

**The Potential of Nudging Civic Participation in Post-Conflict Environment: The Case of Merged Districts of KP, Pakistan**



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**2021**

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Environment: The Case of Merged Districts of KP, Pakistan**

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A thesis submitted in partial fulfillment of the requirements for the degree of  
MS Peace and Conflict Studies

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**August 2021**

## **Thesis Acceptance Certificate**

It is certified that the contents and form of the MS thesis titled “**The Potential of Nudging Civic Participation in Post-Conflict Environment: The Case of Merged Districts of KP, Pakistan**” written by Ms. Madiha Hassan (Registration No. 00000322064) of Centre for International Peace and Stability has been vetted by the undersigned, found complete in all respects as per NUST status/regulations, is free of plagiarism, errors and mistakes and is accepted as partial fulfillment for the award of MS/MPhil Degree. It is further certified that the necessary amendments as pointed out by the GEC members of the scholars have also been incorporated in the said thesis and have been found satisfactory for the requirement of the degree.

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## **Acknowledgement**

Completing this thesis required tremendous support, for this I'd like to appreciate all the individuals who helped me achieve this milestone. First and foremost, I would like to extend my utmost gratitude to my thesis supervisor, Dr. Muhammad Makki for his guidance and valuable insights throughout the process of research and writing this thesis. Thank you for your time and exceptional feedback.

Thank you to all my professors at CIPS with special thanks to Dr. Ahmed Waqas Waheed for his mentorship and guidance. I am indebted to you for all that you've taught me about the academic world. I am highly grateful to Dr. Bakare Najimdeen for trusting in my capabilities and offering words of encouragement when they were most needed.

Thank you to Dr Tughral Yamin for the opportunity to carry out research on the idea of 'nudging' in Covid-19 response. It is from here that my thesis topic was conceived. I appreciate all the experts who became a part of the study and offered their time and passionate participation.

Most importantly, I would like to extend my sincere gratitude to my parents for their support and for being incredibly loving grandparents who always offered their utmost support throughout my thesis.

Last but not the least, I would like to thank my wonderful partner, my biggest supporter, my husband; Ehtisham Iqbal. Thank you for being a constant source of encouragement and optimism. This achievement is not just my own but ours as a family.

## **Dedication**

This humble achievement is lovingly dedicated to my beautiful children

ESSA IQBAL & HANIYA IQBAL

I LOVE YOU WITH ALL MY HEART

## ABSTRACT

The conflict-affected tribal areas previously known as Federally Administered Tribal Areas (FATA) were merged with the province of Khyber Pakhtunkhwa (KP) in 2018. To acknowledge the need for innovative approaches to rebuilding state-society relations whilst mainstreaming the merged districts; this research proposes the idea of behavioral change and ‘nudging’ to enhance civic participation and engagement with state institutions. The theoretical underpinnings of nudging approach as proposed by Thaler and Sunstein posit the idea of influencing individual behavior and self-consciously attempt to move people in the direction of better choices for the individual and society. While, behavioral science and nudges have been extensively integrated with various public policy domains, research regarding behavioral change in conflict-affected and post-conflict society is inadequate and requires further exploration. For this, qualitative research has been carried out through semi-structured interviews of experts in the field of peace and conflict studies and behavioral science. The factors affecting the applicability of nudges are outlined as lack of political consciousness about the state systems and access to courts and official records which has affected individuals’ propensity to engage with the state institutions. With that, the challenge faced in provision of security and creating state infrastructure are recognized as pre-requisites for nudging civic participation. These findings integrated with lessons from behavioral science in other post-conflict contexts have been leveraged to outline how nudges can be operationalized to increase civic participation and adherence to government processes through operational transparency. For this, mediums of outreach in the context of ex-FATA have been explored whilst outlining innovative methods of research in post-conflict settings and ethical considerations therein.

**Keywords:** nudging, merged districts, civic participation, behavioral science, post-conflict, behavioral nudges



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## CHAPTER 1: Introduction

The former Federally Administered Tribal Areas (FATA) of Northwest Pakistan served as a sanctuary to Al-Qaeda and Taliban militants and became the theatre for the war on terrorism in Pakistan. Ever since, the Pakistan military has successfully conducted various military operations in FATA agencies to expel militants and take back majority control of the territory. The territory has a history of being governed under the Frontier Criminal Regulation (FCR) put in place by the British and has lied outside constitutional jurisdiction (Asrar & Malik, 2019). As a result of the conflict and continued marginalization, FATA has become the most volatile and impoverished region, with the existing economic and political infrastructures completely shattered.

The government took significant steps for post-conflict rebuilding and ensuring stability in the ex-FATA region. In 2018, the Pakistani government merged the tribal areas with neighboring province of Khyber Pakhtunkhwa (KPK). Committee formed under Sartaj Aziz for FATA reforms resulted in the constitutional amendment for FATA's merger with the province of KPK (Shah, 2018). As a result, the passing of the Twenty-fifth Amendment of the Constitution of Pakistan extended constitutional rights to the people of FATA (Khan, Ijaz, & Saadat, 2021). This included passing a 10-year development plan for FATA reforms and a three percent allocation of National Finance Awards (NFC) by all provinces. However, a major issue with the hasty merger was the legal and administrative vacuum that occurred. Since the merger took place five years earlier than what had been recommended by the official committee on FATA reforms, there was the absence of administrative institutions to support the new system and laws (Malik & Asrar, 2019).

Along with the legal and administrative vacuum that occurred, there is also a need for educating the locals about their newly acquired constitutional rights under the new merger. It is highlighted that there is a lack of awareness of the newly enforced judicial system and its jurisdiction (Shahid, 2019), and as a result of the merger, the tribal people did not understand the new judicial and administrative system which had created 'fear and confusion' (Khan & Hussain, 2020). In the case of erstwhile FATA, Jirga retained an integral position as an intermediary for the citizens with the state as citizens had little contact with the state machineries. It has been noted that civil society is less organized, and due to the absence of the state, traditional structures have taken up the functions and assumed them to be those of the state. (Maguire, Citizen Engagement

in Pakistan, 2019). Hence, it is argued that the government should involve local people and rebuild the state-citizen relationship in order to achieve its goal of mainstreaming the newly merged districts (NMDs).

Literature highlights building a capable state and at the heart of this is engaging people from outside and expanding political participation and provision of security (Jabareen, 2012). It is important to understand the role of citizen participation in developing democratic practices and peace in post-conflict scenarios. Scholars have defined civic participation as a “connection to the public sphere” which includes the connection between people, civic associations, political life, public policy processes and government (Levine, 2011). Moreover, trust in government becomes the cornerstone of civic engagement, as trust becomes the achievable target when two concerning parties are engaging with each other (Building Trust Through Civic Engagement, 2007). In the case of FATA, as the security situation stabilizes in some parts, attention must be given to restoring trust in the governance and building civic participation. Hence, it is pertinent to assess how to bring about this change in civic behavior and improve the understanding of government processes in order to be more engaged.

## 1.1 Exploring Behavioral Change in Post Conflict Environment

Given these circumstances, the merged districts in KP demand an efficient policy that integrates all stakeholders and encourages their participation in post-conflict recovery. For this, the idea of behavioral change must be explored in the context of post-conflict development. Moreover, it is pertinent to examine behavioral change to increase civic participation and create awareness in the residents of merged districts about the state processes. Hence, this research proposes the idea of a more recent mode of governance outlined as ‘nudging’, which refers to behavioral change achieved through ‘choice architecture’<sup>1</sup>. It includes using social nudges in which behavioral change is assumed to result from people’s propensity to automatically adopt others’ behaviors (Thaler & Sunstein, 2008). In this research, theoretical elements of the nudging

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<sup>1</sup> Choice Architecture refers to the practice of influencing choice by “organizing the context in which people make decisions” (Thaler et al., 2013). A frequently mentioned example is how food is displayed in cafeterias, where offering healthy food at the beginning of the line or at eye level can contribute to healthier choices. Choice architecture includes many other behavioral tools that affect decisions, such as [defaults](#), [framing](#), or [decoy](#) options.

approach as proposed by Cass Sunstein and Richard Thaler are used to construct a framework for the application of nudges in post-conflict environment. Hence, it proposes a new way of solving policy problems by influencing people's behaviors to bring about compliance with government processes and increasing civic engagement. It involves defining the problem of civic participation in behavioral terms and achieving desired behavioral change through nudging.

## 1.2 Aims and Objectives

This study aims to propose the application of nudging in Newly Merged Districts (NMD)'s post-conflict society for civic participation. Firstly, the aim is to:

- a) Understand the challenges in civic participation in behavioral terms by examining the attitudes and perceptions of the people towards the state and engaging with state institutions.
- b) Construct a framework for the application of nudges in the post-conflict environment.
- c) Examine how nudges can be operationalized to bring about behavioral change and increase trust in the government in the post-conflict environment whilst exploring the components for designing context-specific and social nudges for the merged districts of KP.
- d) Given the normative and ethical concerns raised in literature about nudging, this study endeavors to investigate the acceptability of nudging amongst the relevant stakeholders and assess whether it is an ethical strategy to enhance civic participation. Thus, the aim is to explore the potential of nudging as a viable policy tool in post-conflict.

## 1.3 Research Significance

Given the literature review, this study makes a significant contribution to the study of post-conflict rebuilding and advances the application of nudges to a lesser-explored area of study. Furthermore, the research is a multidisciplinary study that attempts to construct a framework for nudging in a post-conflict society. While behavioral economics approach has been extensively integrated with various public policy domains through theoretical and empirical works. The research regarding behavioral change in post-conflict societies is inadequate and requires further exploration. It has been closely observed that various institutions have embraced the nudging approach to advance public policy goals as there are extensive reports and research articles which

discuss the positive analysis of nudging. However, the role of behavioral science in the field of peace and conflict is deliberately being realized. The integration of nudging has been somewhat introduced to the study of a post-conflict society, which can understand behavioral mechanisms in post-conflict recovery and design a better post-conflict development response. A greater level of attention needs to be paid to this area of study and further tools and methodologies must be developed to integrate the two schools.

Most importantly, these findings are studied through the case of the former FATA region. It is a first attempt to use behavioral change approach to advance policy goals in erstwhile FATA. A fundamental reason for this is that changing behavior of citizens and formulation of rules and procedures for state processes by the government is integral for rebuilding the social contract in the region. Thus, various modes of governance must be explored to achieve this objective, including the use of nudging. Furthermore, the decision-making processes in post-conflict environment are affected by various factors like identity, social associations, cultural and social norms. Thus, the proposed study is an attempt to explore and prescribe context-specific nudges suitable for the given environment.

