

# **ISSUES OF GOVERNANCE AND RISE OF MILITANCY IN FATA: A CRITICAL ANALYSIS**



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# **ISSUES OF GOVERNANCE AND RISE OF MILITANCY IN FATA: A CRITICAL ANALYSIS**



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Submitted in partial fulfillment of the requirements for the Master of Philosophy degree in discipline Politics & International Relations at the Faculty of Social Sciences, International Islamic University, Islamabad.

**Department of Politics & International Relations  
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**INTERNATIONAL ISLAMIC UNIVERSITY  
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2013**

## Certification

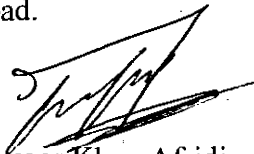
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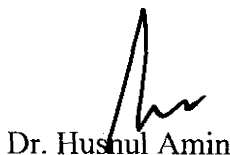


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My Lord! Grant me that I may give thanks for the favor  
Which thou hast bestowed on me and on my parents;/  
And that I may do well which please Thee

**AL\_AHQAAF [46.15]**

**DEDICATED TO  
MY LOVING FATHER**

Whose constant support, vision and encouragement have made me whatever I am today.

## **ACKNOWLEDGEMENTS**

**“Alone we can do so little, together we can do so much”**

**Helen Keller**

I find no words to express my deepest sense of gratitude to Almighty **ALLAH** whose blessing cannot ever be counted. He is the most compassionate and merciful, who is all knowledgeable. Millions of blessings and mercies of **ALLAH** be upon the **Holy Prophet** (Peace be upon him), the city of knowledge, who took the humanity out of darkness of ignorance to light of awareness.

I feel privileged and great pleasure to place on record my sincere gratitude to my respected Supervisor **Dr. Husnul Amin** under whose impetus guidance, valuable and expert suggestions and sympathetic supervision this work was completed.

I earnestly and sincerely thank to my loving friends, to their pleasant company and support throughout the research.

I am also appreciative of the support that my brothers Atif, Asif and Asad has given me throughout my research without their cooperation this research wouldn't have been possible

Last but certainly not the least, I owe deep gratitude and thanks to my dearest mother as without her moral support I wouldn't be able to complete my work.

## **Abstract**

FATA after 9/11 came into the lime light and got attention from world powers in the wake of war against terrorism. Fata is the region that lags behind rest of Pakistan in various administrative, political, economic and social indicators.

Present study attempts to examine that how far the crisis of governance has lead towards the rise of recent militancy in Fata. For this purpose various primary and secondary resources have been used. Besides taking help from books and scholarly journals, personal interviews were also taken from 12 respondents through a structured questionnaire, the respondents were the people of high profile and vision and they had expertise upon the issues related to Fata.

The results showed that because of the particular political and administrative setup in Fata there were severe political, economic and social issues that made life of the people miserable. More over geo strategic location and close ties of the people living across the border (Pakistan and Afghanistan) has also contributed in the rise of militancy to some extent.

It was concluded that military operations in Fata region is not the solution, rather with the passage of time militants are gaining strength over there. There is a dire need of genuine political, administrative, judicial and economic reforms in the region. The government of Pakistan has to show genuine political will to resolve the pressing issues of the people of Fata. The policy of government towards the war against terrorism needs to be revisited as well.

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## **CHAPTER NO. 1**

### **INTRODUCTION**

#### **1. Introduction**

The crises of Federally Administered tribal areas of Pakistan is shaped up by weak Political and administrative legacies of the colonial era, the impact of cold war, that introduced the culture of weaponization and radicalization and then the post 9/11 situation added fuel to the fire. Marginalization and inequality has been prevalent in FATA for over years which therefore reflect high level of distrust and frustration among the citizens especially youth. Militants have taken benefit of this distrust and frustration that has resulted from the poor performance of the state institutions, corruption and wide ranging socio-economic deficits. The present crisis in the region caused huge population displacement and high level of insecurity. Moreover limited economic opportunities have forced people to get involved into the illegal activities and take financial incentives offered by the militant groups, most of the young men ages 15-29 due to the lack of employment opportunities join the militant groups as well.

Cross border ties have also resulted in constant inflow of well armed militants from Afghanistan this also serves as a source in spreading extremist ideologies and practices. When military moved into FATA in 2001 even the indirect system of administration prevailing there collapsed because the military commander replaced the political agent. Therefore one of the major causes behind the increase of Militancy in FATA is the breakdown of traditional governance system due to ineffectiveness and corruption but this gap was readily filled by the Militant groups and Extremist

religious interpretations throwing region into more poverty and deprivation. All of this is because of state's failure to protect FATA citizens' basic rights and it is very much obvious that when the state fails non-state actors' cash in. The reason behind this insecurity in FATA is the lack of trust among the civil society regarding state institutions to equitably and effectively deliver services and address needs of the people.

This study attempts to examine the issues of governance and rise of militancy in FATA. One of the main reasons behind this adverse situation of FATA is somehow the failure of state institutions in delivering effective services. Being the citizens of this country the people of FATA has all the right to live a peaceful and secure life. Despite the fact that people of FATA are very loyal and hardworking the government of Pakistan has neglected this area since 1947 and has never tried to bring people of FATA at par with rest of the country.

### **1.1 Statement of Problem**

Since the creation of Pakistan, the government has never given proper attention to the people and pressing issues of FATA, such as the political, social and economic. Number of studies conducted on FATA issues reveals that the region is lagging behind on various social indicators. One of the main issues in FATA region is the complete absence or poor presence of state institutions. This situation has created spaces in society which are off and on filled by various non state actors including militants.

## **1.2 Objective of Research**

The purpose of this research is to analyze that how the crises of governance lead towards the rise of Militancy in FATA. What are the governance issues in FATA and how much did the state remain successful in resolving those issues. This research will also address the relationship between governance and militancy.

## **1.3 Central Research Question**

How far the crisis of governance leads towards the rise of recent Militancy in the FATA region; or is the crisis of governance in FATA region responsible for the rise of Militancy?

## **1.4 Specific Research Questions**

There are few other sub questions around which this research revolves:

What was the colonial history and the status of FATA after the creation of Pakistan?

What are the issues of governance in FATA?

What are the state efforts to resolve these issues?

Why does the government institutions failed to curb the issues of FATA?

## **1.5 Literature Review**

Famous journalist and political analyst Imtiaz Gul in his book “The Most Dangerous Place: Pakistan’s Lawless Frontiers” observes that apart from the governance issues another major reason of rise in militancy in the FATA region is the apathy of the ruling elite and the tribal chiefs. “The indifference of the ruling elite and the tribal

chiefs numbering around 35,000 who work as a bridge between the government and the tribal people is one main reason for the mushrooming of these groups,” he says. “These people have a vested interest in ensuring that these areas remain away from mainstream Pakistan.”<sup>1</sup>

Imtiaz is also of the view that another reason why Pakistani army is unable to control fundamentalist groups in FATA is that because it has to protect its Eastern border from India and since India has a large number of corps deployed in the eastern border therefore Pakistan has to maintain the balance by deploying more force to the eastern border thus resulting in a shortage on the Western border. “If you look at the eastern border, you will see that there are six or seven Indian army corps deployed. So Pakistan has made a matching response. This causes a shortage on the western front, especially in FATA and less attention is given to the FATA.”<sup>2</sup>

According to Lt. Gen. (R) Ali Muhammad Jan Orakzai who is a former Corps Commander (2001-2004) and Governor Khyber Pakhtunkhwa (2006-2008) the most important reason of the volatile situation in FATA is the incident of 9/11 and US invasion of Afghanistan as a result of that incident that provoked anti-American sentiments in tribal areas of Pakistan due to Pakistan’s close brotherly relations with Afghanistan. He says: “FATA was perfectly at peace with itself and its neighbors prior to 9/11. Information about and understanding of FATA was scant, in Pakistan and abroad. Nearly 5,000 sq kilometers of area was totally inaccessible with no writ of the government. There was no militancy and no suicide attackers, although there had been presence of some foreigners due to various reasons. Besides them there were

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<sup>1</sup> *Governance and terrorism—with Imtiaz Gul.* [Online] Available from: <http://www.defence.pk/forums/current-events-social-issues/34732-governance-terrorism-imtiaz-gul.html> [Accessed 20th January 2012]

<sup>2</sup> Ibid., p. 1.

also Afghan refugees but they were shifted to settled areas in the year 2004. Taliban were present but no one had ever heard of militant Taliban till March 2004.” He further elaborated that; “before 9/11 there was no problem in the tribal areas of Pakistan. Whatever is happening in the tribal areas today is a gradual spillover effect of Afghanistan invasion and ensuing events. Militancy and violence have gradually found roots in our tribal areas and are spreading towards settled areas in fact they have already taken roots into some of the settled areas.”<sup>3</sup> According to the findings of PCNA (Post Crises Needs Assessment of Khyber Pakhtunkhwa & FATA) Report, apart from political, social, economical factors there are some other very significant causes that are giving rise to the militancy in the tribal region of Pakistan which includes the role of international powers that are constantly affecting Pakistan. It says that “As a result, NATO countries, notably the US, increasingly address engagement with Pakistan as a part of a geo-strategic Afghanistan-Pakistan policy, making regional geopolitics an inextricable part of the crisis in the northwest frontier region.

This is further exacerbated by the radicalizing consequences and support for insurgency that result at times from aerial attacks on militants that result in civilian casualties. The challenges are trans-border; militant groups financially sustain the insurgency from a variety of domestic and international sources: charitable fronts, diverted remittance flows and proceeds of criminal activities both in Afghanistan and Pakistan”. Report further states that; “The complex geopolitics and diverse strategic priorities of the various international powers also have substantial impact on the security and political dynamics of Pakistan’s northwest frontier region. The

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<sup>3</sup> *Situation in FATA: Causes, Consequences and the Way Forward*. [Online] Available from: <http://www.ips.org.pk/global-issues-and-politics/1057-situation-in-fata-causes-consequences-and-the-way-forward.html> [Accessed 20th January 2012]

widespread perception in Pakistan is that the many vested and competing interests by external states are not in the interests of peace in the region.”<sup>4</sup> Analyzing the situation of FATA in 2009, journalist Talat Farooq argued that: “The militants have grown in power with the help of local criminals, drug mafia, arms dealers and foreign “hands” that have joined them along the way.”<sup>5</sup>

Maqbool Wazir is of the view that linkages between the Jihadist Organizations that were established in order to counter India’s presence in Kashmir with Taliban and Al-Qaeda is another factor in the growth of radicalization in the tribal areas of Pakistan. “Another factor is the growth of autonomous Jihadist organizations for pressurizing India on Kashmir. These extra-legal coercive organizations began to have their own agendas leading them to join Islamist forces including the al-Qaeda and the Taliban, operating in Afghanistan and other parts of the Islamic world. Furthermore, the Islamists in FATA have been strengthened by support from Jihadi sympathetic organizations both nationally and internationally as well as the addition to their ranks from the Diaspora emanating from repressive Central Asian States and now from Iraq. The scaling down of the Jihad in Kashmir led to the return of Pakistani Jihadists, who have readily found new employment with the Taliban and are challenging the state.”<sup>6</sup>

Post Crisis Needs Assessment of Khayber Pakhtunkhwa & FATA (PCNA) report highlights another major factor that is contributing in the rise of militancy in the western border of Pakistan. According to that report close socio-cultural affiliations of

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<sup>4</sup> *Post Crisis Need Assessment: Khyber Pakhtunkhwa & Federally Administered Tribal Areas*. [Online] Available from: [www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf](http://www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf) [Accessed 20<sup>th</sup> Nov 2012]

<sup>5</sup> *Militancy in Pakistan’s Borderlands: Implications for the Nation and for Foreign Policy*. [Online] Available from: <https://docs.google.com/viewer> [Accessed 25<sup>th</sup> January 2012]

<sup>6</sup> *Factors contributing to Extremism and Radicalization*. [Online] Available from: <http://waziristanhills.com/FATA/FATAinGeneral/FactorsofExtremismandRadicalization/tabid/123/language/en-GB/Default.aspx> [Accessed 25<sup>th</sup> January 2012]



the people of Pakistan and Afghanistan allows the free and frequent movement of militants between the two countries resulting in the immingling of fanatic philosophies. "The permeability of the Afghanistan-Pakistan border and the socio-cultural commonalities of the populations on either side facilitate the regular movement of militants between the two countries. This consequently results in commingling of extremist ideologies and violent capacities. The regular movement of militants between the two countries makes it difficult to address militancy on either side as an independent phenomenon."<sup>7</sup>

## 1.6 Hypothesis

The complete absence or the poor presence of the state institutions is one of the most pertinent drivers of insurgent militancy in the FATA region.

## 1.7 Theoretical Framework

Governance can be broadly defined as the setting, application and enforcement of the rules of the game. Such rules need to be legitimated if they are to be stable. If rules are upheld through the use of raw force or arbitrary power, individuals are likely to resist, either through exit or through violent action.<sup>8</sup>

The notion of governance was rarely used and nearly incomprehensible before 1980's but after that Governance increasingly became a broad concept that is central to the study of political, economic, spatial and social order in general and to the understanding of the dynamics of change of capitalist democracies in particular.<sup>9</sup>

Governance broadly deals with both sociological and Institutional approaches.

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<sup>7</sup> *Post Crisis Need Assessment: Khyber Pakhtunkhwa & Federally Administered Tribal Areas*. [Online] Available from: [www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf](http://www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf) [Accessed 20<sup>th</sup> Nov 2012]

<sup>8</sup> Anne Mette Kjaer, *Governance* (Polity Press, 65 Bridge street Cambridge, UK) 2004, p.12

<sup>9</sup> David Levi Faur, *The Oxford handbook of Governance*, [Online] Available from: <http://books.google.com.pk/books> [Accessed 16<sup>th</sup> Sep 2012]

Institutionalism boil down to two basic assumptions about human behavior, one is Rational behavior that is the individual lists his alternatives and decides the alternative that is for best maximum utility and acts accordingly. The other assumption is Sociological where the individual has endogenous preferences and he acts according to the certain values that surrounds him. Hence governance theory is mainly occupied with the institutional change which involves human agency.<sup>10</sup>

Some scholars identify governance particularly closely with the government however some other think that there is a distinction between governance and government, they feel that governance is a much more broader concept than the government. Therefore the concept of 'new' and 'old' governance aroused. Old governance is a traditional notion of steering by national governments from the top to down that is the degree of control the government is able to exert over social and economic activities. Whereas new governance involves the fact that how centre interacts with society and asks whether there is more self-steering in networks, thus in new governance networks play an important role.<sup>11</sup>

With the rise of this concept of 'New Governance' and due to the enhanced role of the state many other governance theories aroused as well.

Such as Network governance is associated with the changing nature of the state following the public sector reforms of 1980's. The reforms are said to have precipitated a shift from a hierarchic bureaucracy towards a greater use of markets, quasi markets and networks especially in the delivery of public services. Thus network governance evokes a world in which state power is dispersed among a vast

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<sup>10</sup> Anne Mette Kjaer, Op.cit., p.10

<sup>11</sup> Ibid.,p.11

array of spatially and functionally distinct networks composed of all kinds of public, voluntary and private organizations with which the centre now interacts.<sup>12</sup>

Participatory governance talks about the active participation in policy making process not only by the individuals but by the nongovernmental organizations as well. All the relevant stakeholders take part in decision making processes and are also able to influence the decisions in the sense that at the end of the decision making process all parties feels that their views and interests have been given due consideration even if they are always not able to have their way.<sup>13</sup> Though Participatory governance is a new theory that needs much attention but most of the scholars have not found any proper mechanism for its implementation.

Corporate governance is another theory that deals with the sustainable economic growth of the country by enhancing the performance of companies through increasing their access to the outside capital. In emerging markets good corporate governance serves a number of public policy objectives. It reduces vulnerability of the financial crises, reinforcement property rights; reduces transaction cost and cost of capital and leads to capital market development. Corporate governance concerns the relationship among the management, board of directors, controlling shareholders, minority shareholders and other stakeholders.<sup>14</sup>

Global governance on the other hand is about setting up of global institutions that address the changes resulting from globalization. Thus global governance refers to more than the formal institutions and organizations through which the management of

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<sup>12</sup> David Levi Faur, Op.cit., p.18

<sup>13</sup> Meredith Edwards, *Participatory Governance*, [Online] Available from: [www.canberra.edu.au/.../issuespaper6-participatory-governance.pdf](http://www.canberra.edu.au/.../issuespaper6-participatory-governance.pdf) [Accessed 16<sup>th</sup> Sep 2012]

<sup>14</sup> Atiya Y Javaid, Robina Iqbal, *Corporate Governance in Pakistan: Corporate Valuation, Ownership and Financing*. [Online] Available from: <http://www.pide.org.pk/pdf/Working%20Paper/WorkingPaper-57.pdf> [Accessed 20th Oct 2012]

international affairs is or is not sustained. It is conceived to include systems of rule at all levels of human activity in which the pursuit of goals through the exercise of control has transnational repercussions.<sup>15</sup>

This study attempts to examine the issues of governance and rise of militancy in FATA. The researcher has adopted the theory of governance as a theoretical framework for analyzing issues of governance and rise of militancy in FATA. Here the researcher has perceived the theory of governance in narrow terms of 'Government' particularly, that focuses on management of the administrative, legal and public sector.

FATA lags behind rest of the country due to its particular administrative and political structure, due to the complete absence or poor presence of the state institutions militancy have strengthened over there. Insufficient rule of law, lack of access to justice and lack of accountability of the public servants has given militants the opportunity to strengthen themselves. Moreover the destruction of social infrastructure and loss of many tribal elders has added fuel to the fire. Now in order to regain the trust of tribal people there is a need of legitimate state apparatus that will only come through democracy, accountability and efficiency of the government that will ensure the security of citizens.

## **1.8 Core Concepts of Governance**

For effective governance legitimacy is the first and foremost requisite, which means that the form of political regime must have legitimacy. As through legitimacy government can guarantee stability of rules. It is necessary that legitimacy should be both Input and Output oriented that is agreement of those who are asked to comply

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<sup>15</sup> Anne MetteKjaer, Op.cit., p.10

with the rules and the effectiveness of rules to produce tangible results. Thus both Input and Output oriented legitimacy are composed of establishment of democratic procedures and effective policies thus legitimacy derives from both democracy and efficiency.<sup>16</sup>

Legitimate government comes only through the application of democracy and democratic norms in the country, when people elect any government through their votes only then that government is legitimate and has capacity to ensure stability of laws. Any legitimate democratic government has the responsibility to ensure the basic rights of its citizens, to provide them with food, health, employment opportunities and security.

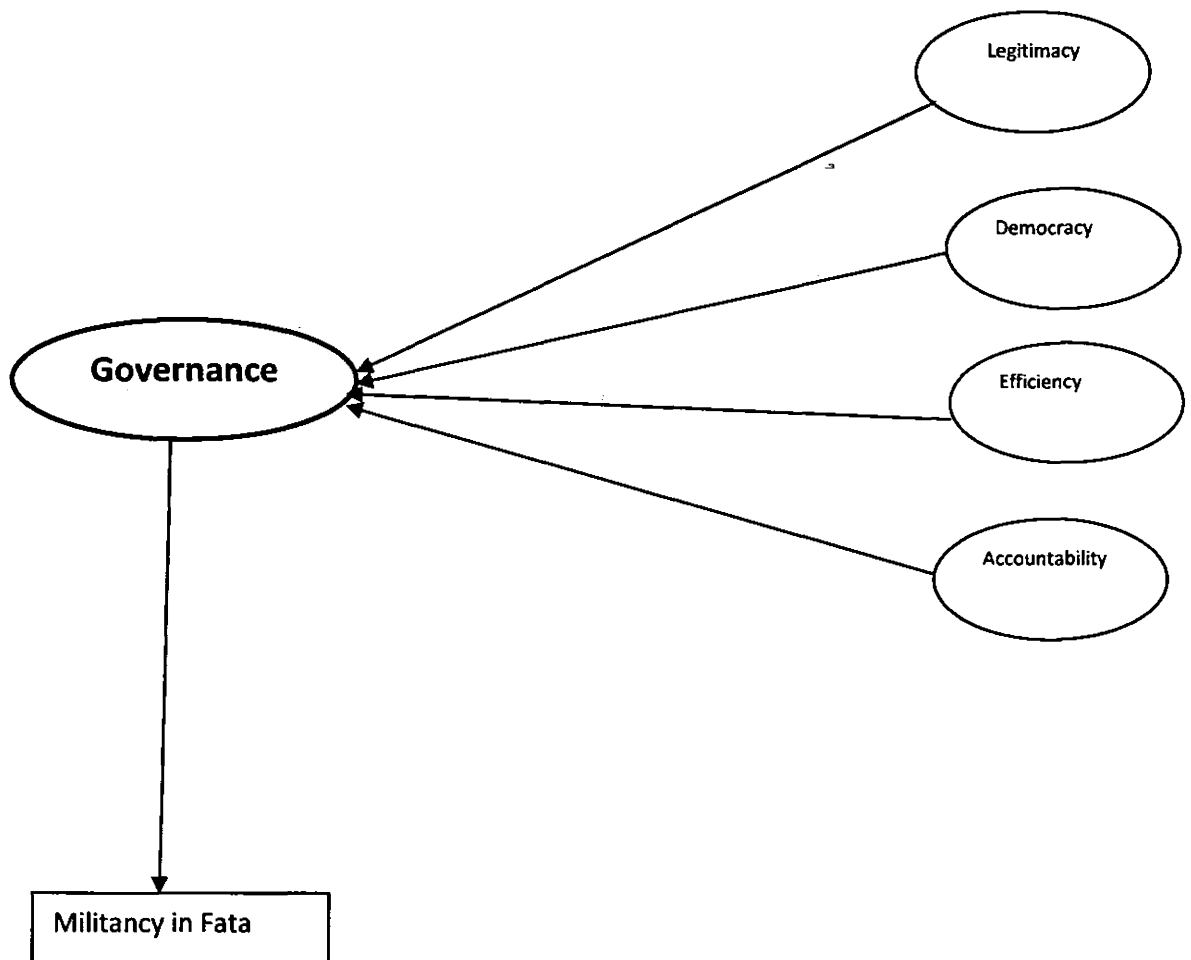
On the other hand one cannot deny the importance of accountability in representative democracy, governors are accountable to the people and civil servants are accountable to the governors. Through accountability effective and tangible results can be drawn. Accountability can be ensured not only through traditional parliamentary means but through active participation from the local government, civil society and citizens as well.

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<sup>16</sup> Anne MetteKjaer, Op.cit., p.10

## 1.9 Theoretical Frame Work

Governance means the patterns that emerge from the governing activities of social, political and administrative actors that can be seen as purposeful efforts to guide, steer, control or manage the sectors or facets of society.<sup>17</sup> The core components of governance are legitimacy, democracy, efficiency and accountability. A systematic representation of the theoretical framework used in the study is shown below.



Theoretical model is self generated

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<sup>17</sup> Ibid., p.12

These four factors (legitimacy, democracy, efficiency and accountability) affect governance. The particular study conducted analyzes the rise of militancy in FATA due to lack of governance.

