

FATA: voice of the unheard – path-dependency and why history matters

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The Federally Administered Tribal Areas (FATA) of Pakistan is a region that has always captured the attention of the international community. Adjacent to Pakistan's Khyber Pakhtunkwa¹ province along the western border with Afghanistan, it is in fact a direct legacy of the British Empire. Indeed, the laws that govern the federation's interaction with FATA were enacted by the Colonial Raj in 1901.²

Comprising of seven administrative areas of Bajaur, Mohmand, Khyber, Orakzai, Kurram, North and South Waziristan, which are referred to as agencies, as well as six smaller settled districts known as frontier regions (FRs) that include Bannu, Dera Ismail Khan, Kohat, Lakki Marwat, Peshawar and Tank,³ FATA is a culturally and historically rich area. This mountainous, rugged and semi- autonomous region is home to a predominantly Pashtun⁴ ethnic group in a population of an estimated 3.18 million people⁵ divided into about a dozen tribes.⁶

Despite decades of war, the British were unable to govern this area completely, and therefore, gave it a de-facto independent status. Even after the creation of Pakistan as a result of the partition of the subcontinent in 1947,⁷ and the consequent departure of the British, all successive governments in independent Pakistan have followed in the footsteps of their predecessors by exercising the archaic British model of administration and retaining the Frontier Crimes Regulation (FCR) enacted in 1901.⁸

In 64 years of independence, the people of FATA have been subjected to outdated laws that deny them the same democratic political system, fundamental human rights, and economic opportunities prevailing in the rest of Pakistan. As a consequence of prolonged neglect and isolation from the State, rampant poverty and dismally low literacy rates define FATA. And with the inability of the government to acknowledge it as a significant and integral part of Pakistan that needs to be integrated, the tribal region has over a period of time, fallen into the hands of extremist groups.

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Competing exiled groups often attempt to seek refuge in an area where there is little or no State authority. They thrive on the weak points of that area, win or gain popular support, and eventually establish parallel government institutions. Unfortunately, FATA is one such region that has become a sort of safe haven for hostile individuals and groups who have successfully taken advantage of prevailing circumstances i.e. poverty, illiteracy, State neglect and institutional isolation.

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The deteriorating state of affairs in FATA is the outcome of a plethora of local, regional and global factors. These include the international community's disregard and ignorance of the region and its unique sub-culture, the situation in Afghanistan after the Soviet invasion, and the current instability in the region due to the U.S./NATO-led intervention in Afghanistan. This has in turn led to repeated unilateral actions in FATA, across the Durand line, creating such resentment and lack of trust among the local populations that religious fundamentalism has easily festered and grown unchecked across the tribal belt.

The situation has worsened since the tribal way of life has historically been mis-portrayed and mis-perceived, not only in the region but also in the international community. This in turn leads local tribes to stick steadfastly to their lifestyles regardless of the repercussions. The precarious nature of socio-political complexities in the region, along with a misinterpretation of the way of life, isolates the people from the rest of the country. Instead of comprehending and accepting the nature of the region's politics and its citizens, external perceptions remain narrow as few attempts have been made to open up and develop the area, or even to initiate constructive dialogue. Mournfully, the only mode of contact has been through violence and military operations that have delivered no results but led instead to widespread mistrust and perpetual anarchy.

Since Pakistan has not faced any major disturbance from FATA since independence, the region did not appear to be of concern for the establishment. It is only after the Soviet invasion of Afghanistan after 1979, and now more significantly, since the U.S. intervention in 2001, that

spillover effects in FATA and other parts of Pakistan have made it an area of interest. It is a shameful failure of the democratic processes that the agencies have been left fending for themselves. Faced with life in a status-quo left intact by the colonial rulers, it should not be a surprise that the inhabitants of FATA devise their own rules and live by their own laws.

By presenting an indigenous perspective of FATA, the aim of this paper is to try and unearth the reasons behind the current situation, which has over time been marked by instability, lawlessness and turmoil, thus leading many in the west to refer to the region as ‘no man’s land’—a region ungovernable and lacking in civilization.⁹ It will also try to address why FATA is considered the most dangerous place in the world,¹⁰ if at all that is indeed the case.

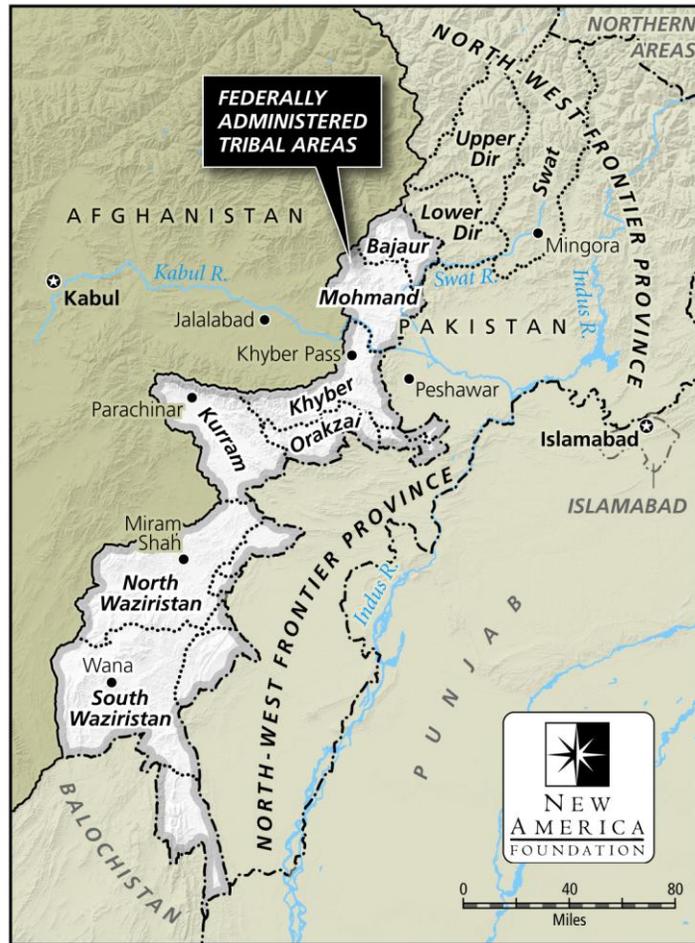
The study will focus on its analysis by using the ‘Path Dependency’ theory and its two main components i.e. ‘history matters’ and ‘increasing returns’ as the analytical framework.¹¹ Both these aspects of the dependency approach fit in perfectly with the problems in FATA since they are rooted deep in history, come as a result of relying on the past (i.e. institutions, policies, principles of governance), and are hence unable to deviate from chosen paths.¹² This is because successive governments in Pakistan have followed in the footsteps of predecessors by exercising the same social, economic and political systems of administration practiced by the British.

