

## **Post-Frontier Crimes Regulation FATA: Reservations and Confusions of the Tribesmen and the Way Forward**

Raid Khan<sup>1</sup>,  
Sajjad Hussain<sup>2</sup>,

### **Abstract**

The Federally Administered Tribal Areas (FATA) is merged within the province of Khyber Pakhtunkhwa (KP) constitutionally by the 25<sup>th</sup> amendment in the 1973 Constitution of Pakistan by the Parliament on May 31, 2018. Before this amendment, a reform committee was formed to provide plausible solutions about the future of FATA. According to the report majority of the tribesmen favored the merger of FATA within KP. The research paper, based on reports in the newspapers, interviews, and discussions held with the tribesmen and visits to different areas of ex-FATA to collect firsthand information, highlights the reservations of the tribesmen regarding the merger of FATA within KP. The judicial and administrative setup introduced in ex-FATA created confusion and worries in the minds of the tribesmen. The paper gives an analysis of the issue and provides a plausible solution to the bewilderment and miseries of the tribal people.

**Keywords:** FCR, FATA Reforms, Merging, Rewaj, Jirga, Devolution.

### **Introduction**

The tribal people under Frontier Crimes Regulation 1901 (FCR) have suffered a lot as they were not entitled to most of their fundamental human rights. They did not have access to courts and, for a long time, were not having the freedom to adult suffrage. The Federally Administered Tribal Areas (FATA) did not see significant changes or reforms since the independence of Pakistan. Constitutional development continued from the beginning, but policies related to tribal areas were persistent on colonial footings. They did not see any drastic changes except FATA Reforms in 2010, which were equivalent to old wine in a new bottle. Pakistan adopted nominal measures for bringing reforms in tribal areas until recently, when the previous government of the Pakistan Muslim League (PML-N), at the eleventh hour of its tenure, adopted the constitutional amendment bill on May 24, 2018, regarding the status of FATA.

For an extended period, these tribes remained alienated from the rest of the country. The demand arose regarding mainstreaming of the FATA from different political platforms, civil society, and some factions of the FATA areas.

---

<sup>1</sup> PhD Scholar, Department of International Relations, University of Peshawar, Peshawar, KP.

<sup>2</sup> Assistant Professor, Department of Political Science, University of Lakki Marwat, Lakki Marwat, KP.

Different approaches emerged about the political and legal status of FATA. Various political parties made an alliance called the FATA Political Alliance, which demanded the integration of FATA within the province of Khyber Pakhtunkhwa (KP). Civil society and the FATA Lawyers Forum accentuated the demand. They called for the annulment of FCR, an extension of Parliament's power of legislation, and an extension of the jurisdiction of the apex courts to the FATA. Other voices favored a separate province for FATA, and also some other status quo forces who were working on the ground. The much-awaited merging of these areas with the province of Khyber Pakhtunkhwa was at last done bypassing the 31<sup>st</sup> constitutional amendment bill by the National Assembly on May 24, 2018 (Pakistan, 2018). Senate then passed it after the KP provincial assemblies, respectively. President of Pakistan Mamnoon Hussain then signed it on May 31, 2018. The 25<sup>th</sup> Constitutional Amendment Act, earlier called a 31<sup>st</sup> amendment bill, merged the FATA within Khyber Pakhtunkhwa province. Though the old Constitutional status of FATA has changed and the region is now the part of the province of Khyber Pakhtunkhwa up till now, the tribesmen have reservations and confusions in their minds which need to be highlighted and addressed.

### **Methodology:**

The study carried out by mixed methodology still is qualitative. To get firsthand, reliable information In-depth Interviews (IIs) and focused group discussions (FGDs) were conducted. In the course of interviews and group discussions, a semi-structured format was adopted. Open-ended questions were allowed for further discussion during IIs rather than a straightforward question and answer format. For secondary sources, data was collected from newspapers, research journals, and internet outlets.