### **1.10 Research Methodology**

This study is a critical analysis of the issues of governance and rise of militancy in FATA. Different methods of research have been applied in this study i.e. descriptive and qualitative method. Various sources have been used to analyze the issues of governance in FATA. The data would be obtained through a structured questionnaire. It was decided to conduct Individual interviews therefore FATA senators, members of parliament, tribal maliks and prominent people from civil society and media were the respondents of this research; they must satisfy the condition of having wide experience and expertise upon FATA. Sample size for this study was 17 but some respondents couldn't manage time therefore about 12 respondents were found relevant, they were people having wide experience and knowledge about governance issues in FATA. The interviews were conducted personally by taking appointments from the respondents. 12 interviews were taken through structured questionnaire. For analysis the collected data has been divided into five themes that are: Causes of Militancy in FATA, Resistance to Militancy, Socio-Political Institutions, Military operations and Militancy and Gender dimension of conflict in FATA.

For this research, both primary and secondary sources will be used. My primary sources will include personal/face-to-face interviews, official reports, newspapers, and observation etc. Secondary sources material will include books, journal articles, research conducted by different organization, institutions and individuals, and other available data dealing with the FATA region and its pressing issues.

Different libraries and institutions have been visited for this study such as Quaid-e-Azam University's Library, Library of International Islamic University Islamabad, National Library of Islamabad, National Defence University's Library, Allama Iqbal Open University's Library and HEC library. Reports of different organizations such as Camp and Fata Research Centre have been used as well.

### **1.11 Organization of the study**

For better understanding and comprehensive analysis the research has been divided into five Chapters including an introduction and conclusion.

First chapter will highlight the main plan of the thesis like the kind of methodology which will be adopted to address the already raised research questions appropriately. It will also deal with literature review and layout a plan of study.

Second chapter will give the insight of the historical overview of FATA i.e. the colonial history of FATA and the status of this region after the creation of Pakistan.

In third chapter the issues related with governance in FATA that has lead towards the population displacement will be discussed and state's efforts to resolve those issues will also be discussed.

Fourth chapter will throw the light on the reasons behind the rise of militancy in FATA. The factors behind the rise of militancy in each agency will be discussed.

Fifth chapter will be based on field work data collection, data analysis discussion and description about the questionnaires and samples in detail will be included and results of questionnaires will also be mentioned.

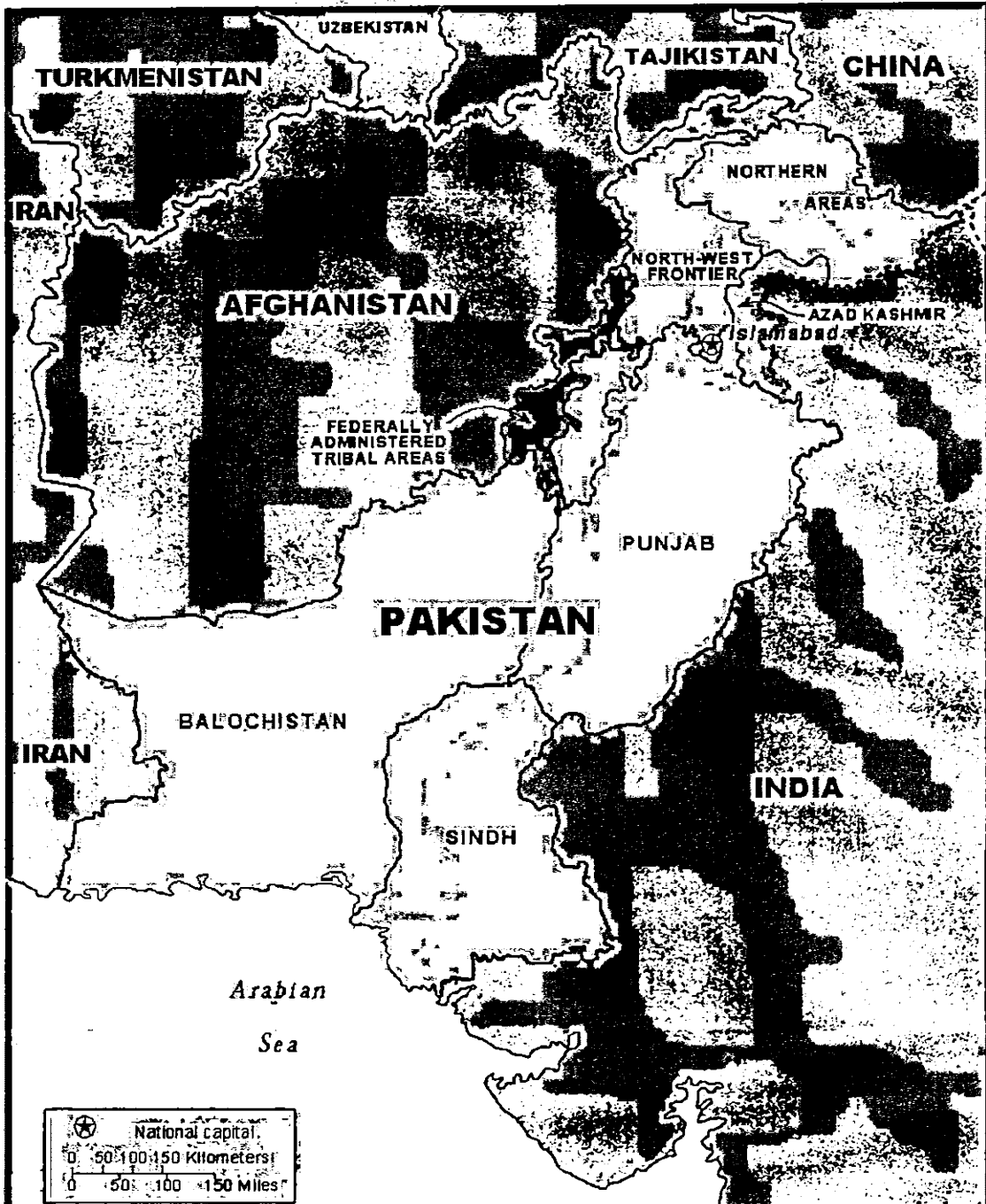


In the last chapter entire thesis will be summed up in a manner that it gives an objective and well researched impression. Moreover, it will also give recommendations in order to eradicate this menace of spreading terrorism and extremism from the tribal areas of Pakistan.

## CHAPTER 2

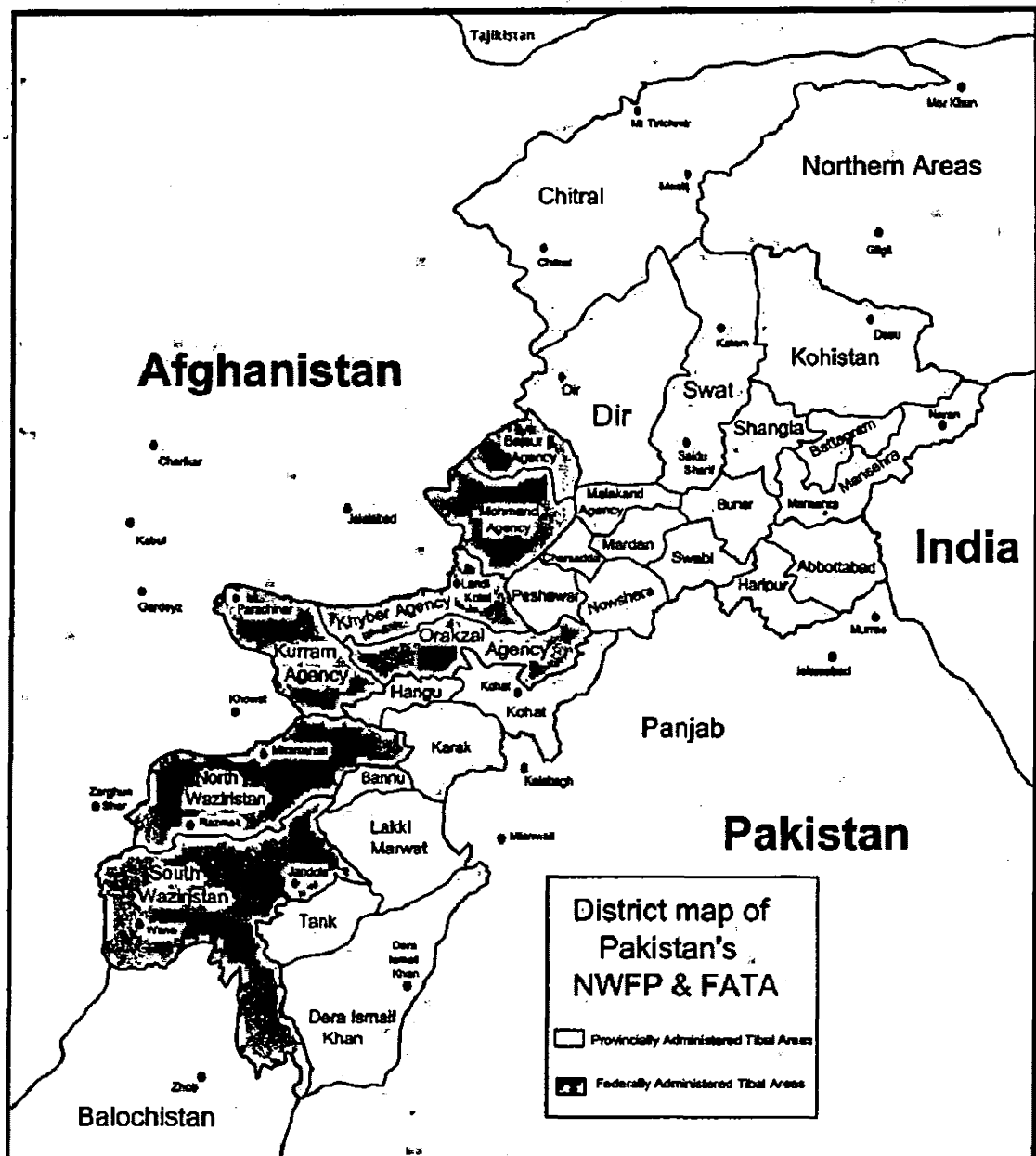
### HISTORICAL OVERVIEW OF FATA

#### Pakistan and the Surrounding Region



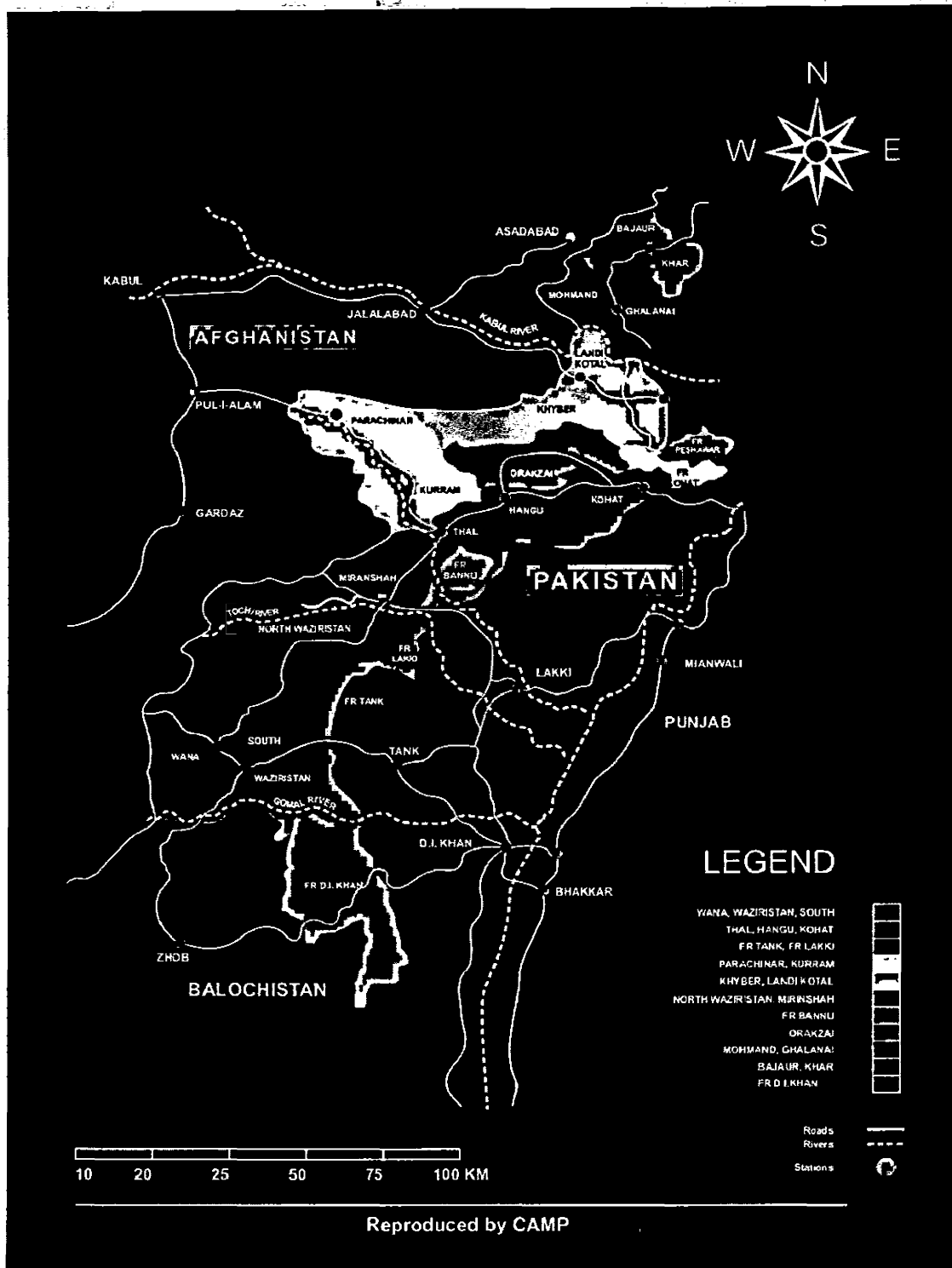
Source: Daniel Markey, Securing Pakistan's Tribal Belt (Council on Foreign Relations: CSR, No. 36, Aug 2008)

# Map of Khyber Pakhtunkhwa (KP) and Federally Administered Tribal Areas



Source: [www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf](http://www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf)

## Map of Pakistan with the Federally Administered Tribal Areas



Source: Camp Report: <http://www.understandingfata.org/about%20fata.htm>

FATA after 9/11 came into the lime light and became one of the most important areas in the global war on terror. Pakistan's federally administered tribal areas are at the verge of crises, because of being a safe haven for Al-Qaeda leadership and thus the root cause behind the militancy and terror inside Pakistan. "The area is landlocked and an important junction of South, Southwest and Central Asia and a chess board of great power politics"<sup>18</sup> This war against terrorism has all together changed the entire fabric of FATA thus creating challenging circumstances for the security and stability of Pakistan itself. FATA which is a natural border or barrier for Pakistan's security or defense has become victim of great power politics.

Due to harsh terrain, poor education and scares infrastructure FATA lags behind the rest of Pakistan. The population of FATA is 3.5 million approximately out of the total population of Pakistan. FATA is app 27,220 square miles and shares nearly three hundred miles of border with Afghanistan. The entire Pakistan-Afghan border is nearly 1,640 miles of difficult terrain. FATA is poorest least developed part of Pakistan; literacy rate is 17 percent as compared to the rest of Pakistan which is average 40%. Among women it is only 3% compared to the national average of 32%. Per capita income is roughly \$250; nearly 66% of people live below the poverty line. Only 10 thousand workers are employed in FATA's industrial sector. Moreover FATA's difficult terrain further serves to isolate tribal communities from markets, health and education services, and many outside influences which make the situation even worse for the people of FATA to get integrated into the national stream.<sup>19</sup>

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<sup>18</sup> Dr A.Z Hilali, *FATA: The Strategic depth of Pakistan*, (Margalla Papers, 2010), p.18.

<sup>19</sup> Maj Khashif Khalil, *Pak-Afghan tribal Belt in the Eye of the Storm*, Canadian forces College, [Online] Available from: <http://www.cfc.forces.gc.ca/259/290/296/286/Khalil.pdf> [Accessed 20th October 2011]

FATA comprises of seven tribal agencies and six frontier regions. The tribal agencies are *Bajaur, Mohmand, Khyber, Orakzai, Kurram, North Waziristan* and *South Waziristan*. The frontier regions include *F.R Bannu, F.R Dera Ismail Khan, F.R Kohat, F.R Lakki, F.R Peshawar*, and *F.R Tank*.<sup>20</sup> To the north and east, the tribal areas are surrounded by the *Khyber Pakhtunkhwa* Province (KPK), while on the south lies the province of *Balochistan*. The Durand Line which after 1947 became the bone of contention between Pakistan and Afghanistan lies on the western border of FATA. All agencies except *Orakzai* share border with Afghanistan and each has certain dominant tribal, economic and physical characteristics that distinguish it from the other regions.<sup>21</sup>

**Table 1: Population (FATA, 1998)**

Agency/FR	Area (sq km)	Population (total)	Population density (persons per sq km)	Annual growth rate, 1981-98 (%)
FATA	27,220	3,176,331	117	2.19
Bajaur	1,290	595,227	461	4.33
Khyber	2,576	546,730	212	3.92
Kurram	3,380	448,310	133	2.50
Mohmand	2,296	334,453	146	4.28
North Waziristan	4,707	361,246	77	2.46
Orakzai	1,538	225,441	147	-2.69
South Waziristan	6,620	429,841	65	1.95
FR Bannu	745	19,593	26	-6.65
FR Dera Ismail Khan	2,008	38,990	19	-2.09
FR Kohat	446	88,456	198	2.59
FR Lakki	132	6,987	53	-4.81
FR Peshawar	261	53,841	206	2.22
FR Tank	1,221	27,216	22	-0.61

Source: FATA Sustainable Development Plan (2007-2015)<sup>22</sup>

There are number of border passes between Pakistan and Afghanistan. Seven well known routes are *Malakand, Khyber, Gandab* route through *Mohmand* agency,

<sup>20</sup> Ibid., p.14

<sup>21</sup> Shuja Nawaz, *FATA-A Most Dangerous Place*, [Online] Available From: [http://csis.org/files/media/isis/pubs/081218\\_nawaz\\_fata\\_web.pdf](http://csis.org/files/media/isis/pubs/081218_nawaz_fata_web.pdf) [Accessed 20th Dec 2012]

<sup>22</sup> *FATA Sustainable Development Plan (2007-2015)*, [Online] Available from: [http://urban.unhabitat.org.pk/Portals/0/Portal\\_Contents/FATA/Landi%20Kotal/FATA%20Sustainable%20Dev%20Plan%202007-2015.pdf](http://urban.unhabitat.org.pk/Portals/0/Portal_Contents/FATA/Landi%20Kotal/FATA%20Sustainable%20Dev%20Plan%202007-2015.pdf) [Accessed 21<sup>st</sup> April 2011]

*Khyber* and *Kohat* route through *Parachinar*, *Bangash* or *Paiwar* route through *Kurram*, *Gomal*, *Tochi* routes through *Waziristan* and the famous *Bolan* route through *Quetta* in *Balochistan*. These passes were the corridors of invasion and commerce between the Indus plains and Central Asia.<sup>23</sup> Today because of these passes the situation of the region is becoming even more volatile as it is not possible to keep an eye on every pass because of the difficult terrain.

The people of FATA are mostly deprived of basic necessities of life such as health care and sanitation, majority of them are uneducated and inadequately skilled. Most of the population of FATA resides in rural areas where economy is mainly dependent upon the agriculture, livestock raising and little use of natural resources. Unfortunately in FATA agriculture production is low and natural resources are severely depleted. Commerce and Industry also operate here but on a very small scale and therefore only a limited amount of population can be employed there. There is a severe shortage of skilled labor as well, which serves as another problem in development of industrial and commercial sectors.

There is lack of developed infrastructure as well, which not only affects commerce and industry but also creates problems for the people in getting health, care and educational facilities. "Ownership of natural resources is also determined according to clan or tribe, with each group controlling resources within its own area and making decisions about management and use. Membership in the tribe is therefore essential for access to resources."<sup>24</sup> Land usage data form 2003-4 shows that 7% of the total

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<sup>23</sup> Dr. Noor ul Haq, *North West tribal belt of Pakistan*, (Islamabad Policy Research Institute (IPRI), Paper 10, 2005), P.1

<sup>24</sup> *FATA Sustainable Development Plan (2007-2015)*, [Online] Available from: [http://urban.unhabitat.org.pk/Portals/0/Portal\\_Contents/FATA/Landi%20Kotal/FATA%20Sustainable%20Dev%20Plan%202007-2015.pdf](http://urban.unhabitat.org.pk/Portals/0/Portal_Contents/FATA/Landi%20Kotal/FATA%20Sustainable%20Dev%20Plan%202007-2015.pdf) [Accessed 21<sup>st</sup> April 2011]

geographic area of FATA is cultivated, while only 1% is recorded as fallow, while more than 82% of the land is not available for cultivation.<sup>25</sup>

**Table 2: Land use (FATA, 2003–04)**

Land use	Area (ha)
Reported area	2,722,042
Cultivated area	199,530
Irrigated area	87,011
Current fallow	30,607
Forest area	46,202
Uncultivated area	2,468,512
Not available for cultivation	2,240,761

Source:

[http://urban.unhabitat.org.pk/Portals/0/Portal\\_Contents/FATA/Landi%20Kotal/FATA%20Sustainable%20Dev%20Plan%202007-2015.pdf](http://urban.unhabitat.org.pk/Portals/0/Portal_Contents/FATA/Landi%20Kotal/FATA%20Sustainable%20Dev%20Plan%202007-2015.pdf)

Though there exist strong sense of hospitality in tribal people even then the relations between tribes are not always cordial that is why there remains inter-tribal clashes which obviously affect the life of the ordinary people. Therefore for the poorer segments of population membership in and protection of a tribe is very necessary for their survival. This perhaps can be one reason behind the survival of tribal social structure for so long and its influence on the lives of the people even today. Hence for most development activities, the tribal structure serves as a hindrance because benefit of clan sometimes becomes more important than good of the community as a whole.

Due to this conservative nature of tribal society, there is somehow resistance towards change among some quarters. Less importance is being given to education (especially girls), healthcare (especially for mothers), women rights and environmental

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<sup>25</sup> Ibid., p.18



education/ecology. Though the status of women is not low in tribal society, they actively participate in economic activity of their community. They look after their herds of sheep and cows, grow crops, look after their family, but they are restricted to just the household chores and do not have any role in decision making. Their access to education and healthcare is limited.<sup>26</sup> People belonging to the elite class within tribal areas though themselves are worldly but they also resist change; in order to protect their status and privileges they manipulate common people with the threat of prolonged enmity and disputes.

Most of the people of FATA are poor, thus they easily become prone to the extremist and criminal tendencies. Therefore it is obvious that in the absence of viable economic opportunities one would be attracted towards the illegal activities such as smuggling and drug trafficking. According to a study of Asian Development Bank “60 percent of people in *Bajaur, Mohmand* and *Khyber* are living below the poverty line. Only 56 percent of the population enjoys the access to drinking water and electricity supplies covering about 62 percent of households in FATA.”<sup>27</sup>

There is lack of comprehensive roads network, access to a wide range of services and facilities such as health care and education as schools and hospitals are very rarely built especially in remote areas. This situation is because of the absence or the poor presence of state institutions in FATA.

