MILITIAS AS A COUNTERINSURGENCY STRATEGY IN PAKISTAN (2002-2013)

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DEDICATION

I dedicate this thesis to my wife, Sajila Naz, and my children

Zahran Ahmad, Manahil Rahman, Hooriya Rahman and

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ABSTRACT

This study critically evaluates the use of the Anti-Taliban militias as a counterinsurgency strategy in Khyber, Mohmand and Bajaur agencies of the Federally Administered Tribal Areas (FATA). It also studies anti-Taliban militias as a counterinsurgency tool in Dir, Swat and certain suburbs of Peshawar, the capital of Khyber Pakhtunkhwa. The study highlights the fact that excessive use of militias to cope with an insurgency can create more problems, especially in the way of restoring peace. The strategy of involving the local tribal people in forming militias and taking part in the fight against the insurgency exposes them to dangers over the longer haul, such as enmities and feuds, revenge and intra-tribal strife. If not monitored by the state, militias can become militants in the future and can become a source of stirring civil commotion. The dissertation questions the government’s strategy that prima facie is a community-led bottom-up approach, but that it has put the lives and culture of tribespeople at risk. The study analyses the formation of anti-Taliban militia strategy in light of the bottom-up approach. The dissertation concludes that militias become counterproductive when the government fails to put in place a comprehensive strategy, which explains the purpose, scope, and accountability of militias.
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Rahman Ullah
Chapter 1

INTRODUCTION

This chapter covers the overall focus of the study, such as introduction and organisation. Shining a light on militias as a counterinsurgency tool logically links their formation with the weakness of the state. In neighbouring Afghanistan, militias have been one of the factors in fuelling a debilitating civil war. The possibility of a similar strife in Pakistan due to militias has also been discussed here. To deeply analyse the issue, this chapter is divided into three sections.

The first section deals with introduction, literature review, definition of main concepts, statement of the problem, theoretical framework, methodology and case study. The second section begins with objectives of the study. Research questions and significance of the study have also been covered in this section. The third one covers the overall organisation of this dissertation.

1.1 STATEMENT OF THE PROBLEM

Since 1947, the Pakistan Army has had no permanent presence in the tribal region; the state couldn’t fully establish its writ in the largely inhospitable terrain. After the fall of the Taliban regime in Kabul, Al-Qaeda and Taliban militants infiltrated into the tribal belt of Pakistan. Washington pressurised Islamabad to launch a military operation against these insurgents. The sporadic military presence and the weak intelligence network in FATA compelled the Pakistani government to devise a new counterinsurgency tactic. The government wanted to win local support against the militants -- usually considered an important counterinsurgency strategy. The government encouraged the formation of anti-Taliban militias (Lashkars) in FATA and parts of Khyber Pakhtunkhwa. These militias backed military operations in the tribal belt.

Counterinsurgency tactics to resolve the present-day conflict can breed hostilities tomorrow. The militias were set up to counter the Taliban, a rebel movement that was allegedly created by Pakistani intelligence services. Evidence strengthens the
assumption that Pakistan may need constituting another militia in the future to counter the current anti-Taliban *lashkars*.

As *lashkars* are not under the direct control of the government, they can go berserk anytime. This counterinsurgency tactic, therefore, may backfire, just like it did in Afghanistan. Bringing together freedom fighters (Mujahideen) against the Soviet Union in the 1980s not only touched off a civil war in Afghanistan afterwards, but the backlash was equally felt in Pakistan as well.

During the 1980s, political, socio-cultural, ethnic, military and religious landscapes of Afghanistan provided an enabling environment for freedom fighters to indulge in a civil war. This study explores how much the anti-Taliban militias have been effective in Bajaur, Mohmand and Khyber agencies of FATA and Dir and Swat districts of Malakand Division, as well as in Adezai and Mashogagar neighbourhoods of Peshawar. In addition, it examines whether or not the anti-Taliban militia at some time can exploit the political, socio-cultural, ethnic, military and religious landscapes in Pakistan and plunge the country into a civil strife. For clarity sake, the militias and situations in Pakistan have been compared with the Afghanistan. However, focus of the research is Pakistan.

### 1.2 THEORETICAL FRAMEWORK

Terrorism and insurgency have jeopardised global peace in the last two decades. Different strategies have been adopted across the world to counter terrorism and insurgency. However, not a single strategy has been explored so far to curb all types of terrorist activities. There is neither a unanimous definition nor a common concept of the counter-terrorism in the existing literature. The United Nations has passed a resolution, asking all nations to adopt certain counter-terrorism measures.

“The Security Council is reminding States that they must ensure that any measures taken to combat terrorism comply with all their obligations under international law, and should adopt such measures in accordance with international law, international human rights, refugee and humanitarian law” (Soofi, 2007).
Pakistan has mainly adopted a two-pronged policy -- “kinetic approach” and “bottom-up approach” -- to combat the menace. The kinetic approach involves aggressive and offensive measures to eliminate or capture terror network members and their supporters. Pakistan has also temporarily used the non-kinetic approach (soft counter-terrorism strategy) that involves the use of subtle, non-coercive means for combating dark networks (Nancy Roberts, Sean F. Everton, 2011).

This community-led bottom-up approach would be used as a theoretical framework for this study. While raising the anti-Taliban militias in FATA and Khyber Pakhtunkhwa, the Pakistan government has followed the community-led ‘bottom-up’ approach to combat terrorism. In line with the ‘bottom-up’ approach, government security forces need to involve or work with the local tribes, sub-tribes and clans. Contrary to this is the ‘bottom-down’ approach that is used for building security (Hoffman, 2009).

To win support from the civilian population, the government created anti-Taliban (pro-government) militias in Khyber, Mohmand and Bajaur agencies and Swat, Dir and suburbs of Peshawar. The use of this ‘bottom-up’ approach was more suitable as tribal chieftains wanted to cooperate with the government to take revenge on the Taliban for their victimisation and snatching of their powers. “Those groups that have either been victimised or marginalised by the Taliban and foreign fighters need to be the focus of such efforts, which entail the provision of arms, training and logistical support” (Hoffman, 2009, pp. 359-377).

This ‘bottom-up’ approach can play a crucial role in counter-terrorism. Winning the support of the civilian population stems from a local ‘bottom-up’ approach. However, the flaw of this approach is that there can be a conflict in the community-led ‘bottom-up’ approach and state-driven agenda (Spalek, 2012).

Militias are an effective strategy for conflict management but are counter-productive to conflict resolution in the long run. Militias are like a “double-edged sword” and using them against militancy is like “killing one monster by creating another.” Encouraging militias can militarise the tribal society (Abdul, 2012).
The insurgents, who have challenged the writ of the government, are part of the armed militant groups trained by it to fight wars in Afghanistan. Chris Brummit argues: “Every time the state delegates its authority by parcelling it out to non-state actors who, ultimately, backfire. The arming of militias in the medium to long-term always leads to further lawlessness. The militias will seek to maximise their own power and they will do so at the cost of the state” (Brummit Chris, 2010).

Citizen mobilization programmes have great capability to play a paramount role in counterinsurgency (COIN) in the Pakhtun belt, as the ‘local communities have both a legitimising mechanism (Jirgas) and means (small arms) to mobilise quickly.’ However, he argues that leaders of these groups may become independent local warlords, equipped by the state (Shuja Nawaz, 2009).

The use of tribal lashkars as a war strategy can confront Pakistan with new difficulties as Taliban are not strangers to the tribal regions; rather they are comprised of the tribal ethno-linguistic brethren. The counterinsurgency (COIN) strategy of the government, which involves civilians in a more complicated war, has inflicted a huge loss on civilians and the series of the damage continues (Katzman, K. Alan Kronstadt & Kenneth, 2008).

While analysing the situation in Afghanistan, where freedom fighters/ex-combatants against the Soviet Union later got involved in the civil war, Disarmament, Demobilisation and Reintegration (DDR) advocates believe militias are still in possession of arms in both tribal belt and parts of Khyber Pakhtunkhwa and thus they pose a potential threat. Pakistan wants to disarm militants but have armed civilians in the form of anti-Taliban militias; it is exactly like a strategy of disarming through arming. Resultantly, this counterinsurgency strategy can militarise the Pakhtuns living in FATA and Khyber Pakhtunkhwa. This can further escalate the violent conflict in the area and can ignite a large-scale war in future. In light of these arguments, the study investigates the legal status, effectiveness of the militias as a counterinsurgency strategy and whether it can cause a civil war in future.
For the sake of an in-depth investigation and clarity, a comparison has been drawn with Afghanistan. However, the tribal belt and Khyber Pakhtunkhwa are the focus of the study.

1.3 LITERATURE REVIEW

According to Barter, winning support from the civilian population has always been seen as one of the core war strategies. Both the government intense need to win support of the civil population and the issue of self-defence often leaves civilians with limited options in wars. In such situations, particularly for self-defence, the civilians can react in three ways: Flight, support and voice. Fleeing the area, extending support to either armed group in the form of labour, supplies and information or raising voice against the armed group to mould their behaviour can help them escape violence. The civilians can also jointly use the two tactics of support and voice in a useful way to amend an armed group internally. With these three available potential strategies, civilians are still vulnerable to severe threat and their responses simply mean life or death to them (Barter, 2014).

Winning support or mobilising the civil population is a century old war strategy. “Even Napoleon had as many as two hundred thousand men of 5 per cent of the French population mobilised”... In 17th century, the countries hardly mobilised only 1 per cent of their population for war while the original belligerents in the World War 1 mobilised 14 per cent of their population for war and the major belligerents even more” (Wright, et al., 1983, p. 54).

Following the set trend of winning the cooperation of civilian population against the enemy, the Pakistan state also coaxed tribespeople and Khyber Pakhtunkhwa residents into fighting against militants, who sneaked into these areas after the US toppled the Taliban regime in Afghanistan in 2001. Since 1947, due to the fragile writ of the Pakistani government, traditional ways to control the tribes have been employed. Jirgas and lashkars are the most popular means in the chaotic tribal region to punish outlaws or settle internal disputes.

As traditional tribal militias, lashkars are formed in the region for a specified period to accomplish some peculiar objective. Before 2002, the main function of
the tribal militias was to track down wrongdoers, outlaws, resolve a complex family dispute and tackle grave affairs threatening government policy. Gathering a *lashkar* to address an issue and then dispersing it has been a common practice in the tribal belt.

Though as a counterinsurgency warfare tactic, since 2002 the Pakistani government has been informally backing anti-Taliban militias in the tribal belt known as Federally Administered Tribal Areas (FATA) bordering Afghanistan.

In 2008, once again the historical and traditional concept of the informal or irregular militias was formally reviewed in Pakistan. Later, this strategy was also extended to parts of the Khyber Pakhtunkhwa (formerly known as North-West Frontier Province). The government supported anti-Taliban militias (locally known as *lashkars*) in Bajaur, Mohmand, Orakzai and Khyber Agencies of FATA. To challenge the expansion of Taliban and Al-Qaeda operatives to other parts of Pakistan, peace *lashkars* were also organised in northern districts of Khyber Pakhtunkhwa like Dir and Buner, southern districts of Laki Marwat and Dera Ismail Khan and on the suburbs of the provincial capital. With time, different names were given to anti-Taliban militias, like “peace *lashkar*”, “*aman lashkar*” in Urdu and “*aman lahkar*” in Pashto. The dictionary definition of militia says it is a military force raised from the civil population to supplement a regular army in an emergency.

“Militias are a sub-set of such forces. They are cheaper, more mobile and less legally restrained than the professional military. But unlike other paramilitaries, militias are self-organising military organisations. They operate semi- or fully autonomously from, but in affiliation with, regular state militaries. This extremely weak executive control of militias, often both at the strategic and the tactical levels, constitutes not just a deregulation of the military force, but also an active delegation of the state’s coercive hegemony and a partial suspension of the state’s sovereignty. Militias are allied with, but not necessarily controlled by the state” (Salmon Jago, 2008).

In 2001, when the United States invaded Afghanistan and toppled the Taliban regime, Al-Qaeda and Taliban militants crossed into Pakistan’s tribal bad-lands
from Afghanistan. By the time, the Pakistan Army had no access to tribal areas, thus traditional tribal militias were activated in October 2002 to expel foreign militants (Rana, 2009).

Sensing the growing militants’ strength in the tribal areas and the worsening security situation alongside the Pakistan-Afghan border, the tribesmen raised *lashkars*. Emergence of *lashkars* showed signs of tribesmen’s despair with Taliban’s ruthless activities and their traditional desire to keep the Pakistan Army away from the tribal regions (Perlez, 2008).

The use of tribal *lashkars* as a war strategy can confront Pakistan with new difficulties as Taliban are not strangers to the region; rather they are comprised of the tribal ethno-linguistic brethren. Pakistani government’s support for anti-Taliban militias remained ‘sporadic’ and ‘un-sustained’, and with this warfare tactic, the Pakistan government has risked igniting a large-scale war (Katzman, K. Alan Kronstadt & Kenneth, 2008).

Involvement of civilians in fighting the war on terror has made the campaign complex and the future of civilians fatalistic. The state policy of good and bad Taliban has confused tribesmen to tell apart friends and foes. “In war, as in political life, today's solution is often tomorrow's problem” (Mason, Thomas H. Johnson & M. Chris, 2008). Lashkars (civil militias) can be stratified as those who were encouraged, supported, sponsored, employed and compelled by security forces to fight against the militants in the tribal region (Clegg, 2009).

Militants applied target killing as an initial strategy to control the local population raising militias against them. For creating horror, the insurgents targeted tribal elders. The young, inexperienced tribal elders having large inclination to violence replaced the seasoned, experienced and influential tribal elders commonly dubbed as white-bearded (*speengeeri*) or chieftain/tribal elders (*masharaan/maliks*), who fell prey to insurgent attacks. The young elders filled the vacuum but could hardly deliver like the experienced elders of the tribes. Civil militias can be a substitute to state security forces, but practically, their role is often complex and the population bears the brunt in one way or the other (Wazir, Sharafat Ali Chaudhry and Mehran Ali Khan, 2012).
Contrary to the traditional *lashkars* created for a short period, the anti-Taliban militias are organised on a semi-permanent basis. By the same token, the traditional *lashkars* functioned under local elders, but the anti-Taliban militias have to fight against the guerrillas where, alongside the ‘bad’ militants, ‘good’ militants brandishing weapons are a too grave and constant source of threat to the local civilians (Khattak, 2010).

The thesis investigates that this militia can turn into a violent force and can trigger a civil war as irregular armed forces did in neighbouring Afghanistan. Arming civilians can push the tribal areas into lawlessness, violence and militarisation. Pakistani authorities have been witness to the situation in Afghanistan during the Soviet occupation (Khattak, 2010).

Large caches of weapons were used in Afghanistan against the Soviet invasion. Later, when *mujahideen* (freedom fighters) turned their guns against the state, the heat was also felt inside Pakistan. Weapons worth $66 billion were incorporated into the region from 1978 to 1992, estimated $0.134 million per person. “These weapons have now turned inward against the state and the world of the “unbelievers” in general. Beginning in 1992, many of Waziristan tribesmen took part in the Afghan jihad against the Soviets and later joined the Taliban in the civil war” (Abbas Zaidi, Syed Manzar, 2010).

The worsening situation of anti-Taliban militias in tribal areas can also result in producing warlords like Afghanistan’s Ahmad Shah Masood, Ismail Khan and Abdur Rashid Dostum. Afghanistan witnessed this situation after the Soviet withdrawal. Besides, civil militias used the “licence to kill” for settling their personal and tribal rivalries that can fan civil war (Rashid H., 2008).

By raising the anti-Taliban militia in both tribal areas and parts of Khyber Pakhtunkhwa, Pakistani rulers in fact repeated the strategy of former President (late) General Muhammad Zia-ul-Haq, who supported, trained and equipped freedom fighters to fight against Soviet troops in Afghanistan in 1979. The then chief of ISI Gen. Akhtar Abdur Rahman Khan convinced Gen. Zia of the feasibility to weaken the Soviet troops in Afghanistan. Akhtar persuaded Zia to
supply both weapons and training to Afghan resisting forces (mujahideen), provided the pot did not “boil over,” as General Zia liked to say (Fiefer, 2009).

Islamabad wanted the mujahideen to set up base camps in the tribal belt bordering Afghanistan. Zia’s support to Islamists jihadis in and outside Pakistan would eventually have grave repercussions for his own country, “turning the largely secular state into one in which Islamic fundamentalists would wield real power and pose an on-going threat of toppling the government (Fiefer, 2009).

