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# **The Implication of Pakistan's 25<sup>th</sup> Amendment on Conflict and Human Security: A Case Study of the Newly Merged Tribal Districts**

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## **DECLARATION**

I, Mona Hadi, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature: Mona Hadi

Date: May 14<sup>th</sup>, 2023

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## **ABSTRACT**

The Federally Administered Tribal Areas in north-western Pakistan have been plagued with conflict for decades, which have taken thousands of lives and adversely affected the lives and security of the tribal people. In 2018, the tribal areas were merged with the Khyber Pakhtunkhwa province in an effort to mainstream the area and improve the severe security situation. This thesis is a case study of what, after 2018, is known as the Newly Merged Tribal Districts. The aim of this thesis is to examine the political, social and economic dimensions of this merger, and how it has affected the people's sense of security. Focusing on human security, this thesis argues a human-centred security approach is necessary to safeguard the individuals' sense of security during and after violent conflict. While there are likely countless factors that impact the rebuilding process of a post-conflict study area, this thesis has identified weak institutions, mistrust, ignorance of cultural context and displacement as detrimental to the security of the local people in the NMTDs.

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## 1. Introduction

Millions of people have lived, or are currently living through wars, conflicts, and other forms of violence, with everyone having a different, individual experience of what they go through. With these experiences comes situations where these people have felt either safe or unsafe, depending on what they are going through. However, how one person experiences such circumstances can differ greatly, and as such, this research is interested in exploring the different ways in which a person's sense of security is affected by external circumstances. Looking specifically at the impact of Pakistan's 25<sup>th</sup> Constitutional Amendment, which entailed a merger of its tribal areas along the Afghan border with the province of Khyber Pakhtunkhwa, this research will go beyond a study of security of the state, to focus on what Sjoberg (2016, p. 51) refers to as 'security as felt'. The 25<sup>th</sup> Amendment and subsequent reforms, as well as the events and circumstances leading up to it, in the tribal areas entailed a great change in the security landscape. Thus, it is interesting to research this issue from a human security focus, as the merger provides an opportunity to compare the situation before and after its implementation.

The province of Khyber Pakhtunkhwa (KP), located in north-western Pakistan, has been plagued with violent conflict for the past 15 years. Particularly the tribal areas, formerly making up the Federally Administered Tribal Areas (FATA), have been epicentres for violence in the country (Shakirullah et al., 2020). The FATA is the geographical centre of what is known as the 'Pashtun belt', and as such the majority of the people residing in the area are Pashtuns<sup>1</sup> (Kerr, 2010, p. 1). The tribal areas consist of seven districts, formerly known as political agencies, along Pakistan's western border (Dawar, 2020). Among these seven districts is the district of North Waziristan (NW). The district is home to approximately 540 000 people (Dawar & Ferreira, 2021; Makki & Tahir, 2021). Along with the South Waziristan district, North Waziristan is known as the most dangerous place on earth (Shah et al., 2020, as cited in Shakirullah et al., 2020). The former tribal areas have been characterised by their history of militancy and terrorism, with NW being the epicentre of this (Makki & Tahir, 2021). The position as epicentre is a result of North Waziristan's location along the border with Afghanistan being recognised as strategically important. This strategic importance has in turn led to the area supposedly being established as a training base for

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<sup>1</sup> There are several ways of referring to this tribe, i.e. Pashtoon, Pakhtun, Pashtun, etc. For the purpose of this thesis, I have chosen one of them.

foreign militants (Dawar, 2019). The frequency of violent conflict and terrorist activities has led to an unstable security situation in the area, calling for the attention of and intervention by the Pakistan army.

In 2014 the army launched Operation Zarb-e-Azb, which is acknowledged as the most comprehensive counter-terrorism operation to date in the area of North Waziristan, to combat the area's issues with terrorism (Makki & Tahir, 2021; Makki et al., 2022). Not only was this operation an important step in improving the security situation, but it is also regarded as a steppingstone in reforming the FATA. The operation eventually paved the way for a merger of the Federally Administered Tribal Areas with the province of Khyber Pakhtunkhwa (Makki & Tahir, 2021). In addition, the operation allowed for the possibility of overhauling the legal and administrative systems in the tribal areas. This was a major step, as links can be made between the prevalence of violent conflict and no speedy justice (Shakirullah et al., 2020). In May 2018, the merger was completed through the 25<sup>th</sup> Constitutional Amendment, which subsequently changed the FATA to the Newly Merged Tribal Districts (NMTDs) by repealing the special status the former had possessed, thus giving the region's residents the same rights as the rest of the country (Makki & Tahir, 2021).

While there has been done a good amount of research on the FATA and the security situation in the region before the merger took place in 2018, there has not been as much after the merger. While this may very well be due to the merger taking place only five years ago, there is still a gap in the research. Thus, by focusing the 25<sup>th</sup> Amendment of the Pakistan Constitution, which is the merger of FATA with the KP province, and how this impacted both the conflict taking place there, as well as the human security of the people living there, I hope to contribute to filling this research gap.

## 1.1 Structure of Thesis

Chapter one of this paper is dedicated to an introduction of the research topic, its research questions and objectives. The following chapter will present the background of the topic and the existing literature. Chapter three introduces the theoretical framework, dedicated to Feminist Security Studies and the central concepts human security and conflict. Chapter four is dedicated to the methods and methodology used when carrying out and analysing the research. In the fifth chapter, the results of the data collection will be analysed and discussed.

Lastly, there will be a conclusion where I will provide a final discussion of the findings and address the research questions, as well as providing my own views and some thoughts on future research.

## 2. Background: Conflict Before the Merger of FATA and Khyber Pakhtunkhwa

Prior to the merger, FATA had been described as “the most dangerous place on earth” (Shah, 2012, p. 1) and “the most dangerous place in the battle against terrorism” (Hilali, 2013, p. 596). Moreover, North (and South) Waziristan are areas that have been linked to violent conflict due to its 19<sup>th</sup> and early 20<sup>th</sup> century history of possessing a Jihadi culture (Shakirullah et al., 2020). There have been multiple factors identified as possible reasons behind the conflicts in the region, such as economic and socio-economic issues, political instability and cultural values and traditions (Shakirullah et al., 2020). While these are issues that can be linked to security as far as economic, socioeconomic and cultural issues can classify as human security issues, and political instability as a state security issue, they have not necessarily been treated as such in earlier research. While these issues have looked at how these factors relate to human security and the general security situation in the area, this research is focused on how people experience these issues. It is one thing to acknowledge that there are ongoing security issues and that the people suffer insecurities in their daily lives, and something entirely else to research how these issues are *felt* by the people.

Due to its position as a “gateway for invaders” (Dawar, 2020, p. 126) and “epicentre of Mujahadeen and militants and also a launching pad of guerrilla war in Afghanistan” (Shakirullah, et al., 2020, p. 115), conflict has been a regular occurrence. In other words, the geopolitics of the area has been in focus, as the strategic location of the area is consistently highlighted. It is particularly the proximity to Afghanistan, and as a consequence Russia, that gives the area a strategic advantage (Shah, 2012). Also, the former Federally Administered Tribal Areas has been recognised as some form of headquarter for global terror, with many attacks carried out in the Western world being linked to the areas both logistically and ideologically (Kerr, 2010). Moreover, Yousaf et al. (2018) points to poor socio-economic conditions and harsh geographic environment as playing central roles in the region’s role as shelter and refuge for militants. They note that the local population has historically taken part

in looting and kidnapping activities for survival reasons, as the district has not witnessed any concrete strategies for their economic development. In other words, the population has been a victim to its circumstances, engaging in lawless activities to be able to provide for themselves, and as such they have found themselves stuck in a negative cycle, attracting militants and others who have taken advantage of their insecurities.

It is worth mentioning that people residing in the erstwhile tribal areas were neglected of having full, equal rights of Pakistani citizens as their counterparts outside of the region until the merger in 2018 (Makki & Tahir, 2021). As such, the region was overlooked when other parts of the country underwent reforms in areas such as the political, judicial and social, both before and after Pakistan gained control of the areas from the British colonial administration (Shah, 2012). Moreover, due to the frequency of conflict in the area and general insecurity that the residents lived under, the region's social, cultural and economic institutions have been negatively affected. In fact, at the time of the merger, the Federally Administered Tribal Areas had the worst socio-economic indicators in all of Pakistan (International Crisis Group, 2018). As Makki and Akash (2022) note, North Waziristan in particular had been profoundly affected by the conflicts and terrorist attacks, ultimately leading to socio-cultural and security damages to such an extent that it is simply irreversible. This can also be seen in relation to situations such as the militants in the area actively targeting social institutions such as the traditional conflict resolutions mechanisms *jirga*, and the killings of tribal elders, which in turn has disrupted the social structure of the area (Shakirullah et al., 2019).

However, disruptions to societal life and physical damage are not only reserved to the actions of militants, but also the Pakistan army. During their comprehensive operation, Zarb-e-Azb, the main bazaars of North Waziristan were destroyed as so-called "collateral damage", which further burdened the economic livelihood of the community (Dawar & Ferreira, 2021). These are not isolated phenomena – while it is clear that actions of militants and terrorists led to a deterioration of the security landscape in the area, the army's attempt at eradicating the former groupings negatively impacted the civilian population. While it can be assumed that the army aimed to restore some semblance of peace and security in the area, they ultimately contributed to worsening the situation (Makki & Akash, 2022). In other words, the people residing in the tribal districts have been victim to attacks and damages from both the militant groups and the army and other officials, due to their position as essentially that of a battleground. Interestingly, in the aftermath of the operation and in the current post-conflict

context, it is precisely the Pakistan Army who are responsible for the security in North Waziristan (Makki et al., 2022). Thus, it is interesting to consider this as a discrepancy between the government's focus on ensuring the security of the state, and the impact this essentially has on the individuals' sense of security and human security. What happens when the institutions that are supposed to ensure your safety are in fact the ones contributing to your community's insecurity? This, among other issues, are what this research aims to examine.

## 2.1 Purpose, Objectives and Research Questions

Thus, by focusing on the Newly Merged Tribal District, the main purpose of this thesis is to examine the ways in which the 25<sup>th</sup> amendment to the Constitution of Pakistan affected the human security of the people living in the area and the conflicts taking place in the region. Moreover, I am not merely interested in how individuals' sense of security has been affected by the merger, but rather whether and in what ways that these experiences differ based on factors such as gender, perhaps socio-economic status, and related factors. By focusing on the merger, this allows me to clearly distinguish between the situation before and after the merger. This also allows for a more orderly comparison as this merger marks a definitive end of the region when known as the FATA and the implications of this, and the new beginning marked by the name NMTDs. To do this, I will be focusing on two objectives and their sub-research questions, which are:

1. Objective: Examine the political, social and economic dimensions of the merger of the Federally Administered Tribal Areas with the Khyber Pakhtunkhwa province.
  - What actors were involved in the merger?
  - What were the reasons behind the decision to merger?
  - What were the challenges prior to/of the merger?
  - What policies and projects were implemented in the merged districts?
    - o In what ways might these have affected people's human security?
2. Objective: Examine how the merger has affected people's sense of security.
  - How did the merger affect people's sense of security?
  - In what ways might the experiences of people differ according to identity markers such as gender identity, education, age, and socio-economic status?

### 3. Theoretical Framework

This chapter will be dedicated to theories and concepts that are central to this research. It will start by giving a brief introduction to the main theory that will be used, which is Feminist theory. Then, it will move on to the concepts that are central to this research, which are security, human security and conflict.

#### 3.1 Feminist International Relations Theory and Security Studies

For the purpose of this research, and to better understand what it is that it intends to do, Feminist Security Studies (FSS) will be the main theory. Feminist theory was introduced to the study of International Relations (IR) at the end of the 19<sup>th</sup> century – more specifically between the late 80s and early 90s (Tickner & Sjoberg, 2016). There is a diverse range of theoretical perspectives in International Relations, and feminist theory is no exception to this. While there is a shared interest in gender equality or emancipation, the different perspectives vary in terms of the ways to reach this, as well as what meaning they prescribe the term (Tickner & Sjoberg, 2016). Moreover, Sjoberg (2009, p. 189) notes that there is a shared concern among feminist scholars that “the international system is gender hierarchical”. Security studies is, in short, “*the study of the threat, use, and control of military force*” (emphasis in the original, Walt, 1991, p. 212). However, military threats are not considered the lone threat, as non-military topics can also be included in a broad understanding of the field. In general, security studies usually address phenomena that domestic leaders can control (Walt, 1991).

As Hudson (2005) notes, the role of gender in relation to topics such as war and conflict has been explored and challenged since the middle of the 1980s by feminist scholar. Feminist Security Studies is a subdiscipline of both IR and security studies, and stresses nuance and lived experiences (Shepherd, 2013). By expanding and challenging the realist notion of security, FSS is a reconceptualization of some of the main concepts of International Relations and emerged from a debate among multiple feminist perspectives (Blanchard, 2003). As Tickner (2011) explains, feminists’ focus has been on the individuals involved in war and how they and their lives have been affected by the conflict, as opposed to IR’s general focus on states and the wars’ causes and consequences. This makes the theory particularly relevant to the topic of this research, as the focus is on how individuals’ human security is affected by conflict among other things.

Sjoberg recognises four commonalities of FSS work: (1) “there is a broad understanding of what counts as a security issue, and to whom the concept of security should be applied”; (2) there is “an understanding of the gendered nature of the values prized in the realm of international security”; (3) there is a “broad and diverse role that feminist scholars see gender playing in the theory and practice of international security”; and (4) “the omission of gender from work on international security does not make that work gender-neutral or unproblematic” (2009, p. 198-200). However, despite acknowledging that there are indeed some commonalities within Feminist Security Studies work, there ultimately is not one way to “do” or theorise it (Sjoberg, 2018).

