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Pashtunwali and the FATA–Khyber Pakhtunkhwa Merger: Exploring Cultural Preservation Amid Mainstream Governance Transition

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Abstract

This research deals with the impact of Pashtunwali (i.e., a traditional code of life that guides morality and social fabric among Pashtuns) on public opinion in the wake of the Federally Administered Tribal Areas FATA's merger into KP following an amendment to Pakistan's constitution. Analyzing a cross-sectional sample of 384 adults from Khyber and Kurram districts, we investigate the relationship between a nine-item index measuring Pashtunwali retention and an eight-item portmanteau perception index using chi-square, Kendal's Tau-b, and subgroup analyses at the level of gender and age. The results indicate that cultural preservation generates positive attitudes toward the merger, which are best presented in a constructive programme that highlights hospitality and the prevention of its profane use (eg, dance parties), revival of local 'ritual' traditions, opposition to gun culture, and affirmation of relationships with settled Pashtun. Resistances are rooted in the association of badal (revenge) and poredak "as a challenge to nang (honour)". The association is strongest for young adults (18-35), moderate for youth and middle-aged (36-55) adults, and doesn't exist among seniors (56+). The paper recommends ADR using layered governance, "honor safe" development, and demilitarized civic stewardship in culturally appropriate ways so as to respect their power. These suggestions explore that institutional amendments receive greater acceptance when they are based on cultural systems.

Keywords: Pashtunwali, FATA merger, cultural preservation, governance, institutional transition

1. Introduction

Federally Administered Tribal Areas (FATA) is a region of Khyber Pakhtunkhwa (KP), a province with significant importance based on its geographical location and systems. In the year 2018, FATA was merged with KP, marking a crucial institutional transition in the history of the region. This transition demolished the governance system Frontier Crimes Regulations (FCR) established under colonial authorities, where state presence

was nominal, based on indirect rules and scant investment. The merger has replaced that colonial system with provincial legal and administrative frameworks (Government of Pakistan, 2018; International Crisis Group, 2018). This transition was marked as a significant achievement in terms of accessibility to constitutional rights, enhancement of security, and promotion of socio-economic development in the region, which was ignored in the previous system of governance (World Bank, 2009; UNDP, 2015).

The merger decision was driven largely by volatile security and ongoing militancy after the 9/11 scenario. The insurgents exploited the local social structures and Pashtunwali, particularly the code of hospitality (*melmastia*), by which they strategically inserted themselves within tribal networks. The price for this has been paid heavily by tribal people by giving the sacrifice of 40,000 casualties and vast displacement between 2001 and 2021 (South Asia Terrorism Portal, 2021; Ahmed, 2013). The state saw a merger as key to retrieving administrative control, dismantling militant havens, and extending the rule of law (Tellis, 2008; International Crisis Group, 2018).

However, some natives perceived the merger as a threat to Pashtunwali, the ancient code governing honor, social justice, and relationships among Pashtuns (Spain, 1972; Ahmed, 2013). The pillars, such as *badal* (revenge) and *nang* (honor), were perceived to conflict with constitutional reforms and state judiciary, raising doubts of cultural change and loss of indigenous social control (Yousaf, Rasheed, & Khan, 2018; Wazir, 2013). In the past, the British Empire and local elites also manipulated Pashtunwali to sustain indirect rule and deny Pashtuns political and economic rights to maintain exclusion (Barth, 1959; Tellis, 2008).

This process made the power elite more powerful and weakened trust between the inhabitants of erstwhile FATA. This loophole of social cohesion was later exploited by militants representing themselves as saviors. Though the literature on Pashtunwali glorifies it as brave and heroic but the fact can't be ignored that at times it fueled violence as well as hindered socio-political development and modernization. (Ahmed, 2013; Tainter & MacGregor, 2011). Its idealization has sometimes served to romanticize tribal identity, delay reforms, and extend political marginalization under the guise of honoring tradition (International Crisis Group, 2018; Bazai, Rehman, & Qadir, 2020).

