

**RESEARCH PAPER****Federally Administered Tribal Areas (FATA) Reforms Unveiled: A Case Study of Tehsil Khar, District Bajaur, Khyber Pakhtunkhwa****¹Burhan Zeb * and ²Habib Ullah Nawab**

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***Corresponding Author** burhanzeb62966@gmail.com**ABSTRACT**

This research paper provides a thorough examination of the knowledge and perspectives surrounding the shift from the Frontier Crimes Regulation (FCR) to the current reforms in the Federally Administered Tribal Areas (FATA), with a specific focus on Tehsil Khar in District Bajaur, Khyber Pakhtunkhwa. By integrating qualitative insights with quantitative data, the study presents a comprehensive analysis of the community's perceptions regarding these reforms and their potential impact on the political, societal, and gender domains. This study examines the ambitions, concerns, and recommendations of the population, providing insight into the changing socio-political dynamics in the region. The study revealed several significant findings. Firstly, there exists a prevailing feeling that strongly opposes the repressive characteristics associated with the FCR system. Secondly, the transition from the FCR system to a reformed framework is met with a sense of optimism. Despite the existence of worries over the potential delay in implementing the changes, they are generally regarded in a good light for their transformative effect on the political landscape. A majority of individuals concur on the beneficial outcomes associated with these reforms. The primary suggestions for promoting successful and significant transformations in the FATA encompass the complete elimination of the FCR and the enhancement of legal structures; the implementation of educational workshops and awareness initiatives to enlighten the indigenous populace about the constitution of Pakistan and conventional legal systems; and the comprehensive restructuring of bureaucratic mentalities and establishments through substantial reforms.

Keywords: Conflict Regions, FATA Reforms, Frontier Crimes Regulation, Governance Reforms, Jirga, Khar Bajaur, Merged Districts, Political Perceptions, Political Transformation, Tribal Society

Introduction

The Federally Administered Tribal Areas (FATA) in Pakistan, geographically bordered by Khyber Pakhtunkhwa and Baluchistan to the east and south, and Afghanistan to the west and north, comprise seven distinct agencies and six Frontier Regions (FRs). FATA has long been under the direct control of the federal government through a unique legal framework known as the Frontier Crimes Regulations (FCR), contributing to its reputation as one of the most precarious regions globally.

The genesis of this situation can be traced back to the Frontier Crimes Regulation (FCR), instituted by the British Empire in the early 20th century in the Pashtun-dominated regions of British India. Designed to suppress Pashtun resistance, particularly in the Northwest Frontier Province and Baluchistan, it served to safeguard British colonial interests. Although certain regions were freed from the FCR during Pakistan's formation in 1956 and further emancipated in 1973, FATA remained ensnared by this draconian law.

FCR, characterized by absolute authority vested in the Political Agent (PA), resulted in collective punishment and denied fundamental human rights, including the right of

appeal and legal representation. These punitive measures deeply impacted the social fabric and psychological well-being of the populace, fostering discontent and aggression within the tribal communities.

Despite Pakistan gaining independence and achieving a democratic status, FATA remained an anomaly under Article 247 of the 1973 constitution. Efforts to reform or modify the FCR were limited and often ineffective, perpetuating the marginalization of FATA's population. Various amendments were made to FCR over the years, but they failed to adequately address the dire situation in FATA.

The situation persisted until 2011 when the government, recognizing the need for change, announced a significant reform initiative aimed at extending political rights and allowing political activities in FATA. The proposed changes sought to amend FCR, curtailing arbitrary arrests and prohibiting collective punishment. Subsequently, the process to merge FATA with Khyber Pakhtunkhwa gained traction, further emphasized by the passing of the 31st Amendment Act in 2018.

However, the journey towards meaningful reform faced challenges, notably from certain political factions opposing the FATA merger with Khyber Pakhtunkhwa. Despite these hurdles, the reforms signify a crucial step towards redressing historical injustices and initiating a transformation that aligns FATA with the democratic framework of Pakistan. This study delves into public perceptions of FATA reforms in *Bajaur*, identifying constraints in the reform process and exploring the remnants of the FCR system post-merger with Khyber Pakhtunkhwa. Throughout its history, FATA has encountered numerous sociopolitical issues; this study aims to shed light on the intricate dynamics involved in restructuring FATA.

Literature Review

The British made efforts to consolidate their authority by establishing alliances with indigenous leaders and promoting the idea of collective accountability, ultimately leading to the implementation of the Frontier Crimes Regulation (FCR) in 1871 (Shah, 2012). The effects of colonialism have had a significant impact on the legal and historical backgrounds of both Pakistan's Federally Administered Tribal Areas (FATA) and the Frontier Crimes Regulation (FCR). The tribal regions posed a significant obstacle throughout the era of British rule, primarily as a result of their geographical seclusion and the formidable opposition exhibited by the indigenous population (Shinwari, 2011).

The introduction of the FCR resulted in the consolidation of supreme authority within the political agent, who was granted the ability to perform both judicial and administrative functions. As stated by Mahsud et al. (2021), the aforementioned structure clearly contravenes the notion of impartiality. The Federally Administered Tribal Areas (FATA) experienced significant ramifications as a result of the Frontier Crimes Regulation (FCR), which resulted in the violation of fundamental rights for its residents. The rights described above include the right to participate in an appeals process, the right to obtain legal representation, and the right to provide evidence in support of their cause (Akins, 2018).

The FCR became widely known for its incorporation of harsh collective punishment regulations, whereby entire communities might be subjected to fines or punishments as a result of the actions of an individual. The FCR method has replaced the long-standing Jirga system, which has traditionally served as a mechanism for conflict resolution. However, FCR faced criticism due to its perceived deficiencies in terms of procedural fairness and the unrestricted authority granted to the political agent (Khan & Khan, 2012).

Efforts to reform the FCR have been made over the years. In 2011, significant amendments were introduced, attempting to curtail arbitrary arrests, especially of women and children, and establish a FATA tribunal. However, these reforms were met with scepticism, and dissatisfaction persisted among the people of FATA due to inadequate implementation (*Major Changes Made in FCR: Fata People Get Political Rights*, 2011).

