

## **Reform Process in the Federally Administered Tribal Areas and the Future of Frontier Crimes Regulation (FCR): A Local Perspective**

### **Abstract**

*The current disturbance in Federally Administered Tribal Areas (FATA) has uncovered many flaws in the policies and administrative systems being followed in FATA. It has a complex administrative set up which makes it distinct from the rest of the country. Justice is distributed through Frontier Crimes Regulations (FCR) promulgated by the British in 1901. The British administration introduced this regulation for their multifaceted interests. After the British withdrawal, the Pakistani state continued with the same system and it even continues today. The successive governments have avoided meaningful political and administrative reforms to integrate FATA into the mainstream Pakistan. Some half-hearted attempts were made during the previous PPP government to amend FCR and to extend Political Parties Act to FATA but they could not be implemented because of lack of constitutional amendments regarding FATA. The current government (PML-N) has also expressed its desire to introduce more reforms in the tribal areas. There are different views regarding mainstreaming of FATA and the future status of FCR. It is imperative to know the tribal people views and reactions towards the reform process and the future of FCR and this is going to be an integral part of this paper.*

**Key Words:** FATA, FCR, Reforms, Federal Government, Mainstreaming.

### **Introduction**

The current troublesome situation in FATA is not an overnight change. It took years and has a long history. It remained a governance nightmare for decades. The administrative system which governs this region is different from rest of the country (Pakistan) in so many respects. The current system of administration was introduced by the British for their own multifaceted interests. After their withdrawal, the Pakistani state continued with the same system and it even continues today with little modifications. FATA has a peculiar geographic location along Pakistan-Afghanistan border with a porous border, unique social structure, complex administrative set up and transnational links with Afghanistan.<sup>1</sup> Due to prolong state neglect and isolation from the mainstream FATA faces sever administrative and governance issues. Keeping in view the chaotic situation in this

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region the successive central governments initiated different reform packages to solve the law and order issues and to bring FATA into the mainstream. Implementation of these reforms initiatives remained a stumbling block in the way of changing the fate and status of FATA.

Located along the northwestern border with Afghanistan, FATA consists of seven tribal agencies- Khyber, Kurram, South Waziristan, North Waziristan, Mohmand, Bajur and Orakzai and six smaller frontiers regions, FR Peshawar, FR Kohat, FR Dera Ismail Khan, FR Banuu, FR Tank, and FR Lakki Marwat—strung along a slightly oblique, north-South axis. It has an area of 27,220 square kilometers and its population according to 1998 census is 3.8 million but observers believe that its current population exceeds six million and some estimate put the figure between 7 to 10 million people.<sup>2</sup>

FATA has been a marginalized area of Pakistan both in terms of political and economic developments as compare to other parts of the country. It has suffered because of the policy of “benign neglect” pursued by the successive governments throughout its history.<sup>3</sup> FATA was regarded strategically important because of its location along Pak-Afghan border but remained outside the mainstream Pakistani society since 1947. Socio-economic indicators of FATA reveal the backwardness of the region in stark terms. 60 percent of population lives below poverty line, literacy rate is 17 percent for the males and 3 percent for females (as compared to 43% national overage), infrastructure, educational facilities and health facilities are extremely poor.<sup>4</sup> Its semi-arid mountainous region supports little agriculture as 82% land is uncultivable. Smuggling, arms trafficking and drugs trade thrive leading to an informal economy and criminal activities. The areas has rich potential in terms of mineral resources but has remained unexploited.<sup>5</sup>

FATA has a unique social structure in the form of a tribal society. It has its own code of conduct-Pushtunwali with three principal characteristics, Badal (revenge), Melmestia (hospitality) and Nanawaty (compromise).<sup>6</sup> A Pashtun individual is surrounded by concentric circle, consisting of family, extended family, clan, tribe, confederacy and major cultural-linguistic group. Pashtunwali is a form of social organization with an advanced conflict resolution mechanism.<sup>7</sup> Principle of collective responsibility is enshrined in Frontier Crimes Regulations (FCR) formulated by the British colonial state as the whole tribe is made responsible for the crime if the culprit is not traceable. This principle of collective punishment is widely regarded as draconian and inconsistent with the universal declaration of human rights.<sup>8</sup>

