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Integrating special-status territories into national political structures

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Question

What have been the experiences of the integration into the national political, legal and administrative system of areas/regions which previously had a special status, such as governed through traditional / customary law and ruled directly by the executive?

Contents

1. Overview

This rapid literature review has searched for experiences of areas or regions that have gone from having a form of special status governance to integration into a national political, legal and administrative system. The focus was on identifying cases similar to the Federally Administered Tribal Areas (FATA) in Pakistan, and the Government of Pakistan's proposed reforms to this region (Government of Pakistan 2016). The review sought literature on the domestic management of such a change process as well as critical reform factors, outcomes and lessons from these experiences. The review did not look at international development assistance to these reforms.

Constraints and evidence base

The review came up against two main constraints. First, finding experiences paralleling the situation in FATA and its proposed reforms has been hard. The review has therefore taken a flexible interpretation of the type of governance arrangements in place in the case studies, both in terms of the type of special status the areas/regions have enjoyed, and the extent and type of integration that has been undertaken or attempted. Thus, for example, cases are included where some degree of special status is retained while some aspects of integration have been undertaken.

Second, this rapid review found limited literature on the domestic management and lessons learned from the integration of special status territories into national structures. Many studies either provide a very detailed description of the timeline and political events of an integration experience and/or a cursory list of the outcomes of attempted integration (often negative), with less focus on analysis of causal factors. The literature identified mainly consists of academic peer-reviewed papers and books; some analyses are sponsored or undertaken by international development organisations and think-tanks. However, given the time constraints, the review is not exhaustive. Large bodies of literature were found that there was not time to scope fully but may contain additional useful material[1]. There may also be relevant experiences of governance reform where traditional institutions – political, judicial, or administrative – have been merged, subsumed or replaced by formal national systems but not as part of an overall territorial integration process[2].

Cases

The choice of case studies to include in this report has been informed by a rapid literature search and experts' recommendations. The selection is deliberately broad to show the geographical, historical and political range of cases available with a focus on including experiences from Pakistan and India, and experiences that were part of an independence/post-colonial process. Given the time constraints of this rapid review, the cases studies are brief and illustrative.

Here is a list of the case studies included in this report: case studies in **bold** have been researched and a brief summary provided in the report; the others were suggested by the literature and/or experts but there was not time to research them.

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[1] For example the literature on:
  - Older texts on historical experiences of integration as part of the independence and post-colonial process.
  - Indigenous peoples' movements and progress towards greater autonomy (Wiessner 1999).
  - Sub-national governance arrangements introduced as part of post conflict and peace-building processes. (See a forthcoming study on "Subnational Governance and Conflict" for the World Bank Group by Stefan Wolff and Simona Ross.)
  - The role of federalism, and asymmetric federalism, and enabling conditions in accommodating, or not, geographically concentrated ethnic groups (Kanbur et al 2010; Schneiderman and Tillin 2015: 6)

[2] Starting points to explore that broader literature could include GSDRC Topic Guides, including the Political Systems Topic Guide (2014) synthesises literature on approaches to democratic consolidation and promotions, and the relationship between informal political systems and formal democracy; the Safety, Security and Justice Topic Guide (2016) has a section on legal pluralism; the Voice, Empowerment and Accountability Topic Guide (2014) has a section on traditional, customary or informal justice systems; and the Civil Service Reform Topic Guide (2015) for literature on public administration reforms.

