

## FATA Merger to Khyber Pakhtunkhwa: Problems and Prospects for Federalism in Pakistan

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**Abstract** *Federalism provides opportunity to the diverse societies with the distinct cultural and geographical heritage of such constitutional arrangements that they can strengthen their bond with the rest of the areas of a state. Federalism in Pakistan started in a unique way where its two main regions had no geographical adhesion. The west wing of Pakistan is culturally diverse. People of FATA lived their lives almost for seventy (70) years without constitutional rights. That was the reason after the American invasion in Afghanistan, Federally Administered Tribal Areas (FATA) became the hub of terrorist activities. The state of Pakistan noticed this situation and formed a FATA reforms committee. According to the recommendations FATA was merged in Khyber Pakhtunkhwa (KP). The people of the area faced issues due to the lack of administrative setups. Now, the challenge for federal and KPK government is to develop the area according to the wishes of the people.*

**Key Words:** Terrorism, Merger, Reforms, Federalism, Constitution.

### Introduction

Federalism has the power to appease the ethnic tensions of a particular area through the sharing of powers to the people of that area. Remote and semi-autonomous areas of a state are merged constitutionally to settled areas to provide the basic rights to the people. This was exactly done in the case of FATA in Pakistan. If political, administrative, and financial powers are shared with the constituent units, it is called federalism. The federalism of Pakistan started merging semi-autonomous areas into provinces in 1948 when the princely state of Qallat was merged into the area of Balochistan. Although Balochistan was not a separate province at that time and the federal government was running its administrative affairs but the people of the area has all the basic rights constitutionally and there were no special laws for this area. In 1954 state of Bahawalpur was merged into the province of Punjab when the whole western wing was declared as One Unit. The province of One Unit was dissolved in 1970 and in December 1971 federalism in Pakistan was collapsed due to many reasons but the major among them was the negation of sharing of powers to the provinces. When federalism in Pakistan was started, some tribal areas were also part of this newly emerged state and rulers adopted the policy of British rule and decided to run the administrative, legal, financial, and political affairs of the area through the central government. The centuries-old legal and judicial system of

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the area was once again enforced by the new federalist state and an unjust legal system in the form of Frontier Crimes Regulations (FCR) was enforced [Which was already in practice from British colonial rule] that crushed the spirit of federalism for the area. People of Bahawalpur that were made the part of Punjab province started demanding a province of their own in the 1970s in the name of Saraiki Sooba or province of south Punjab and the PTI government that came into power in 2018 now started arrangements for this purpose and in the year 2020, established a separate secretariat for Southern Punjab. In FATA some factions of the area were also demanding their separate province but the government merged this area into KPK. In this research, the focus is made to clarify that what were the circumstances for merging FATA into KPK, what legal political and financial steps are required to settle the issues of the area, how the federal government can share the authority to this area. The objective of the study is to explain the factors that compelled the federal government to merge it into KPK. It is also discussed in this research that development of the area in all aspects is the need of the hour other than this anti-state actors will flourish in the area or people will start demanding a new province in the form of FATA.

## Literature Review

Federalism is a form of government that is devised for the multi-ethnic states. Pakistan is also a plural state and has to face many challenges. FATA remains a hub of terrorism in post 9/11 attacks, the terrorists from this area were crushed by the law enforcing agencies by starting operations Zarb e Azb and operation Raddulfasad but the economy and the institutions of the area are destroyed. Political leadership can ease the issues of the people of the area by starting development programs (Sulaiman, 2018). FATA has a centuries-old history. In 1901 British government enforced cruel regulations in the name of FCR that deprived the people of their basic rights, after the creation of the Pakistan government brought some changes under the articles 103 and 104 but the people remained under the bond of FCR. The merger of FATA to KPK has socio-economics, political, legal, judicial, and administrative impacts, both for KPK and the federation of Pakistan (Saba, et al, 2018). Mainstreaming FATA will provide 23 more seats to KPK provincial assembly this will not only increase the role of the merged districts in provincial matters but also will enhance the role of KPK in federal affairs (Bhutto, 2019). FATA was kept neglected area by the state authorities. Seeds of terrorism were cultured during Zia dictatorship when Afghan Jihad was started. After the 9/11 attacks when started the drone war against terror, this area became the shelter place of terrorists. When terrorist attacked APS School Peshawar and GHQ, then army started military operations to eradicate the terrorism from the area and it was thought by the policymakers that without the emergence of this region to culturally and geographically linked KPK and provision of basic rights to the people it would only be a dream to save this area from a power game (Mohmand, 2017). Conflict ridden FATA can never be transformed into a peaceful territory without changing the lives of the people and bringing it to the mainstream. (Qazi et al., 2018). The people of FATA are not happy at all. They have not tasted the fruit of the merger due to bureaucratic hurdles. Peoples are asking that the federal government announced Rs 110 billion in 2018 and 2019 for FATA development programs but where spent nobody knows (Farooq, 2020). There is a gap in the literature about the post-Merger of FATA to KPK, this study sought to fill this gap.

