



CENTRE FOR PUBLIC POLICY
AND GOVERNANCE



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POLICY BRIEF

Politics of Governance Reforms in South Waziristan Agency

Editorial Board

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Summary

- Geo-strategic considerations have hampered socio-political-economic development in South Waziristan and FATA; making them a playground for vested interests of internal and external powers, thus leaving the area vulnerable to perpetual conflicts.
- In the past four decades two developments, first, labor migration to Gulf and accompanying remittances; second, social disruption, monetary windfall and the physical destruction caused by the Afghan Jihad have transformed the socio-political landscape of the area.
- The primary beneficiaries of state patronage and external powers have been vested interests and not the marginalized segments of society. This has widened the gap between the privileged and the dispossessed.
- The policy arena constituting multiple actors is fragmented with divergent interests vying for policy change and governance reforms.
- FATA needs structural reforms that pave the way from security driven to development guided governance principles for the sustainable development of the region.

Introduction

The Federally Administered Tribal Areas (FATA)¹ of Pakistan is one of the most underdeveloped and volatile regions of the country. A century of neglect, exploitation of internal social dynamics by powerful state system and violent conflicts,

have all contributed to these areas lagging behind the national mainstream in political and economic development. The priority of geo-strategic objectives over socio-politico-economic development has made these areas a playground for the vested interests of different players.

South Waziristan Agency (SWA) is a mountainous region spread over an area of 6,619 km² constituting almost 60% of the total area of Waziristan bordering Afghanistan and has a population of 679,185². Wazirs, Mehsuds, Bhattanis, Dotanis and Burkis, with the Wazirs and Mehsuds constituting more than 90% of the total population, inhabit it. SWA is the largest agency of FATA comprising three sub divisions, namely Ladha, Sarwekai and Wana.³ It is ruled through the indirect system of Frontier Crimes Regulations (FCR) and like all other agencies of FATA, is administered by a Political Agent (PA), a bureaucrat appointed by the federal government assisted by two to three Assistant Political Agents and Tehsildars. This current system of administration has been in practice since 1895, when North and South Waziristan were separated. The PA administers civil, criminal and revenue cases in accordance with the FCR and the local customary law. SWA has two agency headquarters - Tank serves as the winter headquarter while Wana serves as the summer headquarter.

Conceptual Framework

FATA and its people have always been viewed as static, tribal and prehistoric as many authors, historians, and anthropologists-cum-administrators have conveniently overlooked the different processes of change in society. Only scant attention has been paid to power and politics within the context of governance reforms and policy changes in FATA even though socio-politico-economic development of any region is largely impacted by the structures of power and 'dominant' actors' interests and incentives. Thus, exploring the underlying 'structures' is important to understand the processes of reform and policy change as once interests develop in a particular system, they don't change unless the society experiences huge transformation.

A vast strand of literature deals with different dimensions of policy choices. Proponents of the Rational Choice Theory opine that policy choices are made based upon the prevalence of viable and feasible conditions. However, power-based political economy approaches are critical of rational choice models because they think that power is the missing element (Bates 1989; Levi 1988; Olson 1993), and thus analysis based on rational choice seriously impedes the ability to engage the political dimension of policy choices that inform decision-making (Frey 1994). Critics argue that those who benefit most from existing institutions largely depend on political dimensions as institutions are built and re-built by powerful actors in a society to cater to the needs of the few elites while favoring the better off. The losers, on the other hand, remain in the same position as they were before because there are few incentives for the winners to pay off the losers, as the winners are not dependent on the losers' support for pushing through the reform agenda (Moe 2005).

Thus, existing institutions don't always lead to beneficial outcomes for all people, while the long term persistence of institutions might be due to the fact that they favor powerful interests. North (1990) argues that the 'right' kind of 'institutions' may be beneficial to all groups in a society and may actually lead to economic growth, but the rulers may be reluctant to adopt these institutions to protect their 'own' interests.

