



Heidelberg Papers
in South Asian
and Comparative Politics

Political Reforms in the Federally Administered
Tribal Areas of Pakistan (FATA):
Will it End the Current Militancy?

by

Sayed Wiqar Ali Shah

Working Paper No. 64

January 2012

South Asia Institute
Department of Political Science
Heidelberg University



HEIDELBERG PAPERS IN SOUTH ASIAN AND

About HPSACP

This occasional paper series is run by the Department of Political Science of the South Asia Institute at the University of Heidelberg. The main objective of the series is to publicise ongoing research on South Asian politics in the form of research papers, made accessible to the international community, policy makers and the general public. HPSACP is published only on the Internet. The papers are available in the electronic pdf-format and are designed to be downloaded at no cost to the user. The series draws on the research projects being conducted at the South Asia Institute in Heidelberg, senior seminars by visiting scholars and the world-wide network of South Asia scholarship. The opinions expressed in the series are those of the authors, and do not represent the views of the University of Heidelberg or the Editorial Staff.

Potential authors should consult the style sheet and list of already published papers at the end of this article before making a submission.

Editor	Subrata K. Mitra
Deputy Editors	Jivanta Schöttli Siegfried O. Wolf
Managing Editor	Radu Carciumaru
Editorial Assistants	Dominik Frommherz Kai Fabian Fürstenberg
Editorial Advisory Board	Mohammed Badrul Alam Barnita Bagchi Dan Banik Harihar Bhattacharyya Mike Enskat Alexander Fischer Karsten Frey Partha S. Ghosh Namrata Goswami Hans Harder Julia Hegewald Stefan Klonner Anja Kluge Karl-Heinz Krämer Apurba Kundu Peter Lehr Malte Pehl Clemens Spiess Christian Wagner

Political Reforms in the Federally Administered Tribal Areas of Pakistan (FATA): Will it End the Current Militancy?

Sayed Wiqar Ali Shah ¹

Keywords: tribal areas of Pakistan, militancy, political reforms, Taliban and al Qaida, US-Pakistan relations

ABSTRACT:

The resurgence of the Taliban and the al Qaida are interwoven with the rising tide of militancy in the tribal areas of Pakistan. After the Taliban's ouster from Afghanistan, the al Qaida and its supporters regrouped in the FATA and launched attacks on the US and NATO troops in Afghanistan. Pakistan, a major ally of the US on war upon terror tried to quell the insurgents but did not succeed. The cross-border infiltration and attacks on US troops continued, causing serious doubts about Pakistan's sincerity in the suppression of the militancy. The present research focuses on these and other similar issues including the recent trust deficit between US and Pakistan and the essential measures for bringing stability to the region thus ensuring safe withdrawal of US troops from Afghanistan by the end of 2014.

The Federally Administered Tribal Areas of Pakistan, popularly known as FATA, have garnered much attention in the recent times. Termed by the American President Barrack Obama as the 'most dangerous place on earth', the area stretched between Pakistan and Afghanistan is known for its peculiar type of tribal society and the system of governance retained since centuries. The present system of governance was introduced by the British for the furtherance of their colonial designs in the South Asia. To thwart the much-feared alleged Russian advances towards India, the

¹ Sayed Wiqar Ali Shah is Allama Iqbal Professor at the South Asia Institute, University of Heidelberg, Germany. He has a D. Phil in History from the University of Oxford; M. Phil and MA in History and Pashto from the University of Peshawar. His areas of specialization include Modern South Asia, Afghanistan, Political Leadership in Pakistan, Tribal Areas of Pashtoonkhwa in Pakistan, Pashto Language and Literature and Gender Studies. He has authored ten books in English, Pashto and Urdu. The author can be reached at: drswas@hotmail.com.

British colonial administration planned their penetration in the Pashtoon dominated areas, known for inhospitable mountains and passes and wild tribesmen. They faced a tough resistance in its occupation and were unable to permanently keep it under their rule. The imperialists heavily relied upon the local support and took various steps to gain the sympathies of the tribal people to their side. Hence the introduction of the *Maliki* system, followed by the introduction of some unpopular reforms including the Frontier Crimes Regulations (FCR). Political, judicial, social and other reforms, introduced in other parts of the country have been denied to the people living in FATA, reasons counted as the unruly nature of the people. The same situation continued even after the transferring of the area from British colonial administration to Pakistan in 1947. This provided a chance to al Qaida and other similar terrorist organisations to establish their networks in the region disturbing the peace and tranquillity of the whole world. Despite the presence of about one hundred thousand Pakistani troops in FATA and the daily increasing drone raids, the militants are still organising bombing raids inside Pakistan and attacking the US forces and its NATO allies in Afghanistan.

Although the issue remained unresolved for many years, it came to the spot light recently when one of the top most US military officials accused Pakistan of covertly providing all kind of help and logistic support to the Haqqani network of the Taliban to attack US and NATO troops inside Afghanistan. Pakistan denied the allegations and vituperation from the US official and cited the highest number of casualties, both in the civilian and military ranks, which it suffered in combating terrorism in the region. As a frontline state, according to the Pakistani officials, it suffered more as compared to any other country in the world. More than thirty thousand civilians and five thousands security personnel were killed by the terrorists, a number much higher than the combined US and NATO casualties in Afghanistan. The Pakistan government showed its anguish and anxiety on the US demand to ‘do more’ and showed its incapability in launching another major military operation in North Waziristan to flush out the al Qaida and the Taliban supporters from the area. The war of words further escalated the already existing tension between the two countries and till date the deficit of mutual trust is evident from the statements of various parliamentarians and officials on both sides.

Although the main purpose of the present research is to focus on the recently announced political reforms for the FATA, it will analyse the problematic procedure of its implementation and its repercussions in the tribal region of Pakistan. This research will explore answers to some key questions involving the implementation of the political reforms in FATA and the issues of how to stop the further escalation of the militancy in the region. It will elaborate on the pertinent issues of the complex relations between the tribesmen and the Pakistani establishment. It will also discuss the reaction of the tribal maliks and other beneficiaries in this regard. Are they happy with the extension of political activities in their jurisdiction or considers it as a direct challenge to their authority? Are they prepare to abandon the monetary gains which they enjoyed for being the close collaborators of the authorities from both sides of the Durand Line or will they simply accept it as fait accompli. Will it retain their status quo in the tribal society or they will lose all authority in the new set up. All these and the like questions will be investigated in the present research.

It is a known fact that the al Qaida, Taliban and their sympathisers are keeping a strong hold in the tribal areas of Pakistan. What will be their reaction to the introduction of political reforms in the tribal areas of Pakistan? Since most of the al Qaida leaders and other bad guys of the world are disowned by their own governments they have no other place to go. They will not allow the political parties either to create awareness among the tribal population or to establish a network of

the political organisations in the tribal belt. Because of the poverty of the people and a high rate of illiteracy, this area has been a recruitment base for the militants. The present research will also find ways and means to improve the life conditions of the poor tribesmen thus enabling to counter the militants in the best possible way. In the final part of the present research, after examining the whole issue systematically, the author will try to explore the possibilities to overcome the ongoing militancy in the area which is tarnishing the image of the country and people and disturbing the balance of power in the region thus severely affecting the US relations with Pakistan, which indirectly is moving towards creating instability in the region and eventually would prove harmful for the exit of US and NATO forces from Afghanistan.