Asia	Africa
▪ **Pakistan: Princely states; PATA – Swat** ▪ **India: Princely states; Hyderabad; Northeast India; Jammu and Kashmir** ▪ **Sri Lanka: Former Liberation Tigers of Tamil Eelam (LTTE) areas** ▪ **Indonesia: Aceh;** Timor Leste; Papua; West Papua ▪ China: Hong Kong; Macau; Tibet ▪ Nepal: Incorporation of communist ruled areas	▪ **Kenya: North-Eastern province** ▪ DRC: Katanga ▪ Ghana: British Togoland ▪ Nigeria: Biafra ▪ Sudan: 2005-11 (South) Sudan ▪ Tanzania: Zanzibar ▪ Yemen: post-1990 (South) Yemen
North America	**South America**
▪ **Canada: Inuit areas**	▪ **Peru: Sendero Luminoso areas** ▪ Colombia: FARC areas ▪ Nicaragua: Atlantic Coast territories
Europe	**Middle East**
▪ **Kosovo: North Kosovo** ▪ **Ottoman Empire: Kurdistan** ▪ France and Germany: Alsace Lorraine (post-1870, post-1919, post-1945); Saarland (post-1935 and post-1957) ▪ Germany: Integration of East Germany (post-1990); territorial adjustments around Schleswig, Eupen Malmedy, Silesia (at the end of the first World War) ▪ Italy: five regions with a special autonomous status ▪ Russia: Crimea; South Ossetia; Tartarstan ▪ Turkey: Kurdish south eastern region ▪ United Kingdom: Northern Ireland ▪ United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium	▪ **Iran: Kurdish areas**

Key findings

It is hard to synthesise findings from such varied case studies. Some key points that came across from the literature reviewed and experts' inputs include:

- **The trend is towards decentralisation and granting greater autonomy to sub-national regions rather than to integration.** History provides few linear examples of progressive integration. On the contrary, across continents recent trends have been to grant areas inhabited by ethnic minorities and indigenous communities, previously formally integrated into centralised state systems, with greater autonomy, within an overall context of growing governmental decentralisation (albeit in various guises) (Crawford and Hartmann 2008: 7; Bangash 2015; Wiessner 1999). Thus analysis of the integration of areas/regions is often covered as a historical, preceding event to the main analysis of how subsequently special status has been / is being achieved by territories and sometimes individual ethnic groups.

- **The cases also show how special status and integrative policy approaches tend not to be conclusive or binary**: national governments can shift their approach to areas/regions over time and with changes to ruling parties, and concurrent policies applied to political, administrative and legal structures may provide for varying degrees of special status / integration.

- **The cases show how special status arrangements and integration are both processes and outcomes of complex, ongoing negotiations of the relationship between peripheries and centres**, which in the last century has been shaped in particular by the formation of the post-colonial, independent nation-state. Many cases illustrate the power imbalance and struggles between areas/regions and the national political state: many integration reforms are implemented under duress and/or in post-conflict situations.

- **Integration of special status areas/regions into national systems may not necessarily mean political centralisation.** Cases included in this review provide examples of policy reform attempts to include previously ungoverned and/or ungovernable areas through federal or devolved national systems.

- **Changes in policies and administrative definitions may not reflect or change local realities**. Moreover, experiences illustrate how the state itself is not monolithic: the three levels of the state – policy, institutions and individuals – can pull in different directions during integration reforms (Sherman 2007).

- **Innovative and adaptive management of integration reforms is identified as a success factor**: analysis of perceived success in domestic management of integration reforms supports current thinking on governance reform requiring context-specific, reflexive and adaptive programming.

- **Unsuccessful integration can lead to/exacerbate insurgency/conflict**: cases illustrate how centralisation and decreasing local autonomy without local support have led to insurgencies and continuing demands for devolved government or secession. Efforts to devolve governance may also contribute to local power struggles and conflict.

2. Asia

Pakistan

Princely states

The princely states of the Indian subcontinent were not subject to the partition of the British territories in 1947. Rather the accession of each principality was negotiated between the monarch of the state and the leaders of the Indian National Congress and the Pakistan Muslim League—the political parties running the first postcolonial governments of India and Pakistan (deBergh Robinson 2013: 31).

Nine princely states acceded to Pakistan, but Bangash reports there is limited literature on their integration (Bangash 2015). He asserts that after accession, Pakistan pursued a policy of firm control through strengthening the military and bureaucracy, in contrast with India's focus on establishing democratic processes and institutions (ibid.: 98). The Pakistan government allowed only very gradual democratic reforms: government-appointed advisors were in de facto ultimate control in most states (ibid.: 105, 112). See Bangash (2015) for a detailed description of the political integration of the individual princely states.

