

THE COLONIAL CONSTRUCTION OF THE AZAD QABAYIL: INDIRECT RULE AND NEGOTIATED SOVEREIGNTY ON THE PASHTUN FRONTIER

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ABSTRACT

This article critically examines the colonial construction and post-colonial afterlife of Azad Qabayil ("Independent Tribes") in the North-West Frontier of British India. It challenges the assumption that tribal independence was either an inherent condition of Pashtun society or a straightforward colonial fiction. Instead, it argues that the colonial state selectively appropriated existing forms of local autonomy, recast them as a discourse of tribal independence, and deployed that discourse to legitimise indirect rule while concealing the coercive structures through which imperial authority was exercised. Drawing on archival research, critical discourse analysis, and oral histories, the article exposes the tension between the rhetoric of autonomy and the realities of governance through the Frontier Crimes Regulation, Political Agents, the Malaki system, and locally recruited forces. It conceptualises the frontier as a space of negotiated sovereignty in which internal forms of self-regulation coexisted with externally imposed political and military constraints. Bringing Said, Gramsci, and Mamdani into dialogue, the study further demonstrates how colonial groupings survived 1947, shaping Pakistan's exceptional governance of the frontier and its enduring political legacies.

Keywords: Azad Qabayil; Pashtun tribes; British colonialism; Frontier Crimes Regulation; indirect rule; Post-colonial Pakistan; FATA.

1. Introduction

The notion of Azad Qabayil ("Independent Tribes") occupies a central place in historical accounts of the Pashtun people, and particularly of the tribal belt that formed the north-western march of British India and, subsequently, Pakistan. The term "tribes" is retained throughout this article for consistency and readability, but

with an important qualification: in the local idiom it corresponds to *qabayil* and *olass*, and while "tribe" is itself a colonial category that tended to essentialise diverse Pashtun social forms, it is used here functionally, as a bridge between local meanings and academic discourse. The tribal belt denotes the territory later administered as the Federally Administered Tribal Areas (FATA). It

has long been represented as a redoubt of tribal independence, a land where autonomous Pashtun *qabayil* preserved their liberty even amid surrounding imperial states, a representation reinforced by colonial ethnography, administrative practice, and, later, post-colonial state discourse. This article subjects that representation to critical scrutiny.

The argument advanced here is not that the British invented Pashtun autonomy. Pashtun communities possessed long-standing and meaningful forms of local self-organisation: the *jirga* as a mechanism of collective decision-making, the normative order of *Pashtunwali*, and traditions of self-regulation that operated with limited reference to external states. Rather, the claim is that the colonial state selectively represented, categorised, codified, and strategically deployed the idea of “tribal independence” in ways that facilitated colonial governance. Autonomy was affirmed rhetorically even as sovereignty and influence were exercised practically, through legal regulation, political agents, subsidies, intermediaries, and locally recruited armed forces. The apparent paradox of the frontier is instructive: the so-called independent tribes were simultaneously subject to the Frontier Crimes Regulation (FCR), placed under Political Agents wielding extraordinary powers, bound by subsidies and allowances, and policed by paramilitary forces recruited largely from among themselves, while their territory served as a strategic buffer in the Great Game between British and Russian imperial interests. The frontier is thus best understood not as a binary of freedom versus subjugation but as a zone of uneven, negotiated, and indirect sovereignty. This study investigates how the category of *Azad Qabayil* was constructed and institutionalised, how it was remembered and contested by those who lived under its administrative apparatus, and how its discourse and institutional logic were transmitted to, and reworked by, the post-colonial state.

2. Literature Review

Scholarship bearing on *Azad Qabayil* falls into several distinct but overlapping debates. Organising the field around these debates, rather

than as a catalogue of sources, clarifies both what has been established and what this article adds.

A first strand concerns colonial knowledge production and the representation of Pashtuns. Colonial authors such as Mountstuart Elphinstone portrayed Pashtuns as martial and autonomous, in accounts that were less neutral observation than instruments of imperial knowledge that mapped, classified, and disciplined frontier populations (Lindholm, 1980; Hopkins, 2008). Elphinstone’s *An Account of the Kingdom of Caubul* (1815), widely treated as a foundational text, established a template of Pashtun exceptionalism that later administrators and scholars both drew upon and reproduced (Nazir & Dinakhel, 2024). Reading these texts through Said’s *Orientalism*, subsequent scholars have shown how British ethnographic representation produced a fixed, essentialised Pashtun identity that served administrative ends (Said, 1978; Zahid Ali Shah, 2017).

A second strand situates frontier governance within the geopolitics of the Great Game. On this account the tribal belt functioned as a buffer zone, and the language of tribal independence became an expedient of imperial strategy (Bangash, 2016; Tripodi, 2008; Haroon, 2007). The Durand Line, drawn in 1893, inscribed a boundary of British influence across territories whose inhabitants were simultaneously placed beyond the settled administration, a tension constitutive of the entire framework (Moreman, 1998; Johnson & Mason, 2008).