## Historical Background of FATA

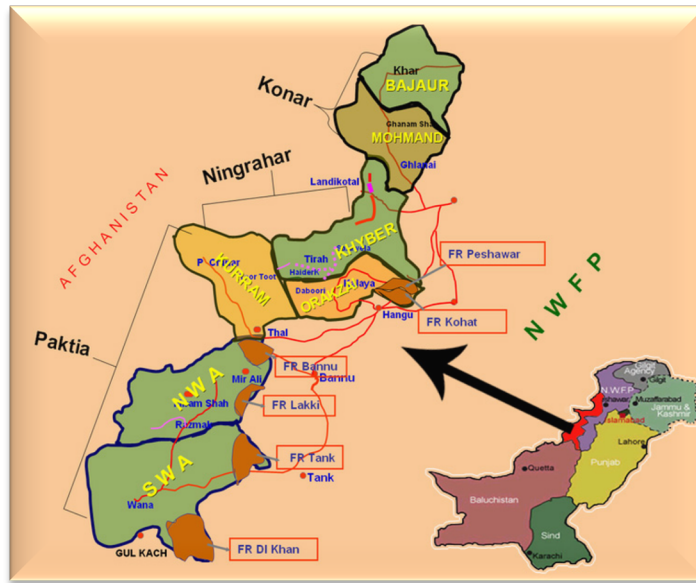
FATA is a semi-autonomous tribal region comprising of 27220 square kilometers in Pakistan situated in the north-western part of the state. The area is comprised of seven tribal agencies (districts) and six regions. The estimated population of the area in 2016 was 4.8 million. Most of the people living in the area are of Pakhtun origin and speak Pashtu. When Alexander the Great attacked India in 323B.C. after subduing India he also moved towards the Western part of India and under his direction, General Seleucus conquered and annexed this area to the Macedonian Empire. After that in 250 B.C, Ashok the Great also ruled this area. In the 9<sup>th</sup> and 10<sup>th</sup> centuries, this area was being ruled by Hindu Rajputs. At that time Muslim invasions from Afghanistan and Central Asia started in this region. The last Hindu ruler Raja Jaypal was defeated by

Mehmud Ghazanvi in Peshawar in 1886 and he laid the foundation of the first Muslim Empire in the subcontinent. After that in 1398, Amir Timur, and in 1526 A.D, Zaheer u din came into power in this area. The downfall of the Mughal Empire started in the year 1707 with the death of Aurangzeb Alamgir that gave birth to the first Pakhtun consolidation in the area known as the Durani Federation in history. After some time this area came under the rule of Sikhs. In 1826 Dost Muhammad of Muhammadzai tribe came into power in Kabul and in 1837 A.D, he sent his army under the command of his son Akbar Khan to liberate his Pakhtun brothers from the Sikh rule. With the help of native tribesmen, Akbar Khan defeated the Sikh army led by Hari Singh in Jamrud. The first Afghan war (1839-42) was fought only due to the non-cooperation of Britain to the Amir Dost Muhammad Khan in capturing Hirat from the Persians. By the time of the second Afghan war fought 1878-1880, under the command of Brigadier General Neville Chamberlain, most of the British Indian areas were annexed to India. But the Pakhtun areas were a constant source of tension and threat for the British so to check this threat they launched 58 military campaigns against the Pakhtun tribes from 1849 to 1939. Afghan government wanted to settle down the boundaries of Afghanistan with British India, for this purpose an agreement was signed between M. Daurand and Amir Abdurrahman on December 12, 1893, that divided the Pakhtuns into North-Western India and Afghanistan and the boundary line drawn is known as Durand Line. Now the Frontier Pakhtun area was in the complete command of British India and they enforced a set of ordinary and criminal laws in the six agencies of the frontier with the name of Frontier Crime Regulations (FCRs) in 1848. Initially, these laws were only for six Pakhtun districts of northwest Frontier Districts of India but later on, their jurisdiction and intensity were expanded to other frontier areas in 1871. Modifications were also made in 1873 and then 1876. In 1901 the last modification was made in these regulations when the whole of North-Western India was occupied by the British (A. Mahsud 2018).