Power-based political economy approach tends to be more useful especially when one considers the recent surge in literature on "political settlements", which has made critical contribution in understanding the context of institutions. After the establishment of institutions, their proper functioning depends largely on the socio-political context of society. Political settlements are not one-time arrangements but rather "rolling agreements" between the powerful elite (Cole and Parks, 2010). In the same vein, other writers argue that "political settlements represent a basic and fundamental understanding on how power, resources and wealth should be shared/distributed in a society" (Laws 2012; Jones et al. 2014). This involves both formal and informal institutions of a given society. For Mushtaq Khan (2010), certain typologies of elite arrangements, mostly formed through informal institutions like the nature of the entrepreneurial class, are critical to understand the way economic institutions perform. Furthermore, the alignment of institutions and political power is necessary for the intended functioning of institutions.

Methodology

For this research, case study research design has been used to better understand the underlying structures of power in the context of governance reforms in SWA. Case study as a research design affords researchers the opportunity to study interrelated events in the context of their occurring. For data collection, mainly in-depth interviews and participant observation have been applied, while useful secondary sources have been utilized where needed. In-depth interviews were conducted at different locations and times depending upon the availability of participants. Apart from Wana, in-depth interviews were conducted in Tank, D. I. Khan, Peshawar and Islamabad. The sample was representative of different segments of society.

Socio-economic change in South Waziristan Agency (SWA)

In the decade of the 1970s, various complex factors were at play in the tribal areas. The geo-political situation had changed tremendously once again and the durability of existing patron-client allocations was largely dependent on the state's ability to co-opt new groups. Akbar S. Ahmad notes that formerly a single Political Agent with little to do except 'contain' his tribe and maintain the status quo, could control his agency with ease. Today, there are various pressures on him due to increasing education, development demands and the 'sedentarization' process of the tribesmen in the settled areas. (1977: 45)

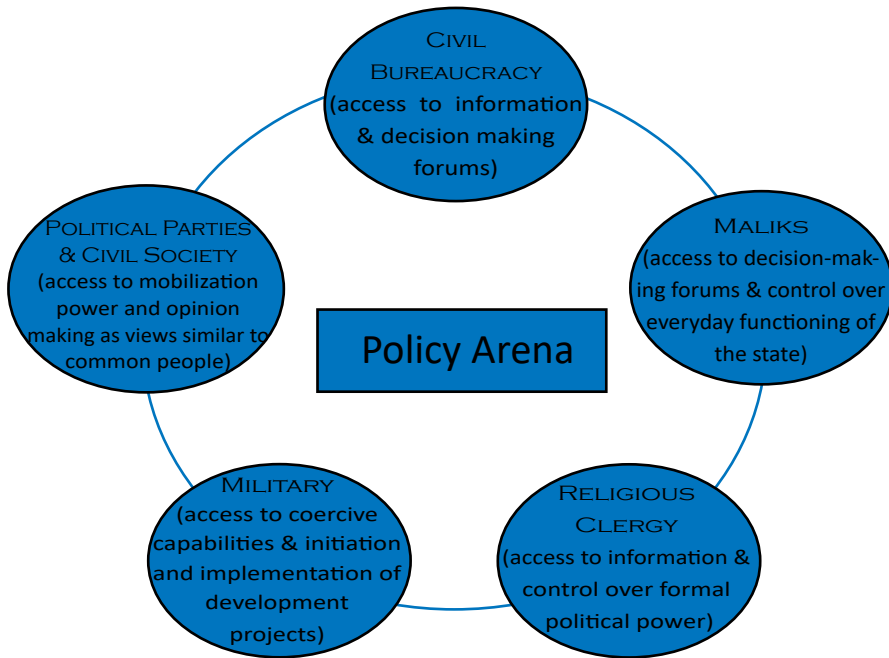
The society in SWA has experienced considerable socio-economic transformation in the last four decades. There were tremendous state-led development interventions in the 1970s, which played an important role in “uplifting” the socio-economic conditions of the people in the area. During the Bhutto era, various development schemes were initiated in the field of health, education and employment-generating industrial units. This was an attempt on the part of the state to co-opt the people of the area and tie their economic interests with that of the state of Pakistan. Thus, apart from Maliks and the resurrection of religious leaders in the political and economic affairs of the area, a new influential pressure group of ‘contractors and dealers’ emerged (Ahmad 1977) as a product of the society’s economic transformation.