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<sup>26</sup> Syed Hafeez Ahmed, Fatima A. Junaid, *Higher Education In Federally Administered Tribal Areas Of Pakistan After 9/11: Problems And Prospects*, US-China Education Review, Vol 7, No.5, p.57

<sup>27</sup> Ibid., p.57

**Table 3: Selected human development indicators for Pakistan, NWFP and FATA  
(2003)**

Indicator	Pakistan	NWFP	FATA
Literacy (both sexes %)	43.92	35.41	17.42
Male literacy (%)	54.81	51.39	29.51
Female literacy (%)	32.02	18.82	3.00
Population per doctor	1,226	4,916	7,670
Population per bed in health institutions	1,341	1,594	2,179
Road (per sq km)	0.26	0.13	0.17
* Literacy rates according to 1998 census; all other figures for 2003.			

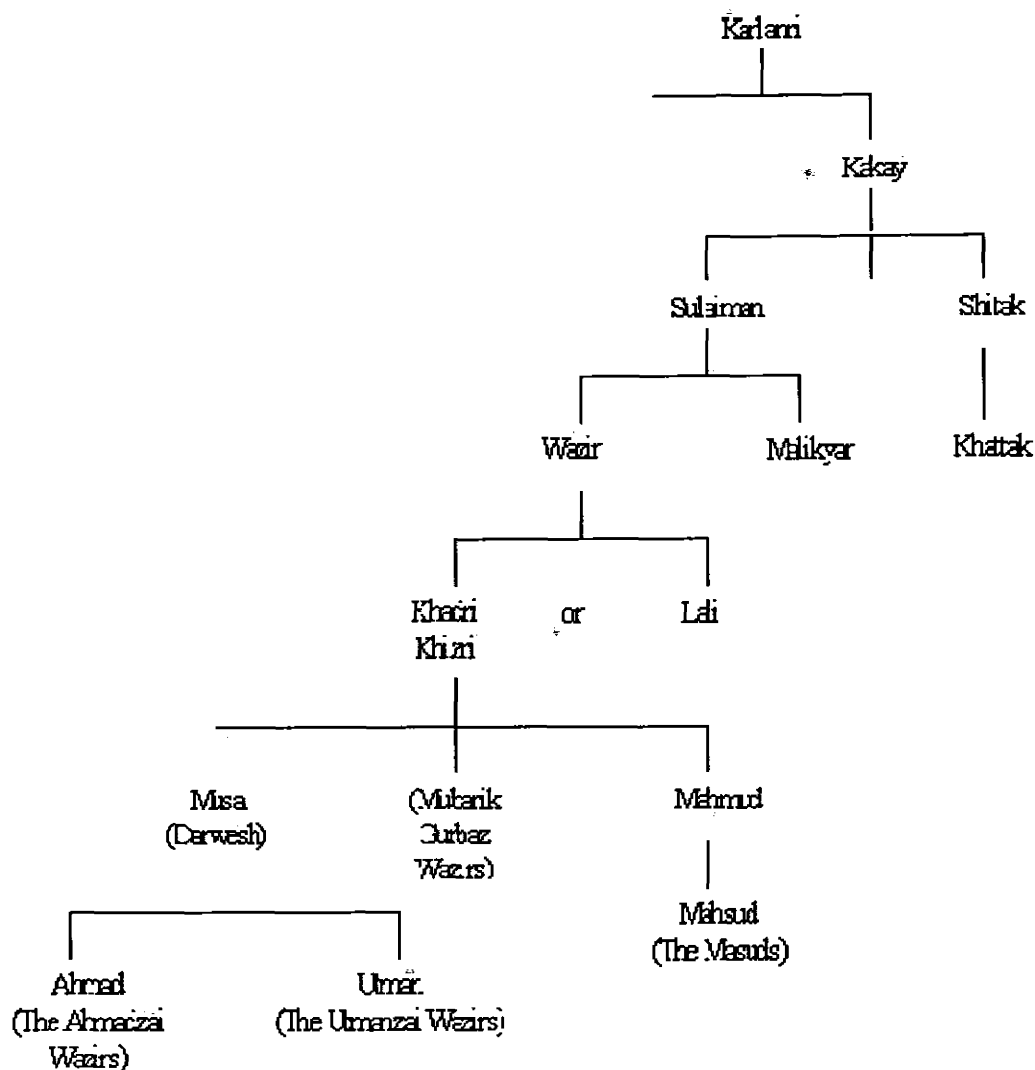
Source: Khalid Aziz, Proposal for Fata Reforms<sup>28</sup>

Tribal areas are actually semi-autonomous areas and are governed by their own set of rules or the code of conduct with their specific culture and traditions. The famous tribes of FATA are *Orakzais, Afridis, Mehsuds, Bangash and Wazirs* all belong to a common ancestor.<sup>29</sup> Tribal people's first commitment and priority is towards their family, next to clan or individual *malik*, then to tribe and then to the Pakhtun. After these comes Pakistan, Afghanistan or *Pakhtunistan* that is whatever is not exclusively of their own flesh or blood. Religion plays a key role in tribal society as a dominant factor in all aspects of life; the tribal people have always been motivated by religion-inspired nationalism and the thirst for freedom. In order to attain this freedom the tribes have fought with the Britishers in the Afghan wars of nineteenth century, the soviets in the twentieth and the coalition forces in the twenty-first century.

<sup>28</sup> Khalid Aziz, *Proposal for FATA Reforms*, [Online] Available from: [www.khalidaziz.com/Proposal\\_for\\_Fata\\_Reform\\_Prepared\\_by\\_KA](http://www.khalidaziz.com/Proposal_for_Fata_Reform_Prepared_by_KA) [Accessed 14th Aug 2012]

<sup>29</sup> Post Crisis Need Assessment: KhyberPakhtunkhwa & Federally Administered Tribal Areas. [Online] Available from: [www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf](http://www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf) [Accessed 20<sup>th</sup> Nov 2012]

See the following tribal genealogy<sup>30</sup>



Such tribal traditions and societal norms made it somehow difficult for any individual to understand the dynamics of tribal society. However only through understanding the norms, customs and lifestyle of the people of this region it is possible to deal with the complex issues associated with the tribal society. “The region is still in the midst of the most critical transformations in the modern history but autonomous structures of

<sup>30</sup> Dr. Noor ul Haq, *North West tribal belt of Pakistan*, (Islamabad Policy Research Institute (IPRI), Paper 10, 2005), P.5

local authority have long been existed parallel to the federal government”<sup>31</sup> the federal government continues to deal with local tribal chiefs through the political agents instead of establishing contacts with the people at grass-root level. The political agents’ primary job was to promote and facilitate projects like health, water, education and communication in tribal areas.

Lack of basic amenities of life, economic opportunities and illiteracy has made people prone to exploitation in the name of religion, economic benefits or tribal enmity. All these factors have been readily utilized and exploited by the militants, terrorists and other religious and fanatic organizations prevalent in the region.

Federally Administered Tribal Areas have been traditionally the home of Paktuns also known as Pashtuns or Pathans and basically have tribal or feudal structure. Pashtuns are an ethno-linguistic group and commonly use Pashtu dialect which is another source of their identification. The origin of their language Pakhtu is not clear in spite of the tireless efforts of the linguists and historians. Most of the Pashtun tribes’ live on both sides of the Pakistani-Afghan border and the vast majority of Pashtuns live outside the FATA. Most of the Pashtuns are *Sunni* Muslims. There are approximately forty million Pashtuns in which there are further subdivisions on the basis of Kinship primarily. They are analytically characterized as the hill or low land tribes. Low land tribes are mostly integrated into national politics and economics of both Pakistan and Afghanistan. The Hill tribes are more concerned with their independence, personal or group honor. Invaders have crisscrossed the tribal areas for hundreds of years and the

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<sup>31</sup> Dr A.Z Hilali, *FATA: The Strategic depth of Pakistan*, (Margalla Papers, 2010),p. 18

Pashtun tribes have gained a celebrated reputation for their independence and martial spirit.<sup>32</sup>

Pashtuns are guided by an ancient pre-Islamic code of behavior, honor and culture known as *Pakhtunwali* or *Nang-i-Paktoon* (way or code of Paktoons).

“According to legend, they embraced Islam following conversion to that religion by Qais Abdur Rashid who is said to have met the Prophet Mohammad (May peace be upon him) in Mecca.”<sup>33</sup>

With the arrival of Islam some aspects of *Shariah* were added to the *Pakhtunwali* code and hence people started taking guidance from this mix of Islamic *Shariah* and *Pakhtunwali* code. People of tribal areas have always believed in their age old traditions, laws and culture and somehow liked to be governed according to them. There are number of Pashtun traditions, few cardinal principles of *Pakhtunwali* are as follows:

*Panah* (Asylum) this principle shows the open heartedness of Pakhtuns, it is actually giving the right of asylum to all those who asks for peace or a temporary suspension of hostilities by an agreement of the opposing sides, asylum must be given to all fugitives and even to the worst enemies if they asks for it. *Mailmastia* (Hospitality) and protection given to every guest and *Badal* (Retaliation) is basically taking revenge regardless of cost that is eye for an eye and a tooth for a tooth, blood must always be about equally spilled and property equally destroyed or taken. These are the tribesmen

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<sup>32</sup> Daniel Markey, *Securing Pakistan's Tribal Belt*(Council on Foreign Relations: CSR,No. 36, Aug 2008), p.6

<sup>33</sup> Shahid Javed Burki, *How To Develop the Afghan-Pakistan Tribal Belts* (Criterion Quarterly, Vol.3, No.4,October/December 2008), p.17

greatest commandments. The code is applied by individuals and interpreted by *jirgas*.<sup>34</sup>

There is very few written evidence available about the Paktuns ancient past; various theories are related to the genesis of Paktuns some are based on religion and the other posited by ethnologists are used to explain the origin of Paktuns. "The first authentic reference is available in Tarikh-al-Hind written by Alberuni (973-1048), an eminent scholar who resided in Ghazni and North westren region (now Pakistan) in South Asia during 1016-1048. He speaks of these tribes as rebellious, savage races occupying the frontiers of India towards the west."<sup>35</sup>

There is no clear distinction in old records between Pashtuns and Afghans other than that Afghans being part of the Safawi Empire of Persia has more persian influence and speak *Darri* (Afghani Persian) language whereas the Paktuns or Pathans have lesser persian influence being a part of Mughal Empire of Delhi.

Regarding the origin of Paktuns nothing is clearly defined. There are different views, some historians view them as descendents of "Afghana the son of Jeremiah, the son of saul, who was solomon's commander-in-chief and builder of his temple"<sup>36</sup> some other are of the view that they are one of the lost tribes of Jews, some says they are of Aryan origin. Some are of the view they are of "Turko-Iranian type with a considerable mixture of other physical types found beyond the Indus"<sup>37</sup> while to some other they are closer to Arabs:

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<sup>34</sup> Dr. Noor ulHaq, *NorthWest tribal belt of Pakistan*, (Islamabad Policy Research Institute (IPRI), Paper 10, 2005), P.3

<sup>35</sup> Ibid., P.2

<sup>36</sup> Ibid., p.3

<sup>37</sup> Ibid.

“If the origin of a race can be determined on the basis of customs and traditions then Paktuns would be closer to Arabs. The study of Arabs and Paktun society presents a remarkable resemblance particularly in their tribal organization and social usages. For both of them hospitality is one of the finest virtues, retribution a sacred duty and bravery an essential pre-requisite for an honorable life. Love of independence, courage, hospitality and revenge were the supreme virtues of pre-Islamic Arabs...these attributes are considered as pillars of the Pukhtoon code of honor or *Pukhtoonwali*”<sup>38</sup>

## 2 Pashtun Resistance: An Overview

108/41  
Throughout the pages of history Paktuns have gone through a constant struggle against invaders from Alexander the great to the British India and then the present Pakistani state. The frontier region has never been stabilized due to the continuous invasions from British India, Western and Central Asian empires. From history it is very much clear that the lands that are now present day Afghanistan and the North-West Frontier of Pakistan have seen perhaps more invasions in the course of history than any other region in Asia or in the world. Sometimes the area remained part of India, then Persia then again India, then Afghanistan and finally British India.

Alexander the great invaded India in 323 B.C, He conquered Afghanistan and then advanced through western part of the Sub-continent towards the tribal areas where he faced some resistance from tribes but ultimately Alexander's army under the direction of Gen. Seleucus occupied the Paktun tribes and this region became part of Macedonian Empire. *Ashok* the great in 250 B.C also ruled over this particular region.

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<sup>38</sup>Ibid.

In the ninth and tenth century A.D there were Muslim invasions from Central Asia and Afghanistan. At that time these areas were under the control of *Hindu Rajputs*, *Raja Jaypal* was the last *Hindu raja* to rule over these areas, he was defeated by *Mahmud Ghaznavi* in Peshawar. In the following years *Mahmud Ghaznavi* took this traditional route from Central Asia through the Khyber Pass to invade upon India, he invaded for some seventeen times on India between 1000-1026 A.D but never got successful in establishing an empire. The same route was further adopted by *Mohammad Ghori* in 1186 A.D who laid the foundation of first Muslim state in India. *Genghis Khan* in 1212 A.D adopted this route, and then in 1398 *Amir Timur Lane* came from Afghanistan and in 1526 *Zaheerudin Babar* the first *Mughal* emperor came from Afghanistan who defeated *Sultan Ibrahim Lodhi* in the battle of *Panipat* and laid the foundation of first *Mughal* Empire in the Indian Subcontinent.

As soon as the *Mughal* Empire started getting weaker the first modern Pakhtun consolidation known as *Durrani* Federation began. In the early 1700 the *Sadozai* led by the military leader *Ahmed Shah Durrani* brought a second Pakhtun group the *Ghazalis* into the federation. They went on to conquer and consolidated the Pakhtun tribes on both sides of *Hindu Kush*. They also tried to conquer parts of modern day Iran, Kashmir, Afghanistan, present day Sindh and Delhi. This vast empire was not possible to hold and therefore in the late seventeen's the Uzbek's, the Tajik's, the Sikhs and others rebelled and pushed back the *Durrani* Empire.

In 17<sup>th</sup> century when Sikhs got victimized by Aurangzeb they moved towards the hills for refuge and joined the Pakhtun tribes living there in mountains. The tribal people gave them refuge under their tradition of *Namwatai* so these Sikhs started living with tribal Pashtuns. Afterwards in the first quarter of the 19<sup>th</sup> century *Maharaja Ranjit*



*Singh* (1799-1839) who aroused after the withdrawal of *Shah Zaman* the *Durrani* ruler of Lahore extended his military might from Lahore up to the foothills of Khyber. When *Ranjit Singh* decided to pass through the tribal belt in order to establish his rule in Jalalabad and Kabul several battles were fought. The tribesmen gave Sikhs tough time and did not allow them to encroach upon their independence so finally the Sikhs were stopped in the hills around Jamrud. It was among one of these battles when Sikhs famous General Hari Singh Nalwa was killed. The Sikhs were finally defeated in 1837. "The Sikhs' rule around Peshawar was not stable. They possessed but little influence in the trans-Indus tracts, and what influence they had was confined to the plains. Even here they were obeyed in the immediate vicinity of their forts which studded the country."<sup>39</sup>

By this time the Britishers came into India. They wanted to occupy this particular region because this area along the British India frontier and Afghanistan Border inhabited by Pashtuns of various tribes was the epicenter of the "Great Game" between the British and the Russian empires. Therefore in order to resist the tsarist designs Britishers launched two wars on Afghanistan in nineteenth century but failed to achieve this objective. "When the British invaded Afghanistan four times in the nineteenth century (1839, 1842, 1878, 1879), the important political responses came from the tribes, some opposing the British some supporting."<sup>40</sup> Pakhtuns fought along with the rulers of Kabul against the British and Indian forces. The British forces were badly defeated by the Pakhtuns during the first war but in the second war most of the Pashtun tribal belt like the Khyber, the Kurram and the Bolan Passes came under control of the British Empire.

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<sup>39</sup> Ibid., p.11

<sup>40</sup> Akbar S Ahmed & David M Hart, *Islam In Tribal Societies: From the Atlas to the Indus* ( London: Routledge &Kegan Paul plc, 1984), p.267

Hence Britishers occupied most of Indian Subcontinent, despite the military success the British government thought that the constant attacks by Pashtun tribes against British forces were very costly and failed to provide security to British interests. Therefore in 1893 British compelled King *Abdur Rehman* of Afghanistan to settle the frontier of Afghanistan. On 12 December 1893 an agreement was signed by Sir Mortimer Durand and *Amir Abdur Rehman*. This agreement brought the *Khyber Pass* and the highlands around Quetta within the British Indian border. Hence the culture area of the *Pakhtun* and the *Durrani* federation was split. Thus the buffer zone was created. To most historians the division itself is the root cause of many problems that both Pakistan, Afghanistan and now the rest of the world is facing. As per historian Vartan Gregorian,

“The Durand line divides the allegiance of many tribes, without regard to the ethnography of the region. It demarcated a no-man’s land which became a heaven for the tribal chieftains and sometimes even for the entire clan. Moreover, though the agreement pushed the British forward line to modify the basic features of tribal life or to setup some kind of permanent tribal authority that might in turn have affected the position of tribes in Afghanistan.”<sup>41</sup>

Though the agreement was signed, this demarcated the border line between Afghanistan and British Empire but there remained an internal problem for the British colonial rule.

“The colonial encounter on the North West Frontier of Undivided India was one of the most Barren Encounters. For the Pathan colonization meant destroyed villages,

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<sup>41</sup> Shahid Javed Burki, *How To Develop the Afghan-Pakistan Tribal Belts*, Criterion Quarterly, Vol.3, No.4 (October/December 2008) ; p.20

water tanks and grain stores; it meant electrified fences, block houses and unending series of 'butcher and bolt' raids."<sup>42</sup>

For the *Pathans* in tribal areas it meant a complete rejection of the twentieth century which in his eyes the British represented. Therefore the frontier region was a source of continuous trouble and a threat to the stability of British India. To overcome this threat British India formulated a policy of Persuasion, Control and Armed intervention in these areas. Between 1849- 1939 some 58 military campaigns were launched by British India against the Paktun tribes.

"The synthesis here was in stark contrast to life across the Indus in the Frontier and in the Tribal areas. Here the encounter was real and the bullets never stopped. Military forts, Columns, Bugles and sudden death preoccupied the British. Here it was the Britisher who learned the language of his subject and it was a rare Pathan from the tribal areas who spoke, dressed or ate like the British"<sup>43</sup>

This conflict between the tribal Pathans and the Britishers finally resolved in the following way, In return for free road access by the British the tribal areas along the Durand line were given a semi-autonomous status with allowances and subsidies to the tribal *maliks* and elders.

## **2.1 Frontier Crimes Regulation: The Black Law**

Frontier Crimes Regulation (FCR) was introduced in 1848. Initially the ordinary civil and criminal law was extended to FATA but that was just not enough for the crime

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<sup>42</sup> Akbar S Ahmed, *Colonial Encounter on the North-West Frontier Province: Myth and Mystification*, from [www.jstor.org/stable/4368262](http://www.jstor.org/stable/4368262)[Accessed 16<sup>th</sup> March 2011]

<sup>43</sup> Ibid., P.2

rate that is why Britishers devised a special law for the whole Pakhtun region. Therefore in 1871 a more comprehensive set of FCR was enacted. The modifications in FCR continued till 1901. In the same year the Pakhtun region was separated from the province of Punjab and was divided into "tribal agencies" and "settled districts" the settled districts comprised the North-West Frontier province while for tribal agencies a distinct system of Administration was introduced that is the Governor General of India through the Chief Commissioner of Punjab engaged the local Pakhtun leaders through a 'Political Officer' who dealt with the Maliks and Elders of the tribes. Thus "the tribal areas remained closed systems in the most profound sense of the term. It was not only a different world; it was almost a different century"<sup>44</sup> Hence the Britishers retained a loose control over these areas through political agent and the use of force through Levis, local police, whose members were recruited from among the tribes.

## **2.2 FATA after Partition**

When the freedom movement started in India the people of tribal areas openly sided with the Muslim League in its struggle for a separate homeland for Muslims. In this regard Quaid-e-Azam Mohammad Ali Jinnah visited Khyber agency in 1945 and tribesmen gave him a historic reception which showed their love and support for Quaid, they also assured him of their complete loyalty.

On 14<sup>th</sup> August 1947 Pakistan came into being as a sovereign Muslim State. According to the Indian Independence Act of 3<sup>rd</sup> June 1947 all the special treaties were abrogated. Pakistan opted not to settle troops in the FATA region because 200 Maliks from FATA signed an instrument of accession with the first Governor General

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<sup>44</sup>Ibid.

of Pakistan Quaid-e-Azam Mohammad Ali Jinnah during a Loya Jirga. Pakistan in return continued the allowances and subsidies. Pakistan also recognized the semi-autonomous status of the Pakhtun tribes of FATA. In April 1948 Quaid during his first visit to the tribal areas clearly outlined the policy to the tribal elders that Pakistan planned to follow towards the tribal areas, in his address he said that “Pakistan would not hesitate to go out of the way to give every possible help-financial and otherwise-to build up the life of our tribal brethren across the border”<sup>45</sup> he was also of the view that

“Pakistan had no desire to interfere in their internal freedom; rather it wanted to put them on their legs through educational, economic and social uplift as self-respecting citizens, who have the opportunities of fully developing and producing what is best in you and your land.” Quaid-e-Azam in his address reaffirmed the ‘policy of continuing allowances’ and said that the “existing arrangements would not be modified except in consultation with them as long as they remained loyal and faithful to Pakistan.”

Therefore with the very few changes in the 1956, 1962 and 1973 constitutions, Pakistan retained the same agreements recognizing the special status of FATA.

However Quaid also wanted to change the status quo in tribal areas for the betterment of the people living there. According to Mian Jaffar Shah, a former education minister of NWFP and a close associate of Quaid-e-Azam, who had arranged a meeting between the Quaid and Khan Abdul Ghaffar Khan in June 1947 in Delhi, the latter had put three conditions before the former for extending cooperation on Pakistan. One of the three conditions was the merger of the tribal areas of Pakistan with the settled

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<sup>45</sup> Dr. Rashid Ahmed Khan, *FATA after Independence: 1947-2001*, (Islamabad Policy Research Institute, IPRI, Paper 10, 2005), p.28

areas of NWFP. In response the Quaid had shown his willingness; but he asked Ghaffar Khan to mould public opinion in the tribal areas so that the proposal could be implemented through voluntary consent.

Therefore Quaid-e-Azam while addressing the tribal maliks said that;

“Pakistan did not want the tribal people to remain permanently dependent upon the annual doles as has been the practice hitherto, which meant that at the end of the year you were no better off than the beggars, asking for allowances, if possible a little more”<sup>46</sup>

Unfortunately Quaid’s aspiration for tribal areas was not translated into reality due to his death within the first year of his presidency. The political leadership that followed him preferred their own interests; instead of creating avenues for development and progress in the tribal areas they continued the policy that was made by the British to serve their colonial interests.

It was decided according to the constitution of Pakistan that FATA will be administered by the governor of Khyber Pakhtunkhwa under the supervision of the president of Pakistan. President can take any decision regarding peace and good governance of FATA. The presidential orders are implemented through political agents; each agency is managed by a political agent who is a federal civil servant. Political agent acts as an executive, a judge and revenue collector. Most of the laws like civil, criminal, fiscal have been extended to FATA but appeal to the superior courts i.e. supreme court or high court is not allowed yet, FATA is represented in the lower (National Assembly) and upper house (Senate) of the parliament by 12 and 8

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<sup>46</sup> Ibid. , P.28

members respectively but irony is that parliament has no jurisdiction over FATA. Moreover FATA has no representation in the Khyber Pakhtunkhwa provincial assembly. In 1996 adult franchise act was extended to FATA while the political parties' act of 2002 was extended on 14<sup>th</sup> August.

