

Influence of the War on Terror on the Pashtun's Ethnic

Identity in Pakistan: Post 9/11(2001-2010)

Degree of Master of Philosophy in Pakistan Studies

Submitted by

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National Institute of Pakistan Studies

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Influence of the War on Terror on the Pashtun's Ethnic Identity in Pakistan: Post 9/11(2001-2010)

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CERTIFICATE

This dissertation by Wasai Abdulwadood entitled “Influence of the War on Terror on the Pashtun’s Ethnic Identity in Pakistan: Post 9/11 (2001-2010)” is accepted in this present form by the National Institute of Pakistan Studies Quaid-i-Azam University Islamabad, for the Degree of Master of Philosophy in Pakistan Studies....

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DECLARATION

I hereby declare that this thesis is the result of my individual research and it has not been submitted concurrently to any other university for any degree.

Wasai

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Introduction

In the proposed study I seek to examine how identities are used to influence the social dynamics, and how they structure a path for the national and international communities in the adjustment of their activities. Pashtuns' identity in this regard is the major issue in this study, titled "Influence of War on Terror on Pashtun's Ethnic Identity in Pakistan".

The Pashtuns, in the multi-ethnic and pseudo-democratic state of Pakistan, are faced with many challenges varying from the poor social and cultural legitimacy to them being the victims of both physical and psychological violence as a result of the state's role in the War on Terror (WOT) after the 9/11. The embattled security state in Pakistan is deeply concerned with the challenge of its ethnic diversity especially the Pashtuns. The latter's challenges are two folds: Their distinct cultural identity poses a challenge to the internal consolidation of the state; and their connection with the evolving nature of the Pashtun society and culture in Afghanistan.

This urged the state (Pakistan) from its inception to define itself in religious colors and then the same ideological identity of the State has been at the back of defining its orientation towards Afghanistan especially the Pashtun. Through the ideology-based identity of the State has manipulated the Pashtun ethno-nationalist identity by subsuming and neutralizing it in broader religious ideation of the state. This policy furthered after 9/11 in the War on Terror (WOT) leaving deep imprints, usually conceived to be adverse, on the Pashtun's ethnic identity.

Foreign invasion and internal disintegration have for centuries hampered the development and social evaluation of these people. Adversaries of the Pashtun have proven skilled at providing one-sided or outright biased reading of events that continued to color the behavior and culture of

Pashtun negatively. Therefore it is time for every Pashtun to think that why has our soil become so fertile for terrorism? There is need to ponder whether this is our geography or our liking for militant version of Islam, our tribal organization or trigger-happy temperament which brings upon us this stigma?

To define what conditions allow different powers to replace tribal customs, my research will concentrate on state's efforts to formulate constitutional law (rule of law) to subordinate ethnic groups by positive approach to avert support for the Taliban, instead of making safe for terrorist groups in their regions and exploitation of their history culture and organizational set up.

Though the implication of this thesis will not be definitive, or specify a valid solution for understanding how powers violate local practices with their policies but it will offer important details for the State to establish such development and policies which are much stronger than customs, and a framework which can be utilizing for explain other cases.

Literature Review

Abu-Bakr Siddique. (2014). "The Pashtun Question: Unresolved Key to the Future of Pakistan and Afghanistan".

In this book the writer presented a lot of lessons for present day political solution of Afghan and Pakistani society. It also involves an in-depth exploration of Pashtun society. He is a Pakistani Writer. While in writing he also points out that our mainstream body of politics largely focuses on regional geopolitics, Exploring to destabilize India for this purpose and desiring strategic depth in Afghanistan.¹ But in real-time the regional peace lies in resolving the Pashtun question. Related to

¹ Abubakar Saddique.2014. "The Pashtun Question: The Unresolved Key to The Future of Pakistan and Afghanista".*HURST*, 6.

my research this book is a thorough study in understanding the Dynamics of War on Terror in the region, and a people most affected by this war.

Hussain Haqqani. (2005). “Pakistan between Mosque and Military: Washington D.C.Carnegie Endowment for International Peace”.

Hussain Haqqani has been the ambassador of Pakistan to the United States. In this book he provides fascinating analysis of the role of Islamists and military in derailing the domestic and foreign policies of Pakistan. In chapter **Old and New Pakistan** quietly clear my mind related to discouraging of Pakistan from the path of democracy after demise of Quai-i-Azam .In this respect the negative role of Muslim League politicians and the civil bureaucracy cannot be denied, who marginalize the people and opened the way for the rise of clergy. He says the Mosque and military Alliance began when civilian government of Zulfiqar Ali Bhutto was toppled down.²It was the time for Islamic parties to relive their dream of Pakistan as an ideological state. Therefore different transformations by clergy and military in the name of jihad made Pakistan just a functional State rather than a truly democratic ideological state that work for its people in true sense.

Ty L.Groh. (2006). “Ungoverned Spaces: The Challenges of Governing Tribal Societies”.

This work explains different forces’ efforts for establishing rule over Pashtuns. It also recognize Normative and Organizational structures connected with rural Pashtun tribes and discusses how these factors blocked the making of focal state power.³ These factors are applied to three case studies Britain, Pakistan and Soviet Union which also include the present day government of

² Hussain Haqqani.2005. “Pakistan between Mosque and Military”. *Washington, D.C: Carnegie Endowment for International Peace*, 63.

³ Ty L.Groh.2006. “Ungoverned Spaces: The Challenges of Governing Tribal Societies,” *Monterey California. (Published)Ph.D. Thesis presented at Naval Postgraduate School*, 12.

Pakistan's laws operate there. For every case the State failed to operate by either misjudged significance of these factors or intentionally overlooked them to pursue other interests. Writer also suggests that policies focused purely on suppression, isolation and convenience are bound to come up short in setting up State power in such areas. **Related to this arguments Mohammad Tayyab Ghafoor in his thesis; "Impediments involve in the integration of Federally Administered Tribal Areas (FATA)"** presents the same case studies, where he examines hurdles that prevent bringing of tribal areas into national mainstream. This paper also digs out the colonial past of the areas and various British policies toward tribal people, in a pre and post-independence analysis of the area. The writer advices for doing away with status quo and introducing changes in political ,constitutional and legal sphere of FATA.

Bernt Glatzer. (1998). "Being Pashtun – Being Muslim: Concepts of Person and War in Afghanistan".

This article of B.Glatzer is very clear depiction of Afghanistan society and Taliban power in 1998. He says that Jihad in Afghanistan was not only against foreign forces and alien ideology but also internal political system which existed in the country much earlier before 1978 without positively contributing to the living standards of common populace.⁴ And even after Russian forces had been withdrawn from the country there existed outside forces to influence Afghanistan and stop them from overcoming the social and political powers. For this purpose he points to the case of Taliban movement and its covert support. While assessing the civil war in Afghanistan he says causes of internal uproar were due to exogenous and endogenous factors involved in it. And the paper greatly

⁴ Glatzer, B. 1998. "Being Pashtun–Being Muslim Concepts of Person and War in Afghanistan." Essays on South Asian Studies: Culture and Politics, 1-12.

involves readers in understanding the basic of the Pashtun society. As the paper deals mainly with the Pashtuns where he declares the main reason for selecting Pashtun case of study is “that we have more detailed and elaborate emic and etic sources on personal norms and values of Pashtuns than on other ethnic groups in Afghanistan”.

Sir Olaf Caroe. (1958). “The Pathans”.

This book is a thorough study of Pashtun history. It was written years ago but till date is a primary source of research to learn about Pashtun origin and tradition and rule of different invaders including the Greeks, Kushans, White Huns ,Saffarids and Mughals among others who passed through the Pashtun country. The author also discusses the interaction of the British with people of the North West Frontier (NWF) of India and different policies envisaged by British Raj to deal with hill tribes of NWF. The policies consisted of the Close Border policy, Introduction of Frontier Crime Regulation (FCR), different agreements with tribes and Forward Policy.

Sammon, Robert Lane. (2008). "Mullah and Maliks: Understanding the Roots of Conflicts in Pakistan's Administered Tribal Area."

This Thesis is very helpful in understanding the Pakistan engagement with militants in FATA, and deep roots of the present conflict in term of its origin, actors and deals. He overviews the FATA and Pashtun social organization, present state of FATA and the changing face of social organization of Pashtun society and ties between Pashtuns of Pakistan and Afghanistan in historical perspective. The most important overview of FATA and malki system is one of the most interesting part of my research work. Where he evaluate that how indirect rule of British Raj convinced tribal people to accept their system in guise of Pashtun cultural values. Prior to British introduction of Malki System, Malik’s were the respectable Figures of Pashtun tribes. British India

started patronizing maliks to get their loyalty and make sure that the tribal social organization which they encountered continues. Malik who served for tribal prestige are now having privileged position with hereditary rights that was an odd thought in a socio-democratic Pashtun society. Maliks lost the credibility in tribal eyes, when political authority of traditional elders became suspected in the eyes of tribal people. Paper also examines how colonial Malki System that addressed British Interests worked in post-Independence period.

W. Spain James. (1963). "The Pathan Borderland"

The author, James W. Spain, has been to the Pashtun nation's ranges a few times while composing this book. In his book, *The Pathan Borderland*, he portrays the area, individuals, their social association and culture. The primary element of his work is where he expounds on the historical backdrop of the tribal ranges, the landing of the British, tribal uprisings against the supreme force, different devices and strategies connected by the frontier energy to control the Pashtun tribes, the three Anglo-Afghan wars, competition amidst Russia and British India. The book likewise covers a few years after the making of Pakistan. The writer contends that the techniques and strategies which British utilized under Frontier Crimes Regulation (FCR) to oppress the tribes were a continuation of the policies of the Mughal rulers, which included blockade, subsidies, military undertakings and sustained armies.⁵

Rakisits, Dr. Claude. "Pakistan's Tribal Areas: A Critical No-Man's Land" (2008) The article examines the development of FATA. He contends that British confronted resistance from the tribes

⁵ W. Spain, James. 1963. "The Pathan Borderland." Karachi: Indus Publication.

so presented, among different strategies, FCR.⁶ By holding FCR after freedom, Pakistan really oppressed the tribal individuals and kept FATA as a state corollary? The writer addresses the self-assertive forces vested in the Political Agent under FCR. The article additionally examines post-1947 incidents in the territory and especially the militarization of tribal regions amid Russian intrusion of Afghanistan.

Ijaz Khan. “Contending Identities of Pakistan and the issue of democratic governance” (2006)

In this paper the writer says that there is direct connection between democratic governance and ethnicity based plural identity of Pakistan. Pakistan’s case is not exceptional as a democratic state where different ethnicities co-exist under banner of national identity. But Pakistan establishment proclamation for an Islamic identity is just fed by the conflicts with Indi, contributing in the dominance of military in State authority. Therefore Ethnic national movement conflicts with centrist State upheld by the Military are important Part that lacking to develop regional peace development.⁷

Muhammad Ayub Jan. (2010). “Contested and Contextual Identities: Ethnicity, Religion and Identity among the Pakhtuns of Malakand, Pakistan” PhD Thesis.

This Thesis considers Pashtun feeling of having a place and proposes a perplexing and elemental procedure of distinguishing proof that includes different and It contends that the writing on Pashtun personality highlights the inside stratification and natural variety amongst Pashtuns yet holds back

⁶ Dr Claude Rakisits.2008. "Pakistan's Tribal Areas: A Critical No-Man's Land." *Geopolitical Assessments.1:2*.

⁷ Ijaz Khan. 2006. “Contending Identities of Pakistan and the Issue of Democratic Governance.” *Peace and Democracy in South Asia*, 52.

before setting up any relationship between this interior stratification and the procedure of identification. The writing likewise neglects to see the criticalness of the nonstop and dynamic identification of Pashtuns with Pakistan and Islam. Concentrating on generative procedures (inside and outside recognizable proof) in time of flux this proposition stays contemporary in its way to deal with ethnicity and personality. It additionally adds to the civil argument in Social Anthropology about the relative accentuation on "limit" or the 'social stuff'. The exploration concentrates on Malakand in Khyber Pashtunkhwa (Pakistan), which in its changing managerial status has hybridity of the "self-governing" Tribal Areas and "administered" Settled Districts.

Objective of the Study

Objectives and aims of this study are as under.

1. To explore the dynamics behind the religion-based identity of the state in Pakistan.
2. To investigate the influence of this ideation of the state on Pashtun's ethnic identity, especially after the so-called War on Terror.
3. The study also aims at understanding Pakistan's foreign policy to extend the State's religion-based identity towards Afghanistan through religious proxies in different forms, and its influence on the Pashtuns' ethnic identity.

Key Questions

1. Why Pakistan chose religious ideology to be component of its identity?
2. Historically, what has been the influence of this state identity on Pashtun ethnicity in Pakistan?
3. Particularly what are the impacts of war on terror on the Pashtun ethnic identity in Pakistan?

4. Does the United States' War against terrorism represent the viable method to counter the militancy in Pakistan and will it have any influence on Pakistan becoming a pluralist and constitution-based political entity?

Research Methodology

Analytical, descriptive and empirical method are used to find some answers to the problems. Material for this research collected from reliable and authentic sources. Both primary and secondary sources applied in this regard.

Quantitative and Qualitative method are used in this research. For the sake of data collection sources, books, journals and articles in newspaper and magazine are used. Interviews From particular persons and Focus Group Discussion also remained part of research.

Organization of the Study

The present research has been organized into the following four chapters in addition to introduction.

1. Introduction

This Chapter comprises of the Research design of the thesis by introducing, objectives of the study, literature review, Research Question and Organization of the Study.

2. Social Structure of Pashtun society: a Profile

This chapter will reflect on the different cultural aspects of the Pashtuns in terms of their being a different and distinct cultural identity.

3. Historical Background: intervention of different powers in their social structure.

This chapter mentions in detail the role of different actors, ranging from British imperialism, post-colonial state in Pakistan, regional states, non-state armed actors and especially the continuous American intervention, in the region and their influence on the Pashtun society and its different aspects.

4. Impact of War on Terror on socio-political and economic life of Pashtuns

In this chapter impact of War on Terror (WOT) on the Pashtuns' society will be explained. It will focus on Physical and psychological violence unleashed on Pashtun society. It will also focus on the internal displacement of the Pashtuns and thereby its impact on their society. Moreover, it will look into the changes in the social, cultural and economic dimensions of the Pashtuns' in the wake of the War on Terror (WOT) especially in the context of Pakistan's role in it.

Chapter 2

Pashtun Cultural Values

The discussion on the relation between ethnic identity of Pashtun due to their specific culture and religiously-inspired radicalism and terrorism is creating misunderstandings about their identity. It may be because we express the identity of a group with respect to its relation with religion and culture, where people think that Pashtun have an innate knack for intolerance, vengeance, primitive character tribal system and conservative Islamic behavior, and where we are unable to identify that previously Islamic doctrines have remained an effective tool to resist all foreign invasions particularly intrusions into Pashtun cultural, territorial and political spheres. It is also pertinent to note that certain parts of the debate also highlight that Islam and its interpretation in a particular way is also considered as part of the problem in the present time.

Factors that make Pashtun distinctive from other ethno-cultural groups and that also create difficulty in depicting the exact and true picture of their social structure in present time, are tribal organization, culture code “Pashtunwali ”which include the features of Melmastia (hospitality),Jirga (council),Badal (revenge) and range of other ideals, and finally the religion Islam, these are important areas of research to discuss in this chapter to know ,that how the exploitation of distinctive cultural institutes by different players altered to change culture of peace into culture of violence . In following headlines different institutions of Pashtun culture values will be discussed that make it a very distinctive society in many ways.

Segmentary Society

Pashtun represent the form of segmented society, where Ty L. Groh quoting Lind- Holm defines segmentary societies “a subtype of what are technically known “Acephalous”, or headless

societies”. Pashtun differ from purely headless society but they have some internal organization. And the leadership of these organization is hereditary, there are the religious leader (Mullah) in different clans and tribes .In Every case whenever different powers invaded them and penetrated in their culture by different agents who work for them, whether they worked as a Khan, Mullah or political agent are allowed to work as long as they work under the interest of the tribe.⁸

Lind-holm also describes two subsets of Segmentry societies Nomadic and Sedentary tribes. Nomadic tribes usually consist of shepherds, very conservative and suspected by outsiders, the characteristic which has let them to protective form of arrange marriage among first cousin. Making marriages of one’s son to the brother’s daughter keeps the tribal alliance in the trusted network.⁹ In sedentary Pashtun tribes are often peasants. They tie to their land and are more territorially based. The need for collective defense of the tribal area and the fact they work all together promote their nature of accepting and progressive atmosphere. It is not possible for them to pick up their livelihood and move away somewhere in response to threat. But still in sedentary tribes there are tribes who live between nomadic and agrarian sedentary ‘Hill tribes’. This isolated sedentary hill tribes are more resistant to out siders than the plain tribes. And they have more dedication to their customary law than plain tribes.

Owing to state development changes have also occurred in Pashtun society specially those living in urban areas, due to state openness to their problems. But still they are most dedicated to their customs when it comes to state laws and social code of Pashtunwali.

⁸ Ty L.Groh.2006. “Ungoverned Spaces: The Challenges of Governing Tribal Societies,” *Monterey California. (Published)Ph.D. Thesis presented at Naval Postgraduate School, 5-6.*

⁹ *Ibid.*6.

Tribal System

Brent Glatzer says,

“British anthropology describes that ‘Tribe’ was often used in a rather derogatory manner for relatively small ethnic groups who lived as ‘underdeveloped’ (formerly called ‘primitive’ or even ‘savage’) minorities, far from the majorities’ cultural and social mainstream. No wonder that the term ‘tribe’ became obsolete in many continents and former objects of anthropological investigation are nowadays less ready to accept labels for their respective ethnic groups which seem derogatory to them.”¹⁰

Qawm’ qabila or khail’ in present time as Glatzer said, are used with pride as mark of nobility. Belonging to a tribe is considered as distinguished and associated a belonging to old, noble ancestry and genuine people too. The tribes are an ancient social organization as explained by the Holy Quran: “O men! Behold, I have created you all out of a male and a female, and have made you into nations and tribes, so that you might come to know one another”.¹¹

Likewise tribal people is bound by a network of primal obligations. These obligations link one to pride and honor and not to inferiority’. Most Pashtun dignitaries either in Pakistan or Afghanistan use their tribal name as a second name. On a higher genealogical level different tribes may join into one segment in relation to another segment which is made up of tribes who are genealogically closer to one another than to the tribes of the first segment. Since tribes are social segments per

¹⁰ Bernt Glatzer. 2002. “Pashtun Tribal System.” New Delhi: Concept Publishers, 1.

¹¹ Laiq Ur Rehman Wazir and M. Waqas Idrees. 2005. “Integrating Pakistan’s Tribal Areas into the National Picture”, 1.

definition, there have to be at least two tribes on each level.¹² Tribal system is not something which can only be found among rural and nomadic tribes. It actually exists at all levels of Pashtun society.¹³

Pashtun's tribal system is considered as the largest tribal system across the world. The name of the common ancestor is less important than the Pashtuns' belief of belonging to **one** huge kinship group or family. The common ancestor had many sons, grandsons, great-grandsons and so forth, each being the ancestor of one of the innumerable branches and sub-branches or tribes and sub-tribes, clans and sub-clans down to the local lineages and families.¹⁴ Even though structure of tribe is based on patriarchal lines but still there are exceptions to allow outsider resident in their area by common consensus of the tribe. in case outsiders and their children are ready to honor the norms and customs of the people that they reside among and have no issue in entering into matrimonial alliances with these people, they may be acknowledged as full members of the tribe after one or two generations.

The Pashtun tribal system provides for the ideal of equality among all. The idea behind this ideal is that all are born equal having common ancestors. Social and economic inequality, which is a reality, is considered as unnatural and therefore subject to changes with the passages of time.¹⁵

Although system does not encourage hierarchy, it still defines nearness and remoteness in relations. Pashtun social system also provides for marking of conflict and solidarity. In case of

¹² Bernt Glatzer.5-2.

¹³ *Ibid.*2

¹⁴ *Ibid.*3

¹⁵ *Ibid.*6

dispute between two individuals, one is supposed to side with the one with whom he shares the nearest common paternal lineage.¹⁶ Historically speaking, it is not only tribal confederacies like Noorzai versus Achakzai or Ghilzai versus Durrani, and sub tribes which have been involved in rivalries, but rivalry and conflict has also been a feature of small khels and even families among the same khels among Pashtuns. Such rivalries determine as to which side a family etc. takes in a conflict between two parties. For instance, Popolzai tribe of Durrani openly put its support behind former Afghan President Hamid Karzai even if he had not always been among the tribe. Alizai, the traditional rivals of Popolzai, on the other hand, provided support to Taliban.¹⁷

Thus Ghilzay having no proper land, there are many territories where sub-tribes of Ghilzay are in dominant position. Tribal land is subdivided along tribal subdivision.¹⁸

Groupings and variations take place within tribal confederacies: kinships' rise and decline create changes. Extended families may result in new khell and large khels may give rise to tribes extemporaneously. For instance, the Muhammadzai khel of Barakzai tribe not make an independent Muhammadzai tribe within tribal confederacy of Durrani. Among the Pashtuns, patriarchal genealogy is of utmost importance and every individual Pashtun will recite his genealogical lineage back to many generations.¹⁹

¹⁶ *Ibid.*7

¹⁷ Vern Liebl. 2007. "Pashtuns, Tribalism, Leadership, Islam and Taliban: A Short View." *Small Wars & Insurgencies*, 8.

¹⁸ *Ibid.*7.

¹⁹ *Ibid.*6.

Tribal areas do support their sub tribes during war time and provide support to outsiders when they come to them for security under code of Malimastia (hospitality). During Russian invasion of Afghanistan and the stay of Russian forces in Afghanistan between till 1989, Pashtuns of the tribal territory hosted and facilitated only the Afghan refugees, but also the fighters who fought against Russian forces and their Afghan auxiliaries- majority of them non-Pashtuns. Similarly, this areas provided support and manpower first to the Afghan warring forces in 1990s and then to anti America forces in early 21st century.²⁰ The support provided from Pakistani-based Pashtun tribes to Afghan based Taliban even locally and tribally appeared solid, but Pashtun people due to their tribal structure are unable to understand today's politics that their tribal structure has been politicized in the name of Islam and jihad.

In dynamic conditions Tribal support always shifts as tribes or khels, see for their family's interests. It does not mean they will give their whole hearted support only that it is where it is currently best to place, they see for greater interests either in supporting Afghan government, supporting government in Islamabad, providing support and refuge to Taliban and Islamic element or remain neutral. It is therefore kinship grouping within Khels and personal feuds within family groups in influencing the governance system in Pashtun region and conflicts.

Pashtunwali

The Pashtun in North Western area of Pakistan constitute the largest tribal unit in Pakistan. There are many lineage, clans and tribes within the Pashtun community but all of these are connected with one another by normative structure of Pashtunwali .It is unwritten code of conduct and the cultural codes are specifically undefined. The first and foremost among Pashtunwali is about

²⁰ *Ibid.*6

Nang(Honor) the concept of justice in Pashtun society wrapped up into the maintenance of their “Honor”. For preservation of ‘honor’ the breaching of state laws are perfectly acceptable to a Pashtun.²¹ Olaf Caro in his book “The Pathan” says that Pashtunwali is modified by local custom with respect to Islam, where he is committed to being a Pashtun first and a Muslim second.” This means that the codes of Pashtunwali and the religion Islam have an important connection among Pashtuns one may influence or alter the other but still Pashtunwali has priority against the other.²²For instance, the manner in which Pashtuns protect their womenfolk’ honor reflect Islamic values but the principle of blood revenge is in contradiction with Islamic norms. Quran says that believer do not kill another believer unless done so by mistake. Even if a believer is killed mistakenly, the killer will have to pay blood money to the heirs of the deceased. Thus it seems that in concept of revenge there is deviation from Islamic norms. Yet despite of prohibition of blood feuds in Islam, it is still practiced in segmentary societies like Pashtuns. If Pashtun breaks code of Pashtunwali he is either forced to declare Nanwati and expose of his honor or he is out of favor by the tribal and forced to flee the tribal area. This puts an individual in dangerous condition where he has no longer family support being robbed or killed. That is why every Pashtun who live under the social structure of Pashtun code of life takes the observation of Pashtunwali very seriously. Or it is a sort of threshold for every Pashtun to remain under their honor instead of going to exploit them.

The pillar of Pashtunwali are Panah(refuge), Melmistia(hospitality), Badal(revenge), equality, loyalty, respect, purdha, worship of Allah and generous love for friends. Malmastia, panah and

²¹ Sadia Malik. 2009. “Horizontal Inequalities and Violent Conflict in Pakistan: Is There a Link?” *Economic & Political Weekly* 9-10.

²² Sir, Olaf Caro.1958. “The Pathans: 550 B.C.-A.D.1957.”*London: Macmillan and Company: 397.*

badal are seen important elements to Pashtun way of life, and any person who does not act upon these rules, in local thoughts has no right to call himself Pashtun.²³ Three principle of Pashtunwali highlighted before like Malmistia, Panah and Badal were exploited within Afghanistan Jihad against Russia invasion with collaboration of Saudi Arabia, America and Pakistan military establishment in 1980s and once again in war against terrorism in the wake of 9/11.²⁴

Panah (Refuge)

Panah is an imperative principle of Pashtunwali by which Pashtun usually identify themselves. Panah also links the guest-host association, when the guests are not only entertained, fed and housed but also kept securely as the guest strength allows. The principle of Panah expands to any guest regardless of someone's nationality, personal character or religion. If the guest is insulted by any way it will be considered as stain on host's honour and such an act must be revenged on the performer. It was under this code of Pashtunwali that the Al-Qaida runaway when American troops invaded Afghanistan. Pakistan share porous border with Afghanistan, therefore Al-Qaida infiltrated into the Pashtun borderland with Afghanistan without any difficulty. And they were provided shelter and refuge under Pashtun code of conduct. In this way they entered the tribal area in the pretext of guests. They not only provided shelter to Al-Qaida member but these Al-Qiada members were treated like brothers. It was not just Al-Qaida but many other militant groups who came to Afghanistan and later on entered into Pakistan tribal areas in the name of Islam and Jihad like Arabs, Chechens and Afghan militants. They were treated like heroes of Islam who fought

²³ Ikram, Badshah, Sarfraz Khan, and Farhan Ahmad Faiz. 2012. "War on Terrorism and Its Impacts on the Socio-Political Structure of Pakhtun Society of Pakistan", 3.

²⁴ *Ibid.*

against Russia decades before and now against new infidel forces like USA and NATO. The adjacent of Militant groups with tribal resident were not hidden from Pakistan government. The core objective of the Pakistan's military establishment to let these militant groups extend in Pashtun region was to follow its policy of strategic depth in Afghanistan. Invasion of Afghanistan was not only a golden opportunity for Pakistan to weaken Pashtun nationalism who can be hit under the banner of pan-Islamism(where behind the curtain they just wanted to replace Pashtun nationalism with Pashtun Islamism)therefore this new mind-set got great popularity during Taliban ascent to power in Afghanistan. While on the other hand they treated these militant as assets of Pakistan military establishment through which it will establish its influence in Afghanistan and will also fight its proxy war in occupied Kashmir. Pakistan also wants to curtail the influence of India in Afghanistan and these militant can hurt the interest of India in Afghanistan. Owing to these reason the activities of militant were ignored by the government. But Pakistan's decade of investment backfired when Pakistan's identity as a nation state is in direct confrontation with the pan-Islamic agenda of Al-Qaeda and Taliban. These militants started to interfere into the affair of local people. They imposed their own brand of Islam on the people. Those local leaders who opposed the militant were kidnapped and executed publically. Thus the Afghan militants and Taliban who came to tribal areas as guests, ended up ruling the area. They challenged the customs, culture values, traditions and political system of the area. Those pan-tribal mechanisms which helped these people to enter into tribal belt were disrespected and disrupted.²⁵ Therefore it was the hospitality tradition among Pashtun to provide shelter, but it was exploited under culture fugitive by militants to expand their agenda, instead of looking to the culture value of the society. The various culture activities such as attan and celebrations of marriages and birth were banned in the

²⁵ *Ibid.*6

area. In short those culture aspects that provided space to the militant were interrupted and disrespected at large altogether.

Malmistia (Hospitality)

Concept of Malmistia is another important character of Pashtunwali, Malmistia is an important obligation and cannot be avoided. In Malmistia the guests are served with food and provided with accommodation and boarding. It is not only provided to friends and relative but to stranger and those who ask for it. Pashtuns lavishly spend on their guests and feel proud when their guests appreciate their hospitality. Syed Akbar Ahmad in his work “Pukhtun economy and society: Traditional structure and economic development in a tribal society” says that hospitality, either individually or collectively expressed, is one of the cognitive, tangible and coherent symbol for Pashtun, it is practiced to maintain Pashtun identity and ethnic boundaries to make them differentiate from other ethnic groups. Many analysts argues that malmistia is an important element in maintaining local Khan’s political orders at the time of need. Fredrik Barth is one of the staunch followers of such an argument. But beholding of Malmistia by political authority like khan is the only in- clarity for understanding this concept of hospitality because the hospitality can be entertained by any ordinary Pashtun villager to any passing stranger.

In Malmistia the guest is not only entertained by food and accommodations but protection of one guests from any enmity or some other reason also become responsibility of host till the time he remains with him or in his territorial limits. Even for their malmistia Pashtun is also admired by the British administrator who has no good opinion about Pashtuns, but he stated in his report (statement is quoted from article, war and its impact on socio political life of Pashtun) “for gold, they will do anything except betraying a guests.”

Badal (Revenge)

The word badal is one of the greatest commandments of Pashtunwali .It is not considered liable to be taken from person who had received damage in any shape (to avenge death or when the honor of women be involved) but also other member of his family or even sub-tribe or tribe. While revenge also depends on the nature of act committed and also on that of the aggressive person or family or tribe, it is their decision to react as they like; either take revenge, or accept compensation or to forgive. While in Badal the most influential person of the family Da Sar Saray (the leading figure) is targeted so inflict heavy loos on offending family. This may cause unending bloodshed that may continue for centuries, in which the innocent also lose lives and suffer in many ways. Badal has both positive effect and impact. Since having a deterring value it helps in maintaining and ensuring peace, orders and respect of human life and honor in absence of government and government organization. Such repressive laws compel person to think over and over that any aggressive act or action of dishonor would have disastrous effect for himself but also for his family and tribe as well.

