



## **Governance and power dynamics in the Princely States of the Northwest Frontier, Pakistan: a historical overview**

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### **Abstract:**

This research study focuses on the political, administrative, and judicial history of the former princely states during British rule, which were annexed to Pakistan after 1947 as special autonomous territories administered under federal-cum-provincial jurisdiction as the Provincially Administered Tribal Areas (PATA) after 1969. This study covers the princely state's accession to Pakistan, its constitutional and political development during the British occupation, and its constitutional status under the 1956 and 1962 constitutions of Pakistan. Moreover, this study analyses the strategic importance of princely states to British India and of PATA to Pakistan, as well as the reasons for the comparatively longer survival of princely states, and the integration of princely states into Pakistan in 1947 as PATA. The study has thoroughly analysed the governance systems of the princely states and identified the gaps during the princely rule and after they were formally annexed to Pakistan's mainstream as special regions. The findings reveal that the British and Pakistan have used these areas for strategic purposes, and the democratic setup was not intentionally extended to these regions. The areas still need special attention for the provision of basic infrastructure, improvement of the governance structure and measures for economic development.

**Keywords:** Princely states, British India, British occupation, Autonomous regions, Special territories, Constitutional development, Political development, Governance system.

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## 1. Introduction

The political and governance structures of the Princely States in the Northwest Frontier, now part of Pakistan, have played a significant role in shaping the region's historical and contemporary political landscape. This study investigates the political systems and governance frameworks of the Princely States, with a particular focus on the distinct treatment of these regions during the colonial and post-colonial eras. Specifically, the research examines three key questions: the importance of the Provincially Administered Tribal Areas (PATA) to British India, the differential treatment of states such as Swat, Dir, Chitral, and Amb by Pakistan compared to provinces like Punjab, Sindh, and Baluchistan, and the longevity of certain Princely States, like Dir, Swat, Chitral, and Amb, in maintaining autonomy compared to states like Khairpur, Bahawalpur, and Kalat. Historically, the Princely States of the Northwest Frontier, strategically located along the volatile frontier with Afghanistan, held immense political and military significance for the British Empire. The British adopted a unique policy of indirect rule in these areas, relying on local rulers to maintain order while exercising limited direct control. This allowed the British to focus on strategic military concerns while maintaining a degree of local autonomy. The governance structures in these states were a blend of traditional tribal systems and British colonial oversight, creating a complex political environment characterized by negotiations between local rulers and colonial authorities (Khan et al., 2023).

Following the Partition of India in 1947, Pakistan faced the challenge of integrating the various Princely States into its new political framework. Unlike the provinces of Punjab, Sindh, and Baluchistan, which were directly incorporated into the newly formed nation-state, regions such as Swat, Dir, Chitral, and Amb continued to operate under their traditional governance models for longer periods. These states were treated differently due to their unique historical and strategic significance, as well as their relatively independent status at the time of partition. Pakistan's initial reluctance to assert full control over these areas was influenced by the need to maintain stability and avoid provoking local tribal factions, whose loyalty was critical in the context of the Cold War and regional security concerns. A key aspect of this study is the comparative analysis of how certain Princely States, particularly Dir, Swat, Chitral, and Amb, managed to retain their autonomy longer than others such as Khairpur, Bahawalpur, and Kalat. Factors such as geography, local power structures, and the strength of local rulers played a crucial role in their ability to negotiate with the Pakistani government and maintain a degree of independence. The unique governance arrangements, including the use of tribal councils (jirgas) and the influence of local elites, allowed these states to survive longer under a system of semi-autonomous rule. This article provides a comprehensive analysis of the political systems and governance structures of the Princely States of the Northwest Frontier, highlighting the historical and strategic factors that shaped their survival and eventual integration into Pakistan. By examining these unique political arrangements, the study sheds light on the complex legacy of the Princely States and their lasting impact on the region's governance and political dynamics.

Provincially Administered Tribal Areas (PATA) of Khyber Pakhtunkhwa<sup>1</sup> were constitutionally and judicially distinct areas within the province of Khyber Pakhtunkhwa. It's the northern part of Khyber Pakhtunkhwa and is located to the north of Peshawar, the capital of Khyber Pakhtunkhwa. It consists of ten districts: Swat, Dir Upper, Dir Lower, Chitral, Malakand, Buner, Shangla, Tor Ghar, parts of Lower Kohistan and Upper Kohistan and the area of the former state of Amb. Unlike other parts of Khyber Pakhtunkhwa, PATA exists as a

distinguished territory in Khyber Pakhtunkhwa and in the federation of Pakistan. Article 246 and Article 247 of the constitution of Pakistan not only defined the Provincially Administered Tribal Areas but also prescribed the process of law making, law implementation and administration of the area (Rehman et al., 2023).

PATA, since colonial times, carry a special, distinguished constitutional status with different nomenclature. The rules of administration were same. During British rule, PATA consisted of four states: Swat, Dir, Amb and Chitral and a tribal agency (Malakand Agency). Under the Indian act of 1935, PATA was declared constitutionally excluded area of British India. Under this excluded area status, the governance of the area was directly looked after by the Governor General of India through his political agents and special laws. The Indian courts, Indian parliament and provincial assembly of Khyber Pakhtunkhwa had no jurisdiction in PATA. Resultantly, PATA became a Centrally Administered Tribal Area, a special area supervised by the Governor General of India. The government of Pakistan, after its establishment in August 1947, adopted the British centralised attitude of governance for PATA. The provisional constitution of Pakistan and the subsequent constitutions promulgated by the government of Pakistan (1956 and 1962 constitutions and the present 1973) have kept the area's lawmaking authority under the jurisdiction of the central government of Pakistan. The constitutional setup for the area remained largely same within all the constitutions, however, only the nomenclature for the area changed in the constitutions (Ali, 2012). In all the constitutions the President of Pakistan has given great authority of legislation for the area of PATA.

However, unlike previous constitutions of Pakistan, the 1973 Constitution made PATA part of Khyber Pakhtunkhwa. But this integration was not a complete integration. Within the province, the area was distinct constitutionally and was called Provincially Administered Tribal Areas of Khyber Pakhtunkhwa. PATA was not only constitutional distinct within the province but also differ judicially. Both the judicial arrangements and constitutional setup was considered important facilitator for militancy in PATA (Adnan, 2012; Aziz, 2010; Bangash, 2008; Fleischner, 2011; Shinwari, 2013; GINI, 2015; ICG, 2012, 2013; Majeed, 2016; Mehboob, 2011; Sebastian Schlembach & Yoshimura, 2013; Sultan-e-Rome, 2009). The research questions of the study are: (a) What was the strategic and political significance of the PATA (Provincially Administered Tribal Areas) for British India? (b) Why were the states of Swat, Dir, Chitral, and Amb treated differently by Pakistan compared to the provinces of Punjab, Sindh, and Baluchistan? and (c) How did the Princely States of Dir, Swat, Chitral, and Amb manage to retain their autonomy longer than states such as Khairpur, Bahawalpur, and Kalat?