Firsthand information was collected by mapping exercise (ME) while visiting different areas from Peshawar to Islamabad and FATA whereto held FGDs and IIs with the people of different tribes like Afridi, Mohmand, Orakzai, Toori, and Bangash of Kurram Agency, Wazirs and Mehsuds of North and South Waziristan Agencies and Mamund and Utmanikhel of Bajaur Agency and frontier regions like FR Peshawar, Kohat, and Bannu. Different stakeholders like *Maliks* (elders appointed by the British as head of tribes), students, lawyers, teachers, businessmen, government officials of FATA were consulted.

### **The Process of FATA Integration with the Province of KP**

In November 2015, a committee comprised of six members was formed under the chairmanship of Mr. Sartaj Aziz, Adviser to the Prime Minister on Foreign Affairs. The committee was tasked to propose recommendations after

consulting all the stakeholders regarding the political mainstreaming of FATA. Members of the committee were:

1. Mr. Zafar Iqbal Jhagra, Governor KP
2. Lt. Gen (retired) Abdul Qadir Baloch, Minister for SAFRON
3. Mr. Zahid Hamid, Minister for Law and Justice
4. Lt. Gen (retired) Nasser Khan Janjua, National Security Advisor
5. Mr. Muhammad Shehzad Arbab, Secretary SAFRON

The committee members visited all Tribal Agencies and the Frontier Regions on respective dates mentioned below in the table.

**Table: 1 Visits of the Members of the Reforms Committee to Tribal Areas**

Sr. No.	Name of Agency/FRs	Date of Visit
1.	Bajaur Agency	December 31, 2015
2.	Mohmand Agency	January 1, 2016
3.	Khyber Agency	February 4, 2016
4.	Orakzai Agency	March 28, 2016
5.	Kurram Agency	March 28, 2016
6.	North Waziristan Agency	April 4, 2016
7.	South Waziristan Agency	April 25, 2016
8.	FRs at Peshawar	May 2, 2016

Source: (Ministry of Foreign Affairs, Government of Pakistan)

During these visits, 3500 Tribal *Mailks* and elders were consulted. People from different factions of societies like traders, lawyers, representatives of the political parties, youth, and representatives of civil society were also consulted in a meeting held on December 10, 2015. The FATA parliamentarians gave the committee the right to choose the best future trajectory for FATA, including its mainstreaming (Ministry of Foreign Affairs. (2016).

The committee then presented the report on August 23, 2016, to the Prime Minister (PM) and on August 24, 2016, to the National Security Committee. The PM then directed that the report should also be presented to the Parliament for discussion. Mr. Sartaj Aziz then, on September 9, 2016, tabled the FATA Reforms Committee Report in the National Assembly for discussion and in the Senate on September 27, 2016. The report was received positively in the Parliament. The report was also placed on the SAFRON Ministry website, and a hotline was provided for the views of the people from FATA. About 30000 people gave their opinions on different aspects of the Reforms until February 2017. Most of them were in favor of the abolition of FCR and the integration of FATA with KP (Ministry of Foreign Affairs. (2016). Taking all these considerations, discussions, and feedbacks, the SAFRON Ministry included some modifications and additions

in the report and submitted its summary to the Cabinet on December 13, 2016. The Cabinet after, considering the summary on December 15, 2016, desired to develop consensus on one or two issues remaining. Thus the process was completed by February 2017, and the Cabinet considered a revised summary on March 2, 2017.

The major recommendations were:

Mainstreaming of FATA within five years, the election of FATA representatives to the Khyber Pakhtunkhwa Assembly in the 2018 elections, allocation of 3% of the gross federal divisible pool in the NFC Award<sup>3</sup>, 30% of the allocation in the FATA Development Plan should be channeled through the local bodies, Governor's Advisory Council consisting of all FATA Senators and MNAs be setup to assist the Governor in carrying out development and administrative functions and that party-based local bodies elections should be held in FATA soon after 2018 elections. Besides this, the developmental funds should be audited adequately through the Auditor General of Pakistan, Jurisdiction of Supreme Court, and Peshawar High Court be extended to FATA through an act of Parliament. The report also suggested that FCR be replaced with the Tribal Areas Rewaj Act. The committee also suggested that priority should be given to the peace process, reconstruction of the Tribal Areas and rehabilitation of the Tribal people Ministry of Foreign Affairs. (2016).