#### 1.4 Methodological Approach

Given the nature and scope of this research, the project primarily employs a qualitative approach for the data gathering and analysis. Considering the complexities of post-conflict dynamics, this research essentially uses the case study design to explore ‘nudging’ as a viable policy tool in the context of erstwhile FATA. Case study is an ideal methodology in social sciences as it allows for a holistic, in-depth understanding and investigation (Feagin, Orum, & Sjoberg, 1991). Understanding the challenges of the post-conflict phase in erstwhile FATA and the complexities of rebuilding social contract through civic participation require an in-depth review of secondary data on the subject matter. This includes reviewing the literature on behavioral change techniques and the theoretical underpinnings of the nudge approach in behavioral science. Furthermore, semi-structured interviews have been conducted for collecting primary data. Semi-structured interviews are a common data collection tool that ensure the objectivity and trustworthiness of studies and make the study results plausible (Kallio, Pietilä, Johnson, & Docent, 2016).

The goal was to interview experts who have an established understanding and practical knowledge of behavioral economics. The sample of 10 experts represents behavioural design practitioners and academics specialized in the field of behavioral economics. Keeping in view their scholarship on the subject, relevance and accessibility for the interviews, experts in the field of peace and conflict studies with research specialty in erstwhile FATA have been interviewed. The semi-structured interviews were conducted on zoom and in-person and recorded with consent of interviewees.

However, some limitations of the research must be noted. In view of the fragile security situation in parts of North and South Waziristan and other agencies, the freedom of movement in the newly merged districts is limited. Due to this, this research has focused on data collection through interviews of experts and officials who understand the complexities of the on-going situation and worked closely with the resident community as well as individuals who have expertise in the subject matter. Moreover, due to the recurring lockdowns imposed by COVID-19, it was deemed suitable to select a 'elite' informant to explore the aforementioned themes of the research instead of selecting a random sample. Elite informants can be defined as key decision-makers who possess extensive or exclusive knowledge and the ability to influence outcomes. (Aguinis & Solarino, 2019). However, if researchers had access to a larger data sample as well as a random sample with the target population residing in post-conflict FATA. It would have been possible to better understand the behavioral mechanisms at play in the post-conflict landscape of erstwhile FATA. Moreover, it would have allowed the behavioral insights to inform the applicability as well as the design of behavioral techniques such as nudging.

This thesis begins with introducing the context under study and providing the research aims, significance, and methodology. Chapter 2 outlines the theoretical underpinnings of the nudging approach and review of literature on the utility of nudges in public policy and its integration with the peace and conflict field. This will be followed by Chapter 3, which provides a detailed discussion of the post-conflict dynamics of the erstwhile FATA region and the role of civic participation in post-conflict rebuilding. Chapter 4 discusses the factors that applicability of nudges to the context of erstwhile FATA and analyzes the data collected regarding the engagement of citizens with the state mechanism. Chapter 5 focuses on analysing data regarding the operationalizing of nudging to increase government trust and civic participation. This includes a

discussion of the methodological innovations required to nudge in the post-conflict environment and the ethical considerations.

## **CHAPTER 2: A Scoping Review of the Use of Behavioral insights in Public Policy**

This chapter introduces the idea of nudging and explains the theoretical underpinnings that inform this approach's application. It describes how behavioral insights developed in psychology can be applied to influence people's decisions when they are presented with certain choices. In other words, a nudge steers people towards a particular choice or outcome which ultimately leads to long term betterment of individuals and/or society. Nevertheless, nudging has been widely scrutinized in scholarly literature and the question of whether nudges restrict individual liberties has been posed. For this, the thesis looks at the literature regarding nudging which has drawn attention to normative concerns and ethical considerations regarding nudging. Furthermore, this chapter establishes the case for nudging by looking at the popularity of this approach by various governments and international organizations to achieve public policy objectives. Also, it draws on literature that has endeavored to integrate the behavioral science approaches with the field of conflict studies and post-conflict recovery.

### **2.1 Theoretical Considerations**

The Nudge approach from behavioral economics expounded by economist and Nobel Prize winner Richard H. Thaler explains how individuals can be steered towards better decision-making through studying human behavior and decision making (Thaler & Sunstein, 2008). Much of the theory has been developed through the works of psychologist David Kahneman and Amos Tversky (1973) on cognitive biases or 'heuristics' that explain the ways of thinking people rely on for decision making (Tversky & Kahneman, 1973). However, it is important to recognize that behavioral economics and 'Nudges' are distinct. The former is a scientific sub-discipline, and the latter is the application of its findings in policy. A nudge, according to Thaler and Sunstein refers to design of choices such that it leads to a predictable change in people's behavior without curtailing their freedom of choice (Thaler & Sunstein, 2003). In this sense, the Nudge theory is a radically different approach to achieving change in people as compared to traditional methods of direct instruction, enforcement and punishment. Richard Thaler and Sunstein (2008) use the term 'libertarian paternalism' as the underpinning philosophy which advocates for the application



of the Nudge theory acknowledging a degree of paternalism as associated with all kinds of leadership including the government. Thereby advocating a movement to bring behavioral economics into public policy. Thus, the approach suggests that policy makers should avoid the use of regulations that restrict individual freedom such as bans and fines etc. and instead use behavioral science to direct people towards better choices (Lunn, 2014).

In essence, Nudging is informed by behavioral economics which provides an alternative understanding of human behavior in that it recognizes human decisions as emotional, impulsive, altruistic and instant gain-seeking. It is contrary to the standard economic theory, which is based upon the work of Stuart Mill ‘On the Definition of Political Economy (1930) based on the idea of ‘economic man’ and the model of rationality (Mill, 2007). Behavioral economists challenge the assumption that people’s behaviors are guided by rationality and explain that humans are indeed homosapiens who err frequently in making rational judgments and decisions thus are not homo economicus (Thaler & Sunstein, 2008). The works of Daniel Kahneman, Roberto Cialdini and Dan Ariely (psychologists and behavioral scientists) have proven how people opt for decisions that are not optimal or how people knowingly do things that may not be in their best interests (Kosters & Heijden, 2015). It is cautioned though those humans do in fact respond to incentives just as the economic man. However, incentives can come in different forms. If steps are taken to increase people’s cognitive effort such as by placing candy in a more obscure place in the shop to encourage healthy eating habits—it can be said that the “cost” of choosing candy is increased. In this case, the nudge has imposed cognitive (rather than material) costs and altered incentives for the individual (Thaler & Sunstein, 2008).

Thaler and Sunstein have noted various reasons for people making bad choices: these may be a consequence of people paying less attention to the options they have or because people go for the path with the least resistance (Thaler & Sunstein, 2003). In contrast to the rationality approach of human behavior, cognitive psychology theory on ‘heuristics’ has identified inconsistency in decision-making of individuals such as mental shortcuts (heuristics) which people use to make decisions in complex situations or overload of information (Kahneman, Gilovich, & Griffin, 2002). Kahneman and Tversky (1973) work identified three heuristics—anchoring, availability, and representativeness and the biases that are associated with each (Tversky & Kahneman, 1973). More recently, Kahneman (2011) explains such cognitive biases often described as ‘cognitive

illusions' as a result of the interplay between the Automatic system and Reflective system of the brain functioning (Kahneman D. , 2011).

Hence, behavior is understood because of individual choices. Thaler and Sunstein's concept of nudges uses the psychological dual-process theory, which maintains a difference between "automatic behaviors" and "reflective choices" or quick intuitive decisions and deliberate conscious decisions (Kahneman D. , 2011). The actions that happen outside of our consciousness such as looking on both sides before crossing a street or pushing a door that handles instead of bars, are automatic systems of the brain. Hence, our brain handles decision-making in two ways: automatic as mentioned above while the others are reflective involving slow and conscious decision-making. It is noted that nudging affects the former and has a negligible influence on the latter (Hansen & Jespersen, 2013). If someone can put our unconscious cognitive processes in the right direction, our decisions can be influenced. We may then opt for a specific choice; this is what we describe as a nudge.

Thaler and Sustein (2008) feature some characteristics of powerful nudges. They explain the power of framing and social influences. The way a message is framed has a tremendous impact on the people. It is demonstrated through an information campaign about energy conservation that the information provided in terms of losses is more encouraging to save energy and serves as a stronger nudge. It is further explained that one of the most important nudges is through social influence. By simply knowing that many people are doing something, their actions or thoughts convey information about the choice that the individual should make. This is explained as 'following the herd' mentality (Thaler & Sunstein, 2008). If many people are exercising in a city, a campaign for healthy habits might be able to produce significant changes simply by mentioning that fact. A few influential people, offering strong signals about appropriate behavior, can have a similar effect.

Nudges are not to be taken as strict commands. Placing a fruit at eye level, to prevent individuals from choosing unhealthy food options is a nudge but placing a ban on junk food consumption is not. Hence, the nudge approach is an indirect method to steer people's choices (Thaler & Sunstein, 2008). Moreover, nudges through their implementation, serve the larger agenda of what Thaler and Sunstein have referred to as "libertarian paternalism". Libertarian paternalism is:

“A relatively weak, soft, and nonintrusive type of paternalism because choices are not blocked, fenced off, or significantly burdened. If people want to smoke cigarettes, to eat a lot of candy, to choose an unsuitable health care plan, or to fail to save for retirement, libertarian paternalists will not force them to do otherwise—or even make things hard for them.” (Thaler & Sunstein, 2008, p.5)

In other words, a nudge does not restrict individual liberties. One takes up the role of a ‘choice architect’ when one is engaged in defining the choice environment by offering various kinds of nudges (Thaler & Sunstein, 2008, pp. 72-80). In doing so, it is of crucial importance to understand and take into consideration how humans behave because the choices are ultimately going to be made by humans (Thaler & Sunstein, 2008, pp. 81-100). Knowingly or unknowingly, many people take up the role of a choice architect. The food arrangement by managers at cafeterias, doctors offering alternative treatments for patients and the designing of ballots by people – all involve the role of a choice architect.

In addition to that, libertarian paternalism plays a crucial role in altering behaviors when applied to public policymaking. Based on Thaler and Sunstein’s suggestion, public policymakers should think of themselves as choice architects. It is implied that these choice architects, through nudging, promote behaviors that serve the interests of the society at large (Hansen & Jespersen, 2013). As defined by Thaler and Sunstein, a choice architect is responsible for organizing the context in which people make decisions.

Van Der Linden (2018) underscores the importance of enhancing the efficacy of nudges by addressing the social dimensions of the problem that the ‘nudge’ targets. It is outlined that certain social problems have recursive social processes that require socially-oriented nudges. Amongst other examples, the use of implicit social cues (i.e. images of human eyes) is highlighted as a means to trigger the detection of another person’s gaze and favorably impacted an increase in voter turnout (Panagopoulos, 2014). Such nudges inform about the behaviors of others and set normative standards for the ‘desired’ behavior thus reinforcing individuals to conform to the new norm. As people conform to the new behavior, the social signal becomes stronger and more persuasive and encourages further compliance (Van Der Linden, 2018). Hence, social nudges are important for complex social dilemmas since people’s self-efficacy is influenced by what others are doing (Kerr & Kaufman-Gilliland, 1997).