Badal in Pashtun society is one of most important element to create resistance to any force who invoke their morality. Here not only morality is invoked through mere human emotion but tribal customs of Nang and jihad also invoked. These three factors not only create Jihadi forces against anyone but they also create coalition efforts against whom they trying to offend them on the name of Nang, Honor and morality. Whether in Kashmir, during Soviet invasion of Afghanistan or present day war against USA and NATO forces, the main reason bringing them tribes together the name of Islam, damage to their personal honor where pardah concept of their home has been sabotaged by one way or other, killing of their near and dear one, all are the factors that made Pashtun of today's stand for their Revenge(Badal).Joshua Phillip quoting Mr.Van Dyk says '**I was**

told and observed that many of the young men had joined the Taliban not because of money, but because of something that happened to their family and it was matter of Badal ,because what you did to us, I have an obligation’.²⁶

Here one aspect needs to be cleared that Badal has two important aspects one is positive and other is negative. In positive one the active role of Nanawati(Appeal for forgiveness) and Mrasta (cooperation) discard negative, and avert taking life after life of innocent ones. The Badal in present time is misunderstood where only the negative aspect of it is in rule. Because the traditional institutions has been hijacked by the newly emerged influential groups and individuals in the Pashtun lands, previously these institutions had been headed and authorized by “tribal elders” but now the militants have become prevailing figures in these institutions. Now many times the present time Jirga punish those who are disliked by the militants. And the concept of Pashtunwali is being misused for personal benefits.²⁷

Influence of Islam on Pashtun Culture

The progress of Pashtun identity is heavily inspired by Islam, it has defined and helped to shape political movements, empires and states for centuries. To understand the present war on terror in Pakistan and Afghanistan the history and events of Pashtun is key to knowing the present problems that how the Pashtun regions have been transformed into incubators of extremist movements in the name of Islam.

²⁶ Phillips, Joshua. 2014. “Pashtun Culture Is Key to Afghan Insurgency Afghan Conflict,” *The EpochTime.com*.

²⁷ Kimberly Marten. Thomas H.Johnson and M.Chris Mason. 2009. “Correspondence: Misunderstanding Pakistan Federally Administered Tribal Areas”, *International Security*, 6.

The primarily Pashtun patriotic movement, laced around a moderate sufic vision was ‘Enlightened Movement’ founded by Pir Roshan ‘The Enlightened Saint’ whose real name was Bayazid Ansari or Bayazid Khan.²⁸ He was born in Jalandhar (in present day northern India) but raised in Waziristan (present day Pakistan) it was his ancestral land. He was born in an age where he witnessed the decline of Pashtun power in subcontinent. Pashtun Lodi dynasty (1451-1526) was seeing its demise at the hands of invading Mughals. Hence the suffering that the Mughal Empire brought upon Pashtun had lasting influence on Pir Roshan. In order to defend Pashtun from the Mughal ruler Akbar newly founded religion ‘Din-E-Ilahi’ which was combination of Islam, Hinduism, Catholicism, Jainism and Zoroastrianism, Pir Roshan launched an open rebellion against this religion. He conveyed his message to the people through his writings and political struggle against Akbar new religion. He travelled from Waziristan to inspire and instruct the masses. He actually wanted to unite all Pashtun under single national ideology combine religion and politics, which ended up eventually in Pashtun national uprising. He wanted to heal tribal divisions. He brought all Pashtun from Kandahar to Nangarhar under the banner of Shariat, Haqiqat(reality), wahadat(oneness),Qurbat(unity) and Waslat(nearness). He wanted to see Pashtun peacefully (Sakunat) and independently in their homeland.²⁹

Pir Roshan is also considered as the first Writer of Pashtun literary texts. His first work is Khair-ul-Bayan, a compilation of Religious writings, where he emphasizes on spiritualism and moderation. While supporting dedication to an Islam rooted in Pashtun tradition and identity.³⁰

²⁸ Abubakar Saddique.2014. “The Pashtun Question: The Unresolved Key to The Future of Pakistan and Afghanistan”. *HURST*, 26:27.

²⁹ *Ibid.*26-27

³⁰ *Ibid.*43.

In opposition to Pir Roshan's Roshnniyya Movement was the movement of Akhund Derwaza, a sixteenth and seventeenth century cleric. It is stated he was working with the support of Mughal court to defame Pir Roshan. He wrote Makhza-ul-Islam' which ranked as first work of Pashto prose dealing with Islamic theme. His work remained popular among clerics for centuries and preached strict observance of Sharia Law. They adhere to Hanfi School of thought and emphasized on the rigid Islam. Derwazas' followers were staunch follower of Mughal court and Darwaza called Pir Roshan as heretic and called for his book to be burned.

This split reveals how the Sunni rigid mullah established opposition to development and modernity in Pashtun society.

In Pashtun regions Ideological movements like Tariqa-yi- Mohammandia 'also bring their ideology. It was Wahhabi movement led by Sayyed Ahmad, who emerged from Rai Bareilly'. The movement was militant in its outlook and their aims were to raise jihadis against Sikhs who were ruling over Peshawar valley. The movement's downfall came when they interfered in the social structure of Pashtun whose social structure and hierarchy feel bitter about such organization from outside.

The influence of such kind of movements and personalities can also be felt in 19th and 20th century that how movements, ideologies and personalities continue to defend themselves in guise of religion to inspire people and ethnic groups to pursue their agenda. The emergence of Pakistan in this concern cannot be denied and specifically its relation to tribal people in present time. Ever since Pakistan's independence, Pakistani leadership adopted religious sentiments as an instrument to strengthen Pakistan's national identity. Struggle for Pakistan was not only for freedom from British colonial power but also to avoid being ruled by Hindus, who were in majority, once British

left subcontinent. Thus independence movement had a very strong anti-Hindu element in it.³¹ To make themselves secure in United India firstly they preserved their seats in different institution of United India and later on they started demand for separate state. Demand for an independent state had been relatively short, started with demand of All India Muslim League in 1940 and ended with partition of 1947. But Pakistan never became homeland of All South Asia Muslims. After partition one third of the Indian subcontinent Muslims remained behind in Hindu dominated India.³² And other two live in two separate countries of Pakistan and Bangladesh.

Pakistan's secular leadership mere attachments of Pakistan to an Islamic ideological state aims were to suppress all ethnic and linguistic differences. Punjabi and Muhajir thought themselves as people who sacrificed most for Pakistan. Therefore they had privileges in government jobs and dominated the military and important positions in bureaucracy. Other ethnic groups resented. To make people calm the elite class particularly Punjabi and Muhajir elite began to shed the cloak of Islamic solidarity.³³

The first to react on this parity of Muhajir Punjabi alliance were the Bengalis. They were in majority but in independent state they were subjected to the West Pakistan or more specifically Punjab. Bengali was the dominant language but due to Muhajir and Punjabi promotion Urdu was made the official language. East Pakistan also protested the unequal distribution of resources

³¹ Ijaz Khan. 2006. "Contending Identities of Pakistan and the Issue of Democratic Governance." *Peace and Democracy in South Asia*, 53.

³² Hussain Haqqani. 2005. "Pakistan between Mosque and Military". *Washington, D.C: Carnegie Endowment for International Peace*, 6.

³³ Sayyed Vali Reza Nasir. 1992. "Pakistan, Islamic State, Ethnic Polity." Presented at Religion and Ethnicity: The Theoretical Challenges. *The Fletcher Forum*. 85.

between East and West Pakistan. And they said that West Pakistan used the East Pakistan income to subsidize the development of West Pakistan in general and Punjab in particular. Unfortunately when the Pakistan leadership did not address.

The oppositional Bengali demand of deprivation, it resulted into East Pakistan's lack of faith in Pakistan and promises of Islamic solidarity, they resorted to ethnic politics to protect their interests. As a matter of fact tension between East and West Pakistan led to a bloody civil war in 1970-1971. The war led to Indian intervention and the derivative feelings of East Bengal in Pakistan led them to create Bangladesh.

The policy of prioritizing some elite class and groups did not end here. East Pakistan's freedom convinced other ethnic groups to stand for their rights too. Hence in this situation Islam became more central to policy making and in order to unite people. Bhutto and his people's party presented their populist agenda under the rubric of Islamic socialism. Bhutto's from 1971-1977 was a period of ethnic tension in Pakistan. In order to steer away national politics from ethnic concern, an important lobby of elites and bureaucrats formed Nizam-i-Mustafa movement which galvanized the masses in favor of democracy and Islam. Movement's main aims were also to curtail Bhutto's government and his support to Sindh Province by granting it positions in bureaucracy, introducing a quota system and giving greater say in provincial affairs. This continued crisis between different ethnic groups eventually led to a military coup in 1977.

The new ruling government's main appeal was to Islamic solidarity to oppose soaring ethnic tension and bring stability to Pakistan. As a matter of fact all such situations and struggles of Islamic state were just the efforts of political leaders to secure their personal objectives. In the Islamisation process of Pakistan the ethnic group who were most caused, the Pashtun's ethnic identity. Pashtun nationalist alliance with Indian political party Congress, Afghanistan and later on support for Soviet

Union influence in Afghanistan always made them suspects in the eyes of Pakistan establishment. Their approach toward British imperialism unlike Muslim League and the most important their different approach toward Islamic national identity of Pakistan was the major bone of contention between Pashtun nationalists and Pakistan.

Pashtun Nationalism was also supported by Afghanistan, India and Soviet Union to have them in their side, it was and is, this external dimension and Pakistan's reliance on religion as a policy instrument defines Pakistan's use of Islamic resistance to Russian invasion of Afghanistan in late 1970s. Pakistan has established links with Pashtun religious organizations much before Afghanistan was invaded by USSR forces. This line of thinking is to some extent responsible for the support which Taliban in Afghanistan received from Pakistani. That support is a result of Islamization policy of identity of Pashtuns. It is this issue with secular Pashtun identity that is preventing Pakistan from going all out in its declared policy of aligning itself with 'War against Terrorism' today.³⁴

While related to the inspiration and changes that came in Pashtun society due to outside forces can be discussed in the following case studies in upcoming chapters. It is important in perspective to bring into consideration that how this region has become safe place for global players in the name of Islam and their strategies of interventions and penetration make clear way for silent authority like Mullah to rule on the authoritarian political elder of Jirga.

³⁴ Ijaz Khan.65.

Historical Background: intervention of different powers in Pashtun social structure

The Great Game

The scene of great game started in the 19th century when the weaknesses of Durani Empire and ambition of European imperialism set stage for power. With taking control of Pashtun tribal areas after the annexation of Punjab by British India in 1849, it became the direct neighbor of Afghanistan. Their main aims were to protect their settled areas from Russian plotting in Afghanistan and from tribal raids. In 1876 it was first time in history when the Tsar' controlled all territories north of 'Amu Darya'. It is the river that constitutes the northern border of Afghanistan. When the Afghan Amir, Shar Ali establish cordial relationship with his powerful northern neighbor, it led the British to second Anglo-Afghan war in 1878. Where Amir of Afghanistan was made to leave Kabul. And the war marked the peak of Great Game.³⁵

After occupying Kabul, British signed treaty of Gandamak with Shar Ali's son, Amir Yaqoob Khan in 1879. In which they agreed to let British open embassy in Kabul and leave control of several frontier districts. Most of these are the parts of today's FATA and Baluchistan. Treaty also guaranteed British support to Afghanistan against external aggression.

After second Anglo-Afghan war British became more conscious to control the territories and people under their domination. They invited Abdul Rehman Khan, nephew of Amir Shar Ali who

³⁵ Abubakar Saddique.2014. "The Pashtun Question: The Unresolved Key to the Future of Pakistan and Afghanistan". *HURST*, 34.

was living in exile in Central Asia. He occupied the throne in 1880.³⁶ During his reign, he agreed to the demarcation of Durand Line, under which FATA and Baluchistan to the south of Afghanistan were separated in 1893.³⁷ Durand Line is the boundary between Pakistan and Afghanistan and was drawn by Mortimer Durand in 1890s.

At the time of demarcation of this border, there were so many boundaries on which both Britain and Russia had claim and kept their coveted eyes on. Amir Abdur Rehman was not unmindful of the intention and desire of his northern border claimer Russia and Britain on his South and eastern side. The neutrality of Amir Abdur Rehman caused problem for his 'Buffer State'. Some historians are of the opinion that demarcation of his southern and eastern boundaries was a mistake on his part. But he himself observed "**...Having settled my boundaries with all my neighbors, I thought it was necessary to set out boundary between my country and India .So that the boundary line should be definitely marked out around my dominions as a strong wall for protection**".³⁸

Amir was not happy with this. When the map was sent to him on his request, wherein all the countries of Waziri, BulundKhel, New Chaman, the railway station there, were marked as belonging to India now. In this stage he wrote to the viceroy,

"...But if you should cut them out of my dominions, they will neither be of any use to you nor to me you will always be engaged in fighting or other troubles with them, and they will always go on plundering. As long as your government is strong and in peace, you will be able

³⁶ *Ibid.*

³⁷ Dr Claude Rakisits.2008. "Pakistan's Tribal Areas: A Critical No-Man's Land." *Geopolitical Assessments.1.*

³⁸ Sultan I Rome. 2004. "The Durand Line Agreement (1893): Its Pros and Cons." Available at. www.valleyswat.net.5.

to keep them quite by a strong hand, but if at any time a foreign enemy appears on border of India, these frontier tribes will be your worst enemies...in your cutting away from me these tribes, who are people of my nationality and my religion, you will injure my prestige in the eyes of my subjects, and will make me weak, and my weakness is injurious to your government.”³⁹

Conflict in the heart lines of today’s Pakistan is due to the colonial decision making. Where divide and rule policy was imposed upon Afghanistan by British regime in Subcontinent. Following Amir Abdur Rehman’s reluctant acceptance of Durand Line in 1893, Britain created “Threefold Frontier” in which the five Pashtun tribal regions were placed under direct control of central government in Delhi. Three new agencies like Mohmand, Bajwar and Orakzai were carved out of the tribal districts, after creation of Pakistan in 1947.⁴⁰ In this Threefold Frontier, settled areas of NWFP fell under the direct control of British areas where the settled areas paid taxes to the empire. On second frontier were the Pashtun tribal areas between Afghanistan and settled districts of NWFP which was under indirect rule. Third was the outer age of boundary in which Afghanistan and Nepal were both protectorate surface to Empire. That was not to influence the British administration in their colonial areas.

In order to administer tribal region from NWFP to Baluchistan they adopted set of legal rule known as Frontier Crime Regulation (FCR) .This was a law and rule that adopted by Britain in Ireland in 1366,to stop the Anglo -Norman(Norman rule of England 1066-1154) people marrying with native of Irish(Ireland). Hence the rule that was adopted by the Protestant Christian Empire to

³⁹ *Ibid.*6

⁴⁰ Elizabeth Gould, Paul Fitsgerad.2011. “Crossing Zero:The AfPak War at the Turning Point of America Empire.” *City Light Publishers.*27.

subjugate the Catholic Irish was applied to the Muslim Pashtun and Baluch. This racially and religious rule of British Empire was applied to the conquered people of North West Frontier. With the passage of time, it was withdrawn from NWFP and Baluchistan but it still operates in FATA.

It was in 1901 when Lord Curzon, the British viceroy of India created North West Frontier Province (NWFP). Earlier it was part of Punjab.

The North West Frontier was given status of a special province with its area divided between settled districts and tribal territory under Governor General (GG) of India.⁴¹ The governor general of NWFP was authorized to supervise the administration of both tribal and settled areas.

On Attaining independence Pakistan accepted the same system of administration .In which the NWFP governor administrating FATA as agent first.

Demarcation of Pashtuns was done to protect the interest of British against expanding Russian empire. Hence all British tribal policies made were all experimental on Pashtun as such policies were never drawn before. People of North West Frontier had never subjugated to true form of central authority. English Empire also never encountered such tribes as they encountered in Punjab, because of their geographic location and culture system, to make Pashtuns acknowledge its rule, British India was compelled to devise new administrative policies. Direct efforts were made by British to bring Pashtun to their authority.

⁴¹ "Pakistan's Tribal Areas: Appeasing the Militants. International Crisis Group." *Asia Report* , 2006.1

British policy towards North West Frontier was based on persuasion, pressure and armed intervention.⁴² For this purpose troops were stationed to control them and semi-autonomous rule was granted to NWF, in return their submission to colonial rule.

Till the annexation of NWFP with Punjab and up to its separate formation from 1849-1901 these fifty years can be divided into two periods. First from 1849 to the outbreak of second Anglo-Afghan war in 1878, and second, from that date up to the formation of North West Frontier province in 1901. First 30 years represent the testing of different policies to make tribes subjugate to central authority. And the last 20 years are those of the development of forward policy.

Tribal Policies

When in 1849 British move into NWFP, they wanted to impose their law of justice that worked in entire of Subcontinent like 'Indian Penal code'. The code consisted mainly of laws determined by western values, aimed to enforce rule of law on inhabitant of colonial India. That superseded any other customary law. It was applied to the whole of Punjab, while the same law applied to the people of North West frontier too. This code was vastly different from the Pashtun code of life 'Pashtunwali', which typically look for compensation for victims rather than penalties for offender. Therefore the British realized that the Indian penal code would not work in tribal areas and began to look for experimental policies that would work there.⁴³

The Closed Border Policy

⁴² *Ibid.*3.

⁴³ Ty L. Groh.2006. "Ungoverned Spaces: The Challenges of Governing Tribal Societies," *Monterey California. (Published)Ph.D. Thesis presented at Naval Postgraduate School, 28.*

With help of Close Border Policy British wanted to engage themselves in NWF plain areas which had more strategic and economic values and were more important to them than hill tribes. The intention was to treat tribes as an outside zone, and confine them only to their areas, through chain and cantonment string around it. Non-interference was the main objective of this policy in tribe's customs. And they were commonly referred to un-administered territory or 'Ghair Ilaqa'.⁴⁴

The people of the tribal territory were free to engage with British administered areas but British officials were not allowed to cross into tribal areas. Hill tribes did not fall under the jurisdiction of cross border policy. In order to protect the passes which could cause hurdles for plain administration of British in North West Frontier, Government called tribes for contract to co-opt them. They involved the tribes in raising militias for guarding the area and in return for this service tribal people would get stipends. The hill tribesmen were trained fighters have no experiences with any central power. These people would also fight against their neighbors which began to involve the British when they saw any problem to their settled areas. British also faced the problems when the tribal hilly areas started to farm their areas and were not coming under the central command to pay taxes to government and refused to acknowledge the British authority or pay taxes on the land. All agreements that government made with tribals were broken by the tribes to nullify central authority, which made government stop allowances, imposed fines or blockade. When British policy of Closed Border policy did not protect British interest in plain areas, continuous resistance and raid from tribal people, expansion of Russia and different assault on British Cantonment forced British to look for other option in North West Frontier.

⁴⁴Administration of Tribal Areas during British Era. Available at http://www.nps.edu/programs/ccs/Docs/Pakistan/FATA_history.pdf, Accessed on 15 March 2015.

Frontier Crime Regulation (FCR)

Under this policy people of NWF were brought accountable for their action. In this way British suppression form of co-option turned into accommodation form of co-option. That means if any person committed or acted against British authority their money and goods will be confiscated. If this course of action failed then the authority bypass the Indian Panel Code and adopt customary Pashtun practice such as Rivaj and Baramta. In Rivaj the whole tribe is held responsible for any individual offenses, if this failed then the act of Baramta will take place. According to which, the male member of family will be taken as hostage. It was hybrid system of Pashtun culture and British law. In order to obtain the objective of FCR, areas were administered by political agents. Political agent was doing multiple activities for British Empire, to maintain and enforce good behaviour of tribes. He was judge, jury, and police leading officer, jail warden, public prosecutor and district magistrate at time. He was authorized to impose siege or economic blockade on unfriendly tribes or whole community. Those who did not meet the demand of tribal agent he would be stand responsible for crime. The law empowered political agent to deliver multi-layer jail sentences without due process of right or appeal to any superior court.⁴⁵

British Forward Policy

During Second Anglo-Afghan war (1878-1880), region was greatly disturbed and tribes once again become restless. Russian diplomats were also strengthening their relation with Afghanistan. It made British more active in extending their influence beyond the existing settled areas. British were not in mood to have direct conflict with Afghanistan to interfere in their border area, instead

⁴⁵ Elizabeth Gould, Paul Fitsgerad.2011. "The AfPak War at the Turning Point of America Empire. " *City Light Publishers*.28.

they focused on the defense of India. Britain started to strengthen the passes of North West, and set up military posts in tribal areas which facilitated the occupation of strategic points. It was a time when they replace the 'Close Border Policy' with 'Forward Policy'. Implication of this policy was to control the hill tribes and make workable relation with Amir of Afghanistan. In such situation to respect Afghan border, British began to expend their influence along the Afghan border just, primarily focusing on Baluchistan under the new Forward policy. This policy had three main objectives,

1. To occupy Quetta
2. To gain control of North West Frontier, East of Hindu Kush like tribes of South Waziristan to open Gomal pass, Khurram pass, and occupy Samane Range to enable the government to dominate Miranzai valley and south Tirah.
3. To establish permanent relation with government in Kabul

For the accomplishment of these tasks, British Empire also started speedy work to develop infrastructure of North West Frontier, facilitate troop's mobilization and quicken reaction in those areas where British control was not much strong.⁴⁶ The Forward Policy was first implemented in Baluchistan under the guidance of Major Sandeman. British also wanted to replicate this policy in NWF.

First the usage of Forward policy was made in Balochistan, under the direction of Major Robert Sandeman. British wanted to execute the same policy in NWF but People of settled areas were not allowed to give sanctuary to tribal members deemed as outlaws by British law. When in 1893 the Durand line treaty was signed British government in London demanded the punitive expedition,

⁴⁶ Ty L.Groh.33.

means the primarily dividend areas, settled from hill tribes be cancelled and the now Forward Policy be extended to areas that agreed upon Sir Mortimer Durand and the Amir Abdur-Rahman's Durand Line . In this they also agreed that British forces will not be used in Afghanistan unless Afghan Government allowed British forces to restore or install order. Annexation of any area of any government will be abandoned according to the treaty signed by Afghan and Russian governments, promising to respect the border and territory of each sovereign country.

All the efforts of British Empire like Durand line, permanent line of communication between British Empire, Afghan did not satisfy the tribal people, as empire deeper into NWF, resistance from the people increased. Over 60 years of engaging the Pashtun on the NWF, almost 30 years under forward policy, raids from tribal people increases from 56 in 1907 to 99 in 1908 and 159 in 1909.⁴⁷ As long as the British remain in the NWF, resistance remained there and lasted until their departure from British India.

Malki System; Indirect Rule

Formation of indirect rule enacted was at the same time when the Forward Policy was passed. According to this rule British wanted to gain tribal cooperation to settle any official grievances through tribal customs. This system was also modelled on Sikh's traditions. In order to have hold on tribal people, according to British authority tribal chief like Malik were important figure to quell the disturbance and get support for them that challenged British authority in tribal areas. This system helped British agent to administer his tribal work through Malik. Although in reward British would pay allowances for good behavior that the Malik would maintain among tribal

⁴⁷ *Ibid.*38.

people. He would distribute these allowances, reward and collect fines under Pashtun custom of Nikat.⁴⁸

Main objective of this rule was to get tribal support and protect different passes that make way for invaders to enter into British Empire. System of indirect rule was first introduced in Baluchistan under Sir Robert Sandamen who was at that time chief Commissioner to Baluchistan from 1877-1892. Rober Bruse who was then deputy Commissioner of Dera Ismail Khan adopted same system for North West Frontier.

System was simply based on 'Penetration and occupation'. Hill tribes who were the most resistant forces against British India came to know that this indirect rule would be the first leading step of British to interfere in tribal customs through their Political Agent and Malik nexus.⁴⁹ For time being this indirect rule encounter resistance in tribal areas of North West frontier. While it was in 1892 when resistance to British Administration started with back support of Amir of Afghan erupted with allegiance to Gul Mohammad Khan who came to Wanna in 1892 and started to exhort Mehsud and Wazir tribes to stand against British. Hence his appearance split the leading Malik into pro-Afghan and pro- British factions, which contributed violence against the British.⁵⁰ This violence resulted into the death of British Officer, five Sawars and sepoy of British army.

According to Bruce the Murder was carried out by Mehsud Malik of the Abdul-Hali sub-tribe, who was excluded from allowances in 1889 Jirga of Appozai (Fort Sandamen in Zhob valley of

⁴⁸ Robert Lane Sammon. "2008. Mullahs and Maliks: Understanding the Roots of Conflict in Pakistan' S Federally Administrated Tribal Areas." A Thesis, Presented to the faculties of university Pennsylvania in partial fulfilment of the Requirements for the Master of Art.27.

⁴⁹ Wali Khan, Translated by. Dr. Syeda Saiyidain Hameed . 2004. Facts are Facts: Untold Story of India Partition.

⁵⁰ *Ibid.*29.

Balochistan). Robert Bruce commanded the tribe to surrender those who involved, and taxed, convicted and sentence to jail and fined.⁵¹ The convection of his law outraged some of Mehsud elders. Mullah Pawinda was important person angered on the surrendering of tribe men to British commissioner and killed the Malik who handed over the tribal men for conviction. At this time the Bruce called the tribal leader to punish the murderer of Malik by authority instead of tribal customs. In this occasion the government of British India procured that it will be better enough to punish the murderer of Malik by the tribe's themselves. Because taking charge of such case by Commissioner will affect other tribesmen and British government long road effort to bring people of North West Frontier cooperation.⁵²

Though the Malki system enabled the British to maintain acceptable level of order in NWFP, but ultimately it failed to establish authority. The main reason that the Maliki system did not allowed to work was that the agreement of tribal Malik to British authority only meant that British did not understand the social organization of Pashtun culture. Malik appointment by the authority did not mean that all Pashtun in tribal areas felt obligated to British power, as all Malik were not in cooperation with political agent. Pashtun society was divided in number of sub branches, they did not to acknowledge the authority of signal chief but they had numerous Maliks who hold a little authority and they were chosen from branch from which they belonged to. British empowerment to these Malik only meant that they will not act in the interest of tribes. No Pashtun were willing to accept the decision of Malik when if he entered into a contract on behalf of anyone other than the tribe.

⁵¹ *Ibid.*29.

⁵² *Ibid.*30.

The British in every sense tried to implement policy that matched to Pashtun sense of justice. The introduction of Frontier Crime Regulation was a clear example of co-option and indirect rule demonstrated their action of accommodation. Tribes were reluctant to face punishment according to Western laws and that enraged sense of Badal in them. Punishment to NWF people not only meant injustice but it violated the principle of Pashtunwali like Milmistia and Nanwati. British were required to be very careful to ensure punishment that fit under tribal law. It was also complex for British to understand Pashtun customs that was a barrier to their authority.

Pashtun accepted the law of the British government when it was conducted in accordance with Pashtunwali. Where they imposed their own understanding of law that would control tribal people, it only caused disturbance, in other sense compromises made by the British authority contradicted Pashtun customs and failed to offer way of life that they recognized as better.

Administration of Tribal Areas after Independence

After partition of Indian Subcontinent in 1947, Pakistan was beset with 3 main issues,

1. Threat from India on its eastern border and the unresolved issue of Kashmir between them.
2. Pashtun Nationalism, who were not happy with their adherence to the new Islamic state on religion-ideological bases.
3. And the efforts of Afghan government to recover its Pashtun members and get access to Indian Ocean, because Afghanistan was a landlocked country.

These were such issues that kept Pakistan insecure at all times. It was also one of reason that Pakistan policy toward its neighbor remains offensive. Either it is the development of relation between Russia-Afghanistan and Afghan-India, it kept Pakistan conscious all the time. It was also

due to same security problems that Pakistan pursued policy of suppression in tribal areas to keep them subjugated and to suppress the Pashtun nationalist to get hold on tribal people. In such insecurity Pakistan deprived the border region that could have guaranteed Pakistan's security. Tribal areas have always remained in conflict due to the state negligence over their social, political and economic problems. State left these areas to their own administration like in colonial areas, and ignored the point that Britain was an imperialist state and wanted her colonies protected from Soviet expansions and therefore left the administration of these tribal areas under tribal customs and later on Governmental policies were molded into tribal customs to pursue their military objectives. The tribal areas now being part of Pakistan required social and economic development and security of borders too, in order to feel like free men in independent state.

Indian Independence act which was passed on June 1947, by British parliament, abrogated all the treaties and agreement that were made between British government and tribesmen. Now from constitutional point of view they were required to come with fresh arrangement with new government. Unfortunately from 1947 to 27 June on 1950 these areas were not mentioned in constitutional documents and they were not part of Pakistan.⁵³ It was just in November 1947, when the British appointed tribal agent of tribal agencies, secured agreement from tribal Maliks in which they claim as follow,

“We proclaimed that we are part of Pakistan, and we promise that in case of need, we will to the best of our abilities, help Pakistan if called upon by the Pakistan government. We wish in every way, as in the best, to be peaceful and law abiding and to maintain friendly relation with government and with the people of the settled districts. On the foregoing conditions, the

⁵³ “Administration of Tribal Areas during British Era.” Available at http://www.nps.edu/programs/ccs/Docs/Pakistan/FATA_history.pdf, Accessed on 15 March 2015.

government of Pakistan will continue to bestow on us the benefits, which we are receiving and the internal arrangement of our tribes remain as before”.⁵⁴

In order to meet the need of time 1901 British policy to administer the tribal areas were adopted by Pakistan after independence. Father of nation Muhammad Ali Jinnah, strongly disliked the British policies being utilized in the administration of tribal areas. Also he indicated strong desire to keep tribal areas in check and Pashtun must be integrated in Pakistan’s society. However after Jinnah death Pakistan’s leader kept the policies of British, and Pashtun as dependent on State allowances and subsidies instead of making opportunity for them to participate in social, political and Economic affairs of the State? Integration of tribal people into Pakistan failed, as equal rule of law was not applied upon them as in other part of Pakistan according to Jinnah’s wishes. Government of Pakistan tried to establish state authority through subjugation and pacification rather than development.⁵⁵

Continued threats from India and particularly Afghanistan shaped policies in tribal areas that encouraged unrest and deconstructions. In order to have access to Indian Ocean Afghanistan fanned the flame of Pashtun nationalism and independent Pashtunistan. These Nationalist said that Durand Line separated Pashtun of Pakistan and Afghanistan politically rather than geographically. It was in 1960s and 70s that Pakistani government, after seeing the turbulence in Afghanistan by tribal politics and emergence of communism, decided not to let tribal people to independent way of life. When the Soviet Union invaded Afghanistan and the then Afghan government (King Dauod was staunch supporter of Pashtun nationalism and proclaimed for great Pakhtunistan) appealed to

⁵⁴ Government of Pakistan revised agreement with tribal people, Peshawar. 1947

⁵⁵ Mohammad Tayyab Ghafoor.2005. “Impediments involve in the integration of Federally Administered Tribal Areas (FATA).Ph.D. thesis from Balochistan University.51.