It took eight months for the committee to come up with a road map for the future of FATA. Four significant options were identified in the report, which was thoroughly explored. These were;

- i. FATA should be merged with KP.
- ii. FATA to be created as a separate province.
- iii. FATA should get an autonomous arrangement with an elected council modeled on the Gilgit-Baltistan Council and
- iv. FATA should remain as it is for the time being with minor reforms to the FCR laws (Associated Press of Pakistan, 2016, August 23).

Some of these proposals needed drastic changes to be brought with the status of FATA. If a separate provincial status was to be given to FATA, then it will need an individual regional administrative setup, a governor of its own, chief minister, legislative body, Cabinet, its taxation system, and an independent

---

<sup>3</sup>NFC (National Finance Commission) award is meant that taxes collected by the federal government to be distributed which form the divisible pool. It includes taxes on income like sales tax, corporate tax and export duties etc. The financial resources of the federal government thus collected is distributed between the federal government and the provinces. After every five years the NFC is constituted according to Article 160 of the Constitution by the president for a period of five years.

authorized secretariat to focus on tribal affairs. Whereas in the case of a quasi-autonomous proposal, the elected autonomous council will administer FATA political administration and will take independent decisions in sectors like health, education, industry, and job creation (Tribal News Network, 2016, September 6). Some saw this quasi-autonomous status of FATA as a middle pathway between two opposing options of a merger with KP and separate provincial status. It was stated that under this special status for five years, FATA people would then get much time to decide later whether to become part of KP or to emerge as a separate province.

Out of the four options for the future status of FATA, only two options were focused. One option was that of a separate provincial status for FATA, and the other was the merger of FATA with KP. The majority of the FATA people were also divided into two camps; one supporting a separate province and the other supporting merger with KP, and both the camps tried to propagate their stances by organizing rallies and movements (Afridi, 2015, November 16). A survey conducted in December 2016 by an Islamabad based independent research center declared that 74% of tribesmen broadly support FATA's merger with KP, while 54% of them support this objective (Niaz, 2017, February 2). Considering geographies of FATA's seven tribal agencies are often more integrated with adjacent districts of KP than with themselves. Most of the tribal people were already settled in the adjacent settled districts of KP. People from FATA avail all the educational and health facilities of KP. All the schools and colleges of FATA are affiliated with the boards and universities of KP (Salarzai, 2017, February 22).

FATA's integration with KP is supported by the majority of the major mainstream political parties, including the Pakistan People's Party (PPP), the then ruling Pakistan Muslim League (Nawaz) (PML-N) party, and the Awami National Party (ANP) (FATA Alliance Calls for Reforms, 2017, February 3). Whereas two political parties opposed the merger plan, one is the religious party Jamiat-e-Ullamayi Islam (Fazl) (JUI-F), and the other is the Pashtun nationalist party, the Pakhtunkhwa Milli Awami Party (PKMAP), whose electorate is mostly based in Pashtun populated areas of Balochistan Province. The JUI-F feared losing its support in FATA if merger occurred as it has formidable presence in FATA. Whereas PKMAP though does not have any presence in FATA, but it feared losing support to the other Pashtun nationalist party, the Awami National Party, which has a strong base in KP and will further strengthen its position upon merging of FATA with KP. The PKMAP was calling for a referendum in FATA because they claimed that it is the local people to decide their fate about the merger or have a separate province of their own (Ahmad, 2016, January 30).

The traditional tribal elders almost from all the tribal areas opposed the merging plan because they see their stakes in danger in the new setup. All of them work under the umbrella of the FATA Grand Alliance. The alliance has members of tribal elders from all the tribal agencies. Others fear that FATA will be marginalized once it became part of a larger province (Khan, 2016, October 26). There was also a bureaucratic obstacle in the mainstreaming of FATA because of the vested interests of bureaucrats in the current setup as they enjoyed all the powers of executive, judicial and financial power with no fear of accountability (Daudzai, 2016, December 11). On the other hand, the military establishment supported the mainstreaming of FATA as their opinion carried considerable weight in the strategic decision making in the FATA region (Ali, 2017, February 13).