The FATA covers an estimated area of about 27,220 square kilometres. Its population, according to the Census Report of 1998, was about three million² but this figure has been contested recently by some scholars who put it as more than six million people.³ For administrative purpose the whole region was divided into seven autonomous agencies which included the Khyber (1879), Kurram (1892), South Waziristan (1895), North Waziristan (1895), Mohmand (1951), Bajaur (1973), and Aurakzai (1973). Malakand, formed as an Agency in 1896, was also initially kept under the direct control of the Government of India because it was very important in the imperial strategy as then Chitral, Dir, Bajaur and Swat were considered part of Malakand. Later on its status was changed and it was placed under the provincial administrative setup known as the Provincially Administered Tribal Areas (PATA). There are six comparatively smaller tribal pockets joined together with the six settled districts known as the Frontier Regions and which included F. R. Peshawar, F. R. Kohat, F. R. Bannu, F. R. Lakki Marwat, F. R. Tank and F. R. Dera Ismail Khan. A special official-the Political Agent-is the administrative head of the political agency. The political agent wielded unchecked powers in the agency and in actual practice he is the most powerful person with unlimited powers assisted by the Assistant Political agent, Tehsildar and Naib Tehsildar. The political agents are given huge funds and interestingly these funds are not auditable since the colonial days. He uses it as his own discretion and a major share of these funds goes to the tribal maliks. The policy to control the local population was first introduced in Waziristan by Robert Bruce, the Deputy Commissioner of Derajat Division in 1889-1890. The leading maliks were selected by him and graded according to the importance of their tribe. They were given allowances by the government and were required to supply a number of tribesmen to guard the British interest in the area.⁴ This corrupt practice was introduced on the pretext of maintaining peace and tranquillity in the area. The maliks who enjoys state patronage are called as *Lungi* (turban) holders and this is still of the most sought-after designation in the FATA. After the departure of the British from South Asia, the Pakistan Government endorsed all old treaties and pacts signed with the tribesmen and ensured that they should enjoy the same facilities which were granted to them by the British authorities. Quaid-i-Azam Mohammad Ali Jinnah, the founder of the new state, personally assured the tribesmen and guaranteed the continuation of the allowances they were receiving in the past. He also reiterated that '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'.⁵ Although no exact number of the *Lungi* holders is

² S. Iftikhar Hussain, *Some Major Pukhtoon Tribes Along The Pak-Afghan Border* (Peshawar, Area Study Centre (Russia & Central Asia) University of Peshawar, 2000), p. 7.

³ Rahimullah Yusufzai, 'Some More Real Changes', *The News*, Islamabad, 16 August 2011.

⁴ Lal Baha, *N-WFP Administration Under British Rule 1901-1919* (Islamabad, National Commission on Historical and Cultural Research, 1978), p.34.

⁵ 'The Frontier Policy of Pakistan', M. A. Jinnah's Address to the Tribal Jirga at Government House, Peshawar, 17 April 1948, *Quaid-i-Azam Mohammad Ali Jinnah Speeches and*

available a careful estimate put their number as much as 40,000. The number of *Lungi* holders varies from agency to agency and in according to the ratio of the population. According to an authentic source, South Waziristan has 2300 maliks, further divided in 1700 belonging to Mahsud tribe and 600 from the Ahmadzai Wazirs; North Waziristan 1600; Orakzai 8,836; Bajaur 7,300; Kurram around 7,000; Mohmand 9,833 and Khyber Agency 3568.⁶ It is pertinent to note that in some cases the maliks are clever enough and are utilising their position to get maximum benefits from both Afghanistan and Pakistan governments.

The area remained isolated for various of reasons. Its inhabitants are economically under- developed, the agricultural base is weak due to the nature of the land, the shortage of irrigation water channels, non availability of dams and lack of modern techniques and mechanisation tools. It is surrounded by extreme poverty, with a high proportion of illiteracy and rare industrial enterprises providing opportunities for employment to the locals. The reasons counted for the miserable life of tribesmen in FATA includes a big number of maternal and child mortality, small agricultural holdings, no access to drinking water and few health centres to care for the patients. The non-availability of electricity and gas connections and poor communication system, is keeping the tribesmen far behind other communities in the region. A survey conducted under the FATA Poverty Assessment, has revealed that ‘...landlessness or ownership of just small areas of land; lack of livestock; little or no food; lack of nutritious food; tattered clothing and no shoes; poor quality or condition of house; unemployment; high dependency on others for food and income; women working to supplement household income; ill health and disability; increased risk of conflict; lack of access to public services; lack of influence and powerlessness; and belonging to a powerful tribe’⁷ are indicators of poverty across the FATA.

The strategic location of the area is due to its proximity with Afghanistan which further leads to Russia. The British annexation of the Punjab in 1849 also provided them an opportunity to become masters of the Frontier region. Apart from many other considerations the British wanted a secure Frontier and maintenance of law and order in the newly occupied trans-Indus territories. The imperialists formulated various policies in this regard including the two famous ‘close border’ and ‘Forward Policy’. In the first place the British declared their objective as non-aggression and non-interference in the tribal affairs. Their major concern was to guard the border closely and not to annoy the local tribesmen. They made agreements with the tribes, insisting upon maintaining friendly relations between the British Indian Government and the Frontier tribes. The tribes’ sympathies were gained through a generous grant of subsidies and allowances. But this policy was abandoned in favour of another aggressive policy popularly known as the Forward Policy. The main reason according to the proponents of this policy was the Russian expansion in Central Asia and their rapid advancement towards Afghanistan. To thwart the Russian designs towards India, drastic steps were taken including the signing of the Durand Agreement (1893) with the Amir of Afghanistan. This alarmed the Frontier tribesmen who took it as a direct interference in their affairs and reacted sharply to these measures. In 1897, the Frontier uprising started and soon engulfed the whole of the Frontier region from Waziristan to Swat. Immediately the Government responded by sending more than 70,000 troops who after heavy losses

Statements as Governor General of Pakistan 1947-48 (Islamabad, Ministry of Information & Broadcasting Directorate of Films & Publications, 1989), p. 239.

⁶ *Dawn*, Islamabad, 14 June 2011.

⁷ Teepu Mahabat Khan, *The Tribal Areas of Pakistan A Contemporary Profile* (Lahore, Sang-e-Meel Publications, 2008), p. 131.

from both sides brought the situation under control.⁸ From the British annexation of the Punjab in 1849 to the formation of N-WFP as a separate province in 1901, the British Indian government undertook more than sixty expeditions in the tribal areas to enforce its authority in the region.⁹ A popular notion about the 1897 rising is that it was a religious struggle led by clergy who regarded the British rule as a root cause to all evils and who were vigilant since the British entry into the region. Annoyed at the British penetration into the Frontier region, the demarcation of the Durand Line, the creation of the various political agencies, and British occupation of the Malakand and the annexation of Chitral, the indignant tribesmen decided to wage *Jihad*, a holy war against the infidels.¹⁰ *Fatwas* (religious decrees) were issued to kill a white man and 'secure certain entry into Paradise'.¹¹ It started in June 1897 in Tochi Valley (Waziristan) and spread to other tribal areas including Kurram, Orakzai, Khyber, Mohmand and Malakand. As mentioned earlier, with great difficulty the revolt was suppressed and by spring 1898 order was restored.¹²

However, some scholars recently re-interpreted the whole account as not simply 'tribal fanaticism' or 'proto-national' consciousness but linked it with lineage relations, religious beliefs, economic and social status which according to Robert Nichols 'influenced the nature of individual and clan mobilization at the outbreak of resistance and the degree of accommodation and compromise that quickly followed during the repression of the revolt'.¹³ The nature of the Frontier rising, its rapid spread, engulfing the whole tribal areas and population, and the expenses which the government had to bore, convinced the colonialists that the whole Frontier policy needs re-evaluation.