These freedom fighters, who the US now brands as terrorists, not only caused a civil war in Afghanistan later on, but have also backfired within Pakistan. Nearly all civilian governments in Pakistan frequently blamed Gen. Zia for supporting Afghan mujahideen, a policy that resulted in introducing the Kalashnikov culture in the region. However, knowingly, Pakistani governments repeated from 2002 to 2013 a warfare strategy for counterinsurgency in the Pakhtun tribal belt, raising the spectre of civil war in the country.

The militias have boomeranged both in Pakistan and Afghanistan. The militias in the tribal belt of Pakistan assisted the government against Taliban, but the empowerment of untrained, unskilled and unaccountable private armed forces can emerge as a threat. In Afghanistan, the United States has also been using the formation of militias as a war strategy, these militias that are locally called Arbaki -- village defence forces fighting against Taliban. However, the Afghan government has evinced a much less interest in formation of militias as it has witnessed the damage inflicted on the country by warlords with private armies in the 1990s. Pakistan has also remained part of proxy wars, involving hazards.

The insurgents, who have challenged the writ of the Pakistan state today, are part of the armed militant groups whom the government provided training, funds and weapons to fight wars in Afghanistan and against Indian forces in the Indian-administered zone of Kashmir. “Every time the state delegates its authority by parcelling it out to non-state actors, it ultimately backfires. The arming of militias in the medium-to-long-term always leads to further lawlessness. The militia will seek to maximise their power, and they will do so at the cost of the state” (Brummit, 2010).
Raising militias in the tribal belt against militants as a counterinsurgency strategy, the Pakistan government has adhered to its old long-running and time-tested policy of buying loyalties and support of people within the tribe. Constituting anti-Taliban militias as a warfare strategy, Pakistan has revived the tradition of British colonial rules by pitting one tribe against the other. Pakistan’s counterinsurgency tactics in tribal areas have also close resemblance to the government-backed militia “Awakening Council” (former insurgent) in Iraq to assist Iraqi and US forces in beating back the insurgents.

By creating rifts within Taliban groups, Pakistan has also won the support of some factions, which are generally known as pro-government militias. “However, Pakistan risks creating a monster by linking up with them and other militants. The United States, which gives millions of dollars in civilian and military aid to Pakistan each year, will be particularly concerned with the pro-government militia in tribal belt, because it still espouses militants Islam. The group’s logo proclaims the need for war in the name of God” (Meyer, 2009).

The jihadi groups inside Pakistan stood against the Soviet invasion of Afghanistan in 1979 and perceived the attack as a widespread call for jihad. However, after the Soviet withdrawal, the anarchic situation in Afghanistan gave birth to Taliban. Both flooding of foreign fighters and supply of foreign weapons damaged the social fabric of Afghan tribes. Following the Soviet pull-out from Afghanistan, several returning mujahideen commanders and fighters began functioning on their own, as warlords or criminals groups, outside the authority of tribal elders.

Pakistan aided the Taliban to end anarchy in Afghanistan and establish a ‘strategic depth’. With Taliban, authority was shifted from tribal elders to the _ulema shuras_ (council of religious scholars), jihadist movements and radicals in Afghanistan and tribal areas of Pakistan. Among these radicals were the masterminds of 9/11 attacks on the United States (Nilsson, 2009).

While realising the importance of winning local support, the US-led coalition also reviewed the old strategy of irregular armed forces to counter the militant movement in northern Afghanistan. To control the intensity of the insurgency, the Afghan government and the US supported the re-emergence of irregular armed
groups, particularly in northern Afghanistan. Influential figures and sometimes communities formed hundreds of small militias to react to the deplorable security situation in several parts of Afghanistan. Foreign forces and militias have operated in liaison in different parts of Afghanistan, many of these militias groups have been accused for human rights violations (Reid, Rachel, 2009).

Available literature could not answer properly some basic questions like if Pakistan had witnessed militias causing a civil war, then why it needed to support, persuade or compel the tribal people to raise anti-Taliban forces. Although militias are used as a counterinsurgency strategy by the Pakistani government, do the country’s laws allow the state to arm civilians against the insurgents in the presence of a well-disciplined and trained army? This act of the government has really put the lives of many civilians at risk. According to the available literature, anti-Taliban militias can touch off a civil war or large-scale war in Pakistan, just like they did across the Durand Line. While comparing the situations in Pakistan and Afghanistan, the study investigates whether militias can really be a proximate cause of a civil war in Pakistan.

1.4 DEFINITIONS

Before we enter into the main body of this research, a few definitions of some basic concepts are given below:

1.4.1 Insurgency

Insurgency is usually to develop and it is not an accident. However, in some cases it is tantamount to a revolution. For Pakistan it was the crossing of fleeing Taliban into the tribal areas that expedited the growth of the insurgency. An insurgency is a protracted struggle conducted methodically, step by step, in order to attain specific intermediate objectives leading finally to the overthrow of the existing order (Galula, 1964).

Insurgents consider promoting panic and disorder its legitimate objective; they damage every state installation to prove the weakness of the government writ in the area and also create horror in the public. In both tribal belt and parts of Khyber
Pakhtunkhwa, the insurgents used all tactics of creating horror from burning schools to destroying basic health units. They destroy a bridge, so every bridge has to be guarded; they hurl a grenade into a movie theater, so every person entering a public place has to be searched (Galula, 1964, p. 8).

An insurgency is usually an organised movement or an armed struggle by a group to achieve its designs that may be overthrowing the government or controlling authority of the state. The insurgents often try to control the local population or attack installations to pressurise the government for achieving their specific goals. Usually, both the terms insurgency and terrorism are used synonymously.

1.4.2 Terrorism

One approved definition of terrorism is: “The calculated use of unlawful violence or threat of unlawful violence to inculcate fear; intended to coerce or to intimidate governments or societies in the pursuit of goals that are generally political, religious or ideological” (US, Army, 2003).

However, this is not the final definition. There are hundreds of different definitions of terrorism.

1.4.3 Insurgency versus terrorism

In many cases, insurgency and terrorism are used synonymously as both challenge the writ of the government and are used for creating terror in society. Guerilla warfare and insurgencies are frequently assumed to be synonymous with terrorism as both have the same goal. A key difference is that an insurgency is a movement - a political effort with a specific aim (US, Army, 2003, p. 14).

“This sets it apart from both guerilla warfare and terrorism, as they are both methods available to pursue the goals of a political movement. Although there are places where terrorism, guerilla warfare, and criminal behavior all overlap, groups that are exclusively terrorist, or subordinate “wings” of insurgencies formed to specifically employ terror tactics, demonstrate clear differences in their objectives and operations” (US, Army, 2007).
1.4.4 Counterinsurgency

“Counterinsurgency is the military, paramilitary, political, economic, psychological and civic actions taken by a government to defeat insurgency. Counterinsurgency is simply what the governments do to defeat rebellions” (Kilcullen, 2010).

For several reasons, militancy poses a serious threat to peace in Pakistan. To subdue this threat, Pakistan evolved an effective population-centric counterinsurgency strategy, which is vital to combating militants and protecting its civil population. History shows that like few other governments in the world, counterinsurgency has also remained a big challenge to the Pakistani government. According to a study conducted on counterinsurgency, insurgents have won 28 per cent, 22 per cent ended in a draw and 18 per cent is going on (Jones, S. G., & Fair, C. C., 2010).

1.5 METHODOLOGY

The selection of research method is always dependent on the nature of the study. Keeping in view this study, the qualitative research paradigm -- based on primary and secondary data -- was used for it. For this purpose, qualitative research design and methods such as interviews, focus group discussions and participant observation were more suitably used to investigate the issue of anti-Taliban militias as a counterinsurgency strategy in FATA and Khyber Pakhtunkhwa. Interview is one of the best data collection tools in qualitative research, which was applied here too. The interviews and focus group discussions were conducted inside FATA, Khyber Pakhtunkhwa (KP) and outside of the tribal belt and KP as well.

Key informants, academicians, politicians, political analysts, retired military officers and members of anti-Taliban militias were interviewed. In addition, secondary sources (books, research reports, journals, magazines, official reports/documents and newspaper statements) -- reflecting a comparative study of irregular armed forces/militias in civil war-like situations -- were consulted. Surveys and research by different national and international organisations were
also used for data collection. As limited literature exists on the topic, thus the researcher has mostly relied on interviews. The researcher presents highly original findings, using data collected during interviews. A total of 41 qualitative open-ended interviews were conducted for data collection. Three lashkar chiefs/tribal elders and four locals from Bajaur agency, four lashkar commanders from Mohmand agency, three from Khyber agency, one from Mashogagar, Peshawar, two from Swat, one from Upper Dir, two politicians, eight lawyers, three army officers, three journalists, three bureaucrats and four academicians/security/political analysts were interviewed.

Qualitative research techniques were used to dig out first-hand information and data were carefully analysed and used in support of the line of argument in this study.

### 1.6 CASE STUDY

The case study is important to deeply analyse and get enough information about different aspects of an issue. Being one of the important components of the qualitative study, the case study was also applied to this research. The case study is often used in Pakistan to get valuable data and accomplish the assignment in a stipulated time. Thus following this method, three agencies, Bajaur, Mohmand and Khyber, and three districts, Dir and Swat of the Malakand division and the Mashogagar village on the outskirts of Peshawar -- places where anti-Taliban militias (lashkars) were raised -- were selected for the study.

### 1.7 OBJECTIVES OF THE STUDY

The following are the main objectives of the study:

1) To bring to the limelight the importance of anti-Taliban militias as a warfare tactic in counterinsurgency strategy;
2) To gauge the ratio of success of military operations against Taliban both in FATA and parts of Khyber Pakhtunkhwa before and after the formation of anti-Taliban militias;
3) To critically analyse the role of anti-Taliban militias while using their power in the tribal belt;
4) To explore political and security interests of Pakistan behind the creation of anti-Taliban militias;
5) To assess the role of anti-Taliban militia as a potential threat to the stability of the region, particularly Pakistan;
6) To analyse the vitality of coordination between security forces and the civilian population as a warfare tactic in counterinsurgency;

1.8 RESEARCH QUESTIONS

The study is an attempt at finding answers to these questions:

1) Is formation of militias a counterinsurgency strategy of Pakistan and Afghanistan? Can this strategy help stabilise the region?
2) Why does Pakistan resort to the creation of anti-Taliban militias (lashkars), particularly when it has a well-disciplined military?
3) How foreign political strategies can use anti-Taliban militias for their own goals and can turn them into a potential threat to the region, particularly for Pakistan?
4) What are comparisons and contrasts between militias in Afghanistan and Pakistan?
5) What is the legal status of arming civilians in Pakistan?

1.9 SIGNIFICANCE OF THE STUDY

The study is of great significance in the sense that limited studies have touched upon the proposed topic. Although various scholars have studied counterinsurgency from different perspectives, yet no focused work has been done so far on the questions cited above. Pakistan fought three conventional wars against its archrival India in 1948, 1965 and 1971; however, Pakistan has felt since 2002 the need for forming militias against Taliban in FATA and parts of Khyber Pakhtunkhwa, something that continues to be a component of the army’s operational strategy.
Though militias have caused a civil war in Afghanistan, yet Pakistan used the irregular force as a warfare tactic in FATA and Khyber Pakhtunkhwa. The effectiveness of these militias in the counterinsurgency effort and their existence as a potential threat signify the importance of the study.

The study will improve our understanding of a region that has been at the centre of global politics. The research will highlight the effectiveness of militias and chances of civil war in Pakistan while comparing informal armed forces in Pakistan and Afghanistan. The findings will provide new insights and open new avenues for future researchers to work on issues related to counterinsurgency in Pakistan.

1.10 ORGANISATION OF THE STUDY

While conducting this study, the given sequence of chapterisations is followed. This study consists of six chapters that cover the different aspects of militias as a counterinsurgency strategy in Pakistan.

1.10.1 Introduction

This chapter explains the theme of the study, the statement of the problem and its significance and objectives. Beginning with the introduction of the research issue - - militias as a counterinsurgency strategy in Pakistan, the chapter contains definitions of some main concepts, statement of the problem, theoretical framework, literature review and methodology.

1.10.2 Historiography of militias in FATA, KP

The chapter aims to discuss the concept of traditional militias and how this model provides a basis for bring into being anti-Taliban militias. It intends to analyse situations that led to the raising of traditional militias in the past and the current circumstances that paved the ground for setting up such irregular forces.

It also reflects on the concept and history of traditional militias besides investigates whether the idea really provides a basis for raising the any-Taliban
lashkars both in FATA and Khyber Pakhtunkhwa. In addition, this chapter also highlights differences between traditional militias and anti-Taliban lashkars.

1.10.3 Composition, operations and role of militias in FATA, KP

This chapter seeks to describe various counterinsurgency strategies, with militias in focus. The success or failure of military operations in FATA and Khyber Pakhtunkhwa are linked with anti-Taliban militias.

To understand the issue in detail, hence, this chapter is divided into five sections. The first section outlines the concept of counter-terrorism strategies; the second describes the composition of militias to analyse their effectiveness. The third section elaborates militia operations like the volunteers performing night duties and patrolling jointly with security forces. The fourth section investigates the role of militias as a counterinsurgency strategy, with the fifth analysing political and military motives behind formation of militias, and comparisons with the situation in Afghanistan, where the US also supported Arbakis against the Taliban.

1.10.4 Legality of arming civilians

This chapter gives a detailed account of the legality of arming civilians to combat insurgents. It quotes relevant articles/sections of the law dealing with the arming civilians. The chapter throws light on the citizen/human rights and state responsibility to provide them full protection. Keeping in view war laws, establishment of militias by arming civilians against Taliban has been analysed. The repercussions of arming civilians have also been discussed in this chapter.

1.10.5 Assessing militia strategy and prospects of civil war in Pakistan

In this chapter, repercussions of raising anti-Taliban militias, militarising Pakhtuns in FATA and Khyber Pakhtunkhwa and its impacts on the region -- particularly Pakistan -- has been discussed. The intensity of militias as a potential civil war threat is analysed here. While comparing the political, socio-cultural, ethnic, military and religious landscapes in Afghanistan, where freedom fighters (mujahideen) -- after the Soviet withdrawal -- indulged in civil war, an attempt has been made to investigate whether militias can cause civil war in Pakistan. The
strategy of the Pakistani government to demilitarise these anti-Taliban militias to stave off a future threat has also been elaborated in this chapter. The chapter investigates statements of some renowned authors who claim the anti-Taliban militias can cause civil war in Pakistan.

1.11 CONCLUSION

This chapter aims to give a comprehensive conclusion of the five chapters of the dissertation. On the basis of analysing available and field data, findings are also given in this chapter, which concurrently includes recommendations/suggestions.
Chapter 2

HISTORIOGRAPHY OF MILITIAS (LASHKARS) IN FATA, KP

2.1 INTRODUCTION

The chapter one highlighted research focus of the study while this one deals with the history of militias. Chapter 2 is devoted to discussing the concept of traditional militias and how this concept provides a basis for the formation of anti-Taliban forces. This chapter intends to analyse situations that led to the raising of traditional militias in the past and the current setting that paved the way for the formation of anti-Taliban militias.

To better understand the issue, this chapter is divided into four sections. This first section explains the concept and history of traditional militias. The second one investigates whether the concept of traditional militias really provides a basis for raising anti-Taliban militias in FATA. The third section explains the formation of militias in Khyber Pakhtunkhwa, with the fourth one elaborating on differences in traditional and anti-Taliban militias.

2.2 CONCEPT AND HISTORIOGRAPHY

There has been a tradition in Afghanistan and Pakistan of local forces raised by a local tribal structure in response to a specific need. While the term Arbaki has been used interchangeably with lashkar, the two are not identical. While lashkar also may refer to a hired militia, the latter is considered less honourable. Arbaki is a tribal community-based policing system grounded in volunteer grassroots initiatives. They differ from lashkars that are brought into being in response to Chagha or need to defend against a common threat and certainly from hired militias. The militia is a centuries-old concept in the Federally Administered Tribal Areas (FATA) of Pakistan. “The term ‘militia’ comes from the Latin word miles, meaning soldier. A civil militia group may be defined as a ‘citizen army made up of free men between the ages of sixteen and sixty who
perform] occasional mandatory military service to protect their country, colony or state” (Francis, 2005).

Before the creation of Pakistan, all tribesmen did joint efforts to frustrate the nefarious designs of British commissioner John Cameron, who challenged the tribal people. The first formal tribal *lashkar* was formed in 1906 while *lashkars* were usually made in the following three situations:

1) When a government interferes in tribal people’s internal affairs;
2) When the interest involves in business or interest itself starts flourishing as a business in an area;
3) When someone is killed for a piece of land, the victim may be a family member or outside the family.

*Lashkar* guaranteed complete peace and tranquility in the area.