This study explores the importance of institutional reforms in FATA; however, it needs to be understood more than only legal-administrative frames. It is because reforms must be parallel to the rules of Pashtunwali, both as a source of social unity and a contested space shaped by exploitation and transformation. Our findings reveal the significance of cultural preservation and modernization in shaping politics based on merger, identifying a wide range of postcolonial tensions and the management of moral standards and legal orders.

Objectives

- Measure the extent of attachment to Pashtunwali pillars among residents in merged districts.
- To investigate the relationship between commitment to Pashtunwali and attitudes towards the FATA-KP merger, based on gender and age differences.
- Explore how historical adaptations and uses of Pashtunwali by elites and militants influence current acceptance or resistance to governance reforms.

- Examine cultural preservation's role in legitimizing the merger and its implications for governance and development after conflict.

2. Literature Review

2.1 Pashtunwali as a Normative Order

Ethnographic studies portray Pashtunwali as a coherent normative system among Pashtun tribes spanning both sides of the Durand Line, grounded in principles of honor, autonomy, and equality among adult male tribesmen (Spain, 1972; Caroe, 1965). Despite environmental and political differences, its core elements remain consistent. These pillars include *melmastia* (hospitality), *nanawati* (asylum), *badal* (revenge), *nang* (honor), *turra* (valor), and *jirga* (tribal council) (Lindholm, 1982; Ahmed, 2013). These unwritten norms regulate social rights and duties informally, relying on behavior, reputation, and community consensus. (Barth, 1959; Spain, 1972). Honor within Pashtunwali operates performatively and reciprocally. Withholding hospitality or failing to uphold honor prompts social exclusion, whereas generosity and courage enhance social status and esteem within the tribal setting (Caroe, 1965; Ahmed, 2013).

Melmastia (hospitality) concept directs how guests and strangers are treated irrespective of their caste, creed, race, and even religion. This is considered as more, where it is the moral duty of the host to provide good food and safe shelter to the guests. (Spain, 1972; Ahmed, 2013). However, security challenges confuse this concept, as militants have exploited hospitality. Communities have responded with local screening and delegated some protective tasks to state forces to separate genuine duty from complicity (International Crisis Group, 2018; Yousaf et al., 2018). *Nanawati extends asylum even to enemies, involving ritualized pleas and negotiated reparations preserving mutual honor* (Barfield, 2003; Spain, 1972).

The punitive pillars *nang* and *badal* serve as social enforcement. Honor (*nang*) is a collective good; its violation calls for retribution unless addressed through compensation, mediation, or ritual (Lindholm, 1982; Spain, 1972). *Badal*, or revenge, aims to restore social balance but can perpetuate violence without external enforcement; colonial and postcolonial states have both accommodated and suppressed these traditions with mixed results (Caroe, 1965; Ahmed, 2013). *Turrah* praises valor defending kin and land, historically tied to arms-bearing and prestige but prone to evolving into normalized gun culture amid conflict (Khan, 2018; International Crisis Group, 2018).

Jirga embodies collective dispute resolution, based on consensus among elders, emphasizing restorative justice and reconciliation (Spain, 1972; Shinwari, 2011). It is praised for accessibility and local legitimacy but critiqued for excluding women and inconsistently protecting rights (UNDP, 2015; Mushtaq et al., 2016). Recent efforts seek to incorporate *jirga*-like mechanisms into constitutional ADR frameworks, balancing formal due process with culturally resonant practices (UNDP, 2015; Yousaf et al., 2018).

2.2 State Incorporation, War, and Social Change

The Frontier Crimes Regulations (FCR) system reflected injustice in terms of power and authority, along with its use. It is because this system marginalized the general public while it strengthened political agents and maliks (Tellis, 2008; International Crisis Group, 2018). Consequently, the region was neglected, faced tremendous displacements, and spillover from Afghanistan due to conflicts, disruptions, and militarization in routine life activities

within FATA (World Bank, 2009; UNDP, 2015). Further in the Post-2001 period, the region was exploited by the militants, where weaponization took over the social codes (International Crisis Group, 2018; Yousaf et al., 2018).

