

## CHANGED (UNCHANGED) STATUS OF WOMEN IN THE NEWLY MERGED DISTRICT OF KURRAM

Dr. Noreen Naseer<sup>\*1</sup>, Shazia Sultan<sup>2</sup>, Dr. Muhammad Fahim Khan<sup>3</sup>

<sup>\*1</sup>Assistant Professor, Department of Political Science, University of Peshawar, Peshawar, Pakistan <sup>2</sup>Assistant professor (Political Science), Higher Education Department (HED), KPK Pakistan

<sup>3</sup>Assistant Professor, Department of International Relations, Muslim Youth University, Islamabad, Pakistan

<sup>\*1</sup>[noreennaseer22@gmail.com](mailto:noreennaseer22@gmail.com), <sup>3</sup>[dr.fahim@myu.edu.pk](mailto:dr.fahim@myu.edu.pk)

Corresponding Author: \*

Received: 05 September, 2023 Revised: 13 October, 2023 Accepted: 20 October, 2023 Published: 31 October, 2023

### ABSTRACT

This ethnographical study in the Newly Merged District of Kurram in Khyber Pakhtunkhwa province investigates post-merger situation and the local perspectives and sociocultural norms on gender. It also tries to discuss recent changes if any in the socio-cultural norms with the extension of state's laws and institutions. Hence, the aim of the study is to observe the changed (un-changed) status of the women after a merger of Kurram with Khyber Pakhtunkhwa province and generate a discussion on the recommendations to improve the prevailing situation of women and girls. Through this study, we have also tried to observe the inclusivity of women and girls in the new system of state and identify the gaps in the policy. Hence, to seek information, we have conducted 24 key informants' interviews, 12 with men and 12 with women between the age of 22 to 62 from Kurram to record their views on post-merger and any change in the status of the women in the Newly Merged Kurram District while applying methodology of Reality Check Approach and ECRIS approach.

**Key Words:** Kurram, Women, Socio-Cultural Practices and Merger

### INTRODUCTION

The Kurram Valley was created by the British India as an agency in 1892 to form a buffer zone to buffer Afghanistan to counter Russian Czars. Later in 1947, it was inherited by the newly established Pakistani state, which continued with old British governance system, however with slight changes declared it a special status area under the arrangement of Federally Administered Tribal Areas (Caroe, 1981). Under the old colonial system, Kurram was governed by the Frontiers Crimes Regulation (FCR) introduced by the British India colonial administration. Under FCR, the Agency administration was regulated and governed by a Political Agent (PA), who was accountable to the Governor of Khyber Pakhtunkhwa and President of Pakistan sitting in the capital of Islamabad. Besides controlled by the center, the state created gate-keepers in the form of tribal elders armed with local traditional laws to control the inhabitants of Kurram.

Hence, Pakistani constitutional laws and legal system was absent from the Kurram, thus created a vacuum for patriarchal and militarized structures (Naseer, 2015). In 2015, due to deteriorating law and order situation due to militancy, the then PML-N government formed a committee to bring FATA into the national mainstream. After a consultation with local tribal elders, the committee recommended to merge FATA with Khyber Pakhtunkhwa province of Pakistan, thus in 2018, FATA reforms kicked started with the extension of Supreme court and High courts to Kurram and abolished old governance system. It also extended the new governance structure to Kurram by abolishing the old system of FCR (Yousaf, 2021). Even after merger, in a new system, we have observed from the field study that even in the presence of state's institutions and extension of fundamental rights prescribed in the 1973 Constitution, Kurram is still highly tribal and

patriarchal society regulated by the traditional practices of Pakhtun tribal code, which restricts women’s mobility and choices, although, few changes are observed and recorded, which is discussed in the study too. Moreover, several suggestions are also discussed to mainstream the rights of Kurram women.

**AIMS OF THE STUDY**

To provide knowledge on the perspectives of women, girls, men and boys in the Kurram on gender roles, and socio-cultural practices to understand deeply ingrained patriarchy that is proving detrimental to women and girls’ rights.

To analyze the impact of merger on the women’s status in the Kurram and identify potential opportunities and recommendation for improving the position of women and girls in the newly merged Kurram District.

