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The evolution of the Pakistani Taliban

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Pakistan has been in the news a lot lately. Unfortunately, it has generally been for the wrong reasons. Regularly, there are horrific stories of suicide bombings killing scores of civilians or armed attacks against military targets, but more often than not innocent civilians going about their daily lives are the victims. The media — Western and Pakistani — generally blame these terrorist acts on the Pakistani Taliban. However, while reliable information about these religious extremists is sketchy and not always reliable, a picture has begun to emerge about who the Pakistani Taliban are and the extent of the militant threat to the stability of Pakistan.

This chapter argues that the growth of Pakistani militancy and religious extremism, which is principally, but not solely, based in the tribal areas, is the result of the confluence and the mutual reinforcement of internal and external factors. The internal factors include: the poor governance of Pakistan’s Federally Administered Tribal Areas (FATA), the socio-economic under-development of FATA and its lack of political integration with the rest of the country, and the domestic and foreign policies of successive central governments, civilian and military. The external factors include: the presence in Pakistan’s western provinces of the anti-Soviet mujahideen (freedom fighters) in the 1980s, the establishment of Al-Qaeda and Taliban safe havens in FATA following the ousting of the Afghan Taliban from power in October 2001, and Washington’s political and military strategies for dealing with these safe havens. I will also argue that while this Pakistani militancy is still dominated by the Pashtuns, it has increasingly attracted militants and religious extremists from other parts of the country, particularly from southern Punjab. Importantly, there is also an increasing level of cooperation between FATA-based militant groups and those from other parts of the country whose previous focus used to be limited to Kashmir. Accordingly, this Islamic militancy, or Talibanization, has now not only grown but it has spilled out of the tribal areas into the ‘settled’ areas of North West Frontier Province (NWFP) and other parts of the country, in particular in Karachi. The long-term ramifications of this development are extremely worrisome for the future stability of Pakistan, in particular, and the region, in general.

I will first briefly turn to the political administration and economy of FATA as it is important to understand the context in which militancy has incubated over the
last 60 years. I will then examine the four discreet political periods since 1947, specifically as they relate to FATA, and analyse how developments during each period assisted in the eventual ‘creation’ of the Pakistani Taliban problem with which we are now confronted.

**Political administration of FATA**

FATA, which is less than half the size of Tasmania with a population of over 3 million, is composed of seven tribal agencies. It is separated from Afghanistan by the Durand Line, the 2,500-kilometre border established in 1894-95 by the British colonial rulers of India between today’s Pakistan and Afghanistan. While the Durand Line has been the de facto border between Pakistan and Afghanistan, the government in Kabul has still to recognize it officially.

The British policy towards the tribal belt was based on a mix of persuasion, pressure and armed intervention. Britain instituted its ‘Forward Policy’, which essentially consisted of ‘pacifying’ the tribes as far west as possible. This eventually led to the 1897-98 Tribal Wars. Realizing it would never be possible to completely subdue the frontier tribes, the colonial administration decided to implement the ‘Close Border Policy’, which involved establishing a number of tribal agencies, enclosed by a chain of posts and cantonments, where the Pakhtun tribes would be allowed to govern their society according to their own laws and customs.

To ensure control, London stationed troops in these agencies but also granted these areas a semi-autonomous status in return for tribal acquiescence to colonial rule. This special status was codified in treaties that required *maliks* (tribal elders) to keep the border passes open for trade and strategic purposes in return for allowances and subsidies they could distribute among their tribes. Nevertheless, the tribal areas showed some of the strongest anti-British resistance on the sub-continent during British rule.

Following Partition in 1947, the founder and first Governor-General of Pakistan, Mohammad Ali Jinnah, withdrew Pakistan’s army from FATA, but the government of Pakistan retained the colonial administrative and legal structures, codified in a special legal framework known as the Frontier Crimes Regulations (FCR) 1901. The FCR, which is still in force today, mixes traditional customs and norms with discretionary police, judicial and executive authority in the political agent (PA). By maintaining the FCR, the Pakistan government chose to treat FATA’s population as separate from, and unequal to, other Pakistani citizens. The deal after Partition was that Islamabad continued to provide allowances and subsidies, and in return the local tribes declared their loyalty to Pakistan.

The PA, a federal, and at times provincially recruited, bureaucrat heads the local administration of each FATA agency. He is all-powerful. Backed by *khas-sadars* and levies (tribal militias), as well as paramilitary forces that operate under army control, the PA exercises a mix of extensive executive, judicial and revenue powers and has the responsibility of maintaining law and order and suppressing crime in the tribal areas. The PA grants tribal elders the status of...
malik (with the consent of the governor) on the basis of male inheritance. But the PA can also arbitrarily withdraw, suspend or cancel malik status if he deems the individual is not serving the interests of the state. Like the British before them, the Pakistan state rewards the loyal maliks with a special status, financial benefits and other official rewards. Needless to say, the state relies on the services and collaboration of these maliks to administer FATA.