Moreover, the young generation faced weak connections to their traditional systems designed for rights and services due to migration and urban connections (UNDP, 2015; Wazir, 2013). Hence, the merger offered an alternative system with a focus on rights-based administration and a wider range of developmental activities. It was highlighted that the new system would combine constitutional frameworks with existing moral economies (International Crisis Group, 2018; World Bank, 2009).

Global events regarding institutional transitions have highlighted that new systems are successful when they are designed within cultural and social systems. Such amendments are helpful in prompting compliance, reducing violence, and supporting inclusion (UNDP, 2015; Shinwari, 2011). However, empirical data on how particular Pashtunwali pillars influence merger acceptance across demographics remains scarce. This study addresses that gap (Yousaf, Rasheed, & Khan, 2018; Bazai, Rehman, & Qadir, 2020).

3. Theoretical Framework

This study has focused on the cultural relativism, structural functionalism, and conflict theory frameworks in order to interpret trends at play around Pashtunwali and the FATA-KP merger.

Cultural relativism says that culture has to be understood in its specific context. It demonstrates that the things of culture are not to be understood in detachment or abstraction but only in context. It also does not prompt the classification of native norms as “deviations” (Boas, 1940). Pashtunwali, cultural relativism holds, affirms morality for Pashtuns linked to being Pashtuns, predicated on the values of *melmastia* (hospitality), *nang* (honor), and *jirga* justice that protect respect, dignity, and mutual obligation between members in the society (Spain 1972; Ahmed 2013). This view suggests that the reforms of mergers are possible to be internalized if cultural norms and values are taken into account within institutional change (UNDP, 2015).

And the Structural functionalism perspective assumes that Pashtunwali is a cultural structure meant to uphold social order and control with tensions and binds (Parsons, 1951). It goes on to demonstrate that homologous reforms replace Pashtunwali functions by representing a cultural or social system that previously existed (Shinwari, 2011). Functional substitution respects the logic of the system that maintains social integration. However, *Conflict theory* explores power struggles due to reforms. It is because reallocation of power and authority brings new elites to power (Weber, 1922; Tellis, 2008). It predicts mixed responses: constructive cultural elements may align with reform, while punitive or status-preserving pillars (e.g., *badal* and *nang*) could promote negative forces and resistance unless explicitly addressed in policy (International Crisis Group, 2018; UNDP, 2015).

Together, these frameworks guide analysis of how Pashtunwali’s moral grammar intersects with institutional change, underscoring layered governance balancing cultural respect and formal legal demands.

4. Methodology

4.1 Study Design and Population

A cross-sectional survey included adult residents of the combined Khyber and Kurram districts of all tehsils. With Cochran's formula on a 95% confidence interval, the sample size was also 384 to make sure that sampling was representative of the population at the tehsil level, as per the best of the literature review with application in Rural and Political sociology conflict zones (Bryman, 2016; Babbie, 2013).

4.2 Sampling Procedure

Calculation of proportional allocation was done as $n_i = \frac{N_i N}{N}$, n_i is the sample for the tehsil, N_i is the population for the tehsil, N is the total of the district, and n is the synthesis sample (Chaudhry et al., 1996). Households were randomly selected from the tehsils. Because of gender-specific mobility restrictions, well-trained female interviewers conducted interviews among women to enhance respondent participation and reduce bias as per ethical guidelines for culturally appropriate research (UNDP, 2015; World Bank, 2009).

4.3 Measurement

- **Dependent variable:** Merger perception measured by an eight-item index assessing approval, governance expectations, opportunities, women's participation, demoralization of anti-state actors, and administrative order, rated on a three-point Likert's scale (Agree/Neutral/Disagree), showing acceptable internal consistency (Cronbach's alpha reported in thesis) (Ullah & Hayat, 2017; International Crisis Group, 2018).
- **Independent variable:** Pashtunwali preservation assessed by nine items measuring commitment post-merger, including expectations regarding *badal*, *melmastia*, *turrah*, cultural revival, gun culture, acceptance of *nang*-contradictory projects, closeness with settled Pashtuns, and cultural threat perception, using the same scale and consistent internal reliability (Spain, 1972; Shinwari, 2011).