A third strand analyses the administrative machinery of indirect rule: the FCR, the Political Agent, the Malaki system, and locally recruited paramilitary forces (Khan & Khan, 2012). The FCR in particular has attracted sustained critical attention, characterised as a regime of collective responsibility framed in the idiom of tribal custom and as an exceptional legal order whose principals were carried into Pakistan’s legal architecture for FATA until the region’s tentative merger into Khyber Pakhtunkhwa in 2018 (Wazir, 2007). Naseemullah’s account of “shades of sovereignty” is especially useful here, since it reframes the frontier not as a space of absent authority but as

one of graduated and negotiated sovereignty (Naseemullah, 2014).

A fourth strand traces post-colonial continuities in the governance of the tribal areas, showing how inherited institutions and legal exceptions persisted long after 1947 (Wazir, 2007; Siddique, 2014). A fifth strand foregrounds Pashtun agency and resistance. The Pashtun Tahafuz Movement (PTM) has been read as a contemporary assertion of rights that confronts both the colonial inheritance of frontier governance and its post-colonial reproduction (M. Khan, 2019; Mehmood, 2021), while scholars have shown how the post-9/11 War on Terror reactivated colonial repertoires, recycling the imagery of the “tribal warrior” to frame Pashtun communities as assets or threats rather than as citizens (Siddique, 2014). Much of this scholarship examines either the colonial construction of Pashtun identity or the post-colonial governance deficit; the two are less often analysed together, and the combination of archival research, discourse analysis, and primary oral testimony remains relatively uncommon. This article brings together strands that are usually examined separately. Its contribution lies in a tripartite method, archival records, discourse analysis of ethnographic and administrative writing, and original oral history collected from tribal elders, community leaders, and former soldiers in the former FATA, deployed to trace a line from British frontier policy to Pakistan’s later repurposing of the *Azad Qabayil* category, while attending to the ruptures as well as the continuities across 1947.

3. Theoretical Framework

The analysis draws on three theoretical traditions, each explaining something the others cannot: Said on colonial knowledge production, Gramsci on hegemony, and Mamdani on decentralised despotism. They work in combination, but their contributions should be kept analytically distinct. Said’s central insight is that the “Orient” was not simply observed but actively constituted through scholarship, literature, and administrative writing bound up with imperial power (Said, 1978). Applied to the North-West Frontier, this lets British ethnographic texts from Elphinstone’s

Account to Curzon’s dispatches, be read not as transparent records but as productive discourses that manufactured the category of the *Azad Qabayil*. The fierce, autonomous tribesman was an imperial inscription that made indirect rule, framed as respect for tribal custom, both legible and legitimate. Said uniquely shows how representation did governing work, substituting a manageable image of the frontier for its complex reality. But he does not explain why frontier rule proved durable or how it was institutionalised.

Where representation leaves off, Gramsci’s concept of transformism, the absorption of local elites and subaltern actors into the dominant order in ways that neutralise opposition, supplies the missing dimension. The Malaki system and militias like the Khyber Rifles and *Khassadors* (Tribal Police) were not only instruments of force; they incorporated intermediaries and tribesmen-soldiers into the structures that bounded their autonomy, creating a stakeholder class whose interests were tied to imperial stability. Gramsci thus explains how the state secured cooperation and reduced its reliance on coercion, a claim about engineering consent, not a structural account of the legal-administrative order or its post-independence fate.

Mamdani’s *Citizen and Subject* (1996) supplies the institutional analysis. Colonial indirect rule, he argues, did not merely preserve pre-colonial structures but produced “customary power”: locally administered authority represented as traditional yet controlled from above, sustaining a bifurcation between rights-bearing citizens and administratively governed subjects (Mamdani, 1996). Just as his chiefs administered populations in the name of custom while their authority derived from the colonial state, the Political Agents and Malaks governed through an idiom of tribal autonomy layered over dense imperial control. Mamdani also accounts for post-colonial persistence: Pakistan’s retention of the FCR until 2018 fits the pattern.

The comparison needs care, however. The frontier was not a directly administered province but a graduated “sphere of influence,” shaped by the Durand Line and the Great Game, dimensions with no close African analogue. Pashtun social

organisation, segmentary and relatively egalitarian with its living jirga tradition, did not map neatly onto the chiefly model, and Malak authority was often contested rather than absolute. Mamdani thus illuminates the institutional form and afterlife of indirect rule, but his application to the frontier requires attention to its geopolitical and social specificity.

Read together, the three frameworks provide a layered apparatus: Said for the production of colonial knowledge, Gramsci for the securing of cooperation, and Mamdani for the structure and persistence of indirect rule.

4. Research Questions

1. How did colonial literature construct the idea of “independent tribes” while legitimising British influence and control?
2. How do local Pashtun perspectives, oral histories, community narratives, and local writings, challenge, qualify, or reproduce the colonial claim of “independent tribes”?
3. How did the Frontier Crimes Regulation (FCR), Political Agents, paramilitary forces, and the Malaki system operationalise indirect rule while autonomy was affirmed rhetorically?
4. How was the category of *Azad Qabayil* reproduced and repurposed in post-colonial Pakistan, with what consequences, and what changed after 1947?

5. Methodology

The study employs a qualitative, multi-method design integrating three complementary strands, archival analysis, critical discourse analysis, and oral history, each illuminating a different register of the problem and, together, allowing movement between imperial policy and discourse on the one hand and remembered experience on the other.

