

# **Political Economy of Development; A case study of South Waziristan Agency**



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*To My beloved Grandparents*

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## Abstract

The study “**Political Economy of Development; A case study of South Waziristan Agency (1972 to present**” is based on historical politico-economic analysis of the development processes in SWA. SWA is the southern part of the region called Waziristan and the agency is the largest agency (area wise) among the seven political agencies and six frontier regions constituting federally administered tribal areas (FATA) of Pakistan. Century of neglect, exploitation and maneuvering with the internal dynamics of society by external actors and historical legacies has contributed to the below par socio-politico-economic development in the region. The political and economic choices available to the people of the area were constricted by the legal formulations of the FCR which has empowered a single authority, that is, the political Agent, to single-handedly determine the social, political and economic development of the area.

During the last forty years various *de facto* and *de jure* measures have had tremendous impacts on the socio-politico-economic organization of the people in the area. This in return has opened up economic opportunities for the people in faraway lands. This has led to the change in saving and consumption pattern in SWA. The increase in income has also empowered other segments of population who now have started vying for the capture of the distribution of power and resources in SWA. The political arena was fragmented due to the increased contestation and bargaining between different actors for the capture of power and resources at societal level while at state level, the development needs were determined by the political agent without any input from the societal actors. The emergence of new groups and their accommodation within the system was dependent on state’s ability to co-opt these people. The system responded to the demands of the emerging classes in recognizing their share in the distribution of power and resources. This way,

the state's patronage was widened and it showed the resilience of the system by accommodating the interests of the new groups and developing their long-term interests in the system. The long-term interests of the dominant groups are in the continuation of the same 'exclusive' system of governance. That's why there are stark differences in the views regarding policy change of those who are directly accruing the benefit of the system and those who are systematically excluded from having any say in the distribution of power and resources.

## **Chapter 1.**

### **Introduction of the Study**

#### **1.1. Introduction:**

The Federally Administered Tribal Areas (FATA)<sup>1</sup> of Pakistan are one of the most underdeveloped and volatile region of this country. A century of neglect, exploitation of the internal dynamics of society by powerful state system and violent conflicts have all made these areas lag behind the national mainstream in Political and economic development. The ascendancy of geo-strategic objectives over the Socio-politico-economic development has made these areas a playground for the vested interests of different players. South Waziristan Agency (SWA) is the southern part of Waziristan, bordering Afghanistan, an area comprising some 11,585 km<sup>2</sup>. South Waziristan agency is the largest agency of federally administered tribal areas (FATA), ruled through the indirect system of FCR. The agency is a mountainous region spread over an area of 6619 km<sup>2</sup>. So South Waziristan constitutes almost 60% of the total area of Waziristan. Like all other agencies of the FATA, the South Waziristan Agency too is administered by a political agent, a bureaucrat appointed by the federal government, assisted by two to three Assistant Political agents and Tehsildars. The current system of administration is in practice since 1895, when North and South Waziristan were separated. The political agent administers civil, criminal and revenue cases in accordance with the FCR and the local customary law. The agency is inhabited by Wazirs, Mehsuds, Bhattanis, Dotanis and Burkis. The two sub-tribes of the waziri tribe - the Wazirs and Mehsuds – constitute more than above 90 pc

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<sup>1</sup> FATA consists of seven ‘political’ agencies and eight frontier regions. The political agencies are directly administered by the federal government through its representative called Political agent. While the frontier egions are administered by provincial government through the deputy commissioner. All the agencies of FATA share a long and porous border with Afghanistan except the Orakzai agency. The frontier regions lie between the settled districts of Khyber Pakhtunkhwa and agencies.

of the total population of South Waziristan agency. The agency comprises three sub divisions, namely the Ladha, Sarwekai and WANA.<sup>2</sup>It has two agency headquarters - Tank serves as the winter headquarter while WANA serves as the summer headquarter of the SWA.

After the initial annexation of the so-called frontier regions in 1849 by the British administration, a new administrative unit, the then North-West Frontier Province was created in 1901 by carving out parts of the then Punjab province and adding certain tribal territories to it. To wrest control over these areas, draconian measures were introduced in this region under the pretext of honoring the local culture and tradition, but in practice the objective was to subjugate and oppress the natives (Jamal 2015). The natural course of change was severely impeded by the colonial rule in the region. Indirect rule through Maliks, demarcation of Durand line and the draconian measures of Frontier Crimes Regulation (FCR)<sup>3</sup> has profoundly affected the region socially, politically and economically. In 1878, the system of political agencies was introduced in FATA which is still very much intact even today in its original form (Hayat 2009). In 1890, the system of indirect rule, that is, the Maliki<sup>4</sup> system was introduced in the tribal region. The Maliks have worked as intermediaries between the tribes and the colonial administration. Maliks in return for their services to colonial regime were rewarded by the colonial administration with titles and material resources.

In broad terms, this study seeks to examine the power structure of the South Waziristan Agency (a part of FATA) in the framework of Patron-Client relationship and how the power structure has influenced the development outcomes of the region. While the understanding of

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<sup>2</sup>Wana is the agency headquarter of South Waziristan Agency inhabited by the Wazir tribe. Apart from being the headquarter of the agency, it is also the hub of trade and commerce activities in South Waziristan Agency.

<sup>3</sup> FCR stands for Frontier crimes regulation, introduced by the British in 1901 in order to wrest control over the tribal territories of Pashtun borderland.

<sup>4</sup> Maliki system is the extension of 'Sandeman' system which was first introduced in Balochistan, and then its little variant was introduced in the then Frontier areas bordering Afghanistan. The Maliki system can be divided into three categories, that is; Khans, Maliks and Lungi holders.

power structure is essential to contextualize the process of development, the study will also examine the methods of elites co-option in SWA and what made different actors patrons and clients. Finally, after analyzing the socio-political context of the area, the study will try to explore the nature and scope of policy changes by taking into account the interests, incentives, powers and resources of different actors. The main focus of the study is to understand the process of development and socio-economic changes over the course of time and not to either investigate or quantify the development outcomes itself.

## **1.2. Politics and Governance in SWA**

Throughout the history, historians and intellectuals have celebrated the stories of Waziristan by highlighting the ferociousness and valor of the tribes inhabiting this land to meet their own objectives (Spain 1963; Ahmad 1976; 1980). Not only has the colonial administrators-turned-historians, but also their Pakistani heirs, who inherited the system from British and were trained on the Weberian model of professional bureaucracy, eulogized the tribes and the system of governance being implemented in Waziristan. Their romantic nostalgia about the land and its people were in part due to their rents associated with the system, of which they, along with the Maliks, were the prime beneficiaries. The political agent along with the Maliks reaps the benefits of the colonial system of indirect governance. The Maliks whose power and prestige were dependent on the patronage of Political Agent, and derived legitimacy through maneuvering of the traditional authority were always mistaken for representing the interests of the tribal people. Interestingly, it was their personal interests which led to their cooperation or conflict with the political authorities (Ahmad 1977). The Oligarchy was calling shots in the social, political and economic affairs of the area without a serious challenger to their power and prestige.

The Maliki system is hereditary in nature and transfers from father to son to his son and so on. From time to time the political agent sanctions material benefits for the Mailks to secure their loyalties. The ‘non-elected’ representatives of people were initially selected by the British Raj for the protection of British interests in the region. The traditional nature of representation and participation- grounded in the customs and traditions of the area- was violated by erection of specific ‘structures of power’ by the colonial regime. The political agent also enjoys the powers to confer titles on other individuals who are supposed to be loyal and useful to authorities. This in turn made the Maliks answerable to the state authorities instead of the people in whose name they were reaping the benefits. This patron-client relationship- embedded in the legal formulations of FCR- has been sustained and maintained throughout the last hundred years. The people who are bestowed with titles after the creation of Pakistan are known as ‘Lungi holders’<sup>5</sup>— lower in ranks to Maliks. These Lungi holders are also important pawns on the chessboard of the politics of the South Waziristan Agency. In the absence of adult franchise in FATA, these privileged groups (Maliks and Lungi holders) form the Electoral College for the election of member of the National Assembly from the Agency. The Maliks are granted access to state officials on regular intervals, and due to their influence over the local people because of their positions, they are bestowed with development funds and projects without any checks and balances on their utilization.

The restriction of political competition and the distribution of state resources and conferring of titles and material benefits on ‘selected’ few through the discretion of Political Agent has serious implications for the socio-economic development of the region. Only a small

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<sup>5</sup> Lungi holders are the people who have been awarded formal recognition after the creation of Pakistan. This, in contrast to the Maliki, is not hereditary in nature and only the person who have been awarded ‘Lungi’ is eligible for the benefits associated with it. From time to time, after the creation of Pakistan, Lungi have been issued to numerous people by different persons in position of authority.

section was able to exercise power and have access to state resources, while a large number of population were denied the access to state resources and power centers. This has led to the form of institutions, induced by the geo-strategic situation, which has catered only to the needs of the administrative officials acting on behalf of the state, and the local elites acting on behalf of the tribes, while neglecting the needs of the common people residing in the tribal areas. This form of institutions has restricted the political as well as economic choices available to the local people, which in turn have led to the underdevelopment and backwardness of these areas. The area remained largely underdeveloped and dependent on fulfillment of its basic needs on the import of commodities from rest of Pakistan.

In the first twenty five years after the creation of Pakistan, no attention was paid to the socio-economic needs of the areas constituting the western borderland. It was only after Zulfikar Bhutto came to power that the areas were given importance due to changing geo-political situations. The 70s decade is considered to be the game changer not only in Pakistan, but also in FATA in general and South Waziristan in particular. For the peaceful penetration of the state into the so-called Tribal areas massive development projects were initiated in the Agency during this era. Two degree colleges, large number of schools, and dispensaries, footwear and leather goods factory and tanneries were established at the Spinkai Raghzai (Ahmad, 1977). These massive development projects coupled with huge migration to Gulf region has led to the emergence of new groups, which were now posing a significant threat to the authority of Maliks. The new economic classes were the product of the huge economic transformation of the 1970s. Shedding light on the role of Political Agent in tribal affairs in the aftermath of the ‘era of development’ Ahmad notes that:

Formerly a single political Agent with little to do except ‘contain’ his tribe and maintain the status quo could control his agency with ease. Today various pressures on him, through increasing education, development demands and the ‘sedentarization’ process of the tribesmen in the settled areas, almost predict the day he will either have to share his responsibilities with local tribal advisory councils or delegate some of his powers and duties for them to be performed satisfactorily. (1977: 45)

In the decade of 70s various complex factors were at play in the tribal areas. The geo-political situation had changed tremendously once again in this decade. The durability of the existing “allocative” patron-client allocations was largely dependent on state’s ability to co-opt new groups. With the improvement in economic conditions of agency and state’s penetration into the tribal areas, the religious elements became more vociferous and aggressive in their struggles. The Gulf migration and the interaction with outside cultures have brought in significant changes in the socio-economic and religious postures of the Agency. The previous culture of Pir/Murshid was replaced by the ‘Tableeghis’ and the ‘Mullahs’ began asserting themselves. Now, the Mullahs and Maliks were involved in zero-sum games—the increase in one’s power and prestige was directly dependent on the reduction in the perks and privileges of the other group.

Apart from the Maliks and the resurrection of the religious leaders in the political and economic affairs of the area, a new and influential pressure group of ‘*contractors and dealers*’ emerged (Ahmad 1977, p.51). The contractors and dealers were mostly the product of the economic transformation that the society was experiencing at that specific time. The Gulf Migration and Afghan Jihad provided a few segments of society with excellent opportunities to not only increase their income for subsistence consumption but also save it for investments in productive businesses. The newly empowered and newly-rich segments of the population has now translating their economic power to political gains which has brought them in direct conflict with the already privileged Maliks who in connivance with the political administration were



single-handedly reaping the benefits the 'exclusive' and predatory system of governance. This fragmentation of political system has necessitated the accommodation of new groups in the existing system to ensure their loyalties and to mitigate the 'external' threat to the system itself.

The state patronage base was widened to accommodate the new groups. The accommodation and assimilation of new groups in the prevailing system of governance was in fact the resilience of the system to co-opt people who, one way or the other, can potentially deter the proper functioning of the system in the long run. The patron-client relationship was now evolving at both the state and societal level. The authority of Political Agent continue co-opting people other than the Maliks at will due to the unlimited and unchecked powers at his disposal while previously the Maliks were the sole beneficiary of the state's patronage. Now, the contactors and dealers- that is, the Mullahs and newly-rich sections of the population- too were bestowed with favors both in cash and in-kind to ensure their loyalties. Previously, the Malik was the sole person through whom the people could contact the state authorities but now the Mullahs and people with money were posing a significant challenge to Malik's dominance of the societal arena. The people now were able to approach the state authorities through various segmented layers of authority that the product of the various de jure and de facto measures introduced in the past few years. This conflict was evident from the policy preferences of the people who were representing two distinct classes; Haves and Have-nots. The Haves were heavily in favor of the status quo preferring little tinkering with the existing system the Have-nots, on the other hand, preferred drastic policy changes which can benefit everyone in the long run.

While the emergence and establishment of institutions have been motivated by the geo-strategic interests, the proper functioning of it was largely dependent on how the politics and

economics interplay in the society. The co-option of the elites and the power structure emanating from the patron-client relationship has significantly influenced and impacted the socio-economic development of the SWA.

## **1.2. Statement of the Problem:**

South Waziristan is one of the most underdeveloped region of the country. Its socio-economic indicators are almost equivalent to that of the Sub Saharan Africa. Why and how it lagged behind the other regions is due to the exclusive power structure which has directly and indirectly affected the socio-politico-economic development of the region.

## **1.3. Hypothesis:**

We assume that the power structure designed according to the geo-strategic location of the area is in large part responsible for the low level of socio-politico-economic development in South Waziristan Agency.

## **1.4. Research Questions:**

The study will try to answer the following questions:

- How different actors have used the policies to obtain or maintain power, and how has this contestation and bargaining impacted the development outcomes?
- How the authorities select the persons to be co-opted from amongst the tribal people.
- How the potential “gains and losses” influence the opinions of different stakeholders regarding the policy changes in South Waziristan Agency?

### **1.5. Research Objectives:**

The main objectives of the study are:

- To examine the change in the power structure of the South Waziristan Agency by contextualizing the development processes.
- To examine the strategies of ‘elites’ integration and assimilation in the state system.
- To analyze the interests and incentives of different stakeholders regarding the policy changes in South Waziristan Agency.

### **1.6. Significance of the Research:**

This study will focus on interaction of politics and economics in South Waziristan Agency. With the ongoing debate about the future of FATA (province, FCR etc), this study will inform the policy makers about the incentives of different stakeholders in supporting a particular viewpoint. The knowledge will help the authorities in framing their policies according to the ground realities regarding SWA in particular and FATA in general.

### **1.7. Research Contributions:**

The power structure of FATA has not been thoroughly examined in the framework of patron-client relationship. This study by examining the power structure in the framework of patron-client relationship will enhance the understanding of state-society relationship in South Waziristan. The study will also figure out how the patron-client relationship influences the distribution of state resources. Again, this exercise has not been undertaken so far.

## **1.8. Organization of the Study:**

The first chapter of the thesis will be a general introduction to the subject matter in which we will lay out a general plan for the study. The second chapter will consist of the historical framework in which the background of the study will be given along with historical explanations. The third chapter of the study will consist of the rigorous review of literature. The fourth chapter of the study will comprise the conceptual framework and methodology. In the fifth chapter of the study we will present the findings of the study and discuss the results in light of the reviewed literature and conceptual framework. The sixth and final chapter will conclude the thesis, and, if needed, policy interventions will be suggested in specific areas.

## **Chapter 2.**

### **Historical Background**

#### **2.1. Introduction:**

Throughout the history, the hilly mountains of the Pashtun borderland have been seen through the lens of warfare and security. Whenever people heard the name of Waziristan, the word that instantly springs to their mind is: war; bravery; honor; pashtunwali; and, of course, terrorism. But actually the lens through which the Waziristan was seen were not that of understanding the people and their traditions, but one that of colonizing the inhabitants of Waziristan. Through years, like the rest of the world, the people of Waziristan did not remain isolated and aloof from the social, political and economic changes taking place elsewhere. Due to its proximity to Afghanistan and hence its strategic location the region has drawn the attention of imperialists, colonists, neo-colonists and neo-imperialists. The land, the soil and the manpower of South Waziristan has been used for furtherance of strategic interests either in Central Asia or the capture of the Delhi throne. Due to this strategic location the area has been used as a pawn in the geo-politics of the region. For serving this objective, a certain number of people were co-opted by the state for achieving this objective, and therefore no attention was paid to the alleviation of the socio-economic status of the people living there. Even if any such attention was paid, it has only benefitted the privileged class who were ready to serve the interests of the state; a class which was answerable only to outsiders and not the people in whose name they were acting. Successive state apparatuses, be it Mughal, Sikh, British or the Pakistani, have failed to appropriately respond to the people's needs other than serving the strategic objectives of the state.

## 2.2. Social and political organization of the people in SWA:

The people living in SWA constitute the segmentary, acephalous and rural society which traces their genealogical lineage, as all pashtuns do, to a single, apical ancestor known as Qais Abdu Rashid (Rittenberg, 1979).<sup>6</sup> This common ancestor has Sons, grandsons, great grandsons and so on which in return are the ancestors of their respective tribes, sub-tribes and sections of the population. The inhabitants of the SWA are believed to be the descendants of the Karlanai sub-tribe of the Pashtuns. Lineage structure as well as land ownership plays an important role in the tribal identity, such as carrying a gun and speaking in the Jirga. As the land of the SWA is not suitable for the production of the large scale agriculture products and it mostly consist of the barren lands and rough terrains, so the lineage structure assumes an important role in participation in the “institutional centers of Public life”.<sup>7</sup> The tribe as a form of social organization is characterized by the patrilineal descent from an apical ancestor, territorial and political division of the descent groups on the principle of segmentation, the reproduction of this segmentation at each stage of the social structure and the diffusion of the political power at each level within the society (Edwards, 1990).<sup>8</sup>

This Paktuns are further divided into Qaums. The Qaums are then further divided into Khels or clans and then sub-clans. The dominant tribes (Qaums) living in SWA are also further divided into different khels or, say, sub-clans. The Qaumi Jirga<sup>9</sup> is regarded as assembly of the people where issues are debated and decisions are taken regarding the political and economic

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<sup>6</sup> Stephen Rittenberg, *continuities in borderland politics*, in Ainslie T. Embree (ed), *Pakistan's western Borderlands; The transformation of a political order*, 1979, Royal book company, Karachi, pp. 68.

<sup>7</sup> Ibid, pp.69 By the ‘institutional centers of public life’ he precisely means the participation and speaking in Jirgas.

<sup>8</sup> David. B. Edwards, —Frontiers, Boundaries and Frames: The Marginal Identity of Afghan Refugees, in Akbar S. Ahmed, ed. *Pakistan: The Social Sciences' Perspective*,(Karachi: Oxford University Press 1990), 70.

<sup>9</sup> Qaumi Jirga is the informal assembly of the people outside the domain, influence of the state authorities where all sub-sections of the tribe are represented by their respective elders. Historians and policy makers alike have confused the term Qaumi Jirga with official Jirgas sanctioned and headed by the Political Agent.

affairs of the people. Traditionally, the Jirga would have the proportionate representation of all the sub-tribes and decision was taken according to the will of the majority of the people. The Jirga has been a sole institution for enforcing the property rights, mediate between the conflicting parties, and adjudicate on the civil and criminal cases, both at individual level as well as between Sub-tribes. The participatory nature of Jirga in SWA was due to the egalitarian and hence democratic nature of the people in SWA. The jirga has been a quasi-legal system that has provided the pashtun society with a great deal of normalcy and “order without [state] law”<sup>10</sup>. The traditional socio-political order of the Society was in part a product of the agrarian, pastoral economy (land capable only of subsistence produce) of the SWA. Very small portions of land is owned individually while the rest- forests, mountains, and pastures etc- are declared as ‘common resource’ where everyone is allowed to use it according to their need. The management of the common resources is the collective responsibility of the people.