4.4 Analysis

Univariate analysis summarized item distributions. Bivariate relationships between Pashtunwali items and merger perception were assessed using Pearson's chi-square and Kendall's Tau-b to assess association direction and strength with sensitivity to ordinal data. To check for confounding, subgroup analyses by gender and age brackets (18–35, 36–55, 56+) reported Tau-b and chi-square p-values in a consolidated table. All analyses used SPSS 24, following standard categorical data procedures in sociology (Agresti, 2013; Jamieson, 2008).

5. Results

5.1 Merger Perception (Univariate)

As shown in Table 1, a majority (63.8%) favored the merger. Most anticipated improved living standards (60.9%), new economic opportunities (59.4%), benefits for poorer households (59.1%), increased participation of women (56.5%), and political normalization (69.0%). Additionally, 60.4% believed anti-state militants had been demoralized, and 80.7% stressed funding was crucial to success. More than half (56.5%) recognized ongoing administrative challenges.

Table 1. Perception of the Tribal People about the FATA–KP Merger (n=384)

Statement	Agree	Disagree	Not Sure
Personally like the merger	245 (63.8%)	97(25.3%)	42 (10.9%)
Improves living standards	234 (60.9%)	86 (22.4%)	64 (16.7%)
New avenues (jobs/projects)	228 (59.4%)	76 (19.8%)	80 (20.8%)
Benefits the poorer segments	227 (59.1%)	84 (21.9%)	73 (19.0%)
Women's participation increases	217 (56.5%)	92 (24.0%)	75 (19.5%)
Political normalization	265 (69.0%)	63 (16.4%)	56 (14.6%)
Demoralizes anti-state elements	232 (60.4%)	70 (18.2%)	82 (21.4%)
Success depends on funding	310 (80.7%)	33 (8.6%)	41 (10.7%)
Administrative chaos present	217 (56.5%)	88 (22.9%)	79 (20.6%)

5.2 Pashtunwali Preservation (Univariate)

Table 2 reveals strong adherence to Pashtunwali post-merger (58.1%), high expectations of cultural revival (62.0%), decline of gun culture (69.0%), and closer social ties with settled Pashtuns (67.2%). However, only 38.0% believe *badal* will decrease, while nearly half reject projects perceived as violating *nang*.

Table 2. Pashtunwali Preservation (n=384)

Statement	Agree	Disagree	Not Sure
Will follow Pashtunwali devotedly	223 (58.1%)	72 (18.8%)	89 (23.2%)
Merger decreases badal	146 (38.0%)	181 (47.1%)	57 (14.8%)
Miscreants cannot exploit melmastia	226 (58.9%)	92 (24.0%)	66 (17.2%)
Merger minimizes turrah	168 (43.8%)	135 (35.2%)	81 (21.1%)
Accept projects contradicting nang	129 (33.6%)	183 (47.7%)	72 (18.8%)
Cultural activities revived	238 (62.0%)	86 (22.4%)	60 (15.6%)
Gun culture will change	265 (69.0%)	63 (16.4%)	56 (14.6%)

More closeness with settled Pashtuns	258 (67.2%)	55 (14.3%)	71 (18.5%)
Merger is a cultural threat	104 (27.1%)	194 (50.5%)	86 (22.4%)

5.3 Bivariate Associations

Table 3 highlights positive links between the merger and post-merger Pashtunwali devotion, protection of hospitality, cultural revival, reduced gun culture, and social closeness to settled Pashtuns. Negative associations appear around expectations of reduced *badal* and acceptance of *nang*-violating projects. Viewing the merger as a cultural threat was not significantly tied to merger perception.