Now the question of the administration of this region arose and these Pakhtun districts and agencies were placed under the direct control of the Governor-General of India who administered it through the chief commissioner of Punjab and with the help of political officers of Punjab civil service, who dealt with local Maliks and Lungi holders (Mahsud, 2016). This situation remained in practice until the creation of Pakistan.

### Constitutional Status of FATA

The Plan of 3<sup>rd</sup> June 1947 abrogated all the special territories but at the same time, 200 Maliks of this area signed a document of accession in a Loya Jirga with Quaid e Azam. On August 14, 1947, Pakistan came into being a new sovereign state, and the government of Pakistan recognized the instrument of accession of FATA and its semi-autonomous status. This status of the area remained intact in the constitutions of Pakistan 1956, 1962 and also in the constitution of 1973. According to Article 1 of the constitution of 1973, former FATA was a territory of Pakistan, while Article 246 encircles 13 frontier regions and agencies of FATA. Article 247 explains that how the federation will administer the FATA region. According to this Article, FATA will be administered by the Governor of Khyber Pakhtunkhwa under the directions of the President of Pakistan. Thus FATA was placed directly under the control of the head of the state of Pakistan. The President of Pakistan has the authority to abolish the special status of FATA with the consultation of local people of FATA (Ahmad and Mohyuddin 2013). According to article 145 of the constitution president can issue directions to his political agent but no act of parliament can be implemented in FATA without the will of the president of Pakistan. According to clause 7 of the article of 247, people of FATA had no direct access to the High Court and Supreme Court of Pakistan for justice that is a clear violation of the federalist principle (Malik 2013).



Pak-Afghan border and FATA

### Representation and Law Making

It was the irony of the fate that people of FATA were granted representation in both houses of parliament of Pakistan, but this representation was of no use for thematic given 12 seats in the National Assembly of Pakistan and 8 seats in Senate but it was so contrasting situation that these representatives of FATA could make legislation for the whole of the state but not for those areas for which they were representing. Geographically FATA is adjacent to KPK but people of the area have no representation in the KPK provincial assembly. For all the legislation matters the head of the federation of Pakistan has the authority. According to the constitution of 1973, the people of the area had not the right to participate in the political process. In 1999 the situation witnessed some change when the act of Adult Franchise was extended to FATA.

### History of Power-sharing to FATA

The first serious attempt for power-sharing to people of FATA was made by Prime Minister Zulfikar Ali Bhutto, when he formed a Committee under General (Retd.) Naseerullah Babar including Mr. Hafeez Pirzada, Mr. Rafi Raza, and Dr. Mubashar Hassan as members. The objective set for the committee was to demarcate such principles that would help FATA to make this region a part of the then NWFP, Now Khyber Pakhtunkhwa for upcoming general elections in March 1977. But this attempt was failed because the democratic government was thrown out by General Zia in July 1977 in a coup.