The socio-economic scene in tribal areas changed rapidly in April 1978 when soviet forces entered in Afghanistan and when Islamic revolution came in Iran in 1979. The Soviet invasion and occupation of Afghanistan in 1979 until 1989 had negatively impacted the whole region particularly the tribal areas of Pakistan. Almost 3.5 million Afghan refugees fled across the border into the tribal belt of Pakistan. It has not yet recovered from the aftershock of this enterprise. Much of the drug traffic, smuggling and terrorism can be attributed to this role in the Afghan crisis. Incident of 9/11 and America's invasion of Afghanistan and its occupation since 2001 till today have further affected the most underdeveloped area of Pakistan. Today FATA is considered as the most dangerous areas of the world considering terrorism. It is deemed as heaven for the terrorists and militants from all over the world. After 1978 local religious leaders or ulemas trained a generation of militants. Moreover almost 3.5 million Afghan refugees came into the tribal areas from across the border this further enhanced drug traffic, smuggling and terrorism.

“If Pakistan became what the US calls a “frontline state” in the battle to combat soviet communism in the region, then Khyber Paktunkhwa became the “frontline province” and FATA became the “frontline area” in the new great game between the US and the former USSR”<sup>47</sup>

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<sup>47</sup> Dr. Fazal Ur. Rahim Marwat, *The Genesis of Change And Modernization In Federally Administered Tribal Areas (FATA) of Pakistan*, IPRI Journal , Vol 7, No 2 (2007), p.76

After 9/11 FATA is considered as the most dangerous place of the world and became battle ground for the world major powers. An even more radical generation of militants are there, Pakistan army is also combating the terrorists there but is not capable to maintain peace over there and this is somehow because of the complete absence of civilian institutions in FATA.

After 9/11 United States of America and Pakistan entered into an opportunistic partnership with disparate objectives. The US made Pakistan one of its non NATO ally in order to have access to its air, land and naval bases so as to expand the scope of its policy to contain terrorism in the border region of Afghanistan and Pakistan. On the other hand Pakistan shake hand with the US in order to achieve three fundamental objectives: first to receive US military assistance to enhance position vis-à-vis India; second to obtain diplomatic support for the protection of nuclear assets ; and third to receive massive US economic assistance to accelerate the growth of economic development. one belief is that the US takes advantages of Pakistan's strategic and economic weaknesses and uses its sensitive facilities in the war on terror, and Pakistan as a weak country sacrifices its national interests because the elites have failed to protect the country's territorial integrity and FATA region, which is a natural border or barrier for the defense and security of Pakistan, has become the victim of great power politics.



## CHAPTER NO. 3

### ISSUES OF GOVERNANCE IN FATA

#### 3 Governance in FATA

Governance is the manner in, and the process by, which authority is exercised, especially with respect to the management of a country's economic and social resources. This in turn, entails the capacity of institutions (both formal and informal) to design, formulate and implement policies. It includes the discharge of functions that enable the efficient and effective delivery of public services fairly, while holding the service providers accountable to the service recipients.<sup>48</sup>

Today in FATA the failure of state institutions has left vacuum for the militants to strengthen and to occupy the place of tribal elders. The particular form of government that is prevailing in FATA somehow lacks legitimacy as their elected candidates has no voice in the parliament of Pakistan, they cannot raise voice even for their own region. It does not ensure the protection of basic rights of the citizens of FATA. The people of FATA are very much vulnerable towards militancy; they have great issues regarding security, economic opportunities. Moreover the state institutions in FATA completely lack efficiency and accountability.

FATA is divided into tribal agencies and settled areas since the days when Pashtun region was divided from Punjab province and the Frontier crimes regulation was promulgated in 1901. The settled districts became part of the *Khyber pakhtunkhawa* province (KPK) while the tribal agencies were administered through the Political agents who were answerable to the KPK governor who further reports directly to the

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<sup>48</sup> Shahid Kardar, *The Ingredients of good governance* (Criterion Quarterly, Vol.5 No.3, 2010), p.151.

viceroys of India. Political agents with the permission of the governor distributed the tribal allowances to the tribal leaders, this has been agreed with them by a series of treaties according to which they ensured their cooperation with the British government. Political agents' basic job was to maintain peace in the agency whether it is through cash gifts to the maliks (state recognized tribal leader) or via bargaining. Frontier crimes regulation was also a law that was intended to reflect the local tribal law and was also enforced by the tribal leaders and their local Levis or constabularies.<sup>49</sup>

In 1947 when Pakistan came into being unfortunately this British governance approach towards FATA was once again adopted instead of involving it into main stream political setup. In 1949 through mutual consensus the same semi autonomous status and administrative arrangements that were prevalent there during the British rule were once again retained for the tribal agencies. This arrangement kept FATA completely outside Pakistan's parliamentary process, leaving the issues of internal security and judicial matters entirely on the tribes themselves. 1901 Frontier Crimes Regulation (FCR) is serving as the legal framework for Fata up till now.

### **3.1 Fata Administrative and Political Arrangement**

FATA is directly governed by the federal government, the governor KPK is the designated agent of the federal government while the Ministry of States and Frontier Regions (SAFFRON) is also established to keep an eye over all the administrative functions of the region. Laws made by the National Assembly of Pakistan unlike rest

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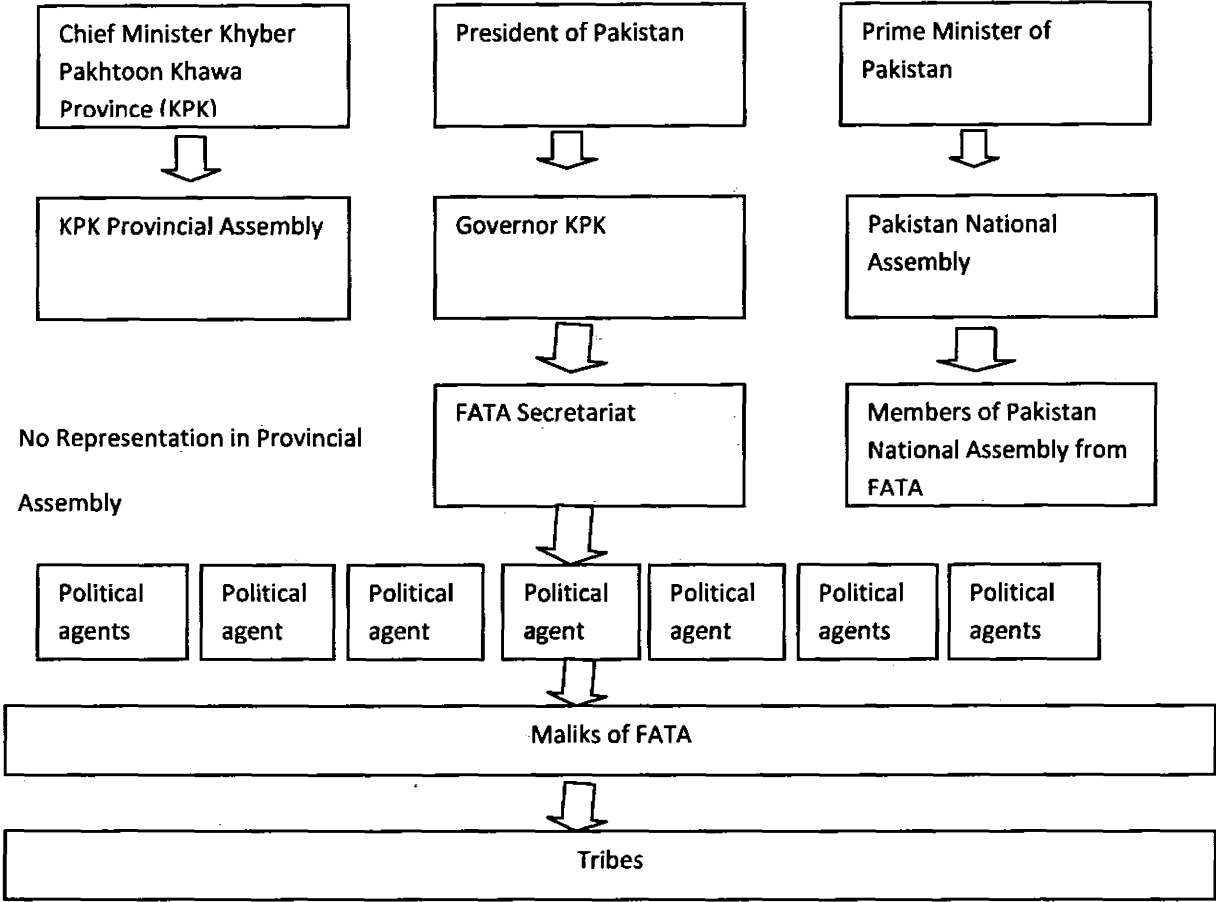
<sup>49</sup> Post Crisis Need Assessment: Khyber Pakhtunkhwa & Federally Administered Tribal Areas. [Online] Available from: [www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf](http://www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf) [Accessed 20<sup>th</sup> Nov 2012]

of the country do not apply in FATA unless they are specifically ordered by the President. The control over the agencies is maintained through the Political agents who are answerable to the governor. For each tribal agency separate Political Agent is appointed who administer the agency with the help of number of other officials and members from various law enforcement agencies i.e. Khassadars, Levis, scouts etc. Political Agents other than collection of tolls and disbursement of funds enjoy overwhelming political, administrative, financial and judicial powers, they check the working of line departments, service providers, they also play a vital role in resolving any dispute that occurs between the tribes, they also look after the ongoing projects and have control over the use of natural resources as well.

Administratively FATA is divided into two categories; the 'protected' areas are the areas which are under the direct control of the government and 'non-protected' areas are administered indirectly through local tribes. In Protected areas power to decide civil and criminal cases lies with the PA, he has the authority to give 'Collective Punishment' to the tribes for the crime of an individual belonging to that particular tribe. Six frontier regions are administered through the District Coordination Officers (DCO) of the adjoining KPK districts. They act as a 'Political Agent' for their particular frontier region. FATA development plans were made by the FATA section of the KPK planning and development department while implemented by the provincial line departments. With the establishment of FATA secretariat in Peshawar in 2002 headed by the secretary FATA and followed by the establishment of civil secretariat FATA the decision making, functioning and implementation of the projects came under the authority of FATA secretariat. Governor secretariat plays a coordinating role between FATA secretariat and federal and provincial governments.

FATA does not have a legislative assembly. The right to vote for elections to the national assembly was introduced in FATA in 1997 before that only designated maliks had this right to vote. Political party's activity had been banned previously but with the reforms approved in August 2009 by the present government this had been authorized. FATA has 12 members in National Assembly but the unfortunate fact is that they do not any power over the decisions made for. FATA

**Political & Administrative Structure of FATA**



Source: Developing Fata, A White Paper for USAID <http://www.worde.org/wp-content/uploads/2011/12/DevelopingFATA.pdf>

### **3.2 Salient Issues of Governance in FATA**

Tribal Areas of Pakistan initially referred to as the 'strange land' by Pakistanis are now commonly known as the "safe haven" for the militants and terrorists all over the world. The main reason why this area is tagged with these weird titles is the way it has been governed so far. Every part of Pakistan has a defined administrative identity except the tribal areas; they are neither a province nor a division or part of any province or division. Parliament legislates for almost every area of this country but not the tribal areas. Supreme Court does not have jurisdiction over these areas and their residents do not have the right to appeal in any court of Pakistan as well. In FATA there are four major issues of governance because of which there is constant rise in militancy.

### **3.3 Political Issues**

Substantial failings in governance and rule of law and in ability of the state to protect basic citizen rights are the major structural causes of crisis in the region. FATA's administrative and political setup has a major role to play in this regard; there has remained disenfranchisement, corruption, alienation, poverty and under-development that facilitate conditions of lawlessness, insecurity and extremism in the region.

#### **Political Agents: The Real Boss on the Ground**

After the creation of Pakistan the administrative system for tribal areas remains same as it was in the colonial period. In order to implement the constitutional provisions the President through political agent must be linked to the local or tribal structure. Political agent has been vested with broad powers including treaties with the tribes and giving them financial compensations by the federal government. Under the draconian Frontier Crimes Regulation (FCR) of 1901, the Political Agent or his

deputy, the Assistant Political agent, enjoys unbridled powers-both executive and judicial. He cannot be challenged in the high court as there is no separation of judicial and executive powers in FATA. There's no regularity mechanism to check misuse of power by the Political Agent which often resulted in serious human rights violations. So, the Political Agent is beyond the reach of the law and governs the tribal areas with supreme authority under the umbrella of black law.

It is nearly impossible to have effective governance in an area where political agent has such broad authorities, there is no accountability and people has any voice of their own, where there is lack of transparency in the system as political agents are often characterized with high level of misuse of funds for vested interests and personal gains.

### Frontier Crimes Regulations: Root of All Ills

Century old rule, that was made by British is still operational and gives almost absolute rights to political representative/maliks. FCR has been declared as austere, illegal, and unlawful by the people and courts. British in order to get control of the routes of tribal areas and to curtail Soviet expansionist strategy made a deal with the tribesmen. According to this deal British got control of the passing routes of the tribal region and gave authority to the people of tribal areas to run their affairs according to their will. To give it an official look British imposed Frontier Crimes Regulations (FCR) in 1901 comprised of 64 articles most of them which are against basic human rights and are unconstitutional. FCR empowers the authorities to arrest and detain any one without specifying the charges. The accused cannot get bail in such cases. Contrary to all civilized laws and jurisprudence, the FCR provides for collective punishment to the family members or blood relatives instead of punishing only the

guilty. Family members or blood relatives are handed a jail term for no crime of their own. Innocent men, women and children become victims of this black law. In “non-protected” areas, the jirga decisions are considered as the final verdict and the jirga make sure implementation of the decision as well. Jirga can come out with the punishments such as putting heavy fine on the offender or for more serious measures punishment can involve expelling an individual or a family from the area, confiscating, destroying or setting fire to their homes or property.

These consistent shortcomings in governance have created a broad political space for the militant groups to exploit and to present themselves (successfully in some areas) as a viable alternative to the state providing rapid administration of justice in particular and, to a lesser degree, administration of other civil needs. Lack of trust between people and the state has created broad sense of marginalization and alienation among the people; which has also been manipulated by the militants for their support.

### **3.4 Economic Issues**

Lack of economic opportunities, weak human development indicators and acute disparities with national standards is giving rise to an environment where militants can easily exploit people especially youth for engaging in their militant activities. Economic opportunities in Fata are limited; most of the people have to go outside the region or country to find a job, leaving very less resistance to militancy. Most of the young men aged between (15-29) years lack economic opportunities not only in Fata but in the capital as well. These un-employed young men are especially exploited by the militant wings through economic alternatives and financial incentives. As shown

in the table below the stipend of a legal unskilled labor is half of the typical militant stipend.

**Table 4: Income Comparisons for Young Men**

<b>Economic Activity</b>	<b>Income (Rs)</b>	<b>Income (\$)</b>
Militant Stipend (Monthly)	15,000	176
Suicide Attacker Payout (sum)	500,000	5,882
Un skilled Laborer (Monthly)	6210	73
Tribal Levy/Para Military (Monthly)	3,500	41
Police (Monthly)	8,000	94

Source: [www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf](http://www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf) [Accessed 20<sup>th</sup> Nov 2012]

Due to severe economic stress people not only get involved into militant activities but other activities like drug and arms trafficking also get boost giving rise to a thriving criminal industry in the area.

## Human Development Indicators

Human development indicators are constantly low in Fata in fact lowest with respect to rest of the country. There are adverse conditions of water, sanitation, health and education sectors in Fata. It is quite discouraging fact that neither political nor administrative authorities are paying attention towards this pressing issue. This creates opportunities for the militants to present themselves as alternatives to the state through direct or indirect provision of services. Among large section of the tribal society poverty prevails which has made the population vulnerable to the extremist



tendencies and criminality. As in the absence of viable options to earn livelihood, one would be attracted towards the illicit activities such as smuggling and drug trafficking. According to a study of Asian Development Bank

“60 percent of people in *Bajaur, Mohmand and Khyber* are living below the poverty line. Only 56 percent of the population enjoys the access to drinking water and electricity supplies covering about 62 percent of households in FATA”<sup>50</sup>. There is lack of comprehensive roads network, access to a wide range of services and facilities such as health care and education as schools and hospitals are very rarely built especially in remote areas. There is a stark contrast among the human development indicators.

**Table 5: Selected human development indicators for Pakistan, NWFP and FATA**

Indicator	Pakistan	NWFP	FATA
Literacy (both sexes %)	43.92	35.41	17.42
Male literacy (%)	54.81	51.39	29.51
Female literacy (%)	32.02	18.82	3.00
Population per doctor	1,226	4,916	7,670
Population per bed in health institutions	1,341	1,594	2,179
Road (per sq km)	0.26	0.13	0.17
* Literacy rates according to 1998 census; all other figures for 2003.			

Source: [www.khalidaziz.com/Proposal\\_for\\_Fata\\_Reform\\_Prepared\\_by\\_KA\\_](http://www.khalidaziz.com/Proposal_for_Fata_Reform_Prepared_by_KA_)

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<sup>50</sup> Syed Hafeez Ahmed, Fatima A. Junaid, *Higher Education In Federally Administered Tribal Areas Of Pakistan After 9/11: Problems And Prospects*, US-China Education Review, Vol 7, No.5, p.57

### **3.5 Security & Geo-Strategic Issues**

The crisis in FATA has a deep linkage with the overall security of the region.

#### **Afghanistan**

The neighboring country Afghanistan has a key role to play in FATA; because of the close border ties and the socio-cultural commonalities between the people on either side of the border there is a constant flow of militants. After the withdrawal of the Soviet forces from Afghanistan in 1989, Pakistan risked its own stability by accepting 3.5 million Afghans refugees which served as another pool of young unemployed people who got education from the same madrassas who teach jihad oriented syllabi. Due to war in Afghanistan great number of Afghan based militants seeks refuge in FATA making the situation worst for the military to combat against terrorism.

#### **International Powers Presence**

Engagement of Pakistan with US as its key ally in the war against terrorism has made FATA a battle ground for international powers. Today there's a heavy presence of CIA and Al-Qaeda operatives in the region supported both domestic and international organizations has added to de-stability of the region and resistance to possibility of formation of any management system. Raymond Davis Case, Continuous Drone Strikes leading to a great number of civilian casualties, Abbotabad operation conducted by U.S. military added fuel to the fire. This is widespread perception in Pakistan that foreign elements have a great role in organizing terrorist activities as they do not want peace in the region.

## Civilian Security

The people living in FATA have a great sense of insecurity as the government security forces have remained unable to provide security to the public. Constant drone strikes are also threatening local population to a great extent and are another major factor in the rise of militancy. Security forces lack funds, equipments and are poorly trained to maintain law and order in the region. Corruption in police department and their linkages with the militants further undermines public trust upon police and Levis. This ineffective performance by the police and lack of effective policing and civil security has once again created space for the militants to exploit public through offering them speedy justice presenting themselves as a better alternative than state.

## Military Operations

Pakistan military is holding operations in different tribal agencies since long but unfortunately up till now no effective result came out of these operations. Actually these military operations were held without any consultation with the tribal communities, people were not taken into trust. Gaining trust of the community should be the first and foremost priority of the state and military in order to gain peace in the region. Moreover when military do an operation in any particular area after the operation it is left with a security vacuum which civil administration does not fill rapidly so there should be a quick and effective return of the civil administration after the operation. Therefore there is a need for military to coordinate better with the tribes and local communities in order to gain their trust.

### **3.6 Social Issues**

Today in FATA established social norms and traditions have collapsed creating space for the extremist leadership to come in the lime light. This has given rise to the extreme interpretations of tenets of Islam fueled by low literacy rate and education.

#### **Education**

Literacy rate in FATA is constantly low when viewed in context of the rest of the country. There are less government educational institutions and private institutions are not properly registered. There are even less educational opportunities for women than men and there is lack of separate girl's schools and colleges. Government schools have adopted the same curriculum as of Khyber Pakhtunkhawa, whereas in madrassas most of the curriculum is about jihad and extreme tenets of Islam. These unregistered madrassas are playing a key role in developing young militants, they need to be closed immediately as they are the key drivers in the rise of militancy in the region, and most of the militant organizations take recruits from these madrassas. Moreover women and girls should also be educated so that they cannot easily get exploited by the militants.

#### **Social organization**

It has been viewed over the last decade that there has been a rapid change in the social organization of the tribal communities. The traditional governance system of tribal maliks and exercise of their authority with the political agent has collapsed to a great extent. Traditional processes and societal norms have lost their significance. At community level religious clergy has taken place of tribal maliks gaining popular support through using various ideological, political and monetary means. The

dominant traditional power holders are replaced by the young, the poor, and those belonging to less powerful tribal lineages. This shift has taken place with great pace after 9/11; hundreds of maliks have been targeted and killed by the militants so far. This rapid change in the social setup of the tribal areas has given opportunity to the militants presenting themselves as effective alternate by settling in jirga and hujra playing a significant role in the decision making process.

**Table 6: Gaps because of the poor Governance prevailing in FATA**

Gaps in governance	Rise in Militancy	Effect Sought
Perceived deficits in State Institutions: <ul style="list-style-type: none"> <li>▪ Governance</li> <li>▪ Capability</li> <li>▪ Participation</li> <li>▪ Responsiveness</li> </ul>	Has created a lack of trust in state which has been exploited in militant rhetoric	1. Trust in state restored Effective state apparatus Accountable institutions Equitable and transparent state institutions and decision making Strong civil society able to hold government to account
Insufficient rule of law <ul style="list-style-type: none"> <li>▪ Inability by state institutions to address insecurity.</li> <li>▪ Lack of access to justice</li> <li>▪ FCR, human rights</li> </ul>	Opportunity seized by militants for violent transformation. Inequities feed the militants, social justice justification for conflict.	2. Security: trust in government commitment and ability to protect citizen. Funded, equipped, trained professional law enforcement agencies. 3. Access to fair and speedy justice.
Political and Administrative system inefficient/unfair/unrepresentative/outdated in FATA/PATA	Militants presenting themselves as an alternate	4. Constitutional, political and judicial reforms in FATA/PATA: Consultively define a fair and effective governance system that meets the need of all.
Community cohesion negatively affected by: <ul style="list-style-type: none"> <li>▪ Social infrastructure destroyed (worsened by displacement)</li> <li>▪ Realignment of power in favour of representatives of religion.</li> <li>▪ Loss of many tribal elders</li> </ul>	Communities vulnerable to militant's messages.	5. Cohesive, peaceful, participating communities.