In its report, the FATA Reforms Committee stated that the advantages of merging are far more significant than its disadvantages (FATA Reforms Committee Report). Ex-Prime Minister Nawaz Sharif, in early March 2017, made a landmark political decision by approving series of reforms, including the merger of FATA with KP. The report suggested that five years time period be set for the reform process. During this period, the legal and administrative integration and synchronization of various departments of FATA with KP were done. FATA will get representation in the KP Provincial Assembly. Khyber Pakhtunkhwa currently has 48 seats in the National Assembly. Once FATA is merged, its representation will increase from 48 to 60. FATA, however, will lose its representation in the Senate after the merger. But the seats of the KP Provincial Assembly will also increase from 126 to 147 after the merger of FATA with KP (Shahid, 2018, May 22). New districts and sub-divisions will be drawn in KP after the merger of FATA, thus will increase the number of administrative units. Currently, there are 26 districts in KP. Initially, the Tribal Agencies will be converted into districts; however, their boundaries may be redrawn in the future because of low population density and in parts for more effective administration and better governance (Babakhel, 2016, September 29).

The disputes and issues in FATA are resolved through the Jirga system, which historically has been in practice for a long time. Resolving disputes and punishing an individual is done according to the local rewaj, which is a set of unwritten codes, customs, and traditions of the tribal areas. Thus the reform process will also bring changes in the traditional methods of resolving disputes. To allay the elder traditionalists of the tribal areas, the government Reforms Committee initially suggested that some elements of the Jirga system would continue under the new Rewaj Act. This move of the government refaced severe criticism and turned out to be the most contentious issue in the reform process.

The government then decided to withdraw this Act because of the widespread opposition to it (Haq, 2017, September 20).

The process of integrating FATA with KP was stalled since the former Prime Minister Nawaz Sharif announced the reform package in March 2017. He showed little interest in speeding up the process because of the opposition of two allied parties, the JUI-F and the PKMAP, which were not in favor of FATA's merger with the province of KP. The then Prime Minister Shahid Khaqan Abbasi, the successor to PM Sharif, promised to move forward with the implementation of FATA reforms (FATA Reforms on the, 2017, August 21). In January 2018, the National Assembly adopted a bill to extend the jurisdiction of the Supreme Court and Peshawar High Court to FATA. FATA thus came under the umbrella of the national judiciary (Gurmani, 2018, January 12). The government also decided to withdraw the controversial Rewaj Act. The National Implementation Committee on FATA reforms has outlined four interdependent aspects, which are political, legal, economic, and security, for mainstreaming FATA. Where the majority of the FATA residents and the major political parties have opted for the integration of FATA with Khyber Pakhtunkhwa, some of the factions still doubted its viability.

#### **FATA-KP Merger Bill Passed Successfully by the Parliament**

The bill was titled as the Thirty-First Amendment Act, 2018 seeking six amendments in different articles of the constitution, which included Article 1, 51, 59, 62, 106, 155, and 246. Article 247 was exclusively repealed, which places FATA under the ambit of the President of Pakistan (Pakistan, 2018). According to the amendments, the number of Senate seats will decrease from 104 to 96 members, where the existing FATA Senators will continue to function till the expiry of their tenure. In the KP Provincial Assembly FATA's 21 seats will be added. This new amendment will also remove the name of FATA as a separate entity from the country's four existing provinces (Haq, 2018, May 24). After passing from the National Assembly on May 24, 2018, the bill was then passed by the Senate with a significant majority. Senators voted in favor were 71, while five Senators from PKMAP opposed it. A total of 69 votes were required to pass the bill from the Senate (Hussain, 2018, May 25).

Though the 31<sup>st</sup> Amendment Bill was passed by both houses of the Parliament yet the provincial assembly was required to pass the bill before the President gave his final assent. Article 239 (4) of the Constitution says that the President cannot approve a constitutional amendment bill, which will affect the geographical boundaries of a province until that provincial assembly passes it. According to the constitutional prerequisite, the bill was passed by a two-thirds

majority. Ninety-two votes were cast in favor, while seven of the MPAs used their votes against the bill (Hayat, 2018, May 27). The final step of merging FATA with KP was completed when the then President Mamnoon Hussain signed the Constitutional Amendment Bill into law. It was done when the Senate Chairman Sadiq Sanjrani received the bill from the Ministry of Law and Justice after its passage from the KP's Provincial Assembly on May 28. The Senate Chairman, after authentication the bill, sent it to the President for final assent under Article 75 of the Constitution (Wasim, 2018, May 31).