When a *lashkar* was not engaged in war, it held meetings on specified days. In the meetings, the *lashkar* carefully listened to tribal issues and resolved or referred them to the low-ranking or subordinate members concerned. *Lashkars* took all measures in a simple way and peaceful manner. The Lashkar leader was responsible to every member. Every member of a *lashkar* could disagree with the decision of the leader even if he had concrete arguments (Saboor, 1999).

As heading a *lashkar* was the most difficult task, thus the leader had to pass through a tough selection criterion. The given few points were part of the selection criterion set for choosing a *lashkar* chief:

1) Enough knowledge of Islamic laws;
2) No indulgence in corrupt practices or nepotism;
3) Full command of tribal laws and bravery;

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1 Saboor, A (Sep., 1999). *(Qubaili Blog Ka Qayam Waqt Ka Taqaza Hai.* The Daily Maidan, p-12.
Translation: The document reads: We, Afridi tribal leaders, confirm that Dr. Fazal Saboor Afridi, son of Haji Abdul Shakoor, is our press secretary. We hope Fazal Saboor will use all his capabilities in serving the tribe and the country.
However, there is strong evidence of *lashkar’s* history being traced back to the 18th century. The British tried their best, but failed to suppress, disarm, administer or impose taxes on tribespeople. Firstly, the British tried to storm into the Mehsud area of Waziristan from Tank (now the southern district of Khyber Pakhtunkhwa) but faced stiff resistance from a 3000-strong tribal *lashkar*. Next time, the British attacked the Wana camp in 1894/95 but were again pushed back by 2000-member Mehsud force (Haq et al., 2005).

The following figure illustrates a review of 130 insurgencies since World War II. It indicates most governments have utilised militias during insurgencies. So do many insurgent groups. The militia use peaked along with insurgencies in 1992 and 1994, when 36 various governments backed the tribal force against guerrillas.²

![Figure 1.1: Use of Militia During Insurgencies, 1945-2011](image)

²Jones, S. G. (2012). The Strategic Logic of Militia

“In 20th century tribal resentment against the British occupation resulted in an uprising e.g. Wazirs in 1919; Mehsuds in 1925; Wazirs, Mohmands and Afridis in 1930-31; Mohmands in 1933 and Torikhels in 1936-37. The British also responded with several operations in Waziristan, of which two are of great significance, one
during 1919-20 immediately after the First World War and second during 1936-37 shortly before the Second World War” (Haq et al., 2005).

The tribesmen also formed *lashkars* against the British Indian Army. One such example was the revolt by tribesmen against the British forces in 1937. The tribesmen, under the leadership of religious tribal leader Faqir of Ipi, rose against British forces when they helped a Hindu girl, abducted by a young Pakhtun to Waziristan, escape. The girl had reportedly embraced Islam and changed her name to Islam Bibi prior to marrying the Pakhtun boy. The tribals celebrated the event according to their traditions. The British authorities helped the girl escape, an incident deemed by tribal elders as unpardonable disgrace. The Faqir of Ipi, whose real name was Mirza Alam Khan, called for jihad against the British. The tribal volunteers/*lashkars* took part in the jihad against the British (Zahid, 2007).

“Thousands of armed tribesmen battled the British army with heavy casualties on both sides. The hit-and-run tactics by the rebels proved very successful. Even airstrikes failed to break their resistance. The guerrilla warfare stretched to over two decades” (Zahid, 2007).

On the other hand, the British too used irregular forces to control the tribesmen. The current *Khassadar* force operating in FATA and Frontier Scouts are the offshoots of the irregular forces formed by the government of British India. They involve *Pakhtun* tribes of Pakistan. The formation of the Frontier Scouts was mainly aimed to mitigate the conflict between the British Indian authorities and Pakhtun tribes. They were not meant to implement the routine writ of the state over the Pakhtun tribes. The prime job of Frontier Scouts, a locally raised irregular force, was to assist the civil administration of the tribal region. However, the political agent (chief administrator of the agency) could use the Frontier Scouts to punish wrongdoers or enforce resolution of the conflict. The scouts were employed to “keep only the most elementary order and that in accordance with Pathan standards of conduct”. Consequently, “the tribes were controlled but neither pacified nor destroyed” (Clegg, 2009).

Certain Pakhtun codes and sentimental attachments were noted in the recruitment of the Scouts in the tribal belt. Owing to the status of *Izzat* (honour) within *Pakhtunwali*, norms, values and social prestige were pinned to the recruitment and
fighting in the Frontier Scouts, even if it demanded to indulge in fighting against one’s own tribe. Besides, the loyalty of each Scout was constituted within the context of their corps, or immediate institutional setting, and fostered *esprit de corps* rather than a more abstract entity such as the empire. The Frontier Scouts were irregular and the recruited Pakhtuns had to serve in specific units in the tribal area. The recruitment is nowadays done on a tribal basis and the Scouts are also named after their tribes (Clegg, 2009).

The British control over Frontier Scouts was weakened after the Anglo-Afghan war of 1919. The British government recruited another irregular force named *Khassadars*, who also assisted the tribal *jirga* (council) in implementing their decisions and played a role in maintaining law and order in the tribe. The high-ranking British official -- Political Agent (PA) -- paid these irregular forces but primarily they served the tribes, at best a “primitive local constabulary”. The *Khassadars* were not responsible to the government in any other administrative affairs. These irregular forces armed, clothed and fed them. British officers were imparting no training to the *Khassadar* forces and thus they were largely inefficient as a fighting force (Clegg, 2009).

A close look at their history also shows the genesis of militias or irregular forces in other countries. “First, many armed groups have been formed by states. Paramilitary and militias are often deliberate creations of governments in order to bolster their armed forces. This phenomenon is from Serbia, Colombia, Sudan and many other countries” (Keith Krause, 2009).

Tribal *lashkar* have helped both Pakistan and Afghanistan governments at every critical juncture. In the 1948 Pakistan-India war, a tribal *lashkar* supported Pakistani government and defeated India. The tribal *lashkar* also helped the Afghani government in 1980 when the Union of Soviet Socialist Republics (USSR) invaded Afghanistan in 1979 (Saboor, 1999).

Raising irregular armed forces has been an old tradition in Afghanistan and Pakistan. In Afghanistan, these forces are known as *Arbaki*, while in Pakistan they are called *lashkar*. Sometimes, the terms *Arbaki* and *lashkar* are used synonymously with a private force. However, the terms denote different
connotations, like Arbaki carries more respect as compared to lashkar. An Arbaki has strong backing of the tribe and is thus different from a hired militia. The Pashto meaning of Arbaki is messenger. There is no specific definition of the Arbaki; however, the forces that impose jirga decrees are dubbed as Arbaki. The Arbakis have got a special indemnity in the tribe to ensure their safety.

The Arbakis are known differently in different areas, like in the tribal belt they are known as Salwishti or Shalgoon. In the Kandahar province of Afghanistan, they are called as Paltanai. Arbakis, the unpaid protectors of the tribe, are usually honoured and members of the group feel proud. However, to be a part of the militia is disgusting according to tribal traditions. In 1980, American CIA and Pakistan’s ISI supported freedom fighters (mujahideen) against Soviet forces. But these mujahideen caused a civil war in Afghanistan afterwards. To end this civil war, Taliban rose with the support of Pakistan, and now again Arbakis have been motivated against Taliban (Rashid A., 1999).

In the late 1980s, after the withdrawal of the Soviet Union of Afghanistan, though the supply of funds and arms ceased, yet foreign-funded madrasas still continue to thrive. Below 30 per cent of tribesmen attended educational institutions, while 90 per cent dropped out prior to accomplishing their education. Due to meagre economic opportunities, majority of the people indulged in smuggling, gunrunning or drug-trafficking. The rise of the Taliban movement in Afghanistan further galvanised the spread of militancy in FATA and thousands of tribesmen joined the radical Islamic militia (Zahid, 2007).

The Pakistan government also supported lashkars that were formed to fight against Indian troops in the Indian-administered Kashmir. Since its independence, Pakistan has trusted the irregular armed forces to achieve its policy objectives. Pakistan mobilised lashkars in the tribal areas to seize Kashmir when Maharaja of Jammu and Kashmir Hari Singh hinted to join India. The Pakistan Army supported the lashkars (Seth G. Jones, C. Christine, Fair, 2010).

Pakistan’s support to irregular forces (razakars) is traced back to 1947. By supporting militia groups, Pakistan wanted to realise its foreign and domestic goals. Firstly, Pakistan used militia groups in 1947, shortly after winning
independence from the British government. Since then Pakistan has relied on irregular forces and razakars (volunteers),

“As well as regular fighters have drawn from the military, paramilitary, and intelligence agencies. These regular fighters have sometimes been dressed “in mufti” and disguised as irregular fighters, perhaps to convince domestic and international audiences that the operations were conducted by non-state actors, rather than instruments of the state” (Jones, S. G., & Fair, C. C., 2010, p. 5).

Pakhtun tribes played a vital role in supporting the Pakistani Army against India in Kashmir. Every Pakhtun tribe was directed to form a lashkar (contingent) of about 1000 men to serve as offensive forces. In September 1947, the lashkar volunteers gathered near the garrison and were given arms, vehicles and ammunition. The Pakhtun volunteers were warlike people and they had an idea of handling small weapons, but couldn’t operate large or heavy weapons and communication tools. They were familiar with common warfare tactics that were usually practiced in tribal areas like raids, hit-and-run attacks, ambushes, long-distance opportunistic sniping but they are unaware of modern warfare tactics and nature. Discharged or on-leave Pakistani commissioned and non-commissioned officers had to train volunteers of each lashkar. The army imparted them training on operating weapons and communication tools that were in use of Pakistan Army (Kiss, 2013).

The missing discipline of lashkar hampered the success of the first Pakistani operation but still their role was very vital for few reasons. The lashkars could perform a duty of combatants voluntarily mobilised and organised by the civil population and volunteers assisting their Muslim brothers anguishing under Hindu suppression (Kiss, 2013, p. 26).

In addition to Kashmir, Pakistan also supported guerrillas in Afghanistan against the Soviet Union. Pakistan has always considered these irregular forces as its third line of defence and an important warfare asset. In December 1979, when the Soviet Union invaded the Central Asian country Afghanistan…the Pakistan top spy agency, Inter-Services Intelligence (ISI), supported Afghan resistance fighters who were called freedom fighters.
The Afghan war not only expanded but also increased the importance of ISI both at local and international levels. The agency that was set up in 1948 for intelligence-sharing and coordination in the military service got worldwide popularity due to training and raising irregular armed forces. During 1984 about 11 ISI teams were functioning in Afghanistan. Seven of them watched Kabul while two each were specified for Bagram and Jalalabad. The teams could hardly contact high authorities and were usually carrying out independent actions as advisors of the Afghan resistance force (Jerry, 2012).

By 1986, the ISI set up large-scale insurgent infrastructure in tribal areas bordering Afghanistan. Every year about 16,000 to 18,000 recruits were imparted training at camps set up by the Inter-Services Intelligence (ISI). ISI officials also established camps to assist and promote guerrilla activities, not directly approved by high-ups. These alternative camps trained some 6,000 to 8,000 recruits each year, many of them from Arab countries. Between 1983 and 1987 alone, the ISI trained some 80,000 guerrillas. The “Afghan jihad” was widely seen as a just war against a brutal occupation (Jerry, 2012).

The centuries-old institution of jirga had the responsibility to form lashkars to maintain law and order in their respective areas or tribes. There was no specific number of a lashkar; it could be of hundreds to thousands that could be gathered and dispersed on jirga’s command. As the writ of the government was generally weak in FATA and the tribals had great respect for its customs and traditions, thus the Jirga and its decision of formation of lashkars was often honoured in the tribal belt. The institution of the jirga was usually aimed to peacefully resolve disputes between and within the tribes. However, lashkars worked as a force for the jirga through which Jirga was also implementing its decision if the dispute couldn’t be peacefully solved. After implementing its decision the jirga would command the lashkars to disperse. Thus gathering and dispersing of armed lashkars on the Jirga’s order have been part and parcel of the culture of the FATA (Taj, 2009).

As the aim of forming lashkars is to resolve local disputes, it usually refrains from becoming a security concern for the people and government. Traditional lashkars were made on a temporary basis. It is only jirga that is a permanent institution in FATA. A jirga has the authority to form lashkars -- something that further
increases its importance in FATA. Traditional *lashkars* were made locally and had only local aims, not any foreign agenda, unlike the Taliban militia that had a national, regional and global agenda. Unlike Taliban, *lashkars* did not openly challenge the writ of the government and never showed intentions to establish its own system in FATA. However, the Taliban want to impose a global jihadi agenda on the unwilling population in FATA and beyond (Taj, 2009).

### 2.3 FORMATION OF ANTI-TALIBAN MILITIAS IN FATA

Regarded as a safe-haven for foreign militants, including Al-Qaeda rebels, Pakistan’s tribal areas are seen as the most dangerous place of the world. This region caught international attention after the US invaded Afghanistan in 2001 and started hunting the militants who had crossed into this volatile region. The journey of democracy in Pakistan has witnessed tough bands, particularly FATA where the democratic system could not strike root so far.

The fate of tribesmen is still decided under the harsh and rigid Frontier Crimes Regulations (FCR). Denounced as a ‘*Tor Qanun*’ (black law) in tribal areas, FCR was implemented by British rulers to control the tribal people. The seven agencies that constitute the tribal belt fall under the direct domain of the president through the governor of the Khyber Pakhtunkhwa, formerly known as North West Frontier Province (NWFP). The province was renamed during the Awami National Party (ANP) government that came into being as a result of winning the 2008 general election.

The ANP boasted and sought credit for winning the Pakhtuns of the province their virtual identity in consonance with the party’s electioneering slogan. The agencies from north to south are Bajaur, Mohmand, Khyber, Orakzai, Kurram, North Waziristan, and South Waziristan. Except Orakzai, other six agencies border Afghanistan. To the east of FATA are six contiguous Frontier Regions (FRs) that are also controlled by the governor, but are administered by provincial representatives. These Frontier Regions are FR Peshawar, FR Kohat, FR Tank, FR Bannu, FR Lakki and FR Dera Ismail Khan.
The tribal belt of Pakistan has an important strategic location. Stretching over an area of over 2,7220 square km (10,507 square miles), the Federally Administered Tribal Areas (FATA) cover almost 3% land of the country. Geographically, FATA borders Afghanistan to the west, Khyber Pakhtunkhwa and Punjab provinces to the east and Baluchistan to the south. According to the uncertain census of 1998, the total population of tribespeople was 3.1 million. However, this may be roughly estimated at over six million presently (Rahmanullah, 2012).

Here the study focuses on the formation of militias in Mohmand, Khyber and Bajaur agencies.

2.4 MOHMAND AGENCY

2.4.1 Anti-Taliban militia in Ziarat Adamzai

Sharing a border with Afghanistan, Mohmand Agency has been hogging the headlines since November 26, 2011 when NATO helicopters bombed a Pakistani check-post in Salala area. In the airstrike, 24 security men were killed, resulting in curtailment of supplies to NATO forces in Afghanistan. Established in 1951, the agency was named after the Mohmand tribe. According to local sources, its population is one million.

The concept of traditional *lashkars* lent a new impetus to the formation of anti-Taliban militias in Mohmand agency. The formation of *lashkar* against wrongdoers was one of the strong traditions of tribes in Mohmand agency. In an interview, a tribal elder and chief of anti-Taliban militia in Ziarat Adamzai, Tehsil Safi, Malik Subaidar said none could use money or other ways to deceive tribespeople to abandon their deep-seated customs or traditions. None can defeat them till the traditional *lashkars* were operative in tribal areas. The *lashkars* were also formed in the Haidag area of Mohmand agency against Taliban. But some unknown hands interfered and persuaded half of its members to support the Taliban. The tribal people were horrified when Taliban beheaded some people in front of them.

The surrender of 11,000 to 12,000 tribal elders of the eight tehsils of Mohmand agency to around a hundred Taliban was a shameful act. The Taliban ordered the
elders to lay down guns and none could dare say ‘no’. It was a humiliating day for the tribespeople because the surrender was not only un-Islamic but also against tribal customs and traditions. Then the Taliban told these thousands of the elders that they wanted to slaughter some people but none had the spine to challenge them. The elders couldn’t respond to the Taliban threat according to the tenets of Islam or tribal customs. The tribal elders were so terrified that they lost all their glorious features all of a sudden. In the beginning, nobody was ready to oppose the Taliban, and finally this passiveness and lack of seriousness compelled tribesmen, including a large number of elders, to flee the area (Malik Subaidar, 2015).