Furthermore, according to Sjoberg, “Feminist theories in IR have often been compared to or understood as part of human security approaches” (2009, p. 205). This should not come as a surprise, considering that feminists have adopted multidimensional definitions of security (Tickner, 2011), and in general moved away from conventional IR’s focus on state security. In fact, according to Ospina (2020, p. 72), “[...] Feminist Critical Security scholars have been challenging the traditional equation of security with the military defense of the state [35,36] by inquiring about the individuals and the contexts for whom and where security is defined”. Moreover, feminist scholars have shown that what is and is not counted as security is often established based on gendered dynamics. A practical example of what this means is that, in terms of security studies, violence centred around war/the battlefield has been included in said studies, while civilian violence taking place on the home front rarely is included (Sjoberg, 2016). What distinguishes Feminist Security Studies from IR and other security studies is that identity is brought into the political arena (Wibben, 2011). And within this, it is particularly the role that gender plays that has been the focus of their studies. However, it is important to note that while gender is important, it is not always the most important factor to consider when studying issues of security, for instance (Hudson, 2005). While the gender aspects are central to feminist theory, intersectionality is also highly relevant and important. There are definitive differences between how a man and a woman experience security and insecurity, but within these groupings there are also big gaps due to other factors such as age, ethnicity, sexuality, socioeconomic status, and so on.

Consequently, Feminist Security Studies’ focus on nuances and lived experiences, where the individual’s experience in terms of how themselves and their lives are affected by conflict is

central, confirms the relevancy of this theory for the research of this thesis. In addition, the feminists' adoption of multidimensional definitions of security, with human security being one of them, is an important factor. Thus, the general focus on the individual and identity, as well as a focus on intersectionality, made the choice of FSS as the main theory a clear one.

### 3.2 Human Security: Moving Away from a State-Centred Security Narrative

In the period after the end of the Cold War, there has been a noticeable shift in the security narrative. The traditional concept of security is state-centric, with protection of the state's territory, sovereignty and autonomy, and by extension its residents, being the main interests of the security narrative (Lahiry, 2020). Another realist definition of security has been the understanding that security equates military defence of the respective state, due to the nature of the nationalistic-militaristic paradigm this concept falls under (Hayden, 2004). At the end of the 19<sup>th</sup> century, however, the 'human security' discourse emerged (Gasper & Gómez, 2015). While the concept of 'human security' was first introduced by Mahbub ul Haq in his Human Development Report to the United Nations Development Programme (UNDP) in 1994 (Acharya, 2001), the origins, or idea, can be traced back to the International Committee of the Red Cross's work in the 19<sup>th</sup> century (Krause, 2014). As the Cold War came to an end and the world became increasingly globalised, it called for an alternative understanding of security (Hayden, 2004) – human security provided this. Moreover, while there had been discussions around similar topics in the United Nations previously, the issue of human security was first put on the agenda in the Security Council by Canada (Bilgin, 2003). Before going into depth on what the concept of 'human security' is and entails, it is important to first understand what security means. In his article on the topic, Gasper (2005) writes of a subjective and an objective understanding of 'security', derived from the two meanings of the adjective 'secure'. In short, when calling something 'secure', it usually means that it is either "free from danger, damage" or that it is "free from fear, care, etc." (Gasper, 2005, p. 240).

So, human security marks a shift from the traditional state-centred security to a focus on a human-centred one. A rather simple understanding of the term employed by the UN in its Human Security Handbook is that it is focused on freedom from fear and want and the freedom to live in dignity, and by focuses on seven categories. These seven categories are as following: economic, food, health, environmental, personal, community and political security (Human Security Unit, 2016). Additionally, the Handbook recognises five principles that it

describes as mutually reinforcing and which cannot be implemented separately lest it weaken the possible impact of the approach. The five principles are people-centred, comprehensive, context-specific, prevention-oriented and protection and empowerment (Human Security Unit, 2016, p. 7). However, this expansive and all-encompassing understanding of the term has been criticised for being too broad. As such, members of the human security coalition have simply tailored the definition to suit their interests when need arises, while other academic writers have tried to come up with revisions of the definition presented by the UNDP in 1994 (Paris, 2001).

As Sen (2014) notes, human security should not only be considered as an alternative to state security, human rights and human development, but rather as something to complement, enhance and strengthen these other concepts. This is important to note, because there has been claims, and subsequent criticism, of human security maintaining unclear borders with other human-centred concepts such as human development and human rights. However, this criticism has been dismissed due to, among other things, the view that human security and human development are complementary concepts, with the former being a prerequisite for the latter being achieved sustainably (Tzifakis, 2011). In other words, “Human security thus brings together the human elements of security, of rights, of development.” (Sen, 2014, p. 27). Despite a widespread usage of the concept, there is not any widely agreed-upon definition of the term ‘human security’ due to it being highly contested. As already mentioned, the UNDP definition is criticised for being too broad, in part because the framework provided by the seven different dimensions is too incoherent to integrate all dimensions into one single definition (King & Murray, 2001). In line with this criticism, Paris (2001) writes that the list of dimensions is so broad that it is difficult to determine whether there is anything that this definition does not include.

As a response to the widespread criticism of the broad definitions of the term, attempts have been made at narrowing the concept down. King and Murray have attempted to do this by proposing a simple definition that is “the number of future life spent outside a state of “generalized poverty”” (2001, p. 585). To avoid making their definition too broad, they have chosen what they consider to be five essential domains, and they have chosen these domains based on whether they “have been important enough for human beings to fight over or to put their lives or property at great risk” (2001, p. 593). Specifically, the five domains that they have chosen are poverty, health, education, political freedom and democracy (Paris, 2001).

There have also been other attempts at either revising the UNDP's list or coming up with a narrower definition, such as that of Jorge Nef. However, the attempts at a narrower definition have also met some criticism, as Paris (2001) raised the issue of definitions such as King and Murray's not clearly justifying why certain values are more important than others. So, trying to define human security seems to be an endless struggle of not being too broad nor too narrow, not too descriptive but also clearly justifying the choices that are made. While acknowledging that there are many useful definitions and characterisations of the term, Sabina Alkire proposes the following working definition, "The objective of human security is to safeguard the vital core of all human lives from critical pervasive threats, in a way that is consistent with long-term human fulfillment" (2003, p. 2). While the definition does not specify the threats to human life, it can be understood as expanding the understanding of threats from simply focusing on violence to any critical insecurities faced by humans. As Nyborg and Nawab (2021, p. 135) write, this definition expands the idea of insecurity "to include the multiple sources and interrelatedness of insecurities". In other words, by not explicitly identifying any insecurities in the definition, it allows for an understanding of insecurity as multidimensional and overlapping.

Something clear, however, is that there is widespread agreement among social scientists that feeling a sense of security is a central need, as Huddy et al. (2007) note. Additionally, in the psychologist Abraham Maslow's hierarchy of human needs, security was placed below needs such as love and self-actualisation, but above satisfaction of basic physical needs (Huddy et al., 2007, p. 133). This could be seen in light of security as an academic subject being studied from a sociological approach after the Cold War (Bilgin, 2003). Moreover, another crucial factor to consider when discussing security is that of context, which can again be seen in light of the point of security being personalised. As Winslow and Hylland-Eriksen note, "security is defined according to different 'symbolic and social processes'" (2004, p. 361, as cited in Hoogensen & Stuvøy, 2006, p. 215). Thus, what is considered security will change according to its contexts – different cultures, societies and individuals will have different opinions on what security is. Especially the latter is important to consider, since, according to Hoogensen and Stuvøy (2006), there exists security dynamics between people just as it exists between societies. While collective identities are undoubtedly important, the relationships between and within these identities are just as important to consider.

Booth (1991) makes a case for individuals being the primary referent objects in security theory as opposed to states, by arguing that states are too unreliable, illogical and diverse to be the primary referent. It is primarily the first point he makes, that states are too unreliable, that is of interest. The reason as to why Booth claims that states are unreliable, as Bilgin (2003) notes, is that states are willing to essentially sacrifice the security of parts of their population so that the state overall can be secure. In other words, the state, by following the traditional concept of state security, becomes another security threat to the people residing there. It is particularly in times of conflict that this this becomes reality, whether that be an interstate or intrastate conflict. However, the argument that states are too diverse to be primary referents of security can also, to some degree, be extended to that of human security. Because while the states do differ, so do the individuals that live within the states. There are differences between the concerns of two individuals living in two different states, as well as between two individuals living in two different parts of a state. While human security is certainly a big step towards striving to ensure and consider the security of people on an individual level, that too can be considered as a generalisation. To better explore this argument, I now turn to the question of whose security the ‘human’ in human security refers to.

### 3.2.1 Who is the ‘Human’ in Human Security?

Related to the concept of security is the question of “whose security?”. According to the 2002 National Security Strategy of the United States of America, their concern was rogue or failed states providing hideouts to terrorist networks constituting a major threat (Bilgin, 2003). In other words, when the US embarked on their War on Terror fight, it was so that they could address what they considered to be their main security concerns. So, that is a state-centred security approach, which addresses the state’s concerns and not individuals. This research, however, is interested in the security of the people currently, or previously, residing in the tribal areas. That means not only focusing on whether the residents are physically secure from the dangers of conflict, but also examining whether that security is transferred to them *feeling* secure. However, as Makki et al. (2022) note, despite the remaining concerns regarding the security situation in the area, it is not the concerns of the community and its residents that are addressed, but rather that of the state. So, instead of focusing on the security needs of the residents, it is the security of the Pakistan state that is prioritised, effectively showing how state security take precedence over human security.

Another important question to ask when answering “humans” to the question “whose security?” is “which humans?”. Because as Hudson (2005) notes, while the term ‘human’ is presented as though it is a gender-neutral term, the reality is that it is not. One way to better understand this is through the human rights discourse. The human rights discourse has been accused of being androcentric, meaning that it is centred on men. This is, in part, due to the fact that rights violations that particularly affect women have not been properly addressed within the framework of human rights (Marhia, 2013). Moreover, these right violations have not been violations that randomly happen to violate women’s rights but are violations that affects them due to them being women. Judith Butler has taken notice of this by referring to the struggle of activists demanding ‘women’s rights’ and ‘gay and lesbian rights’ when discussing human rights (2004a, as cited in Marhia, 2013, p. 24). If there is a need to specify women, gay/lesbian or any other identity marker when discussing human rights, then it is hard to understand how the term ‘human’ is supposed to be all-inclusive. In other words, it becomes clear that the term ‘human’ in human rights as well as human security is not as neutral of a term as some claim.

Hudson (2005, p. 157) writes of the “dangers of masking differences under the rubric of the term ‘human’”. While it cannot be avoided, it is important to understand who is referred to when discussing ‘human security’, and if possible, to clarify. Importantly, another way in which the meaning of ‘human’ is specified, is through human security’s orientation towards the people of the developing world, where this effectively implies that they are not fully ‘human’ as opposed to the developed world (Marhia, 2013). Before exploring this a bit more, it has to be noted that this is perhaps more correctly postcolonial critique rather than feminist. Postcolonialism is not the intended main theory of this research, however it has made some highly useful and relevant points that are fit to include in this discussion of human security. According to Marhia, the people of the developing world are essentially labelled as “*not fully Human*” through the targeting of human security towards them (2013, p. 30, emphasis in original). The reasoning for this claim is that by aiming human security or human development initiatives at people living in these areas, that entails them having to be considered as less secure or less developed. Thus, by having ‘human’ attached to these initiatives, it can be understood as a way of communicating that the receivers are less (human) developed and secure, and that through these measures they will be become more ‘human’.

By focusing on human security rather than traditional state security, this allows for more flexibility in terms of identifying and assessing security threats. As Stevens et al. (2021) write of in their article, much empirical research wrongly assumes that women and men understand and identify ‘security threat’ similarly. Additionally, they note that in the FSS field many of the insecurities that women experience is not a result of external factors, but rather internal issues in the nation-state. While this point relates to the experiences of women, it is interesting to research whether this is also indicative of men’s experiences, and perhaps other factors. As feminist scholars have noted, gender insecurity is not an isolated phenomenon, but rather an intersectional one, meaning that it can overlap with other identity markers such as class and ethnicity (Stevens et al., 2021). Thus, in the interest of this research, it will be relevant to see whether, and to what extent, that notions of gender insecurities can be transferred to other forms of insecurity. Context is an important factor to note here, because as already recognised earlier in this section, security and security issues are contextual.

Lastly, before moving onto the next concept, I want to make clear what definition of human security this research will be based on. As already mentioned, there are both broad and narrow definitions of human security, that have made it difficult to establish one agreed-upon definition of the term. However, for the purpose of this research, the understanding of human security is based on Alkire’s (2003, p. 2) definition of the term as “The objective of human security is to safeguard the vital core of all human lives from critical pervasive threats, in a way that is consistent with long-term human fulfillment” (2003, p. 2). Moreover, I want to add that I agree with Sen (2014) in that human security should be considered as a complement to other important and overlapping concepts such as state security, human rights and human development. In my opinion, these concepts are so overlapping that, whether on purpose or not, you cannot fully understand one of them without the others. As such, the security that is discussed in this research will not only be based on or seen in relation to the concept of ‘human security’, but also human rights and development.

### 3.3. Conflict

Conflict is a contested term, with several different definitions and understandings of it. In previous studies on conflict in FATA and KP, different understandings of conflict have been presented, one of which is armed conflict. Armed conflict is the term used by Khan et al. (2020) in their article concerning the Swat valley. This is defined as “a contested

incompatibility between two parties, of which at least one is the government of a state and results in at least 25 battle-related deaths in one calendar year” (Holtermann, 2009, as cited in Khan et al., 2020, p. 2). In other words, the conflict in the tribal areas fit the criteria, as it was essentially the Pakistan state (and the US if the War on Terror is included) versus the different militants operating and hiding in the area. Additionally, the article notes that there can be made links between armed conflict and state fragility, as the former is both a consequence and cause of the latter, and that the more fragile a state is, the most likely it is that it will experience conflict and violence. As a result of the continued state of conflict that North Waziristan and FATA has found themselves in, the areas are fragile due to political instability and lack of governance, poor socio-economic conditions, terrorism and its religious source, etc. (Makki & Tahir, 2021; Shakirullah et al., 2020).