The archival strand draws on colonial administrative records, Political-Agent and military reports, and legislative texts, including the Frontier Crimes Regulation and government notes on tribal allowances, housed in documentation centres in Pakistan, supplemented by published primary sources of the period (official ethnographies, memoirs, and frontier dispatches). These materials are read not as transparent

windows onto events but as texts whose categories, vocabulary, and silences are themselves objects of analysis. The critical discourse analysis strand, informed by Norman Fairclough and by Said’s reading of Orientalist writing, examines how the colonial representation of Pashtun identity was constructed through particular lexical choices, narrative conventions, and rhetorical strategies in ethnographic works, official reports, and political speeches, with attention to the recurring vocabulary of autonomy, ferocity, and martial disposition, and to how that vocabulary naturalised what were in fact contingent administrative decisions. Archival reading and discourse analysis are thus mutually reinforcing: the first supplies the documentary record, the second interrogates its language.

The oral history strand constitutes the study’s primary empirical contribution. Six in-depth interviews were conducted between December 2024 and May 2025 across districts of the former FATA (Khyber and Mohmand) and in Peshawar. Participants were selected through purposive sampling to vary along three axes: age and proximity to the colonial period, type of engagement with the tribal governance system (former soldiers, community elders, and a serving/retired army officer), and geographic location. Interviews were conducted in Pashto and Urdu, audio-recorded with informed consent, and transcribed and translated by the author. Thematic analysis was applied, using autonomy, coercion, identity, and continuity as analytical categories derived from the theoretical framework. The claims made for this evidence are deliberately modest. Six interviews cannot be representative of Pashtun communities as a whole, and they are not offered as such. They provide depth, situated perspectives, and counter-narratives, and they are read alongside, not simply against, the colonial archive: at some points they corroborate the documentary record of coercive governance, at others they supply memory and interpretation that the archive omits. Convergences and divergences among participants are both treated as analytically significant. A further distinction is important: for the oldest participants, some testimony reflects direct memory of the late-colonial administrative

apparatus, while other material has plainly been transmitted through family and community narrative; the two are not treated as equivalent, and the analysis flags were remembered experience shades into inherited account.

A brief note on positionality is warranted. The author conducts this research with familial ties to the region. This proximity is treated as an epistemological resource that facilitated candid access on sensitive matters, while the risks of confirmation bias are addressed through reflexivity and by triangulating interpretations against the documentary record, so that interview data function as one evidentiary strand among three rather than as the sole basis for the study's conclusions.

6. Colonial Knowledge Production and the Representation of the Pashtun

British colonial writing on Pashtun character was extensive and markedly ambivalent: official documents and reports depicted Pashtuns by turns as courageous and honourable and as disloyal, barbaric, and uncivilised. This ambivalence is itself analytically significant, for both poles served the same function of marking the Pashtun as an exceptional subject requiring an exceptional mode of rule.

Prior to Elphinstone's mission, the British possessed limited knowledge of the Pashtuns beyond the understanding that they were a warlike people. Elphinstone's *An Account of the Kingdom of Caubul* (1815), often called the "Bible of Afghan Studies," offered a comprehensive early survey of Pashtun life, tribes, language, literature, dress, and the normative code of *Pashtunwali*, including practices such as *melmastya* and *badal*, and set the template on which later administrators drew (Nazir & Dinakhel, 2024). Early colonial ethnography, as Lindholm notes, could cast Pashtuns as charming, childlike, and somewhat dull (Lindholm, 1980). The Forward Policy and the resulting confrontations shifted this image: the childlike tribesman gave way to the figure of the fanatical savage.

The archive of official characterisation is rich. Reporting relayed by Warburton records the observation that the Afridi were inclined to shift

allegiance to the highest bidder (Warburton, 1900). Richard Temple, Secretary to the Chief Commissioner of the Punjab, wrote that the Pashtuns were "superstitious and priest-ridden ... very avaricious ... thievish and predatory to the last degree ... fierce and bloodthirsty," while possessing "gallantry and courage" that they admired in others (Frontier and Overseas Expeditions from India, 1907, p. 42). Denzil Ibbetson described them as among the most violent and vengeful peoples the British had encountered in the Punjab (Ibbetson, 1974), and Lord Curzon distilled the ambivalence into an aphorism: "They are brave as lions, wild as cats, docile as children" (Dilks, 1970, p. 109).

For Colonel Buster Goodwin, who spent two decades on the frontier, the relationship with Pashtuns was "a gentleman's game," in which even a powerful tribesman would meet the Viceroy "straight in the eye" (Johanson, 1997). As Nasrullah Jan Wazir observes, qualities such as bravery and hospitality are not peculiar to Pashtuns; yet the martial characterisation was reproduced from the Mughals through the British to the present, and, he argues, was often internalised by Pashtuns themselves without critical scrutiny of the interests it served (Zahid Ali Shah, 2017).

These tropes did not disappear with the empire. In Pakistan a stereotype persists that casts the Pashtun as an "ignorant *chowkidar*," mocked for imperfect Urdu and presumed backwardness (Z. Khan, 2011), and literary works have been read as extending a colonial optic onto Pashtun society (Zahid, Arif & Riaz, 2022). In the analysis of the post-2001 conflict, some Western writers interpreted Pashtun politics through the same ethnographic lens: Kilcullen's *The Accidental Guerrilla* draws on Churchill's frontier writing to attribute enduring "warlike" traits to present-day Pashtuns (Kilcullen, 2011). Read through Said, this continuity is not incidental: the colonial text established a "positional superiority" that continued to condition how Pashtuns were represented, and, in part, how they represented themselves, long after 1947 (Said, 1978).