Such a neglect and seclusion from the mainstream has led to serious law and order issues in tribal areas which has its negative impacts not for the residents of FATA but for the country as a whole. The successive Federal governments have initiated different reforms but have avoided meaningful political and administrative reforms to integrate FATA into the mainstream Pakistan. Rearranging the current status of FATA and bringing it into the mainstream is now an irreversible process. The current system of administration has failed to govern it properly and effectively. Keeping in view the disturbed law and order situation, the Federal government has finally waked up to the fact that mainstreaming of

tribal areas is now need of the hour and for this purpose different initiatives have been taken. The main question is that, how to integrate FATA into the mainstream and what would be its future status. In this backdrop heated debates are going on in many circles about the reform process and about the future status FCR. There are different perspectives regarding the future status of FATA, which are no doubt worthy but insufficient as it in no way reflects the well and wishes of the people of FATA. To bring FATA into the mainstream and to change its current status a tribal census will be required. The people of FATA should have a say in the current reform process and their will and wishes should be incorporated in the policy discourse concerning their respective area. In this regard, the government should empower the people to decide their fate and to decide the future status of FCR.

### **Frontier Crimes Regulation (FCR) and FATA: An Overview**

During the course of history the frontier region has never been stabilized due to the continuous invasions from Alexander the Great to the British India. Each of them tried to subdue the locals and to have a sway in this area for their multifaceted interests but none of them succeeded to stabilize their position in this region. The tribal people's continuous struggle and confrontation against the invaders helped them preserving their indigenous culture and upholding their independent status. It is said that "Pakthun is known for his love for freedom and the Pashtun way of life (Pakhtunwali)".<sup>9</sup> Resistances to foreign influences and occupations has been a part and parcel of the Pashtun tradition of the region since times immemorial. It has historically been a governance nightmare since the times of Mughals, later the British and also nowadays for the Pakistani state.

Historically, the area which is known as FATA today has been termed "*Yaghistan*", 'land of rebellious people'.<sup>10</sup> It is imperative to mention that at the time of British arrival the boundaries with the Afghanistan kingdom of Dost Muhammad Khan were unsettled. At the start there were no regularly established political agencies, and there was no defined tribal belt between the high-tide lines of administered territory at the foot of the hills in the kingdom of Kabul.<sup>11</sup> The tribal areas beyond the border were regarded as enjoying at least a factual freedom, and were commonly referred to as '*ghairilaqa*' (areas that are hard to administer).<sup>12</sup> This Orientation to the tribal areas as *Yaghistan* (plundering land) was made as early as 1868 in colonial literature. Colonel Brazier Creagh of the Indian army remarked on the importance of this term when describing his travels of 1893-4, "When we went to the frontier it was called *Yaghistan*. It was a forbidden land and no Englishman had ever been there before. It was impossible to go (inside) and if you did yours bones would be left there".<sup>13</sup> This region has served as an important passageway between India and Central Asia through which the Aryans, the Assyrians, the Scythians, the Turks and the Turco-Mongols passed in successive waves. It has truly been a 'cross-roads of civilizations' as Toynbee, the famous historian described it.<sup>14</sup>

The raiders found this region very tough to control because local people resisted the foreign occupation and jealously guarded their religion, culture and independence. Late raiders, Mughal empires, Sikh rulers and British colonial administration feared the unruly nature of these people and formulated different

ways to control them indirectly. They planned to divide the tribes by following the policy of 'divide and rule' or corrupted the tribes through providing economic inducements or established an intelligence system to control the area with only partial attainment.<sup>15</sup> The tribal belt on India's North West Frontier assumed substantial political and geographic importance for the British. But, "British policy towards the tribal belt was noticeably and deliberately incoherent, inconsistent, and impulsive".<sup>16</sup>

It is imperative to mention that the Colonial power were not that much interested in tribal areas and did not try to rule it directly. They had in mind the history of this region and the experiences of past different rulers and dynasties who badly failed to have a control of this area and that is why they preferred an indirect way of ruling it. Once the British had taken over Punjab and the frontier territories from the Sikh administration, sustaining peace along the majestic India's border with Afghanistan became very vital in the face of Russian imperialism. This task was achieved through a mix of diplomacy and military means.<sup>17</sup>