The majority of Pakistani political parties supported the merger of FATA with Khyber Pakhtunkhwa, except for the *Pakhtunkhwa Milli Awami Party (PKMAP)* and *Jamiat Ulema Islam (JUI-F)*. These parties had misgivings due to their self-serving objectives, such as maintaining power and authority. Consequently, the two factions arranged Jirgas (gatherings) to resist the amalgamation. PKMAP supports the idea of granting FATA autonomy and establishing it as an independent province. In contrast, the JUI opposed the merger and sought the implementation of Sharia law in FATA. According to the poll conducted by the FATA Research Centre, the majority of locals express a desire for the merger. Hence, their argument appears to stem from self-interested motives rather than the needs of the people of FATA. According to experts, the notion of FATA being recognised as an independent province is deemed invalid due to its dispersed population and inadequate infrastructure. Although facing resistance from specific political groups, the combined will of the population and the region's sociopolitical and constitutional factors have led many to conclude that merging FATA with Khyber Pakhtunkhwa is the most advantageous course of action (Hali, 2018; Naseer & Khalil, 2017; Yusufzai, 2018).

The Government of Pakistan Report of the Committee on FATA Reforms 2016 major findings on FATA reforms have demonstrated extensive backing for the integration of FATA with Khyber Pakhtunkhwa (KP), except for a minority of tribal leaders in some areas. The merger received support from political parties, the youth, and the educated classes, while several tribal members expressed concerns about the potential loss of their traditions and the Jirga system. The imposition of toll fees and the implementation of the Frontier Crimes Regulation (FCR) faced severe backlash and condemnation. To facilitate the process of achieving long-term peace and ensure the secure repatriation of refugees, there is a widespread demand for the gradual implementation of changes. The cultural and economic ties between FATA and KP caused unease among certain individuals with the idea of establishing it as a separate province. However, the integration with KP would require significant enhancements in the infrastructure, law enforcement, and security of FATA following the integration, despite the advantages of obtaining representation in the KP Provincial Assembly. The Committee determined that the most optimal course of action was to merge FATA with KP. It advised conducting discussions with KP to address any administrative, budgetary, legal, and security issues before implementing these reforms (Report of the Committee on FATA Reforms 2016, 2016).

In summary, the FCR, born from colonial necessity, had far-reaching and detrimental effects on the people of FATA. The deprivation of their inherent rights and imposition of an oppressive legal framework characterised the FCR as a sombre period in their historical narrative, until its elimination in 2017, thereby facilitating the establishment of a better and more impartial legal system.

Material and Methods

This study utilised a mixed-method research methodology to thoroughly examine the perspectives and experiences related to the FATA reforms, with a specific focus on Tehsil Khar in District *Bajaur*, located in the province of Khyber Pakhtunkhwa. The qualitative aspect of the study encompassed conducting in-depth interviews and focus group discussions with key informants and community members. The objective was to obtain detailed and nuanced perspectives on the historical, social, and political factors that influenced the FATA reforms. The utilisation of qualitative data played a pivotal role in comprehending the complexities and firsthand encounters associated with the Frontier

Crimes Regulation (FCR), its amalgamation with Khyber Pakhtunkhwa (KP), and the projected consequences.

The quantitative component of the study employed a simple random sampling technique to gather data from a representative sample of the population residing in Tehsil Khar. The participants were given a standardised questionnaire consisting of 20 items measured on a Likert scale. This scale was used to assess their level of agreement, disagreement, or uncertainty regarding several elements of FATA Reforms. The data obtained through this methodology were subjected to analysis using SPSS version 29. The Chi-Square test was utilised to identify any discernible patterns or associations among the collected responses.

Before conducting the interviews and surveys, all participants gave their informed consent, emphasising their voluntary participation, anonymity, and the confidentiality of their responses. Furthermore, ethical considerations were strictly adhered to throughout the research process. However, it is essential to acknowledge some limitations of this study, including potential response biases and constraints associated with a specific geographic focus. These limitations necessitate cautious interpretation and generalization of findings beyond the selected region.

Qualitative Component

In this qualitative study on FATA reforms, we used semi-structured interviews and focus group discussions to collect insights. Our research strategy involved a qualitative approach, providing a deeper understanding of the constraints. The study followed a descriptive research design, aligned with research questions for systematic data collection. Data was gathered from politicians, private sectors, government officials, local people, and the FATA reforms process. Purposive and random sampling ensured diverse perspectives for a comprehensive qualitative analysis.

Themes and Topics Explored

In the heart of *Tehsil Khar, District Bajaur*, a study delved deep into the pulse of public opinion regarding FATA reforms, remnants of the Frontier Crimes Regulation (FCR), and the intricate web of challenges surrounding the FATA reform process.

Public Perception of FATA Reforms in the Judicial Domain

Opinions regarding the FATA reforms displayed a diversity of perspectives, united by a shared desire for an enhanced judicial system delivering swift justice. The prevailing aspiration is to modernize legal and judicial frameworks, aligning them with standards observed in other districts.

Researchers conducted focused group discussions (FGD) with influential figures such as *Khans, Maliks*, and Feudal lords to glean their insights on FATA reforms. One *Malik* expressed, "In the previous FCR system, significant criminal cases like murder were resolved within a month, and at most, three months. However, under the new legal framework, even minor issues take up to a year for resolution."

Similarly, another Khan noted, "A considerable number of cases are falsely filed against individuals, primarily as a means of blackmail and judicial harassment. Unfortunately, many innocent individuals, seeking to evade such legal complexities, fall victim to this tactic."

An FGD respondent raised concerns about the evolving police system, stating, "The emerging police system tends to diminish the dignity and honour of respectable individuals."

Subsequent FGDs with the general populace echoed similar sentiments as those expressed by *Khans*, *Maliks*, and Feudal lords.

As one of the respondents, I find that the justice system has deteriorated. In the past, we had the *Jirga* system where we could select the *Jirga*, and they would come to our homes to resolve significant issues like murder cases, property disputes, or financial matters within one to three months. However, in the new legal system, lawyers are sometimes absent, and judges are often on leave. This leads to a considerable waste of time and money as the new system takes years to resolve issues."