The Punjab administration was probably over stretched because of the vast area of the province and was unable to give proper attention and the area remained considerably neglected for decades. Lord Curzon, on his assumption the office as the new Viceroy of India in January 1899, found many anomalies in the Punjab's Government's dealing with the Frontier areas. He decided to follow his own way and despite the strong opposition of Mackworth Young, the Lieutenant – Governor of the Punjab, announced the formation of a new province on 9th November 1901.¹⁴ The new province had five settled districts of Hazara, Peshawar, Kohat, Bannu and Dera

⁸ Baha, *N-WFP Administration under British Rule*, pp. 4-8.

⁹ H. C. Wylly, *Tribes of Central Asia From the Black Mountain to Waziristan*, (Karachi, Royal Book Company, 2006), pp. 485-488.

¹⁰ Olaf Caroe, *The Pathans 550 B.C.— A.D. 1957* (London, MacMillan & Co. Ltd, 1964), p.387.

¹¹ W. K. Fraser-Tytler, *Afghanistan A Study of Political Developments in Central and Southern Asia* (London, Oxford University Press, 1958), p.191. In 1855, Mr. Temple, then Secretary of the Chief Commissioner Punjab commented that 'Now these tribes are savages — noble savages perhaps — and not without tincture of virtue and generosity, but still absolutely, barbarians nevertheless....They have nominally a religion, but Muhammadanism, as under-stood by them, is no better, or perhaps is actually worse, than the creeds of the wildest race on earth. In their eyes the one great commandment is blood for blood, and fire and sword for all infidels....They are superstitious and priest-ridden. But the priests are as ignorant as they are bigoted, and use their influence simply for preaching crusades against un-believers, and inculcate the doctrine of rapine and bloodshed against the defenceless people of the plain...'. Wylly, *Tribes of Central Asia*, pp. 5-6.

¹² Caroe, *The Pathans*, p. 388.

¹³ Robert Nichols 'Interpreting the 'Fanatic': Colonial Justice and the 1897 Tribal Revolt in the North-west Frontier' in Charles H. Kennedy, Kathleen Mc Neil, Carl Ernst, David Gilmartin (eds.), *Pakistan at the Millennium* (Karachi, Oxford University Press, 2003), pp. 271-272.

¹⁴ For more details see Baha, *N-WFP Administration under British Rule*, pp. 12-31.

Ismail Khan and five agencies of South Waziristan, North Waziristan, Malakand, Khyber and Kurram. The head of the new province was a Chief Commissioner and Agent to the Governor-General, directly responsible to the Government of India. In 1932, the N-WFP was given the status of a full fledged Governor's province and like other Governor's provinces of British India the Governor replaced the Chief Commissioner as the executive head of the province. Under the new Constitution i.e. the Government of India Act, 1935, new reforms were introduced in India and the executive authority was transferred to the Chief Ministers while the tribal areas remained under the Governor who was the direct representative of the Viceroy. The same situation continued and till date the tribal areas are under the Governor and outside of the jurisdiction of the Chief Minister N-WFP, renamed recently as Khyber-Pashtoonkhwa.

Since its separation from Punjab, the areas witnessed some major tribal rising involving a huge concentration of the Indian troops. Only in Waziristan, between the two world wars, the tribal uprising and its suppression by the British Government was regarded by Alan Warren as 'the most important military events took place in the Indian Empire'. According to him, for the British Empire 'inter-war insurgencies in Ireland, Palestine and Iraq were arguably of greater political significance, but from the military point of view the fighting in Waziristan was certainly more critical'.¹⁵ The popular resistance against the Raj in Waziristan was led by Mirza Ali Khan (1901-1960) popularly known as the Faqir of Ipi¹⁶. He was a Tori Khel Wazir, a well known figure in Tochi Valley, settled in a small village Ipi, in the present Mir Ali Tehsil of North Waziristan. He was anti-British and was involved in small scale agitations against the government since 1919. In 1936, he launched his movement in an organised manner against the British authorities who were accused of unduly interfering in their religion Islam and which was intolerable and declared jihad

¹⁵ Alan Warren, *Waziristan : The Fair of Ipi and the Indian Army The North-West Frontier Revolt of 1936-37* (Karachi, Oxford University Press, 2000), p. XXV

¹⁶ Mirza Ali Khan (also Mirzali Khan) was born in 1901 (in 1897 according to some local sources) in Kurta, a small village in Tochi Valley. He belonged to a religious family of Bangal Khel clan of the Madda Khel section of Tori Khel Wazir. After his early education in his hometown, he moved to Idik and then to Bannu to continue his education. In Bannu he came into contact with anti-British organisations including the Khilafatists and Swarajists. In 1920's his family moved from Spalga to Ipi, a small village in Mir Ali. He performed Haj in 1928. Soon he became an influential religious figure in the area and his simple living earned him the name of Faqir of Ipi. Although he participated in some small scale anti-British manoeuvres, his name did not appear amongst the prominent anti-British figures. The spring of 1936 witnessed turmoil in Bannu which soon engulfed the whole region. The conversion and subsequent marriage of a Hindu girl Ram Kaur in March 1936 with Noor Ali Shah, a Muslim resident of Jhandi Khel, Bannu sparked off controversies between the two communities. According to some accounts Ram Kaur fell in love with Noor Ali Shah and of her free will converted to Islam, renamed as Noor Jehan (alias Islam Bibi) and married Noor Ali Shah. Her Hindu relatives, including her mother Mensa Devi protested and lodged reports accusing Noor Ali Shah of her abduction and forcible conversion. They claimed that Ram Kaur was under age and forced for both conversion and marriage, therefore, should be given back to her family. The court eventually decided in their favour; the girl was handed over back to the family who secretly sent her to Hoshiarpur (India). Noor Ali Shah was arrested and imprisoned. This decision stirred the local Muslim population and they showed their indignation on both handing over Islam Bibi to her relatives and imprisonment of Noor Ali Shah. The Faqir of Ipi took this as a God sent opportunity and organised Pashtoon tribesmen against the British Indian Government. He contacted other prominent tribal elders and religious figures and started jihad and continued it even after the creation of Pakistan. He died on 16 April 1960 and was buried at Gorwek, a remote village in North Waziristan where he spent most of his time waging the holy war against Empire.

against the British¹⁷ and continued it even after the British withdrawal from South Asia.

Fazli Wahid (1859-1937), popularly known as the Haji Sahib of Turangzai spearheaded the anti-British campaign in the Mohmand and the adjacent tribal areas of Pashtoonkhwa.¹⁸ He succeeded in establishing contacts with the anti-British forces outside the Frontier region. During the First World War he mobilised the Pashtoon against the British Imperialism but did not succeed in waging a full-fledged jihad against the colonial power. Hence, most of his activities were confined to the Mohmand area,¹⁹ and therefore, did not attract a large number of people.