The argument presented here addresses the lack of interest, legislative support, and infrastructural revival - issues that have left FATA far behind the rest of Pakistan in social, economic and political terms. Has it only been neglect on the part of the State coupled with regional realities such as the conflict in Afghanistan that make FATA a lawless region and an ideal breeding ground for extremist elements? Or is there a deeper analysis required since the problems are rooted in history as a result of the legacy of partition? These are the questions that this study aims to address.

The FATA region

Spread over an area of 27,220 sq km,¹³ with a predominantly Pashtun population of 3.18million,¹⁴ FATA is the most underdeveloped, isolated and impoverished region of Pakistan, as is evident from an abysmally low literacy rate of 17 per cent (29.51% of the male, and 3% of the female population is literate).¹⁵ With seven Tribal Agencies and six Frontier Regions, it is bounded on one side by the Khyber Puktunkhwa province and shares a 1,600km border with Afghanistan on the other;¹⁶ in fact, apart

from Orakzai, all agencies share a border with Afghanistan.¹⁷ The Pakhtuns living in FATA are mainly Sunni Muslims, apart from those in the Kurram agency, which has a mixed Shia and Sunni community.¹⁸



Although a part of British India, FATA was administered under special legal and administrative provisions of the Frontier Crimes Regulation (FCR) since the British were unable to establish explicit control over the tribesmen. Thus, a loose form of administration was established, using a combination of British-appointed political agents (PA) and local tribal elders or Maliks,¹⁹ giving FATA its semi-autonomous or independent status.

According to a Pashto proverb, the ‘Pakhtun is known for his love for freedom and the Pakhtun way of life (Puktunwali)’; that single statement provides the reason why no external power has been able to control the

region. Used as a buffer zone by empires, including the British, the tribes were free to live according to their tribal cultures or Pukhtunwali, and governed by the FCR. As long as they did not interfere with, or pose a threat to the British Raj, they were given financial incentives and royalties and exempted from paying taxes - a policy that the tribes regarded as a tribute from the British for keeping peace in the region.²⁰

Pakhtuns are usually referred to as Afghans because of strong racial and ancestral affinity through Pakhtunwali, which unites those living on both sides of the Pak-Afghan border

However, despite the policy of appeasement, the British struggled to achieve administrative success and could only maintain limited cooperation with the tribes since the system of under the FCR was in complete contrast to Pakhtunwali. Indeed, the two systems were incompatible,²¹ and have in the long run proved to be detrimental for the inhabitants of FATA— as this thesis shall highlight in its analysis.

The Pakhtun way of life

Tribal people are not indigenous to Pakistan alone; such communities are found in other parts of the subcontinent and all over Asia, including in Bangladesh, India, Sri Lanka, Malaysia and Thailand.²² However, all tribal areas possess specific, yet very distinguishable characteristics that make them stand out - and FATA (along with its masses) has always captured the world's attention since it has not only been strategically important to Pakistan, but also to the region and the international community at large. The ethno-linguistic Pakhtuns of FATA can be found throughout Pakistan, chiefly in the provinces of Khyber Pukhtunkwa, Balochistan and in the port city of Karachi,²³ as well as in Afghanistan where they make up the largest ethnic group.²⁴

Although divided by geography, Pakhtuns are usually referred to as Afghans because of strong racial and ancestral affinity through Pakhtunwali, which unites those living on both sides of the Pak-Afghan border.²⁵ This strong bond of kinship has proved to be the most powerful guideline and unifying force²⁶ as Pakhtuns identify themselves in terms of family ties and commitments, and have a fundamentally different way of looking at the world.²⁷ Despite numerous invasion attempts by Alexander and the British among others, and external threats, for instance from the

Soviets, no one has been able to impinge upon the existing culture or alter the importance of lineage and clan or other ideals on which the tribal structure rests.²⁸

A proud and conservative group, the Pakhtuns of FATA follow a very distinct and unique way of life based on Pakhtunwali - the way of the Pakhtuns²⁹ - and have strong Islamic inclinations.³⁰ They are a rugged, independent people with an extraordinarily high sense of personal dignity and a great love of freedom.³¹ Governed by Pakhtunwali, life revolves around several principles including hospitality (melmastia), honour (ghairat), sanctuary (nanawatay) and revenge (badal),³² and has earned the Pakhtun the distinction of being the most hospitable, and at the same time, the most inhospitable host.³³ 'A most complicated simplicity', the Pakhtun, as noted by Ghani Khan, will under no circumstance compromise on his religion and Puktunwali.³⁴ Centuries of isolation, caused in part due to the harsh and rugged terrain, have made religious understandings narrow and personal for most border-area Pakhtuns, and contributed to the growth of superstition in the region.³⁵

A unique feature of tribal life is the Jirga system based on communal consultation and consensus. The Jirga, or dialogue, derives its roots from the Athenian democracy practiced in ancient Greece.³⁶ An assembly or council of tribal elders - Spin Geera (a man with a white beard) and Maliks - heads the Jirga, which exercises both executive and judicial roles, and settles disputes pertaining to individual and collective life on the basis of tribal traditions and norms of justice.³⁷ In short, all issues related to tribal life and customs fall within the purview of the Jirga whose decisions are usually in accordance with Islamic sharia and cultural traditions. As religion is an extremely strong component of tribal culture, many disputes are settled by an oath on the Holy Quran, sealing the issue once and for all.³⁸ Although unwritten in most cases, the Jirga, through verbal verdicts, continues to be the strongest and most effective component of tribal life.

Partition and the creation of Pakistan

After the Indian National Congress and All India Muslim League failed to achieve a compromise on the future system of governance for a united India, the British announced a partition plan for the subcontinent on June 3, 1947,³⁹ which created the two new independent states of India and Pakistan through the Indian Independence Act of 1947.⁴⁰ In many parts of the British subcontinent, referendums and plebiscites were held in order to allow the masses to choose their future either as parts of India or Pakistan. In the NWFP, such a referendum was held from July 6-17, 1947.⁴¹

Although local leaders such as Ghaffar Khan and his Khudai Khidmatgars campaigned for an independent and free Pakhtun state, which was not accepted by the British,⁴² a majority of the people voted in favour of joining Pakistan. In fact, out of 572,798 votes, Pakistan received 289,244 and India just 2,874.⁴³ Similarly, a Loya Jirgah was held in the Tribal Agencies, where the Tribals declared their support in favour of Pakistan as well. Hence, with partition in August 1947, the Tribal areas became part of Pakistan's territory.⁴⁴

On April 17, 1948, Mohammad Ali Jinnah convened a Tribal Jirga comprising of Tribesmen, at the Governor House in Peshawar. In his first official interaction with them, Jinnah thanked the Tribals for the role they had played and the services they had rendered in the movement for the creation of Pakistan. He said,