PATA

In 1960, Swat, Dir and Chitral, self-governed princely states, were integrated into Pakistan: the office of the political agent was established to head the district administration, with judicial, executive and fiscal powers (International Crisis Group (ICG) 2013: 3). Then in 1969, they became districts of the Northwest Frontier Province (NWFP) (later renamed Khyber Pakhtunkhwa, KPK) as Provincially Administered Tribal Areas (PATA) under Article 246(b) of the Pakistani Constitution[3] (ibid.: 3).

PATA has special status within Pakistan's national structure, but has undergone some reforms that have involved integration with national systems. Unlike FATA, PATA is subject to Pakistan's basic criminal and civil law framework and falls under the jurisdiction of the provincial KPK legislature (in addition to the National Assembly) and the Peshawar High Court and Supreme Court (ICG 2013: i). However, laws apply to PATA, as in FATA, only if specifically extended by the governor with the president's consent (ibid.). Moreover, PATA has been governed by various parallel legal systems that have undermined constitutional rights, according to the ICG (2013: i).

During the 1970s, under Pakistan's first democratically elected government, the laws of the land were gradually extended to PATA districts, including the Evidence Act, the Criminal Procedure Code and the Pakistan Penal Code. However, the federal government maintained a judicial system based, along with normal courts, on Sharia and *jirgas* (tribal councils). In 1990 the Supreme Court ruled that regular civil and trial courts would hear cases in PATA, essentially merging PATA's justice system into the mainstream legal framework. Then in 1994 Sharia law was imposed, albeit nominally, followed in 1999 by a requirement for judges to consult with

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[3] Along with two of its biggest districts, Chitral and Swat, and Dir (Upper and Lower), PATA includes Malakand district, parts of Kohistan, Shangla, the tribal area adjoining Mansehra district and the former state of Amb. PATA also applies to tribal areas in Balochistan (ICG 2013: 1).

clerics and religious scholars. In 2007 the Pakistan government signed a military-devised peace deal imposing Sharia in PATA: with the enactment of this legal framework, many national laws, including ones that protect women, are no longer extended to PATA (taken from ICG 2013: 3-5).

<u>Analysis of management and outcomes of PATA regulations for Swat</u>

Sultan-i-Rome (1999) finds that the PATA merger provides lessons on the consequences of national and provincial centralisation. After the merger, the commissioner and deputy commissioner (DC) were granted full administrative authority, with the DC holding both executive and magisterial powers at district level (Fleischner 2011). Highly lucrative appointments, these were often held by the highest bidder to the provincial government (Fleischner 2011: 6). The lack of democratic representation at the local level exacerbated class differences and left the poor powerless in terms of access to justice, land reform and economic opportunities (ibid.).

During this transformation all old laws were kept in place, creating administrative confusion (Fleischner 2011: 6; Sultan-i-Rome 1999). Compounded by a lack of planning, issues included rapid inwards migration, unplanned urban growth, large scale land ownership disputes and mass deforestation (Sultan-i-Rome (1999).

Over the years, political turmoil, inefficiencies in the judicial system and problems with service delivery have progressively degraded the quality of governance, resulting in growing inequality and disaffection with the government (Fleischner 2011: 5). Access to justice particularly suffered, according to Fleischner 2011: 6). Under PATA regulation new judicial institutions met infrequently and there was a failure to insert adequate oversight and accountability measures (ibid.). Fleischner (2011: 6) finds that the single most commonly cited factor blamed for the rise of militancy in Swat has been access to justice.

India

Princely states

The 560-plus princely states, comprising about 45 per cent of pre-Partition Indian territory, enjoyed quasi-autonomous status under colonial authority (Mawdsley 2002: 37). After accession, the policy of the Government of India was non-negotiable full integration and democratisation, intending to suppress disintegration and preserve the territory given by the British (Bangash 2015: 94; Haokip 2012: 306). The integration phase resulted in: seven centrally administered areas under Chief Commissioner; five unions of states formed through regional grouping; Hyderabad, Mysore, Jammu and Kashmir retained their territorial integrity; and all others were merged into neighbouring provinces (Bangash 2015: 95). Strategies deployed included enticement through generous privy purses and making some princes governors, and threats of mass pressure (Haokip 2012: 306). Meanwhile nationalism evoked by the independence movement aided the integration of people of different religions, languages and cultures into a single political entity (ibid.).