The state both directly and indirectly, played an important role in facilitating the process of jihad and Gulf migration, further enabling socio-economic transformation, while people responded positively to the economic stimulus. An increase in the flow of capital and relative prosperity in the area has led to changes in saving and consumption patterns. Migration is regarded as a catalyst for triggering broader social and economic changes at an individual as well as the societal level. “It creates spaces for interaction between migrants, as individuals, and communities of origin, transit and destination, as a whole.”⁴ The Gulf migration and the subsequent influx of remittances has been regarded as triggering drastic social and economic changes in SWA. Similarly the Afghan Jihad, dubbed as a holy war by many, was also a great economic opportunity for some sections of society to not just reap economic benefits by providing their services in facilitating the process of jihad in Afghanistan, but also emerge as one of the most influential groups. The increased flow of remittances and the windfalls of Afghan Jihad has enabled the religious clergy (Mullah) to use his “newly found” wealth for social and political leverage. Commenting on the empowerment of religious clergy in the process of jihad, Sammon (2008) is of the opinion that gradually, the power and legitimacy of the Maliks got eroded and they were succeeded by the proponents of political Islam backed by the Pakistani state and international establishment.

Writing in the context of Punjab, Zaidi (1993) observes that increased remittances from migrant Punjabi workers played an important role in consolidating the political and economic position of urban middle classes. The same also holds true for SWA where the remittance economy not only gave birth to economic classes but also consolidated their position in the long run. Addleton’s findings also support this argument (Addleton, 1992).

Actors, Interests and Policy Change

There are various actors actively pursuing their interests and vying for policy change and governance reforms in their favor in South Waziristan and FATA. Broadly speaking, the five actors in the policy arena are:



The Civil Bureaucracy

The civil bureaucracy by virtue of its official position holds an important role in determining the course of policy change. The Political Agent serves as head of agency administration and is responsible for determining the development priorities of the region. His role of determining development priorities has almost been taken over by the Army but, nevertheless, he serves as the most important figure in agency’s administration. He can provide people with development schemes, and confer on them titles and material benefits to ensure their loyalty. Apart from access to highest decision-making forums, he also has strong links with societal actors like Maliks, permit holders and government contractors, and can influence the course of policy change by utilizing these contacts at different forums.

These currently serving government officials described as civil bureaucracy as a whole are against any kind of radical change, instead favoring amendments to the FCR. While the retired bureaucrats mostly want abolition of FCR and Article 247, and are in favor of creating a separate FATA Council.

The Maliks (official and non-official)

The second influential group is directly dependent on state patronage for the continuation of its perks and privileges. This group is a coterie of “official” Maliks, who regularly derive material benefits from their association with the Political Agent. They play an important role in the day-to-day functioning of the state, and by virtue of their association with the Political Agent, can

influence the course of policy change. At the same time, they also play an important role in mobilizing support at the societal level to put pressure on authorities. Currently, they are in alliance with Mahmood Khan Achakzai, head of Pakhtunkhwa Milli Awami Pary (PKMAP), a coalition partner of PML (N) at the center, and a vocal opponent of FATA's integration with Khyber Pakhtunkhwa (KPK).

The Maliks who directly depend on the patronage of the Political Agent mostly favor amendments in FCR and creation of FATA Council but oppose any fundamental change which may significantly alter power relations. However, Maliks who do not frequent the Political Agent office for material benefits were mostly in favor of the abolition of FCR and integration with KPK. These Maliks mostly derive their power and legitimacy from the common people.