Ahmad (1983) divides the Pashtun society into two main groups. He referred to the first one as “acephalous, egalitarian groups, living in low-production zones.” While explaining the second category of the Pashtun society, he said that it is a “ranked society living on irrigated lands, usually within larger state systems”.<sup>11</sup> While “*Nang* (honor) is the foremost symbol of the former society”, furthermore, he maintained, and that “*Qalanag* (“taxes,” “rents”)” is the distinctive feature of the second category of the Pashtun society.<sup>12</sup> He further maintained that the *Nang* societies live in mountainous regions (mainly in tribal areas) while the *Qalang* societies mainly inhabit the plain areas of the Pashtun borderlands. So, going by this explanation as is

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<sup>10</sup>Robert C. Ellickson, *Order without Law: How Neighbors Settle Disputes*, Harvard, 1991.

<sup>11</sup> Akbar S. Ahmad, *Religion and Politics in Muslim society; Order and conflict in Pakistan*, Cambridge University press, 1983, pp. 7.

<sup>12</sup> He asserts that the people of *Nang* societies prefer honour, freedom over taxation and that they are organized along segmentary lineages with no hierarchial distribution of power and authority. He maintains that people of *Nang* societies inhabit the mountainous regions of the pashtun borderland. On the other hand, *Qalang* societies pay taxes and are organized along the hierarchial distribution of power and authority. The *Qalang* societies, according to Ahmad, inhabit the plain areas of Pashtun region. For details see Ahmed (1976, 1977, 1980a) as quoted in Ibid.

provided by Ahmad (1983), being a low productive zone, the society of SWA can be effectively viewed as Nang society. While explaining the societal dimensions of Waziristan, he said that:

Non economic and non rational choices are deliberately made in spite of being seen to lead to confrontation, conflict and disaster. In the end, the Wazirs sacrifice the material symbols of prosperity, market and trade, in an attempt to uphold group honor, unity and loyalty (Ahmad, 1983, p. 8).

Here he implies that the people of mountains prefer economic prosperity and development over so-called honor and freedom, and that the non rational choices are intentionally made to uphold their independence. If history is any guide, it tells that the people of SWA have responded positively to economic stimulus which we will discuss in detail in the fifth chapter of the study. In an attempt to model the pashtun society of SWA by just focusing on the *Nang* aspects, he generously overlooks other facets of the society that mainly occupies the mountainous region. He simply ignores the role of geography, ecology and barren lands on the formation of the psyche and the subsequent behavior of the people of SWA. Commenting and discussing his problematic assumptions and oversimplification of the Pashtun society is beyond the scope of this thesis, but I believe that a society has many facets and that society change over the course of time by experiencing transformation through interactions with outside world.

Pakhtun tribes living in Pakistan and across the border in Afghanistan do share some characteristics and social norms which is known as 'Pakhtunwali' or the "way of Pakhtuns". Many writers have defined as according to their own understandings. Some have called it "the way of the Pathans" (Spain, 1962)<sup>13</sup>, other have dubbed it as the "code of honor" (Ahmad,

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<sup>13</sup> James W. Spain, *The Way of the Pathans*, (Karachi, Oxford University Press 1962), p. 25.



1980)<sup>14</sup>, and it has also been called as the “manner and customs of the Afghan tribes; The Afghan code” (Glatzer, 1998, p. 3). So, it means different things to different people. It is a normative code of behavior that is explained through the informal rules (narkhs) and implemented, enforced through the decisions of the Jirgas. Gender and age plays an important role in the practice of the informal rules of Pashtunwali, and the subsequent reward and punishments based on these rules. Iftikhar Hussain, the former governor of Kyber Pakhtunkhwa, argues that Pakhtunwali is a “code of ethics” from which flows the “social norms” or “customs and usages” known as *Riwaj*.<sup>15</sup> The pashtunwali, as a code of accepted behavior, having a specific logic of its own has also been regarded as “adjudicating in anarchy”<sup>16</sup>. Instead of leaving the private actors to indulge in endless conflicts, the Pashtunwali also provide the parties with a dispute resolution mechanism, that is: Jirga. Jirga is a political organization which works as an assembly of elders and is a quasi-legal mechanism to adjudicate between the opposing parties in civil, political and economic matters.

### **2.3. The Colonial experience in SWA:**

The British arrived at the shores of India centuries ago, but until 1849 it has not stepped into the then vital province of Punjab, ruled by Sikhs. In 1849, it has annexed the Punjab and the Pashtun areas in the plains which were essential parts of the then Sikh-ruled Punjab. As for the Sikh’s era is concerned, historians are of the opinion that the Sikhs never tried to bring these areas under their control.<sup>17</sup> But the British do have intentions to have influence in these areas as these areas

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<sup>14</sup> Akbar S. Ahmed, *Pukhtun Economy and Society: Traditional Structure and Economic Development in a Tribal Society*, (London: Routledge and Kegan Paul 1980).

<sup>15</sup> Sayed Iftikhar Hussain, Inaugural Address. In Pervaiz Iqbal Cheeema and Maqsudul Husan Naqvi, eds. *Tribal Areas of Pakistan: Challenges and Responses*. Islamabad, (Islamabad Policy Research Institute 2005), 5-6.

<sup>16</sup> Tom Ginsburg and Richard H. McAdams, Adjudicating in Anarchy: An Expressive Theory of International Dispute Resolution, 45 *Wm & Mary L Rev* 1229 (2004).

<sup>17</sup> Caroe, Olaf, *The pathan*, Oxford Publishes, London

were of prime importance to the security of the “Jewel in the crown” of British Empire; India. As the main thrust of British’s frontier policy was to keep Russia at bay, so it needed some sort of arrangements that may deny a direct contact between the two superpowers. In fact, there was a need for a “frontier of separation” instead of the “frontier of contact”.<sup>18</sup> For the maintenance of such a frontier at a time when the two superpowers were actually advancing “seemed possible only through the creation of some form of protectorates to act as buffers”.<sup>19</sup> The British policy makers were of the opinion that the British need to have political influence in border territories, if not directly administer these areas. The solution offered for the resolution of this dilemma was the “Three-fold frontier.” According to the “Three-fold frontier policy” the first frontier was regarded as “the outer age of the directly administered territory; the second was that of indirect administration; and the third, the outer edge of the area of influence.”<sup>20</sup> The first of these frontiers were the areas directly administered by the British and constitutes the “British India”, where formal political and legal systems were put in place to administer these territories. The Second of the frontiers were the territories under control of the British but was effectively ruled by customary laws and chieftains. The British would exercise control over these territories through the tribal chiefs, and, in return, these chiefs were controlled by British through the extension of subsidies or in some cases, the military power (Embree, 1979).<sup>21</sup> The outer edge of the unadministered territory was the demarcation of a linear boundary, which was one of the crucial innovations of the British in the sub-continent.<sup>22</sup> The concept of the boundary was unknown to India before the nineteenth century and hence the distinction was made between a

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<sup>18</sup>Ainslie T. Embree, Pakistan’s imperial legacy, in Ainslie T. Embree (ed), *Pakistan’s western Borderlands; The transformation of a political order*, 1979, Royal book company, Karachi, pp. 26.

<sup>19</sup> Ibid

<sup>20</sup> Ibid, pp 27.

<sup>21</sup> Ibid

<sup>22</sup> Ibid

frontier and a boundary.<sup>23</sup> So, keeping in view the importance of boundaries and frontiers for the survival and stability of British India, the colonial regime's policy viz a viz the Pashtun tribal areas was vacillating between the "Close border"<sup>24</sup> and "Forward"<sup>25</sup> policies.

### **2.3.1 The institutionalization of the Maliki System**

The increasing attacks by the tribal people on the British-controlled settled district of Tank and increased aggressiveness of the tribes compelled the colonial regime to rethink its strategy of dealing with the hilly tribes. It was when the colonial regime thought it appropriate to bring these areas under control for the safety and security of settled districts. The period after 1878, the year in which the second Anglo-Afghan war was fought, is characterized by the introduction of new kind of policies for the tribal areas. It was during this era that the system of Political agencies was introduced to effectively administer the tribal areas, with Khyber being the first agency formed in 1879. After 1890, the British started establishing permanent military settlements and strategic communication system in the tribal areas to preempt any potential threat from Russia. The Maliki system was then institutionalized through official recognition of the tribal elders by the British administration. Titles and allowances were awarded to the Maliks (in return for their cooperation with colonial administrators) who were considered to be the influential in their area and were also loyal to the British administration.

The 'selected' Maliks then were strengthened by the recruitment of their nominated people in the Levies and border services. The sillahdari allowance<sup>26</sup>, the hostage allowance<sup>27</sup> and

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<sup>23</sup> Ibid

<sup>24</sup> Close border policy was a British policy practiced between 1849-1878, which was characterized by 'passive engagement' with the tribes, that is; no military presence in the tribal belt.

<sup>25</sup> Forward Policy was a British policy which started taking shape after the second Anglo-Afghan war fought in 1878-80. This policy was characterized by pushing the frontiers of British India beyond Indus to have dominant influence in the tribal areas and Afghanistan.

<sup>26</sup> Sillahdar is basically Persian word which means the "arm bearer". The sillahdari allowance was paid to the people who served the British government by protecting government installations, state authorities while bearing own weapons.

the salaries of the Levies and horsemen all went through the channel of Maliks. Which was a mean to strengthen the economic position of the Maliks vis a vis the rest of the people. The sowars (horseman) were paid at Rs. 20 p.m while the footman was paid Rs 8 p.m. But actually these were also on a sillahdari basis and received half of what has been promised, and the “balance being paid to the Maliks who nominated them”<sup>28</sup>. This was a new source of economic earning for the Maliks and their close relatives. The Malik would nominate his close confidante to this position so that to leverage his position in negotiations and dealings with the British government. This system of directly paying the loyalists of the British Raj was further strengthened by the Mr. Bruce who have done away with the Hostage system and instead conditioned the allowance of Rs. 1264 p.m in return for services on the border. The amount was distributed “among the chief maliks of the three main branches on a sillahdari basis.”<sup>29</sup> After the payment of this amount to the Maliks the Gomal pass was opened for trade purposes in the year 1890-91.

The direct payment to Maliks has eroded the traditionally well established system of accountability enforced through the council of tribal elders. Previously, the Maliks would be accountable to the people for their deeds but now they were acting as ‘agents’ of the Raj and were answerable only to the colonial administrators. No doubt their source of legitimacy was the manipulation of the traditional customs, but the source of their power to act as political actors were their connection and patronage of the British administration. The sillahdaris were sixty one in number, and was signed by fifty one leading Maliks from the Mehsud tribe, and Bruce said

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<sup>27</sup> As a surety/guarantee to observe peaceful behavior in future, the tribes in Waziristan would be asked by the British government to deposit hostages along with paying fines for the crime committed. The British would pay the tribe in return for this hostages. For the hostage system the British manipulated the traditional custom of *Chalweshtai*, whose functions were to carry out the wishes of the council of elders.

<sup>28</sup> Howell, Mizh, A monograph on British relation with Mehsuds in Waziristan, pp.9.

<sup>29</sup> Ibid, pp.11

that “now he knew who the real representative men of tribe were”.<sup>30</sup> And he also satisfied himself with the idea that the fifty one comprise all the ‘real’ man of value in Mehsud tribe. In year 1895, Mr. Bruce revised the amount paid to the Mehsud Maliks. He thought that the existing amount is not at par with the responsibilities undertaken by the Maliks, and the new scheme will also “redress the individual grievances of those who had come off badly in the Appozai agreement.”<sup>31</sup> Mr. Bruce then prepared a list of Maliks which were “graded in five classes according to the measure and extent of their influence.” This has been the source/basis of many subsequent distribution of resources in SWA.<sup>32</sup>

### **2.3.2. The emergence of the Mullahs...?**

Before the emergence of religious leaders the people of Waziristan are believed to be conducting individual raids on settled districts for earning their livelihood. But people with religious inclinations are believed to be the unifying force behind the ‘collective’ raids/attacks of tribal people on the settled districts. The first man who is believed to be the pioneer of Jihad against the British is a man known as Maulvi Gulab din.<sup>33</sup> He was Serki Khel Wazir who migrated to Dawar area in NWA. He continued his anti-British activities there and his followers were at the fore front of every attack on British.<sup>34</sup> He organized people and has laid the foundation of Jihad against the British government. Later on, the slogan of Jihad was raised by the Mullah Pawandah.<sup>35</sup> The real strength of Mullah Pawandah’s movement was its support by the traditional leaders of Mehsud tribe. The British tried to counter him through their handpicked Maliks and loyal religious leaders. The British loyalists propagated that a Jihad can only be

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<sup>30</sup> Ibid

<sup>31</sup> Ibid pp.17.

<sup>32</sup> Ibid pp.18.

<sup>33</sup> Laiq shah, pp 164-167.

<sup>34</sup> Ibid, pp.170-171.

<sup>35</sup> Mullah Pawandah was a Mehsud of the Shabi Khel sub tribe. His Original name was Mohy-u-din and he was the disciple of Maulvi Anwar Shah of Karbogha Sharif.

declared by a king and at present Waziristan has none. Upon this a grand Mehsud Jirga (where each sub-section was represented by their respective elder) was convened and it has elected the Mullah Pawandah as a king of Waziristan. Due to their internal differences, the Jirga could not select a traditional person unanimously. As the religious leaders (or Darvesh) were considered a neutral person, so it has elected Mullah Pawandah as their leader to led the resistance against British.

The Mullah openly rallied against the institutionalization of the Maliki system by the British government, and has condemned the Maliks who were loyal to British. He killed many of the Maliks who handed over the murderers of Mr. Kelly to the British authorities, and has even demanded the release of those persons from British captivity before any agreement could be reached with the British Raj.<sup>36</sup> Though the rise of Mullah Pawandah was an aberration but it has set the precedent for the future generation of the religious clergy. The strength of Mullah Pawandah was his unanimous support by the Qaumi Jirga and hence the whole tribe. The revolutionary rhetoric and the simplicity of the Mullah have lured many tribesmen toward him. The people of Waziristan believed that the Mullah is fighting for their rights.<sup>37</sup> Mullah was the direct opposite of the Maliki system. After the Durand agreement in 1893, the then Commissioner D.I.Khan tried to introduce a variant of the ‘Sandeman system’<sup>38</sup> that was successfully implemented in Baluchistan. But Dr. Davies notes that the British has misread the situation of Waziristan by comparing it Baluchistan. The first one was that there was no proper mechanisms/infrastructure to support the Maliks, that is, military enforcements were not deployed at strategic points. The second one was that the Khans/Maliks were not as powerful as Baluchi/Barohi Sardars. And the third point where the British erred was that Mehsuds are

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<sup>36</sup> Dr. Muhammad Nawaz Mehsud, pp. 131.

<sup>37</sup> Mehsud, Arif, Waziristan: Kurram say Gomal tak, waheed art press, d.i.khan, pp. 183-204.

<sup>38</sup>

democratic minded as compared to Baluchs, so it was very difficult to control Mehsuds through Maliks (Davies, 1974).<sup>39</sup>

One of the key reasons attributed to the rise of Mullah in Waziristan is Durand line. The British found it difficult to reach the border areas of SWA for the settlement of the boundary with the Afghan government. Mullah Pawandah and his loyalists offered the toughest resistance to stop British from reaching the border areas (Shah, 1994, p.173-94). But all their efforts were in vain, and British eventually succeeded in demarcating the physical boundary between Afghanistan and the British-controlled Pashtun areas. It is argued that Mullah was paid by the then Afghan government to wage a jihad against the British administration. It brings us closer to the point that Mullah's nurturing/sponsoring by the Afghan government was a response to the British Patronization of the traditional leaders, that is, Maliks. The two states were supporting their respective groups in SWA for leveraging their own position in any future dispute between the two states. The Maliki system was gaining foothold through the consistent British support and permanent military settlements by the British in SWA. The British tried to allay the concerns of Mullah Pawandah and make peace with him, but every time the Jirags would return empty-handed.

In the autumn of 1899, the then lieutenant-governor of Punjab visited the Mehsud area and meet the Jirga in Sarwekai. Where the jirga, on behalf of the Mullah, asked the lieutenant governor to pardon all the deeds of Mullah and treat him with kindness (Howell, 1931). The petition was graciously accepted by the government. And in the year 1900, a secret allowance of Rs.100 p.m was sanctioned for the Mullah after he agreed to receive the amount in secret from the officials. And at that time no Mehsud Malik was receiving even half an amount as that of the

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<sup>39</sup> Davies, C.C, The problem of North West frontier 1890-1901, Curzon press, London, 1974, pp.124-125. (As quoted in Myhammad Nawaz Mehsud, PP.132)

Mullah.<sup>40</sup> So, the practice of co-option continued successfully and the British patronage base was widened by the extension of allowance and privileges to every individual who threatened the stability and law and order in situation in SWA.

During the initial years of the 20<sup>th</sup> century, the Mullah Pawandah continued to assert himself in tribal politics and his struggle continued for gaining supremacy over the Maliks. The real strength of Mullah primarily was his support by the common man in SWA. He was using the rhetoric of Teeman<sup>41</sup> to gain support and popularity among the masses. In order to pacify the Mullah, the Mullah was given a grant of Land in British India. Soon after, a committee, comprising of the Mullah and political Tehsildar, was formed to revise the list of recipients of the official Maliki allowance. This has decided to decrease the number of number of Maliks “from a figure in a neighborhood of fifteen hundred to three hundred.” The stated objective of this move was “to bind the Mullah by ties of personal interest to Government and incidentally to reduce his paramount influence”; the second objective of this move was to provide the tribe with an alternative leadership and “to strengthen the oligarchy of really efficient Maliks”.<sup>42</sup>

In the later years of the colonial rule Haji Mirza Ali Khan alias Faqir of Ipi rose to prominence due to his anti-British activities and the rhetoric of Jihad. From time to time, sporadic emergence of religious leaders continued which became a norm after 1980s. After the creation of Pakistan, Maulana Noor Muhammad used a mixed brand of tribal and religious nationalism to gain leverage in the political affairs of the area. These events didn't happened in isolation rather they were closely related to state policies viz a viz SWA.

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<sup>40</sup> Howell, (1932). Mizh; A monograph on British relation with the Mehsud tribe,. PP.27-28

<sup>41</sup> Teeman in general is referred to the common people in SWA. The one who leads teeman is called Teemanai Malik. It is the people without any official benefits and allowances.

<sup>42</sup> Howell, (1932). Mizh; A monograph on British relation with the Mehsud tribe, pp. 45.



### **2.3.3. FCR and the creation of NWFP:**

The British devised and implemented the first ever law in the tribal areas in year 1871. This law is widely known as the Criminal Tribes Act (1871) through which the British controlled the ‘unwanted’ activities of certain tribes. The name of this law clearly indicates that the purpose was solely focused on curbing the ‘high’ nature of crimes in these areas instead of covering other aspects of human activities such as socio-economic development. The British soon started differentiating between the people living in the plains and that of the frontier border. As the surveys of formal tax revenue system and settlement were completed in plain areas, so the British differentiated the border areas from plains on the basis of high crime rate in Peshawar valley. In 1872, the British devised and implemented the Punjab Crimes regulation act to keep in control these areas (Nichols, 2012). From time to time, amendments were brought in the law according to the ‘needs’ of the British administration.

After through deliberations and assessments, the Britishers come with an idea of carving out a new province from the territories of Punjab that were bordering Afghanistan. In the year 1901, a new province named North West frontier province (NWFP) was created<sup>43</sup> and new regulation- frontier crimes regulation (FCR) (1901) - was also promulgated for administering the areas comprising NWFP. The area comprising today’s SWA also became part of the new province along with other border tracts of the frontier. The reason for the separation of the frontier regions from the Punjab province by putting it under the command of chief commissioner was to efficiently administer the area, and to remove the ambiguities of policy and overlapping of functions between the central government of British India and the provincial government of Punjab. As the policies regarding frontier regions were promulgated by centre and implemented through British administrators, so the central government thought it appropriate to

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<sup>43</sup> Howell, Mizh, A monograph on British relations with the Mehsud tribe, PP.34.

separate these regions from the Punjab and to directly administer it through chief commissioner answerable only to Viceroy of British India.

In the same year, a new regulation called “frontier crimes regulation” (FCR 1901) was also promulgated as a legal code for the administration of the frontier province. The FCR has judicially and administratively empowered the local officers by putting legal, administrative and revenue collecting authority in the hands of a single person. The FCR has effectively bypassed and eliminated the role of judiciary in the affairs of frontier province. Local customs and traditions were manipulated and used as a pretext to justify the “draconian” measures of FCR. One such clause of FCR, that came under severe criticism by experts, policy makers and human right activists, was the application of ‘collective territorial responsibility’.<sup>44</sup> The British is said to be worried more about the collectives crimes, as the tribals would conduct raids in flocks, so it promulgated this law to curb collective crimes instead of the individual offences. The collective responsibility do have some precedent in the Pashtuns tribal culture, but actually local customs and traditions were manipulated to pave way for the introduction of such harsh measures. The tribals do have collective properties, travel in caravans for seasonal migration and trading activities, but it was not that an offence of a single individual would held the whole tribe accountable for his deeds.

