

# Unification, Impact and Future Perspectives of Former Federally Administered Tribal Area (FORMER FATA) With Khyber Pakhtunkhwa (KPK) on Domestic Sanctuary

Muhammad Nisar\*

Department of Mathematics, FATA University, Pakistan

## ABSTRACT

FORMER FATA, being the most praiseworthy and significant part of Pakistan, always deemed to be the rudimentary part of Pakistani province known as KPK. However, after countless efforts and protracted delay, it came into being on the 31st of May for the year 2018. However, after this historically important incident, a lot of changes were observed in the overall economy as well as the sanctuary situation of the country. However, very little research is available to highlight the positive as well as negative impacts of these changes. Therefore, keeping in view the above-explained scenario present study is devised to highlight all these concerns as well as future perspectives to put Pakistan on the success staircase. In this study, very aspects of FORMER FATA will be highlighted including the unification of cultural attributes of FORMER FATA and KPK, conversion of Jirga method into legal management, transfiguration of educational set up from Madrassa to schools, colleges and universities, raising the health standards from tribal stands to urban hospital and other medical facilities, changing the market values and along with overall, change in socio-economic as well as security concerns of the country. Domino effect of this study enlightens the unsatisfactory attitude of government authorities for bringing up the living standards of inhabitants of FORMER FATA along with dawdling development projects. Moreover, it was also observed that initiation was good enough for starting the success evolving schemes but later on, their pace gradually decreased and this phenomenon alarmed the risk of socio-economic instability coupled ringing the threat of national security concerns. Therefore, it is the utmost need of the hour for government authorities to understand the subject matter and reconsider the attributes of FORMER FATA by considering it the vital part of KPK as well as of Pakistan.

**Keywords:** Former FATA, Domestic Sanctuary, Former FATA with Khyber Pakhtunkhwa, Soviet Union (SU)

## INTRODUCTION

FORMER FATA along with its linked country Afghanistan is considered the most terrifying theater of wars, more specifically for dreadful intruders from 323 BC. On the other hand, inhabitants of FORMER FATA and Afghanistan are well known for being brave and fearless; therefore, every royal leader suffered a lot to endure his rule over FORMER FATA and Afghanistan [1-3]. Furthermore, both areas are also known as a graveyard for Realms. For the first time, the Soviet Union tried to occupy Afghanistan in 1979, however, bravery and fearless character of inhabitants didn't let them get success [4-6].

During that time U.S provided full support to the inhabitants of Afghanistan, also well known as Mujahideen to send back the Soviet

Union (SU) into their homegrown areas [7-9]. After that, historically dreadful incidents of 9/11, shook the whole world, and the U.S put the responsibility on the shoulders of Mujahideen, living in Afghanistan. To clear their annoyance, they bombarded the Afghanistan that resulted in severe loss of lives and economy of the country [10-12].

According to a survey, approximately 2996 people died along with 6000 severely incapacitated, and material loss was recorded more than \$10 billion and thus, badly shaken the socio-economic set up of Afghanistan [13-15]. Moreover, after the accomplishment of this incident, FORMER FATA the interlinked area to Afghanistan also suffered a lot and ultimately, both areas got converted into battlefields [16-17].

This awful scenario altered the peace and smashed the political as well as socio-economic set up of both zones [18-20]. Therefore,

\*Correspondence to: Muhammad Nisar, Department of Mathematics, FATA University, Pakistan, Tel: +92-0915885502; E-mail: nisaraeofr@gmail.com

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a survey on FORMER FATA clarifies that approximately 60,000 people lost their lives coupled with materialistic loss as more than \$100 billion [21-22].

FORMER FATA remained the victim of ignorance by government authorities in every walk of life including social, economic as well as political aspects [23-25]. Moreover, FORMER FATA remained the part of as another world country and remained bound to their conservative and local cultural and social esthetics [26-27].