Pashtun nationalism in Pakistan, it forced Pakistan to sacrifice development and incorporation in tribal areas of NWFP, FATA and Balochistan. It was time when tribal areas in Pakistan become 'buffer' to protect Pakistan from Soviet expansion much like Afghanistan as buffer between great Britain and Russia in the great game.

All progress that was made by Pakistan government before Soviet Invasion, were completely destroyed. When the threat of Soviet invasion subsided, Pakistan was busy in arm race with India instead of development in tribal areas. It was the incident of 9/11 when all powers sparked interest in tribal areas. Pakistan's ignorance to tribal areas was either intentional or unintentional but it brought Pakistan to the center stage in the United States war against terrorism.

Malki system or Indirect Rule

When British rule ended in 1947, new government was authorized to enact new agreement with tribal people, but Pakistan recognized its weaknesses as a un-experienced government and therefore opted to continue with the British Malki system and pursue policy of accommodation in which people of tribal areas agreed to declare themselves as part of Pakistan and promised to aid Pakistan in time of need. It was said that Pakistan would extend their rule of law to the settled areas of NWFP and Baluchistan, while the tribal people were allowed to follow Pashtunwali. The rule of political agent during British era was just to maintain order, now his job was to maintain development, health issues and social activities as well.

In 1951 government of Pakistan forced the Malik for new agreement to change their policy in tribal areas for minimum co-operation, this policy included two changes:

1. Tribal people of Pakistan will cease any connection with Afghanistan.

2. Tribal people will co-operate with the government to facilitate them with infrastructure of roads, school and clinics.⁵⁶

Jinnah's visit to NWFP in April 1947 was clear depiction of his true will for tribal areas as integral part of Pakistan where he assured the people that,

“Pakistan has no desire to unduly interfere with your internal freedom. On the contrary Pakistan wants to help you, and make you, as far as it lies in our power, self-reliant and self-sufficient, and help in your educational, social and economic uplifts, and not be left as your dependent on annual doles, as has been the practice hitherto, which mean that at the end of the year you were not better off than beggars asking for allowances, if possible a little more. We want you to put you on your legs as self-respecting citizen who have the opportunity of fully developing and producing what is best in you and your land”.⁵⁷

He also assured them that the allowance which they used to get from Britishers will continue and added that, **“Neither my government nor I have any desire to modify the existing arrangement except in consultation with you as long as you remain loyal and faithful to Pakistan”.**⁵⁸

It was Jinnah's temporary arrangement to pursue British policy to get Pashtun support, integration of tribal areas in State was not possible overnight. Unfortunately when he died on 25 September, 1948, the successive Pakistani regimes did not change policy regarding tribal areas, they preferred

⁵⁶ Sayed Waqar Ali Shah. 2012. “Political Reforms in the Federally Administered Tribal Areas of Pakistan (FATA): Will it End the Current Militancy.” *South Asia Institute: Heidelberg University*.27.

⁵⁷ Speech and Statements. “Jinnah Address to Tribal Jirga at Government House”, Peshawar April 17, 1948.

⁵⁸ Jinnah address to tribal Jirga at government house, Peshawar april17,1948,speech and statements :238

to deal with tribal through political agents rather than to contact with the tribesmen on gross root level and old system of allowances continued as before.⁵⁹

One Unit and Tribal Areas

One unit plan was yet another dramatic change in government policy to suppress all ethnic groups and bring them under banner of a single political identity. This policy combined the Punjab, NWFP, Balochistan and Sindh and the tribal areas into one province with name of West Pakistan .The main objective of this plan was to oppose the people of today's Bangladesh by crafting the balance of presentation in more modified way between East (Bangladesh) and West Pakistan (Punjab,Sindh.NWFP AND Baluchistan) and to create common identity among the people living in new formed west Pakistan beyond their ethnic identity of Pashtun, Sindhi and Balochi. Under this plan Tribal areas were also part and were to be governed by Governor of West Pakistan who worked as President Agent.⁶⁰

People of any provinces specially ,Sindh,Balochistan and NWFP were not satisfied with this plan and did not inspired the tribal people to identify themselves with other identity, instead it only ensued scarification of their own one. Feeling of such insecurity inspired a renewed sense of Pashtun Nationalism. Pashtun in Afghanistan were also raising voice for Pashtunistan and made Pakistani Pashtun to raise their voice for specific identity rather than merging it in others. Pashtuns in Pakistan who were already passing through feeling of identity lost, boost up with their ego. East Pakistan was also not satisfied with the plan to change their majority into minority under the one

⁵⁹ *Ibid.*8.

⁶⁰ Mohammad Ghafoor Tayyab.51.

unit. All ethnic groups in East and West Pakistan were angered with State authority, that if the common cause of independent State to protect minorities and fight for self-preservation of ethnic groups than why their identity is merging into one political identity.

Owing to the feelings of grievances and deprivation in 1966 the government of Pakistan yielded to the movement and allowed people to decide whether this plan should continue or not. The vote was overwhelmingly against the one unit plan and in favor of return to the former provincial administration. When One Unit Plan dissolved, the tribal areas were divided in three categories.

1. Federally Administered Tribal Areas (FATA)
2. Provincially Administered Tribal Areas of Balochistan (PATA)
3. Provincially Administered Tribal Areas of NWFP(PATA)

The tribal areas of Dir,Sawat,Chitral and Malakand protected areas and the Hazara territory were included in the NWFP.⁶¹

Administration of PATA of NWFP and Baluchistan is the direct responsibility of their provinces and the administration of Tribal areas is federation's responsibility through Governors of these provinces as agent of President.

In 1960s, Pakistan policies in tribal areas were based on peaceful penetration and offer of limited co-option to avoid direct conflict with tribesmen, process of development remained until 1970. During this time Pakistan troops were sent back to tribal areas along with teachers and medical services. Infrastructure of roads was improved to facilitate troop's movement. These were positive

⁶¹ Article 246 of 1973 Constitution .Appendix VI, Available at <http://www.yourarticlelibrary.com/history/civil-rebellions-and-tribal-uprisings-in-india-against-british-rule-1757-1900/23722/> ,Accessed on 12 April, 2015.

efforts by the Government of Pakistan considered tribal areas part of Pakistan and improved the security line to win the heart and minds of people. Government engaged Pashtun tribal people to reduce their grievances and offer modest improvement to their economic life.⁶²

With help of opportunities like encrusting tribal people in Military and Bureaucratic positions, Government considered tribal people part of Pakistan instead of leaving them within their borders. Development projects like the constructions of roads, industry, electricity and water line in 1960 to 1977 marginalized the repeated attempts of Afghan government to pump up the Pashtun for Pashtunistan concept. These arrangements were supplied to tribal areas by the government without any demands from the tribal people to change their customs.⁶³

Invasion of Afghanistan by Soviet Union and Tribal people in Pakistan

In 1978 when Soviet Union overthrow the then ruler king Dauod, it forced Pakistan to alter his policies in tribal areas. All the development programs were cut down due to State security. Khalq faction that was a communist sponsored group got support of Pashtun nationalists but lost support of Pashtun conservatives. Hence to get support for independent Pashtunistan, Khalq government mobilized the Pashtun on both side of border to solidify its hold of the Afghan government. In this response Pakistan's policy in Tribal Areas consisted of accommodation than co-option. Due to state security jumping into big powers war was a good option for Pakistan to gain co-relative objectives:

1. To suppress secular and political formation in Pakistan

⁶² James W. Spain. 1963. "The Pathan Borderland." Karachi: *Indus Publication*, 22-23.

⁶³ *Ibid.* 12.

2. To wage covert war against her rival like India and Afghanistan.

Zia-ul-haq was a military dictator, all secular and people representative parties demanded him to hold elections and transfer power to elected government,⁶⁴ but the Soviet Invasion of Afghanistan gave legitimacy to his government. Legitimation to his rule was given by those who were pursuing their own interest in the guise of national security. In foreign perspective, the support of United States and her regional and European Allies to prevent the expansion of communism and the ideology of communist was politicized with war between Islam and communism. And domestically Zia Government was supported by those religious political parties who found their way to realize the dream of Pakistan as Islamic state.

At this time Pakistan-Afghan policy can be analyzed in two phase across three periods

Firstly, it began in 1979 when Soviet Union invaded Afghanistan in 1988, in this period Pakistan's goals were to remove the soviet Union's occupation and replace it with favorable friendly Afghan Government ,for this purpose it cultivated irregular forces in tribal areas. Pakistan funneled weapons and money to the fighters of tribal areas across the borders of Pakistan and Afghanistan. Though the illicit activities were always happening on the border regions, with help and tacit support of Pakistan, smuggling, drug trafficking and gun running in the tribal areas allowed these practices to become highly profitable.⁶⁵

⁶⁴ Nasreen Akhtar.2008. "Pakistan, Afghanistan, and the Taliban." *Professors World Press Academy*.52.

⁶⁵ Ahmad Rashid Khan.2005. "Political Developments in FATA: A Critical Perspective," in *Tribal Areas of Pakistan: Challenges and Responses*. Islamabad: IRPI .39.

Whilst the second phase of Pak-Afghan policy started in 1992, when Pakistan helped the Mujahidin to replace Kabul government and in the Afghan civil war, when the interim president Burhanuddin Rabbani refused to step down, and when his tenure ended in 1993. He also refused to share power with Gulbadin Hikmatyar. Burhanu din Rabban, Gulbadin Hikmatyar and Ahmad Shah Masood were those religious fighter that were produce by Pakistan and big player of Soviet occupation of Afghan war. Rabbani was unhappy with Pakistan for shifting support from one Pashtun group to other. Rubbani and other warlords of Afghanistan used Iran, Russia and India as new supporters against Pakistan who were influencing Afghan politics. In such situation Pakistan reminded the sacrifices it made to liberate Afghanistan from invasion, shelter to Afghan refugees and arms and money to their forces. But these reminders did not help the new warlords of Afghanistan to express gratitude to the former benefactor while they were locked in bitter struggle for power. This situation left Pakistan with no room other than to look for alternative like-minded Government in Afghanistan.

The Taliban Emergence

The interim government of Afghanistan did not form justice and accountability system for people. Different foreign backed powers like Saudi Arabia and Iran supported different warlords to gain regional hegemony in different areas. While the southern part, Kandahar' was not in the control of foreign backed militia, nor the government of Kabul. The situation of killing, stealing and raping of women and boys forced people to reach out to the former mujahedeen' known as 'Topakian'. They were helpful in their primary age but latter on they started to harass people. On different check-post in Kandahar they demanded money from people when they asked for help. In 1991 a movement 'Taliban' came into being. This name was given to the movement because of its relevance to Jumiati-Ulema-Islam (that was religious school for Afghan refugees in Pakistan).

Student of this school developed a politico-religious force against the tyranny of local militia. Mullah Mohammad Umer along with his 50 student started his movement activities as helping force in Kandahar. It was the spring of 1994 when the stories of his popularity were heard, freeing two girls from mujahedeen camps whose heads were shaved and the girls were raped.⁶⁶

The members of this movement consisted of a mix of jihadist who gained military training against the soviet forces, young generation of Afghan students who fled to Pakistan during civil war and sustained political exposure in Pakistani madrassas. But over time people from all kind of backgrounds joined it. People welcome this movement because they needed such a movement. In 1994 when the movement captured Kandahar and the neighboring States saw an opportunity to press their own security and political agenda.⁶⁷

Pakistan struggle for strategic depth in Afghanistan and her support to militant groups created problems for his own people all over the country. Pakistan's support for militant Islamic groups not only introduced Madrassa system in Pakistan but the former teacher, colleagues and peer support bases in Pakistan.⁶⁸

Support to the opponent of Soviets left Pakistan with dramatic turn in tribal areas, one of the main cause was the influx of 3 million Afghan refugees settled in NWFP, FATA and Baluchistan, which inevitably led to clashes between local resident and the refugee Where Jirga would settle disputes among them. Large number of fighters also took refuge in Pakistan as Pakistan allowed them to take refuge on its soil. These Mujahedeen once entered into the tribal areas launched guerrilla type

⁶⁶ Ali Salman's Blog.2012. "The Afghan Taliban" Available at, alisalmanalvi.wordpress.com. Accessed on 12 April 2015.

⁶⁷ Ahmed Rashid. 2000. "Taliban: Militant Islam, Oil and Fundamentalism in Central Asia," New Haven:Yale University Press.3

⁶⁸ Nasreen Akhtar.56.

activities against Soviet and Afghan forces from Pakistan territory. These militant now grown enough, the Pakistan government unable or unwilling to control the activities of these insurgents, they established quasi-government enclaves in the tribal areas.⁶⁹ Now it is this link that developed among militant of Afghanistan-Pakistan and Arab groups during 1980s still active against United States and NATO force in Afghanistan.

⁶⁹ Dr Claude Rakisits.2008 "Pakistan's Tribal Areas: A Critical No-Man's Land." *Geopolitical Assessments*.5.

Incident of 9/11 and America in Region

Related to the elimination of militancy after 9/11, Pakistan became close ally of United States. For the USA Pakistan on its part provided major supportive arrangements that still provide the foundation for bilateral relationship. These included way of access of troops and supply and chain demand to them through air and sea, provision of logistics support for the United States troops in Afghanistan, military support; as Pakistan deployed 80,000 soldiers to its Western border. Intelligence support to provide U.S any information related to movement of Al-Qaeda members fleeing or crossing border. For all these cooperation's Pakistan government wanted support in return, President George Bush waived sanction on Pakistan that were put on it after acquiring nuclear capability, U.S assistance pipeline were re-opened and the US Government promised to forgive 2 billion dollar of Pakistan debt and encouraged other creditors to do the same.⁷⁰

U.S assistance to Pakistan since 9/11 was only meant to achieve counterterrorism and counterinsurgency objectives. These funds were not moved beyond security assistance to include education, development objectives or to cope with unemployment and poverty. These are the main causes which attracted people towards illicit and illegal goals of militancy, because it was a financial support.

In 2006 Musharraf's strategy of striking deal with the tribal elders had failed due to security forces' successive 2004 and 2005 military operation in tribal areas to root out the Taliban and Al-Qaeda. Because tribal people were insecure about their life and security which could've been ensured by

⁷⁰ Craig Cohan.2007. "U.S Strategy and Assistance to Pakistan". A Report of the Post Conflict Reconstruction Project. *New York. Centere for Strategic and International Studies*.8.

the State, while in presence of defector power they were not in situation to cooperate with the State. Musharraf's offer of cooperation to the tribal people was less a strategy for victory than a means to remove his army from unfavorable battlefield.⁷¹ In fact the threats to Pakistan soldiers were real and in this field hundreds of Pakistani soldiers lost their lives. And cross border attacks in Afghanistan also tripled in the months after when the deal of 9 September 2006 was signed.⁷² All going situation of Pakistan army operation in tribal areas and their deal with Militants was interestingly observed by U.S national security expertise. They saw the Pak-Afghan border as major front on global war on terror against Al-Qaeda. And they were dissatisfied with Pakistan's efforts and progress toward Taliban who were getting stronghold in tribal areas. And the United States now can see the road of instability initiating from Pakistan. At that time different visits by different U.S officials were also made in which they gave message of do more to Pakistan. When in July 2007 the National Intelligence Estimate (NIE) (that deals with the United States national security issues) discovered that Al-Qaeda have constituted safe haven in Pakistan tribal areas, it sparked non-stop debate on media, Pakistan was left with no room to launch operation against militants, lest United States itself go for direct military raids on actionable targets.⁷³

After that several operations were launched by Pakistan military against militants in tribal areas like operation Zalzala(2008), Operation Shar-e-Dil, Rah-e-Haq and Rah-e-Rast (2007-2009) and operation Rah-e-Nijat(2009-2010) Operation against red mosque was also conducted in heart of

⁷¹ *Ibid.* 8, 9.

⁷² *Ibid.*

⁷³ America Abroad Media, "Pakistan: America's Unstable Ally." Programme dated, April 01, 2004.

capital city of Islamabad, who were challenging the writ of State. It was first time that government of Pakistan took step against militants and arrested several key figures.

These militant groups have conducted series of attacks on police, public and officials, several innocent people have been killed in target killing and suicide attacks that continue till this day. United States congress authorized 750 million dollar package of five years for FATA to address the underlying causes of extremism in Tribal areas.⁷⁴

Emergence of Different non-State actor after 9/11 and their links to one another

Emergence of militant groups and the present conflicts in Tribal Areas of Pakistan did not develop overnight, but the seeds of these violent conflicts were sworn by historical events of the recent and distant past. **Reason for tribal areas a becoming favorable place for militants was due to its topography and location at Afgan-Pakistan border.** Beside this the main driver of conflicts is many that help militants to adjust their interests in Pakistan tribal areas. They entered into tribal areas through different passes like Khyber, Bolan, Tuchi and Gomal. Once the foreign militants entered into areas, they not only formed relations with each other, gained local tribal people sympathies, but also came to know about the terrain of the area. They demanded from the locals to develop their social, political and economic set up according to their own prescribe form of Sharia, which resulted into the emergence of local Taliban and spread of militant culture.⁷⁵ The local government failed to establish its writ because the AL-Qaeda and Taliban received support from Pakistan. The outcome was that not just illicit activities such as smuggling, gun running, and

⁷⁴ Craig Cohan. 11-13.

⁷⁵ Zafar Nawaz Jaspal.2010. "Threat of Extremism & Terrorist Syndicate beyond FATA." *Journal of Political Studies*, 32.

heroin business thrived but there also emerged religious extremist movements such as Tehrik-e-Nifaz-e-Shariat-e-Muhammadi.⁷⁶

Second the absence of government law and poverty in Pashtun areas. Military pursued Concepts of Islam and jihad attracted poor younger and older men. Militant organizations have their own sources of financing, which they raise through NGOs, Muslim charities, and wealthy well-wishers and from illegal enterprises such as Narcotics smuggling, extortion and kidnapping.⁷⁷ Al-Qaeda has lots of cash to spend, by which they purchase the loyalties of unemployed and under developed trials'. The United Nations Report released on September 9, 2007 also documented that young boys are persuaded for the terrorist attacks and promised if they survive they would earn rewards, such as cash, a motorcycle, or a cell phone.⁷⁸

Third the demarcation of the Afghan-Pakistani border remains a major problem in securing the area and controlling cross border illegal crossings and permanently finishing mobile training camps. Afghanistan does not recognize the approximately 2500-kilometer Durand Line drawn up by Britain in the 1890s, which divides the Pashtuns. There are some 14 crossing points in the border, falling in the areas of NWFP that are being used by illegal migrants of both the countries.⁷⁹ There are also some 111 other routes, which are commonly used for traveling between the two countries. The Karazai Administration rejected Pakistan's proposal to construct a fence along the border between the two countries saying Islamabad should first determine boundaries in accordance with international laws. Secondly, identical tribes live on both sides of the border. The Waziris and Mohmand's have family connections and feel free in crossing borders. They would

⁷⁶ *Ibid.*23.

⁷⁷ *Ibid.*30.

⁷⁸ *Ibid.*30.

⁷⁹ Haq Nawaz. "Emergency won't affect war on terror," The Nation, November 15, 2007.

resent such a barrier being placed in their area. Thirdly, the border is a rugged, and in some places difficult terrain, with peaks rising above 20,000 feet, which requires enormous resources for constructing fence. Though the President of Pakistan indicated that barriers could be put up in areas where crossings are alleged to be taking place as a first step in this direction, yet it's a costly venture.

Fourth, the US forces launched attacks in Pakistan's tribal regions without taking the latter into confidence, which not only undermined the trust between the two allies, but also strengthened the anti-government forces in these areas, intensified Anti-Americanis and above all the collateral damage gives more recruits to the radical militants in the shape of local Taliban's and sanctuaries to the foreign militants. It was reported that some suicidal attackers appeared driven by anger at the presence of the international forces and civilians being killed in their anti-Taliban operations. In short, lack of concrete and actionable information and intelligence sharing among the stakeholders is advantageous for the radicals.

Fifthly, the political instability in Afghanistan has continuous negative spill-over influence on FATA. The Operation Enduring Freedom has failed to establish political stability in Afghanistan. The change of guards in Kabul and dislodging of Al Qaeda has not established rule of law in Afghanistan and thereby the situation out of Kabul is deplorable. This degenerating situation in the country has been causing apathy between the rulers and people. Consequently, Taliban like dissidents groups have been gaining strength and legitimacy.

Sixthly, the local Taliban phenomenon is not only present but also effective in a few parts of FATA. The connection between the local Taliban and trans-national radicals has three decade history. The area was used as a base for transnational jihadis during the Afghan war against the Soviets. These transnational jihadis activities influenced, inspired and motivated the young

tribesmen. The success of resistance against the Soviet and the establishment of Taliban's government encouraged the local madras students to purify their societies from evils.

Seventhly, the government of Pakistan FATA Strategy included multiple points: military, political, and development; however, all three prongs did not work at the same time; particularly development, which came to a stop due to the security situation. Thus, this strategy has failed to win the hearts and minds of the local people, who have been providing popular and physical sanctuaries to the transnational terrorists in Afghanistan-Pakistan border area.

Different state actors involve in this regions

Pakistan intelligence agency and Army from the very first day seemed busy under the cover of National Security to have militant group in Pakistan over which they exercise their authority and influence. Support to Taliban and Jalal-u- din-Network base in North Waziristan was one of them, but with the passage of time when they became threats to state security and under pressure of international community Pakistan has took different precautions to deal these non-state actors. Before different operations that launched by Pakistan government against these militant it is important to outline major militant groups that exploiting the socio-political and economic activities of the tribal people. Group of militant actors as followed

1. Global Terrorists
2. Afghan Taliban
3. Pakistani Taliban, and
4. A Plethora of tribal militia, extremist's network and sectarian groups.

Related to global terrorist United State national intelligence estimated that U.S and NATO operation against war on terror made Al- Qaeda to flee to Pakistan –Afghanistan border regions.

From where it continues to plan, fund and inspire attack.⁸⁰ This Al-Qaeda leadership is accompanied by 150 and 500 hard core fighters. Other terrorist's organization that expanded to Al-Qaeda that was previously based in Afghanistan especially 'Uzbek' now operated from FATA. These Uzbek fighters in Waziristan are estimated around 1000-2000.⁸¹

Afghan Taliban who were forced from power in 2001, started to manage and regroup themselves from Pakistan side of the border, the former leadership of Afghan Taliban included Mullah Mohammad Umer was based in Quetta, while the other major Taliban affiliated network led by Sirajudin Haqqani, was based in North Waziristan, from where they have successfully launched their attack on NATO, United States and Afghan forces.

Connection of Afghan Taliban to Global Terrorists and extremists trace back, when Usama Bin Ladin left Saudi Arabia with anger when King Saud opted to have American forces oust Iraqi dictator Saddam Hussain's troops from Kuwait in 1990s. He flew to Jalalabad and entered into Afghanistan in 1996. He fell into the hand of Afghan Taliban when they over run the city in 1996. He moved to Kandahar where he came into contact with Mullah Mohammad Umer, the leader of Taliban. Mullah Umer was enthralled by Bin Ladin's talk of grand constructions. At that time Usama bin Ladin's presence was not opposed by the Saudi's. Even Riyadh rejected Taliban offer to hand him over for persecution over a November 1995 bombing of Riyadh, which killed six people, including 5 Americans. He even succeeded to convert some Taliban to his cause. And his close relations with Mullah Umer spared him from question by other Taliban leaders. Mullah Umer also raised Residential Compound for Bin Ladin family and his close friends. It was also in Afghanistan when Bin Ladin struck an Alliance with Egyptian raider Ayman-al-Zawahiri in

⁸⁰ Daniel Markey. 2008. "Securing Pakistan's Tribal Belt." New York: *The Council for Foreign Relations (CFR)*.16.

⁸¹ *Ibid.*

1990s, where Islamists from Chechnya, Central Asia, Chinese, Turkistan, South Asia and European joined the Arabs to form a truly global Conglomerate.

Rise of the Pakistani Taliban began when the war against terrorism started in Afghanistan and Afghan Taliban and Kandahari Taliban entered Quetta, the capital of Pakistan's South Western province Balochistan. While during war against Soviet Union in 1980s, Quetta and other Pashtun regions were sanctuaries for the mujahidin.⁸² Wounded Al -Qaeda members were directed by Taliban and Pakistan local sympathizers to take shelter in the tribal areas of FATA, Balochistan and KpK, while fighting with the United States forces in Tora Bora Mountains. It is said that the emergence of Pakistani Taliban was after the incident of 9/11, in fact the movement of Pakistan Taliban was already active in Afghanistan and only returned home when the Taliban government collapsed in Kabul. Few Taliban commanders belonged to the tribal areas of Waziristan, they had associations with the Islamic political parties and extremists organization and joined the Afghan Taliban movement individually. In initial days the objectives of Pakistan Taliban to secure a region as camp forth war in Afghanistan and protect the mujahidin who fought against United States and NATO forces.

Pakistan government failed to deploy troops to different blocks to arrest Al-qaeda and Afghan Taliban fighters when they were entering Waziristan, only some Government forces were deployed at Khurram and Khyber tribal districts, Local people also helped to arrest hundreds of Al-Qaeda member in Khurram, but the lack of significance number of Pakistan forces presence left open a back door for extremists to establish themselves in FATA.⁸³ Pakistani Government has publically

⁸² Abubakar Saddique. 2014. "The Pashtun Question: The Unresolved Key to the Future of Pakistan and Afghanistan". *HURST*.72.

⁸³ *Ibid*.73.

announced being a front line ally to Washington and denied, providing support and sanctuaries to Al-Qaeda and Taliban on its own backyard. Pakistan Government also did not take political parties of countries and civilians in confidence during becoming ally to United States' War On Terrorism' such situations open way for different parties and Islamic groups to inject the mind of innocent people specially in tribal areas, that convinced the people that United States like previous powers of the time came to Afghanistan to pursue its own goals, Such thoughts confused the people, they were afraid to cooperate with government and they were also opposed to the extremists thought of Islamic militant who were imposing their own ideology of fundamental Islam.

Pakistan Government's initial military operations only stimulated local support for extremisms. Because the militant became more powerful than the tribes and local administration, and the new kind of order was on the rise in the tribal areas.⁸⁴

Fourth major group as security threat to Pakistan particular, because it consist on the split groups of Pakistan Taliban who were left in lurch by Pakistan when Pakistan was pressurized to stop supporting different groups. The separated group of Pakistani Taliban united in late 2007 in form of a formal organization called Tehrike-Taliban-Pakistan, founder of this movement was Baitullah Mehsud, who became leader of Pakistan Taliban back in 2004 when military operation against militant group started under Washington pressure. Fighting was limited to villages around Wanna and Shaki valley. Fighting was over when the then Taliban leader Nek Mohammad was killed and Baitullah Mehsud became new leader of Pakistan Taliban,

Tehrik-e-Taliban Pakistan (TTP) leadership and its cadres were from Waziristan .But it did attract alliances from Khyber-PakhtunKhwa, FATA, Sindh, Punjab and Balochistan. This organization

⁸⁴ *Ibid.*74.

was not hostile to American and NATO forces .TTP was also joined by anti-Shia Sunni extremists such as Lashker-e-Jangvi and allied with Islamic movement of Uzbekistan (IMU) who were driven out of Wanna in the spring of 2007. It was in 2009 when drone strike by U.S killed the founding leader of TTP Baitullah Mehsud and precipitated TTP decline. And the TTP turning against State, targeted innocent people and symbols faced the wrath of Pakistan state and public.

Hence the connection between AL-Qaeda and Afghan Taliban and then their escape to Pakistan after 9/11, their relation with Pakistan Taliban and tiny radical networks today made them more decentralized operationally, more sophisticated tactically and more influence objectively in their activities. In 2001 to 2002 Pakistan was home to fifty eight religious political parties and twenty four armed religious political parties.

Military operations by Pakistan Army

Al-Qaeda and Taliban's exploitation of tribal areas for furthering their own interests led to change of government's policies towards the area which had been in operation since the creation of Pakistan. The active presence of these groups left Pakistani government with no other operation but to launch military operation against them in December 2001. It was after a long time that Pakistani forces were sent into the tribal areas.⁸⁵ Entering into tribal areas in search of militant s was an act with extremely inflammatory potential, it not only increased anger in tribal people but government itself undermined the tacit social compact on which the FCR and traditional Frontier governance systems had been based. The implied statement that supported the FCR framework was that if the tribes sat down humbly under the Political Agents, Maliks and Frontier Corps, then they would be allowed to sit unbothered to represent themselves, and the local Government and

⁸⁵ Zafar Nawas Jaspal. "Threat of Extremism & Terrorist Syndicate beyond FATA."38.

the Army would stay out of their issues. Be that as it may, now the Army had broken the administration's end of the deal, attempting (at the command of kafir non-natives, no less) to drive the tribes to break two key precepts of Pashtunwali: and Nanawatei. Tribal honour and Islamic rule, particularly the Qur'anic directive against agreeing with any infidels against any Muslim, alike joined to guarantee that the tribal leaders would totally dismiss these requests. The Army, additionally, had first broken the arrangement, not the tribes: why then would it be a good idea for them to stay calm? Before the end of 2004 the tribes were in a full, however undeclared, boondocks war against the administration. By mid-2005, overwhelming Army losses in the FATA had constrained the legislature to change its method from encounter to negotiation.⁸⁶

Pakistani forces have conducted at least five major military operations, along with numerous smaller operations, since 2001 to 2010, as followed,

1. Operation Enduring Freedom (2001–2002),
2. Operation Al Mizan (2002–2006),
3. Operation Zalzalā (2008),
4. Operations Sher Dil, Rah-e-Haq, and Rah-e-Rast (2007–2009), and
5. Operation Rah-e-Nijat (2009–2010).

