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The Federally Administered Tribal Areas of Pakistan and the Legacy of Colonial Violence

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ABSTRACT

Following the 9/11 attacks in 2001, George Bush called FATA as "one of the most dangerous areas in the world." What led FATA to become the most dangerous place in the world? This paper employs the critical approach of postcolonialism to argue that it is the most relevant framework to understand the legacies of violence that have shaped the region of FATA, especially in terms of the colonial state's interaction with, and methods of control practiced over, the tribes of FATA. The methodology involves a comprehensive analysis of scholarly literature, government reports and data gathered by international organizations. To help understand violence and how it was used by the British over its colonial subjects, this paper employs the category developed by Johan Galtung called "structural violence" which refers to repressive administrative structures and legal frameworks that led to the marginalization of this region and its inhabitants. The objective of the study is to develop a comprehensive study of how structural violence was used by the colonial government as a means to subdue and control the inhabitants of tribal frontier, and establish how these colonial legacies of violence have had a postcolonial after-life. The results indicate that these legacies of structural violence have led to dire consequences for the postcolonial state, its inhabitants, and the world at large.

| **KEYWORDS** | Colonization, FATA, Governance, Post-Colonialism, Structural Violence |

Introduction

"To have been colonized", Edward Said (1989) argues, "was a fate with lasting, indeed grotesquely unfair results." The Indian subcontinent was governed under direct British rule from 1858 till 1947. During this time, the British devised new forms of governance and rule in the Indian sub-continent, sometimes overlapping with their own modes of administration, but sometimes completely distinct and innovative. The British rule formally came to an end in 1947, resulting in the creation of the independent states of India and Pakistan.

Do forms and modes of governing, *and* the tools used to achieve governance outcomes, become obsolete when colonization ends, or do they linger on as legacies that the former colony can neither escape nor overcome? This article employs the perspective of postcolonialism to suggest that colonization never really ends. In fact, the idea of postcolonialism is based on the very thinking that there is no rigid division between the onset and aftermath of colonialism. It is a "disciplinary project devoted to the task of revisiting, remembering and, crucially, interrogating the colonial past" (Gandhi, 1998). Any analysis dealing with former colonial states is incomplete if we do not take into account how the colonial experience shaped their institutions and structures. This becomes even more important when studying contemporary conflicts and forms of violence because they often reflect "historical marginalization of particular regions or communities" (Chandra, 2013). History is itself an important component in understanding contemporary phenomenon. For instance, the path dependency theory states that "institutions of a state structure and channel their behavioral standards along certain established paths" that are "a result of decisions taken in the past" (Khan, 2011). These are "reinforced over time", "locked in" and

"institutionalized" so that they become embedded in a society and are difficult to deviate from (Khan, 2011). According to Paul Pierson (2000), "history matters" and it is important to understand that "the necessary conditions for current outcomes occurred in the past." Another key idea of this approach is that "particular courses of action, once introduced, can be virtually impossible to reverse" (Pierson, 2000). Hopkins (2015) explains this phenomenon in terms of frontier governmentality whereby colonial states created 'peripheries' within the ruled lands in which "the imperial objects [lived] in an imperial space, as opposed to colonial subjects that were under direct British rule and control." These peripheries were areas to be 'managed', not 'governed' and hence, everything from administration, control and management of violence was done differently here. When this 'difference' got embedded in the system over time, it became a permanent part of history, and as suggested above, became a necessary condition for future outcomes. This paper examines the colonial frontier tribal regions of the Indian sub-continent under British rule until 1947, and their postcolonial counterpart, the Federally Administered Tribal Areas (FATA) in Pakistan from 1947 till 2018, to identify the continuities in their systems of governance, focusing specifically on the use of violence by the State. The purpose is to establish that while one might be inclined to think that violence is temporary and happens at certain places at certain times only, there are, in fact, long term consequences of using violence as a tool against a specific group of people. In the case of the frontier tribal regions of the Indian subcontinent, different forms of violence were used to manage the territory and its inhabitants, and the same continued to be employed in post-partition Pakistan. These legacies of violence resulted in dire consequences for the region of FATA itself, in terms of development, for the Pakistani state, in terms of existential threats to its sovereignty, and for the world at large, in the form of terrorism.