It is important to separate the concept of “nudging” from what we mean by creating “awareness” and influencing behaviors. For ages, our standard way of communication with the public is by creating awareness, which inadvertently means nothing unless it influences an individual to undertake a certain action. There have been public awareness messages regarding littering, washing hands with soap and other hygiene-related practices, but often, there is a lack of salience in the messaging. What then becomes essential is to connect the information provided to a desired action or behavior (Raheel Waqar, personal communication, July 13, 2020). Ultimately, the idea is to create salience in the message such that it triggers a subsequent reaction and people can be nudged to perform a certain desired behavior.

## 2.2 A Critique for Nudging

Despite the claim that nudging preserves the liberty of individuals in choice-making, the concept faces much criticism. This primarily has to do with ethical considerations and normative responsibilities attached to the concept. Most of the criticism, in this regard, has come from libertarians as they have argued that the nudge doctrine masks the paternalistic agenda or is based on manipulating people’s choices (Vallgård, 2012) (Burgess, 2012). It has also been argued that choice architects seek to improve people’s welfare, but the understanding of welfare is not the same for everyone (Vallgård, 2012). Thaler and Sunstein have addressed these concerns and their ultimate defense of nudging rests because it is a process that inevitably goes on anyway. The key aspect of nudge’s justification is that a significant element of choice is still preserved (Hansen & Jespersen, 2013).

Furthermore, in ‘choice architecture’ the given choices remain the same, such as setting a choice as a default still allows the individual to opt out and make other choices. It only adds the additional step to opting out. For instance, the US government’s 401K program enrolls all employees to a retirement saving program; however, it allows people to opt-out given they send in the needed paperwork. Ultimately, it is leading to a greater number of people saving for retirement since most do not opt-out of the program.

## 2.3 Utility of Nudging in Public Policy

A substantial literature has been committed to questioning the normative implications of using ‘nudges’ by governments, nonetheless, there is equal support for nudging in the existing literature. There is concern that nudges are objectively paternalistic and manipulative as well as a threat to people’s autonomy. (Bovens, 2008) (Grüne-Yanoff, 2012) (Hausman & Welch, 2010). However, various experts have taken the opposite view. For example, Pete Lunn (2014) OECD report gives a positive analysis by highlighting the many ways behavioral economics is changing policy making along with US and UK as fore-runners in introducing the new paradigm. Regulatory Policy and Behavioral Economics report provides a comprehensive analysis of 60 case studies and the application of behavioral economics to policy, specifically regulatory policy (Lunn, 2014). Moreover, other governments and international organizations have added nudging to their policy tool kits in order to bring about social change.

The use of nudging in various public policy domains by UN agencies and World Bank underscores its advantages and the power of behavioral economics approach. UN Behavioral Initiative (UNBI) was developed to use behavioral insights for more effective UN programming and operations (Behavioral Insights at the UN : Achieving Agenda 2030, 2015). Additionally, World Bank’s report ‘Mind, Society and Behavior’ (2015) builds a framework for understanding behavior through three elements: thinking automatically, thinking socially and thinking with mental models. (Mind, Society and Behavior, 2015). While ‘nudges’ are commonly used in developed societies, International organizations like the World Bank and United Nations have increasingly focused on applying behavioral insights in ‘developing’ societies to achieve developmental goals. The successes of UN in using behaviorally informed approaches in conflict-affected communities such as Papua New Guinea and refugee communities in Jordan shows its effectiveness as a public-policy tool (Behavioral Insights at the UN : Achieving Agenda 2030, 2015).

In Papua New Guinea, UNBI has used behavioral research to reduce government corruption by encouraging public reporting. Mismanagement and corrupt practices involving public funds are among various challenges in preventing conflict and building a peaceful society. In response, UNDP launched ‘Phones against Corruption’ platform which is a SMS based system to report corruption in public institutions (Behavioural Insights and Public Policy: Lessons from

Around the World, 2017). The behavioral research in this case reflects that there are several barriers that prevent people from reporting corruption. The first barrier is people's fear of consequences. To counter this, UNBI has indicated that people will retain their anonymity in the process.

Moreover, UNBI has used behavioral insights to stabilize the livelihood of Syrian refugees in host communities through skill exchange and employment opportunities (Behavioural Insights and Public Policy: Lessons from Around the World, 2017). Forced migration continue to pose a challenge at global scale. Some barriers which prevent refugees from engaging in skilful work is the discrimination and discomfort from the perception that refugees taking away native jobs. Through this initiative, UNBI is leveraging behavioral research to break down prejudice and stereotyping.

Furthermore, OECD Behavioural Insights and Public Policy: Lessons from Around the World, 2017 report provides a comprehensive overview of behavioral insights used by various governments through the account of 100 case studies from various sectors from education, energy, environment, health, taxes, telecommunication and public service delivery (Behavioural Insights and Public Policy: Lessons from Around the World, 2017). Moreover, various countries have established their own Nudge units to advise on governmental programs, including UK, US, Singapore, Australia, and Denmark. Indian state Tamil Nadu like many other countries such Mexico, UAE, Kenya, Kuwait, Indonesia, Peru, have signed MOUs with innovation labs like BIT, ideas 42, the World Bank, J-PAL and other leading experts (Afif, Islan, Calvo-Gonzalez, & Dalton, 2019).

In lieu of this, research and case studies on the impact of behavioral interventions are significantly represented in scholarly literature, yet public acceptability of nudges, especially in the developing countries is more needed. Research that was conducted surveyed 18,500 adults and 24 countries, including developing countries, e.g. India, Indonesia, Mexico, Saudi Arabia and Turkey (Branson, Duffy, Perry, & Wellings, 2010). It was found that the acceptability of nudges was generally high, with more support for less wealthy nations. However, it is emphasized that nudges should be contextualized to local circumstances and applying the ethical guidelines to cultures other than the western culture where the framework was developed must be done with gauging the public acceptance of the nudge.

Moreover, the efficacy of nudging for increasing citizens trust and civic engagement has been empirically tested by the Mayor Office of Boston, USA, which trialled the effects of ‘operational transparency’ (Behavioral Insights at the UN : Achieving Agenda 2030, 2015). Operational transparency is the management technique that outlines that when people see the work behind the scenes, they value the service more. It reshapes the ways a customer perceives and engages with the organization that serves them (Buell, 2019). The office provided images of the work that was being performed by the city government, such as the removal of graffiti, filling of potholes and fixing of streetlights. This was done by using a mobile app called citizens connect, through which constituents could submit public service requests to the city government. The results showed that images of public work had a positive impact on the resident’s trust and engagement with the administration. The service request went up by 19.6% in 9.3% more categories.

Meanwhile, nudging is an emerging policy strategy in Pakistan; behavioral insights and nudges have been incorporated in public health, water conservation, and tax collection. Researchers in Pakistan have worked towards measuring the effectiveness of a popular ‘nudge’; the corona-virus caller tune instituted by the government as well as measuring attitudes and perceptions of people (Gallup Pakistan, 2020). Furthermore, in Pakistan, UNDP has led efforts to promote the use of nudges in the domain of social development and advancement of the Sustainable Development Goals (SDGs). The UNDP and the Municipal Corporation of Islamabad, has used nudges for water conservation in Islamabad. The messages were curated using a behavioral design approach to influence residents to conserve water in their homes using various examples. These messages aimed at triggering behavioral change by highlighting the religious importance of water conservation and severity of the water crisis in Pakistan. The data revealed that 80% of the people who received the messages were willing to take measures to curtail water usage (Nudging for Development, 2019)

Moreover, nudges have been used to increase local property tax collection by outlining to citizens that their tax funds are being used for public goods provision. In collaboration with the tax department and local government offices in Punjab, the public was asked for their opinion on which particular public goods should be allocated tax funds. Subsequently, the public was informed that 35% of the tax funds were allocated for the particular public good and services which

they considered most deserving of funds. As a result of this ‘nudge’ intervention, it was observed that revenue collection increased by 41% percent (Nudging for Development, 2019).

## 2.4 Post Conflict Societies and Nudges for Behavioral Change

While behavioral economics approach has been extensively integrated with various public policy domains through theoretical and empirical works. The research regarding behavioral change in post-conflict societies is inadequate and requires further exploration. So far, Mackey and Tatham (2011) have drawn on behavioral economics to theorize what they call ‘Behavioral Conflict’. Based on the experiences of western armies from Afghanistan, Iraq, Bosnia; they focus attention on understanding and influencing behaviors as defining element in resolving armed conflicts (Tatham & Mackey, 2011). Kaplan’s (2013) work on ‘nudging’ armed groups in conflicts to take different paths is based on the nudge theory. He asserts that within every armed group there are ‘swing’ combatants who are more susceptible to the messages of protest from the civilians. This incites debates over norms of protection of civilians within the armed group establishing civilians as potential nudges. (Kaplan, 2013). Moreover, ICRC has acknowledged understanding behaviors as well as the behavioral conditioning of weapon bearers in conflict to help inform the way humanitarian organizations engage with them and reinforce compliance with IHL and change harmful behavior. It is outlined that ICRC is exploring behavioral science techniques such as nudging in area of prevention, mitigation of violence. Through, the use of virtual reality games and computer games, ICRC aims to influence behavior and increase respect for international humanitarian law (IHL) (Svaboda, 2020) (Svaboda, 2020).

These works are among few that embrace the behavioral economics approach in order to understand the dynamics of conflict and peacebuilding. David Savage (2016) provides an entry point for the application of behavioral economics to examine the decision-making processes of civilians in violent conflict. In his findings, he points out that there is external as well as internal factors that influence behaviors. An individual’s identity or the groups to which they belong which often involves clearly identifiable sets of behaviors, customs and ideals which are likely to have significant impact on the decision-making processes and behaviors. (Savage, 2016).

Behavioral lens is introduced to the post-conflict scenario through the report on the ‘Mental Landscape of post-conflict life in northern Uganda’. It has endeavored to explore the mental



landscape of post-conflict recovery which includes how people perceive and interpret their experiences after conflict. It is revealed that Northern Ugandans live with sentiment that post-conflict recovery is an illusion and hence adopted idleness, risk averse behaviors (Amanela, et al., 2020). With these revelations, the literature intends to inform behavioral research which points to nudging for behavioral change and how developmental programs can adjust themselves given these behavioral mechanisms. The author adopts a cautious tone and explains that the dilemma in such situations is that collective recovery through behavioral change may be hindered by such individual perceptions. Thus, it may be 'misplaced' unless there are manageable and acceptable risks for people that they are nudged towards. Moreover, whether the nudged behavior and associated risks involve more agency for the people (Amanela, et al., 2020).

Kennedy Tumutegyereize about the aforementioned report on Northern Uganda comments that behavioral science should be considered integral to peacebuilding because its basics are about behavior, attitudes and perceptions and this is essential for conflict analysis. As practitioner for post conflict development, behavioral science forces programmers to be conscious in program design, targeting and evaluation. When designing programs for e.g youth, one must break down these groups for instance those involved in armed group, those belonging to urban or rural. As all groups and different needs and once their behaviors are understood, peace building development response can be more effective. However, it is pointed that there are challenges in integrating the two schools (behavioral science and post-conflict) especially in terms of tools and methodologies. Most behavior science tools focus on using large data size and randomized controlled trials (RCTs) which are good in their own way. However, it becomes a challenge in post-conflict, hence, to better integrate, simpler to use tools should be developed (Tumutegyereize, The behavioral challenges of post conflict life , 2020).