#### **2.3.4. The Primacy of Security objectives over Socio-economic development:**

The practice of bribing the few elites continued and the money spent by the British on buying peace and securing their Indian empire from the threat emanating from the western borders have just prospered the ‘predatory’ elites. The funds were spent on securing the loyalties of the oligarchy instead of spending it on public service provision to trigger a social change in overall

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<sup>44</sup> Collective territorial responsibility is clause which asserts that for any crime taking place within the territory owned by a sub-tribe, the whole sub-tribe will be held responsible for that crime. This effectively means that preventing crimes is duty of the people and not the state.

society. It was not until 1939, when the then Viceroy of the British India recognized the need to address the root causes of the problem in Waziristan. He envisaged the improvement of situation through peaceful penetration by providing people with Health facilities, educational institutes, vocational and technical training centers, and, above all, resettlement opportunities in British India through a long term development plan characterized by a “contract budget that would not be subject to sudden cut or reversals.”<sup>45</sup> The civil and military expenditure were on a rise on the frontier and it rose by 30 in as many years, and by 1930 the revenue-expenditure deficit of the then NWFP was doubled due to the increased tribal aggression in the tribal areas (Tripodi, 2008). The financial costs of the frontier’s policy were on the minds of the British strategists. And they stated clearly that whatever the policy is adopted towards the frontier province, the primary focus should be laid on the financial cost of that policy.<sup>46</sup> Before this, the focus was solely laid upon roads which provided the colonists with developing the strategic communication system in SWA for safeguarding their own interests.

It was the sporadic uprisings in the tribal areas that were causing panic among the British policy makers. Partly, the uprisings were one way or the other caused by the incoherent, inconsistent and self-serving policies of the British Raj. The uprising of the 1936-37, led by Haji Mirza Ali Khan<sup>47</sup>, has again brought Waziristan to the limelight. This time the British administrators were rethinking their previous policies and were considering alternative approaches to solve the problem of Waziristan, once and for all. Later on, he was alleged to be supported by the then Afghan government to create troubles for the British in the border areas.

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<sup>45</sup> L/P & S/12/3265 Memorandum by Viceroy, Lord Linlithgow, 22 July 1939. (As quoted in Tripodi, 2008)

<sup>46</sup> L/PS/12/3171 PZ2435 Report of Tribal Defence and Control Committee Meeting, June 1931. (As quoted in Tripodi, 2008)

<sup>47</sup>Faqir Ipi belonged to the Turi Khel sub-tribe of Utmanzir Wazir, mainly concentrated in NWA. His original name was Mirz Ali Khan.He got the religious neducation from Bannu and then returned to his village, Gurwek- situated in today’s NWA. He got famous by the issue of Islam Bibi, a hindu girl supposedly kidnapped by a Muslim and was then converted to Islam. Hindu demanded her release; upon kidnapper’s refusal he was put into jail by the British govt. Faqir IPI used this situation to his own benefit and he raised a slogan of Jihad against the British.

Matters were resolved with the Afghanistan government regarding the affairs of the border areas, and except some sporadic incidents, there were no major issues that threatened the security of British India from the western borders. The military and political expenditures have outstripped the expenditures meant for the integration of the people and peaceful penetration of the state in the border areas. Spain notes that:

Although financial considerations influence any military or political enterprise, the degree to which financial control of the tribal problem precluded any genuinely sophisticated policy of peaceful penetration is illustrated by the fact that even in 1946–47, the budget for education in the entire tribal area was 17,000 rupees, less than 10 per cent of the allowances paid to just one tribe, the Afridis, nearly 20 years earlier (Spain, 1963, p. 191).

This has had significant impact on the state's policies regarding tribal areas after independence and the subsequent socio-economic development of the area. The practice of the non-development expenditures i.e. the allowances and subsidies paid to the tribal Maliks, were continued with increase at regular intervals, keeping in view the security situations.

#### **2.4. The Independence of Pakistan:**

After the division of British India into two separate entities on 14<sup>th</sup> August 1947, the tribal areas of Pakistan were supposed to be made part of the newly-created country; Pakistan. Through the referendum, the people of frontier province have voted in favor of joining Pakistan, and hence Waziristan also became part of the new country. The economic dependence of the tribal areas on the settled districts of the NWFP, and political and cultural connection with the Pashtuns of settled districts of NWFP played an important role in the decision of joining Pakistan. The 'Political' Jirga comprising the tribal elders from all agencies unanimously announced their decision of joining Pakistan after meeting Jinnah in 1948. Although Faqir of Ipi opposed the

partition of India and the tribal Jirga's decision of joining Pakistan. The Jirga essentially was not the representative Jirga of the people who they were pretending to represent. It was a "political"<sup>48</sup> Jirga which was sanctioned by the then Political Agent and Governor of NWFP. The political Jirgas are briefed/instructed by the respective Political Agent of the Agency before meeting the high ups of central or provincial government. So, there is a possibility of prior instructions asking the participants of the grand tribal Jirga to unanimously announce the decision of joining Pakistan.

After the Jirga's decision to join Pakistan, Jinnah announce the withdrawal of regular army troops from tribal areas and has also announced that tribal people will be free to resolve their matters according to their tribal customs. The troops withdrawal were announced to be deployed at eastern border keeping in view the situation in Kashmir. The tribal Maliks were also incentivized to wage a Jihad in Kashmir, and they wholeheartedly participated in it. After the Kasmir war, in 1948,

Jinnah thanked the tribes for their mobilization into Kashmir as a crucial contribution to the creation of Pakistan and proclaimed that the withdrawal of all regular army presence and garrison from the region, the provision of allowances and complete regional autonomy was the state reward to the tribes for their help, and asked them to now stand down from their militant activities (Haroon, 2007, p. 182).

At the time of independence there were only eight schools in the whole SWA (Ahmad, 1991). But no attention was paid to alleviate the socio-economic conditions of the people in SWA. The colonial policies were continued regarding tribal areas in general and SWA in particular. Instead of doing away with the self-serving policies of the colonial regime the postcolonial state continued and adapted the same policies as that of its predecessor. The thing

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<sup>48</sup> There are two type of Jirgas in tribal areas. The first is known as Qaumi Jirga, where apart from the allowance recipients, the traditional Maliks are also present, which is part and parcel of the Jirga system. The second one is called Political Jirga which comprises of only the "selected", allowance recipients Maliks... which cannot be called a true representative Jirga of the people.

that changed was that previously the people of Waziristan would offer secular resistance to the invaders on their own turf, but now they were provided with material resources and physical support to wage a “Religious Jihad” in as far flung areas as Kashmir. The Maliks were reaping the benefit of the system and were using the state resources for personal usage. As the Maliks were dependent on state patronage for the maintenance of their power, so they were ready to serve the state’s ‘stated’ objectives by whatever means. Although Faqir Ipi continued his political struggle but his movement was somehow being pushed to the backline, and he never have gained the favor of the state. One reason that writers attribute to the decline in the popularity of his movement is that; the state was found in the name of Islam and Pakistan was considered a Muslim country, so people desist from joining his movement against Pakistan. The practice of the colonial policies was in full swing and almost negligible development took place in SWA in the first twenty five years after the independence of Pakistan.

The state continued to co-opt people and was keen on expanding its patronage base in the tribal areas. During Ayub era, in 1964, some tribal Maliks were provided with agriculture lands in the district of Tank and D.I.Khan and some new “Lungi holders<sup>49</sup>” were inducted into the official lists of the allowance recipients. The initiation of provision of funds to the children of the Maliks from the ‘Benevolent Fund’, later named as Agency development Fund, has been one of the main feature of the tribal policy after the independence of Pakistan. The ‘benevolent fund’ was the money collected from the levying of tax on the trading of different commodities, and the provision of domicile and ID cards to the people in SWA. This money, to this date, has never been audited and neither any person has been made answerable for the usage of these funds. After getting education, the Maliks son would occupy privileged positions in the military-

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<sup>49</sup> Lungi is a slightly lower form of the Maliki. It z awarded on person-to-person basis and is not hereditary in nature. Those that were inducted in the system during the British era are called Maliks while those inducted after independence are called Lungi holders.

bureaucratic setup of the country which in return would enhance the power and prestige of the Malik in the political affairs of the agency. If any project for public service delivery was initiated the contract and the jobs related to it were allotted to the Malik who was providing the land for this project. The FCR enabled the PA to apply maximum power in getting the consent of the people residing in SWA.

Societies evolve and they respond to economic stimuli which then have greater implications for the social and political dynamics of the society. The era after 1970s is of prime importance where increased economic opportunities have in many ways put strain on the maintenance and sustainability of the existing power structure. After setting the contextual background, we will discuss the interaction of politics and economics, state and society, the underlying power relations and the changes that took place after 1970s in chapter five in detail. Which we hope will enable us to devise politically informed policy for FATA in general and SWA in particular, keeping in view the recent debate about the political and administrative structure of FATA.

## **Chapter 3.**

### **Literature Review**

#### **3.1. Introduction**

There has always been much debate on what are the underlying factors of development? What promotes development? What factor impedes the process of development? The traditional neo-classical economists asserted that markets are best suited to promote the welfare of society. They were of the opinion that markets are better left to their own devices, and free markets are what is suited best to the economic development of society. A lot of emphasis has been put on the development of the underdeveloped commonly known as ‘third world’ countries. The theory and practice of development has travelled a long distance since the term ‘development’ gained popularity after the end of Second World War. From being viewed as a pure technical problem to the politics-driven-processes, the word development has been interpreted differently by different people. But the essence of development remains same; that is, to “achieve progress.”

But the question that arises is that whether ‘progress’ itself is desirable or not? Is the process of “achieving progress” smooth or subjected to contestation and bargaining among different actors? These are the questions that we will try to answer in light of the literature reviewed. The ‘politics’ of development is a very tricky subject matter yet a very crucial one. The process of development is subjected to politics and once interests are developed in a particular system it is very difficult to change unless the society experience huge transformation. Exploring the underlying ‘structures’ are important to understand the process of development in any context. The socio-politico-economic development of any region is largely impacted by the structures of power and ‘dominant’ actors interests and incentives.



In the following lines we will try to explore the different perspectives about the practice and process of development in contemporary world, synthesize the various theories relevant to the context of our study and will then move to the region-specific literature

### **3.2. Geography, institutions and path dependence:**

There is an influential strand of literature that believes that the causes underlying the growth and development are physical geography. Researchers working in the field of economic history maintain that the main factor that shapes the growth and development of a specific region is the ‘geography’ or ‘ecology’ which cannot be changed, and that ‘geography’ is not exogenous to growth and development of a society (Sachs 2001; Gallup et al; 1998; Bloom and Sachs 1998; Sachs and Gallup 1999). They contend that distance from rivers and oceans and the distance from equator line is critical factors determining the development or under development of a specific region. Sachs (2001), specifically points out five factors that differentiate the developed regions from underdeveloped ones; Technology, Tropical vs. Temperate zones, (Technological) innovation; societal dynamics and geo-political factors. The fifth factor mentioned by Sachs (2001), that is, “geo-political” or may broadly be interpreted as “geo-strategic situation” particularly makes sense when it is applied to the regions affected by violence and militancy. This specific line of research laid emphasis on the role of geography in the shaping of development processes. Which help us in try to evaluate and research the development and factors underlying the complex processes of development The argument that ‘physical facts’ are given somehow make one to overlook the actors and interests in shaping the destinies of communities across the world. It is understandable that physical facts like rain, soil and sun etc cannot be changed, but research and investment in specific fields, say agriculture, can help in overcoming the hurdles that people face in the development of their countries or regions.

While Sachs (2001) is almost dismissive about the role of institutions in growth and development, Gallup et al (1998: 29), to some extent, accepts that certain effects of geography can be minimized by the institutions: “Good policy and good geography may have a tendency to go together.... The result is that natural differences in growth potential tend to be amplified by the choice of economic policies.” But still their central argument remains the same that Geography matters in development even when controlled for the policy choices and institutions in a given society.

In a series of influential papers on growth and development, Engerman and Sokoloff have studied the long term impact of countries initial ‘factor endowments’ on the subsequent political and economic development of societies (Engerman and Sokoloff 1994; 2002; 2006; Sokoloff and Engerman; 2000). They maintain that the factor that explains the vast differences in the quality of institutions across the ‘New World’ is the “extreme inequality in the distribution of wealth, human capital and political influence” in the earlier colonial settlements. The crux of their argument is that the dependence on slaves for plantation economy in the “New World” has had significant impact on the subsequent development of these former colonies, and this dependence on slave labor was the main cause of inequality, which concentrated power in the hands of small Group of elites and restricted the growth of indigenous/domestic institutions necessary for economic growth and development. They argue that the soil of North America was best-suited for the production of crops like wheat whose production does not need large number of workers, and that small family firms can also produce it efficiently. On the other hand, they maintain that the soil in Latin America was best-suited for plantation economy which has necessitated the export of slaves from other colonies. They do not rule out the role of institutions in growth and

development but assert that it was geography which has led to the establishment of different institutions in different countries.

In the past two decades, however, much emphasis was laid upon institutions as the sole instrument of promoting growth and development in different societies (North and Thomas 1973; North 1991; Acemoglu 2003; Acemoglu et al. 2005; Acemoglu and Robinson 2011). The institutionalists were mostly concerned with the role of institutions in the promotion of growth and development, and subsequently the welfare of society. Acemoglu et al assert that the disease environment has set the pattern of colonial settlement in occupied territories and, hence, the quality of institutions. Acemoglu et al argues in of the influential paper on institutions that the countries that were rich in 1500 are now poor, it because of the institutions (Acemoglu et al. 2002). The argument is that the ‘institutions of private property’ was established in relatively poor areas, and the richer areas have done away with the ‘extractive institutions’ which are inimical to long term growth and development. Their argument that disease environment have influenced the patterns of institutions implicitly implies that geography plays an indirect role, if not direct, in the establishment of institutions.

So we say that geography do play a role in the establishment of institutions necessary for growth and development of any society. These institutions, once established, allocate the distribution of resources and distribution of power in society. Institutions do matter for growth and development but how it functions depend largely upon the political dynamics of society, and to what extent these rules are followed by the people.

### **3.3. Power, Politics and Institutions:**

There is no denying in the fact that institutions matter for growth and development of any society. But the question arises that once institutions are put in place ‘do they work on the same

pattern on which the foundations were laid? Are they impossible to change? Are they unaffected by the competition and contestation for the capture of power and resources in society? These questions are difficult to answer. Neither the establishment of institutions and nor its functioning is independent of the broader social and political context of the society.

The concept of power has triggered much debate among the social theorists. Max Weber in *Economy and society* define power as “the probability that an actor in social relationship will be in a position to carry out his own will despite resistance, regardless of the basis on which this probability rests” (Weber, 1978). By this we can say that power is the ability of individuals to impose themselves on others and achieve their ends. For Giddens power is tied to human agency but has no relation with will or intentions (Giddens, 1979). For him the concept of power is one that of possessing of a “transformative capacity” (Ibid). The manifestation of power can be seen in a variety of forms like expert power, legitimate power, referent power, reward power and coercive power (French and Raven, 1959).<sup>50</sup> Other forms of power, they maintain, includes information power, charismatic power and tradition power. While explaining the role of power in economics Robert Keohane maintain that “whenever, in the economy, actors exert power over one another, the economy is political” (Keohane 1984). After defining the notion and concept of power now we will be able to incorporate the above discussion to study politics and institutions for in-depth understanding of the two diverse phenomenons.

The Critics of the rational choice theory were always of the opinion that how the institutions are built and re-built, and who benefit the more from the existing institutions largely depends on the political dimensions. They stressed that the political economy analysis based on rational choice seriously impede the ability to engage the political dimension of policy choices and hence to inform decision-making (Frey 1994). The critics have argued that institutions are

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<sup>50</sup> In CatWright, D (Ed). *Studies in Social power*, Ann Arbor, MI: Institute for social research, pp. 150-167\

built and re-built by the powerful actors in a society to cater to the needs of few elites and favors the better off, while losers, on the other hand, remain in the same position as they were before. Because there are little incentives for the winners to pay off the losers, as the winners are not dependent on the losers support for pushing through the reform agenda (Moe 2005). The power-based political economy approaches were critical of the rational choice models because they think that power is the missing element in rational choice models (Bates 1989; Levi 1988; Olson 1993). They believed that it don't always lead to beneficial outcomes for all the people. The long term persistence of institutions might be due to the fact it favors the powerful interests. North (1990) argues that 'right' kind of 'institutions' may be beneficial to all the groups in society and it may actually lead to economic growth, but the rulers may be reluctant to adopt that kind of institutions and instead favors those that protect their 'own' interests.

The power-based political economy approach tends to be more useful especially when one consider the recent surge in the vast amount of literature published on "political settlements." The overarching literature on political settlements has made critical contribution in understanding the context of institutions. After the establishment of institutions, the proper functioning of it depends largely on the socio-political context of the society.

The strength of political settlements is that it is not only limited to formal institutions, but informal institutions are considered to be the essential element for the understanding of how political settlements are managed and sustained over the course of time. The political settlements are not the one-time arrangements as some people think of it, rather they are the "rolling agreements" between the powerful elites (Cole and Parks, 2010). In the same vein, other writers argue that 'political settlements represent a basic and fundamental understanding on how the power, resources and wealth should be shared/distributed in a society' (Laws 2012; Jones et al.

2014). It involves both the formal and informal institutions of a given society. For Mushtaq Khan (2010), certain typologies of the elite arrangements- mostly formed through informal institutions- like the nature of entrepreneurial class, is critical for understanding the way economic institutions perform, and, furthermore, the alignment of institutions and political power is necessary for the functioning of institutions the way it is intended. In nutshell, political settlement is a concept that tries to analyze the complexities of institutional governance in such a manner that helps to move “development thinking beyond an institutionalist perspective by focusing on the ... power arrangements that underpin and shape the emergence and performance of institutions” (Golooba-Mutebi and Hickey 2013:5).

### **3.4. Geo-politics, Institutions and Development in Pakistan’s Tribal Areas:**

To this day, South Waziristan is governed through the governance system that is inherited from the colonial regime. The British has devised this system to meet the objectives of the colonial regime in the barren lands of the Pashtun’s borderland. The case of Pakistan’s Tribal areas is unique in the sense that the geo-politics of the region is considered to be determinant of the evolving nature of patron-client relationship embedded in the institutional structure and subsequently the socio-economic development of the region.

Most of the people who have wrote in detail about ‘tribal areas’ were colonial administrators. After the independence of Pakistan, the scholarship and literature on ‘tribal areas’ increased but not enough to quench the thrust of the people keen on knowing about the tribal areas. The colonial administrators as well as their Pakistani heirs have all misrepresented the tribal through eulogizing the ‘tribes’ and their way of living (Spain 1963; Elliot 1968; Swindler; 1977; Ahmad 1976; Ahmad 1980). They have declared the people in the tribal areas ungovernable through any instrument of the modern state apparatus, and maintained that the

tribal areas and its people are better left to their own devices. Maneuvering of the tradition and customs, at the same time, were done by the colonists in order to meet their strategic objectives in the tribal belt bordering Afghanistan. Others have elaborated and highlighted more crucial aspects of the colonial encounter and societal dimensions in the pashrun borderlands (Beatties, 2013; Nichols, 2013; Bangash, 2016).

The power structure in the Pashtun borderlands of Pakistan is considered to be the product of the forward policy of the then British government. Until 1876, the British administration was largely content with pursuing the policies of non-intervention in the border areas (Hayat 2009). But thing took a sharp turn and by 1878, the system of the political agencies was first introduced in the border areas which is still in place (Hayat, 2009). By 1890s, a forwarded policy, characterized by the introduction of Maliki system was taking shape ( Davies 1932: ix, 3). Richard Bruce, the then commissioner of the Derajat, introduced a modified version of the Sandeman system, which was in practice in Baluchistan, in the form of the Maliki system in the tribal areas (Bruce 1900:2). Under the Maliki system, the Maliks were made responsible for producing a certain number of levies personnel for service in the levies. They were paid allowances for their services. The allowances paid to the Maliks and the levies personnel produced were all meant to control their respective tribes from creating hurdles in the way of Colonial administration (Bruce 1900: 2; Davies 1932: 125).