7. “Azad Qabayil”: Representation and the Paradox of Negotiated Sovereignty

Presenting the tribes as *Azad Qabayil* served identifiable administrative purposes: it helped contain resistance and economised on the costs of rule (Malik, 2017). The representation proved so durable that it outlived the British departure and passed into post-colonial discourse. Yet colonial officials themselves acknowledged, in candid moments, that the autonomy they proclaimed was partial and instrumental. A contemporary review observed that the tribes were needed as “guardians of the passes,” but must be brought “to hold them for us, not against us” (cited in Bangash, 2016; see also Saturday Review, 1898, p. 348). Lord Lansdowne was blunter still, describing the frontier as a “sphere of influence, within which we shall not attempt to administer the country ourselves, but within which we shall not allow any aggression from without,” and insisting that talk of tribal independence was “somewhat misleading” (Roberts, 2006). As he put it:

There could be no complete independence in the case of people who did not have the power to transfer their allegiance in any direction they pleased. This power was not given to the frontier tribes ... They knew that they must rely on a stronger power, and in the case of the tribes in question, it was our intention that they should rely on us and not on any other power. (R. I. Bruce, 1900, p. 63)

Lansdowne’s criterion, the capacity to conduct external relations, identifies precisely what the tribes lacked. The point is not that they were wholly unfree, but that their sovereignty was internally real and externally denied. Locally, the *jirga* and *Pashtunwali* continued to order social life; externally, the capacity that defines sovereignty in the inter-state sense, alliance, diplomacy, the transfer of allegiance, was reserved to the imperial power. The FCR crystallised this asymmetry. It vested extraordinary authority in a single Political Agent over governance, justice, and revenue in each agency, and empowered the state to impose collective liability on a whole tribe for the act of one member, an arrangement difficult to reconcile with any strong claim of independence (Malik, 2017). To govern the tribes, this framework was

applied on the frontier in the FCR of 1901, alongside tribal levies, Khassadors, and the militias later grouped under the Frontier Corps, backed where necessary by the regular army.

The frontier is therefore better described as a case of negotiated sovereignty than of either independence or direct rule (Naseemullah, 2014). The tribes retained genuine internal authority; the colonial state exercised decisive influence over territory, movement, law, leadership, and military affairs. The category of *Azad Qabayil* named the first while obscuring the second, an obfuscation that made indirect rule appear as the recognition of freedom. How that arrangement was administered in practice is the subject of the next section; how it was later remembered by those who lived under it is taken up in Section 9, where, as we shall see, an elderly interviewee reaches independently for the very criterion Lansdowne invoked.

8. The Administrative Architecture of Indirect Rule

Frontier governance combined four interlocking institutions: the FCR, the Political Agent, locally recruited paramilitary forces, and the Malaki system (Khan & Khan, 2012). Read through Mamdani, this ensemble is recognisable as a paradigmatic form of indirect rule: the colonial state governed not through the direct application of metropolitan law but through the production and management of a “customary” domain populated by intermediaries whose authority appeared indigenous yet was constituted and bounded from above (Mamdani, 1996). Each institution corresponds to a distinct mechanism (legal coercion, administrative surveillance, hegemonic incorporation), and each, examined in turn, shows how the practice of governance complicated the representation of the tribes as independent.

8.A The Frontier Crimes Regulation: Legal and Coercive Governance

The FCR encoded the coercive core of frontier administration. As applied, it comprised sixty-three sections and three schedules and was distinguished by severe powers: to blockade tribes

deemed hostile (Section 21), to demolish or close settlements on the frontier (Section 31), and to compel individuals to remove from their places of residence (Section 36) (Bangash, 2016; Wazir, 2007). Its lineage is important. The regulation was first enacted in 1872 as the Punjab Frontier Crimes Regulation, when the frontier fell under the administration of the Punjab, revised in 1887 into a text of fifty-four sections, of which twenty-one were of general application and thirty-three applied specifically to Pashtuns and Baloch, and recast again in 1901 (Government of Punjab, 1887; A. A. Khan, 2013).

Under the 1887 regulation, a Deputy Commissioner could, on the recommendation of a *jirga* and with the Commissioner's sanction, impose sentences of up to seven years, and where a tribe or individual acted against the administration he could arrest members of the accused tribe, confiscate property, bar the tribe from British India, and penalise communities that sheltered offenders or refused assistance (Government of Punjab, 1887). Two features are analytically decisive. First, the principle of collective responsibility, punishing the group for the act of the member, was incompatible with any robust notion of individual or communal autonomy. Second, the regulation operated *through* the idiom of custom, referring matters to *jirgas* whose composition and remit the administration shaped. In Mamdani's terms, the FCR was the legal form of decentralised despotism: a regime that spoke the language of custom while encoding the discretionary authority of the colonial state.