## **2. The historical background of the region constituting PATA**

In the Federation of Pakistan, there were two Provincially Administrative Tribal Areas: one was in Khyber Pakhtunkhwa, and the other was in Baluchistan. PATA areas in Khyber Pakhtunkhwa are the districts of Swat, Dir Upper, Dir Lower, Chitral, Malakand, Buner, Shangla, Kala Dhaka, parts of Lower Kohistan, parts of Upper Kohistan and the area of the former state of Amb. However, PATA areas in Baluchistan are a district of Loralai (excluding Duki Tehsil), district Zhob, Dalbandin tehsil of Chagai district and Bugti and Marri Tribal areas of Sibi district. The focus of this research work is on PATA of Khyber Pakhtunkhwa. Khyber Pakhtunkhwa consists of 26 districts. In which 17 are settled districts and nine are PATA districts. British, in 1849, annexed this area to British India and, in 1901, made a province North-West Frontier of it. The NWFP was surrounded by tribal areas (FATA) and states (PATA). Commonly British consider the tribal areas and state part of NWFP, but technically

they were not part. They used to call “settled” the districts of NWFP because it was an integral part of British India, and its legal framework was upgraded to the level of other provinces of British India. While the tribal areas were under the loose control of the British as a protectorate. Unlike FATA, land settlement was carried out by Britain in settled areas of North-West frontier. Presently the legal framework of the settled districts is identical to the governance structure of the rest of the country. And tribal areas (FATA and PATA) legal framework was distinct from the rest of Pakistan (Sultan-e-Rome, 2013a; Khan et al., 2022).

PATA was geographically contiguous to Khyber Pakhtunkhwa and was located in the north of settled districts. Before merger in 1969, PATA consisted of princely states of Dir, Swat, Chitral, Amb and a tribal agency. Constitutionally PATA was partially merged into Khyber Pakhtunkhwa and has distinguished status in Khyber Pakhtunkhwa and in the Federation of Pakistan. It was neither independent nor semi-independent territory. The administration of the area was divided between the center and the provincial governments. The provincial government administers the area and governor of Khyber Pakhtunkhwa extend laws and rights to PATA with the approval of President of Pakistan. Unlike FATA, superior courts and the constitution of Pakistan have jurisdiction over it and also, contrary to FATA, PATA has elected representatives in the Provincial Assembly of Khyber Pakhtunkhwa. Provincially Administered Tribal Areas (PATA) up to 1969 consisted of four states: Swat, Dir, Chitral, Amb and a Malakand political agency. To British India, the PATA was located in the North West of British India and had a special geostrategic importance for it. The states survived longer than then the states in Punjab (Bahawalpur state), Sindh (Khairpur state), and Baluchistan (Kalat state). When the states of PATA were abolished in 1969 it was not fully merged into Khyber Pakhtunkhwa. This paper provides a detailed history of British occupation of the area to the constitution of PATA under the 1973 constitution of the Islamic Republic of Pakistan. It starts from the strategic importance of PATA to British India, and then Administration of PATA during British rule in North West Frontier, constitutional status of PATA under 1935 Indian Act, on the eve of Partition: policies of British; Indian National Congress (INC); and Muslim League (ML) on states accessions, accession of states to Pakistan, (including the four states of PATA), constitutional status in Pakistan from 1947 to 1973, Administration of individual states of, Muslim league activities in states and lastly abolition of the states are discussed in detail.

## **2.1. PATA Strategic Significance for British**

PATA was geo-strategically very significant to British India and then for Pakistan after its creation in 1947. Both British and Pakistan approaches to PATA were security-centric. Generally, onward 1830, Afghanistan and the tribal areas of Pakistan and Khyber Pakhtunkhwa, including the Provincially Administered Tribal Areas (PATA) of Khyber Pakhtunkhwa, became strategically important for British India when she observed the southward expansion of Russia. British was very much concerned about the protection of British Indian Empire from Russia's Invasion. Russia was gradually expanding its border towards south to reach ultimately to the warm water of Arabian Sea. To check the Russian expansion towards the south, British planned to secure friendly government in Afghanistan. Although British had cordial relation with Sikh, they decided to move ahead to bring Afghanistan under its control. At the same time, Russian were also influencing Afghanistan to secure friendly relations with Afghanistan. This struggle between British and Russia over Afghanistan is normally remembered as a Great Game (Fakhr-ul-Islam, 2014a).

In the pursuance of strategic interest, British came to present day Khyber Pakhtunkhwa, FATA,

PATA and Afghanistan (Bangash, 2016a). This was the only route through which Russia could invade India. The British, to secure their jewel of the crown from Russia's invasion from the northwest of India, invaded present Afghanistan, FATA, PATA and Khyber Pakhtunkhwa. British fought bloody wars on both sides of the Durand line to secure its supremacy over the area. Three important and bloody wars were fought against Afghanistan respectively in 1839, 1878, and 1919. In all three Anglo-Afghan wars, Pashtuns of present-day FATA, PATA, Khyber Pakhtunkhwa, Pashtun in Baluchistan, and Pashtun on the Afghan side the of the Durand line took an active part against the British. These wars proved fatal to Afghanistan and Pashtuns in Particular. Dera Ismail Khan, Bannu, Peshawar, Nowshera, and Kohat were annexed by British to their British India Empire In 1949 (Bangash, 2016; Khan et al., 2023). Afghanistan was deprived of their external sovereignty through May 1979 Gandamak Treaty with Afghan ruler. Durand Line agreement was concluded with Afghanistan, which administratively and politically separated Pashtuns. British established their firm control up to Durand line via the establishment of Tribal Agencies and settled district of North-West Frontier Province. While the rest of Afghanistan was left to play a role in a buffer state. Tribal Agencies were to play a second line defence and buffer zone against Russia (Bangash, 2016; Hussain et al., 2022). British strengthened and recognised the rulers of the former states of Dir, Swat, Chitral, and Amb because these were the allies of the British for any external and internal threat to British rule in India. After the departure of British, the area becomes the part of the newly created state of Pakistan (15 August 1947). For which the region was also become important due to the existence of same mighty power Union of Socialist Soviet Republic (USSR) in its north and Afghanistan in its west.

## 2.2. Administration of PATA during the British rule

During the British rule over the North-West Frontier of India, the Present PATA of Khyber Pakhtunkhwa was consist of four administrative units. There were four states and one Malakand Political Agency. The four states were Swat, Dir, Amb, and Chitral. Apart from these states and political agency, there were tribal areas of Kalam and Kala Dhaka. These two tribal areas were not clearly under the absolute control of any of the above-mentioned states. The ruler of Amb and Swat state both claimed sovereignty over the Kala Dhaka. While due to the differences over Kalam among the surrounding states of Dir, Chitral, and Swat, the British government kept the area under the administration of a Political Agent of Malakand Agency (Sultan-e-Rome, 2013b). British had established several tribal agencies in the North-West Frontier of India. Malakand Agency was one of them which was established in 1895. It was consisted of modern-day Bajaur Agency, Malakand district and the three tribal states of Dir, Swat, and Chitral. Like other agencies, it was headed by a political agent which was answerable to the political department of British India for the administration of Malakand Agency. Later on, when the North-West Frontier was made a commissioner province then the political agent was made responsible to chief Commissioner North-West Frontier Province (NWFP). When the North-West Frontier was upgraded to a status of the province then the political agents were made responsible to the governor of this province. This agency was headed by a Political agent of Governor General of British India.

The Malakand and Bajaur area of the Malakand agency was directly under the political Agent of Malakand Agency. While the states were under the general supervision of the Malakand agency political agent. The state of Amb was not part of the Malakand Agency. Instead, it was under the general supervision of deputy commissioner of Hazara district. The administration of the Tribal Agencies, including Malakand Agency was a quite different from the rest of

administrative structures of British India, precisely reflecting the priorities of British. The entire administration of agency was revolved around a political agent. The political agent had to deal with tribes of their respective agency to secure the interest of British. The political agent hold was strengthened through a system of Frontier Crimes Regulation (FCR), Maliki system<sup>2</sup> (Khan & Amin, 2015) and tribal militia such as Khassadar, Scouts, Rifles, Frontier Constabulary (Sultan-e-Room, 2013a).