It is also pertinent to mentioned that for the British, tribal areas were a means towards the end and not an end in itself. The areas that today make up FATA were once part of the arena on which the 'Great Game' of imperial power was played out in the 19th century. For the British administrators of India, actual control of the region was important for the defense of their Indian possessions, serving as a safeguard against Russian imperialism in Central Asia. It proved difficult, however, for the colonial masters to establish its writ in the tribal areas. Colonial administrators supervised but never fully controlled the region through a combination of British-appointed agents and local tribal elders (*Maliks*).<sup>18</sup> Although different tribes collaborated with the British off and on in return for economic reasons, but this give and take settlement was never completely fruitful. While using military means during the latter half of the Nineteenth century, British troops were involved in repeated battles with various tribes in the tribal belt to crackdown the rebellious moves of the tribal people and to stop their incursion in the settled areas under the British control. Between 1871 and 1876, the colonial masters executed a series of laws to regulate the tribal areas. Frontier Crimes Regulations (FCR) is one among those regulations. This regulation prescribed distinct procedures for the tribal areas, different from the criminal and civil laws that were in force elsewhere in British India.<sup>19</sup> These regulations were based on the idea of collective territorial responsibility and provided for dispute resolution to take place through a Jirga (council of elders).<sup>20</sup>

In 1901, the British administration gave a final shape to FCR and enforced it in tribal areas. Based on the basic concept of collective responsibility, the law holds the entire tribe responsible for the crime committed by a member of the tribe. According to Salman Bangash, author of the book, *The Frontier Tribal Belt: Genesis and Purpose under the Raj*, "FCR was meant to counter the violent resistance of the Pashtun tribes to British rule and protect British interests in the region".<sup>21</sup> "FCR was infamous for its penalties. These include the power to blockade hostile or unfriendly tribes; demolition and restriction or construction of hamlet, village or town on the Frontier; removal of persons from their places of residence. The most oppressor law is section 40. Under this section the Political

Agent (PA) could arrest anybody and that person had no right to redress the allegations against him or her. He could keep a person behind the bars for an unrestricted period; the Political Agent paradoxically could arrest any relative in place of the accused one”.<sup>22</sup>

It is pertinent to mention that all such policies on the part of British were indirect in nature and were introduced according to the circumstances and conditions existed in that very society. The basic purpose of the FCR was to indirectly administer this strategic area in the interest of the colonial power. Another purpose of introducing such a regulation was to deter the local population and to stop their incursion in the settled areas under the British control. Such momentary measures best served their limited objectives but in the long-run it proved a disaster for the tribal areas in so many respects. They were neither interested in the tribal areas in terms of proper ruling nor about its future. According to Khalid Aziz, “These reactionary devices were meant to ensure the freezing of tribesmen in an archaic social formation till perpetuity. Through clever propaganda and counseling the tribesmen were convinced that this system was a reflection of the essence of Pashtunwali (Pashtun code of traditional conduct)”.<sup>23</sup> The fact is that, such regulations contradicted the tribal people’s way of life and their traditions noticeably and led to further complications.

FCR, which governed the tribal areas for decades and which is still in use, was a failure in so many ways. The contraction between FCR and tribal people customs has been well illustrated by Olaf Caroe in his book *‘The Pathan’*. He says, “It (FCR) satisfied neither the law nor the custom. It became simply an easy means of punishing crimes as from the state, without being recognition of the ground realities existed in tribal areas. It failed to administer custom on the basis of local tradition, and it felled between two stools”.<sup>24</sup> “Pathan customs requires the satisfaction of the aggrieved rather than the punishment of the aggressor. The law only concentrates against the aggressor, and compensation for the aggrieved hardly enters the picture”.<sup>25</sup> “How and when, and in what degree, it may become desirable to shift the emphasis in a Pathan society from law to custom or from custom to law. It is an obvious principle that the law should in some sense grow out of the society”.<sup>26</sup> All such laws and regulations were an imposed one in nature and in no way reflected the will and wishes of the tribal people. The basic purpose of introducing such a regulation was not the administration of tribal areas but to deter the local people and to confine their activities to tribal areas.

This system more or less even continues today. Unfortunately, more than half a century after Pakistan’s independence, FATA is still ruled through such an out-dated administrative and legal system. Despite the fact that the FCR lost its validation decades ago the federal government of Pakistan has yet to come up with a rational thesis regarding FCR and FATA.<sup>27</sup> FCR is a law implemented in FATA being different from the state law but approved within the constitutional framework of Pakistan. The provisions of the FCR are in violation of the Universal Declaration of Human Rights and the Constitution of Pakistan. The superior judiciary of Pakistan, including the Federal Shariat Court, has made clear-cut judgments against the FCR and has recommended its repeal.<sup>28</sup> In addition, there is a strong longing amongst the tribal people that such a draconian regulation should be done away with. However, certain elements, having stakes in the

existing system want to uphold the status quo in the name of tradition and people's culture. The government continues to hesitate on its reform plan despite the fact that the tribal areas have experienced countless socio-economic changes, which require parallel modifications in the legal, administrative and judicial orders concerning FATA.<sup>29</sup>