In their study on the underlying causes of violent conflict in North Waziristan, Shakirullah et al. (2020) employ another understanding of conflict, which is the concept of ‘protracted conflict’. As explained in their article, this type of conflict is “linked to intangible needs of the community, e.g., identity, recognition, and dignity” (Azar, 1990, as cited in Shakirullah et al., 2020, p. 115). Moreover, the authors refer to the post-9/11 American invasion of the neighbouring Afghanistan as the circumstances setting of protracted violent conflict in the tribal areas. Dawar and Ferreira (2021), however, use focus on North Waziristan as a ‘post-conflict’ setting, i.e., that the area is now experiencing a period of time where there is no active conflict. In terms of acknowledging conflict in the area, the article focuses on the military operation Zarb-e-Azb, and its role in altering the pre-conflict social structure. It is a study focusing on how the effects, in this case the damages the operation did on the main bazaars, of the conflict in disturbing the social structure, and in turn the post-conflict practices and processes (Dawar & Ferreira, 2021). This is also a view shared by Makki and Akash, who in their article placed North Waziristan in a post-conflict context (2022). However, at the same time the authors also note that the district nevertheless suffers from attacks by militant, among other factors, which thus leads to security issues eight years after the launch of Zarb-e-Azb.

In his article, Dawar (2020) writes that the discourse usually employed when referring to conflict in the FATA and other tribal areas is that of inter/intra-tribal conflict, or as a kind of self-defence in the form of mobilisation against external invading powers. In the latter instance, Pashtuns have been noted to stand united against external aggression, despite

participating in rivalries amongst themselves. As Dawar (2020) notes, religious figures have managed to mobilise people in such situations repeatedly, particularly against the British at the end of the 19<sup>th</sup> century and well into the 20<sup>th</sup> century. In addition, they suffer from continuously being portrayed as conflictual in media and academia, as well as sympathisers and supporters of the militants in the area. In addition, according to Zahab (2016, as cited in Yousaf, 2019), the Pashtuns were portrayed as an inward looking people that showed opposition to integration in colonial literature. Moreover, with little attention paid to the Pashtuns living in the tribal areas, a feeling of ‘otherness’ has grown into fruition (Yousaf, 2019). The feeling of being dismissed as an ‘other’ and left to their own demise, coupled with an unfair and highly simplified label of a conflict-driven people disinterested in integration does not bode well in terms of conflict de-escalation. Furthermore, the motivation for taking part in the conflict has been accredited to a Pashtun socio-religious movement (Dawar, 2020). It has been argued that the Pashtuns residing in the tribal districts provided refuge to militants due to their hospitality code, *Melmastia*, in the mainstream discourse. However, this has been refuted by academics, who claim that it is rather due to coercive policies and the militants’ creation of a ‘reign of terror’ that they have been provided refuge (Dawar, 2020, p. 136).

Moreover, while different understandings and concepts of conflict have been highlighted to better understand the precarious situation of the region, there has also been focus on the wars taking place here. The global ‘War on Terror’ in particular has been central, as there has been widespread agreement that the post-9/11 efforts to combat terrorism was a period where the tribal districts played a pivotal role in the conflict. In fact, as Hilali (2013, p. 596) notes, the American administration considered the area to be the “heart of the crisis” due to the region’s role as a refuge for terrorist organisations such as Taliban and al-Qaeda, in addition to other insurgent groups. Additionally, in their article, Shabab and Ullah (2021, p. 280) describe the former FATA as a “center of violent armed conflicts”. While there are differing perspectives on what type of conflict that has taken place at different times and in different areas, there is overall consensus that the area is conflict prone. Qazi et al. (2018) write of both macro and micro conflicts due to the uncertainty of FATA’s political and constitutional status prior to the merger.

For the purpose of this research, conflict is understood as armed and protracted conflict. The reason for this, is that it is difficult to pinpoint only one type of conflict or one main factor that affects the conflicts in the area. Moreover, having a broader definition by employing two

understandings of the concept allows this research to analyse and discuss more factors that may influence the security situation in general and the human security of the people residing in the areas. Moreover, as the focus of this research is not on a particular conflict nor on the conflicts taking place, but rather to use the concept as a major factor to understand how and in what ways the 25<sup>th</sup> amendment affected the tribal areas.

## 4. Methodology and Methods

This chapter is dedicated to the methods I have used and employed in my research, data collection and analysis. It will detail and discuss what approaches and methods were used in the planning of the research as well as of the collection and analysis of the data, and why these were used. In addition, there will be a consideration of the limitations and critique of the methods chosen.

When starting to plan this research, my methodological approach was one of the central parts that I wanted to figure out quite early one. The choice was between a qualitative or quantitative research approach, and I ended up choosing the former. As Denzin and Lincoln put it, qualitative research is interpretive and researchers conducting such research are “attempting to make sense of, or interpret, phenomena in terms of the meaning people bring to them” (2005, p. 3). While I undoubtedly could have gone into detail on why and how the qualitative approach is a better fit for this research than that of a quantitative approach, I do not believe a comparison would be appropriate. This is due to the nature and purpose of the approaches being different, and as such comparing criteria of worthiness and/or merit would be flawed (Krefting, 1990). So, to put it simply, I found the qualitative research approach to be more fitting for the research I wanted to conduct, than the quantitative approach.

### 4.1 Data Collection Methods

For my data collection, I started with a purposive sampling method to first identify and set the criteria that I based my sample on. This is a non-probability sampling method, which means that the sample that is selected is not random. The criteria that I started with were two-fold, as I had two samples: 1. NGO or any form of organization that works with issues of or similar to human security in the former FATA; and 2. Individuals between 18-60 that are from the FATA region and has lived there prior to the merger. I was not able to go to Pakistan to

conduct my data collection, and as such I needed the help from a contact in the research community there. This person essentially worked as a gatekeeper (Clark et al., 2019) for me to be able to reach my population and with their help, I was able to make first contact with possible respondents. However, as this initial sampling did not provide me with a sufficient amount of respondents, the snowball sampling method was employed as well. As Bryman (2016, p. 415) writes, this sampling approach entails that the researcher first samples a small number of people who fit the criteria they set to identify relevant respondents. Then these initial respondents provide other possible respondents who also fit the criteria, but who the researcher does not initially have access to. This is a common approach when it is impossible or not feasible to conduct probability sampling (Bryman, 2016). Despite this research employing a non-probability sampling method, I found this to be a highly relevant method as I was not able to physically go to Pakistan to conduct my research and find possible respondents. Thus, as I was dependent on help not only from my initial contact in the research community, but also the initial respondent to recommended other possible respondents, this was an important method for me. However, snowballing was not only used when finding respondents for my interviews, but also for the collection of secondary sources such as articles and other relevant documents. I did a form of snowballing by looking at the references of any article or document I found to be especially relevant, and then finding other relevant articles and documents through those lists.

The main method of data collection was qualitative interviews, more specifically semi-structured interviews. The semi-structured interview is a flexible interview type that allows the researcher to make an interview guide that is used in the interview, which often consists of specific questions or topics. At the same time it is flexible in the sense that there is no rigid interview structure, as any question or topic in the interview guide can be dropped, reworded or rephrased, all depending on how the interview goes, and how the respondent answers previous questions (Bryman, 2016). I chose this as my interview type as I desired to be flexible when conducting interviews, and to have the possibility to adjust the interview according to the answers that the interviewees give me. Moreover, a structured interview was not an option due to its rigidity and it often being quantitative of nature. Additionally, unstructured interviews were not a feasible option as I desired some amount of control of the interview and the topics that are discussed.

Finally, I ended up conducting three interviews from my first sample, which is that of individuals representing an NGO working human security issues, or related issues in the NMTDs. The first interview was with a representative from a civil society network working with issues of gender equality and peace building. The second interview was with a representative from an NGO focusing on humanitarian relief and sustainable social development. Lastly, the third interview was with a representative from an NGO working for justice and peace. As such, I will be referring to them in order of their interviews in the analysis and discussion part of this thesis, i.e. Interviewee 1, 2 and 3. To preserve the anonymity of these organisations and the individuals representing them, these are very simple descriptions of their work. At the same time, it also gives an idea of what the organisations stand for, and where they are coming from in their responses. Furthermore, it is central to acknowledge that all the interviewees were men, which is an important factor to keep in mind when interpreting the interviews. Specifically, in relation to issues of gender where women and their struggles/insecurities are discussed or identified the acknowledgement of their identity as men is central. That is not to say that their thoughts and comments on gendered issues does not hold weight, but rather that they can only provide their own gendered perspective on the matters.

When planning the interviews and contacting possible respondents, I thought and planned for the interviews to last between 30 and 45 minutes. This, however, I quickly found to be too short, as the interviews rather lasted approximately an hour each in general. While conducting interviews on Zoom may prove a challenge in terms of accessing the sample, it has other advantages. In particular, conducting online interviews is advantageous over regular face-to-face interviews in that it is more flexible. As you only need a device with an internet connection and a camera to conduct the interview, it is more flexible than a physical interview where both parties need to be in the same physical location. Due to lack of proximity not being an issue, it is more time effective in terms of travelling to the designated meeting point. In addition, the flexibility of the online interview may in some instances actually be preferable over physical interviews, as there is little commitment needed from each party in terms of having to meet at a designated place at a designated time. Moreover, as the requirement to meet at a neutral place, or for one of the parties to travel to a place the other person prefers, for example their workplace, is removed, the meeting can in theory take place at any time.

I did not set out with the intention of conducting a specific number of interviews, but rather aimed to conduct enough interviews to reach theoretical saturation. Theoretical saturation entails conducting interviews, in other words sampling theories, until a point is reached where the data that is collected no longer “suggest new theoretical insights or no longer suggest new dimensions of theoretical categories” (Bryman, 2016, p. 412). Whether this was actually realised is yet to see, but this was what I set out to do when I decided to conduct interviews. Moreover, this allows me to focus on the interviews, the interview guide and what is actually discussed rather than be focused on reaching a specific number of total interviews. Essentially, it is the quality of and amounts of data gathered during the interviews that are central to the research, rather than the overall amount of interviews that are conducted.

I also collected secondary data, such as reports, working papers, books, websites, and academic articles based off of previous research. As these are secondary data, and as the name implies, data that has been collected by others, I needed to consider the quality of these sources before I decided on whether or not to use them in this research. In terms of ensuring the quality of a source, one of the factors that I focused on was that of peer reviews. As the majority of my sources are academic articles, I found it important that the journals they are published in are peer-reviewed. However, that does not mean that all my secondary sources are articles, as some of them are more grey literature. For these sources, the focus was that they stemmed from credible sources such as government documents, organizations or individual that work with the issues I was researching, etc. However, this data being considered as grey literature does not necessarily make it less relevant or credible, but it has to be kept in mind that the data has not gone through peer-review or the same rigorous process as that of academic sources. To assess the quality of the secondary sources that were not peer-reviewed, I followed Scott’s four criteria for assess the quality of documents, which are authenticity, credibility, representativeness and meaning (1990, as cited in Bryman, 2016, p. 546). Moreover, when the data originates from a source such as a government or an NGO, it may be published for a particular purpose, and as such the information provided should not be taken at face value, but as a way of enhancing understanding of an issue or topic.

By using more than one data collection method, this not only contributes to enhancing the understanding of the issue that is researched but is also a way of improving the quality of the research. It is also a way of doing triangulation, which for the purpose of qualitative research

can be understood as a way of ensuring that the issue that is studied is being understood at an in-depth level (Denzin & Lincoln, 2005).

## 4.2 Data Analysis Methods

This section will detail the methods I used to analyse the data that I collected through my interviews, as well as the data I found through my literature search. For the former, it is thematic analysis that will be my form of analysis, and with the latter it is the qualitative content analysis approach that will be used. Thematic analysis is one of the most common approaches to analyse qualitative data (Bryman, 2016). The reason that I chose this as my method is that semi-structured interviews are one of my data collection methods. With semi-structured interviews and its open-ended questions comes vast amounts of data to analyse. Moreover, in the different interviews there are most likely similar topics that have been discussed, but there will probably also be some differences. Different respondents might also use different words or terms to describe the same thing, and as such I believe it is in the best interest of my research and my efforts to analyse, that I look for similar and different themes across these interviews, instead of focusing too much on what words they are using. And because of this, I ended up with thematic analysis as my method.

The approach to thematic analysis that I follow is that introduced by Braun and Clarke, which is well-known for its theoretical and methodological transparency (2006, as cited in Clarke et al., 2019). Their approach follows six steps. When preparing to analyse the data, the first thing I do before I even start the analysis is to transcribe the interviews. This is a process I do solely on my own, i.e. I do not use any applications or digital tools that do it for me, where I have voice recordings of all the interviews which I listen to and transcribe verbatim. This is what they call phase one, and this phase is about familiarising oneself with the data (Braun & Clarke, 2006). Without going into too much detail on how to proceed, the next phase is about generating initial codes. After this initial coding comes the next phase and process of searching for over-arching themes that the codes can be divided into. The fourth step involves reviewing the themes and through this process some themes will be removed as there may not enough data to support them. At the same time other themes will be combined to form a new broader theme, while others might be split into different themes (Braun & Clarke, 2006). The penultimate phase consists of naming the themes and sub-themes and to actually write up what is important and interesting about the themes. The last phase indicates the end of the

analysis and the last opportunity to analyse the data before writing it all up and starting the discussion by relating the analysis to the research questions and existing literature (Braun & Clarke, 2006).

For the secondary sources, I more or less did a qualitative content analysis. As Bryman (2016) notes, this method of analysing documents is likely the most dominant one. The approach is somewhat similar to that of thematic analysis, as it also entails searching for underlying themes. However, as opposed to thematic analysis which involves a specific and detailed process, qualitative content analysis does not necessitate a specific process (Bryman, 2016). Yet, when analysing the secondary sources used in this research, I followed a process to some degree, though not as rigorously as in my thematic analysis of the interviews. Firstly, when searching for relevant documents, my focus was on the following key terms: human security, conflict, FATA and the KP province for empirical data, as well as human security, security, feminist theory and Feminist Security Studies for more theoretical data. My focus was not on only finding documents writing about or addressing all of these terms, but rather to find documents as closely linked to these topics as possible. After finding around 10 relevant documents, I started looking at the references used in these documents as a sort of snowballing process to find other relevant documents. Another way in which I considered what documents to use further after my initial search was by considering the contents of the documents compared to my objectives and research questions. While there was a vast amount of interesting and relevant data (to some degree) out there, having some criteria and a process of elimination ultimately helped me choose the data that I found to be most relevant and that were positive additions to my research.