All the three states of Malakand Agency (Chitral, Dir, Swat) had their internal system of administration. British did not interfere in their internal affairs and let the rulers administer their areas according to their own will. At the same time, sovereignty in the external affairs was taken over by British. The political agent used to developed close relation with rulers of the states. The rulers of the states used to communicate with the British through the office of a political agent of Malakand agency. Their states were made part of British India and the British used to provide an annual allowance to each state ruler to secure their loyalties against the internal and external enemies of the British. In return, the rulers were friendly to British and were like British allies on the frontier land. British established military post across the North West Frontier including in Malakand protected area (Khan, 2015), Dir state and Chitral state. Like Dir, Swat and Chitral state, the Amb state was also internally managing its affairs without interference from Deputy Commissioner Hazara district. The adjoining tribal area of Kala Dhaka was under the influence of Swat and Amb states. In short, the main concern of the British in NWFP and frontier states was security. They were not concerned with democratic reforms because this could result in security problems. So, they ensured good governance through efficient administrators and did not give importance to democratic, economic and social reforms. They strengthen all those hands and autocratic rulers of states to secure their loyalties in case of any internal and external problems.

### **2.3. Constitutional Status of Princely States and Tribal Agencies under British Rule**

British had given a special status to states and adjoining tribal areas to protect and promote its imperial holding in the area and beyond (Khan, 2015). Pakistan after its creation maintained and reinforced the special status for domestic as well as external purposes (Khan, 2015). In Indian constitution of 1935, the Princely states and political agencies were declared excluded areas (Ali, 2012). Thus, these states of Dir, Chitral, Swat Amb and Malakand agency were kept out of the jurisdiction of the provincial assembly of Khyber Pakhtunkhwa and the federal legislature of India. The provincial legislature of Khyber Pakhtunkhwa could legislate after prior approval of the governor of the province of Khyber Pakhtunkhwa. The governor of the province was required to get the assent of the Governor-General of India to issue any ordinance or regulation, amend any federal law or repeal provincial law for peace and good governance of the excluded areas. The governor was also required to get a prior approval of the Governor General for allowing the provincial legislature to legislate for the exclude and partially exclude areas (Ali, 2012). Further, the constitution of India 1935 extended the executive authority of the provincial government to the states and tribal areas. The Governor-General of India, under the constitution, was authorized to include or exclude an area of the exclude and partially area (Ali, 2012).

### **2.4. British Position on the Princely States on the eve of Independence**

British Indian Empire consisted of more than 560 states. British used to regulate their affairs with these states by treaties. Mostly these states had internal sovereignty and were friendly to

the British Indian government and were allies of the British at the time of any internal threat to the British in India. When an Independence and partition of British India was decided then British regarding the future destiny of states announced that after the transfer of power to the Indian government, their agreement with the state will stand terminated. States would be free to join any dominion state or remain independent. In fact, states were only theoretically free to make an arrangement for declaring independence. The last viceroy Lord Mountbatten warned the state ruler not to seek future other than joining India or Pakistan (Khanam, 2016).

Lord Mountbatten made a state department with Sardar Patel as a minister in charge from the Congress platform and V. P. Menon as Secretary, while from the Muslim league side, Sardar Abdul Rab Nishtar was the minister in charge representing Pakistan and Akhtar Hussain as secretary. The job of the state department was to enable the leaders of Muslim League and Indian National Congress to pursue states to join them. The states rulers were asked to contact the state department of the dominion they want to join (Bangash, 2015). Lord Mountbatten cooperated with Congress to pursue Indian state to accede to India. On 25<sup>th</sup> July 1947, Lord Mountbatten, in his address to the chamber of princes, pressured princes to accede to India or Pakistan before 15 August 1947 and kept in mind the geographical position of their states while deciding the accession. The states of Dir, Swat, Chitral, and Amb were not part of Chamber of Princes in India and nor were part of states negotiating committees of the 1940s (Sultan-e-Rom, 2008). The future of these states was related to the future of tribal areas of the frontier (Sultan-e-Rom, 2008). Olaf Caro on March 1947 stated that for the protection of northern borders of India, maintenance of stability in Frontier states was quite necessary.

## **2.5. Indian National Congress policy on princely states**

Indian National Congress was a strong political party; it has a presence throughout India and had roots in masses. Initially the focused of their political activity was British India. Its attitude gradually evolved from non-interference in state affairs to complete integration of states in Indian federation. Initially, Indian National Congress in its movement of independence avoided conflict with states rulers and concentrated their energies on British. Especially when Gandhi holds the power of Indian National Congress he insisted not to interfere with states. However, in principle, many congressmen supported the idea of self-rule in states but did not start any political movement. In late 1930s Indian National Congress little changed their policy. They established in December 1927 an All-India States People Conference (AIPSC) to demand democracy in the states. Their emphasis was the right to self-rule in princely states, and they later established local congress committees in princely states, but they kept their political activities to a minimum level to avoid confrontation with princes. However, it only becomes politically active when Jawahar Lal Nehru become the president of Indian National Congress in 1935. Nehru kept his role in AIPSC till 1946 and in this way brought the INC and AIPSC close. The partnership proved very helpful at the time of integration of states to Indian federation.

In late 1940s Indian National Congress came with a clear policy towards Princely states. Nehru in January 1946 clarified they will not tolerate independence of any princely state. He emphasized their integration into Indian federation (Bangash, 2015). During the process of partition, Indian section of states department actively followed the policy of INC. V. P. Menon pursued majority of the state to accede to India. Consequently, before 15 August 1947, the majority of state acceded to India. They also successfully merged majority of the states into India within a month after partition (Menon, 1956; Butt et al., 2024).

## 2.6. All-India Muslim League (AIML) policy toward princely states

Muslim League was a weak party as compared to the Indian National Congress. It had hardly established itself in British India in the mid-1940s. It had very nominal, or no presence in Indian states (Bangash, 2015). Muslim league has an All-India States Muslim League (AISML), formed in 1940, mainly active in Muslim minority provinces, but it has not played any significant role in states. Like INC, Muslim League also favoured friendship and remained indifferent to states affairs. On the eve of partition, Muslim League position was opposite to that adopted by INC (Khan, 1988). It was quite soft on states and preferred to the will of the ruler of the state. Both the option; joining India or Pakistan or remaining independent without joining any dominion was acceptable (Khanam, 2016). Muslim League argued that instead of people of states, the ruler should decide the future of their states (Khan, 1988).

Quaid-e-Azam stated that “the states were limited only to the option of joining one or other constituent assembly. In my opinion, they are free to remain independent if they so desire” (Bangash, 2015). On the theoretical freedom of state rulers, Muhammad Ali Jinnah announced that “Constitutionally and logically, the Indian states will be independent sovereign states on the termination of paramountcy, and they will be free to decide for themselves any course they like to adopt. It’s open to join Hindustan constituent assembly or decide to remain independent. In the last case, they can either enter into such agreement or relationship with Hindustan or Pakistan as they may choose” (Bangash, 2015). Indian and Pakistan section of the States department was formed by Lord Mountbatten at the same time, but contrary to the Indian section, Pakistan’s section, headed by Sardar Adur Rab Nishter, remained passive on the eve of partition. They hardly approached states for accession. It was just a few days before the creation of Pakistan, on 11 August 1947, that the designated government of Pakistan formed a committee to investigate the possibility of the accession of princely states to Pakistan. Further, Jinnah had taken the responsibility of dealing with princely states. He was preoccupied with so many other works that he hardly had any time to focus on the Issue. Consequently, by 15 August 1947, no single state acceded to Pakistan.