Malik Subaidar reveals when government moved forces in Mohmand agency, tribesmen advised them to bring back some influential elders who can help form a lashkar against the Taliban. Formation of lashkar was not the idea of tribal elders but a purely government decision. The political agent (administrator of Mohmand agency) brought tribal elders and compelled or persuaded them to form an anti-Taliban lashkar (Malik Subaidar, 2015).

In Safi tehsil, four peace committees are operational under different chief commanders/tribal elders. The details of these peace committees and their chiefs are as under:

1) Peace committee in the Darwazgai area of Qandari tehsil was headed by Haji Malik Azeem. This was the first anti-Taliban lashkar formed in Safi sub-district of Mohmand Agency;

2) The peace committee in Ziarat Adamzai was headed by Haji Malik Subaidar. This was the second anti-Taliban lashkar set up in Safi.

3) The peace committee in Qalagai area of Katasar was led by Malik Saedullah Khan -- alias Sadul. This was the third irregular force set up against the Taliban in Safi.

4) A similar committee in Chinari area was headed by Malik Haji Dara Khan. It was the fourth and known as the most effective anti-Taliban lashkar formed in Safi (Malik Subaidar, 2015).
2.4.2 Anti-Taliban militias in Gurbaz, Safi

The formation of a traditional lashkar in Mohmand Agency is a very old concept. The tribes constituted traditional lashkars known as tribal or Qaumi lashkars, with the entire qaum (tribe) rising against a wrongdoer who has perpetrated a cruel or wrong deed. On the directives of the tribal elder, the tribe rises in the form of a lashkar to expel and often burn house of the wrongdoer. Forming a lashkar against a cruel person is a part of the customs and traditions in other tribal areas, including Mohmand Agency. Due to the traditional lashkar, there was peace in Mohmand Agency. However, none was ready to form a traditional lashkar against Taliban, but the irregular force became ineffective and the fear of the Taliban prompted tribal elders to flee the area. The tribesmen left the sub-district and moved to safer places.

Government officials contacted the tribal elders of Gurbaz area of (Safi) to return to their homes and form a peace lashkar against the Taliban. In an interview, a tribal elder and head of anti-Taliban militia, Saeedullah Khan, told me that due to the horror of Taliban, tribal elders were reluctant to form a peace lashkar that were later named by the government as a peace committee. The tribal elders of Mohmand Agency like Saeedullah Khan, Haji Subaidar, Khan Wali, Haji Jamal Shah (late), Haji Sherzada and Haji Wazir responded to the government’s call. The tribal elders came to the Gurbaz area of Safi tehsil before the army was not moved into the area and the Taliban were powerful. Violating directives of government officials, the tribal elders refused to live in their respective areas. These elders spent around four months in Ghalanai, headquarters of Mohmand agency. The government formally allowed them to go to their areas when military forces were moved there (Saeedullah, 2015).

2.4.3 Anti-Taliban militias in Manzari Cheena, Baizai

In an interview, Abdul Wali, operational commander of the anti-Taliban Militias in Manzari Cheena, revealed the tribesmen were helpless in the deteriorating situation of 2007 and were left with no option but to leave the area. Later, when the government moved security forces into the area on assurance of all-out support, the tribesmen also returned to their homes. The returning tribesmen,
including some influential tribal elders, raised anti-Taliban militias with the government backing. The tribals have an old history of raising lashkars as the government’s writ has always been weak in the tribal belt. Traditional lashkars have played a great role in maintaining the law and order situation. Applying the same old concept, the tribesmen of the Manzari Cheena (Tiger spring) area of the Baizai tehsil of Mohmand Agency formed new peace lashkars against the insurgents (Abdul Wali, 2015).

2.4.4 Anti-Taliban militias in Wocha Jawara, Khwaizai

The concept of the traditional Lashkars was behind the formation of the new peace lashkars in the Wocha Jawara area of the Khwaizai tehsil of Mohmand agency. Soon after their appearance, in an interview, Muhammad Yousaf, the deputy chief of the anti-Taliban militias in Wocha Jawara, said the Taliban had struck fear into the hearts of tribespeople and made the traditional lashkars and jirga system almost ineffective. In the past, the jirga ordered the formation of lashkars to punish wrongdoers. But the historical lashkar and jirga system seemed helpless to oust Taliban, a relatively strong, large, trained and organised force. The new anti-Taliban lashkars were created to assist security forces in expelling the Taliban from the area (Muhammad Yousaf, 2015).

2.5 KHYBER AGENCY

2.5.1 Tauheed-ul-Islam in Zakhakhel

Bordering Afghanistan, Khyber Agency is a tribal area, named after the world-famous Khyber Pass. The agency is named after the historical Khyber Pass. Most of supplies to NATO troops in Afghanistan are routed through Torkham.

Hakim Khan is a head of political affairs of Tauheed-ul-Islam in Khyber Agency. In an interview, he said Tauheed-ul-Islam is a peace committee in the Zakhakhel area of Landikotal. The Zakhakhel tribe lives in Zakhakhel Bazaar, Zakhakhel Tirah and Zakhakhel Bara sub-division. A tribal elder and a commander of the militia, Hakim Khan, told me at Khyber House, Peshawar (office of Political Agent of Khyber Agency) that Tauheed-ul-Islam mainly deals with the defunct Lashkar-I-Islam. After the military moved into Tirah valley as Ansar-ul-Islam
could not fully combat the Tehrik-i-Taliban Pakistan (TTP), the Aman Sareshti (Peace Alliances) were formed by different tribes. The Zakhakhel tribe also formed Aman Sareshta. The peace lashkars are given different names like peace committees. But its official name is Aman Sareshta. In the past, there were no lashkars at the sub-tribe level; there was only one lashkar at the tribal level, like the Afridi lashkar. The sub-tribes had Aman Sareshta in the past too. Before the emergence of Ansar-ul-Islam, Zakhakhel Bazaar too had a Sareshta that had certain fixed rules and people did not violate these rules (Hakim Khan, 2015).

2.5.2 Anti-Taliban militias in Bara

An anti-Taliban militia was also raised in the Akakhel area of Khyber Agency. A tribal chieftain and head of the anti-Taliban militia, Haji Gul Miran, told me that Lashkar-i-Islam (a defunct militant organisation) head Mangal Bagh challenged the writ of the government in Khyber and forced locals to join his outfit. He also disbanded a traditional force (Qaumi Lashkar) in Khyber Agency that operated in Akakhel area for 30 years. The militants killed three prominent Akakhel tribal elders -- Haji Jalabad, Pir Muhammad and Ambel Shah. “Earlier, the bodies were of tribesmen, but they were controlled by others. Now the tribesmen have control over their bodies.” The Akakhel tribe under the leadership of Haji Gul Miran formed a peace lashkar against Lashkar-i-Islam in 2010 (Gul Miran, 2015).

2.5.3 Ansar-ul-Islam in Tirah valley

When the US invaded Afghanistan in 2001, all tribal elders denounced Washington’s move. In an interview, spokesman for the vice chief of Ansar-ul-Islam Sadat Khan Afridi told me to support Taliban fighters. The tribesmen started forming organisations giving them Islamic and religious names. Later, some of these outfits like Lashkar-i-Islam turned violent. The tribals belonging to almost eight Afridi tribes like Malik Dinkhel, Qambarkhel, Shalobar, Zakhakhel and Adamkhel of Khyber formed a tribal lashkar called Ansar-ul-Islam to counter activities of Lashkar-i-Islam. Ansar-ul-Islam was formed in 2005. The Ansar-ul-Islam also opposed Tehrik-i-Taliban Pakistan (TTP) and supported only the Afghan Taliban (Sadaat Khan Afridi, 2015).
2.6 BAJAUR AGENCY

2.6.1 Anti-Taliban militias in Salarzai

Bajaur is the smallest of the seven administrative units of the Federally Administrative Tribal Areas (FATA). Lying cheek by jowl with the eastern Kunar province of Afghanistan and being a hilly area, Bajaur has great strategic importance for Pakistan and the region. It also borders the Dir district of Khyber Pakhtunkhwa that connects Bajaur with Swat valley. Khar is the administrative headquarters of Bajaur, and its estimated population exceeds 1 million.

Bajaur is divided into two sub-divisions: Khar and Nawagai. The sub-divisions are further sub-divided into tehsils.

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<tr>
<th>Agency</th>
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<td>Bajaur Agency</td>
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Tarkani and Utmankhel are the two major tribes of Bajaur. They are further subdivided as:

2.6.2 Tarkani

Salarzai, Mamond (Salarzai, Kakazi), Chamarkand, Charmang, Nawagai, Khar

2.6.3 Utmankhel

Aseel, Shamozai, Mandal, Lar-tras, Bar-tras, Arang, Alizai

A traditional lashkar in Bajaur is a centuries-old concept, as tribes there formed a strong force against British rulers. In Bajaur, one tribe first used jirga and then
formed a *lashkar* against another tribe that had done something wrong. Usually traditional *lashkars* were formed against a tribe if the *jirga* failed. In an interview at his *hujra* in Pashat, a young leader of the anti-Taliban militia, Israr Khan, told me that such forces were against a mind-set, whose followers were involved in robberies, dacoities, blowing up schools and infrastructure. The followers of this mind-set became a grave threat to the peace and tranquillity of the area. Israr Khan is the son of Shahab-u-Din Khan.

Shahab-u-Din Khan, locally known as Shahap-ud-Din Khan who is a member of the National Assembly of the ruling Pakistan Muslim League Nawaz PML (N), led the anti-Taliban militia of the Salarzai tribe in Pashat, Bajaur. Malik Manasab Khan and Malik Fazal Karim were also key leaders of the anti-Taliban militia in Salarzai. Both of them were killed in separate terrorist attacks. Malik Manasab Khan was awarded a medal of gallantry by the government.

The Salarzai tribe that comprised of four segments -- locally called as *Bar Amadak, Lar Amadak, Bar Sadin and Lar Sadin* -- joined hands to set up a *lashkar* against Taliban. Leaders of these four segments unanimously decided in a *jirga* on the formation an anti-Taliban militia (Israr Khan, 2015).

### 2.6.4 Anti-Taliban militias in Wara Mamond

The old concept of the traditional *lashkar* provided the basis for an anti-Taliban militia in the Wara Mamond tehsil of Bajaur. In an interview, a tribal elder and leader of the militia in Wara Mamond, Malik Yusuf Khan, apprised me the government formed the *lashkar* when the area was almost cleaned of the Taliban (Malak Yousaf, 2015).

### 2.6.5 Anti-Taliban militias in Loi Mamond

The concept of the traditional *lashkar* was behind the formation of the anti-Taliban militia but the government also compelled tribal elders of the Loi Mamond tehsil of Bajaur to form a *lashkar* against Taliban. In a group discussion conducted for this thesis in Inayat Kalay, Bajaur, Malik Anwar, leader of the anti-Taliban militias of Loi Mamond, said the tribesmen had no option but to comply
with the government directive to form *lashkars* as the Frontier Crime Regulations (FCR) has given enormous powers to the civil administration to impose its decisions (Malak Anwar, 2015).

Local Jamaat-i-Islami leader Qari Abdul Majeed, a participant of the group discussion, confirmed the government had threatened tribal elders to form anti-Taliban militias (Qari Abdul Majeed, 2015).

### 2.7 FORMATION OF ANTI-TALIBAN MILITIAS IN KP

The government also formed anti-Taliban militias in Swat and Dir districts, as well as the suburbs of Peshawar -- Adezai, Mattani and Badaber.

#### 2.7.1 Anti-Taliban militias in Swat

*Lashkar* formation has deep roots in the history of Swat. In an interview, Mingora-based lawyer Aftab Alam told me about the history of *lashkar* in Swat before it was declared a separate state. Infighting was a common trait among the people of Swat, paving the way for external *lashkar* attacks. The population of Swat was thin and the area very fertile, producing more food than required by locals. Opportunity for hunting and serenity of Swat attracted people from the neighbourhoods which had no such resources. One tribe was called Malazai that was commonly known as *mirat* (issueless) Malazai, but here the word was used satirically as the Malazai family had many sons -- sometimes the number reached 10. This gave fame to another anecdote that a *mirat* Malazai has 18 sons.

This was prior to 1917 when there was no government and thus *mirat* Malazai was attacking the homes of Swatis (dwellers of Swat) when they were out working in their fields. *Mirat* Malazai did not capture areas but just stole cattle, wheat, maize and other valuables. The Malazai attacks in Swat resulted in the formation of a *lashkar*. First *lashkars* were initiated in Nikpekhel, including areas from Kanju to Kabal and Matta. The Yusufzai tribe made the first *lashkar* against Malazai before the formation of the Swat state. Mian Gul Abdul Wadud was the founder of the Swat kingdom and the renowned Saidu Baba was his grandfather. The Swat
lashkars also fought against the Nawab of Dir and when Swat was declared a state, there was no need for any lashkar (Aftab Alam, 2015).

2.7.2 Anti-Taliban militias in Damghar

According to a local elder and lawyer, Feroz Shah, the anti-Taliban lashkar was first formed in the Totano Banda area of Kabal similar forces were raised in other parts of the Swat valley. Lashkars in Swat have got various names -- Aman lashkar (peace militia or peace jirga or anti-Taliban militia) but its purpose has been one: To fight against militants and restore peace in the area. However, nowadays it is called the Village Defence Committee (VDC) (Feroz Shah, 2015).

2.7.3 Anti-Taliban militias in Bara Banda

The concept of traditional lashkar though was not much deep-seated like in tribal areas but still existed in settled parts of Khyber Pakhtunkhwa. When extremism gained momentum in Swat valley, the Taliban first started targeting policemen. People then thought the Taliban were perhaps targeting corrupt policemen and they remained silent over the killing of policemen. Later, the Taliban started targeting local elders. Many people including local elders like Idrees Khan left the area when the military launched an operation against Taliban in 2009.

Local elders left the area for safer places of Khyber Pakhtunkhwa but still they remained in touch with their villages. When the military operation was launched, they also invited local elders to come back to their areas. Neither security forces nor a powerful government can succeed without the support of locals. The Pakistani military top commander contacted elders of Swat to extend full cooperation to security forces against Taliban. The concept of the traditional militias existed in Swat since Mian Gul Aurangzeb’s rule. The possession of weapons by each Pakhtun family is a symbol of the presence of traditional lashkar in settled areas. There were various shapes and modes of the traditional lashkar in Swat where the people were looking for a leader.

According to a local elder, Idrees Khan, Swat residents first backed the Tehrik-i-Nifaz-i-Shariat-i-Muhammad (TNSM) headed by Sufi Muhammad -- locally
known as Tor Patki's (black turban movement) originated from district Dir of the Malakand division. Since the Swat state was dissolved and merged in Pakistan in 1969 both minor and major disputes of the locals took years in courts. The people got tired of the slow pace of the courts when Sufi Muhammad started (TNSM) the people of Swat pinned hopes with Sufi Muhammad and gathered around him. This was also a form of traditional lashkar that people gather around a cleric to cleanse society of all evils. Later in 2007, the people of Swat backed Maulana Fazlullah, son-in-law of Sufi Muhammad and the current chief of Tehrik-i-Taliban Pakistan as Fazlullah also pretended raising his voice for the rights of Swat people (Idrees Khan, 2015).

Idrees Khan says roughly 50,000 people backed Maulana Fazlullah and even officials of the district administration were seen offering prayers behind him. But Fazlullah failed to measure up to people’s expectations. His struggle for winning people their rights degenerated into the massacre of civilians and security forces in the valley. Wrongdoers joined Fazlullah while peaceful people were left suffering for a particular time.

When the Swatis (inhabitants of Swat) returned to their homes, they were horrified by the atrocities of the Taliban, led by Fazlullah and later military search operations in the valley. The elders constituted committees at village level in places like in Kabal tehsil. Sub-committees were formed in Nengwalai, Devlai, Ghwarajo and Imam Dherai (Idress Khan, 2015).

According to Justice Retired Sher Muhammad, the traditional lashkar is an old concept. However, anti-Taliban militias in Pakistan are quite a new idea. He cited two reasons for its formation -- weakness of the state and a difference of opinion between provincial and federal governments. This was a state failure and disharmony between state institutions and law-enforcement agencies. The provincial government had only police under its control and Frontier Corps were under the federal government. The provincial government understood this reality that police were not much trained to combat Taliban. Thus it mobilised and properly set up an anti-Taliban militia in settled areas like Swat, Dir, Buner districts of Malakand division and Mashogagar and Adezai areas of Peshawar (Sher Muhammad, 2015).
2.7.4 Swat Qaumi Aman Jirga

The elders of Swat, deeply analysing Maulana Fazlullah’s provocative speeches on his FM radio, tried to determine possible motives behind this rhetoric. Fazlullah, now the Tehrik-i-Taliban Pakistan (TTP) commander, locally known as Radio Mullah, succeeded when his rhetoric instigated a segment of people. A largely peaceful Swat descended into conflict. The then Muttahida Majlis-i-Amal (MMA) government in the province sanctioned army deployment to Swat valley. In the wake of this conflict, the Swat Qaumi Aman Jirga (Swat National Peace Jirga) was formed in 2008.