**METHODOLOGY**

In order to fulfil our research aims, we have interviewed 12 female respondents comprises women home-makers, teachers, beauticians, lady health visitors and 12 male respondents comprises elderly, teachers, health service providers and farmers between the age of 22 to 62 years old to record their views. Although, our data saturated after conducting 12 interviews, however we continued with our selected number to over-rule any contradiction and false information.

**Table**  
*Respondents*

Total Women Interviewed	12	Home-maker	3	Teachers	3	Beauticians	3	Lady Health Visitors	3
Total 12 Men Interviewed		Elders	3	Teachers	3	Farmers	3	Health service providers	3

For deeper understanding, three core research questions are framed to discuss different themes and thematic analysis of the available information is done. The main queries are; what are the perceptions and views of women and men about gender roles and socio-cultural norms in Kurram, how do women and men’s perceptions and views contest and challenge the new changes (post-merger) and create challenges and hurdles to the rights of women and girls, and after merger what have been the principal changes (no changes) observed for women and girls. The

research is conducted after the merger of Kurram with Khyber Pakhtunkhwa between the March 2020 to March 2023 in the Kurram Valley with a break due to COVID-19.

**Positionality of the Researchers - Reality Check & ECRIS Approach**

To answer the research questions, we have applied a mixed-methods of Reality Check Approach (RCA) and ECRIS (Ritchie & Spencer, 1994). The Reality Check Approach is an emic approach that involves local researcher spending time with local residents in their family environment, engaging in informal conversations and becoming familiar with their everyday life experiences. Researchers build relationships with families and communities by positioning themselves as locals and learners. And as a local from Kurram, I had the liberty to live in the area with women. The ECRIS methodology is another emic approach that seeks to understand the behaviour, cultural values and perspectives of specific preselected groups. Hence, for men, the male researcher seeks the assistance of local males through my tribal connections.

**Status of the Women (in-Transition) Kurram Patriarchal Tribal Society**

The valley of Kurram straddled across the Pak-Afghan borderland is a militarized space since British times and later Pakistani state also used this periphery for Afghan War and War on Terror. Owing to its geographical position and war politics, the women were always left to highly patriarchal and oppressive traditional practices, which is against the international values of human rights. Thus, many tribal women activists strived for merger, the main purpose of their lobbying and activism was that with the extension of fundamental rights, the tribal women will have protection from cultural practices such as honor killing, exchange for feuds and disputes, forced marriages, deprivation from property, education and health facilities (Naseer, 2018). However, it has been almost four years of merger and extension of 1973 Constitution but no visible change has occurred in the status of women living in Kurram. To understand the prevailing situation of women and girls’ status in post-merger, we have tried to address the questions on women’s role in the society to understand the hurdles and challenges in

the implementation of new social contract of the state in the Newly Merged Kurram District.

### Men and Women in a Kurram Household

In query related to gender roles in typical Kurram household, we find out from the maximum respondents that women and men have distinctly separate roles. Men work outside the households, manage outside tasks and finances. Women are responsible for child rearing, cleaning, maintaining the house, and can go outside to fetch water and firewood. In some villages, they also help the men with farming and tend to livestock. The older generation have no duties as such except praying, while many children attend school and some out of school girls help out with errands and housework (personal communication with female respondents, September 11, 2021).

Moreover, while living amongst the communities, it is observed that men and women in most households eat separately during meal times, with the men and boys eating first and later women and girls eat their food. Ironically, women's honour and virtue are critical and precious to the men in the family, thus deviations are not acceptable, whether that involves studying, going to male doctor without men, seeking a divorce, disobeying their husbands, or seeking employment outside. In case of non-compliance, women may be subjected to violence and honour killings if they challenge cultural norms. In bringing a debate on honor killing and usurping the girls and women right to education, health and right to divorce, we asked them "isn't this against the Islamic law and Pakistan Constitution? Many including men and women replied that "it is against Islamic law but we follow our tradition and culture and it is extremely important to us be remain a part of our tribal culture, which guarantees our security" (personal communication with female and male respondents, November 22, 2022). All such conversations with both men and women show that they still seek protection in their tribal set-up and have no trust in state's constitution and institutions. In addition, this cohesive family and community systems are considered essential for survival too due to absence of formal legal process since 1947. It is observed that the new system of justice is not only different for them but it is also challenging to their old traditional set-up. As a result, challenges to social

norms and the status quo are not tolerated specifically in case of women and girls (Fayaz & Khattak, 2021).