The FCR preserves the Pakhtun tribal structure of jirga (council of elders), to which the political agent can refer civil and criminal matters. The jirga ascertains guilt or innocence after hearing the parties to a dispute and passes verdicts on the basis of rewaq (custom). However, the PA retains ultimate authority. The political agent initiates cases, appoints the jirga, presides over trials and awards punishments without even the technical possibility of revision by a regular court of law. This anachronistic legal arrangement continues to this day. So while FATA is formally and legally a part of Pakistan, it more closely resembles a colony whose population lives under laws and administrative arrangements that set it apart from the rest of the country.

However, particularly relevant to Pakistan’s involvement in the ‘war on terror’, are FCR clauses that empower the political agent to punish an entire tribe for crimes committed on its territory by fines, arrests, property seizures and blockades. The political agent can order detention of all or any members of the tribe, seize their property or block their access to the settled districts if he has ‘good reason’ to believe that a tribe or its members are ‘acting in a hostile or unfriendly manner’, have ‘failed to render all assistance in their power’ to help apprehend criminals, ‘connived at, or abetted in a crime’ or ‘suppressed evidence’ of an offence.

And while Pakistan’s 1973 constitution guarantees fundamental rights for citizens residing in the entire territory of the country, which includes the tribal areas, Article 247 (7) bars the highest courts of the land from exercising any jurisdiction under the constitution in relation to a tribal area, unless parliament by law allows it. Moreover, not only does FATA have no representation in NWFP’s provincial legislature, but while the constitution mandates representation for FATA in the national parliament, the parliament cannot legislate on any matter concerning FATA. This makes the FATA-elected members of parliament rather superfluous.

The economy of the tribal areas

FATA is one of Pakistan’s most economically backward areas. Annual per capita income is about $500, roughly half that of the very low national average; some 60 per cent of the population lives below the national poverty line. Per capita public development expenditure is reportedly one-third of the national average. Social development indicators are shockingly low. The overall literacy rate is 17.42 per cent compared with 56 per cent nationally. Male literacy is 29 per cent, female literacy a mere 3 per cent, compared with 32 per cent nationally. There are only 41 hospitals for a population of 3.3 million. FATA has a per doctor rate of 1:6,762 compared with the national 1:1,359.
Natural resources, including minerals and coal, are under-exploited. It is the most rural of all administrative units in the country. Most locals depend on subsistence agriculture since there is little industrial development and few jobs. This situation is made worse by the fact that about 15 per cent of the population is between the ages of 15 and 22.\textsuperscript{10}

The PA is also FATA's chief development agent and planner; he is all-powerful in that sphere as well. One of the PA's main instruments of economic control is the granting of export and import permits for each agency. These export permits are a much sought-after prize. Import permits for wheat and other basic necessities are another source of patronage distribution. Moreover, the political agent approves and carries out developmental projects based on political and administrative considerations. There is 'almost no input from the local population or even their parliamentary representatives in development initiatives'.\textsuperscript{11}

And to make things worse, the economy is completely distorted by the thriving trade in arms, drugs, as well as other cross-border smuggling. These are a direct consequence of the events in neighbouring Afghanistan. Poor law enforcement at FATA's borders with Afghanistan encourages lucrative smuggling of luxury consumer goods, causing significant revenue losses in uncollected duties and taxes. Not only has the army done nothing or has been unable to stop this smuggling, but this trade provides the Afghan Taliban and their Pakistani counterparts in the FATA agencies with funds and arms. Most significantly, the army has not prohibited the sale of guns and ammunition in FATA, which supplies the whole of Pakistan.\textsuperscript{12} Let me now turn to FATA's four political periods since Partition, highlighting the events and issues which are relevant to understanding the development of religious militancy in the tribal areas and beyond.

FATA's four political periods

The first period: 1947–1979

The inclusion of the NWFP and FATA in the Pakistan scheme following Partition was probably one of the most troublesome problems facing the departing British administration. In NWFP there was the charismatic Khan Abdul Ghaffar Khan, nicknamed the ‘Frontier Gandhi’, who led a Muslim organization (Khudai Khidmatgars – Servants of God) which advocated the establishment of an independent state for the Pakhtuns, i.e., Pakhtunistan.\textsuperscript{13} This organization considered Jinnah's Muslim League a British creation and opposed the idea of Pakistan as being a British invention. On the other hand, the Pakhtunistan scheme was ardently supported by Afghanistan and the Congress Party. The Afghan authorities, not recognizing the Durand Line, wanted the 'Pakistani' Pakhtuns to either join Afghanistan or create their own state of Pakhtunistan out of NWFP and parts of Baluchistan but, interestingly, without including the Pakhtun areas of Afghanistan. Kabul also demanded that Pakistan provide Afghanistan access to the sea by giving it a special corridor through Baluchistan or creating a free Afghan zone in Karachi.\textsuperscript{14}
A second source of trouble for the Muslim League around the time of Partition came from the Congress Ministry of Dr Khan Sahib, the brother of the 'Frontier Gandhi' in NWFP. Fearing that a Congress-led NWFP would opt not to join Pakistan-to-be, the Muslim League put pressure on the British to call a referendum, directly asking the people for their preference. The plebiscite, held in July 1947, only offered two choices: to join either India or Pakistan; there was no Pakhtunistan option. Dr Khan called for a massive boycott of the plebiscite. The result was very close: of the 51 per cent of eligible voters who took part, 97 per cent voted for Pakistan, i.e., only 50.5 per cent of the population voted in favour of joining Pakistan. One week after Partition, Governor-General Jinnah sacked Dr Khan, as allowed under the adapted Government of India Act, 1935, for fear that the Pakhtunistan issue could be used by Afghanistan and India to create domestic problems for Pakistan. The new chief minister, Khan Abdul Qayyum Khan, used a heavy-handed approach towards the Pakhtuns, including calling out the army and air force to suppress disturbances in the tribal areas. Already then Pakistan's central authority interfered in FATA's affairs.