This system of indirect rule introduced in light of the geo-strategic objectives of the colonial administration has had significantly impacted the socio-economic development of the region. This system has evolved over time and many changes have occurred since then. The changing geo-political conditions, the emergence of new economic groups, and hence the intense competition has put pressures on the durability and sustainability of the old system. Rehman

(2014), while quoting a western bureaucrat, wrote that “the tribal people need a new social contract and a new economic and power structure because the operation in the tribal region has caused irremediable damage to the old administrative and legal governing system.” This may imply that the old administrative and power structure in place in tribal areas were held in high esteem by the foreigners and the rest of the countrymen alike. In the same vein some have exaggerated the inter-tribal conflict in South Waziristan between the Mehsuds and Wazirs, and their struggles for capturing of the key routes and crucial resources like economic timber (Ahmad 1983). The study carried out by the then Political Agent of the South Waziristan Agency is one of the most comprehensive studies but, in my opinion, it failed short of coming with concrete explanation about the real nature of conflict between the newly emerging religious clergy and traditional elites. The religion, politics and economy have, and are, of course, interacting in South Waziristan and in every other place but not in the same way as is explained by the Anthropologist-cum-Administrator.

People also come up with new ideas and challenged the existing misrepresentation of the tribal people by the administrators and soldiers claiming to be historians and intellectuals. Maira Hayat (2009) argues in her paper that the tribal people were not as resistant to change as is portrayed by the historians. Rather it was the state’s failure in many crucial aspects to bring FATA to mainstream through political and economic reforms. In the same vein, people viewing the tribal areas from the political economy perspective stresses that the ‘huge’ development projects initiated in the 70s, the gulf migration and ‘petro-dollars’ have considerably empowered some sections of the population and have increased the power of the Maliks and Mullahs specifically (Marten, 2008; Sammon, 2008). Still they come short of providing the specific answers to questions that ‘how the rent-seeking’ contestations have led to the below par



development in the tribal areas? How the political settlements in tribal areas were negotiated and re-negotiated between the elites governing the tribal areas? How the state responded to the competing demands of different actors in tribal areas?

The Maliks, Mullahs, the political agent have been the traditional players in the political and economic affairs of FATA. But at the dawn of the 21<sup>st</sup> century, and after the 9/11, the military become an all important player in determining the social, political and economic development of the FATA. It is not that the traditional players have ceased to exist, but rather their influence in socio-economic issues is considerably reduced due to the militancy and the subsequent military operations in the tribal belt.

### **3.5. Conclusion**

After reviewing the literature, I am now in a position to say that a vast array of factors are important to understand the internal dynamics of any society. Instead of relying on single-factor explanation for understanding the process of development, I have taken into account various phenomenon's that will help me in understanding the process of development. While the endogenous factors, say geography, do determine the destinies of people in achieving progress, the literature reviewed also enable me to look at other factors, like institutions, power relations, interests and incentives, in determining the development outcomes in any specific region. So, hereby it can be argued that the understanding of political and social context is necessary for explaining the development process of the area.

'Political Settlements' is a relatively new concept in development literature, focuses on the underlying processes, specifically on the 'interests' and 'incentives'. This kind of emphasis gives 'political settlements' an edge over rest of the theories that explain development. And,

more importantly, how the ‘contactors’<sup>51</sup> and ‘contractors’<sup>52</sup> have benefited from the placing of public expenditure funds at their disposal by the state authority

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<sup>51</sup> See Alavi 1972

<sup>52</sup> Ibid

## **Chapter 4.**

### **Conceptual Framework and Methodology**

#### **4.1. Conceptual Framework**

In this chapter we lay out the conceptual framework which will serve as guiding principle and foundation of the study that we will undertake.

While explaining the role of ‘geography’ in the economic development of different societies across the globe, Jeffery Sachs (2001) argues that geography is not ‘exogenous’ to growth and development, and that it cannot be changed. He argues that five factors differentiate the developed regions from underdeveloped ones; Technology, Tropical vs. Temperate zones, (Technological) innovation; societal dynamics and geo-political factors. The interesting part of his hypothesis is the inclusion of the geo-political factors in the defining the context of development. Here, in the case of Federally Administered Tribal Areas (FATA) in general and South Waziristan in particular, the point that Sachs (2001) raised particularly makes sense. We believe that the imposition of the system of indirect rule through Maliks as agents and the Political Agents as the representatives of State was partly driven by the desire of colonial administration to wrest control over the barren lands of the Pashtun borderland, without employing their own manpower.

The peculiar nature of the region and its proximity to the Afghanistan has considerably influenced the British policies with regard to the formation of formal institutions in this region. Engerman and Sokoloff (1994; 2002; 2006) and (Sokoloff and Engerman 2000) have referred to it as “factor endowments.” This in some part is responsible for the underdevelopment of the region that is the subject of our research agenda. Although our aim is not to develop/establish a causal relationship between the geographic endowments and socio-economic development, but,

at the same time, we believe that the “destiny variable” has to play an indirect role, if not direct, in the establishment of institutions in any society.

This argument brings us closer to the process of evolution of the kind of institutions as explained by Acemoglu et al (2002), Acemoglu (2003), and Acemoglu and Robinson (2011). The crux of their argument is that the “settler mortality” has determined the establishment of the institutions in colonies. They argue that the endemic disease like Malaria would set the pattern of colonial settlement in any region. If the mortality rate was high for the colonists then they would not settle there and established extractive institutions. On the other hand, if the settler mortality was low and the area was sparsely populated then the colonists would settle there and establish inclusive institutions. The pattern of development to this day is set by the institutions that were established in colonial eras. They are almost dismissive of the role of geography in development, but their argument essentially implies that geography plays an indirect role in the establishment of institutions.

Institutions do matter. But how they function and deliver depends, in large part, that how the contradictions of formal institutional governance play out in the societal arena. This is our agenda and we will try to explain it in light of the framework of political settlements as is presented by Mushtaq Khan (2010) in his work titled “*Political settlements and the governance of growth-enhancing institutions.*” The strength of political settlements for analyzing the interaction of politics and economy is that it also takes into account the role played by the informal institutions in determining the progress of any society. In this study, based on the overarching literature published on political settlements, we consider political settlements as; The bargaining and competition between different interest groups for the capture of power and gaining access to state resources without entering into active conflict and jeopardizing their long-

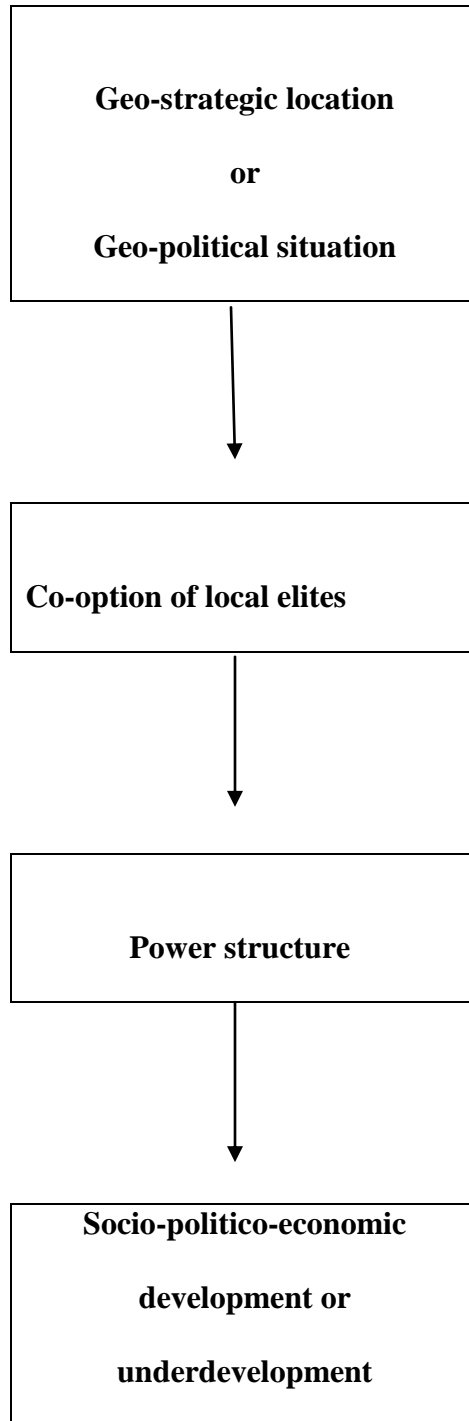
term stakes or interests in the current institutional arrangements. The protection of their long-term interests depends upon maintaining the status quo without altogether excluding the other groups in the society. From time to time, they co-opt people from assertive and influential sections of the population. At times, they also resort to coercing the groups that refuse to be co-opted and is opposing the current arrangements. The carrot-and-stick policy is adopted for maintaining the status quo. So, from the above explanation, we can say that the political settlements are not stagnant phenomenon and neither is the society. They evolve over time and respond in certain ways to the ever changing political and economic situations. So for the proper functioning of the economic and political institutions in any society, it is necessary, as Mushtaq Khan (2010) maintains, that the alignment of institutions and political power is necessary for the functioning of institutions the way it is intended (Khan, 2010).

While explaining the context of the countries that have, one way or the other, experienced colonization, Karim Khan (2015) argue that their political and economic system is “characterized by a kind of social coordination called “arbiter-client hierarchy”” This system has been inherited from the period of colonization in which the colonizer would exercise the monopoly over violence, and the local elites would generate revenues and extract rents on behalf of the colonizer. The legacy of the colonization remained intact even after the colonizers have long abandoned the occupied territories. This patron-client relationship expands from national to the sub-national levels. In which the central patron at the top of the pyramid exercise control over large number of the clients. The patron-client relationship is firmly embedded in the formal institutional structure of the geographic area which is the subject of our study. The rent-seeking motivations of the different interest groups set the pattern of the utilization of the socio-economic development projects in South Waziristan Agency. The political Agent in SWA acts as the main

patron of different actors in SWA. The PA is then patronized by the Governor of the Khyber Pakhtunkhwa province, and the Governor then acts on behalf of the President of Pakistan. The Maliks acts as the patrons of their small clans. The religious clergy is patronized directly by actors in national mainstream as well as by the political agent. This hierarchical system has largely determined the functioning of the formal institutions in SWA. Patronage is still the name of the game which is largely distributed through the institutional framework that was put in place in colonial era to achieve the objectives of the colonizers.

The aforementioned studies have been carried out at macro level employing country and cross-country analysis. This study aims to test these theories at micro level by gathering evidence from a small locality, and to synthesize the competing views of both the researchers and practitioners working in the field of development.

Given the framework discussed above, we will analyze the impacts of the geo-strategic location, the patron-client based power structure/co-opted elite-based power structure and its impact on the socio-economic development of the SWA. The following chart explains the power structure and its outcome that we intend to test.



## **4.2. Methodology:**

In this study we have used the *case study* research design to better understand the political economy of development. The qualitative case study methodology help us in eliciting the required information through techniques ranging from informal discussions and interviews to the contextualization of socio-economic development that have taken place in South Waziristan Agency. Case study is a research method where researchers can study a set of interrelated events in the context of their occurring. Baxter and Jack (2008) define the qualitative case study as a method which “afford researchers opportunities to explore or describe a phenomenon in context using a variety of data sources.” In a case study research methodology, vast and diverse sources of data collection is applied which includes documentation, archival records, interviews, direct observations, participant observation and physical artifacts (Yin, 1994). It provides researchers with a tool to study a single or a set of interrelated events within the context of its happening, that is, in the natural setting. The unit of analysis in case study studies may vary from a single individual to a small geographic location. Commenting on the wide recognition and viability of case study, Zainal notes that:

One of the reasons for the recognition of case study as a research method is that researchers were becoming more concerned about the limitations of quantitative methods in providing holistic and in-depth explanations of the social and behavioral problems in question. Through case study methods, a researcher is able to go beyond the quantitative statistical results and understand the behavioral conditions through the actor’s perspective (Zainal, 2007, p.1).

As our study seeks to answer the explanatory questions of “how” and “why” so we are adopting the ‘explanatory’ case study method in order to understand the processes of



development in the locality of SWA. We will try to unearth different phenomenons, within its natural settings, so that we could contextualize the whole process of development in SWA.

#### 4.2.1. Defining a Case

##### 4.2.1.1 Introduction

South Waziristan Agency (SWA) is the southern part of Waziritsan, and is the largest agency (area wise) of the Federally Administerd Tribal Areas (FATA) of Pkistan. The total area of Waziristan is 6619km<sup>2</sup>. It is inhabitetd by by Ahmadzai Wazirs, Mehsuds, Dotanis, Sulemankhels, and Burkis. Population wise, Mehsuds are the largest population group living in SWA with a total population of above 60%. The land of SWA is not conducive to large scale agriculture production and is mostly a subsistence economy. Due to nonavaliability of land for productive purposes the people of SWA has relied on earning their livelihood through trade with adjacent districts of Tank and D.I.Khan. The peculiar nature of the land has enforced people to positively response to economic oppportunities elsewhere.

**Table 4.1: Percentage of cultivated area in SWA**

	<b>Total Area (ha)</b>	<b>Cultivated Area (ha)</b>	<b>% of Total</b>
FATA	2,722,042	220,901	8.1%
SWA	662,000	18,040	2.7%

Source: *FATA MICS 2009*(As quoted in FATA assessment study report by USAID, 20102)

The figure clearly indicates that only 2.7% of the total area is cultivated as compared to 8.1% for FATA. Lack of proper irrigation system, advance technologies and other factors combined led to the under utilization of land for productive purposes.

**Table 4.2: Proportion of Households having Landholding (acres) by Farm Size -2007**

	<b>Less than 1 acre</b>	<b>1 to &lt; 5 acres</b>	<b>5 to &lt; 10 acres</b>	<b>10 to &lt; 15 acres</b>	<b>15 acres and above</b>
South Waziristan	19.7	30.1	33.7	15	1.6

*Source: FATA MICS 2009(As quoted in FATA assessment study report by USAID, 20102)*

The above table indicates that 78% of the population hold a landsize between 1 to 15 acres. Landholding, in the context of SWA, cannot determine the power and influence of a person because the area, as stated earlier, mostly consists of barren land and hilly mountains.

#### ***4.2.1.2 Administration and Politico-Legal mechanism***

SWA is administered by a Political Agent, who is assisted by several Assistant political agents, Tehsildars, Naib-Tehsildars, Khasadars and Levies for the smooth functioning of the government machinery. The traditional leaders- that is, Maliks- act as intermediaries between the government and their respective tribes. The Protected areas (Illaqa-i-Sarkar)- the area along the main roads- is directly administered by the political administration while the non-protected areas (Illaqa-i-Ghair)- the far flung areas, where the government have no access- is indirectly administered through tribal codes, customs and traditions. The Political agent is vested with a wide range of judicial, executive and revenue collecting authority which makes PA the all-powerful person in the affairs of SWA. He also supervises the functioning of the agency line departments and also chair the meetings of the Agency development committee. His interaction with the tribal people took place through the ‘agency’ of the British era Maliks and Lungi holders. The Mullahs through their formal political power has also been an important stakeholder in the administartion SWA. The trika of Malik, Mullah and PA is considered to be instrumental in setting the priorities for the political and economic development of the area.

FCR (1901) is the main legal code of the agency. FCR mainly deals with the crimes against the state. The main clause of FCR, which has been severely criticized by its opponents, that deals with crimes against the state is the “collective territorial responsibility”. Under this clause, a whole tribe can be apprehended, punished for a crime of a single individual. The properties of the members of the tribe in settled districts (to which the criminal belong) is confiscated, fines are imposed, and economic blockade of the whole tribe take place unless and until the criminal is not handed over to the political administration for facing the due course of law. The tribes solve their internal issues through the traditional institution of Jirga, which can be regarded as the assembly of tribal elders.

The SWA has representation in the National assembly and senate of Pakistan, but, interestingly, according to article 247 of the constitution of the Islamic republic of Pakistan, no act of parliament can be applied to any tribal area unless the president directs. SWA has two seats of National assembly, while it also has representation in senate of Pakistan. The political parties act was extended to FATA for the first time in 2011, while the adult franchise was introduced in 1996. Local government elections were held for the first and for the last time in 2004. A local government regulation was also passed in 2012 but still so far election has not been held for the proposed Agency council.

#### ***4.2.1.3 Socio-Economic indicators***

SWA is considered to be one of the most underdeveloped areas in terms of access to health, education and communication facilities. The average household size in SWA was 7.4% as compared to the 7.6% for the FATA.<sup>53</sup> There are total of five hospitals, fourty one dispensaries

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<sup>53</sup> Fata Development Indicators household survey (FDIHS) 2013-14, Bureau of statistics, planning and development department, Fata secretariat, 2015.

and seventeen Basic health units (BHUs) in SWA.<sup>54</sup> The population per bed is 3925 and population per doctor is 5519.<sup>55</sup> The existence of these facilities on ground is dubious at its best. The criterion for awarding these projects is considered to be reason behind wastage of such public resources. The education sector too is not so different from the health sector. The number of Primary, middle, high schools is 525, 72 and 30 respectively.<sup>56</sup> The number of degree colleges in the agency is four.<sup>57</sup> The literacy rate in SWA is estimated to 31.3% as compared to FATA's overall literacy rate of 33.3%. Of these, the male literacy rate in SWA has been estimated as 43.7%, lower than the 49.7% estimated for FATA. The female literacy rate in SWA is 12.3% which is also lower than the estimated figure of 12.7% for FATA.<sup>58</sup>

In the same vein, The labor force participation ratio is 20.2% in SWA. The male participation ratio is 32.7% while the female participation ratio is 2.3%.<sup>59</sup> The population density per square km is estimated to be 65 persons as compared to 108 for FATA and 166 for Pakistan. The road density per square kilometer is 0.20 in SWA as compared to the 0.26% for FATA.<sup>60</sup> The population per telephone is estimated to be 137 and population per post office was estimated at 148,166.<sup>7</sup>

#### **4.2.2 Sampling:**

For the purpose of selecting people for IDIs and FGDs from among the target population, I have used the technique of "*purposive sampling*" keeping in view the research design of our study. In the development process of purposive sample "researchers use their special knowledge or

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<sup>54</sup> Bureau of statistics (FATA cell), Planning and development department, Fata secretariat, Peshawar. 2009.

<sup>55</sup> Ibid

<sup>56</sup> Ibid

<sup>57</sup> Ibid

<sup>58</sup> Fata Development Indicators household survey (FDIHS) 2013-14, Bureau of statistics, planning and development department, Fata secretariat, 2015.

<sup>59</sup> Ibid.

<sup>60</sup> Important agency/FR wise socio-economic indicators of FATA 2013, Bureau of statistics fata cell, planning and development department, Fata secretariat, 2013.

<sup>7</sup> Ibid

expertise about some group to select subjects who represent this population.”<sup>61</sup> Apart from using my own understanding and expertise of the subject matter and locale of the study, I have conducted four key informant interviews and informal discussions with a number of people before selecting participants for the interviews and Group discussions. The field investigation has helped me in selecting relevant people from the groups who were playing an important role in initiating policy debates, determining development priorities and implementing the decisions made by relevant authorities.

After considerable field investigation I have developed a table to measure the qualities of an individual to be selected as a participant either in FGD or IDI. Almost all the participants for the study were selected by gauging their strength and importance through the below-mentioned six traits, characteristics.

**Table 4.3: Criterion for selecting participants for study**

<b>Serial No.</b>	<b>Criteria</b>	<b>Definition</b>
<b>I</b>	Hierarchical position in an organization	It is the position of an individual in organization at both the state and society level
<b>Ii</b>	Access to information and resources	It is the capacity of an individual to access either the resources or information
<b>Iii</b>	Opinion-maker/Rapport in Society	It is the individuals influence over others to alter people’s opinion/views regarding an issue.
<b>Iv</b>	Local Knowledge or experience	By this I mean the knowledge of an individual of the process of development and his experiences of dealing with state officials and relevant authorities in political compound.

<sup>61</sup> Berg, Bruce.L, Qualitative research methods for the social sciences, 4<sup>th</sup> edition, Allyn and Bacon, pp.32.

After developing a criterion for the selection of subjects for the study I have developed a list of various groups and the number of participants to be selected from among these groups.