PAKISTAN AND THE FATA

After the departure of the British from South Asia in 1947, the tribal areas became part of Pakistan. The Governor-General of Pakistan assumed responsibility of the tribal areas. However, the administrative structure of the British Government was retained by the Pakistani establishment. The authorities decided not to alter the status of the tribal areas, at least for the time being. Therefore, the people of the tribal areas were left undisturbed, but at the mercy of the tribal leaders. Despite a demand from some quarters to merge the tribal areas with the main Pashtoon dominated areas of the province²⁰, the Pakistan government was reluctant to change its status. They decided not to coerce the tribesmen to agree to their conditions and the matter was left unresolved, although they knew that this kind of arrangement is a temporary one. The only major step was the withdrawal of troops from the advanced positions in the tribal territory. In November 1947, the tribesmen on their part affirmed their loyalty and support to Pakistan through open jirgas organised by Sir George Cunningham, the Governor of the N-WFP. 'To many', according to Akbar S. Ahmed 'in an increasingly different post-independence world, the inherited structure appeared

¹⁷ Mohammad Nawaz Khan, *Firangi Raj aur Ghairatmand Musalman* (Urdu) (Gorwek Markaz, North Waziristan, 2000), pp. 183-190. For more details see Fazlur Rehman, *Battal-i-Hurriyat Faqir of Ipi* (Urdu) (Lahore, Institute of Pakistan Studies, 2004)

¹⁸¹⁸ Fazli Wahid was born in 1859 in Turangzai, Charsadda (Pashtoonkhwa). After his early education at his native village, he came to Peshawar and continued his education. He became a disciple of Najamud Din, the Hadda Maulvi, an anti-British figure in Jalalabad, Afghanistan. After spending some time with his spiritual guide at Hadda, he went to Deoband (India) and joined a group of anti-British Muslim scholars including Rashid Ahmad Gangohi and Mohammad Qasim Nanotawi to perform Haj. On his way back home, he launched a social reform movement. In this connection he travelled far and wide and tried to convince the people of the importance of the education. His other targets were prevention of lavish spending on certain social events including marriages, deaths and other functions. He advised people to follow *Sharia* and avoid un-Islamic practices. In this connection he established a Madrassa near Umarzai, followed by other Madaris in the Peshawar Valley. He extended his social reform movement also to the tribal areas particularly the Mohmand territory. He started preaching jihad against the British Empire. This earned him the wrath of the government. The provincial authorities decided to arrest him but he dodged the police and sneaked into the tribal territory arriving in Buner in July 1915. He could not stay longer at Buner because the local chiefs were not sympathetic to his cause. He moved to Mohmand area, permanently settled there, and continued his jihad against the British till his death in December 1937. Altaf Qadir, *Reform and Resistance in Colonial India: A Survey of Haji Sahib's Turangzai's Movement in the North-West Frontier* (Saarbrücken (Germany) VDM Verlag Dr. Muller GmbH & Co. KG, 2010), pp. 64-68.

¹⁹ Allah Bakhsh Yusufi, *Sarhad aur Jaddo Jehadi Azadi* (Urdu), (Karachi, Nafees Academy, 1989), p. 230.

²⁰ Sayed Wiqar Ali Shah, *Ethnicity, Islam and Nationalism: Muslim Politics in the North-West Frontier Province 1937-47*, (Karachi, Oxford University Press, 1999), p. 221.

alien and out of tune with the times'.²¹ The Central Government could not remain indifferent for a long time. Quaid-i-Azam Jinnah visited the N-WFP in April 1948. On that occasion he also met tribal representatives and Maliks. In his formal address to the tribal jirga (assembly of elders) at the Government House, Peshawar, he made it clear that '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. We want to put you on your legs as self-respecting citizens who have the opportunities of fully developing and producing what is best in you and your land'.²² However, in the same speech Jinnah ensured them the continuation of the allowances they were getting during the British rule and said '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'.²³

After the death of M. A. Jinnah in September 1948, the successive Pakistani regimes did not change the policy regarding the tribal areas and the legacy of the British Raj continued in practice. No fundamental change was seen in the government policies and the administrative structure and the political hierarchy remained unabated. The Government of Pakistan preferred to deal with the tribal leaders through the political agents rather than to contact the tribesmen directly at the grass-root level and the old system of allowances continued as before.²⁴

The same situation continued for the next decades. The maliks representing the local population enjoyed their former status and no political, legislative or electoral reforms were introduced in FATA. The Political Parties Act of 1962 was denied to FATA simply because the Pakistani establishment did not want to lose their grip on the maliks who time and again reiterated their firm support and confidence in Pakistan. By not allowing the political activities in FATA, they were probably afraid of the popularity of the Pashtoon nationalist parties, accused of being sympathetic to the Afghan cause in the tribal areas, and which, of course, was seen as detrimental to the Pakistani interest in the area. The government sources also confirmed that FATA was lacking far behind in many ways and no substantial change was seen in the economic or social conditions of the area till 1972 when the government decided to give special attention to the neglected sectors including the FATA and the 'role of public sector has been greatly increased'. During 1972-80 a huge amount of money totaling about 1600 million Pakistani Rupees (PKR), i.e. an average of about 200 million (PKR) per annum was allocated to the development projects in FATA.²⁵ Although funds had been allocated to the FATA for developments, they have 'only covered a fraction of the backlog of the past neglect

²¹ Akbar S. Ahmed, *Resistance and Control in Pakistan* (London, Routledge, 1991), p. 35.

²² Jinnah's Address to the Tribal Jirga at Government House, Peshawar, April 17, 1948, *Speeches and Statements*, p. 238.

²³ *Ibid.*, p. 239.

²⁴ Rashid Ahmed Khan 'FATA After Independence: 1947-2001', in Noor ul Haq, Rashid Ahmed Khan, Maqsoodul Hasan Nuri (edt.), *Federally Administered Tribal Areas of Pakistan* (Islamabad, Islamabad Policy Research Institute, 2005), p. 33.

²⁵ *Special Development Plan for Tribal Areas of the North-West Frontier Province* (Islamabad, Government of Pakistan Planning Commission, 1982), p. 3.

both of pre-independence and post-independence periods'.²⁶ To improve the social and economic conditions of the FATA it suggested the merger of the tribal areas into the settled districts of Pashtoonkhwa as, '... tribal areas, adjacent to NWFP are in fact an economic part of that province and are being treated separately only for political reasons. Therefore, its development will have to be integrated with the development of North-West Frontier Province'.²⁷

AFGHAN CRISIS' REPERCUSSIONS ON FATA

All of the seven political agencies except the Orakzai are contiguous to each other and borders with Afghanistan along with the Durand Line. The tribesmen belonging to Bajaur, Mohmand, Khyber, Kurram, North and South Waziristan moved freely across the border. They have kinship and matrimonial relations with the Pashtoons living on the Afghan side of the border. Except few check posts manned by the Pakistan and Afghanistan officials, the crossing of the border at will is an accepted norm and continued unchecked since the demarcation of the Durand Line in 1893.