After the 11 September 2001 terrorist assaults, the U.S.-drove Operation Enduring Freedom went for ousting the Taliban administration in Afghanistan and to catch its and Al Qaeda's noticeable and key pioneers was propelled.. As a result of Pakistan's vital area and its recorded inclusion in

⁸⁶ David J. Kilcullen and the Crompton Groups. (2009). "Terrain, Tribes, and Terrorists: Pakistan, 2006-2008." Excerpt from the *Accidental Guerrillas*. Chapter 4. *Oxford University Press*.

Afghanistan, Washington influenced Islamabad to help the war effort. Pakistan made two amazingly critical commitments to Operation Enduring Freedom.

First, In any case, it offered U.S. logistic and military backing by giving ports and bases, together with sharing insight and migration data, and catching key Al Qaeda pioneers. Secondly, Pakistan took units from the customary Army, Special Services Group, the Frontier Corps and Inter-Services Intelligence (ISI) directorate along its fringe with Afghanistan to lead operations on invasion courses between the two nations. In December 2001, Pakistan utilized a blend of powers in Khyber and Kurram tribal offices to bolster U.S. operations in Tora Bora. Pakistan assumed a noteworthy part in catching numerous conspicuous Al Qaeda pioneers and non-natives, including Abu Zubaydah, Ramzi container al-Shibh and Khalid Sheikh Mohammad.⁸⁷

U.S. authorities profoundly lauded Pakistani commitment to this operation. Indeed, even in this way, Pakistan's part was somewhat restricted. Washington did not request that Islamabad focus on all, or even most, aggressor gatherings and pioneers working in and from Pakistan, including the essential pioneers of Afghan Taliban and its partners, for example, Jalaluddin Haqqani and Gulbuddin Hekmatyar. America looked for, rather, Pakistani help basically in catching or murdering Al Qaeda pioneers and the outsiders connected with its system, which was additionally to the greatest advantage of Pakistan.⁸⁸

Operation Enduring Freedom was halfway fruitful in its prime destinations of ousting the Taliban administration and catching a few supporters of Al Qaeda. However, both the United States and Pakistan neglected to catch key Al Qaeda pioneers, including Osama bin Laden and

⁸⁷ *Ibid.*

⁸⁸ Zahid Ali Khan. 2001. "Military operations in FATA and PATA: implications for Pakistan." *Balochistan University*, 131.

Ayman al Zawahiri. Among the activists who fled into Pakistan after the breakdown of the Taliban administration in Afghanistan were Qaeda components and some of its top pioneer.

Operation Al Mizan (2002–2006)

As terrorists and their associates assaulted Pakistani military and paramilitary establishments and U.S. bases on the Afghanistan–Pakistan border, Consequently, Washington compelled Pakistan to dispatch a hostile against the remote contenders in FATA. Operation Al Mizan included a few little operations, for example, Operation Kalosha II, which occurred in South Waziristan. Pakistan sent somewhere around 70,000 and 80,000 forces in FATA. The armed force directed a noteworthy 13-day cordon-and-search operation over a 36-km range west of Wana that had gone under the order of a few Pakistani aggressors, including Nek Mohammad Wazir, Noor-ul-Islam, Haji Mohammad Sharif, Maulvi Abbas and Maulvi Abdul Aziz, who were associated with harboring outside fighters.⁸⁹

Amid the operation, Pakistan conveyed the Frontier Corps and XI Corps, based out of Peshawar, under the charge of Lieutenant-General Muhammad Safdar Hussain. Instead of clear encounter with militant it was favorable for army to negotiate, for this purpose The Government of Pakistan agreed to the Shakai Peace Arrangement, the first of three peace agreements with the tribes, in South Waziristan in April 2004. It was agreed with previous Taliban authority Nek Muhammad Wazir, but broke down nearly on after Nek Muhammad was killed in mid June 2004, professedly by a U.S. Predator UAV strike. As BBC News Peshawar reporter Rahimullah Yusufzai reported at the time, the peace arrangement did not bring about any reduction in violence, but rather it

⁸⁹ Amir Mohammad Khan, “Spiralling into Chaos”, News line, March 2004.

changed local power structures, engaging aggressors like Nek Muhammad who were seen as negotiators with the Government from a position of strength, while ignoring customary tribal leaders.⁹⁰

The same pattern were followed in February 2005, the administration of Pakistan marked a peace agreement with Nek Muammad's successor Baitullah Mehsud at Sararogha. As per the arrangement, the armed force consented to expel troops from Mehsud's domain, reward the activists for human and material misfortunes, and send Frontier Corps staff to the five fortresses there. The understanding practically gave over control of the territory to Mehsud. But the peace was brief: in mid-2006, Mehsud started organizing a suicide-shelling battle in Pakistan, which held on until his passing in August 2009.⁹¹

In pre-winter 2007, Baitullah Mehsud reported that the different neighborhood Taliban gatherings had united under his administration and embraced the name Tehrik-e-Taliban Pakistan (TTP). In January 2008, Baitullah Mehsud's men caught Sararogha Fort in South Waziristan and slaughtered numerous individuals from the Pakistani security forces.⁹²

Operation Zalzala (2008)

Around the same time, the Pakistani armed forces dispatched three noteworthy operations: Tri-Star against the Pakistan Taliban in FATA, of which Operation Zalzala ("Earthquake") in South

⁹⁰ RahimullahYusufzai, "Nek Muhammad: Profile", BBC News, 18th June 2004, online at http://news.bbc.co.uk/1/hi/world/south_asia/3819871.stm).

⁹¹ Zahid Ali Khan. "Military Operation in FATA and PATA".130.

⁹² Militants Overrun Pakistan Fort", BBC News, 17 January 2008.

Waziristan was the central segment. Zalzalā went for clearing a few zones held by powers faithful to Mehsud. The goal was not to focus on the gatherings who were occupied with wars in Afghanistan or Kashmir, yet to catch or murder key components in Mehsud's system who undermined the writ of the administration. For quite a while, the armed forces cleared a large portion of the ranges of Spinkai, a Mehsud fortification, and involved a few towns and little towns.⁹³

Operation Zalzalā had cleared most parts of South Waziristan, and upset some arranged suicide assaults. The armed force seized PCs, weapons, extemporized dangerous gadgets and publicity material. As per a report, security powers decimated more than 4,000 houses in South Waziristan in January alone. Moreover, Operation Zalzalā dislodged about 200,000 local people, creating critical animosity.⁹⁴

After restricted accomplishment in the southern parts of FATA, Pakistani security powers started operations against activists somewhere else in the nation. There was some participation among systems working in northern parts of FATA and PATA; that is, those driven by Faqir Mohammad, Mullah Fazlullah and Sufi Mohammad. Baitullah Mehsud gave a few warriors and help to the extremists in Bajaur and Swat as a component of his system to better arrange the uprising through the Pakistan Taliban. A progression of assaults on government offices, including ISI, Frontier Corps and armed force faculty, spurred the armed force to retaliate.⁹⁵

⁹³ Zaffar Abbas, „Taliban Ousted, but Spinkai is now a Ghost Town“, Dawn, 19 May 2008.

⁹⁴ Zulfiqar Ali, „Over 4,000 Houses Destroyed in Waziristan Operation: Report“, Dawn, 8 November 2008.

⁹⁵ Anwar ullah Khan, „ISI Official, Three Others Killed in Bajaur Ambush“, Dawn, 28 March 2007.

In mid-2008, a militant forces commanded by Qari Zia Ur Rehman, pro-government local militia out of their positions in the area of Loe Sam. Similarly, they compelled the local Lashkar to vacate more than 50 % of their pickets in the area. The attack on security forces in September the same year at last convinced the government to launch operation Sher Dil (Lion Heart).⁹⁶

Operations Sher Dil, Rah-e-Haq, and Rah-e-Rast (2007–2009)

The prime target of Sher Dil operation was to focus on all the activist gatherings that undermined the security of Pakistan. Around December, more than 1,000 aggressors and 63 security work force had been killed. Pakistani powers discovered passage buildings utilized for concealing individuals and putting away material, for example, weapons, ammunition, radio recurrence records, guerrilla-fighting manuals, and promulgation and bomb-production instructions. After finishing Operation Sher Dil, armed force and Frontier Corps strengths moved to Mohmand Agency to lead extra operations.

This operation was led by armed force against the Tehrik-e-NifazeShariat-e-Mohammadi (TNSM) aggressor bunch. The primary period of Operation Rah-e-Haq begun in November 2007 with the cooperation of neighborhood police so as to clear the Swat Valley, however the aggressors step by step invaded into key urban areas. The second phase of the military operation began in July 2008 and continued for the remaining months of the year. The military operation in Swat valley was conducted on the request of civilian government and it was completed within 3 months. Thirty six security personnel and six hundred and fifteen volunteers lost lives in this operation.⁹⁷

⁹⁶ Zahid Ali Khan. "Military Operations in FATA and PATA."134.

⁹⁷ *Ibid.*

The third phase of the operation Rah-i-Haq was launched in January 2009. During this time, shoot-on-sight curfew had been imposed even in urban centers of Swat valley. TNSM militants strongly reacted to it by demolishing schools in the areas and attacking security forces. The operation was stopped in February as a result of Malakand Accord between TNSM and the local administration. By April, the militants again accelerated their activities and thus security forces were compelled to launch Operation Rah-i-Rast in May to push militants out of Swat valley and bring the arrested militants to justice.⁹⁸

Operation Rah-e-Nijat (2009–2010)

The disappointment of Operation Zalzalā in South Waziristan turned out to be progressively obvious as Baitullah Mehsud and his TTP system heightened brutality against the nation over in 2008 and 2009 from their base in South Waziristan. There were 2,148 terrorist, guerrilla, and partisan assaults in 2008 in Pakistan. Pakistan had a few targets amid Operation Rah-e-Nijat (Path of Salvation). The principle target of these operations was to debilitate the TTP and its base in South Waziristan, (Ladha, Makin, and Sararogha). Pakistani ground units directed pursuit and-leeway operations along a few key places and streets in South Waziristan, for example, the Central Waziristan street and the street going through Ahmadwam and Sara Ragma.

By the end of 2009, security forces took control of Makeen, Sararogha and Ladha tesils of South Waziristan. Security forces succeeded in dismantling communication system of Taliban in many areas of the agency. Even Pakistan withdrew some troops from its borders with India so that the

⁹⁸ Ibid.134:135.

ones already engaged in Waziristan could be bolstered. By the start of 2010, security forces cleared several areas of militants and recovered large quantity of weapons.⁹⁹

In all of these agreement that were made by Pakistan government till 2008, Army entered into talks with the militants but not from position of strength. This though reduced violence temporarily, it further eroded the social fabric of society in the tribal areas. It also expanded space for militants to operate in which gave them de facto authority over the area and also resulted in increased incidence of cross border infiltrations into Afghanistan.

Following the Lal Masjid incident, these peace pacts were formally denounced. The Lal Masjid incident brought the militants and their open confrontation with the state to the federal capital.¹⁰⁰

The broader approach, described by some as “back to the Raj”, which Pakistani military and political leaders advocated — that is, falling back on “proven” methods from the colonial era to regain control of the tribal areas also incorporates two strategic flaws. Firstly, British methods were designed to preserve the tribal area as an ungoverned space, in order to create a buffer zone against encroachment from Afghanistan. The British approach was not intended to govern the tribal areas but merely to keep it quiet against tribal unrest. Falling back on these methods, in the face of an organized insurgency, is unlikely to succeed by itself since the Pakistan government’s fundamental strategic aim is different. Secondly, as we have seen, British methods used the regular Army as an implied threat. The tribes were pressured to work with local administrators and paramilitary forces, or else the regular military would be deployed and crush them. This bluff has now been called the Army was deployed in large-scale operations from 2004, but has failed to

⁹⁹ *Ibid.* 135:136

¹⁰⁰ David J. Kilcullen and the Crompton Groups. (2009). “Terrain, Tribes, and Terrorists: Pakistan, 2006-2008.” Excerpt from the *Accidental Guerrillas*. Chapter 4. *Oxford University Press*.

crush the insurgents, destroying the deterrent effect of Army operations. Thus the implied sanction on which the old system relied is no longer available to underpin this approach.¹⁰¹

¹⁰¹ *ibid.*

Implications of War on Terror on Pashtuns

The events of 9/11 and the subsequent declaration of George W Bush to wage war on terror gave him an opportunity to transform his foreign policy goal to global power projection. Pakistan became an ally to him just as Pakistan was an ally in 1979. In spite of the fact United States government was aware of the cheating of Pakistan Intelligence Agency head which had constant connections with Osama Bin Laden. It also happened that in the past ISI and Osama Bin Ladin were dividing and taking their share of assessment from the opium exchange from Afghanistan.¹⁰² United States arrangement procedure additionally recognized that a huge amount of fund that United States provided to Pakistan to guide the Afghan war was used in the improvement of Pakistan's nuclear capacity.¹⁰³

With the withdrawal of Soviet Union, United States also left Afghanistan. Pakistan became important player in acquiring peace in neighboring Afghanistan, which were left in confused circumstances of civil war. It brought the advances of AL-Qaeda and other mujahidin groups and Taliban government later on in Kabul. Pakistan till the incident of 9/11 provided support to Taliban government and asylum to Osama bin Ladin. This continuation was accepted by United States, still America wanted Pakistan to cooperate with it in her War on Terrorism. It is said that before raid on Afghanistan America made contact with Taliban to give over Bin Ladin to United States but the offer was rejected. Pakistan completely coordinated with America in its war in Afghanistan, and this approach paid off quick and transient advantages to Islamabad but the long term result of

¹⁰² Muhammad Salman. 2009. "AN ANALYSIS OF PAKISTAN POLICY IN THE WAR AGAINST TERRORISM AND ITS IMPLICATIONS IN KPK PAKISTAN." *International Journal of Business and Social Science*, 243.

¹⁰³ *Ibid.*

this choice for Pakistan proved to be disastrous with serious implication for its domestic and foreign policy. But still Pakistan choice of co-working on the war on terror was need of time because Pakistan has been involved in Afghanistan for gaining strategic depth since long, because of its choice of noteworthy forefront part in Afghanistan war from 1979-1989. Backing to Pashtun of tribal areas to participate in war and full scale support to Taliban government were roused by its enthusiasm of guarantying an agreeable Government on its Western border. Beset with contradiction, it is difficult to understand Pakistan's counter terrorism policy since 9/11, because it is not only committed to counter terrorism but it also employs militancy as a strategic asset.¹⁰⁴ Even after 9/11, Musharraf government in partnership with Saudi Arabian government strived to aid Taliban administration from falling by killing Osama bin Ladin. The continuation of this strategy was no more continue able when the United States authorities received unbearable tone, while quoting Armitage **“instruct them to escape from the way. We need to dispose of the asylum.”**¹⁰⁵ Musharraf expected the results, decided to collaborate before any formal contact by the Bush Organization .This is the reason he guaranteed unlimited backing. Islamabad guaranteed United States of full collaboration yet the backing for Taliban was extended to a degree that the then chief staff of ISI General Akhtar Abdur Rehman gave them data about United States' activities and method to move before extreme harm. ¹⁰⁶It is true that the decision to side with America in the global project had many benefits but the negative consequences of this decision are much more damaging.

¹⁰⁴ *Ibid.*244.

¹⁰⁵ Richard Clarke.2004. “Against All Enemies: Inside America’s War on Terror. “Free Press.23:24.

¹⁰⁶ Muhammad Salman.243.

In the insight into the past, the choice to co-work in the war on terrorism was bad on the grounds that it brought on serious setbacks to Pakistan's strategic and economic interests. It is contended that the war on Terror is the reason for the majority of the sufferings in Pakistan not on account of 1500 miles long border and nearly 300 passes join Pakistan with Afghanistan,¹⁰⁷ but for the certainty that Pakistan in the part is unclear of its move in the game on war on terror. Pakistan suffered heavy financial losses since 2003(Economic survey of Pakistan, 2010); trade decline due to fear and uncertainty, decrease in foreign direct investment and increases death toll due to terrorist violence subdued tourism for both civilians and military, displacement problems (as a result of 9/11), and radicalization of different sections of society.

The implications of the war on terror are more serious for people in Tribal areas of FATA in particular and the Pashtuns in general. Peshawar, during Afghan Jihad, became the largest overseas concentration camp of CIA and foreign militants and those who provided training to these militants. To quote Hilali, "about 1.6 million fighters got training during Afghan Jihad. Thus emergence of militant groups in the region was a natural outcome of such trainings."¹⁰⁸

The rapid success of Taliban in Afghanistan also inspired their comrades on Pakistani side of the border and thus Talibanization in FATA even preceded 9/11. The insurgency, which was so far limited to Afghanistan and Waziristan, also spread into other areas of Pakistan after US invasion of Afghanistan. The 9/11 incident, US invasion of Afghanistan and ban on Islamic militant groups by Musharraf regime led to the emergence of an increased number of militant organizations

¹⁰⁷ A.Z Hilali.2005. US-Pakistan Relationship: Soviet Invasion of Afghanistan.Amazon.com.132.

¹⁰⁸ *Ibid.*244.

especially in FATA and KPK.¹⁰⁹ Pakistan not only underestimated the impacts of this increase in number and strength of militant groups but many in Islamabad were not ready to accept that these groups posed any serious challenge.

However, when these militants started challenging Pakistani state's writ, army was sent to FATA for the first time since the year when Pakistan came into being.

Socio-political and economic setback which the Pashtun suffered the most after 9/11.

Included exploitation of Pashtun culture, literature, destruction of educational institutions, and deprivation in political and economic way of life, target killing of political leaders, tribal elder and members of political parties who work for the Pashtun question. And one of the most important the Affiliation of Pashtun with Taliban terrorists due to lack of cooperation of State and their anger to take revenge of their near and dear one's death as result of military operation .

Pashtun qualities and Pashtun culture has been applauded by everyone who has come into contact with Pashtun in their home and region including, Rishta Wayal(truthfulness),Malmista(neighbourliness),Nanwati(forgiveness),Marasta(cooperation),Bad al akhastal(Revenge) and Panah(providing shelter) and these traditions have received serious setbacks over the years. Their culture has been serving the humankind through customary organization under the code of Pashtunwali throughout the years. But today, the predominant circumstances have changed the central reason for these codes, organizations and compelling voices in Pashtun society. Military operations, aggressors' assaults, suicide attacks, bomb blasts,

¹⁰⁹ Sayed Nawaz.2009. "FATA a Most Dangerous Place Meeting the Challenges of Terrorism and Militancy in Federally Administered Tribal Areas of Pakistan." *Enter for Strategic and International Studies of Pakistan*.

drone strikes and even security precautions, for example, long time curfew, brought on genuine mental and social issues among the individuals in the region. The life of the locals is spent between the barrels of two weapons.¹¹⁰ Drones and militants assaults have left Bazaars threatened, Mosques empty, eliminated Hujras (community centre), made Jargas (gathering of elderly folks) ineffectual and diminished the quantity of members in the burial service function. It is essential to notice that to a considerable measure of degree the tribal life is incomplete without the above mentioned social components. In this connection the social organizations and codes have been viewed itself as instructive foundations. Non-appearance of social foundations and codes lead towards discomfort which further brings emotional issue among individuals. Pakistan's interest in the US drove terrorism which has encouraged enormous unemployment, homelessness, poverty and other social issues and ills. Furthermore, visit occurrences of terrorism and displacement of the local populace have seriously influenced the social fabric. Counter terrorism campaign against the activists removed a huge number of individuals in KPK and FATA which brought different economic, social and cultural suffering to them. Pretty nearly five million individuals were displaced from FATA which is considered as one of the largest displacement ever.

The customary institutions have been seized by the recently emerging militant groups and people in the Pashtun land. Previously, these institutions like Jirga had been headed by the tribal elders whose decisions were publically acknowledged by the tribal people, but now the aggressors have turn into the predominant figures in these organizations. Numerous times Jirga needs to punish just those who are not at all liked by Militants. Hujra is no more the establishment of the individuals on the grounds that it is no more a stage for communicating individuals' perspectives and it is no

¹¹⁰ "Extremism and Radicalization in FATA: Impacts on Culture." Islamabad: *FATA Research Centre*.4.

more training organization which would have been instructing individuals in past. Those leaders and elders of tribal areas who disagreed with the point of view of emerged militant in their areas were executed publically. At present, mosques are being utilized in the tribal society by the militant groups to promote their aggressive campaign, however earlier it was utilized to highlight social evils and create harmony in the society.

All types of socio-cultural activity that can bind people together and can help integrating the society are ruthlessly discouraged on the pretext of establishing a true Islamic order. Historical and cultural places which were sources of history and tourism were demolished.

In 2007, militants associated with Mullah Fazlullah destroyed a 23 feet high 7th century Buddhist statute carved on a rock in Jehanabad, Swat. It was considered as a rare piece of art in the area.¹¹¹

The changes started in mid-2007 with the launch of an FM radio by Fazlullah, a 32 years old lift-operator turned Taliban leader. He would use the FM station for transmission in the Swat valley. Through FM broadcasts, he used to discourage female education and consumption of polio drops by children terming them as unislamic. While making the US presence in Afghanistan and the prevailing injustices in Pakistani society, he would urge people to wage holy war against “infidels”. Fazlullah also demanded introduction of Sharia in Malakand region. He, in his addresses, would mention names of female health workers and schools teachers who heeded to his advice and resigned from their services. The prevailing activities of Islamic militant were not hidden from government and the then provisional government Muttahida Majlis-e- Amal (MMA) the provincial government, Success of MMA in 2003 election was also due to the Mullah and

¹¹¹ Muhammad Salman. 2009. “AN ANALYSIS OF PAKISTAN POLICY IN THE WAR AGAINST TERRORISM AND ITS IMPLICATIONS IN KPK PAKISTAN.” *International Journal of Business and Social Science*, 52:65.

Military Alliance.¹¹² And was the political plan of Musharraf to maintain the credibility of military operation in the eyes of West. According to Ziauddin Yousafzai, “Swat’s Qaumi Jirga’s spokesman, Taliban forces would not have got such influence had MMA and security agencies not supported them.” He states that MMA and security establishment look at militant outfits as their strategic assets.

A survey carried out by a Peshawar based think tank states that poverty played important role in pawing public opinion in favor of terrorists.¹¹³ Even Taliban did not spare sports events in KPK. In 2010, militants killed eighty people in Lakki Marwat when a volley ball match was targeted with a bomb blast. It is said that Pashtun and Taliban are connected in one group due to their way of life, living in Pashtun areas and way of dressing and particularly and their way of observing religious sentiments.¹¹⁴ All such arguments are restless because Taliban were not aware of the worth of the foundation stones of Pashtun society. They have no respect for Pashtun culture, customary institution and Pashtunwali basically. Pashtun are very fond of Attan, Music and Tapa’singing songs, whereas Hujra is the traditional socio-cultural club of people to share their folk lore and social political problems are demising in the existence of radical Islamists. Cultural symbols like the destruction of mausoleum of Rehman Baba were not spared, when Taliban bombed it in March 2009, Rahman Baba is the Icon of Pashtun spirituality and their love for peace and tolerance.¹¹⁵

¹¹² Hussain Haqaqni. 2005. “Pakistan between Mosque and Military.” Chapter 4, From Islamic Republic to Islamic State.42.

¹¹³ Naveed Ahmad Shinwari. 2012. “Understanding FATA: Attitudes towards Governance, Religion & Society in Pakistan’s Federally Administered Tribal Areas”, Volume IV. Islamabad: Community Appraisal and motivation programme (CAMP).6.

¹¹⁴ Farhat Taj. 2011. “A deconstruction of some Myths about Pashtun.” *Admin Cratarian*. Vol 4, No 3.

¹¹⁵ Shaheen Buner. “Taliban Militant: Replacing a Culture of Peace. Tigah.74

Internally Displace Persons (IDPs)

The terrorists' attacks, bombardment by aircrafts and tanks have demolished houses of common people thus leaving them with no other choice but to migrate to other parts of the country. Similarly, educational institutions and health facilities to have been damaged. For example, militants destroyed 114 schools only in Mohmand agency. Girls' schools are more targeted by militants as compared to boys' ones.¹¹⁶

These IDPS have become a burden on their host communities. Only 10 percent of the displaced families are living in camps and the rest (90 percent) are residing in host communities in KPK, DI Khan, Hangu, Kohat, Kurram, Peshawar and Tank, Dir and Nowshra comprise of host communities. The refugee camps established in 1972 for Afghan refugees are now being used by the IDPs. There are three main camps.¹¹⁷

Jalozai camp, New Durani and ToghSerai camp - in addition to other small camps. The difficulties and sadness of the innocent minds and weak bodies, the children, cannot be ignored from this scenario. Cheerful and fair-minded children of FATA have faced an extremely upset life during the armed conflict and life in IDP camps is just the same. The impact on psychological health of these young and fresh brains is beyond comprehension. The children of war and terror have a far different spectrum of life. The prevailing terrorism, blasts and destruction has made them learn a new culture of bloodshed and revenge. The young children who opened their eyes for the very first time and were brought up in these camps live a life full of fears, lack confidence, and need attention

¹¹⁶ Zakia Rubab Mohsin. 2007. The Crisis of Internally Displace Persons (IDPs) In the Federally Administered Tribal Areas of Pakistan and Their Impact on Pashtun Women. Tigah.93.

¹¹⁷ *Ibid.*94-96.

along with promises of a better future. They do not have national identity cards mainly due to emergency evacuation from houses this created many issues related to their identity, registration and participation in the elections or seeking jobs elsewhere.

Political problems in FATA

With FATA being governed through British era legal code, no political activities were allowed there. The Regulation did not provide for any legal counsel and appeal. Pakistan followed the same British policies for some six decades and it was only in 2011 that some changes were introduced in FCR. Such changes included,

1. Amendment in Frontier Crime Regulation (FCR)
2. Extension of Political Parties Order (PPO)

However the Political Parties Order of 1962 was amended by President Pervez Musharraf in 2002 but his regime was unable to implement it practically. While his Successor president Asif Ali Zardari applied to implement it practically in 2009 whilst failing to issue notification for it (While this notification of bringing changes in FATA was brought in 2011 when new administrative, judicial and political reforms brought). According to this political parties now freely run their political campaign and they have access to the electorates in FATA .The infamous and disputed law FCR also changed from 25-30 % according to which law cannot affect the function of Political parties.

In current day FATA is under the direct control of Army and article 247-b is imposed due to ongoing military operation in the area outside the jurisdiction of Supreme Court and similarly any legislation enacted by the parliament cannot be applied on FATA.

Amendment in the Federal Crime Regulation (FCR)

FCR which is commonly known as ‘Toor Qanoon’ (black law) (political parties order in FATA 52) by the tribal people due to its harsh and slavish treatment of the tribal people. It is popularly dislike by the people. According to the new reforms the accused one would be represented before competent authority in 24 hours of arrest and have the privilege to right to bail. Women, male over 65 years of age and children of less than sixteen years of age have been exempted from collective responsibility section of FCR. Similarly, if property of a tribesman is taken away by administration, it will have to pay compensation to him. After the 2011 amendments, funds utilized by PAs will be subjected to audit.¹¹⁸ Implementation of such reforms will be positive step toward social-political and economic development in Tribal areas but the merely reforms are insufficient until the sanctuaries of militants are not going to be destroyed. For this purpose the policy of strategic depth has to be given up. Farhat Taj says there is no sign that government tried to control the terrorists bases and release FATA from military occupation from last 12 years since the incident of 9/11 and the military intervention in that areas. Due to militants safe havens in tribal areas, the extension of political Parties Act will benefit the religious parties which already dominate the local politics with the help of mullah and mosques and also have soft corner for Taliban. On the other hand, it will be extremely difficult for secular parties like ANP and PPP to operate and garner support among tribesmen. It means that tribal people’s political will has to remain under the threat of terrorism. They will have either to withdraw from political process or

¹¹⁸ Rahmanullah. 2013. “Political Reforms and its Impact on FATA.” Peshawar University.53.

will support the religious parties not to infuriate Taliban and the state security apparatus behind them.

Right of Vote in FATA

Since the emergence of Pakistan in 1947, people of tribal areas were kept deprived of the universal adult franchise. It was in 1996 when the government of Pakistan decided to extend the adult franchise to FATA. Till then the system of adult franchise was working in a limited form, according to which the tribal Malik and tribal elders locally known Speengiry (white bearded) or Masharan who are registered with political agent can vote.¹¹⁹ Before 1997 35,000 votes were distributed among the selected voters of seven tribal agencies and Frontier Region (FR) through which they decide the sole destiny of tribal people. While the number of voters ranged from 2000 to 4000 in different agencies. These 35,000 voters work set of electors (Electoral College) to select 12 members of National assembly (Before 2002 number of FATA, MNA were 8, General PervezMusharraf with Legal Framework Order Increased it from 8 to 12). Political leaders found keep busy in purchasing votes they were least interested in resolving or representing the problems of people in the parliament.

Under Musharraf rule election on October 10, 2002 and general elections of February 8, 2008 were held on non-party basis in FATA. Selecting committee of elected members of National Assembly in auction rather than an election, Because member who are elected are uneducated they pay little heed to the Malik who voted them to the parliament, they even reject the legal demand of the Malik on the plea that their election was a result of quid pro quo (Adal Badal) as they paid the Malik for

¹¹⁹ Farhat Taj, 2011. "New FATA Reforms: Good but Insufficient

their vote. And they don't represent the local demands in the parliament and locally labeled as "Owa Gongian Numaindagian".¹²⁰

It is since 2011 Political Parties Order (PPO) that political parties have given permission to run campaign for their election. The implementation of Franchise system just helped religious clerics to come in power due to the Taliban influence in the area.

Economic Problems

As economy of tribal areas is mainly depends on livestock and agriculture and with both severely affected, tribal people have been left at the mercy of NGOs, government and other donors. The IDP have lost their properties and it is not easy for them to find employment opportunities at their new abodes According to available data, about 2 million people have been displaced, more than 1000 schools have become dysfunctional and about one lakh houses demolished. Owing to insecurity, large number of people have permanently settled in other areas of Pakistan. Pashtun's socio-cultural and political exploitation rarely finds place in mainstream media in Pakistan. The continuous warfare, conflict and bloodshed has traumatized people especially women and children. Educated Pashtun youth are busy in the fields of poetry, music, sports, politics, academia, media and development sector to contribute to socio-cultural and economic uplift the war torn society. Skills and talents of these people can effectively be exploited to counter militant forces and bringing peace to the land. However, assistance from national government and international communities is necessary for the realization of this dream.