Source: [www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf](http://www.khyberpakhtunkhwa.gov.pk/.../7.%20PCNA%20Report.pdf) [Accessed

20<sup>th</sup> Nov 2012]

### **3.7 State's Efforts to Resolve Issues of FATA**

Since 1947 when Pakistan came into being no effort has been made to change the existing administrative or political setup of FATA up till 1971. Zulfikar Ali Bhutto was the first person who realized and addressed the need for development in FATA. However the administrative reforms that Bhutto introduced do not made any significant change in the existing administrative or legislative structure of FATA. In order to make federal government's control over FATA more effective, Bhutto brought FATA administration under the new federal ministry of States and Frontier regions (SAFRON) and established FATA development cooperation (FATADC). Bhutto's government also gave quotas for FATA youth in educational institutions throughout Pakistan as well as in federal jobs including the Central Superior Services (CSS). Degree Colleges for men were also established and a number of high schools were also established in different agencies. Bhutto administration also constructed few industries and offered incentives to the private sector as well. He focused on the agriculture sector as well, paid attention to the construction of roads and other communication networks as well in an attempt to transform the economy and to integrate FATA with the rest of the country. Another important aspect was the facilitation in the acquisition of passport which made tribesmen to travel abroad in search of employment; this step had far reaching socio-economic and political implications.<sup>51</sup>

In order to mainstream FATA the most historic step taken was the introduction of Adult franchise (1996) in FATA this gave people power to elect their representatives for the national assembly on non-party basis. This election was on non-party basis so

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<sup>51</sup> Ijaz Khan, *Challenges facing development in Pakistan's FATA*, [Online] Available from: <http://www.nbr.org/publications/nbranalysis/pdf/vol19no3.pdf> [Accessed 20th Sep 2012]

it couldn't mobilize people politically and the candidates also remained unable to make any discretionary change socially or politically. Though it gave people of FATA authority to question their representatives and the representatives were made answerable to them. Other than this introduction of Adult franchise no prominent effort has been made by any government to change the status of FATA politically or administratively.

After 9/11 compelled by the attention of world powers upon FATA Pakistan government also announced a number of development projects. In 2002 FATA secretariat was established four year later this secretariat was expanded to civil secretariat FATA, these secretariat were established to look over decision making in FATA. FATADC was later abolished. In 2004 agency councils were also introduced which serve as the local representative bodies in FATA. These councils are composed of both elected members—only government-recognized maliks—and PA-nominated members. Not only do agency councils have almost no authority, but there is still no clear delimitation of their functions and powers.<sup>52</sup>

Number of development schemes that has been announced that mainly rely on United Nations assistance, construction of some roads has begun and few health units are also under construction. The most important project completed after 2002 was the road connecting Khyber and kurram agencies. The school buildings that have been constructed have not started yet as the previously built schools especially in North and South Waziristan agencies are closed up till now.

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<sup>52</sup> Ibid., p.17

### **3.8 Present Government's FATA Reforms Package**

When the present PPP government came into power it announced FATA reforms package on 14<sup>th</sup> August 2009 and promised complete abolition of FCR. After long period of about three years another historic step was taken for the political developments in FATA. On 12<sup>th</sup> August 2011 President Asif Ali Zardari signed FATA reforms package, extending political parties order (2002) to FATA thus lifting the long standing ban over political activities. Political parties can now openly express their social and political agenda. After these amendments the political parties will now at least stand for the welfare of people of FATA and the elected members of parliament can also influence the legislation for FATA using their party platforms. However keeping in view the current security situation political parties can arrange their processions with prior permission from the military, the fear of militancy also keep people abstain from becoming part of any political activity. On the whole most of the analysts and people from civil society regard extension of political parties order as a great step forward in bringing some change in FATA.

President Zardari also signed orders regarding amendments in FCR; instead of abolishing the FCR the power of Political Agents of arrest and detention including granting the right to bail has been limited. Moreover according to this amendment an accused person should be presented before the APA within 24 hours of his detention, his case should be referred to the jirga within 10 days and jirga should submit its report to the political administration within 90 days. The 'Collective Punishment' clause has now been amended, now the punishment will only be given to the accused family instead of the whole tribe. Women, children under 16 and older people above the age of 65 will not be punished, this is a positive step taken as there are lot of families who are paying price of the crimes committed by their loved ones. However



the accused still do not have the right to legal defense and PA's judicial powers including arrest and detention cannot be appealed in any court. Among all the amendments announced in FATA reforms package the two controversial amendments are as following:

### Action (in Aid of Civil Power) Regulation

Action (in aid of civil power) Regulation 2011 for FATA and PATA give unprecedented powers to armed forces combating terrorism in tribal areas with retrospective effect from February 1, 2008. This regulation will lead to the misuse of power by the military as it allows military to imprison suspect without any solid reason for about 120 days and to occupy any person's land without compensation. Moreover this provision also allows a court to punish a suspect solely based on the testimony of one army officer which is a clear violation of Pakistan evidentiary laws. Thus this provision has failed in nullifying the draconian provisions of FCR.

### FCR Tribunal to FATA Tribunal:

Another amendment was about changing the FCR tribunal to FATA tribunal. FCR tribunal was an appellate body that hears complaints from the tribal people against the judgments passed by the political authorities. It was comprised of provincial law and home secretaries and if any issue arises between the two the case is referred to the chief secretary. After the amendment the FCR tribunal has been changed into FATA tribunal, under this amended law the chairman should not be less than BPS-21, he should have experience of tribal administration. Among the two other members, one should be qualified to be appointed as the judge of the high court he should also be aware of tribal norms and traditions, while the other one should also be a civil servant of BPS-20 having experience of tribal administration. Most of the people belonging

from the legal community has widely criticized this provision and has marked it impractical. The decisions of this tribunal cannot be appealed further in any high or supreme court thus it fails to amend FATA's judicial system.

### **3.9 Conclusion**

To sum up there are severe deficits in state institutions in order to provide people of FATA with effective political and administrative setup. Longstanding economic deprivation and weak human development indicators have resulted in extensive out migration. Due to various security concerns such as weak regulatory environment and lack of law enforcement, foreign investment and economic activities have been discouraged to a great extent. Limited economic opportunities have forced people of FATA to get indulged into illegal sector (smuggling, poppy cultivation etc that in turn funds militancy) as well.

In access of people to government support services, justice, social protection, development aid and appointments to official posts are leading towards critical crisis in the area, high level of illiteracy is also a contributing factor in this regard making population more vulnerable to extremism. There is lack of trust upon the existing institutions to equally and effectively deliver services and address needs; the most immediate concern in this regard is the absence of reliable statistical data. Figures available from various official resources are often unreliable and frequently contradictory, making it impossible to accurately assess the on ground situation. Moreover there is little transparency or accountability in the implementation of development schemes, therefore most offices remains unable to achieve their development targets.

There is a strong sense of marginalization among the people of FATA and the reason for it is that people and the policy makers of Pakistan have never tried to realize the intensity of this issue, the president of Pakistan has not visited this area for once; no serious effort has been made to integrate people of FATA in the main stream politics. Now there is a gradual breakdown of the traditional governance system in FATA and this gap is being readily filled by the militant groups.

## **Chapter 4**

### **Rise of Militancy in FATA**

#### **4 Rise of Militancy in FATA**

FATA has become a breeding ground of militancy and a safe haven for terrorist outfits which poses a serious threat to Pakistan. Pakistan used FATA as a buffer zone between itself and Afghanistan, and as far as the conflict remained inside FATA government did not show any concern but as the fire of militancy and violence reached the settled areas of Pakistan the situation changed considerably. The people of FATA have always been motivated by the religious aspirations and the struggle to maintain their freedom; this was the actual motivation for the tribal people which made them fight against the Britishers in the Afghan wars of nineteenth century, the Soviets in twentieth and now the coalition forces in Afghanistan. Since independence Pakistan has continued dealing with the tribal areas through the same British administrative system and has deliberately kept tribal areas and its people isolated from the rest of Pakistan. As a result of this policy the region remained backward, thus became a hub of militant organizations.

“There are many factors involved in the emergence and expansion of militant networks in Pakistan’s tribal areas, including the warrior culture of the tribesmen, the proliferation of a culture of jihad after the Soviet invasion of Afghanistan, and, after the Soviet withdrawal, the emergence of Taliban during the civil war in Afghanistan in the 1990’s and its cascading effect in Pakistan tribal areas, the war on terror and the consequent concentration of Pakistani and transnational militant networks in these

areas.”<sup>53</sup> This chapter will look at the rise of militancy in FATA region, with a particular focus on each agency specifically, the basis of which is the Soviet-Afghan war, this war has actually played a significant role in making the areas along the Afghanistan-Pakistan border and even Peshawar the breeding ground for militants from all over the world.

“Islamic radicalism first took root in the territories during the Afghan war against the Soviets in the 1980’s, when the Pakistani government in collaboration with the US Central Intelligence Agency, persuaded a deliberate policy of sponsoring Islamic militancy in the region as a tool of influence in the war.”<sup>54</sup>

The Afghan war started with the arrival of Soviet troops in Afghanistan, it was claimed by the USSR government that the troops were sent in order to help Afghan communist leader Babrak Karmal stabilize his government as it is responsibility of Soviet government to protect other socialist country. US took swift action over this soviet intervention in Afghanistan, thus in January 1980 it joined hands with Pakistan and became ‘Frontline state in the global struggle against communism’<sup>55</sup>. For this purpose US took off all the sanctions that were previously imposed on Pakistan because of its nuclear programme. US also offered huge military and economic aid to Pakistan in order to train and assist mujahedeen’s. Pakistan on the other hand had its own reasons for becoming an ally with US, Pakistan did not wanted USSR to reach warm waters and it wanted a pro-Pakistan government in Afghanistan. “For the United States supporting the Mujahedeen was a cost effective strategy of opposing the Soviets and scoring an important victory in the cold war. For Pakistan supporting the

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<sup>53</sup> Muhammad Amir Rana, *Evolution of militant groups in Fata and Adjacent Areas*, (Pak Institute for Peace Studies, 2010) P.41

<sup>54</sup> Zahid Hussain, *The scorpion’s tail: The Relentless Rise of Islamic Militants in Pakistan and How it Threatens the World*, (New York: Free Press, 2010) p.16

<sup>55</sup> Ibid., p.17

jihad served its geopolitical purposes as well. The country had long vied with India for influence in Afghanistan and the Pakistani military perceived an opportunity to install a pro Pakistan Islamic government tipping that balance.”<sup>56</sup>

During this period of direct Soviet invasion in Afghanistan the tribal areas were the most immediately affected areas due to close geographical, cultural, historical proximity with Afghanistan. “With Pakistan becoming the frontline state in the war of resistance against the occupying forces, tribal areas bore the brunt of clashes between the Afghan resistance groups and the Soviet forces”<sup>57</sup> Large number of Afghan refugees came and settled into the tribal areas. Eventually FATA became the training ground for the mujahedeen from all over the world. “If Pakistan became what the US called ‘frontline state’ in the battle to combat Soviet communism in the region, the NWFP became the “frontline province” and FATA became the “frontline area” in the new great game between the US and the former USSR”<sup>58</sup>

Besides Afghans some key Pakistani militants also contributed in the Afghan resistance against the Soviet Union, most of them were affiliated with the *Deobandi* school of thought. During 1980’s JI had full favor and support of General Zia-ul-Haq, JUI was also useful and played a key role because jihad tradition was more established in Deobandi sect. Maulana Abdul Aa’la Maududdi, the founder of Jamaat-i-Islami (JI) also concluded that fighting against the Soviets is Jihad that is why JI took active part in Afghan resistance. Moreover JUI had strong support among the Pashtun’s of NWFP. “In the NWFP, jihads led by the ulema date back to 1831 when the army of Syed Ahmed Shaheed was routed by Sikh forces. Deobandi volunteers

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<sup>56</sup> Ibid, p.18

<sup>57</sup> Dr. Rashid Ahmed Khan, *Op.cit*, p.20.

<sup>58</sup> Fazalul Rahim Marwat, *The Genesis of Change and Modernisation in Federally Administered Tribal Areas (FATA) of Pakistan*, IPRI Journal , Vol 7, No 2 (2007)

also participated in an ill-fated and short-lived anti-imperialist jihad, the Reshmi Roomal Tahrik (Silk Handkerchief), in the early 20th century.”<sup>59</sup>

During the days of Afghan resistance JUI had the biggest chain of madrassas in NWFP and Balochistan while Afghan student had always been part of these madrassas. These madrassas increased rapidly with the great influx of Afghan refugees, support from the Pakistan military, Saudi Arabia and western financial aid. These madrassas does not only provide arms or training to the students but actually the students were indoctrinated and encouraged to join the mujahedeen’s inside Afghanistan. JUI chain of madrassas steadily spread all over the major cities of Pakistan including Karachi and Punjab as well.<sup>60</sup>

On the other hand during the same years of Afghan resistance Mulana Noor Muhammed a cleric from South Waziristan who also belonged to the Deobandi sect persuaded Mulana Irshad and his associates to set up a training camp in Wana, the South Waziristan Agency headquarters in FATA where they established the most prominent jihad center of Pakistani seminary students called Darul Islam or abode of Islam. In early 1980’s this camp served as the launching pad for mujahedeen from where they use to raid into the large area of Afghanistan.<sup>61</sup>

US Central Intelligence Agency (CIA) officials and the Pakistani Inter Service Intelligence Officials were there in Wana in large number, they also played a key role in recruitment and training of the tribal youth, moreover they were responsible for planning attacks on soviet forces and arms provision. Meanwhile mujahedeens from

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<sup>59</sup> *Pakistan: The Mullahs and the Military*, [Online] Available from: <http://www.crisisgroup.org/en/regions/asia/south-asia/pakistan/049-pakistan-the-mullahs-and-the-military.aspx> [Accessed 12th June 2012]

<sup>60</sup> Ibid., p.13

<sup>61</sup> Muhammad Amir Rana, *Evolution of militant groups in Fata and Adjacent Areas*, (Annual Report, Pak Institute for Peace Studies, 2010)

different parts of the world in order to participate in afghan jihad also started gathering in the tribal areas of Pakistan.

Saudi Arabia also played very important role in this context; it wanted to bring another Islamic regime to power. They funded heavily in building of hundreds of *Deobandi* madrassas in the FATA region, the clerics of theses madrassas quickly took the power and place of the tribal elders thus jolting the very basic ingredient of tribal society and leading to the massive increase of madrassa students particularly in the tribal areas of Pakistan. "A new generation of ideologically indoctrinated and well trained militants was being prepared to bring the whole world under Islamic rule"<sup>62</sup>

Darul Uloom Haqqania also known as Jamia Haqqania located in Nowshera district of NWFP was another important seminary which played a pivotal role during the Afghan Soviet war. This seminary has been active even before 1980's, in 1972 when the right wing Afghan parties protested against the Soviet influence great support came from this madrassa as a large number of Afghan students were studying there. Mulana Abdul Haq of Jamia Haqqania was the first cleric from Pakistan who openly said that fighting against the Soviets was jihad, he also started sending some of his students to take active part in jihad against the Soviet troops. Some of the prominent Afghan Jihad warriors were disciples of Maulana Abdul Haq like Mulvi Younis Khalis and Jalaluddin Haqqani together established Hizb-e-Islami and started guerrilla activities in eastern Afghanistan.<sup>63</sup>

During 1980's Harkatul Mujahedeen was another very active and effective organization formed by skilled fighters like Maulana Masood Alvi and Maulana Fazal

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<sup>62</sup> Ibid., P. 42

<sup>63</sup> Muhammad Amir Rana, *Evolution of militant groups in Fata and Adjacent Areas*, Dynamics of Taliban Insurgency in FATA, Pak Institue for Peace Studies(PIPS) p.43



ur Rehman Khaleel. HM got support from number of renowned Pakistani seminaries like: Darul Aloom Binori Town Karachi, Jamia Khairul Uloom Multan etc. Through this support HM not only got funds from all over Pakistan but also established links with Saudi Arabia and other middle eastern states in order to generate resources. Around 3,000 militants from Kashmir, Southren Punjab and NWFP were recruited by HM very soon, HM established its headquarters in Miranshah headquarters of the North Waziristan tribal region, and two more camps in towns of tribal areas along Afghanistan-Pakistan borders. HM established its training camp in a small valley near shamil river this camp is known as Kochi camp here the Pakistani militants were trained in the use of weapons and special combat techniques. This camp is located in close proximity with the Jalauddin Haqqani's camps (Kochi 1) in Khost where Arab militants got training, similarly camps run by Gulbuddin Hekmatyar, Abdul Rabb Rasool Sayyaf and other Jihad leaders were also located there. All of these camps had close links with each other and the militants would easily cross border to gain access to each other's camps.<sup>64</sup>

Haqqani had a great support in Saudi Arabia; he had fund raising offices in Gulf States and training camps in tribal areas where he uses to train Arab jihad volunteers. He had close coordination with the Pakistani and Saudi intelligence agencies during the years of Afghan resistance. With the help of Jalalud din Haqqani the tribal areas of Pakistan became hub of CIA, ISI and Saudi intelligence officials that is why he was considered as the most effective pashtun battlefield commander by CIA and other agencies officials. Osama Bin Laden also had high level of mutual coordination with Haqqani and Harkatul Mujahedeen (HM) leader Maulana Khaleel, the strategic location of tribal areas had also appealed him and he thought to establish a separate

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<sup>64</sup> Ibid., p.44

base camp for Arab militants in tribal areas of Pakistan. HM recruited tribesman from Pakistan's tribal areas for jihad and used Osama Bin Laden's money to gain support from tribal leaders. Through Bin Laden's money 11 Islamic charity organizations were started in the tribal areas before 9/11.<sup>65</sup>

With the passage of time the entire Waziristan region came under Bin Laden's influence and the Arab militants, they consider it their second home, they got married with the local women of FATA in order to strengthen their relation with the local tribes. Almost all Jihadist camps in Pakistan's tribal areas were operated by ISI with the help of CIA. "By early 1986, they had set up a large and sophisticated secret infrastructure for guerrilla training along the Pak-Afghan frontier. They also provided specialized syllabus and training manuals to these camps. The militants in the camp not only received training on combat techniques, but also how to wage a war of urban terror, with instruction in car bombings, bicycle bombings, camel bombings and assassinations."<sup>66</sup>

#### **4.1 Militant Networks across FATA Region**

As mentioned in the previous chapter Pakistan's tribal areas are divide into seven administrative agencies namely Bajaur, Khyber, Kurram, Mohmand, Orakzai, North Waziristan and South Waziristan and four frontier regions that are FR Peshawar, Kohat, Bannu and Dera Ismail Khan while FR Bannu is further divided into FR Bannu and FR Lakki Marwat, FR Dera Ismail Khan is further divided into FR Dera Ismail Khan and FR Tank. Various tribes and tribesmen living each agency have played an important role in context of these networks.

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<sup>65</sup> Ibid., p.46

<sup>66</sup> Ibid., p.47

**Table 7: FATA Agencies and Tribes**

<u>Agency</u>	<u>Major Tribe</u>	<u>Nature of Trouble</u>
Bajaur	Tarkani, Uthmankhel	Militancy
North Waziristan	Utmanzai Wazir, Daur	Militancy and tribal Conflict
South Waziristan	Ahmedzai Wazir, Mehsud	Militancy
Khyber	Afridi, Shinwari	Militancy
Kurram	Toori, Bangash	Sectarian
Mohmand	Mohmand, Safi	Militancy and Tribal Conflict
Orakzai	Orakzai	Tribal Conflict

Source: FATA: A most dangerous place, Centre for strategic and International studies<sup>67</sup>

## **4.2 South Waziristan**

“Among all the tribal agencies and districts of the Federally Administered Tribal Areas (FATA), South Waziristan has assumed great importance for the United States since September 11 2001. Comprising 6,619 square kilometers, or about 2,555 square miles, South Waziristan is the country’s southern most tribal agency and the largest by area.”<sup>68</sup> Waziristan is inhabited by three major tribes *Mehsud*, *Wazir* and *Bhittani*. *Mehsud* tribesmen are more business oriented and educated than the others and they have also immigrated to the other countries in large number. Large number of *Bhittani* tribesmen has also immigrated to other countries but unlike the *Mehsud* and *Wazir*

<sup>67</sup> *FATA-A Most dangerous Place: Meeting the challenge of Militancy and Terror in the Federally Administered tribal areas of Pakistan*, (Centre for Strategic and International Studies 2009) P.8

<sup>68</sup> *The Battle for Pakistan: Militancy and conflict in South Waziristan*, New America Foundation, April 2010, [Online] Available from: [http://www.operationspax.net/DATA/DOCUMENT/4799-v~The\\_Battle\\_for\\_Pakistan\\_\\_\\_Militancy\\_and\\_Conflict\\_in\\_South\\_Waziristan.pdf](http://www.operationspax.net/DATA/DOCUMENT/4799-v~The_Battle_for_Pakistan___Militancy_and_Conflict_in_South_Waziristan.pdf) [Accessed 25<sup>th</sup> feb 2012]

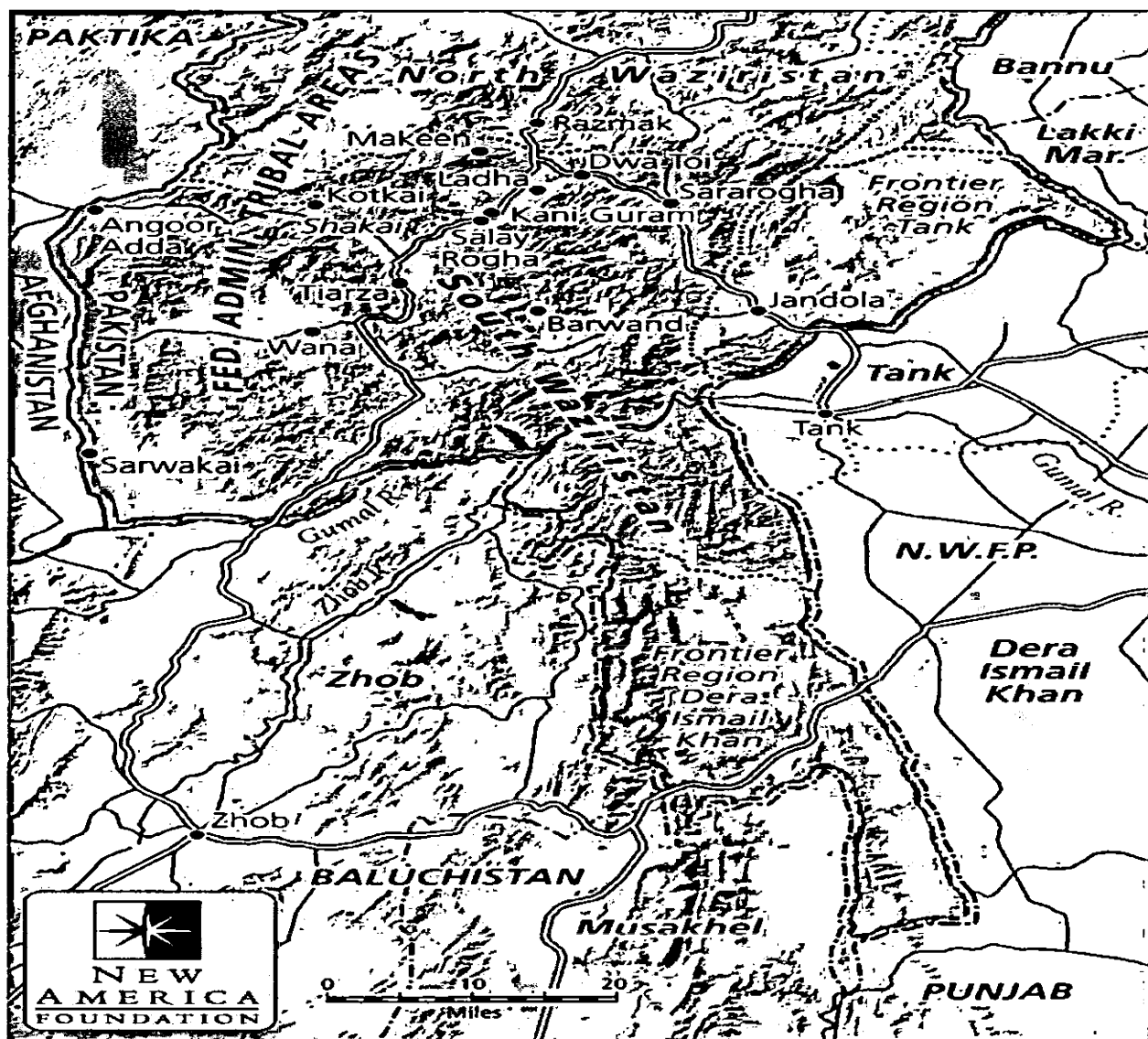
tribesmen they are uneducated. Some of the *Wazir* and *Mehsud* tribesmen are senior army and civilian officers and government ministers.<sup>69</sup>