**Table I.** History of Sharing of powers to FATA.

YEAR	Amendment in FCR	Era
1962	Punishment of property confiscation was added to FCR under section 302 or 306 of the Pakistan Penal code (XLV of 1860)	Ayub Khan
1996	Provision of the right of vote on an adult franchise basis	Nawaz Sharif
1997	Introduced Word "commissioner" for "court of the commissioner" and the definition of the governor was added to it, creation of FATA tribunal for lodging appeals against the PA decisions	Nawaz Sharif

1997	Elections in FATA	Nawaz Sharif
2002	Establishment of FATA secretariat that was converted into the civil secretariat of FATA in 2006 and establishment of Agency Council, Extension of Local Government Regulation to FATA	Pervez Musharraf
2011	Increase in the role of FATA Tribunal, the introduction of Qaumi Jirga, Introduction of civil power regulations	Yousaf Raza Gillani
2018	Merger of FATA to KPK	Shahid Khaqan Abbasi

The second attempt for FATA reforms was witnessed almost twenty years later when the people of FATA were granted the right of adult franchise in 1996 by the authorities to make the people of FATA responsible for electing their representative for National Assembly directly without the consent of tribal maliks. This important step did not , increase self-governance, partly because of Article 247 of the Constitution and partly because FATA was not a province or part of another province and therefore could not, elect its representatives to a provincial assembly, which elects ministers to govern the province. (Sulaiman 2018).

**Table 2** History of FATA Reforms Initiatives.

Appointed By	year	Commission/ Committee	Head	Outcome
Pervez Musharraf	2005	Committee(FC R)	Justice Muhammad Ajmal	Recommendations were not followed
Yousaf Raza Gillani	2008	Cabinet Committee	Farooq.H.Naek	The Government Announced FATA regulations 2009 that was implemented on August 14, 2011, that amended the Collective Responsibility Clause of FCR
Nawaz Sharif/Govern or KP Mehtab Abbasi	2014	Commission	Ejaz Ahmad Qureshi	Recommended for the appointment of another commission
Nawaz Sharif	2015	Commission	Sartaj Aziz	The recommended merger of FATA to KPK After 5 years

\*\* Developed by the researcher

Another attempt to bring FATA to mainstream administration was the extension of Local Government Regulation to FATA In 2002. In 2004, Local Councilors were nominated by the Political Agents in some Agencies. However, this attempt proved fruitless because of the lack of confidence in nominated Councilors by the general public. Another reason for this failure was that these Councilors hardly had any powers. The next serious attempt for power-sharing to FATA was made in the year of 2006, when a special committee was appointed under the headship of Sahibzada Imtiaz Ahmad to introduce the measures through which more powers could be shared to the people of FATA. The focus of the report, submitted by the committee in 2006, was on sharing more administrative powers to FATA and providing more development funds to the people of the area so that the poverty of the people may reduce. The outcome of this report resulted in the form of increased independence of the FATA Secretariat under a separate Additional Chief Secretary and allocation of a heavy amount for the development of FATA. But these enhanced administrative powers and increased development funding brought no result because political authority was not provided to the

representatives of the people rather than the political agents. The absence of major legal reforms was another challenge. This was the reason that no change was seen in the governance and development of the area. After the 9/11 attacks in USA, war against terrorism was imposed on Afghanistan and FATA became the cluster of terrorist groups that resulted in a very fragile security situation in FATA. Infrastructure and related facilities that were destroyed in the area and internally displaced persons due to Pakistan's army operation, required much more development work and funding by the government to restore the infrastructure and rehabilitate the people [\(Qazi, Qazi and Shabbir 2018\)](#).

Keeping in view the legal issues in FATA a Committee on legal reforms was constituted in 2005 under the headship of Justice (R) Mian Mohammad Ajmal and the main objective of this committee was "to recommend modifications in FCR after public consultation across FATA." The Committee purposed lot of vital changes in FCR. Most of them were accepted and introduced in the area in 2011. The amendments enhanced the capability of FCR but without the effective changes in the judicial system according to the rest of Pakistan and provision of fundamental rights to the people of FATA, as equal citizens of Pakistan, these amendments have very marginal effects. Following the introduction of the Adult Franchise Act, 1996, the Political Parties Order 2002 was also extended to FATA in 2011, to allow political parties to campaign freely in FATA. This was an important step, but in the absence of provincial elections, its impact was limited. This step did, however, generate greater political awareness in FATA and also intensified the demand for fundamental reforms. In 2012, FATA Local Government Regulation 2012 was prepared to establish local bodies in FATA. However, the Regulation was never promulgated [\(Aziz, History of FATA reforms 2017\)](#).