The present crisis in Afghanistan started in April 1978 with the overthrow of Sardar Daud regime and the proclamation of Afghanistan as the Peoples Democratic Republic of Afghanistan. The new Soviet-sponsored Socialist regime led by Noor Mohammad Tarakai announced the modernisation programme aimed at bringing drastic changes in the primitive Afghan society. However, the new regime faced resistance mainly from the clergy who mobilised the Afghan population against the Khalq government. A large number of Afghan refugees crossed the Durand Line and entered Pakistan. They were treated as 'welcome guests' by the military regime in Pakistan under General Zia ul Haq, who needed some kind of legitimacy for his rule after the dismissal of Z. A. Bhutto government in July 1977. He decided to get maximum benefit out of it and started providing organisational training to the Afghan refugees, termed as the Mujahideen (holy warriors). The USA through the CIA, and some countries of Western Europe supported the Zia ul Haq regime by providing generously both money and weapons in huge quantity to help topple the Soviet-friendly regime in Afghanistan.²⁸ The resistance against the Afghan government intensified and coupled with some other major issues including the factional fighting between pro-Moscow Khalq and Parcham, compelled the Soviet authorities to intervene directly into the Afghan affairs. On 27th December 1979, the Soviet army crossed the Oxus and occupied Afghanistan. With the Soviet occupation of Afghanistan the whole region including the tribal areas of Pakistan underwent drastic changes.

With Pakistan becoming the front line state, it had to face the results of the tussle between the Soviet troops and the Afghan mujahideen first. According to Rashid Ahmad, 'The tribal areas became the training and staging ground of Afghan mujahideen, who also used the areas for the purpose of providing medical aid to the wounded Afghan fighters. Since war of resistance (*jihad*) was the top priority, everything was subservient to its objectives. The administration, local services, including water, pastures, forestry and land were geared towards serving the

²⁶ *Ibid.* p. 7.

²⁷ *Ibid.* p. 8.

²⁸ Hussain Haqqani, *Pakistan Between Mosque and Military* (Washington, Carnegie Endowment for International Peace, 2005), p. 178. Further details can be seen in the same source in a chapter entitled 'Afghan Jihad', pp. 159-197.

objectives of jihad'.²⁹ The presence of millions of Afghan refugees put a great pressure on the resources of the tribal areas. It had adversely affected the environment and resulted in deforestation at many places. He further says that 'Since the whole area had become a war zone and Pakistan had opened its borders to allow Afghan refugees to enter the country and take refuge in Pakistan from the Afghan side. Similarly, the mujahideen groups would cross the Pak-afghan border at will. The Durand Line had practically ceased to exist with the free movement of people, fighters, arms and ammunition across the international border between Pakistan and Afghanistan. The whole area became heavily armed with heavy weapons supplied by the United States to the Afghan mujahideen to fight against the Soviet troops. Under the impact of the ongoing *jihad*, the local administration, which already exercised nominal control over the tribal population, was rendered totally ineffective'.³⁰

After the Russian withdrawal from Afghanistan, the USA and the West lost their interest in the region. The mercenaries and professionals brought and collected against the Soviet troops, were abandoned and left in the region, only to pose a serious threat. The unchecked movement across the Durand Line continued unabated providing a golden opportunity to the then Afghan rulers to establish more contacts with the tribesmen on the Pakistani side of the Frontier. During the Taliban regime, many Pashtoon tribesmen joined the Taliban army to fight with their political opponents. The Arabs and Egyptians were seen as the back bone of the Taliban regime in Afghanistan. The Saudi billionaire Osama bin Laden and his associates became the major financiers of the Taliban government in Afghanistan.

THE POST-9/11 DEVELOPMENTS AND FATA

The unfortunate happenings of 9/11 in the USA, the ouster of the Taliban regime in Afghanistan and the presence of more than one hundred thousand American and NATO troops in Afghanistan had a negative impact upon FATA. After the American invasion of Afghanistan in 2001, many al Qaida leaders, the Taliban and their supporters which included Saudis, Egyptians, Yemenis, Uzbeks, Chechens and other militants sneaked into the tribal areas of Pakistan. They found the inaccessible mountain area as the safe-havens for their future pursuits. Most of them could not return to their countries of origin because of their 'unwanted' activities, they considered this area as their last abode.

Pakistan's military dictator President Pervez Musharraf decided for collaboration in the war against terrorism and declared his country's support to the US and its Allies. However, despite deployment of more than a hundred thousand Pakistani troops in the tribal areas and sharing intelligence on the capture and killing of al Qaida leaders,³¹ still a trust deficit can be seen on both sides.

The Pakistan army launched its fist military operation in the tribal areas on 27th June 2002 and since then is fully involved in its fight against the terrorists. It used gunship helicopters, heavy artillery and even air force help was sought at occasions to bomb the militant's hideouts. The US is relying heavily upon its drone

²⁹ Rashid, *Federally Administered Tribal Areas of Pakistan*, p. 41.

³⁰ *Ibid.* p. 42.

³¹ The killing of Osama bin Laden in Abbottabad by US Special Forces on 2 May 2011 sparked off many speculations regarding the US-Pakistan relations. While both can see each other as indispensable for bringing peace and normalcy in the region and also for routing out terrorism, some quarters in the US are blaming Pakistan for its covert support for the Taliban, particularly of Haqqani network, who are attacking the US and NATO forces in Afghanistan.

technology, introduced recently to target the high-valued militants. In March 2011, the military authorities stated that most of the people killed in the drone attacks 'are hard core elements, a sizeable number of them foreigners'. They gave the number of predator strikes as 164 between the years 2007 and 2011 killing more than a thousand people. According to their estimate, of those killed 793 were locals and 171 foreigners including Arabs, Uzbeks, Tajiks, Chechens, Filipinos and Moroccans'.³² The prominent al Qaida leaders and its sympathisers killed in the drone attacks included Baitullah Mahsud (Chief of the Tehrik Taliban Pakistan), Tahir Yuldashev (Leader of the Islamic Movement of Uzbekistan), Abu Zubaydah, Abu Hamza Rabia, Haitham al-Yemeni and Abu Mustafa Yazid.³³

EXTENSION OF POLITICAL PARTIES ORDER TO FATA AND ITS IMPACT

To curb the rising tide of militancy in the region, the Government of Pakistan allocated huge funds for various developmental projects in the FATA but is still facing problems because of the presence of a large number of militants including hard core al Qaida and its sympathisers in the area which is hindering all such efforts. Although the US and some Western European countries also announced aid packages to provide relief to the tribesmen including a US pledge to provide 750 million US dollars to develop the infrastructure and human resources in the FATA to combat militancy,³⁴ but unless there is peace and tranquillity in the FATA, these announcements are simply a futile exercise. The Pakistani authorities are cognizant of the fact that unless major changes are introduced in the FATA, flushing out the militancy from the area seems nearly impossible. In this connection, some drastic measures have been introduced recently by the present Pakistan government as they are optimistic of its success in the tribal areas.

As mentioned earlier, politics of any kind was not permissible in the FATA and the tribal areas were governed through special regulations.³⁵ The Pakistan government continued the same practice for decades and recently introduced some major changes involving the whole tribal population. It generated mixed feelings among the tribesmen. One such major step is the extension of the Political Parties

³² Briefing of Maj-General Ghayur Mehmood, General Officer Commanding 7 Division at Miranshah, *Dawn*, Islamabad, 9 March 2011.

³³ *The News*, Islamabad, 25 October 2010.