¹²⁰ Rahmanullah. 2013. "Political Reforms and its Impact on FATA." Peshawar University.64:65.

Conclusion

Use of ethnic identities especially Pashtun ethnic identity for determining social dynamics was the main focus of this study. The state in Pakistan, which is overly conscious with its security, is deeply concerned about the ethnic diversity in general and that of Pashtun in particular as it is considered to be posing two-fold challenge to the state: distinct cultural identity and its connection with the evolving nature of the Pashtun society and culture in Afghanistan. On their part, Pashtuns too are faced with multi-faceted challenges in Pakistan including poor social and cultural legitimacy and physical and psychological violence as a result of the War on Terror.

Its deep concern with diversity pushed Pakistan from the very beginning to cover itself in religious identity which also defined its orientation towards Afghanistan, especially Pashtuns. It also manipulated Pashtun ethno-nationalist identity by subsuming and neutralizing it in broader religious ideation of the state and after 9/11 this policy has been further strengthened which results in deep and diverse imprints on Pashtun identity. This policy is not new as painting Pashtun's identity in such a way to make it easy for distortions has been a long tradition. Therefore, it is the need of the hour that every Pashtun considers the phenomenon seriously and discover as to why their land has become a breeding ground for terrorism. They will have to ponder to find out whether it is their geography, their love for militant Islam, their tribal culture or their trigger-happy temperament that brings them this 'stigma'.

While embarking on this study, the objectives set were: to explore the dynamics behind the religion-based identity of the state in Pakistan, to investigate the influence of this ideation of the state on Pashtun's ethnic identity with special focus on post-9/11 era, to understand Pakistan's

foreign policy of extending the State's religion-based identity towards Afghanistan through religious proxies in different forms, and its influence on the Pashtuns' ethnic identity.

Some of the questions which the study tried to address were: why Pakistan chose religious ideology to be the main component of its identity? What has been the influence of this state identity on Pashtun ethnicity in Pakistan? What are the impacts of war on terror on the Pashtun ethnic identity in Pakistan?

Tribal organization and cultural code called "Pashtoonwali" are important features which make Pashtuns distinct from other ethno-cultural groups in the country. Pashtun society can be called what Charles Lindholm terms as "Segmentary" societies. This type of societies are technically known as "Acephalous", or headless societies". Pashtun society, however, differs from purely headless society as it has some internal organization. Owing to state development, changes have also occurred in Pashtun society specially those living in urban areas. But still they are closely attached to the norms of Pashtoonwali. Similarly, all Pashtun openly claim to be a member of specific tribes and they also feel pride in it.

Pashtuns have their own code of conduct called Pashtunwali. Gherat/ Nang (honor), badal (revenge), melmastia (hospitality) nanawatay (seeking someone's favor/pardon or confessing one's guilt) loyalty, respect and panah (refuge) are the pillars of Pashtunwali.

Three principles of Pashtunwali-malmistia, Panah and Badal were extensively exploited by USA, Saudi Arabia and Pakistani military establishment during the so-called "Afghanistan Jihad" after Russian invasion of Afghanistan. The 9/11 incident and the consequent war on terror again led to the exploitation of Pashtun cultural values. Following invasion of Afghanistan by US-led NATO forces in 2001, thousands of militants crossed over into Pakistan's tribal areas to regroup

themselves and launch attacks against coalition forces in Afghanistan. They found sanctuaries among the Pashtuns by exploiting Pashtun cultural values and posing as defenders of Islam. Pakistan's military establishment was instrumental in providing safe havens to these hard core militants. Pakistan's main objectives behind this policy were to counter Indian influence in Afghanistan, to weaken Pashtun nationalism with pan-Islamism and to recruit militants for Kashmir.

There is centuries old association between Pashtun cultural values and Islam and the use of Islam for mobilizing Pashtuns militarily has long history. Bayazid Ansari known as Pir Roshan, Akhund Derwaza and Syed Ahmad Baraily mobilize Pashtuns in the name of Islam. This trend continued in 19th and 20th centuries. The discussion about links between Pashtun culture and militancy/terrorism has created misunderstandings about Pashtun identity. However, the debate has also highlighted that interpretation of Islam in a particular way has also role in the problem.

This use of Islam was a dominant factor during struggle for Pakistan as it was more anti-Hindu than anti-imperialist /colonialist. Following the creation of Pakistan, the elite class, mainly Punjabis and Muhajirs, used Islam to deal with resentment from other ethnic groups towards state policies. However, this policy of presenting Islam as binding force among different otherwise diverse ethnic groups failed in 1971 when Bangladesh emerged as separate and independent state on the map of the world.

When British India took control of Pashtun areas, it faced severe resistance from them. Resultantly, its policy towards Pashtuns passed through various phases. First it adopted the Close Border Policy. Under this policy, British India would guard the border between settled districts and the tribal areas to minimize tribal raids British controlled areas. British officials were not allowed to cross the border and enter the tribal areas while tribal people were allowed to engage in trade and

other activities in settled areas. In case individuals from tribal areas committed a crime, the authorities would stop entry of hill men into the settled districts and would arrest those found in settled areas. Though the policy in the beginning produced some good results for British India, it was soon discovered that the policy did not yielded desired results.

As British faced severe resistance from the Pashtun tribesmen, it introduced special legal and administrative code to deal with Pashtuns and Baluch resistance. At the same time, British realized that the India Penal Code, which was in operation in other areas of sub-continent, failed to serve their interests. Thus it introduced Frontier Crimes Regulation (FCR) in 1972. The Regulation provided Deputy Commissioner with vast powers. DC was authorized to refer civil and criminal cases to local a council of elders (Jirga). The FCR Jirga, however, was very much different from the traditional Jirga as it was under complete control of British officials. The aim of the system was to increase conviction rate without enough evidences which were required before a regular court.

From the very beginning, British officials would befriend local elders so that they could be used for promoting British interests. These elder, called maliks, would serve British interests in return for financial benefits. Though there was great importance of elders in Pashtun culture, yet Maliks have always been considered as disloyal by the local people. This Maliki system is still part of administration under FCR in tribal areas. Maliks tenders their opinion to the administration when a case is referred to them. However, they are considered as tools of administration and act on its directives.

The British policy towards Pashtuns underwent another change in mid 1870s when the Close Border Policy was replaced by Forward Policy. Under Forward Policy, British tried to penetrate deep into Pashtun and Baluch territory by erecting forts, laying down roads and railway tracks.

The aim was to establish a permanent border with Afghanistan so that the Russian threat could be dealt with effectively. This new policy, among other things, produced a fresh wave of Pashtun resistance towards the colonizers. An important feature of British interaction with Pashtun was the exploitation of Pashtun cultural values such as collective responsibility, Jirga and the concept of elders. British tried to shape its policies to in such a way to make them appear similar to principles of Pashtunwali.

Following British departure, Pakistan mostly continued with the British era policies as far as Pashtuns of tribal areas are concerned. It retained the FCR and did not focus on the development of the area. This negligence on the part of Pakistani state created a gap between the mainstream Pakistan and the tribal territory. The first two constitutions of Pakistan did not completely absorb the areas into legal, constitutional and political mainstream and it was left with special status---to the disadvantage of its people.

It was the 1979 Russian invasion of Afghanistan that brought these areas to the limelight. As Pakistani sided with the western block against USSR, the whole tribal belt was turned into a training center for militants where militants from different countries took refuge. These areas were used as safe havens for militants and there was an influx of modern weaponry into the territory. This policy had a very negative effect on the culture of the area as the whole landscape was militarized. Pakistan openly supported Islamic militant groups in Afghanistan against afghan government and its foreign supporter- USSR. Following the withdrawal of Russian forces from Afghanistan, Pakistan supported different Islamic groups in the civil for which ultimately resulted in the emergence of Taliban on the scene. Pakistan fully supported Taliban and was one of the three countries who recognized Taliban regime in Kabul. Pakistan's main objective behind its pro-

Taliban policy were weakening Pashtun nationalist forces and search for strategic depth against India.

As Pakistan joined US-led war on terror, it became close US ally. Being US ally, it received huge amounts in assistance from US. The aid, however, was directed towards Pakistan army with social sector getting small shares. Despite the fact that Pakistan joined US war on terror and launched many military operations, still there emerged several militant outfits in the tribal areas. The emergence and flourishing of these militant groups can be attributed to several factors including support from Pakistani military and intelligence agencies. The many military operations conducted by Pakistani security forces too did not produce satisfactory results.

The community that suffered the most in Pakistan due to the war on terror is Pashtuns. The war on terror inflicted on them social, cultural and economic losses. Socio-political and economic setback which the Pashtun suffered the most after 9/11 included exploitation of Pashtun culture , literature, destruction of educational institutions, deprivation in political and economic way of life ,target killing of political leaders, victimization of tribal elders and members of political parties who worked for the Pashtun's welfare. Pashtun socio-cultural values like Rashtia Wayal, (truthfulness),Malmista (neighbourliness),Nanwati(forgiveness),Marasta(cooperation),Badal akhastal(Revenge) and Panah (providing shelter) and these traditions have received serious setbacks over the years.

Military operations, suicide attacks, bomb blasts, drone strikes and even security precautions, for example, long time curfew, have led to serious mental and psychological complications among the people of the area. The stigma of associating every common Pashtun with militants is something

which will take decades before it could be washed away. Thousands of people have been displaced due to the militancy and the consequent military operations.

On the other hand, there were also some positive aspects of the phenomenon. The situation compelled political and military leadership to extend Political Parties Act to FATA. Similarly, some amendments were introduced into FCR which, theoretically, has a bit softened the colonial era law. Following displacement and dislocation, people had no other choice but to search new opportunities for their subsistence. Thus they engaged in occupations which once that would abhor to adopt. In the same way, they found better health and education facilities in their new abodes. These factors will create long lasting effects on these people and their areas.

The negligence in the past of successive governments to bring all parts of the country and security establishment's nurturing of militant outfits inflicted severe losses on Pakistani state and society. Therefore, there should be change in these policies. State should pursue such policies which puts people of all areas of the country on equal footings. Special focus should be given to those areas which have been neglected during the past seven decades. The state should replace its policy of reliance on what Durkheim calls mechanical solidarity with organic solidarity.

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New for these Chapter 1 a The Influence of War on Terror on the Pashtuns' Ethnic Identity in Pakistan: Post 9/11(2001-2010) Chapter 1. Introduction In the proposed study I seek to examine how identities are used to influence the social dynamics, and how they structure a path for the national and international communities in the adjustment of their activities. Pashtuns' identity in this regard

is the major issue in this study, titled "Influence of War on Terror on Pashtun's Ethnic Identity in Pakistan". The Pashtuns, in the multi-ethnic and pseudo-democratic state of Pakistan, are faced with many challenges varying from the poor social and cultural legitimacy to them being the victims of both physical and psychological violence as a result of the state's role in the War on Terror (WOT) after the 9/11. The embattled security state in Pakistan is deeply concerned with the challenge of its ethnic diversity especially the Pashtuns. The latter's challenges are two folds: Their distinct cultural identity poses a challenge to the internal consolidation of the state; and their connection with the evolving nature of the Pashtun society and culture in Afghanistan. This urged the state (Pakistan) from its inception to define itself in religious colors and then the same ideological identity of the State has been at the back of defining its orientation towards Afghanistan especially the Pashtun. Through the ideology-based identity of the State the State has manipulated the Pashtun ethno-nationalist identity by subsuming and neutralizing it in broader religious ideation of the state. This policy furthered after 9/11 in the War on Terror (WOT) leaving deep imprints, usually conceived to be adverse, on the Pashtun's ethnic identity. Foreign invasion and internal disintegration have for centuries hampered the development and social evaluation of these people. Adversaries of the Pashtun have proven skilled at providing one-sided or outright biased reading of events that continued to color the behavior and culture of Pashtun negatively. Therefore it is time for every Pashtun to think that why has our soil become so fertile for terrorism? There is need to ponder whether this is our geography or our liking for militant version of

22Islam, our tribal organization or trigger-
happy temperament which brings upon us this

stigma? To define what conditions allow different powers to replace tribal

customs, my research will concentrate on state's efforts to formulate constitutional law (rule of law) to subordinate ethnic groups by positive approach to avert support for the Taliban, instead of making safe for terrorist groups in their regions and exploitation of their history culture and organizational set up. Though the implication of this thesis will not be definitive, or specify a valid solution for understanding how powers violate local practices with their policies but it will offer important details for the State to establish such development and policies which are much stronger than customs, and a framework which can be utilizing for explain other cases. Literature Review In this book the writer presented a lot of lessons for present day political solution of Afghan and Pakistani society. It also involves an in-depth exploration of Pashtun society. He is a Pakistani Writer. While in writing he also points out that our mainstream body of politics largely focuses on regional geopolitics, Exploring to destabilize India for this purpose and desiring strategic depth in Afghanistan. But in real-time the regional peace lies in resolving the Pashtun question. Related to my research this book is a thorough study in understanding the Dynamics of War on Terror in the region, and a people most affected by this war. Hussain Haqqani has been the ambassador of Pakistan to the United States. In this book he provides fascinating analysis of the role of Islamists and military in derailing the domestic and foreign policies of Pakistan. In chapter Old and New Pakistan quietly clear my mind related to discouraging of Pakistan from the path of democracy after demise of Quai-i-Azam .In this respect the negative role of Muslim League politicians and the civil bureaucracy cannot be denied, who marginalize the people and opened the way for the rise of clergy. He says the Mosque and military Alliance began when civilian government of Zulfikar Ali Bhutto was toppled down. It was the time for Islamic parties to relive their dream of Pakistan as an ideological state. Therefore different transformations by clergy and military in the name of jihad made Pakistan just a functional State rather than a truly democratic ideological state that work for its people in true sense.

This work explains different forces' efforts for establishing rule over Pashtuns. It also recognize

2Normative and Organizational structures connected with rural Pashtun tribes and discusses how these factors blocked the making of focal state power. These factors are applied to three case studies Britain, Pakistan and Soviet Union which

also include the present day government of Pakistan's laws operate there. For every case the State failed to operate by either misjudged significance of these factors or intentionally overlooked them to pursue other interests. Writer also

2suggests that policies focused purely on suppression, isolation and convenience are bound to come up short in setting up State

power in such areas. Related to this arguments Mohammad Tayyab Ghafoor in his thesis; Impediments involve in the integration of Federally Administered Tribal Areas (FATA). (2005) presents the same case studies, where he examines hurdles that prevent bringing of tribal areas into national mainstream. This paper also digs out the colonial past of the areas and various British policies toward tribal people, in a pre and post-independence analysis of the area. The writer advices for doing away with status quo and introducing changes in political ,constitutional and legal sphere of FATA. This article of B.Glatzer is very clear depiction of Afghanistan society and Taliban power in 1998. He says that Jihad in Afghanistan was

27not only against foreign forces and alien ideology but also internal political system which

existed in the country much earlier before 1978 without positively contributing to the living standards of common populace. And even after Russian forces had been withdrawn from the country there existed outside forces to influence Afghanistan and stop them from overcoming the social and political powers. For this purpose he points to the case of Taliban movement and its covert support. While assessing the civil war in Afghanistan he says causes of internal uproar were due to exogenous and endogenous factors involved in it. And the paper greatly involves readers in understanding the basic of the Pashtun society. As the paper deals mainly with the Pashtuns where he declares the main reason for selecting Pashtun case of study

5is "that we have more detailed and elaborate emic and etic sources on personal norms and values of Pashtuns than on other ethnic groups in Afghanistan".

Sir Olaf Caroe. The Pathans. United Kingdom: Oxford University Press, 1958
This book is a thorough study of Pashtun history. It was written years ago but till date is a primary source of research to learn about Pashtun origin and tradition and rule of different invaders including the Greeks, Kushans, White Huns , Saffarids and Mughals among others who passed through the Pashtun country. The author also discusses the interaction of the British with people of the North West Frontier (NWF) of India and different policies envisaged by British Raj to deal with hill tribes of NWF. The policies consisted of the Close Border policy,

Introduction of Frontier Crime Regulation (FCR), different agreements with tribes and Forward Policy. This Thesis is very helpful in understanding the Pakistan engagement with militants in FATA, and deep roots of the present conflict in term of its origin, actors and deals. He overviews the FATA and Pashtun social organization, present state of FATA and the changing face of social organization of Pashtun society and ties between Pashtuns of Pakistan and Afghanistan in historical perspective. The most important overview of FATA and maliki system is one of the most interesting part of my research work. Where he evaluate that how indirect rule of British Raj convinced tribal people to accept their system in guise of Pashtun cultural values. Prior to British introduction of Malki System, Malik's were the respectable Figures of Pashtun tribes. British India started patronizing maliks to get their loyalty and make sure that the tribal social organization which they encountered continues. Malik who served for tribal prestige are now having privileged position with hereditary rights that was an odd thought in a socio-democratic Pashtun society. Maliks lost the credibility in tribal eyes, when political authority of traditional elders became suspected in the eyes of tribal people. Paper also examines how colonial Malki System that addressed British Interests worked in post-Independence period. The author, James W. Spain, has been to the Pashtun nation's ranges a few times while composing this book. In his book, *The Pathan Borderland*, he portrays the area, individuals, their social association and culture. The primary element of his work is where he expounds on the historical backdrop of the tribal ranges, the landing of the British, tribal uprisings against the supreme force, different devices and strategies connected by the frontier energy to control the Pashtun tribes, the three Anglo-Afghan wars, competition amidst Russia and British India. The book likewise covers a few years after the making of Pakistan. The writer contends that the techniques and strategies which British utilized under Frontier Crimes Regulation (FCR) to oppress the tribes were a continuation of the policies of the Mughal rulers, which included blockade, subsidies, military undertakings and

sustained armies. The article examines the development of FATA. He contends that British confronted resistance from the tribes so presented, among different strategies, FCR. By holding FCR after freedom, Pakistan really oppressed the tribal individuals and kept FATA as a state corollary?. The writer addresses the self-assertive forces vested in the Political Agent under FCR. The article additionally examines post-1947 incidents in the territory and especially the militarization of tribal regions amid Russian intrusion of Afghanistan. In this paper the writer says that there is direct connection between democratic governance and ethnicity based plural identity of Pakistan. Pakistan's case is not exceptional as a democratic state where different ethnicities co-exist under banner of national identity. But Pakistan establishment proclamation for an Islamic identity is just fed by the conflicts with Indi, contributing in the dominance of military in State authority. Therefore Ethnic national movement conflicts with centrist State upheld by the Military are important Part that lacking to develop regional peace development. This Thesis considers Pashtun feeling of having a place and proposes a perplexing and elemental procedure of distinguishing proof that includes different and It contends that the writing on Pashtun personality highlights the inside stratification and natural variety amongst Pashtuns yet holds back before setting up any relationship between this interior stratification and the procedure of identification. The writing likewise neglects to see the criticalness of the nonstop and dynamic identification of Pashtuns with Pakistan and Islam. Concentrating on generative procedures (inside and outside recognizable proof) in time of flux this proposition stays contemporary in its way to deal with ethnicity and personality. It additionally adds to the civil argument in Social Anthropology about the relative accentuation on "limit" or the 'social stuff'. The exploration concentrates on Malakand in Khyber Pashtunkhwa (Pakistan), which in its changing managerial status has hybridity of the "self-governing" Tribal Areas and "administered" Settled Districts. Objective of the Study Objectives and aims of this study are as under. 1. To explore the dynamics

behind the religion-based identity of the state in Pakistan. 2. To investigate the influence of this ideation of the state on Pashtun's ethnic identity, especially after the so-called War on Terror. 3. The study also aims at understanding Pakistan's foreign policy to extend the State's religion-based identity towards Afghanistan through religious proxies in different forms, and its influence on the Pashtuns' ethnic identity.

Key Questions

1. Why Pakistan chose religious ideology to be component of its identity?
2. Historically, what has been the influence of this state identity on Pashtun ethnicity in Pakistan?
3. Particularly what are the impacts of war on terror on the Pashtun ethnic identity in Pakistan?
4. Does the United States' War against terrorism represent the viable method to counter the militancy in Pakistan and will it have any influence on Pakistan becoming a pluralist and constitution-based political entity?

Research Methodology

For conducting my research I relied on Quantitative research. For the sake of data collection sources, books, journals and articles in newspaper and magazine are used.

Organization of the Study

The present research has been organized into the following five chapters in addition to introduction.

1. **Introduction** This Chapter comprises of the Research design of the thesis by introducing, objectives of the study, literature review, Research Question and Organization of the Study.
2. **Social Structure of Pashtun society: a Profile** This chapter will reflect on the different cultural aspects of the Pashtuns in terms of their being a different and distinct cultural identity.
3. **Historical Background: intervention of different powers in their social structure.** This chapter mentions in detail the role of different actors, ranging from British imperialism, post-colonial state in Pakistan, regional states, non-state armed actors and especially the continuous American intervention, in the region and their influence on the Pashtun society and its different aspects.
4. **Impact of War on Terror on socio-political and economic life of Pashtuns** In this chapter impact of War on Terror (WOT) on the Pashtuns' society will be explained. It will focus on Physical and psychological violence unleashed on Pashtun society. It will also focus on the internal

displacement of the Pashtuns and thereby its impact on their society. Moreover, it will look into the changes in the social, cultural and economic dimensions of the Pashtuns' in the wake

3of the War on Terror (WOT) especially in the context of Pakistan'

s role in it. Chapter 2 Pashtun Cultural Values The discussion on the relation between ethnic identity of Pashtun due to their specific culture and religiously-inspired radicalism and terrorism is creating misunderstandings about their identity. It may be because we express the identity of a group with respect to its relation with religion and culture, where people think that Pashtun have an innate knack for intolerance, vengeance, primitive character tribal system and conservative Islamic behavior, and where we are unable to identify that previously Islamic doctrines have remained an effective

17tool to resist all foreign invasions particularly intrusions into

Pashtun cultural, territorial and political spheres. It is also pertinent to note that certain parts of the debate also highlight that Islam and its interpretation in a particular way is also considered as part of the problem in the present time.. Factors that make Pashtun distinctive from other ethno-cultural groups and that also create difficulty in depicting the exact and true picture of their social structure in present time, are tribal organization, culture code "Pashtunwali" which include the features of Melmastia (hospitality), Jirga (council), Badal (revenge) and

17range of other ideals, and finally the

religion Islam,

these are important areas of research to discuss in this chapter to know ,that how the exploitation of distinctive cultural institutes by different players altered to change culture of peace into culture of violence . In following headlines different institutions of Pashtun culture values will be discussed that make it a very distinctive society in many ways. Segmentary Society Pashtun represent the form of segmented society, where Ty L. Groh quoting Lind- Holm

2defines segmentary societies "a subtype of what are technically known "Acephalous", or headless societies". Pashtun differ from purely headless

society but they have some internal organization. And the leadership of these organization is hereditary, there are the religious leader (Mullah) in different clans and tribes .In Every case whenever different powers invaded them and penetrated in their culture by different agents who work for them, whether they worked as a Khan, Mullah or political agent are allowed to work as long as they work under the interest of the tribe. Lind-holm

2also describes two subsets of Segmentry societies Nomadic and Sedentary tribes.

Nomadic tribes usually consist of shepherds, very conservative and suspected by outsiders, the characteristic which has let them to protective form of arrange marriage among first cousin. Making marriages of one's son to the brother's daughter keeps the tribal alliance in the trusted network. In sedentary Pashtun tribes are often peasants. They tie to their land and are more territorially based.

The

2need for collective defense of the tribal area and the fact they work all together

promote their nature of accepting and progressive atmosphere. It is not possible for them to pick up their livelihood and move away somewhere in response to threat. But still in sedentary tribes there are tribes who live between nomadic and agrarian sedentary 'Hill tribes'. This isolated sedentary hill tribes are more resistant to outsiders than the plain tribes. And they have more dedication to their customary law than plain tribes. Owing to state development changes have also occurred in Pashtun society specially those living in urban areas, due to state openness to their problems. But still they are most dedicated to their customs when it comes to state laws and social code of Pashtunwali. Tribal System Brent Glatzer says, " British anthropology describes that

5'Tribe' was often used in a rather derogatory manner for relatively small ethnic groups who lived as 'underdeveloped' (formerly called 'primitive' or even 'savage') minorities, far from the majorities' cultural and social mainstream. No wonder that the term 'tribe' became obsolete in many continents and former objects of anthropological investigation are nowadays less ready to accept labels for their respective ethnic groups which seem derogatory to them."

Qawm' qabila or khail' in present time as Glatzer said, are

5used with pride as mark of nobility.

Belonging to a tribe

is considered as distinguished and associated a belonging to old, noble ancestry and genuine people too. The

14tribes are an ancient social organization as explained by the Holy Quran: "O men! Behold, I have created you all out of a male and a female, and have made you into nations and tribes, so that you might come to know one another". Likewise tribal people is bound by a

network of primal obligations. These obligations link one to pride and honor and not to inferiority'. Most Pashtun dignitaries either in Pakistan or Afghanistan use their tribal name as a second name.

5On a higher genealogical level different tribes may join into one segment in relation to another segment which is made up of tribes who are genealogically closer to one another than to the tribes of the first segment. Since tribes are social segments per definition, there have to be at least two tribes on each level.

Tribal system is not something which can only be found among rural and nomadic tribes. It actually exists at all levels of Pashtun society. Pashtun's tribal system is considered as the largest tribal system across the world. the

5name of the common ancestor is less important than the Pashtuns' belief of belonging to one huge kinship group or family. The common ancestor had many sons, grandsons, great-grandsons and so forth, each being the ancestor of one of the innumerable branches and sub-branches or tribes and sub-tribes, clans and sub-clans down to the local lineages and families.

Even though structure of tribe is

based on patriarchal lines but still there are exceptions to allow outsider resident in their area by common consensus of the tribe. in case outsiders and their children are ready to honor the norms and customs of the people that they reside among and have no issue in entering into matrimonial alliances with these people, they may be acknowledged as full members of the tribe after one or two generations. The Pashtun tribal system provides for the ideal of equality among all. The idea behind this ideal is that all are born equal having common ancestors. Social and economic inequality, which is a reality, is considered as unnatural and therefore subject to changes with the passages of time. Although system does not encourage hierarchy, it still defines nearness and remoteness in relations. Pashtun social system also provides for marking of conflict and solidarity. In case of dispute between two individuals, one is supposed to side with the one with whom he shares the nearest common paternal lineage. Historically speaking, it is not only tribal confederacies like Noorzai versus

Achakzai or Ghilzai versus Durrani, and sub tribes which have been involved in rivalries, but rivalry and conflict has also been a feature of small khels and even families among the same khels among Pashtuns. Such rivalries determine as to which side a family etc. takes in a conflict between two parties. For instance, Popolzai tribe of Durrani openly put its support behind former Afghan President Hamid Karzai even if he had not always been among the tribe. Alizai, the traditional rivals of Popolzai, on the other hand, provided support to Taliban. Thus Ghilzay having no proper land, there are many territories where sub-tribes of Ghilzay are in dominant position. Tribal land is subdivided along tribal subdivision. Groupings and variations take place within tribal confederacies: kinships' rise and decline create changes. Extended families may result in new khell and large khels may give rise to tribes extemporaneously. For instance, the Muhammadzai khel of Barakzai tribe not make an independent Muhammadzai tribe within tribal confederacy of Durranis. Among the Pashtuns, patriarchal genealogy is of outmost importance and every individual Pashtun will recite his genealogical lineage back to many generations. Tribal areas do support their sub tribes during war time and provide support to outsiders when they come to them for security under code of Malimastia (hospitality). During Russian invasion of Afghanistan and the stay of Russian forces in Afghanistan between till 1989, Pashtuns of the tribal territory hosted and facilitated only the Afghan refugees, but also the fighters who fought against Russian forces and their Afghan auxiliaries- majority of them non-Pashtuns. Similarly, this areas provided support and manpower first to the Afghan warring forces in 1990s and then to ant=America forces in early 21st century. The

12support provided from Pakistani -based
Pashtun tribes to Afghan based Taliban even
locally

and tribally appeared solid, but Pashtun people due to their tribal structure are

unable to understand today's politics that their tribal structure has been politicized in the name of Islam and jihad. In dynamic conditions

12Tribal support always shifts as tribes or khels,

see for their family's interests. It

12does not mean they will give their whole hearted support only that it is where it is currently best to place,

they see for greater interests either in supporting Afghan government, supporting

12government in Islamabad, providing support and refuge to Taliban and Islamic element or remain neutral.

It is therefore kinship grouping

12within Khels and personal feuds within family groups

in influencing the governance system in Pashtun region and conflicts.