Following the 9/11 attacks in 2001 and the subsequent invasion of Afghanistan by the US, the Federally Administered Tribal Areas (FATA) of Pakistan were thrust in global spotlight as the epicenter of global terrorism. As the US troops moved into Afghanistan, the Taliban and Al Qaeda militants used the porous border between Pakistan and Afghanistan to cross over into Pakistani territory and then used it as a center for regrouping and regenerating their terrorist networks. In 2008, Bush called FATA as "one of the most dangerous areas in the world" (Iqbal, 2008). The annual threat assessment by DNI in 2008 stated that "Al Qaeda is using the FATA to launch another attack against America (Combating Terrorism, 2008). Major terrorist attacks such as "the London subway bombings, March 11 Madrid bombings and most of the other recent strikes at the West" were planned in FATA (Johnson & Mason, 2008). In addition to these global threats, the region also became a source of instability for the Pakistani state as a result of terrorism, and terrorist attacks started happening all over the country. The Tehrik-e-Taliban Pakistan (TTP) and affiliates of Al-Qaeda became the largest militant organizations fighting the state. For a considerable amount of time, especially from 2001 to 2014 (when Pakistani military launched operations against the militants in the aftermath of an attack on Army Public school in which 150 people, mostly school-going children, were killed), FATA came to be known as 'Elaka ghair', meaning 'the land of the lawless', and a safe haven for militant groups. It was also the poorest and least developed region of Pakistan, with more than 60 per cent of the population living below the poverty line (International Crisis Group, 2009). This paper seeks to argue that the violence coming out from the region is at least partly, if not mostly, attributable to the British colonial legacy in the region, and especially their interaction with, and methods of control practiced over, the tribes of FATA. The fact that the British administration of the area was mostly replicated by the Pakistani state after its creation is telling of the impact of colonial legacies in the region. The inhabitants of the FATA region have been subjects of unproportionate violence, specifically with regards to colonial-era laws that have denied them rights as equal citizens of the country.

Structural Violence

To elucidate how violence was used by the British over its colonial subjects, this paper will employ the category developed by Johan Galtung (1969) called "structural violence." Structural violence is indirect violence. It does not entail the direct use of force against someone. Instead, it is violence that is "built into the structure and shows up as unequal power and, consequently, as unequal life chances" (Galtung, 1969). Galtung equates structural violence with social injustice. He argues that if in any society, people starve to death when it could have been avoided, it is indicative of structural violence. Similarly, unequal access to natural resources, lack of educational opportunities, economic marginalization and absence of political control are all various forms of structural violence, because they are rooted in the system that an individual is a part of. It can be brought about by discriminatory laws, unjust social conditions, biased policies etc. The more deep-rooted they become, the more likely they are to persist over long periods in time. In a postcolonial setup, this can happen when the "transfer of power" simply replaces "one ruling class with another" while the patterns of structural violence continue "through the marginalization of certain classes and people" (Parashar, 2009). In the context of the Indian subcontinent, one of these marginalized classes were the frontier tribals. With the creation of the new state of Pakistan in 1947, an overwhelming number of them voted in favor of becoming a part of Pakistan. Of the total of 572,798 votes, 289,244 were cast in favor of Pakistan and only 2,874 for India (Khan, 2011). A local *jirga* held in the area also supported this decision. However, their fate did not change, and they continued to be marginalized in the postcolonial state. As Parashar (2009) puts it, "the imperial/colonial states in the practice of violence are matched by their postcolonial counterparts in equal measure." Legacies of violence are hence inherited and passed on from the former to the latter. In other words, a postcolonial state consisting of marginalized groups that have been subjected to violence historically, often continues to treat these groups as second-class citizens and is equally oppressive and violent towards them. This is despite the fact that the "projected postcolonial nation-state holds out the promise of full and participatory citizenship" (Gandhi, 1998). In Pakistan, these marginalized people belonged to FATA, a Pashtun-dominated region on the border of Pakistan and Afghanistan which has been isolated and excluded from the central state structure ever since its integration into Pakistan. This othering has resulted because of "Pakistani state's colonial-like treatment of the FATA region" (Yousaf, 2019).