The Pakistani government didn't pay proper attention to the development and success of the FORMER FATA (Wolf., 2016) [28]. However, the untiring effort of the inhabitants of the FORMER FATA region along with their leaders, FORMER FATA was unified with KPK on the 14<sup>th</sup> of December 2016 due to acceptance of resolution in the indulgence of FORMER FATA community. The rudimentary objective behind this historically owned incidence was to put the FORMER FATA on the developmental and success staircase [29-31].

It was acknowledged that to get the basic rights of a better life is also included in the privileges of FORMER FATA community and now, the KPK authority will bring forward the challenges and concerns of FORMER FATA in front of country high ups to resolve them efficiently [32-35]. This matter was accomplished by the recognition of the bill for the formation of the National Implementation Committee in FORMER FATA for the restructurings and reorganizations of developmental projects in the FORMER FATA region in the year of 2017.

However, later on, it was smashed out by the interruption of various lawful authorities as well as by the provision of innumerable references against this bill and reforms [36-38]. However, it is devastating at the moment to realize and highlight the saddest reality of FORMER FATA today. No one is putting the spotlight to highlight the comparison of developmental projects that had been decided at the time of the unification of FORMER FATA with KPK [39-40].

## OBJECTIVES

Following points are devised to enlighten the dreadful facts of government authorities regarding FORMER FATA:

- Historical background of FORMER FATA unification with KPK
- Impact of FORMER FATA unification on alteration of the jurisdictional structure
- Impact of FORMER FATA unification on socio-economic setup
- Impact of FORMER FATA unification on domestic sanctuary

## Literature Review

In his study [41] described an extensive and thorough study of public attitude towards FATA reforms, to be slowly enforced, and to recognize numerous challenges in its implementation. Efforts have been made to remain focused on the steps if adopted, to incorporate and integrate tribal belt in KPK.

Also, it seeks to examine the desired results of FATA reforms. Zaman research study was conducted in Bajaur Agency FATA in which the data was collected from just a sample of 280 participants selected randomly from different regions of the Bajaur Agency via a Likert Scale Questionnaire. The study showed that FATA citizens

are very positive regarding the FATA reforms and they supported the incorporation of FATA into KPK. About group perceptions, most participants were worried about FATA reforms being enforced due to the existence of obvious gaps.

It also shows approval from FATA's general populace because they believe that their legal, cultural, political, judiciary, and financial system will enhance based on FATA reforms and that the civil rights situation will strengthen in the long-term region. The paper suggested that the FCR system could not be strengthened with modifications and that FATA must be fused with KPK without delay.

[42] In his research identified Country-building as an adaptive cultural-political process. Begum says, it not only offers society with protection, integrity, and property, and also guarantees that citizens within the state have democratic representation in claiming rights and performing tasks. It allows a nation to defend its independence, accomplishes commercial objectives, and safeguards national interests at the regional level as well as global levels.

Terrorism is becoming a global threat since before the aftermath of 9/11. Pakistan even allied and supported foreign troops with routes and get exposure to a landlocked Afghanistan to combat this threat. Terrorism has spread over Pakistan around the Pakistan-Afghan border, via the tribal belt identified as FATA.

Federally Administered Tribal Areas (FATA) Unique status, over the past 70 years of Pakistan's history, the citizens of FATA have been deprived of their basic rights. Such tribal regions were regulated by a different law enacted by the British in 1901 called the Frontier Crimes Regulations (FCR). This legislation has proven to be the principal barrier to getting FATA into Pakistan's mainstream.

Having studied FATA's historic as well as geographic features, the article explains how FATA stayed beyond Pakistan's country-building process. In this relation, it aims to see all the FATA's role in Pakistan's statutes, namely state measures to do so this western region and obstacles to FATA integrating with Khyber Pakhtunkhwa (KPK).