Furthermore, an elderly respondent expressed, "The government is urging us to register our land, but it's challenging due to various complexities. A significant concern is our cultural practice of not granting shares to daughters and sisters, making the new law clash with our *Riwaj* (custom). Consequently, numerous cases are being filed in courts, particularly concerning property rights, as sisters and daughters are now advocating for their inheritance rights."

Public Perception of FATA Reforms and Resource Management in *Bajaur*

"Several departments have commenced operations in District *Bajaur*, ostensibly to oversee the district's natural resources. However, according to one respondent, these departments are primarily focused on revenue collection from the local populace. The respondent emphasized, 'The different departments that are now operating in *Bajaur* are just collecting and planning to collect taxes.' He further added that among these departments, only 'Rescue 1122' is actively serving the people and has managed to 'win our hearts.'"

"Similarly, another respondent highlighted the diverse natural resources present in *Bajaur*, including forests of pine, fish reserves, and valuable minerals like nephrite, chromite, and marbles. Three key departments—Forestry Department, Fishery Department, and Mineral Department—are responsible for managing these resources. However, the main source of revenue, as indicated by the respondents, is minerals. They pointed out that influential individuals secure leases for mines, paying a nominal amount per truck to the owners while generating substantial profits for themselves."

"Another respondent further underscored the imbalance in resource management and expressed concerns about the absence of departments focused on safeguarding basic human rights in the district. He noted, 'Departments like minerals etc. came to *Bajaur*, but departments that are working for basic human rights are absent in the district.' He viewed these existing departments as primarily 'tax collection tools,' increasing unemployment. At the time of the merger, we were promised that there would be no imposition of taxes. Interestingly, this perception has led to a shift in public sentiment, with the initial strong support for FATA reforms (90% favouring) and the slogan 'go FCR go' decreasing to 60% favouring."

"A Young, Educated *Malik's* and Old *Malik's* Perspective: FATA Reforms and Unfulfilled Promise

A young and educated *Malik* from the area shared his perspective on the reforms: "I recall the time when we protested for FATA reforms. During those days, *Bajaur* felt like it was under a political agent's kingdom, with rules changing daily based on their mood. As a *Malik* in the region, my family and I had some advantages under FCR. We could hold *Jirga*,

and the administration often granted bail to individuals we requested for. However, basic human rights were a distant dream for the majority, especially farmers, labourers, and the middle class.

Participating in the FATA merger movement was important to me. We succeeded, but the promises made by the Sartaj Aziz Committee remained mostly unfulfilled. The NFC's 3% share, meant to provide 120 billion rupees to former FATA, never materialized. Additionally, FATA was supposed to be a tax-free zone for a decade, yet new taxes were imposed, and natural resources were exploited. I believe seminars and workshops on the new law and human rights should have preceded its implementation. Educating people about the Constitution of Pakistan, building educational institutions, and focusing on development and employment opportunities were essential. Replacing officers from the FCR era and providing proper training should have been a priority. Rushing to abolish FCR was a mistake in my view. A phased amendment would have helped people gradually adapt to the new law. I draw a parallel with China, where they adopted a policy of incremental reforms over a decade. Today, China holds a significant place globally, and a similar approach could have benefitted us."

An elder *Malik* fondly reminisces about the past when respect and honor for elders held a prominent place. He reflects, "In the earlier times, the decision-making power rested with the elders. However, presently, the reins of decision-making have shifted to the younger generation. These young individuals, affiliated with various political parties, are now actively involved in government offices. This shift has led to a decline in the traditional status and respect that elders once enjoyed, as deeply ingrained in our age-old traditions."

Remnants of FATA Reforms

One of our respondents expressed distress over the integration of previous *Khasadar* and Levies officers into the new police system. They lamented, "The former *Khasadar* and Levies officers, now serving as SHOs or DSPs in the police, often lack proper education. They seem unfamiliar with FIR procedures and tend to unquestioningly follow orders from higher-ups. These police officers conduct home raids without adequate warrants and file FIRs without valid grounds. In many police stations, SHOs and DSPs hold impromptu jirgas and accept bribes from both parties. While this bureaucratic jirga temporarily resolves issues, they resurface within a day or two."

Another respondent conducted a comparative analysis of the FCR and FATA Reforms, stating, "When comparing FCR with the new FATA Reforms, the crime rate has increased after the FATA Reforms. A single police station now reports more crimes than the entire *Bajaur* during the FCR era. In FCR, there was a sense of peace in Bajaur. If someone committed a murder, the homes of the perpetrators were either burned or they were compelled to leave Bajaur. However, after the reforms, murderers commit their acts openly, even in broad daylight in bazaars, and then flee on motorcycles. This puts the police in a situation where they have to invest time in apprehending the criminals. Additionally, after the FATA reforms, criminals are granted bail easily, and the victims often encounter them again. Consequently, people view the merger as a deception because the crime rate has increased, along with the unemployment ratio".

Key Findings on FATA Reforms: A Summary

Here, we encapsulate the critical findings shedding light on public perspectives regarding FATA reforms and the previous Frontier Crimes Regulation (FCR) system. These insights delve into the evolving judicial, societal, and resource management domains, offering a nuanced understanding of the reform's impact on the lives of the people in FATA.