Moreover, Mareike Schomerus mentions that while there are behavioral challenges, there are also political and structural challenges of post-conflict life. In order to combine the two, you cannot 'nudge' people to be better at their post-conflict recovery or change their attitude and perceptions. Rather, it is about how behavioral insights about collective action and collaboration can be useful to develop better ways for civic engagement and building social capital (Schomerus). Ultimately, behavioral science combined with post-conflict allows exploring how humans function in post-conflict life and using the insight to tackle the post-conflict challenges.

In the context of Pakistan, there is little research about interventions that address the long-time psychological consequences associated with conflict and violence-affected communities. As peace returned to KPK, the rehabilitation of SMEs (small and medium size enterprises) and creation of jobs. The support is in financial assistance, cash grants provided to re-establish businesses affected by conflict. A study tested the hypothesis of cognitive behavioral therapy (CBT) in combination with financial assistance and found that it was more effective in reducing psychological stressors and led to improvement in entrepreneurship rather than just cash assistance (Saraf, Rahman, & Jamison, 2019).

In conclusion, it is recognizable that one of the significant features of literature on nudging is that there has been a great deal written about it in policy realm and various articles have provided critique for the strategy. Moreover, a great deal has also been researched for designing ethical nudges that cater to the paternalistic and manipulative nature of nudging. It has been closely observed that various institutions have embraced the nudging approach to advance public policy goals as there are extensive reports and research articles which discuss the positive analysis of nudging. However, the role of behavioral science in the field of peace and conflict is deliberately being realized. The integration of nudging has been somewhat introduced to the study of post-conflict society which has the potential to understand behavioral mechanisms at play in post conflict recovery and design a better post-conflict development response. Needless to say, there is greater level of attention that needs to be paid to this area of study and further tools and methodologies must be developed in order to integrate the two schools.

## **CHAPTER 3: The Post-Conflict Dynamic of Erstwhile FATA region**

This chapter endeavors to construct a backdrop of the post-conflict in the tribal areas of Pakistan through existing literature. It also discusses the post-conflict challenges faced in the Newly Merged Districts (NMDs) of Khyber Pakhtunkhwa (KPK) in order to integrate the region with mainstream Pakistan. It further discusses the importance of civic participation in post conflict societies such as ex-FATA districts. Lastly, it consists of various approaches that the government has taken for the civic participation in the region.

### **3.1 Conflict in FATA and Merger**

The tribal belt has long been hinged to the power struggles between great empires. Alexander the Great made countless attempts to invade the tribal lands along with various conquerors of the subcontinent including Ashoka, Mehmood Ghaznavi and Dost Muhammad who fought to sustain their reigns (Mehmood & Mir, 2019). Whereas the British Indian empire fought two Anglo-Afghan wars in 1858 and 1878 with growing concerns of Russian influence in Afghanistan (Smith). This put the tribal region at the center of Great-game rivalry between British India and Russian empire as the two empires spheres of influence drew closer geographically. The tribal belt served as a buffer zone for British India to protect from the imperial concerns with Russia in Central Asia and regional concerns with Afghanistan.

As a result, the British's strategy to maintain control and influence over the tribal region was through the power hierarchy set up by the Frontier Criminal Regulations (FCR). At the top was the Governor General, followed by Chief Commissioner, Political agents, 'tribal' Malaks and the tribesmen. The tribal Malaks were all paid different amounts of muwajjab as a token from the British for the respective favors, loyalty and cooperation towards the British. This eventually translated in noninterference of the tribes into the British domain of influence and to abstain from raiding British Indian territory (Khan & Amin, 2015). The tribal region was often referred to as 'land of the rebels' and 'land of the unruly' in imperial literature that was meant to advance a narrative that benefitted the colonizers and advanced rhetoric of colonial racial hierarchies (Bangash, 2016). Bangash (2016) argues that such form of administration by the British has no

parallel elsewhere. The strategy was well-suited for the British Kingdom, but the tribal society was left to embroil in tribal enmity and struggle for power and influence in the social hierarchy.

After the 9/11 terrorist attacks and amidst the global war against terrorism, the afghan-bordering region of FATA became the fighting ground and an epicenter for various transnational terrorist groups including the Pakistani Taliban (TTP). Under the 1973 Constitution, FATA was granted “special status” which meant it was to be governed by the draconian British colonial law of the Frontier Criminal Regulations (FCR). In other words, there was no application of the rule of law in FATA unless specifically extended by the President of Pakistan. The FCR codified a system of indirect control of the Tribal Malaks (elders) and minimal state involvement along with the Jirga system as the dispute resolution mechanism which incorporated local customary law and rituals such as collective responsibility and punishment (Anwar & Khan, 2017). Almost the entire population is ethnically Pashtun with over two dozen major Pashtun tribes. Socially, the society is generally conservative and follow a code of life called Pashtunwali which is ethical code for individuals and tribal community (Anwar & Khan, 2017). Given these realities, the tribal belt remained for years in political exclusion with lowest human indicators and an economically underdeveloped region of Pakistan.

With the onset of conflict, foreign drone attacks, military operations, civilian infrastructure damage, the conditions in FATA were further aggravated. The three main conflict zones were Bajaur-Mohmand which experienced heavy Taliban influence and recruitment, Shia dominant Khyber-Orakzai-Kurram agencies where some parts of the region was affected by conflict highly sectarian in nature and North and South Waziristan; habitant to Mehsud and Wazir tribes and various transnational terrorists groups which led to the Zarb- e- Azab counter insurgency operation (Anwar & Khan, 2017). Furthermore, as reported by New American Foundation, 222 drone strikes carried out between the period of 2004-2011, most of which took place in North and South Waziristan also known for Afghan Taliban, Tehreek-e-Taliban, Pakistan (TTP), AlQaeda, and other foreign militants’ presence (Nawaz, 2011). These events turned FATA into a conflict zone and lead to bloodshed and grave loss of life. It completely broke down the socio-political infrastructure with almost a million people displaced out of their homes. As military took hold of

the areas dispelled of militants, the government turned towards reforms in ex-FATA in order to pave a path towards post-conflict reconstruction and development.

The military operations managed to gain control of the tribal areas but with looming concerns of conflict resurgence, the government took concrete steps to politically mainstream the tribal areas and bring it under the rule of law. The FATA reform committee was set up which ultimately led to the merger of ex-FATA with the province of Khyber Pakhtunkhwa (KP) through 25<sup>th</sup> constitutional amendment in 2018 (Khan & Hussain, 2020). As a result, erstwhile-FATA was extended all the constitutional rights and came under the national judiciary. As part of the reform package, ex-FATA was also to be provided developmental aid for social and economic uplift of the long-time alienated and deprived tribal society.

### 3.2 State Mechanisms and Challenges in Merged Districts

The post-conflict context of erstwhile FATA thus encountered some extraordinary challenges. A judicial and administrative vacuum was created in the absence of the FCR. Literature regarding newly merged districts highlights important factors that are considered foremost for development in the society. These include analyzing the impact of judicial system in lieu of the Jirga system. The merger is acknowledged as a positive step to infrastructural development and has been welcomed by majority of the people in FATA for several reasons of which socio-economic development is most significant (Noor, Hashmi, & Bukhari, 2018). It's argued that the government should involve local people in the process in order to achieve its goal of reintegration of FATA. Most of the scholarly literature focuses on FATA's integration and the challenges therein. Shad and Ahmed draw on the political theory of integration by Claude Ake. It argues that the integration of FATA needs to be an inevitable objective which needs to be accepted as a continuing project of integrating Pakistan on national level. Secondly, it needs to comprehensively target integration at all political, legal, security and socio-economic levels (Shad & Ahmad, 2018).

Muhammad Shahid highlights the challenge in merged districts regarding the judicial system. It is highlighted that residents of FATA are faced with uncertainty regarding their judicial issues as there is lack of awareness of the newly enforced judicial system and jurisdiction. Moreover, the Jirga system takes very short period as compared to the courts. The land dispute issue is of pertinent concern because the districts don't have computerized legitimate documents

of their land properties (Shahid, 2019). Furthermore, it has been acknowledged that Jirga system which the Pakhtuns take great pride in has been lauded by western scholars and Pushtun intellectuals as an indigenous mechanism for conflict resolution (Ali I. , 2018). However, it has also been highlighted that such means of dispensing justice are not compatible with the legal system followed by the rest of state involving free and fair justice with neutral arbitrators (Khan & Samina, 2009). Furthermore, it has come under criticism for lack of women representation in the Jirga.

There are differing views on how to reconcile the traditional institution of dispute resolution, Jirga with the state judicial courts. It was highlighted by authors that former MNA made a point that Jirga provided cheap and speedy justice and was accessible to the poor hence there has been a backlash in segments of society since it's hard to convince residents that the state's judicial system would be able to suit their judicial needs. Furthermore, it was reported by an official in the Orakzai agency that the Deputy Commissioners (DCs) were not given an alternative set up to deal with the tribal issues, such as there were hundred prisoners locked up for committing minor crimes without any further decision. Furthermore, in conversations with the tribesmen, it was reported that the tribal people did not understand the new judicial and administrative system which had created 'fear and confusion' (Khan & Hussain, 2020).

Literature marks the importance of youth and civil society's need to play a significant role in uplifting the region. The report on promoting participatory approaches to peace building in FATA discusses the importance of building capacity of local organizations to build context-specific approaches and provides recommendations regarding this. It is highlighted that the workforce in CSOs in KP and FATA is small in number with predominantly part-time and voluntary staff. Women are poorly represented in CSOs and they face various issues in internal reporting and communication with other stakeholders with English as a second language hampering their outreach efforts. In terms of implementation challenges, it is reported that CSOs in both KP and FATA report limited level of engagement with the national authorities and policy makers. It is observed that the CSOs focus on engagement with local authority's limit their ability to influence national policy. The importance of media liaison is underscored and emphasis on utilizing print and electronic media to further extend the influence of local CSOs (Promoting participatory approaches to peacebuilding, 2013). A qualitative study on the role of to assess its

impact on education. It is highlighted that the youth is involved in the NGOs but due to the financial circumstances and pay offered by the NGO, they end up skipping their classes in college or drop out to support their families (Khan, Riaz, & Rasheed, 2016). However, the kind of approaches that are needed to increase local involvement in the process are inadequately discussed and explored in the context of FATA.

### 3.3 Role of Civic Participation in Post Conflict

It must be acknowledged that the impact of violent conflict can also be intangible such as lack of government trust, weak social cohesion and pessimism for the future. Peacebuilding processes have primarily focused on tangible aspects such as demobilizing combatants, improving physical infrastructures, institution building and training (Pouliny, 2010). Attention must be paid to supporting civil society and citizen engagement to hold the state accountable and responsive to public and for this external actor should not make assumptions about perceptions about who is considered the ‘authorities’ (Haider, 2011). Therefore, it is important to recognize that goal of external intervention is to put state and society on an equal footing and build a relationship between a government and its citizens and this increases success of achieve security-development outcomes (Hadley & Kleinfeld, 2016). It is thus a reality that focus on rebuilding state structure in the absence of state- society relationships in post-conflict society can likely result in return to conflict.