### **FATA Reforms Committee 2015 and its Recommendations**

A final and serious attempt was made for mainstreaming FATA in 2015 when a cabinet-level committee was constituted in the headship of Sartaj Aziz. The committee aimed to prepare a practical scheme of reforms for FATA to bring this area in the purview of the federalism of Pakistan completely. For this purpose, FATA reforms committee members went to all districts of FATA and hold sessions with the native tribal elders (Mashraan and Maliks), businessmen, local civil society members, political leaders, and media members. The members of the committee also find the views of native people by talking to 3000 elders and Maliks of the area and organizing Jirgas in all its 7 agencies. A hotline on the ministry of SAFRON was established for getting views of the masses and the committee received 29000 comments. Most of them were in favor of changing the FCR and integrating FATA to KPK [\(Aziz, History of FATA Reforms 2017\)](#) The committee presented its final findings to Prime Minister of Pakistan Nawaz Sharif in August 2016 with the main suggestion merging FATA to KPK. In March 2017 Prime Minister of Pakistan approved the findings of the committee. Merging of FATA to KPK was a required amendment in the constitution of Pakistan that parliament of Pakistan did on May 31, 2018, and introduced the 25<sup>th</sup> amendment to the Constitution of the state [\(Noor, Hashmi and Bukhari 2018\)](#). The FATA reforms committee members decided to visit all the Seven Agencies of FATA for knowing the views of native tribal chiefs, political and civil society leaders, and journalists about the emergence of FATA to KPK or to form it as a separate province. After the visit, the committee members were of the view that the merger of FATA to KPK and its integration to Pakistan is necessary for the federalism in Pakistan, if this is not done it would be harmful to the legal, social, and political rights of the people of the area. That situation might be a challenging task for federalism in Pakistan as already this area has become the heaven of the terrorists and criminals. The Committee also recommended that FATA should be given a 3 percent share in the NFC award because FATA needed 90-100 billion every year for setting up a new administration, for creating the necessary infrastructure, and for eradication poverty from its different agencies. This grant should be provided for the next 10 years.

Committee also recommended that a minimum of five years of the transition period is required for the complete merger of FATA. Another major task for merging FATA to KPK was its strategic importance to the region and security concerns of Pakistan. By merging FATA to KPK the boundaries of the province

are extended to the Afghanistan border and now more FC and levies personals are needed for tackling the security issues of the province.

Committee also recommended extension of the jurisdiction of KPK High Court and Supreme Court of Pakistan to the FATA. A blended judicial and administrative system was also purposed for the area by abolishing FCR and keeping Rwj Act in progress. Article 247(vi) of the Constitution provided that, "the President may at any time direct that the whole or any part of the Tribal Area shall cease to be tribal area, provided that before making any order under the clause, the President shall ascertain the views of the people of the Tribal Areas concerned, as represented in Tribal Jirga". Jirgas in all seven agencies were held for fulfilling this constitutional requirement (Firdous 2016).

Implementation of all recommended reforms in former FATA is not an easy task because many national and international actors are in favor of keeping FATA as a lawless society for their vested interests. Another hurdle in implementing FATA reforms is the lack of a collaborative view among the provinces and center on FATA. Small provinces are opposing to curtail their share in the NFC award for providing a 3 percent share to FATA. Although the National Assembly of Pakistan passed the 31<sup>st</sup> amendment in the constitution on May 24, 2018, for merging FATA completely to the KPK, still serious efforts are required for mainstreaming FATA.

### **Merger of FATA to KPK**

National Assembly of Pakistan passed the 25<sup>th</sup> amendment bill for merging FATA to KPK with 2/3 majority on May 24, 2018, and the house of representatives of the people expressed its desire for annexing it to the settled area of the federation. Following that, Senate of Pakistan approved the bill on May 25, 2018, because the amendment was affecting the boundaries of the KPK so it was a constitutional compulsion that the KPK assembly will pass the amendment, that is why KPK provincial assembly passed the amendment on May 28, 2018. At last president of Pakistan Mamnoon Hussain gave his assent on May 31, 2018 and replaced FCR with the "Interim Regulation Act 2018".

