

THE CHALLENGE OF REFORMING THE FATA REGION OF PAKISTAN: A CRITICAL ANALYSIS OF ITS MERGER INTO KHYBER PAKHTUNKHWA PROVINCE

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Abstract

Constitutionally speaking, the erstwhile FATA region has always been considered an integral part of Pakistan. However, over the last six decades, this region consistently remained isolated from the national mainstream socio-economic and political life. As a result, it is one of the least developed regions of Pakistan and its governance issues are widespread. Successive Pakistani regimes have attempted different reform packages and development strategies, but it did not substantially transform the region and its governance issues continued. In an attempt to reform and integrate the FATA region into the national mainstream, in 2018, it was merged into the Khyber Pakhtunkhwa province. Many have hailed the merger scheme and lots of expectations are associated with it. However, others have criticised these arrangements as insufficient and unsubstantial to meaningfully transform the FATA region. This article critically examines the merger scheme and seeks to explore that how far it is a viable option and will it help in meaningfully mainstreaming the FATA region and solving its multipronged issues.

Key Words: FATA, Governance Issues, Mainstreaming, Khyber Pakhtunkhwa, Pakistan.

Introduction

As a result of the British colonial power departure from the Indian-subcontinent, Pakistan and India emerged as independent states. The Indian Independence Act of 1947 abrogated all the treaties that had tied the different dominions of the subcontinent with the British government.¹ Thus, it left these dominions independent and its people were then free to decide about their future destinies, either as part of Pakistan or India. In this process, the tribesmen from the erstwhile Federally Administered Tribal Areas (FATA) expressed their popular will to join Pakistan as their mother state.² Although the FATA region has always been recognized as an integral part of Pakistan, it has consistently remained secluded from the national mainstream social, economic, legal and political life. Successive Pakistani regimes continued to administer this

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region through a peculiar system of administration, inherited from the British colonialists, which differs significantly from the one that is applicable in the rest of the country.³ They have consistently ignored the development of these areas and improving their governance system by extending the formal governance structure and regular administrative machineries of the state. As a result, this region is one of the least developed regions of Pakistan and its governance issues are widespread. According to an estimate, the poverty ratio in FATA region is 73.7 per cent.⁴ Similarly, according to the United Nations Human Development Report 2015, “nearly three in four residents of FATA are impoverished in terms of education, health or living standards”.⁵

Given the murky development indicators and poor governance conditions in these areas, analysts have stated that this region has merely been weakly administered and not governed. In this connection, Rahimullah Yusufzai has rightly stated that, “FATA region was not federally administered in any sense of the world”.⁶ Similarly, Ayaz Wazir says that, “The FATA region has not been a case of misgovernance, but rather of an absence of governance”.⁷ The absence of a formal governance system and regular administrative structure has led to governance gaps and serious law and order issues in these areas. Such conditions provided an ideal opportunity for the non-state actors, who stepped in and shrewdly cashed such a situation to their ends. Shortly, after establishing their sways, the militants and other outlaws started their alleged activities and gradually turned the situation in tribal regions into chaos. In view of the degrading law and order situation and widespread human rights violations in the tribal region, there have been consistent calls from the international community and human rights organizations, to introduce meaningful reforms and integrate these regions into the national mainstream life. In this regard, successive Pakistani governments have conducted different development experiments and attempted various reform strategies but this did not bring any substantial changes and improvements. Thus, it is reforming and integration into the national mainstream has become a complicated issue and a challenging task before Pakistan.

With regard to the FATA region’s reformation and integration into the national mainstream and what should be its likely future status, there has been disagreement over the mode of reforms and style of integration. In this connection, different suggestions and proposals have been under discussion in the official and public circle debates. These opinions can be broadly divided into three groups. One group suggested that, the FATA region should be made a separate province. The second group recommended that the FATA region should be merged with the Khyber Pakhtunkhwa (KP) province. The third and pro-status quo group voiced that the existing tribal system of governance should remain intact, as it is, and that some amendments should be made in it to make it workable and convenient. Amongst these alternative suggestions, the two

options that have been debated in most detail were; to make the FATA region a separate independent province; or to merge it into the KP province.