Hyderabad

There is limited literature analysing the integration experiences of individual princely states. An exception is Sherman's analysis of the integration of Hyderabad, the second largest princely state, and an important goal for Nehru's government because of its central location and diverse population (Sherman 2007). Challenges in Hyderabad for the newly independent government

included how to cope with: the limitations of the police, military and bureaucracy inherited from the colonial state; management of relations between Hindus and Muslims (Hyderabad's Muslim *nizams* ruled over a predominantly Hindu population); and fighting communism whilst trying to ensure the loyalty of its new citizens (Sherman 2007: 3). The government had relative freedom in shaping the new territory: the former Hyderabad regime virtually disbanded through armed intervention to bring it into the Indian Union (ibid.).

Sherman (2007: 31) finds that the new Government of India was able to integrate Hyderabad into the Indian Union because it was innovative and able to adapt policies to changing local events. The government quickly learned that, to achieve the Congress Party's goal of asserting its influence over the voting population, development programmes could be more effective than coercion in certain circumstances.

According to Sherman, Hyderabad's integration experience shows how the three levels of the state – policy, institutions and individuals – can pull in different directions (2007: 20). Central policy promoted even-handed punishment of participants in the violence at the end of the princely state regime and avoidance of drastic changes to state institutions. However, weak local institutions and independently-minded local officers caused a significant change to the ethnic composition of the executive, police and administrative services in Hyderabad, with Muslims tending to be disenfranchised. (ibid.)

Northeast India

Northeast India at the time of independence consisted of Assam and the princely states of Manipur and Tripura. From the 1960s, new states have been carved out of Assam: Nagaland (1963), Meghalaya (1972), Arunachal Pradesh and Mizoram (1987) (Haokip 2012: 304).

According to analysis by Haokip, the integration approach in the region after accession failed to overcome parochial and residual loyalties to former regimes and tribal chiefs, notably in Manipur which was staunchly opposed to integration into the Indian Union (Haokip 2012: 308-309). He also criticises the pace of integration in Nagaland, which was also opposed to integration, finding that "political integration in stages" could have allowed time and space to adjust to the constraints and opportunities of the new system (Haokip 2012: 310). Instead, Haokip (2012: 313) concludes that the attempts at assimilation of the region and its people into the Indian mainstream created resentment among the different ethnic communities, leading to insurgency and secessionist demands.

Since this initial approach, asymmetrical provisions have been constitutionally mandated for the northeastern states, granting restricted rights of land ownership; reservations of seats in state assemblies; delimitation of electoral constituencies to favour particular groups (constitutionally mandated forms of over-representation for certain 'indigenous' communities beyond their proportion of the population); and the respect of customary law. (Shneiderman and Tillin 2015: 6-7) Some experts find that this type of asymmetry – or special status – is key to allowing the Indian federal system to accommodate the multiple identities held by Indians (ibid.). Haokip finds this approach has had "a cascading effect", leading to new demands from other smaller ethnic groups (such as the Kukis of Manipur) for different levels of autonomy (Haokip 2013: 313). Singh (2006: 338) argues that ignoring economic and emotional aspects of national integration and pursing political autonomy alone – in the form of smaller states and district councils on ethnic lines – has not brought sustainable development or positive regional integration in the Northeast.

He criticises successive political leadership of the region for ignoring the importance of good governance and need to mobilise local resources (Singh 2006: 339).

Indian state of Jammu and Kashmir

The experience of the Indian state of Jammu and Kashmir, a former princely state, provides an example of an area with formal special status governance that has undergone gradual integration into the national political and legal structure.