The role civic engagement and political participation is heavily emphasized in post-conflict literature. It is argued that participatory governance at the local level encourages the participation of community members in the progress towards peace, this is marked by effective decentralization (UN, 2010). Most literature refers to civic engagement as people’s participation in public policy and using terms such as citizen engagement, civic participation and public participation (EFENDI, 2013). Scholars have defined civic engagement as “connection to public sphere” which includes the connection between people, civic associations, political life, public policy processes and government (Levine, 2011). Therefore, it is important to acknowledge the role of civil involvement in order to hold the government accountable and strengthen state policies in order to develop the community following violent conflict. This is relevant for the post-conflict life in merged districts of KPK as there is a need for the civil society to be involved and adhere to state processes as the society leaves behind the system of FCR.

It is important to recognize that the involvement of civil society is necessary for progress towards peace however it is also a difficult task to achieve. Armed conflict often destroys the physical structure, weakens state's actors' ability to govern and limits activities of civil society and access to media and communication (Paffenholz & Spurk, 2006). Moreover, coupled with these challenges of post-conflict, merged districts also must adhere to a new mainstream state system that has replaced the FCR. This is an integral aspect of post-conflict dynamic of ex-FATA as the rule of law and implementation of justice is integral component of peace. As it has been emphasized that building rule of law is utmost important because "everything else depends on it: a functioning economy, free and fair political system and public confidence in police and courts" (Parver & Wolf, 2008).

Civic engagement in the NMDs of KP is a particularly challenging objective as most citizens rely on traditional structures, such as jirgas which function as the source of information and dispute resolution structure. Jirga retain an integral position as interlocutors for the citizens with the state as citizens have little contact with the state machineries. It has been noted that civil society is less organized as due to the absence of the state, traditional structures take up the functions and assumed to be those of state.

### 3.4 Civic Participation in Merged Districts and Governmental Response

The government of KP have realized the challenge of building public trust in the districts. The post-conflict Needs Assessment highlights the emphasis of state's ability to achieve legitimacy through performance of service delivery, security as well as justice system. It is proposed that immediate interventions are required for restoration of state- citizen relationship, political and judicial awareness and improvement in civic participation (Asian Development Bank, 2010). The measures proposed include oversight of Jirgas to comply with human rights accords, anti-corruption measures, improved governance and security as well as public awareness about the diversity of legal systems available and how to access them. It has been proposed to design a communications strategy for addressing the peacebuilding and the need to engage people in the process as much as ensuring the service delivery of the state.

In recognition of these needs, some level of work has been carried out however there is a lot more than is required from the policy implementers. In low level of women participation in



NMDs, the barriers to women getting their CNICs or voter registration were time and resources to get to the facilities to register. In recognition of this, the ‘Consolidating Democracy in Pakistan’ Program (Tabeer) instituted a system of mobile registrations vehicles with staff for rural areas and NMDs (Maguire, 2019).

The positive deviance methodology which is experiential problem-solving approach was used by UNDP in NMDs and KP to identify locally designed solutions and ensure narrative of the outliers in designing behavioral change interventions for women outliers who overcome pressures in community to become active in public space or working space. It was found that behavioral insights such as facilitating women employment in the public sector roles which earn community trust, maintain honor, use influential male members to advocate for women helped in design programs of women empowerment using locally accepted behavioral change strategies (UNDP , 2018).

The FATA Development Programme (FDP) is an initiative to improve the capacity of the state and civil society groups with focus on dialogue between society and the government. The central element is to have constructive dialogue with the representatives of civil society of tribal districts such as local elders, community groups, women and youth (FATA Development Programme , 2021). UNDP has piloted the Merged Areas Governance Project which has also aimed to improve government outreach and visibility through content on social and digital media and strength government capacity for dialogue and citizen engagement (Merged Areas Governance Project).

While these governmental policies and initiatives have acknowledged the importance of civic participation in order to rebuild the post-conflict society in the merged districts. It must be further explored and addressed through the behavioral lens. For this, it is essential to first investigate the environment under study and explore the widely held perceptions of the people of merged districts and the post-conflict landscape.

## **CHAPTER 4: Factors affecting the applicability of Nudging**

The post-conflict experience in terms of attitudes and behaviors of the people towards the state institutions is an important element in understanding the factors affecting the applicability of nudging. It is acknowledged that there are factors which affect the extent to which people are susceptible as well as responsive to nudging. In order to understand the role of civic participation and how it can be encouraged in the society, examining the socio-political landscape in the merged districts of KP is necessary. It is also important to understand how the people view the state and investigate the state and society relationship. Through secondary and primary data collected in qualitative interviews, the objective is outlining some major challenges in the districts which impact the ‘nudgeability’ of people. This can be considered as a concept which refers to the conditions that determine what extent people are receptive to influence of nudges and when nudges can be relevant. Moreover, it is also highlighted which areas of the region are better equipped by the state infrastructure and where accessibility to the state institutions is compromised and presents a completely different problem. From personal accounts of residents of merged districts, working in the field to study the conflict dynamics, some challenges have been identified and categorized in reference to the different districts.

### **4.1 Securitization of Space**

The Pakistan Army has led the security reconstruction in the newly merged districts and the security reforms have complemented the efforts to restore stability in the erstwhile FATA region. The state-led efforts have also been directed to building state institutions through various measures such as the absorption of the Khasadars and levies into the police department. However, despite the efforts of the Pakistan Army to ensure security through detailed security procedures, there are reports of skirmishes between the army and militants. Hence, it is important to highlight the multiplicity of security in the post-conflict context such that beyond state security lies the societal security which premised on the threats and safety of Pashtuns as seen from the lens of the natives (Makki, Khan, & Akash, 2021).

The infrastructure of courts and judiciary are underway but have not been established within former Agency of North Waziristan as justice community are reluctant to establish their practice due to security concerns (Makki, Khan, & Akash, 2021). An expert respondent commented that because people did not understand the workings of the judiciary it created a sense that courts did not do anything. This is one of the reasons people have had no choice but to turn to the traditional Jirga system and rely less on the state reducing their level of trust. The Alternative Dispute Resolution Law (ADR) has been established to bridge the gaps between mainstream judicial system and jirgas. However, the people have concerns due to its resemblance with the FCR and inadequate representation of youth and women in the Dispute Resolution Councils (DRC). Furthermore, it is highlighted by expert respondent that civil servants have been accorded powers to decide procedures of the DRCs and created the resentment for the commissioners whose titles are differed, but powers are that of political agent.

While the Khasadars and levies have been integrated into the police, there are concerns with regards to the effective training of the police. It was highlighted by expert respondent that despite the high number of target killings that have taken place, it created the perception that the offenders were not punished or arrested and led to mistrust for the military. (Shabaz Khan, Personal Communication, 8<sup>th</sup> August 2021). It is also highlighted that people do not have faith in the state to provide justice. In North and South Waziristan and parts of Orakzai district people are hesitant to trust the state and army. Islamic State (IS) have offices in Bajaur and it is out in the open (Ali Masood, Personal Communication, 8<sup>th</sup> August 2021). This fractures the trust and creates doubt about the state. If the bridge between state and society needs to be bridged, security is the most important for this. All perceptions of the state and public opinion are dependent on the provision of security. For instance, there were civil militias (Lashkars) which fought the militants in 2009-10. There is concern among the people that target killings had taken place against the members of Lashkars all across Pakistan (Personal Communication, 7<sup>th</sup> August 2021). Hence, it has greatly impacted people's ability to engage at the societal level with the state institutions due to fear and lack of security especially in North and South Waziristan.

The data highlights that the merged districts are in the process of on-going post-conflict reconstruction phase and all efforts to rebuild society is dependent on the provision of security. The conceptual framework for post-conflict reconstruction and on-going reconstruction provides

an adequate way to understand and reconstruct in the face of ongoing conflict. The key themes that theorize post-conflict reconstruction includes political, economic, social reconstruction and provision of security (Jabareen, 2012). This includes building of a capable state and at the heart of this is engaging people from outside and expanding political participation. Social reconstruction also involves the reconstruction of local communities, civil society in political processes. Thereby, security is crucial to the success of the large-scale reconstruction agenda. In the case of erstwhile FATA, it lacks the history of democratic governance, absence of public institutions and formal market economy due to the history of governance under FCR. Therefore, it is of pertinent to realize that advances in civic engagement will be futile unless the state realizes that there needs to be a security first approach. Security is the key to development and any form of violence and conflict destroy the progress achieved. Such a human security framework holds reduction of violence and conflict as a priority, but also creating conditions of sustainable, positive peace and development (The Human Security Approach in Conflict Prevention and Peacebuilding, 2013). This can only be achieved when security initiatives involve the people and communities.

## 4.2 Public Service Delivery by State

Due to the lack of formal governance structure for years, public service delivery historically has been weak with basic human indicators the lowest in the country. There are concerns and frustration among the people regarding the public service deliverance of the state. It was highlighted by expert respondent, facilities like electricity and WAPDA meters were not extended to the districts by the government (Ali Masood, Personal communication, 8<sup>th</sup> August 2021). It is commented that government needs to deliver if it wants the people to feel a sense of citizenship. Most people rely on solar power for electricity. The electricity poles, link road, tube wells have been installed through personal funds by the people. In such cases, where the government fails to deliver then it's hard to have a good perception of the state. (Ali Masood, Personal Communication, 8<sup>th</sup> August 2021).

There have been various land dispute issues which the government has failed to address. Several incidents have been reported in North and South Waziristan regarding land disputes. Even in Kurram which is largely a peaceful district had 45 people killed over a land dispute. Hence,

people claim of the administration's lack of competence to disarm these clashing groups. (Mashaal, 2021). There is no documentation for land ownership hence matters of disputes cannot be brought to court. Moreover, it was reported by an expert respondent that collective lands were managed by the locals previously and now were being fined since the lands became state land. (Shabaz Khan, Personal Communication, 8<sup>th</sup> August 2021).

There is grievance of people regarding the state's police force which comprised of the traditional Khasadar force and levies. Issues have come to light regarding inter-department discrimination of the police from the merged districts. (Ali Masood, personal communication, 8<sup>th</sup> August 2021). In fact, the police personnel of Bajaur district removed the badges and announced to wear their old uniform as levies and Khasadars to protest against the insulting incident (Khan J. A., 2021). This outlines the sense of frustration among the people and 'othering' treatment of merged districts police force. Previously, there was the Khasadar system which was a para-military force and did not have any formal training but no proper attendance as a law enforcement official (Shabaz Khan, Personal Communication, 8<sup>th</sup> August 2021). Furthermore, there have been incidents of police unable to perform the necessary procedure and file FIR properly due to the lack of training. (Ali Masood, Personal Communication, 8<sup>th</sup> August 2021).