Keeping in view your loyalty, help, assurance and declarations we ordered, as you know, the withdrawal of troops from Waziristan as a concrete and definite gesture on our part - that we treat you with absolute confidence and trust you as our Muslim brethren across the border. I am glad that there is full realization on your part that now the position is basically different. It is no longer a foreign Government as it was, but it is now a Muslim Government and Muslim rule that holds the reigns of this great independent sovereign State of Pakistan. Pakistan has no desire to unduly interfere with your internal freedom. On the contrary, Pakistan wants to help you and make you, as far as it lies in our power, self-reliant and self-sufficient and help in your educational, social and economic uplift, and not be left as you are dependent on annual doles, as has been the practice hitherto which meant that at the end of the year you were no better off than beggars asking for allowances if possible a little more. You have also expressed your desire that the benefits, such as your allowances and khassadari that you have had in the past and are receiving, should continue. Neither my Government nor I have any desire to modify the existing arrangements except in consultation with you so long as you remain loyal and faithful to Pakistan.⁴⁵

Consequently, a special department – the Ministry of State and Frontier Regions (SAFRON) - under the complete administrative control, influence and authority of Governor General Jinnah was created for FATA.⁴⁶ The Army, which had been stationed in FATA before independence, was withdrawn and the Tribesmen were entrusted with the responsibility of managing FATA.⁴⁷ It is pertinent to mention here that the Army did not enter FATA again until very recently in 2002.

However, even 64 years after independence, FATA continues to be operated under the same social, economic, political and legal system of administration of the FCR. As the country was going through immense difficulties and coping with numerous challenges immediately after partition, Jinnah's compliance with the Tribals' desire to continue with the British system of governance can be understood. One fails to comprehend however, the sheer lack of will and the neglect of all subsequent governments in addressing the challenges in FATA that necessitate a change in the system.

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FATA under the constitution

Although certain areas in Balochistan, Punjab and Sindh are also home to tribal societies, they have, unlike FATA, not been seen as 'Tribal' in nature. Thus, they have not been granted special status in the constitution and are not governed by the colonial mode of administration.⁴⁸ Under Article 1 of the Constitution of the Islamic Republic of Pakistan, FATA is designated as a special area and is included among the territories of the country.⁴⁹ The constitution stipulates that the President of Pakistan is the chief executive for FATA, and hence directly responsible for the tribal areas. As is evident from the name – Federally Administered Tribal Areas - FATA comes under the direct administration of the federal government, which is also responsible for the region's finances and resources. Under the 1973 Constitution, FATA is excluded from the legal, judicial and parliamentary systems exercised throughout Pakistan and its residents are prohibited from voting in parliamentary elections and from bringing appeals to a higher court of justice outside their territories.

Article 246 of the constitution describes the tribal areas as those areas in Pakistan which immediately before the commencing day were tribal areas; these include the tribal areas of Baluchistan and the NWFP and the former states of Amb, Dir, Swat and Chitral. Article 247 (clauses 3, 5, 6, and 7) then provides the framework for the relationship between FATA and the federal government.⁵⁰ Accordingly,

- No act of Parliament (Majlis-e-shoora) shall apply or be enforced in FATA unless the President so directs, and no act of a provincial assembly shall apply or be enforced in FATA unless the Governor of the province in which the Tribal areas are located, does so with the direct notification of the President.
- The President may make any regulation for the good governance of FATA.
- The President has the power to end the classification of FATA over any area provided that that President ascertains the views of the tribe through a Jirga first.
- The jurisdiction of the Supreme and High Courts has been barred in FATA unless the Parliament (Majlis-e-shoora) so provides under a law. Articles 51 and 59 of the constitution provide representation for FATA in both houses of parliament, with 12 seats in the National Assembly (elected through adult franchise), and 8 seats in the Senate (elected by FATA National Assembly parliamentarians). However, it has no representatives in the provincial assembly of the NWFP (now Khyber Pakhtunkhwa). Also, although parliamentarians from FATA can legislate on issues vis-à-vis all of Pakistan, they cannot legislate on matters pertaining to FATA. Nor can the parliament legislate on matters regarding FATA unless so ordered by the President, who has the sole authority to issue regulations for peace and good governance of the tribal areas.

Structure and governance

Although the President of Pakistan is the chief executive of FATA as the region comes directly under his control, the governor of Khyber Pakhtunkhwa exercises federal authority in his designated role as ‘Agent to the President’⁵¹ as stated in article 145 of the 1973 constitution. Subsequently, each of the seven tribal agencies are further administered by a political agent who exercises ultimate judicial and executive authority provided by the FCR of 1901, which is based upon the principles of collective and territorial responsibility of the tribesmen.⁵²

The political agent (PA) is the federal government’s representative or main man physically present in the tribal agencies. His primary function is to administer and maintain law and order in FATA by working with the tribesmen, oversee the implementation of any development or infrastructure project, and distribute the federal government’s funds and resources among the masses. Apart from administrative duties, the PA is

also responsible for handling tribal grievances as well as inter-tribal disputes. He exercises his designated authority through the tribes i.e. government-appointed Maliks, Tribal Chiefs and Jirgas, as well as government-appointed Assistant Political Agents (APA), Tehsildars (administrative head of a Tehsil), Tribal Levies⁵³ and Khassadars,⁵⁴ who perform the functions of a local police. In return, as practiced by the British, the Maliks or tribals are rewarded through allowances and favours granted by the PA in lieu of their services.⁵⁵

Frontier Crimes Regulation (FCR)

While the aforementioned Political Agents wield much authority, this unprecedented power comes through the FCR of 1901. This has been rightly criticized. The FCR is a set of archaic laws enforced by the British to curb any form of opposition, with the ultimate aim of preserving the interests of the Empire.⁵⁶ The harsh and oppressive law, with inhuman and discriminatory provisions is subject to much censure and widely cited as a draconian or black law.⁵⁷

The FCR provides the Political Agent ultimate judicial and executive authority (including the ability to carry out communal punishment and formal detention) by holding all members of a tribe potentially responsible for alleged infractions committed by any tribe member. Under the FCR, the PA has unparalleled authority to arrest, detain, punish or acquit any individual under trial or arrest.⁵⁸

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Another inhumane aspect of the law provides for collective punishment of the family members or blood relatives of the accused, who at the end of the day become victims of an anachronistic law. It is this aspect of governance that is criticized for its lack of democratic responsibility and failure to uphold and preserve human rights.⁵⁹

Unfortunately, no sincere effort has been made to challenge the constitutional status of FATA or abolish the archaic colonial FCR and provide access to the rule of law to inhabitants of the region.