With Curzon's appointment as Viceroy in 1899, the 1901 regulation accompanied the creation of the North-West Frontier Province, bringing the tribal belt under closer central supervision rather than provincial (Punjab) administration (Bangash, 2016). Contemporaries defended the exceptional regime in the language of civilisational difference, John William Kaye's remark that "we cannot rein in wild horses with silken braids," and Olaf Caroe's claim that "the law of one civilisation cannot be applied to a society with utterly different standards" (Caroe, 1958), while critics such as Abdul Qayyum condemned the FCR as "a

mockery of justice" (Qayyum, 1945). The strategic rationale was explicit: specialised regulation extended British authority over the tribal region, advanced imperial aims towards Central Asia, and checked Russian influence (A. M. Khan, 2008). That the regulation survived in Pakistan until 2018 indicates that the institutional logic of indirect rule does not dissolve automatically at independence but must be actively dismantled, a theme developed in Section 10.

8.B Political Agents: Administrative Authority and Surveillance

Where districts served as administrative units in most of India, agencies were established for the tribal regions, each under a Political Agent broadly equivalent in rank to a Deputy Commissioner; frontier management blended persuasion, coercion, and military operations (Bangash, 2016). Within the agency the Political Agent held decisive authority as the British representative and principal point of contact and control (Ahmed, 1980), expected, in Caroe's phrase, "to know everyone and everything, to be aware of which way the cat was going to jump before it left the ground, and to keep it from jumping on forbidden soil" (Caroe, 1958). The office thus concentrated executive, judicial, and fiscal power in a single official, an image of surveillance and control that stands in sharp tension with the rhetoric of tribal self-government.

Curzon idealised the frontier officer as combining "courage and conciliation ... patience and tact, initiative and self-restraint," a facility for languages, and physical hardiness, on whom, he claimed, security rested more than on "the number of battalions we put there" (C. E. Bruce, 1932, p. 48). Political Agents were drawn from an elite cadre, the Indian Political Service, roughly a third from the civil service and two-thirds from the military, and were required to master Pashto and acquire deep local knowledge (Bangash, 2016; Beattie, 2002). The Political Agent therefore embodied indirect rule in a single person: he enforced colonial law and cultivated tribal alliances, governing through relationships even as he wielded exceptional coercive power. His

centrality is precisely what the language of tribal independence obscured.

8.C Paramilitary Forces: Local Recruitment and Imperial Security

To secure the frontier, the administration raised a range of forces: militias, the Frontier Corps, scouts, Khassadors, and, behind them, the regular army. The Khyber Rifles were among the earliest, followed by the Kurram Militia and the North and South Waziristan Militias around the turn of the century; the Samana Rifles were added in 1897, the border military police were reorganised into the Frontier Constabulary by 1913, and the Mohmand Militia was formed during the First World War, with pickets, checkpoints, and forts positioned throughout the tribal areas (Bangash, 2016). That these forces were overwhelmingly Pashtun was noted at the time: Enriquez remarked on the use “made of the Pathans themselves to protect our marches,” observing that of some 10,440 troops, militias, police, and levies along the border, all but 1,150 were Pashtun (cited in Siddiqui, 2018).

This local recruitment is best read through Gramsci. The raising of tribal levies incorporated the subaltern into the hegemonic project: tribesmen became agents in the maintenance of an order that bounded their own autonomy, serving the very state that regulated them. The purposes were interlocking, to secure the loyalty of the tribes, to deploy them against groups deemed hostile, to furnish a cost-effective force in place of regular troops, and to garrison forts, posts, and roads (Bangash, 2016). Recruitment thus complicates the image of independence twice over: it embedded imperial security within tribal society and made tribesmen participants in their own indirect governance.

8.D The Malaki System: Elite Incorporation and Hegemonic Governance

If the paramilitary forces incorporated ordinary tribesmen, the Malaki system incorporated their elites. A Malak, selected by the administration from among local chiefs or elders, served as an intermediary between the tribes and the Raj and helped implement its policies; the institution had

precedents in earlier Sikh administration of the region (Bangash, 2016). Loyal chiefs received allowances and official recognition of their standing (Ahmed, 1983). Two categories of allowance operated: *Tumani*, distributed among tribes by their shares, and *Malaki*, paid to individual Malaks for service (*khidmat*), but disbursement was uneven, allowances often failed to reach the tribesmen, and Malaks came to be seen as agents of the Raj rather than advocates for their people (C. E. Bruce, n.d.). Hopkins argues that empowering such individuals produced a distinct elite class within Pashtun society (Hopkins, 2008).

Officials disagreed about the system's character. Tripodi reads the allowances less as bribery than as a cost-effective means of securing a fragile frontier (Tripodi, 2008); Lord Elgin thought such service “the best way to keep them quiet” (cited in Bangash, 2016), and supporters cast it as “turning the wild tribesman from enemies into friends” (R. I. Bruce, 1900, p. 94); critics urged that allowances be paid to whole tribes rather than to individuals (Bangash, 2016), and Warburton, after nearly three decades on the frontier, attributed many conflicts to the malfeasance of intermediaries (Elliot, 1968). Whatever the balance of judgement, the institution exemplified *transformism*: by privileging loyal Malaks with subsidies and authority, the colonial state created a stratum whose interests were tied to imperial stability rather than to any project of tribal independence, an incorporation formalised in the many treaties and agreements concluded with the agencies between the annexation of the Punjab and 1914 (Bangash, 2016).

9. Local Memory and Situated Counter-Narratives

The oral testimony gathered for this study speaks directly to the institutions analysed above. It should be read not as a representative survey but as a set of situated counter-narratives that both corroborate the archive and reveal how the category of *Azad Qabayil* was remembered, reworked, and contested from below.