1. Opinions on FATA reforms reflect a desire for an improved judicial system providing swift justice and modernizing legal and judicial frameworks.
2. Influential figures, including *Khans*, *Maliks*, and Feudal lords, expressed concerns about the new legal system's inefficiency, where even minor cases take up to a year to resolve.
3. Falsely filed cases as a means of blackmail and harassment are common, negatively impacting innocent individuals.
4. The evolving police system raised concerns, with some perceiving it as diminishing the dignity and honour of respectable individuals.
5. Public sentiment reflects concerns about the clash between the new law and cultural practices, particularly regarding property rights and inheritance.
6. Several departments have begun operations in Bajaur, primarily focused on revenue collection, except for "Rescue 1122" which received positive feedback.
7. The region boasts various natural resources, including pine forests, fish reserves, and valuable minerals like nephrite, chromite, and marble. Mineral exploitation, particularly by influential figures, remains a prominent issue.
8. The absence of departments focusing on safeguarding basic human rights has led to public sentiment shifting from strong initial support for FATA reforms to reduced favorability.
9. A young and educated *Malik* emphasized the unfulfilled promises of FATA reforms, including the NFC's 3% share and the lack of tax-free status for the region.
10. Integration of former *Khasadar* and Levies officers into the new police system has raised concerns due to a lack of proper education and unfamiliarity with FIR procedures.
11. Former *Khasadar* and Levies officers-turned-police officers are criticized for conducting home raids without adequate warrants and accepting bribes during impromptu jirgas.
12. A comparative analysis reveals an increase in the crime rate following FATA reforms. This includes more crimes reported by individual police stations than during the entire FCR era.
13. The sense of peace in Bajaur under the FCR has been disrupted, with criminals openly committing acts, escaping on motorcycles, and being easily granted bail after the reforms.
14. The increase in crime and unemployment has led some to perceive the merger as a deception.

In essence, the FATA reforms present a potential for positive transformation, but effective implementation, development, and education are imperative for the region's prosperous future.

Quantitative Component

The researchers opted to select a reduced sample size of 35 participants by a simple random sampling method in *Tehsil Khar, District Bajaur*, for the study due to the presence of militant unrest and incidences of sectarian violence in the district. It was crucial to establish an equilibrium between the need for data collection and the safety and well-being of the

participants and researchers. Hence, a reduced sample size is opted for to address the potential security concerns while simultaneously enabling the acquisition and examination of significant data. The selection of participants encompassed individuals from a variety of backgrounds, including various representations of gender, education levels, and age groups. The researchers used a Likert scale comprising twenty items to evaluate the degrees of agreement among the participants and for data analysis statistical software SPSS, was utilized.

Presentation of Quantitative Data:

Demographic Profile of Survey Participants

This section offers a comprehensive examination of the demographic characteristics of the survey participants. The study encompasses a range of factors, including gender, marital status, age, qualifications, and occupation. Comprehending these aspects is vital in order to gain insight into individuals' viewpoints on FATA reforms in *Tehsil Khar, District Bajaur*.

Table 1
Demographic Profile of Survey Participants

Gender	Frequency	Percentage (%)
Male	16	45.7
Female	19	54.3
Total	35	100.0
Marital Status	Frequency	Percentage (%)
Married	21	60
Unmarried	14	40
Total	35	100.0
Age Group	Frequency	Percentage (%)
20-30 years	20	57.1
31-40 years	10	28.6
41-50 years	4	11.4
51-60	1	2.9
Total	35	100.0
Educational Status	Frequency	Percentage (%)
Illiterate	5	14.3
Secondary	9	25.7
High School	3	8.6
Graduate	18	51.4
Total	35	100.0
Occupation	Frequency	Percentage (%)
Unemployed	6	17.1
Public sector job	16	45.7
Private Sector job	8	22.9
Business	2	5.7
Agriculture	3	8.6
Total	35	100.0

The demographic data for the sampled residents of *Tehsil Khar, District Bajaur* are shown in Table 1. Statistics on the population's gender, marital status, age ranges, educational attainment, and employment rate are presented in the table. In a study of a random sample of 35 people, researchers found that 16 (45.7%) of the participants identified as male and 19 (54.3% of the sample) as female. About 60% of the participants in this study's sample (21/35), based on their responses to a question about their marital

status, reported being married. Contrarily, 40% of the sample -- or 14 people -- said they were never married. Analysis of the age distribution shows that a sizable proportion of the sample (n = 20; 57.1%) was comprised of people in their twenties and thirties.

Furthermore, it is noteworthy that out of the total respondents, 10 individuals, accounting for 28.6% of the sample, fell into the age bracket of 31–40 years. Similarly, 4 respondents, constituting 11.4% of the sample, belonged to the 41–50 age range. Additionally, a single respondent, representing 2.9% of the sample, was aged between 51 and 60 years. Concerning the educational attainment of the participants, a significant proportion, comprising 18 individuals (51.4%), reported having completed their undergraduate studies. Subsequently, a total of nine respondents, accounting for 25.7% of the sample, possessed a secondary-level education. Additionally, 3 respondents, constituting 8.6% of the sample, reported having a high school education, while 5 respondents, representing 14.3% of the sample, indicated being illiterate. Regarding the field of employment, a significant proportion of participants were involved in public sector occupations, accounting for 16 people, which corresponds to 45.7% of the total responses. Subsequently, a total of 8 respondents, accounting for 22.9% of the participants, reported being employed in the private sector. Additionally, six individuals, constituting 17.1% of the sample, indicated that they were now unemployed. Furthermore, 3 respondents (8.6%) reported involvement in agricultural operations, while 2 participants (5.7%) stated their engagement in business-related endeavours.

Univariate Analysis of Perceptions on FATA Reforms and Related Issues

The present study employed a Likert scale consisting of 20 items to assess the viewpoints of participants regarding the subject matter. The subsequent table presents a concise overview of the participants' responses, providing a brief representation of the quantitative data that was gathered.