The Pakistan Muslim League Nawaz (PML-N), after coming into power in 2013, resumed the FATA reformation process and decided to take some pragmatic reform steps. For this purpose, in 2015, a committee was constituted and entrusted with the task of consulting the concerned stakeholders and devising policy suggestions on changes in the existing administrative system of the FATA region and its likely future status.⁸ The committee, after consultations with different stakeholders and exploring different available options, recommended the merger of FATA with the adjoining Pashtun-dominated KP province.⁹ As a result of this resolve, in 2018, a bill was introduced in the National Assembly of Pakistan that got passed with majority votes and the fate of FATA was decided by merging it into the KP province.¹⁰

The merger scheme has opened up a new venue of debates and discussions in the official, public and academia circles. In this regard, opinions differ as some support the merger scheme and have forwarded different logics to prove its utility, while others criticize it on various grounds and state that it is a temporary arrangement and not that much substantial. Thus, the quest of this article is mainly guided by two major questions: How much the FATA merger into the KP province is a viable option and whether it will help in meaningfully mainstreaming the tribal region and solving its multipronged issues. What if FATA is named a separate province, will it be more workable?

The Rationale of FATA's Merger into KP Province

The proponents of the merger scheme have hailed the latest set of reforms as unique and unprecedented, when compared to the previous reforms, and the merger scheme as a bold step in the right direction. It is unique in a sense that for the first time, FATA reforms got Presidential assent and are backed by practical constitutional amendments.¹¹ Similarly, it is a fundamental break from the past and a bold step, as it has changed the decades old status of FATA.¹² Those who support the merger scheme state that the other options, creating the tribal region as a brand new province or keep continuing with the status quo, are neither practical nor affordable and can even lead to further problems and complications. They have forwarded certain historical, geographical, economic, cultural and administrative reasons to corroborate the merger idea as a viable option and to prove its usefulness.

When the British started planning to withdraw from the subcontinent, the discussion about the future fate of the FATA region was underway in official and public circle debates. It was generally advised that assimilating the tribal areas into the adjacent North West Frontier Province (NWFP) seems reasonable to substantially transform the tribal areas and to give them a definite future

status.¹³ The logic behind this idea was that the two regions are Pashtun dominated and their populations share the same religion, language, culture and customs, and are in no way different from each other.¹⁴ It is generally said that the division of these regions during the British period, creating the tribal areas as separate administrative units and declaring the other Pashtun dominated frontier settled areas as a separate province, was unnatural and purely done for furthering their colonial interests.¹⁵

In 1945, Sir George Cunningham, former Governor of NWFP (now Khyber Pakhtunkhwa), once inquired from Abdul Jabbar Khan, popularly known as Dr. Khan Sahib and who served as Chief Minister of NWFP during that time period, what ought to be the future destiny of the FATA region. In response Dr. Khan Sahib stated that, "The only natural and right thing to do was to merge the tribal areas into the adjacent Pashtun dominated province and that both regions should be turned into one province".¹⁶ Hence, in September 1947, Governor George Cunningham, while sensing the practicality and sensibility of this idea, in his first note on future Frontier Policy stated that, "The affairs of tribal region should be handled by the provincial assembly of the KP province (then called NWFP)".¹⁷ However, keeping in view the economic and other administrative constraints of the newly born state of Pakistan and the sensitive nature of the tribal areas, the central government was reluctant to change the status of tribal areas and agreed to keep the final decision pending till a suitable time.¹⁸ In this backdrop, the proponents of merger scheme state that the idea is not a fresh entry and got its entry and relevance during the era of 1940s.

Similarly, many Pakistani state officials and policy makers have consistently nodded in favour of the merger option. For example, in April 2006, General Perviz Musharraf, then President of Pakistan, constituted a task force, the President's Task Force on Tribal Reform, to recommend measures that would bring governance improvements in the FATA region and help in dealing with the security issues in these areas.¹⁹ The task force team, after thorough homework and consultations with different stakeholders, submitted its report and recommended that the FATA region merger into KP province could help in achieving the stated objectives.²⁰ Likewise, leaders of the major mainstream political parties also have supported the merger option. For example, point number 8 in the 36-points Charter of Democracy signed between the Pakistan People Party (PPP) and Pakistan Muslim League Nawaz (PML-N) in 2006 suggested that the best future strategy is that the two Pashtun dominated regions (FATA and KP) should be turned into a one province.²¹ Similarly, point number 12 of the National Action Plan (NAP) also stated that reforming the FATA region and improving its security situation is possible by merging it into the KP province.²² In addition, almost all the reform committees and commissions, constituted by successive governments to recommend

suggestions for reforms and the FATA region's future status have recommended the merger option.²³

