



Saving FATA

CommandEleven
Commentary
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REPORT AUTHOR

"Saving FATA" was researched, compiled and written by **Lt. General (rtd) Tariq Khan**, a head of our Board of Advisors and Senior Analyst.

ABOUT COMMANDELEVEN

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It must be realized that when we are generally talking of smaller provinces in the future, here we are advocating enhancing one to even bigger proportions. That what the Federal resources could not do for FATA, is assumed would be done by Provincial resources. There is no such signature that indicates this could happen specially since the second largest city of KP, that is D I Khan looks like an outdated village. Why such concern by KP for a FATA merger? Why not ask the people of FATA? That's how things are done universally.

It's 'saving FATA Season'; everyone is out to contribute to the welfare of FATA. The TV channels, talk shows, interviews, the public and, of course, the Parliament. All indignant of the poor treatment meted out to FATA. The human rights campaigners are up in cudgels, "Bring FATA into the mainstream." They confuse their own miserable existence with "mainstream." Which "mainstream" I would not know, but they feel what has not worked for Pakistan in 70 years, may work in FATA. KPK is bending over backwards to absorb FATA, the unelected, non-representatives of FATA in the National Assembly are once again paraded like monkeys in a circus, as the bow and scrape in the glory of self-importance; 'Yes!' they scream, 'let's save FATA'. My curiosity has no bounds, save it from whom? From the people of FATA themselves?

Let's see why FATA needs saving:

The FATA Secretariat was never empowered to administer FATA. It had no pool of doctors, teachers or administrative staff to post, designate or regulate in their area. These came through the Provincial Government, in violation of the rules, and usually involved people who were posted on punishment or had no sifarish (influence).

Funds were not released to the FATA Secretariat, instead being disbursed through the artificial representation in the National Assembly or the Provincial Government which is against the law. Thus, FATA got nothing.

- Lack of opportunity building – a federal responsibility
- Lack of development – a federal responsibility
- Interference in the administration by manipulating the Political Agents – Governor's responsibility
- Intrusion by outside powers, a product of intelligence services and poor understanding of the environment
- Promotion of smuggling, a role played by our politicians
- Facilitation of drugs, an outcome of indifferent bureaucracy and police, the money generated allowed a parallel system to develop along the lines of communication.

The system corrupted the government, the administration, as well as the law enforcement agencies, especially the intelligence.

So exactly who are we saving FATA from? Are we throwing the region and its people into the very jaws of the wolves who are responsible for the miseries of FATA? Before we go any further, I would like to point out to our well-wishers, that surely, they could not have missed the situation in Swat which is the outcome of exactly the same enthusiasm being displayed to save FATA. If anything, I would

strongly recommend first righting the wrong in Swat, stabilize it and demonstrate the practical manifestation of this desire to bring FATA into the "mainstream." If Swat cannot be handled, then I cannot for the life of me, come to grips with the logic that FATA can. Swat, the most docile and peaceful area in the Frontier Regions, managed to bring the State of Pakistan to its knees because of the shenanigans of such self-acclaimed experts who brought the Constitution of Pakistan to Swat without thinking it through.

As a test case, can we withdraw the Army from Swat today and would the KPK Government be comfortable with it?

Now, we have Chitral as part of Malakand, a people with a different language, culture and ideology, with a geography that begs a separate status, yet lumped with Malakand because it was convenient to some asinine expert. We have a DCO in the tribal portion of Malakand and a PA in the settled part. I am tempted to recommend that we first find the fool who did this to Swat and hang him before we start on our self-righteous journey to self-destruction in FATA.

Let me emphasize, FATA is not half as docile as Swat, please for God's sake, don't tempt a people who are always in search of a cause to engage in physical conflict just for the sport of it. I may also point out to all that the 'A' areas in Baluchistan have been reversed back into 'B' areas, i.e. settled areas back to tribal areas with police having no jurisdiction and levies under the local chiefs to hold sway.

This was done by an act of parliament!

Someone must answer these questions before he shoves his pearls of wisdom down our throats on FATA. Let's first undo the wrong that we have done in the past before we embark on new issues which involve a people who have neither been asked to be saved or that there is a need to save them in the first place. Here, to, I would like to put forward the question:

Was the FATA crisis an outcome of the FCR, system of governance or was there any popular demand/protest launched to bring Pakistan's Constitution to FATA?

No, it was not, and that was never the casus-bellie for the militancy we have witnessed, and why should some assume that such reforms are the ultimate solution to the problems of FATA, amazes me more than anything else. The causes of the upheaval lie elsewhere and are still in need of correction as they were earlier; distracting people into other matters, such as presenting FATA with a constitutional rule will not help or facilitate in the stability of the region, without first eliminating the actual problems of the area.