It recounts the events leading up to FATA's merger with KPK, as well as highlights major challenges in the future. This suggests that the merger of FATA will help establish a strong defense line toward terrorists. [43] discusses "The Crisis of Displaced Persons (IDPs) in Pakistan's Federally Administered Tribal Regions including their Effect on Pashtun Women" Internally Displaced People (IDPs) are the people who have been forced to leave their homes but live inside the boundaries of their country due to military conflict, militancy or environmental disaster.

These persons, particularly women, are sometimes refused refugee status from their specific citizens and civil rights. Also, a nation is required to address a massive exodus of its citizens from one community to the next. Pakistan is facing a serious threat from IDPs even though the majority of its people lives underneath the poverty threshold, there has been a slow progression from two natural catastrophes over most of the past five years, as well as the situation has become worse as the frontline for the war on terrorism.

This work reflects on highlighting the suffering of women at FATA and the problems faced by women & children as internally displaced persons attributable to the area's turmoil, militancy, and instability. What are the privileges of IDPs and to what way were

they being given to FATA's children and women IDPs? Those women are victims of the War on Terror, in comparison to the difficulties of becoming relocated as well as the cultural impact of this trend.

The work investigates the effect of militancy on these women-which has resulted in migration and instability. The community of FATA is better identified as tribal & Pathan who adheres to a strict working code, recognized as Pukhtunwali. This powerful hierarchical code has affected women's care and actions inside and outside the IDP settlements.

This report further highlights the issue these women are experiencing in the settlements owing to their tribal ethnic background and rigid customary legislation. It will investigate a woman's status in IDP settlements in terms of their status and restricted access to decent requirements like food, housing, clothing, sanitation, and health care. This document will provide guidelines for policymakers and agencies involved to come up with real solutions.

[44] Describes the political status of the former FATA and its future outlook Since 24 Jan 2017, the federal govt tried to merge the FATA with Khyber Pakhtunkhwa, in which the requisite law will be implemented in Parliament after federal cabinets approval. At an ongoing Federal Cabinet meeting, President Nawaz Sharif will teach the ministers about the problem of FATA with KP.

If approved for this combination, the Ministry of Law will be required to plan the proposed bill to be submitted for acceptance in parliament. The President has strongly brought Jamiat Ulema-e-Islam (JUI-F) leader Maulana Fazl-ur-Rehman as well as other supporters over the alliance. The JUI-F opposed the change for different political reasons. Under the proposal, FATA would be brought in provincial government command via modifications to the Frontier Crimes Regulations (FCR).

For the creation of FATA underneath the merger agreement, a yearly allocation of Rs100 billion has also been suggested, and the sum will also be provided from the Federal Divisible Pool. Nearly all of the political parties accept the call for FATA to combine with KP. Upon discussing the matter with all of the participants the President

approved.

Since March 3, 2017, Federal cabinets authorized FATA's union with Khyber Pakhtunkhwa as well as other changes. Ignorance and misery, as it is a universal truth, are the mothers of all miseries and that most social evils. The populace is deprived of the fruit of Modern as well as the democratic government. FATA was forced to a permanently rear seat leaving it Pakistan's most backward zone.

## METHODOLOGY

It is a review research paper in which inclusion and exclusion methodology is used. The data gathered after inclusion and exclusion methodology is searched and reviewed again and again to get better results.

### Inclusion Criteria

Almost 98 papers are studied for this research paper. Google, Google Scholar, and PubMed are the sites that are used for searching and downloading of the research paper. From 98 only 30 papers are selected that are related to our research. The inclusion criteria include the keyword "Unification of Former FATA". From all over Pakistan this research only includes KPK (Khyber Pakhtunkhwa). FORMER FATA Impact on Domestic Sanctuary and their future perspectives are also included in the research.

### Exclusion criteria

All the irrelevant data are excluded from the research. The papers which are related to other districts of Pakistan except KPK are excluded from the study. The paper which is not filling the requirements of the paper is excluded from the study Figure 1.