#### **4.2.3. Data Collection**

For data collection I have primarily relied on the primary data, but useful secondary data have also been used wherever it was needed. Due to the sensitivity of the subject matter and also taking into account the situation in South Waziristan, some people never gave their consent to be interviewed, while others were reluctant to openly discuss the subject matter with me. So I have to make alternate arrangements in case the participants were unwilling or reluctant to share their views. Between 17<sup>th</sup> March, 2016 to 9<sup>th</sup> June, 2016, I have conducted a total of 34 in-depth interviews (IDIs) and two focus group discussions (FGDs). Additionally, participant observation played a key and important role in helping me understanding the internal dynamics that were shaping the process of development.

##### ***4.2.3.1. Focus Group Discussion***

The first technique that I used for the collection of data was the focus group discussion. Focus Group Discussion is basically a small group of people where the participants have an open discussion about the issue at hand, moderated by an expert/researcher. This group was moderated by me in person. Before conducting the FGDs, I have set the date, time and place for the FGD. I have also developed the protocol guide for the FGDs so that the participants are aware of what am I doing? And why am I doing this? Apart from developing a protocol guide, I have also developed the questionnaire keeping in view the objectives and research questions of the study. A wide range of unstructured and semi-structured questions were asked from the participants whom they have answered according to their understanding and knowledge of the subject matter. For identifying the relevant people and important stakeholders I have used three key informants

for reaching out to people and gaining the initial insights about the power relations in the context of SWA.

**Table 4.4: Composition of Focus Group Discussion**

<b>Groups</b>	<b>Focus Group Discussion # 1</b>				<b>Focus Group Discussion # 2</b>			
	Planned	Missed	Additional	Total	Planned	Missed	Additional	Total
<b>Retired Government official</b>	1	-	-	1	1	-	-	1
<b>Maliks (official and non-official)</b>	2	1	1	2	2	-	-	2
<b>Mullah</b>	1	-	-	1	1	1	-	0
<b>Political Parties</b>	2	-	-	2	2	-	-	2
<b>Civil society</b>	1	-	-	1	1	-	-	1
<b>Common man</b>	1	-	-	1	1	-	-	1
<b>Total</b>	8	1	1	8	8	1	-	7

I have conducted two FGDs at two different locations, on different time and date. The first FGD was conducted was in district Tank where a homogenous group of eight people from different backgrounds have participated in it. The group comprised of the members one each from the traditional leaders (allowance recipient Malik), traditional leader (non-official Malik), religious leaders,, two representatives of political parties , a civil society activist, a common man and a retired government official.

The second FGD was conducted in Dera Ismail Khan. Where seven people from different backgrounds have participated in the discussion. One member, a religious leader, have skipped out at the eleventh hour citing personal reasons for his refusal to share a discussion forum with one other member of the group. So, we were left with no other option but to continue with the six people. The group comprised of the people from traditional leader (Mashar), a Malik, a common man, a civil society activist, two representatives from political parties, and a retired government official.

#### 4.2.3.2. In-depth Interviews

The second method that we used for the collection of data was the In-depth interviews of different people. In-depth interviews are face-to-face interviews. This technique is widely used to reach to the depth of the issue by gauging the perceptions and experiences of the people. It has helped me in understanding the processes of politics and development in the SWA. We have conducted a total of Thirty four interviews at different places, on different dates. The interviews were conducted in Wana, Tank, D.I.Khan, Peshawar and Islamabad. The interviewees were selected from different interest groups keeping in view the power they wield and the interests they have. Serving government officials, members from traditional leaders (both official and non official Maliks), the religious leaders, representatives of political parties, and the common people were selected for the purpose of interviews.

**Table 4.5: IDI Participants**

<b>Groups</b>	<b>Planned Interviews</b>	<b>Missed</b>	<b>Additionally conducted interviews</b>	<b>Total</b>
<b>Government (Both serving and retired)</b>	6	3	4	7
<b>Maliks (official and non-official)</b>	7	2	2	7
<b>Mullahs</b>	7	4	2	5
<b>Political Parties</b>	4	-	1	5
<b>Civil society+ Experts</b>	4	2	2	4
<b>Parliamentarian</b>	3	1	-	2
<b>Common man</b>	4	1	1	4
<b>Total</b>	35	12	11	34

I have conducted a total of thirty four in-depth interviews during field work. In order to ensure the representation of each and every segment of population I have conducted at least a single interview with all the major interest/pressure groups active in the area.



#### ***4.2.3.3. Participant observation:***

The technique that I have used in contextualizing the processes of development was the ‘participant observations’. This method was first used by Bronislaw Malinowski. Under this method, the researcher lives in concerned community, participates in routine activities of the community, learns the language and then interpret the situation which s/he observes. This approach has been used in many classical anthropological studies over the course of past fifty years. Under the method, the researcher observes the social behavior as it occurs/happen rather than reporting it based on interviews and formal questionnaires. I have used the observer-as-participant method so as to maintain balance between the two roles as observer and as participant.

In order to better understand the processes of development and the social, political and economic relations that influence the development processes, I participated/attended five Jirgas in which the Political Agent, the official Maliks, some common people and members of religious clergy were present. It has helped me in understanding and then analyzing the interests of and the power they have of the ‘dominant’ stakeholders in SWA. I have used the observer-as-participant method so as to maintain the balance between my two roles as observer as well as participant.

#### **4.2.4. Data Analysis:**

To analyze the qualitative data that we have collected, we have primarily used the **thematic analysis** which Braun and Clarke (2006) defines as “A method for identifying, analyzing and reporting patterns within data.” Thematic analysis is a goes through the following six stages.

Identified by Clarke (2006):

- Familiarizing oneself with the data
- Generating initial codes

- Searching for themes
- Reviewing themes
- Defining and naming themes
- Producing the report

In the first stage I have tried to make ourselves familiar with the data. As most of our data was in written form so I thoroughly read each and every document that we have developed during the field work. In the next step, I have assigned codes to different recurring patterns within the data. In the next, I have identified the recurring themes within the data and have thoroughly reviewed it by comparing and contrasting the codes that we have initially assigned. In the final step, I have developed a narrative and have thus prepared the report by synthesizing the findings of the study and the literature that we have studied.

I have preferred the thematic analysis of the analysis of data that we have collected because it has provided us with the much needed flexibility, which I required, for looking at issue from different angles and perspectives. To better understand the context, the processes, and dig deep into the issue the thematic analysis was best suited to move from broad reading of the data toward the discovering of recurrent patterns and key themes within the data.

#### **4.2.5. Ethics and confidentiality:**

Keeping in view the official standings and personal preferences of the interviewees, the names and addresses of them may not be disclosed at any stage of the research process. The informed consent of the interviewees will be essential for the disclosure of the names and addresses along with the information that they provide during the process of research. The anonymity will ensure the safety as well as privacy of the respondents. This is the only way through which the

respondents will feel more secure and confident about sharing information and personal experiences with us.

Not only during the research process but also after the successful completion of the research project I will ensure the upholding of the confidentiality and privacy of the respondents!

## **Chapter 5.**

### **Findings and Discussions**

#### **5.1. Findings:**

During the course of field work spanned over a time period of about three months, I was able to conduct two focus group discussions and a series of interviews with people representing different segments of society, and coming different backgrounds. The discussion and interviews were conducted by administering a semi-structured questionnaire to the respondents to elicit their responses regarding the process of development in SWA. The discussion and interviews revealed three common themes which are then grouped under six sub-headings in the discussion section.

#### **Findings for Research Question # 1**

How different actors have used the policies to obtain or maintain power, and how has this contestation and bargaining impacted the development outcomes?

##### **5.1.1. Increase in income empowered certain segments of the population**

Increases in income have empowered the common people and it was instrumental in the emergence of new economic classes in SWA. The economic opportunities- like the Gulf migration in 1970s and Afghan Jihad in 1980s- and the resulting change in saving and consumption patterns due to increased income have enabled people to look beyond their immediate needs, and the wealth started transforming into capital. It has increased the bargaining power of the people previously excluded from the decision-making process. This has provided people with a sense of autonomy to act individually and also as groups to alter the social relationships and institutional structures that have excluded the common people from the decision-making process.

### **5.1.2. The fragmentation of Political System**

The political system is fragmented. It was due to the entry of new players in the political arena vying for the capture of distribution of power and resources in the society. The fragmentation of political system led to the contestation and bargaining in policy arena where different actors wrestled for extracting favorable decisions from the policy makers. When the new groups/classes started translating their economic power into political power, they came in direct conflict with the traditional elites who, till the start of 70s, were enjoying the perks and privileges associated with their positions. This has led to the union of new groups under the umbrella of religious clergy to extract their share in the patronage distributed through the authority of Political Agent. Apart from being presenting themselves as custodian of religion, the religious clergy main power was their rhetoric of fighting for the rights of common people.

### **5.1.3. Top-down approach for determining development needs**

Determining development needs and allocating funds to various projects was solely decided by the authority of the Political Agent with little or no input from the ‘elected’ representatives of the people. The approach essentially was a top-down. In the absence of Political parties, local governments and other appropriate mechanisms for collective action and aggregating citizens’ interests has empowered the PA to distribute benefits at will among those whom he considered capable of serving the state objectives. The parliamentarian was elected by Maliks- the selected people- so he was in no position to question the criteria for the distribution of development projects and development funds.

## **Findings for Research Question # 2**

How the authorities select the persons to be co-opted from amongst the tribal people?

#### **5.1.4. The Self-Serving nature of state institutions**

The institutional structure responsible for making decisions and implementation is at best self-serving. The nature of institutions responsible for setting of the development priorities, distribution of state resources and awarding of the government contracts perpetuate '*neopatrimonialism*'.<sup>62</sup> The central patron- that is, the political agent- distribute the state resources at will among his clients- that is, the Maliks and the Mullahs- in order to ensure their loyalties and better off their economic position in society. This way the PA not only ensures the cooperation of 'elites' but also increase his personal power and 'income'. This kind of administration based on 'personal' relationship has sustained and strengthened the state apparatus which largely cater to the needs of elites while neglecting the collective benefit of society at large.

#### **5.1.5. Lack of Checks and Balances**

The accountability mechanisms in place and unlimited powers of the Political Agent enable the central patron- that is, the Political Agent- to co-opt people at will. This in fact has made the Political Agent an uncrowned king who solely determines who to be favored or not. The lack of accountability mechanisms in the distribution of state resources as well as of state power, say for example the large sum of non-auditable funds and coercive state machinery at PA disposal, empower the Political Agent to use the state apparatus and resources for co-option of the local elites. Despite the emergence of new economic classes, increased competition for capture of power and resources and the changing political landscape, accountability and inclusiveness remain a pipe dream. The new groups of conflict and political entrepreneurs, instead of championing the issue-based politics, became entrenched and started practicing kinship and

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<sup>62</sup> It is a form of governance where a central patron distributes state resources in order to ensure the loyalties of clients. This form of governance is a mixture of the elements of rational-bureaucratic and traditional patrimonialism. For details, see Erdmann, G., & Engel, U. (2006). Neopatrimonialism revisited: beyond a catch-all concept.

patronage politics to leverage their own positions. Thus, it is interesting to note that increased competition do not necessarily lead to enhanced accountability of those responsible for decision-making and setting development priorities for large segments of population.

### **Findings for Research Question # 3**

How the analysis of potential “gains and losses” influence the opinions of different stakeholders regarding the policy changes in South Waziristan Agency?

#### **5.1.6. Diametrically opposed policy preferences by Haves and Have-nots.**

There is more than one actor that wants to alter the course of policy change for fulfilling their objectives. The actors differ vastly in the resources they have and the power they wield. These stark differences in power and resources, and the subsequent gains and losses bears largely upon the opinions of different stakeholders regarding the policy changes. The pursuance of narrow, ‘private’ interests by the dominant stakeholders who, one way or the other, are involved in policy debate and decision-making is restricting the nature and scope of policy reforms. The ‘others’ are not as influential to influence any meaningful policy change because of them lacking in resources required for triggering meaningful policy change. Among all this, the ‘collective benefit’ of society is the causality of this stagnation.

- The government official described as civil bureaucracy as a whole were against any kind of radical changes and they instead favored amendments in FCR.

- The Maliks mostly favored amendments in FCR and creation of FATA council<sup>63</sup> and opposed any kind of fundamental changes which may significantly alter the power relations.
- The religious clergy most favored the abolition of FCR and article 247<sup>64</sup> and supported the creation of separate province which is what falls between the two extremes.
- The views of civil society and Political parties converge and they share consensus by favoring the abolition of FCR and article 247 and integration into Khyber Pakhtunkhwa.

The above views gives us a glimpse of how dominant actors pursue their own narrow interests instead of supporting the policy options which, in long run, will prove beneficial for the collective benefit of the whole society. The areas integration with KPK and abolition of FCR and article 247, based on the findings of the research, will not only open up the political and economic competition but will also lay the foundations of inclusive governance and appropriate grievance redressal mechanism to avoid the areas further decent into instability and violence.

## **5.2. Discussions**

Over the course of an extensive field work, spanned over a period of two and half months, I was able to conduct personal interviews and group discussions with various segments of society coming from different backgrounds. A semi-structured questionnaire covering different aspects of the study was used to elicit responses from the interviewees. The freedom of opinion and choice was given to respondents to answer questions according to their own understanding of the

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<sup>63</sup> FATA council will act as a legislative body for the seven agencies and eight frontier regions of the area. It will consist of both the elected and 'selected' members-selected through the discretion of chief executive. It aims to accommodate the Maliks by creating a space for the role of 'traditional' leaders in formal legislative business. This as a policy option is recently floated by both the Maliks and some quarters in the government.

<sup>64</sup> Article 247 is part of the 1973 constitution of the Islamic Republic of Pakistan which excludes the role of Parliament and Judiciary in the governance of the federally administered tribal areas of Pakistan.



subject matter. After the successful completion of the processes of data collection for the study I finally came to the analysis stage. At this stage I have used the thematic analysis methodology to identify the recurrent patterns in the data. The major themes and sub-themes are then grouped under the respective headings and sub headings. I have identified eight major and key themes which are then explained below.

**Table 5.1: Key Themes and Sub-themes**

<b>Themes</b>	<b>Subtheme i</b>	<b>Subtheme ii</b>
<b>Gulf Migration</b>	Gulf remittances and the rise of new economic classes	
<b>Afghan Jihad</b>	The mushroom growth of Madrassahs	
<b>Political parties and Local government</b>	Political representation and participation	Local governments
<b>The Patron-Client relationship</b>	The legally-embedded patron-client relationships	The patron-client relationship due to changing nature of society
<b>Absolutist formal institutional structure</b>	A combination of judicial, executive and revenue functions	Change of Guard...?
<b>Accountability of the people in position of Power</b>	Auditing of the Funds	Monitoring and implementation
<b>Actors, Interests and Policy Change</b>		

## **Discussion on the findings relating to Research Question # 1**

### **5.2.1 Gulf Migration**

Migration is considered to be a catalyst for triggering broader social and economic changes at individual as well as societal level. It changes the social, political and economic landscape of a given locality by changing the patterns of behavior, attitudes, norms and, above all, social

structures. *“It creates spaces for interaction between migrants, as individuals, and communities of origin, transit and destination, as a whole.”*<sup>65</sup> The gulf migration and the subsequent influx of remittances (call it the flow of capital) has been regarded as triggering drastic social and economic changes in SWA. Although, previously, the people of SWA would frequently travel to the settled districts of Tank and D.I.Khan for trading purposes because of their dependence on these districts for meeting their economic needs, most notably the consumption items. Previously, the subsistence nature of economy would leave little or no space for saving, but the saving and consumption pattern changed gradually with the gulf migration. As the remittances started flowing in, the living standards of the people have experienced an upward move. Migration was not a phenomenon which occurred in isolation and it was in many ways related to the peculiar nature of geographic features and the regional politics of the 1970s. The arrival of Sardar Daud- a proponent of greater Pashtunistan- as president of Afghanistan and his aggressive pursuance of the Pashtunistan policy has forced the central government in Pakistan to tie the economic interests of the people of SWA with the rest of Pakistan. Initially, the people have used the illegal means of moving in Jattahs.<sup>66</sup> The state has facilitated people, especially the Maliks<sup>67</sup>, in the process of moving abroad by providing them with ID Cards and Pakistani passports. But it is interesting to note that the Maliks were comparatively well-off as compared to the Mullahs and common people *“why would they travel abroad to earn livelihood in faraway lands...?”*<sup>68</sup> Here we can say that as compared to Maliks or their families, it was the common people who grabbed this opportunity both hands. The long term impacts of migration proved to be inimical to

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<sup>65</sup> International dialogue on migration; Migration and Social change. Ninety ninth session, 9 November, 2010.

<sup>66</sup> Jattah is a traditional word used for the people using “sea ships” to move abroad which to this day is one of the major sources of illegal migration. Large number of people from the same area would travel together by using this method to move to gulf countries.

<sup>67</sup> For details see: Social and economic change in tribal areas by Akbar S. Ahmad, 1977.

<sup>68</sup> A participant in FGD 1 asked this.

the sustenance of the Maliki system as the pressure increased on the Political Agent to accommodate new groups. The migration and the subsequent inflow of remittances have altered the power structure by empowering new groups, and a new form of state-society relationship emerged as a result of large scale migration. This in return has implications for the distribution of power and resources in the context of SWA whereby new groups, with their new-found wealth, entered the arena to extract their share in the distribution of benefits.

#### ***5.2.1.1 Gulf remittances and the rise of new economic classes...?***

The migration to the gulf regions started at the beginning of 70s. It was the beginning of new era for the people in terms of economic prosperity and better living standards. The migrants would send their savings to their families' back home. The remittances have changed the consumption patterns of the people back home. The remittances were also productively used by the people by investing money in transportation businesses and buying agriculture lands in adjacent districts of Tank and D.I.Khan. The migration was also supported by a prominent religious cleric based in Wana- Maulana Noor Muhammad. He issued a fatwa declaring that "*Halal rizq k liye safir ibadat hay: Travelling abroad for Halal earning is equal worship.*"<sup>69</sup> The reason of religious leaders support for gulf migration can be explained by the fact that as they were relied on donation from people for the continuation of their religious activities. The gulf remittances have led to the dramatic increase in the amount of donations to the religious clergy. The question that arises is that why the people would give donations to the religious clergy? The answer is somehow tricky. The first reason may be because of the religious injunctions of Zakat. The second plausible explanation of the donations can be attributed to the concepts of 'Sadqat' and 'Khairat' that is associated with generosity and wellbeing that people donated a proportion of their hard-earned to religious clerics. The third reason could be the "coercive power" of the Mullah as Ahmad (1983)

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<sup>69</sup> Interview no. 18 with a religious leader in Wana.

notes that Maulana Noor Muhammad has levied taxes on apple traders and shopkeepers of Wana Bazar to increase his income. The increased incomes of the religious leaders have raised their bargaining power in the society. Furthermore, due to increased interaction with outside world religious preaching have also found its way to the SWA. This has led to the elimination of the flexible religious practices (like Piri-Murshidi) that were an essential part of the social culture in SWA. The religious leaders, along with the economic class of traders (by tying their economic interests with Urban centre of Pakistan), were also the country's best option against the "greater Pashtunistan" movement of Sardar Daud. All this have subsequently impacted the role and authority of the traditional leaders- i.e. Maliks. This is what (Khan 2010) have argued that distribution of power and institutions have to be in line with one another otherwise the groups not getting enough would indulge in a struggle to change the institutional structure in which they get less than the others. The struggle for the capture of political power by the new groups was the natural outcome of the economic empowerment of the new groups. The new groups started asserting themselves by buying the patronage of Political Agent through their new-found wealth as well as by using their newly-established "contacts"- with power brokers in rest of the country- to leverage their positions in the society.