## 3. Accession of Princely States to Pakistan in 1947

As described above, Lord Mountbatten, in July 1947, before the formal establishment of Pakistan (15 August 1947), formed the Pakistani section of the State Department. This department function was to approach the state rulers to get their accession for Pakistan. However, this department remained dormant and did not approach any Indian state. On 11 August 1947 Pakistan designated government established a state negotiating Committee to deal with the accession of princely states to Pakistan. But Quaid-e-Azam Muhammad Ali Jinnah; a founder and first Governor General of Pakistan kept the authority of negotiation with himself. Being a Governor General and founder of Pakistan, he was a busy man, had to deal with a lot of other matters of the newly created state of Pakistan. After initial some dealing with princes, he was not free to negotiate. So, he left the settlement with states to handle it later time. The state Negotiation committee remained dormant until the death of Jinnah. So by 15 August 1947, not a single state acceded to Pakistan (Bangash, 2015). By the end of 1947, four PATA (Dir, Swat, Chitral, and Amb) states, Khairpur, Bahawalpur, Hunza, Nagar, and Junagarh, acceded to Pakistan. The accession only enables Pakistan to interfere in the matter of defence, foreign affairs, and communication. It had no legal authority to interfere in the internal affairs of the states. Kalat was the only state which was staunchly adhered to remain independent along with its feudatory states.

After the creation of Pakistan in August 1947, the government of Pakistan dealt with the princely states through the ministry of defence, foreign affairs, and Commonwealth relations. In July 1948 Pakistan established a separate ministry; the Ministry of States and Frontier Regions (SAFRON) to deal with state and tribal areas. Instead of the Prime Minister, the Governor General was heading this ministry. In Kalat and Malakand Agency the political agents of Governor General of Pakistan were retained to deal effectively with the particular issues of states.

### **3.1. Constitutional development regarding Princely States after the establishment of Pakistan**

The Indian Independence Act 1947 transferred the authority of jurisdiction over excluded and partially excluded areas from Governor General of British India to Governor General of Pakistan (Ali, 2012). Pakistan, after its creation, adopted the same 1935 Act of India as a provisional constitution under which the states and political agencies remained excluded and partially excluded areas till the promulgation of the first Constitution of the Islamic Republic of Pakistan in 1956. In December 1949, the state negotiating Committee submitted its report to the Basic Principles Committee, which recommended that Bahawalpur, Khairpur, and Baloch states should each send one representative to the constituent assembly. While it had not reached a decision on Princely states. So, all the states took their seats on 16 January 1950 except Princely states. The BPC, in its interim report, submitted in September 1950, did not mention the fate of princely states. Similarly, it was unclear about the representation of princely states in upper and lower houses of the constituent assembly of Pakistan.

In December 1952 the second report of the BPC was presented to the constituent assembly. This report provided seats to the states in the constituent assembly. It provided four seats for Bahawalpur, two for Khairpur, two for Baloch states, and six to NWFP including frontier states in the house of unit of parliament. While in the lower house, seats were also allotted on the basis of the population. In this criterion, Baloch states got five, Bahawalpur 13, Khairpur 4 and seventeen in total for NWFP including tribal areas and states. In the Bogra, formula seats were also allotted to states along with provinces. Princely states in combine with tribal Agencies and province of NWFP received thirteen (13) seats (Fakhr-ul-Islam, 2014a). But soon differences emerged, and the report was resent for reconsideration. This time the report was passed by the constituent assembly. But governor general had reservation over the draft and resultantly he dissolved the constituent assembly. Then the constituent assembly was again formed in which 10 seats were allocated to states and tribal areas. The representation of Princely states was left to the governor of the NWFP. Mian Gul Jahanzeb (Swat state ruler) was made the representative of Princely states in the constituent assembly.

In Jun 1954 the fate of princely states was discussed in the constituent assembly of Pakistan. Abdul Hamid, a joint secretary of the constituent assembly, argued that except Dir, all the states have signed supplementary accession agreements, which empower the constituent assembly to make constitutional provisions for their states. He further argued that the constituent assembly was free to decide on any future for the states including a merger with the neighboring province (Bangash, 2015). In pursuance of the one-unit formula, the Pakistan government, despite much resistance from Khan of Kalat and other Baluch Pashtun nationalist leaders, dissolved the Baluchistan States Union (BSU) and merged them in Baluchistan on 1 January 1955. Similarly, Bahawalpur was merged into Punjab on 17 September 1954 and Khairpur state on 20 September 1954 in Sindh (Naseem et al., 2024).

On September 30, 1955, the second constituent assembly passed a West Pakistan Act, under which all the provinces and states except Princely states and tribal areas in one stroke were merged into the new West Pakistan Unit. The Princely states and tribal areas were made part of West Pakistan, but their administration was not disturbed. In the West Pakistan assembly, one seat was provided to Chitral, two to Dir and six to Swat. It was provided that a council of elders in Dir would elect members to the assembly (Fakhr-ul-Islam, 2014a). Thus, all the rulers of states except Princely states lost their power and position only retaining their personal privileges. The Princely states and tribal areas were designed as Special areas and were left as they were. The 1955 West Pakistan One Unit Act did not mention Hunza and Nagar.

In 1955, Pakistan through the establishment of West Pakistan Act 1955 made the states of Dir, Chitral, Swat and Amb part of West Pakistan. This act made the states special areas of West Pakistan. The act maintained and did not change the internal administration of states of Dir, Chitral, Amb, and Swat. The executive authority of the province of West Pakistan was extended to the special areas, but no law of the federal legislature or of a provincial assembly of West Pakistan was applicable in the special area unless the governor, with the prior approval of the Governor General, implements it in a special area. The governor of West Pakistan, with prior approval of the Governor-General, could make regulations, extend, amend or repeal the provincial and federal laws for peace and better governance of the special areas. The Governor General holds the authority to declare whole or any part of special areas to cease as a special area (Ali, 2012).

Like 1955 establishment of West Pakistan Act, in 1956 Constitution of Pakistan the states and tribal areas were declared excluded areas (special areas). Like 1935 Indian Act no laws of the provincial and federal legislature were applicable in special areas until the president authorized to do so. The provincial assembly of West Pakistan could not legislate without the approval of the governor of the province. The governor was not sovereign, the office was dependent on the president of Pakistan to promulgate any regulation in special areas. Like the 1955 Act of West Pakistan Establishment Act, the governor of West Pakistan, with prior approval of the Governor-General, could make regulations and extend, amend or repeal the provincial and federal laws for peace and better governance of the special areas. The Governor General holds the authority to declare whole or any part of special areas to cease as a special area.

In October 1958, after promulgation of the Martial law in Pakistan, Field Marshal Ayub Khan abrogated the constitution of Pakistan. In 1962 a new constitution for Pakistan was prepared and implemented. In this constitution, the states and political agencies were declared Centrally Administered Tribal Areas. The lawmaking and executive authorities provided to the president, Governor of West Pakistan, provincial and federal legislatures under 1956 constitution were maintained in this constitution. It was added that Governor General would find out the opinions of the people of the concerned Centrally Administered Tribal area(s) as may appear proper and necessary before declaring whole or any part of the Tribal Area to be ceased as a tribal area. The states of Dir, Swat, Chitral, and Amb survived in this constitution as well. The states of Dir, Chitral, Amb, and Swat in 1969 were abolished and they remained under the administrative supervision of the province of West Pakistan. The rulers under the regulation were replaced by the government official of Pakistan. Till 1972 the area of former states of Swat, Dir, Chitral, Amb, and Malakand Agency remained a Centrally Administered Tribal Areas. In the provisional Constitution of Pakistan 1972, the area of former states and Malakand protected area were declared Provincially Administered Tribal Areas of Khyber Pakhtunkhwa (ICG, 2013; Naseem et al., 2024).