Although the accused suspects are first tried by a Tribal Jirga, which submits recommendations to the PA on whether to convict or acquit, the ultimate decision lies with the latter. His verdict cannot be challenged, regardless of whether it is in line with the recommendations of the Jirga. It is pertinent to highlight here that since 1947, all legal reforms and laws pertaining to administrative, social, economic, political and judicial issues that have been enacted throughout the country, have been denied to the

people of FATA. This is due to Article 247, Clause 3, of the constitution of Pakistan which states that, 'No legislation passed by Parliament is applicable to the FATA region without the assent of the President.'⁶⁰ Clause 7 moreover states that, 'neither the Supreme Court nor a High Court shall exercise any jurisdiction under the Constitution in relation to a Tribal Area, unless Majlis-e-Shoora (Parliament) by law otherwise provides.'⁶¹

Hence, the constitution itself provides the biggest hurdle by denying justice to the people of FATA. Unfortunately, no sincere effort has been made to challenge the constitutional status of FATA or abolish the archaic colonial FCR and provide access to the rule of law to inhabitants of the region. A continuous absence of human, civil and fundamental rights, legal and fair dispensation of justice and proper structures of governance since independence, has thus led to the current problems being faced in FATA.

Theoretical framework

Taking into account the complex and intricate state of affairs that have been prevailing in FATA since Pakistan's inception, it is pertinent to highlight that no specific framework or theory of inquiry can fully unearth and comprehend the FATA paradigm or the reasons behind its instability. However, an attempt to do so will be made by using the path dependency approach since it is ideal for the situation in FATA.

By using this as an analytical framework, this study will focus on the two main components of path dependency. Firstly, applies ‘history matters’,⁶² an aspect of the path dependency theory that fits in perfectly with the study of this thesis, highlighting that the problems prevailing in the tribal belt are deep rooted in history. Secondly, it uses the notion of ‘increasing returns’, noting that once a state adopts a particular path or course of action in its decisions and policies, deviating from that path is close to impossible since the costs of reversal are very high.⁶³

And this is indeed the case with FATA since all Pakistani governments have been exercising the same social, economic and political systems of administration practiced by the British.⁶⁴ Instead of bringing reforms and development to the tribal belt by integrating it into the mainstream system of governance, they have consistently relied on the pretext that since the country has faced economic, political, social and strategic problems since independence, it has been impossible to focus on FATA.

Path dependency

The concept of path dependence first emerged during the 1980s as a form of inquiry largely applied to the field of economics.⁶⁵ However, over the years the theory has gained prominence and is applied in other areas of social and political life, so much so that many political processes are referred to as ‘path dependent’.⁶⁶ Due to its extensive usage in different fields, there is no single definition of the approach as it is often interpreted to suit, or be in line with, the area under focus.

The path dependency theory rests on the notion that institutions of the State structure and channel their behavioral standards and activities along certain established paths, which are a result of choices made and decisions taken in the past. Reinforced over time, these established paths or ‘initial conditions’ are ‘locked in’⁶⁷ and institutionalized.⁶⁸ Therefore, they cannot be easily deviated from as doing so entails high costs,⁶⁹ highlighting the importance and influence of the past on the emergence of a particular path.

Abandoning or deviating from established paths is costly and difficult. As Paul Pierson states, ‘chosen paths cannot be replaced but can be modified.’⁷⁰ A well known example that resulted in the theory’s prominence is the continued use of the ‘QWERTY’ keyboard. Named after the first six keys on the left side, the ‘QWERTY’ keyboard has become the accepted and recognized standard computer keyboard,⁷¹ not because of its performance or ease of use, but because it was the first standard and became institutionalized.⁷² According to the path dependency

theory then, despite the creation of more enhanced and efficient keyboards, it cannot be easily replaced.⁷³

According to Pierson, the path dependency theory has broad and narrow concepts. Its broad view entails that history is paramount, whereas the narrow concept sees institutions as self reinforcing.⁷⁴ The approach rests on two important notions, which Arthur defines as: firstly, the history of selection - the initial, yet crucial stage when a certain course of action is adopted due to events taking place; and secondly, the 'reinforcing period', when forces stabilise the 'path' based on decisions taken in the past.⁷⁵

Path dependency and FATA

History matters

The path dependency theory asserts that decisions are limited or influenced by choices made in the past – or as Pierson highlights, 'history matters',⁷⁶ since it leaves an indelible mark that cannot be overlooked or erased. He asserts that placing politics in time and focusing on moving

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pictures instead of snapshots greatly enhances our comprehension of complex social dynamics. All too often, decisions regarding any given circumstance or situation are taken without taking into account their history and the implications that come as a result.

Unfortunately, this has been the case in the tribal areas too. FATA's transformation from a relatively stable and peaceful area to what the U.S. administration has referred to as 'one of the most dangerous places in the world'⁷⁷ did not happen abruptly, nor was it a surprise. In fact the deteriorating state of affairs has been the outcome of a number of internal and external factors over the past 64 years. Decades of neglect and isolation by the Pakistani State; inability to chalk out a decisive and long-term plan for its integration into the mainstream; lack of social, economic and political development; events in the neighbouring Afghanistan; indifference of the international community (and to a certain extent of the Tribals themselves); and now the U.S. intervention in Afghanistan, are all major reasons for FATA's instability. By employing the path dependency theory, it becomes easier to understand why FATA is the way that it is and why its people have been so susceptible to extremist elements.

The theory rightly points out the need to look at the causes behind the unrest in FATA as embedded in history. After the creation of Pakistan on August 14, 1947, the status and structure of FATA remained unchanged and it continued to operate under the same principles of administration as prescribed by the British. In fact when the Tribals agreed to join Pakistan and swore allegiance to the State, Muhammad Ali Jinnah, the founder of Pakistan, agreed to let them live under the same administrative structure with the special status and royalties,⁷⁸ but with eventual integration with the rest of the country.⁷⁹ Although its status was initially left untouched, there were hopes that as the state progressed, it would be mainstreamed through social, economic and political development. However, Pakistan has not been able to overcome the problems it inherited as a result of partition, and continues to rely on the defunct system of governance.

Although one could argue that this is not the sole reason behind the current instability, it has to be noted that many problems in FATA and the country today exist because of its history, as the ‘colonial legacy is crucial in order to understand Pakistani politics.

With growing complexities in war-torn neighbouring Afghanistan and no serious effort by Pakistan or the international community to bring FATA into the mainstream, the gap in communication and ensuing mistrust continues to increase not only between Pakistan and the West but also between FATA, the government and the international community. If it were not for the U.S.-led war on terror and subsequent military interventions in Afghanistan, the Tribal belt and its people would continue to be ignored. It was only after FATA became a global concern that both the U.S. and the Pakistani government recognized its importance and the need to address its rather ambiguous status as in the constitution. Unfortunately, it has taken tragic events such as September 11 and military interventions in neighbouring Afghanistan, to realize that change is urgently needed in FATA.