While the migration and the subsequent remittance economy may be a pure economic phenomenon but it was free of carrying political implications as any other economic phenomenon may brought. Understanding this two way relationship between politics and economy in SWA is the fundamental aspect of our study. Writing in the context of Punjab Zaidi (1993) observes that the increased remittances from migrant Punjabi workers played an important role in consolidating the political and economic position of urban middle classes. The same also holds true for SWA where the remittance economy not only gave birth to economic

classes but also consolidated their position in the long run. The finding is also substantiated by Addleton (1992). The “newly rich” section of the population was now posing a significant “political” threat to the power and authority of the traditional leaders. Previously, the economic benefits has to a larger extent increased the power and influence of influential local actors- that is, Maliks- with the notable exception of the Gulf migration in 70s (Marten, 2008). The migration phenomenon has increased the “*holding power*”<sup>70</sup> of the Mullahs. This increased *holding power* of the Mullahs can be attributed to the fact that now they were not only able to withstand the economic and political costs of in case of any future conflict but were also in a position to use their wealth and influence to inflict costs on the traditional leaders. Due to this tension between the Mullah and Maliks, “*the Adda Bazar in Wana- a source of Maulana Noor Muhammad’s power and influence- was demolished in 1976 and the Maulana was sentenced to ten years in prison.*”<sup>71</sup> The traditional leaders were the losers in either way the money is used. If the donations to religious leaders increase it give Mullahs the much-needed resource for strengthening its position in the wheeling-dealing in Political compound and setting development priorities. The Mullahs can now use money coupled with their influence in society to increase their bargaining power. The political compound was not as inaccessible to Mullahs as it was to the common people. If the family members of the migrant families start their own businesses then the Malik is losing space to the newly emerging business class of the society. Because, as one of the interviewee put it; “*Money was now an all-important source for the awarding of Maliki to a person.*”<sup>72</sup> The Mullahs income as well as political power increased due to their

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<sup>70</sup> Khan (2010; 6) define ‘holding power’ as “the capability of an individual or group to engage and survive in conflicts.” He asserts that two factors mainly contribute to group’s holding power to engage in conflicts and therefore emerge as winner in conflicts. It includes the group’s ability to impose costs on others and the other, equally important, is to absorb the costs inflicted on them by others.

<sup>71</sup> Interview no.07 conducted in Wana.

<sup>72</sup> Interview no. 14 with a Civil Society activist.

association with the newly emerging classes of the area. The new economic classes were now a significant threat to the power and authority of the Maliks in SWA.

### **5.2.2. Afghan Jihad**

Jihad has been dubbed as a “holy war” in the service of Islam. Repeatedly, the Islamic injunctions of Jihad have been invoked by ‘vested’ interests to gain political ends. The same was very much true with the Afghan Jihad initiated upon the soviet invasion of Afghanistan in 1979. The Jihad was a name given to the war fought for the ideological, political and economic dominance between the two opposing forces of West and Soviet Russia. While the soil and manpower was provided by Afghanistan and pashtun borderlands of Pakistan, meanwhile, the financial and technical resources were poured in by Saudi Arabia and Western countries to add fuel the fire. Due to the close geographical proximity of the region, under study, to Afghanistan, it cannot remain aloof from the effects of events happening next door. Furthermore, the close proximity of the region to the Afghanistan made it easy for the national and international establishment to use the region as a launching pad against the soviet forces in Afghanistan. The Pashtun borderlands of Pakistan including SWA have been used as a safe heaven and breeding ground for the “rented Jihadists” (or precisely the ‘mercenaries’) from around the world. The Mujahedeen leaders used to frequently travel between Afghanistan and Pakistan’s border regions.

The Afghan Jihad was also a greater economic opportunity for the religious clergy to mint money by provision of their services in facilitating the process of Jihad. In return for recruiting jihadists and providing services in facilitating the “holy” jihad in Afghanistan the local Mullahs were provided with “petrodollars” and technical and physical assistance. The reason for relying on Mullahs for the Jihad process is due to the fact that the religious leaders were in better

place to influence people's perception about Jihad and due to their historical role in declaring and waging jihad against the foreign invaders. Another reason could be the one as succinctly described by a Malik *"It was not only difficult to bargain with the Maliks on this issue because the Maliks saw destruction of the region's culture by this Jihad but also because the Maliks own interests were at stake and they see the empowering of Mullah in the process and hence the dominance of religious authority over the traditional leaders."*<sup>73</sup> Gradually, the power and legitimacy of the Maliks get eroded and they were succeeded by the proponents of political Islam, backed by the Pakistani state and international establishment (Sammon 2008). This enables us to look at the power and legitimacy of the Maliks. The Maliks, in large part, derived power and legitimacy through the state institutions, and the Maliks in this scenario were not in a position to inflict damages on the state in return for this policy shift. So the emergence of Mullahs was a natural consequence of gradual political and economic changes in society which effected the evolution of political settlements. This is consistent with the argument that *"Organizational activity, drawing on gradual changes in economic and political conditions, can occasionally upset the gradual evolution of a political settlement"* (Khan 2010). For securing Mullahs loyalties and their support, Mullahs opinion was given weight in the resource distribution as well as in setting up of the development priorities for the region. For example, the Mullahs and their supporters were awarded with government projects and contracts which, previously, was a sole domain of the Maliks. Both the formal and informal source of income of the religious leaders have led to the emergence of "conflict entrepreneurs" in the region which has far reaching implications for the power and resource distribution in SWA. The windfalls

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<sup>73</sup> Interview no. 02 with a Malik.

from Afghan Jihad proved instrumental for giving Mullahs the much needed resource for sustaining in any future conflict by “*absorbing the costs of that conflict.*”<sup>74</sup>

#### **5.2.2.1. The mushroom growth of Madressahs**

“*The de facto power of the religious groups, shaped by the followers and their resources, has made them relevant interests groups throughout the history of Pakistan*” (Khan 2013). With the pouring of petrodollars to the religious leaders pockets the religious schools experienced a phenomenal growth in the area. Certain constitutional amendments introduced during Zia era in 1980s “*raised the bargaining power of religious groups relative to other privileged groups*”<sup>75</sup> (Khan 2013). These constitutional amendments like the Islamization of education, extension of official support to Madrasahs and creation of employment opportunities for the graduates of religious schools has made madrasahs attractive destination for getting education. The more graduates the madrasahs produced the more power and influence the religious clergy gain. This in return, he maintain, has increased the *de facto* power of the religious groups while constitutionally they remained on the periphery (Khan, 2013). It was a not only a source of income- in the form of donations from the general public as well as foreign donors- but also the state support that expanded the Mullahs political power. Large numbers of Madrasah graduates from these areas were then employed both by the state institutions and the religious schools.

While it is understandable that the foreign donors offered donations to religious clergy for serving their objectives the question that springs to mind is that: Why the locals were prompted to pay a proportion of their hard-earned money to religious clergy? Naturally, they would have invested their money in more productive businesses but it was not the case in SWA. Two explanations can be offered this phenomenon. First one is that historically Mullahs have

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<sup>74</sup> For details: See Mushtaq H. Khan (2010)

<sup>75</sup> For details: see Karim Khan, 2013, pp.153.



been dependent on the support of local influential for their sustenance and continuation of their religious services. The Mullahs are also referred to as “*WazifaKhors*”.<sup>76</sup> Here it defines two kind of people; Givers and Takers. Giving is considered a virtue not only religiously but also a symbol of esteem and high social and economic status. While taking or begging is regarded as a quality of inferior and weak who lack social and economic resources. The Second plausible explanation can be the ‘extortion’ by religious clergy. For example, it is said that Maulana Noor Muhammad, a Mullah from Wana, have imposed different taxes on the traders exporting fruits and vegetables from the locality of Wana. He also imposed taxes on the earnings of the gulf migrants’ families and they were bound to pay a specific proportion to the Mullah. The Mullah would collect this money in the name of building a mosque in Adda Bazar, Wana. While the first kind of donations were paid voluntary the second type of donations were extorted from the common people in the name of religion and religious services.

But after the 9/11 the situation in SWA took a drastic turn and everything was upside down. A group of Pakistani militants first emerged in SWA in 2004 and military operation was launched against them in the same year. It led to the emergence of new actors in the distributive dealing-wheeling in SWA. Malik maintains that:

Charismatic young men who fought in Afghanistan and are not tribal leaders by lineage or election and whose power and legitimacy are based on the recently acquired wealth — either Arab money or the exorbitant compensations paid by the army — and their ability to fight and fill the power vacuum opened when the Taliban began its decapitation campaign. it resulted in the killing of more than 600 Maliks or tribal chiefs since 2007-13 or according to another source till 2009 (Malik, 2013).

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<sup>76</sup> Wazifa is a local term used for the little amount of food offered by people, on daily basis, to the ones studying in religious schools. The word WazifaKhor is literally used for the person, usually a Talib or Mullah, who feed on the grains of others.

The militant commanders were predominantly the graduates of religious schools and draw inspiration from the veterans of Afghan Jihad and Taliban commanders in Afghanistan. *“The sharia courts were established and all the judicial matters were resolved through these courts. The commanders would charge a fee according to the scope and nature of the dispute.”*<sup>77</sup> It became a source of earning for the militants. Their other sources of earning include; donations; extortions in the name of zakat; levying of taxes on shopkeepers; and charging a specific percentage of total sum on the construction of government projects in the locality. They had almost won the war with the traditional leaders for the capture of power and resources in SWA. Jirga has lost its significance earlier after 1970s and now it has become totally irrelevant to the functioning of society. Because many participants were of the view that FCR Jirgas have accepted bribes from wealthy and influential individuals for a favorable decision. The speedy and cheap justice provided by the sharia courts was a best alternative to the FCR Jirgas which were getting more rotten with the passage of time. The reason for all this was the inaccessible and predatory nature of the state institutions which remained stagnant without taking into account the needs and preferences of the people.

### **5.2.3. Political Parties and Local government:**

One of the key factor that we found instrumental in either hindering or promoting the development was the ban on political parties and lack of “elected” local governments in the area. The political parties play an important role in aggregating the citizen’s interests and work as a collective bargaining mechanism in determining the developing priorities in any geographic locality. The elected local governments, on the other hand, are responsible for delivering the social services as determined by the collective will of the society. The ban on party politics and

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<sup>77</sup> A participant in FGD, a common man, told this during FGD no. 1

restricted Electoral College, as the concern was echoed by the participants of IDIs and FGDs, was because of the fact that the region was seen as a bulwark against the Russian empire and Afghanistan. Keeping in view the geographic location- and hence its strategic importance- of the area both the colonial and post-colonial state feared politics because it would have been difficult for the state apparatus to engage many interest groups at the same time, that's why they chose FCR over regular laws and Maliks over representatives and elected members of political parties. It was only in 2011 that the Political parties act was extended to Fata in 2011 during PPP government. This analysis is in line with (Waseem 2007) where he argues that the state came to India in 1861 and popular politics in 1937.<sup>78</sup>

*“While the political parties of the centre-right were allowed to operate despite the ban political parties of the centre-left never get a chance to strengthen its base and deliver its message to the general public.”*<sup>79</sup> Without having a support base in public or other sources of influence like the one available to religious parties their ability to bargain or compete with the already privileged groups- in determining the development priorities and the distribution of resources- was severely impeded. This has not only deprived people of alternate sources of approaching the state institutions but to a larger extent depoliticized the people. This lack of availability of political choices was directly affecting the economic prospects of common people. The political system was designed in such a way that on one hand it promised continued benefits to the elites for in return for their “services” to the state, while, on the other hand, it was instrumental in suppressing any kind of dissent which the state deemed “unlawful”. The adult franchise-introduced in 1996-and Local governments- formed in 2004- failed to have any

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<sup>78</sup> Muhammad Waseem, Politics and the State in Pakistan, NIHCR, QAU, Islamabad, Pakistan.

<sup>79</sup> Interview no. 16 with a representative of political party.

significant impact except “*empowering the Mullahs*”.<sup>80</sup> The Mullahs gained the political control of the area after 1996 due to many factors one of which was the unity of religious people under the banner of JUI-F. While politically the Maliks get divided into many groups and factions and due to their little or no control over the general public their worth decreased, at least in the eyes of those vying for political power.

#### ***5.2.3.1. Political representation and Participation***

Like the rest of the country, elections were also held in SWA. It was represented by a single parliamentarian until 2002, when an additional seat of MNA was reserved for SWA. Election is an essential building block of democracy but not an end in itself. It is a mean through which citizens voice their opinions and show their preferences. In contrast to the rest of the country, the political competition was restricted in SWA because only a limited number of ‘official’ Maliks were allowed to cast vote in the elections, while the rest of the population was excluded from the political process. Naturally, only persons from the privileged group would contest elections as no one would ever want their perks and privileges to be eliminated. So, he always happened to be from the same group. The Maliks wield both the social and political power and so it was difficult to change the institutional practice despite it being one of the key elements that hindered long-term growth and development prospect of the area. A standard explanation for that is: Extractive institutions, despite their adverse effects on aggregate performance, may emerge as equilibrium institutions because they increase the rents captured by the groups that hold political power (Acemoglu, Johnson and Robinson 2002). The distribution of benefits was in line with the distribution of power as is mentioned by (Khan 2010) for avoiding potential conflict. As the parliamentarian was elected by the Maliks so he was only answerable to Maliks because he was

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<sup>80</sup> Ibid

dependent on their support for reaching the coveted office. North (1990) argues that right kind of institutions may be beneficial to all groups in society, but rulers may continue with the set of institutions that favor and protect their own interests.<sup>81</sup> The powers that be continued with the restricted Electoral College until 1996 when adult franchise was introduced in FATA.

The introduction of adult franchise has, to some extent, opened the political competition in SWA. It has dealt a significant blow to the bargaining power of the Maliks in determining the development priorities in SWA. By Political competition I mean a competition for the capture of political power. Thus it is a competition for the capacity to influence or determine official governmental decision-making and action on questions of public policy or public interest. The elites have successfully blocked any kind of changes that may have adversely affected their political power. The economic rents and political power of the elites were interdependent but most importantly it was their political power which have enabled them to extract resources at will. This is what Acemoglu and Robinson (2006) have called the “*political replacement effect*” which they believe that more than the economic rents the elite fear the erosion of political power.

Previously, while the religious leaders were accommodated informally by providing them with opportunities to wage Jihad in Afghanistan or providing them with some sort of assistance in the form of donations for subsistence and the maintenance of Madrassahs. But now they were stepping into the axis of power in SWA- the political compound and parliament- which until now was the sole domain of the Maliks. In the elections after the introduction of adult franchise, there was not a single time when the member of a political party other than JUI-F has won the elections except for a single seat by PML-N in 2013 elections. Such is an opposition to the

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<sup>81</sup> For detail, see North, D. C. (1990). *Institutions, institutional change and economic performance*. Cambridge university press.

political power of religious elements by the Malik that one Malik said that “*the adult franchise was introduced keeping in view the growing Taliban’s power in Afghanistan and it was a mean to formalize the institutionalization of Maulvi and Madrassah in our society.*”<sup>82</sup> In year 2002, when MMA came to power in KPK (then NWFP), formally introduced a Madrassah reconstruction project in ADP where assistance was provided to religious schools for construction of boundary walls, and also two Mualims (teachers) were provided to teach dunyavi (worldly) uloom in religious schools while the certificates issued by the religious schools were declared equivalent to the ones issued by Schools, colleges and universities. This was the first official source of employment and economic opportunity for the religious leaders in SWA. Our findings of the change in the rule of business in conducting elections are supported by (Khan 2010) who argue that:

Informal institutions like patron-client allocative rules, and informal adaptations to the ways in which particular formal institutions work play a critical role in bringing the distribution of benefits supported by the institutional structure into line with the distribution of power (Khan, 2010).

After this, the applying of power by competing forces to grab resources become a norm rather than exception. Now, the competition was tough for the capture of resources as the previous political settlements was fragmented and new players emerged in the power game of SWA.

### **5.2.3.2. Local Governments**

Local governments by virtue of their proximity to people and concentrated in a specific geographic locality are better placed to understand development needs and deliver the respective social services to the people. In contrast to the rest of the country, local governments were non-existent in FATA in general and SWA in particular until 2004. After the passing of the law in

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<sup>82</sup> Interview no. 28 with a Malik.

2002 local governments were put in place in 2004, though non-elected. The members of Agency council were non-elected representatives chosen by the Political Agents without any input from the general public. The local governments were dysfunctional after two years of its formation, and the reason as a participant in FGD put it was *“the Maliks didn’t want to see it progress because they saw it as a more immediate threat to their power in society.”*<sup>83</sup> This explanation for this can be provided by (Khan 2010) where he maintain that when the distribution of benefits supported by the formal institutions are in line with distribution of power in a society then the political settlement emerge.<sup>84</sup>

## **Discussion on the findings relating to Research Question # 2**

### **5.2.4. Patron-Client Relationship**

Patronage politics is hallmark of the societies in so-called developing countries. The perpetuation of patronage politics is both the product of the legal formulations and society’s circumstantial changes over the course of time. The legal formulations are designed in such a way that a central patron asserts control over the immediate client- who in return controls a wide range of societal actors- for the extraction of resources as well as maintaining law and order in the society. Expansive and selective system of patronage by co-opting and embedding local elites was one of the interesting features of the local structures created by the British. The patron-client relations are essentially based on the power and information asymmetries between the interacting parties, individuals. The exchange of goods and services in this relationship is reciprocal but the patron enjoys much power due to the position he occupy or the resources he held. The element of reciprocity that distinguishes the patron-client relationship from the relationship based on formal

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<sup>83</sup> A participant in FGD, belonging to religious clergy, told this during FGD no. 1.

<sup>84</sup> Khan, Mushtaq H. Political settlements and the governance of growth enhancing institutions, 2010.

authority or coercion that also links up individuals of different social backgrounds (Powell, 1970). In SWA, the ‘hierarchical’ relationship between the state and societal actors were first developed by the colonial administration to fulfill their own objectives.

In the following two sub-headings we will briefly discuss the two kinds of patron-client relations that currently prevail in the area. This will not only enhance our understanding of the state’s methods of co-option of local elites but also make us better understand the interplay of politics and economic interests in SWA.

#### ***5.2.4.1. The legally embedded patron-client relationship***

By the legally embedded patron-client relations I mean those relations which are duly recognized, maintained and perpetuated by the legal code of the area. While the theorists of patron-client are right in pointing that the formal bureaucracies and political parties are penetrated by vertical relations of patron-clients in ‘third’ world countries, one thing that I observed during fieldwork was that at times patron-clients are systematically perpetuated and maintained by the very formal institutions. This I call it the “legally-embedded” patron-client relationship. As evident from the legal formulations of Frontier Crimes Regulation (1901) the patron-client between the Maliks and the Political Agent is established and maintained by the promulgations of FCR (1901). The PA act as the patron of the Maliks who represent their respective populations. Both the de jure and de facto measures have been instrumental in the perpetuation of this relationship between the Maliks and PA. While the de jure measures laid the foundation of the development of such relationships, it actually was sustained by the de facto measures. Power imbalances, information asymmetries, reciprocity, face to face relations and diffused flexibility are the hallmark of patron-client relations (Scott, 2009). The relationship between the Maliks and the PA fulfill all these conditions.



The PA, by virtue of his official position as a state representative, wields much more power as compared to the Maliks who mostly rely on state support for maintenance of their power and influence in society. The relationship is maintained through the distribution of responsibilities and exchange of benefits between the interacting individuals. The relationship is face to face and the PA rewards the '*mulaqatis*<sup>85</sup>' in return for the '*good behavior*' of their tribes. Apart from relying on his official position, as Ahmad notes, the PA also develop personal relationships with the Maliks for securing their good will and cooperation (Ahmad, 1977). The Maliks, from time to time, are also granted access to decision-making authorities through the discretion of PA who nominate and select people for these meetings. The main responsibilities of the Maliks include the maintenance of law and order in their areas, provide the state authorities with information regarding the people and area and assist the state authorities in the 'successful' implementation of the state policies. They necessarily play a second fiddle to the state authorities. In return for their '*khidmats*'- that is, services- they are offered rewards in the form of cash allowances, scholarships for their children, government projects and contracts, permits for trading purposes and land on subsidized rates in settled districts of KPK. Which improve their economic conditions as compared to the general populace.

While the legal formulations more or less remain the same but the society has tremendously transformed socially, politically and economically due to the interplay of various factors in the last four decades. This has put considerable strain on the durability of existing allocative patron-client relations. The state was in need of co-opting new groups and people who could serve its purpose in the best possible manner in changing circumstances. While the patron

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<sup>85</sup> Tinker (1968) used the term *mulaqatis* for the selected members of district committees by the magistrate during the colonial times which he think "were nothing more than a convenience to district magistrate".

remains the same, the clients expanded which led to increased competition and contestation and parallel structures of authority in a society. This we will discuss in the following lines.