After 1947 peace largely prevailed in South Waziristan, with the exception of a revolt by a *mullah* named *Noor Mohammad Wazir* in the years of 1975-6 which was crushed by a military operation. However, the 1978 revolt against the communist coup in neighboring Afghanistan and the subsequent Afghan jihad against invading Soviet occupation forces heavily affected the broader Waziristan region. Tens of thousands of Afghans flooded into the refugee camps in Waziristan, some of them training camps for the Afghan mujahideens or holy warriors.<sup>70</sup>

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<sup>69</sup> Muhammad Amir Rana, Op.cit., pp.48-49

<sup>70</sup> *The Battle for Pakistan: Militancy and conflict in South Waziristan*, Op.cit., P.1



[http://www.operationspaix.net/DATA/DOCUMENT/4799~v~The\\_Battle\\_for\\_Pakistan\\_\\_Militancy\\_and\\_Conflict\\_in\\_South\\_Waziristan.pdf](http://www.operationspaix.net/DATA/DOCUMENT/4799~v~The_Battle_for_Pakistan__Militancy_and_Conflict_in_South_Waziristan.pdf)

Majority of people living in South Waziristan are orthodox Sunni Muslims and most of them are not educated. Clerics have a stronghold there especially during and after the period of soviet invasion, most of them were financially supported by the Pakistani government. Dozens of madrassas were opened by religious clerics in the area during and after the time of Afghan resistance, where particularly young tribesmen were encouraged to participate in jihad. "The madrassas were supported

financially by the governments of Persian Gulf countries, especially Saudi Arabia, boosting the stature and authority of the clerics in South Waziristan.”<sup>71</sup>

The *Wazir* and *Mehsud* tribes living there have played a vital role in supporting the militant networks since the days of Afghan resistance to the recent days of war against terrorism. “Waziristan has great strategic importance and is located near the provinces of *Khost* and *Paktika* in Afghanistan. As early as 2005, some elements of the Pakistani Taliban declared North *Waziristan* as an Islamic state. In 2007 in South *Waziristan*, the Taliban loyal to *Baitullah Mehsud* captured more than 300 Pakistani troops.”<sup>72</sup>

After the withdrawal of Soviet Union from Afghanistan these jihadist people came back to their home towns with their jihadist ideologies. The government after using these people for 10-12 years left them on their own and thought that they will settle by themselves “ it has been estimated that from 1978-88, 67 billion worth of weapon came into this area of Fata which means 80 million per head. To utilize this weapon about 40,000 master trainers have been hired to motivate and train people to go for war.”<sup>73</sup> Therefore when Taliban’s came into power in Afghanistan in 1996 it initially got some popularity in South Waziristan. Tribesmen were actually impressed by the strict sharia implementation in Afghanistan, although people who fought anti-Soviet jihad maintained links with Taliban’s but generally local tribesmen didn’t maintain any contacts with Taliban’s.

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<sup>71</sup> ibid

<sup>72</sup> Ayaz Wazir, *FATA at the Cross Roads*, (Criterion Quarterly, Vol.3, No.3) 2008. P.168

<sup>73</sup> *News Night with Talat*, [Online] Available from: <http://www.youtube.com/watch?v=C30cIHIGdk> video, 36:16 29<sup>th</sup> Feb 2012.

The security situation in South Waziristan deteriorated when US and Nato forces entered in Afghanistan in October 2001 in the wake of September 11 attacks on twin towers and the subsequent refusal of Taliban government to handover Osama-bin-Laden. Thousands of Afghan talibans and foreign militants like Arabs, Uzbeks, Tajiks, Chechens came to South Waziristan to take refuge and to use South Waziristan as a base camp to continue their fight against the US and Nato forces in Afghanistan. The local tribes, sympathetic to the cause, provided shelter and assistance to the fighters, while local militants who were affiliated with the Afghan Taliban government before September 11--such as Abdullah Mehsud, Baitullah Mehsud, Nek Muhammad, Haji Sharif, and Haji Omar--began to organize local Taliban groups across South Waziristan.<sup>74</sup>

Among some of the prominent militant commanders belonging to *Waziristan*, *Nek Muhammad* is one prominent figure he was a charismatic leader and a hero to anti US militants, and he belonged to *Wazir* sub-tribe of *Yargulkhel SharraKh*. He fought against the Soviet forces on the fronts of *Khost* and *Gardez* in Afghanistan. Under the command of *Nek Muhammad* militants from *Waziristan* fought battles against *Ahmed Shah Masood's* fighters at the fronts of *Bagram* airbase, *Panjsher*, *Mazar-e-Sharif*, *Takhar* and *Badghis* in Afghanistan.<sup>75</sup> After the fall of the Taliban government in Kabul, Nek Muhammad returned to Wana, South Waziristan in December 2001 where he began to organize local Taliban fighters. Having gathered several hundred local Wazirs, he began to launch cross-border attacks in 2003 on American and NATO forces in Afghanistan with the support of veteran mujahideen commanders

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<sup>74</sup> *The Battle for Pakistan: Militancy and conflict in South Waziristan*, New America Foundation, April 2010, [Online] Available from: [http://www.operationspaix.net/DATA/DOCUMENT/4799~v~The\\_Battle\\_for\\_Pakistan\\_\\_Militancy\\_and\\_Conflict\\_in\\_South\\_Waziristan.pdf](http://www.operationspaix.net/DATA/DOCUMENT/4799~v~The_Battle_for_Pakistan__Militancy_and_Conflict_in_South_Waziristan.pdf) [Accessed 25<sup>th</sup> feb 2012]

<sup>75</sup> Muhammad Amir Rana, *Evolution of militant groups in Fata and Adjacent Areas*, Dynamics of Taliban Insurgency in FATA, Pak Institute for Peace Studies (PIPS), 2010.

such as Haji Omar, Haji Sharif, and Maulvi Abbas. Nek Muhammad also provided refuge to members of the Afghan Taliban, Arab al-Qaeda fighters, and the Uzbeks of the Islamic Movement of Uzbekistan led by Tahir Yuldashev.<sup>76</sup>

Pakistan became frontline ally of US in the war against terrorism therefore under the pressure of US government to act against the militants who were using South Waziristan as a launching pad to attack on allied forces in Afghanistan, Pakistani military launched its first major operation in Wana in 2004 with 7000 troops against local Taliban fighters and their foreign allies. Nek Muhammad led the militants, assisted by Baitullah Mehsud, Abdullah Mehsud, and their supporters. After several weeks of intense fighting, the Pakistani government was forced to make a peace deal with Nek Muhammad's forces. Under the so-called Shakai agreement, Nek Muhammad agreed to lay down his arms and "register" foreign militants living in the area, while the government promised funding to the local Taliban so the fighters could pay their debts to al-Qaeda<sup>77</sup>.

The deal promptly broke down, and Nek Muhammad was killed a few weeks later by a suspected U.S. drone missile while giving an interview by satellite phone to a foreign news organization.<sup>78</sup> *Nek Muhaamd* always remained a brave fighter and became a hero in South Waziristan, thousands of young people from Wazir and Mehsud tribes joined Taliban fighters after his death. After the death of Nek Muhammad, Haji Omar became the leader of the Wana Taliban in South Waziristan,

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<sup>76</sup> Ibid., p.50

<sup>77</sup> *Pakistan's Tribal Areas: Appeasing the Militants*, Crisis Group Asia Report N°125, December 11, 2006.

<sup>78</sup> *Ex-Fighter for Taliban Dies in Strike in Pakistan*, [Online] Available from: <http://www.pbs.org/wgbh/pages/frontline/taliban/militants/mohammed.html> [Accessed 18th Dec 2012]



and he continued to support the presence of Uzbeks and other foreign fighters there<sup>79</sup>. The Uzbeks believed it was more important to fight against the Pakistani government and military than to attack U.S. and NATO targets across the border in Afghanistan. This put them in conflict with the Taliban commander Mullah Nazir, who expelled them and their supporters, Haji Omar and Haji Sharif, by April 2007.

The Uzbeks then sought refuge in the Mehsud-dominated areas of South Waziristan, where Abdullah Mehsud and Baitullah Mehsud had organized their own anti-Pakistan, anti-Western Taliban movements.<sup>80</sup>

### Tehrik-i-Taliban Pakistan

With the passage of time these local Taliban militant groups became so powerful that in December 2007 they formed the Tehrik-i-Taliban Pakistan (TTP), initially it was under the leadership of Baitullah Mehsud while Maulana Hafiz Gul Bahadur became the deputy chief or amir of TTP. Later the deputy chief Maulana Hafiz Gul Bahadur separated himself from the TTP in 2008 because of various clashes with Bait ullah Mehsud over the attacks upon Pakistan military. He was not in favor of attacking Pakistani troops rather Bait ullah Mehsud wanted to launch some major attacks upon army. TTP is also the parent organization of dozens of Taliban groups throughout Pakistan.

According to Taliban sources in South Waziristan and the Tank district of NWFP, nearly 40 Taliban groups have joined the TTP, popularly known as the Pakistani

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<sup>79</sup> RahimullahYusufzai, *Who's who on the insurgency in Pakistan's NWFP*, [Online] Available from: [http://www.jamestown.org/programs/gta/single/?tx\\_ttnews\[tt\\_news\]=5169&tx\\_ttnew](http://www.jamestown.org/programs/gta/single/?tx_ttnews[tt_news]=5169&tx_ttnew) [Accessed 18<sup>th</sup> Dec 2012]

<sup>80</sup> *The Battle for Pakistan: Militancy and conflict in South Waziristan*, New America Foundation, April2010, [Online] Available from: [http://www.operationspaix.net/DATA/DOCUMENT/4799~v~The\\_Battle\\_for\\_Pakistan\\_\\_\\_Militancy\\_and\\_Conflict\\_in\\_South\\_Waziristan.pdf](http://www.operationspaix.net/DATA/DOCUMENT/4799~v~The_Battle_for_Pakistan___Militancy_and_Conflict_in_South_Waziristan.pdf)[Accessed 25<sup>th</sup> feb2012]

Taliban. These groups are represented in a TTP shura, or council, based in Miran Shah, the administrative headquarters of North Waziristan. The TTP was created to conduct a coordinated jihad in Afghanistan and to put maximum pressure on U.S and NATO forces and the Pakistani army; implementing NATO's Article 5, the shura decided that if the Pakistani army took action against one of the Taliban's groups, it would be considered an attack on all. The TTP has spread its network in all seven agencies of the FATA and in the settled districts of the NWFP: Bannu, Karak, Hangu, Kulachi, Dera Ismail Khan (D.I. Khan), Lakki Marwat, Doaba, Kohat, Dir, Buner, and to some extent Mardan, the Swat Valley, and Shangla district.<sup>81</sup>

The Taliban virtually took over South Waziristan, running their own courts in the agency and collecting taxes from the local population. The Taliban militants also fostered the anti-Shiite ideology of al-Qaeda among Mehsuds and Wazirs – who had not previously engaged in sectarian violence. The TTP has carried out several suicide attacks against Shiites, targeting the Muslim minority sect in D.I. Khan, Hangu, Tank, and the Kurram tribal agency. For example, on February 20, 2009, a suicide bomber affiliated with the TTP killed at least 32 Shiites and wounded 100 others attending the funeral of a slain Shiite leader in D.I. Khan. Qari Hussain, the notoriously anti-Shiite Mehsud Taliban commander and trainer of suicide bombers, is a staunch supporter of the banned anti-Shiite group Sipah-e-Sahaba Pakistan (SSP) in South Waziristan. Another notorious terrorist, Qari Zafar, reputedly a close friend of Qari Hussain, was involved in the suicide attack on the U.S. Consulate in Karachi in 2006 and took refuge in South Waziristan. One U.S. diplomat and three Pakistanis were killed in that

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<sup>81</sup> Ibid., p.4

attack. (Zafar was reportedly killed in a February 2010 drone missile strike in North Waziristan.)<sup>82</sup>

Pakistani Taliban afterwards started targeting tribal structures within the agency which created a critical situation for the tribesmen living in South Waziristan. “About 200 of the maliks, or leaders, of the Mehsud and Ahmadzai Wazir tribes, who had acted as bridges between the Pakistani government and the tribes were either killed, forced to leave the area, or made to keep silent.”<sup>83</sup> Taliban’s had this fear that these maliks might help Pakistani government and turn local population against them. As with the passage of time Taliban’s strength grew they became arrogant and brutal in their dealings with the local tribesmen, they were also accused of taking bribes and bribing local political administrators. Overall the TTP’s launching of Suicide attacks caused deaths of many Pakistani civilians creating more difficulties for local tribesmen living in South Waziristan.

#### **4.3 North Waziristan**

“North Waziristan is the most important center of jihadist militancy in the FATA today, in large measure because of the impunity with which militants in the agency have operated. Even as the Pakistani government has confronted anti-Pakistan militant coalitions in other regions, it has largely ignored fighters in North Waziristan.”<sup>84</sup>

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<sup>82</sup> Ibid., p.5

<sup>83</sup> Researcher Interview with Dr Ashraf Ali (Chair Person Fata Research Centre)

<sup>84</sup> *The Battle for Pakistan: Militancy and conflict in North Waziristan*, New America Foundation, April 2010, [Online] Available from: [http://www.operationspaix.net/DATA/DOCUMENT/4798~v~The\\_Battle\\_for\\_Pakistan\\_\\_\\_Militancy\\_and\\_Conflict\\_in\\_North\\_Waziristan.pdf](http://www.operationspaix.net/DATA/DOCUMENT/4798~v~The_Battle_for_Pakistan___Militancy_and_Conflict_in_North_Waziristan.pdf) [Accessed 25<sup>th</sup> feb 2012]

North Waziristan, the second-largest of Pakistan's Federally Administered Tribal Areas, is in the limelight today for violence in Afghanistan. Haqqani network is the most important militant group operating in North Waziristan. Maulana Jalauddin Haqqani left his hometown with his family in Khost province and settled in North Waziristan's capital Miram Shah during 1970's. With the passage of time Jalaluddin became most important mujahedeen commander. Sirajuddin Jalauddin haqqani's son now manages his father's network and support violence against US and NATO forces. Sirajuddin also uses North Waziristan to recruit young people for his network, as a safe haven because of its geographic location, difficult terrain and relatively stable coalition of tribal militants.

Another largest coalition besides Haqqani's in North Waziristan is headed by Hafiz Gul Bahadur of the Mada Khel clan of the Uthmanzai Wazir. Hafiz Gul Bahadur has a strong tribal base in the rugged mountains between Miram Shah and the Afghan border. This provides him important strategic leverage over militants who had to pass his territory to reach Afghanistan.<sup>85</sup>

North Waziristan has been a safe haven for militants who fled from Afghanistan to take refuge in Fata and later for those militants who fled from US or Pakistani military operations. Thousands of militants took refuge in North Waziristan after US invasion in Afghanistan in 2001. All sorts of militants including foreigners took refuge in North Waziristan's treacherous and heavily forested Shawal Valley. Afterwards when Pakistani military targeted militants in other agencies, especially after South Waziristan operation in 2004 another wave of militants pushed out of South Waziristan's Shakai Valley entered in North Waziristan. Large number of

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<sup>85</sup> Ibid., p.1

militants associated with Mehsud tribe in South Waziristan is believed to have sought refuge in North Waziristan.

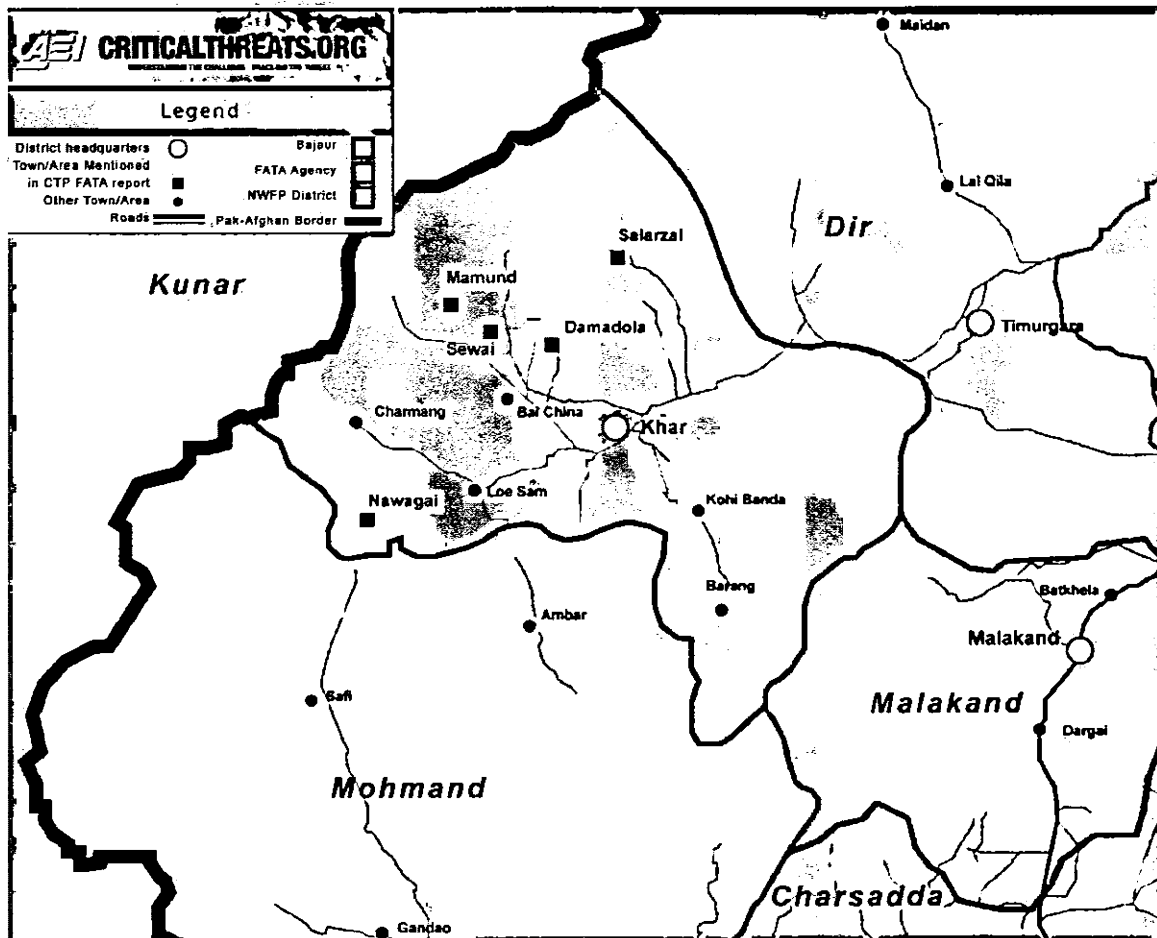
The Haqqani Network plays role of a mediator among the militants in North Waziristan, as they are widely respected therefore they intervene many times to resolve disputes among the militant groups not only in North Waziristan but in other areas of Fata as well. Moreover “the Haqqanis’ long relationship with the Pakistani military and intelligence establishment makes them effective interlocutors between militants and the Pakistani state. And despite their differences, the militants know that internal squabbling weakens the effort in Afghanistan and makes each group susceptible to pressure from the Pakistani military”.<sup>86</sup>

## **Bajaur**

*Bajaur* is the smallest tribal agency in the FATA region with an area around 850 square miles having a hilly terrain, not suitable for cultivation. The population of the agency according to the population censuses of 1998 was 595,227. The Agency has borders with *Kunar* province of Afghanistan.

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<sup>86</sup> Ibid., p.3



Source: The Fata conflict after South Waziristan: Pakistan war against militants continues in Orakzai, Bajaur, Kurram and North Waziristan

When US attacked Afghanistan after the refusal of Taliban's to handover Osama bin Laden, large number of militants came into the tribal areas and most of them settled in Bajaur agency as well. Local tribesmen of Bajaur were sympathetic towards their cause therefore helped them in seeking refuge.

"The local Taliban of Bajuar openly came out in the Agency after the 30th October 2006 when US drone targeted an Islamic seminary (Madrassa) run by Moulvi Liaqat

in Inam Khwaro Chinagai Village of Tehsil Mamond in which eighty students along their teachers were killed. This created a lot of anger against the Americans among the people of Bajuar Agency.”<sup>87</sup>

As a reaction to this drone strike thousands of local Taliban under the leadership of Moulana Faqir Muhammad held protests in different areas of Bajaur agency increasing the influence of Taliban’s in the agency. Afterwards to gain more popular support these local taliban’s started enforcing Islamic Sharia laws in the agency like banning listening to music in house, hotels, shops and Public transport. They also announced that the business of selling CDs, TVs, and cameras is Haram and began to destroy shops selling CDs, TV sets or cameras. Taliban also banned the business of lending money on fixed interest terming it Un-Islamic. They also began to levy and collect taxes in the Agency.<sup>88</sup>

Local Taliban with the passage of time dominated the area and government writ was nowhere to be seen. They started running their own local courts in different areas of Bajaur agency resolving disputes of local tribesmen. In early 2008 Moulana Faqir Muhammad and Moulvi Omar held a press conference in Sewai area and announced the formation of Tehreek e Taliban Pakistan (TTP) Bajaur and allied the local Taliban with the TTP of Baitullah Mahsud of South Waziristan Agency. Moulvi Faqir Muhammad said that Mullah Omar and Osama bin Laden are our supreme leaders and if Osama bin Laden came to Bajuar we will welcome him.<sup>89</sup>

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<sup>87</sup> *Trends of militancy in Bajaur agency in 2001*, [Online] Available from: [http://frc.com.pk/wp-content/uploads/2012/06/7trend\\_of\\_militancy\\_in\\_Bajuar\\_Agency\\_in\\_20111.pdf](http://frc.com.pk/wp-content/uploads/2012/06/7trend_of_militancy_in_Bajuar_Agency_in_20111.pdf) [Accessed 25<sup>th</sup> Nov 2012]

<sup>88</sup> Ibid., P.1

<sup>89</sup> *Battle for Pakistan Militancy in Bajuar*, [Online] Available from: <http://counterterrorism.newamerica.net/sites/newamerica.net/files/policydocs/bajaur.pdf> [Accessed 17<sup>th</sup> Nov 2012]

These local Taliban's also took weapons from the local tribesmen saying that local Taliban's are responsible for the security of the tribesmen therefore locals should only keep one weapon with them and should donate the rest to them. They started targeting all those who oppose them, large number of tribal maliks and elders were killed for opposing them and the rest migrated to other agencies or cities. Later on observing these activities of Taliban's local people got irritated and support for Taliban's began to decrease. These activities of Taliban created fear among the local people hence support for Taliban began to decrease.