Structural Violence in British India

The British annexed the areas of Sindh and Punjab in 1843 and 1849 respectively. The Pathan and Baloch tribes lived beyond these conquered areas in the hills, i.e., the tribal areas. While the conquered areas in the plains were immediately put under standard European administration, those in the hills were subjected to different forms of administration over time (Aziz, 2005). The tribes in these areas were put under "British rule", not "control, leading to a "bifurcated frontier" (Hopkins, 2015). From 1849 till 1876, the British followed a Closed Border Policy (also known as Policy of Masterly Inactivity) whose objectives were "non-aggression on tribal territory and non-interference in tribal affairs" (Haq, Khan & Nuri, 2005). After 1876, due to strategic reasons, the British adopted the Forward Policy which entailed active penetration into the tribal areas to obtain control and order (Bangash, 2016). In 1877, under the administration of Lord Lytton, the area was divided into agencies which directly came under the administrative control of a British appointed agent (Haq et al., 2005). These policies were implemented "to maintain law and order in the strategic northwest border region with Afghanistan and keep its tribes 'on side'" (Akins, 2018).

There were three pillars of British administration in the tribal regions: the Political Agent (PA), Tribal elders or maliks and the Frontier Crimes Regulation (FCR).

The PA was appointed by the British "for the five tribal agencies established along the Durand Line in the late 1980s" to "represent British interests among the tribes under his charge" (Akins, 2017). These PAs were the locus of authority in their respective regions. The tribal people used to call the PAs of their region as 'badshah' or king (Ahmed, 2013). Under the law of this region, the PA had "almost unlimited legal authority" and "simultaneously served as the chief of police, judge and executioner, backed by the ever-present threat of military force" (Akins, 2018).

The maliks were the traditional leaders and elders of the tribal regions. They "worked as middlemen for the government" working as a liaison between the political agent and the tribal people (Verkaaik, Khan & Rehman, 2012). They were selected by the British on the basis of their power and influence (Khan, 2020). They carried out tasks such as keeping "borders open for trade and strategic purposes" and ensured that the tribesmen followed the orders of the administration (Shah, 2018). They were also members of the tribal 'jirga' which had the authority to make decisions regarding the tribe according to tribal customs. In return for their loyalty and services, the maliks received allowances from the British which they could distribute among their tribes. The Maliks were usually rewarded up to 7 percent more than the amount given to the tribe as a whole as extra compensation (Haroon, 2007). It is important to note here that this practice of paying allowances to the maliks in exchange for their services was in place even before the British arrived in the subcontinent, (Ahmed, 1980) but it was the British who formalized it and developed it as a "fixed system of permanent genealogical hierarchies" (Marten, 2015). Earlier, the practice had been to "buy off individual maliks as needed" but the British developed a proper system on paper in terms of regular payments as a result of which, "malik status became official and hereditary, rather than something based on the equality of all honorable men," (Marten, 2015) which was the tribal custom of the time. Akbar Ahmed (1979) has called this system of political allowances and titles "instruments of repression and subversion" because it established permanent patronage networks which could be easily exploited by the administration.

The Frontier Crimes Regulation was first introduced in the tribal areas in 1872. The foremost feature was this Regulation was the legal sanctioning of all the powers of the PA. Under the FCR, "an innocent individual can be imprisoned for the crimes of their kin, the government can displace entire villages without compensation, explanation, or warning, and individuals can languish behind bars for up to three years without any charges being filed" (Akins, 2017). It gave the PA "unparalleled authority to arrest, detain, punish or acquit any individual under trial or arrest" (Khan, 2011). The traditional jirga which was responsible for resolving disputes was put under the PA, thus giving the latter executive as well as judicial power. Hence, one single person became the "judge, jury and prosecutor" holding "enough power to decide on the fate of a whole village or tribal agency (Yousaf, 2016). A special group of militias was raised by the British to provide support to this system. They were called the 'khassadars' and they helped "thwarting those who proved too troublesome to [maliks' and PA's] authority" (Tahir, 2017).

This three-tier system of administration used to rule over the tribal areas became the source of structural violence in the region. As these areas were exempt from direct control and put under the repressive laws of the FCR, the British focused only on managing the tribal people to quell potential or actual tribal rebellions against the British. No doubt, the PAs were given such sweeping powers to suppress and inhibit uprisings from the 'violent' people of the frontier. *This* is what the success of the PA depended on, not on political or social or economic development. The people were denied even the most basic rights by subjecting them to laws based on colonial knowledge and assumptions. The development of the colonized land and modernization of its backward people has traditionally been the most basic colonial agenda, but in the case of the frontier tribes, they were not even considered worthy of the civilizing and development mission. In the rest of the empire that was directly under the British rule, at least they left behind proofs of their