#### ***5.2.4.2. The patron-clients due to society's circumstantial changes***

This kind of patron-client relationship developed due to society's circumstantial changes over the course of time. Societies are continuum and they evolve with the tides of time. Some changes are enforced by 'external' actors in order to change the situation on ground for the fulfillment of their own objectives. This kind of changes then abruptly influences the internal dynamics of society. The emergence of religious clergy as a potent political force was not due to the gradual evolution of society but was sponsored and supported by 'external' forces in the face of changing geo-political situations. At the beginning of 80s, when the traditional leaders, that is, the Maliks, were not in a 'right' position to fulfill the state's objectives the ever-hunting patron find a willing client in the form of the religious clergy. In return for their services as waging Jihad in the neighboring country, the religious clergy were informally provided with material resources and technical resources which not only enhanced their own positions in the society but have also provided them with a mean to capture the political power.

Previously, the PA only has to maintain cordial relations with the Maliks for the 'efficient' governance of the area. But after the 80s the PA also required the goodwill and cooperation of religious clergy to maintain the modicum of stability in the area. The increased competition and contestation for the capture of state resources by the two 'distinct' actors increased the vitality and importance of these resources. While the Maliks were unable to lure many of the emerging classes of traders and transporters towards themselves, the Mullahs were able to develop long lasting relationships with the new economic classes. This not only helped them pressurize the PA to distribute patronage according to the strengths of the clients but have

also enabled them to capture the political power in long run by maintenance of alliances with the new classes. Why in the first instance would the new classes align with the religious clergy instead of the Maliks? The answer may lie in the successful projection of religious leaders as agents of change, their rhetoric of economic equality and empowerment of common man- as Maulana Noor Muhammad once waged a struggle for securing the economic rights of his people in Wana- combine with their religious power has gained them the loyalties of new classes. In changing circumstances, they were not only better placed to serve state objectives but also presented an alternate source of approaching the state for benefits and rewards. The Maliks, through their constant alignment of interests with the state, were gradually losing relevance to the problems faced by the common people while the religious clergy was identifying themselves with the common man. So, the religious clergy succeeded in developing a favorable public opinion for themselves.

The relationship between the PA and religious clergy were different than that of the relationship between the Maliks and PA. The religious clergy were not as dependent on PA for their power and authority as were the Maliks. The religious clergy support in society and relatively autonomous political organization in the area, their networking with religious political organizations in rest of the country and direct relations with other people in position of power and decision-making proved instrumental in the sustenance of their influence and authority. While initially they came at the back of state support and exploitation of people's religious sentiments, afterwards they develop their own patronage networks by virtue of their capture of the formal political power in SWA. They then frequently came in conflict with both the PA and Maliks over the distribution of state resources, awarding of government contracts and issuing of permits for trading purposes. They to some extent, as Scott (2009) noted, were not only in a

position to coerce the patron- that is, the PA- into action but were also in a position to do without a patron. Their capture of formal political power after the introduction of adult franchise and access to parliament afforded them a space and opportunity to harbor their own interests and constitute a parallel authority to the existing power structures.

#### **5.2.4. Absolutist formal institutional structure**

The absolutist formal institutional structure put in place during the colonial times persisted even after the region has been put in place under the newly-created independent state of Pakistan. The unchecked and unlimited powers of the Political Agent- a federally or provincially recruited bureaucrat responsible for the administration of each of the seven political agencies- proved to be an impediment in the transparent and equitable distribution of power and resources in the society. This absolutism in the formal institutional structure has empowered the Political Agent to act as Patron and co-opt people at will. His powers include; to act as the head of agency administration and development committee, coordinates the nation-building departments, acts as district magistrate and session judge of the agency, issue permits for the import or export of edibles tribal agency, and, above all, he heads the Political Jirga to initiate cases against individuals and tribes and convict them in any civil or criminal cases. The ultimate authority of making or breaking any agreement or decision-making rest with the person of the Political Agent. While reflecting upon the powers of the Political Agent, a Malik quoted an incident which took place somewhere in 1980s at Manzai Check post in Tank. He narrated that *“when a Levi<sup>86</sup> personnel stopped the then PA vehicle at the post for routine security check the PA felt insulted to an extent that the next day he took action against the whole sub-tribe of the Levi person by invoking the clause of collective territorial responsibility... Such is the use of authority*

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<sup>86</sup> Levis and Khasadars perform the duties of Police in SWA. They assist the Political administration in the maintenance of law and order in the protected areas of SWA.

by the PA!”<sup>87</sup> This misuse of authority by the PA is considered to be an impediment to the overall progress of the society. The “self-serving governance approach deprived large segments of the population from social uplift and economic empowerment, and thus created a vacuum for non-state actors and militarization.”<sup>88</sup> The following two sub-themes can better contextualize the powers of PA in SWA.

#### ***5.2.4.1. A Combination of Judicial, Executive and Revenue Functions***

All the above-mentioned functions have been combined in the authority of the Political Agent. This can partly be explained by the desire of the colonial authorities to bypass the judiciary and mostly rely on the coercive apparatus of the state to wrest control over the tough terrains of the Pashtun borderland. These unlimited powers in the hands of Political Agent empower him to use both carrot and stick policies to co-opt people. The PA can initiate or withdraw a case to intimidate or co-opt a person. Similarly, huge funds at PA disposal allow him to use for co-opting a person or can withheld the salaries of the whole tribe to coerce them into action. The practice of using both coercion and blandishments has been continued even after the independence of the Pakistan. As compared to the officer of the same rank in settled areas, “*the powers of the PA are both unjust and unjustifiable.*”<sup>89</sup> Keeping in view the geo-strategic location of the border areas, the colonial authorities would appoint a military officer to govern these territories. After the independence of Pakistan, a civilian with ‘know-how’ of the tribal customs and traditions was appointed to govern the area. The patronage structure put in place during the colonial times continued without any serious threat to the authority of either the Political agent or the hand-picked Maliks- who would work as conduit between the tribes and Political

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<sup>87</sup> Interview no. 11 with a Malik.

<sup>88</sup> For details, see the complete report under the title “Status quo: A century of brutality” by Iftikhar Mohmand published in daily Dawn on July 06, 2014.

<sup>89</sup> A participant of FGD, and a member of civil society, told this during FGD no. 02.

administration. The system has not only distorted the incentive structure for investment in SWA but has also manipulated the traditional structures of governance and administration in SWA. This unlimited power, lack of proper accountability mechanisms and the inaccessibility of the state authorities has been a source of alienation among the common people who then responded positively to every single phenomenon which was considered to be an alternative to the existing structures.

From time to time, cosmetic changes have been brought in the functioning of the authority of PA but none of it materialized to give people a sense of empowerment. In 1997, a right to appeal was granted against the decision of the political agent with the appellate authority known as commissioner FCR. A right to appeal against the commissioner's decision was granted with the FATA tribunal. But all these changes were largely ceremonial and have failed to contribute to the wellbeing of the common people in FATA. The FATA tribunal was formally established in 2014 after the political reforms of the 2011. Due to inaccessibility of the area, lack of proper accountability mechanisms and transparency and lack of independent judicial oversight of the authority of the political agent has rendered these changes irrelevant. As one participant of the FGD succinctly remarked that "*the Supreme Court of Pakistan can summon and defeat the Prime minister but it cannot summon or take suo moto action against the wrongdoings of the Political Agent.*"<sup>90</sup> The internal dynamics of the society has changed and kept changing drastically after the 1970s but the institutional mechanisms responsible for service delivery and governance of the area remained stagnant and were firmly in place without taking into account the needs and aspirations of the common people.

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<sup>90</sup> Interview no. 20 with a representative of political party.

#### 5.2.4.2. *Change of Guard...?*

The Political Compound in Tank and Wana has been the centre of power and politics in the SWA. To this day, to some extent, links in the political compound is considered to be crucial for gaining access to state power and the distribution of resources in SWA. It has enjoyed an unrivalled and unparalleled prestigious position by deciding the distribution of power and resources in society. But with the passage of time, due to changing circumstances on the border and the subsequent shift in state's policy the authority of both the PA and the source of his strength-the Maliks- get weakened. "Pakhtun tribal areas have been always categorized and treated as buffer zone by the Pakistani state, which continued with colonial policies to govern Fata. This approach worked successfully till 1979, but then the whole scenario in Fata changed. The old colonial administrative system of control and the state's buffer-centric policy created a vacuum for disorder."<sup>91</sup> While Afghan Jihad, Gulf migration and the change in production patterns in Wana- these three themes will be discussed in detail in later part of this chapter- have slowly eroded the authority of Maliks, the direct intervention of military to combat militants in the middle of the first decade of the 21<sup>st</sup> century has led to the decline of the power and prestige of the PA. The military has launched first ever offensive in SWA against the militants in 2004. In the same year, the military has entered an agreement with Maulana Nek Muhammad- the militant commander- in Shakai. It has bypassed both the Maliks and the Political administration while drafting the terms of that agreement. Furthermore, symbolically, it has ruled out the possibility of the involvement of PA and the tribal Maliks in future in any such matter. It has legitimized the role of both the militants and the military in deciding the politico-economic affairs in SWA. As a political activist told that *"it has effectively replace the Political (Political agent is also simply*

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<sup>91</sup> For details, see the complete report under the title "Status quo: A century of brutality" by Iftikhar Mohmand published in daily Dawn on July 06, 2014.

*referred to as political in SWA) with military officials and the Maliks with the militant commanders.”<sup>92</sup>*

Now, the military is directly involved in setting the development priorities in SWA. The foreign aid component of the funds reserved for SWA is directly utilized by the military authorities while a major chunk of ADP is also spent on the development projects initiated by the military in SWA. This has led to the development of new kind of patron-client relationships where the military and civil bureaucracy was now harboring their own loyalists. This has been a source of tension between the civilian and military authorities. When the military indulges in setting up the development priorities it also gets involved in spending the funds according to their own objectives without taking into account the input provided by the line departments or Political administration. By awarding contracts and hiring people from the area, the military has developed its own system of patronage which functions independently outside the routine business in political compound. The military has also been strengthened by the promulgation of the act “Action in aid of civil Power” which has provided cover to military actions in SWA and has legally empowered it to play an all-important role in the affairs of SWA. All this has led to the decline in power and influence of the PA without altogether eliminating its role in the politico-economic affairs of SWA. As the patronage structure has widened the actors now link up with one or the other base to access resources and influence decision-making in SWA.

#### **5.2.4. Accountability of the people in position of power**

Accountability is the process of holding the state answerable for its actions and decisions by the society. Making state officials answerable to the people in whose name they are exercising power not only leads to efficient outcomes but also strengthens the bond between the state and

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<sup>92</sup> Interview no. 31 with a political activist of political party.



societal actors. In the process, citizens have open access to information regarding the political and economic activities and decision taken by the government high-ups. While reflecting upon what accountability actually mean and what is its value to development, Anwar Ibrahim, the then honorary president of the Accountability, wrote that “Accountability, at its core, concerns the civilizing of power, empowering it with the legitimacy to act in return for being answerable to those it impacts.”<sup>93</sup> From here we can say that power and legitimacy are the two main components of accountability which we will be drawing upon in our study. The information asymmetries and power imbalances were evident when the respondents were asked to answer a specific question concerning one or the other aspect of accountability. Majority of the people were clueless about the costs and expenses incurred by a specific project. While answering a question, one of the person argued *“the only thing we know is that a project has been approved; contract is granted; raising questions and demanding disclosure of the information is a no forgivable sin”*<sup>94</sup> he added, *“if such a demand is made, they (the political administration) refused to entertain any such request and simply call it official business”*.<sup>95</sup>

The following are the two sub-themes regarding different aspects of accountability that we have identified.

#### ***5.2.4.1. Auditing of the Funds***

Audit of the funds is considered to be an essential part of the accountability mechanisms for checks and balances upon the use and ‘abuse’ of authority by the people in position of power. It is one of the missing elements in the administration of SWA. Only in 2011 the Auditor General of Pakistan office (AGP) was granted access to the funds of the political administration. There

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<sup>93</sup> See Development as accountability; Accountability innovators in action by Accountability (A21), April 2007. PP. 12.

<sup>94</sup> Interview no. 05 with a common man in Tank.

<sup>95</sup> Ibid.

are two kind of funds utilized by the Political Agent for the smooth functioning of the Agency administration. The first one is the Annual development Program (ADP) share of SWA out of the total block allocation by the federal government for FATA, and the second one is called Agency Development Fund (ADF) previously known as Benevolent Fund (BF). It is the second fund whose utilization and collection is shrouded in mysteries. The name of the BF was only changed in the middle of the first decade of the 21<sup>st</sup> century. This fund has been used by the Political Agent to *“dole out ‘special’ privileges to the people whom he considered to be suited to serve his ‘special’ interests.”*<sup>96</sup> When asked about the source of these funds, a member of religious party observed that *“the collection of fines from the tribes and the funds generated by the issuance of permits to traders are the two main sources of this fund.”*<sup>97</sup> The ADP fund was solely utilized through the discretion of the Political Agent until 2006. But in 2007, a *“specific share in ADP was also granted to the parliamentarians (owe in large parts to the effort of a senator elected in 2006) to use it according to their own preferences and priorities.”*<sup>98</sup> The senator himself was a representative of religious party and MMA (Muttahida Majlis-i-Amal) was ruling KPK (then NWFP) at that time. It was made possible only due to the power and influence of religious parties at that particular time that the parliamentarians were given a share in the ADP fund.

And now the parliamentarians and Political Agent were harboring their own loyalists for meeting their objectives, while the accountability becomes a dream yet to be realized. Instead of altogether eliminating the practice of utilization of public funds for personal gains, the parliamentarians (with religious tendencies) were accommodated to preserve the status quo and hence a new set of political settlements emerged where the Mullahs interests were represented by

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<sup>96</sup> Interview no. 08 with a Mashar.

<sup>97</sup> Interview no. 26 with a member of religious clergy.

<sup>98</sup> Interview no. 19 with a parliamentarian.

the Parliamentarians while the Maliks were patronized by the Political Agent. It took about quarter a century to translate Mullahs de facto power into de jure power by taking the centre stage in the electoral politics of the area. This is in line with a theory of political settlements laid by Khan (2010).<sup>99</sup>

#### **5.2.4.2. Monitoring and Implementation**

Effective monitoring and implementation is necessary for the efficient delivery of public services in any sphere. It ensure the proper utilization of these services by the common people as well as justify the allocation of resources to a particular project undertaken by the government for the collective benefit of the people. While, by law, every line department in SWA is responsible for the implementation and monitoring of their respective projects, but, in fact, no such strategies exist on ground to reach out to the site of the project and then monitor its utilization. *“How can you expect implementation and monitoring when the area is divided between ‘Illaqa-i-Ghair’ and Illaqa-i-Sarkar...? He continued, “When above 70% of the projects are (awarded to Maliks residing in Illaqa-i-Ghair) undertaken in Illaqa-i-Ghair...”<sup>100</sup> He was referring to the British division of the area between protected and non-protected areas where 73% of the area was declared as non-protected while only 27% of the area was declared as protected area. The relevant officials have access to these areas only through the ‘official’ tribal Maliks, and “these official Maliks are the one who have been awarded these projects”.<sup>101</sup>*

The disproportionate distribution of the projects in some areas is because of the state’s desire to co-opt the tribal elites and ensure the loyalties of influential Maliks. Interestingly, most of these projects were awarded in the name of communities to the tribal Maliks, but the benefits i.e. employment associated with these projects and the contracts for construction, were reaped by

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<sup>99</sup> SEE Khan, M. (2010). Political settlements and the governance of growth-enhancing institutions. *London: SOAS.*

<sup>100</sup> Interview no. 23 with a Mashar.

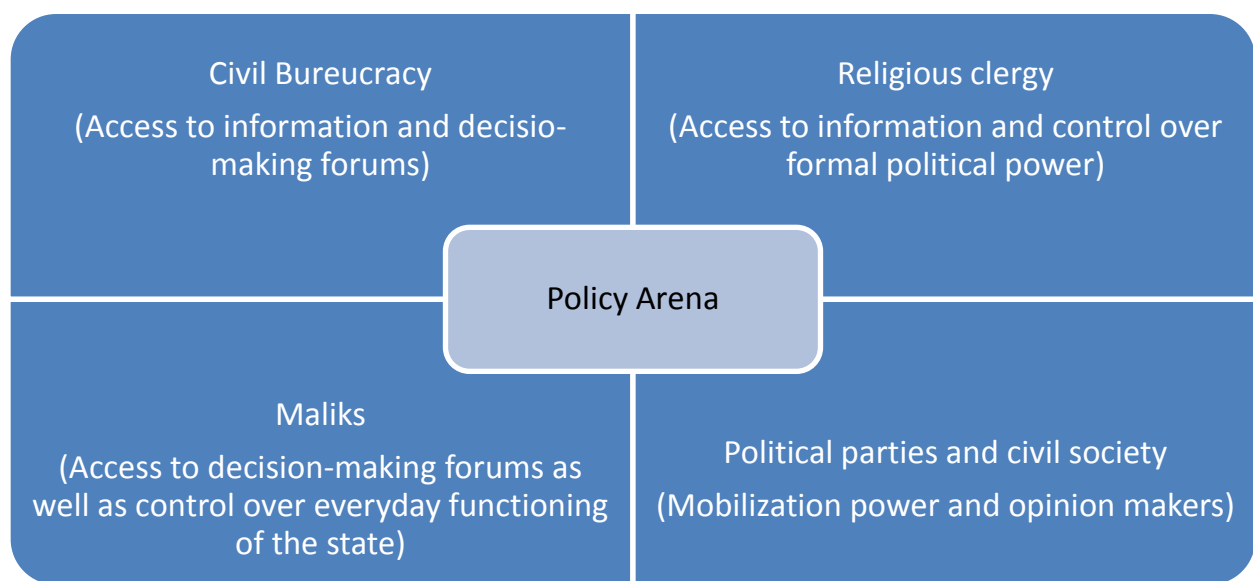
<sup>101</sup> Interview no. 03 with a government official of education department.

the Maliks and other influential people with access to state's authorities and resources. *“Even in some cases the outlaws (in many cases harbored by Maliks) were awarded with Schools and Hospitals in order to pacify them”*.<sup>102</sup>The patronage system was revolving around the PA but after the resurgence of religious elements and the subsequent introduction of Adult franchise in 1996, the system has somehow changed and competing political order and patronage bases were developed which bring us to the next and important sub-section of accountability. The lack of monitoring and implementation of the said development projects is a classical *Principal-Agent* problem, where the principal cannot monitor the activities of the Agent that whether the projects are being utilized for collective benefits or personal use.

### Discussion on the Findings Relating to Research Question # 3

#### 5.2.7. Actor's, Interests and Policy Changes

In the first stage of the discussion and analysis I have to define the policy arena and the players who are involved and actively pursuing their interests at individual as well as group levels.



<sup>102</sup> Ibid

Broadly speaking, currently there are four players in the policy arena who one way or the other are actively pursuing their respective interests. Among all the players, the most important and influential one is the civil bureaucracy. By virtue of their position and strong networking, the civil bureaucracy is regarded to be the key player in any policy debate. The civil bureaucracy can trigger or hamper any policy change in FATA in general and SWA in particular. The second influential group is the “official” Maliks. Maliks are the traditional leaders but have official recognition and backing of the state. Their access to decision-making forums by virtue of their positions at state as well as society level and control over the day-to-day functioning of the state like sitting in “official” jirgas- a judicial body responsible for convicting individuals and tribes- and validating the records of the residents of the area give them enormous power to influence any policy initiative. The third player in the policy arena is the members of religious clergy. The group’s access to information sources by virtue of their capture of formal political power and influence in society as custodians of religion enables them to play an important role in the policy arena. The religious clergy is very active at both state and society level for the propagation of its own interests. The final player, new one and still in nascent stages, is the product of the society’s transformation in the last decade and extension of some legal formulations to the area. It mostly consists of the representatives of the political parties, members of professional organizations and dynamic common people in society. Though this group lacks the organizational capacity and influence of the other three groups but it is very active and posing a significant challenge to the traditional power centers entrenched in the system.

By this I argue that the policy arena is contested and there are more than one players vying for political power to accomplish a favorable policy change.

### 5.2.7.1. Actor's Perspectives regarding Policy Change

In this stage I will try to analyze the actor's perspectives against three policy options that I asked them to comment on. I find out that actor's perspectives radically diverge when it comes to the nature and scope of policy change. The way they perceive the different policy options differently are the reflection of the actors' interests.