Table 2
Perception of Sampled Respondents about FATA Reforms in District Bajaur

S/No.	Statements	Disagree	Uncertain	Agreed
1.	People of Bajaur know about FCR.	13(37.4)	4(11.4)	18(51.4)
2.	FCR was better than the current Fata reforms.	22(62.9)	5(14.3)	8(22.9)
3.	Remnants of FCR still exist especially in terms of politics.	5(14.3)	11(31.4)	19(54.3)
4.	Fata reforms brought a positive change in the political scenario of FATA.	9(25.7)	2(5.7)	24(68.6)
5.	FATA reforms brought a negative change in the political scenario of FATA.	20(57.1)	10(28.6)	5(14.3)
6.	Labourers strongly favour the Fata reforms.	5(14.3)	9(25.7)	21(60.0)
7.	Taliban or their sympathizers favour FATA reforms.	11(31.4)	17(48.6)	7(20.0)
8.	People are now free to join a political party of their choice.	1(2.9)	0(0)	34(97.1)
9.	The right to vote on the adult franchise has been granted after FATA reforms.	14(40)	1(2.9)	20(57.1)
10.	The right to vote has been granted to females.	2(5.7)	0(0)	33(94.3)
11.	Female candidates now contest elections.	0(0)	0(0)	35(100)
12.	Male and female candidates freely campaign on election days.	7(20.0)	0(0)	28(80.0)

13.	All parties are free to preach their manifestoes.	1(2.9)	1(2.9)	33(94.3)
14.	Religious parties benefited the most from Fata reforms.	7(20)	12(34.3)	16(45.7)
15.	Nationalist parties benefited the most from Fata reforms.	1(2.9)	17(48.6)	17(48.6)
16.	Leftist parties benefited the most from Fata reforms.	3(8.6)	14(40.0)	18(51.4)
17.	The political role of the local elite has been reduced after the Fata reforms.	5(14.3)	6(17.1)	24(68.6)
18.	The role of bureaucratic setup has been reduced after the Fata reforms.	10(28.6)	1(2.9)	24(68.6)
19.	The influence of mass media along with social media has increased after reforms.	2(5.7)	5(14.3)	28(80.0)
20.	The role of the jirga has been reduced after reforms.	5(14.3)	0(0)	30(85.7)

The research undertaken in *Tehsil Khar, District Bajaur*, revealed that a significant proportion of the local populace exhibited knowledge regarding the Frontier Crimes Regulation (FCR). Among the participants, a majority of 51.4% demonstrated a recognition of the presence and consequences associated with the FCR, indicating a notable degree of acquaintance. In contrast, a notable proportion of 37.4% expressed disagreement, maybe suggesting a restricted availability of educational opportunities or a lack of political involvement within a specific demographic. Furthermore, a notable proportion of individuals, specifically 11.4%, exhibited uncertainty, which can be attributed to a lack of adequate information regarding the FCR.

When comparing the FCR to the current FATA reforms, a significant majority, 62.9%, disagreed that the FCR was superior, recognizing the intent to move away from its repressive nature. In contrast, 22.9% agreed, possibly emphasizing certain aspects of the FCR, and 14.3% were uncertain, reflecting the complexity of this comparison.

Regarding the remnants of the FCR in politics, 54.3% of the respondents agreed, perceiving lingering effects within the political sphere. A notable portion, 31.4%, expressed uncertainty, potentially due to a lack of clear evidence or understanding, while 14.3% disagreed, suggesting that reforms have mitigated the influence of the FCR in politics.

Perceptions regarding the impact of FATA reforms on the political scenario were notably positive, with 68.6% of respondents agreeing that the reforms had brought about a favourable change. However, 25.7% disagreed, signalling concerns or reservations about the reforms' impact, and 5.7% remained uncertain, indicating a lack of comprehensive understanding of the reforms' implications.

In terms of gender inclusivity, the majority of respondents, 94.3%, agreed that the reforms had granted the right to vote to females, demonstrating a positive perception of the changes. However, a small percentage, 5.7%, disagreed, suggesting concerns about female voting rights. Interestingly, 100% of the respondents agreed that female candidates can now contest elections, underlining a unanimous perception regarding this aspect of the reforms.

Regarding political party affiliation and manifesto preaching, a significant majority, 97.1%, agreed that people are free to join a political party of their choice. Likewise, 94.3% agreed that all parties are free to preach their manifestoes. However, a minority, 2.9%, disagreed about the freedom to preach manifestoes, indicating potential limitations in this aspect of the reforms.

Perceptions regarding the impact on political parties varied, necessitating further investigation for a comprehensive understanding. Respondents' opinions diverged on which political parties benefited the most from the reforms, warranting a more in-depth exploration.

Regarding the reduced influence of the local elite and bureaucracy, 68.6% of the respondents agreed, suggesting a positive impact of the reforms in diminishing their sway. However, a small percentage, 2.9%, disagreed regarding the reduced bureaucratic influence, warranting further exploration and understanding.

In terms of media influence, 80.0% of the respondents agreed that media influence had increased after the reforms, signifying a perceived positive impact. However, 14.3% disagreed, suggesting a differing perception regarding media influence post-reforms.

Lastly, regarding the role of the traditional Jirga, a substantial majority, 85.7%, agreed on the reduction of the Jirga's role, indicating a positive impact of the reforms in altering traditional power dynamics and roles within the community.

Bivariate Analysis of Perceptions on FATA Reforms and Related Issues

"In this bivariate analysis, we explore the relationship between individuals' perceptions of various attributes related to FCR (Federally Administered Tribal Areas reforms) and their knowledge about FCR. We categorize perceptions into agree, disagree, and uncertain, while knowledge is categorized as known or unknown about FCR. The Chi-Square Test of Independence is employed to evaluate the association between these two categorical variables. The outcomes of this analysis shed light on the potential interdependence between individuals' perceptions regarding specific attributes and their familiarity with FCR."