This act was an interim arrangement for FATA for two years until its merger with KPK. Merger of FATA has also affected the numerical strength of both the houses of Parliament of Pakistan. National Assembly seats are reduced to 336 from 342 and senate seats from 104 to 96. Senate seats of FATA will be abolished gradually with the completion of the term of senators of the area. While 23 KPK provincial assembly seats are increased for giving representation to the people of the merged areas.

### **Future Arrangements**

The merger of FATA was done with great expectations and it was thought the only solution to the problems of the people of this neglected area of Pakistan. The merger of FATA to KPK was described as to end the hardships of the native people but after the merger, the local community came to know that nothing was changed even their problems have further increased. This caused great resentment among the masses. Now the federal and provincial government of KPK has to work hard for solving years-old issues, like poverty, hunger, terrorism, and illiteracy. Prime Minister Imran Khan after the merger termed it as the "huge victory for Pakistan". No doubt this a huge moment for the federation of Pakistan but this victory will only be fruitful when the public of the area will also be satisfied with the policies of the government.

The federal government is stepping forward slowly for development in FATA. It has taken some concrete steps for the development of the region in 2020, for instance the appointment of judges for tribal districts, the announcement of local body's election in FATA, Training of Law enforcement personals and fixation of funds for the development of the area but the region requires some more radical steps. The people of the area wanted all these announcements to be practiced shortly because the government has already delayed the local body's elections in the area. Moreover, two MNAs of the region belonging to



Pakhtoon Tahafuz Movement (PTM) were arrested by law enforcement agencies due to their involvement in anti-state activities has created unrest among their supporters.

The only way forward to develop the area and to make its ties strong with the federation is the speedy set up of administrative, legal, and judicial institutions so that people can enjoy the fruits of the merger in the form of reduction of their issues relating to justice and administration. Jirga system is not only the years old judicial system of the area but also the cultural heritage of the masses (Mohmand 2017), its complete abolishment will create resentment in the area. The government has to enforce this system by introducing necessary reforms. As was recommended by the official FATA Reforms Committee, the Jirga system could serve as a jury system for the speedy trials of civil or criminal offenses (Bukhari 2017).

Poor economic conditions of the region demand allocation of funds for FATA. The federal government announced at the time of the merger that three percent from the federal award will be granted to the newly merged districts, for this purpose government has asked the province, time and again but reluctance is shown from its part. The federal government held a finance meeting of the provinces in April 2019 and requested the provision of three percent funds for the development of the area but no agreement was finalized. However, the federal government approved one billion US dollars for newly merged districts.

The merger may have provided new hope to the masses of the area but till the provision of basic rights and facilities, this merger is of no use for them. If this was delayed disgusted people may fall once again into the hands of terrorists or in the anti-state actors supported by Afghan or Indian agencies.

### **Mainstreaming FATA, Future Challenges for Federalism in Pakistan**

FATA is merged much before the recommendation of the FATA reforms committee that is why the federalism in Pakistan now facing challenges. Before the process of the merger, the authorities should have created administrative and legal institutions for the implementation of new laws that were not done and people are finding themselves in limbo for securing their judicial and legal rights. Civil courts for dealing with legal cases were established a bit late that created unrest in the people for the new system.

Some religious political factions of the area demanded a separate province of FATA at the time of its mainstreaming, now the activists of the PTM also demanding the same. They are also criticizing the so-called extrajudicial activities of the army. This is a very dangerous situation for federalism in Pakistan. The main reasons for all this are the lack of rapid execution of the decisions of the FATA reforms committee. When people see no change in their life after the merger, they are disappointed now and started demanding a province of their own (Farooq 2020).

People of the area are expecting a reduction in poverty and unemployment. Development in the socio-economic sectors like health, education, mineral and mining sectors. Water supply, and power supply schemes not only will change the living standards of the people of merged districts but also provide them job opportunities. Moreover federal government has announced special incentives for the establishment of industrial zones, this not only will boost the economy of the region but also will provide hundreds of managerial, technical and labor relating jobs to the people. Foreign investors from China, Russia, and Central Asian states will also be attracted by linking these areas to CPEC. Changing the economic conditions of the area and the development of infrastructure is a big challenge for federalism in Pakistan.