³⁴ Naveed Ahmed, *Understanding FATA: Attitudes Towards Governance, Religion & Society in Pakistan's Federally Administered Tribal Areas* (np, Appraisal & Motivation Programme, 2008), p.19

³⁵ One such regulation made mainly to deal with the judicial issues was the Frontier Crimes Regulations (FCR) also termed as a 'Black Law' and 'Draconian Piece of Legislation'. It was enacted in 1872 by the Punjab government and was later on revised slightly in 1887 and 1901. The FCR empowered the authorities to refer both the criminal and civil cases to the Jirga. The Jirga has been always seen as a institution having the authority of settling disputes and dispensing justice. The number of Jirga members was not fixed and it varied from case to case. However, the members were usually to be nominated by the Deputy Commissioners or the Political Agents. Sections 21 and 40 of the FCR became notorious and much dreaded and the most misused sections of the FCR because they provided for the blockade of hostile tribes and also for the punishment of the whole tribe for a crime committed by a member of that tribe, of course, giving no right to appeal. In a civilised society there is no room for such laws which provide for detention of an innocent person for the wrong doings of his family members. The successive Pakistani regimes retained it as the best tool to control and regulate the tribal affairs. Although the Pakistani authorities have recently assured the tribesmen that soon they will get rid of the oppressive laws the tribesmen in the FATA, they are still governed by the FCR which has been denounced by majority in Pakistan considering it as a bitter legacy of the colonialism.

Order to the FATA. As argued, the tribal areas are designated as special areas and are considered as the direct responsibility of the President of Pakistan who in his turn delegated his authority to the Governor. The Constitution of Pakistan authorises the President to extend the executive authority of the Federation to the tribal areas. He can modify and implement laws in the FATA for the sake of peace and good governance.³⁶ With few modifications the 1956, 1962 and 1973 Constitutions of Pakistan retained the same. To run the affairs smoothly a federal ministry called Ministry of State and Frontier Regions (SAFRON) has been formed, which is answerable principally to the elected representatives of the nation including the Prime Minister and the Parliament but is 'virtually irrelevant in policy implementation or execution in the FATA and acts mainly as a conduit for routing federal funds'.³⁷ The real authority rests with the President, and the Governor Pashtoonkhwa exercises it on the behalf of the President.

The adult franchise granted to other parts of Pakistan since its independence in 1947 was not extended to the FATA obviously for political reasons. Ironically, for fifty years they were kept away from constitutional packages introduced in other parts of Pakistan. However, in late 1996 the Government of Pakistan decided to extend the adult franchise to FATA. Till then the system of limited franchise was en vogue in the FATA and only the selected notables and maliks enjoyed the right to vote and common man in the tribal areas had no right of franchise. The elections of 1997 were the first of its kind held in the FATA on the basis of adult franchise electing 12 members to the National Assembly of Pakistan. 'The extension of adult franchise in FATA was a long-standing demand of the people of the Tribal Areas', commented Rashid. 'But the successive governments of Pakistan had been postponing this decision due to their policy of appeasement towards the tribal chiefs (Maliks), who feared the loss of their entrenched privileged positions in the areas in case method of direct elections was introduced'. He further stated that 'No wonder the decision was hailed as an event of great historic importance, which changed the entire socio-political structure of tribal society'.³⁸ As FATA was a federal subject, it has not been given any representation in the provincial legislature. Despite the opposition of the maliks and other allowance holders, the tribesmen demanded that since FATA is part of Pakistan why not to consider them as a part in real senses and extend all those facilities and rights to FATA which other citizens of Pakistan enjoy also.

On 14th August 2009, President Asif Ali Zardari announced the long-awaited political, judicial and administrative reforms for the FATA by allowing political activities in the tribal areas.³⁹ He stated that 'As we celebrate we should also pause and reflect whether and where we are going. Unfortunately, over the years as democracy was trampled, an extremist mindset was allowed to grow. I don't want to go into who nurtured the militants and how they were aided. It is all too well known'. He also elaborated on how the militants were posing a direct threat to Pakistan because they want to smash the whole fabric of the society. 'They want to impose their political and ideological agenda on the people of Pakistan through force and coercion. They reject the state, the Constitution, democracy and, indeed, our way of life'. He appealed the nation to help the government in crushing the militancy for the sake of the country, democracy, institutions and way of life.⁴⁰ Farhatullah Babar,

³⁶ Safdar Mahmood, *Constitutional Foundations of Pakistan* (Lahore, Jang Publications, 1990), p. 841; Teepu Mahabat Khan, *The Tribal Areas of Pakistan*, pp. 96-97.

³⁷ Naveed Shinwari, *Understanding FATA*, p. 57.

³⁸ Rashid Ahmed, *Federally Administered Tribal Areas of Pakistan*, p. 44.

³⁹ Syed Irfan Zia 'Far-reaching FATA reforms unveiled', *Dawn*, Islamabad, 14 August 2009.

⁴⁰ *Ibid.*

the presidential spokesman, regarded this as a gift to the Pakistani nation on its 62nd Independence Day and stated that the powers of arbitrary arrest and detention without following the legal procedure have been prohibited. He particularly mentioned the draconian law FCR ‘under which there was no provision of appeal, *wakeel* or *daleel* (lawyer or reasoning) against the orders of the executive’ and which was amended keeping in view the aspirations of the majority people of FATA.⁴¹ In the reform package, announced by the President, the political parties order of 2002 was extended to the FATA and changes to the notorious FCR were introduced. Under the new package of the tribesmen under trial were now given a right to appeal and women and children under 16 were excluded from the territorial responsibility clause of the FCR. Another major break up was bringing the hitherto unchecked accounts of the political agents for audit to be conducted by the auditor general.

Hailing the extension of PPO 2002 to the FATA and by making major changes in the FCR, Rashid Ahmed opined that the reforms announced by the Pakistani president ‘would go a long way in fulfilling the aspirations of the people of the tribal areas for emancipation and usher in a new era of political and social development’. According to him ‘it will further marginalise the militants, who have already been badly mauled by the military operations in Swat and other districts of Malakand Division. The reforms would weaken the sway held by the militants over the tribal areas through a reign of terror and intimidation. The reforms offer a historic opportunity to the tribal people to become the masters of their own fate instead of resigning it to the wills and whims of the militants as the case is today’.⁴² Civil Society organisations and NGO’s also supported the government move. The National Democratic Institute, with Sandra Houston as the country head for Pakistan, appreciated the announcement and volunteered their services in facilitating the government for strengthening the democratic institutions in the country.⁴³ Through group discussions and party meetings the NDI succeeded in developing a consensus amongst the various groups and political parties including ANP, PPP, PML-N, PML-Q, JI, JUI-F, PPP-S, PMAP, NP and MQM to one agenda i.e. full support for the special economic package for the FATA to remove its backwardness and to bring it at par with other developed areas of Pakistan.⁴⁴

However, to the utter chagrin of many, despite developing consensus among the major political parties and some other stake-holders in the FATA, the matter was delayed for unknown reasons. The tribesmen expressed their abhorrence over the delay and blamed some⁴⁵ circles in the government of Pakistan for the lethargic attitude towards a very important issue. They were convinced that allowing political parties to extend their organisations in the region ‘will provide the masses alternatives to the dominance of mullahs, who in the absence of political representation and leadership control the population through mosque and pulpit. It would also allow the region to develop a new generation of political leaders and reduce the impact of the hereditary tribal elders who currently dominate politics in the FATA’. They were perturbed that despite a popular desire in the FATA to integrate the tribal areas fully in Pakistan, the government was putting the matter in the cold storage and not fulfilling its promises. They lamented that the ‘issue was again buried beneath judicial, political, economic, energy and security crises jolting Islamabad, and the government chose inaction over embarking upon drastic changes

⁴¹ *Dawn*, Islamabad, 14 August 2009.