### WOMEN MOBILITY

The decisions for women to leave the house are made by the head of the household and often governed by necessity, for example, women are allowed out of the house if their roles require them to do so such as fetching water or working in the fields. Women need special permission from the head of the household to visit hospital, family members or relatives. For those women that are allowed to leave the house, there are a limited number of places to socialise with other women. The women can visit *Imambargah* (Shia religious place) in Muharram and women madrassas, can attend weddings and funerals with the permission of family men. Moreover, women cannot raise their voice or object to such restrictions and control. In fact, in conversation with several female respondents, we found out that they are comfortable with restrictions on their mobility and termed it as their security. One elderly woman replied that "it is for our own safety and security, also woman place is either her home or her grave" (personal communication with female respondents, October 13, 2021).

### Decision Making and Women

The power of decision-making rest with elder and male member of the family. However, with conflict and displacement and due to financial contributions of young men and some women, they also now participating in deciding minor matters such as women accessing hospital for treatment or visiting bazars for shopping. Women traditionally do not speak in front of the male members of the family, and thus have no role in decision making. The only exception to this rule is when there is no male head of the household, in which case the eldest woman is able to make decisions or share her views (personal communication with female and male respondents, October 15, 2021).

In post-merger and due to conflict, the financial contributions by some women are allowed to influence decisions. Hence, in the field while talking to both men and women, we found out that women who are able to contribute to the household financially are usually consulted in buying goods and

appliances for home. Again, they are not given any freedom to decide the matters of their marriage or pursuing higher education. In conversation with a female teacher, she complained “I have no bank account, and my salary goes to my husband’s account” (personal communication with female respondent, October 20, 2021). It shows that due to mobility issues and absence of decision-making power, even earning women rely on men of the family.

### **Livelihood and Women**

Even in the presence of legal system and right to work in the new system after merger, women from Kurram participating in the workforce remains a rarity. Nevertheless, in some affluent families’ women are working in different professions outside their homes with the permission of their father, brother or husband. Otherwise, they are only allowed to rear livestock and earn money by selling dairy products in the village. Some look after livestock, others stitch or make clothes, and few do embroidery and other handicraft. This brings in small sums of money for household necessities. Women also help in the fields as unpaid labour (personal communication with female respondent, January 10, 2022). However, it is observed that some women with the permission of family men are now adopting non-traditional methods to earn livelihood. In the interviews, some men spoke about having met female workers from other cities while in displacement in different camps and were more open towards the idea of women getting education and working in other different professions. In conversation with many men (displaced and repatriated), they were more accepting to working women, one off the young respondent replied “life is very tough and you need a partner that helps you financially too” (personal communication with male respondent, January 15, 2022). It is observed that young men with exposure to city life are more accepting of new system and constitutional rights, although they are still far away from the stage to allow women choices and equal rights but change is occurring.

The new development observed while traveling in Kurram district post-merger is the emergence of women-run beauty parlours for women in different parts of Kurram. Such jobs provide a rare opportunity

to women to leave the house and meet someone outside the core family, and are also a source of income for women. It also indicated that these beauty parlours function as an important psychosocial support network and means to communicate about the respective problems of women that are allowed and able to go out of home (personal communication with female respondent, June 22, 2022). It shows that exposure to outside people other than their own tribesmen and legal system has started making inroads in the tribal traditional system. But even then, many women felt disadvantaged and disempowered. All women that we interviewed said that they had a hard life and felt disadvantaged and disempowered. Even if they earn, they still have no say over financial matters, are not awarded property rights, have no legal rights or right to an opinion, and many spoke about not having money for clothes and household necessities. A few reported some changes to their lifestyles such as having a few more belongings and marrying somewhat later, however most said that their lives remained the same. None had seen any government institution working to protect their rights (personal communication with female respondents, June 25, 2022).