During an interview in Kanju, Swat Peace Jirga head Haji Inam-ur-Rahman disclosed the forum served as a bridge between local elders, Taliban and government to resolve the conflict through negotiations. The leaders of the Swat Peace Jirga continued their efforts and a peace accord was signed between the government and Taliban in 2009. However, later the truce was breached and both government and Taliban traded allegations of violating the agreement.

A video shown on TV channels, in which a man lashed a girl, led to the breach of the peace agreement. Haji Inam-ur-Rahman accused the Taliban of involvement in five to six lashing incidents but the video was a conspiracy against the peace accord. The video was released just three days after the peace agreement was inked, causing mistrust between the Taliban and the government. Due to the deteriorating situation, the government launched a military operation against Taliban in Swat. This situation forced some local elders and hundreds of thousands of people to flee the area. However, Inam-ur-Rahman, his friends and some 3.5 million people belonging to Bara Banda, Koza Banda, Nengwalai, Shkirdara, Manglawar and Khwazakhela did not leave their homes (Inam-ur-Rahman, 2015).

Swat was considered a cradle of peace but when Taliban dishonoured agreements and decisions of the peace jirga, people had no option but to join hands with the military. It was a kind of origin of the formation of the anti-Taliban/peace lashkar in Swat. The jirga and Swatis realised the situation was out of control and thus they formed irregular forces.
Head of Swat Peace Jirga Haji Inam-ur-Rahman also shared with me an interesting and new aspect of the background and history that led to the formation of traditional *lashkars* and then finally to the anti-Taliban militias in Swat. According to him, there was complete peace in Swat when Prince Mian Gul Aurangzeb ruled it. People could easily approach Aurangzeb, who delivered them speedy justice. However, when Swat was merged in Pakistan, people started getting disillusioned with the new judicial system. The frustration, discontentment and despair nurtured violent sentiments that led to the creation of a violent group among peace-loving Swatis.

Due to the poor law and order situation some 15 years back, dacoits barged into civilian houses at night. Several incidents of tying inmates and looting houses took place in the area. The Social Welfare Society (Islahi Falahi Committee) was founded in Kanju in 1979 and later this society formed an organisation against buglers in Kanju. In one such incident, buglers sneaked into the house of a local named Ali Jan. The buglers demanded keys of the main gate after looting the house.

But the keys were missing. The dacoits shot dead the owner and others dacoits succeeded in scaling the wall while the ringleader, whose identity was unascertained, was caught by family members. Members of the organisation reached the house and thrashed the dacoit leader to death and hanged him from a telephone pole in front of the house, whose owner was killed by the dacoits (see the Newspaper Picture). The organisation killed 12 buglers in just three months. Such incidents provided a basis for the formation of the peace *Lashkar* in Swat (Inam-ur-Rahman, 2015).
Afzal Khan Lala, a senior leader of the Awami National Party, was the only political figure who challenged Taliban and did not leave Swat. He formed an anti-Taliban lashkar in Durushkhela area of Matta tehsil. In an interview at his hujra, Afzal Khan Lala stated the lashkar was part of Pakhtunwali (Pakhtun code of life) and it did not need any training. Pakhtuns are usually self-sufficient in keeping arms and when a tribe or village faces an unusual or complex challenge,
people are gathered through a chagha (call). This chagha was the initial stage of lashkar or the people gathered through a call are then transformed into a lashkar (militia). This is a traditional form of lashkar, for which sometimes a Pashto term pa apa watal (a united uprising of villagers against a common enemy) is also used. In case some enemy attacks a village, a simple call through loudspeaker is enough to mobilize villagers to pick their guns and challenge the attackers. In such a case, the attacker would become the enemy of all villages and everyone wants to defend the village. Afzal Khan Lala’s vehicle was also ambushed by Taliban to create horror in the area. His driver guard was killed in the attack. Lala’s nephew Abdul Jabbar and two guards were injured. Afterwards, Lala formed an organised anti-Taliban militia in Durushkhela. Most of volunteers were his relatives (Afzal Khan Lala, 2015).

2.7.5 Anti-Taliban militias in Hayagi Serai

An anti-Taliban lashkar was also formed in Upper Dir under the leadership of Haji Mutabar Khan. According to Haji Mutabar Khan, inhabitants of Hayagi Serai raised the lashkar when the government asked them to defend their territory against Taliban. The Hayagi area has eastern and western parts. This was the first armed militia in eastern Hayagi Serai, where there was no concept of a traditional militia in the past. Mainly, a blast in a mosque of Hayagi Serai, claiming over 40 lives, provided the trigger for the formation of the peace committee or anti-Taliban-militia here (Haji Mutabar Khan, 2015).

2.7.6 Anti-Taliban militias in Mashogagar

There was no concept of traditional militias on the outskirts of Peshawar and anti-Taliban militias were the first lashkars set up against the Lashkar-i-Islam group, headed by Mangal Bagh, and Tehrik-i-Taliban Pakistan (TTP). According to Mukamil Shah, leader of the Tapa Mohmand Lashkar in the Mashogagar area of Peshawar, the anti-Taliban militias were set up in Adezai, Matani, Bazidkhel and Badaber areas. The peace committees were formed in Mashokhel, Salmankhel, Badaber and Mashogagar. Volunteers in Adezai, Mattani, and Bazidkhel confronted the Taliban but the militias of Mashogagar opposed a defunct

### 2.8 TRADITIONAL VERSUS ANTI-TALIBAN MILITIAS

The basic difference between a traditional *lashkar* and a peace force is that the entire tribe unanimously supported the former but hardly 10 per cent of tribesmen back the latter. The traditional *lashkar* are usually formed for a short time like a day and dissolved after it addresses the dispute. However, sometimes the aftermaths of the actions of the traditional *lashkar* become difficult to control (Malik Subaidar, 2015).

The traditional *lashkar* is called *Qameez lashkar* (tribal force) because the entire tribe extends support to this sort of *lashkar*. However, only few people support a peace *lashkar*. The traditional *lashkar* is part of the tribal culture and the tribesmen have no reservations about its formation (Saeedullah, 2015).

Though the formation of new peace *lashkar* is based on the old concept, yet operations of both are different. The new peace *lashkar* has officially been named as Peace Committee (Aman Committee), though in media and locally different names like peace *lashkars* (*aman lashkars*), anti-Taliban militias, (*Taliban zad lakhkar*) have been used for them. On the other hand, the traditional militia (*Lashkar*) has no official name. Different names are used for them, like *lashkar*, tribal *lashkar* (*qabaili lakhkar*) or *qaumi lakhkar*.

A traditional *lashkar* is formed with the consent of a *jirga* to punish a person who commits a wrong, or indulges in any cruel or unlawful act. After punishing the wrongdoer -- destroying his house -- a traditional *lashkar* disperses. On the contrary, volunteers of a peace committee perform 24 hours duty and are deployed to the border check-posts. They are armed and ready anytime if deployed on the border or somewhere else in the area (Abdul Wali, 2015).

A traditional *lashkar* operates in a simple manner and the political administration also tends to implement its writ by incorporating its good features into the new peace force. The traditional *lashkar* helped the government in establishing its writ.
in Tirah valley, helping officials in arresting outlaws and wanted tribesmen. It nabs outlaws and criminals on its own and produces them to the political administration. The *jirga* and traditional *lashkar* arrest and present outlaws to government officials, who have special respect for the *jirga*, and show leniency in penalising tribesmen involved in minor offences.

The traditional *lashkars* have no alliance with the government. But the peace militia has links with the authorities. The traditional *lashkar* usually disperses after punishing a wrongdoer and will gather only in case of needed. Contrary to this, peace militias are permanent bodies and they are at any time on red alert. The traditional *lashkars* deal with petty criminals while peace *lashkars* fight against insurgents. For example, Tauheed-ul-Islam fought against *Lashkar-i-Islam* in Bazaar Zakhakhel area of Khyber agency (Hakim Khan, 2015).

Usually, rich and influential tribal families control traditional *lashkars*. The families who could support around 50 gunmen often own traditional *lashkars*. The traditional *lashkars* were actively functional before 2002 when the new militias were not formed in tribal areas. Those *lashkars* did not benefit the poor people (Sadaat Khan Afridi, 2015).

The traditional militia has a long history in the Pakistani tribal belt. The tribesmen founded traditional militias to punish outlaws and examples of torching homes of wrongdoers have been witnessed there. The traditional militia provides a basis for the formation of the anti-Taliban militia. However, the composition and functions of the two are glaringly different. The traditional militias were made for a short time and small-scale while the anti-Taliban militias are formed on a semi-permanent and large-scale basis (Malak Yousaf, 2015).

### 2.9 CONCLUSION

This chapter discusses both *jirga* and traditional militias as part of deep-seated customs and traditions of both tribal belt and Khyber Pakhtunkhwa. The tribal people raised traditional militias, punished and expelled the wrongdoers. This custom helped in maintaining law and order. Both *jirga* and traditional militias
are an indispensable part of the tribal customs. In case of need, jirgas have ordered forming lashkars to punish outlaws.

The chapter mainly includes interviews with tribal elders, who are now heads of anti-Taliban militias. It also analyses the personal experiences and first-hand information of these tribal elders. According to the tribal elders and the literature review, the history of lashkars in the tribal belt is traced back to united India. Punishment of outlaws or handing them over to local authorities by lashkars was both a helpful and a parallel administrative system in the area.

The chapter elaborates on the traditional militias formed when someone violated the law or did something against tribal customs and traditions. Though this concept of traditional militias provided a basis for the formation of anti-Taliban militias, yet this scenario is quite different. This is not a simply law and order situation, it is rather militancy. And the traditional militias are not made on a temporary basis, rather on a semi-autonomous basis. The chapter gives details of the situations in both FATA and Khyber Pakhtunkhwa that resulted in the formation of anti-Taliban militias. A comparison between traditional and the anti-Taliban militias illustrates the nature of both. The militias have also been compared with similar forces in Afghanistan.
Chapter 3

COMPOSITION, OPERATIONS AND ROLE
OF MILITIAS

3.1 INTRODUCTION

The previous chapter discussed the history of traditional militias and how the concept provided the basis for establishing anti-Taliban forces. This one aims to describe various counterinsurgency strategies, especially focusing on militias. The researcher argues the success of military operations in FATA and Khyber Pakhtunkhwa are linked with the anti-Taliban militias.

To better understand the issue, this chapter divides the discussion into five sections. The first section explains the concept of counter-terrorism strategies. The second segment describes the composition of militias to analyse its effectiveness. The third part elaborates on operations of militias like volunteers performing night duties and patrols with the security forces. The fourth one spotlights the role of militias as a counterinsurgency strategy. The fifth section analyses the political and military motives behind formation of militias, including comparisons with Afghanistan, where the US has been supportive of Arbakis against Taliban.

3.2 CONCEPTUAL UNDERSTANDING

Insurgency and counterinsurgency can be, and have been, conceptualised in various ways. An insurgency can be viewed as a tactic of warfare, often used synonymously with guerrilla activity. Alternatively, it is seen as a type of strategy to conduct war. With the passage of time, the insurgency has transformed from a tactic to a strategy. However, now it has again reversed to a tactic from a strategy (Paul B. Rich & Isabelle Duyvesteyn, 2012).

Insurgents in both tribal belt and Khyber Pakhtunkhwa made combined efforts to create horror in the local population. They also attacked government installations to show the weakness of the state and also challenged government writ. All
insurgent activities were exactly like the concept of the insurgency mentioned by writer Mockaitis Thomas R. According to Mockaitis, an insurgency is usually a systematic struggle to oust a nation from within, applying multifarious techniques of subversion, guerrilla warfare and terrorism. Insurgents try to manipulate the despaired population, giving them hope that a revolution movement will provide them a cozy life and will manipulate them of the rulers who are indifferent to their problems. Insurgents attack government installations and try to widen the gap between the masses and the rulers (Mockaitis Thomas R, 1999).

"Counterinsurgency," as the term denotes, consists of denying insurgents their goals. However, a threatened government that remains purely reactive loses the war. Successful counterinsurgency needs that the state pinpoints those grievances on which the insurgency nourishes and makes best efforts to address those grievances. Such act will reduce the frustration of the masses and insurgents will find it hard to win their favour. This move of the government is in fact to create hurdles for the insurgents to prevail. The tactics used by the Pakistan government to some extent in both FATA and Khyber Pakhtunkhwa. Military operations against the guerrillas require highly selective and very discriminate use of force. Massive applications of firepower do more harm than good (Mockaitis Thomas R, 1999).

Counterinsurgency may also be described as a set of tactical tools or alternatively as a comprehensive strategy to vanquish an opponent. Counterinsurgency is military, paramilitary, political, economic, psychological and civic actions taken by the government to triumph over an insurgency. Like insurgency, counterinsurgency is not a strategy, but a description of a strategic end-point (Paul B. Rich & Isabelle Duyvesteyn, 2012).

Mainly, counterinsurgency is regarded as a concept that proceeds along four lines of operation – launching military operations, supply of basic facilities to the affected populations, imparting proper training and equipment to the security forces and focusing on the economic and social uplift of the areas where the insurgents are operating. Pakistan has followed this concept of counterinsurgency in both FATA and parts of the Khyber Pakhtunkhwa (Davidson, 2009).
In different countries around the world, militias have been used to counter insurgents. For instance, the United States supported Sunni awakening groups to fight against insurgents in Iraq. Afghanistan raised militias to battle the Taliban. In the course of the Syrian civil war, the number of militias fighting for Bashar Assad increased and included Shia fighters, supported by Iran and Hezbollah from Lebanon. While religious cleavages shape the supply of irregular armed groups in the Middle East, these groups can be found in counterinsurgency campaigns across the globe (Sabine Carey, Neil Mitchell, 2015).

In eastern Ukraine, pro-Kiev militias clashed with pro-Russia armed separatists. In northern Nigeria, the Civilian Joint Task Force fought against Boko Haram, and in Colombia rural defence groups help the government against FARC. The British government also employed auxiliaries in Ireland, many of whom went on to serve in Palestine in the 1920s, and it generated Home Guards in Malaya and Kenya to vanquish insurgencies in the 1950s. In fact, many elements of counterinsurgency strategies call for the use of local militias to extend an armed presence or allow locals to have a stake in their own security (Sabine Carey, Neil Mitchell, 2015).

3.2.1 Composition and operations of militias in Pakistan

The researcher’s focus is on the composition, structure and style of operations by anti-Taliban militias in Mohmand, Khyber and Bajaur agencies and Swat, Dir and Peshawar districts of Khyber Pakhtunkhwa. However, for the sake of clarity, the structure and functions of these militias are slightly compared with those in the neighbouring Afghanistan.

Winning the support of the civil population is crucial to warfare. This was of high significance for Pakistan’s counterinsurgency strategy as insurgents belonged to the same population. The militias can be stratified into political militias, military militias and self-defence units (Salman Jago, 2006).

Under this stratification, anti-Taliban forces are more like military or self-defence militias. Military militias usually physically or socially operate in areas where the military cannot enter or is unable to fully control. “Military militias are also,
however, traditional elements of counterinsurgency strategies, in many cases recruiting from the same communities as insurgents” (Salman Jago, 2006).

Political militias, on the other hand, do not work on military grounds but provide extra security or paramilitary potential to political parties. The state often mobilises or leads communities or individuals to organically form self-defence units, when it fails to protect them. Anti-Taliban militias often don’t wear any uniforms; they carry their own weapons and are commonly deployed to areas they belong to. Anti-Taliban militias have been a cheaper counterinsurgency strategy in Pakistan.

3.3 COMPOSITION OF MILITIAS IN FATA

3.3.1 Mohmand Agency

Bordering Afghanistan, Mohmand Agency has been in the headlines since November 26, 2011 when NATO helicopters bombed a Pakistani check-post there. In the NATO airstrike, 24 security personnel, an incident that disrupted supplies to NATO forces in Afghanistan. Mohmand Agency was established in 1951, named after the Mohmand tribe. Local sources put its population at one million.