**Table 5.2: Actor's perspective regarding the policy options**

Actor	Perspectives Regarding policy Change		
	1). Abolition of FCR, Article 247 of the constitution and integration into KPK	2). Abolition of FCR and article 247 of the constitution and creation of separate province	3). a). Amendments in FCR b). Amendments in FCR and creation of FATA council
<b>Civil Bureaucracy</b>	Not in Favor	Not in Favor	Most Favored "A" Least Favored "B"
<b>Maliks</b>	Not in Favor	Least Favored	Most Favored "B"
<b>Mullahs</b>	Not in Favor	Most Favored	Least Favor "A"
<b>Civil Society</b>	Most Favored	Least favored	Not in Favor
<b>Political Parties</b>	Most Favored	Least favored	Not in Favor

Here we ask the participants of FGDs and IDIs to rate the policy options as 'most favored', 'least favored' and 'not favored'.

- The government official described as civil bureaucracy as a whole were against any kind of radical changes and they instead favored amendments in FCR.
- The Maliks mostly favored amendments in FCR and creation of FATA council and opposed any kind of fundamental changes which may significantly alter the power relations.

- The religious clergy most favored the abolition of FCR and creation of separate province which is what falls between the two extremes.
- The views of civil society and Political parties converge and they share consensus by favoring the abolition of FCR and article 247 and integration into Khyber Pakhtunkhwa.

The above table clearly indicates that different actors are favoring or opposing different policy choices. The government officials view of just amendments in FCR is motivated by the fact that legal reforms introduced in FATA are never really complemented by well-conceived implementation strategy. This way they see the reforms in FCR not as a threat but a minor cost to pay for the maintenance of status quo which privileges the government functionaries in SWA. The Maliks too, more or less, shared the views of the government officials. Their favoring of the creation of FATA council is partly due to the fact that the ‘council’ may not only be a mean to maintain their share of the power but may also consolidate it as the council will mostly consist of the ‘selected’ notables and also headed by a chief executive nominated by the federal government. As noted by a participant in FGD, *“the Maliks are propagating for FATA council because it not only secure their perks and privileges in the name of ‘khidmat’ but also help them to maintain their image as representatives of the people.”*<sup>103</sup> Therefore, it may prove to be a blessing in disguise for the power and authority of Maliks. The religious clergy’s views are different than that of the other two dominant actors. The reason which may be attributed to their divergence from the government officials and Maliks is their capture of the formal political power and vote bank in society. Instead of integration into KPK they harbor their own interests of separate province. Although they are not in favor of any structural changes which may render them irrelevant but are also not in favor of minor or cosmetic changes which may fail to fulfill

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<sup>103</sup> A participant in FGD # 02 said this.

their objectives. Their capture of formal political power such as access to parliament by virtue of their parliamentarians provides them with a space to have independent opinions regarding policy changes. They are not as dependent on the patronage of PA as the Maliks, and sometimes there is a conflict between the religious clergy and PA over the awarding of government contracts by the PA. The civil and political parties' organizations are in nascent stages but are increasingly becoming important players. These organizations propagate structural and fundamental changes which may drastically alter the power relations in the area. Their view of integration into KPK is influenced by the fact that they already enjoy strong relations with sister organizations in adjacent districts of KPK. Their independence and autonomy afford them to have opinions which may be in stark contrast with the ones who are directly dependent on state's patronage for the maintenance of their power and influence.

This we can say that Actors are pursuing divergent interests with diametrically opposing policy options. What prompted actors to have such diverging views and favor or oppose a policy is actually their interest and stakes in the current system. This brings us to the final stage of our analysis.

#### ***5.2.7.2. Potential gains and losses analysis of Actor's perspectives regarding policy change***

In the final stage of my analysis and discussion concerning the politics of policy change I will try to figure out that 'why different actors perceive the same policy differently'? What costs the actors have to incur and what benefits the actors have to accrue in case there is drastic<sup>104</sup> policy changes both legislatively and politically? This we will discuss in the following lines.

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<sup>104</sup> By drastic policy change I mean the abolition of FCR, article 247 of the constitution and integration of FATA into KPK. I am gauging the actors underlying interests and cost-benefit analysis on drastic policy changes because this is the policy which has mostly been favored by the "have-nots". The have-nots in this study are the ones who



**Table 5.3: Actor's gains-losses Analysis regarding (drastic) policy change**

<b>Actors</b>	<b>Interests</b>	<b>Power and Influence</b>	<b>Losses</b>	<b>Gains</b>
<b>Civil Bureaucracy</b>	Maintenance of status quo because Perks and privileges directly dependent on FCR and Article 247	<ul style="list-style-type: none"> <li>Responsible for the overall administration of Area</li> <li>Well developed networking across the government circles</li> </ul>	Losses of any kind of change is high and short-term	The Gains of change is long-term and dependent on other factors
<b>Maliks</b>	Minor changes because Power and privileges attached with FCR... By arguing for FATA council they hope to maintain their power and privileges	<ul style="list-style-type: none"> <li>Historical legacy</li> <li>Networking in society as well as government circles</li> </ul>	Losses of drastic changes is high and short-term	The Gains of change is long-term and dependent on other factors
<b>Religious clergy</b>	Moderate changes because Keeping in view their capture of political power and influence in society, they hope to surpass both PA and Maliks in the Power game	<ul style="list-style-type: none"> <li>Autonomous organizations of the religious parties and control over the formal political power</li> </ul>	Dependent on other factors	Dependent on other factors
<b>Civil Society</b>	Drastic changes because the growth of professional organizations and lobbyists is constricted by FCR and article 247.	<ul style="list-style-type: none"> <li>Emerging organizations of professionals and control over the sources of information</li> </ul>	Few losses as compared to others	The Gains of structural change is immediate and high
<b>Political Parties</b>	Drastic changes because their growth and access to power and resources is constricted by the legal promulgations of FCR and article 247	<ul style="list-style-type: none"> <li>Autonomous organizations of political parties and mobilization power</li> </ul>	Few losses as compared to others	The Gains of change is immediate and high

After knowing and analyzing the actors' perspectives regarding policy changes I will now analyze the underlying interests and power of different actors to influence policy changes in their favor. It will help in contextualizing the politics of policy change in SWA.

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are socially, politically and economically dispossessed and lacking the necessary power, skills and connections to change the existing structures.

The result indicates that the perks and privileges of two 'influential' actors- Maliks and government officials- largely depend on the maintenance of status quo or introduction of minor changes. The costs of drastic policy changes to these actors are both high and short-term. The religious clergy lies in between the first two and last two groups. Both the Gains and losses of drastic policy change is dependent on other factors which will be discussed in the next paragraph. The Civil society and political parties may have less power, as compared to other three groups, to influence policy changes but the decision-makers cannot afford to overlook their interests anymore because of their increased mobilization and dynamism in recent years. The losses to these organizations are low as compared to Maliks and government officials but the benefits are immediate and short-term.

The Maliks and government officials largely represent the same interests and their dependence on one another for the maintenance of power and influence mainly depends on their cooperation with another. Keeping in view their historical legacy and the power they wield their current status and position is diminished due to various factors. The losses of drastic policy changes, to them, as mentioned above, are both high and short-term. Their perks and privileges are directly dependent on the legal formulations of FCR and article 247 of the constitution. Furthermore, they also have to lobby or pressurize the decision-makers through other means in order to prevent any policy changes that may compromise their interest and reduce their influence. The gains of change is long-term and that too dependent on other factors like their abilities to co-opt assertive individuals, maintain organizational coherence and develop relationships with other groups for getting leverage in policy arena. Currently, they enjoy power due to their official standings and organizational coherence due to the threat they are exposed to in the face of the changing demographics and geo-political environs. This put them at the

receiving side if the current system is set upside down. This compels them to use every option so that their long-term stakes in the system are preserved.

The religious clergy, on the other hand, represents the interests of the group who came to power through 'other's' shoulders but is now itself a very organized political group. Their influence at both the state and society level gives them edge over the other groups who largely rely on either state patronage or support in society. They favor change, but the nature and scope of the change is limited by the calculation of their own interests. While they favor the abolition of FCR and article 247 but they do not lend support to the idea of integration into KPK. Both the FCR and article 247 are the means through the power and authority of parliamentarians, which belong to JUI-F<sup>105</sup>, in the distribution of resources has constricted. By arguing for a separate province they see the preservation of their economic interests through political support which they enjoy in society. To them, the losses in case of drastic policy changes depend on other factors like the strategies and abilities of other political and civil society organizations to mobilize political support in society, offer the same services efficiently as they provided previously and the capabilities of other organizations to distribute patronage by preserving the economic interests of the people. The benefits of drastic policy changes too is dependent on other factors like their organizational coherence, ability to distribute patronage by offering social services and state resources, maintain harmonious relation with state authorities and, most importantly, their ability to maintain political support by staying relevant in the changing socio-politico-economic conditions. In either case, they will not remain on the peripheries politico-economic affairs in SWA.

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<sup>105</sup> Jamiat Ulama Islam (JUI-F) is a religious party headed by Fazl-u-Rehman. Initially, it represented only the religious interests and sentiments of the people but now it represents the interests of diverse economic groups and since then its patronage base has widened to a considerable extent. After the introduction of adult franchise, it has won each and every election in SWA.

The political parties and civil society organizations lack the same resources as other dominant groups enjoy influencing favorable policy changes. Additionally, they are at the losing side in the prevailing system. They are also viewed as alternate sources of approaching the state for grievance redressal and interest aggregation in SWA. Their emergence in the last few years has been the product of society's transformation in the last forty years. Their interest in changing the status quo is high because the growth of these organizations is constricted by the legal formulations of FCR and the article 247 of the constitutions by ousting the role of parliament and judiciary in the area. The costs to these groups are low as compared to other groups. These includes; lobbying for favorable policy change and; investing social, financial and physical resources in mobilizing people, maintain cooperative relations with other interest groups and influencing public opinion. These costs are worth incurring if the long-term collective benefits to society as well as individual benefits to these organizations are put in perspective. The benefits to these organizations are immediate by opening up of the economic opportunities and political freedoms. These incentives will keep them going until they got a favorable result.

Thus it can be said that the policy arena is fragmented with multiple actors pursuing their own interests. Therefore, the underlying interests and costs and benefits analysis influence actors perceptions about policy changes.

## **Chapter 6.**

### **Summary Conclusion and Policy Implications**

#### **6.1. Summary of the major Findings**

In the following lines, I will present the major findings of the study that I have derived after collecting and analyzing the data by using a thematic analysis approach.

##### **1. Increase in income empowered common people**

The first finding of our study was that increase in income led to the empowerment of the common people. This increase in income was triggered by grabbing the economic opportunities elsewhere which then proved instrumental in empowering the people.

##### **2. The fragmentation of Political System**

When new economic classes emerged they started vying for the capture of political power and 'state' resources in SWA. The politically system was now fragmented by the pursuance of 'own' interests by different classes at various level.

##### **3. Top-Down approach for determining development needs**

The development needs of the area are determined through top-down approach without taking any input from the people who are affected by it. The absence of interest aggregation mechanisms and collective action forums has further empowered the non-elected officials to determine the development priorities of the region.

##### **4. Self-Serving nature of state institutions**

The state institutions are characterized by the patron-client relationship. The perpetuation of structural inequalities in access to information and resources made the PA a central who would distribute the patronage at will among his clients. The system of administration reflects the systematic dependencies and qualities of personal administration.

## **5. Lack of Checks and Balances**

After uniting unlimited and unchecked powers in the person of Political Agent the lack of appropriate checks and balances mechanism further empower the PA to act with impunity without fearing scrutiny and accountability. This lack of accountability mechanisms made PA the patron to act at will and co-opt people.

## **6. Diametrically opposed policy preferences by Haves and Have-nots**

There is stark differences between the views held by the people who reap the benefit of the system and those who are excluded from the distributive mechanisms of the administration. While those whose rents are directly associated with the system want just cosmetic changes, those lying in the middle want moderate changes to increase their influence, and those on the peripheries want radical changes to provide everyone with level playing field for the pursuance of their interests.

## **6.2. Conclusion**

The ascendancy of security related geo-strategic imperatives over the socio-economic development has significantly contributed to the underdevelopment of SWA in terms of human and politico-economic development. The institutions designed to meet the self-serving objectives of the colonial state persisted even after the area has long achieved independence and became a part of the country created in the name of religion. This persistence is largely attributed to two factors: The first one is the development of vested interests of different stakeholders, both at individual as well as organizational level and; the other one is the inheritance of the colonial legacy to use the region for the furtherance of interests in Afghanistan and central Asia. Some real and some imaginary threats have contributed to the state's "inertia" regarding the western borderland of the country. The fears coupled with the vested interests of "powerful" actors have

suppressed any voice advocating change or inclusion. The state, keeping in view the changing geo-political situations, introduced and initiated projects and schemes to ‘uplift’ socio-economic conditions of people and tie their interests with the rest of the country. The increased state penetration through economic means in return has triggered changes in the broader socio-political sphere of the area. The durability of the existing ‘allocative patron-client’ relationship, with state playing a central role, largely depended now on the ability of the state to co-opt the emerging economic classes.

How has the power structure change occurred in SWA? Who benefited from the change? What methods were used by the state to co-opt people from among the society? How the “rent-seeking” motivations of different actors influence their opinions regarding any kind of policy change in tribal areas? These were the main questions that I have tried to explore and seek answer for during the process of my research. The main objective of my research endeavor was to understand the (political) process of development in SWA. I have used case study as a research design and qualitative methodology to seek answer for my research questions and to better understand the process of development in SWA. While seeking answers for the research questions I used different techniques in order to better understand the process of development in SWA and also to understand the interests and incentives of different actors regarding the scope and nature of policy change in that particular locality.

The answers to the questions are not straightforward. The process of development is not linear. Every initiative/action also have unintended consequences. And that there is a two way relationship between politics and economics. Change in economic conditions has implications for the political process, and the fragmented political arena then shape the development priorities and economic performance. Furthermore, the interests, incentives and rent-seeking motivations

of the interest groups largely influence their opinions and even shape their struggles for or against any policy change. Once the interests of particular individuals or group develop in a system it is difficult to change it overnight. The influential always find ways to maintain or consolidate their grip over power even if their influence and importance declined temporarily. In changing circumstances and at times when there is no certain winner or leader the once powerful people, due to their networking and historical legacies, one way or the other get close to the epicenter of power and central patron in order to extract their share of power and resources in a system.

Despite the increased competition for the capture of political power and economic resources, the accountability mechanism did not improve. The sustenance of ‘predatory’ and self-serving governance mechanisms is partly due to the reason that when the competing interests substitute one another at the helm of affairs they are less willing to change the system in order to maintain the perks and privileges associated with their positions due to that system. This we observed that despite the fragmentation of political system and murkiness of the policy arena, any kind of policy change is less likely to have smooth sailing, especially when the costs of change for the powers that be are high and in short term.

## **6.2. Policy Implications**

In light of the findings and discussion we now propose the following policy implications which I believe will not only enhance the understanding of the local socio-politico context but will also contribute to the politically-informed policy making in FATA in general and SWA in particular.

### **6.2.1. Increasing income of people through economic activity in the region**

As noted earlier in the findings that increase in income has led to the empowerment of the common people. It is recommended that attention has to be paid to increase the income of the



residents of the area through economic activity in the region. By increasing income and hence empowering the residents, the area may experience inclusive governance by increasing the competition for the capture of power and resources in the region. By exploiting the natural resources and creating employment opportunity for the people in the region will not only uplift the socio-economic conditions of the region but also, in the long run, will ensure the political and economic ownership of the policies formulated for the region. For this to happen, a paradigm shift is necessary from viewing the area through the lens of ‘security’ to one that of uplifting the living conditions of the people in the area. Consistent state interferences and control to achieve the ‘state’ objectives instead of meeting the demands and preferences of people regarding the development of region has not only led to below par development outcomes but also constricted the natural course of change in society. Various *de facto* and *de jure* measures introduced by the state and exploitation of the internal dynamics of society have only empowered a specific section of the population and have also intensified the conflicts in society.

### **6.2.2. Integration of FATA into KPK and extension of regular laws of the state to the area**

Currently, as the views and perceptions of most of the general populace suggest, the integration of FATA into KPK and the abolition of antiquated laws will not be only timely but will also be instrumental in removing the long-held grievances of the common people residing in these areas. The views and perceptions of dominant actors, whose rents are associated with the system, are starkly differently than those of the common people. The short-term and narrow interests of the dominant actors must not hinder the formulation of policies based on will of common people. Additionally, due to the dominant’s actors control over the sources of information and access to decision-making forums the common man’s voice is lost in the larger debate over the future

status of FATA. This, I believe, will be beneficial to all the stakeholders in the long run by providing everyone with a level playing field in the political and economic arena.

### **6.2.3. Strengthening the accountability mechanism**

In the second step I propose that the accountability mechanism- both administratively and politically- has to be strengthened in order to ensure the equitable and transparent distribution of state resources across all sections of society. The disclosure of information will, to a larger extent, remove the information asymmetries currently prevalent in the society. This will serve as a long road to achieve efficiency and equity in the distribution of resources and will also enhance the bargaining power of the common people by holding those accountable responsible for decision-making. It may be noted that the civil society will then be in a much better position to advocate, propagate and maintain checks and balances on the functioning of government agencies and politicians.

### **6.2.4. Separation of Power and responsibilities**

The third policy intervention that I propose is the separation of power and responsibilities among the various government departments and societal actors. Currently, all the powers regarding Socio-politico-economic affairs are combined in the ‘agency’ of political agent who hold a privileged position in the power hierarchy of SWA. This will lead to the strengthening of the system of checks and balances and will also lead to efficient outcomes by introducing specialization at various levels. This we believe will not only be instrumental in doing away with the power imbalances but will also be pivotal in the deliverance of justice.

### **6.2.5. Representation of relevant stakeholders in consultation process**

The final recommendation that we propose is that before initiating any policy change it is recommended that the representation of all the relevant stakeholders has to be ensured both at

state and society level. It will not only help to expand the ownership of policy but will also ensure their cooperation in the implementation process. As the findings and the subsequent discussion indicate, the policy arena is fragmented and there are more than one relevant stakeholders with each pursuing their own interests and vying for leverage in the policy debate. While every stakeholder may not be fully accommodated but the threat of retaliation and any inconvenience may be reduced by taking them on board. This will further the relevance of the policy to the political context of society and the probability of success may be higher.

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## Appendix

### Interview Guide

#### Protocols for FDGs and IDIs: Introduction

Dear Sir/Madam, I am a conducting a study on the “*Political economy of development in SWA*”. The study intends to contextualize the process of development in South Waziristan Agency, and in this way it will help people better understand the factors that either promote or hinder the development across distant geographies. It, in my opinion, is one of the very few studies that will look at different factors that play an important role in the socio-politico-economic affairs of SWA. Furthermore, it will enable the policy makers in understanding the interests and incentives of different stakeholders in the development process in SWA, which in return will assist in the formulation of politically informed policy making regarding FATA in general and SWA in particular. So, hereby, I require your cooperation to spare sometime for a personal interview with me in connection with my research project.

#### Questions:

Q1. How do you perceive the socio-economic development process in SWA?

Q2. Who in your opinion is playing an important role in the political and economic affairs of SWA?

- What enables it to play this role?
- What are the sources of legitimacy of those actors?
- Any other factor...?

Q3. How do you view the evolution of power structure in SWA...?

- How has it changed...?

- What in your opinion were the contributing factors?
- What was its impact on the socio-economic development of the area?

Q4. What was the traditional nature of representation and participation in the SWA?

- What in your opinion is the difference between traditional mode of accountability and the accountability mechanisms in modern state institutions?

Q5. How do you perceive the institutionalization of the Maliki system?

- What is its role in the society?
- What criterion did the administration used for the selection of Maliks?
- Do you think that the way the members of this group is selected reflect the broader social context of that society?
- What is its role in the development process?

Q6. How development needs are determined in SWA?

- Is there any contestation/bargaining on the distribution of funds and projects...?
- What is the mode of implementation and monitoring of these projects?

Q7. What do you think about the FCR?

- What is its role in the lives of the people?
- What were its impacts on the political processes in SWA?
- Do you think that there exists some sort of patron-client relationship in SWA? If yes, is it embedded in FCR or is it because of the nature of polity?

Q8. What kind of changes would you like to prefer to determine the future status of the area?

- I. Abolition of FCR, Article 247 of the constitution and integration of the area into KPK.
- II. Abolition of FCR and article 247 of the constitution and creation of separate province
- III. (a) Amendments in FCR
  - b). Amendments in FCR and creation of separate FATA council

Q8. What kind of difficulties do you think will be faced in the smooth implementation of your preferred policy choice?

- How and Why?
- How will you align the interests of dissenting elements with the new reform package?

**THANK YOU!**