The participants converge on a common conclusion, that the tribes were not independent

in any strong sense, yet they arrive at it by different routes and with different emphases. Aziz Khan Afridi, an elder of very advanced age, grounded the point in the criterion of external relations: a genuinely free nation could establish relations with other states, a capacity the tribes lacked, which rendered their freedom “merely symbolic”; the *jirga*, he added, was often not the customary body but a “Sarkari” (government) *jirga* (Aziz Khan Afridi, interview, 2025). His formulation reaches, independently, for the very test Lansdowne had used a century earlier, a striking convergence between the colonial official’s candid admission and the colonised subject’s retrospective judgement.

Others foregrounded coercion and presence. Sarmast Afridi, who recalled service connected to the British garrison at Jamrud, questioned how independence could be claimed given the pervasive military presence and the authority of the Political Agent (Sarmast Afridi, interview, 2025); Haji Ziwari Shah of Landi Kotal argued that the tribes lacked control over their own territory, pointing to the FCR, the dense infrastructure of the Khyber Pass, and the forces stationed there (Haji Ziwari Shah, interview, 2025); and Muhammad Hayat Khan held that the appearance of independence masked indirect governance through the FCR, leaving the tribes’ freedom “symbolic” (Muhammad Hayat Khan, interview, 2025).

Two participants are especially revealing for the study’s argument. Sultan Khan Afridi, who served in the army in the 1960s, connected the colonial and post-colonial periods directly: those in Islamabad, he argued, had deceived the tribal people much as the British had, with terms such as “brave people,” “*Azad Qabayil*,” and “protectors of the borders,” citing the anti-Soviet jihad and the War on Terror as episodes in which the tribes were mobilised under the guise of religion and martial honour (Sultan Khan Afridi, interview, 2024). His testimony reproduces the vocabulary of *Azad Qabayil* even as it turns that vocabulary into an object of critique, an instance of how a colonial category can be at once inhabited and contested. Major Tariq Javed, by contrast, framed the same arrangement in the more neutral register of

strategy: the Raj fostered a perception of independence to secure its objectives, chiefly border security and peace (Tariq Javed, interview, 2025). The difference in valence—deception for the elder, strategy for the officer—matters and cautions against treating the interviews as a single voice.

Two methodological observations follow. First, the convergence among participants is itself partly an artefact of purposive sampling and of a shared present-day critical vantage; it is evidence of a widely held counter-memory, not proof of unanimity across Pashtun communities. Second, the testimony operates on two temporal registers, direct recollection of the late-colonial apparatus among the oldest participants, and memory transmitted through family and community narrative, which are not interchangeable. Taken together, and read against the archive, the interviews do double work: they corroborate the documentary record of coercive governance, and they record the persistence of the *Azad Qabayil* idiom as a durable structure of feeling that is now being critically dismantled from below.

10. Post-Colonial Persistence and Rupture

The category of *Azad Qabayil* did not end with British withdrawal in 1947. The successor state inherited both the geographic framework and the administrative logic of the tribal belt, and FATA continued to be governed by a modified FCR until 2018. For much of that period the region occupied an exceptional constitutional position: ordinary law and the jurisdiction of the higher courts did not extend to it in the usual way, and Political Agents retained wide powers, including collective sanctions, an evident line of continuity with colonial governance (Khan & Khan, 2012; Wazir, 2007). Continuity, however, is not identity. Pakistan was a sovereign nation-state rather than an empire; the frontier’s strategic meaning was reshaped by the Cold War, by the unresolved status of the Durand Line and relations with Afghanistan, and by domestic security imperatives; and the inherited institutions interacted with new political choices rather than simply reproducing the colonial order. The persistence of the FCR was

a decision of the post-colonial state, not merely an imperial residue.

The instrumentalisation of Pashtun identity found acute expression during the anti-Soviet jihad of the 1980s, when the state and its external backers mobilised tribal communities as a central element of the mujahideen campaign in a manner that resonated with the older imagery of the martial, border-guarding tribesman (Haroon, 2007; Siddique, 2014). The vocabulary of “brave people” and “defenders of Islam,” as Sultan Khan Afridi’s testimony makes explicit, functioned as a successor idiom to “*Azad Qabayil*,” attributing a special identity that rendered Pashtun men available for state and imperial projects.

The War on Terror after 2001 extended this pattern in new conditions. The tribal areas became a principal theatre of military operations and the target of an intensive campaign of American drone strikes (Bureau of Investigative Journalism, 2017), and Pashtun communities experienced large-scale displacement, destruction of infrastructure, and grave human-rights harms (Siddique, 2014). Some Western analysts, following Kilcullen (2011), again read these developments through a cultural lens emphasising Pashtun predispositions to violence, recycling the ethnographic tropes established by Elphinstone and his successors to explain the consequences of deliberate state and imperial policy.

The most systematic contemporary challenge to this trajectory has come from the Pashtun Tahafuz Movement (PTM), which from around 2018 has demanded accountability for enforced disappearances, an end to extrajudicial killings, the clearance of landmines from former operational areas, and the extension of full constitutional rights (M. Khan, 2019; Mehmood, 2021; Yousafzai, 2020). Crucially, PTM activists have contested the framing itself, rejecting the figure of the “noble savage” or “natural warrior” and demanding recognition as rights-bearing citizens rather than as a strategic resource.