Although the central authorities, particularly under Zulfiqar Ali Bhutto (1971–77) intervened on a regular basis in the provincial affairs of NWFP, including dismissing the Governor of NWFP on 12 February 1973, and arresting Wali Khan, the National Awami Party (NAP) leader, on charges of secession, FATA was generally left on its own. Interestingly, Afghan President Daud was close to reaching an agreement with Bhutto in August 1976, which involved Afghanistan's recognition of the Durand Line in return for the release of Pakhtun and Baluch National Awami Party (NAP) leaders from Pakistani gaols. However, this agreement was never implemented as Bhutto was toppled in 1977 by General Zia, who subsequently released all imprisoned NAP leaders.

The second period: 1979–2001

With the 1979 Soviet invasion of Afghanistan, the political dynamics between Islamabad and FATA took a dramatic turn. One of the main causes was the influx of some 3 million Afghan refugees who fled the fighting. They mainly settled in NWFP and FATA and this inevitably led to clashes between the local residents and the refugees. Most disputes were, however, settled by the jirgas. Complicating the refugee situation was the presence in the tribal areas of the mujahideen, the Western-supported anti-Afghan government guerrillas, who launched their attacks against the Soviet and Afghan forces from Pakistani territory. Bin Laden was one of those mujahideen leaders then supported by the West. And like the situation some 20 years later, the Pakistan government was unable or unwilling to control the activities of these insurgents, with some of these rebel groups establishing quasi-government enclaves in the tribal areas. Not only did the introduction of some $66 billion worth of weapons between 1978 and 1992 compound the gun culture in the country, but the presence of thousands of mujahideen led to the creation of a worldwide network of Afghan war veterans of all nationalities. One of these organizations was Al-Qaeda. Many of these fighters...
would eventually return to Pakistan following the Taliban's ouster from power in 2001. It is interesting to note that, realizing the damage the presence of these mujahideen were having on the local scene, a jirga of elders in FATA demanded in 1985 that Islamabad recognize the Soviet-backed government in Kabul and return the refugees after having come to an acceptable agreement with the Afghan authorities.21

The embedding of the mujahideen in the tribal areas coincided with General Zia-ul-Haq's Islamization process in Pakistan and Islamabad's close relationship with Saudi Arabia and the UAE. Both factors facilitated the increase in the political clout of the mullahs and the Islamic parties. The conservative mullahs progressively displaced the maliks as the principal tribal authority, and thus began the breakdown of the traditional power structure in FATA.22 Along with this religious clout came the very substantial growth in the number of madrassas (religious schools) all over the country, including in the tribal areas.23 The most radical of these madrassas spawned the mujahideen fighters, Afghans as well as Pakistanis, who went to fight their jihad in Afghanistan and in Indian-held Kashmir. Many of these madrassa-educated fighters are now part of the many extremist religious groups and militants present in Pakistan. Given the low level of socio-economic development in the tribal areas, it is not surprising that up to 80 per cent of boys still go to these madrassas for their education today.

The overwhelming majority of the madrassas were, and still are, run by the Jamiat-e-Ulama Islam (JUI), an Islamic party which believes in the revival of Islamic values according to the shariah. The JUI is an ideological soulmate of the Taliban. Not surprisingly, most of the founders of the Taliban went through these JUI-run madrassas. Importantly, especially for its long-term consequences for the stability of Pakistan, these madrassas also produced Pakistani religious extremists who eventually turned against the very Pakistani state which had promoted their growth. One of the most notable jihadists to come out of these religious schools was Maulana Sufi Muhammad, who founded Tehrik-e-Nifaz-e-Shariat Muhammadi (TNSM) in 1992. By late 1994 the TNSM movement was asserting itself with thousands of armed supporters seeking to impose by force shariah law in the Bajaur tribal agency of FATA and in neighbouring Malakand division in NWFP.24 This religious revolt by Pakistani extremists who were supported by Afghan Taliban fighters who had crossed the border was crushed by the army.25 A few years later, the TNSM confirmed yet again its ideological links and affinity with the Afghan Taliban when some 10,000 of its armed cadres from Bajaur, Swat and other neighbouring areas, led by Sufi Muhammad, crossed the border into Afghanistan in late 2001 to assist the fleeing Taliban forces fight the US-led forces and to thank them for their earlier support.26

Another complicating factor in the Afghan–Pakistan relationship at the time was the thriving heroin trade, which involved a major tribe, the Afridi, whose members straddle the Durand Line in the area of the Khyber Pass. The drug smugglers were given military and moral support by the Soviet-backed Afghan government in return for the Afridi's support in stopping the crossing into Afghanistan of the mujahideen. Under intense Western pressure to do something about this growing heroin trade and check law enforcements,27 This meant that some Western officials and consultants, the late and the low level Bhutto's civilianizing efforts may have had an unintended negative impact on Pakistan's political future, especially in the Federally Administered Tribal Areas (FATA) and in the tribal areas.