### **Public Services and Women**

Unfortunately, Kurram remained in chaos and conflict since 1979 due to sectarian issues. On war on terror, due to militancy and military operation, education was adversely affected by the conflict (Naseer, 2015). Moreover, state also failed to provide schools and teachers to the children, a respondent on the state’s responsibility stated that “if there were schools in our area then every child of our village will definitely go to school” (personal communication with female and male respondents, June 26, 2022). It is found out that in case of girls’ education, both state and society played its role in deterring them from getting education. However, conflict and merger brought some awareness amongst people on the importance of education and merger, one of the male respondents stated that “during our time in internally displaced people camps (IDP), the people went to the cities and came to know the system of settled areas. They saw children attending schools, thus attitudes towards boys and girls schooling changed” (personal communication with male respondent, June 27,

2022). One teacher credited the recent attitude shift of people having met educated people during their time in IDP camps and understood that education can be good for developing the area (personal communication with male respondent, June 27, 2022). However, still in some conservative rural communities, there are people who do not want girls to attend education beyond primary school. One female teacher complained that the girls are not allowed to complete their homework after school as they are expected to help in the household. Most girls were not expected to get an education to work outside the home. Some parents do not send girls to school because of the lack of toilet facilities and access to fresh drinking water (personal communication with female respondent, June 27, 2022). It shows that after merger, the government is not paying attention to the periphery affected by the conflict for so long.

There is a lack of acute and general healthcare facilities in Kurram. Most people travel to other parts of province to seek treatment. The hospitals in Kurram can treat minor ailments such as cough and cold, fever and vaccination, however complex illnesses are beyond their resources and competencies (Government of Pakistan, 2023). Whilst access to healthcare is limited for all, women face additional cultural barriers in receiving healthcare. Women frequently do not report health problems to their husbands / extended family unless they are serious and acute as this is badly regarded in the community and sometimes can lead to the bride being returned to their original family. One of the woman respondents replied “for minor health problems (menstruation, gynae and infections) we cure ourselves through traditional medicines and girls normally do not talk about it as it is considered shame” (personal communication with woman respondent, July 7, 2022). Additionally, they are not used to communicating with men outside the family and struggle to be open with male doctors about their health concerns. In some families, women are not allowed to be treated by a male doctor in the absence of female doctor. Psychological issues are common and some villages have high and reportedly increasing rates of drug addiction, particularly for marijuana that is grown locally (personal communications with women respondents, July 7, 2022). Women have very limited access to antenatal and maternity care across most parts of Kurram and

mortality rates during childbirth are high. Vitamin and mineral deficiency, particularly zinc and iodine, is prevalent with significant consequences during pregnancy (personal communications with health care persons, July 22, 2022). It is observed that state is absent in providing health care and in dealing serious issue of drug addiction, which is illicit activity.

### **Extension of Judiciary and Women**

It is very unfortunate that even after merger and extension of legal system in the form of courts and police stations, women are still deprived of their legal rights. Despite being legally entitled to a share of their parent’s property, women in Kurram cannot inherit it. Women never had no representation in local and traditional system of Council of Elders (*Jirga*), nor do they have the right to represent themselves (Naseer, 2019). As one woman in remarked, “women’s rights organisations are banned in our area as per the customs and all the issues were looked after by our men” (personal communication with women respondents, July 7, 2022). Ironically, it is observed that there is no change in the justice system because of the stronghold of traditional practices and restriction on women’s mobility. Honor killing is still happening, women are exchanged for disputes and forced into marriages, in conversation with women, we found out that they understand that the violence against women in the new system of governance and legal structure is inadmissible but there is no helpline available to them. One of the respondents said “we are not allowed to travel without a man then how will we report honor killing or any violence that is happening against us” (personal communication with woman respondent, July 7, 2022). Many women pointed out that they are aware about their rights relative to the government and asking for change in more peaceful ways. However, none are aware about the mechanism of accessing courts or the Supreme Court. It is observed that there are accessibility and awareness challenges regarding the courts and police stations.

### **Political Rights and Women**

The women of Kurram are also kept away from political processes too. The traditional practices as well the state did not allow her to take part in politics.