The merger of FATA into Khyber Pakhtunkhwa in 2018 and the repeal of the FCR marked a significant, if incomplete, rupture. The extension of the higher courts, ordinary legal procedure, and parliamentary representation to the former

agencies removed the most overt colonial features of the governance framework and was driven in part by sustained Pashtun mobilisation (Naseemullah, 2014). Institutional change, however, does not by itself produce substantive equality: military operations have continued, the development deficit accumulated over decades remains, and the conditions that many rights advocates describe as a lingering state of exception have yet to be fully addressed (Khan & Khan, 2012). The post-colonial trajectory is therefore best read as neither a simple replication of colonialism nor a clean break from it, but as the reworking of an inherited apparatus under new imperatives, now itself subject to contestation and reform.

11. Conclusion

This study has argued that *Azad Qabayil* is best understood not as a historical description of Pashtun society but as a colonial construction: a selective representation and institutionalisation of pre-existing forms of local autonomy through which indirect rule was legitimised and operated. Pashtun communities did possess real traditions of self-regulation; what the colonial state added was the categorisation, codification, and strategic deployment of “independence” in ways that served imperial governance. The frontier that results is best characterised as a zone of uneven, negotiated, and indirect sovereignty, internally autonomous, externally constrained.

Three contributions follow. For the historiography of colonial frontier governance, the analysis reframes a familiar binary of freedom versus control, showing how representation and administration were mutually reinforcing: colonial knowledge made a mode of governance thinkable, and that governance in turn confirmed the knowledge. For the comparative study of indirect rule and post-colonial state formation, the article uses Mamdani’s decentralised despotism while specifying the frontier’s geopolitical distinctiveness, and traces both the persistence of colonial institutions across 1947 and the limits of that persistence. For the study of memory, the oral histories add situated counter-narratives that reveal the durability of the *Azad Qabayil* idiom and

its critical reworking by those who lived under it, showing how a colonial category can be simultaneously inhabited and contested.

The distinction between actual local autonomy and its colonial representation is not merely terminological. Analytically, it preserves Pashtun agency, which a flat account of “colonial control” would efface. Historically and politically, the conflation of the two mattered: to be named exceptionally autonomous was also to be governed by exception, celebrated as warriors while being denied the ordinary entitlements of citizenship. That categories of colonial knowledge outlived the empire, shaping the successor state’s legal regimes and strategic mobilisations even as they were, in part, reformed, is the clearest lesson of the case. The emergence of movements such as the PTM, and the contested reforms of 2018, indicate that this inheritance is neither total nor permanent, but an object of ongoing political contestation.

REFERENCES

- Ahmed, Akbar S. *Pukhtun Economy and Society: Traditional Structure and Economic Development in a Tribal Society*. London: Routledge and Kegan Paul, 1980.
- Ahmed, Akbar S. *Religion and Politics in Muslim Society: Order and Conflict in Pakistan*. Cambridge: Cambridge University Press, 1983.
- Bangash, Sher Muhammad. *The Frontier Tribal Belt: Genesis and Purpose Under the Raj*. Karachi: Oxford University Press, 2016.
- Beattie, Hugh. *Imperial Frontier: Tribe and State in Waziristan*. Richmond, Surrey: Curzon Press, 2002.
- Bruce, C. E. “The Sandeman Policy as Applied to the Tribal Problems of Today.” *Journal of the Royal Central Asian Society* 19, no. 1 (1932): 45-67.
- Bruce, C. E. *Note on the General System of Tribal Maliki Allowances*. Islamabad: National Documentation Centre, Acc. No. 4, n.d.
- Bruce, Richard Isaac. *The Forward Policy and Its Results*. London: Longmans, Green, and Co., 1900.
- Bureau of Investigative Journalism. *Drone Warfare*. London: Bureau of Investigative Journalism, 2017.
- Caroe, Olaf. *The Pathans: 550 B.C.-A.D. 1957*. London: Macmillan & Co. Ltd., 1958.
- Dilks, David. *Curzon in India, Vol. I: Achievement*. New York: Taplinger Publishing Co., 1970.
- Elliot, James. *The Frontier 1839-1947: The Story of the North-West Frontier of India*. London: Macmillan, 1968.
- Frontier and Overseas Expeditions from India: Selection from Government Record; Tribes North of the Kabul River*. Vol. 1. Simla: Government Monotype Press, 1907.
- Government of Punjab. *Frontier Crimes Regulation, 1887*. Lahore: Punjab Government Press, 1887.
- Haroon, Sana. *Frontier of Faith: Islam in the Indo-Afghan Borderland*. London: Hurst, 2007.
- Hopkins, Benjamin D. *The Making of Modern Afghanistan*. Basingstoke: Palgrave Macmillan, 2008.
- Ibbetson, Denzil. *Punjab Castes*. Lahore: Sh. Mubarak Ali, 1974.
- Johanson, Robert C. “Radical Islam and Nonviolence: A Case Study of Religious Empowerment and Constraint among Pashtuns.” *Journal of Peace Research* 34, no. 1 (1997): 53-71.
- Johnson, Thomas H., and M. Chris Mason. “No Sign until the Burst of Fire: Understanding the Pakistan-Afghanistan Frontier.” *International Security* 32, no. 4 (2008): 41-77.
- Khan, Abdul Malik. “The Dispensation of Justice in the Federally Administered Tribal Areas (FATA) of Pakistan.” *Central Asia* 62 (2008): 107-119.
- Khan, Adnan A. “Frontier Crimes Regulation: A Contextual Analysis.” *Journal of Law and Social Policy* 2, no. 1 (2013): 1-20.
- Khan, Maryam. “The Pashtun Tahafuz Movement and the Struggle for Rights.” *South Asian History and Culture* 10, no. 3 (2019): 251-268.