Legacy of partition

Although sixty-four years have passed since the British decided to divide the Indian subcontinent into two independent states, the effects are still visible in Pakistan, a country that continues to suffer from the legacy of partition. The manner in which partition was conducted is in fact one of the root causes behind the unrest and instability in FATA – and for that matter, in Pakistan. Although one could argue that this is not the sole

reason behind the current instability, it has to be noted that many problems in FATA and the country today exist because of its history, as the ‘colonial legacy is crucial in order to understand Pakistani politics.’⁸⁰

Therefore, the only way that FATA can move beyond its uneasy past and current instability is to address these root causes of partition.⁸¹ Despite being fully cognizant of the fragility of the situation, the partition plan was devised in 37 days in a highly callous and haphazard manner,⁸² without sufficient planning or foresight as ‘the English flung away their raj like a bundle of old straw, and the people were chopped in pieces like butchers meat.’⁸³

Pakistan came into being after much difficulty and hardship. Not only was independence brought about ten months in advance, territory and resources were disproportionately divided. Indeed, once borders had been demarcated, in the words of Muslim League supporter Z.H. Lari, ‘the Pakistan that was being offered was, from every angle so weak that it would put the Muslims in serious difficulties leading to a major catastrophe.’⁸⁴ Pakistan received a meager share of territory, resources, economic and military assets and as Bettina Robotka highlights, literally had to start from scratch.⁸⁵

India, on the other hand, did not face any major hurdles in establishing institutions and structures as it inherited a relatively bigger share of the subcontinent’s territory and resources. Moreover, most of the existing British assets, including its administrative system and infrastructure were also inherited by India, which simply carried on with the existing settings, structures and institutions.⁸⁶

An important and relevant aspect of the path dependency theory is that historical factors, such as those at the time of colonization, largely influence the course of action or path a country intends to pursue.⁸⁷ However, I would add that these factors are not only limited to a specific period or event such as colonization alone; rather in the case of India and Pakistan, the circumstances that existed at the time of decolonization or partition to be precise, have also influenced future courses of action in both countries. Although they attained independence together, they pursued separate institutional paths and reached different levels of political, economic and social prosperity.

Hence, the path dependency theory highlights a significant point for Pakistan – that historical factors have to a large extent hindered its ability to grow and function like an integrated state. Since inception, Pakistan has

struggled to overcome the innumerable challenges it faced as a result of the legacy of the partition. This was not only because it was a newly established state with limited resources and manpower, but also because it faced hostility from its erstwhile other half – and now new neighbor, India.⁸⁸

Challenges after the creation of Pakistan

Immediately after partition, Pakistan witnessed several crises - including its first armed conflict with India over Kashmir in 1948 - that nearly devastated the newly established state.⁸⁹ Under-equipped and under-resourced, it had to settle matters for an influx of refugees, establish a government and a workable structure of administration to coordinate between its provinces, tribal agencies, and its eastern and western wings that were separated by 1000 miles of Indian territory. In fact, even after independence, Pakistan's viability was always doubted and this prompted ill-planned policies.⁹⁰ Overwhelmed by numerous challenges, the country lacked the means and the will to focus on the tribal areas and their consolidation.

Pakistan's strained relations with India, which have among other things led to three wars and an arms race, have hampered its ability to grow as a State and focus on pivotal areas. Due to hurdles to growth created due to poor relations with its neighbor - for instance in Kashmir, or the role played in the separation of East Pakistan - politics and policies have been seen through an India-tinted lens.⁹¹ As the State has been so engulfed with matters relating to India, perhaps with some justification,⁹² vital issues inside its own boundary, including the tribal belt, have often been ignored.

Weak governance

With a weak, ineffective and corrupt political system, institutions in Pakistan are unstable and show no sign of making progress as the country 'has lacked any characteristics of a consolidated democracy.'⁹³ Indeed, elected governments have failed to govern well and win the loyalty of the masses. They have lacked ideology and their tenures have been tainted by corruption, disunity, mismanagement, negligence and plunder of national resources. This is exemplified by the fact that the state did not have a constitution until 1956,⁹⁴ as the first Constituent Assembly was unable to frame one due to divergent views, petty politics and contrasting interests.⁹⁵ Pakistan's democratic experience can at best be described as chaotic and

disorderly, and characterized by instability, frequent shifts in loyalties and difficulties in reaching a consensual Constitution.⁹⁶

Weak and corrupt democratic rule has also resulted in the emergence and even dominance of the military in the political milieu, thus making the Army a key decision-maker not only in maintaining defence, but also in chalking out domestic, foreign and security policies. Since independence, the country has rolled between military and civilian rule, resulting in four coups and 32 years of military regimes. Pakistan's contested national identity, uneven development, bureaucratic authoritarianism and imbalance between a weak civil society and dominant military rulers, are all issues that can be traced to the colonial era.⁹⁷ Therefore, it cannot be denied that the legacy of partition is one of the many reasons behind Pakistan's inability to develop into an integrated and truly independent state.

Despite numerous pledges of reform, development and integration, the ruling elite in power – whether military or civilian - ignored the region, which became an issue of secondary importance.

Amidst all the challenges and drawbacks, Pakistan and FATA have somehow survived. But as suggested by Wilcox, 'the business of establishing an orderly political system was set back years and certain aspects of public life were permanently distorted.'⁹⁸ FATA is indeed one such area that has been permanently distorted. As path dependence states, when a policy or path is adopted by a government of an area, regardless of success, the costs of reversal or abandoning it are very high⁹⁹. This has been the unfortunate case with FATA.

Despite numerous pledges of reform, development and integration, the ruling elite in power – whether military or civilian - ignored the region, which became an issue of secondary importance. Persistent military intervention has degraded both Pakistan's and FATA's political system since the Army's priority has always been the defence of the country and countering threats, which have (until now) primarily emanated from India. Thus, the Army too has been culpable for the neglect of and the worsening state of affairs in the Tribal region. In fact, many in the region claim that the Army, considered to be the only stable and organized institution in the country, has never favoured FATA's integration into the mainstream; rather, it is at ease with a semi-autonomous status.¹⁰⁰

According to the theory of path dependence, although abandoning an ‘established path’ is difficult, the institutional ‘arrangements’ and ‘established paths’ can be modified.¹⁰¹ Thus, it does not mean that mistakes cannot be avoided in FATA; rather, there are always choices and alternatives that can be taken, but have never been attempted by any government in power. Let alone completely replacing the current system, no sincere effort has been made to modify and improve matters.

Given the complex situation in FATA and the nature of the tribesmen, a comprehensive change in the tribal system is neither suggested nor feasible since it would lead to complete chaos. However, what can and has worked in the past, as demonstrated by Zulfikar Ali Bhutto who was the first leader to introduce social, economic and constitutional reforms in FATA, is the introduction of phased reforms in stages, through consensus and dialogue, by taking the people on board.