In this regard, several committees had been formed time to time in the past, and some amendments made to the FCR, but the main problem is its proper implementation. On November 8, 2015, Prime Minister Nawaz Sharif formed a five-member committee to deal with and finalize reforms in the tribal areas.<sup>30</sup> Unfortunately, all members of the afore-mentioned committee are non-residents of the tribal areas, and none of them is from FATA. It is again strange that no representation has been given to the tribal people who have been raising their voices against the inhuman FCR and are demanding for the integration of their respective areas into the mainstream spectrum of the country.

### **Repealing or Amending the Frontier Crimes Regulation: A Local Perspective**

In the backdrop of reform process initiated by the previous PPP government in mid-2011 and followed by the current PML (N) regime, heated debates are going on in many circles regarding the future status of FATA and FCR. Views about the future status of the FCR vary. Some people want its total replacement by a modern legal and judicial system while others want to uphold it in its present form, albeit with some petty changes. One of the many ironies confronting the people of FATA is that, despite being the main victims of the ongoing situation, their perspective is evidently missing in the national and international discourses about reforms and the future status of tribal areas. Being the inhabitants and major stakeholders, the people of FATA should have a meaningful say in the reform process and in deciding the fate of their area and the future status of FCR. The will and wishes of the people of FATA are missing for a long time and have never been incorporated in the policies dealing with FATA. This is a serious issue which needs to be addressed. For the success of reform process and deciding the future status of FCR, consultation with local people is necessary. In any policy regarding the future status of FATA, people views and input should be incorporated, as after all the local people will face the outcome of these policies. In order to know the voices and views of the tribal people a number of people belonging to different walk of life in FATA were interviewed. The following paragraphs will discuss the local people views and reaction towards the current reforms process in general and FCR in particular.

As a whole, the people of FATA are happy with the initiatives taken on the part of federal government to introduce reforms in FATA. In mid-2011 the Zardari government introduced two reforms which were highly appreciated by the people and have responded positively to them. These reforms include the extension of Political Party Order (2002) and certain amendments in FCR.<sup>31</sup> The people of FATA consider it a good omen for the future of tribal areas and are raising their voices for other reforms on the same footings. They want other drastic reforms to change the fate of this region and to decide its future status.

There is a wrong perception that the people of this region do not want any changes in the current existing system and they oppose any reforms which will

change the current status of tribal areas. This is only an exaggeration of the facts and propaganda by different stakeholders who have their own interests contrary to the common people wellbeing and development of this war-torn region. The people of this region might have desired for retaining the old system in the past but currently tribal areas have undergone many socio-economic transformation and they no longer stand by the idea to continue with the old system of administration.

At the advent of British Colonial power the circumstances and conditions in tribal areas were different than today's FATA. Keeping in view those circumstances and conditions the British administration introduced FCR and it served their short-term interests very well. To go with this regulation in this modern time is a mistake. The situation in FATA is not the same as existed before and during the British. It has changed drastically as well as the mindset of the people of this region. The people of FATA have suffered a lot socially, politically, psychologically and economically. Now they want change in true sense and integration of this piece of land into the mainstream Pakistan. They have demonstrated this wish and desire in the 2013 general elections, where voter turnout was 35.3%.<sup>32</sup> Despite militants threats people wholeheartedly participated in the election and used their right to vote for the first time on the basis of one man one vote. The 2011 reforms were the first ever positive moves on the part of federal government and the people of FATA positively responded to that. There is no second opinion that the people of FATA have become fed up of the chaotic situation and the miseries they are facing on daily basis. They want change and the integration of tribal areas into the mainstream where they will enjoy the same rights and duties and will be treated under the law exist in rest of the country.

