputes decreased the economic conditions of families and they spend less on their personal and family needs. This compelled families to compromised on less developed or unimproved facilities as 19% families go for dispensers or quacks for their treatment because they do not afford fees of qualified doctors.

In personal observation of researcher, the expenditure on land litigation consumed a big portion of family income, and negatively impacted on overall social, economic, education and health conditions of the respondents. Education of the children in families also affects by land disputes and land litigations which we can see in the table below.



Table 8 Impacts of Land Disputes and Litigations on Education

SN	Statement	SA (% Fre.)	A (% Fre.)	NO (% Fre.)	D (% Fre.)	SD (% Fre.)
1	Less time for children education care due to land litigation	33.4 (117)	54.3 (190)	3.4 (12)	6.9 (24)	2.0 (7)
2	Less resources allocation for children education due to land litigation	28.0 (98)	38.6 (135)	9.1 (32)	20.9 (73)	3.4 (12)
3	Poor performance of children in education due to land disputes in family	27.4 (96)	38.6 (135)	12.9 (45)	17.4 (61)	3.7 (13)
4	Less time for study at home due to depression of land disputes	28.3 (99)	34.3 (120)	14.3 (50)	18.6 (65)	4.6 (16)
5	Less attendance in school due to land litigation	30.3 (106)	44.0 (154)	10.9 (38)	12.9 (45)	2.0 (7)
6	Less focus on study poor performance in exams due to land litigation	27.1 (95)	36.9 (129)	16.0 (56)	16.3 (57)	3.7 (13)
7	School dropout due to land litigation	26.6 (93)	27.7 (27)	21.1 (74)	20.6 (72)	4.0 (14)
8	Less priority on female education due to land litigation	23.4 (82)	23.7 (83)	27.4 (96)	21.1 (74)	4.3 (15)

Strongly agree: SA, Agree: A, Neutral: N, Disagree: D, Strongly Disagree: SD

The above table of results indicated the impacts of land disputed on education of children as we find that the major portion 88% of respondent families reported that they have significance impact on education and thy strongly agreed with that. 55% of respondents show that they are agreed and only about 12% of families are natural or not agreed with this relationship of education and land disputes. Most of the families' face land litigation issues reported that there are lot of impacts observed as continues stress and depression, least interest in children education, domestic management and involvement in activities among many others.

Table 9 Impacts of Land Disputes and Litigations on Education

Case Duration (Years)	Expenses on suits (Rs)			
	Not at all	To Some extent	To great extent	Total
1 - 5	19.6 (30)	62.1 (95)	18.3 (28)	43.7(153)
6 - 10	12.9 (12)	52.7 (49)	34.4 (32)	26.6(93)
10 and above	7.7 (8)	57.7 (60)	34.6 (36)	29.7(104)
Total	14.3 (50)	58.3 (204)	27.4 (96)	100.0(350)
Chi Square: 15.467	Df:4	Significance level: 0.004		
Gamma: -0.290			Significance level: 0.000	

The above table shows the results as land disputes and litigations have significant impacts on the children education. There are 74% respondents who claims that their children education process suffer because of land disputes exists in family. Most of respondents 30% reported that they are strongly agreed and 40% respondents are agreed with this claims that disputes impacts in education. A large portion of respondents 64% were said

that the exams and results of their children badly impacted due to unwanted stress of land disputes in the families. Children of the family are unable to focus on their studies at home and exams preparations. Beside this 54% out of total respondents reported that the drop out of children from school especially female faced due to these disputes. The fear from the opponent and excessive expenditures on this litigation decreases economic situations of the families.

### **DISCUSSION & CONCLUSION**

From the beginning of human life disputed on land is a common phenomenon, as history reveals that the main reasons of war among kingdoms and nations is accusation on lands and resources. Pakistan is an agricultural state and huge portion of population directly and indirectly involves with land cultivation. With passage of time the inherited land divided and shrinking in small pieces. Due to this division, most of family member and relatives faces discriminations, which lead them toward serious disputes and litigations. These kinds of land disputes and litigations badly impacted on family life in form of social, economic, health and education. Families involve all resources in that kind of litigations to secure their rights and avoid many necessary needs of household and children development. It is observed that mostly uneducated people involve in agricultural field and they are unaware with basic laws about land litigations. They face lot of difficulties and extra expenditures in the process of that kind of land litigations. Land is the main source of income to these families and their emotional attachment set their priorities. They ignore many things in life that badly impacted as health of themselves and their family members, least interest in children's activities, educational work and extra economic burden engage them physically as well psychologically.

Most of the litigants were males but consequences mostly faced by the females of these families along with children. Their basic health and educational need were compromised and most of drops out from educational institutes were female students. Unfortunately, the very small portion of females who received inherited properties but suffer almost every woman of these families. The litigant also faces a lot of difficulties as filing suits in the courts, get relevant record from patwari or land revenue department, arrange witness and legal formalities for documentations. The respondents of the study reported that the duration of land litigations is unpredictable and may run for years. Many respondents received that kind of cases in inheritance as their parents were started before many years. Longer durations of land disputes and litigations have long lasting impacts on families and their daily life activities as their health status, their education and their day-to-day life expenditures.

### **Ethical Consideration**

Participants for the study will be selected totally on voluntary basis. They will neither be forced nor persuaded to participate in study. Once approached, it will be upon them to

decide whether or not to participate or provide the information. Even for those that initially accepted to participate will be free to withdraw in the course of the study without any consequences. As a matter of ensuring that prospective participants make a well-informed choice regarding whether or not to participate in the study, the investigator has a duty to comprehensively explain the purpose, objectives, and benefits of the study, and even the means of collecting data to be used, to the people in their language. Furthermore, issues of anonymity have to be assured to the participants so that their social and economic face is protected as much as possible owing to which, data collected and generated will be treated with highest possible degree of confidentiality. This study is only community survey which will be restricted to only gathering information by means of asking questions, it did not pose any health risk to the participants.

### **Future Researchers**

One among the most important suggestion is the variable studied in this study are limited in number, there are scope of study the large number of family life variables which should study and evaluate the impacts of land disputes and its impacts on family life as, impact on interpersonal relationships among family member, changing connection amid siblings and parents, marital obligation, trends and preferences, peer group attachments, impacts of emerging technologies on family life among others.

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