Table 3
Association of Perceptions with FATA Reforms and Knowledge about FCR

S#	Attribute	Perception	Knowledge about FCR				Chi-Square Test
			Disagree	Uncertain	Agree	Total	
1.	FCR was better than the current Fata reforms.	Disagree	4(11.4)	2(5.7)	16(45.7)	22(62.9)	$\chi^2 = 15.369$ p = 0.004
		Uncertain	5(14.3)	0(0.0)	0(0.0)	5(14.3)	
		Agree	4(11.4)	2(5.7)	2(5.7)	8(22.9)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
2.	Remnants of FCR still exist especially in terms of politics.	Disagree	3(8.6)	0(0.0)	2(5.7)	5(14.3)	$\chi^2 = 6.011$ p = 0.198
		Uncertain	1(2.9)	2(5.7)	8(22.9)	11(31.4)	
		Agree	9(25.7)	2(5.7)	8(22.9)	19(54.3)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
3.	Fata reforms brought a positive change in the political scenario of FATA.	Disagree	7(20.0)	0(0.0)	2(5.7)	9(25.7)	$\chi^2 = 9.708$ p = 0.046
		Uncertain	1(2.9)	0(0.0)	1(2.9)	2(5.7)	
		Agree	5(14.3)	4(11.4)	15(42.9)	24(68.6)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100)	
4.	FATA reforms brought a negative change in the political scenario of FATA.	Disagree	4(11.4)	2(5.7)	14(40.0)	20(57.1)	$\chi^2 = 8.331$ p = 0.080
		Uncertain	6(17.1)	2(5.7)	2(5.7)	10(28.6)	
		Agree	3(8.6)	0(0.0)	2(5.7)	5(14.3)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
5.	Labourers strongly favour the Fata reforms.	Disagree	1(2.9)	2(5.7)	2(5.7)	5(14.3)	$\chi^2 = 14.417$ p = 0.006
		Uncertain	6(17.1)	2(5.7)	1(2.9)	9(25.7)	
		Agree	6(17.1)	0(0.0)	15(42.9)	21(60.0)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	

6.	Taliban or their sympathizers favour FATA reforms.	Disagree	5(14.3)	1(2.9)	5(14.3)	11(31.4)	$\chi^2 = 1.001$ p = 0.910
		Uncertain	5(14.3)	2(5.7)	10(28.6)	17(48.6)	
		Agree	3(8.6)	1(2.9)	3(8.6)	7(20.0)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
7.	People are now free to join a political party of their choice.	Disagree	1(2.9)	0(0.0)	0(0.0)	1(2.9)	$\chi^2 = 1.742$ p = 0.419
		Uncertain	--	--	--	--	
		Agree	12(34.3)	4(11.4)	18(51.4)	34(97.1)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
8.	The right to vote on the adult franchise has been granted after FATA reforms.	Disagree	6(17.1)	2(5.7)	6(17.1)	14(40.0)	$\chi^2 = 2.712$ p = 0.607
		Uncertain	1(2.9)	0(0.0)	0(0.0)	1(2.9)	
		Agree	6(17.1)	2(5.7)	12(34.3)	20(57.1)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
9.	The right to vote has been granted to females.	Disagree	2(5.7)	0(0.0)	0(0.0)	2(5.7)	$\chi^2 = 3.590$ p = 0.166
		Uncertain	--	--	--	--	
		Agree	11(31.4)	4(11.4)	18(51.4)	33(94.3)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
10.	Female candidates now contest elections.	Disagree	--	--	--	--	No statistics are computed because Vari10 Female candidates now contest elections. is a constant.
		Uncertain	--	--	--	--	
		Agree	13(37.1)	4(11.4)	18(51.4)	35(100)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100)	
11.	Male and female candidates freely campaign on election days.	Disagree	4(11.4)	1(2.9)	2(5.7)	7(20.0)	$\chi^2 = 1.894$ p = 0.388
		Uncertain	--	--	--	--	
		Agree	9(25.7)	3(8.6)	16(45.7)	28(80.0)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
12.	All parties are free to preach their manifestoes.	Disagree	1(2.9)	0(0.0)	0(0.0)	1(2.9)	$\chi^2 = 3.590$ p = 0.464
		Uncertain	1(2.9)	0(0.0)	0(0.0)	1(2.9)	
		Agree	11(31.4)	4(11.4)	18(51.4)	33(94.3)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100)	
13.	Religious parties benefited the most from Fata reforms.	Disagree	1(2.9)	2(5.7)	4(11.4)	7(20.0)	$\chi^2 = 6.112$ p = 0.191
		Uncertain	7(20.0)	0(0.0)	5(14.3)	12(34.3)	
		Agree	5(14.3)	2(5.7)	9(25.7)	16(45.7)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
14.	Nationalist parties benefited the most from Fata reforms.	Disagree	1(2.9)	0(0.0)	0(0.0)	1(2.9)	$\chi^2 = 1.742$ p = 0.783
		Uncertain	6(17.1)	2(5.7)	9(25.7)	17(48.6)	
		Agree	6(17.1)	2(5.7)	9(25.7)	17(48.6)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
15.	Leftist parties benefited the most from Fata reforms.	Disagree	1(2.9)	0(0.0)	2(5.7)	3(8.6)	$\chi^2 = 4.986$ p = 0.289
		Uncertain	7(20.0)	0(0.0)	7(20.0)	14(40.0)	
		Agree	5(14.3)	4(11.4)	9(25.7)	18(51.4)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
16.	The political role of the local elite has been reduced after the Fata reforms.	Disagree	2(5.7)	1(2.9)	2(5.7)	5(14.3)	$\chi^2 = 7.083$ p = 0.132
		Uncertain	0(0.0)	0(0.0)	6(17.1)	6(17.1)	
		Agree	11(31.4)	3(8.6)	10(28.6)	24(68.6)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	

17.	The role of bureaucratic setup has been reduced after the Fata reforms.	Disagree	7(20.0)	0(0.0)	3(8.6)	10(28.6)	$\chi^2 = 7.638$ $p = 0.106$
		Uncertain	0(0.0)	0(0.0)	1(2.9)	1(2.9)	
		Agree	6(17.1)	4(11.4)	14(40.0)	24(68.6)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
18.	The influence of mass media along with social media has increased after reforms.	Disagree	1(2.9)	0(0.0)	1(2.9)	2(5.7)	$\chi^2 = 10.561$ $p = 0.032$
		Uncertain	5(14.3)	0(0.0)	0(0.0)	5(14.3)	
		Agree	7(20.0)	4(11.4)	17(48.6)	28(80.0)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	
19.	The role of the jirga has been reduced after reforms.	Disagree	3(8.6)	0(0.0)	2(5.7)	5(14.3)	$\chi^2 = 1.635$ $p = 0.441$
		Uncertain	--	--	--	--	
		Agree	10(28.6)	4(11.4)	16(45.7)	30(85.7)	
		Total	13(37.1)	4(11.4)	18(51.4)	35(100.0)	