modernity, i.e. infrastructures, roads, educational institutions etc. But in the frontier, as a result of the "geographic and administrative isolation" (Akins, 2017), there was minimal development carried out in the entirety of British rule. It is said that Evelyn Howell (1979), a British civil servant remarked on the condition of the British rule in Waziristan in 1920s in the following words: "What a record of futility it all is!" And no doubt, record of futility it was: in 1947 as the British were going back home, "there was not a single school, dispensary, electric bulb or government post in (what is now) the Mohmand Agency area" and "no hospitals, schools, colleges, railways or electricity in the Tribal Areas, except of course facilities like electricity locally generated within British cantonments and for the exclusive use of the British" (Ahmed, 1979). Hence, even at the end of the British rule, these areas "remained closed systems in the most profound sense of the term; it was not only a different world, it was almost a different century" (Ahmed, 1979).

Structural Violence in Pakistan

As the new independent states of Pakistan and India were being carved out of the sub-continent, the Indian Independence Act of 1947 declared that

There lapse also any treaties or agreements in force at the date of the passing of this Act between His Majesty and any persons having authority in the tribal areas, any obligations of His Majesty existing at that date to any such persons or with respect to the tribal areas, and all powers, rights, authority or jurisdiction exercisable at that date by His Majesty in or in relation to the tribal areas by treaty, grant, usage, sufferance or otherwise.

This was like a clean slate and hence, the government of Pakistan was free to make its own arrangements with the tribal chiefs. However, the colonial legacy persisted and under the Government of Pakistan's Revised Agreements with the Tribal people, the new state "pledged to continue the existing benefits" and "maintain the existing internal arrangements in the tribal areas" (Haq et al., 2005). That is why it is commonly said that "FATA exists in a time-warp" (Asthana & Nirmal, 2009). Mohammad Ali Jinnah, the founder and the Prime Minister of Pakistan, even reversed "the British policy of "forward defense" by withdrawing the military garrisons and all regular troops" (Akins, 2017). In return, the maliks "pledged to come to the defense of the Pakistani state when needed" (Marten, 2015). It is believed that this arrangement was done for strategic purposes, especially to contain the Pashtun inhabitants of the region in the face of threats from Afghanistan of an independent Pashtunistan state (Akins, 2017). Whatever the reasons, however, the fact remains that the FATA inhabitants continued to be subjected to the structural violence of the same three-tier system of political administration that was earlier introduced by the British; the FCR remained in force till 2018, the administration continued to be run by Maliks through jirgas and the PAs retained their absolute powers.

The Chapter 3 of the Constitution of Pakistan dealt with the administration of the Tribal areas. Article 247 (3) gave the President the power to "make regulations for the peace and government of FATA." The governor of Northwest Frontier Province had been delegated powers to exercise authority as the representative of the President (Article 247(2)). No Act of the provincial and national Assemblies applied to FATA (Article 247(3)). Similarly, the provincial courts and even the Supreme Court had no jurisdiction over these areas (Article 247(7)). The administration was run under the FCR which gave executive and judicial power to a federally appointed PA. If the PA suspected any individual of planning or assisting in a murder or homicide or sedition, he could ask for surety or bond and if he was not satisfied, he could reject the bond and imprison him for up to 3 years (International Crisis Group, 2009). The PA also had power to punish entire tribes for crimes committed by its members "through fines, arrests, property seizures and blockades" even on mere suspicion (International Crisis Group, 2009). He could also confiscate properties of FATA inhabitants outside of the region and his decisions could not be appealed in Courts easily. He could "sanction expulsion from the agency of 'dangerous fanatics' and those involved in blood

feuds" and the "right to cause the death of a person on suspicion of intent to use arms to evade arrest" (Mahmud, 2010). The people of FATA hence did not have the basic legal "right to "appeal a conviction, right to legal representation and right to present evidence in order to argue (their) case" (Akins, 2017). The PA even had the power to appoint and remove maliks. The state gave these maliks allowances for their cooperation and good management of tribal affairs. Jirga decisions could only be appealed to the PA and he had final authority over the Jirga. He had the additional powers of even halting "construction of settlements on security grounds" and "demolishing buildings used for criminal purposes" (Wazir, 2009). The entire system was run "with the help of khassadars, the tribal security forces or laskhar" comprising of the tribal people "to defend their community or to apprehend criminals" (Shinwari, 2012). The right to vote was given to the residents as late as 1997, prior to which only maliks could vote, and "political parties were not legally allowed to campaign in the region until 2013" (Akins, 2017). Even when given the right to vote and choose their representatives, however, "it was not clear what those representatives were supposed to do" as "the federal laws they voted on did not apply to their own region" (Marten, 2015). Together, the maliks and the PAs "controlled everything in FATA society", from "economic assistance and trade to policing" and even "political expression" (Marten, 2015).