### **Analysis**

The tribal areas of former FATA, though, have been merged with the Khyber Pakhtunkhwa province, but reservations are still there in the hearts and minds of the people of the tribal areas. The merging process has been hailed throughout Pakistan, but still, most of the tribal people residing in the tribal areas are not happy with that. They are afraid that their centuries-old traditions and customs will diminish and that in the new setup, they will not be allowed to live according to their traditions. During visits to different areas of former FATA, the tribesmen resented the new set up and showed their reservations. They favored and supported reforms in FCR, but their opinions differed regarding the merger. The tribal *Maliks* were of the view that the old administrative system was much better than the newly imposed one. They believe that their institution of *Jirga* is much more effective as compared to the judicial system in solving the problems of the tribesmen.

Reforms were favored in the tribal areas, but the complete abolition of the century-old system was not in their wish list. During interviews and discussion (from January 2018 to February 2019) with the tribal people, it became clear that the tribesmen were not ready for such drastic transformation in their region. On one occasion, some of the tribal elders (Malik Akbar Khan\*, Malik Sultan Zeb\*, Malik Mahmood Bangash\*, Malik Habibullah Afridi\*, Professor Jawas Khan\*, Dr. Tariq Afridi\* etc.) said that the government did not consult them regarding reforms in FATA. They did not support the report of Sartaj Aziz's committee report and termed it to be based on lies. They were of the view that Sartaj Aziz's committee

---

\*Malik Akbar Khan is one of the prominent elder and leader of Dara Adam Khel, FR Kohat.

\*Malik Sultan Zeb belongs to Bajaur Agency.

\*Malik Mahmood Bangash is from Kurram Agency.

\*Malik Habibullah Afridi is from FR Peshawar.

\*Prof. Jawas Khan is from Dara Adam Khel FR Kohat.

\*Dr. Tariq Afridi is from FR Peshawar.

members held meetings with those tribal elders who were well off and resided in the settled districts of the province. They were the people who did not represent the sentiments of the tribal people. According to them, the committee members did not visit the tribal areas. The significant reluctance of the tribesmen against the new development is the abolition of the old administrative setup. A vacuum has been created where the tribal people and even the administrative officers are confused about the administration of the area. In a discussion held in the Orakzai Agency after the merger, one of the officials told that everything happened in such haste that the Deputy Commissioners (DCs) of the tribal areas were not provided with any other alternative setup to deal with issues of the tribal people in the absence of FCR. He said that “currently there are a hundred prisoners in my lockup who are imprisoned for the last six, seven months for committing minor crimes. Under FCR, we usually would fine them or imprison them for not more than three months, but now in the absence of any legal system, we cannot decide their fate” (Shah Fahad, personal communication, April 5, 2019).

The abrupt decision on the part of the government regarding the merging of the tribal areas resulted in the miseries of the typical tribesmen. The court’s jurisdiction is extended to ex-FATA to provide justice to the people of the area, but it has created fear and confusion in their minds. They do not have an understanding of the new administrative setup, nor do they have any experience of the judicial system. During interviews and discussions with the tribal people, they argued that their centuries-old institution of *Jirga* is of no match. The judicial system, which has been imposed on them, is a failure. This system of providing justice is costly and time-consuming. The *Jirga* system, on the other hand, is much cheaper and fast means of resolving disputes and providing justice. The tribesmen do not understand the new setup and the judicial system. Though FCR is no longer functional in the area and the terminology of the political administration has changed from APA, PA to AC and DC but the attitude of the administrators is still the same. People of the area still rely on *Jirga* for resolving their issues because it is their institution, and its members are their people. During interaction with the tribal people, the author asked them whether the *Jirga* system should continue or given a place in the new administrative setup. The majority of the tribesmen responded in affirmative. They believe that the poor tribesmen cannot afford the new court and judicial system. They made it clear that within the new setup, the *Jirga* system should be given a place and also legal protection. They also stated that *Jirga* should not be abolished as it is very much effective and practicable in the tribal societies of ex-FATA.