### 3.2. Integration of Swat, Dir, Chitral and Amb states to Pakistan

The Princely states survived longer than other states of Punjab, Sindh, and Baluchistan due to the peculiar condition associated with them. Pakistan's approach towards the frontier state of Dir, Swat, Chitral, and Amb was security-centric, democratic and social reforms were of secondary importance. The focus was to strengthen the hold of the central government in these areas. Though these states acceded to Pakistan but were not willing to lose their states in favour of Pakistan. Especially the Nawab of Dir who categorically refused to sign the second and third instrument of accession. Pakistan has to deal with these states very carefully, they were located on Durand Line with Afghanistan (Williams, 1962). The use of Power against them could probably give birth to several problems, such as a revolt against Pakistan, attack of Afghanistan, accession of these states with Afghanistan.

The predominant reason for the security-centric approach was that these areas were historically Afghan areas (Kakar, 2006). Pakistan was a bit reluctant because Pakistan could not claim to be the successor state of British. For example, besides the Durand Line, there were other so many agreements between Afghan and British. All those agreements are no more in the field except the so-called Durand line. Afghanistan had repudiated Durand Line and demanded the return of all the Pashtun areas including Princely states to Afghanistan. It rejection Durand line and refused to recognize Pakistan (Qassem, 2009). In UN, Afghanistan was the only country which voted against the membership of Pakistan in United Nation on the ground that it considered inclusion of Pashtun areas into Pakistan is injustice with Afghans. Afghanistan was active in creating a hostile environment in Pashtun areas of Pakistan. Kabul Radio used to incite the Pashtun against Pakistan. Afghanistan used to support militarily and economically all those forces which favoured independence from Pakistan. Pashtunistan issue was also hung over the head of Pakistan in Pashtun areas of Pakistan. Afghanistan described the one Unit Scheme as a plane to put Pashtuns on the heels of Punjabis. Afghanistan made several attempts of tribal incursion into the tribal areas of Pakistan. The relation between Pakistan and Afghanistan remained very tense, even several time the serious threat of war was developed (Qassem, 2009).

Pakistan took the Afghanistan struggle and Pashtunistan issue very seriously. A large number of experience English officers were appointed to important government positions. Governor, Chief Secretary, secretaries of governmental departments, Police General etc all were English person (Khan, 1988). Jinnah used to say that English can only suppress the Pashtun (Khan, 1988). Moreover, Islam was also used as a weapon against Khuddia Khidmatgar Movement (KKM) and Afghanistan. Later on, Major General Iskander Mirza an experienced officer in frontier areas was appointed as a minister of SAFRON in October 1954 to keep a keen eye on political development in the area. In 1955 it was preferred to avoid integration of Princely states and Tribal Agencies into one unit scheme to avoid war with Afghanistan and revolt in Princely states and tribal areas. The Princely states and tribal areas were located in the strategic location. Pakistan did not want to lose its control over these strategically important states. The strong control was best possible in keeping the areas in the existing condition under the political agent of Malakand. As there was no imminent threat from Afghanistan or from state's ruler. Except for the ruler of Dir, the ruler of Swat and Amb were friendly and loyal to Pakistan. The governance of Chitral was already under the Assistant Political Agent of political agent of Malakand agency. So, Pakistan in the existence unfriendly environment ignored the call of democratic reforms and further integration and did not follow the path of democratization and integration as followed in Bahawalpur, Khairpur and Kalat states. Even with Dir state relations were carried up to 1960 under the first instrument of accession.

Among the Princely states, Chitral was the first in providing a sort of friendly conditions for reforms. On 6 January 1949, the Mehtar of Chitral, Muzzafar-ul-Mulk died and his successor Saif ur Rehman was young and inexperienced. So, the government removed the ruler without any Supplementary accession agreement and sent him Lahore for training, and in his lieu, the central government established in November 1949 a board of Administration under the political agent of Malakand Agency to run the affairs of the state. The action of government worried the surrounding states, to remove their confusion the governor of Khyber Pakhtunkhwa ensured to the rulers of other states that no such action would be taken against them and explained the reasons and necessity of reforms in Chitral. The government in 1950 merge Feudal Tanawal with Khyber Pakhtunkhwa, Amb state was left with only trans-Indus part of its territory which was barely one-third of its earlier territory. On 29 April 1953 Pakistan government signed a Supplementary Instrument of accession with the ruler of Amb state along the same lines as the federating instrument of Bahawalpur, Khairpur and Baluch state Union which resulted in some democratic reforms in Amb. Under this agreement, Nawab of Amb accepted the constitution of Pakistan as the constitution of his state and agreed to the federal and concurrent list of the government of India Act of 1935. Under the Supplementary agreement, a post of Wazir, and a council of four advisers (two elected and two nominated by the Nawab) was created. Under the agreement, it was agreed that the Wazir would be appointed by Nawab with prior approval of Governor General. Further, it was agreed that the Nawab would follow the advice of Wazir in matters of state affairs. So consequently, the Nawab of Amb lost considerable powers to the central government.

In 1953, the central government re-installed Mehtar of Chitral due to the agitation of people, but the government of Pakistan was determined to keep the power in hand of political agent of Malakand Agency. So, the central government designed a supplementary agreement of accession and got signed on it from Mehtar on 2 April 1953. This agreement (interim constitution) deprived the Mehtar of effective power and a position of Wazir was created to which the Mehtar was made subservient. The position of Wazir was occupied by an agent of the political agent of Malakand agency, which ensured the authority of central government. The constitution also provided for advisory council consist of 10 members. In short, the process of democratization and supremacy of central government was put in process, Mehtar got a Privy Purse and loss effective powers. On 12 October 1954, the Mehtar died in a plane crash and was succeeded by his four-year-old son Saif ul Mulk Nasir, which further helped the central government to extend their authority. The Malakand political agent as a regent succeeded the power of Mehtar, so the government becomes supreme over Chitral state through an office of a political agent of Malakand. The relation of Swat state was different with Pakistan than other princely states. Though this state was near to Afghanistan, and hold a strategic location, but its ruler Mian Gul Jahanzeb (who took over the power from his father Abdul Wadud in 1949) was a very loyal person to Pakistan. He wanted no interference from Pakistan in return for loyalty. Due to public demand, Pakistan government signed a supplementary instrument of accession on 12 February 1954 which unlike other state did not provide a powerful prime minister. The advisory council was established which had elected and nominated members but was a just advisory council. Powers were still concentrated in the hands of the ruler.

### **3.3. All-Pakistan States Muslim League activities in the former states; Dir, Chitral, Amb, and Swat**

After the completion of the initial process of accession, the central government had to introduce gradual reforms in the states. But the central government had several limitations. Among the

limitation one was the absence of Muslim League (ML), All India states Muslim league (AISML) and any other pro-Muslim organizations in the states to support the central government democratic reforms. Pro Muslim League or Pro-centre political parties were necessary for promoting the agendas and democratic reforms in states. The central government decided to produce or develop any pro-central government political parties in states. All India States Muslim League (AISML) headed by Manzar-i-Alam was the only party that claims some representation in states (Y. K. Bangash, 2015). With the assistance from the central government, this political party was reorganized in Jun 1948 into All Pakistan State Muslim League (APSML) to launch it in states. Before the reorganization, the secretary of this party named Mohammad Mahmud was sent to states to ascertain the political conditions to establish branches of the APSML. However, the mission was not welcomed in most states, even Las Bela state barred its entrance.