Apart from such historical facts and policy suggestions, the proponents of the merger scheme also have forwarded certain geographical factors that endorse the merger plan, rather than changing FATA into a separate province. The FATA region is a narrow tract of lands, 1200 kilometres long and 130 kilometres wide, that borders different regions of the KP province.²⁴ Although, all the agencies of FATA (now renamed as tribal districts) are geographically contiguous, but they are not directly linked to each other. They are mostly connected with the settled areas of the KP province. Hence, they do not have a suitable central locality inside the region which can be generally agreed upon as provincial headquarter if these areas were made a separate province.²⁵ In addition, the former agencies are not connected with each other through a direct road link. Bajaur and Mohmand are linked through a road, as are North and South Waziristan. Except this, there are no road links connecting the seven agencies and frontier regions.²⁶ All these regions are linked with KP through the road network and one has to travel through the adjoining settled districts of the province, when planning to go from one tribal agency to another. According to a local from Bajuar region, "if one wants to travel to Waziristan from Bajuar, he will have to drive 90 per cent of the way through the settled areas of KP province".²⁷

Due to the geographical layout, the FATA region has always been dependent on the KP province for economics, health, educations, logistics and other supplies.²⁸ For example, students from FATA region used to pursue higher education and employment in KP and businessmen from FATA are engaged in variety of businesses and trading activities in different parts of the province.²⁹ The tribesmen from North Waziristan consider Bannu a second home for businesses and other facilities of daily life, while people from South Waziristan region are usually benefiting from the amenities of Tank and Dera Ismail Khan.³⁰ The people of Bajaur region used to go to Dir and Timergara (districts of KP), for shopping, jobs, and other necessities of life, the people of Mohmand region often prefer going to Shabqadar in Peshawar instead of going to Bajaur, the Khyber region also opens up in Peshawar, and Orakzai region in district Hangu of KP province.³¹

The merger scheme is also supported by certain social, cultural, and linguistic similarities between the two regions (FATA and KP). It is worth mentioning that a significant numbers of people originally from the FATA region are already residing in KP province. These people are now adjusted in different parts of the KP province and abide by its cultural values and regular formal laws. For example, the people from Khyber and Mohmand regions are no different from the ones in Peshawar or Charsadda (districts of KP). They share

the similar language, culture and mores, and have become engaged in inter-families relationship and marriages.³² According to a local tribesman from Bajuar region, “There are vast socio-cultural differences between the tribes of former seven tribal agencies. It is very hard for its residence to understand each other dialects and some even cannot fluently communicate few words with each other”.³³ For example, it is hard for the people of Bajuar and Mohmand to understand the local dialects of Wazirs and Mehsuds of Waziristan and vice versa”.³⁴

Apart from the FATA region’s territorial contiguity and social relations with KP, the suitability of KP’s administrative mechanism, to be extended to the newly born tribal districts, also endorses the merger option. Historically, the administrations of KP and FATA have been remained interlinked with each other. Many affairs of the former tribal areas already used to be managed by the KP administration. For example, the governor of KP was already the President’s agent for the tribal areas.³⁵ The governors of all other federating units are only constitutional heads of their respective provinces, but in the KP province, the governor used to perform two roles: one, he is the constitutional head of the KP and second, he was also the Chief Executive of the FATA region.³⁶ He carried supreme powers on behalf of the President of Pakistan and used to appoint Political Agents (PA) in the former tribal agencies and these PA (s) were directly answerable to him.³⁷ In addition, all the line departments of FATA region used to be run by officers from KP, as most bureaucrats deployed in FATA used to be posted to KP and from there into the tribal areas.³⁸ Thus, constitutionally speaking, the central government had the authority to administer the former tribal areas, but practically it was the KP administration that was managing the FATA region affairs.