### 4.3 Limitations

While I stand by the choices I have made in terms of methods and methodology for this research and find them to be the ones that are the most fitting and useful to be able to conduct this research to the best of my ability, there are some limitations that I believe should be addressed. Firstly, semi-structured interviews are quite flexible, and one of the positive aspects is exactly that it is a flexible way of collecting data as you stick to some general themes and have some questions outlined at the beginning of the interview. It is flexible as all the questions are not set, and it is possible to come up with new questions, or to dig deeper into certain question topics that are discussed with the person being interviewed. This

flexibility, however, means that it is possible to get derailed and move into topics that are not necessarily as relevant to the research questions and objectives. As such it is important to be aware of this, and to be capable to bring the discussion back on course. However, while that is a limitation, it is also a strength because this flexibility allows for the possibility of going into topics of discussion that are relevant to the research, but which for some reason have not been thought of or discovered by the researcher. That said, as only three interviews were conducted, that is in itself a limitation because while there is no 'right' or maximum number of interviews, this is objectively a small number, and this research would have benefitted from more interviews.

Due to the fact that I was unable to travel to Pakistan and conduct fieldwork and interviews there physically, this thesis is limited in terms of my access to individuals and NGOs to interview. Firstly, all of the interviews I conducted were done over Zoom. This limited me as the individuals I ended up interviewing had to have access to the internet, a computer and Zoom, as well as being proficient in English. Had I been able to travel to Pakistan, I could have employed a translator which would give me the opportunity to interview and speak to people I otherwise would not be able to communicate with. Moreover, the individuals I interviewed were all associated with NGOs and organizations. This meant that while they all had an abundance of knowledge and understanding of the issues I discussed with them, they did not have the first-hand experience of the people living in the Newly Merged Tribal Districts, and as such they may have a different understanding of the issues I am researching. In addition, this kind of online interviews also has its general limitations, as Bryman (2016) notes, and some of them are that the online method used to interview can be unstable in its service quality, unexpected technical issues can arise and there is evidence that it is more likely that participants fail to show up to online interviews than in-person meetings. Bryman writes about online interviews in the context of Skype, however despite this research having interviews on Zoom rather than Skype, there are notable similarities. Particularly the technical issues were an aspect because in all the interviews there were times where the connection would be bad, or where there were problems with the sound. One interview in particular had issues with the sound where the interviewee's sound would suddenly mute or stop, so that proved a problem both during the interview and in the process of transcribing the interview. However, it was not a major problem, and it was still possible to understand what the interviewee meant at most points based off of the context of the discussion.

## 4.4 Ethical Considerations

Ethical consideration is an important aspect when conducting any type of research, and throughout the process I was mindful of considering and following all ethical principles. As Bryman (2016) writes, there are generally four main areas to consider in terms of conducting research according to ethical principles. These four areas are “1. whether there is *harm to participants*; 2. whether there is a *lack of informed consent*; 3. whether there is an *invasion of privacy*; 4. whether *deception* is involved” (emphasis in the original, Bryman, 2016, p. 125). This research was registered in Sikt – the Norwegian Agency for Shared Services in Education and Research, where I made a data management plan and obtained approval to process personal data before I started my data collection. Moreover, to ensure that I followed ethical principles, I made an information letter that I included when I made first contact with the participants of this research. Included in the letter was information about the research, what participation in the research entailed and their rights, information about confidentiality and anonymisation, as well as a consent form so that I could obtain informed consent from them. Another important ethical code that is important is that of accuracy. In this context, accuracy means to refrain from fabricating or omitting data, or anything similar – in other words, keeping the data accurate (Christians, 2005).

In terms of the interviews, these were all conducted on Zoom. While it would have been preferable to conduct the meetings in person to fully ensure confidentiality and privacy, Zoom is a good option when that is not possible. By having the interviews through Zoom, it gave me the possibility of having password-locked meeting rooms, as well as the general safety of the application with its encryptions of sound and video, as well as end-to-end encryption, which made it a considerably safe option. Importantly, the participants were informed of this in the information letter, and there were no objections to this.

Positionality is an important aspect of research, and this research is no exception. While I strive for neutrality and objectivity in the research and how I conduct it, there are some aspects of it that is unavoidably influenced by my identity and positionality. There are a number of inescapable factors that may influence the research and research methods. In other words, researchers are positioned by their gender, age, nationality, ethnical background, and so on (England, 1994). My personal characteristics are that I am a Norwegian woman of colour in her mid-20s with an ethnical background from the Kurdish part of Iran. As Bourke (2014), writes it is not only the identity of the researcher that can influence the research

process, but also that of the participants. This is something that I experienced in my interviews. In two of the interviews, my identity was brought into question as I was either asked what my ethnical background is, or it was assumed that my background was from Pakistan. According to Merriam et al. (2001, 411), “Positionality is thus determined by where one stands in relation to ‘the other’”. This inquiry into my identity could then be seen as a way of the participants to position me in relation to their own identity. However, positionality is also relevant in terms of the analysis, as I am conducting thematic analysis. Thus, the themes and codes I come up with are not necessarily objective. While they may be based off interviews and the words of the interviewees, the codes and themes are essentially my interpretation off what is said during the interviews, and of what I read from different documents.

## 5. Analysis and Discussion

The purpose of this chapter is to present and discuss my findings in light of existing literature, and it is organised along the lines of my two main objectives. To do so, this chapter is divided into three main sections, with several sub-sections. The first main section is dedicated to giving a brief introduction to the general context of the area, providing some background on the conflict in the area, how the tribal districts were organised before the merger and some information on the merger. The next main section will be centred on the merger itself, what it comprised and effects of the merger. The third and last main section will focus on the changes in people’s sense of security as a result of the changes and impacts of the merger, as mentioned in the preceding sections.

### 5.1 General Context: the Tribal Areas and What Led to the Merger

Before moving on to the analysis and discussion of the merger and its effects, I will provide some general context on the tribal areas and what the 25<sup>th</sup> Amendment entailed, meaning what the constitutional changes of the merger was, as well as the process going up to the decision to merge. By providing this information, it might be easier to understand the differences and changes that are discussed in the following sections.

### 5.1.1 The Special Case of the Federally Administered Tribal Areas

The Federally Administered Tribal Areas existed from 1947 and until the merger in 2018 (Hilali, 2013). The FATA was divided into seven administrative zones, and all except for one shared a border with Afghanistan to its west (see Appendix A for a map over the Khyber Pakhtunkhwa province). Moreover, the administrative zones were distinguishable not only physical characteristics, but also with each having a dominant tribe and an economic base (Hilali, 2010). The tribal areas stand out as a special case in Pakistan in part due to the area being dominated by Pashtun tribes, with the society heavily influenced by its tribal structure (Hilali, 2010). The tribal structure is not only central in terms of decision-making, where selected tribal elders are responsible for governance, but also in their way of living, where they are guided by Pakhtunwali (Hilali, 2010). These are points that will be further explored in later sections but are important sociocultural factors to mention when establishing the context. Other ways in which the tribal areas stand out is through aspects such as geography and climate. Due to the geography and climate of the area, the area being landlocked, containing numerous border passes with the neighbouring Afghanistan and the Hindu Kush mountains covering as much as one-third of the area (Hilali, 2013), the tribal areas have been exposed to issues that other parts of the country have not. In particular, the mountains proved to be a favourable feature for the militants in the area, as it allowed them to hide from prosecution there. As such, with the presence of militant groups as well as the history of being an epicentre of violence in Pakistan, the area as has been subject to decades of violent conflict, which has made its mark on the region and the people living there.

Throughout the interviews, the interviewees also established that what was happening in the tribal areas was exceptional, as they could not see similar circumstances anywhere else. While this was in part due to the region's standing as federally administered and largely removed from the rest of Pakistan administratively and legally, they also understood this to be due to the tribal areas possessing some special features, as has already been mentioned.

The context is quite different from the rest of the country. (...) In FATA, because of the heavy militarisation of the area, you know, because of the climate, which is very unusual, you can't see much militarisation in other parts of the country except the borderlands. (Interviewee 1).

Moreover, an important aspect that made the FATA stand out is the fact that the legal and administrative framework Frontier Crimes Regulation was only applicable to this area and nowhere else in Pakistan. This is particularly significant as the FCR denies three basic rights to the tribal people, which is that of appeal, *wakeel* and *daleel*. In other words, they were denied the right to appeal, the right to a lawyer or such a form of legal representation, and “the right to present reasoned evidence” (Ullah, 2013, p. 74). Furthermore, the major ethnic group in the tribal areas is Pashtuns. This is a central point to note as the social structure of the area is majorly impacted by this fact, and the people are guided by a tribal ‘code’ (Hilali, 2013). As one interviewee explained, for the Pashtuns, “...there are very strong rules and regulation, we call it Pakhtunwali.” (Interviewee 3). The importance of Pakhtunwali cannot be stressed enough, as it comprises “local customs, tradition, heritage, customary law, and usages making all social relations a compact system” (Dawar & Ferreira, 2021, p. 6). Kakar even goes as far to say that being a Pashtun cannot be distinguished from practicing Pakhtunwali (2007, as cited in Dawar & Ferreira, 2021).

However, it is not only the culture, geography and location of the area that made it special according to the interviewees. The shared border with Afghanistan was mentioned as a security issue, and generally considered to be a cause of insecurity. One interviewee used the words “no-man’s land” to describe the former FATA, which is highly indicative of the unstable situation in the area. So, in other words, the tribal areas were, to some degree, considered as a disorderly region that did not fall under the rule of anyone. In general, the security situation of the area and the conflict there makes the area distinct in a national context. In short, the decades of conflict in the area, the geography, location and climate are some of the factors that make the tribal areas a special case, and which may help us better understand the security situation of the area, both past and present.

### 5.1.2 The 25<sup>th</sup> Amendment: What, Why and How?

The merger was not an over-night decision, but rather something that had been brewing for some time. In November 2015, Nawaz Sharif, then prime minister of Pakistan, set up a Committee on FATA Reforms that was tasked with proposing concrete recommendations for ways of politically mainstreaming the tribal areas (Committee on FATA Reforms, 2016). One of the points mentioned in the report alluded to the fact that the state could not afford to not at least attempt to rid the areas of militant groups, as the conflict with the militants has resulted

in not only the deaths of 60 000 people, but also cost the state \$118 billion between 2001 and 2016 (Committee on FATA Reforms, 2016). Ultimately, the Committee proposed critical reforms in FATA to mainstream it and pointed out the urgency of implementing reform. More specifically, they recommended a five-year transition period, and actions taken under six different overarching themes: rehabilitation and reconstruction, socio-economic development, election of local bodies, legal reforms, capacity building of LEAs and land settlement (Committee on FATA Reforms, 2016, p. 8-12).

As the Bill proposed to amend the Constitution stated, the Bill was designed with the objective “to integrate the Provincially Administered Tribal Areas with the respective Provinces and the Federally Administered Tribal Areas with the Province of Khyber Pakhtunkhwa to bring the people of Tribal Areas in the main stream” (Pakistan Const. (Twenty-Fifth Amendment) Act, 2018). By bringing the people from the tribal areas into the mainstream, this meant that they would now be awarded the same full rights as the people living outside of the tribal areas had until this point, which they had been neglected of due to the tribal areas’ status as federally administered. The Bill was passed remarkably fast, with the first proposals to merge FATA with KP being adopted on May 18 and the Amendment Act itself being signed by the President on May 31, meaning the whole process took less than two weeks (Zubair, 2018).

Despite a political will to mainstream the FATA with the rest of the country through the merger, there was no overall consensus in the tribal areas to this. A research study on future governance reforms in the region that was conducted and presented in 2017 showed that 74% of the respondent in the poll surveys conducted were positive to the merger (I. Khan, 2017). However, tribal leaders did not agree with this, and went as far as challenging the legality of the Committee on FATA Reform’s report recommendations in the Supreme Court (S. Khan, 2017). Thus, with this in mind, it is of interest to note that the merger of the FATA with the KP province was done without formally consulting or asking the people living in the areas. While the research published in 2017 shows that there was support of the merger among the locals, there was no formal vote taking place. Moreover, there was still opposition to the merger after it happened, with the tribal elders as recently as March 2023 wanting to reverse the decision (Afridi, 2023). One of their arguments was the lack of involvement of the local people in the decision-making. The next section will delve deeper into the opposition and criticism of the merger as well as the process.

Having established a general context of the area, the conflict before the merger, and the merger itself, this analysis and discussion now turns to a closer consideration of the effects and impacts of the merger.

## 5.2 The Merger of FATA and KP: Effects and Impacts

### 5.2.1 A Changed Security Situation

In terms of consequences and impacts of the merger on the security situation, the interviewees had mixed opinions. The interviewees were asked whether they believed there was a discernible difference in the security before and after the merger. One interviewee explained that he believed there had been an apparent change in the security situation of the area, speaking specifically about Waziristan in the southern parts of the NMTDs, mentioning that the militant groups were not present in the areas as before the merger.

I think the change is, of course it is not the same thing that it used to be before, but we don't see any security, at least in that area. We don't see the Taliban now like, having force and kind of cells and operating freely. (Interviewee 1).

According to Ullah and Muhammad (2022), military operations such as Zarb-e-Azb had practically eliminated the insurgents in the area. Thus, with the Taliban and other militant groups less noticeable and restricted, the security situation had changed. However, despite this change, the interviewee maintained the opinion that the security situation had in fact worsened. This is an interesting point, because it may be understood as confirming that there is conflict between what is considered as state-centred security and what human security is. While the tribal areas could be considered somewhat more secure after the merger as the immediate threat of militant groups and their attacks is gone, for the individuals this is not necessarily the case. Militant groups such as Taliban may not operate freely and be very visible, but the threat of violent attacks is only one aspect of the overall security for individuals, and as such this change does not automatically translate to a stronger sense of security for the individuals residing in the NMTDs. Moreover, the interviewee insisted that the current issues was in part due to an apparent mistrust from the military forces against the local people.

But the military don't know about those things, most of them are non-Pashtuns that don't respect local culture, don't know how to talk to women and don't know how to talk to children at check points. They just humiliate everyone. And they feel like every person whether child, whether a women, whether a man is a kind of terrorist in their eyes. (Interviewee 1).