Hence the existing structure of governance does not need to be replaced, but it can be modified and developed into a solid and effective system. Lack of interest, legislative support and infrastructural revival has left the region politically, economically and socially weak. Political will has been absent, and apart from one instance, no major initiative for better governance has been attempted.

Institutional stability and reforms in FATA

An interesting aspect of path dependency has been highlighted by Paul Pierson and Douglass North, who opine that periods of instability are often followed by brief yet opportune moments for achieving major institutional reforms that can lead to long periods of institutional stability.¹⁰² However, this period of institutional stability is limited since it will only continue until ‘something erodes or swamps the mechanism that generates continuity.’¹⁰³

1971-77

If this aspect of path dependency is applied, it is evident that FATA did in fact witness a period of institutional stability. This was during the political leadership of Zulfikar Ali Bhutto (1971-77) of the Pakistan People’s Party (PPP), who successfully extended the federal government’s authority to FATA through the 1973 constitution, and established the

FATA Development Corporation (FATADC). Undoubtedly, Bhutto played an instrumental role by reaching out to the masses directly, focusing on development and economic reforms through the construction of schools, colleges, hospitals, industrial units and road networks. In an attempt to mainstream FATA, apart from infrastructural improvement, quotas were dedicated for the people belonging to the region in Pakistan's educational institutions, federal jobs and civil service.

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1996-97

FATA witnessed another brief moment, rather than an extended period, of institutional stability in 1996-97. This was when former President Farooq Ahmed Leghari, in his capacity as the President and chief executive of FATA amended the constitution by extending the 'Adult Franchise Act', granting all of FATA's inhabitants the right to vote. Prior to this, suffrage and the right to contest elections in the region were limited to a handful of Tribal elites or Maliks. However, the 'Political Parties Act of 2002' still remains to be implemented in the tribal areas.

1999-2008

Although former President General Pervaiz Musharraf's protracted tenure brought certain reforms to the tribal areas through the local government initiative, it was also during this period that FATA witnessed unprecedented instability and turmoil. This phase in the region's recent and ongoing history fits in well with an aspect of path dependency highlighted by Pierson - that although change is an ongoing process, it is 'bounded' until something erodes the system.¹⁰⁴ This is exactly what happened in FATA after the tragic events of September 11, 2001 and subsequent U.S. invasion of Afghanistan in October that year. For the Tribal belt and its masses, this was the 'eroding' period that Pierson refers to.¹⁰⁵

Since independence, FATA never witnessed as much violence and disintegration of society as it did under Pervaiz Musharraf, who was also

responsible for sending the Army into the tribal areas for the first time since Pakistan's creation. Whether due to regional political realities or pressure from the United States, events in FATA since 2001 have had numerous negative effects that continue to haunt the region as well as the Pakistani State.

However, even in such circumstances, the real challenge has been to adopt a path that can best operate within this context of 'bounded change'.¹⁰⁶ In FATA's case, this has never been an option. Whenever there has been 'erosion' of structures, the State has failed to deliver. This

Consequently, keeping in mind the ethnic and historic linkages between the masses inhabiting the region, it is axiomatic that what happens across the border in Afghanistan will undoubtedly have an impact on Pakistan's tribal areas.

can be seen in its policies during and after the Soviet withdrawal from Afghanistan and its current policy following the U.S. intervention in 2001.

General Zia ul Haq's eleven-year military rule, backed and supported by the U.S. as well as Muslim states, damaged the social fabric of Pakistan – particularly FATA, which served as the frontline of the struggle against the Soviets, giving birth to yesterday's freedom fighters and today's terrorists. The consequences of that era are still eminently visible.¹⁰⁷ The area served as a training ground where men from all over the Muslim world received

military and religious training to wage Jihad or holy war against the Soviets.¹⁰⁸ The sudden rise of religious institutions or madrasas imparting a strict Wahhabi adaptation of Islam, influx of foreign fighters or mujahedeen,¹⁰⁹ and the availability of funds and arms (from both the U.S. and Arab states) resulted in the transformation of FATA's society for the worse, as the Tribals suffered the brunt of the turmoil across the border.

It is pertinent at this stage to draw from William Sewell's assertion that path dependency elucidates how 'what happened at an earlier point in time will affect the possible outcomes of a sequence of events occurring at a later point of time.'¹¹⁰ Consequently, keeping in mind the ethnic and historic linkages between the masses inhabiting the region, it is axiomatic that what happens across the border in Afghanistan will undoubtedly have an impact on Pakistan's tribal areas. This has been true before, and is similarly true now with U.S. presence in Afghanistan since 2001 that has

ensured that FATA and its people are directly affected and actively involved.

It would have been naive to think otherwise as FATA was the base from where the U.S. ultimately drove the Soviets out of Afghanistan.¹¹¹ However, after the Soviet defeat and withdrawal in 1989, the international community withdrew as well, taking away the aid and assistance.¹¹² The U.S. had achieved its objective of defeating the Red Army and emerged as the unilateral superpower. The Pak-Afghan border, which was of no use any more, was abandoned and its people forgotten,¹¹³ at least until the next time they provided strategic benefits. And circumstances over a decade later led to the region becoming the center of attention once again.

If one applies the concept of path dependency, it makes perfect sense to see how the significance of the events, decisions and policies in the past weigh heavily on the present situation.¹¹⁴ The crises in Afghanistan and FATA are indeed a consequence of what happened two decades ago during the period spanning from 1979 to 1989.

The ongoing instability in FATA and even Afghanistan was easily avoidable if the root causes had been addressed. The mistake made all too often is focusing on short term success by dealing with the immediate challenges and thus only temporarily quelling threats – as in this case.¹¹⁵ But by not addressing the genesis of the problems - ‘history’ in this particular case - the challenges keep coming back. All major stakeholders have failed to appreciate this logic in FATA and Afghanistan while pursuing their agendas. The path dependency approach is not merely citing inevitability with the past simply predicting the future; in fact, as North highlights, at every juncture, choices are available and wise decisions can lead to numerous options.¹¹⁶

It is difficult to comprehend why a need was not felt by those in power to focus on FATA’s governance and other challenges particularly after the Soviet withdrawal from Afghanistan. If policies had been devised then to integrate the Tribal areas into the mainstream, the FATA of today would have been much different. But its greatest tragedy has always been its blatant neglect. Even when there have been opportune moments and genuine efforts to address the constitutional status and development issues of FATA, they have failed due to political instability, clashing interests, and discontinuation of better policies started by governments dismissed before the end of their tenures.

Turmoil in Afghanistan and the impact on FATA

According to Paul A. David, through the path dependency approach, one is able to analyse changing capacities of institutions by taking into account their historic structures.¹¹⁷ Hence, with FATA, it is important to examine the process of change where evolution seems to be governed by history.¹¹⁸ Indeed, understanding the process and amount of change over the last few decades is essential if any breakthrough is to come about in future.