This APSML was not formally part of Muslim League. Before the partition this party had no followers in states acceded to Pakistan but once it was reorganized and launched in states it produced followers. The mission of the party was to agitate against the state and demand democratic reforms with an aim of to weaken princely states ruler to develop an environment conducive for the democratic reforms. By the middle of 1948, APSML had established its branches in most princely states, these branches carried out considerable propaganda against princes to malign them to turn the opinion of the people against the princes to make a sound ground for reforms (Bangash, 2015). Initially, the central government and APSM had a good relationship as both were supportive of each other. But later on, differences developed between them, APSML demanded fast democratization process and was not satisfied with the slow pace of government reforms. The central government could not speedily introduce the democratic reform especially in Princely states which were located on strategic location and slow democratization was the best solution. So on the issue of slow reforms in states differences developed between APSML and central government. Soon then in 1949, it was banned by the government. The detail of All Pakistan State Muslim (APSM) activities in Dir, Swat, Amb, and Chitral is following.

### **3.3.1. Amb State Muslim League**

Amb state Muslim League (ASML) was established in April 1948 by few relatives of Nawab of Amb and was made affiliated with All Pakistan State Muslim League (APSM) on 25 May 1948. Nawab Alam Zeb Khan, first cousin of the Nawab of Amb becomes the first president of Amb state Muslim League (ASML). The Amb State Muslim League had a small membership but was sure of external help so vehemently protested, campaigned against the Nawab. The most important thing of their demand was a curtailment of absolute powers and the establishment of a responsible government. They did not demand the abolition of state or the office of the Nawab of Amb.

Nawab of Amb was very much disturbed by their protest and activities and consider them as a personal threat. So, Nawab resorted to strict violence, arrest, exile, and confiscation of properties of the ASML members on the grounds of law and order situation and that these personals have no popular base. All Pakistan State Muslim League protested against Nawab drastic actions but for the governor of Khyber Pakhtunkhwa security of the whole region was of more importance. Ergo he discourages the activities of both APSM and ASML in Amb. However, a tussle of Nawab of Amb with Amb Stated Muslim League continued till 1949 when APSML and its branch ASML in Amb were banned by Pakistan.

### 3.3.2. Chitral State Muslim League (CSML)

In Chitral, the Chitral State Muslim League (CSML) a branch of APSML was formed in early by the certain relatives and mullahs for their personal gains. They agitated in the state and invited the central government to topple the Mehtar to establish a responsible government. The Mehtar took a strict action against them, governor of Khyber Pakhtunkhwa also supported him, because they were considered troublemaker by both. Chitral state was in strategic location, the central government could not risk instability in Chitral. Muslim league branch, Chitral Muslim League (CML) also entered with the support of the state in the field of politics against Mehtar and Chitral State Muslim League (CSML). The Chitral Muslim League soon labeled the Chitral state Muslim league (CSML) as anti-state and anti-Pakistan. CML main aim was to fight against CSML and Mehtar with state support (Bangash, 2015).

In October 1949 both, the parties organized a strong protest against Mehtar, demanding responsible government in Chitral. The Mehtar accepted their demands and promised to install a representative government. Before this could happen, Pakistan removed him from power and was sent to Lahore for the training of administration. In lieu of Mehtar, the central government installed a board of administration under assistant political agent of Chitral for running the affairs of the state without consulting or the leagues. The development resultant a clash between board and CML over the rejection of promised reforms to CML and the presence of old hands in the board of administration. The Chitral Muslim League was not yet affiliated with Pakistan Muslim League, ergo the administration finds it difficult to control their agitations, propaganda, and campaign against the board. The CML campaigned against the state throughout 1950 and 1952 and at the same time government/ board of administration resorted to repressive methods of violence and arrest to control the law and order.

In order to weaken the board of administration, CML demanded the implementation of shariah in the state. Knowing that board would not implement the Shariah, and this will thus provide an opportunity to CML to use this shariah card against the administration to declare the administration un-Islamic. However, the administration took strong action against the CML due to which they could not effectively use the shariah card. Then the CML changed their tactic, demanded the return of Mehtar, and effectively campaigned for this. The government accepted the demand and the Mehtar was reinstalled in April 1953 as a ruler of Chitral. But the government did not let him to re-hold power, Pakistan government signed a second Supplementary accession agreement with him which paved the way for the promulgation of the government of Chitral Act 1953. Resultantly, Mehtar becomes powerless, and a Wazi appointed with the consent of Governor-General become a real power holder. Thus in 1953, the board of administration was dissolved, and the Wazir assumed all powers. The advisory council was also established, consist of half elected and half nominated members but a tension continued among elected and nominated members (Bangash, 2015).

### 3.3.3. All-Pakistan State Muslim League in Swat and Dir states

The central government attitude towards Swat was similar to that of Amb and Chitral. The government was not interested to support any type of political instability and agitation, as the states were on strategic location, the ruler was friendly to Pakistan and had a very good reputation among its subjects. Swat state Muslim league was established in early 1949, it demanded self-government in swat, due to their agitation the Wali of Swat gave rigorous

punishment to the agitators to discourage anti-*Wali* activities. The central government let the *Wali* of Swat for teasing the agitators.

Later on, Jamat-e-Islami agitated in Swat against *Wali*, resultantly they were arrested, and severe punishment was given. Despite government support for *Wali* of Swat and his hard attitude towards political activities, the movement was continued at a low level (Sultan-i-Rome, 2016). In February 1954, Pakistan government signed a Supplementary accession agreement with the *Wali* of Swat. Resultantly Government of Swat act (Interim Constitution) 1954 came into force in September 1954, which resulted in a formation of the advisory council in the state, but the powers of *Wali* were let much affected. Nawab of Dir refused steadfastly to federate with Pakistan, and at the same was refusing to introduce any democratic reforms in his state. The members of All Pakistan State Muslim League were harshly handled. Pakistan did not intervene in his affair until 1969, he was dealt very carefully. He had relations with Afghanistan, and had great influence in Bajaur agency, in case of deterioration of relation with Pakistan he might go to accede with Afghanistan

#### **4. Governance of Frontier States under their Rulers**

The present provincially administered tribal areas of Khyber Pakhtunkhwa was consist of four states and tribal areas at the time British rule over Frontier. The detail of each state and tribal areas is following.

##### **4.1. Amb state**

Amb state was located in present-day Haripur district of Khyber Pakhtunkhwa. The area was formerly called *Mulke-e-Tanole* (means the country of Tanol tribe). Until late 19<sup>th</sup> century, Tanawal was not a state rather an area under the influence and supremacy of various tribal chiefs. The Hindwal section of the tribe was powerful within the tribes. In 1772, its member Mir Haibat Khan, the eldest son of Mir Gul Muhammad Khan was declared to be the chief of Upper Tanawal. Later, his descendants were made as the Nawabs of Amb by the British government and continued ruling over this territory until 1972 (Bangash, 2015). The Tanoli tribe came under less influence of Mughal, Duranis, Sikh, and British. Occasionally they have paid taxes to Sikh, Mughal, Durrani and British, mostly they have maintained their internal independence. For the first time, the tribe was rose to prominence during the decline of Durrani Empire when their chief named Nawab Khan defied the Duranis and was resultantly killed by Sardar Azim Khan in 1818. His son Painsa Khan vigorously fought against Sikh but lost all territory to Sikh except the area around Amb. Later on, his son Jahandad Khan, in 1840, with the help of Gulab Singh of Kashmir and the British government recovered some part of the lost territory.