The proponents of merger scheme also state that giving the FATA region a separate provincial status would also mean creating another Pashtun province. The government was fearful of the fact that such a move would have its likely domino-effect on other communities in the country, aspiring for creating a separate province of their own. Thus, to avoid such a likely scenario in the future, the merger idea was picked up as a reasonable choice. For example, it would have impelled the Hindko-speaking Hazara-based communities, who are long advocating for the creation of a Hazara province, to reason that they deserve the similar status, if it was given to the FATA region.³⁹ It may also have encouraged debate for another Pashtun province in southern Baluchistan and could ignite parts of Southern Punjab, Seraiki-people, to quest for the border line readjustments of former Frontier Regions Tank and Dera Ismail Khan (D.I. Khan).⁴⁰

Furthermore, the proponents of merger scheme state that running the administrative machineries of a province without ample resources and a team of

trained manpower is easier said than done. In case if FATA was to become a province, it would require huge resources as well as a new set of administrators to meet its administrative and managerial expenditures. It is worthwhile mentioning here that the topography of FATA region is typical of its kind. It is comprised of tough mountainous and rough terrains. Being a mountainous region, it does not offer vast agricultural land and produces very less, if not nothing. Out of the total areas only 7 per cent is cultivable.⁴¹ Out of the total cultivable land, only 44 per cent is under irrigation, while rest of the areas are entirely dependent on rainfall.⁴² Due to such topographical features, the yield ratio of the region is very low. It is estimated that the cultivated land produces only 100 tons of wheat, annually, for a population of more than 12 million people.⁴³ Due to such low productivity, the region has always been dependent on the federal government and KP province, for financing its development portfolios and other administrative expenditures.

In this backdrop, the idea of merging FATA into KP looks sensible and pragmatic, than making it a separate province of its own. The given logic is that the creation of FATA as a new province will require the establishment of an altogether new governance and administrative mechanisms; the creation of legislative, administrative, and judicial branches. Thus, replacing the already working arrangements and establishing a brand new set up would require huge financing, which probably will cause immense costs to the national purse.⁴⁴ Similarly, the new set up in FATA would have to begin from the ground up and learn, create and implement Pakistan's formal laws and regulating the tribal society with regular administrative machineries.⁴⁵ While the region's merger into KP province will prove cost-effective and no fresh gigantic arrangements would be needed and the already functional administrative structures of KP could be used in the newly created tribal districts.

Critical Assessment of the Merger Scheme

If one goes through the whole course of merger scheme and critically analyses both sides of the same coin, it will bring to the forefront some loopholes and drawbacks. Thus, it may be valuable to discuss some of its pitfalls and weak areas, to help policy makers take correct measures in future. Abrupt mergers of the two regions and hustling in introducing and passing the amendments bill without detail deliberations and genuine consultation and participation of the key stakeholders, especially the tribal people, have led to some questions and ambiguities in the minds of many. Thus, the major questions that hit the mind are: is merger the result of administrative needs of the FATA region? Is it directed to improving governance and developing the region, or it is stimulated by external pressures, which are pressing Pakistan to reform and integrate these lands into the national mainstream?

The opponents of merger scheme have criticised it on various grounds. They state that the current arrangements are not the outcome of the administrative needs of the FATA region and look like a temporary arrangement. To them, the government does not seem serious to solve the FATA region's problem efficiently. In this regard, Ayaz Wazir, who is among the opponents of merger, puts it as, "by doing all these things the government intends to transform the issue, rather than to solve it on permanent basis".⁴⁶ In view of intense regional and international pressures the government of Pakistan could not further delay the tribal regions reforms. In such a scenario, they rejected the idea of a separate province and decided to merge these regions into the KP province, as a viable strategy to divert the international pressure and not to disturb the existing settings of these regions, for reasons well known to them.⁴⁷ Similarly, Rustam Shah Mohmand states that, "the decision of merger can be described as an attempt on the part of central government to fulfil the formalities and absolving themselves from the responsibility of administering the FATA region, simply by passing on the burden to the KP administrators".⁴⁸

Critics also point to the economic dimensions as a major factor that convinced the government rushing to choose the merger option, rather than making the region a separate province. They criticize this plan and state that, "it is not the only viable option, but, rather the less costly option".⁴⁹ The merger scheme looks less expensive than creating altogether a brand new separate province, as a separate provincial set up requires huge financial resources and other administrative arrangements. According to a government official, "25 per cent of reforms in the FATA region require no much monetary resources, but the remaining 75 per cent cannot go without gigantic funds".⁵⁰ Thus, the unwillingness of the government can be counted in the list of those factors that are blocking the way of FATA region to become a separate province of its own.

