### Dispute Settlement Mechanism Among Pakhtun Ethnic Group

**Course Description**

This course explores traditional and contemporary dispute settlement mechanisms within the Pukhtun ethnic group, with a focus on *Jirga* and *Pashtunwali*. It examines the historical, socio-cultural, legal, and political contexts that shape these mechanisms, and critically assesses their effectiveness, legitimacy, and interaction with formal judicial systems. Students will develop analytical skills to compare indigenous conflict resolution with modern legal frameworks, while evaluating its implications for peacebuilding, justice, and human rights

**Learning Objectives**

* Understand the principles and values underpinning Pukhtun dispute resolution systems.
* Analyze the role of *Jirga* and *Pashtunwali* in maintaining social order.
* Compare traditional dispute mechanisms with state-led and international legal systems.
* Assess the strengths and limitations of indigenous systems in promoting sustainable peace.
* Apply theoretical frameworks of peace and conflict studies to real-world case studies in the Pukhtun context.

| Course Objectives: **Introduction & Context** | |  |  |
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| Week-1 | Overview of the Pukhtun ethnic group: history, geography, demographics.  Pukhtunwali: Core principles (*melmastia*, *nanawatai*, *badal*, *turah*).  Importance of traditional dispute mechanisms in peace and conflict studies. |  |  |
| Week-2 | **Theoritical Framework**  Indigenous conflict resolution theory.  Restorative justice vs. retributive justice.  Social order in stateless societies. |  |  |
| Week-3 | **The Jirga System: Origins & Structure**  Historical evolution of the *Jirga*.  Composition and authority of elders.  Decision-making processes and consensus building. |  |  |
| Week-4 | **Types of Jirgas**Tribal Jirga, Local Jirga, Government-sponsored Jirga.Differences in procedures and legitimacy. |  |  |
| Week-5 | **Dispute Categories & Case Handling**Land disputes.Blood feuds (*badal*).Family and marriage conflicts.Commercial disputes. |  |  |
| Week-6 | **Customary Law vs. State Law**Legal pluralism in Pakistan and Afghanistan.Interaction between *Jirga* rulings and formal judicial systems. Constitutional and human rights concerns |  |  |
| Week-7 | **Gender, Justice, and Human Rights Issues**Women’s participation and representation in dispute mechanisms.Honor-related disputes and *swara* cases.Critiques from human rights perspectives. |  |  |
| Week-8 | **Class base debates on any current social issues.** |  |  |
| Week-9 | Mid-term |  |  |
| Week-10 | **Peace building Applications**How *Jirga* principles can be integrated into modern peace processes.Case studies of conflict resolution success stories. |  |  |
| Week-11 | **Field Research & Observation**Guidelines for ethnographic fieldwork in Pukhtun communities.Ethical considerations. |  |  |
| Week-12 | **Student Presentations**Group case study presentations on real-life dispute settlement instances |  |  |
| Week-13 | **Synthesis & Future Directions**The role of indigenous mechanisms in post-conflict reconstruction.Policy recommendations for hybrid justice systems. |  |  |
| Week-14 | **Historical and Anthropological origins of the Pakhtuns**  History: Bani Israel theory, Aryan Origins, and regional migration patterns  Oral Traditions Vs Academic Research  Influence of Geography on Culture and resilience |  |  |
| Week-15 | **The structure and Values of Pakhtun Culture**  Social Organization: Qaum, Khel, khely  Role of Hujra and Tribal leadership  Gender norms and Social role |  |  |
| Week-16 | **Pakhtun Identity, Politics and Peace Building**  Cultural Identity in Modern Politics: Nationalism, Tribalism, and Cross Border Dynamics  Impact of Colonial History and the Durand Line  Pukhtoon Culture as a tool of Peace or a source of Conflict  Contemporary Shifts: Urbanization, Education and Diaspora Influence |  |  |
| Final-term | |  |  |