In return for his services to British India, British in 1868 granted a title Nawab Bahadur to a son of Jahandad Khan, later on in 1888 he received a title of Knight from British. Until 1918, the title of Nawab was not hereditary, and in fact, the rulership of Amb state was in the hand British Deputy Commissioner of Hazara district of Khyber Pakhtunkhwa. Nawab of Amb was at the same time independent ruler, a feudal lord, and a British subject. He was feudal and British subject due to the Jagir of Rs 9,000 granted to him by British Indian government in Haripur. He was independent ruler in the area, mainly consist of Tanoli tribe. Due to this peculiar situation, the ruler of Amb did not enjoy full authority but hardly considered certain rights granted to him by the government of India.

## 4.2. Dir State

Dir was a tribal-state established around the 17<sup>th</sup> century. Its foundation is traced to Akhund Baba, a religious man. Later on, Dir society was developed into a state. The rulers changed from time to time either peacefully through a process of succession or forceful occupation by rival group (Y. K. Bangash, 2015). During Chitral expedition of British Indian forces in 1895, Umra Khan cooperated with British in crossing Dir to Chitral, then as a reward, he was given a subsidy of 10,000 and later on he was recognized as a chief of Dir state (S. Bangash, 2016a). In 1897 British awarded him a title of Nawab. British In 1898 recognized the boundaries of Dir State which also included Umra Khan's annexation of the land on the right bank of Upper Swat River, which he captured in 1897. Umra Khan remained the ruler of Dir up to 1924. From 1924 to 1960 Dir was ruled by Muhammad Shah Jehan (Son of Nawan Aurangzeb Khan). Muhammad Shah Jehan He was an autocratic ruler, in administration, he followed his father. He insured firm control over the people of Dir. A breach of law was severely punished. Nawab was the head of the state; he was not accountable to anyone in the state. His words were laws. The state was ruled, administered by a constitution *Dastural Amal Riyasat-i-Dir* and a cabinet. After the death of his father, the Nawab Shah Jehan made little changes in the constitution and continued to rule Dir according to that constitution. His cabinet used to consist of Tehsildar, Subedar, Qazi, Foreign Minister, Mashri-Mall, Meer Mushri and state Mirza. This constitution was later amended by the successor of Shah Jehan named *Dastural Amal Riyasat-i-Dir Tarmeed Shuda*. The amended constitution remained in force till the termination of state in 1969.

The state had a legislature consist of elders of all the tribes of Dir. They had the authority to amend, make and terminate any law. But this body was not a mature body of consultation. Nawab of Dir was a powerful person; his words were laws. The decisions of the council of elders were subject to the approval of Nawab of Dir. There was no concept of election, one man one vote, and political parties were banned. Ther state was consist of seven Tehsils: Tehsil Dir, tehsil Kohistan, tehsil Timergah, tehsil Balambat, tehsil Uch, tehsil Barawal, tehsil Munda, tehsil Samarbagh. Each tehsil was headed by Tehsildar who was responsible for the civil administration of the tehsil. Tehsil Dar was a military commander of the army of his area. The judicial system of Dir was so developed and organized. It was under the rule of Nawab Shah Jehan that the judicial system was reorganized and set of laws consist of Islamic laws and customs and tradition. The decisions were used to be quick and were implemented in letter and spirit. The cases were generally divided into civil and criminal cases. Cases of murder, injury, defaming women, interest on loan were considered criminal. Such cases were used to be decided by the Jirga consist of local respectable elder, Tehsil Dar, Qazi of Tehsil. The Jirga was required to solve the cases based on Shariah and customs. After the decision Tehsildar was required to send a copy of the decision to the Nawab of Dir. After the signature of the Nawab, the decision was used to be implemented immediately. Cases of property, marriage, divorce were regarded civil cases, these were used to be solved through Qazi courts, established in each Tehsil. The Nawab had given a right of appeal to its citizen. There was a Supreme Court; Qazi-ul-Qaza in Dir proper for revision of the cases to challenge the decision of Qazi Courts.

The last court of appeal was Nawab himself. In case of appeal to him against the decision of Qazi court, Qazi-ul-Qaz, he used to appoint a Jirga consisted of Tehsildar, Qazi of concern tehsil Court and tribal elders of the concerned area. This decision was considered to be final. In 1960 he was succeeded by Nawab Shah Khesro. He ruled the state till the termination of state. Nawab was against the education of his subjects. He wanted to keep his subject away

from the modern education. Therefore, he did not build any school, colleges in this area. Anyone who used to build a school or getting an education were harshly dealt. Children only get a religious education in Maktab. The same was the condition of health facilities in Dir. There was no hospital for the patient. Hakeem used to treat the patient. In Dir Political parties were banned as Nawab did not want a political awakening among his subjects. In 1943 when a Muslim League was established as a branch in Dir, Nawab of Dir crushed his supporter, and its president Masood Hassan was assassinated by his army. After the creation of Pakistan, when a Dir State Muslim League was established by the opponent of Nawab of Dir, upon knowing the Nawab crushed them and severe punishment was given to them. A similar fate was of Jamaat-i-Islam in 1957.

Despite Pakistan accession to Pakistan on 8 November 1947, Dir got no representation in the constituent assembly of Pakistan. Under one unite scheme when two seats were offered to Dir, its Nawab, rejected the offer and did not send representatives to the Provincial Assembly of West Pakistan. In 1960 government of Pakistan, following a low scale protest in a part of a Dir state against their ruler, Pakistan exiled its ruler named Nawab Muhammad Shah Jehan. He was replaced by his son, who was also a major general in Pakistan Army. In the same year, Pakistan extends Dir (Advisory Council) Regulation 1960 to the state of Dir. This regulation provided a council of advisors for the ruler of the state. The council was consisting of twenty members headed by a Chairman/ Chief advisor. It was provided that the 20 members of Dir state would be elected, and the Chairman/ Chief Advisor would be not elected. Following this regulation, Pakistan extended 'The Dir (extension of laws) Regulation 1961' to Dir state. The aforementioned two regulation deprived the ruler of Dir of the administrative powers of the state. Practically the state came under the administration of Malakand political agent. In 1969 the Dir state along with other states of Malakand Agency was abolished, the area remained part of the same agency up to 1970. In 1970 Malakand Agency was upgraded to the status of Malakand Division, and Dir was one of its parts.

### 4.3. Chitral state

Chitral was an old state, its origin is surely known. Various stories are famous about the origin. The ruler of Chitral was locally called Mehtar. For British, the state was strategically very important. The USSR has reached quite near to this state. So British in order to counter a possible USSR attack on India through Chitral, developed a good relationship with the ruler. First, in return for the subsidy, the ruler was agreed to give his Chitral State in the suzerainty of Kashmir State. While at the same time, internal sovereignty was not taken from Mehtar and Maharaja of Kashmir was called to remain indifferent to internal affairs of the Chitral state. Consequently, British cut off the state of Chitral from Afghanistan and established forts on the western and northern border of Chitral. British station its agent and military in the state (Bangash, 2016b). When in the early 1890s, after the death of Mehtar Aman ul Mulk, political stability was escalated in the state, there were intrigues, and bitter struggle was started over the throne. Further, Sher Afzal also surrounded the Chitral fort containing British political agent and garrison. Chitral was strategically in quite a sensitive location, so soon British made preparation to reach its military to Chitral. Ultimately, after much difficulty, the British forces succeeded in reaching Chitral and then brought the political upheaval to coolness. The ruler of Chitral had a system of courts which used to dispense justice to people on the basis of unwritten laws of customs and traditions. The rulers used to implement the decisions, there was no difference in the interpretation of customs and traditions. The justice system was moving very normal under Mehtar.