The Religious Clergy (JUI-F and JI)

The third group consists of members of the religious clergy, which can be further divided into two groups: the Jamiat-e-Ulema Islam Fazal - JUI (F) and Jamaat-e-Islami (JI). While the JUI (F) is against FATA's integration with KPK, the JI on the other hand, openly supports it. The JUI (F) is one of the most powerful and dominant actors in the context of ongoing reforms. It not only holds sway over "formal" political power in the region but is also the strategic coalition partner of PML (N) at the center. In the last two decades, members of religious clergy associated with the JUI (F) have returned to the parliament with the notable exception of Ghalib Wazir, an MNA from NA 41, who won the elections on a PML (N) ticket. Interestingly, before the extension of Political Parties Act to FATA in 2011, JUI (F) was the only political party to operate in FATA and its candidates were allotted the symbol of book- an electoral symbol of JUI (F). JUI (F) has roots both in political and economic activity. From mosque podiums to the halls of religious schools, JUI (F) uses every forum that can garner support for its brand of politics, and various societal actors, one way or the other, are part of it. Apart from the graduates of religious schools and religious clergy, JUI (F) also unites traders, contractors and government employees under its banner to strive for favorable policy choices. It's relatively autonomous political organization, control over formal political power and street mastery allows it to maneuver policy choices in its favor.

The religious clergy affiliated with JUI (F) mostly favors abolition of FCR and creation of FATA as a separate province. But ironically, the JUI (F) has yet to introduce a bill in the parliament for this purpose. While the religious clergy affiliated with JI mostly favors the abolition of FCR and integration of FATA with KPK.

The Civil Society and Political Parties

The fourth and last group is the conglomeration of political parties and civil society. It is a product of the society's transformation in the last decade, made possible by some de facto

and de jure measures. Before the extension of Political Parties Act to FATA, there were no autonomous organizations of political parties but only people practicing “politics”. Since the extension, the elimination of TTP after military operations and the emergence of PTI have given birth to a new kind of activism and politicization in the area. The clearance of the area through military operations has also provided breathing space to secular political parties like Pakistan Peoples Party (PPP) and Awami National Party (ANP). Still, the civil and military bureaucracy in the area closely monitors the activities of political parties and political activists. Civil society organizations are also actively involved in the current “politics of mobilization” process. Notably, journalists and lawyers belonging to the area are playing the role of opinion makers to smoothen public opinion in favor of broadband reforms. These political parties and civil society activists, to a large extent, represent the interests and voice the opinions of the socially, politically and economically dispossessed majority of the common people of South Waziristan.

The views of civil society, political parties and the common people converge on a consensus on the abolition of FCR and Article 247, and the integration of FATA with Khyber Pakhtunkhwa. The political parties enjoy the support of Mashars and Maliks, who do not derive material benefits from the office of the Political Agent. These Maliks also have well established links outside the geography of SWA in the greater FATA region due to the official position of their family members in the bureaucracy and military.

The Military

The military as a key security institution holds a decisive say in the affairs of FATA in general and SWA in particular. The military operations against the militants in SWA and elsewhere have made it the most important stakeholder in the governance of FATA. Military operations were primarily concerned with “clear and hold” the area. But keeping in view the volatility and peculiar security situation in areas bordering Afghanistan, the military is now directly involved in the initiation and implementation of development projects. This offers the military an immense opportunity to support structural reforms in FATA.

Introduction of administrative and development reforms in FATA is also one of the key points of the National Action Plan (NAP)⁵ and the former Army Chief, General Raheel Sharif is on record in underlining the need for meaningful and complementary reforms to consolidate the gains from military operations, while chairing the corps commander meeting in November 2015. This was the first time that the military had openly raised concerns about the lack of complementary initiatives on the part of the civilian government.

However at the same time, there is a widely-held perception, as echoed by many participants that the military is actually interested in status quo and may not be in favor of FATA’s integration with KPK or the abolition of Article 247 and FCR. An interviewee stated that “the military wants to use the civil government as a shield to absolve itself of any responsibility in delaying

the introduction of reforms in FATA.”⁶ We conclude that the military is in favor of reforms and mainstreaming of FATA but not in favor of FATA’s integration with KPK or doing away with FCR and Article 247 altogether.