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growing heroin trade, General Zia-ul-Haq sent paramilitary forces into the Khyber Agency in 1985. Moreover, with the aim of preventing a resurgence of the illicit trade and check arms smuggling, the government decided to permanently station law enforcement agents in the agency and build fortified posts in strategic locations. This marked the beginning of the central authorities' regular military interference in FATA.

There was some support for the military action, as there was a genuine sentiment that something had to be done to arrest the heroin trade. But there was also a feeling that the root cause of the heroin problem in FATA was the continued implementation of the Frontiers Crime regulations, the lack of universal adult franchise, the lack of social and political integration with the rest of the country and the low level of development, which only benefited a few maliks. Benazir Bhutto's civilian government attempted to deal with some of these issues by introducing adult franchise in FATA in 1996. However, Bhutto's political liberalization only went so far. Political parties were – and still are – formally forbidden from extending their activities into the agencies. However, mullahs have always enjoyed free entry. This assisted the Islamic parties to further consolidate their political influence in the area.

Importantly, even during the civilian governments of the 1990s, the military continued to use the madrassa-educated jihadists, most but not all based in FATA, as proxies to fight in Indian-held Kashmir or to assist the Taliban in Afghanistan, and these radical Sunni groups continued to grow in strength and in numbers throughout Pakistan. Prime Minister Nawaz Sharif did however try to move against some of the more radical Sunni groups, particularly the sipah-i-sahaba Pakistan (SSP), Lashkar-i-Jhangvi (LJ) (an offshoot of the SSP) in 1998–99. While many jihadists were arrested, many more fled across the border to find refuge in Afghanistan. Most of these eventually returned to Pakistan following the ouster of the Taliban from power in 2001.

The third period: 2001–2008

Following their ouster in October 2001, the Taliban and Al-Qaeda fighters escaped across the border into the tribal areas of Pakistan. Hundreds of these fighters – Afghans, Pakistanis, Chechens, Arabs and Uyghurs – settled and married into local tribes. They established safe havens in FATA, especially in South and North Waziristan and Bajaur agencies, and from there launched attacks against Western forces in southern and eastern Afghanistan with success, particularly from 2005 onwards. While most of the Taliban fighters remained in the tribal areas, many Al-Qaeda operatives settled in other parts of Pakistan. This was confirmed with the subsequent arrest of top Al-Qaeda leaders in Balochistan, Sindh and Punjab.

Part of the Paktun’s tribal honour is to offer hospitality, regardless whether the guest is welcomed or not, a criminal, a friend or an enemy. Accordingly, it was easy for these militants to settle down in FATA. Nevertheless, it has become obvious in the last few years that some of these militants, particularly the
non-Pakhtun, are starting to overstay their welcome. For example, deadly battles causing scores of fatalities broke out between the local residents and these non-Pakhtun, particularly in early 2007.31

Notwithstanding some local differences, an Afghan Taliban mini-state was established in the tribal areas. This progressively led to the Talibanization of FATA, and increasingly into the non-tribal areas of NWFP, by Pakistani militants and religious extremists who shared the same religious beliefs as the Afghan Taliban. This included imposing _shariah_ law, attacking music and video shops, closing barber shops and killing women working in schools or for NGOs. From then on it did not take much for the pro-Taliban Pakistani militants to flex their muscles, including assassinating politicians, killing innocent Pakistani civilians, murdering tribal leaders who disagreed with the militants' political agenda, attacking army personnel and assassinating government officials, including by using suicide bombers. This Talibanization of parts of Pakistan continues today and should come as no surprise to anyone as it is a logical continuation of the Sunni Deobandi militancy whose ideological tenets are derived from the same orthodox Sunni-Hanafi interpretations of Islam which were promoted under General Zia-ul-Haq's Islamization process of the 1980s.32

So who are these pro-Taliban fighters in the tribal areas? Simply put, they are Pakhtun tribesmen who have been radicalized by the rhetoric of _jihad_ which started almost 30 years ago with the anti-Soviet _jihad_, continued during the Afghan civil war and the subsequent Taliban rule and finally today with the presence of the Taliban and Al-Qaeda in the region. These pro-Taliban fighters also include returning Pakistani fighters and commanders who had participated in fighting in Afghanistan against the Soviets and later, between 1996 and 2001, against the Northern Alliance.33 Worryingly, an increasing number of Punjabi militants, especially from the southern part of the province, have also joined forces with these Pakhtun militants. Many of these Punjabis already belonged to banned extremist religious militant groups which were — and some still are — supported behind the scenes by elements of the Pakistani military establishment. These groups, which include Sipah-i-Sahaba Pakistan (SSP), Lashkar-i-Jhangvi (LJ), Jaish-e-Mohammad (JeM), Lashkar-e-Taiba (LeT) and Harkatul Jihadul Islami (HUJI), are sometimes referred to collectively as the Punjabi Taliban.34 These groups have played an extremely useful role for the Pakistani military as 'jihadi proxies' in Afghanistan and India since the 1980s.35 However, since 2001 these Punjabi-based groups have increasingly turned their attention away from the Kashmir issue and focused on spreading terror in the Punjab and Karachi.36 So while the LeT — now renamed Jamaat-ud-Dawa after President Musharraf banned the organization in 2002 — has not completely abandoned its attacks against Indian targets as confirmed with its suicide attacks in Mumbai in November 2008, it is now increasingly concentrating its attention on the home front. And even though it is considered one of the most extreme _jihadist_ groups in Pakistan today, it is still allowed to openly operate in the country.37

The common thread between all these different militants, regardless of their ethnic or national origin, is their belief that it is lawful to wage _jihad_ against a government or.