Jammu and Kashmir was the only state which negotiated special terms of entry to the Union at the point of accession and which today has its own Constitution (Tillin 2016). Article 370, approved by the Constituent Assembly in October 1949, exempted the state from constitutional provisions governing other states and restricted Parliament's legislative powers over Jammu and Kashmir to the areas of defence, foreign affairs, and communications.

However, Tillin (2016: 558) finds that the Supreme Court has effectively permitted the weakening of Article 370 over time. While the state's (1956) constitution enshrined some special provisions (e.g. giving the state legislature the ability to define permanent residents of the state), from the 1950s other actions have brought Jammu and Kashmir's governance in line with other states (such as through standardising financial relationship with central government, giving the Supreme Court full jurisdiction, replacing the elected Head of State with a Governor appointed by the Centre, and a Chief Minister) (ibid.).

Successive regimes' continuous erosion of Kashmiri autonomy has contributed to many Kashmiris' alienation from India, fuelling the insurgency in India administered Kashmir over the last two decades (Ganguly 2016: 255). The government's response has been to increasingly curb civil liberties, managing to contain but not suppress the conflict (ibid.; Kazi 2012). The government's security-oriented governance policy of privileging military authority has severely undermined civil and judicial process in Kashmir (Kazi 2012)

Sri Lanka – former LTTE areas

Beginning in the mid-1970s the Sri Lankan Liberation Tigers of Tamil Eelam (LTTE) led a violent campaign for a separate state of "Tamil Eelam" in the northeast, where it controlled large amounts of territory until its military defeat in 2009 (Freedom House 2012: 1). In 1989 the North East Provincial Council was dissolved and direct rule by the executive imposed on the province (de Silva Wijeyeratne 2014: 158). While legislative and executive power were transferred to the governor, analysts point to a de facto alternate process of state-building in the region under the LTTE for nearly three decades (Saparamadu and Lall 2014: vi; Stokke 2006: abstract). According to Stokke (2006: abstract), LTTE governance was characterised by a strong focus on external and internal security, and authoritarian centralisation with few formal mechanisms for democratic representation.

Reforms started with elections for the Eastern Provincial Council alone in May 2008, the North-East Provincial Council having been de-merged in 2007 (da Silva Wijeyeratne 2013: 158); other local government elections including for the Northern Provincial Council took place in 2011. With President Maithripala Sirisena's 2015 election victory, there have been modest gains in rule-of-law and liberal-democratic governance, but issues of reconciliation and accountability remain largely unaddressed, and government reforms in Tamil areas in the north and east appear "stalled" (ICG: i). The state's emphasis on infrastructure development coupled with the military's

involvement in civil administration and the local economy has contributed to tensions amongst the Tamil community in the north, according to Saparamadu and Lall (2014: v). ICG (2016: 13) recommends release of detainees and military-occupied land; credible inquiries into the disappeared; investigation and end to abuses; and the repeal the Prevention of Terrorism Act (PTA). For sustainable governance reforms, including in Tamil areas, the ICG report suggests (among other recommendations): Government of Sri Lanka's assertion of authority over the military and national security apparatus, and agreeing a way forward on the proposals for strengthening provincial devolution in response to ethnic tensions (ICG 2016: ii; 19).

Indonesia – Aceh

On independence, Aceh was incorporated into the Republic of Indonesia's North Sumatra province. In 1959 it was granted "special territory" status, with autonomy in religion, civil law and education. Following the devastating Indian Ocean earthquake and tsunami in December 2004, the Indonesian government and the Free Aceh Movement (GAM) signed a Memorandum of Understanding, bringing a three-decade war over the desire for independence of Aceh to an end. Under the deal the rebels accepted a form of local self-government and the right eventually to establish a political party[4].

