

Exploring Gendered Dimensions of Ownership, Access and Use of Land-Based Resources in Post Crisis Swat, Pakistan

Utforsking av kjønnede dimensjoner ved eierskap, tilgang til og bruk av landbaserte ressurser i Swat-dalen i Pakistan etter krisen

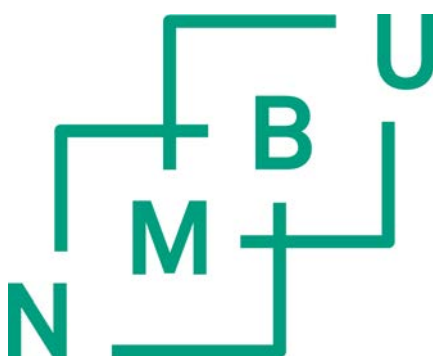
Philosophiae Doctor (PhD) Thesis

Abda Khalid

Department of International Environment and Development Studies
(NORAGRIC)

Faculty of Social Sciences
Norwegian University of Life Sciences

Ås/2016



Thesis number: 2016:27
ISSN: 1894-6402
ISBN: 978-82-575-1327-6

Abstract

Gendered dimensions of ownership, access and use of land-based resources in rural economies in Pakistan are still negotiable and under-researched. Not only is land ownership highly gendered, but also it is underpinned by multiple power dynamics. Such issues become more complicated and complex in traditional and culturally strict societies like those present in the Swat Valley, Pakistan. Strict gender roles, highly gendered access to resources, and legal pluralism attached to various dimensions of ownership, inheritance and access, make the situation challenging to study and understand. In addition, Swat underwent two overlapping disasters, i.e. militancy and a severe flood, which created a ‘complex emergency’ and further complicated the situation. Men and women recovering from the effects of militancy in the area were soon hit by a devastating flood and reverted to early recovery mode. As a result, Swat society has seen changes in social structures and gender relations that were hitherto unknown. This study aimed to explore and understand the gender dimensions of different legal and practical systems involving land use, ownership, distribution, and access in post-crisis Swat. In addition, it examined the experienced/perceived changes in gender relations and livelihoods in upper and lower Swat, due to conflict and flood. Last but not least, it studied how gender and livelihood development projects were carried out in post-crisis Swat. The findings from the Swat context are then linked to the broader debate of human security. This research study used qualitative methods for data collection, including unstructured interviews, life histories of women, analysis of historical documents (i.e. *Riwaj Nama*¹ of Swat, *Nikkah Namas*² from the 1940s to 2000s, land records, decisions by *Jirgas*³ regarding land settlements) and reports on gender projects from development organizations. Major findings reveal

¹ Constitution of Swat before the merger with Pakistan

² Marriage contract

³ Village council that holds trials regarding disputes and conflicts in the village. Disputes include those about marriages and land ownership.

that the crises have heavily influenced not only societal structures, but also access and ownership issues. The legally recognized right of women's ownership, access and inheritance of land that is enshrined in the Constitution of Pakistan and in Islam is now gaining social recognition in Swat society; however, the judicial system and law enforcement remain weak. In particular, cultural barriers and narrow interpretations of religion hold sway to a large extent. Moreover, the lives of men and women have shifted in regard to livelihood changes, gender roles and power dynamics. Even *Pakhtoon wali* ⁴ has seen changes and adjusted the role of women who were previously 'invisible' or not studied. For instance, since the crises, the role of women in economic development is now receiving wide acceptance. Most of the practices around land ownership and access have roots in history, ever since the Yousafzai Pakhtoons entered the area in 16th century. However, the situation changed when the State of Swat came to an end in 1969 when the area was merged into Pakistan. Since the merger, shifts in political and economic structures in Swat have had both positive and negative impacts on people. Although they experienced elements of frustration, the merger provided a constitutional and statutory vehicle for women to access and own property. It opened new avenues for them that paved the way towards gender equality, although the process has numerous limitations and equality is still contested socially. The crises in the area have raised awareness and opened new ways of thinking for men and women. The influx of development organizations from across the country has brought new ideas and new cultures regarding work and thinking, which in turn have affected gender structures, thinking processes and roles and responsibilities of men and women.

⁴ Standard code of conduct for Pakhtoons. A detailed discussion is given in Section 3.