Overall education ratio in districts is low and furthermore for women. Moreover, there is a lack of awareness for who we are voting for, which party we are voting for, and which parties are there. This is a big change and women want to be part of it. It has been noted that female participation has increased since the merger. Women have shown presence in the participating in the elections after the merger in 2019 along with two female candidates contesting seats in KPK Assembly (Bandial, 2019). It is reported by erstwhile FATA resident that women have started going to public offices including hospitals to get their health cards, their presence can be visible in public spaces in some districts (Ali Masood, Personal Communication, 7<sup>th</sup> August 2021).

#### 4.3 Lack of Access to Courts and Official Records

It can be derived that some districts do not have accessibility to the courts. Bajaur has a proper set up for the judiciary. However, South Waziristan administrative and judicial set up is in settled areas in Tank, Orakzai district has its courts in Jamrud and Peshawar. Whereas North

Waziristan judicial and administrative set up is in Bannu (Ali Masood, Personal Communication, 8<sup>th</sup> August 2021). It is pointed out that South Waziristan courts are in Tank which is in the adjacent district, and almost 300km away and inaccessible to the common person. North Waziristan courts are set up in Bannu. The mechanism that should have been set up for the courts and justice system to function properly has not been done. (Shabaz Khan, 8<sup>th</sup> August 2021). Since, accessibility to courts is a major concern for the people, it also breeds lack of familiarity with the state mechanism such as how long the process will be, how much time and money will be spent.

Moreover, there has been criticism for the Alternate Dispute Resolution Bill that when one system is being practiced by the rest of Pakistan then our people should have the same system despite its flaws. Some people do believe that the judicial system is better in every aspect. Any common man can go to court and go to different courts until his case is heard. It was commented, “there is no collective punishment and there is relief that if my brother commits a crime, I will not have to go to jail for it. This is why people have a positive view of the new system” (Ali Masood, Personal Communication, 8<sup>th</sup> August 2021). Previously, Political agent could arrest without cause and there was no accountability and no right to appeal their decision or use a lawyer.

However, the judiciary has process of accountability and checks. Under the previous system, there were no documentation of any sort whether it is for land registration, privately owned cars or even Nikkah-nama (marriage certificate). Hence, effort is needed by the government to make official documentation easier for people so that civil matters can be brought to courts as well.

#### 4.4 Political Consciousness

There is a lack of awareness about the mechanisms of the state. People are unaware of otherwise simple state laws such as the role of police, environmental protection agencies or traffic police etc. Hence, they may be violating certain laws. It was commented by expert respondent that people of the newly merged districts will take time to adapt to these changes as people have never filed an FIR and there is insignificant effort invested in making this process easier for the people.

According to the new ADR act, the Jirga is being tailored to the democratic needs. This was an attempt to bridge the mainstream system with the local tribal system. The Alternate dispute resolution Act in 2020 has been passed by the provincial assembly under which the Deputy Commissioner is granted authority to refer any civilian case to the ADR Council (Hameed, 2021).

Civil society is critical of the Act as the proceedings of the ADR council will be kept confidential and parties will not have right to challenge their decision. In other words, it has been introduced to provide legal cover for the Jirga system and minimize the lengthy litigation process for existing disputes. (Bashir, 2021). Furthermore, it is highlighted that previous mentality still exists and trust with the new system is not established yet. Jirga still prevails and Police Commissioner even emphasize the people to try to resolve the matters through Jirga if its is possible. In one such occasion, the police told the two fighting parties do not know that if we arbitrate then there is no need for police. They were thinking of police as a completely different system (Agha Ali, Personal Communication, 10<sup>th</sup> August 2021).

Moreover, it must be acknowledged political activity in the area has been curtailed since generations. The Political Parties Act of 1962 was not applicable in FATA whereas the adult franchise was granted in the area in 1996 which allowed the people the right to vote ( (Fair & Nicholas Howenstein, 2006). The legislators from FATA were elected with non-alignment to any political party. In Landi Kotal, the current MNA Noor Ul Haq Qadri has been elected four times but he has contested elections as an independent candidate in Landi Kotal and aligned with winning party (Personal communication). Moreover, the Political Parties Act was extended to FATA by President Zardari in 2011 which allowed political organizations the right to hold political activities and campaign in the region (Sajjad, 2013).

#### 4.5 Socialization of New Behavior

Hence, it requires an adaption to new behaviors and previous behaviors engulfed in fear and stigma to be unlearned. It must be accounted for that there is a certain socialization of behavior in other words, people respond to situations based on the norms and values of their society. Socialization can teach self-control and develop conscience, as people internalize the expectations of others in their society and prepare for their social roles and derive what is significant and valued in their culture (Arnett, 1995).

It is seen that political activism has varying degrees in various districts of the tribal areas. It is seen that MNAs were mostly elected as independent candidates and through the extension of the Political parties' act yet they had to seek permission from political agent for any sort of campaign or rally. There is a lot of political activism and political figures are prominent among

the community while the youth is very active in political participation (Ali Masood, Personal Communication, 8<sup>th</sup> August 2021).

However, in tehsils like Landi Kotal in Khyber district people perceived a fear allegiance to a political party and refrain from political activities. It originates from fear instilled in people from living under the old system. People do not have the realization that now the system is different. So its important for people to give people the awareness of their rights.

The change at the grass-root level is not substantial; the names and titles are different for previous institutions such as political agent and Khasadars. Under the previous law, the people had no right to question the political agent, however, that is changed, and commissioner is answerable to the people. Yet there is fear because the people are used to the old system where they could not question the decision of the political agent (Personal Communication, 10<sup>th</sup> August 2021). They have been socialized into such behavior of submission. Under FCR law, political agent had the power to send an individual to jail for 18 years without any explanation or conviction. However, people still fear questioning the Assistant Commissioner or District Commissioner (DC) as there is a shadow of the past. Therefore civic participation is of most vital importance because there is a need to unlearn this behavior.

#### 4.6 Recommendations for Mediums for Outreach

- **Hujra:** It is suggested that the newly merged districts require hard infrastructure for any sort of training and for this hujra tradition can be leveraged. Highlighting the importance of Hujra, it was commented:

“It is a social institution which is exclusively for males. All matter regarding social, political and religious issues are discussed as well as religious activities and jirgas. There is also a masjid in the hujras. It can be used for activities of training and can be medium of outreach. This is common to all social classes and synonymous to all areas of the region. It is commonly known in Pashtunwali code of life that hujra doors remain open for outsiders and even if the enemy enters the hujra, he is protected” (Agha Ali, Personal Communication, 10<sup>th</sup> August 2021).



State can utilize this infrastructure and use it to communicate meaningfully to the local and give the community ownership of the rebuilding of society in post-conflict. It has been found in other studies in KPK such as Swat and Dir that local institutions and the norms of the society play a central role in establishing local governance. Development actors in post-conflict can better understand the social contexts and if they draw on the strengths of traditional institutions whilst outlining inclusion and accountability (Suleri, Shahbaz, Commins, & Mosel). It is further highlighted that developmental work of agencies in post-conflict KPK were given quicker access through local elites identified through Jirga and Hujras as compared to obtaining NOCs from government or army in order to work in the area (Shah & Shahbaz, 2015). In another study conducted in Bajaur, the relevance of Hujra has been underscored as a peacebuilding infrastructure in the Pakhtun tradition. It is highlighted that such local structures are vital importance and provide a bottom-up approach to peacebuilding through its role as in capacity building, communal dispute resolution and strengthening community relations (Ahmad & Muhammad, 2019). It is worth noting that such local institutions must be leveraged cautiously because there can be issues of favoritism from the excluded community. Thus, such informal institutions can be relevant when there is lack of credibility of the government. Hence, in KPK the function of formal institutions can be moderated by local institutions of the region and supplement the formal systems of government.

- **Training for Civic Knowledge:** There should be non-credit subjects starting 8-9<sup>th</sup> grade which educate about the new system. This would increase in awareness and have benefits for civic engagement and encourage people to fulfil their civic duty because they understand it. Tailor made course must be designed for the post-conflict environment/ challenges and initiative must be taken to give bi-weekly trainings without exams for students about themes such as how police operates or courts. There is possibility for designing a course for more political consciousness. In the Landi Kotal tehsil and parts of Khyber districts, there are schools and infrastructure in place but there is not enough initiative by the government to educate about the new changes (Agha Ali, Personal Communication, 10<sup>th</sup> August 2021).

- **Awareness through Media Campaign:** There should have been programs on TV and radio to increase awareness about the new system. Some people are not aware that the system has changed. Communal conflicts in the village are still being resolved through the Jirga as this option should be available. Using Jirga could reduce the burden on the judiciary as well as the people would not have to deal with the financial cost. However, if matters are not resolved through Jirga then there is option to take the matter to court. Radio is very prevalent BBC and voice of America is very frequently listened to. People do not believe in the credibility of the radio Pakistan. No one listens to it. (Ali Masood, Personal Communication, 8<sup>th</sup> August 2021). In this regard, political leaders are powerful influence and people follow them too. Social activists also are respected in the community. These figures can be leveraged to communicate meaningful messages (Shabaz Khan, Personal Communication, 8<sup>th</sup> August 2021). 4G internet and mobile network has been instated, South Waziristan and other districts of ex-FATA (Dawn News , 2021). Since, the prevalence of mobile network is newly initiated the effectiveness of such mediums may not be ideal. Youth of merged districts widely use social media, and these mediums should also be explored in order to create more political awareness.

In conclusion, the data outlines grave challenges for citizens in the merged districts due to challenges in service delivery of the government and lack of infrastructure that has restricted access to state courts. The security situation has greatly been improved in the merged districts however the changed nature of security threats in the region must be noted. With concerns regarding lack of infrastructure and security, the government must take concrete steps and nudges cannot be effective in solving such policy challenges. However, there are other challenges that are faced in terms of political consciousness or awareness as well as official documentation are important factors which affect the susceptibility of nudging. Moreover, the opportunity to access the courts and police must be noted in various parts of the region. Yet, there needs to be exploration of behavioral lens to tackle challenges of adherence to the new system. The people's ability to trust the state can be outlined through behaviors in which citizen's engagement with the state courts and police through reporting FIR.

## **CHAPTER 5: Nudging Civic Participation in Merged Districts**

It should be established that behavioral economics as a science and nudging does not say it is the only approach to solving any kind of problem. So, it's always a compliment to government policies or government mandate. In a situation of post-conflict, the government has a standard machinery set up and behavioral economics would help to support and achieve its objectives. Hence, behavioral science can also play a role in creating ease in the process by which the citizen in merged districts can utilize the state machinery. It can present information in such a way that it is salient, a message that triggers an action. It can even be made relevant in the way a pamphlet is designed to communicate the relevant information to the citizens. Hence, this chapter analyses the data from experts in the behavioral science realm and explains how nudges can be operationalized to increase civic participation in the context of merged districts of KP.