Despite nearly ten years of war in Afghanistan, there is no visible sign of stability. The Taliban and al-Qaeda are still at large while a growing insurgency has gained momentum and continues to escalate.

Despite its isolation and administrative, constitutional, political and social ambiguity, FATA has generally remained a peaceful region. Even during the Afghan war of the 1980s, while its tribal structures suffered due to the presence of foreigners, refugees, radical madrassas and culture of weapons, its structure remained stable and largely intact and its people did not resort to violence or pose a threat to the rest of the country.

Although many tend to downplay, or even completely overlook the effects due to neighbouring Afghanistan, the entire Soviet operation did play an instrumental role in transforming the nature of events in FATA. But the events that followed 2001 nearly destroyed the tribal culture altogether. Indeed, since the U.S. intervention, Pakistan has faced numerous repercussions and the entire region has become extremely volatile. This has had a particularly negative impact on FATA, which is now seen as the base of al-Qaeda. Initially, the violence was restricted to North and South Waziristan, but growing instability in Afghanistan particularly in 2007, has led to trouble spilling to the relatively stable and peaceful agencies of Mohmand, Khyber, Orakzai and Khurram, while also spreading to other settled parts of Pakistan.¹¹⁹

Despite nearly ten years of war in Afghanistan, there is no visible sign of stability. The Taliban and al-Qaeda are still at large while a growing insurgency has gained momentum and continues to escalate. In fact, the ongoing operations have left ‘in its wake a far more unstable world than existed on that momentous day in 2001,’¹²⁰ as the scope and threat posed

by terrorist groups has grown significantly in regions such as Africa, Asia and Europe.¹²¹

As a result, Pakistan and its

Everyday symbols of governance such as paying taxes, utility bills and adhering to State laws are alien concepts to the masses in FATA who experience no interference in their lives.

Tribal belt continues to suffer from violence and insecurity, which is exacerbated further due to Pakistan's alliance with the U.S. Coupled with the activities of elements including al-Qaeda, the Taliban, splinter groups and other regional groups that resort to the use of force for their religious, political or ideological objectives, this has led to persistent instability in the region.

Margaret Levi asserts that 'once a country or region has started down a track, the costs of reversal are very

high.'¹²² This is because the benefits from a particular path increase over time and alternative options seem unattractive. But this is only true for a system that is beneficial to all i.e. the State and the people, which is not the case with FATA where the prevailing system of governance has only benefitted a few. Lack of political will has led to power being invested in the hands of a few selected Tribal elites, elders or Maliks, in a policy that has been simplistic and convenient.

Everyday symbols of governance such as paying taxes, utility bills and adhering to State laws are alien concepts to the masses in FATA who experience no interference in their lives.¹²³ Reluctant to forgo this uninterrupted freedom, despite relentless calls for reform, those benefitting from the system have opposed any change.¹²⁴ Hence, even if the established path is not optimal, vested interests prevent modification.

Path dependency asserts that in order to understand how states or governments function, and why they suffer from enduring instability and struggle to establish social, political and economic prosperity, institutions are of utmost importance. However, simply understanding institutions,¹²⁵ specifically in the case of FATA, is not enough since newer paths need to be devised and policies implemented in order to transform dysfunctional institutions into functional ones.¹²⁶

As iterated by Douglass North, 'a great deal might be known about politics, but not enough is known how to fix or improve them.'¹²⁷

However, path dependence can help shed light on past failures and thus provide guidance for future reform¹²⁸ to help transform unworkable institutions into workable ones. This is what is required in FATA.

Reforms in FATA

In what was considered a step in the right direction in August 2009, the ruling government of the Pakistan's People Party (PPP) announced a new reform package for FATA. This included political, judicial and administrative reforms, extending the Political Parties Act, curtailing powers of the Political Agent,¹²⁹ and granting the right to appeal and bail in cases involving the Frontier Crimes Regulation (FCR), while also exempting women and children from cases under it. The proposed reforms also included the setting up of an appellate tribunal for FATA.

A highly anticipated and much needed step, these reforms were unanimously welcomed by both the masses in FATA and the political parties in parliament. However, that is all it was. Although more than a year has lapsed since, the reforms have yet to be implemented. As has been the norm, FATA has once again been buried beneath issues deemed more immediate and significant, as the country focuses on political instability, a fragile security situation and energy and economic crises.

In March 2011 though, an unusual display of unanimity was expressed by all major political parties - PML-N, PML-Q, PPP, Jamaat-i-Islami, Awami National Party, Muttahida Qaumi Movement, National Party, Pakhtunkhwa Milli Awami Party, and PPP-Sherpao - under the banner of the 'Political Parties Joint Committee on FATA Reforms'.¹³⁰ They insisted on the implementation of the highly anticipated Political Parties Act of 2002, along with the political, social and economic reforms pledged by the government in 2009. Until these movements gain significant strength and realized, history will continue to repeat itself, even though the future needs to be much different.

Conclusion – the way forward

- In a developing country like Pakistan, with a growing population, meager resources, and innumerable domestic and external challenges, one is aware of the constraints faced when it comes to dealing with an area like FATA, which is without a doubt a complicated issue. However, at the end of the day, it is the sole responsibility of the State to consolidate and look after its territory

and people. That has been the tragedy of FATA; that despite numerous promises of reform and development the area has remained neglected by those in power. By failing to integrate FATA into the mainstream, the State is at least partly, if not completely responsible for the current unrest and lawless nature of the area that has made it a perfect breeding ground for extremist elements. The truth is that no genuine effort has been made to develop comprehensive long and short term plans for its future to bring it under the same laws that prevail throughout the country and offer the tribesmen the same rights, duties and opportunities that are available to other citizens of Pakistan.

By failing to integrate FATA into the mainstream, the State is at least partly, if not completely responsible for the current unrest and lawless nature of the area that has made it a perfect breeding ground for extremist elements.

- It must be realized that Pakistan's prospects of becoming a stable and progressive country and bringing reform and development to FATA, lie within the ambit and purview of the government and decision makers of the country and nobody else. It is not the responsibility of external actors to integrate FATA into Pakistan. Therefore the State can no longer rely on the excuse that has been used for so long - that because of other domestic and external concerns, it has been unable to focus on FATA. It needs to be acknowledged that FATA cannot be isolated any more, nor can its people be neglected as they have been in the past. The current problems are the result of years of neglect and the country cannot afford to have another East Pakistan.
- The State needs to win the support and confidence of the masses and make them feel like Pakistani citizens. Pledges already made by the present government for bringing reform and development must be seen through and implemented in letter and spirit, but with the consent and support of the people who have to be won over first. Despite their lack of education and relative isolation, the people of FATA, while adhering to their tribal norms, favour integration into the mainstream. However, if the reform process is inconsistent or is abandoned midway, it has the potential of creating more problems. Therefore, political reforms must be

complemented by social and economic opportunities, so that change is progressive.