#### 4.4. Swat State

Swat state first came into existence in 1849 (Fakhr-ul-Islam, 2014b). It was the time when British had captured Peshawar and skirmishes were carried on British forces. Swath's people not only unitedly created a united front against British but also elected Syed Akbar Shah as a King of Swat. This was the first time of creating a central government and authority in Swat. Syed Akbar Shah then immediately took unifying measures to establish a state, he organized administrative, revenue system and also managed a standing military. But the people were habitual to independent and disorganized life, find those measure difficult to submit their will to checks and restrictions imposed by the ruler. Consequently, his administrative measure becomes a source of hatred and resentment. The unwillingness of the people to be ruled brought the effective end of the state in 1857 (Fakhr-ul-Islam, 2014b).

Abdul Ghafur, commonly called 'Akhund' and 'Saidu Baba' was a most respectable religious person in Swat. Under his leadership, the tribal people fought a bloody Ambela 1863 war against the British forces (Baha, 1980). He played a leading role in the election of Syed Akbar Shah as a king of the state. Again, it was under his influence that Syed Akbar Shah's son left Swat and the State of Swat collapsed. After the death of Akhund in 1877, the people of Swat again felled in a factional fighting among themselves. The surrounding environment was quite hostile. British had reached to Chitral, Umra Khan was restored to the throne of Dir. The factional fighting continued till 1915, when the people of Upper Swat elected Syed Abdul Jabbar Shah as their King, mainly to fight against the Nawab of Dir. He managed to expel Nawab of Dir (Umra Khan) from most of the Swat territory. But he failed to shield it in 1916 from the counter attacks of Umra Khan. Resultantly a Jirga was called in Upper Swat, where Jirga deposed Syed Abdul Jabbar Shah and installed Miangul Abdul Wadud (one of the grandsons of Saidu Baba) as a new king of Swat.

Mian Gul Abdul Wadud spent next three years in the consolidation of his state. Later on, in 1919, he attacked Adenzai valley and successfully captured it from Umra Khan, but due to the intervention of British political authorities, he abundant the territory in favour of Nawab of Dir. Then in 1923, he captured Buner and Chekesar and annexed that territory from the Nawab of Amb. In March 1926 British authorities recognized Swat as a state and Mian Gul Adul Wadud as its ruler. Later on, Chief Commissioner of North West Frontier Province (NWFP) visited Swat, announced annual 10,000 allowances from the government of India (Sultan-i-Rome, 2016). The government of India granted a title of 'Wali' (implied meaning is a religious ruler) of Swat, even though locally he was called *Bacha* (means King). Mian Gul Abdul Wadud later requested so many times to change his title to *Bacha*, but the British political authorities declined the request.

The new state of Swat and the ruler was the sole creation of local people, it was not the creation of British authorities. Despite the allowances, title, support and imperial recognition to the ruler, the real power of the ruler was based on the support of his people. The ruler of Swat was the sole rulers of Swat, decision used to be locally made and implemented properly. In all the princely states, Swat was a young and most developed state. The judicial system was also good in terms of quality of justice and implementations of the decisions of the court. The decisions were cheap in terms of time and money. The judges used to decide the cases on the basis of Pashtun culture. After the abolishment of states of Swat the developmental works, security to life, property, and justice deteriorated. The officers appointed of Pakistan were more interested in making money instead of resolving the issues of people of Swat.

#### 4.5. Malakand Agency

British established Malakand Agency in 1895. It was consisting of Bajour, Dir, Swat, Kalam, and Chitral. In 1960 Bajour was made a sub-division of Malakand division under the supervision of Assistant Political Agent. The headquarter of the Assistant Political Agent was in Munda (Dir) to deal the tribes. On 1 December 1973, Pakistan made Bajour a separate Agency under the supervision of Political agent. And the Malakand protected area was made a Malakand district.

#### 5. Conclusion

Both Britain and Pakistan consider the Princely states and tribal areas strategically very important. Therefore, they administered the whole area from security perspectives. Democratic and social development was not the concern of British. They were only interested to develop a secure defence line against possible Russian Invasion on India. For this purpose, they develop good relations with the rulers of the state, they kept allies to had assistance at a time of any external and internal danger to British India. So, they did not dislodge the rulers of the state from their power. External sovereignty was taken from them, and internally the rulers were kept autonomous. The adjoining tribal areas of Swat, Dir, Amb, and Chitral in present PATA were under the supervision of either political agent or Deputy Commissioner. The Malakand protected and non-protected areas of Malakand agency were under the Political Agent of Malakand Agency. They were administered by Maliki system, FCR and Tribal Militia. The tribal areas adjoining Kohistan and Mansehra were under the jurisdiction of Deputy Commissioner Malakand. They were administered on the pattern of FR region of tribal areas.

Pakistan after inheriting the Princely states and tribal areas continued with the British policies. Security rather than democracy, rule of law and social development was the main concern of Pakistan. Pakistan did not introduce democratic reform in the area, states continued to exist up to 1969 and the tribal areas were also administered on the British pattern of administration. 1956 and 1962 constitutions were not extended to the area. Even when the states were terminated through a presidential order then again democratic institutions were not installed in PATA. The governance and constitutional status of the Princely States and tribal areas in the Northwest Frontier, both under British rule and after the establishment of Pakistan, reveal a complex history shaped by security concerns rather than democratic or social development. Under British colonial rule, these regions were strategically vital for maintaining a defense line against external threats, particularly the possibility of a Russian invasion. Consequently, the British opted for a system of indirect rule, preserving the autonomy of local rulers while asserting British control over external affairs. This arrangement allowed the British to maintain stability without disrupting the traditional tribal structures, relying heavily on local leadership and customs to govern.

Following the creation of Pakistan in 1947, the governance of the Princely States and tribal areas remained largely unchanged, as Pakistan inherited British policies of security-focused administration. The central government prioritized maintaining control over these strategic regions, rather than introducing democratic reforms or developing social infrastructure. Even after the formal dissolution of the Princely States in 1969 and the extension of central governance over tribal areas, the legacy of British indirect rule persisted. Administrative frameworks such as the *Frontier Crimes Regulation (FCR)* continued to govern tribal areas, and the constitutional integration of these regions into the broader political framework of

Pakistan was a slow and complex process. In summary, both Britain and Pakistan viewed these areas through a security lens, often sidelining the principles of democratic governance and social development. The long-standing governance systems that were rooted in traditional tribal and monarchical structures endured for decades, impacting the political dynamics of the region even after formal integration into Pakistan. Understanding the historical context of governance in the Princely States and tribal areas is crucial for comprehending the challenges of modern-day political and social issues in Pakistan's frontier regions. The legacy of these historical governance models continues to shape the relationship between the federal government and the tribal areas today.

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**Notes:**

<sup>1</sup> In April 2010 the province was renamed from North-West Frontier Province (NWFP) to Khyber Pakhtunkhwa. In this research the word Khyber Pakhtunkhwa is used for NWFP.

<sup>2</sup> British in order to facilitate the political agent introduced a Malik system in the tribal areas. Political agent used to make Maliks in various clans of the tribes. These Maliks were chiefs of his own clan, he used to mediate between political agent and his clan on issues of interest. These Maliks were like recruited officials of British Indian government. In return used to give allowance and other benefits to these Maliks to secure and maintained their loyalties. Through Maliks the political agent ensure stability in their region and safety of communication lines in their lines.