## HISTORICAL BACKGROUND OF FORMER FATA UNIFICATION WITH KPK

FORMER FATA remained an appealing zone for various powerful intruders to come and occupy the region in almost all years. Due to this phenomenon, FORMER FATA inhabitants struggled hard to save their region and for this purpose bloodshed of various lives occurred [45-47]. Furthermore, innumerable loss to the financial

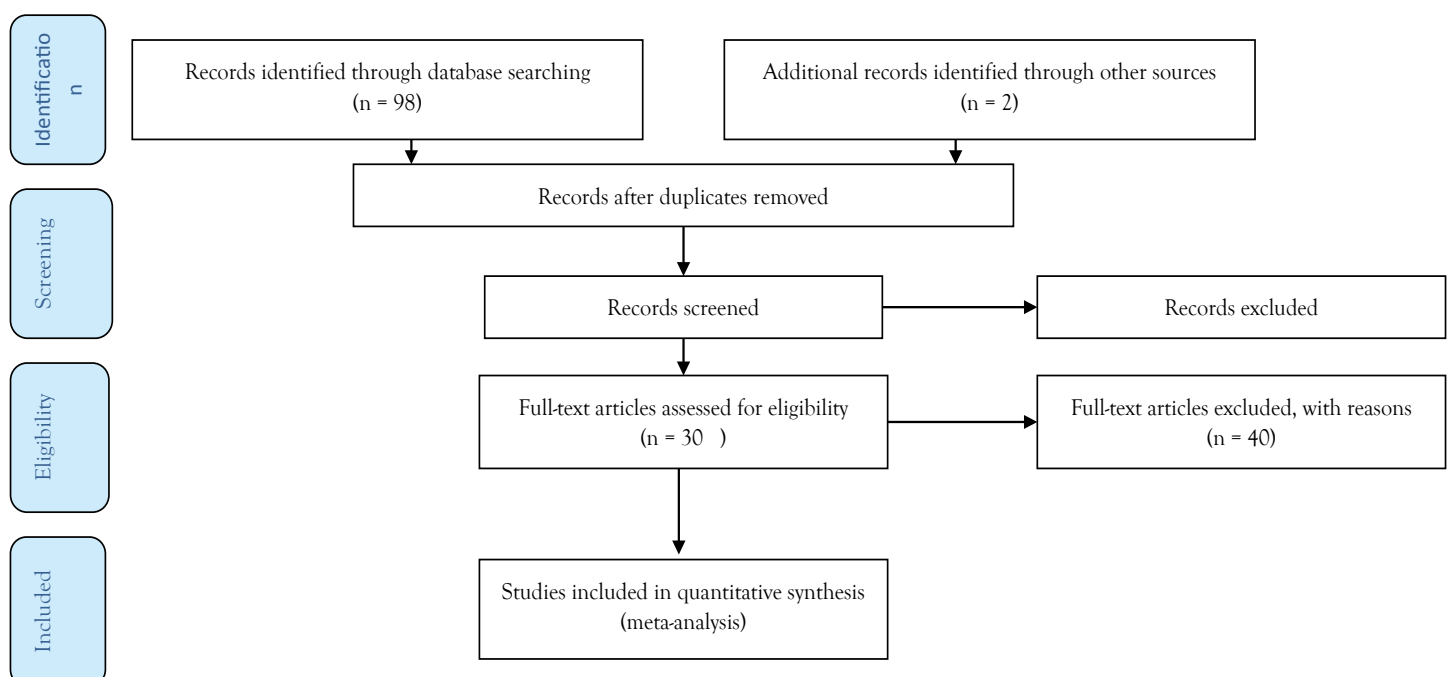


Figure 1: Flow diagram of the selection process.

and materialistic assets occur in every era, as a result of these conflicts [48-50].

British, Indian, Russian, and indeed, every royal leader struggled hard to dwell in the FORMER FATA zone and continue the rule for centuries. The socio-economic condition of FORMER FATA became even worse when SU attacked the Afghanistan and inhabitants of Afghanistan became compelled to move towards the FORMER FATA [51-53].