Conclusion and Recommendations

FATA is witnessing socio-economic transformation and the two centuries old system of indirect governance is crumbling. Gulf migration and the Afghan Jihad have led to the emergence of new economic classes, leading to increased contestation and bargaining in the policy arena. The policy arena constituting multiple actors is fragmented with divergent interests vying for policy change and governance reforms, and the forces of status quo currently hold sway in determining the course of policy change. The struggle for extracting favorable choices is evident from the diametrically opposed policy preferences of the “haves” and the “have-nots”.

To facilitate peace, stability and economic prosperity, following recommendations are suggested:

- Increase income of people through employment generation: FATA and its people require an increase in their income through employment generation as such activities will go a long way in engaging the youth in productive activities instead of joining the ranks of militants or antisocial elements. This can be done by imparting skill-based knowledge and exploiting indigenous resources for the welfare of the people. A special development budget share of 5% should be reserved for the initiation of development projects in FATA for the next 10 years so that FATA catches up with the rest of the country in terms of socio-economic development. But for this to happen, a paradigm shift in state’s policies is necessary to view the area through a developmental lens instead of security-centered objectives.
- Abolish FCR, Scrap Article 247 and Integrate FATA with KPK: According to the views and opinions of general people, the antiquated laws of FCR and Article 247 should be done away with, and FATA should be integrated with KPK. Currently, FATA relies on KPK for the fulfillment of its health, education, commerce and most other needs. For law enforcement needs, the Levies and Khasadar force can be upgraded. While a transitional phase of five years as suggested by the reform proposal, may be desirable for complete integration of FATA with KPK, it is highly likely that this integration phase may be sidestepped for other “broader” objectives keeping in view the uncertainty of political regimes. Thus, the critical question regarding the transition phase is whether political will and required financial resources will supplement the integration process?

Any errors of facts/omissions or interpretation are the sole responsibility of the author.

Notes

1. FATA consists of seven 'political' agencies and eight frontier regions. The political agencies are directly administered by the federal government through its representative called the Political agent. While the frontier regions are administered by provincial government through the deputy commissioner. All the agencies of FATA share a long and porous border with Afghanistan except the Orakzai agency. The frontier regions lie between the settled districts of Khyber Pakhtunkhwa and the agencies.
2. 2017 Census, <http://www.pakinformation.com/population/south-waziristan-agency.html>.
3. Wana is the agency headquarter of South Waziristan Agency inhabited by the Wazir tribe. Apart from being the headquarter of the agency, it is also the hub of trade and commerce activities in South Waziristan Agency.
4. International dialogue on migration; Migration and Social change. Ninety ninth session, 9 November, 2010.
5. Of the 20 points of NAP, one deals directly with FATA. The twelfth point of NAP aims to introduce "Administrative and development reforms in FATA with immediate focus on repatriation of IDPs."
6. Interview # 27 with a civil society activist.

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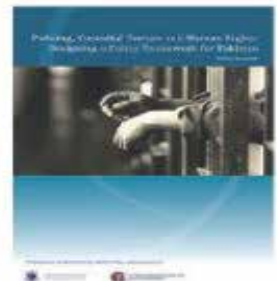
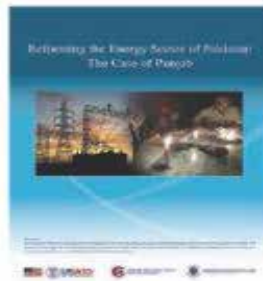
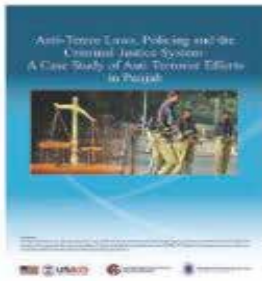
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