#### **4.4 Historical Overview of Militancy in Bajaur Agency**

*Bajaur* agency has remained under the influence of numerous militant networks, Al Qaeda, the Taliban movement, *Gulbadeen Hikmatyar's Hizb-e-Islami*, *Jamatud Da'awa ilal-Quran wal Sunnah* of Sheikh *Jameel-ur-Rehman*, *Tehrik-e-Nifaz-e-Shariat-e-Muhammadi* (TNSM) which is banned now a days, TNSM is also considered as a close ally of Taliban and *Jamat-ul-Mujahedeen* is also an important organization working in *Bajaur* agency. Another Al Qaeda sub group called *Takfiris* led by *Mustafa al-Seerat al-Suri* also had long association with the tribal agencies and has great influence in *Bajaur* agency.<sup>90</sup> TNSM the banned organization has stronghold in *Bajaur's Damadola* village in which most of the people were killed due to drone attacks. TNSM recruited thousands of volunteers to fight against the US forces in Afghanistan after 9/11. *Jamaat-e-Islami (JI)* and *Jamiat Ulema-e-Islam (JUI)* have their representatives in the parliament from *Bajaur*. Both these right wing political parties also have links with *Hizb-e-Islami* and the Taliban respectively. *Bajaur* agency gained strategic importance during the Soviet Afghan war on account of its

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<sup>90</sup> Muhammad Amir Rana, *Evolution of militant groups in Fata and Adjacent Areas*, Dynamics of Taliban Insurgency in FATA, Pak Institute for Peace Studies (PIPS) p.53



geographical location. The attacks on the Soviets' originated in this area in the early 1980's. It was the most suitable location for setting up training camps as 'Jihad' organization already had their presence there.<sup>91</sup>

The *Jamat-ul-Mujahedeen* had been active in *Bajaur* since 1905 and had established there combat training camp at *Chamark and* in 1920. This organization's roots can be traced back to the *Syed Ahmed Shaheed Bralevi's* jihad movement launched in 1808 against Sikh rule. The members of this jihad movement later fought against the British rulers of united India. "The JUM supported the armed struggle against the British in the Subcontinent. It established a factory to produce modern weapons and ammunition, besides setting up a religious seminary, *Jamia Islamia*, in 1920 in this area for ideological training. The JUM also set up small textile units to provide employment to its fighters. A monthly magazine, *Al Mujahid* was also launched to counter the British anti jihad propaganda."<sup>92</sup> JUM played a very effective role in the tribal areas until 1947. After the creation of Pakistan JUM sent its militants to Kashmir after its Indian Occupation, JUM also participated actively during the Soviet Afghan war when *Chamark and* served as an important base camp for Afghan and Pakistani militants. From the days of Soviet Afghan war JUM till now is playing a pivotal role in the growth of militancy in FATA while the leaders of JUM claim that their current movement is actually the continuation of *Syed Ahmed Bralevi's* movement.

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<sup>91</sup> Ibid., p.54

<sup>92</sup> Ibid., p.55

## 4.5 Khyber

Khyber which links Peshawar and Kabul is another important agency of FATA, it stretches from the Afghan border to Peshawar district. Khyber agency has three sub divisions which are Bara, Landi Kotal and Jamrud. Khyber agency is also the base camp of the Lashkar-e-Islam led by Mangal Bagh Afridi.

There have been violent clashes between two rival groups in Bara since 2005. These rival groups are Lashkar-e-Islam also known as Mufti group which is led by Mangal Bagh and Ansar-ul-Islam of pir Saif-ur-Rehman; an Afghan refugee who got settled in Bara in 1980. "This has been an intra-sunni conflict between the Barelvis and Deobandis. The forces loyal to Mangal Bagh advanced towards Peshawar in mid 2008 prompting a military response from the government."<sup>93</sup> This sectarian difference has made the leaders and their followers of both the group at loggerheads. Members of both the groups remain heavily armed and continue killing and abduction of the fighters of the rival group. Hundreds of men from both the groups have been killed and abducted in the clashes so far. This situation compelled Pakistani security forces to launch military operation in the area in September 2009 to restore the writ of the state.

In November 2005 violent clashes erupted between the militants of Lashkar-e-Islam and Ansar-ul-Islam when the leaders of both the groups publicly raised questions about each other's sects and accused each other through their illegal FM radio stations. In response to these allegations rallies and procession across Pakistan were organized by the followers of Barelvi sect in support of Pir Saif-ur-Rehman. Even people across the country also prepared to join the battle in Bara. Government in

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<sup>93</sup> AyazWazir, *FATA at Cross Roads*, Criterion Quarterly, Vol.3, No.3 (July-Sep 2008)

order to avoid any further conflict formed a peace committee comprising elders of various local tribes to maintain peace in Bara. However with the passage of time this committee failed to restore peace in Bara therefore government withdrew its support from the committee. Meanwhile some the members of the peace committee were also assassinated. Keeping in view this situation government decided to launch a major operation in Bara in 2006 but the jirga of Afridi tribes requested the government to try and resolve the matter peacefully. Later due to the efforts of this jirga Pir Saif-ur-Rehman and Mufti Munir Shakir left Khyber agency.

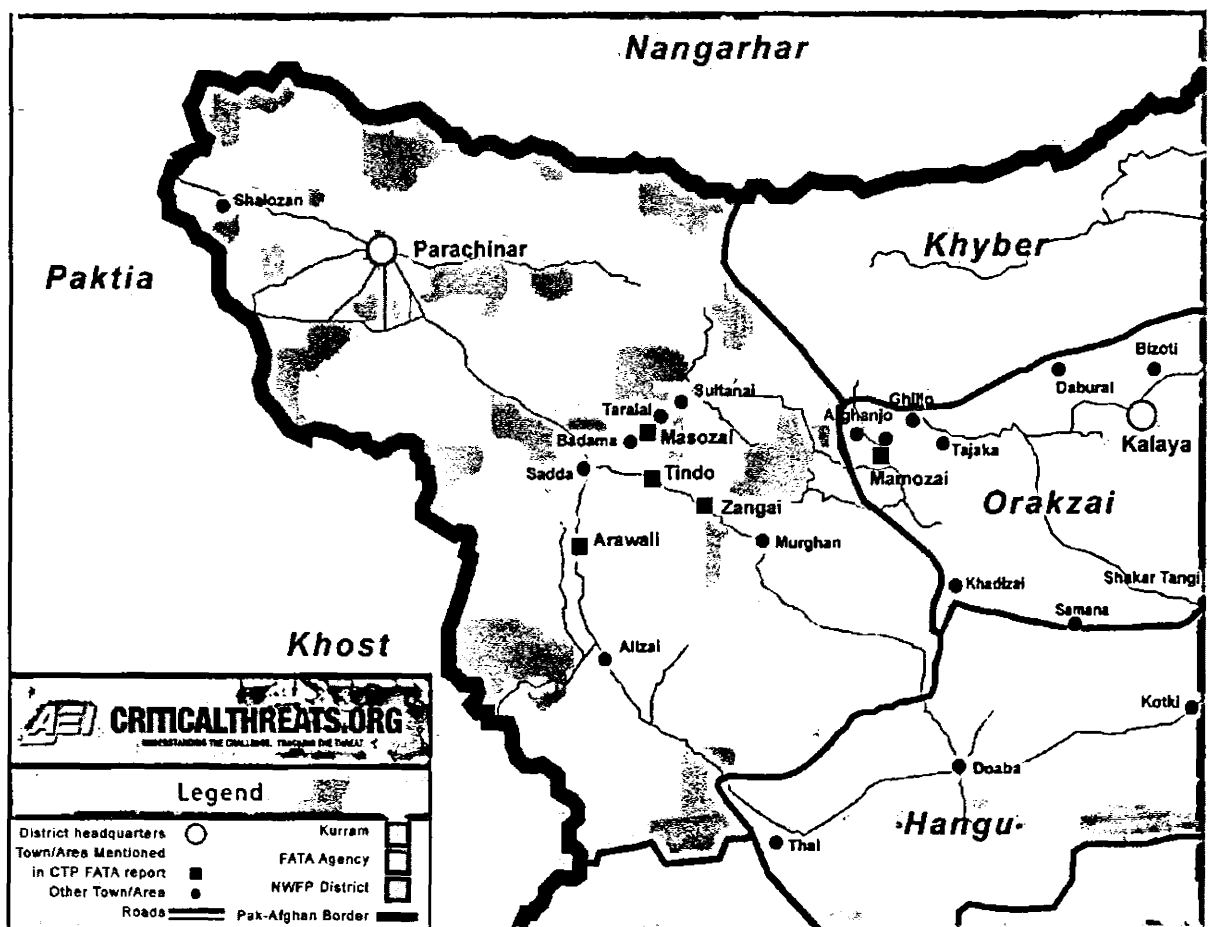
Despite all these efforts of government and jirga Lashkar-e-Islam militants continue to operate in the region, they re established their head quarters and started an illegal FM radio station in Gagrina village of Bara under the command of Mangal Bagh Afridi. To counter the terrorist activities and influence of Mangal Bagh the supporters of Pir Saif-ur-Rehman established Tanzeem Ansar-ul-Islam. Both the groups are now engaged in aggressive efforts to enforce their version of Shariah. They use illegal FM radio stations, the people engaged in the sale of TV or any other musical instrument, running shops, selling or renting VCDs, CDs and DVDs have given warnings to wind up their businesses. Some video shops have also been attacked or set to fire. The members of these groups also order women to observe veil and warn them not to come out of their houses without a male relative (*mehram*).

The effects of Talibanization were also felt in Khyber agency when the Taliban's came into power in Afghanistan in 1996. Few groups emerged in Khyber as well like other tribal areas practicing and preaching strict observance to the religious commands being ideologically associated with the Taliban's. However the Taliban

and Al Qaeda could not gain popular support in Khyber Agency as the extremist elements here were more affiliated with the sectarian organizations

#### 4.6 Kurram

Kurram, one of Pakistan's tribal agencies in the country's rugged northwest, borders the Afghan provinces of Khost, Paktia, and Nangarhar and comprises three subdivisions: Upper Kurram, Central Kurram, and Lower Kurram. Its area is about 1,300 square miles, and its population, according to a 1998 census, was close to half a million. Each subdivision is administered by a political agent, who reports to the agency's overall political agent.

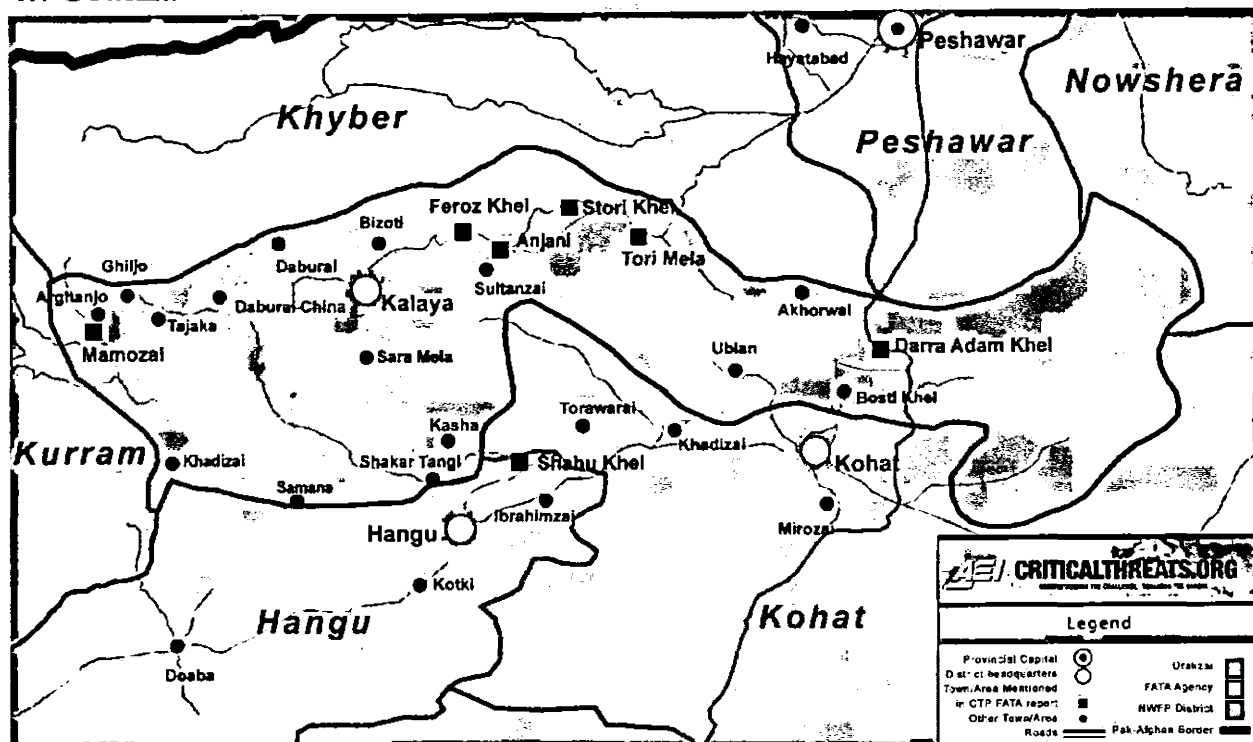


Source: The Fata conflict after South Waziristan: Pakistan war against militants  
continues in Orakzai, Bajaur, Kurram and North Waziristan

According to Pakistani government figures, Kurram is 58 percent Sunni Muslim and 42 percent Shia. More than 1,500 people died in sectarian clashes in Kurram between 2007 and 2010. Upper Kurram is the most populated subdivision of the agency, and the Turi and Bangash tribes are in the majority. Parachinar, the agency's administrative headquarters, is located in Upper Kurram and is home to the FATA's first college, founded after the birth of Pakistan in 1947. The level of education in Parachinar is comparable to that in Pakistan, and the city has more than 100 secondary schools, a college for women, and a business college. Unusually for the FATA, hundreds of Christian families live in Parachinar, working in government offices as cleaning staff.

Kurram agency with its headquarters in Parachinar which remained recruitment center for Taliban's for many years. Kurram agency is surrounded by Afghanistan on three sides and when US took action against Taliban regime in Afghanistan Al Qaeda elements were said to have first fled to the Kurram agency where Sunni tribesmen provided shelter to them. On the other hand the large number of Shia tribes in Parachinar did not support Al Qaeda and Taliban's due to ideological differences, they were said to be pro Northern Alliance and now they support Pakistani military action against the militants. There has been frequent Shia-Sunni violence in the agency which is ongoing till today

## 4.7 Orakzai



Source: The Fata conflict after South Waziristan: Pakistan war against militants

continues in Orakzai, Bajaur, Kurram and North Waziristan

Orakzai agency has also played an important role during the Afghan resistance days, many tribesmen fought fearlessly in Afghanistan and died there. When Taliban's came into power in Afghanistan the extremists in orakzai agency also came under the influence of Talibanization and started radical movements. Taliban movement under the command of Maullah Abdul Raheem started in 1998 in Orakzai agency which clearly stated its aim to enforce Shariah in the agency on the same pattern adopted by TNSM in Malakand. Therefore when US attacked Afghanistan after 9/11 Abdul Raheem led hundred of militants to Afghanistan for Jihad against US troops.

During the days of Soviet occupation of Afghanistan there was a big influx of refugees into all the agencies of tribal areas, large number of Afghan refugees came

and settled into the area due to this sudden increase in population great pressure came upon Fata's local resources. "Since war of resistance (jihad) was the top priority, everything else was subservient to its objectives. The administration, local resources, including water, pastures, forestry and land were geared towards serving the objectives of jihad"<sup>94</sup> during this period the economy of tribal areas which was already underdeveloped suffered to a great extent. Pakistan opened its border and allowed Afghan refugees to enter in the country. These Afghan refugees took refuge in the frontier regions without any check on the border. There was free movement of people, fighter, arms and ammunition across the border between Pakistan and Afghanistan. Due to the total ineffectiveness of the local administration the tribal areas became heavily armed, smuggling, drug trafficking, gun running and poppy cultivation boomed to a great extent in the tribal areas.

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<sup>94</sup> Dr. Rashid Ahmed Khan, *FATA after Independence: 1947-2001*, (Federally Administered Tribal Areas of Pakistan, IPRI, Paper 10, 2005)

## CHAPTER 5

### LINKING GOVERNANCE AND MILITANCY IN FATA

Pakistan's tribal region has remain neglected since independence despite having all the human and natural resources this region couldn't gain attention especially in terms of socio-economic development that is why today most of these areas have become hub of crimes, drug and violence. According to Dr Khalid Aziz "Since 1947 our national policy is based on two parts particularly; One part is the core/heartland area which is surroundings of river Indus which includes Punjab and Sindh. While the borderlands like Baluchistan, FATA and KPK are the periphery. We have always given importance to the core areas and have developed them while we have handled the periphery in a neo-colonial state style with violence and violent means. Our interaction with the periphery has always been a militant interaction instead of constructive or humanitarian interaction; we have always treated them as an instrument that is why this present militancy is actually the reaction of this treatment of government towards the people of these areas."<sup>95</sup>

The Socio-economic scenario in tribal areas changed considerably during the period of Afghan Resistance. This war actually had a great impact on the culture, history, economy and outlook of the people of Fata. Madrassa culture was developed during this Afghan resistance time bringing politics and religion closer. During those days Afghan leaders were getting money, arms and ammunition through the tribal areas, this naturally gave rise to a "War Economy"<sup>96</sup> in the area. Through this new economy

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<sup>95</sup> News Night with talat, <http://www.youtube.com/watch?v=-C30cIHIGdk> video, 36:16 29<sup>th</sup> Feb 2012.

<sup>96</sup> Dr. Fazal Ur. Rahim Marwat, *The Genesis of Change And Modernization In Federally Administered Tribal Areas (FATA) of Pakistan*, IPRI Journal , Vol 7, No 2 (2007) p.77



people who were already unemployed and illiterate not only found new business opportunities but also this gun and drug culture penetrated deep into the tribal areas, indulging people into smuggling and drug trafficking business. “After the withdrawal of Soviet forces from Afghanistan FATA remained relatively quiet but internally its social cohesion was eroding rapidly because the dynamics of tribal equilibrium was adversely affected by the gun and drug culture”<sup>97</sup>

After 9/11 once again due to the wrong government policies Pakistan became frontline coalition partner with US in war against terrorism, the people of Fata were thrown into another great game and Fata came under the international focus. The unfortunate fact this time was that unlike Afghan resistance period when people and the government were on the same page, this time government reins completely against the aspirations of the tribal people. Pakistan army has entered into the tribal areas since long trying to destroy militant outfits there and to restore peace and stability in Fata.

This chapter is based on data collection, data analysis discussion and description about the questionnaire and samples in detail. The questionnaire has been divided into five themes comprising; Causes of militancy in Fata, Resistance towards militancy, Socio-Political Institutions, Military operations and Militancy and the Gender dimension of conflict in Fata. All of these themes have been discussed below.

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<sup>97</sup> Khalid Aziz, *Proposal for FATA Reforms*, [Online] Available from: [www.khalidaziz.com/Proposal\\_for\\_Fata\\_Reform\\_Prepared\\_by\\_KA\\_](http://www.khalidaziz.com/Proposal_for_Fata_Reform_Prepared_by_KA_) [Accessed 14th Aug 2012]

## 5 Causes of Militancy in FATA

Many experts are of the view that militancy aroused in FATA in 1980's when Soviet forces entered into Afghanistan, and Pakistan started helping the militants against Soviet Union. FATA at that time was used as a launching pad, militant training camps were established there and the local tribesmen though not actively participated in the Afghan resistance somehow supported it. This jihad against Soviet invasion in Afghanistan brought in millions of tons of arms and ammunition to the tribal society. Khalid Aziz stated that during Afghan resistance US \$ 66 billion worth of weaponry was pumped into Afghanistan and the region from 1978–1992 this included FATA and NWFP. Presence of so many weapons was bound to cause de-stabilization in any event.<sup>98</sup> This culture of weaponization penetrated into the region especially the external element in the form of foreigners like Uzbeks, Tajiks and people from other Arab countries disturbed the tribal equilibrium and internal tribal dynamics.

In my field work one of the respondent said that the Tribal area was fertile for militancy because there was poverty, terrain was suitable for wars, tribal culture and history (as discussed in the previous chapter), and their culture especially is very much prone to war so this area from the beginning was very much suitable for the clash of great powers. Another respondent said that Paktunwali played an important role in the recent rise of militancy. During the cold war west along with Saudi Arabia and religious parties promoted culture of jihad therefore the number of people who believed in the notion of jihad increased and their slogan was that jihad is compulsory and whoever is supporting the infidel or the one who is against jihad it is compulsory to start jihad against him as well. Before 9/11 this jihad culture and mujahedeen's

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<sup>98</sup> Khalid Aziz, *Op.cit.*, p.7

were against USSR at first and then India but after 9/11 most of them turned against Pakistan. American intervention in Afghanistan and in tribal areas and their approach towards this war against terrorism added fuel to the fire. Another respondent said that there are many factors involved in the rise of militancy in FATA. Political & Judicial vacuum is there as 110 years old system was prevalent there (Frontier Crime Regulation) there was no forum for the people to express themselves so there was lava inside the people of tribal areas that eventually burst after 9/11.

Fazalur Rahim Marwat says that the 1978 upheaval followed by the Soviet armed intervention in Afghanistan and Islamic revolution in Iran in 1979 brought the religious elite to the forefront. Their services were hired both by the Islamic east and the Secular/Christian west. The cry of "Islam in danger" was raised and the movement for jihad was carried to the extreme in Afghanistan and tribal areas.<sup>99</sup> Therefore religious clergy played a very important role in the rise of militancy in FATA. Pakistan Islamic parties especially Jamat-e-Islami played an effective role and fully supported the militants during the days of Afghan resistance. Jamat-e-Islami in collaboration with the ISI established medical camps in Peshawar to help Militants/Mujahedeen's and gave full logistic support to them as well. One of the respondent views who is a MNA from Fata is in line with the author's views that there is definitely great impact of religious parties on people because of the presence of mosque through which they use to promote their parties agendas. Another respondent said that People of FATA are more religiously affiliated; they can easily be motivated religiously so militants took benefit of it that is why one can say that religious parties have played somehow an important role in the rise of militancy in FATA.

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<sup>99</sup> Dr. Fazal Ur. Rahim Marwat, Op.cit., p.76

Rustam Shah Mohmand one of the respondent told that not only religious parties but informally every political party was there in FATA, there are political activities going on in tribal areas all the time, people would hold meetings, would hoist their flags, their leaders would go there JUI, ANP, JI otherwise how would Eng. Shaukat Ullah would become federal minister on PPP ticket, Akunzada Chitan would be elected as an MNA. It was allowed it was just that Political Parties act was not extended to FATA which has now been extended. The people of tribal areas are actually egalitarian in nature, they are not so simple to be swayed by religious parties, people are very broadminded, they are ready to live with Hindu and Sikhs without bothering them and history has proved it, yes there is religious sentiments in tribal areas but they are good Muslims that is why before 9/11 crime rate in tribal areas was very low compared to the settled districts of Pakistan because there was institutionalized accountability there. During the years of Taliban government in Kabul the people of tribal areas had linkages with Taliban's because people of tribal areas were inspired by the implementation of Islamic sharia in Afghanistan but one cannot say that tribal areas were the breeding ground of the Taliban movement.