Furthermore, this induration put the foundation for the initiation of historically known war, and leaders also are known as "Mujahideen" came forward after bearing the threats of being died and occupied [54-56]. After the accomplishment of further courage and strength against SU, the Afghan refugees coupled with the local inhabitants of FORMER FATA launched the revolutionary amalgamation in contradiction of SU in the form of "Jihad" [57-59].

However, this thing labeled Afghanistan, as well as FORMER FATA zone the starting point of terrorism and United States (US) coupled with many other bashing powers, devised the strategies to launch some wars against them [60-61]. However, the Pakistani government then realized the actual need of the hour as the unification of FORMER FATA with KPK.

## IMPACT OF FORMER FATA UNIFICATION ON ALTEERATION OF THE JURISDICTIONAL STRUCTURE

FORMER FATA community is well known for being the possessor of excellence in love, honesty, devotion, honorableness, self-esteem, magnanimity, fearlessness, chauvinism, and commitment. However, these attributes are considered the basic foundations of their leaders that have the hold over the tribe. Furthermore, the FORMER FATA community is not familiar with the courts and other lawful authorities for resolving their issues and concerns.

They consider the Jirga system and frontrunners of the Jirga system all in all for deciding their unresolved issues related to any walk of life [62-63]. However, after the ignition of terrorism in those areas, it compelled the Pakistan Army to proceed for some serious operations to accomplish the threats relating to the terrorism as well as extremists [64-65].

Therefore, during the execution of these types of maneuvers, the local community of FORMER FATA was transferred to the various parts of the KPK for the provision of safe and peaceful life to them. However, FORMER FATA community remained unaware about the courts and other lawful authorities to resolve their little to vast issues regarding various walks to life [66-68]. This phenomenon let to spread the positive wave of learning and accepting the new things.

The people that were sustained in their local areas from centuries came to face to face with the people of other parts of the country. They started learning and even accepting the juridical system as more appropriate for resolving their issues [69-71]. Furthermore, in the past weapons were the sign of dignity and bravery for the FORMER FATA community, however, after the execution of army operation, they let the whole area clear from these type of weapons and shifted the community towards various parts of KPK [72-74].

According to various surveys and interviews, the local community is satisfied in those areas. Contrary to this, interviews with the old leaders of these tribal zones showed a deep concern about the

accomplishment of their previous lives [75-76]. They stated that it was a more obvious and respectable phenomenon to resolve their local issues within their territory in the form of the Jirga system rather than the involvement of courts and other lawful authorities [77-78].

They said that they used to feel them more secured and in power with their old system to deal with the issues of their local community. However, it is worth mentioning that it will take time to accept the new set up, especially for the community that was in power and used to consider themselves as the superior ones [79-80]. Furthermore, it is the dire need of the hour to properly accomplish the police stations along with the proper and trustworthy juridical system for gaining the self-assurance and conviction of the local community.

## IMPACT OF FORMER FATA UNIFICATION ON SOCIO-ECONOMIC SETUP

FORMER FATA is a region of natural beauty along with embellished with the worth of natural resources. On the other hand, there FORMER FATA is also deficient of various developmental projects as well as processing facilities to utilize the worth of natural resources for the accomplishment of FORMER FATA development and progress [81-83].

Although FORMER FATA is a severely water-scarce area, due to less precipitation and negligence of lawful authorities for the accomplishment of required dams that may meet the need of the hour, FORMER FATA is still rich with the wealth of fruits [84]. These fruits are protuberant and conspicuous due to diversified types and relishing taste. Apricots, apples and peaches are of global fame and are a source of the increase in the socio-economic aspect of the region. Furthermore, the unlimited availability of dry fruits including cashew nuts, almonds, peanuts, and walnuts are the beauty of the FORMER FATA region.