Ziarat Adamzai, Safi

The government compelled a tribal elder, Malik Subaidar of Safi tehsil, to raise an anti-Taliban militia. The government also asked other tribal elders of to follow this strategy. Initially, the government paid volunteers of the peace lashkar salaries of the Qaumi Khasadars (security forces recruited from major and sub-tribes in Mohmand Agency). The government paid salaries of 30 Khasadars to volunteers of the peace lashkar in Ziarat Adamzai area; however, Haji Malik Subaidar claims there are around 100 volunteers under his command.
Haji Malik Subaidar has different established businesses, but holding Ziarat mountain on lease is his main business. He excavates precious stones and can thus afford to pay salaries to 100 volunteers as the Federally Administered Tribal Areas (FATA) Secretariat in Peshawar has stopped funding volunteers under his command. Initially, the government helped the volunteers in getting arms. But the weapons mainly belong to the peace *lashkars* (Malik Subaidar, 2015).

**Gurbaz, Safi**

The peace *lashkar* had three check-posts in the Gurbaz area of Safi tehsil. Each post was manned by nine volunteers headed by a commander. There were two strong *lashkars* in the area -- one in Kandahari area headed by Malik Azeem and the other was Adamazi Lashkar led by Haji Subaidar (Saeedullah, 2015).
Manzari Cheena, Baizai

Malik Sultan Baizai heads an anti-Taliban militia in the Manzari Cheena area of the Baizai tehsil of Mohmand Agency. Abdul Wali, operational commander of the peace committee, told the researcher the criterion for selecting volunteers was simple. He recruited only those locals he personally knew. He did not pick aliens. Abdul Wali recalled the Taliban succeeded in incorporating some volunteers of the Baizai peace committee. But the commander usually avoids sharing secrets with new recruits. Wali deployed the Taliban fighters disguised as volunteers of the peace committee to border check-posts.

The militants attacked Wali, whose refusal to share secrets with new recruits saved his life. Wali is the overall commander of four check-posts in the Manzari Cheena area of Baizai. These check-posts are on the border with the Afghanistan. Manzari Cheena is half a kilometre from the Durand Line. A minimum of 12 and a maximum of 15 members of the peace committee, led by a commander, man each check-post. The volunteers work under check-post commanders, who are then responsible to the operational chief, Abdul Wali.

Bravery, family reputation, sincerity, devotion and patriotism are the rudimentary ingredients of the selection criterion for a check-post commander. Currently, 90 fighters are working under the command of Wali, who has been the operational commander of the peace committee since 2009. Members of the peace Lashkar are paid salaries by the government -- from rupees ranging between Rs10,000 (approximately 100 dollars) to Rs15,000. Each check-post has a cook who prepares food for the fighters. A check-post commander is given Rs1,500 to Rs2,000 in the food cost per fighter.

Irregular forces have their own weapons like AK-47 assault rifles and other sophisticated guns, in addition to walkie-talkie (locally called mukhabira) for communications. The Frontier Corps has issued identity cards to members of the peace committee and keeps their proper record. The lashkar has no specific uniform for identification, though it uses special code words for recognition (Abdul Wali, 2015).
Wocha Jawara, Khwaizai

Malik Fayaz is chief of the peace lashkar of the Wocha Jawara area of Khwaizai tehsil while Muhammad Yousaf is his deputy. Yousaf told me the Khwaizai Tehsil peace lashkar manned nine check-posts. Three of them, known as external, are on the border with Afghanistan to assist the security forces in blocking Taliban’s infiltration, while the remaining six are called internal check-posts. Each external check-post has 10-20 fighters, depending upon its need, situation and strategic importance. An internal check-post has 8-10 fighters.

The three check-posts -- Kodakhel-3, Watan and Panjsher -- are located on the Pak-Afghan border. Given their strategic and geographic importance, they are always well-guarded and the number of fighters there is also kept high. The six internal check-posts are Nouman in Kund area, Check-Post No 1 in Wocha Jawara, Mohmand, Mazrina, Atta and Qarargah). A total of 95 fighters are deployed to these check-posts.

The fighters are aged between 20 and 50 years. Locals having good family reputation, skills and experience are recruited into the peace lashkars. Each check-post has a commander who is selected purely on the basis of his fighting experience, knowledge of the area and the ability to quickly evolve strategies at critical moments.

Following the tribal tradition, these fighters have voluntarily joined the peace lashkar. Each one is paid Rs12,000 to 20,000 in salary, depending on skills and portfolio of the volunteer. The government has been paying these salaries, but they have not been released for eight months. The military has issued special identity cards to volunteers of peace committees for carrying arms in the area.
Members of the peace *lashkar* deployed to border check-posts are armed with heavy and small weapons -- rocket-launchers, AK-47s and other sophisticated guns. Volunteers also use their own weapons as the government has provided them a limited number of arms (Muhammad Yousaf, 2015).

### 3.3.2 Khyber Agency

**Tauheed-ul-Islam in Landikotal**

There are two major types of peace militias in Khyber Agency: The Bazaar Zakhakhel and Maidan Zakhakhel Peace Lashkars. The Bazaar Zakhakhel *lashkar* was formed in 2010 against a defunct organisation called Lashkar-i-Islam, headed by Mangal Bagh. The Zakhakhel peace force is also known as Tauheed-ul-Islam. Hakim Khan is political commander of Tauheed-ul-Islam. He apprised the author the number of volunteers of Bazaar Zakhakhel militia is about 1500 while that of Maidan Zakhakhel is about 250.

Munshi is the chief commander of the Bazaar Zakhakhel peace force and Bilal is his deputy. Tauheed-ul-Islam collects taxes from vehicles carrying transit goods from Afghanistan via Bazaar Zakhakhel to other parts of Pakistan. Tauheed-ul-Islam meets its expenditure with such taxes. Tribesmen belonging to different
tribes of Khyber Agency have joined Lashkar-i-Islam while only the Zakhakhels are part of Tauheed-ul-Islam.

A small number of disgruntled tribesmen belonging to the Zakhakhel tribe have also joined Lashkar-i-Islam. Tauheed-ul-Islam allows only Zakhakhel tribesmen to join the peace lashkar. The Pakistan Army has issued licences to volunteers for keeping arms. Tauheed-ul-Islam is a splinter group of Lashkar-i-Islam. In the beginning, Lashkar-i-Islam attracted support from Zakhakhel tribesmen due to its strict adherence to, and implementation of, certain Islamic tenets in the area.

However, many Zakhakhel tribesmen withdrew support to Lashkar-i-Islam after its followers were allegedly found involved in certain un-Islamic acts and spreading horror in the area by punishing locals. The Tauheed-ul-Islam was formed and then it launched unannounced jihad (holy war) against Lashkar-i-Islam. The Bazaar Zakhakhel Lashkar (Tauheed-ul-Islam) was part of the Lashkar-i-Islam that later parted ways with it. The Tauheed-ul-Islam never believed in the allegiance of the Zakhakhel tribesmen who had joined Lashkar-i-Islam against the Bazaar Zakhakhel Lashkar (Tauheed-ul-Islam).

The Tauheed-ul-Islam has never backed the Tehrik-i-Taliban Pakistan in the area. The Tauheed-ul-Islam is against any defunct organisation that has been involved in anti-state activities. The agenda of the Tirah Zakhakhel Lashkar and Bazaar Zakhakhel Lashkar are largely similar, but there are some structural differences. The Tirah Zakhakhel Lashkar has worked along with the Ansar-ul-Islam in the area and thus its structural and operational system is weaker than the Bazaar Zakhakhel Lashkar (Hakim Khan, 2015).

**Akakhel lashkar in Bara**

Haji Gul Miran was head of the peace lashkar of the Akakhel tribe. In the beginning, the number of volunteers in the peace committee was 400 but later on fell to 50. The 400 volunteers were divided into groups, each having 20-30 members and a commander. The peace committee of Akakhel lost 60 to 70 volunteers and 120 were injured in the fight against Lashkar-i-Islam. The peace committee had a headquarters in Millward. The government provided 47 guns to
the *lashkar*. Most of the weapons belonged to the volunteers, who had AK-47s and rocket launchers (Gul Miran, 2015).

**Ansar-ul-Islam in Tirah Valley**

Ansar-ul-Islam was a pro-government militia that fought against both Lashkar-i-Islam and Tehrik-i-Taliban Pakistan. Mehbub-ul-Haq was the *ameer* (chief) and Izatullah Hamkhyal was the *naib ameer* (vice chief) of Ansar-ul-Islam. Sadat Khan Afridi was its spokesman and advisor to the vice chief. Hamkhyal was also the operational commander of the Ansar-ul-Islam. Sadat Khan Afridi said Ansar-ul-Islam became more vibrant after 2008 when members of other tribes also joined it. In the beginning, Malik Dinkhel and Shalobar tribesmen partially joined Ansar-ul-Islam.

Malik Dinkhel, Shalobar and Wadankhel areas of the Tirah valley of Khyber Agency were regarded as strongholds of Ansar-ul-Islam. Almost one person per family in Khyber joined Ansar-ul-Islam. Ansar-ul-Islam had about 9000 volunteers, with each *kandai* or *tapa* (small village) having its own commander. Ansar-ul-Islam has some 200 to 300 volunteers now. The volunteers were recruited on the basis of their character and reputation in the area.

No special cards were issued to the volunteers of Ansar-ul-Islam, and mainly the belonging to a tribe, *tapa* or *kandai* was the main source of identification. Generally, leaders and commanders of Ansar-ul-Islam kept record/details of volunteers and their tribes. AK-47 was the common weapon with the volunteers of Ansar-ul-Islam. In the beginning there was an effective *shura* (grand jirga) that decided local disputes. However, the *shura* later became ineffective and was replaced with the judiciary. Then Ameer Mehbub and vice Ameer Izatullah made a *shura* and people were satisfied of it. The *shura* had about 25 members in all, including two religious scholars and two members from each tribe (Sadaat Khan Afridi, 2015).
3.3.3 Bajaur Agency

Pashat, Salarzai

Under the leadership of Shahab-u-Din Khan, tribesmen of Salarzai Tehsil raised a 
*lashkar* against Taliban. The tribesmen joined the militia in Salarzai on a 
voluntary basis. The jirga system was an indispensable part of the anti-Taliban 
militia. The tribesmen joined the militia voluntarily and there was no specific 
selection criterion. The estimated number of volunteers was about 7,000, but the 
number occasionally rose, depending on the situation (Israr Khan, 2015).

Wara Mamond

By the same token, in each village of the Wara Mamond tehsil of Bajaur, a Malik 
(tribal elder) getting allowances from government headed peace *lashkar* (anti-
Taliban militia). Some influential tribal elders also enlisted their farmers as 
volunteers to fight against Taliban. There was not proper hierarchical system, 
composition or structure of the anti-Taliban militia in Wara Mamond tehsil. The 
lashkar operating there was called as *Aman Lashkar* (Peace militia).

The estimated number of volunteers in each village was approximately 400, 
whereas in some villages the number exceeded 600. A village Malik was the head 
or commander of the militia. The volunteers were had AK-47 and other small 
guns. The selection criterion for volunteers was not much constant. A small 
number of Taliban, after surrendering and signing an affidavit with the 
government, were also included in the peace *lashkars* (Malak Yousaf, 2015).

3.4 OPERATIONS OF MILITIAS IN FATA

Anti-Taliban militias operated semi-autonomously under the military deployed to 
Khyber, Mohmand and Bajaur agencies of FATA.
3.4.1 Mohmand Agency

Ziarat Adamzai, Safi

Peace lashkars in the Ziarat Adamzai area of Safi tehsil worked as intelligence agents or spies for the security forces when the government launched an operation in Mohmand Agency. The security forces could not differentiate between militants and peace-loving tribesmen; the lashkars helped the security forces in identifying the insurgents. Even there were examples of security forces arresting notorious militants and releasing them due to ignorance or lack of proper intelligence. The peace committee in Ziarat Adamzai, headed by Haji Malik Subaidar, has not taken part in welfare activity and resolving family or land disputes as leaders of the lashkar could not frequently move in the area (Malik Subaidar, 2015).

Gurbaz, Safi

In Gurbaz area of the Safi Tehsil there were total three check-posts. Ten volunteers on each check-posts were performing day and night duty. Among the ten volunteers guarding the post one was commander. These volunteers are not guarding post now as government has stopped their salaries (Saeedullah, 2015).

Manzari Cheena, Baizai

Volunteers of the lashkar in the Manzari Cheena area of Baizai work on two shifts, particularly at night, to guard the border. These check-posts work in close liaison with the Frontier Corps check-posts in the border area. These check-posts are named after the areas like Mohmand check-posts, Atam Kalai (8th village) Zara Wala (old stream), Nawe wala (new stream). The wing commander of the Frontier Corps (FC) and the operational commander of the peace committee, Abdul Wali, have frequent contacts. The reshuffle of fighters at the check-posts of the peace committee or in case of any emergency, for example, when a volunteer gets ill, is brought into the notice of the wing commander. Wing commander of Frontier Corps and the operational commander of the check-posts of the peace committee are kept informed about movements around the check-posts.
The Frontier Corps knows majority of these members of the peace committee as they work jointly. In case, the Frontier Corps does not know a member of the peace committee, his identity is confirmed from the operational commander Abdul Wali. Though fighters of the peace committee have received no special training but skills are transferred to them from their grandfathers. Fighters of the peace committee follow discipline like regular forces. They have their own attendance register where entry and exit timings are clearly recorded. An assistant named Fazal helps Wali with duty rotation, issuing night passes or out pass to fighters of the peace committees (Abdul Wali, 2015).

Abdul Wali also used several times peace *lashkar* for the peace committees, but he said: “We don’t like names like peace committee, peace *lashkar* and anti-Taliban *lashkar*. We are guards of the country and we should be called so” (Abdul Wali, 2015).

**Wocha Jawara, Khwaizai**

Volunteers of the peace *lashkars* in Wocha Jawara area of Khwaizai use walkie-talkies (*mukhabira*) for internal communications and it can also be used to intercept the Taliban code-word calls. When someone is talking on *mukhabira*, it gives a *tuck* like sound. Volunteers try to intercept the code-worded message and pass it to the chief or vice chief of the *lashkar*, who conveys it to the colonel of the Frontier Corps. The fighters in each post are reshuffled as per need and a volunteer is even given an option if he requests transfer to a certain post (Muhammad Yousaf, 2015).

**3.4.2 Khyber Agency**

**Tauheed-ul-Islam in Landikotal**

The volunteers of Tauheed-ul-Islam particularly provided intelligence to the Pakistan Army that was unaware of the agency’s location and traditions. The volunteers of the Tauheed-ul-Islam have contact with the military forces. They are doing day and night duties to guard the area. An outsider cannot enter the area.
without proper checking of his identity card and knowing the purpose of his visit (Hakim Khan, 2015).

**Akakhel in Bara**

Volunteers of the peace lashkar in Akakhel guarded their villages at night. The security forces have supported the peace committee but mostly they have fought on their own (Gul Miran, 2015).

**Ansar-ul-Islam in Tirah Valley**

The volunteers of the pro-government militia in Tirah valley Ansar-ul-Islam were performing different duties like some were deployed in trenches some were assigned with social or welfare work like construction of roads etc. The commanders and volunteers were using code words for communication on walkie-talkie. The codes words, pseudonyms or nicknames were used for the leaders of the Ansar-ul-Islam like the Ameer Mebul-ul-Haq was called Peer and the Naib Ameer Izatullah was called as Sher (lion) (Sadaat Khan Afridi, 2015).

**3.4.3 Bajaur**

**Pashat, Salarzai**

Some volunteers of the peace lashkar in the Pashat area of Salarzai tehsil performed intelligence duties in bazaars and adjoining localities. The jirga also played an important role as it not only torched homes of outlaws but also expelled them from the areas. Anti-Taliban militia members, under village defence committees in Pashat, worked on day and night shifts. The volunteers were also deployed to trenches to guard the areas assigned to them (Israr Khan, 2015).

**Wara Mamond**

Volunteers of the peace lashkar in Wara Mamond tehsil also performed different duties to guard the area. Whenever anti-state elements spurned jirga decisions on their surrender to the government, the peace militia took action against them. Anti-Taliban militias worked in two ways in Wara Mamond -- volunteers guarded
the village day and night, a practice that still continues, while others were called to accompany the troops patrolling the areas (Malak Yousaf, 2015).

**Loi Mamond**

Anti-Taliban militia members in Loi Mamond guarded their villages at night against militants. Through loudspeakers, they were informed to protect villages. The volunteers still guard their respective areas. The *jirga* played an important role in clearing the position of those volunteers whose loyalties were suspected (Malak Anwar, 2015).

### 3.5 COMPOSITION OF MILITIAS IN KP

In order to win the support of the civil population in the tribal belt and parts of Khyber Pakhtunkhwa, the Pakistani government mobilised community defence militias to suppress Taliban and establish the writ of the state in Swat, Dir and suburbs of Peshawar like Adezai, Mattani and Badaber.