He further elaborated on this statement by explaining that there had been a police reform in the area, but that the commanding officers of the police force were people who are not local to the tribal areas, and that the police constables themselves were locals. In general, the tribal people have reservations when it comes to the police, and particularly when police forces or officers from other areas are deployed in their areas (Khan & Hussain, 2020). Additionally, he believed that the locals that worked in the police force were not fit to conduct their tasks. This was due to an understanding that the police forces were not qualified or trained enough to commit their tasks. This is a point that can be seen in relation to the supposed corruption that takes place in the tribal areas, which all interviewees agreed on. As they mentioned, there was rampant corruption in the administrative institutions and bodies, whether it be the FCR, the tribal elders, the police force, etc. Moving away from an assessment of their qualities, the third interviewee commented that to his knowledge, the amount of police constables per citizen was approximately 1 to every 1000. As such, they expressed disbelief that the police force is able to provide security for their residents when they are so vastly outnumbered. The first police station in the tribal areas was established in 2018 and is located in Wana in Waziristan (Mehmood & Mir, 2019). While this was a big step towards establishing a proper police force, the authors noted that an “absence of any effective mechanism to regulate its function” led to the project not living up to expectations (2019, p. 190). Thus, there is a mutual mistrust between the police and the locals, which is based on cultural differences, a low number of police per citizen, as well as scepticism towards the qualifications of the constables.

Additionally, based on the claims of the first interviewee, the change in the security situation can be interpreted as a simple change of what kind of group that is giving the local population grief. They do not deny that a change has been made, but it has been a change in terms of one of the main issues of the population moving from being the militant groups to the security establishments operating in the area. Since the 9/11 attacks, the tribal people have essentially been caught in-between the fighting of the militants, the Pakistan military and American

drone strikes (Ali, 2018). However, at the same time, it could be argued that while there are still issues, this is a positive change. Now that the immediate threat of being killed by militants and their attacks is gone, the focus has now moved onto the dysfunction of the security establishment. While it proves to be an issue at present, there is also more room for improvement and development when dealing with institutions at a provincial or state level. Moreover, while this one interviewee was more sceptical to the apparent change in the security, the other two were far more positive. The second interviewee noted that as a result of the merger, the tribal areas were now under the jurisdiction of the state, which he was positive was as a sign of development. Plans were made to build judicial complexes in all tribal agencies (International Crisis Group, 2018), as well as police stations (Mehmood & Mir, 2019). The third interviewee, however, was more ambivalent in his opinions about the change in the security situation. It is clear, however, that important steps were being made towards improving the security of the local people.

In addition, as both the first and second interviews touched upon, as a result of the unstable security situation in the region, with the military working to remove the militants in the area, a great number of locals were displaced. Displacement led to a general insecurity in the lives of the displaced people, with many longing back, but not being able to move back for different reasons, as interviewee one explained. Moreover, in Pakistan there is no law that defines what an internally displaced person (IDP) is, nor what their rights are, further leading to insecurity (US Department of State, 2022). However, interviewee two called these displacements a “blessing in disguise”. The reason for this, as they explained, is that many of the displaced people now finding themselves in cities and other urban areas, were exposed to experiences, impressions and institutions that they did not have in their tribal districts. Interviewee three explained that these people were financially strengthened after learning business development, getting more educated and generally being exposed to what life outside of the tribal districts is like. As a result of this, these people have also managed to construct and buy a house in these places, as well as the home they have back in the FATA. This seems to be the case when people, whether voluntarily or involuntarily, move from the tribal areas, as their mindset changes and adapts to wherever they go (Makki & Akash, 2022). Thus, as interviewee three explains, “So they are regularly roaming there in their homes in their villages and in the city, so this also makes them aware, in the sense, empowered.”

Furthermore, while the insecurities in the areas both from a human security perspective, as well as from a state-centred one, led to intervention from the military and the state to extinguish the militants in the area, this also proved to be detrimental to the security of the people, albeit mostly in the short term. That is apparent. However, that does not mean that intervention from the military was a solely negative experience. Because as the second interviewee explained, this was also a blessing in disguise, because if the security situation had not been as bad as it was, then the state would not have intervened both in terms of conducting military operations, but also in enforcing a merger. In addition, the success of such operations and consequent conflict management has been credited with paving the way for the mainstreaming of the tribal areas (Mehmood & Mir, 2019). Thus, while the consequences of these actions and the merger have not been solely positive, it has overall bettered the security situation. And this improvement has happened in a time frame that could potentially have been much longer, as the interviewee believed that the security threats in the region led to the merger, which would otherwise have been ignored for “50 years” (Interviewee 2). Moreover, as the merger only happened five years ago, there is still time left for important structural change to take place. While much is left to be desired, one central change is to end what was known as the Frontier Crime Regulation, which will now be further explained.

### 5.2.2 The End of the Frontier Crimes Regulations

Before the merger of the tribal areas with the Khyber Pakhtunkhwa province, the tribal areas were under an administrative and legal framework called Frontier Crimes Regulations (FCR). This was a system that dated from the British colonial times and was first introduced in 1901 as a legal framework of indirect rule for the British, where there were so-called “political agents” that were in charge of the whole region (Callen et al., 2019). According to two of the interviewees,

It was also not good system, there was FCR, Frontier Crimes Regulation. And this was that one political agent from the British time who was judge, who was administrator, who was policeman, who was everything. (Interviewee 3).

There was no line enforcement agencies, there was a system which is called FCR - FCR, Frontier Crimes Regulations I think the abbreviation of that was.... So, he is the

only person, the only person which also judiciary, which also articulation, which also - he do everything, administrative job, judiciary, and police, there was even no army in that time. (Interviewee 2).

As the interviewees explain, the political agents were the primary administrators, doing everything from administrative work to the judiciary, alongside *jirga*, and law enforcement. As a result, there was a significant lack of other institutions in the tribal areas (Callen et al., 2019). According to Makki et al. (2022), the judicial element was the most prominent feature of the FCR, as it essentially took away the rights of the local people to pursue justice through legal channels such as the courts and laws. The way in this occurred was that legal conflicts and issues were addressed through the system of *jirga* and its use of Islamic laws and local customs, and these decisions were made on behalf of the locals by tribal elders and leaders or the political agents (Makki et al., 2022). As Akins (2017) notes, the tribal areas were ruled by three pillars: a lineage-based, a religious-based and a legal-based authority. The lineage-based authority was the *malik*, who operated through the *jirga*, the *mullah* represented the religious-based authority, and the political agents made up the legal-based authority. Thus, it could seem like the FCR was a stable and fair legal framework, as there were essentially three parts that could work as a separation of power.

Surprisingly, after Pakistan's independence and the introduction of its constitution in 1956, and later 1973 constitution, no changes were made in regard to FATA being under FCR. Instead, according to the constitution "no act of parliament applies in FATA" (Yousaf, 2019, p. 181). This essentially made the residents of the tribal areas second-class citizens, as they were not afforded the same civil or basic rights (Akins, 2017). Additionally, it allowed collective punishment through a system called "Collective Territorial Responsibility" (Ullah, 2013, p. 71). This meant that if a person was convicted of a crime, the punishment could be extended to their relatives and communities, depending on whose territory the crime took place (Ullah, 2013). It is unfathomable that such a system would still be in place as late as 2018. Not only is collective punishment unreasonable, but it does not uphold a sense of security throughout the tribal areas. Moreover, it could also be seen as an incentive to make the people take justice into their own hands, and not seek out the help of *jirgas* or the political agents. With the threat of collective punishment and the risk of being wrongfully punished for a crime you did not commit, it does not seem far-fetched to think that families or communities might feel pressured into taking matters into their own hands. So, considering the deprivation of

basic rights, draconian punishments and peculiar distribution of power it can be argued that the end of the FCR system was an important step towards safeguarding a sense of security for the tribal people. This system of FCR was another reason that the tribal areas were considered an exceptional case in Pakistan before the merger of the areas with the Khyber Pakhtunkhwa province. However, the abolishment of the FCR was not the only administrative change made, so the focus will now turn to the institutional changes that came as a result of the merger.

### 5.2.3 New and Improved Institutions?

The strengthening and improvement of institutions was mentioned as an important aspect of the merger by the interviewees. However, the prospect of institutional changes was often brought up as an important change due to an issue they all identified, which was widespread corruption. As the interviewees noted, weak institutions led to an abundance of problems, but mistrust and dejection were significant. Lack of access was also an issue that was brought up. While lack of access to specific facilities such as educational, health and similar ones were mentioned, so was lack of access to economic prospects and justice. Economic development in particular is central, as poverty has been a decisive factor in the emergence of terrorism in the region (Mehmood & Mir, 2019). That is due to the vulnerability of impoverished and uneducated people to recruitment by terrorists, and as such strengthening institutions and a general empowerment of the people in the tribal areas is of the essence. As such, ensuring employment and job opportunities is not only important in terms of economic development, but is a security measure – both collectively/on a state level, but also on an individual level. The first interviewee commented on the lack of economic prospects, and that it was essentially impossible to find work as the rampant corruption meant that work was awarded through payment. By having to pay to find any employment this leads to a deep injustice and inequality as a great number of people residing in the tribal areas do not have the economy and means to do so. Additionally, depending on what type of work it is, it could also be a grave security issue. As previously mentioned, the police constables working in the NMTDs were considered unqualified for the job, and one of the reasons behind this was that these jobs were being paid for.

Secondly, they are not trained for the job, like someone, most of the police officials who are from the local communities they have purchased this job, like it was a family

job, the security job you should know before the merger, most of the security responsibility maintaining law and order was also with the locals. (Interviewee 1).

The interviewee might be referring to the *Khasadari* system, which was started in the early 1920 and entailed the *maliks* deciding the quota which was used to recruit local people to perform policing duties (Makki et al., 2022). Considering the conflict and general unrest in the area, this type of activity is a serious security issue, as it not only endangers the police force itself by having possibly unqualified officers performing such a vital community role, but also the people they are supposed to protect. However, after the merger, the security personnel in the tribal areas have been undergoing professional training on the courtesy of the military and the Frontier Corps (Makki & Tahir, 2021). So, due to the issues of corruption, the interviewees recognised the importance of strengthening current institutions, as well as the establishment of institutions that were non-existent in the region before the merger. The lack of institutions can be traced back to the implementation of FCR and the colonial times, as a lack of other institutions came with that system. Essentially, as Callen et al. (2019) note, the tribal people were left to their own devices as long as the crime rates remained at acceptable levels. As there were little changes in the FCR framework over the years, the lack of institutions continued. While the second interviewee claimed that this issue had been mostly resolved after the merger, the first interviewee went a step further and alleged that corruption is still present in the region. While firmly rooting out issues of corruption may be too optimistic, it is not necessarily the corruption itself that is the main issue, but what it is indicative of. According to the interviewees the corruption in the NMTDs were not only widespread, but also widely known. For instance, the government was forced to modify the relationship between the *maliks* and the government due to the widespread corruption (among other issues) of the former (Kerr, 2010). Living with the knowledge that institutions and the people working there and in the community leaderships are corrupt may lead to resentment and dejection. It also is very telling of the severe power imbalance, which again affects the level of trust in the region. Further, the experience of living with little to no opportunities in whatever capacity also puts the people at risk of being radicalised and turning to violent extremism. Considering the region's issues with militant groups, it is not far-fetched to believe that misfortune and dejection may push young people in particular into joining such groups. In fact, as Makki and Akash (2022) write about in their paper tackling this issue, education in particular is highlighted as an important factor to build resilience against

extremism. So, working to secure the region and its people not only in terms of keeping them alive and safe in physical terms, but also in ensuring prosperous lives is important.

Prior to the merger, the second interviewee had observed a practice where community leaders would claim that their area had a certain amount of facilities, while the real number were in fact much lower. The interviewee understood this practice as being a tactic to secure resources, as a higher number of facilities would mean a greater need for resources to properly run these. This is an issue because not only does this allude to corruption as resources are secured, but not put back into the community, but it also endangers and negatively affects the lives of the people living there. Access to health and education facilities is vital, the former in terms of accounting for life and death, and the latter in empowering and facilitating for the later lives of the children in particular. So, there is little doubt that from a human security point of view, this leads to insecurity, but also as it does not allow for individual growth. After the merger, however, the interviewee was significantly more optimistic, and was able to observe that the practice of claiming the existence of these ghost facilities was beginning to end. Not only is the practice ending, but facilities were now properly established as the merger has brought with it changes in the administrative work of the areas, and there were now departments established in the areas, such as a health department. Despite this optimism, however, as Makki and Akash (2022) note, the merger has not resolved all issues, and in the years after the merger in 2018, in North Waziristan in particular there are still security issues. Specifically, the lack of access to facilities such as education, as well as lacking political representation, job opportunities, among other issues affect the security of the residents. Having considered both some positive and negative impacts of the merger, the focus will now turn to the opposition and criticism the decision to merger has faced.

#### 5.2.4 Opposition and Criticism: a Hasty Decision?

As part of the interviews, the interviewees were asked who they believed were involved in the decision to merger the tribal areas with the KP province. While they were not unanimous in their answers, one point was clear: this was not a decision that were made in consultation with the local people. In both the first and second interview, the respondents agreed that the merger was a political decision, considering that the efforts were led, proposed and passes in the political institution. However, the first interviewee alleged that it was not first and foremost a

political decision, but rather a military one based on the security situation in the tribal areas. In general, this interviewee was more sceptical towards the intentions behind the decision to merger, in part due to the hastiness of the process. This is a view shared by Zubair (2018), who noted a difference between this attempt at a reform and former attempts. He contended that while previous attempts have come from civilian governments, the last attempt was pushed by Pakistan's security establishment (the military). As previous attempts at reform have failed for different reasons, this does shed light on a possible power imbalance, where the needs of the security establishments are prioritised over the needs of the civilians.

The interviewees are right in their assessment of the merger as a process in which the local people were not directly consulted nor able to vote over the matter. However, as part of their work the Committee on FATA Reform travelled to all the tribal agencies and conducted two sessions in each agency. One of the sessions were with tribal elders and maliks, while civil society was present in the other (Committee on FATA Reforms, 2016). So, through these sessions the tribal elders and civil society had a platform to make their views known prior to the decision to merger. Despite these sessions and the future outcome, there was still a known opposition from tribal leaders. Both Khan and Hussain (2020) and Ali (2018) note that the opposition of the merger from tribal elders, operating under the umbrella of the FATA Grand Alliance, was due to concerns that their stakes in the former system was in danger. At the same time, there were major mainstream and regional political parties on the side supporting the initiative, who were thought to take this stance due to politically strategic reasons, such as strengthening their vote share in the KP assembly (Ali, 2018). Moreover, the Committee (2016) wrote that the tribes did not favour a reform with the solution of FATA as its own separate province due to tribal areas' economic and cultural links with adjoining KP districts. Despite these comments from the Committee, based off their meetings with leaders and civil society in the agencies, the opposition campaigned for such a solution. As Ali (2018) notes, the Pakhtunkhwa Milli Awami Party (PkMAP), a Balochistan-based Pashtun nationalist political party, called for a referendum on whether the people wanted a separate province or a merger with KP. The support for a separate province was based on a belief that the tribal areas need special attention, which is only possible through a separate province. So, it seems clear that the decision to merger the FATA with the KP province was in many ways contested, and points to a power struggle – both to keep power (tribal elders and leadership), and to gain it (political parties).