Thus, if proximally using these blessings can raise the social as well as the economic status of FORMER FATA up-to many folds. Also, the local source of livings is livestock for the FORMER FATA community and it is stated that this region is bestowed with more than 4 million livestock such as goats, buffaloes, cow, sheep, and ewes. Therefore, it deals with this source with keen observance, and by accomplishing the FORMER FATA community with market facilities, Pakistan can become the self-sufficient country in the wealth of milk along with cooking oil.

On the contrary to this, the common person of FORMER FATA is deprived of getting the high standards of living. This is because; there is a severe lack of market facilities as well as processing facilities that are the major hindrance to the development of the economic set up of the FORMER FATA. The larger workshops with heavier machinery were on the outskirts of the town but not all the manufacturing took place in Darra e.g. the machining of the aluminum bodies of modern pistols like the 9mm Beretta M9 was done on CAD machines in Sialkot and Gujranwala.

By the end of the day, it was obvious that it would be an uphill task to transform this cottage industry to a level where it could compete in the international market against hundreds of manufacturers. The Turkish small arms industry alone has close to 136 large and small enterprises in the government and private sector, manufacturing quality small arms. Furthermore, FORMER FATA is also rich in mineral resources including gypsum, chromite, granite as well as metals including copper and marble.



Therefore, there is no difficult chore to put the FORMER FATA on the developmental track and increase the socio-economic status of the FORMER FATA community. However, the only need of the hour is to devise the strategies that are supportive of increasing the standards of life. It is most necessary to develop the markets, processing units, communication as well as transport facilities in FORMER FATA region.

## IMPACT OF FORMER FATA UNIFICATION ON DOMESTIC SANCTUARY

FORMER FATA was considered as the conflicting zone and threats of war along with hostilities used to remain prevailing over the zone. Furthermore, after the labeling of the house of terrorism and extremists, the domestic sanctuary became questionable. However, after the accomplishment of various army operations including Zarb-e-Azb and Raddul Fassad, the whole area became clear from the threats of conflicts and terrorism [85-86].

According to a report, all the terrorists and extremists fled away towards Afghanistan after the completion of various army maneuvers in the FORMER FATA and its linked parts. Furthermore, it has been reported that a significant decrease (52.3%) in the terrorism incidences have been stated for the duration of one year from 2017 to 2018 [87].

However, the convalescence of the FORMER FATA community is still on improvement track and a lot of work is required for the complete peace and safeguard of the community [88]. For this purpose, various supporting organizations came into being whose merely purpose is to secure the rights of a common person along with the endorsement of peace and harmony in all over regions of FORMER FATA [89].

Furthermore, the accomplishment of peace and harmony is directly related to the completion of congruence in the FORMER FATA. Therefore, it is obvious that the unification of FORMER FATA with KPK resulted in many positive responses and secured the domestic sanctuary. Also, it still needs to work and devise such strategies that are supportive of the sustainability of peace in FORMER FATA along with the eradication of threats including terrorism and extremists.

## CONCLUSION

FORMER FATA island of beauty and charm. It is rich in natural resources and if used in an efficient way these resources can raise the socio-economic status of FORMER FATA as well as of Pakistan. Furthermore, after the unification of FORMER FATA with KPK, FORMER FATA that is also historically known as the conflicting area has become the land of peace and harmony. However, still, there is a need for launching and devising some developing projects and strategies to put the FORMER FATA on the development track.

Ultimately, it can be concluded that the unification of KPK with FORMER FATA has brought many positive and significant improvements in the overall condition of the FORMER FATA community. However, it is the need of the hour that the government may pay proper attention to the various attributes of FORMER FATA to sustain the development and progress of the FORMER FATA.

The government must take urgent steps to address the issues of illiteracy, underdevelopment, and unemployment. It should set up educational institutions keeping in view the local needs. These

institutions must give both modern and religious education and also give vocational training to youth which can help them find better employment. The development projects should be devised in a way that they help improves the socio-economic conditions of the people and also provides the government speedy and deeper access to the area. It should also establish special economic zones with foreign assistance to provide better employment opportunities to the youth.

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