The State itself interfered minimally in the matters of the FATA. Dominant in state's thinking was a legacy of colonial knowledge which posited the tribal people as potential troublemakers. They were seen as "inward-looking, living in self-imposed social and cultural isolation and opposed to integration" (Yousaf, 2019). Afterall, even the Supreme Court accepted the "special provisions" that ruled FATA as valid by observing that its "inhabitants are governed by laws and customs which they are familiar with and which *suit their genius*" (cited in Mahmud, 2010, emphasis added). However, giving so much power to one person, i.e. the Political Agent, without any oversight or accountability meant that the physical condition of the region and the social and economic conditions of the people did not change much after 1947. With everything centered around the maliks and PAs, the State had no jurisdiction and FATA inhabitants were unable to develop independent political, economic and social opportunities for themselves. The result was that FATA remained "immersed in a security economy in which the splintering of law across multiple, overlapping lines of jurisdiction" created "opportunities for illicit bribes, payoffs and violence" (Tahir, 2017). There was widespread corruption and the malik-PA alliance came to be seen as a "mafia that controls trade, jobs, construction, development business and the funds meant for development" (Marten, 2015). In terms of development, the region remained poor and without adequate facilities. As Griswold (2004) put it, "to an outsider, most of Waziristan seems utterly desolate, as if a flood has just receded from its surface." Unfortunately, the State failed to anticipate or chose to ignore "the problems that emerged from retaining British legal and administrative structures and depriving its citizens of political and civil rights" (Shah, 2018). In 1998, literacy rates in FATA were 17%, while for the rest of Pakistan, it was about 44%. Similarly, population per doctor was a staggering 7670, while for the rest of Pakistan, it was about 1400. Poverty was at 60% for FATA, and 32% for the rest of the country (Zeb & Ahmed, 2019).

The first sign of trouble came in the wake of the Soviet Invasion of Afghanistan in 1979 and Shia revolution in Iran. To counter both, Pakistan received massive aid from USA and Saudi Arabia for *Mujaheedin* (freedom-fighters) and Sunni *madrassahs* (religious schools) respectively. At this time, "state patronage began to shift away from maliks to radical news *mullahs*" (Marten, 2015). The people also welcomed their rise as "they saw them as a counterweight to corrupt maliks" (Marten, 2015). It must be borne in mind that *mullahs* were able to penetrate this system and become powerful easily because of the lack of effective governance that existed there in the first place. A "governance vacuum had existed for years" (Yousaf, 2019) and so it was merely filled by religious and militant groups. By 2009, hundreds of official maliks were killed by militants while other "remaining official maliks chose to share their own state patronage funds with the Islamists, in effect buying their own security" (Marten, 2015). With the US invasion of Afghanistan in 2001, as the

Taliban militants escaped from there and settled into the border adjoining FATA areas, they "found the ideal context of lawlessness" created by "state's neglect and economic and political marginalization" to establish support and recruit members "through the slogan of social justice and Islamic law" (Zeb & Ahmed, 2019). As Mussarat Hilali (cited in Abou Zahab, 2016) put it, "the average Taliban recruit was a poor man with no job" and no future "who suddenly gets sophisticated weapons, a car, a mobile and cash." According to International Crisis Group (2009), the Taliban gave its recruits a monthly salary of Rs. 15000, while the average monthly salary of even the tribal levies at the time was Rs. 3500." The structural violence perpetuated in the FATA areas over the years "created a no-man's land where militants and criminals easily found a safe haven" (International Crisis Group, 2009). Once they started to regroup, "there was no effective political, administrative and legal system to challenge and curb their activities" (Ahmed, 2013). In fact, the Taliban's popularity soared among the people when they started establishing courts and promised speedy resolving of disputes and other matters through them, and promised to provide employment, social equality and opportunities for the local people. They, hence, presented themselves as an "alternative moral authority" (Abou Zahab, 2016) which was easy to do so as no such authority existed in the first place.