Another way of looking at it could be as the difference between state-centred and human-centred security. The civilian governments might have proposed reform not only due to national security concerns, but also needs of the civilian public living in the tribal areas. However, as the military was not on board with this, or did not agree at the time, the reforms did not pass. Nevertheless, when the initiative came from the military, the reforms not only passed, but did so in lightning speed (Zubair, 2018; Khan & Hussain, 2020). Thus, it can be argued that because the security establishment places more emphasis on state-centred security rather than a human-centred one, this played the decisive role in when reform was feasible. Yet, both these could also be criticised, because neither attempts at reform have come from the people of the tribal areas. With the initiative for the 25<sup>th</sup> Amendment coming from the security establishment, and not based on a vote or another democratically sound way of deciding whether or not to go through with it, it cannot be ignored that the people of FATA were overruled, once again. Objectively, it could absolutely be argued that this Amendment is a preferable alternative to the former situation in the tribal areas. However, despite the intentions presumably being good, it still stands that this was a decision that was imposed on them.

With this in mind, it is interesting to consider: how important are intentions? While the ‘real’ intentions behind the push for the merger might not be as straight-forward as first assumed, does not the positive outcome of the merger outweigh this deception? On one hand, the participation and inclusion of community leaders and the community itself in such processes are important factors leading to ownership and acceptance of the outcome. And, though it could have been greater, there was some participation of tribal elders and civil society prior to the merger, when they had the opportunity to meet with the Committee on FATA Reforms (2016). However, what if there is a power imbalance, and the leadership does not truly represent the community’s wishes? One recurring point in the interviewees was corruption in institutions and the community leadership, as well as mistrust, so it is a valid point to raise. Additionally, it was noted by both the interviewees and academics that the opposition to the merger was concentrated in the tribal leadership (Ali, 2018; Khan & Hussain, 2020). Moreover, the second interviewee noted that while there were some oppositions to the decision, the overall the majority of the people in the tribal areas were sincere in their efforts to develop the areas, and as such the opposition was minor. Also, as already mentioned, a poll survey showed a strong approval of the decision in the local population (I. Khan, 2017). In fact, it is interesting to note how it seems to be mostly tribal elders who are vocal in their

opposition. While their argument of the lack of local involvement in the decision is valid criticism, it is just as valid to wonder whether the opposition is also, in part, due to them seemingly losing some of their power by mainstreaming the tribal areas? In hindsight, it is easy to pass judgement on the hastiness of the process, as well as how exclusionary it was to the people most affected by it, but it is impossible to know how any alternatives would have played out.

An important point, though, is that in terms of reform and conflict resolution, it is important to work with the local population who are the most affected by the reform. Not only is this important because involvement is important in terms of feeling ownership over whatever reform or decision is made, but also because imposing a decision on a local population that was not involved or consulted in any way may just lead to discontent and resistance. In the case of the NMTDs it is worth asking whether involvement from the community leaders at the very least may have alleviated the opposition to the merger. And moving further, involvement could have led to more ownership. While there are different ways of understanding ownership, one that is relevant for this context is OECD's broad understanding of it as "it is important that solutions to problems are developed locally and appropriate to the context they are implemented in" (2005, p. 34, as cited in Bendix & Stanley, 2008, p. 95). Ownership is often brought into the discussion when implementing security reform on a national scale, however it is just as relevant when the reform is specific to a particular region in a country. The decision to merge the tribal areas with the KP province was a decision made on behalf of the people living there, without their involvement in the process at all. Whether the decision ultimately ended up benefitting the people or not is another discussion, but as it stands the people and community leaders should, and could, have been consulted. Because if a decision is made without consulting people who personally know and understand the context of the area that it is implemented in, it may lead to decisions that simply will not work because of context. Lastly, it could have been a sign of trust and the first step towards rebuilding trust that is sorely missing in the NMTDs.

This section aimed at analysing and discussing the merger and its consequences on the NMTDs. Now, the focus will be turned to the impacts of the merger on the people's sense of security.

### 5.3 The Impact on People's Sense of Security

This section will be focused on an analysis and discussion on how the security situation in the region has changed by comparing the people's sense of security before and after the merger.

#### 5.3.1 Establishing an Understanding of Security

At the beginning of each interview, the interviewees were asked what they associate with the word 'security'. Their responses varied somewhat in terms of what they thought were the most important factors or indicators of security. One participant shortly answered this question by pointing towards an indicator of insecurity, which they identified as the border with Afghanistan. To this person, when confronted with how they understood security, they immediately thought about a specific issue. However, throughout the interview when discussing different security issues, they consistently identified rights as important to securing individuals. Thus, it would seem like this person strongly associated basic human rights as the most important way of securing an individual's life and future. Another one, however, described security with multiple words such as development, right, progress and freedom. Additionally, they believed "Security and peace. I see them both as two sides of the same coin." (Interviewee 1). In the third interview, however, the interviewee shared their thoughts on the importance of the community when explaining their association with the word 'security'. However, this was not only in the context of a community being better equipped at keeping everyone secure as opposed to individuals taking care of themselves, but rather the ways in which a community look after each other.

Suppose we have a tradition in indigenous communities of centuries called *hujra* and in *hujra* if someone was missing so the elder was supposed to ask, "where is this guy? Is he sick, is he going somewhere?" And if someone responds "yes, he went to Norway", he'll say "oh, take care of his house, take care of his children", if there is some problem or something please inform us. (Interviewee 3).

Moreover, despite their somewhat differing understandings of the word 'security', all three interviewees agreed that it is the state that has the primary responsibility of maintaining the security of its residents. However, despite this acknowledgement of the state's responsibility, two of the interviewees rejected the notion that the state was indeed able to do so. As one interviewee explained of the security situation before the merger, "Security is basically the

responsibility of the state - to provide security, protection is the state's responsibility, and unfortunately the state was not present before.” (Interviewee 2). This should be seen in context of the situation the FATA found themselves in before the merger with the Khyber Pakhtunkhwa province. The tribal areas had the status of being federally administered, however, it was in reality “controlled by the President of Pakistan through the governor of province who exercises the power of the executive authority” (Hilali, 2013, p. 600). In reality, the people residing in these areas did not enjoy the same rights as those living in other parts of the country, with a lack of constitutional protection and jurisdiction of the Supreme Court to ensure the rights of the citizens, limited participation in Pakistan’s political system, and no functioning police system (Hilali, 2013).

### 5.3.2 The Main Causes of Insecurity: Weak Institutions, Corruption, Mistrust and Conflict

Moving on, the interviewees were asked what factors they believed were present in the FATA that made the locals living there insecure. One of the interviewees argued that the lack of a judicial institution and law enforcement was a source of insecurity. When there is no place to go and report crimes and other issues, and no institution in place where those concerned can “get justice”, they argued, then the people will be insecure (Interviewee 2). Further, this interviewee had mentioned the border with Afghanistan as an ongoing concern for the security situation, as the danger was “always” there. The third interviewee, however, looked at the militant groups as a factor that made the area and the locals living there insecure. It was not only the presence of the militant groups that led to insecurity, as their presence also ultimately meant that there would be a military presence as well to keep the militants at bay. The militant groups were also mentioned to be “people with bombs”, and as such this added another layer of insecurity, as they would also conduct attacks in the areas. However, while these factors led to a sense of insecurity, they also added that urban areas were now considered to be more insecure than the tribal areas, again due to these bombs. Due to these overlapping factors – the presence of militant groups as well as a mistrust towards the government, and mistrust to others in general, this interviewee believed that security was now something that each individual household were now responsible for.

Because security is now your own responsibility, we don't believe our neighbour, we don't believe in our government, you must be fully armed, you see. (...) So each house

now has 3-4-5 AK-47, depends on how many male are there. (...) Why? Because the people now they came to know, they understand that they are insecure and security is only my own responsibility. (Interviewee 3).

Despite this, however, Mehmood and Mir (2019) note that the NMTDs are increasingly weapon free. That can be understood as a tell of the rapid decline of the militants as a result of the military operations. So, while private households may have weapons, it seems to have been a disarmament in the area. It was not only the armed conflicts and lack of institutions that were deemed as reasons behind the insecurity the local people were experiencing in the former FATA. The lack of economic prospects was also mentioned, in regard to no available jobs, no business opportunities nor any general opportunities. This is corroborated by Mehmood and Mir (2019, p. 187) who write that the conflict has led to joblessness, insecurity, a collapse of the business structure and lack of foreign investment. Overall the different reasons are interconnected – no opportunities for education weakens the possibility of getting a job, and with a lack of work the individual and household economy is weak. An important point to note here is that militants have targeted educational institutions, as well as police stations and the military, and killed hundreds of maliks, since 2007 which has further damaged the security of the people (Hilali, 2010). Moreover, there is an issue with corruption which leads to jobs essentially being available for purchase, but with the poor economic situation of many, this is not a viable solution either. This can not only be attributed to the long-standing conflicts in the area but should be seen in light of the overall context, with the tribal areas being less developed, and generally suffering from being cut off politically, administratively and logistically from the rest of Pakistan (Hilali, 2013). However, actions taken to improve the situation, such as the military operation Zarb-e-Azb, also contribute to these insecurities in some ways. Specifically, as a part of the operation, the main bazaars of North Waziristan were destroyed, further damaging the economic prospects of the people living in the area. Thus, the insecurities cannot be attributed to only one factor, but is rather a combination of multiple ones. Moreover, as human security is intrinsically tied to human beings, and humans are different, it is practically impossible to pinpoint only one or two factors that make them insecure.

Another way in which it was mentioned that the violent conflict in the region affected the security is that it hindered development. While the attacks on and in the districts were a great security threat, it was not only because of the damage of the attacks itself on the area and the

people, but that it essentially blocked further development of the area. There is perhaps a conflict between attempting to tackle the violent conflicts in the area and ensuring the rights and security of the people living there. This impacts decisions in terms of what security measures should be put in place, when and for how long. For example, while evacuating civilians so that they are out of harm's way is important, there are limits to how long this can and should last before it severely affects the displaced persons. Evacuating an area also hinders development as it leaves the area vacant and disrupts the lives of the people. It leads to loss of revenue and disrupts the education of children, which among other things has the potential to impact future development in the area. Moreover, check points do also provide security from a human security aspect, as it protects people by striving to keep people with bad intentions from entering the area. However, it is more of a state-centred security measure, as it is essentially about securing an area (in this case a region within a state), at the expense of the individuals' rights. Despite this, if looking at the conflicts in the area as one of the main factors that pushed the merger, it may also be seen as something positive. With the merger, steps are taken to decentralise and develop the area to establish institutions and such things, which opens up for the possibility of the local people to participate in these processes and efforts (Khan & Hussain, 2020).

Moreover, another issue that the first interviewee found bewildering was that of deforestation in the area. As the interviewee explained, the deforestation was explained as a way of furthering the security of the Waziristan area, which was explicitly mentioned as an area where this was happening.

They said to make this area more secure, to check point security, we need to cut down thousands of trees, which is not really a sound argument. How can you secure a small check point by deforestation? (Interviewee 1).

Further, the interviewee alleged that the real reason behind the deforestation was economic profit and corruption. In terms of profit, it was seen as an act of plundering the natural resources of Waziristan, as well as disregard for the locals who were not in any ways compensated when this was happening on land that they owned. With the trees cut down, there was then timber left, which could have generated some revenue. However, this was not the case for the local people, who despite owning the land where the trees were cut down did not profit from sale of the timber nor any compensation at all. In general, the local people

have struggled with exploiting their natural resources, in part, due to poor technology and a lack of development skills (Mehmood & Mir, 2019). So, outsider help could be much appreciated, but not at the expense of the people, but rather in collaboration with them. Additionally, this deforestation also led to the possibility of building more bridges and roads, which was also claimed to be a security measure. However, the interviewee alleged that the building of infrastructure was not actually meant to improve the security situation for the locals, but rather intended to help the security forces more easily move around. This is an interesting point to note – forests were cut down to build infrastructure, which also opened for the possibility of establishing more check points. In addition, the first interviewee claimed that there are suspicions that the military is involved in activities such as smuggling timber and drugs, or that it at the very least was happening with their support. While a serious allegation, it also points to the deep mistrust of the military and security establishments, and the intentions behind their activities. In other words, the deforestation not only led to economic loss, but the reaction to it also reveals the lack of trust in the institutions. However, deforestation also invariably led to, or continued to affect, the local people in another way: restricted movement.

Freedom of movement is a noted issue in the NMTDs, as there due to security concerns are restrictions imposed by the government. This restriction involves there being limited access to certain areas of the tribal districts and was reported to be in place in the country reports of 2018, 2019 and 2022 (US Department of State). In other words, even after the merger, this issue is still highly relevant. While not necessarily falling under the seven categories of the human security paradigm nor the UN's focus on freedom from fear, want and to live in dignity, freedom of movement is an important human rights concept. This could be seen in relation to all the checkpoints in and around the tribal areas. The inhabitants in the tribal areas are not only restricted by an increase of checkpoints, but also curfews and even fences that are used to hinder their movement (International Crisis Group, 2018). While freedom of movement is certainly a breach of an important human right, it should also be considered in light of the security situation. Moreover, as stated in the third chapter, this research utilises the definition of human security provided by Alkire (2003, p. 2), where safeguarding “the vital core of all human lives from critical pervasive threats” is key. Thus, while these movement restrictions do breach the rights of the people moving in and out of the areas, the security aspect of it, which is that it is essentially there to ensure the security of the people, could be seen as taking priority in the short-term. However, as this was an issue before the merger, and

is still one year later, there is reason to question whose security it is that this is supposed to benefit – the state or the people?