In this backdrop, critics have asserted that the merger scheme is not, as such, a big achievement. They state that the tribal regions were already merged with the KP province, in a sense that these regions remained dependent on the province for health, education, administration and economy. In view of the poor governance and low development indicators of FATA, the current reforms are too little and look like old wine in new bottles.⁵¹ Hence, the piecemeal merger and insufficient reforms cannot help in meaningfully mainstreaming the FATA region and solving its multipronged issues.

If one critically analyses the merger scheme and the administrative arrangements that are currently in place in the newly born tribal districts, it will bring to the forefront some grey areas that are confusing. Although, the FATA region has been merged with the KP province but still it is being governed through Interim Governance Regulations 2018.⁵² This is the most confusing and controversial aspect of the latest reforms. This Act retains some features of the

outdated laws, previously in force in these areas, which is nothing more but a replica of the old regulations. It is said that this Act will remain in place in the post-merger period and continue to work until the proposed reforms are implemented and the region mainstreaming process is completed.

Now the question is how long it will take to complete the full-fledged mainstreaming, and during this process, what would be the status of customary laws and other such regulations, which are currently in place in the tribal regions. The transition period, proposed under the banner of this reform package, is also plagued by uncertainties. The 2015 FATA Reforms Committee proposed a 10 years transitional period to complete the merger arrangements, while the Bill signed by the President stipulated two years, and the Interim Regulation limited it to six months.⁵³ Similarly, in the post-merger period, the mechanism of proper distribution of powers between the Governor and the Chief Minister of KP, or the federal government and the KP province is also not clear enough. The distribution of power and defining the spheres of the concerned authorities is yet on its way to reach a solvable and appetizing mechanism.⁵⁴ Thus, things are vague and complicated, as there is no clear cut vision about the future administrative set up and other managerial affairs of these regions.

In the post-merger period, the KP province is supposed to take the lead and accept the additional administrative responsibilities of administering the seven newly merged tribal districts. It is pertinent to mention here that, due to prolonged neglect and conflicts, the FATA region is one of the backward and underdeveloped regions of Pakistan. The region includes some exceptionally underdeveloped and conflict-ravaged areas, where the infrastructure stands devastated and administrative arrangements are either considerably absent or largely non-functional. To recover these areas from their current devastating condition, a marshal plan with a huge amount of resources will be needed.⁵⁵ Therefore, it is worrying that establishing the administrative infrastructure and smoothly administrating the tribal districts will be a challenging task for the KP administrators. Similarly, it is also imperative to ensure that in the post-merger period, the resources meant for the tribal districts are properly spent in these regions and that the KP government sincerely looks after the merged regions.

Thus, the plan is not as simple as it seems to be. As one analyst puts it, "It would not have taken more than a week of the officials to complete the files work with regard to the merge scheme and merging certain departments of FATA and KP. However, its management is going to be a cumbersome task".⁵⁶ It is pertinent to mention here that the KP province is already overwhelmed by the lack of financial resources to meet its administrative and managerial requirements. In this connection, the province has serious grievances and is in a continuous tug of war with the central government. The additional burden of

administering the tribal districts will further add to its responsibilities and frustrations.⁵⁷ The main problem is the availability of resources to make KP able to administer the tribal districts and run its own mainstream affairs. The federal government has suggested an amount of PKR 120 billion annually, to finance a comprehensive socio-economic and political development plan for the newly declared tribal districts (former agencies), which is estimated to spread over a time period of 10 years.⁵⁸ However, such a generous package has been made without indicating from where the resources will come. To keep on the commitment, the federal government is eyeing on cuts to the budgets of central and provincial governments in the National Finance Commission (NFC) divisible pool.⁵⁹ However, the smooth materialization of this idea is not that much easy as it seems to be, as currently there is no agreed formula and consensuses between the central government and the federating units.⁶⁰