Pashtunwali The Pashtun in North Western area of Pakistan constitute the largest tribal unit in Pakistan. There are many lineage, clans and tribes within the Pashtun community but all of these are connected with one another by normative structure of Pashtunwali .It is unwritten code of conduct and the

cultural codes are specifically undefined. The

2first and foremost among Pashtunwali is about Nang (Honor) the concept of

justice in Pashtun society wrapped up into the maintenance of their “Honor”. For preservation of ‘honor’ the breaching of state laws are perfectly acceptable to a Pashtun. Olaf Caro in his book “The Pathan” says that Pashtunwali is

2modified by local custom with respect to Islam,

where he

2is committed to being a Pashtun first and a Muslim second. This means that the codes of Pashtunwali and the religion Islam have an important connection among Pashtuns one may influence or alter the other but still Pashtunwali has priority against the other. For instance, the

manner in which Pashtuns protect their womenfolk’ honor reflect Islamic values but the principle of blood revenge is in contradiction with Islamic norms. Quran says that believer do not kill another believer unless done so by mistake. Even if a believer is killed mistakenly, the killer will have to pay blood money to the heirs of the deceased. Thus it seems that in concept of revenge there is deviation from Islamic norms. Yet despite of prohibition of blood feuds in Islam, it is still practiced in segmentary societies like Pashtuns. If Pashtun breaks code of

Pashtunwali he is either forced to declare Nanwati and expose of his honor or he is out of favor

2by the tribal and forced to flee the tribal area. This puts an individual in dangerous condition where he has no longer

family support being robbed or killed. That is why every Pashtun who live under the social structure of Pashtun code of life takes the observation of Pashtunwali very seriously. Or it is a sort of threshold for every Pashtun to remain under their honor instead of going to exploit them. The pillar of Pashtunwali are Panah (refuge), Melmistia(hospitality), Badal(revenge), equality, loyalty, respect, purdha, worship of Allah and generous love for friends. Malmastia, panah and badal are seen important elements to Pashtun way of life, and any person who does not act upon these rules, in local thoughts has no right to call himself Pashtun. Three principle of Pashtunwali highlighted before like Malmastia, Panah and Badal were exploited within Afghanistan Jihad against Russia invasion with collaboration of Saudi Arabia, America and Pakistan military establishment in 1980s and once again in war against terrorism in the wake of 9/11. Panah (Refuge) Panah is an imperative principle of Pashtunwali by which Pashtun usually identify themselves. Panah also links the guest-host association, when the guests are not only entertained, fed and housed but also kept securely as the guest strength allows. The principle of Panah expands to any guest regardless of someone's nationality, personal character or religion. If the guest is insulted by any way it will be considered as stain on host's honour and such an act must be revenged on the performer. It was under this code of Pashtunwali that the Al-Qaida runaway when American troops invaded Afghanistan. Pakistan share porous border with Afghanistan, therefore Al-Qaida infiltrated into the Pashtun borderland with Afghanistan without any difficulty. And they were

provided shelter and refuge under Pashtun code of conduct. In this way they entered the tribal area in the pretext of guests. They not only provided shelter to Al- Qaida member but these Al-Qiada members were treated like brothers. It was not just Al-Qaida but many other militant groups who came to Afghanistan and later on entered into Pakistan tribal areas in the name of Islam and Jihad like Arabs, Chechens and Afghan militants. They were treated like heroes of Islam who fought against Russia decades before and now against new infidel forces like USA and NATO. The adjacent of Militant groups with tribal resident were not hidden from Pakistan government. The core objective of the Pakistan's military establishment to let these militant groups extend in Pashtun region was to follow its policy of strategic depth in Afghanistan. Invasion of Afghanistan was not only a golden opportunity for Pakistan to weaken Pashtun nationalism who can be hit under the banner of pan-Islamism(where behind the curtain they just wanted to replace Pashtun nationalism with Pashtun Islamism)therefore this new mind-set got great popularity during Taliban ascent to power in Afghanistan. While on the other hand they treated these militant as assets of Pakistan military establishment through which it will establish its influence in Afghanistan and will also fight its proxy war in occupied Kashmir. Pakistan also wants to curtail the influence of India in Afghanistan and these militant can hurt the interest of India in Afghanistan. Owing to these reason the activities of militant were ignored by the government. But Pakistan's decade of investment backfired when Pakistan's identity as a nation state is in direct confrontation with the pan-Islamic agenda of Al-Qaeda and Taliban. These militants started to interfere into the affair of local people. They imposed their own brand of Islam on the people. Those local leaders who opposed the militant were kidnapped and executed publically. Thus the Afghan militants and Taliban who came to tribal areas as guests, ended up ruling the area. They challenged the customs, culture values, traditions and political system of the area. Those pan-tribal mechanisms which helped these people to enter into tribal belt were disrespected and disrupted. Therefore it was

the hospitality tradition among Pashtun to provide shelter, but it was exploited under culture fugitive by militants to expand their agenda, instead of looking to the culture value of the society. The various culture activities such as attan and celebrations of marriages and birth were banned in the area. In short those culture aspects that provided space to the militant were interrupted and disrespected at large altogether. Malmistia (Hospitality) Concept of Malmistia is another important character of Pashtunwali, Malmistia is an important obligation and cannot be avoided. In Malmistia the guests are served with food and provided with accommodation and boarding. It is not only provided to friends and relative but to stranger and those who ask for it. Pashtuns lavishly spend on their guests and feel proud when their guests appreciate their hospitality. Syed Akbar Ahmad in his work

17" Pukhtun economy and society:
Traditional structure and economic
development in a tribal society"

says that hospitality, either individually or collectively expressed, is one of the cognitive, tangible and coherent symbol for Pashtun, it is practiced to maintain Pashtun identity and ethnic boundaries to make them differentiate from other ethnic groups. Many analysts argues that malmistia is an important element in maintaining local Khan's political orders at the time of need. Fredrik Barth is one of the staunch followers of such an argument. But beholding of Malmistia by political authority like khan is the only in- clarity for understanding this concept of hospitality because the hospitality can be entertained by any ordinary Pashtun villager to any passing stranger. In Malmistia the guest is not only entertained by food and accommodations but protection of one guests from any enmity or some other reason also become responsibility of host till the time he remains with him or in his territorial limits. Even for their malmistia Pashtun is also admired by the

British administrator who has no good opinion about Pashtuns, but he stated in his report (statement is quoted from article, war and its impact on socio political life of Pashtun) "for gold, they will do anything except betraying a guests." Badal (Revenge) The word badal is one of the greatest commandments of Pashtunwali .It is not considered liable to be taken from person who had received damage in any shape (to avenge death or when the honor of women be involved) but also other member of his family or even sub-tribe or tribe. While revenge also depends on the nature of act committed and also on that of the aggressive person or family or tribe, it is their decision to react as they like; either take revenge, or accept compensation or to forgive. While in Badal the most influential person of the family Da Sar Saray (the leading figure) is targeted so inflict heavy loos on offending family. This may cause unending bloodshed that may continue for centuries, in which the innocent also lose lives and suffer in many ways. Badal has both positive effect and impact. Since having a deterring value it helps in maintaining and ensuring peace, orders and respect of human life and honor in absence of government and government organization. Such repressive laws compel person to think over and over that any aggressive act or action of dishonor would have disastrous effect for himself but also for his family and tribe as well. Badal in Pashtun society is one of most important element to create resistance to any force who invoke their morality. Here not only morality is invoked through mere human emotion but tribal customs of Nang and jihad also invoked. These three factors not only create Jihadi forces against anyone but they also create coalition efforts against whom they trying to offend them on the name of Nang, Honor and morality. Whether in Kashmir, during Soviet invasion of Afghanistan or present day war against USA and NATO forces, the main reason bringing them tribes together the name of Islam, damage to their personal honor where pardah concept of their home has been sabotaged by one way or other, killing of their near and dear one, all are the factors that made Pashtun of today's stand for their Revenge(Badal).Joshua

Phillip quoting Mr. Van Dyk says

15'I was told and observed that many of the young men had joined the Taliban not because of money, but because of something that happened to their family and it was matter of Badal ,because what you did to us, I have an obligation'.

Here one aspect needs to be cleared that Badal has two important aspects one is positive and other is negative. In positive one the active role of Nanawati (Appeal for forgiveness) and Mrasta (cooperation) discard negative, and avert taking life after life of innocent ones. The Badal in present time is misunderstood where only the negative aspect of it is in rule. Because the traditional institutions has been hijacked by the newly emerged influential groups and individuals in the Pashtun lands, previously these institutions had been headed and authorized by "tribal elders" but now the militants have become prevailing figures in these institutions. Now many times the present time Jirga punish those who are disliked by the militants. And the concept of Pashtunwali is being misused for personal benefits. Influence of Islam on Pashtun Culture The progress of Pashtun identity is heavily inspired by Islam, it has defined and helped to shape political movements, empires and states for centuries. To understand the present war on terror in Pakistan and Afghanistan the history and events of Pashtun is key to knowing the present problems that how the Pashtun regions have been transformed into incubators of extremist movements in the name of Islam. The primarily Pashtun patriotic movement, laced around a moderate sufic vision was 'Enlightened Movement' founded by Pir Roshan 'The Enlightened Saint' whose real name was Bayazid Ansari or Bayazid Khan. He was born in Jalandhar (in present day northern India) but raised in Waziristan (present day

Pakistan) it was his ancestral land. He was born in an age where he witnessed the decline of Pashtun power in subcontinent. Pashtun Lodi dynasty (1451-1526) was seeing its demise at the hands of invading Mughals. Hence the suffering that the Mughal Empire brought upon Pashtun had lasting influence on Pir Roshan. In order to defend Pashtun from the Mughal ruler Akbar newly founded religion 'Din-E-Ilahi' which was combination of Islam, Hinduism, Catholicism, Jainism and Zoroastrianism, Pir Roshan launched an open rebellion against this religion. He conveyed his message to the people through his writings and political struggle against Akbar new religion. He travelled from Waziristan to inspire and instruct the masses. He actually wanted to unite all Pashtun under single national ideology combine religion and politics, which ended up eventually in Pashtun national uprising. He wanted to heal tribal divisions. He brought all Pashtun from Kandahar to Nangarhar under the banner of Shariat, Haqiqat(reality), wahadat(oneness),Qurbat(unity) and Waslat (nearness). He wanted to see Pashtun peacefully (Sakunat) and independently in their homeland. Pir Roshan is also considered as the first Writer of Pashtun literary texts. His first work is Khair-ul-Bayan, a compilation of Religious writings, where he emphasizes on spiritualism and moderation. While supporting dedication to an Islam rooted in Pashtun tradition and identity. In opposition to Pir Roshan's Roshnniyya Movement was the movement of Akhund Derwaza, a sixteenth and seventeenth century cleric. It is stated he was working with the support of Mughal court to defame Pir Roshan. He wrote Makhza-ul-Islam' which ranked as first work of Pashto prose dealing with Islamic theme. His work remained popular among clerics for centuries and preached strict observance of Sharia Law. They adhere to Hanfi School of thought and emphasized on the rigid Islam. Derwazas' followers were staunch follower of Mughal court and Darwaza called Pir Roshan as heretic and called for his book to be burned. This split reveals how the Sunni rigid mullah established opposition to development and modernity in Pashtun society. In Pashtun regions Ideological movements

like Tariqa-yi- Mohammandia 'also bring their ideology. It was Wahhabi movement led by Sayyed Ahmad, who emerged from Rai Bareilly'. The movement was militant in its outlook and their aims were to raise jihadis against Sikhs who were ruling over Peshawar valley. The movement's downfall came when they interfered in the social structure of Pashtun whose social structure and hierarchy feel bitter about such organization from outside. The influence of such kind of movements and personalities can also be felt in 19th and 20th century that how movements, ideologies and personalities continue to defend themselves in guise of religion to inspire people and ethnic groups to pursue their agenda. The emergence of Pakistan in this concern cannot be denied and specifically its relation to tribal people in present time. Ever since Pakistan's independence, Pakistani leadership adopted religious sentiments as an instrument to strengthen Pakistan's national identity. Struggle for Pakistan was not only for freedom from British colonial power but also to avoid being ruled by Hindus, who were in majority, once British left subcontinent. Thus independence movement had a very strong anti-Hindu element in it. To make themselves secure in United India firstly they preserved their seats in different institution of United India and later on they started demand for separate state. Demand for an independent state had been relatively short, started with demand of All India Muslim League in 1940 and ended with partition of 1947. But Pakistan never became homeland of All South Asia Muslims. After partition one third of the Indian subcontinent Muslims remained behind in Hindu dominated India. And other two live in two separate countries of Pakistan and Bangladesh. Pakistan's secular leadership mere attachments of Pakistan to an Islamic ideological state aims were to suppress all ethnic and linguistic differences. Punjabi and Muhajir thought themselves as people who sacrificed most for Pakistan. Therefore they had privileges in government jobs and dominated the military and important positions in bureaucracy. Other ethnic groups resented. To make people calm the elite class particularly Punjabi and Muhajir elite began to shed the cloak of

Islamic solidarity. The first to react on this parity of Muhajir Punjabi alliance were the Bengalis. They were in majority but in independent state they were subjected to the West Pakistan or more specifically Punjab. Bengali was the dominant language but due to Muhajir and Punjabi promotion Urdu was made the official language. East Pakistan also protested the unequal distribution of resources between East and West Pakistan. And they said that West Pakistan used the East Pakistan income to subsidize the development of West Pakistan in general and Punjab in particular. Unfortunately when the Pakistan leadership did not address the oppositional Bengali demand of deprivation, it resulted into East Pakistan's lack of faith in Pakistan and promises of Islamic solidarity, they resorted to ethnic politics to protect their interests. As a matter of fact tension between East and West Pakistan led to a bloody civil war in 1970-1971. The war led to Indian intervention and the derivative feelings of east Bengal in Pakistan led them to create Bangladesh. The policy of prioritizing some elite class and groups did not end here. East Pakistan freedom convinced other ethnic groups to stand for their rights too. Hence in this situation Islam became more central to policy making and in order to unite people. Bhutto and his people's party presented their populist agenda under the rubric of Islamic socialism. Bhutto's term from 1971-1977 was a period of ethnic tension in Pakistan. In order to steer away national politics from ethnic concern, an important lobby of elites and bureaucrats formed the Nizam-i-Mustafa movement which galvanized the masses in favor of democracy and Islam. Movement's main aims were also to curtail Bhutto's government and his support to Sindh Province by granting it positions in the bureaucracy, introducing a quota system and giving greater say in provincial affairs. This continued crisis between different ethnic groups eventually led to a military coup in 1977. The new ruling government's main appeal was to Islamic solidarity to oppose soaring ethnic tension and bring stability to Pakistan. As a matter of fact all such situations and struggles of an Islamic state were just the efforts of political leaders to secure their personal objectives. In the Islamisation

process of Pakistan the ethnic group who were most caused, the Pashtun's ethnic identity. Pashtun nationalist alliance with Indian political party congress, Afghanistan and later on support for Soviet Union influence in Afghanistan always made them suspects in the eyes of Pakistan establishment. Their approach toward British imperialism unlike Muslim League and the most important their different approach toward Islamic national identity of Pakistan was the major bone of contention between Pashtun nationalists and Pakistan. Pashtun Nationalism was also supported by Afghanistan, India and Soviet Union to have them in their side, it was and is, this external dimension and Pakistan's reliance on religion as a policy instrument defines Pakistan's use of Islamic resistance to Russian invasion of Afghanistan in late 1970s. Pakistan has established links with Pashtun religious organizations much before Afghanistan was invaded by USSR forces. This line of thinking is to some extent responsible for the support which Taliban in Afghanistan received from Pakistani. That support is a result of Islamization policy of identity of Pashtuns. It is this issue with secular Pashtun identity that is preventing Pakistan from going all out in its declared policy of aligning itself with 'War against Terrorism' today. While related to the inspiration and changes that came in Pashtun society due to outside forces can be discussed in the following case studies in upcoming chapters. It is important in perspective to bring into consideration that how this region has become safe place for global players in the name of Islam and their strategies of interventions and penetration make clear way for silent authority like Mullah to rule on the authoritarian political elder of Jirga. Chapter 3 Historical Background: intervention of different powers in Pashtun social structure The Great Game The scene of great game started in the 19th century when the weaknesses of Durani Empire and ambition of European imperialism set stage for power. With taking control of Pashtun tribal areas after the annexation of Punjab by British India in 1849, it became the direct neighbor of Afghanistan. Their main aims were to protect their settled areas from Russian plotting in Afghanistan and from tribal

raids. In 1876 it was first time in history when the Tsar' controlled all territories north of 'Amu Darya'. It is the river that constitutes the northern border of Afghanistan. When the Afghan Amir, Shar Ali establish cordial relationship with his powerful northern neighbor, it led the British to second Anglo-Afghan war in 1878. Where Amir of Afghanistan was made to leave Kabul. And the war marked the peak of Great Game. After occupying Kabul, British signed treaty of Gandamak with Shar Ali's son, Amir Yaqoob Khan in 1879. In which they agreed to let British open embassy in Kabul and leave control of several frontier districts. Most of these are the parts of today's FATA and Baluchistan. Treaty also guaranteed British support to Afghanistan against external aggression. After second Anglo-Afghan war British became more conscious to control the territories and people under their domination. They invited Abdul Rehman Khan, nephew of Amir Shar Ali who was living in exile in Central Asia. He occupied the throne in 1880. During his reign, he agreed to the demarcation of Durand Line, under which FATA and Baluchistan to the south of Afghanistan were separated in 1893. Durand Line is the boundary between Pakistan and Afghanistan and was drawn by Mortimer Durand in 1890s. At the time of demarcation of this border, there were so many boundaries on which both Britain and Russia had claim and kept their coveted eyes on. Amir Abdur Rehman was not unmindful of the intention and desire of his northern border claimer Russia and Britain on his South and eastern side. The neutrality of Amir Abdur Rehman caused problem for his 'Buffer State'. Some historians are of the opinion that demarcation of his southern and eastern boundaries was a mistake on his part. But he himself observed

8" ...Having settled my boundaries with all my neighbors, I thought it was necessary to set out boundary between my country and India .So that the boundary line should be

definitely marked out around my dominions as a strong wall for protection” .

8Amir was not happy with this. When the map was sent to him on his request, wherein all the countries of Waziri, BulundKhel, New Chaman, the railway station there,

were marked as belonging to India now. In this stage

8he wrote to the viceroy, “...But if you should cut them out of my dominions, they will neither be of any use to you nor to me you will always be engaged in fighting or other troubles with them, and they will always go on plundering. As long as your government is strong and in peace, you will be able to keep them quite by a strong hand, but if at any time a foreign enemy appears on border of India, these frontier tribes will be your worst enemies...in your cutting away from me these tribes, who are people of my nationality and my religion, you will injure my prestige in the eyes of my subjects, and will make me weak, and my weakness is injurious to your government.” Conflict in the

heart lines of today's Pakistan is due to the colonial decision making. Where

divide and rule policy was imposed upon Afghanistan by British regime in Subcontinent. Following Amir Abdur Rehman's reluctant acceptance of Durand Line in 1893, Britain created "Threefold Frontier" in which the five Pashtun tribal regions were placed under direct control of central government in Delhi. Three new agencies like Mohmand, Bajwar and Orakzai were carved out of the tribal districts, after creation of Pakistan in 1947. In this Threefold Frontier, settled areas of NWFP fell under the direct control of British areas where the settled areas paid taxes to the empire. On second frontier were the Pashtun tribal areas between Afghanistan and settled districts of NWFP which was under indirect rule. Third was the outer age of boundary in which Afghanistan and Nepal were both protectorate surface to Empire. That was not to influence the British administration in their colonial areas. In order to administer tribal region from NWFP to Baluchistan they adopted set of legal rule known as Frontier Crime Regulation (FCR) .This was a law and rule that adopted by Britain in Ireland in 1366,to stop the Anglo -Norman(Norman rule of England 1066- 1154) people marrying with native of Irish(Ireland). Hence the rule that was adopted by the Protestant Christian Empire to subjugate the Catholic Irish was applied to the Muslim Pashtun and Baluch. This racially and religious rule of British Empire was applied to the conquered people of North West Frontier. With the passage of time, it was withdrawn from NWFP and Baluchistan but it still operates in FATA. It was in 1901 when Lord Curzon, the British viceroy of India created North West Frontier Province (NWFP). Earlier it was part of Punjab. The North West Frontier was given status of a special province with its area divided between settled districts and tribal territory under GG of India. The governor general of NWFP was authorized to supervise the administration of both tribal and settled areas. On Attaining independence Pakistan accepted the same system of administration .In which the NWFP governor administrating FATA as agent first. Demarcation of Pashtuns was done to protect the interest of British against expanding Russian empire. Hence all British tribal policies made were all

experimental on Pashtun as such policies were never drawn before. People of North West Frontier had never subjugated to true form of central authority. English Empire also never encountered such tribes as they encountered in Punjab, because of their geographic location and culture system, to make Pashtuns acknowledge its rule, British India was compelled to devise new administrative policies. Direct efforts were made by British to bring Pashtun to their authority. British policy towards North West Frontier was based on persuasion, pressure and armed intervention..For this purpose troops were stationed to control them and semi- autonomous rule was granted to NWF, in return their submission to colonial rule. Till the annexation of NWFP with Punjab and up to its separate formation from 1849- 1901 these fifty years can be divided into two periods. First from 1849to the

31outbreak of second Anglo -Afghan war in 1878, and second, from

that date up to the formation of North West Frontier province in 1901. First 30 years represent the testing of different policies to make tribes subjugate to central authority. And the last 20 years are those of the development of forward policy. Tribal Policies When in 1849 British move into NWFP, they wanted to impose their law of justice that worked in entire of Subcontinent like 'Indian Panel code'. The code consisted mainly of

2laws determined by western values, aimed to enforce rule of law on inhabitant of

colonial India. That superseded any other customary law. It was applied to the whole of Punjab, while the same law applied to the people of North West frontier too. This code was vastly different from the Pashtun code of life 'Pashtunwali',

which typically look for compensation for victims rather than penalties for offender. Therefore the British realized that the

2Indian penal code would not work in tribal areas and began to look for experimental policies

that would work there. The Closed Border Policy With help of Close Border Policy British wanted to engage themselves in NWF plain areas which had more strategic and economic values and were more important to them than hill tribes. The intention was to treat tribes as an outside zone, and confine them only to their areas, through chain and cantonment string around it. Non-interference was the main objective of this policy in tribe's customs. And they were commonly referred to un-administered territory or 'Ghair Ilaqa'. The people of the tribal territory were free to engage with British administered areas but British officials were not allowed to cross into tribal areas. Hill tribes did not fall under the jurisdiction of cross border policy. In order to protect the passes which could cause hurdles for plain administration of British in North West Frontier, Government called tribes for contract to co-opt them. They involved the tribes in raising militias for guarding the area and in return for this service tribal people would get stipends. The hill tribesmen were trained fighters have no experiences with any central power. These people would also fight against their neighbors which began to involve the British when they saw any problem to their settled areas. British also faced the problems when the tribal hilly areas started to farm their areas and were not coming under the central command to pay taxes to government and

2refused to acknowledge the British authority or pay taxes on the land.

All agreements that government made with tribals were broken by the tribes to nullify central authority, which made government stop allowances, imposed fines or blockade. When British policy of Closed Border policy did not protect British interest in plain areas, continuous resistance and raid from tribal people, expansion of Russia and different assault on British Cantonment forced British to look for other option in North West Frontier. Frontier Crime Regulation (FCR) Under this policy people of NWF were brought accountable for their action. In this way British suppression form of co-option turned into accommodation form of co-option. That means if any person committed or acted against British authority their money and goods will be confiscated.

2If this course of action failed then the authority bypass the Indian Panel Code and adopt customary Pashtun practice such as Rivaj and Baramta. In Rivaj the

whole tribe is held

2responsible for any individual offenses, if this failed then the act of

Baramta will take place. According to which, the male member of family will be taken as hostage. It was hybrid system of Pashtun culture and British law. In order to obtain the objective of FCR, areas were administered by political agents. Political agent was doing multiple activities for British Empire, to maintain and enforce good behaviour of tribes. He was judge, jury, and police leading officer, jail warden, public prosecutor and district magistrate at time. He was authorized to impose siege or economic blockade on unfriendly tribes or whole community. Those who did not meet the demand of tribal agent he would

be stand responsible for crime. The law empowered political agent to deliver multi-layer jail sentences without due process of right or appeal to any superior court. British

13Forward Policy During Second Anglo-Afghan war (1878- 1880), region was

greatly disturbed and tribes once again become restless. Russian diplomats were also strengthening their relation with Afghanistan. It made British more active in extending

2their influence beyond the existing settled areas. British were not in mood to

have direct conflict with Afghanistan to interfere in their border area, instead they focused on the defense of India. Britain started to strengthen the passes of North West, and set up military posts in tribal areas which facilitated the occupation of strategic points. It was a time when they replace the 'Close Border Policy' with 'Forward Policy'. Implication of this policy was to control the hill tribes and make workable relation with Amir of Afghanistan. In such situation to respect Afghan border,

2British began to expend their influence along the Afghan border just, primarily focusing on Baluchistan under the new Forward policy.

This policy

2had three main objectives, 1. To occupy Quetta 2. To gain control of North West Frontier, East of Hindu Kush

like tribes of South Waziristan to open Gomal pass, Khurram pass, and occupy Samane Range to enable the government to dominate Miranzai valley and south Tirah.

23. To establish permanent relation with government in Kabul

For the accomplishment of these tasks, British Empire also started speedy work to develop infrastructure of North West Frontier, facilitate troops mobilization and quicken reaction in those areas where British control was not much strong. The Forward Policy was first implemented

2in Baluchistan under the guidance of Major Sandeman. British also wanted to

replicate this policy in NWF. First the usage of Forward policy was made in Balochistan,

2under the direction of Major Robert Sandeman. British wanted to execute the same policy in NWF

but People of settled areas were not allowed to give

2sanctuary to tribal members deemed as

outlaws by British law. When in 1893 the

Durand line treaty was signed British government in London demanded the punitive expedition, means the primarily dividend areas, settled from hill tribes be cancelled and the now Forward Policy be extended to areas that

2agreed upon Sir Mortimer Durand and the Amir Abdur-Rahman'

s Durand Line . In this they also agreed that British forces will not be used in Afghanistan unless Afghan Government allowed British forces to restore or install order. Annexation of any area of any government will be abandoned according to the treaty

2signed by Afghan and Russian governments, promising to respect the border and territory of each sovereign

country. All the efforts of British Empire like Durand line, permanent line of communication between British Empire, Afghan did not satisfy the tribal people, as empire deeper into NWF, resistance from the people increased.

2Over 60 years of engaging the Pashtun on the

NWF,

2almost 30 years under forward policy,

raids from

tribal people increases from 56 in 1907 to 99 in 1908 and 159 in 1909..As long as the British remain in the NWF, resistance remained there and lasted until their departure from British India. Malki System; Indirect Rule Formation

26of indirect rule enacted was at the same time when the Forward Policy

was passed. According to this rule British wanted to gain tribal cooperation to settle any official grievances through tribal customs. This system was also modelled on Sikh's traditions. In order to have hold on tribal people, according to British authority tribal chief like Malik were important figure to quell the disturbance and get support for them that challenged British authority in tribal areas. This system helped British agent to administer his tribal work through Malik. Although in reward British would pay allowances for good behavior that the Malik would maintain among tribal people. He would distribute these allowances, reward and collect fines under Pashtun custom of Nikat. Main objective of this rule was to get tribal support and protect different passes that make way for invaders to enter into British Empire. System of indirect rule was first introduced in Baluchistan under Sir Robert Sandamen who was at that time chief Commissioner to Baluchistan from 1877-1892. Rober Bruse who was then deputy Commissioner of Dera Ismail Khan adopted same system for North West Frontier. System was simply based on 'Penetration and occupation'. Hill tribes who were the most resistant forces against British India came to know that this indirect rule would be the first leading step of British to interfere in tribal customs through their Political Agent and Malik nexus.(Facts are facts page)For time being this indirect rule encounter resistance in tribal areas of North west frontier. While it was in 1892 when resistance to British Administration started with back

support of Amir of Afghan erupted with allegiance to Gul Mohammad Khan who came to Wanna in 1892 and started to exhort Mehsud and Wazir tribes to stand against British. Hence his appearance split the leading Malik into pro-Afghan and pro- British factions, which contributed violence against the British. This violence resulted into the death of British Officer, five Sawars and sepoy of British army. According to Bruce the Murder was carried out by Mehsud Malik of the Abdul-Hali sub- tribe, who was excluded from allowances in 1889 Jirga of Appozai (Fort Sandamen in Zhob valley of Balochistan). Robert Bruce commanded the tribe to surrender those who involved, and taxed, convicted and sentence to jail and fined. The convection of his law outraged some of Mehsud elders. Mullah Pawinda was important person angered on the surrendering of tribe men to British commissioner and killed the Malik who handed over the tribal men for conviction. At this time the Bruce called the tribal leader to punish the murderer of Malik by authority instead of tribal customs. In this occasion the government of British India procured that it will be better enough to punish the murderer of Malik by the tribe's themselves. Because taking charge of such case by Commissioner will affect other tribesmen and British government long road effort to bring people of North West Frontier cooperation.

2 Though the Malki system enabled the British to maintain acceptable level of order

in NWFP, but ultimately it failed to establish authority. The main reason that the Maliki system did not allowed to work was that the agreement of tribal Malik to British authority only meant that British did not understand the social organization of Pashtun culture. Malik appointment by the authority did not mean that all Pashtun in tribal areas felt obligated to British power, as all Malik were not in cooperation with political agent. Pashtun society was divided in

2number of sub branches, they did not to
acknowledge the authority of

signal chief but they had

2numerous Maliks who hold a little
authority and they were chosen

from branch from which they belonged to. British empowerment to these Malik only meant that they will not act in the interest of tribes. No Pashtun were willing to accept the decision of Malik when if he entered into a contract on behalf of anyone other than the tribe. The British in every sense tried to implement policy that matched to Pashtun sense of justice. The introduction of Frontier Crime Regulation was a clear example of co-option and indirect rule demonstrated their action of accommodation. Tribes were reluctant to face punishment according to Western laws and that enraged sense of Badal in them. Punishment to NWF people not only meant injustice but it violated the principle of Pashtunwali like Milmistia and Nanwati. British were required to be very

2careful to ensure punishment that fit under
tribal law.

It was also complex for British to understand Pashtun customs that was a barrier to their authority. Pashtun accepted the law of the British government when it was conducted in accordance with Pashtunwali .Where they imposed their own understanding of law that would control tribal people, it only caused disturbance, in other sense compromises made

2by the British authority contradicted Pashtun customs and failed to offer way of life that they recognized as better.

Administration of Tribal Areas after Independence After partition of Indian Subcontinent in 1947, Pakistan was beset with 3 main issues, 1.

2Threat from India on its eastern border and the unresolved issue of Kashmir

between them. 2. Pashtun Nationalism, who were not happy with their adherence to the new Islamic state on religion-ideological bases. 3. And the efforts of Afghan government to recover its Pashtun members and get access to Indian Ocean, because Afghanistan was a landlocked country. These were such issues that kept Pakistan insecure at all times. It was also one of reason that Pakistan policy toward its neighbour remains offensive. Either it is the development of relation between Russia-Afghanistan and Afghan-India, it kept Pakistan conscious all the time. It was also due to same security problems that Pakistan pursued policy of suppression in tribal areas to keep them subjugated and to suppress the Pashtun nationalist to get hold on tribal people. In such insecurity Pakistan deprived the border region that could have guaranteed Pakistan's security. Tribal areas have always remained in conflict due to the state negligence over their social, political and economic problems. State left these areas to their own administration like in colonial areas, and ignored the point that Britain was an imperialist state and wanted her colonies protected from Soviet expansions and therefore left the administration of these tribal areas under tribal customs and later on Governmental policies were molded into tribal customs to pursue their military objectives. The tribal areas now being part of Pakistan required social and economic development and security of borders too,

in order to feel like free men in independent state. Indian Independence act which was passed on June 1947, by British parliament, abrogated all the treaties and agreement that were made between British government and tribesmen. Now from constitutional point of view they were required to come with fresh arrangement with new government. Unfortunately from 1947 to 27 June on 1950 these areas were not mentioned in constitutional documents and they were not part of Pakistan. It was just in November 1947, when the British appointed tribal agent of tribal agencies, secured agreement from tribal Maliks in which they claim as follow, "We proclaimed that we are part of Pakistan, and we promise that in case of need, we will to the best of our abilities, help Pakistan if called upon by the Pakistan government. We wish in every way, as in the best, to

13be peaceful and law abiding and to maintain friendly relation with government and with the people of the settled districts. On the foregoing conditions, the government of Pakistan will continue to bestow on us the benefits,

which we are receiving and the internal arrangement of our tribes remain as before". In order to meet the need of time 1901 British policy to administer the tribal areas were adopted by Pakistan after independence. Father of nation Muhammad Ali Jinnah,

2strongly disliked the British policies being utilized in the administration of tribal areas.