Except some stakeholders who favor the existing status quo for their own interests, the people of FATA want an immediate abolition of FCR and replacement of it by those laws which are in practice in rest of the country without any further delay. A student belonging to Orakzai Agency bluntly commented about the current system of administration in FATA and said, "If FCR is such a good law then the Federal government of Pakistan should introduce it in the whole country, otherwise it should be abolished in FATA through a presidential act".<sup>33</sup> Another student belonging to South Waziristan Agency expressed his views regarding FCR and the current system of administration in FATA and said, "We are wonder about the indifferent attitude the federal government has adopted towards the situation in FATA. Why they are not completely abolishing FCR and why they are not replacing it with laws which governs other parts of the country. If amendments are made in the constitution of Pakistan to meet the needs of the people and for the purpose of smooth administration, then what is wrong with FCR which remains unchanged. It is not a verse of the Quran that cannot be changed".<sup>34</sup>

According to Articles 1 and 2 of the 1973 Constitution, FATA is a part of Pakistan but the system of governance is totally different and it even contradicts the very constitution of this country. Such a special and different treatment has led to serious resentment among the people of FATA. The people of the area have raised their voice against this brutal law time and again but with no use. During an interview a person belonging to Bajuar Agency shared his views about FCR and said, "No religion and no constitution of the world permit such a law which

punishes the whole tribe for the offense of one man or women. We are treated under such a law which is a manmade law and not a divine one that cannot be changed. Such a regulation should be replaced with other laws which regulate rest of the country”.<sup>35</sup> A man running a medical store from the same Agency commented on the brutality of FCR and said, “Just imagine that if all of your family members including you are in jail, and your whole town has been destroyed because one of your family members (male/female) has committed a crime. Worse, if you are not permitted to petition against your imprisonment in any civil court. If you are arrested for a non-bailable crime, you will not be released if there appear rational grounds for believing that you are guilty of an offence. In such a situation there is a good chance of imprisonment of 10 years. Such a barbaric situation exists nowhere in the world except FATA”.<sup>36</sup>

According to Articles 51, 59 and 247, FATA is under the direct executive and administrative control of the President of Pakistan.<sup>37</sup> His order becomes law for the area.<sup>38</sup> The tribesmen have waited for political reforms in this region for a long time. Since independence successive federal governments have paid no attention to the situation in tribal areas and they failed to introduce meaningful reforms in order to integrate it into the mainstream. Such a failure and neglect on the part of Pakistani state has led to serious law and order issues, alienation and resentment among the locals. Apart from lip services and devising committees no one has done something practically to develop it and to change its current status. While interviewing the people of FATA majority of them shared their anger and commented on the indifferent attitude of successive governments towards the situation in tribal areas. They said, “The people setting in Islamabad have made us fool time and again with phrases like brave people, Azad Qabayal (free tribes), savior of the borders. Except such phrases they have done nothing for us. Everyone is aware of the miseries of the people of FATA but has done nothing. At least the government should abolish FCR and should replace it with other laws”.<sup>39</sup> They continued and further said, “It is so strange that in one country there are different laws for different people. FCR is an outdated regulation which is draconian in nature. It even contradicts the 1973 constitution of the country. Despite such a reality we (the people of tribal areas) are wonder that why the federal government is not abolishing this regulation. If the federal government is sincere in its efforts to develop our areas then this alien regulation (FCR) should be immediately abolished”.<sup>40</sup>

Contrary to the majority of local people views that FCR should be abolish immediately, there are certain elements, having stakes in the present system, want to retain the status quo in the name of tradition and people’s culture.<sup>41</sup> According to them, FCR is according to the traditions and Pashtun way of life and it governs the tribal areas properly. This is a wrong perception and only exaggeration of the facts. FCR has disturbed the social structure of FATA. Sometime it bypasses the Jirga and local cods of the society which lead to further resentments and anger among the people. It is an imposed one and against the customs and tradition of the people of FATA.

The people of FATA like this regulation (FCR) to the extent that no other laws and regulation are at hand to solve the issues and disputes in tribal areas. “Disputes occur in a society on daily basis as no society is perfect enough that it is



free of problems. In FATA there is no Patwar system and people possess lands under the Qabza system (Owing something through force). Whenever there is a dispute between two parties over a piece of land, for that no law is available to solve that dispute. Similarly, no proper law is available to solve the conflicts between two tribes and to punish the offenders. The only law which is available for the settlement of such issues is FCR which leads to further complications rather than resolving these issues. The only satisfaction and response of the local people is that something is better than nothing”.<sup>42</sup>

During an interview a student from Peshawar University belonging to Kurram Agency express his concerns about FCR and said, “We don’t like FCR and nobody defend it as it is draconian in nature but for us this is the law which governs our respective areas. In the absence of any other laws FCR is good to the extent that it deter the people of doing wrong things. But it does not mean that it is a good law and people defend it. We are waiting for that moment when it will be completely abolished and the government will introduce those laws which are in practice in rest of the country”.<sup>43</sup> Another student from the same university belonging to South Waziristan Agency expressed his concern and said, “It is totally punitive in nature and does not explain the subject matter completely like the other laws of Pakistan. It is only a portion and not a complete law. To bring changes and amendments in FCR looks like a joke. The only change the government can do is to abolish it and to introduce alternative laws or extend the general laws of the country to FATA”.<sup>44</sup>