Similarly, administering the newly added seven districts, only on their own, will not be possible for KP, and for this purpose, it will heavily require the assistances of the federal government, in terms of capital and supervision. It will only be possible and smoothly done when there are friendly working ties between the central and provincial governments (Islamabad and KP). Without this, the province may not be able to sustain the extra financial burden and responsibilities. Hence, along with other complexities and issues, the merger scheme will entirely depend on the bilateral smooth relations between the Federal and Provincial governments, which have mostly been strained during successive past regimes. An analyst points to a similar concern and states that “this is especially likely to be the case when the provincial government in KP and the federal government will be formed by different political parties”.⁶¹

Analysts have warned that both regions would suffer as a bigger province, having more area and population and limited resources to meet its needs. In this connection, Farhat Taj has rightly stated that, “The presence of five million Afghan refugees in different parts of the KP for more than thirty years have caused various problems for the KP province such as impact on the infrastructure, illegal businesses, and various other social issues. Merging the seven tribal agencies, which produce the very least and have a titanic population, would probably be the last straw on the back of KP province”.⁶² The tribal people also see the new arrangements with suspicious eyes and they are uncertain about any improvements. An analyst shares the tribal peoples concern that, “KP is a poor province that looks to international donors and the federal government to meet its own needs. There are some districts in the province (KP) that are worse-off than some tribal areas. If it cannot manage itself, how will it manage us”.⁶³ Hence, how best to balance and secure the legitimate interests of the population of both regions and smoothly administer the two managerial affairs, are among the key tasks and challenges that needs to be carefully dealt with. However, doing this is easier said than done.

In this backdrop, analysts have stated that the current arrangements are insufficient and have warned of its consequences. The general concern is that, any mishandlings can create further issues and complexities, which will have unprecedented consequences for both regions (FATA and KP). It can even cause political instability and aggravate the security situation of the KP province, which is already facing administrative and security issues in some of its far-reaching peripheral territories. In view of the partial merger of FATA and the temporary arrangements, which are currently in place in these areas, it may not be an overstatement to say that such a situation can lead to the worst kind of scenario, the one we had observed in the Swat region of KP province, when the region was abruptly merged into the mainland Pakistan in 1969, without any preparation and proper arrangements.⁶⁴

The Swat state, comprised of Swat, Dir, Chitral, Malakand and its surrounding areas, came into being in 1915. Since its inception, it was mainly governed according to the local customary laws and mores, mostly made by the local *Jirga* (council of elders) or the ruler himself.⁶⁵ The situation, however, totally changed when the region was merged into the mainland Pakistan. During the course of the merger planning a bunch of regular laws of the country were abruptly extended, which led to grievances and unrest among the local population. The major reason was that they had a good understanding of the local customs and were unfamiliar with the state's regular laws and time-consuming courts procedures.⁶⁶ Owing to the grievances of the local population, the government introduced the Provincially Administered Tribal Areas (PATA) Regulations in 1975.⁶⁷

However, the regulation proved a futile attempt, as instead of redressing the grievances of the people it created further complexities and ambiguities in their minds. The situation was vigilantly cashed by the non-state actors to their ends, which gradually translated into full-swing militancy in the Malakand region and its adjacent areas. To cut the long story short, the main responsible factor of governance problems and subsequent militancy in the Malakand region was its abrupt and incomplete merger and ambiguities in running the affairs of the society.

The Possibility of Making FATA a Separate Province

The opponents of merger scheme state that if the aim behind reforms and mainstreaming is to secure long-lasting peace and develop the FATA region, then it can only be achieved by giving this region a permanent separate status of its own. Merger is not a proper solution to the problem. The historical experiences show that administering the FATA region from Peshawar has always been troublesome. Although, the FATA region has been dependent on and was mainly administered from KP but after passing of more than seventy

years, these areas have seen no governance improvements and remained extremely underdeveloped. Hence, further putting it under KP, the region will suffer on multiple accounts. According to Owais Ahmed Ghani, former Governor of KP province, “if the intention behind mainstreaming is the political, economic, and social development of the FATA region and its residents, then the best way of doing that is not putting it under the KP province”.⁶⁸ Similarly, Ayaz Wazir, states that “nobody else can solve the tribal people problems. The solution only lies in giving them a government of their own. As the boundaries of FATA region are clearly defined, so the government needs to agree to give it the status of a province like it did to Gilgit-Baltistan”.⁶⁹