The chi-square tests conducted in this study unveil compelling insights regarding the perception and awareness of respondents regarding the Frontier Crimes Regulation (FCR) and the subsequent reforms in FATA. A significant association ($p = 0.004$) was found between the perception that the FCR was inferior to the current FATA reforms. A clear majority (62.9%) favoured the present reforms over the FCR, emphasizing a distinct preference. On the other hand, the perception regarding remnants of FCR in politics didn't exhibit significance ($p = 0.198$), reflecting a diversity of views. When gauging the perception of positive changes due to FATA reforms, a significant association ($p = 0.046$) emerged, highlighting a substantial agreement (68.6%) regarding the reforms' positive impact on the political landscape. However, perceiving negative change lacked statistical significance ($p = 0.080$), signifying a varied assessment. Labourers' occupation significantly influenced their strong favouring of the reforms ($p = 0.006$), showcasing occupational disparities. Conversely, there was no significant association ($p = 0.910$) between Taliban sympathizers and their stance on FATA reforms, underlining diverse perspectives within this group. Additionally, a significant relationship ($p = 0.004$) between the freedom to join a political party and awareness of FCR was observed, emphasizing the interplay of these factors. Nonetheless, granting the right to vote to females showed no significant association ($p = 0.166$), indicating uncorrelated perceptions. In terms of gender inclusivity in electoral contests, a lack of statistical data was noted due to consistent responses. Campaigning freedom on election days also exhibited no significant association ($p = 0.388$), underlining nuanced perceptions. Likewise, preaching manifestoes lacked a significant link to awareness of FCR ($p = 0.464$), indicating varied perceptions. Perceptions regarding the benefits to religious ($p = 0.191$), nationalist ($p = 0.783$), and leftist parties ($p = 0.289$) didn't significantly align with FCR awareness, showcasing diverse viewpoints. The political role of local elites and bureaucratic setups, as well as the influence of mass media and social media, displayed no significant relationship with FCR awareness, indicating varied assessments. Conversely, the reduction in the role of the jirga showed no significant association ($p = 0.441$) with FCR awareness, suggesting a lack of consensus. The bivariate analysis underscores the complexity of perceptions and awareness surrounding FCR and subsequent reforms, reflecting the need for nuanced policy considerations.

Key Findings of the Quantitative Study on FATA Reforms.

These key findings summarize the main insights from the research conducted in Tehsil Khar, District Bajaur, regarding the Frontier Crimes Regulation (FCR) and the subsequent reforms in FATA.

Awareness and Understanding of FCR

A significant portion (51.4%) of the local population in Tehsil Khar, District Bajaur, demonstrated knowledge of the Frontier Crimes Regulation (FCR). A notable proportion (37.4%) disagreed with the FCR, possibly due to limited educational opportunities or political involvement within a specific demographic. A significant number (11.4%) were uncertain about the FCR, indicating a lack of adequate information.

Comparison of FCR with FATA Reforms

A majority (62.9%) disagreed that the FCR was superior compared to the current FATA reforms, indicating a recognition of the intent to move away from its repressive nature. A notable proportion (22.9%) agreed, possibly emphasizing certain aspects of the FCR, and 14.3% were uncertain about the comparison.

Remnants of FCR in Politics

More than half of the respondents (54.3%) agreed that remnants of the FCR still affect the political sphere, while 31.4% expressed uncertainty. A minority (14.3%) disagreed, suggesting that reforms have mitigated the influence of the FCR in politics.

Perceptions of FATA Reforms

A majority (68.6%) of respondents perceived a favourable change in the political scenario due to FATA reforms. However, a notable proportion (25.7%) expressed disagreement, signalling concerns or reservations about the reforms' impact. A small percentage (5.7%) remained uncertain, indicating a lack of comprehensive understanding of the reforms' implications.

Gender Inclusivity

The reforms were positively perceived in terms of gender inclusivity, with a significant majority (94.3%) agreeing that the reforms granted voting rights to females and allowed them to contest elections.

Political Party Affiliation and Manifesto Preaching:

The majority (97.1%) agreed that people are free to join a political party of their choice, and a similar proportion (94.3%) agreed that all parties are free to preach their manifestoes.

Influence of Local Elite and Bureaucracy

A significant proportion (68.6%) agreed that the reforms had reduced the influence of local elite and bureaucracy.

Media Influence and Traditional Jirga's Role

A majority (80.0%) believed that media influence had increased after the reforms, signifying a perceived positive impact. The reduction of the traditional Jirga's role was widely acknowledged, with 85.7% of respondents agreeing, indicating a positive impact in altering traditional power dynamics and roles within the community.

Chi-Square Test Insights

Significant associations were found between perceptions of the FCR being inferior to the current FATA reforms and perceiving positive changes due to FATA reforms. Occupational disparities were observed, with labourers strongly favouring the reforms.

Complexity of Perceptions

The research highlighted the complexity of perceptions and awareness surrounding the FCR and subsequent reforms, emphasizing the need for nuanced policy considerations.

Integration of Qualitative and Quantitative Findings on FATA Reforms and FCR

Here, we amalgamate qualitative and quantitative findings, offering a holistic view of public perspectives on FATA reforms and the preceding Frontier Crimes Regulation (FCR) system in the region.

Awareness and Perception of FCR and FATA Reforms

A significant portion (51.4%) of the local population demonstrated knowledge of the FCR, and a notable proportion disagreed with its repressive nature (37.4%). There was uncertainty (11.4%) indicating a lack of adequate information. In qualitative responses, concerns were expressed regarding the pace and methods of transition from FCR to the new legal system. Participants highlighted a swift transition leading to challenges and unresolved issues.

Comparison of FCR with FATA Reforms

A majority (62.9%) disagreed that the FCR was superior compared to the current FATA reforms, recognizing the intent to move away from its repressive nature. A notable proportion agreed with certain aspects of FCR (22.9%). Qualitatively, concerns were raised about the efficiency and speed of the new legal system, highlighting the advantages of the FCR in resolving critical cases swiftly.

Remnants of FCR in Politics

Over half (54.3%) believed remnants of the FCR still affect the political sphere. This was echoed in qualitative responses, where concerns were expressed about lingering influences impacting local politics.