While freedom of movement is restricted within the tribal areas, the area is also said to be easily accessible from the shared border with Afghanistan. As the second interviewee explained, the tribal areas had become an easily accessible point of entry and exit into Pakistan, and that this contributed to the insecurity of the area and the people residing there. However, it is interesting that while the residents of the NMTDs are found to be restricted in their freedom to move, criminals and militants seemingly have no issues getting in and out of the tribal areas. Due to Afghanistan's refusal to accept the drawn Durand Line, the border they share with Pakistan, the border remained unfenced, which has led to free movement over the border (Shakirullah et al., 2020). This has led to easy access across the border for Taliban and other militant groups, enabling them with the opportunity to establish camps in the tribal areas, which again allows them the opportunity to recruit local people (Shakirullah et al., 2020). Thus, it is clear that there are issues with the way that the entrance and exit points of the tribal areas are managed. While militants slip in and out of the areas, and the military cannot eradicate them, the local people bear the burden. They are restricted in their general freedom and movement, being displaced and experiencing the consequences of that displacement both personally and economically, and subject to human rights abuses such as killings and disappearances (International Crisis Group, 2018). How much should the tribal people be expected to accept under the pretence of a false peace? Until the militants are properly rooted out of the area and reform and development is introduced in a sustainable manner, there will be friction and anger. Fortunately, it seems like efforts are taken to regulate border movement. The Frontier Corps (FC), who are the primary responsible unit for border security, are working with establishing forts and border posts, monitoring and building fences, capacity building and securing and monitoring border terminals (Makki et al., 2022).

While both the first and second interviewee agreed that corruption was rampant, particularly within the leadership in the area and in its institution, the second interviewee contended that corruption was also apparent in the leaders' mission to hinder their population from becoming empowered. The reason for this claim was that certain facilities only existed "in name", or in theory. The leadership will claim that there is a certain amount of health facilities, educational facilities, etc. available in the areas, however the number that they provide is much lower in practice. The reason for this, the interviewee thought, was that by claiming a higher number

of facilities, the area was awarded a higher budget and amount to maintain facilities. However, as many of the facilities were non-existent, the funds do not benefit the local population, but rather the leadership. A lack of education, for example, is detrimental to the security of the people, as there is a link between peacebuilding and higher education, and attacks on higher educational institutions during war and conflict are known strategies (Shabab & Ullah, 2021). This lack of educational facilities, for instance, is apparent to some degree in the educational background of the inhabitants. Khan et al. (2022) noted that of the internally displaced people from the tribal areas, the head of the household was illiterate in as many as 47% of the families. So, overlooking the monetary side of the situation, this negatively affects the locals, and they are not provided these basic rights, and as such they are not able to become empowered and aware of their rights, and as such be able to demand these rights from the leadership.

When discussing obstacles to improve the security of the people residing in the former FATA, interviewee 2 explained their frustration, “We are also living in Pakistan, so why we are underprivileged? The funds are there, resources are there, even the natural resources are there. But why they are underprivileged?”. This exclamation of frustration could be seen in relation to the corruption specifically, and poor governance in general. Being provided with funds that are supposed to help push development forward in the area and to fund different initiatives does little to help if the resources are not properly utilised. As one interviewee explained in regard to the leadership, “They are also not sincere with their mission to educate them, to give them facilities like health, education, clean drinking water, protection and other” (Interviewee 2). Another point that was brought up was that of the lack of civil society present in the tribal areas, claiming that it is non-existent. While there are probably multiple reasons for this, continued attacks on both local and international NGOs are a major one. Allegations that civil society actors and international donors are supporting anti-Islam ambitions and sentiments have proved to present grave security challenges to the organisations, with attacks having been carried out (Ahmed, 2012b). Organisations and international donors play important roles in the development of underprivileged areas, and as a result of the conflict in the area, they have been pushed out. This has left civil society in a precarious situation, which effectively impacts civilian development opportunities in the tribal areas.

Now, having looked at some of the main sources and factor of insecurity in the NMTDs, the focus now turns to Pakhtunwali and how the culture has played a role in the conflicts in the area.

### 5.3.3 Conflict and Pakhtunwali

A central topic that came up in the interviews and discussion was that of the culture of the tribal areas and the people residing there. As already mentioned, the majority of the people residing in the NMTDs are Pashtuns. This is significant to note, because while the culture and social structure is important to the people, it also makes them vulnerable in one sense. This was apparent in the first interview, where the interviewee mentioned the culture not being acknowledged and recognised by the law as a reason as to why the area was still insecure after the merger. This is a valid point to make, as the culture and way of living is so ingrained into society there, that not taking it into account or simply ignoring it sounds like a recipe for disaster. Moreover, considering the importance of the culture and how central it is in their lives, as apparent through Pakhtunwali, ignorance or neglect of this may breed discontent and frustration.

Additionally, as Dawar (2020) writes, there has been made an attempt to correlate Pashtun identity with conflict since the 9/11 attacks, as a means to prolong the conflict in the tribal areas. This is serious not only because prolonging the conflict means that the tribal people are subject to violence and attacks that further impact their sense of security, but also because it paints the Pashtun people as conflict-driven people. It is almost like an attempt to normalise the severe security situation in the area and make it the fault of the people themselves. This is dangerous, because for there to be development and for the merger to fully be accepted, the tribal people need to be on board. Rather than to embrace the culture and work with the culture, and not against it, to bring reform to the tribal areas, they are labelled as ‘terrorists’ and humiliated, as per interviewee one. This is not only an issue at present time, but are also remnants of colonial stereotyping, which in part is what led to the FCR in the first place (Yousaf, 2019). The Pashtuns have consistently been presented as a violent people, alleged to be fierce and cruel warriors and called savage and uncivilized among other things (Yousaf, 2019). These are harmful stereotypes and do nothing but cause harm and troubles. The tribal areas have been essentially left on their own ever since Pakistan gained independence, and now that the merger has taken place, the focus should be on unification, not further division.

In addition, due to the FATA's position as a semi-autonomous region, as well as the general lack of a functional law enforcement system, the area was frequently used as a way of escaping justice in other parts of Pakistan. As was explained in the interviews, when militants or others committed crimes in a city outside of FATA, they would then escape to the tribal areas to escape justice. This was possible, in some parts, due to the cultural context. As one interviewee explained,

If you even kill someone from settler area you just run away to this tribal area and you are the guest of any *malik* tribal chief there you see. So when you go to there, supposed when you were there, all of the community was responsible for your security, you see? Your enemy if they were trying to kill you there, so not only the tribal chief, but the whole community. (Interviewee 3).

Thus, due to traditional customs, such as *melmastia* (hospitality), if a person were to come into the tribal areas and seek refuge with a tribal chief, they will be treated as a guest of the whole community, and as such will also be protected by the community (Shakirullah et al., 2020). In fact, according to Hilali (2010), this custom stand so strong that handing a guest over to an enemy is so unthinkable that dying is preferable to doing so. This is a cultural custom that is vulnerable to exploitation by militants and other people, as they could avoid repercussion for any unlawful or illegal acts committed outside of the FATA. However, as such, it is also difficult to find a way of combatting this issue without it imposing on the rights of the local community. On one side, these are customs and traditions that can, and have been, exploited by people with ill intentions. However, if the provincial or national authorities were to try and stop the local community from exercising their culture, that may also ultimately negatively affect the relationship between the locals and the state and its institutions. One of the local institutions that enjoys credibility and respect from the local population is that of *jirga*. The *jirga* is an institution “where community members call together a group of elders and/or competent and trusted villagers to mitigate a conflict” (Nyborg & Nawab, 2021, p. 137). As one of the interviewees explained, two disputing sides who may have engaged in violent conflict and even murder will go into a *jirga* as equals with no fears for their safety and security because the tradition is so strong. A concrete example they made was that they had found themselves in an area where there was a violent conflict most days, but every Friday from sunrise to sunset there would be complete peace. Because this was a decision

made in a *jirga*, on this day the conflicting sides would find themselves shopping in the local bazaar with no issues and would even pray together in their mosque. However, while *jirga* decisions were treated with such a degree of respect that nobody would think of violating it, the same could not be said for government laws, which they believed could be violated at any time.

At the same time, while the cultural context is important to better understand the security situation of the area, and why and how it is shaped by the culture and its people, as well as how disregard for the culture has implications for this, it is also important to understand how the culture may be hindering development. As one interviewee explained, society itself was an obstacle because “society is rigid” (Interviewee 2). Mehmood and Mir (2019) also noted that cultural traditions restricted the tribal people in the NMTDs. And this rigidity was particularly apparent in terms of girls’ education. At the same time, they acknowledged that some boys are also affected by this, but that the women in the society were the most affected because they were deprived of a basic right: education. However, it was not only in the educational department that there were issues, but also in terms of their health. Particularly the health of pregnant women, as well as a lack of neonatal health centres or services. In theory, these facilities were in place, but in practice, they were not according to an interviewee, with ghost/non-existing facilities being a general issue, as previously mentioned. When conducting a study on North Waziristan, Shakirullah et al. (2020) noted that women there lacked knowledge of basic human rights and state responsibilities and were in large part confined to their homes due to cultural taboos and religious obligations. Moreover, in the case of people committing crimes fleeing into the tribal areas to escape justice, this is a serious concern. The right to practice and follow cultural traditions, customs and law is an important right, but when these customs are taken advantage of by people who do not necessarily adhere to this culture, it becomes an issue. The human security definition that this research employs stresses the importance of protecting human lives from critical pervasive threats. While the presence of these people hiding from prosecution might not directly be a security issue, it does become one when the state has to carry out military operations to drive them out, as these operations lead to insecurity for the local population.

Additionally, while the right to practice their cultural customs and traditions is important, this should not be practiced at the expense of the individuals’ rights. As the United States country report on human rights practices in Pakistan reported, “The use of informal justice systems

that lacked institutionalized legal protection continued, especially in rural areas, and often resulted in human rights abuses” (US Department of State, 2018). Moreover, the report asserted that local council meetings such as *jirga* were used to settle feuds and impose penalties under FCR guidelines. However these councils were also found to sentence women to violent punishments or death for honour-related crimes. Thus, not only are the *jirgas* found to be following outdated guidelines, but they also engage in human rights abuses by employing death penalties. Honour-related crimes do not necessarily entail an actual punishable crime having been committed, but rather a perceived violation of the individual, or family’s honour, and as such demands a punishment. In other words, there are human rights abuses occurring, which violates the security of individuals undergoing trial. At the same time, gender is also an important factor in terms of the prosecution of the individuals, as well as influencing whether the punishment is commensurate with the supposed crime. It seems that people who temporarily reside outside of the tribal areas are starting to have a change in mindset, where they are starting to realise that certain norms and practices are harmful (Makki & Akash, 2022).

However, it is not only the cultural context that is important to understand the security situation and landscape better, especially in terms of what factors influence both security and insecurity, but also to understand the past and the experiences of the local community. One factor that was brought up in all three interviews was that of mistrust. There seemed to be a widespread lack of trust between the locals and the people who were in charge, the FCR political agents, the existing institutions and to some degree the tribal elders. However, as one interviewee explained, each household were in possession of firearms to be able to secure themselves against others. Thus it is probable to assume there was a general mistrust was apparent in all spaces of the communities. Again, some of these issues are probably linked to the corruption that was widespread before the merger. While they can, and absolutely should, adopt measures to combat the factors leading to the mistrust, there is also another important factor to consider. After living through certain conditions for many decades, there should be no expectations of these issues being resolved immediately. Time is important to consider. It will take time to heal all wounds, and in this case, mistrust is one of them.

#### 5.3.4 The Implications of Displacement and Militantism on the Sense of Security

One important factor contributing to the insecurity of the people living in the NMTDs is the issue of displacement. Not only has the displacement itself made the affected people's lives more insecure, but when they return to their homes, they often encounter issues of the infrastructure having been destroyed. Returning home to their houses, roads, schools and other important structures being ruined or severely affected by operations intended to eventually secure their areas, leaves them in a precarious situation. Despite this lack of infrastructure and housing as well as the unstable security situation, many IDPs want to return (US Department of State, 2022). The disruption to their social lives and structures was not the only issue, however, but rather the disruption to their sense of being. As one interviewee explained, he had asked an elderly displaced woman what she missed the most about her village, and her answer was the sounds of the birds. In her opinion, her village and district were the only places with that distinct bird song. This is an example of how material, physical factors are not the only ones affecting an individual's sense of security, but there is also the felt aspect of it. To this woman, that particular bird song was what reminded her the most of home and what she felt an absence of, so it can be understood as representing her sense of security. Not only is the song the birds sing different in the area she has been placed, but just as this feeling of being at home has been disrupted, so has her sense of security.

Displacements can be seen in relation to the points that Booth (1991) and Bilgin (2003) make, respectively, that states are too unreliable to use as primary referents in security theory. As they explain, actions made to secure the state also has the possibility of weakening the security of their populations, by essentially sacrificing the individual's security in favour of the state's security. This is a highly relevant argument to explore, as the state's counter-terrorism initiatives has had the consequence of internally displaced people. According to Ahmed (2012a), military operations led to the displacement of over three million people in the FATA region as well as in Swat, only between the years 2008-2009. In addition, more than 900 000 people were evacuated, so they were not put in harm's way as a result of the military operation Zarb-e-Azb (Javaid, 2015). Despite the massive amounts of internally displaced persons and destructions to the district, operation Zarb-e-Azb ultimately proved to be a step towards an improved security situation in North Waziristan (Makki & Tahir, 2021). Yet, while the overall security situation has improved, it is the people that have been the most severely affected.

Another way of looking at this situation, specifically in the case of North Waziristan with Zarb-e-Azb, is that it shows how security is not an either/or dichotomy. This is apparent because while the people were displaced so that they would be secure, it subsequently provided them with in an insecure situation as a result of being forced out of their homes. Furthermore, this was meant to be primarily a short-term issue, with the formal process of returning the displaced people to their homes beginning in 2015 through the military forces having to declare that the areas were ‘cleared’ before allowing anyone to return. However, as of 2020, this was still an on-going process, with a part of the region still waiting on being ‘cleared’ (Makki & Tahir, 2021). While this supposedly allows the returnees’ lives to return to normal, the prolonged time they were away has left them with other issues upon return. For example, they have faced the issue of their properties having been damaged or reduced to ruins as a result of the conflict and the length of their absence from their homes (Makki & Tahir, 2021), as well as loss of employment and general economic loss (Dawar & Ferreira, 2021). In an effort to secure the people by sending them away for a short period so as to make their communities safer, the people were made insecure in the process. And then when the operation ended and they were allowed back, they came home to destroyed properties and livelihoods, once again making them insecure. So, while they may now live in a safe and secure environment and community, on an individual level they are left insecure.