In the new administrative setup, levies and khasadar forces are transformed into the police force, and the court system is yet to be established.

Regarding the police force, the tribal people have many reservations. There are instances of tribal people's violent reaction to the presence of a police force in their areas. They were pelted by the tribesmen and compelled them to run away from their areas. *Khasadar* and levies are tribals. The tribal people have no issue with them. Even after changing their status to the police force, the tribal people did not object it. Their primary concern is that forces from other areas should not be deployed in their areas. In one of the author's observations on March 27, 2019, where people of the Dara Adam Khel, which is a part of FR Kohat, assaulted a policeman. Who started patrolling in the area.<sup>4</sup> Reactions of the tribal people to the new developments are a natural phenomenon. Merging of the ex-FATA surely will bring drastic changes in the lives of the tribal people. Most of them believe that the transformation was taken in haste.

The process of merging of tribes with the province of KP was done abruptly and without their consultation. During a visit (15<sup>th</sup> to November 18, 2018) to Bajaur and Mohmand Agency, discussions were held with students, teachers, and some of the *Maliks* of the area. They were of the view that the ten years plan, which was given by Sartaj Aziz's committee, was very suitable for the ex-FATA region. They believed that within specified period, a transformation would have occurred, the lives of the tribesmen would have socio-economically transformed rather than the chaos created after the merger. The tribals' misperception about the new setup, their lack of understanding of the new administrative and judicial system can be removed if the merger process, which has already been initiated, does not come to a halt. Developmental activities are introduced in the area. A new milestone of tribals representation in the provincial assembly was also achieved by conducting elections on July 20, 2019, in the ex-FATA, where now the tribal people elected 16 MPAs (Members of Provincial Assembly). Voices of the tribesmen can now be heard and raised in KP's provincial assembly.

Devolution seems to be the best option for providing relief to the sufferings of the disgruntled tribes. Devolution is the decentralization of certain powers of the national government to regional authorities, and it is linked to the concept of participation in decision making, democracy, equality, and liberty from high authority. Devolution aims to facilitate greater accountability from the elected officials and to bring governance mechanisms closer to the people to increase the efficiency of government services. A heterogeneous and populous developing country like Pakistan needs several layers of local governments to improve the efficiency of social service delivery and to alleviate the underlying

---

<sup>4</sup> The author belongs to Dara Adam Khel FR Kohat.

causes of ethnic, regional, and socio-economic tensions. The tribesmen depended on their socio-cultural institutions in the absence of state institutions in the erstwhile FATA. The cultural values of the tribes consist of customs, traditions, beliefs, rituals that have a profound influence on the socio-political and economy of their society. These values and traditions not only guide their actions but also help them in resolving their diverse socio-economic and political problems. Problems persist in the tribal region because the essence of tribalism is still vital in the region.

The benefits of devolution allow the citizens to participate in the process of development, planning, and management, which is institutionalized through devolution. Under the system, the non-dominant section of the society will get more excellent representation and equality in the share of resources and investments. Unity and political stability will increase by giving a greater share in the political system, and the power of the local elite will be controlled through devolution. All this process enhances the democratic culture as political participation of the local population increases. As people at the local level are much more aware of the local conditions and know their preferences so through devolution if placed in charge of development and provided with sufficient resources, the services will be improved. Because of the devolution, the problems of corruption, bureaucratic excesses, and inadequate service provision associated with the central government, if not eliminated, can be reduced up to a greater extent.

The local government bodies in tribal areas must be introduced because of the profound significance of the system. This system could be instrumental in transforming the whole tribal society. As there was no such system in FATA, the state had no tools or mechanisms to uplift socio-economically the tribal areas and its people. The tribal people who were deprived of their fundamental rights can be provided with necessary and modern facilities through the local government system. If share allotted under the federal divisible pool to the tribal areas is properly utilized through the local council bodies, it is assumed that within a short period whole of the tribal area will be transformed. Besides the federal share of the money, the tribal areas have much more resources of generating revenues, which again could be utilized in the uplift of the area. After mainstreaming through the constitutional amendment, an elected local government system is a must.