Table 3. Bivariate Association Between Pashtunwali Preservation and Merger Perception

Item	χ^2 (p)	Kendall's Tau-b	Direction
Follow Pashtunwali devotedly	33.824 (0.000)	0.265	Positive
Merger decreases badal	37.988 (0.000)	-0.109	Negative
Miscreants cannot exploit melmastia	65.859 (0.000)	0.378	Positive
Merger minimizes turrah	28.727 (0.000)	0.199	Positive
Accept nang-contradicting projects	37.800 (0.000)	-0.128	Negative
Cultural revival	61.471 (0.000)	0.347	Positive
Change in gun culture	37.921 (0.000)	0.288	Positive
Closeness with settled Pashtuns	82.334 (0.000)	0.412	Strong positive
Merger is a cultural threat	7.182 (0.127)	0.048	Non-significant

5.4 Multivariate Associations by Subgroups

Among the full sample (N=384), a strong positive association emerges between Pashtunwali preservation and merger support (Tau-b=0.367, p=0.000). This relationship remains for low socio-economic status individuals (N=167, Tau-b=0.398) and high socio-economic status respondents (N=217, Tau-b=0.358), confirming that socio-economic factors don't explain away the link.

Men (N=335) showed a slightly stronger association (Tau-b=0.370) compared to women (N=49, Tau-b=0.358), but both groups held positive significant ties. Age-wise, young adults (18–35, N=257) showed the strongest connection (Tau-b=0.399), followed by moderate significance in middle-aged groups (36–55, N=118, Tau-b=0.344). Elders (56+,

N=9) showed a weak negative, non-significant association (Tau-b=−0.346), signaling generational divergence.

Table 4. Consolidated Multivariate Associations by Subgroups

Subgroup	N	Tau-b	χ^2 (p-value)	Interpretation
Overall sample	384	0.367	83.617 (0.000)	Robust positive association
Low socio-economic	167	0.398	53.727 (0.000)	Strongly significant positive
High socio-economic	217	0.358	37.220 (0.000)	Strongly significant positive
Men	335	0.370	85.865 (0.000)	Strong positive and consistent
Women	49	0.358	11.411 (0.022)	Positive, significant but weaker
Age 18–35	257	0.399	64.241 (0.000)	Strongest positive
Age 36–55	118	0.344	22.697 (0.000)	Moderate positive
Age 56+	9	−0.346	1.286 (0.864)	Negative, non-significant

6. Discussion

Evidence acknowledges that cultural continuity and state incorporation are not mutually exclusive. Instead, merging is accepted as it goes in favor of the moral code of Pashtunwali. Strongest support is associated with the preservation of melmastia from being exploited, recovery of culture, decline in a gun culture, and increased ties with settled Pashtuns. It seems many do not regard the merger as cultural extinction, but are instead hoping it is an opportunity to restore a dignified social life that conflict has disrupted. This is consistent with the concept of “layered governance” in political sociology that state law absorbs and transforms existing cultural repertoires rather than disrupting them (UNDP, 2015; International Crisis Group, 2018). In rural sociology, these repertoires generate trust and confidence in communities where state capacity is formalised operationally, with governance occurring through family lineages rather than formal administration (World Bank, 2009; Wazir, 2013).

The questions of *badal* and *nang* raise controversial points. There is, however, a negative relationship between pro-merger attitudes and the expectation that ordinal badal will decrease as evidence that most people are pessimistic about whether formal courts can terminate revenge obligations. Badal is central in classic accounts of social honor and reciprocity as the failure to respond leads to shaming (Spain, 1972; Lindholm, 1982). Reform approaches that merely criminalize badal will undermine the social logic that protects against exploitation. Transitional mechanisms should not instead be used to transform systems of revenge into systems of restitution through respected intermediaries

(Shinwari, 2011; UNDP, 2015), and ADR panels with the right to appeal and state enforcement. Similarly, adverse perceptions of offending nang projects reflect that development is being evaluated not only economically but also in terms of honour outcomes – who participates for what benefit and the upholding or degradation of dignity (Tainter & MacGregor, 2011; Yousaf et al., 2018). ‘Honor-safe’ designs that protect local roles, privacy, and dignity are more palatable (UNDP, 2015; World Bank, 2009).