Importantly, maintaining a livelihood, particularly for the often unemployed workers, is a close relative of the _jihad_ which goes back to the time when the Afghan Taliban established their training camps in Pakistan. In an attempt to attract new members, the Taliban are increasingly focusing on areas under Taliban control, often unemploying or sending them back to their home region. The Taliban also use suicide bombers to attract new members to their cause.

The establishment of the Taliban in Afghanistan and the subsequent Talibanization of parts of Pakistan is a logical continuation of the Sunni Deobandi militancy whose ideological tenets are derived from the same orthodox Sunni-Hanafi interpretations of Islam which were promoted under General Zia-ul-Haq's Islamization process of the 1980s.32
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government or other fellow Muslims who support the West’s 'war on terror'. Importantly, many unemployed youth have been drawn to the jihad 'as a way of gaining a livelihood or enhancing their social importance and power'.38 This is particularly worrisome especially for Pakistan with such a large unemployed (and often unemployable) youth population. Finally, all these Pakistani militants cooperate closely with the Afghan Taliban and Al-Qaeda.39 This terrorist cooperation goes back to the 1990s when some of these groups, particularly the LJ, went to Afghanistan to avoid arrest from the Pakistan authorities. There they established training camps and worked closely with the Taliban and Al-Qaeda to become members of the global jihadist network.40

In an attempt to bring together the various Taliban-oriented groups of the tribal areas under one umbrella organization, a shura (assembly) of 40 senior Taliban leaders established on 14 December 2007 the Tehrik-i-Taliban Pakistan (TTP) headed by Baitullah Mehsud. The TTP demanded an immediate end to military operations by the Pakistani army and the withdrawal of troops from FATA. It also declared a more intense jihad against US and NATO forces in Afghanistan as well as its goal to enforce shariah law in the areas under its influence.41 An important member of the TTP is the TNSM, which we discussed above and which would eventually create a lot of trouble for the Pakistan government in 2009. An important point to remember about the TTP is that, while it is based in FATA and parts of NWFP, Pakhtun ethno-nationalism has not been specifically and systematically used to attract new recruits. And this is because its main focus is Islam – as they interpret it. Moreover, on a more practical level, were they to stress Pakhtun identity it would deprive the TTP of potential sources of income and manpower support from other parts of Pakistan and beyond.42

The establishment of the TTP, however, could give the misleading impression that there is a unified and centralized organization to which all the militant groups in Pakistan answer to, similar to the Afghan Taliban. This is certainly not the case. On the contrary, not only is the FATA-based TTP itself not a disciplined, well-controlled and homogeneous grouping, but it is characterized by much in-fighting, often, but not solely, along tribal and sub-tribal affiliation. This was particularly the case following the death of Baitullah Mehsud in an American drone attack in August 2009. The selection of his successor was a long and difficult process, which confirmed the deep-seated differences between the various groups making up the TTP. Eventually the succession went to Hakimullah Mehsud, a friend and close aide to Baitullah and known for his ruthless approach to dealing with his opponents, whether Pakistani officials or other militant leaders.43 One major rift among TTP members is the approach they take vis-à-vis the Pakistan army. A number of prominent militant leaders, such as Turkistan Bittani and Faqir Mohammad,44 are opposed to attacking Pakistani troops and prefer to focus on assisting the Afghan Taliban’s jihad against Western forces in Afghanistan. Others, such as the late Baitullah Mehsud and Hakimullah Mehsud, have no compunction in targeting the Pakistani military and government officials.45

There are other militant Islamist groups based in FATA which are not part of the TTP but are lumped together and referred to collectively as the Pakistani
Taliban. The most important ones include Laskar-e-Islam, headed by Mangal Bagh, which is based in the Khyber Agency, and Ansar-ul-Islam, which is a Barelvi Sunni group, also based in the Khyber Agency. As these two extremist groups belong to the two main competing Sunni schools of thought in Pakistan, Deobandi and Barelvi, their members not only target Shias (whom they consider beyond the pale), non-Muslims (especially Ahmadiyahs and Christians) and Pakistani authorities, but also each other.