### **5.1 Identifying the Constraints on Civic Behavior**

In Behavioral Science, it is important to work bottom-up. It's about what we can do to help individuals at a mass scale do things incrementally differently. It needs to be identified that whether everybody is required to do one thing or a particular group needs to bring about a certain change. This identifies which level we are working on. If the level of intention to do something is high, then nudges can be relevant. Hence, it is not about creating an entire infrastructure for people to participate effectively, it is a last mile problem to help people along to reach their intent. In the instance that people are reluctant to file an FIR, it is important to identify whether there is evidence that people know about the process of it or are people completely ignorant. In the case that people are completely unaware, there is not much that can be done except raise awareness (Josh Martin, Personal Communication, 15<sup>th</sup> August 2021). Hence, this sort of defining the problem of civic participation in the context of merged districts is very important.

An important aspect of behavioral economics is to understand that the idea is to make it easier for people to do what they already wish to do. There is always the intent to act however there are some constraints. It's besides the fact that there are financial incentives or difficulty to reach courts for instance. In that case, behavioral economics may not be able to resolve such a problem. If

access and affordability to go to courts is not an issue but there may be inattentiveness. There is lack of realization that standard state machinery is a viable option and is a workable model. This can be referred to as procrastination inertia (Farah Said, Personal Communication, 18<sup>th</sup> August 2021). In this circumstance, the individuals realize that it is now there but do not act on their intention to use it.

First and foremost, it would be important to understand exactly what is different in the post-conflict life of the people. What aspect of life is different post-merger? So, once we assess that the services are there and then it must be explored why people are not using it and what is the hesitance towards it. (Dr. Salma Siddiqui, Personal communication, 14<sup>th</sup> August 2021). This is when nudge become relevant and useful whilst assessing other methods that have been used to achieve civic participation but have not yielded results.

From Behavioral Science lens, you will also have to become specific on what are the behaviors that you would want. The question of how can Behavioral Science be used to increase trust? The first step would be to understand the specific behaviors that people do which elucidate that people are beginning to show trust in the state. This exercise would be explained as behavioral mapping. One example would be that in case of a dispute, then it is reported to the police through FIR. This is a specific behavior which can be behaviorally mapped. (Dr. Umar Taj, 10<sup>th</sup> August 2021).

For example, if there is a social stigma attached to it and it is enough to stop individuals from doing the required behavior. Behavioral economics can help in identifying some of these constraints based on what we have seen in other contexts. We know that people have a lot of information coming at them at all time. It is difficult for them to absorb all information hence some information is filtered out. Behavioral economics can help in ‘information overload’ making important information more salient to them. (Farah Said, Personal Communication, 18<sup>th</sup> August 2021).

In the context of merged districts, fear is an important factor because people are transforming from one system to another and whether this new system will prevail or not. This confidence-building measure should remove the element of fear and trust once the system starts to work and deliver. Otherwise, they will find the earlier system more productive and suitable because they need the results. People have the fear that whether this new system can give quick

results or it will keep lingering their issues just like other judicial cases. (Dr. Shahid Razzaq, Personal Communication, 20<sup>th</sup> August 2021). From behavioral science perspective, then the time frame in which the judicial case can be solved must be highlighted to moderate individual's expectations.

## 5.2 Understanding 'Trust' in Government and Initial Adherence

Trust is something that is going to be won over time, if at all. It would not be recommended to do trust building interventions as there is lack of evidence for building trust as an objective itself. (Josh Martin, Personal Communication, 15<sup>th</sup> August 2021). The most reliable thing is time and familiarity. So the way to do that is initial adherence. The question to ask would be; how do you get people to engage with the system so then it is a shorter distance to continuing to engage with it and having it stay around. When they see more positive benefits of the system then the trust will increase. The objective is continuation of use; it should be to get people to do that first action and get people to use the system.

Comparing Jirga system and state courts, we are looking at fostering trust in a process that is bureaucratic. It is commented by expert respondent that people are used to getting quick and personable answers through a network that is highly informal. Hence, it is important to acknowledge that asking people to leave all that behind and put their faith into a system that is slow, bureaucratic, poorly organized, impersonal and managed by someone that is not from their immediate network. However, the positive side is that there is a system that is supposed to work on behalf of everyone. There is sense of fear with giving that up and security from such sort of things that have familiarity. So you have to emphasize what is the benefit for them and society. People are going to have misconceptions and point out to people where they are wrong about the process. One way of suggesting this is asking people true or false questions about how long government process takes as compared to Jirga. It's a way to confront their expectations for the system and what they are really giving up and getting and moving their calculation from an instinctive one to a deliberative one and can help trust (Josh Martin, Personal Communication, 15<sup>th</sup> August 2021).

In a study conducted in Sargodha, Pakistan a random sample of rural households was taken to investigate whether accurate information about public services could help build trust in the state

institutions such as courts and reduce the reliance on non-state actors. Non-state actors have historically run parallel to the state judicial system and they are alternate dispute resolution councils of elders called referred to as panchayats and Jirgas. (Shinwari, 2015). It was reported that truthful information about the reduced delay in state courts in rural Pakistan led to individuals reporting higher likelihood of using them. There are robust and fairly large effects of ‘positive treatment’ and citizens are willing to update their views and behavior in response to credible information about improved service quality (Acemoglu, Cheema, Khwaja, & Robinson, 2019). The behaviors and attitude towards the state and non-state institutions were measured using survey data on usage of courts and non-state dispute resolution forums such as Panchayats and lab-games to elucidate aspects of behavior inadequately outlined through self-reported data.

Such studies outline the behavioral constraints in using courts versus the traditional institutions and relay information to the individuals in such a way that people have accurate information about the state process. The research is successful in mapping that it is not affordability or social stigma that is deterring people rather having accurate information about the court process increased trust in the government and usage of the system.

### 5.3 Operational Transparency for Increasing Adherence to State Processes

Increasing trust in the government has various complexities and is being addressed in many other places as well. In terms of what we know about trust in government from other contexts; communication is an important factor. Most of the time, the frustration of the people is that they are not aware of what is going on behind the scenes. Expert behavioral economist suggests the term, operational transparency which can increase trust. It posits that just reducing the ambiguity and uncertainty for the people increases a level of trust for the process. In a study conducted in Boston, it is suggested that when the government at least moderately responsive to citizen’s requests and increase transparency in its’ operations by literally showing its work, it is results in citizen trust and engagement (Norton, Buell, & Porter, 2020)

- **Story Telling:** It was reported by behavioral economist, we know in behavioral science is that most of the time, we are in our system 1 thinking mode. Our system 1 thinking is fast-thinking and judgment are formed quickly and this system of thinking is really impacted by stories. So are their any good stories which highlight the responsiveness and deliverance

of the government which then can be circulated. So the idea is to curate these ‘successful stories’ which will spread through word of mouth. Now what is the criteria for determining a success story. The element to look out for here is that what was most appealing to the people those using the Jirga system (Dr. Umar Taj, Personal Communication, 10<sup>th</sup> August, 2021). The timely delivery is one such element highlighted in primary and secondary data. Current system has to introduce a benefit that increases the delivery of verdict or provides quicker resolution. Furthermore, highlighting something in the new system that was not there in Jirga system before through a curated “success story” can be explained as positive framing.

- **Social Norm Setting:** It is important to identify the social norm being set. If the case is, people are using the new system and if people get to know that others from their community and people like them are also using the services, it is known to help trust. For example, if government has introduced a gender desk. Its very likely that it will be said that there are only few number of people coming to avail this service. So when people hear that only 5% or the minority are using the service, it automatically is assumed by the people that that is the social norm and the service should not be used because most people aren’t using it (Dr. Umar Taj, Personal Communication, 10<sup>th</sup> August, 2021). Intention in the message is good, but when people hear this information then they stick with the norm and do not use the service. Hence, such kind of framing of the message hence is very crucial.
- **Minority Statistics:** In such situations when an action is only being undertaken by a minority. Then an insight is used called **Dynamic social norms**. It is when increasing trend is highlighted e.g X % increase in reporting. That’s a way to counter a situation if a behavior is undertaken by a minority. The messenger is also very important. For instance, if a policy has been introduced, it important to know who introduced the policy. It was highlighted by an expert that endorsement from a local ambassador is very important. In that case, messages endorsed by local community leaders can be used to communicate the operational transparency.
- **Co- creation and Involvement of community:** The involvement and sense of community generally increases the trust and in tribal community where the conception of ‘ashar’ and co-creation is very valued. For instance, Minister of youth, Usman Dar started an initiative

in Sialkot which recognizes the highest tax payer. Any project by the government has a plate that has the highest tax payers name instead of the ministers and high officials of the government. The thinking behind it is to show it is the peoples tax payer money that has been utilized to create sense of recognition for people. They feel that government has delivered for the tax that people have paid. In other words, this way it creates ownership and because it is for the people and for them so why not engage them. (Dr. Umar Taj, Personal Communication, 10<sup>th</sup> August 2021).

- **Reviewing the Environment:** If the goal is to increase the reporting of FIR or awareness of the process, the process must be picked apart at every stage. For Behavioral economics it is important to ask the questions: who is doing the intake and asking questions, what is the surrounding environment like, what does the FIR look like and its understandability, and whether a person feels that they matter to the system, and something will be done about the complaint. These questions can explain factors which may explain the propensity of the people to follow through with such a process (Josh Martin, Personal Communication, 15<sup>th</sup> August 2021). In the case of an FIR, a researcher can go through the process him/herself to understand the environment around the process.
- **Signification:** The process of filing an FIR can be re-framed. Instead of emphasizing the idea as a civic duty and a bureaucratic exercise. The idea is to signify the process relating to its purpose and significance. The idea of getting justice should be emphasized and this can be done through providing a resource card with numbers of officials that can be contacted for queries. This helps people see that they have not just conducted an exercise of futility rather they matter to the system (Josh Martin, Personal Communication, 15<sup>th</sup> August 2021).

#### 5.4 Medium for Outreach

Whenever an intervention is needed, it is important to figure out how to deliver it and following mediums can be used in the context under study. In cases of post-conflict, it is worth investigating what is common medium used by all and available in all neighborhoods.



- **Radio:** In the context of merged districts, it has been reported in the qualitative data that radio has wide outreach in the region with Voice of America and BBC Urdu with the most audience. A common place accessible to all is important medium. The idea is to identify a channel which can distribute information to the masses (Dr. Umar Taj, Personal Communication, 10<sup>th</sup> August, 2021). Radio is effective but the concern is whether how many people listened to it and who is sending this message. (Farah Said, Personal Communication, 18<sup>th</sup> August 2021).
- **Post Office:** Pakistan Post can be leveraged which is often unrecognized in such circumstances however has wide outreach. Designer of an intervention also looks for a common channel. Which opportunities are there as such. An interesting intervention used in COVID response in UK was a letter from Boris Johnson to everyone in UK signed by the PM. It was novel campaign and had an impact on the people (Dr. Umar Taj, Personal Communication, 10<sup>th</sup> August, 2021).
- **Community Leaders:** Identifying someone from the community has crucial importance. Woman chosen from amongst the community who share their lived experiences and was relatable encouraged others to be influenced and became a mobiliser. (Dr. Salma Siddiqui, Personal communication, 14<sup>th</sup> August 2021). A lady health worker to educate about post-partum depression was also a low-cost intervention that tackled a issue that has social stigma. It was a very soft approach.