**Damghar, Swat**

The *lashkar* helped in establishing the government’s writ in Swat Valley. The structure and function of militias in 12 tehsils of Nikpekhel were alike. The *lashkars* particularly helped the military in search operations. Jirga and militia are indispensable to each other. Seventy-two members or elders were selected from 12 union councils -- six members per union council. These 72 elders were members of the jirga. The six members then recruited volunteers from the Village Defence Council (VDC) to serve as *lashkar* volunteers.
Volunteers or members of these *lashkars* were recruited in each village on the basis of its population; numbers of these volunteers were high or low as per the population size. The military issued a special sticker/label pasted to the weapons - sort of a licence for the holder. The labelled weapons including pistols and AK-47 could still be seen in Swat. The change of a military platoon that usually occurs after two years does not disturb this established system of volunteers holding weapons in Swat (Feroz Shah, 2015).

**Bara Banda, Swat**

The elders constituted committees at village levels like in Kabal Tehsil sub-committees were formed in Ningwalai, Devlai, Ghwarajo and Imam Dherai, while the central committee was set up in the Bara Banda area of Kabal tehsil. Chairman, vice chairman and general secretary led these committees. Slowly and gradually, the number of volunteers increased from a few dozens to thousands. The number of volunteers in every tehsil is about 1500. Following an agreement
with the government, the volunteers of the peace lashkars registered their weapons. The government will register but not collect these weapons till the restoration of the peace was part of the truce. Weapons like Kalashnikovs have special labels given by the military to authorise its use.

Volunteers of the peace lashkars accompany the military forces when they conduct a search operation in the area. The volunteers also join flag march of police in the area. The army has also issued cards to volunteers, the number of which has now been reduced to 3000 and only key members of peace committees hold these cards. When elders/members hold meetings with government officials, they are called members of peace committees but when they raise guns then they are called volunteers of the peace lashkar. The peace committees at village level are called Village Defence Committees (VDC).

Elders recruited volunteers on the basis of their loyalties to the government and they had never been a part of any militant group. Elders’ approval based on the recognition of a person seeking to join a peace lashkar was important. There are 22 mohallas (wards) in Bara Banda and each ward has a commander/
chairman/head. Volunteers of peace lashkars did not use trenches but were readily available for search operations when the military needed their support (Idrees Khan, 2015).

**Kanju, Swat**

A Swat Qaumi Peace Jirga and a Social Welfare Committee are also working in Swat. According to Haji Inam-ur-Rahman central leader of the Swati Qaumi Jirga and head of the Social Welfare Committee the Swat Qaumi Jirga was formed in 2008. Contrary to the Swat Qaumi Jirga, the Social Welfare Committee has been operational for 37 years but as it runs courts only on Fridays, the total tenure becomes six years during which 3000 cases of different nature have been resolved.

Later, Swat Qaumi Jirga also raised Anti-Taliban militias in Swat valley to eliminate militants. Roughly, the population of Kanju is 22,000 and it is comprised of 12 mohallas, divided into four wards for the sake of convenience. Each ward nominated a head as a member of the Social Welfare Committee. The Social Welfare Society has a president, a vice president and a general secretary; presently Haji Inam-ur-Rahman is its general secretary.

There were no specific criteria for the recruitment of volunteers to peace lashkars. Only the approval of local leaders, based on their recognition, was considered as the yardstick for the recruitment process. A major failure of the Swat Qaumi Peace Jirga was that despite all-out efforts it could only halt a military operation but could not stop it and bloodshed occurred. The army not only supported the anti-Taliban militia but also initiated the concept of the Village Defence Committee (VDC). An anti-Taliban militia was also formed in the Kanju area of Swat. Local commanders headed the anti-Taliban militias and patrolled all mohallas. Karim-ul-Hadi was the overall chief of the anti-Taliban militia in Kanju (Inam-ur-Rahman, 2015).
Hayagi Serai, Upper Dir

The peace committee that was formed in the eastern Hayagi are of Upper Dir district of Khyber Pakhtunkhwa had a simple composition but was much effective. The volunteers are still active to guard their territory. There were no proper selection criteria for the volunteers.

This was the most effective but not a planned anti-Taliban militia as compared to other similar bodies in other districts of Khyber Pakhtunkhwa. Haji Mutabar Khan was the head of the anti-Taliban militia in Hayagi Serai. There was no jirga system or groups of other senior commanders to assist the leader of the anti-Taliban militia, Haji Mutabar Khan. Residents of nearby areas like Shat Kas, Gamshal, Patrak, Dog Dara and Shiringal stood up and challenged Taliban’s growing influence (Haji Mutabar Khan, 2015).

In the message inscribed on a mountain in the Shiringal area of the Upper Dir, unity and support for security forces like the army, police and tribal lashkar has been highlighted. It reads as: Long live Pak Army, police, and tribal militia.
Mashogagar, Peshawar

There was no proper criterion for the selection of volunteers of anti-Taliban militias. According to Mukamil Shah, head of the Tapa Mohmand peace lashkar, Fahim Khan was the first leader of the peace committee and Mukamil Shah his deputy. A police officer, Kalam Khan, appointed 10-15 volunteers to the anti-Taliban militia in a special police force.

These volunteers-cum-cops performed full-time duty with anti-Taliban militias. The tribal elders only recruit those volunteers they personally know. More than six peace committees are working on suburbs of the provincial capital, Peshawar, and each one has about 80 volunteers (Mukamil Shah, 2015).
3.6 OPERATIONS OF MILITIAS IN KP

Militias also operate semi-autonomously in Swat, Dir and suburbs of the provincial capital Peshawar.

Damghar, Swat

In Swat valley, the Lashkar particularly helped the military forces in search operation. The volunteers of the militia also performed duties during nights to guard their respective areas. The volunteers of Anti-Taliban militia have often patrolled in the presence of military forces. Besides, fighting against the militants, the volunteers of militia have also participated in social welfare activities like constructing extra rooms or raising boundary-walls of schools, building of parks and embankments in different parts of Swat (Feroz Shah, 2015).

Bara Banda, Swat

As each ward (Mohallah) has a commander/chief, in other areas including Bara Banda of Swat, the commanders of all wards need to inform head of the central committee Idrees Khan who then pass the information to the brigadier a top-ranking official of the Pakistan military or Frontier Corps. The commanders of the peace Lashkar also share intelligence with the security forces in the area. The volunteers of the peace Lashkar work as a reserve force in the area they take part in welfare activities. The volunteers of the Anti-Taliban militia also do night duties to guard their respective wards. The members of the Village Defence Committees (VDC) monitor the activities of the volunteers. Army also monitors the activities of the volunteers of the peace Lashkar. The heads of the Anti-Taliban militias and army officials remain in touch for twenty-four hours. If army want to conduct search operation on the basis of a tip off or an intercept the volunteers of the Anti-Taliban militia accompany them. There are two to three members of the peace committee and about 30 volunteers of peace Lashkar in every ward. There are about hundred homes in one Mohallah (ward). The population of Bara Banda is roughly estimated 10,000 to 15,000 (Idress Khan, 2015).
Hayagi Serai, Upper Dir

Let by Haji Mutabar Khan, a militia fought against Taliban in the Hayagi Serai area of Dir before the army arrived there. Unlike other districts of Khyber Pakhtunkhwa or tribal areas, in Hayagi Serai, the volunteers did not engage in joint patrols with the military. But Haji Mutabar Khan has not been given any license to carry weapons in the bazaar. The volunteers had mainly two types of weapons -- AK-47 assault rifles and pistols (Haji Mutabar Khan, 2015).

Mashogagar, Peshawar

Like their counterparts in Swat and Upper Dir districts, volunteers of the anti-Taliban militias in Adezai, Mattani, Bazidkhel and Mashogagar areas of Peshawar performed night duties. The lashkars also took part in public welfare activities, providing security for polio vaccination teams. The militants also oppose polio vaccination campaigns as they think that administering polio drops to children is un-Islamic; they view the polio workers as spies after a Pakistani doctor, Shakil Afridi, conducted a fake vaccination campaign in 2011 to track down Al-Qaeda chief Osama Bin Laden. The volunteers of the anti-Taliban fighters guarded government installations in the area. These volunteers patrolled along with the security forces (Mukamil Shah, 2015).

3.7 ROLE OF MILITIAS

What was going on in tribal areas was a mixture of both terrorism and insurgency, and it was not totally insurgency, as nobody was going to take away FATA from Pakistan. According to former ambassador Ayaz Wazir, this was the US invasion and then the moving of the Pakistan Army to FATA that created Tehrik-i-Taliban Pakistan (TTP). If the army had not been sent there, perhaps, the TTP would have not emerged. The TTP regarded US troops and allies their enemies and when the then dictator Gen. Pervez Musharraf deployed the army to the tribal areas, the Taliban fighter also targeted the army (Ayaz Wazir, 2015).

However, to a political and security analyst Brigadier Said Nazir, the situation in tribal areas had not escalated to the level of insurgency and it was sort of counter-
terrorism because the insurgency is against the state and terrorism is mostly against the common people to melt down the trust of the government. The government strategy against militants in the tribal belt can be called as counter-terrorism measure rather than as counter-insurgency drive.

The scale of the insurgency is always much larger and the insurgents have local support whereas in the case of the tribal belt, there was no local support. Rather the locals were terrorised. It was not a movement, which the tribals supported rightly or which had a cause close to the hearts of the people or there were sanctuaries, which were provided by the locals and there was no ideologue, which they were following. In the insurgency the claims ought to be made. It fell short of complying with the explanation of the insurgency; thus it was counter-terrorism strategy in the tribal areas (Said Nazir, 2015).

“In counterinsurgency campaigns, if you are not winning, then you are losing” (Exum, 2009). Broadly, Pakistan used a four-thronged counterinsurgency (COIN) strategy in the tribal belt and Khyber Pakhtunkhwa, like military operations against militants, signing peace accords, tacit support for US drone strikes and raising anti-Taliban militias. Initially, Pakistan deployed its army to Khyber Agency in mid-2002 to incarcerate fleeing Taliban and Al-Qaeda members, who escaped from Afghanistan following the US operation in Tora Bora in 2001 (Exum, 2009).

However, counterinsurgency is not a constant, rather an ever-changing, strategy depending upon the change in the form of the insurgency. In both Pakistan and Afghanistan, there is currently a new emphasis on the importance of implementing a COIN approach that is population-centric and focused on diplomacy, development and defense (Paczynska, 2009).

As a counterinsurgency strategy, the military launched bigger offensives -- codenamed Operation Brekhna (Thunder) -- in 2009 against TTP-affiliated militants in the rugged and barren terrains of Mohmand Agency - sharing a long border with the Kunar province of Afghanistan. To suppress the militancy in Mohmand, the government conducted more than three major operations; one in lower Mohmand and two in upper. The government also used air power to target
militant compounds that they often used as training centers in Safi, Khwaizai, Prandial and Ambar areas of the agency (Khan, 2012).

As FATA is beyond the jurisdiction of the national police, local allies and paramilitary forces form crucial elements in the fight against militancy there. They allow the government to engage with the tribes and use their knowledge and influence to undermine the militants without involving the army and its inherent complications. These local allies can take the form of militias, task forces, or constabularies (Stephen P. Cohen, Shuja Nawaz,, 2009).

According to security and defence analyst Imtiaz Gul, following the concept of self-defending population, a vital part of COIN, Pakistan raised peace militias in Mohmand, Khyber and Bajaur and Swat, Dir and Peshawar. The government also won the support of some Taliban groups that are called pro-government Taliban, like the outfit headed by Maulvi Nazir in South Waziristan and the one led by Hafiz Gul Bahadur in North Waziristan. The peace militias in FATA worked as intelligence, facilitators and fighters for Pakistani security forces who, due to their first deployment, had little knowledge about the areas.

Of course, anti-Taliban militias were employed as a counterinsurgency strategy by the military. Primarily, this is a globally practiced and standard procedure when states confront situations like this, they mobilise the civilians. In Pakistan, this is not insurgency; it is just terrorism in the name of the religion that these groups have tried to perpetrate and they could succeed initially as there was not enough response from the government, “Yes, raising the anti-Taliban militias was the right strategy that the government deployed at that time” (Imtiaz Gul, 2015).

A renowned journalist and analyst, Rahimullah Yusufzai, comments though the anti-Taliban militias were not announced as a counter-insurgency strategy, yet it was what the government meant. Since the government needed local support against the militants, it armed the locals to protect their villages. The government did not have the required resources for manpower and thus it needed help from the locals who were familiar with the local terrain and could help in identifying the militants. These armed groups were raised in different tribal agencies and were named differently -- sometimes they were called peace lashkars or peace
committees. The army raised and supported these *lashkars* in the tribal areas while in the settled localities like the suburbs of Peshawar, including Badaber, Adezai and Mattani, police raised these *lashkars*. The idea behind the formation of these militias was that they would counter the militants. Thus one may call this idea a counter-insurgency strategy (Rahimullah Yusufzai, 2015).

Rahimullah Yusufzai argued experiences regarding the *lashkars* were mixed: They were effective in some places and in effective in other. They couldn’t sustain and now even don’t exist in some areas. Those *lashkars* raised by the tribes themselves caused dangers but they were brave enough to counter the militants in their areas. The *lashkars* organised voluntarily were more effective.

On the contrary, the *lashkars* that were raised involuntarily by the locals who were asked by the government forces like army and police to form such forces against their wish were fruitless. Such *lashkars* were disbanded earlier than those voluntarily raised. The Salarzai *lashkar* in Bajaur was the earliest, strongest and most effective, because the tribe raised it voluntarily. This force paid a heavy price as it lost several of its elders and volunteers. But this irregular force stood its ground. This *lashkar* was not raised without permission and support from the government or the military. It got assistance and material support from the Bajaur political administration but tribals voluntarily and willingly joined it. It was one tribe, one area and didn’t let militants intrude. That’s why it was effective, but at a very high cost (Rahimullah Yusufzai, 2015).

A tribal elder and vice chief of the militia in the Khwaizai tehsil of Mohmand Agency, Muhammad Yousaf, told me when the military was deployed, it could not differentiate between good and bad people -- Taliban and peaceful tribesmen -- as both had tribal national identity cards. The peace committee helped the army in positively identifying the Taliban by providing the army accurate intelligence. This support helped in making military operations a success.

Like the military personnel, volunteers of the anti-Taliban militias in Khwaizai tehsil also rendered sacrifices. Since 2008, 15 members of the Khwaizai peace committee have been killed and 30 others injured. Malik Ajmal, a brother of Malik Fayyaz, was also killed in a clash with the Taliban. The government paid
Rs0.3 million (approximately $3,000) to the family of each volunteer killed and Rs 0.1 million (approximately $1000) to each injured. However, the government did not honour its pledges of free education and other facilities for the children and families of the volunteers killed in fighting against Taliban. The peace **lashkars** also barred locals from fighting and instead forced them to resolve their disputes through **jirga** or the political administration. However, the prime duty of the peace **lashkar** is to fight against the Taliban. The **lashkars** are operative in Khwaizai area even now (Muhammad Youasaf, 2015).

Likewise, 50 members of the Baizai peace **lashkar** have been killed in clashes against Taliban and 75 others injured since 2007. Its operational commander Abdul Wali also lost his brother-in-law in a clash against the militants. The Baizai peace **lashkars** operate under the command of the Frontier Corps. According to its commander, in some cases, the **lashkar** works like a traditional force, using its influence to avert firefights. In case of a dispute between families, it persuades the rivals to seek a legal solution -- contacting the political administration instead of fighting. The military success became possible due to the peace **lashkars** that took part in joint search and military operations. The security forces were unaware of the areas and had no complete intelligence. The peace **lashkars** particularly helped them in this regard (Abdul Wali, 2015).

The military operation strategy was also followed in Khyber Agency, particularly in Bara sub-division. Three military offensives codenamed Daraghlim (Coming), Bia Daraghlim (coming again) and Khwakh Ba De Sham (Will teach you a lesson) were launched here (Khan, 2012).

The volunteers of the Zakhakhel peace **lashkar** supported the military operation and lost about 450 volunteers in the battle against Lashkar-i-Islam. The motive behind the formation of Zakhakhel peace **lashkar** was to expel Lashkar-i-Islam members who did unlawful things in the area. Tauheed-ul-Islam is against every individual or group in Khyber Agency that is involved in anti-state activities. The government gives Rs0.3 million to the family of the volunteer who loses his life and Rs0.1 million to the family of the injured (Hakim Khan, 2015).
Due to the peace lashkar in Akakhel, security forces easily took control of the area without any big loss. Jirgas that were formed at the sub-tribe level played an important role in the peace lashkar. The jirgas supervised activities of the lashkar and resolved problems of respective tribes (Gul Miran, 2015).