Rearranging the existing status of FATA and bringing it into the mainstream is now an irreversible process. The current system of administration has failed to govern this part of the country properly and efficiently. As long as the federal government remains indifferent towards FATA the situation will go from bad to worst. If we want to bring peace and normalcy to this part of the country, the federal government must introduce meaningful and constructive reforms on immediate basis. The federal government has finally waked up to the fact and has started the process of reforming FATA. The question is about the system of governance and the future status of this area. In this process the well and input of the local people should be included to make this process a success story and to bring peace and stability to FATA.

The same views—consulting the local people and including their input in the current reform process— have been supported and expressed by different scholars and analysts as well. Farhat Taj, author of the book, *Taliban and Anti-Taliban* is one among those who support the idea of consulting the local people to decide the future status of FATA. She says, “the ultimate course for FATA should be determined by the people of the region themselves without any pressure from outside. We always argue that the Kashmir issue must be resolved according to the wishes of the people of the area. So it would be hypocritical for us to support the Kashmiris’ right to self-determination and deny the same to the people of FATA”.<sup>45</sup> Similarly, Sabina Khan supports the same view. She says, “The decision to develop the infrastructure of FATA should be an outcome of a Loi Jirga. This entire process cannot be imposed on the people from external elements whom they do not recognise; it must be their own decision”.<sup>46</sup> She further says, “The process to bring FATA under the constitution and at par with other regions— to be either

absorbed into the adjacent province, Khyber-Pakhtunkhwa, or become a new province altogether— can only be undertaken successfully if the people of the tribal areas are on board”.<sup>47</sup>

Similarly, Ayaz Wazir says, “False hopes of bringing tribal people at par with the rest of the people were given to them time and again. Their fate cannot be changed unless they are given the right to govern themselves. Once that is done, they will be in a better position to consider changes to the FCR or to scrap it altogether”.<sup>48</sup> Kept in isolation for decades the people of FATA do not own any developmental initiatives on the part of federal government. There is skepticism among the local people regarding the previous and current reforms process which is in fact a serious issue. “People only feel bound to endorse the state’s writ when they feel that they have played a role in making the laws that govern them. That is only possible when laws are made based on the principles of collective utility, and not on collective punishment. There is a need for a paradigm shift in the relationship between the state and the citizens in FATA. The state must find ways to engage the people of the tribal areas and get rid of the FCR”.<sup>49</sup> Giving participation and respecting local people input and says can bear fruit which can make the reform process a success story. Such participation will create a sense of true ownership among the people of FATA who are currently engulfed by skepticisms and distrust in their relations to the state of Pakistan.

### **Conclusion**

Usually laws are made according to the needs of the people. A law comes from the traditions and customs of the people as after all it is to run that particular society. When these laws are against the traditions and customs of the people it creates problem instead of running the affairs of that particular society. In FATA all the regulations are against the customs and social values of the people. There is extreme incompatibility between FCR and the customs and traditions of FATA. Apart from that, FCR is unsuited to modern governance and it even contradicts the Universal Declaration of Human Rights and the very constitution of the country (Pakistan).

Rearranging the current status of FATA and bringing it into the mainstream is now an irrevocable process. The current system of administration has failed to govern it properly and effectively. The Federal government has finally waked up to the fact that mainstreaming of tribal areas has now become indispensable and need of the hour. For this purpose different initiatives have been taken and the federal government is in a thinking process about the future status of the tribal areas. The main question is that, how to integrate FATA into the mainstream and what would be its future status. In this backdrop heated debates are going on in many circles and there are different perspectives regarding the fate of FATA. All these perspectives are no doubt worthy but insufficient as it in no way reflects the well and wishes of the people of FATA.

To bring FATA into the mainstream and to change its current status a tribal census will be required. Unlike the past, the people of FATA should have a say in the current reform process and their will and wishes should be incorporated in the policy discourse concerning their respective area. The government should empower the people to decide their fate and to decide the future status of FCR. It

should be done as soon as possible. As long as the Federal government will remain indifferent, the situation in tribal areas will go from bad to worst which will have its negative repercussions. A peaceful FATA is not only necessary for the residents of this area but for the country as a whole. In this regard, constitutional amendments are required to decide the future status of FATA and to bring it into the mainstream.

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