⁴² Rashid Ahmed Khan, ‘Reforms in FATA’, *The Nation*, Lahore, 25 August 2009.

⁴³ *Dawn*, Islamabad, 21 October 2009.

⁴⁴ *Dawn*, Islamabad, 29 March 2011.

⁴⁵ The tribesmen accused the ‘elements within security establishment’ for this stalemate. *Dawn*, Islamabad, 9 August 2011.

in the governance of the tribal regions'. They also complained that 'though the package offered a ray of hope for tribesmen mired in conflict and poverty, the government has not so far hinted at actual implementation, much to the chagrin of many tribesmen'.⁴⁶

Eventually, on 12th August 2011, in the presence of FATA Parliamentarians, President Zardari signed two important regulations namely the Extension of the Political parties Order 2000 to the Tribal Areas and Amendments in the FCR called the Frontier Crimes (Amendments) Regulation, 2011.⁴⁷ Under the presidential regulations the political parties are allowed to operate fully and present their party manifestos carrying their socio-economic programmes in the tribal areas. The 'black law' of the colonial era has been amended drastically for the benefit of the general population of the FATA. In extending the PPO to the FATA, the government believed that they would counter the rising tide of the militancy and the 'pernicious one-sided campaign of militants to impose their ideological agenda on the people'.⁴⁸ Noorul Haq Qadri, a FATA parliamentarian from the Khyber Agency, also shared the same opinion. Commenting on the implementation of the new FATA regulations he said that the 'historic decision will also help in containing growing trend of militancy in the region' and would also provide a platform to the educated tribal youth to participate in the positive political activities.⁴⁹ According to some political observers this will also help the political parties to field their own candidates in the next general elections in Pakistan due in 2013. Moreover, it will help in getting rid of the many corrupt practices en vogue in the FATA including the horse trading, synonymous to the FATA parliamentarians. The Governor Pashtoonkhwa also regarded the FATA reforms as a major positive step in bringing the turbulent tribal area into the main stream of Pakistan national politics. 'To the outside world the FATA is a centre of gravity of militancy', he stated, 'but by implementing the reforms we will convert the tribal areas into a heavens of peace and prosperity', he remarked.⁵⁰ The majority of people in Pakistan are optimistic that the new laws would eliminate terrorism from the tribal areas and are hopeful that by the extension of the new regulations the FATA would usher in a new era of development and progress. The tribesmen will be sharing more responsibility and confidence in the political system of the country, thus help strengthen the ongoing struggle for keeping democratic institutions and system in high esteem.

CONCLUSION

Hidden away in lofty mountains and inhospitable and inaccessible valleys, the tribal areas of Pakistan came to the lime light recently. In the aftermath of the American invasion of Afghanistan, the rising tide of the militancy, the presence of a big number of al Qaida, Taliban and their supporters in the area, the deployment of more than one hundred thousand Pakistani troops in tribal territory and use of the latest technology like the drone attacks on the insurgents are some of the causes of the attraction of the world attention towards FATA. The area has been virtually turned into a battle ground in the war upon terrorism and more recently it has become the main topic of discussion in the daily changing Pakistan-US relations.

⁴⁶ Manzoor Ali, 'Forgetting FATA reform', *Foreign Policy*, Washington, 9 June 2011.

⁴⁷ 'Major Changes made in FCR: FATA People get political rights', *Dawn*, Islamabad, 13 August 2011 and *The News International*, Islamabad, 13 August 2011.

⁴⁸ *Dawn*, Islamabad, 13 August 2011.

⁴⁹ *Dawn*, Islamabad, 6 September 2011.

⁵⁰ *Dawn*, Islamabad, 1 October 2011.

In the Colonialist's discourse, this area, termed as '*Yaghistan*' (no man land), '*Ilaqa Ghair*' (the area under no law), and '*Qabaili Ilaqa*' (tribal territory), was kept as a buffer zone between Afghanistan and the settled areas of British India. To ensure the security of its outposts and also to protect its citizens from the tribal incursions, the British Indian government adopted various steps towards the Pashtoon tribesmen. However, to keep the tribes under control and also to guard the frontiers of British India, punitive expeditions were despatched against the recalcitrant tribes and military posts were made deep inside the tribal territory. The tribes resisted the raj and opposed the British presence in the area with full vigour and all available means. From the British occupation of the Punjab in 1849 till the partition of India in 1947, more than eighty major expeditions were undertaken to subdue the Frontier tribes but with little success. The British Indian government faced formidable resistance in the tribal areas and the locals expressed their weird stubbornness during all this time.

Pakistan got control of the tribal areas as a successive state after the British withdrawal from South Asia. Due to its strategic importance and probably for the smooth running of the loose administration in the area, the Pakistan government retained the old Maliki system in FATA. The reforms introduced in other parts of the country, including the Political Parties Act of 1962 (reformulated in 2002 as Political Parties Order), were denied to the tribal areas of Pakistan for obvious reasons. But the crisis in Afghanistan changed the whole scenario and the area underwent drastic changes. The long porous Pak-Afghan border provided an opportunity to the Afghans in large numbers to cross it at their own will. Through the connivance of the CIA and the Pakistani establishment, they were trained, organised and sent back to Afghanistan to topple the Afghan regime. This involved the local tribesmen in the proxy war and the Afghan affairs to the extent that presently both Pakistan and Afghan governments failed to convince them to stop their support to *jihadis* against the established authorities. Since there was no effective control from either side, after the heavy bombing of Tora Bora in the winter of 2001-2002, many Taliban and al Qaida operators crossed the Pak-Afghan border and entered the tribal areas. These 'unwelcome' guests high-jacked the traditional tribal society and introduced a *jihadi* mindset in the region. The influential and prominent Pashtoon tribal elders, who were opposed to the outside interference and the presence of militants in the region, were killed mysteriously. The whole fabric of the Pashtoon society was disturbed. The al Qaida took advantage of the prevalent chaos and recruited a large number of unemployed tribesmen for its future operations. The newly-recruited trained mercenaries cross the Pak-Afghan border without any hindrance, attack the US and NATO troops stationed in Afghanistan and are inflicting heavy losses upon them. The cross-border infiltration continues unabated and resulted in soaring relations between Pakistan and the USA. The US authorities, although acknowledging in the same breath the sacrifices rendered by Pakistanis as more than the US itself in the war upon terror, are demanding to prevent attacks against the US and its Allies in Afghanistan. The US officials accused the intelligence agencies of Pakistan of providing the covert support to the insurgents, particularly the Haqqanis. In a recent statement, released by the State Department, Secretary Hillary Clinton acknowledged the sacrifices of the Pakistani people in these words: 'And I think it is important to remind ourselves that Pakistanis have paid a much greater price in the war against terrorism and in the violence perpetrated on them over the last 10 years than, thankfully we have', she noted. 'Nearly 30,000 people have been killed — civilians and military, scores of bombing attacks all over the country in places from mosques to markets to universities to police stations'. While elaborating on the issue of the alleged covert Pakistani support to the Haqqanis she stated that 'If you go on You Tube, you can see Sirajuddin Haqqani with President Reagan at the White House', because the US through the CIA was then providing full support to the