In past, some areas women were not allowed to cast their votes, however after Election Commission Act 2017, it is mandatory for a candidate to secure 10% of the women vote to win the seat, which prompted many tribal male elders to allow women to vote (Government of Pakistan, 2018). However, majority replied that women had little or no influence in politics (personal communications with female and male respondents, July 24, 2022). Before merger with Khyber Pakhtunkhwa, there were no reserve seats for women from periphery in the National and Provincial Assemblies, now after merger, they have some symbolic representation in the Provincial Assembly of Khyber Pakhtunkhwa (Fayaz & Khattak) but it served no purpose of empowering women. Similarly, in the local government elections, women are given symbolic representation but again they are not allowed to take part in any decision making. Elected women in the local elections are not given any training to play any constructive political role. They sit back at home and the men decide for them (personal communications with women, July 24, 2022). These women representing parties on reserve seats have no voice in the assembly for women living on the periphery such as Kurram. It is ironic to mention that on merged district quota, women from settled areas are taken by the parties. These women have no understanding of women's issues living in the peripheral area and serve party interest in the assemblies (Khan & Naqvi, 2020).

### **FINDINGS**

Several findings are collected in the field with interviews and observation. It is noticed that even with a merger and change of system and structures, very less progress has happened for a woman living in the Newly Merged Kurram District. Although, in theory, the constitution is extended along with legal and governance structures, however no practical steps are taken to address women's issues.

1. It is not possible to change centuries old traditional practices overnight, however it is observed that with conflict and displacement, some of the practices are challenged by the people. It shows that if government and state, in letter and spirit implement fundamental rights and other constitutional rights, then it may stop inhuman and violent practices against women and girls.

2. Although, it is a duty of the state and government to provide basic facilities to people and specially to weakest section of the society but it is observed that even under new governance system, health and education is in deplorable condition. In fact, women and girls' issues and services are still at the low priority, instead in 2019, merged districts annual developmental budget was cut by 20%, although Khyber Pakhtunkhwa province showed financial progress. In 2022, it further slashed funds of the merged districts by 21 billion rupees (Ali, 2022).
3. Legal system in the form of police and courts are extended to Kurram and all the laws including domestic violence law is also extended but violence against women and girls is still rampant and acceptable. It is observed that courts and police stations are inaccessible to women and many have no idea how to approach police and courts. In addition, local staff serving in the courts and police are neither trained nor gender sensitive to handle crimes and violence issues against women and girls.
4. Reserve seats are given to the newly merged districts women in the Provincial Assembly of Khyber Pakhtunkhwa and in local government but it is observed that women representation from Kurram is missing due to certain constitutional constraints and parties' interests. It is found out that they remain absent or kept silent in the decision-making processes at local and national level.

### **Conclusive Suggestions**

A cohesive and meaningful emergency measures are needed in Kurram to protect and empower women that are kept isolated from every progress and development for the last 75 years.

### **Economic Empowerment of Women**

Increasing women's financial power will bring change in the attitudes of men towards women. Financial power is highly regarded and those with money are often able to make decisions in the overall household budget. Those women already working felt that they lacked skills to enable them to optimise their income. Many asked for training centres and distribution channels. Men exposed to urban areas in displacement do not raise objections towards women being taught to do handicraft and said that they would

allow their women to attend vocational training centres. Handicrafts are not considered a challenge to tribal values as women could do that from home. Similarly, poultry and livestock, reared by women is a life line of Kurram household, and if that can be further developed, it will not only add to the budget of the home but will also contribute to the community. The emergence of beauty parlours is also helping women to generate regular income and place of psychosocial support. In the field, it is observed that women contributing to household is given respect and are allowed to take part in the decision-making.

#### **Improving Services for Women**

It is high time that government after merger with the presence of all the line department, shall try to improve health, sanitation and education in the Kurram. Women's health is a low priority; hence it is important that basic health units shall educate and provide adequate nutrition, additional vitamins and minerals to women and girls. New health units shall be installed to detect pregnancy complication and also ensure high risk pregnancies and deliveries are triaged to the hospitals. In addition, adequate health advice shall be provided on caring for a new born to prevent post-partum infections.