FATA, as a region and its people as its civilization, is a complicated proposition and cannot be dealt with summarily by some whiz kid, waving a pointer at a PowerPoint presentation. It has to incorporate the wishes of the people and their aspirations, failing which we shall be looking at a catastrophe. Some of the many issues that need to be understood:

- That the current status of the tribal belt was agreed upon by Quaid-e-Azam and the people; it did not just come about nor was it inherited as is

commonly quoted. The withdrawal of the Army from Wana and Razmak was an outcome of this agreement and was on the instructions of the Government of Pakistan. The SAFRON ministry was structured to wear the tribal belt into conventional governance but they woefully failed and have proven to be the most corrupt organization in this field.

- That this urge to 'liberate' FATA is an afterthought after 9/11. It must be clear that until the Durand Line is not established as a recognized international border, FATA will have no defined western border and the country will have an open one.

The FCR is a law to protect the settled areas from the tribal and not a document to administer the tribal belt.

- The tribal belt is governed by jirga laws, mutually agreed upon by the tribes and the administration. Most people have no idea about the jirga law nor have they ever seen it.

To the best of my knowledge, the tribals are not in favor of the Constitution being imposed upon them, though there will be some who will try and prove me wrong, yet that does not matter, one can condition the people over time to accept it.

- The tribal belt will never settle for a KPK imposed government and would rather settle for a province of their own, if it comes to being a province or part of one.
- The people entrusted with any such change must be able to differentiate between 'ruling' the area and 'governing' it and be able to structure a system for the latter only.

What I have posted so far may indicate that I am against FATA getting a proper conventional modern government and I would like to emphatically say, that that is not the case.

I would really want FATA to get the best of good governance. My concern is born of the fact that I belong to these areas and do not want to be sold out by some ignorant expert who has no idea what he is dealing with. The people here are not cattle that their views are not even heard what to talk of being taken into consideration.

Here I proffer, some of the issues at hand and these are only some major ones with many more in detail later if asked for:

- FATA must be allowed a standard political status under the constitution of Pakistan but that this must be a process of evolution and not political expediency. I cannot see this process take less than 5 years at best.
- The 7 agencies to forward two mushers each of good standing who should be the components of a reforms committee in the Governor's sect. They should be guided in legislation within the parameters of the Jirga law, interfaced with the Constitution of Pakistan, with a view to facilitating gradual conventional governance in FATA.

The mushers must go back to the people from time to time and keep getting a popular consensus for each part of the law so that the it's a people's decision and not one imposed by Islamabad.

- FATA must become a province in its own and not be merged into KPK. If FATA is merged, I fear we may even have a civil war. So, I would urge that at the least have this decision processed through a referendum and let it not be an outcome of a frivolous debate in the parliament. Those who understand will know what I am talking about when I say let the Pashtuns have what belongs to them and let the Pashtuns have what is theirs.
- There should be no divisions of FATA such as East or West, North or South, each agency should be a separate district, interconnected by a motorway from Gul Kach to Broghil.
Chitral must be separated from Malakand and Malakand such be dissolved into the districts of Swat while Buner, Shangla and Besham etc must be absorbed into KPK etc.
- FATA must have another additional district, i.e. Central Waziristan, to allow for a separate Mahsud entity. The district must have its own independent accessibility to the Indus Highway as well as the Afghan Ring Road.
- The Quomi Zamin factor has to be resolved and right to individual ownership has to be established not just by a law but within the understanding of the people.
- The system of Nikhat must evolve into a revenue system based on compatible values. Revenue collection of various heads has to be structured and established on ground to allow for the new province to manage its income.
- Provincial and district Courts must be established.
- Police have to be inducted.
- Decision to put Frontier Regions in to FATA or KPK has to be determined on the basis of geography and ethnicity/tribes etc.
- Law enforcement will have to be reformed incorporating the FC and the Constabulary.
- And must include some brigade level Cantonments, i.e. Wana, Razmak, Parachinar, Timergara etc.

All these must figure out in a master plan developed by those directed to wean FATA away from the tribal system. The master plan must indicate funding, financing and timelines to include opportunity, development and security matters. Special emphasis has to be put onto sustainability of the reforms and the instruments of implementation. Nothing should move forward without this master plan being made and that it should be given wide publicity as well as time to integrate changes and adjustments in keeping with the demands of the people for time to time.

ABOUT THE AUTHOR

Lieutenant General (retired) Tariq Khan is an erudite general from Pakistan's Armored Corps and a decorated War Veteran, regularly speaking on critical issues related to Terrorism & Insurgencies. Gen Tariq Khan during the Battle of Bajaur, transformed and re-shaped Frontier Corps into a relentless fighting force and raised FC's own special forces popularly known as SOG. He commanded and led major operations in FATA from the frontline, his model on counter-insurgency is still applied to this day.

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