Finally, there are militants in FATA and NWFP with whom the Pakistan governments of President Musharraf and President Zardari have overt or tacit agreements of convenience because they play what the military considers important strategic roles. The two most important of such militant leaders are Maulvi Nazir and Hafiz Gul Bahadur. They have not only been ardent rivals of Baitullah Mehsud and Hakimullah Mehsud, but they have opposed the TTP's policy of targeting the Pakistan military and other state symbols. Moreover, they have been strong supporters of the Afghan Haqqani network, which is a ruthless group based in North Waziristan whose fighters have been very successful in the attacks they have launched against Western forces in Afghanistan. This association between these Pakistani militants and Haqqani has been useful to the Pakistani military because the latter has some important intelligence and military links with the Haqqani militants developed since the days of the Soviets' occupation of Afghanistan. It certainly does not want to lose such an important Afghan asset, which could be particularly useful following the eventual departure of the Western forces from Afghanistan. The Haqqani network is also valuable to the Pakistani military because its top leader, Sirajuddin Haqqani, is the main liaison with the Afghan Taliban based in Quetta, Baluchistan, other Pakistani militants and Al-Qaeda.

Under intense American pressure, President Pervez Musharraf sent about 100,000 army troops into the tribal areas to hunt down the Taliban and Al-Qaeda fighters. The government also erected fences in selected areas along the border and set up some 1,000 checkpoints. It organized the formation of anti-militant lashkars (militias), comprising volunteers, in the tribal areas and in the 'settled' areas of NWFP. While the army has lost more troops in the process than Western forces have in Afghanistan, the military has generally been more effective and keen in going after the non-Pakhtun Al-Qaeda than after the Afghan Taliban. And this was (and still is) principally because the military – which had developed close links with the Taliban since the early 1990s when it had created it with the help of the Islamic parties – did not wish to destroy a potential ally after the inevitable departure of the Coalition forces from Afghanistan. Unfortunately, not only did the Pakistan army suffer a very high number of military casualties and fatalities, but in the process of using military means it also killed many innocent civilians. This has – and continues to provide – political ammunition to the Pakistani Taliban militants in the tribal areas. Similarly, the use of American Predator strikes – often unilaterally without the Pakistan government’s prior agreement – has fuelled an already strong anti-American mood in Pakistan, in general, and in the tribal areas, in particular.
A negative consequence of the use of the military has been the gradual political displacement of the Political Agent and the mauliks, who kept the system working, in favour of the Pakistani Taliban militants, who have established a parallel system of administration, justice, summary trial courts and taxation in the tribal areas. And the breakdown of the tribal structure has been reinforced with the influence of the Islamic parties and the presence of the Taliban and Al-Qaeda, whose fighters have executed tribal leaders who disagreed with their policy or agenda. As we noted above, this breakdown of the traditional tribal structure had already begun with the influx of the mujahideen and the displacement of the mauliks in favour of the mullahs in the 1980s.

Realizing that the deployment of armed forces was not effective in dealing with these sanctuaries, the Musharraf government decided to try a different approach. Accordingly, it entered into agreements with local leaders and mullahs in South Waziristan (April 2004 and February 2005) and North Waziristan (September 2006). These deals called on the tribesmen to expel the foreign militants and end cross-border attacks into Afghanistan in return for the army stopping major operations in those agencies and pulling most of its soldiers out of the tribal area. The accords were a failure, as there were more attacks across into Afghanistan following those agreements and the Taliban maintained its sanctuaries. Furthermore, the Pakistani militants continued to rule in North and South Waziristan, killing and attacking officials and military personnel at will. The major flaws with the deals were: first, it assumed that the tribes controlled the areas when in fact the Taliban did; and, second, there were no enforcement provisions.

However, in July 2007 one event was the catalyst for the beginning of significant militant activity against the Pakistan state: the siege of Lal Masjid (Red Mosque) in Islamabad by radical mullahs who wanted to impose shariah in the capital and which ended with the army storming the mosque and killing scores of people in the process. The people of Pakistan had great difficulty reconciling themselves with this event, which took place in the very heart of the country’s capital. It confirmed in the eyes of the public that successive national governments had been too tolerant towards these radical religious groups and that something had to be done to stop their power from growing. It also demonstrated that the de facto alliance between the military and the mullahs had not only broken down but that it had given the religious extremists the political space to grow.

The fourth period: 2008–present

Since about 2008 Pakistan has undergone significant political changes at the centre which have had an impact on the Pakistan government’s approach to dealing with the militancy. In February 2008, parliamentary elections were held in which the late Benazir Bhutto’s Pakistan People’s Party won the most seats, and in August Pervez Musharraf resigned as president, to be replaced by Bhutto’s widow, Asif Zardari. With the change in political leadership also came a change of attitude towards the militant threat. While General Musharraf had officially
joined the West's 'war on terror', his administration's approach to this battle against terrorists was at best inefficient and at worst duplicitous. However, with the change of the guard in the military and political spheres, there was also a change of attitude towards this worsening home-grown militancy. But this did not happen quickly.

Even though the agreements in North and South Waziristan failed, the military mistakenly believed that agreements could still be entered into with the militants. Accordingly, not only did the Pakistan government release on 21 April 2008 Maulana Sufi Mohammad, leader of the TNSM, whose armed activities have been discussed above, but also signed an accord, dubbed the 'shariah for peace' agreement with the TNSM in February 2009. The agreement consisted of enforcing the shariah in the Swat Valley region and in return the TNSM followers would renounce violence. However, the TNSM militants did not lay down their weapons and instead attacked the surrounding districts of Dir and Buner. Given that this militant activity was taking place only about 150 kilometres from Islamabad, the army decided to act. It sent in some 40,000 troops and managed to expel the fighters from the towns in the Swat Valley, most of whom simply fled to FATA, especially South Waziristan and Orakzai agencies. However, this military assault came at a great price for the civilian population. Some 2.5 million people had to flee the heavy fighting and seek refuge elsewhere. This was the world's biggest and most sudden movement of people since the Rwandan genocide in 1994.