Also he indicated strong desire to keep

2tribal areas in check and Pashtun must be integrated in Pakistan's society.

However after Jinnah death Pakistan's leader kept the policies of British, and Pashtun as dependent on State allowances and subsidies instead of making opportunity for them to participate in social, political and Economic affairs of the State? Integration of tribal people into Pakistan failed, as equal rule of law was not applied upon them as in other part of Pakistan according to Jinnah's wishes. Government of Pakistan tried to establish state authority through subjugation and pacification rather than development. Continued threats from India and particularly Afghanistan shaped policies in tribal areas that encouraged unrest and deconstructions. In order to have access to Indian Ocean Afghanistan fanned the flame of Pashtun nationalism and independent Pashtunistan. These Nationalist said that Durand Line separated Pashtun of Pakistan and Afghanistan politically rather than geographically. It was in 1960s and 70s that Pakistani government, after seeing the turbulence in Afghanistan by tribal politics and emergence of communism, decided not to let tribal people to independent

2way of life. When the Soviet Union invaded Afghanistan and the then Afghan government

(King Dauod was staunch supporter of Pashtun nationalism and proclaimed for great Pakhtunistan)

2appealed to Pashtun nationalism in Pakistan, it forced Pakistan to sacrifice

development and incorporation in tribal areas of NWFP, FATA and Balochistan.

It was time when tribal areas in Pakistan become 'buffer 'to protect Pakistan from Soviet expansion much like Afghanistan as

2buffer between great Britain and Russia in the great game.

All progress that was made by Pakistan government before Soviet Invasion, were completely destroyed. When the threat of Soviet invasion subsided, Pakistan was busy in arm race with India instead of development in tribal areas. It was the incident of 9/11 when all powers sparked interest in tribal areas. Pakistan's ignorance to tribal areas was either intentional or unintentional but it brought Pakistan to the center stage in the United States war against terrorism. Malki system or Indirect Rule When British rule ended in 1947, new government was authorized to enact new agreement with tribal people, but

2Pakistan recognized its weaknesses as a un-experienced government and therefore opted to continue with the British Malki system and pursue policy of accommodation in

which people of tribal areas agreed to declare themselves as

2part of Pakistan and promised to aid Pakistan in time of need

. It was said that

2Pakistan would extend their rule of law to the settled areas of NWFP and Baluchistan,

while the tribal people

were allowed to follow Pashtunwali. The role of political agent during British era was just to maintain order, now his job was to maintain development, health issues and social activities as well. In 1951 government of Pakistan forced the Malik for new agreement to change their policy in tribal areas for minimum co-operation, this policy included two changes: 1. Tribal people of Pakistan will cease any connection with Afghanistan. 2. Tribal people will co-operate with the government to facilitate them with infrastructure of roads, school and clinics. Jinnah's visit to NWFP in April 1947 was clear depiction of his true will for tribal areas as integral part of Pakistan where he assured the people

7that, "Pakistan has no desire to unduly interfere with your internal freedom. On the contrary Pakistan wants to help you, and make you, as far as it lies in our power, self-reliant and self-sufficient, and help in your educational, social and economic uplifts, and not be left as your dependent on annual doles, as has been the practice hitherto, which mean that at the end of the year you were not better off than beggars asking for allowances, if possible a little more. We want you to put you on your legs as self-respecting citizen who have the opportunity of fully developing and producing what is best in you and your land".

He also assured them that the allowance which he used to get from Britishers will continue and added

7that, "Neither my government nor I have any desire to modify the existing arrangement except in consultation with you as long as you remain loyal and faithful to Pakistan".

It was Jinnah's temporary arrangement to pursue British policy to get Pashtun support, integration of tribal areas in State was not possible overnight.

Unfortunately when he died on 25

7September, 1948, the successive Pakistani regimes did not change policy regarding tribal areas,

they

7preferred to deal with tribal through political agents rather than to contact with the tribesmen

on gross

7root level and old system of allowances continued as before.

One Unit and Tribal Areas One unit plan was yet another dramatic change in government policy to suppress all ethnic groups and bring them under banner of

a single political identity.

2This policy combined the Punjab, NWFP, Balochistan and Sindh and the tribal areas into one province with name of West Pakistan

.The main objective of this plan was to oppose the people of today's Bangladesh by crafting the balance of presentation in more modified way between East (Bangladesh) and West Pakistan(Punjab,Sindh,NWFP AND Baluchistan) and to create

2common identity among the people living in new formed west Pakistan

beyond their ethnic identity of Pashtun, Sindhi and Balochi. Under this plan Tribal areas were also part and were to be governed by Governor of West Pakistan who worked as President Agent. People of any provinces specially , Sindh,Balochistan and NWFP were not satisfied with this plan and did not inspired the tribal people to identify themselves with other identity, instead it only ensued scarification of their own one. Feeling of such insecurity inspired a renewed sense of Pashtun Nationalism. Pashtun in Afghanistan were also raising voice for Pashtunistan and made Pakistani Pashtun to raise their voice for specific identity rather than merging it in others. Pashtuns in Pakistan who were already passing through feeling of identity lost, boost up with their ego. East Pakistan was also not satisfied with the plan to change their majority into minority under the one unit. All ethnic groups in East and West Pakistan were angered with State authority, that if the common cause of independent State to protect minorities and fight for self-preservation of ethnic groups than why their identity is merging into one political identity. Owing to the feelings of grievances

and deprivation in 1966 the government of Pakistan yielded to the movement and allowed

2people to decide whether this plan should continue or not. The vote was overwhelmingly

against the one unit plan and in favor of return to the former provincial administration. When One Unit Plan dissolved, the tribal areas were divided in three categories. 1.

1Federally Administered Tribal Areas (FATA) 2. Provincially Administered Tribal Areas of

Balochistan (PATA) 3. Provincially Administered Tribal Areas of NWFP(PATA)
The

13tribal areas of Dir, Sawat ,Chitral and Malakand protected areas and the Hazara territory were included in the NWFP.

Administration of PATA of NWFP and Baluchistan is the direct responsibility of their provinces and the administration of Tribal areas is federation's responsibility through Governors of these provinces as agent of President. In 1960s, Pakistan policies in tribal areas were based on peaceful penetration and offer of limited co-option to avoid direct conflict with tribesmen, process of development remained until 1970. During this time Pakistan

2troops were sent back to tribal areas along with teachers and medical services.

Infrastructure of roads was improved to facilitate troop's movement. These were positive efforts by the

32Government of Pakistan considered tribal areas part of Pakistan and improved the security line

to win the heart and minds of people. Government engaged Pashtun tribal people to reduce their grievances and offer modest improvement to their economic life. With help of opportunities like encrusting tribal people in Military and Bureaucratic positions, Government considered tribal people part of Pakistan instead of leaving them within their borders. Development projects like the constructions of roads, industry, electricity and water line in 1960 to 1977 marginalized the repeated attempts of Afghan government to pump up the Pashtun for Pashtunistan concept. These arrangements were supplied to tribal areas by the government without any demands from the tribal people to change their customs. Invasion of Afghanistan by Soviet Union and Tribal people in Pakistan: In 1978 when Soviet Union overthrow the then ruler king Dauod, it forced Pakistan to alter his policies in tribal areas. All the development programs were cut down due to State security. Khalq faction that was a communist sponsored group got support of Pashtun nationalists but lost support of Pashtun conservatives. Hence to get support for independent Pashtunistan, Khalq government mobilized the

2Pashtun on both side of border to solidify its hold of the Afghan government.

In this response Pakistan's policy in Tribal Areas consisted of accommodation than co-option. Due to state security jumping into big powers war was a good option for Pakistan to gain co-relative objectives: 1. To suppress secular and political formation in Pakistan 2. To wage covert war against her rival like India and Afghanistan. Zia-ul-haq was a military dictator, all secular and people representative parties demanded

9him to hold elections and transfer power to elected government,

9but the Soviet Invasion of Afghanistan gave

legitimacy to his government. Legitimation to his rule was given by those who were pursuing their own interest in the guise of national security. In foreign perspective, the support of

9United States and her regional and European Allies

to prevent the expansion of communism and the ideology of communist was politicized with war between Islam and communism. And domestically Zia Government was supported by those religious political parties who found their way to realize the dream of Pakistan as Islamic state. At this time Pakistan

9-Afghan policy can be analyzed in two phase across three periods

Firstly, it began in 1979 when Soviet Union invaded Afghanistan in 1988, in this period Pakistan's goals were to remove the soviet Union's occupation and replace it with favorable friendly Afghan Government ,for this purpose it cultivated irregular forces in tribal areas. Pakistan funneled weapons and money to the fighters of tribal areas across the borders of Pakistan and Afghanistan. Though the illicit activities were always happening on the border regions, with help and

2tacit support of Pakistan, smuggling, drug trafficking and gun running in the tribal areas allowed these practices to become highly profitable.

Whilst the second phase of Pak-Afghan policy started in 1992, when Pakistan helped the Mujahidin to replace Kabul government and in the Afghan civil war, when the interim president Burhanuddin

9Rabbani refused to step down, and when his tenure ended

in 1993. He also

9refused to share power with Gulbadin Hikmatyar.

Burhanu din Rabbani, Gulbadin Hikmatyar and Ahmad Shah Masood were those religious fighter that were produce by Pakistan and big player of Soviet occupation of Afghan war. Rabbani was unhappy with Pakistan for shifting

9support from one Pashtun group to

other. Rubbani and other warlords of Afghanistan used

9Iran, Russia and India as new supporters
against Pakistan who were influencing Afghan

politics. In such situation Pakistan reminded the sacrifices it made to liberate
Afghanistan from invasion,

9shelter to Afghan refugees and arms and
money to their forces. But these reminders
did not

help the new warlords of Afghanistan to

9express gratitude to the former benefactor
while they were locked in bitter struggle for
power.

This situation left Pakistan with no room other than to look for alternative like-minded Government in Afghanistan. The Taliban Emergence The interim government of Afghanistan did not form justice and accountability system for people. Different foreign backed powers like Saudi Arabia and Iran supported different warlords to gain regional hegemony in different areas. While the southern part, Kandahar' was not in the control of foreign backed militia, nor the government of Kabul. The situation of killing, stealing and raping of women and boys forced people to reach out to the former mujahedeen' known as 'Topakian'. They were helpful in their primary age but latter on they started to harass

people. On different check-post in Kandahar they demanded money from people when they asked for help. In 1991 a movement 'Taliban' came into being. This name was given to the movement because of its relevance to Jumi'at-Ulema-Islam (that was religious school for Afghan refugees in Pakistan). Student of this school developed a politico-religious force against the tyranny of local militia. Mullah Mohammad Umer along with his 50 student started his movement activities as helping force in Kandahar. It was the spring of 1994 when the stories of his popularity were heard, freeing two girls from mujahedeen camps whose heads were shaved and the girls were raped. The members of this movement consisted of a mix of jihadist who gained military training against the soviet forces, young generation of Afghan students who fled to Pakistan during civil war and sustained political exposure in Pakistani madrassas. But over time people from all kind of backgrounds joined it. People welcome this movement because they needed such a movement. In 1994 when the movement captured Kandahar and the neighboring States saw an opportunity to press their own security and political agenda. Pakistan struggle for strategic depth in Afghanistan and her support to militant groups created problems for his own people all over the country. Pakistan's support for militant Islamic groups not only introduced Madrassa system in Pakistan but the former teacher, colleagues and peer support bases in Pakistan. Support to the opponent of Soviets left Pakistan with dramatic turn in

24 tribal areas, one of the main cause was the influx of

3 million Afghan refugees settled in NWFP, FATA and Baluchistan, which inevitably led to clashes between local resident and the refugee Where Jirga would settle disputes among them. Large number of fighters also took refuge in Pakistan as Pakistan allowed them to take refuge on its soil. These Mujahedeen

once entered into the tribal areas launched guerrilla type activities against Soviet and Afghan forces from Pakistan territory. These militant now grown enough, the Pakistan government unable or unwilling to control the activities of these insurgents, they established quasi-government enclaves in the tribal areas. Now it is this link that developed among militant of Afghanistan-Pakistan and Arab groups during 1980s still active against United States and NATO force in Afghanistan. Chapter 3 (Part II) Incident of 9/11 and America in Region Related to the elimination of militancy after 9/11, Pakistan became close ally of United States. For the USA Pakistan on its part provided major supportive arrangements that still provide the foundation for bilateral relationship. These included way of access of troops and supply and chain demand to them through air and sea, provision of logistics support for the United States troops in Afghanistan, military support; as Pakistan deployed 80,000 soldiers to its Western border. Intelligence support to provide U.S any information related to movement of Al-Qaeda members fleeing or crossing border. For all these cooperation's Pakistan government wanted support in return, President George Bush waived sanction on Pakistan that were put on it after acquiring nuclear capability, U.S assistance pipeline were re-opened and the US Government

30promised to forgive 2 billion dollar of
Pakistan debt and

encouraged other creditors to do the same. U.S assistance to Pakistan since 9/11 was only meant to achieve counterterrorism and counterinsurgency objectives. These funds were not moved beyond security assistance to include education, development objectives or to cope with unemployment and poverty. These are the main causes which attracted people towards illicit and illegal goals of militancy, because it was a financial support. In 2006 Musharraf's strategy of striking deal with the tribal elders had failed due to security forces'

successive 2004 and 2005 military operation in tribal areas to root out the Taliban and Al-Qaeda. Because tribal people were insecure about their life and security which could've been ensured by the State, while in presence of defector power they were not in situation to cooperate with the State. Musharaf's offer of cooperation to the tribal people was less a strategy for victory than a means to remove his army from unfavorable battlefield. In fact the threats to Pakistan soldiers were real and in this field hundreds of Pakistani soldiers lost their lives. And cross border attacks in Afghanistan also tripled in the months after when the deal of 9 September 2006 was signed. All going situation of Pakistan army operation in tribal areas and their deal with Militants was interestingly observed by U.S national security expertise. They saw the Pak-Afghan border as major front on global war on terror against Al-Qaeda. And they were dissatisfied with Pakistan's efforts and progress toward Taliban who were getting stronghold in tribal areas. And the United States now can see the road of instability initiating from Pakistan. At that time different visits by different U.S officials were also made in which they gave message of do more to Pakistan. When in July 2007 the National Intelligence Estimate (NIE) (that deals with the United States national security issues) discovered that Al-Qaeda have constituted safe haven in Pakistan tribal areas, it sparked non-stop debate on media, Pakistan was left with no room to launch operation against militants, lest United States itself go for direct military raids on actionable targets. After that several operations were launched by Pakistan military against militants in tribal areas like operation Zalzal(2008), Operation Shar-e

1-Dil, Rah-e-Haq and Rah-e- Rast (2007-2009) and operation Rah-e-Nijat(2009-2010)

Operation against red mosque was also conducted in heart of capital city of Islamabad, who were challenging the writ of State. It was first time that

government of Pakistan took step against militants and arrested several key figures. These militant groups have conducted series of attacks on police, public and officials, several innocent people have been killed in target killing and suicide attacks that continue till this day. United States congress authorized 750 million dollar package of five years for FATA to address the underlying causes of extremism in Tribal areas. Emergence of Different non-State actor after 9/11 and their links to one another Emergence of militant groups and the present conflicts in Tribal Areas of Pakistan did not develop overnight, but the seeds of these violent conflicts were sworn by historical events of the recent and distant past. Reason for tribal areas a becoming favorable place for militants was due to its topography and location at Afgan-Pakistan border. Beside this the main driver of conflicts is many that help militants to adjust their interests in Pakistan tribal areas. They entered into tribal areas through different passes like Khyber, Bolan, Tuchi and Gomal. Once the foreign militants entered into areas, they not only formed relations with each other, gained local tribal people sympathies, but also came to know about the terrain of the area. They demanded from the locals to develop their social, political and economic set up according to their own prescribe form of Sharia, which resulted into the emergence of local Taliban and spread of militant culture. The local government failed to establish its writ because the AL-Qaeda and Taliban al- Qaeda and Taliban received support from Pakistan. The outcome was that not just illicit activities such as smuggling, gun running, and heroin business thrived but there also emerged religious extremist

28movements such as Tehrik-e-Nifaz-e-Shariat-e- Muhammadi.

Different state actors involve in this regions Pakistan intelligence agency and Army from the very first day seemed busy under the cover of National Security

to have militant group in Pakistan over which they exercise their authority and influence. Support to Taliban and Jalal-u- din-Network base in North Waziristan was one of them, but with the passage of time when they became threats to state security and under pressure of international community Pakistan has took different precautions to deal these non-state actors. Before different operations that launched by Pakistan government against these militant it is important to outline major militant groups that exploiting the socio-political and economic activities of the tribal people. Group of militant actors as followed 1.

10Global Terrorists 2. Afghan Taliban 3. Pakistani Taliban, and 4. A Plethora of tribal militia, extremist' s network and sectarian groups.

Related to global terrorist United State national intelligence estimated that U.S and NATO operation against war on terror made Al- Qaeda to flee to Pakistan – Afghanistan border regions.

10From where it continues to plan, fund and inspire attack. This Al-Qaeda leadership is accompanied by 150 and 500 hard core fighters. Other terrorist'

s organization that expanded to Al-Qaeda that was

10previously based in Afghanistan especially'Uzbek' now operated from FATA. These Uzbek fighters in Waziristan

are estimated around 1000-2000. Afghan Taliban who were forced from power in 2001, started to manage and regroup themselves

10from Pakistan side of the border, the former leadership

of Afghan Taliban included Mullah Mohammad Umer was based in Quetta, while the other

23major Taliban affiliated network led by Sirajudin Haqqani, was based in North Waziristan, from where they have successfully launched their attack on NATO, United States and Afghan forces.

Connection of Afghan Taliban to Global Terrorists and extremists trace back, when Usama Bin Ladin left Saudi Arabia with anger when King Saud opted to have American forces oust Iraqi dictator Saddam Hussain's troops from Kuwait in 1990s. He flew to Jalalabad and entered into Afghanistan in 1996. He fell into the hand of Afghan Taliban when they over run the city in 1996. He moved to Kandahar where he came into contact with Mullah Mohammad Umer, the leader of Taliban. Mullah Umer was enthralled by Bin Ladin's talk of grand constructions. At that time Usama bin Ladin's presence was not opposed by the Saudi's .Even Riyadh rejected Taliban offer to hand him over for persecution over a November 1995 bombing of Riyadh, which killed six people, including 5 Americans. He even succeeded to convert some Taliban to his cause. And his close relations with Mullah Umer spared him from question by other Taliban leaders. Mullah Umer also raised Residential Compound for Bin Ladin family and his close friends. It was also in Afghanistan when Bin Ladin struck an

Alliance with Egyptian raided Ayman-al-Zawahiri in 1990s, where Islamists from Chechnya, Central Asia, Chinese Turkistan, South Asia and European joined the Arabs to form a truly global Conglomerate. Rise of the Pakistani Taliban began when the war against terrorism started in Afghanistan and Afghan Taliban and Kandahari Taliban entered

29 Quetta, the capital of Pakistan's South Western province Balochistan.

While during war against Soviet Union in 1980s, Quetta and other Pashtun regions were sanctuaries for the mujahidin. Wounded Al -Qaeda members were directed by Taliban and Pakistan local sympathizers to take shelter in the tribal areas of FATA, Balochistan and KpK, while fighting with the United States forces in Tora Bora Mountains. It is said that the emergence of Pakistani Taliban was after the incident of 9/11, in fact the movement of Pakistan Taliban was already active in Pakistan and only returned home when the Taliban government collapsed in Kabul. Few Taliban commanders belonged to the tribal areas of Waziristan, they had associations with the Islamic political parties and extremists organization and joined the Afghan Taliban movement individually. In initial days the objectives of Pakistan Taliban to secure a region as camp forth war in Afghanistan and protect the mujahidin who fought against United States and NATO forces. Pakistan government failed to deploy troops to different blocks to arrest Al-qaeda and Afghan Taliban fighters when they were entering Waziristan, only some Government forces were deployed at Khurram and Khyber tribal districts, Local people also helped to arrest hundreds of Al-Qaeda member in Khurram, but the lack of significance number of Pakistan forces presence left open a back door for extremists to establish themselves in FATA. Pakistani Government has publically announced being a front line ally to Washington and denied, providing support and sanctuaries to Al-Qaeda and

Taliban on its own backyard. Pakistan Government also did not take political parties of countries and civilians in confidence during becoming ally to United States' War On Terrorism' such situations open way for different parties and Islamic groups to inject the mind of innocent people specially in tribal areas, that convinced the people that United States like previous powers of the time came to Afghanistan to pursue its own goals, Such thoughts confused the people, they were afraid to cooperate with government and they were also opposed to the extremists thought of Islamic militant who were imposing their own ideology of fundamental Islam. Pakistan Government's initial military operations only stimulated local support for extremisms. Because the militant became more powerful than the tribes and local administration, and the new kind of order was on the rise in the tribal areas. Fourth major group as security threat to Pakistan particular, because it consist on the split groups of Pakistan Taliban who were left in lurch by Pakistan when Pakistan was pressurized to stop supporting different groups. The separated group of Pakistani Taliban united in late 2007 in form of a formal organization called Tehrike-Taliban- Pakistan, founder of this movement was Baitullah Mehsud, who became leader of Pakistan Taliban back in 2004 when military operation against militant group started under Washington pressure. Fighting was limited to villages around Wanna and Shaki valley. Fighting was over when the then Taliban leader Nek Mohammad was killed and Baitullah Mehsud became new leader of Pakistan Taliban, Tehrik-e-Taliban Pakistan (TTP) leadership and its cadres were from Waziristan .But it did attract alliances from Khyber-Pakhtunkhwa, FATA, Sindh, Punjab and Balochistan. This organization was not hostile to American and NATO forces .TTP was also joined by anti-Shia Sunni extremists such as Lashker-e-Jangvi and allied with Islamic movement of Uzbekistan (IMU) who were driven out of Wanna in the spring of 2007. It was in 2009 when drone strike by U.S killed the founding leader of TTP Baitullah Mehsud and precipitated TTP decline. And the TTP turning against State, targeted innocent people and symbols faced the wrath of

Pakistan state and public. Hence the connection between AL-Qaeda and Afghan Taliban and then their escape to Pakistan after 9/11, their relation with Pakistan Taliban and tiny radical networks today made them

10 more decentralized operationally, more sophisticated tactically and more

influence objectively in their activities. In 2001 to 2002

25 Pakistan was home to fifty eight religious political parties and twenty four armed religious

political parties. Military operations by Pakistan Army Al-Qaeda and Taliban's exploitation of tribal areas for furthering their own interests led to change of government's policies towards the area which had been in operation since the creation of Pakistan. The active presence of these groups left Pakistani government with no other operation but to launch military operation against them in December 2001. It was after a long time that Pakistani forces were sent into the tribal areas. Entering into tribal areas in search of militants was an act with extremely inflammatory potential, it not only increased anger in tribal people but government itself

6 undermined the tacit social compact on which the FCR and traditional Frontier governance systems had been based. The implied statement that supported the FCR framework was that if the tribes sat down humbly under the Political Agents, Maliks and Frontier

Corps, then they would be allowed to

sit unbothered to represent

themselves, and the local Government and the Army would stay out of their

issues. Be that as it may,

now the Army had broken the administration's end of the deal, attempting (at the command of kafir non-natives, no less) to drive the tribes to break two key precepts of Pashtunwali:

and Nanawatei. Tribal honour and Islamic rule, particularly

the Qur'anic directive against agreeing with any infidels against any Muslim, alike joined to guarantee that the tribal leaders would totally dismiss these requests. The Army, additionally, had first broken the arrangement, not the tribes: why then

would it be a good idea for them to stay calm? Before the

end of 2004 the tribes were in a full, however undeclared, boondocks war against the administration. By mid-2005, overwhelming Army losses in the FATA had constrained the legislature

to change its method from encounter to negotiation.

1 Pakistani forces have conducted at least five major military operations, along with numerous smaller operations, since 2001

to 2010, as followed, 1.

1 Operation Enduring Freedom (2001–2002), 2. Operation Al Mizan (2002–2006), 3. Operation Zalzala (2008), 4. Operations Sher Dil, Rah-e-Haq, and Rah-e-Rast (2007–2009), and 5. Operation Rah-e-Nijat (2009–2010). After the 11 September 2001 terrorist assaults, the U.S.-drove Operation Enduring Freedom went for ousting the Taliban administration in Afghanistan and to catch its and Al Qaeda's noticeable and key pioneers was

propelled.. As a result of Pakistan's vital area and its recorded inclusion in

1 Afghanistan, Washington influenced Islamabad to help the war effort. Pakistan made two amazingly critical commitments to Operation Enduring Freedom. First, In any case, it offered U.S. logistic and military backing by giving ports and bases, together

with sharing insight and migration data, and catching key Al Qaeda pioneers. Secondly, Pakistan took units from the customary Army, Special Services Group, the Frontier Corps and Inter-Services Intelligence (ISI) directorate along its fringe with Afghanistan to lead operations on invasion courses between the two

nations. In

1 December 2001, Pakistan utilized a blend of powers in Khyber and Kurram tribal offices to bolster U.S. operations in Tora Bora. Pakistan assumed a noteworthy part in catching numerous conspicuous Al Qaeda pioneers and non-natives, including Abu Zubaydah, Ramzi container al-Shibh and

Khalid Sheikh Mohammad. U.S. authorities profoundly lauded Pakistani commitment to this operation. Indeed, even in this way, Pakistan's part was somewhat restricted. Washington did not request that Islamabad focus on all, or even most, aggressor gatherings and pioneers working in and

1 from Pakistan, including the essential pioneers of Afghan Taliban and its partners, for example, Jalaluddin Haqqani and Gulbuddin Hekmatyar. America looked for, rather, Pakistani help basically in catching or murdering Al

Qaeda pioneers and the outsiders connected with its system, which was additionally to the greatest advantage of Pakistan. Operation Enduring Freedom was halfway fruitful in its prime destinations of ousting the Taliban administration and catching a few supporters of Al Qaeda. However, both the United States and Pakistan neglected to catch key Al Qaeda pioneers, including Osama bin Laden and Ayman al Zawahiri. Among the activists who fled into Pakistan after the breakdown of the Taliban administration in Afghanistan were Qaeda components and some of its top

pioneer. Operation Al Mizan (2002–2006) As

1terrorists and their associates assaulted Pakistani military and paramilitary establishments and U.S. bases on the Afghanistan–Pakistan border, Consequently, Washington compelled Pakistan to dispatch a hostile against the remote contenders in FATA. Operation Al Mizan

included a few little operations, for example,

1Operation Kalosha II, which occurred in South Waziristan. Pakistan sent somewhere around 70,000 and 80,000 forces in FATA. The armed force directed a noteworthy 13-day

cordon-and-search operation over a 36-km range west of Wana that had gone under the order of a few Pakistani aggressors, including Nek Mohammad Wazir, Noor-ul- Islam, Haji Mohammad Sharif, Maulvi Abbas and Maulvi Abdul Aziz, who were

associated with

18 harboring outside fighters. Amid the operation, Pakistan conveyed the Frontier Corps and XI Corps, based out of Peshawar, under the charge of Lieutenant-General Muhammad Safdar Hussain.

Instead of clear encounter with militant it was favorable for army to negotiate, for this purpose The

6 Government of Pakistan agreed to the Shakai Peace Arrangement, the first of three peace agreements with the tribes, in South Waziristan in April 2004. It was agreed with previous Taliban authority Nek Muhammad Wazir, but broke down nearly on after Nek Muhammad was killed in mid June 2004, professedly by a U.S. Predator UAV strike. As BBC News Peshawar reporter Rahimullah Yusufzai reported at the time, the peace arrangement did not bring about any reduction in

violence, but rather it changed local power structures, engaging aggressors like Nek Muhammad who were seen as negotiators with the Government from a position of strength, while ignoring customary tribal leaders.

The same pattern were followed in

1 February 2005, the administration of Pakistan marked a peace agreement with

Nek Muammad's successor Baitullah Mehsud at Sararogha. As per the arrangement, the armed force consented to expel

1 troops from Mehsud's domain, reward the activists for human and material misfortunes, and send Frontier Corps staff to the five fortresses there. The understanding practically gave over control of the territory to Mehsud. But the peace was brief: in mid -2006, Mehsud started organizing a suicide- shelling battle in Pakistan, which held on until his passing in August 2009 In pre-winter 2007, Baitullah Mehsud reported that the different neighborhood Taliban gatherings had united under his administration and embraced the name Tehrik-e- Taliban Pakistan (TTP). In January 2008, Baitullah Mehsud's men caught Sararogha Fort in South Waziristan and

slaughtered numerous individuals from the Pakistani security forces. Operation Zalzala (2008) Around the same time, the Pakistani armed forces dispatched three noteworthy

1 operations: Tri-Star against the Pakistan Taliban in FATA, of which Operation Zalzala ("Earthquake ") in South Waziristan was the central segment. Zalzala went for clearing a few zones held by powers faithful to Mehsud. The goal was not to focus on the gatherings who were occupied with wars in Afghanistan or Kashmir, yet to catch or murder key components in Mehsud's system who undermined the writ of the administration. For quite a while, the

armed forces cleared a large portion of the ranges

16 of Spinkai, a Mehsud fortification, and involved a few towns and little towns.