Aceh's integration into the national political system is characterised by ambiguities in the framework of the Helsinki peace accords and the subsequent national legislation to secure peace (Daly et al 2016: 191). While the 2006 Law on the Governance of Aceh grants special autonomy to the province of Aceh, the earlier national decentralization framework[5] continues to apply at the district level, confusing delineation of authority between the national, provincial and district levels (ibid.). Moreover, two core provisions, effective in consolidating peace in Aceh, challenge the establishment of responsive and accountable regional government in the province: allowing GAM to transform into a political party to contest local elections, and new economic arrangements raising government funds in Aceh, providing ample rent-seeking and illicit fund-raising opportunities for the former rebels who now dominate provincial politics (Daly et al 2016: 192).

Aceh has a higher proportion of Muslims than other areas of Indonesia, and was allowed to introduce Sharia law in 2001[6]. Today Aceh is Indonesia's only province with Sharia law; Daly et al (2016) report that the use of Sharia law advanced in Aceh after the 2004 tsunami due to a unique combination factors. These include: "the rapidly developing discourses of remaking society that were prevalent in the post-disaster/post-conflict period, the broader religious revival that followed the tsunami, and aversion to the imposition of 'outside' agendas brought in by the international humanitarian community" (ibid.: 200).

Other suggested case studies – not researched

- China: Hong Kong; Macau; Tibet

- Indonesia: Timor Leste; Papua; West Papua

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[4] http://news.bbc.co.uk/1/hi/world/asia-pacific/3809079.stm

[5] In 2001 Indonesia began a national decentralization programme, involving a major transfer of administrative, political and financial authority.

[6] http://news.bbc.co.uk/1/hi/world/asia-pacific/3809079.stm

- Nepal: incorporation of communist ruled areas

3. Africa

Kenya – North-Eastern Province

Kenya's North-Eastern Province (NEP), inhabited mainly by Somali pastoralist clans, was governed under emergency rule during the 1960s "Shifta War" – an internal secessionist rebellion – until 1991 (ICG 2015: 2). Until the late 1990s the north in general and pastoralists in particular were largely ignored by the national government (Education For All 2010: 193). State absence compelled local communities to rely on informal systems of protection, usually involving a combination of tribal or clan militias (for deterrence and retaliation) and traditional authorities and customs (for conflict management and justice) (Menkhaus 2005: i).

Menkhaus (2005: iii), looking in particular at the Kenya-Somalia border area, reports that since the mid-1990s, the Kenyan government has been willing but unable to extend its authority into the border regions. The result has been a "mediated state" arrangement, in which the Kenyan government partners with local non-state, civic and traditional actors to fulfil core functions normally associated with the state, including conflict mediation, cross-border diplomacy and the dispensation of justice. The local partners are organised in local Peace Committees (PCs), umbrella groups of local community based organisations, including traditional clan elders and a government representative. Menkhaus finds that while the PCs have varied in performance, overall they "have been the single most important factor in the dramatic reversal of anarchy and insecurity in the region" (ibid.). He puts the PCs' success down to "a good functional relationship with the Kenyan government giving the PCs adequate space and autonomy to operate; strong local ownership; commitment and knowledge of local conflicts; open, flexible membership combining traditional and civic leadership; international financial support" among other features (ibid.).

More recently there has been a shift to decentralisation: the 2010 constitution devolved political, administrative and developmental authority to 47 counties (ICG 2015: 2). However, devolved government in the new north-eastern counties has seen dominant clans monopolising power and growing corruption (ICG 2015: 1). Violent clan competition and antipathy between elected county elites and national administrative structures have allowed the violently extremist Al-Shabaab movement to expand, operating with relative impunity across large areas of the North East(ICG 2015: 1). The new security approach – led by senior national security officers with Somali heritage but directly accountable to the national executive – has helped cooperation between president-appointed county commissioners and newly-elected county governments (ICG 2015: 1). Meanwhile new county elites underutilise existing peace-making structures (including LPCs), preferring "county-owned" forums dependent on – often compromised – clan elders, while keeping national government and its offices at a distance and ignoring or sidelining women and youth networks (ICG 2015: 2).