Generational differences matter. The strongest association between merger support and preservation of culture is observed among the youth (age group 18–35) who have had the least contact with traditional norms but greater modern governance practice, whether through urban or overseas experience. They are motivated by the idea that cultural preservation ought to be about keeping a sense of ritual while delegating punitive enforcement to the state, relieving them from personal dispute resolution (UNDP, 2015; Wazir, 2013). Middle-aged adults exhibit a similar, but somewhat less pronounced pattern where pragmatism is balanced against respect for their elders. That the elderly are otherwise weakly negatively associated would suggest an erosion of power when control over sanctions migrates from customary authorities (Tellis, 2008; International Crisis Group, 2018). Instead of “tradition and modernity” as opposed to one another, this is indicative of a struggle over symbolic and coercive power through the generations, with formal positions for elders as moral guarantors at ADR and oversight levels required (Weber 1922; Shinwari 2011).

Gender trends. For men and women, there are all significant positive relationships between preservation of culture and acceptance of the merger. Although *jirga* institutions operate typically in a gender-exclusionary context, women find no contradiction between the project of cultural maintenance and state integration; if reforms make justice, education, and health available, ensure it is delivered with respect (UNDP 2015; World Bank 2009). This matches the findings in rural sociology, where women’s participation increases if services can guarantee that women are covered and protected, both spatially (close by) and socially (by local support networks among female care users—(UN Women 2013; UNDP 2015).

The non-significance of the perception of the merger as a cultural threat indicates that the dominant narrative favours more cultural adaptation rather than decline. “The people want to ‘keep their Pashtunwali’ but have a more effective hard infrastructure and justice; for legitimacy, you need to keep protection and dignity while restraining abuse and random violence” (International Crisis Group, 2018: 5–6; World Bank, 2009). The legitimacy of the amalgamation is predicated on a project to extend cultural life rather than absorbing an unwilling periphery (Ahmed, 2013; Bthi Bazai et al., 2020).

Lastly, the near consensus on finance points to the political economy dimension of transition. In low-resource settings, “administrative chaos” can be a rational reading. Where reforms are not manifested in service delivery, trust is destroyed, and the enemies of the merger are a credible voice that it was all just an empty promise (International Crisis Group, 2018; Tellis, 2008). Transparent, era to ring-fence funds, with community oversight can prove the state’s capacity and willingness to deliver services like roads, schools, clinics, and courts if customary agents had not been able to consistently do so (World Bank, 2009; UNDP, 2015). The association between the material and cultural is

not simply a matter of mutual accommodation, but runs through flows of funding in honorific mechanisms such as those found in public work brigades or elder-led ADR: regime stability means that more progress connotes more legitimacy (UNDP, 2015; Yousaf et al., 2018).

7. Conclusion and Policy Recommendations

The merger is already there, so now it should be about building trust and acceptance, and using local culture as partners. For hospitality (*melmastia*), community elders can model how to handle guests in a manner that honors tradition and allows people to remain safe. And as for revenge (*badal*), rather than seeking to suppress it with violence, isolating local dispute councils where elderly men mediate peaceful resolutions would enable communities to move forward. Thus, with honour (*nang*) valued so highly, the inclusion of local people in development planning contributes to their dignity and minimizes resentment. The armed self-protection (*turrah*) must be replaced by neighborhood bands with peaceful aims to keep the peace. And finally, the traditional *jirga* can be transformed into a form of official justice if elders are trained and women get to be part of it, and if more people believe in its fairness. Funds for these efforts must be completely transparent and with community oversight, so that people can see real progress. Such practical steps, recognizing local traditions and beliefs, will make the post-merger road ahead a bit less bumpy.

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