- The future political status of FATA should ultimately be determined by the people of FATA. This can be achieved through a referendum, plebiscite or any other means acceptable to the masses. Possible options could include becoming a separate or independent province, becoming a part of Khyber Puktunkwa or something similar to the Gilgit Baltistan-style constitutional structure adopted in 2010.
- The government must reform and revitalize the system of administration currently in practice particularly strongly in order to enforce its writ in the area. For this, the role and power of the Maliks and Political Agents needs to be re-examined and revised. The best way to change the system is to adopt a holistic approach where issues are addressed through tribal traditions. Viable and long term plans need to be adopted in order to free FATA from the clutches of all extremist elements. Although the government should promote dialogue as the first option, when dealing with undesired elements in the Tribal areas, in case this does not achieve the desired results, it must act like a strong law enforcing body whose control cannot be challenged under any circumstance. In the same vein, it must ignore dissenting voices and continue operations against extremism until FATA is free from all unwanted elements. In the short term, the government has to follow a two-track approach, i.e. combine military and political reconciliation aspects through an established institution such as the Jirga since the use of force without a parallel process of reconciliation can actually provoke people and raise of anti-government feelings.
- A clear distinction needs to be made between those tribes that are supportive of the State and those that are waging war against it. Those tribes that have suffered as a result of opposing the extremist or anti-State elements should be given full support and due compensation for their losses. In this way, not only will the tribes regain their power and revive the tribal culture that was undermined by the extremist elements, they will also be able to

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defend their territories and identify the hardcore and relatively less hardcore or reconcilable elements.

- The government should look into establishing an amnesty and rehabilitation programme for those militants who agree to surrender their arms and not wage war against the State. They should be given protection and opportunities to reintegrate in to the society provided they agree to remain loyal to the State.
- No development or democracy can take place in the tribal belt unless and until the FCR is amended or abolished and replaced by the legal framework that is exercised throughout the rest of Pakistan. While everybody agrees that something should be done, there is lack of consensus on the mechanism to be used. However, any change in FATA - be it in the form of the FCR, administrative or constitutional reforms - the people need to be taken on board through a general consensus.
- The international community can assist Pakistan in tackling militancy and extremism in FATA without violating the country's sovereignty, questioning its policies pertaining to FATA, undermining its commitment, interfering in its internal affairs, or dictating the terms of action. It must be understood that the use of force, oppression and subjugation through military means is not a viable solution and that more long term and effective measures are necessary in order to integrate FATA gradually with rest of the country. In this regard, in order to win the support and confidence of the masses, the government must adopt a firm stance regarding the predator drone attacks against extremist elements in the tribal belt. The attacks are deeply resented and have led to many in the region withdrawing their support for the government. Throughout the country, there is widespread condemnation and opposition to the U.S. unilateral strikes as they have proven to be counterproductive as the majority of people killed are in fact civilians. According to the Conflict Monitoring Centre (CMC) report of 2010, since 2005, 2043 people have been killed as a result of the drone attacks, with the majority of the casualties being civilians. Hence, if the State is sincere in securing FATA, it must protect its territory and its people. After all, it is the State's responsibility to deal with militants on its side of the border and intervention by any other State is not only a violation of the sovereignty Pakistan, but also a violation of international law.

- Large scale economic and social development goals for education, health, infrastructure and small industry growth should be made while private investment also needs to be supported. Financial assistance from the West can play a decisive role in helping to develop FATA into a stable and peaceful area. Although no easy task, it is possible and quite achievable. The government should encourage the U.S. to finally establish the much talked about reconstruction opportunity zones in the tribal areas and also allocate resources for socio-economic uplift at the grassroots. Certainly it will take time, resolve and immense perseverance, but once implemented and seen through, FATA and its masses will move towards progress and development.
- A more comprehensive, democratic and political strategic advancement of policy options is the need of the hour. And for that to happen, a system of education designed to infuse the culture of an educated Islamic mind with the capability and courage to practice religion in its true spirit, and not just in rituals and wars, also needs to become commonplace. In the long term, sustained efforts are required to engage the people of FATA in a political process. Instead of madrasas, formal secular education needs to be promoted, while political parties must also be given free access to the region. By doing so, it will not only expose the masses to new ideas, it will also limit the influence of religious parties and encourage political participation.
- Also, the government should administer and monitor all forms of religious activities in the tribal belt, and scrutinize the activities of the madrassas and mosques, including sermons delivered by the Imam or head of the mosque, with the aim to promote Islam in its true and authentic spirit.
- The government should continue to make use of the existing radio stations and programs operating in FATA and aim to expand in this field in order to provide the people access to the rest of Pakistan, as well as to the international community, through news, entertainment, and current affairs, hence isolating the activities of extremist elements in the area. For instance, radio programmes such as ‘Voices of the People’ and ‘Step By Step’ that were broadcast in parts of FATA in 2008 under the U.S. aid programme

Financial assistance from the West can play a decisive role in helping to develop FATA into a stable and peaceful area.

for FATA¹³¹ and U.S. funded initiatives to install AM transmitters to provide radio access to masses in Khyber-Pakhtunkhwa and FATA, are steps in the right direction.

- The people of Khyber Pakhtunkhwa and FATA have suffered immense psychological distress due to the seemingly endless and indiscriminate violence witnessed since the U.S. operation began in Afghanistan in 2001. However, in order to achieve the fruits of the aforementioned reforms, the government will need to show an unprecedented display of vision and political sagacity. Unfortunately, given its past and recent history, it seems unwilling to, and incapable of, reforming its ways. It is time now that the State acts responsibly and does not allow or tolerate a parallel system of governance to emerge.

Half-hearted policies have not worked, and in fact, have only made things worse and ignited resentment and doubt in the minds of the masses. Our war on terror policy, as well as the nature of Pakistan's relations with the U.S., needs to be comprehensively reviewed and the government needs to re-evaluate its stance on these issues. It must reassert itself as a sovereign State, and clearly demonstrate to the people in general and the tribes in particular that we are not fighting someone else's war. At the same time the U.S. must also realize that Pakistan is responsible for preventing and curbing the activities of extremist elements within its territory alone and not beyond its borders. For years the same slogan that Pakistan must 'do more' has been chanted, but if one looks at the state of affairs in Afghanistan, it seems that the international community's ten-year war against the Taliban has failed to produce the desired results – maybe it is time for the U.S. to do more instead. Hence, Pakistan needs to grow out of its path dependence on colonial structures of governance and mindset and adopt a holistic and pragmatic approach if it wants to become a consolidated state.

For years the same slogan that Pakistan must 'do more' has been chanted, but if one looks at the state of affairs in Afghanistan, it seems that the international community's ten-year war against the Taliban has failed to produce the desired results – maybe it is time for the U.S. to do more instead.

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