Other suggested case studies – not researched

- DRC: Katanga

- Ghana: British Togoland

- Nigeria: Biafra

- Sudan: (South) Sudan (2005-11)

- Tanzania: Zanzibar (semi-autonomous evolving relationship with mainland Tanzania)

- Yemen: (South) Yemen (post-1990)

4. North America

Canada – Inuit areas

Post-Confederation Canadian Aboriginal policy, until the 1960s, was based on a model of assimilation of Aboriginal peoples[7] previously acknowledged by British colonials as sovereign nations (Taylor and Albers 2016). Land cessation treaties were signed from 1871-1920s with additions to existing treaties up to the 1950s, and Canada established itself unilaterally in the final territories added, including Inuit areas (Wiessner 1999: 67).

The Inuit were mainly left alone until the 1950s when development increasingly disrupted their way of life (Frideres et al in Bell and Taylor 2004). The territorial North and Aboriginal communities were governed through centralised control in Ottawa with limited local political and administrative authority (Coates et al 2014: 8; Bonesteel 2006). The Government of Canada encouraged the Inuit to settle permanently in communities and rolled out social welfare programmes, but a lack of consultation led to Inuit dissatisfaction (Bonesteel 2006). Community governance similar to that in southern Canada was gradually introduced: the Inuit were encouraged to participate in local government and administrative organizations, such as regional councils, town and hamlet councils, and housing authorities (Bonesteel 2006). They became eligible to vote in the 1950 federal election, and the first Inuk was elected to the Northwest Territories Council in 1966 (Bonesteel 2006).

The Government of the Northwest Territories moved to the north in 1967, creating increased presence and new jobs of government administrators in the Arctic – who were sometimes Inuit. This led to greater awareness of social concerns and the need to improve welfare programming, particularly for education and health (Bonesteel 2006). Meanwhile Aboriginal peoples, including the Inuit, were becoming more politically active and vocal about their marginal position in society and lack of self-determination (Taylor and Albers 2016). Since the late 1960s, government policy gradually shifted to a goal of self-determination for Aboriginal peoples (Taylor and Albers 2016). Responsible government was granted to the territories in the 1970s and more recently major Aboriginal claims have been settled, federal powers devolved to territorial governments, and Aboriginal self-government expanded (Coates et al 2014: ii).

5. South America

Peru – Sendero Luminoso areas

The Sendero Luminoso (Shining Path), a radical Maoist terrorist group, launched an armed struggle against the government initially from a "quintessentially peripheral" region of the Andes

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[7] Canada's Aboriginal population comprises North American Indians, Métis and Inuit who collectively constitute a small (3.9 per cent) but growing share of the country's total population (Frideres et al in Bell and Taylor 2004: 94).

(Slater 2002: 266). This rapid review has not been able to find literature specifically referring to the re-integration of Sendero Luminoso areas into the national political system[8]; however, more general analysis of state reforms during this period provides some insight on the centre-region relationship.

Following President Fujimori's '*auto-golpe*' of 1992, there was a reorganisation of the state, centralising power and public spending in a handful of ministries, and granting more power to the executive in its relation with the regions and municipalities (Slater 2002: 266; OECD 2016: 44). In addition the Fujimori regime deployed the extensive use of patronage as well as the authoritarian exercise of power to keep civil society weak and disarticulated (Burt 2006: 58).

In 2016 an OECD Public Governance Review concluded that the reforms, while creating some islands of efficiency that survive today, did not strengthen public administration; rather they caused a reduction in institutional capacity and weakening regulatory capability over the economy (OECD 2016: 44-45). State institutions have remained remarkably weak with barely operative – widely viewed as corrupt or ineffective – or absent police and judicial authorities, health clinics and state bureaucracies across the country (Burt 2006: 58).

Other suggested case studies – not researched

- Colombia: FARC areas

- Nicaragua: Atlantic Coast territories

6. Europe

Kosovo – North Kosovo

Northern Kosovo is a homogenous Serb area that has resisted Pristina's authority since 1999 and has been governed by Serbian institutions (Prelec & Rashiti 2015: i). The landmark 2013 Brussels Agreement between the governments of Serbia and Kosovo focused on two goals: 1) creating an Association/Community of Serb majority municipalities (ASM) in the north of Kosovo, vested with autonomy over economic development, education, health, urban and rural planning; and 2) removing parallel Serbian structures, and integrating the police and judiciary in the Kosovo system (Lilyanova 2016: 2). The implementation of the agreement requires both sides to amend their relevant legislation and/or their constitution, and is bound to be a lengthy process (ibid.).