The reneging of the Swat accord was a turning point for the military as it finally confirmed that there was no point in signing agreements with the militants as they would simply break them. The government henceforth determined to deal forcefully with the militants. Accordingly, following the army's intervention into Swat, it decided to also go into South Waziristan and Orakzai in the second half of 2009 and in the first half of 2010. It is important to remember that the US administrations of Presidents Bush and Obama had been pressing hard for the Pakistani government to take forceful action against the Taliban and the Pakistani militants hiding in those areas of FATA. Given the harsh terrain and the dispersion of the militants' forces, the military operations were difficult to execute. And while the army did score some tactical victories and eliminated many militants, most of the TTP fighters fled to North Waziristan. Nevertheless, the Pakistani army has declared victory in these operations, even though the evidence on the ground suggests quite the contrary. Nevertheless, in May the Pakistani government decided in principle to launch a full-fledged military operation against the militants hiding in North Waziristan. While this decision was taken reluctantly in response to persistent American pressure on the Pakistan authorities to go into North Waziristan, it is nevertheless an important development in the Pakistani government's determination to deal with the jihadist militancy threat facing the country.

In addition to using military means to deal with the militants in the tribal areas, the civilian government in Islamabad is developing political and socio-economic programmes to bring the tribal areas into mainstream Pakistan political and economic life. The government aims to combat non-lethal means of the Taliban in the South Waziristan and Orakzai Agencies. The people of the tribal areas are willing to pull themselves up by their boots and move towards mainstream Pakistan political and economic life. The government is working on programmes to integrate the tribal areas into the mainstream of the country.

Conclusio

Pakistan is still primarily a divided nation with the Taliban and other militant groups operating in the tribal areas. The country is facing a severe economic crisis and the government is struggling to bring stability to the country. The military has made significant progress in eliminating the Taliban and other militant groups, but much work remains to be done. The government is also working on programmes to bring the tribal areas into mainstream Pakistan political and economic life. The government aims to combat non-lethal means of the Taliban in the South Waziristan and Orakzai Agencies. The people of the tribal areas are willing to pull themselves up by their boots and move towards mainstream Pakistan political and economic life. The government is working on programmes to integrate the tribal areas into the mainstream of the country.

This is far from easy, but the government is determined to make progress towards a stable and prosperous Pakistan.
economic life. Washington’s aid package of US$7.5 billion over the next five years aims to assist Islamabad meet some of these economic development needs. The government’s approach also includes negotiations with Pakistani militants willing to put down their arms. However, we have seen that the success rate for that is poor. The government’s aim is to convince the local population, through non-lethal measures, that there is much more to be gained for them by being fully integrated with the rest of Pakistan than by supporting the Taliban. As in parts of southern and eastern Afghanistan today, local residents have acquiesced to Taliban-type rule out of fear of the militants combined with resentment against a corrupt administration and draconian laws. The Pakistani militants are able to restore order quickly and dispense speedy justice – as they see it.

Two of the measures the federal government is considering to induce the locals to drop their support for the Taliban and their fellow travellers are repealing the Frontiers Crimes Regulations (FCR) in FATA and fully integrating politically the tribal areas into the neighbouring province of NWFP. Renaming NWFP ‘Khyber Pakhtunkhwa’ is a positive step in that direction. While there has been some opposition to the repeal of the FCR in some quarters, these are measures that are on the whole welcomed by the local residents of FATA. Importantly, following the Islamic parties’ crushing defeat in the 2008 provincial and national elections, the militants can no longer rely on their political support to promote their agenda. The people of NWFP have made very clear that they reject religious extremism. And more importantly, they have also rejected the religious parties’ corrupt and incompetent rule in NWFP.

Conclusion

Pakistan is faced with a growing religious militancy threat, with some 3,000 people killed in terrorist attacks over the last three years. While this militancy is still dominated by Pakhtuns and its home base is FATA, it has increasingly taken on board other ethnic groups and moved beyond the tribal areas and into other parts of the country. And although these extremist Sunni Deobandi groups – the TTP, other militant groups and regional jihadists – are not about to take over the state, they are nevertheless gaining ground. In many ways, this militancy problem is an extreme manifestation of the unresolved issue – around since 1947 – of the role Islam should have in the administration of the country. This militancy problem has been compounded by the presence in Pakistan, mainly, but not solely, in FATA, of the Afghan Taliban and Al-Qaeda since October 2001. All these groups, indigenous and foreign, have helped each other and have cross-pollinated for years. Nevertheless, civilian and military governments in Pakistan have tried to artificially differentiate between ‘good’ terrorists, such as the LeT, who act as proxies on the Kashmir front, and ‘bad’ terrorists, such as the TTP and the LJ, who threaten civilians and the state alike. The problem with that policy is that it assumes that the constituent members of these two groupings are clearly separate and that their agendas have remained the same over time. This is far from being the case; the ‘good’ and ‘bad’ terrorists have increasingly
been working together, the membership of these groupings is fluid and their agenda and targets have evolved over time.