## 5.5 Exploring Research Methods in Post-Conflict Environment

The challenges of doing research to study in behavior in post-conflict must be recognized. In different settings, it is difficult to map neatly how people behave in effect of exposure to conflict and conflict cannot be experimentally administered. In a research study in Uganda, “we set up a lab in the field and invited people to play the behavioral games. That is quite difficult in other contexts and it is difficult to have people from the outside to come and do these kind of behavioral experiments” (Samuel Sharp, 12<sup>th</sup> August, 2021). However, there are certain considerations that can be introduced to gather accurate data from post-conflict society.

- **Interdisciplinary Teams:** There are frameworks from psychology and social sciences have these frameworks that have there for some time that behavioral economics. Thus, there is a need to work in interdisciplinary teams. Validated scales constructed in psychology but also validated in Pakistan such as measuring the occurrence of post-partum depression (Muneer, Minhas, & Nizami, 2009). Once it was shown that PPD existed in the sample then low cost behavioral intervention of positive messages through lady health workers showed greater improvement. was used to address it (Farah Said, Personal Communication, 18<sup>th</sup> August 2021).
- **Civic engagement Scales:** Multi-dimensional tool called the civic engagement scale (CES) enables academics to assess the attitudes and behaviors of individuals to have community involvement. The findings indicate the psychometric properties of the scale. The CES has been created to measure civic attitudes which is the personal belief that individual has about its' involvement in the community and its' perceived ability make a difference (Doolittle & Faul, 2013)
- **Sense-maker:** There are multiple ways sense maker can be used to assess state legitimacy and trust in government. To explore the mental landscape in post-conflict life in Northern Uganda, personal stories of life in conflict and post-conflict were collected in large sample to allow findings to be quantifiable. Through the SenseMaker method of research, each respondent shares their story and self-signified their own story through a series of follow-up questions (Schomerus, Sharp, & Swanson, The Mental Landscape of Post Conflict Life in Northern Uganda, 2020). The behavioral mapping and self-signification of people's own stories can be applicable in other settings. It's a way of philosophical underpinnings behind it is that instead of qualitative asking people questions and self-reported information, by asking a series of questions such as did you feel you were treated fairly, you allow the respondents to make sense of their reality (Samuel Sharp, Personal Communication, 12<sup>th</sup> August 2021).
- **Governance Diaries:** This approach captures the citizens' interaction with the state and describes their experience more particularly it can be used to address questions of state legitimacy and trust. Rightfully so, as pointed by expert, these are big time commitment and expensive projects but yield big time data about how people perceive the state (Samuel

Sharp, Personal Communication, 12<sup>th</sup> August 2021). The ‘governance diaries’ approach is amalgamation of panel survey and ethnographies of marginal households from fragile, conflict and violence affected (FCVAS) to capture how the community interacts with public institutions. In a study, researchers set up diaries with 250 households and gathered qualitative information longitudinally and local researcher assistants were hired as gatekeepers and earned the trust of locals particularly important in conflict-affected settings (Loureiro, Joshi, Barnes, & Chaimite, 2020). The approach is credited to be valuable in places (a) of lack of trust between community and outsiders (b) environment is rapidly changing or (c) where subject matter is sensitive and one shot approaches are unlikely to yield accurate data. Ultimately, the scale of the diaries and the tools used would need to be tailored to the questions of interest.

- **Recourse to Contact:** The researchers earn the trust of the locals often through anonymizing and providing a recourse to contact them. This allows the people to feel heard and relieved if they are told their phone numbers or personal information is not stored (Farah Said, Personal Communication, 18<sup>th</sup> August, 2021). They should have a recourse to contact you or your organization.
- **Administrative Records:** On ground work is very difficult and measuring ultimate indicators like trust can be difficult. It is thus important to focus on proximate behaviors such as the level of reporting of FIRs or court cases. For this, it is beneficial to diagnose through observation and tracking people through the system. Administrative records can be relied on for this purpose (Josh Martin, Personal Communication, 15<sup>th</sup> August, 2021).
- **Research partners:** local research assistants can be hired for collecting data and it is a common practice which can allow people to trust the researchers more, it is sometimes beneficial to travel with locals during research assignments to avoid being viewed as the ‘other’. (Dr Umar Taj, Personal Communication, 10<sup>th</sup> August 2021)
- **Debriefing sessions:** In the incidence of a pilot study, there may be chances of negative effects of the intervention. Therapist can be taken along to remove the negative effects if there is doubt that something in the pilot study has gone wrong.

- **Exogenous Variables:** You have to accommodate the role of exogenous variables for example the situation in Afghanistan may be assumed to cause some difference in behaviors and for such situations one may have to start again.

## 5.6 Designing Ethical Nudges

A key element in nudging is that freedom of choice has to exist. Nudging civic engagement and ability to use state institutions is what is looked and people of merged districts do show a propensity to use them. The question is while nudging civic participation, is it important to be transparent and tell people what it is meant to do. Experts believe it can be done in a transparent manner and an intervention can mention the objective of the nudge. “Even if people are informed about the behavioral insight, it still works the same way and impacts people”. (Dr Umar Taj, Personal Communication, 10<sup>th</sup> August 2021). Hence, there is acceptability for nudges as most nudges are there to help people so what they intend for themselves.

An important principle to adhere to is not to change people’s thinking rather it is seeking to help people’s intention come to fruition. It is promoting the agency of the individual rather than limiting their agencies. If people if you ask people which choice is best for them and they say A. yet continue to choose option C. Your task is not to convince them of the better choice but to help them adjust to the choice that they are already saying is best for them. That’s the principle that has to be prioritized and what sort of checks can you build to help you know you are heading in that direction. (Josh Martin, Personal Communication, 15<sup>th</sup> August 2021). Thus, the most important check is to preserve the agency of the people whilst nudging any particular behavior.

There should be caution whether you can nudge through problems that are structural issues in the context of post conflict. For example, in designing a certain government campaign you may with slight behavioral changes, it is not possible to shift perception of state where people feel the government discriminate with them to overturn those perceptions. It has structural and political constraints on how state is perceived.

## **CHAPTER 6: Conclusion**

It is recognized through relevant literature that the idea of enhancing civic participation and increasing adherence to state institutions and practices is challenging yet increasingly integral part of rebuilding conflict affected regions. Historically, the ex-FATA region had been governed under a draconian system that minimized citizen's agency and engagement with the state. Furthermore, it is realized that the post-conflict society of erstwhile FATA shall require the adoption of new practices, socialization of new behaviors whilst unlearning old behaviors which warranted submissiveness to the political agents. Hence, the challenge of rebuilding state and citizen relationships is hard given that some parts of the merged districts are simultaneously experiencing post conflict and on-going reconstruction. Thus, the provision of security and basic state infrastructure are a necessity and a prerequisite before civic participation can be realized. The inability to provide security in such circumstances can completely erode trust and fracture the state-society relationship as security is at the heart of building a capable society. Through exploring attitudes and behaviors towards the state in merged districts, it is also outlined that there is a lack of political consciousness and awareness about the new system and official documentation. Hence, civic participation in this study is investigated in proximate behaviors such as reporting an FIR and using state courts for civil and criminal cases.

Hence, this research presents a starting point to introduce behavioral change tools such as nudges to post-conflict rebuilding in the merged districts of KP. It is posited that nudging has the potential to become a viable tool for behavioral change to address the challenge of civic participation in reference to the usage of the state mechanisms in the merged districts. Provided that the pre-requisite of state's provision of security and state infrastructure is ensured, only then is there ground for nudges to be useful. It is found that, in some districts like Bajaur, Khyber, Mohmand and Kurram can be identified as relatively stable districts where the police and courts infrastructure roughly exists and accessible to the common man. This pre-requisite is important to understand that individuals cannot be nudged to use court for civil or criminal matters if the court is in accessible to the citizen. As the administrative and court set up for North and South Waziristan is adjacent districts where travel time is often few 100km. Hence, it is outlined that behavioral nudges which is the idea of moving people in the direction of better choices; can be used to increase

the familiarity with the state's system and create ease in the process. Hence, behavioral insights about how people make decisions can be useful to increase adherence to the state institutions and increase civic participation.

The application of nudges is explained through a framework which outlines that it is pertinent to identify the constraints on the individual's ability to adopt certain behaviors. This includes identifying the factors which make people receptive to nudges. The idea of fostering trust in the government is greatly examined and asserted that trust must focus on initial adherence of people to engage with the system and from then forward continue to engage with the system. Similar study in Sargodha, Pakistan has elucidated that providing accurate information about courts time frame to solving a case defined as 'positive treatment' can significantly update people's usage and trust in the state courts in comparison with traditional institutions such as Jirga and Panchayats (Acemoglu, Cheema, Khwaja, & Robinson, 2019).

Keeping this in consideration, this research outlines the operationalizing of nudges to address civic participation in the context of erstwhile FATA. Operational transparency approach which allows citizenships to have an insight to the actual work of the government and ability of the government to respond to citizen's requests has been known in other contexts to increase trust in the government. This is recommended through communications designed and curated for the target audience in the merged districts. Story-telling in the communications strategy has been emphasized whilst leveraging the social norm setting 'nudge'. This allows people to adhere to certain behavior or practice that is done by others and when they are informed of this, it increases their propensity to follow the social norm. The dynamic social norm can also be used to 'nudge' citizens in the case that only a minority is engaging with the system, the X% increase in usage of a public service is highlighted. Signification of the FIR beyond a bureaucratic process and framing it as the idea of getting justice is highlighted. Moreover, the co-creation and involvement of the community in the public service work is mentioned as a way to 'nudge' public perceptions of the state. The mediums of outreach have been outlined from radio, post-office to community leaders from within as the messengers for important public communication. The acceptability and ethics of nudges is emphasized such that any nudge must promote the agency of the people. A nudge must not intend to change people's choices rather it should be an adjustment of choices to the choice that individuals believe is best for them.

Furthermore, various methodological recommendations have been outlined to accommodate the complexities of researching in the post-conflict environment. This includes the use of the Sense-Maker methodology of personalized stories and self-signification of their experiences. Furthermore, it has suggested the need for interdisciplinary teams and use scales developed in psychology and sociology and validated in Pakistan to diagnose the behavioral problem. This includes using the civic Engagement Scales (CES) developed to measure civic attitudes and perceptions about the individual's ability to engage with the community. The governance diaries method has been underscored in other post-conflict contexts and can be utilized in merged districts. Moreover, the importance of local research partners, recourse for respondents to contact the researchers and debriefing sessions is underscored for studying the post-conflict environment.

For policymakers and implementers, this research serves as a roadmap for conducting rigorous behavioral research in the post-conflict to address the challenge of civic participation. The signposting provided through this research can help policy makers realize the potential for behavioral lens to address policy problems through low-cost behavioral interventions.

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