In 2016 Kosovo claimed implementation was either "'ambiguous' or delayed", with Serbia's parallel structures still active and Kosovo Serbs not yet sufficiently integrated into Kosovo's system (ibid.). The justice and integrated border management agreements are not yet implemented but there have been positive developments on police integration, customs, and vehicle insurance (ibid.). A more detailed analysis of Serb integration into Kosovo and recommendations for future implementation is provided by Prelec & Rashiti (2015).

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[8] Literature in Spanish was not included in this review, and may provide material for future research.

Ottoman Empire – Kurdistan

Historically squeezed between two strong rivals (the Persian and Ottoman empires), Kurdish areas used the rivalry to their advantage, and enjoyed a large degree of autonomy up to the nineteenth century (Saatci 2002: 556). The Ottoman government created semi-autonomous administrative entities through indirect rule, co-opting Kurdish tribal emirates along the Persian border, through extracting revenues for the state while allowing the traditional leaders to establish their authority under the patronage of the sate (Erdem-Akcay no date: 5; Köksal 2006: 476).

In the nineteenth century, the Ottoman government began consolidating their borders through centralisation reforms, including attempts to settle nomadic pastoral tribes, introduce new land registration and administrative restructuring (Köksal 2006: 477; Erdem-Akcay no date: 7). The centralization of the Ottoman Empire aimed to destroy tribal ties and coalition (Yavuz 2001: 5). The administrative restructuring included forming the province of Kurdistan with a centrally appointed governor and integrating the tribal military forces into a new militia under the direct control of the state (Erdem-Akcay no date: 7). The centralisation policies politicised peripheral ethnic and religious identities; the extension of rule of law threatened tribal autonomy and there was resistance (Yavuz 2001: 5). As the reforms continued, during the nineteenth century and first two decades of the twentieth century, Kurds increasingly came to occupy important posts in the state hierarchy (Heper 2007: 123).

The region then underwent the transition from Ottoman Empire to Turkish Republic; since the early years of its inception, Turkey has faced a difficult challenge in administering the areas populated by the Kurds in eastern and southeastern Anatolia with ongoing secessionist conflict.

Other suggested case studies – not researched

- France and Germany: Alsace Lorraine (post-1870, post-1919, post-1945); Saarland (post-1935 and post-1957)

- Germany: Integration of East Germany (post-1990); territorial adjustments around Schleswig, Eupen Malmedy, Silesia (at the end of the first World War)

- Greece: Crete

- Italy: impact of early 2000s federalisation proposals on five regions with a special autonomous status (which evolved in the post-1946 period)

- Russia: Crimea; South Ossetia; Tartarstan

- Turkey: Kurdish southeastern region

- United Kingdom: Northern Ireland

- United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium

7. Middle East

Iran – Kurdish areas

Kurdish territories in Iran had the status of semi-autonomous Kurdish principalities until the late 1800s and their demise under the Qajar state, followed by further suppression under the centralist policies of Reza Shah in the 1930s (Ghanea-Hercock 2003). There was a short-lived Mahabad Kurdish Republic which existed in 1945-46: Iran is the only country to have had an independent Kurdish republic within its territory (ibid.; Entessar 1984: 915). After 1947 Kurdish fortunes declined with the co-option of the Kurdish tribal leadership through financial and political rewards and the downgrading of the political power base of Kurdish landowners through the land reforms of the 1960s (Ghanea-Hercock 2003; Entessar 1984: 923). After the 1979 revolution struggles for independence in the Kurdish regions continued: the regime responded strongly with the banning of the Kurdish Democratic Party, followed by an armed campaign against the Kurds (ibid.).

8. References

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