Some authors are of the view that the militancy in tribal areas aroused after the 11 September 2001 attacks on twin towers and it increased when the Taliban government was overthrown by US. Fuel was added to the fire when Pakistan became a frontline ally with US in the war against terrorism. Tribal people couldn't understand this U-turn in Pakistan's policy as it dismantled most pro-Pakistan government in the history of Afghanistan. This event created sympathy for the Taliban's among the people of tribal areas. When US invaded Afghanistan most of the militant groups escaped from Afghanistan and fled to FATA. Among these militant groups Al-Qaeda also entered

into the tribal areas where they re-organized themselves and got support particularly from the Wazir and Mehsud tribes in Waziristan.

Regarding the involvement of Pakistan government in the rise of militancy Saleem Safi who was one of the respondents of my field work, a senior analyst and an expert on FATA says that regarding the rise of militancy in FATA Pakistani state is involved at two levels: In making the foreign policy of India and Afghanistan militancy has always been used as a tool and the importance and usage of this tool has not been reduced even now. Similarly no other tool has been used in replacement of militancy. Moreover Pakistan is afraid of all the other countries that are involved in this war against terrorism that is why Pakistan still takes them as its asset. Another reason towards the rise of militancy in FATA is the weak state institutions which involve judicial, political, local administration etc, and then state also has shortage of resources. There is no mutual consensus or understanding among the coalition partners (Pakistan, Afghanistan and US) while their enemy (Taliban's) have the same agenda. Moreover there is no mutual consensus over this issue even within Pakistan that is Political and military leadership are not on the same page, similarly within political parties there is no mutual agenda or consensus over this issue, there are differences within secular and religious parties as well.

FATA Senator Abdul Razziq said while giving interview that Taliban's came to Pakistan after 9/11 and as the geography, culture and language was same so they didn't take much time to mix up with the people of tribal areas, they exploited Islam and the tradition of Paktunwali as well. After 2, 3 years Taliban's took roots in FATA people started trusting them, most of these militants got married with the local girls living there in FATA. When Pakistani forces entered into the area they engaged

people with them against the government saying that Pakistani government has broken the 1901 accord of not interfering into FATA. They also exploited anti-American sentiments as well, MMA government at that time supported Taliban's activities over there they if not encouraged them did not discourage them as well. Senator was of the view that we have deliberately placed FATA in political, judicial and social vacuum and unfortunately our government is still not taking interest in the progress of this region. Some other respondents were also of the view that government has completely failed to provide education, health facilities and other job opportunities to the people of tribal areas therefore poverty and illiteracy has actually lead towards the rise of militancy in Fata. One of the respondent who was the resident of Mohmand agency shared his personal experience that poverty and illiteracy are the biggest factors of militancy in tribal areas; in his own village militants hire poor and illiterate people they give them 25000 monthly salary per person, give them pick and drop facility and give them a Kalashnikov worth rupees 2 million on the very first day and the unfortunate fact is that most of the people who join militant groups are teenagers so if there wouldn't be illiteracy, unemployment there wouldn't be militancy.

Similarly another important factor highlighted by the respondents that contributed towards the backwardness of Fata is the absence of civil institutions in those areas after 9/11. One cannot recall a single visit by a senior government Official to the area, neither the president nor the Prime minister visited the area to assure the people of government support. It has left everything upon the army to look after. On the other hand Pakistan army has initiated certain projects like construction of roads, school and colleges in few agencies.

Whereas another respondent Rustam Shah Mohmand says that when USSR entered into Afghanistan in 1980's thousands of people were injured and crippled, millions were killed and about more than a million people migrated to Pakistan but there was no militancy in Tribal Areas. If it linked to the situation in Afghanistan there should be militancy in 1980's so it has not really much to do with the situation in Afghanistan and it has very much less to do with poverty, infrastructure, governance etc. There are only three reasons for militancy in Tribal Areas; Musharraf's complete alignment with US in war against terrorism that created a deep wedge between population and government not only in the tribal areas but in the rest of countries as well because it rein completely against the peoples aspirations. The dispatch of military in tribal areas for the first time which actually displaced the local Levis and the mistake was that the troops were sent into the hinterland of the tribal areas which started interfering into the tribal traditions that is in contradiction to the solemn commitment of Jinnah to the tribal people that they would not interfere.

Another important reason is that the local administration and the institutions were completely side line which created a very frightening vacuum in the tribal areas because people grievances were not addressed as the political agent was no longer there and the authority of the governor weakened as well, there was no mechanism to address the grievances of the tribal people so they thought that these troops have come to protect and promote the American agenda in the region because they thought that there was a Muslim government in Afghanistan and for the first time most pro Pakistan government in the history was dismantled with Pakistan's help. As far as the failure of governance is concerned Rustam Shah Mohmand is of the view that there are problems in tribal areas problems of socio-economic emancipation, poor health and education, infrastructure, jobs, economy is not vibrant. People have gone

elsewhere in Karachi, Lahore, and gulf to seek wages there would be ill feeling towards government administration but those feeling were there for number of years so militancy has not really much to do with the complete absence or poor presence of state institutions in FATA.

### **5.1 Resistance to Militancy**

Tribal areas from the beginning are governed in semi-autonomous way, FCR was imposed on the people of tribal areas during British rule and the same was adopted by the Pakistan government after independence. On the other hand tribal people also have their own tribal culture and norms; one of the most important pillars of these tribal norms is Pakhtunwali. Tribal jirga also plays an important role in Pakhtun society it resolves disputes among people and tribes as well. As far as the tribal structure and the role of jirga in resistance towards militancy is concerned one of the respondent of my field work is of the view that the tribal structure has actually reinforced or facilitated this culture of militancy, tribal structure has made the land fertile for militants. Jirga has also failed to curb militancy because after 9/11 the important pillars of jirga that is Political Agent and Maliks they remain no more influential they were replaced by army generals or brigadiers on one hand and militant commanders on the other hand. Similarly it is impossible to revive old system in its older form because now malik cannot gain his older reputation back. In order to mainstream FATA an alternate system is needed but the first requisite for it is that writ of the state should be established there.

Another respondent says that the Jirga and maliks has resisted towards militancy, he highlights the fact that more than 1500 maliks have been killed so far, people and maliks resisted against this ongoing militancy but they are afraid of the Taliban's at



the same time because with whosoever militant leader the government makes peace deal after some time they once again come back, start their activities and kill those people who helps the military so the local people are afraid of these militants. Today the tribal structure and social setup there in FATA has been changed now it cannot be revived in its older form. Similarly some other respondents are of the view that the Jirga system has now been finished, 80% maliks have been killed by Taliban's who use to convene and head jirga. Now there is a total power vacuum in FATA. Now there are just militants and army the political structure of maliki between it has now been finished. The maliks, their families, the leaders of lashkars everybody has been killed by the Taliban's.

Āyaz Wazir one of the respondents of my research work said that the tribal culture is the best thing and it is still intact but unfortunately never in the history tribes have been given power. Tribal people cannot make policies or rules for themselves. The policies and rules are always made for them by the outsiders. Jirga's in order to resolve disputes and to implement their decision they ask for a "Lashkar" from different tribes but the unfortunate fact here is that the government do not provide these lashkars with security or protection.

Another respondent Ruatam Shah Mohmand said that the jirga's are gone, people are displaced Mehsud village is no more intact, there is no more big grand jirga in tribal areas. Tribal elders have been killed but those have been killed because they were seem to be pro- America, pro-Nato, they were suspected to be informers of US military or Pak military. Once you demolish a system that has delivered for 200 years once you extinguish any hope for the people, once you create a vacuum between the governed and the governor then many such actor come into play like Tehreek-e-

Taliban etc why didn't they appeared 15 years or 16 back In tribal areas because there was a system, all the Mujahedeen's use to travel through tribal areas during 1980's with all their gadgets but there is no single incident of that time because the system was intact. Now that tribal jirga system is no more there in FATA.

Fata reforms are an effort by the present government of Pakistan to curb militancy and to integrate the people of Fata into the main stream Pakistani society. When asked from my field work respondents that to what extent present government reforms regarding Fata are helpful? One of them said that the present government reforms related to Fata are actually far from enough but they at least are indeed better than no reforms. Allowing political activities will at least produce some change, although it is going to be slow. The right to appeal against the decisions of the Political Agent is granted to a tribunal. If the jurisdiction of the appellate courts on the provincial and federal levels were extended to Fata, that would have resulted in real and substantive change in the tribal areas. The fact is that changes in the FCR or political activities being allowed in Fata are not sufficient to help the tribal areas.

Another respondent was also of the view that Reforms are definitely a step forward towards the progress of FATA but implementation is not there. Even if 1% of these reforms will be implemented it will be enough because these reforms at some level will give people some awareness. Few other respondents were also of the view that recent reforms do not have any impact on the people of Fata because implementation is not there, people of tribal areas want security, education, health facilities, water, employment etc none of these facilities have been provided by the government. They are of the view that except the extension of political parties act other reforms are mere words.

Ayaz Wazir one of the respondents said that no difference will be made through recent reforms because article 247 (b) of the constitution has not been changed or at least it should be made according to the will of the people. Rules for them are made by others, like the much trumpeted reforms where the FCR has been slightly amended and the Political Parties Act extended to the tribal areas. Another draconian rule under the name of Regulation in Aid of Civil Power was imposed on Fata, which has rendered the reforms meaningless.

## **5.2 Socio Political Institutions**

It is argued that the problem of FATA today is related to the poor empowerment and lack of representation of the people of Fata on various forums such as provincial assembly, political parties and media. Fata suffers from a lack of human and legal rights, lack of economic opportunities and very low development indicators which needs to be highlighted so that rest of the country could know about the problems of Fata. In this regard much responsibility lies on the political parties and the civil and political society of Pakistan and media. Religious political parties in this regard have a great role to play because they remained in the forefront during Afghan resistance and after that supported the militants both directly and indirectly.

In this regard when asked from the respondents that to what extent do you think that unlike secular parties religious parties representation in the tribal areas has paved way towards the rise of militancy in Fata. One of the respondents was of the view that informally every party was there but mosque does not allowed people to come in the mainstream. With this recent political reform difference will come in urban areas but slowly. The difference will be that the politics now will be issue based which will cut across their politics based on ethnic issues. Similarly some other respondents were

also of the view that religious parties definitely had a great impact on tribal people because the people of tribal areas are more religiously affiliated people thus can be easily motivated religiously.

Regarding the responsiveness of the civil and political society towards issues in Fata and the role of media few respondents said that Media has played a very positive role regarding the issues of FATA because of media information's comes out but at the same time the journalists working there in FATA are actually between devil and the deep sea. Taliban's and the security agencies both create problems for them. On the other hand different NGO's are working there so foreign funding is being utilized for the people of FATA. There are projects going on in Mohmand and Bajaur agencies initiated by various NGO's. Some other respondents were of the view that media has been responsive to the issues of FATA but they also do not highlight the corruption of political agents, media highlights issues but do not come up with viable solutions. NGO's are working there as well but to a limited extent. While Brig. Mehmood Shah was of the view that Media is Islamabad based so they don't know the ground realities, thus give a negative version mostly because they don't understand the real issues.

Similarly Rustam shah Mohmand says that the civil society has responded very little, people are being killed every day through suicide or drone attacks, not only the civil society but media, think tanks, politicians no one responds it's very sad and deplorable. Society just not bother, it has not been debated in the national or provincial assembly. Media don't go there; military do not allow them to go there, security risks are involved; they are not bothered to go deep into the system. On the

other hand NGO's are working but since there is no peace in the tribal areas even then they are doing good work but they do not have an environment for peace there.

Z.A Bhutto was one Pakistani leader who after 1970's elections launched a series of reforms in various fields; he started holding rallies in tribal areas in 1973, established cadet college, hospital etc so it was expected from him to extend adult franchise in Fata. Dr Rashid Ahmed is of the view that "The extension of adult franchise was a long standing demand of the people of tribal areas but the successive governments of Pakistan has been postponing this decision due to their policy of appeasement towards the tribal chiefs who feared the loss of their entrenched privileged positions in the areas in case the method of direct elections was introduced."<sup>100</sup> Most of the respondents in my field work said that if the adult franchise would have extended during Bhutto's time it wouldn't have made any difference because the representatives of the people of Fata sitting in the parliament cannot do legislation for their own area so what's the benefit of adult franchise or of them sitting in the parliament. While Dr Ashraf Ali one of the respondents said that if adult franchise has been extended during Bhutto's time it would had an impact because this would have created awareness among the people of Fata.

### **5.3 Military Operations and Militancy**

Dr Rashid Ahmed Khan says that "Since April 2004 about 70,000 Pakistan army troops have been deployed in areas close to border with Afghanistan to apprehend the foreign militants allied with former Taliban and Al-Qaeda organizations. This is for the first time in the last 57 years that regular troops of Pakistan army have entered the tribal areas of Pakistan. The army action has been followed by a massive programme

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<sup>100</sup> Dr. Rashid Ahmed Khan, *Op.cit.*,p.44

for the Socio-economic uplift of the tribal areas through the building of physical and social infrastructure, like roads, water reservoirs, hospitals, schools and telecommunication centers in all the agencies and regions of FATA. The development works in the area are certain to bring changes in the socio-political environment of the region.”<sup>101</sup>

Now for my field work when I asked that what effect does the present military action had on the socio-political environment of the region and how do you analyze Pakistan army's development work in Fata? The respondents were of the view that when military entered into the tribal areas at first people were happy that army would help them get rid of these militants but now as the people have migrated from their homes since long and present military action in FATA has been prolonged it is now creating all together “Negative” impact on the socio- political environment of the region. Pakistan army's development work in FATA on the whole is very less/little in comparison to the damages that army and militants both have done there moreover it's not army's responsibility to do development work. Without military operations things can be sought out as military is only dealing with the part of the problem not the whole. Most of them were of the view that army should have never entered FATA because as soon as army was deployed target killing started; people are being killed near army forts which created ill feeling among people against army, people are now thinking that the Taliban's and army are one and the same. Army is not doing its job which is affecting credibility of government there as they have handled the situation militarily which is wrong because there was no need of army. Before it the tribal people themselves use to safeguard western borders so deployment of army is the biggest mistake.

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<sup>101</sup> Ibid., P.56

One of the respondents was of the view that the present military action has created a backlash of hostility and hatred against the state of Pakistan. People in the tribal areas believe that the government is hostile and is not concerned about their well being and they are left to suffer because of the restless military operation particularly aerial bombardment. Lashkars are made and lead by the military everybody knows it so the military has actually lost sympathy and trust of the people of tribal areas. Moreover he was of the view that development is not military's job it is not good for military's image as well. Government departments should do such development works.

Another respondent was of the view that the military should always be used in support of political objectives. When you are using force in FATA you achieve some success in the beginning, but that force is perceived as a kind of threat to the tribal traditions and culture. The tribal's do not like that this force comes and stays because then this force will be used to create inter-tribal imbalances. Frequently, someone who is close to a force commander in FATA will manipulate the use of force against his enemies. The government of Pakistan did not evaluate the tribal dynamics before sending military into FATA in 2002-03. If you introduce force, its consequences will always be negative. Therefore, if we had a political strategy, we would have achieved success to a much greater extent. Military operations in Fata have failed to end the insurgency because it was directed at the symptoms of the problem and not the predicament itself; the military operations fought the shadow and thus had little impact on the reduction of militancy. As a matter of fact the operations increased militancy. On the other hand the presence of the military in FATA since 2004 is seen by the tribesmen as a threat directed at ending their freedom and unique social system and therefore invited a reaction. Thus it will be wise to gradually withdraw the military and replace it with a retrained and adequately equipped Scouts force for which purpose the US has granted

a \$ 340 million capacity building program. As the Scouts complete their training and re-equipping they should take over the duties from the military.

#### **5.4 Gender Dimension of Conflict in FATA**

People of tribal areas have been displaced and are forced to live in the IDP's camps established elsewhere in the country. Tribal women being the central figure of the family suffers the most. There were already shortage of facilities for the tribal women, there were shortage of schools especially separate schools, female teachers, health facilities, employment opportunities etc poverty also affects girls more severely than boys. It has been observed through different studies and surveys that most of the schools in Fata do not have boundary walls which provide security especially in case of girls' schools. Similarly some of the girls' schools do not have boundary walls. Among them most of the schools are even deprived of water and sanitation facilities such as latrine facility is not available to them.

After 9/11 when the Taliban's and Pakistan forces entered into Fata the situation became even worst for tribal women. When asked about the impact of militancy on tribal women in my field work respondents were of the view that in tribal areas children and women are suffering the most. Women's being the central figure in the family is the focal point, out of 1000, 87 women are dying every other day because there is complete lack of health, nutrition and hygiene facilities for women, female girls are suffering the most in contrast to the male boys. There schools have been destroyed; there is lack of basic facilities for women esp. young girls sitting arrangements, toilets, boarding facilities are not there for them. They were also of the view that social factors also play an important role such as early marriage, cultural



taboos, tribal enmities and male dominance, due to these factors tribal women remain backward.

## **5.5 Conclusion**

Overall data analysis shows that, despite of the fact that history and culture of FATA was somehow prone to war and militancy, lack of government institutions in delivering services and opportunities to the people has also played a significant role in the rise of militancy. There was social, political and judicial vacuum in Fata as 110 years old system was prevalent there, there was no forum for the people to express themselves. There was poverty and illiteracy that forced people especially youth to join militant organizations. People of tribal areas have always been used as tools and no importance has been given for their socio economic emancipation. Therefore this current militancy is actually a reaction of what the government and social and formal political structure of Pakistan has done to the people of tribal areas.

Tribal norms and culture somehow or the other has reinforced militancy in Fata. Taliban's when came into Fata in the beginning they started targeting social evils which inspired tribal elders as government institutions were not successful in destroying those social evils so at first people were happy with the militants but afterwards when they started activities against the government and started looting and abducting people then tribal leaders resisted because they wanted to get rid of these militants but they have not remained successful in this regard. Similarly present government reforms did not create any major difference except the extension of political parties act. The collective responsibility clause has been replaced with the Action (in Aid of Civil Power) Regulation while FCR tribunal has been replaced by the Fata tribunal.

Political parties act has now been extended to Fata which is a step in the right direction. Media is playing a positive role by highlighting various issues of Fata but to a very limited extent, there are security reasons media has not been given access to the tribal areas which is a main hurdle that's why media sometimes does not focus on the real issues of Fata. Similarly civil society is also playing its role; NGO's are working in Fata but peace is a pre requisite for any kind of development work there. Overall there is still a need to create much more sensitivity among the civil and political society of Pakistan for the people and the pressing issues of Fata.

When Pakistani forces entered into the tribal areas in the beginning people were happy because they themselves wanted to get rid of the militants. Now when it's been 8-10 years that military is doing operations in different tribal regions and now the people are sick of it as they are being displaced from their homes, their houses have been destroyed during military operations, and they do not have employment opportunities so they have ill feeling towards military. Moreover despite of all the operations against militants security forces are still unable to provide the local population security which is actually provoking people to join militant organizations because they have a feeling that the Taliban's and military are one and the same. Similarly among all the segments of society women are the one who are adversely affected by this conflict. Tribal girls are in much more deplorable condition then boys.

## **CHAPTER 6**

### **CONCLUSION & RECOMMENDATIONS**

#### **6.1 Recommendations**

In order to bring back peace and stability in FATA short term and long term policy both needs to be adopted.

There should be fundamental change in the policy of the government regarding the political and administrative structure of the tribal areas; government should establish contacts with the people at grass-root level instead of giving those allowances and subsidies through political agents. This will definitely bring tribesmen at par with the rest of the country.

State institutions must be strengthened with a proper accountability mechanism so that they could effectively work for the welfare of people. Moreover there should be complete check and balance over the usage of funds

The coalition partners in the war against terrorism i.e. Pakistan, Afghanistan and America should come on one page; there point of views regarding this issue of militancy in FATA should be same. Militancy should not be used as a tool in Pakistan's foreign policy moreover within Pakistan there should be mutual consensus, among political and military leadership and within political parties as well. Long term strategy should be adopted to establish peace and stability in the region.

There is a dire need to review Pakistan's foreign policy towards Afghanistan; there should only be good neighbor relations with Afghanistan instead of considering it a strategic backyard for Pakistan. There is a need for dialogue and deterrence but it

should be along with the development activities, education should be given to the people of FATA along with the employment satisfaction.

Economic issues of the people needs to be resolved, agricultural infrastructure needs to be established. There is 35 million ton copper in FATA that needs to be exploited and extracted, carpet industry, furniture industry, there are good quality olives and oaks in FATA so there are lots of assets in FATA that needs to be channelized.

Empowerment of the tribesmen to look after themselves is actually key to the solution. There is a need to involve tribal people with the rest of the country so that they do not feel alienated. There is need to involve local people in policy making process or in administering their area.

Fast track development should be done in FATA. For the next 10-15 years there should be result oriented development in FATA. Small and workable schemes should be introduced at first so that development work could be done easily and at fast pace. People of FATA who help government should be fully supported, for the development of Fata the whole nation has to work together for the re-habilitation and development of the people living there.

Military should be withdrawn from FATA and civilian institutions should be restored. With the support of the government tribes should be made responsible to sideline, expel or make the insurgents or militants surrender to the tribes.

Pakistani media and civil society also needs to show much more sensitivity towards the pressing issues of FATA. Similarly both religious and secular parties need to give the issues of FATA first and foremost place in their agenda's.

## 1.2 Conclusion

Crisis of governance has contributed to a great extent in the rise of militancy in FATA. Poor presence of the state institutions in the region has made the militants to strengthen themselves by readily filling the vacuum left by the state institutions. Tribal culture, traditions and history has also played a significant role but one cannot blame tribal culture or traditions particularly for the rise of militancy in Fata. Rather this is the result of short sighted government policies and a humiliating system of laws that was introduced by the British for their interests, continuation of this particular political, administrative and judicial system isolated FATA from rest of the country. Indefinite and vague constitutional status, lack of political avenues and even less economic opportunities for the people of FATA are the gifts of this colonial setup which is prevailing till today.

The military operations in FATA can never be successful in curbing militancy if Pakistan government does not implement any political, administrative and judicial reforms there. There is always a need of civilian contribution and involvement for the progress of any region; especially in case of FATA involvement of civilian leadership is very important. However up till now militants are gaining power, while the state institutions are not at all delivering, they are completely dysfunctional. Though present government has introduced some reforms but they are too little, thus can hardly bring any significant change in the lives of the tribal people. Therefore in order to get rid of the militants and to stabilize the region significant political, administrative, judicial and economic reforms need to be implemented in Fata.

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## **Appendix**

### **Questionnaire for Interview**

- 1) Why do you think militancy aroused now after 9/11? What according to you is the significance of timing?
- 2) Do you think that centralized social & formal political structure has contributed towards the rise of militant networks in Pakistan?
- 3) To what extent does the tribal structure has resisted towards militancy and what role did the institute of jirga played in this regard?
- 4) To what extent do you think tribal structure is going through change?
- 5) Secular parties are not allowed to promote their manifesto as a result religious parties have their representation in tribal areas, according to you to what extent this paved way towards militancy?
- 6) Recently present government introduced some reforms in FATA to what extent they are helpful?
- 7) To what extent civil & political society of Pakistan has been responsive towards number of issues in FATA? What should be the role of media?
- 8) What effect do you think present military action would have on socio political environment of the region?
- 9) How do you analyze Pakistan army's development work in FATA?
- 10) Why Bhutto did not extended adult franchise in FATA? What effects it would have made if extended at that time?
- 11) What impact do you think this militancy has made upon the tribal women?