1 Operation Zalzala had cleared most parts of South Waziristan, and upset some arranged suicide assaults. The armed force seized PCs, weapons, extemporized dangerous gadgets and publicity material. As per a report, security

powers decimated more than

14,000 houses in South Waziristan in January alone. Moreover, Operation Zalzala dislodged about 200,000

local people, creating critical animosity. After restricted accomplishment in the

1 southern parts of FATA, Pakistani security powers started operations against activists somewhere else in the nation. There was some participation among systems working in northern parts of FATA and PATA; that is, those driven by Faqir Mohammad, Mullah Fazlullah and Sufi Mohammad. Baitullah Mehsud

gave a few warriors and help to the extremists

16 in Bajaur and Swat as a component of his system to better arrange the uprising through the Pakistan Taliban. A progression of assaults on government offices, including ISI, Frontier Corps and

armed force faculty, spurred the armed force to retaliate. In mid-2008, a militant forces commanded by Qari Zia Ur Rehman, pro-government local militia out of their positions in the area of Loe Sam. Similarly, they compelled the local Lashkar to vacate more than 50 % of their pickets in the area. The attack on security forces in September the same year at last convinced the government to

launch operation Sher Dil (Lion Heart).

1Operations Sher Dil, Rah-e-Haq, and Rah-e-Rast (2007–2009):

The prime target of

1Sher Dil operation was to focus on all the activist gatherings that undermined the security of Pakistan. Around December, more than 1,000 aggressors and 63 security work force had been killed. Pakistani

powers discovered passage buildings utilized for concealing individuals and putting away material, for example, weapons, ammunition, radio recurrence records, guerrilla-fighting manuals, and promulgation

1and bomb- production instructions. After finishing Operation Sher Dil, armed force and Frontier Corps strengths moved to Mohmand Agency to lead extra operations. This operation was led by armed force against the Tehrik-e- NifazeShariat -e- Mohammadi (TNSM) aggressor bunch. The primary period of Operation Rah-e-Haq begun in November 2007 with the cooperation of neighborhood police so as to clear the Swat Valley, however the

aggressors step by step invaded into key urban areas. The

1second phase of the military operation began in July 2008 and continued for the

remaining months of the year. The military operation in Swat valley was conducted on the request of civilian government and it was completed within 3 months. Thirty six security personnel and six hundred and fifteen volunteers lost lives in this operation. The third phase of the

24operation Rah- i -Haq was launched in January 2009.

During this time, shoot-on-sight curfew had been imposed even in urban centers of Swat valley. TNSM militants strongly reacted to it by demolishing schools in the areas and

1attacking security forces. The operation was stopped in February as a result of Malakand Accord between TNSM and the

local administration. By April, the militants again accelerated their activities and thus security forces were compelled to launch Operation Rah-i-Rast in May to push militants out of Swat valley and bring the arrested militants to justice.

18Operation Rah-e-Nijat (2009–2010) The disappointment of Operation Zalzala

in South Waziristan turned out to be progressively obvious as Baitullah Mehsud and his TTP system heightened brutality against the nation over in

12008 and 2009 from their base in South Waziristan. There were 2,148 terrorist, guerrilla, and partisan assaults in 2008 in Pakistan. Pakistan had

a few targets amid Operation Rah-eNijat (Path of Salvation). The principle target of these operations was to debilitate the TTP and its base in South Waziristan, (Ladha, Makin, and Sararogha).

1Pakistani ground units directed pursuit and-leeway operations along a few key places and streets in South Waziristan,

for example, the

1Central Waziristan street and the street going through Ahmadwam and Sara Ragha. By the end of 2009, security forces

took control of Makeen, Sararogha and Ladha tesils of South Waziristan.

Security forces succeeded in dismantling communication system of Taliban in many areas of the agency. Even Pakistan withdrew some troops from its borders with India so that the ones already engaged in Waziristan could be bolstered. By the start of 2010, security forces cleared several areas of militants and recovered large quantity of weapons. In all of these agreement that were made by Pakistan government till 2008, Army entered into talks with the militants but not from position of strength. This though reduced violence temporarily, it further eroded the social fabric of society in the tribal areas. It also expanded space for

militants to operate in which gave them de facto authority over the area and also resulted in increased incidence of cross border infiltrations into Afghanistan. Following the Lal Masjid incident, these peace pacts were formally denounced. The Lal Masjid incident brought the militants and their open confrontation with the state to the federal capital. Chapter 4 Implications of War on Terror on Pashtuns The

3events of 9/11 and the subsequent declaration of

George W Bush to wage war on terror

3gave him an opportunity to transform his foreign policy goal to global power projection.

Pakistan became an ally to him just as Pakistan was an ally in 1979. In spite of the fact United States government was aware of the cheating of Pakistan Intelligence Agency head which had constant connections with Osama Bin Laden. It also happened that in the past ISI and Osama Bin Ladin were dividing and taking their share of assessment from the opium exchange from Afghanistan. United States arrangement procedure additionally recognized that a huge amount of fund that United States provided to Pakistan to guide the

3Afghan war was used in the improvement of Pakistan's nuclear capacity.

With the withdrawal of Soviet Union, United States also left Afghanistan. Pakistan became important player in acquiring peace in neighboring Afghanistan, which were left in confused circumstances of civil war. It brought

the advances of AL-Qaeda and other mujahidin groups and Taliban government later on in Kabul. Pakistan till the incident of 9/11 provided support to Taliban government and asylum to Osama bin Ladin. This continuation was accepted by United States, still America wanted Pakistan to cooperate with it in her War on Terrorism. It is said that before raid on Afghanistan America made contact with Taliban to give over Bin Ladin to United States but the offer was rejected. Pakistan completely coordinated

3with America in its war in Afghanistan, and this approach paid off quick and transient advantages to Islamabad but the long term result of this choice for Pakistan

proved to be disastrous with serious implication for its domestic and foreign policy. But still Pakistan choice of co-working on the war on terror was need of time

3because Pakistan has been involved in Afghanistan for gaining strategic depth since long, because of its choice of

noteworthy forefront part in Afghanistan war from 1979-1989. Backing to Pashtun of tribal areas to participate in war and full scale support to Taliban government were roused by its enthusiasm of guarantying an agreeable Government on its Western border.

3Beset with contradiction, it is difficult to understand Pakistan's counter terrorism policy since 9/11, because it is not only

committed to counter terrorism but it also employs militancy as a strategic asset. Even after 9/11, Musharraf government in partnership with Saudi Arabian government strived to aid Taliban administration from falling by

killing Osama bin Ladin. The continuation of this strategy was no more continue able when the United States authorities received unbearable tone, while quoting Armitage “instruct them to escape from the way. We need to dispose of the asylum.” Musharraf expected the results, decided to collaborate before any formal contact by the Bush Organization .This is the reason he guaranteed unlimited backing. Islamabad guaranteed United States of full collaboration yet the backing

3for Taliban was extended to a degree that the then chief staff of ISI General Akhtar Abdur Rehman gave them data about

United States' activities and method to move before extreme harm.

3It is true that the decision to side with America in the global project had many benefits but the negative consequences of this decision are much more damaging.

In the insight into the past, the choice to co-work in the war on terrorism was bad on the grounds that it brought on serious

3 setbacks to Pakistan's strategic and economic interests. It is contended that the war on Terror is the

reason for the majority of the sufferings in Pakistan not on account of

3 1500 miles long border and nearly 300 passes join Pakistan with Afghanistan, but for the certainty that Pakistan in the part is unclear of its move in the game

on war on terror.

3 Pakistan suffered heavy financial losses since 2003 (Economic survey of Pakistan, 2010); trade decline due to fear and uncertainty, decrease in foreign direct investment and

increases death toll

3 due to terrorist violence subdued tourism for both civilians and military,

displacement

3 problems (as a result of 9/11), and radicalization of different sections of society. The implications of the war on

terror are more serious for people in

Tribal areas of FATA in particular and the Pashtuns in general. Peshawar, during Afghan Jihad, became the largest overseas concentration camp of CIA and foreign militants and those who provided training to these militants. To quote Hilali, about 1.6 million fighters got training during Afghan Jihad. Thus emergence of militant groups

3in the region was a natural outcome of

such trainings. The rapid success of Taliban in Afghanistan also inspired their comrades on Pakistani side of the border and thus Talibanization in FATA even preceded 9/11. The insurgency, which was so far limited to Afghanistan and Waziristan, also spread into other areas of Pakistan after US invasion of Afghanistan. The 9/11 incident, US invasion of Afghanistan and ban on Islamic militant groups by Musharraf regime led to the emergence of an increased number of militant organizations especially in FATA and KPK. Pakistan not only underestimated the impacts of this increase in number and strength of militant groups but

3many in Islamabad were not ready to accept that these groups posed any serious challenge.

However, when these militants started challenging Pakistani state's writ, army was sent to FATA for the first time since the year when Pakistan came into being. Socio-political and economic setback which the Pashtun suffered the most after 9/11., included exploitation of Pashtun culture , literature, destruction of educational institutions, deprivation in political and economic way of life ,target killing of political leaders, tribal elder and members of political parties who work

for the Pashtun question. And one of the most important the Affiliation of Pashtun with Taliban terrorists due to lack of cooperation of State and their anger to take revenge of their near and dear one's death as result of military operation . Pashtun qualities and Pashtun culture has been applauded by everyone who has come into contact with Pashtun in their home and region including, Rishta Wayal(truthfulness),Malmista(neighbourliness),Nanwati (forgiveness),Marasta(cooperati on),Badal akhastal(Revenge) and Panah (providing shelter) and these traditions have received serious setbacks over the years. Their culture has been serving the humankind through customary organization under the code of Pashtunwali throughout the years. But today, the predominant circumstances have changed the central reason for these codes, organizations and compelling voices in Pashtun society. Military operations, aggressors' assaults, suicide attacks, bomb blasts, drone strikes and even security precautions, for example, long time curfew, brought on genuine mental and social issues among the individuals in the region. The life of the locals is spent between the barrels of two weapons. Drones and militants assaults have left Bazaars threatened, Mosques empty, eliminated Hujras (community centre), made Jargas (gathering of elderly folks) ineffectual and diminished the quantity of members in the burial service function. It is essential to notice that to a considerable measure of degree the tribal life is incomplete without the above mentioned social components. In this connection the social organizations and codes have been viewed itself as instructive foundations. Non- appearance of social foundations and codes lead towards discomfort which further brings emotional issue among individuals. Pakistan's interest in the US drove terrorism which has encouraged enormous unemployment, homelessness, poverty and other social issues and ills. Furthermore, visit occurrences of terrorism and displacement of the local populace have seriously influenced the social fabric. Counter terrorism campaign against the activists removed a huge number of individuals in KPK and FATA which brought different economic, social and

cultural suffering to them. Pretty nearly five million individuals were displaced from FATA which is considered as one of the largest displacement ever. The customary institutions have been seized by the recently emerging militant groups and people in the Pashtun land. Previously, these institutions like Jirga had been headed by the tribal elders whose decisions were publically acknowledged by the tribal people, but now the aggressors have turn into the predominant figures in these organizations. Numerous times Jirga needs to punish just those who are not at all liked by Militants. Hujra is no more the establishment of the individuals on the grounds that it is no more a stage for communicating individuals' perspectives and it is no more training organization which would have been instructing individuals in past. Those leaders and elders of tribal areas who disagreed with the point of view of emerged militant in their areas were executed publically. At present, mosques are being utilized in the tribal society by the militant groups to promote their aggressive campaign, however earlier it was utilized to highlight social evils and create harmony in the society.

11All types of socio-cultural activity that can bind people together and can help integrating the society are ruthlessly discouraged on the pretext of establishing a true Islamic order.

Historical and cultural places which were sources of history and tourism were demolished. In 2007, militants associated with Mullah Fazlullah destroyed a 23 feet high 7th century Buddhist statute carved on a rock in Jehanabad, Swat. It was considered as a rare piece of art in the area. The changes started in mid-2007 with the launch of an FM radio by

21Fazlullah, a 32 years old lift-operator turned Taliban

leader. He would use the FM station for transmission in the Swat valley. Through FM broadcasts, he used to discourage female education and consumption of polio drops by children terming them as unislamic. While making the US presence in

21Afghanistan and the prevailing injustices in Pakistani society, he would urge people to wage holy war against "infidels". Fazlullah also demanded introduction of

Sharia in Malakand region. He, in his addresses, would mention names of female health workers and schools teachers who heeded to his advice and resigned from their services. The prevailing activities of Islamic militant were not hidden from government and the then provisional government Muttahida Majlis-e- Amal (MMA) the provincial government, Success of MMA in 2003 election was also due to the Mullah and Military Alliance And was the political plan of Musharaf to maintain the

3credibility of military operation in the eyes of West.

According to Ziauddin Yousafzai, Swat's Qaumi Jirga's spokesman, Taliban forces would not have got such influence had MMA and security agencies not supported them. He states that MMA and security establishment book look at militant outfits as their strategic assets. A survey carried out by a Peshawar based think tank states that poverty played important role in pawing public

opinion in favor of terrorists. Even Taliban did not spare sports events in KPK. In 2010, militants killed eighty people in Lakki Marwat when a volley ball match was targeted with a bomb blast. It is said that Pashtun and Taliban are connected in one group due to their way of life, living in Pashtun areas and way of dressing and particularly and their way of observing religious sentiments. All such arguments are restless because

11 Taliban were not aware of the worth of the foundation stones of Pashtun society.

They have no respect for Pashtun culture, customary institution and Pashtunwali basically. Pashtun are very fond of Attan, Music and Tapa'singing songs, whereas Hujra is the traditional socio-cultural club of people to share their folk lore and social political problems are demising in the existence of radical Islamists. Cultural symbols like the destruction of mausoleum of Rehman Baba were not spared, when Taliban bombed it in March 2009,

11 Rahman Baba is the Icon of Pashtun spirituality and their love for peace and tolerance.

Internally Displace Persons (IDPs) The terrorists' attacks, bombardment by aircrafts and tanks have demolished houses of common people thus leaving them with no other choice but to migrate to other parts of the country. Similarly, educational institutions and health facilities to have been damaged. For example, militants destroyed 114 schools only in Mohmand agency. Girls' schools are more targeted by militants as compared to boys' ones. Fatalities in Terrorist Violence in Pakistan: 2003

20-2010 Year Incident Killed Injured 2005 1 1
 0 2006 0 0 0 2007 1 20 15 2008 19 156 17
 2009 46 536 75 2010

90 831 85+ Data till February 20, 2010, Source: SATP

4These IDPS have become a burden on their host communities. Only 10 percent of the displaced families are living in camps and the rest (90 percent) are residing in host communities in KPK,

4DI Khan, Hangu, Kohat, Kurram, Peshawar and Tank, Dir and Nowshra comprise of host communities.

The

4refugee camps established in 1972 for Afghan refugees are now being used by the IDPs. There are three main camps

– Aattacks in Pakistan’s Pashtun Territory: 2005-2010 Source: SATP 2010 2003
 140 24 25 189 New Year Civilians Security Forces Terrorists Total Jalozai camp,
 2004 435 184 244 863 Durani 2005 438 81 137 648 and 2006 608 325 538
 1471 ToghS 2007 1523 597 1479 3599 erai 2008 2155 654 3906 6715 camp -
 2009 2307 1011 8267 11585 in 2010 1796 469 5170 7435 additio n to other
 small camps. The difficulties and sadness of the

4innocent minds and weak bodies, the children, cannot be ignored from this scenario. Cheerful and fair-minded children of FATA have faced an extremely upset life during the armed conflict and life in IDP camps is just the same. The impact on psychological health of these young and fresh brains is beyond comprehension. The children of war and terror have a far different spectrum of life. The prevailing terrorism, blasts and destruction has made them learn a new culture of bloodshed and revenge.

The

4young children who opened their eyes for the very first time and were brought up in these camps live a life full of fears, lack confidence, and need attention along with promises of a better future.

4They do not have national identity cards mainly due to emergency evacuation from houses this created many issues related to their identity, registration and participation in the elections or seeking jobs elsewhere.

Political problems in FATA With FATA being governed through British era legal code, no political activities were allowed there. The Regulation did not provide for any legal counsel and appeal. Pakistan followed the same British policies for some six decades and it was only in 2011 that some changes were introduced in FCR. Such changes included, 1. Amendment in Frontier Crime Regulation (FCR) 2. Extension of Political Parties Order (PPO) However the Political Parties Order of 1962 was amended by President Pervez Musharraf in 2002 but his regime was unable to implement it practically. While his Successor president Asif Ali Zardari applied to implement it practically in 2009 whilst failing to issue notification for it (While this notification of bringing changes in FATA was brought in 2011 when new administrative, judicial and political reforms brought) . According to this political parties now freely run their political campaign and they have access to the electorates in FATA .The infamous and disputed law FCR also changed from 25-30 % according to which law cannot affect the function of Political parties. In current day FATA is under the direct control of Army and article 247-b is imposed due to ongoing military operation in the area outside the jurisdiction of Supreme Court and similarly any legislation enacted by the parliament cannot be applied on FATA. Amendment in the Federal Crime Regulation (FCR) FCR which is commonly known as 'Toor Qanoon' (black law) (political parties order in FATA 52) by the tribal people due to its harsh and slavish treatment of the tribal people. It is popularly dislike by the people. According to the new reforms the accused one would be represented before competent authority in 24 hours of arrest and have the privilege to right to bail. Women, male over 65 years of age and children of less than sixteen years of age have been exempted from collective responsibility section of FCR. Similarly, if property of a tribesman is taken away by administration, it will have to pay compensation to him. After the 2011 amendments, funds utilized by PAs will be subjected to audit. Implementation of such reforms will be positive step toward social- political and economic development in Tribal areas but the merely reforms are insufficient until the sanctuaries of militants are not going to be

destroyed. For this purpose the policy of strategic depth has to be given up. Farhat Taj says there is no sign that government tried to control the terrorists bases and release FATA from military occupation from last 12 years since the incident of 9/11 and the military intervention in that areas. Due to militants safe havens in

10tribal areas, the extension of political Parties Act will benefit the

religious parties which already dominate the local politics with the help of mullah and mosques and also have soft corner for Taliban. On the other hand, it will be extremely difficult for secular parties like ANP and PPP to operate and garner support among tribesmen. It means that tribal people's political will has to remain under the threat of terrorism. They will have either to withdraw from political process or will support the religious parties not to infuriate Taliban and the state security apparatus behind them. Right of Vote in FATA Since the emergence of Pakistan in 1947, people of tribal areas were kept deprived of the universal adult franchise. It was in 1996 when the

7government of Pakistan decided to extend the adult franchise to FATA. Till then the system of adult franchise was working in

a limited form, according to which the tribal Malik and tribal elders locally known Speengiry (white bearded) or Masharan who are registered with political agent can vote. Before 1997 35,000 votes were distributed among the selected voters of seven tribal agencies and Frontier Region (FR) through which they decide the sole destiny of tribal people. While the number of voters ranged from 2000 to 4000 in different agencies. These 35,000 voters work set of electors (Electoral

College) to select 12 members of National assembly (Before 2002 number of FATA, MNA were 8, General Pervez Musharraf with Legal Framework Order increased it from 8 to 12). Political leaders found keep busy in purchasing votes they were least interested in resolving or representing the problems of people in the parliament. Under Musharraf rule election on October 10, 2002 and general elections of February 8, 2008 were held on non-party basis in FATA. Selecting committee of elected members of National Assembly in auction rather than an election, Because member who are elected are uneducated they pay little heed to the Malik who voted them to the parliament, they even reject the legal demand of the Malik on the plea that their election was a result of quid pro quo (Adal Badal) as they paid the Malik for their vote. And they don't represent the local demands in the parliament and locally labeled as "Owa Gongian Numaindagian". It is since 2011 Political Parties Order (PPO) that political parties have given permission to run campaign for their election. The implementation of Franchise system just helped religious clerics to come in power due to the Taliban influence in the area. Economic Problems As economy of tribal areas is mainly depends on livestock and agriculture and with both severely affected, tribal people have been left

4at the mercy of NGOs, government and other donors. The IDP have lost their properties and

it is not easy for them to find employment opportunities at their new abodes According to available data, about 2 million people have been displaced, more than 1000 schools have become dysfunctional and about one lakh houses demolished. Owing to insecurity, large number of people have permanently settled in other areas of Pakistan. Pashtun's socio- cultural and political exploitation rarely finds place in mainstream media in Pakistan. The continuous warfare, conflict and bloodshed has traumatized people especially women and

children. Educated Pashtun youth are busy

11 in the fields of poetry, music, sports, politics, academia, media and development

sector to contribute to socio-cultural and economic uplift the war torn society. Skills and talents of these people can effectively be exploited to counter militant forces and bringing peace to the land. However, assistance from national government and international communities is necessary for the realization of this dream. Conclusion Use of ethnic identifies especially Pashtun ethnic identity for determining social dynamics was the main focus of this study. The state in Pakistan, which is overly conscious with its security, is deeply concerned about the ethnic diversity in general and that of Pashtun in particular as it is considered to be posing two-fold challenge to the state: distinct cultural identity and its connection with the evolving nature of the Pashtun society and culture in Afghanistan. On their part, Pashtuns too are faced with multi-faceted challenges in Pakistan including poor social and cultural legitimacy and physical and psychological violence as a result of the War on Terror. Its deep concern with diversity pushed Pakistan from the very beginning to cover itself in religious identity which also defined its orientation towards Afghanistan, especially Pashtuns. It also manipulated Pashtun ethno-nationalist identity by subsuming and neutralizing it in broader religious ideation of the state and after 9/11 this policy has been further strengthened which results in deep and diverse imprints on Pashtun identity. This policy is not new as painting Pashtun's identity in such a way to make it easy for distortions has been a long tradition. Therefore, it is the need of the hour that every Pashtun considers the phenomenon seriously and discover as to why their land has become a breeding ground for terrorism. They will have to ponder to find out whether it is their geography, their

22love for militant Islam, their tribal culture
or their trigger-happy temperament that
brings them this

'stigma'. While embarking on this study, the objectives set were: to explore the dynamics behind the religion-based identity of the state in Pakistan, to investigate the influence of this ideation of the state on Pashtun's ethnic identity with special focus on post-9/11 era, to understand Pakistan's foreign policy of extending the State's religion-based identity towards Afghanistan through religious proxies in different forms, and its influence on the Pashtuns' ethnic identity. Some of the questions which the study tried to address were: why Pakistan chose religious ideology to be the main component of its identity? What has been the influence of this state identity on Pashtun ethnicity in Pakistan? What are the impacts of war on terror on the Pashtun ethnic identity in Pakistan? Tribal organization and cultural code called "Pashtoonwali" are important features which make Pashtuns distinct from other ethno-cultural groups in the country. Pashtun society can be called what Charles Lindholm terms as "Segmentary" societies. This type of societies are technically known as "Acephalous", or headless societies". Pashtun society, however, differs from purely headless society as it has some internal organization. Owing to state development, changes have also occurred in Pashtun society specially those living in urban areas. But still they are closely attached to the norms of Pashtoonwali. Similarly, all Pashtun openly claim to be a member of specific tribes and they also feel pride in it. Pashtuns have their own code of conduct called Pashtunwali. Gherat/ Nang (honor), badal (revenge), melmastia (hospitality) nanawatay (seeking someone's favor/pardon or confessing one's guilt) loyalty, respect and panah (refuge) are the pillars of Pashtunwali. Three principles of Pashtunwali-malmistia, Panah and Badal were extensively exploited by USA, Saudi Arabia and Pakistani military establishment during the

so-called “Afghanistan Jihad” after Russian invasion of Afghanistan. The 9/11 incident and the consequent war on terror again led to the exploitation of Pashtun cultural values. Following invasion of Afghanistan by US-led NATO forces in 2001, thousands of militants crossed over into Pakistan’s tribal areas to regroup themselves and launch attacks against coalition forces in Afghanistan. They found sanctuaries among the Pashtuns by exploiting Pashtun cultural values and posing as defenders of Islam. Pakistan’s military establishment was instrumental in providing safe havens to these hard core militants. Pakistan’s main objectives behind this policy were to counter Indian influence in Afghanistan, to weaken Pashtun nationalism with pan-Islamism and to recruit militants for Kashmir. There is centuries old association between Pashtun cultural values and Islam and the use of Islam for mobilizing Pashtuns militarily has long history. Bayazid Ansari known as Pir Roshan, Akhund Derwaza and Syed Ahmad Baraily mobilize Pashtuns in the name of Islam. This trend continued in 19th and 20th centuries. The discussion about links between Pashtun culture and militancy/terrorism has created misunderstandings about Pashtun identity. However, the debate has also highlighted that interpretation of Islam in a particular way has also role in the problem. This use of Islam was a dominant factor during struggle for Pakistan as it was more anti-Hindu than anti-imperialist /colonialist. Following the creation of Pakistan, the elite class, mainly Punjabis and Muhajirs, used Islam to deal with resentment from other ethnic groups towards state policies. However, this policy of presenting Islam as binding force among different otherwise diverse ethnic groups failed in 1971 when Bangladesh emerged as separate and independent state on the map of the world. When British India took control of Pashtun areas, it faced severe resistance from them. Resultantly, its policy towards Pashtuns passed through various phases. First it adopted the Close Border Policy. Under this policy, British India would guard the border between settled districts and the tribal areas to minimize tribal raids British controlled areas. British officials were not allowed

to cross the border and enter the tribal areas while tribal people were allowed to engage in trade and other activities in settled areas. In case individuals from tribal areas committed a crime, the authorities would stop entry of hill men into the settled districts and would arrest those found in settled areas. Though the policy in the beginning produced some good results for British India, it was soon discovered that the policy did not yield desired results. As British faced severe resistance from the Pashtun tribesmen, it introduced special legal and administrative code to deal with Pashtuns and Baluch resistance. At the same time, British realized that the India Penal Code, which was in operation in other areas of sub-continent, failed to serve their interests. Thus it introduced Frontier Crimes Regulation (FCR) in 1972. The Regulation provided Deputy Commissioner with vast powers. DC was authorized to refer civil and criminal cases to local a council of elders (Jirga). The FCR Jirga, however, was very much different from the traditional Jirga as it was under complete control of British officials. The aim of the system was to increase conviction rate without enough evidences which were required before a regular court. From the very beginning, British officials would befriend local elders so that they could be used for promoting British interests. These elder, called maliks, would serve British interests in return for financial benefits. Though there was great importance of elders in Pashtun culture, yet Maliks have always been considered as disloyal by the local people. This Maliki system is still part of administration under FCR in tribal areas. Maliks tenders their opinion to the administration when a case is referred to them. However, they are considered as tools of administration and act on its directives. The British policy towards Pashtuns underwent another change in mid 1870s when the Close Border Policy was replaced by Forward Policy. Under Forward Policy, British tried to penetrate deep into Pashtun and Baluch territory by erecting forts, laying down roads and railway tracks. The aim was to establish a permanent border with Afghanistan so that the Russian threat could be dealt with effectively. This new policy, among other things, produced a

fresh wave of Pashtun resistance towards the colonizers. An important feature of British interaction with Pashtun was the exploitation of Pashtun cultural values such as collective responsibility, Jirga and the concept of elders. British tried to shape its policies to in such a way to make them appear similar to principles of Pashtunwali. Following British departure, Pakistan mostly continued with the British era policies as far as Pashtuns of tribal areas are concerned. It retained the FCR and did not focus on the development of the area. This negligence on the part of Pakistani state created a gap between the mainstream Pakistan and the tribal territory. The first two constitutions of Pakistan did not completely absorb the areas into legal, constitutional and political mainstream and it was left with special status---to the disadvantage of its people. It was the 1979 Russian invasion of Afghanistan that brought these areas to the limelight. As Pakistani sided with the western block against USSR, the whole tribal belt was turned into a training center for militants where militants from different countries took refuge. These areas were used as safe havens for militants and there was an influx of modern weaponry into the territory. This policy had a very negative effect on the culture of the area as the whole landscape was militarized. Pakistan openly supported Islamic militant groups in Afghanistan against Afghan government and its foreign supporter- USSR. Following the withdrawal of Russian forces from Afghanistan, Pakistan supported different Islamic groups in the civil war which ultimately resulted in the emergence of Taliban on the scene. Pakistan fully supported Taliban and was one of the three countries who recognized Taliban regime in Kabul. Pakistan's main objective behind its pro-Taliban policy were weakening Pashtun nationalist forces and search for strategic depth against India. As Pakistan joined US-led war on terror, it became close US ally. Being US ally, it received huge amounts of assistance from US. The aid, however, was directed towards Pakistan army with social sector getting small shares. Despite the fact that Pakistan joined US war on terror and launched many military operations, still there emerged several militant outfits in the tribal areas. The

emergence and flourishing of these militant groups can be attributed to several factors including support from Pakistani military and intelligence agencies. The many military operations conducted by Pakistani security forces too did not produce satisfactory results. The community that suffered the most in Pakistan due to the war on terror is Pashtuns. The war on terror inflicted on them social, cultural and economic losses. Socio-political and economic setback which the Pashtun suffered the most after 9/11 included exploitation of Pashtun culture , literature, destruction of educational institutions, deprivation in political and economic way of life ,target killing of political leaders, victimization of tribal elders and members of political parties who worked for the Pashtun's welfare. Pashtun socio-cultural values like Rashtia Wayal, (truthfulness),Malmista (neighbourliness),Nanwati(forgiveness),Marasta(cooperation),Badal akhastal (Revenge) and Panah (providing shelter) and these traditions have received serious setbacks over the years. Military operations, suicide attacks, bomb blasts, drone strikes and even security precautions, for example, long time curfew, have led to serious mental and psychological complications among the people of the area. The stigma of associating every common Pashtun with militants is something which will take decades before it could be washed away. Thousands of people have been displaced due to the militancy and the consequent military operations. This use of Islam was a dominant factor during struggle for Pakistan as it was more anti-Hindu than anti-imperialist /colonialist. Following the creation of Pakistan, the elite class, mainly Punjabis and Muhajirs, used Islam to deal with resentment from other ethnic groups towards state policies. However, this policy of presenting Islam as binding force among different otherwise diverse ethnic groups failed in 1971 when Bangladesh emerged as separate and independent state on the map of the world. When British India took control of Pashtun areas, it faced severe resistance from them. Resultantly, its policy towards Pashtuns passed through various phases. First it adopted the Close Border Policy. Under this policy, British India would guard the

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negligence in the past of successive governments to bring all parts of the country and security establishment's nurturing of militant outfits inflicted severe losses on Pakistani state and society. Therefore, there should be change in these policies. State should pursue such policies which puts people of all areas of the country on equal footings. Special focus should be given to those areas which have been neglected during the past seven decades. The state should replace its policy of reliance on what Durkheim calls mechanical solidarity with organic solidarity.