The supporters of a separate province for FATA have forwarded different logics and counter-arguments that defeat the rationale of merger, as the only viable option. For example, the proponents of merger state that in geographical settings FATA is a narrow strip of land and its regions are not connected through the road. Thus, it is difficult to be administered easily and so it cannot become a separate province. The counter-argument is that, if it is the case, then how far it would be easy for Peshawar, the capital of KP province, to administer and govern the far-flung parts of the newly created tribal districts.⁷⁰ Similarly, it is also argued that there is no cultural homogeneity among the former tribal agencies and they have more in common with the adjacent KP province. That is why the merger seems more feasible than making these areas a separate province. In response, critics have stated that this is not, as such, a considerable factor that should be accepted to block the way of making FATA a separate province. According to Rasul Baksh Rais “every reason that is given against the idea of a separate province from the point of view of shared ethnicity with KP province, holds little value. Instead of common ethnicity, it is the history and identity of the place and peoples that qualify a region to be recognised as a separate governing unit. Tribal people are all held together by their Pashtun identity, traditions, customs and language, and this sense of regionalism are as old as their history”.⁷¹

Another argument against making FATA becoming a separate province is that the region produces very less and cannot afford to run the machinery of altogether a new provincial government. The counter-argument is that if it can be administered from Peshawar, by using the existing arrangements, it can also be administered as a separate province, while using the administrative machinery of KP.⁷² In addition, FATA is rich in natural resources. If properly explored and extracted, it has the potential to play its role in the region’s development and can contribute a handsome amount in the national purse as well. According to an estimate, the FATA region has 10,000 million tons marble, 35 million tons copper reserves, 6 million tons soapstone reserves, Chromite 10, Manganese 5, 200 million Gypsum, Silica Sand 600, Dolomite 11, Quartz 3, Cement grade limestone 800, Laterite 20, Nephrite 10 million tons, and 81

million coal reserves respectively.⁷³ Similarly, an estimated 300,000 pine nut trees exist in South and North Waziristan regions, respectively. The average revenue from these trees for the local people is approximately PKR 3 billion, annually.⁷⁴ In addition, though the land of FATA may not be suitable for agricultural purposes, but it has a large potential for fishery and livestock sectors.⁷⁵

Hence, in view of the unfinished merger, confused current administrative arrangements, and issues involved in the merger scheme, the idea of creating the FATA region as a separate province also seems appealing and has a lot of substance. By declaring it a separate province and allowing its residents to govern themselves, the federal government can encounter many governance problems and other associated issues in these areas. It will bring to an end the special and ambiguous status of FATA, which has actually led to many problems and complexities. A separate provincial and permanent status will give the tribal people a sense of ownership and confidence. Currently they are in a swinging position and pessimism has engulfed them, as things are vague and there is no clarity of vision and thought about the future administrative structures of these areas.

Conclusion

While talking about governance reforms in FATA, the major question that comes into mind is: what do we actually intend to achieve from mainstreaming? If it is aimed to bring peace and stability in the region and to develop it socially, politically and economically, then the answer to this question lies in a comprehensive strategy and fully integrating it into the national life, considering all the aspects required for full-scale mainstreaming. A single aspect of reforms should neither be misunderstood as the full-scale mainstreaming nor can it substantially transform the region.

The merger scheme is a bold step of its kind and must be appreciated, however it is not to say that the FATA region mainstreaming is completed and all the issues associated with the region are resolved. The full-fledged mainstreaming is not as simple as it seems to be. It is a complex that involves political, economic, social, legal, and security aspects of the reforms. The merger scheme can be an aspect of the mainstreaming project and not the total sum. More practical and consistent reforms steps are due to be taken to declare these areas as normalized parts of the country and to bring it in the national mainstream life.

The merger scheme may look reasonable and have its substance but it is by no means to say that merger was the only available viable option and nothing more could be thought of reforming the tribal areas and deciding its future fate. The reasoning and counter-arguments, forwarded by opponents of the merger

plan, defeat the given rationale of merger and offer reasons to hope for considering its substitute. The idea of continuing with the status quo is not an option anymore as it is neither possible nor affordable but the possibility of creating the tribal region as a separate province has its substance and seems promising. Hence, in view of the piecemeal merger, confusion in things, and issues involved in the process the idea of a separate province has not died out and will remain relevant in the future.

Endnotes

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