Afghan *jihadis* against the Soviet troops in Afghanistan. ‘So when I meet for many hours, as I do, with Pakistani officials, they rightly say “You’re the ones who told us to cooperate with these people. You’re the ones who funded them. You’re the ones who equipped them. You’re the ones who used to bring down the Soviet Union by driving them out of Afghanistan. And we are now both in a situation that is highly complex and difficult to extricate ourselves from”. That is how they see it’.⁵¹ The Pakistanis, however, blame the US and are complaining that ‘whenever the US wants Pakistan to extend war on terror, it makes promises and then forgets after the objective is achieved’.⁵² The US authorities, though, firmly believe that the Haqqanis have their safe ‘havens’ in Pakistan and are using these hideouts for attacking US, NATO and the Afghan troops inside Afghanistan but are convinced that ‘there is no solution in the region without Pakistan and no stable future in the region without partnership’. She emphasized the need that US should enter into negotiations with the Haqqanis but at the same time should continue to work with Pakistan to destroy the shelters and safe houses of the Haqqanis in the FATA.⁵³

The extension of the PPO (2002) to the tribal areas and the major changes/amendments in the centuries old oppressive law, the FCR, are positive steps in the right direction. However, still there are some other basic issues which need to be tackled very carefully. To curtail the influence of the al Qaida and the like-minded, it is imperative to revamp the whole infrastructure of the tribal society. The first priority should be given to imparting free education, followed by major reforms in health, developments in the field of agriculture, revival of the industries and improvement in the communication system of the whole tribal region. Although the extension of the new regulations is a major breakthrough in the centuries old rotten tribal system, still it needs more developmental packages. In addition, by imparting technical and vocational training to the unemployed youth would enable the Pakistani authorities to grab them back from the militant. Since they have no resources for subsistence in the area, the tribesmen are always dependent upon the outside world.⁵⁴ If the government provides job opportunities in their own areas, they definitely will not be attracted by the al Qaida and the Taliban and would become law abiding citizens of the country.

The recent increase in the death of many innocent tribesmen in the drone attacks increased the anti-American feelings in the area to many folds. The drone strategy should be revised henceforth with and steps should be taken to deal with the targets more precisely to avoid further civilian losses and not risking the lives of many innocent tribesmen furthermore. The blame game between Afghanistan and Pakistan should be immediately stopped because this is benefitting the militants enormously. In order to flush out the militants from the tribal areas of Pakistan, modern techniques of surveillance should be adopted and distinction should be made between the locals and the foreigners. The authorities on both sides of the Durand Line should work upon a joint plan to negotiate with the local militants and try to convince them to renounce militancy and sever their links with the international terrorists. Once they surrender to the local authorities, they should be integrated in the newly political system and this would certainly improve the situation and will bring peace, stability and rule of law to the tribal areas of Pakistan and help them fully to participate in the future electoral politics of the country ensuring the strengthening of the democratic institutions in Pakistan.

⁵¹ *Dawn*, Islamabad, 3 October 2011.

⁵² Mohamamd Jamil, ‘Political reforms in FATA’, *The Frontier Post*, Peshawar, 2 May 2011.

⁵³ *Dawn*, Islamabad, 28 October 2011.

⁵⁴ Hugh Beattie, *Imperial Frontier Tribes and State in Waziristan* (Surrey, Curzon Press, 2002), p. 4.

BIBLIOGRAPHY

- AHMED, Akbar S. 1991. *Resistance and Control in Pakistan*. London: Routledge, 1991.
- AHMED, Naveed. 2008. *Understanding FATA: Attitudes Towards Governance, Religion & Society in Pakistan's Federally Administered Tribal Areas*. np: Appraisal & Motivation Programme.
- BAHA, Lal. 1978. *N-WFP Administration Under British Rule 1901-1919*. Islamabad: National Commission on Historical and Cultural Research.
- BEATTIE, Hugh. 2002. *Imperial Frontier Tribes and State in Waziristan*. Surrey: Curzon Press.
- CAROE, Olaf. 1964. *The Pathans 550 B.C.— A.D. 1957*. London: MacMillan & Co. Ltd.
- FRASER-TYTLER, W. K. 1958. *Afghanistan A Study of Political Developments in Central and Southern Asia*. London: Oxford University Press.
- HAQ, Noor ul, KHAN, Rashid Ahmed, NURI, Maqsoodul Hasan (ed.),. 2005. *Federally Administered Tribal Areas of Pakistan*. Islamabad: Islamabad policy Research Institute.
- HAQQANI, Hussain. 2005. *Pakistan Between Mosque and Military*. Washington: Carnegie Endowment for International Peace.
- HUSSAIN, S. Iftikhar. 2000. *Some Major Pukhtoon Tribes Along The Pak-Afghan Border*. Peshawar: Area Study Centre (Russia & Central Asia) University of Peshawar.
- KHAN, Mohammad Nawaz. 2000. *Firangi Raj aur Ghairatmand Musalman* (Urdu). Gorwek Markaz, North Waziristan.

- KHAN, Teepu Mahabat. 2008. *The Tribal Areas of Pakistan A Contemporary Profile*. Lahore, Sang-e-Meel Publications.
- KENNEDY, Charles. H, KATHLEEN, Mc Neil, ERNST Carl, GILMARTIN, David. (edt.),. 2003. *Pakistan at the Millennium*. Karachi: Oxford University Press.
- MAHMOOD, Safdar. 1990. *Constitutional Foundations of Pakistan*. Lahore: Jang Publications.
- QADIR, Altaf. 2010. *Reform and Resistance in Colonial India: A Survey of Haji Sahib's Turangzai's Movement in the North-West Frontier*. Saarbrucken (Germany): VDM Verlag Dr. Muller GmbH & Co. KG.
- REHMAN, Fazlur. 2004. *Battal-i-Hurriyat Faqir of Ipi* (Urdu). Lahore: Institute of Pakistan Studies.
- SHAH, Sayed Wiqar Ali. 1991. *Ethnicity, Islam and Nationalism: Muslim Politics in the North-West Frontier Province 1937-47*. Karachi: Oxford University Press.
- WARREN, Alan. 2000. *Waziristan : The Fair of Ipi and the Indian Army The North-West Frontier Revolt of 1936-37*. Karachi: Oxford University Press.
- WYLLY, H. C. 2006. *Tribes of Central Asia From the Black Mountain to Waziristan*. Karachi, Royal Book Company.
- YUSUFI, Allah Bakhsh. 1989. *Sarhad aur Jaddo Jehadi Azadi* (Urdu). Karachi: Nafees Academy.
- Quaid-i-Azam Mohammad Ali Jinnah Speeches and Statements as Governor General of Pakistan 1947-48*. Islamabad: Ministry of Information & Broadcasting Directorate of Films & Publications, 1989.

Special Development Plan for Tribal Areas of the North-West Frontier Province. Islamabad: Government of Pakistan Planning Commission, 1982.

Dawn (Islamabad), 14 August 2009.

Dawn (Islamabad), 21 October 2009.

Dawn (Islamabad), 9 March 2011.

Dawn (Islamabad), 29 March 2011.

Dawn (Islamabad), 14 June 2011.

Dawn (Islamabad), 9 August 2011.

Dawn (Islamabad), 13 August 2011.

Dawn (Islamabad), 6 September 2011.

Dawn (Islamabad), 1 October 2011.

Dawn (Islamabad), 3 October 2011.

Dawn (Islamabad), 28 October 2011.

Foreign Policy (Washington), 9 June 2011.

The Frontier Post (Peshawar), 2 May 2011.

The News (Islamabad), 25 October 2010.

The News (Islamabad), 16 August 2011.

The News International (Islamabad), 13 August 2011.