Civil servants of FATA that were recruited from the local areas are finding it hard to know about their service structure due to hurdles created by the bureaucracy. These public servants are the backbone of the administrative machinery and economy of the area. Uptill June 2020 they were fighting for their service structures. Their contracts are going to expire and it will create resentments among these servants and will affect their service delivery (EX-Fata project employees gets contract extension, 2020).

The post-merger scenario reveals that peace and stability in the merged areas have to face serious challenges from the countries like Afghanistan and India. These states have been involved in creating unrest



in the region and also responsible for the terrorist activities. India will never wish peace and prosperity and integration of these areas due to its vested interests.

### Challenge of Political and Social Unawareness

Pakistan has lagged far behind from becoming true and participatory federalism. The image of the masses about Pakistan as a federal state is different from that of bureaucrats, elites, and politicians. Since the provision of the right of vote on an adult franchise basis people of FATA have experienced elections for three times in 1997, 2002, 2008, 2013, and 2018 but the social and political fabric of the tribals is designed in such a way that in most of the rural areas that constitute 70 percent population of FATA, people cast their votes without much freedom and consciousness. People are not much aware of their political and social rights due to illiteracy and political unconsciousness and hardly had taken a stand for their own will. The outcome of this lethargic behavior is that sometimes they are used by the political opportunists for their political gains and sometimes Malik and elder leaders use them for political bargaining. In the beginning, most of the women in the area were deprived of their right of casting the vote. This situation creates a sense in the political leadership and in the civil and military bureaucracy that they are free to run the affairs of the area keeping in view their benefits and according to their strategy. In Pakistan general and FATA particular only the privileged class is enjoying the economic prosperity and political positions. This situation is producing a regional and political exclusion in the federation and has jeopardized the integration and harmony of the state. Sense of deprivation is mounting in less developed areas like FATA and ethnic tendencies are increasing in the state that is a serious challenge for federalism in Pakistan ([Ahmad, 2010](#)). Social, political, and territorial exclusion is now visible in the form of unrest in Hazara, Southern Punjab, and former FATA and Insurgency in Baluchistan. Rebellious and insurgent behavior is producing in the state only due to regional grievances. Violence in Karachi political activism in Hazara, Gilgit-Baltistan, Southern Punjab, and the rise of PTM in former agencies of tribal areas have the roots in social and regional exclusion. Political elites, lack of accountability, and bad governance are the major causes of the fragility of federalism in Pakistan. Marginalized factions of the federation. . . . . women and poor peasants are facing the economic, political, and social exclusion and it is very hard for them even to raise their voice for their rights. When people are constantly deprived of the basic needs they do not think much about the national issues rather they try to solve their problems at the cost of the national interest ([Bhutto 2018](#)).

### Conclusion

Federalism works smoothly in all areas of a state and is dealt with under the same rules and regulations and state authorities take responsibility for developing all areas on equal grounds. FATA was controlled by the British government under FCR of 1901 and after the creation of Pakistan FATA was granted special status under the same brutal FCR. No constitutional rights were granted to the local people and the result was that when Pakistan became front line ally with America against the war on terror [from 2001 to 2011], the area became a powerhouse for terrorists of Tehrik Taliban Pakistan (TTP) and Al Qaeda. After 2002 rulers of Pakistan felt the danger and started efforts for mainstreaming FATA. Finally a FATA reforms committee was constituted that presented detailed recommendations. Based on these purposes now FATA is fully merged to KPK in 2020. After the merger, people of FATA are still facing legal and administrative difficulties due to a lack of an institutional framework. This situation is causing resentment in the people of the area. PTM and other ethnic groups are exploiting this situation. Now, this is the duty of federal and provincial governments to work hard for achieving the goals of merger of FATA to KPK without politicizing it. If the goals were achieved this merger will open new avenues of development of the area and also will bring healthy signs for federalism in Pakistan

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