Perceptions of FATA Reforms

A majority (68.6%) perceived a favourable change in the political scenario due to FATA reforms. However, a notable proportion expressed disagreement (25.7%), indicating concerns or reservations. Qualitative insights indicated a desire for a more gradual transition to allow people to adapt and understand the new legal and administrative frameworks.

Gender Inclusivity and Political Affiliation

FATA reforms were overwhelmingly perceived as positive in terms of gender inclusivity, with 94.3% acknowledging the granting of voting rights and the ability for females to contest elections. Regarding political affiliation, a significant majority (97.1%) agreed that people are free to join any political party of their choice.

Influence of Local Elite, Bureaucracy, and Media

A significant proportion (68.6%) agreed that the reforms had reduced the influence of the local elite and bureaucracy, aligning with qualitative responses emphasizing the desire for a more equal and just system. Media influence was perceived to have increased positively (80.0%), corroborated by qualitative insights.

Role of Traditional Jirga and Complexity of Perceptions

The reduction of the traditional Jirga's role was widely acknowledged (85.7%), indicating a positive shift in power dynamics and roles within the community. The research revealed a complexity of perceptions and a need for nuanced policy considerations, emphasizing the diverse array of views and the multifaceted impact of reforms.

This integrated summary offers a comprehensive overview of the public's nuanced perceptions and experiences regarding FATA reforms and the FCR system, combining both qualitative and quantitative insights.

Conclusion

The transformation from the traditional Frontier Crimes Regulation (FCR) to the FATA reforms signifies a momentous shift in the Federally Administered Tribal Areas (FATA). The journey, however, has been marked by a diverse array of opinions and a yearning for progress.

A notable portion of the population demonstrated a keen awareness of the outdated FCR, often seen as oppressive. The desire for change was evident, with most favouring the shift to the new reforms. However, concerns loomed regarding the pace and efficiency of this transition.

As the region embraces a new political landscape, shadows of the past, particularly from the FCR era, continue to influence the present. While many anticipate a positive transformation, a significant number remain cautious, emphasizing the importance of a careful and balanced approach to this transition.

The FATA reforms have earned a commendation for promoting gender inclusivity, a significant stride toward a more equal and representative society. The media has emerged as a potent tool for change, shaping public opinion and shedding light on evolving dynamics within the region.

This transformational phase is imbued with complexity. The research highlighted the intricate interplay of perceptions, underscoring the necessity for finely tailored policies that respect the varied perspectives of the people.

The journey toward reform is ongoing, and its true success lies in understanding and addressing the multifaceted concerns and hopes of the populace. Collaboration and engagement with the people at every step, fostering understanding, and nurturing a harmonious legal and administrative fabric are crucial.

As the echoes of change reverberate through FATA, charting the path forward demands a keen ear, listening to the echoes of the past while embracing the promise of a more equitable future. The legacy of reform is in the making, and its success shall illuminate the way for generations to come.

Recommendations

Drawing from a comprehensive analysis that encompasses both qualitative and quantitative dimensions, the following integrated recommendations are proposed to foster effective and meaningful reforms in the Federally Administered Tribal Areas (FATA):

"Using the 2016 FATA Reforms Committee Report to address the challenges of integrating FATA and KP."

To successfully address the difficulties that arise after the merger of FATA with Khyber Pakhtunkhwa (KP), the Government of Pakistan must consult the detailed analysis provided in the 'Report of the Committee on FATA Reforms 2016'. The report emphasises the apprehensions of tribal leaders over Jirga, Riwayat, and land records, all of which need to be addressed in order to achieve a seamless integration of FATA with KP. If the government implements the proposals outlined in this report, it may effectively and efficiently address transitional difficulties and facilitate a more cohesive and prosperous future for the region

Community Education and Awareness

Conduct educational seminars, workshops, and awareness campaigns to educate the local population about the constitution of Pakistan and the implications of regular law. Address the knowledge gap and cultivate a culture of legal understanding and compliance.

Overhaul Bureaucratic Mindsets and Institutions

Address the persisting remnants of FCR by undertaking substantial bureaucratic reforms. Relocate officers entrenched in the FCR system and appoint new officials committed to the principles of fairness, transparency, and progress.

Holistic Compensation for War-Affected Individuals

Develop a comprehensive compensation and rehabilitation program for individuals and families adversely impacted by the war against terror, especially those who were displaced. Recognize and honour their sacrifices by providing adequate support and opportunities for rebuilding their lives.

Prioritize Education and Skill Development

Establish modern educational institutions in the merged districts to harness the potential of the local population. Prioritize education and skill development to equip the youth with the tools needed for active participation in nation-building endeavours.

Foster Economic Growth and Human Rights

Promote economic growth by investing in industries and leveraging the region's rich natural resources. Simultaneously, ensure the protection and promotion of fundamental human rights, including freedom of speech and expression, to empower the local population.

Empower and Involve Local Communities

Encourage active involvement of local communities in the decision-making process, policy formulation, and implementation. Empower individuals to contribute effectively to the development agenda, aligning initiatives with their needs and aspirations.

Enhance Resource Allocation Transparency

Ensure transparent allocation and utilization of resources, especially the National Finance Commission award share, to build trust and confidence in the reform process. Monitor fund distribution meticulously to guarantee effective utilization for the betterment of FATA.

Invest in Post-War Rehabilitation and Development:

Allocate substantial resources for post-war rehabilitation, focusing on healthcare, infrastructure, and overall development. Foster recovery and growth in the affected areas to improve living conditions and instigate a wave of progress.

Forge Collaborative Partnerships:

Foster partnerships and collaborations between the government, non-governmental organizations, and the international community to pool resources, expertise, and knowledge. Leverage collective efforts to optimize the impact of reform initiatives and expedite development.

By integrating these recommendations into the reform agenda, policymakers can navigate the challenges and complexities inherent in the FATA reform process. A holistic approach, guided by a fusion of quantitative data and qualitative insights, will pave the way for a prosperous and inclusive future for the people of FATA.

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