The path-dependency approach is helpful in understanding that the history of the region and how it had been historically governed was an important factor in explaining its susceptibility to militancy over the long-term. The region was treated as a periphery in the colonial times, as well as after independence. The mechanism used to do so was also the same, i.e. by using the repressive political administration system legalized under the FCR. Of course, it is not the only factor that explains the 'Talibanization' of the region, but it is definitely one of the underlying causes without which the analysis is incomplete. The entire colonial legacy of structural violence is key in this regard. No doubt, this legacy has had severe long-term consequences and a devastating impact on the stability of the Pakistani state. "Widespread political assassinations, terrorist attacks and periods of intense combat with Pakistani military and paramilitary forces… made the border area most radicalized and most troubling" (Johnson & Mason, 2008). Hundreds of Pakistani soldiers lost their lives between 2004 and 2007. Since 2006, terrorist attacks by the Pakistani Taliban started occurring in Peshawar and Islamabad, and gradually all over Pakistan. According to some estimates, 67,000 Pakistanis were killed in terrorist attacks across the country between 2001 and 2017 (Zeb & Ahmed, 2019). The Economic Survey of Pakistan reported that from 2002 to 2017, the economic cost of terrorist attacks in the country was about $123.13 billion (Zeb & Ahmed, 2019). The militants also continued to launch terrorist attacks in Afghanistan from their bases in FATA, thus also threatening regional stability.

Conclusion

As discussed above, the colonial legacies of violence persisted in the frontier tribal regions, and it can be safely claimed that they have had a postcolonial afterlife. During the British era, violence and force was used to control the tribal people so they did not pose any threat to the rulers. The British subjected them to structural violence in the form of repressive administrative structures and legal frameworks that led to their marginalization. But the British were colonizers; they were foreign people who came to India to carry out their civilizing mission, stayed on, ruled and then left. The Pakistani state, on the other hand, contained FATA as a part of its territory as an independent country and its inhabitants were its legal citizens. Even then, Pakistan carried forward the legacy of violence and subjected the people to structural violence in a similar manner. As described in this paper, this has had long term consequences for the region of FATA as well as the state of Pakistan. Borrowing Hannah Arendt's (1986) famous phrase, the people of FATA were not even given the "right to have rights." As past continued to inform the present, and colonial knowledge was carried on to the next generations, they remained caught between a rock and a hard place. Eventually, the legacy of violence contributed to the Talibanization of the region and threatened the sovereignty of the state itself.

References

Abou Zahab, M. (2016). Turmoil in the Frontier. In C. Jaffrelot (Eds.), *Pakistan at the Crossroads: Domestic Dynamics and External Pressures* (pp. 121-35). New York: Columbia University Press.

Ahmed, A. (1979). Colonial Encounter on the North-West Frontier Province: Myth and Mystification. *Economic and Political Weekly*, *14*(51/52), 2092–2097.

Ahmed, A. (1980). *Pukhtun Economy and Society: Traditional Structure and Economic Development in a Tribal Society*. Boston: Routledge & Keegan Paul.

Ahmed A. (2013). *The Thistle and the Drone: How America's War on Terror became a Global War on Tribal Islam.* Washington DC: Brookings Institution Press.

Ahmed, M. (2013). Insurgency in FATA: Causes and a Way Forward. *Pakistan Annual Research Journal 49*, 11-43.

Akins, H. (2017). FATA and the Frontier Crimes Regulation in Pakistan: The Enduring Legacy of British Colonialism. *Howard H. Baker Jr. Center for Public Policy University of Tennessee Policy Brief, 17*(5), 1-14.

Akins, H. (2018). *Pakistan's 'Pashtun Spring' faces off against a colonial-era law*. London School of Economics.

Arendt, H. (1986). *The Origins of Totalitarianism.* London: Brace.

Asthana, N.C., & Nirmal, A. (2009). *Urban Terrorism: Myths and Realities.* India: Pointer Publishers.

Aziz, K. (2005, November 11). The Reform of the Frontier Crimes Regulation (FCR) and Administration of the Tribal Areas of Pakistan. https://khalidaziz.com/the-reform-of-the-frontier-crimes-regulation-fcr-and-administration-of-the-tribal-areas-of-pakistan/

Bangash, S. (2016). *The Frontier Tribal Belt: Genesis and Purpose under the Raj.* Karachi: Oxford University Press.