Once established, the local government setup will help remove the trust deficit in the minds of the tribal people regarding governmental institutions. The mindset of the tribal people cannot be changed so quickly because they have a firm belief in their own culture, traditions, and institutions like the *Jirga* system

and *Maliks*, etc. The *Maliks* of the area, though somehow have worked for their people in resolving issues of the people from a broader perspective, exploited their position. They, in connivance with the political administration, swallowed most of the developmental funds. The benefit of the local government system will be that in a short period, most of the essentials of life like health, education, water, and sanitation will be improved and will be available to the people of FATA. KP government, on the other hand, in the absence of local government setup in FATA districts, will take ample time to bring those changes and providing those facilities. The local government system will provide the tribal people a platform for representation.

The local government setup is the only way of bringing the neglected strata of the tribal areas to the mainstream politics. Women in tribal areas are the most deprived of about all the fundamental rights like the right to vote, right to education, right to contest elections, etc. The local government system will provide an opportunity for women representation in the system by reserving seats for them. As the tribal society is very conservative, the tribal women under the local government system are allowed to work in their own houses instead of any offices. Being a segmentary society, a single clan or tribe descent from a common ancestor, which means that women in a single administrative unit will not have any issue in visiting one another's home. In this way, they can better discuss their problems and issues with a female officer who is one of them.

### **Conclusion**

Though reforms are extended to FATA, yet complete integration of the tribal areas with KP is a distant dream. The government's policy towards these tribal areas is much appreciable where draconian laws have been nullified, and court's jurisdiction extended. But the old system is still in practice where the only nomenclature of the bureaucratic administrations is changed, but their colonial attitude of the administration persists. The establishment of the local government system in the erstwhile FATA will bring drastic changes, where the common tribal people will come to power to look after their affairs by themselves. Within the setup of local government, traditions, and culture of the tribal people be given some prominence because the centuries-old traditions and practices of the people cannot be washed away within a short period of time. In the local government system, representatives of the people at the local level are among themselves and not aliens. The locals better understand the problems and issues of their own.

The tribal people of ex-FATA for a long time been in a sort of isolation as they were dealt with differently on every level of life, thus remained unaware of the political processes and political institutions. The local government system, if

set up in these areas, will quickly create and enhance political awareness in the people of ex-FATA. This devolution will not only help in the development and progress of the area but will also remove the reservations of the tribal people. The challenges of managing expectations of how much and how quickly this merging process will deliver can be done by equalization policies of providing equal opportunities to access essential social services to the tribal people.

### References

- Afridi, A. (2015, November 16). At Loggerheads: Rallies Held over FATA's Future Status. *The Express Tribune* [Islamabad], p. 2. Retrieved from <https://tribune.com.pk/epaper/>
- Ahmad, W. (2016, January 30). Achakzai Led Jirga Rejects 'Reform Committee Report', Demands Referendum in FATA. *Tribal Post* [Peshawar]. Retrieved from <http://tribalpost.pk/news/5324/achakzai-led-jirga-rejects-reforms-committee-report-demands-referendum-fata>
- Ali, Z. (2017, February 13). Military Favours Mainstreaming of FATA, Says Bajwa. *Dawn* [Islamabad]. Retrieved from <https://www.dawn.com/news/1314494>
- Associated Press of Pakistan. (2016, August 23). Committee Recommends Four Basic Options for Reforms in FATA, Wide Consensus on Integration of FATA with KP. Retrieved from <http://www.app.com.pk>
- Babakhel, M. A. (2016, September 29). Integration of FATA. *The Express Tribune* [Islamabad]. Retrieved from <https://tribune.com.pk/story/1190930/integration-of-fata/>
- FATA Alliance Calls for Reforms in Tribal Areas. (2017, February 3). *Daily Times* [Islamabad]. Retrieved from <https://dailytimes.com.pk/31211/fata-alliance-calls-for-reforms-in-tribal-areas/>
- Daudzai, R. K. (2016, December 11). Status quo in FATA mocks reforms. *The News* [Islamabad]. Retrieved from [http://tns.thenews.com.pk/status-quo-fata-mocks-reforms/#.Xc2G\\_dIzbIU](http://tns.thenews.com.pk/status-quo-fata-mocks-reforms/#.Xc2G_dIzbIU)
- FATA Reforms on the Back Burner. (2017, August 21). *Dawn* [Islamabad]. Retrieved from <https://www.dawn.com/news/1352824>
- National Assembly of Pakistan (2018, May 44). Thirty-First Amendment) Act, 2018. Retrieved from [http://na.gov.pk/uploads/documents/1527169356\\_307.pdf](http://na.gov.pk/uploads/documents/1527169356_307.pdf)
- Ministry of Foreign Affairs.(2016). *Report of the Committee on FATA Reforms 2016*. Government of Pakistan. Retrieved from website: <http://www.safron.gov.pk/safron/userfiles1/file/Report%20of%20the%20Committee%20on%20FATA%20Reforms%202016%20final.pdf>