- Khan, Shaheen, and Adnan Khan. "The Frontier Crimes Regulation (FCR): A Socio-Political Assessment." *Central Asia* 70 (2012): 1-14.
- Khan, Zalan. "Pashtuns: Chowkidars or Noble Savages?" *Dawn*, July 1, 2011. <https://www.dawn.com/news/640690>.
- Kilcullen, David J. *The Accidental Guerrilla: Fighting Small Wars in the Midst of a Big One*. New York: Oxford University Press, 2011.
- Lindholm, Charles. "Images of the Pathan: The Usefulness of Colonial Ethnography." *European Journal of Sociology* 21, no. 2 (1980): 350-361.
- Malik, Khalil. "The Status of FATA: Myths and Realities." *News Line Magazine*, February 2017. <https://newslinemagazine.com/magazine/status-fata-myths-realities/>.
- Mamdani, Mahmood. *Citizen and Subject: Contemporary Africa and the Legacy of Late Colonialism*. Princeton: Princeton University Press, 1996.
- Mehmood, Arshad. "The PTM and Post-Colonial Continuities in Pashtun Marginalization." *Asian Affairs* 52, no. 2 (2021): 312-329.
- Moreman, Timothy R. *The Army in India and the Development of Frontier Warfare, 1849-1947*. London: Macmillan, 1998.
- Naseemullah, Adnan. "Shades of Sovereignty: Explaining Political Order and Disorder in Pakistan's North West." *Studies in Comparative International Development* 49, no. 4 (2014): 501-522.
- Nazir, Khalid, and Muhammad Ayaz Dinakhel. "A Critical Analysis of the Description of Pashtuns in Elphinstone's Book 'An Account of the Kingdom of Caubul.'" *Al-Azhār* 10, no. 1 (2024): 133-146.
- Qayyum, Abdul. *Golds and Guns on the Pathan Frontier*. Bombay: Hind Kitab Publishers, 1945.
- Roberts, Paul Edward. *British Rule in India: India Under the British Crown, 1856-57*. Vol. 2. Dehradun: Reprint Publications, 2006.
- Said, Edward W. *Orientalism*. New York: Pantheon Books, 1978.
- Saturday Review of Politics, Literature, Science and Arts. "Roberts and the Indian Frontier Debate." 85, no. 2211 (1898): 348-349.
- Scott, James C. *Domination and the Arts of Resistance: Hidden Transcripts*. New Haven: Yale University Press, 1990.
- Siddique, Abubakar. *The Pashtun Question: The Unresolved Key to the Future of Pakistan and Afghanistan*. London: Hurst, 2014.
- Siddiqui, Zofeen. "Frontier Crimes Regulation: A Past That Never Ends." *Dawn*, May 15, 2018. <https://www.dawn.com/news/1407020>.
- Tripodi, Christian. "Peacemaking through Bribes or Cultural Empathy? The Political Officer and Britain's Strategy towards the North-West Frontier, 1901-1945." *The Journal of Strategic Studies* 31, no. 1 (2008): 123-151.
- Warburton, Robert. *Eighteen Years in the Khyber, 1879-1898*. London: John Murray, 1900.
- Wazir, Muhammad Moeen. "FATA under FCR (Frontier Crimes Regulations): An Imperial Black Law." *Central Asia Journal* 61 (2007): 1-20.
- Yousafzai, Fazal. "The Pashtun Tahafuz Movement: A New Social Movement against Military Impunity." *Asian Security* 16, no. 3 (2020): 257-274.
- Zahid Ali Shah. *Orientalist Constructions of Pashtuns: On the Post-Colonial History and Repercussions*. Unpublished M.Phil. thesis, Quaid-i-Azam University, 2017.
- Zahid, Muhammad, Muhammad Arif, and Hamid Riaz. "Extension and Continuation of the Colonized Misrepresentation of the Pakhtun Society: An Analysis of the Selected Narrative." *Global Language Review* 7, no. 2 (2022): 25-36.

Unpublished Interviews

- Afridi, Aziz Khan. Personal interview by the author. Tehsil Bara, District Khyber, March 20, 2025.
- Afridi, Sarmast. Personal interview by the author. Tehsil Jamrud, District Khyber, January 14, 2025.

Afridi, Sultan Khan. Personal interview by the author. Tehsil Jamrud, District Khyber, December 12, 2024.

Javed, Tariq. Personal interview by the author. Qissa Khwani, Peshawar, May 02, 2025.

Khan, Muhammad Hayat. Personal interview by the author. Tehsil Halim Zai, District Mohmand, April 06, 2025.

Shah, Haji Ziwar. Personal interview by the author. Tehsil Landi Kotal, District Khyber, April 09, 2025.