Chandra, U. (2013). The Case for a Postcolonial Approach to the Study of Politics. *New Political Science 35*(3), 479-91.

Combating Terrorism: U.S Efforts to Address the Terrorist Threat in Pakistan's Federally Administered Tribal Areas Requires a Comprehensive Plan and Continued Oversight. (2008, May 20). U.S Government Accountability Office.

Galtung, J. (1969). Violence, Peace, and Peace Research. *Journal of Peace Research*, *6*(3), 167–191.

Gandhi, L. (1998). *Postcolonial Theory: A Critical Introduction.* New York: Columbia University Press.

Griswold, E. (2004, July 26). In the Hiding Zone. *The New Yorker.*

Haq, N., Khan, R. A., & Nuri, M. H. (2005). Federally Administered Tribal Areas of Pakistan. *IPRI* Paper 10, 1-50.

Haroon, S. (2007). *Frontier of Faith: Islam in the Indo-Afghan Borderland*. New York: Columbia University Press.

Hopkins, B. D. (2015). The Frontier Crimes Regulation and Frontier Governmentality. *The Journal of Asian Studies*, *74*(2), 369–389.

Howell, E. (1979). *Mizh: A Monograph on Government's Relations with the Mahsud Tribe.* Karachi: Oxford University Press.

Indian Independence Act, 1947. Chapter 30, Section 7(c).

International Crisis Group. (2009). *Pakistan: Countering Militancy in FATA* (Asia Report N°178).

Iqbal, A. (2008, April 13). Bush calls FATA most dangerous region. *Dawn.*

Johnson, T. & Mason, C. (2008). No Sign until the Burst of Fire: Understanding the Pakistan-Afghanistan Frontier. *International Security 32*(4), 41-77.

Khan, A. (2011). FATA: Voice of the Unheard – Path-dependency and why history matters. *Strategic Studies 31*(1/2), 40-74.

Khan, A. (2020). The British Colonial Policies in the North-West Frontier of India: 1849-1901. *FWU Journal of Social Sciences 14*(2), 164-79.

Mahmud, T. (2010). Colonial Cartographies, Postcolonial Borders, and Enduring Failures of International Law: The Unending War along the Afghanistan-Pakistan Frontier. *Brooklyn Journal of International Law 20*(1), 1-75.

Marten, K. (2015). *Warlords: Strong-arm Brokers in Weak states.* New York: Cornell University Press.

Parashar, S. (2019). Colonial legacies, armed revolts and state violence: the Maoist movement in India. *Third World Quarterly, 40*(2), 337-354.

Pierson, P. (2000). Increasing Returns, Path Dependence, and the Study of Politics. *The American Political Science Review*, *94*(2), 251–267.

Said, E.W. (1989). Representing the Colonized: Anthropology's Interlocutors. *Critical Inquiry, 15*(2), 205-25.

Shah, K.M. (2018, June 18). Too Little, Too Late: The Mainstreaming of Pakistan's Tribal Regions. *ORF Occasional Papers*

Shinwari, N. (2012). *Understanding FATA: Attitudes towards Governance, Religion & Society in Pakistan's Federally Administered Tribal Areas*. Peshawar: Community Appraisal and Motivation Program

Tahir, M. (2017). "The Containment Zone. In L. Parks and C. Kaplan (Eds.), *Life in the Age of Drone Warfare* (pp. 220 – 40). USA: Duke University Press.

Verkaaik, O., Khan, S., & Rehman, S. (2012). Contesting the State of Exception in the Afghan-Pakistani Marchlands. In B. Kalir & M. Sur (Eds.), *Transnational Flows and Permissive Polities: Ethnographies of Human Mobilities in Asia* (pp. 55-74). Amsterdam: Amsterdam University Press.

Wazir, M. K. (2009). FATA under FCR (Frontier Crimes Regulations): An Imperial Black Law. *Research Journal of Area Study Centre (Russia, China and Central Asia) 61*(09), 1-19.

Yousaf, F. (2016, December 13). 'Collective Punishment' in Pakistan's Tribal Areas. *The Diplomat.*

Yousaf, F. (2019). Pakistan's Colonial Legacy: FCR and Postcolonial Governance in the Pashtun Tribal Frontier. *Interventions, 21*(2), 172-187.

Zeb, K and Ahmed, Z. S. (2019). Structural Violence and Terrorism in the Federally Administered Tribal Areas of Pakistan. *Civil Wars 21*(1), 1-24.