- Gurmani, N. (2018, January 12). Bill Extending PHC, SC Jurisdiction to FATA Passed by National Assembly. *Dawn* [Islamabad]. Retrieved from <https://www.dawn.com/news/1382472>
- Haq, R. (2017, September 20). FATA Reforms: Government Withdraw Rewaj Act, Senate Told. *The Express Tribune* [Islamabad]. Retrieved from <https://tribune.com.pk/story/1511104/fata-reforms-govt-withdraw-rewaj-act-senate-told/>
- Haq, R. (2017, March 3). It's Official: FATA to be Merged With KP. *The Express Tribune* [Islamabad], pp. 1-9.
- Haq, R. (2018, May 24). NA Passes 'Historic' FATA, KP Merger Bill. *The Express Tribune* [Islamabad]. Retrieved from <https://tribune.com.pk/story/1717822/1-imran-khan-likely-attend-na-session-k-p-fata-merger/>
- Hayat, A. (2018, May 27). KP Assembly Approves Landmark Bill Merging FATA with Province. *Dawn* [Islamabad]. Retrieved from <https://www.dawn.com/news/1410351>
- Hussain, D. (2018, May 25). Senate Passes FATA-KP Merger Bill with 75-5 Vote. *The Express Tribune* [Islamabad]. Retrieved from <https://tribune.com.pk/story/1718734/1-ppp-pti-set-throw-weight-behind-k-p-fata-merger-bill-senate/>
- Khan, T. (2016, October 26). Mainstreaming or Cornering FATA? *The News* [Islamabad]. Retrieved from <https://www.thenews.com.pk/print/159849-Mainstreaming-or-cornering-Fata>
- Merger of FATA with KP Viable. (2016, October 6). *The Nation*. [Islamabad]. Retrieved from <https://nation.com.pk/06-Oct-2016/merger-of-fata-with-kp-viable>
- Niaz, T. (2017, February 2). 74 pc of Respondents Endorse Merging FATA into KP: Study. *The Nation* [Islamabad], p. 13. Retrieved from <https://nation.com.pk/E-Paper/islamabad/2017-02-02/page-13>
- Salarzai, N. (2017, February 22). Equality for Fata. *The News* [Islamabad]. Retrieved from <https://www.thenews.com.pk/print/187927-Equality-for-Fata>
- Shahid, S. (2018, May 22). KP Assembly Seats Will Increase to 147 After FATA Merger. *Pakistan Today* [Islamabad]. Retrieved from <https://www.pakistantoday.com.pk/2018/05/22/kp-assembly-seats-to-increase-to-147-after-fata-merger/>
- Tribal News Network (Director). (2016, September 6). In *Traditional Leadership Struggle for Creation of FATA Council*. Peshawar: [www.radiotnn.com](http://www.radiotnn.com).

- Wasim, A. (2018, May 24). National Assembly Green-Lights FATA-KP Merger by Passing 'Historic' Bill. *Dawn* [Islamabad]. Retrieved from <https://www.dawn.com/news/1409710>
- Wasim, A. (2018, May 31). President Signs KP-FATA Merger Bill into Law. *Dawn* [Islamabad]. Retrieved from <https://www.dawn.com/news/1411156>