It is observed that significant time is spent by women and girls to complete household responsibilities such as collecting water and firewood. Many girls cannot attend schools because they are responsible for such chores in the household. The government needs to invest in water infrastructure such as wells and provide facilities to takeoff the burden from the women and girls. It is observed that education is valued by majority, even though women are not encouraged to continue their education beyond secondary level. However, there are several measures that can help promoting education amongst girls. In collaboration with the education department of Khyber Pakhtunkhwa, the government shall establish parents - teachers committees to improve girls' attendance in the schools, in addition attendance can be improved by providing rewards (monetary, food or academic credit).

#### **Political Empowerment and Decision Makers**

It is important to include women in the political processes, without being represented at local and national level, their voice will not be heard in the decision making. Every newly merged district including Kurram shall be given one woman seat at National and one in the Provincial Assembly. Presently, there is no reserve seat for women from merged districts in the National Assembly and hardly three seats for seven merged districts, which is also controlled by the party politics. Traditional practices can be only challenged with mainstreaming of political rights of the women from merged districts.

#### **Legal Rights and Protection**

The struggle behind merger of these tribal areas with Khyber Pakhtunkhwa was to get constitutional rights of people. As discussed, women and girls as a weakest section of the society suffered the most in these lawless peripheral areas. However, in the field it is found out that there are issues of accessing police stations and courts for women and girls for their rights and protection from oppressive and violent practices. Hence, it is pertinent to provide benches and helplines in every village and area for women. In addition, women forums and committees under the patronage of government and social welfare department are needed to raise the issues of local women.

It is important to educate men about human rights and legal rights of women. Tribal societies are overly religious, thus Islamic seminars for men on the treatment of women will prove helpful. In addition, exposure programmes may also be helpful as many men report that they have developed more flexible beliefs after having spent time in IDP camps where they have come into contact with female workers and women from different areas.

REFERENCES

Group.

- Ali, M. (June 2022). Budget 2022-23: Record Rs. 418bn Developmental Plan in Rs. 1.33tr KP Budget, *Dawn*.
- Ayesha Khan & Sana Naqvi (2020). DILEMMAS OF REPRESENTATION: WOMEN IN PAKISTAN'S ASSEMBLIES, *Asian Affairs*, 51:2, 286-306, DOI: [10.1080/03068374.2020.1748414](https://doi.org/10.1080/03068374.2020.1748414)
- Cairo, O. (1981). *The Pathans with An Epilogue on Russia*. Karachi: Oxford Press.
- Fayaz, S. Gul, S. & Khattak. A. K. (2021). Constitutional Status of FATA: Pre & Post Merger Comparison of Legal and Administrative System. *Global Legal Studies Review*, VI (II), [https://doi.org/10.31703/glsr.2021\(VI-II\).01](https://doi.org/10.31703/glsr.2021(VI-II).01)
- Government of Pakistan (2023). "Household Survey Report 2022," Islamabad: Government Printing Press.
- Government of Pakistan (2018). *Election Commission Act 2017*, accessed from official website of election commission <https://ecp.gov.pk/>
- Naseer, N. (2015). Law, Rights, and the Colonial Administrative System: A Critical Note on the Frontier Crimes Regulation (1901) in the FATA, Pakistan. Peshawar: *Review of Human Rights Journal*.
- Naseer, N. (2015). Federally Administered Tribal Areas (FATA): Impact of Militarization and War Crimes on Women and Children. *Pakistan Journal of Criminology*, Vol. 7, Issue 4, Pakistan.
- Naseer, N. (2019). Tribal Women, Property and Border: An Auto-Ethnographic Critique of the *Riwaj* (Tradition) on the Pakistan - Afghanistan Borderland, *Geopolitics*, 24:2, 426-443, DOI: [10.1080/14650045.2018.1543662](https://doi.org/10.1080/14650045.2018.1543662)
- Ritchie, J. and Spencer, L. Qualitative Data Analysis for Applied Policy Research. In: Bryman, A. and Burgess, B., Eds., *Analysing Qualitative Data*, Routledge, London, 1994.
- Yousaf, F. (2021). *Pakistan, Regional Security and Conflict Resolution The Pashtun 'Tribal' Areas*, Routledge Taylor & Francis