This begs a further discussion of whether military operations are incompatible with the notion of individual or collective security. That is not to claim that military operations are merely disastrous for the local populations and just as bad for the security of the people residing in the areas as other militant groups’ activities. While the former is generally done with the intention of making the situation more secure for the locals, it does also have the adverse consequence of, at least in the short-term, making their situation more insecure. As Dawar and Ferreira (2021) note, in the tribal district of North Waziristan, the government has conducted multiple military operations since 2003. This has adversely affected the residents of the district as they are left with social, economic and psychological problems (Dawar & Ferreira, 2021). It has to be acknowledged that while the intentions behind launching operations may be good, and generally favourable to the pre-existing situation in the area, the consequences that the locals face is ultimately the same. While it may very well improve the security situation from a state-centred point of view, that was not the case during the operation, or in the immediate time after the operation. Measured against the working definition of human security this research applies, this has undoubtedly harmed the human

security of the local people and left them insecure. In relation to this, in their article, Makki et al. (2022) note how the perspective of society and the native people in North Waziristan is not taken into account, rather the focus is on the Pakistan state's point. With the persistent violence in North Waziristan, as well as other districts in the NMTDs, it is worth attempting to shift the focus from a state-centred point of view to a human-security one, or even just a societal lens.

Related to the issue of displacements as a consequence of military conflict, is the reason for the aforementioned displacement, the militant groups. The issue of the militant groups hiding in the area, as well as planning and carrying out attacks constitute a major security issue for the region, both at an individual and collective level, as well as a national and international. The main reason behind the military operations is to improve the overall security situation by eliminating the militant groups in the area. Thus, it could be argued that while the operations themselves leads to mostly short-term insecurity, it will in the long-term be preferable to a situation where the militant groups are allowed to continue as they please with little to no resistance from the state. However, in the case of North Waziristan, where displaced persons were still waiting on being allowed back six years after the start of Operation Zarb-e-Azb (Makki & Tahir, 2021), and repeated attacks by militants was still an issue years after the operation (Makki & Akash, 2022), the sentiment might not be shared. Once again, this becomes a discussion of state security versus human security. Now that the people of the NMTDs are allowed political representation and rights as a result of the merger, they will hopefully be able to influence political decision making and reform and development in the tribal areas. The people most affected by any reform should be listened to, to ensure that their concerns are addressed, and to make sure any changes are sustainable and lasting.

As previously mentioned, an important area where there was mistrust was between the police forces and the local people. This is an important issue to tackle because there is a dire need for trust in a community, especially towards institutions, for the community to be able to live safely, but also for it to run effectively. The claim that the non-Pashtun military do not respect the local culture nor trust the local population is somewhat asserted in the 2022 United States country report on human rights practices in Pakistan. In the report, it is stated that appearance, dress and ancestral origin district were factors that led to Pashtuns being profiled as militants (US Department of State, 2022). Based on this, it could be argued that these actions of the military are an infringement on the security of the local Pashtuns of the tribal areas due to it

influencing the military's behaviour of the locals. However, this is also one of the seven human security categories as community insecurity is associated with inter-ethnic tensions (Human Security Unit, 2016), and as such could be seen as a root-cause for insecurity in the region. Moreover, mistrust in the police and security establishment leads to a need to ensure their own security in other ways. Thus, individuals arming themselves, or households which is indeed the case according to one of the interviewees, within an area is an initiative that ensures individual security. By doing so their security is, quite literally, in their own hands. Yet, overall heavy armament in an area is counter-intuitive, as it also leads to quite an unstable security situation, both for the individuals concerned as well as the state.

## 6. Conclusion

This thesis aimed at examining Pakistan's 25<sup>th</sup> Amendment and its political, social and economic impacts on the tribal areas and the Khyber Pakhtunkhwa province, as well as the human security and overall sense of security of the people living in the area. By focusing explicitly on the Amendment and the practical implications of the merger, it allowed for a comparison as the merger led to a clear distinction between the period before and after the merger. To do so, the thesis started with presenting the background for the topic of choice, by looking at former research conducted in and about the area. A research gap was identified, which was a lack of research on the merger of the FATA and KP province, and how this merger affected the security situation in the area, which this research aimed at filling, to some degree. Then, a review and a presentation were done of the theoretical framework that this research is based off, which is Feminist Security Studies, human security and conflict. Moving on, the methodology and methods of data collection and analysis were presented before the focus was turned to the analysis and discussion of the data gathered.

The first section of the analysis and discussion chapter set out to shortly establish some general context on the tribal areas and what ultimately led to the merger. Firstly, the section established what made the tribal areas so special by looking at the organization of the region and specifying the particular characteristics that made the region stand-out from the rest of the country. In terms of physical characteristics, the geography, climate and the shared border points with Afghanistan were identified as factors that made the tribal areas different from other parts of Pakistan. In addition, the FCR framework and the region being mostly occupied by Pashtun people and tribes and their culture were central factors. Thereon, the focus was

turned to the merger itself, more specifically what the 25<sup>th</sup> Amendment involved and what the process was like up until the Bill was passed. The Bill was signed in May 2018 after a short period of time after it being proposed, however this was not the first attempt at bringing reform to the FATA. Previous attempts had been made, and in 2015 the then-prime minister set up a Committee which was focused on proposing recommendations for a way of mainstreaming the tribal areas. Despite allegations that reform was first possible in 2018 due to the security establishment pushing for it, there were little political resistance, and a survey showed that 74% in the tribal areas approved of the decision. Moreover, there were opposition from the tribal and community leaders who felt the decision was rushed and believed that they, and the people in general, should have been consulted. Despite these concerns the merger has taken place and led to changes in the tribal areas, which is the point of the second section.

The second section tried to analyse and discuss in what the impacts and consequences of the merger was. This section firstly established that with the merger came a changed security situation – the landscape was now different. The most significant change was likely that the Frontier Crimes Regulations was discontinued, with the tribal areas and its people now being brought into the mainstream and awarded the same rights as the rest of the people in Pakistan. However, it was argued that despite a change being apparent, this change was not necessarily a change that made the people feel more secure. Though it was apparent that the immediate threat of violence and attacks from militant groups had declined rapidly following the merger, the effects of the efforts to rid the areas of militants and end the conflict had left the people insecure. This was seen in the most part in relation to displacements but is a point that was further explored in the next section. While the end of the FCR was an important step in ensuring the legal rights of the people, the discontinuation of it did not immediately improve their security, as weak and poorly led institutions proved to be another issue. There was a disbelief that the police force was capable and qualified enough to do their job properly, and the alleged ratio of one police officer per every 1000 citizen did little to alleviate the concerns. With the merger came essential institutions and departments such as a health department, and in general access to facilities and resources that was not present prior to the merger, which was considered to be important and received well. However, a rampant corruption problem has led to mismanagement and neglect of the resources in the region, which has affected the people's trust towards institutions. As such, it was of interest to note that it seems to be mostly community leaders and elders, in other words those with power,

who oppose the merger. They make valid points in criticising the decision taking place without any consultation or vote being held in the tribal areas, but as opposition seems to be limited to these groups, it also begs the question of whether they have the best interest of the community in mind, or own interests.

The third, and last, section of the analysis and discussion chapter aimed at understanding and examining the impact of the merger on the people's sense of security. To do so, this section was split into four parts, where the first was focused on establishing the interviewees' understanding of security. This was done to prompt the interviewees to think about how they think of security and why, so that the rest of the discussion could be examined and analysed in light of this. After this, some of the central factors causing insecurity for the people were identified, which were weak institutions, corruption, mistrust and conflict. It is worth noting that these were issues identified in the earlier section as well, showing, perhaps unsurprisingly, a direct correlation between what causes insecurity in the population, and what factors the work after the merger is focused on improving. Overall, the years of conflict and unstable security situation severely affected the population, not only in terms of their direct security, i.e. threat of death or injury, but also their overall sense of security – their economic prospects and livelihoods, education and trust among other factors. What seemed to be one of the most damaging factors was the lack of trust, because trust is so fundamental to a society. Trust not only in each other, but in the institutions, the leaders and in furthering development. Remarkably, one aspect of society that stood strong despite all this was their culture and Pakhthunwali. As the majority of the population are Pashtuns, the tribal people strictly followed the code of Pakhthunwali. While perhaps this strong culture was prone to misuse, as particularly their hospitality, *melmastia*, was taken advantage of by people escaping conviction in other areas of Pakistan, as well as militants. At the same time, their culture and its customs and traditions were seen as a factor contributing to security. Additionally, it has historically and at present been a root cause of harmful stereotypes and mistreatment by non-Pashtuns. Thus, it seemed like the cultural context was both a factor contributing to a sense of security, and in some ways furthering their insecurity.

In conclusion, this thesis has attempted to show how the 25<sup>th</sup> Amendment has affected the human security of the people, by addressing and examining how there is a correlation between any security measures and insecurity. Prior to the merger, the tribal areas and its people were socioeconomically and politically neglected, having endured the FCR framework

and its consequences since colonial times, and being essentially cut off from the rest of Pakistan. The years of conflict, attacks and military operations also left the people in a vulnerable position, time and time again being victims to exploitation and used as pawns as they were caught in the crossfire of conflicts between militants and the Pakistani state. Despite these short-comings and issues, the people living in the NMTDs have not been only secure or insecure at any point. As established by Sjoberg, security and insecurity are not an either/or dichotomy, and the case of the NMTDs does show this. Moreover, the merger has paved the way for structural reform, providing the people with basic rights they were deprived for, and in general set the stage for possible development and security. What is left now is to see whether they are able to overcome these difficulties and issues, and introduce changes that are sustainable. To do so, I hope they keep in mind that local ownership is key, and that the best way to make lasting change is to consider the context and act accordingly.

This thesis has been limited in its scope and size, and had I had the resources and the ability to further research these issues, I believe it would be interesting to look more at how identity influences people's sense of security, perhaps most interestingly in terms of gender. In addition, as my data collection was quite limited, I believe a bigger sample and generally more data would have unveiled other contributing factors and issues, and at the very least introduced more perspectives. In general, I believe more research on people's sense of security in the NMTDs and how it continues to change moving forward is highly interesting and relevant. Considering the efforts behind the War on Terror, and the role of the tribal areas as hiding place for militants and terrorists, it makes it an interesting and highly relevant area to research from a security point of view for the Global North. Lastly, I believe that it would have been extremely interesting to research the NMTDs and these issues from a postcolonial perspective, as the colonial times has clearly left a mark on the area. So, while it is highly relevant to research this area from a security standpoint, considering the history and occurrence of conflict in the area, I believe a postcolonial lens would also be a suitable alternative.

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# 8. APPENDICES

## Appendix A: Map of Khyber Pakhtunkhwa



Source: International Crisis Group. (2018). *Shaping a New Peace in Pakistan's Tribal Areas*. (Crisis Group Asia Briefing N°150). Retrieved from <https://www.crisisgroup.org/asia/south-asia/pakistan/b150-shaping-new-peace-pakistans-tribal-areas>

## Appendix B: Interview Guide

Objective: Examine any changes the conflict has made to the people's sense of security.

- Firstly, could you briefly describe what work your organization has done in the former FATA?

*RQ1. How did the conflict, and subsequent merger, affect people's sense of security?*

- When you think of the word 'security', what thoughts come to mind?
  - o Why do you think this is the case?
- In your opinion, and based on your organization's work in the area, what factors influence people's sense of security in the former FATA?
  - o How was the security in the area before the merger?
    - Were there any challenges to the security? If yes: what were the challenges?
  - o How has the security been in the area after the merger?
    - Are there any current challenges to the security? If yes: what are the challenges?
  - o Are the challenges to the security similar before and after the merger?
    - What is the reason behind this?
- Do you believe there is a difference in the people's sense of security before and after the merger?
  - o Why do you think this is the case?

*RQ2. What are the factors that influence people's sense of security?*

- What factors do you think make people feel secure?
- What factors do you think make people feel insecure?
- Do you believe it is possible that these factors overlap?
  - o Why is that so?
- What do you feel, or does your organization think, would be the most important ways to improve people's sense of security?
  - o What are the constraints to this, do you think?
- What actors should be involved in this? And in what ways should they be involved?

*RQ3. In what ways might the experiences of people differ according to identity markers such as gender identity, education, age and socio-economic status?*

- Do you think people who have experienced the same situations might react differently? I.e. that one person can feel insecure, while another feels secure through the same circumstances.

- Why is that so? What do you believe is the reason for this?

Objective: Examine the merging of the Federally Administered Tribal Areas with the Khyber Pakhtunkhwa province.

*RQ1. What actors were involved in the merger?*

- Ask this.

*RQ2. What were the reasons behind the decision to merger?*

- In your opinion, or your organization's opinion, what were the reasons behind the decision to merger the FATA with the Khyber Pakhtunkhwa province?

*RQ3. What were the challenges prior to/of the merger?*

- What challenges were present in the area before the merger? Not necessarily particular security challenges, but challenges, nonetheless.
  - Can you identify different challenges belonging to different actors? Did the people have some challenges, the leaders, the Pakistan state?

*RQ4. What policies and projects were implemented in the merged districts?*

- Were there any policies or projects implemented during or after the merger that affected people's sense of security?
  - What were these policies or projects?
  - Did these measures lead to more security or insecurity in the population?
    - Why do you think this is the case?
- There has been an extensive police reform in the merged districts - how has this affected people's sense of security/insecurity?
- What projects did your organization implement in the merged districts?
  - Did this affect people's sense of insecurity? In what ways?
- To your knowledge, what **other projects** were implemented, and **by whom** (govt, NGO etc)?
  - How did these projects affect people's insecurities?
- I don't have any more questions, but if there is anything you would like to add or any topics that haven't been brought up that you would like to mention, please feel free.



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