A critical factor that has assisted the growth of this militancy is the failure since the creation of Pakistan to integrate FATA politically, legally and economically with the rest of the country. This has had three negative consequences: it has made it easier for foreign elements to embed themselves in the tribal areas – a safe physical environment, with its rugged terrain and difficult access for the Pakistan army; it has meant that the local Pakhtuns have had no stake in the development of Pakistan; and it has made it easier to recruit disaffected locals to the jihadist cause.

But Pakistan does not exist in a vacuum. Developments in Pakistan are intrinsically linked to events in Afghanistan. Accordingly, it is in Pakistan’s long-term national interest for the army to vigorously and unswervingly hunt down the Afghan Taliban, Al-Qaeda and their Pakistani allies and permanently shut down their network in Pakistan while at the same time extending democratic freedoms, upholding human rights, extending the rule of law and promoting sustainable economic development for the residents of the tribal areas.

Needless to say, the negative blowback effect on Pakistan of a Taliban victory in Afghanistan would be immeasurable. It would encourage and invigorate the Pakistani militants. But, importantly, a Taliban-dominated government in Kabul – probably harbouring Al-Qaeda – would not necessarily be friendly to Islamabad. On the contrary, it would not be sympathetic to a Pakistan government officially an ally of the West. The civilian government must now use its popular mandate – and the people’s rejection of the Islamic parties – to assist the people of the tribal areas to integrate economically and politically with the rest of Pakistan. That would be a good first step towards dealing with the militancy scourge facing Pakistan.

Notes

1 The name of the province was changed to ‘Khyber Pakhunkhwa’ on 19 April 2010, with the signing into law the 18th Amendment to the 1973 Constitution. However, I will retain the name of NWFP for the sake of consistency with other chapters in the book.


4 Khassadars are an irregular force under the PA’s overall command to protect roads and other government installations and perform guard duties.

5 ‘Pakistan’s Tribal Areas: Appeasing the Militants’, p. 4.
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6 The jirga relies on the Pakhtun code of honour (Pakhtunwal), see ‘Pakistan’s Tribal Areas: Appeasing the Militants’ in Asia Report, No 125, 11 December 2006: 6.

7 FCR (1901), sections 21–24.

8 These include equality of citizens before law, equal protection of law, freedom of speech and expression, right to association, right to assemble peacefully, and right to form or be a member of a political party.


11 ‘Pakistan’s Tribal Areas: Appeasing the Militants’: 9.


17 L. Ziring, Pakistan: The enigma of political development, Folkestone, Wm Dawson, 1980: 77.

18 His dismissal was related to the low-intensity guerrilla war that was being waged in Baluchistan.


21 The Muslim, 27 December 1985.


23 The number of Madrassas increased from 900 in 1971 to 8,000 registered and 25,000 unregistered by 1988. Ahmed Rashid, Taliban, Militant Islam, Oil and Fundamentalism in Central Asia, Yale University Press, 2001: 89.


26 Behuria, ‘Fighting the Taliban’: 533.


28 Ibid: 343.


30 Behuria, ‘Fighting the Taliban’: 531.


33 Behuria, ‘Fighting the Taliban’: 531.

34 Ghurfan, ‘Pakhtun Ethnonationalism and the Taliban Insurgency’: 1094.


38 ‘Pakistan’s Tribal Areas: Appeasing the Militants’: 22.

39 Rohan Gunaratna and Amir Rana, Al Qaeda Fights back inside Pakistani Tribal Areas: 49.


42 Ibid: 1108.
Another prominent militant leader opposed to attacking government forces was Qari Zainuddin Mehsud until his assassination on 23 June 2009, most probably by someone in the TTP.

Most analysts believe that Baitullah Mehsud masterminded the assassination of Benazir Bhutto in Rawalpindi on 27 December 2007.

Attacks against Shias in the tribal agencies of Kurram and Orakzai, where there is a significant Shia population, are a regular occurrence. See 'Pakistan: The Militant Jihadi Challenge': 15ff.

In an attempt to placate the religious parties, Zulfiqar Ali Bhutto declared the Ahmadiyahs a non-Muslim sect in 1974. This was reaffirmed in 1984 under the regime of General Zia. Ahmadiyahs are regularly the target of attacks, with the latest being on 28 May 2010 when some 80 worshippers were killed in Lahore.

Anand Gopal, Mansur Khan Mahsud and Brian Fishman, 'Inside the Haqqani Network', Foreign Policy, 3 June 2010.

Ghurfan, 'Pakhtun Ethnonationalism and the Taliban Insurgency': 1111.


Musharraf had already relinquished his position as Chief of Army Staff in November 2007.

Ghurfan, 'Pakhtun Ethnonationalism and the Taliban Insurgency': 1113.

Claude Rakisits, 'Battle with the Bad Guys', The Australian 17 June 2009.


'Pakistan’s Tribal Areas: Appeasing the Militants': 22.

Interview with a local member of the NWFP Provincial Assembly, April 2008.

The Islamic parties had 10 out of the 12 seats allocated to FATA in the National Assembly. In the 2008 elections, these parties lost all their seats.