The Shura of Ansar-ul-Islam settled local land, family and other disputes in Khyber Agency. About 500 volunteers of Ansar-ul-Islam have been martyred and 700 injured during clashes with Lashkar-i-Islam and Tehrik-i-Taliban Pakistan (Sadaat Khan Afridi, 2015).

Also, the government employed the military offensive strategy in Bajaur, where two major and one minor operation were carried out against the militants -- mostly Afghans and Arabs -- who had struck root there in early 2007. The first military offensive codenamed Operation Sherdil (Loin Heart) was launched in 2008 in the Loysam area of Bajaur and then expanded to Nawagai. Later in 2012, the government conducted another major operation in the Batwar border area of Bajaur (Khan, 2012).

Israr Khan, a young son of the MNA Shahab-u-Din Khan who also led the anti-Taliban militia, claimed till 2012 the volunteers of the anti-Taliban militia fought without any help from government troops. However, both Frontier Corps (FC) and Pakistani Army helped the militia when around 3000 Taliban crossed the Afghanistan border and attacked Batwar area. This anti-Taliban militia was locally known as the Salarzai Aman Lashkar (Salarzai peace militia).

All across the tribal belt, the Salarzai lashkar proved much successful in fighting against the Taliban and restoring peace to the agency. Over a hundred members of the militia were killed in fighting against the Taliban from 2008 till 2013. The locals were pleased with the struggle of the militia. For two reasons, restoration of peace and due to levelling of charges, the Salarzai peace militia has now become dysfunctional (Israr Khan, 2015).

The anti-Taliban militias also played a positive role in restoring peace to the Wara Mamond tehsil of Bajaur. The lashkars are still active in Wara Mamond tehsil and remain ready to respond to the government’s call. The military operation in Loi
Mamond also succeeded due to anti-Taliban militia. The volunteers worked as spies for the military and also patrolled the area along with troops (Malak Anwar, 2015).

Anti-Taliban militias have also played an active role in Swat, Dir and Peshawar. The volunteers patrolled with the security forces in these districts of Khyber Pakhtunkhwa. Like tribal areas, the government also launched operations in the Swat valley of Khyber Pakhtunkhwa. The military launched first phase of Operation Rah-e-Haq in November 2007 in Swat with the help of local police to clear the valley, but the militants gradually sneaked into key cities. The military started the second phase of the operation in July 2008 and third in January 2009. The fighting ended in February 2009 as a result of an agreement signed between the government and Taliban. However, the agreement was breached and the government initiated Operation Rah-e-Rast in Swat in May 2009 (Zahid Ali, 2012).

Signing agreements with the Taliban has also been one of the counterinsurgency strategies of the government. However, majority of these accords were short-lived. Influential local elders played a mediatory role between the government and Taliban, particularly in signing peace accords. Jirga’s role was important in both mobilising public support for the government and mediating peace talks between the government and Taliban. In some cases, the failure of jirga to arrange peace talks or violation of peace accords paved the ground for military operations. A central leader of the Swat Qaum Jirga Haji Inam-ur-Rahman narrated the story of the signing and violation of a peace accord and the ensuing military operation. According to him, like peace militia, the Swat Qaumi Jirga has also played an important role in the counterinsurgency strategy.

Swat Qaumi Jirga head Haji Inam-ur-Rahman revealed leaders of the tribal assembly, on the directives of Brig. Aslam started peace dialogue with Taliban commander Mehmud in Koza Banda on peacefully leaving the area. Haji Inam-ur-Rahman held telephonic talks with the Swat chapter of TTP led by Maulana Fazlullah, who dubbed the peace members as agents of the army and after great efforts persuaded junior commanders to hold parleys with leaders of the Swat Qaumi Aman Jirga. Members of the jirga and Taliban leaders held peace talks in
Dherai High School. Members of the Swat Qaumi Jirga persuaded Taliban leaders to leave Koza Banda peacefully.

Responding to a question of the Taliban leader, members of the jirga said they would hand over control of the area to the military forces. Commenting harshly on the Swat Qaumi Jirga, the Taliban leader said if the jirga had evolved this strategy, then what is the point in the Taliban and the military fighting. Members of jirga assured after the Taliban vacated the area, the volunteers would also ask the military to transfer control of the Koza Banda back to the civilian administration and local people. The jirga persuaded the Taliban that perhaps the military would not leave the area. After conducting a complete search operation in Koza Banda, members of the jirga invited the military to step in. The vehicle of Haji Inam-ur-Rahman led the military convoy into the area without any bloodshed in January 2009.

Maulana Fazlullah, Muslim Khan and Mehmud were key leaders of the Taliban in Koza Banda. The Swat Qaumi Jirga also ousted Taliban from the Bara Banda area of Swat. Though Maulana Fazlullah assured Swat the Qaumi Jirga the Taliban would honour the truce, yet some of the militants breached the peace accord. The jirga, pledging allegiance to the military, arranged an armed march involving thousands of volunteers on roads in army’s support in 2010. Haji Inam-ur-Rahman believed some of the Taliban, not the army, violated the truce in Swat that eventually led to the military operation in the valley.

Later, both the leaders who were once displaced returned and the already existing leaders constituted the anti-Taliban militia in Swat to show solidarity with the army. Inam-ur-Rahman said perhaps some conspirators inside the valley or foreign elements were involved in scuttling peace efforts and insisting on a military operation that inflicted huge physical and financial losses on Swatis. He believed that Swat Qaumi Peace Jirga did not perform routine functions but it still existed and could be called on a short notice. Members of the Swat Qaumi Peace Jirga belong to different political parties, including Awami National Party (ANP), then ruling party in the province at that time (Inam-ur-Rahman, 2015).
3.8 POLITICAL AND MILITARY MOTIVES

The contrasting views about the formation and motives of militias have divided the people into two groups or two schools of thoughts. The groups with conflicting arguments on militias exist on both sides of the Durand Line. One group believes that support of the civil population is vital to winning the war. This group believes in the Clausewitzian approach: “The centre of gravity, or 'the hub of all power and movement, on which everything depends' is the population of the country” (Lopez, 2007).

The Pakistani government aimed to entrust civilians with responsibility for their own security. Accurate intelligence is very important in war that the Pakistan military could get through volunteers of peace lashkars as they belong to those areas. Due to its first deployment, the Pakistan Army had little knowledge about the area. By raising militias in tribal areas, the military reduced the chances of the Taliban recruiting young tribesmen. Both the military and insurgents use different techniques to win the support of locals.

“The population is the source of personnel, weapons, intelligence and supplies for both sides. Whichever side gains control, and ideally the support of the population, gains those resources. To win this support and therefore the war, both sides seek to achieve legitimacy: the belief by the population that the faction is the rightful ruler of the people. The insurgents use violent attacks on the population and government forces to demonstrate the government’s inability to protect its own people” (Lopez, 2007).

Tribesmen want to form lashkars for two reasons: To keep the army away from the tribal belt and also for their own protection. After the Taliban started killing tribal elders, the tribesmen thought the government had failed to protect them. On the other hand, under Frontier Crimes Regulations (FCR), this is the collective responsibility of tribal people to hand over the culprit to law-enforcement agencies. “The authorities believe that mobilisation of people is the way to isolate the militants and deny them sanctuary.” (Taj, 2011)

Like Pakistan, the tradition of raising militias also exists in Afghanistan. This need was felt again, when the US realised it couldn’t defeat Taliban who have roots in
locals. The US strategy eyed two objectives: to curtail Taliban’s support in the local population and to raise the tribe against Taliban. Even leaders of the countries whose forces were fighting against Taliban in Afghanistan felt the need for mobilising local tribes. Former British prime minister Gordon Brown stressed the need to strengthen ‘traditional Afghan Arbakis (village militias). British forces must understand the tribal dynamics in order to achieve this objective (González, 2009).

Pakistan’s civilian and military leadership were convinced that support from local communities was essential for combating militants. The Pakistani government, emulating the template employed by Americans in Afghanistan, mobilised irregular forces -- a cheaper and more effective counterinsurgency policy. As former American army chief General David Petraeus reported from Bagram airbase in Afghanistan: “This is a country in which support of the tribes, of the local communities, for the overall effort is essential. It is a country that has not had a tradition of central government extending into the far reaches of its provinces.”

In November 2008, then defense secretary Robert Gates agreed: “At the end of the day, the only solution in Afghanistan is to work with the tribes and provincial leaders in terms of trying to create a backlash against the Taliban.” Such reductionist formulas miss an essential point: the Taliban emerged in the wake of the fracturing of Afghan ‘tribes’ and then played a key role in smashing holders of ‘tribal’ (González, 2009).

By raising anti-Taliban militias, the Pakistan government followed the UK’s “divide and rule” policy. The government adopted a counterinsurgency strategy to defeat the tribal militants by loyal tribesmen. The British government followed this policy of controlling the tribesmen before partition. And the US also adopted this counterinsurgency strategy both in Afghanistan and Iraq. The US backed the formation of “Awakening Council” to fight against the insurgent. A majority of this council was constituted by Sunni Muslims. US has also adopted the policy of divide and rule in Afghanistan.
By raising local militias, the US tried to pit different tribes against the Taliban and also to use the tactic of winning local population against the rebels. The US has adopted a policy of ‘divide and rule’ in Afghanistan that the British implemented in united India. American forces encouraged the formation of anti-Taliban militia in the Arghanandab Valley of Kandahar province. The secret militia wore bright yellow reflector belts so that they may not be mistaken for Taliban (Boone, 2010). “The US has been training and funding tribal militias in Afghanistan for years” (Taylor, 2013). Arbakis in Afghanistan have often fought under different names in Afghanistan like militia, Afghan Local Police, etc (Reid, Rachel, 2009).

Basically, the militias were part of the tradition and possibly that was the best available means to counter the terrorists or militant groups and secondly the military forces have certain limitations in operations in FATA so the locals were engaged way to fight any sort of insurgency or rebellion (Imtiaz Gul, 2015).

These militias were being raised with the help of the government and the military. Therefore, there were military, security and also political reasons behind the formation of lashkars. For example, the coalition government of Pakistan People’s Party (PPP) and Awami National Party (ANP) in Khyber Pakhtunkhwa was instrumental in raising lashkars in Badaber, Mattani and Adezai areas of Peshawar district. The government used police to organise, arm and equip these anti-Taliban militias.

Some of the elders, who led lashkars in Mattani and Adezai areas, belonged to the Pakistan Muslim League-Q -- a big party at that time. The lashkars were raised by the then president and army chief, Gen. Pervez Musharraf. These lashkar leaders, including Abdul Malik, Noor Malik and Dilawar Khan, belonged to PML-Q and were great supporters of the central ruling party.

There were also some lashkars leaders from the Awami National Party. Politicians from Khyber Pakhunkhwa’s ruling party ANP were under attack and they signed two peace accords with the Taliban in Swat. The ANP government signed one peace deal with Maulana Fazlullah and a second with his father-in-law Maulana Sufi Muhammad. The provincial government wanted these accords to succeed.
The ANP government made difficult decisions to hold peace talks with the Maulana Fazlullah-led Taliban in Malakand Division and under the supreme leadership of the Tehrik-i-Taliban Pakistan leader Baitullah Mahsud. These lashkars in Peshawar remained active as long as they got arms and financial assistance from the government through police. But when the money dried up, the lashkars largely became inactive (Rahimullah Yusufzai, 2015).

There were political and security objectives behind the formation of anti-Taliban militias -- political goals in the sense that these militias were set up through the political administration, which is more committed to, and involved with, the local people and keeps the complete traditional record. The political administration was used for that purpose but the requirement was that of the security establishment. There were possibly five main objectives the military wanted to achieve by the formation of anti-Taliban militias:

1. The military desired mushrooming of the Taliban or other militants be stopped in a way to isolate them from the locals;
2. The military aimed to use the anti-Taliban militias as their first tier of defence and as the outermost post;
3. The anti-Taliban militias were used for human intelligence and public cooperation was sought to isolate the Taliban;
4. The locals should deny sanctuaries to the militants; and
5. In the presence of lashkars, the dilution of security forces would be less and their concentration on focal or sensitive points. Since the security forces could not cope with the terrain, they opted for lashkars (Said Nazir, 2015).

The formation of anti-Taliban militia was used as a counter-insurgency strategy by the government for at least four defined reasons:

1. The tradition of militias (lashkars) in FATA;
2. The accountability of militias;
3. The allegiance of militias to the state; and
4. The allegiance of the militias to the personal security of the people.

However, there are many limitations attached to the role of militias. But they do have a role as these are not urban areas and the government had to include
tribesmen in effective counter-narratives and counter-insurgency strategies in the region (Maria Sultan, 2015).

One basic motive behind the formation of anti-Taliban militias was that the government wanted to draw or restore the allegiance of tribals. After the drone attacks in tribal areas, where information was sold as a commodity, tribespeople lost trust in the government. The government wanted to win their allegiance and restore the trust of the tribal people and perhaps thought that the revival of militias, which have been a part of FATA tradition, would help in the counter-insurgency strategy (Maria Sultan, 2015).

The other group or school of thought that opposes militias argues civilians are not well-trained and their involvement in war increases the collateral damage. This group also argues instead of directly engaging them in war, cooperation from civilians can be acquired secretly and indirectly. They believe after the war is over, civilians become a soft target and they hardly abandon weapons once they pick them up and taste powers that turn them into a violent force in the long run.

3.9 CONCLUSION

This chapter concludes counterinsurgency refers to political, social, military means and techniques to prevent the insurgents realising their goals of horrifying the population. From peace accords to military operations, the government has used multifaceted counterinsurgency strategies in the tribal belt and Khyber Pakhtunkhwa. Among these strategies, one was winning the support of the civil population and persuading it to raise militias against militants.

The chapter is reflective of the importance of the counterinsurgency strategy as volunteers of anti-Taliban militias fought alongside the military and also provided it useful intelligence. However, it also points to two schools of thought -- supporters and opponents of this counterinsurgency strategy. With this in mind, one can say counterinsurgency strategies like signing peace accords with the Taliban and even military operations have both merits and demerits.
The composition and operations of militias are to some extent seen like that of regular military forces. Akin to military forces, these militias use code words for effective and smooth operations. There are broad indications that the government mobilised anti-Taliban militias as a cheaper and more effective counterinsurgency strategy. The role of the militias is also elaborated on in the counterinsurgency strategy.

It is argued that motives behind the anti-Taliban militias are to isolate the insurgents from the civil population and eradicate their sanctuaries. The concept of militias also exists in Afghanistan, where the US has recognised the significant level of support from militias called Arbakis against the Taliban. Though the US also entrenched Afghan civilians, yet this counterinsurgency strategy was criticised for two reasons in Pakistan. The government persuaded the ill-trained and poorly-equipped civilians to fight against the well-trained and better-equipped insurgents that resulted in large-scale civilian casualties. The civilians picking up arms and tasting power would hardly abandon them.
Chapter 4

LEGALITY OF ARMING CIVIL POPULATION

4.1 INTRODUCTION

This chapter gives a detailed account of the legality of arming civilians to combat the insurgents. It quotes relevant articles/sections of the law dealing with arming civilians. The chapter throws light on the citizens/humans rights and state responsibility to provide them full protection. While keeping in view war laws, the legitimacy of combatants and their legal Prisoner of War (POW) status have been discussed in this chapter. The legality of the Arbaki system in neighbouring Afghanistan has also been discussed. This chapter discusses international laws about the legality of civilian combatants.

4.2 ARMING CIVILIANS AND PAKISTANI LAWS

4.2.1 1973 Constitution

The Pakistani government involved the civil population in countering insurgents. The Constitution of Pakistan is considered the supreme law and mostly other laws of the country are derived from or referred to it. According to General Sir Rupert Smith, “In today’s war, civilians are part of the terrain of your battlefield and war is directed against non-combatants” (William Black, 2013). “Law and strategy, like law and tactics, are necessarily connected (William Black, 2013).

Arming the civilians is a violation of the Pakistan Constitution’s Article 256, which basically prohibits the functioning of private militias as security forces. It says the monopoly of use of power only lies with the armed forces. Article 256 of the Constitution reads: “Private armies forbidden. -- No private organisation capable of functioning as a military organisation shall be formed, and any such organisation shall be illegal” (Munir, 1999). Although the Constitution bars the formation of a private organisation functioning as a military organisation obviously in times of peace, but it is silent on the subject during the time of need or emergency situations like war, militancy and counter-insurgency. Perhaps this
closely resembles Cicero, who says: “Silent enimleges inter arma” in times of war the laws fall silent (William Black, 2013, p. 7).

Political, security analyst and author Imtiaz Gul believes theoretically forming militias is a violation of Article 256 of the Constitution, but when confronted with an unusual situation -- can decide anything. This is what the United States did after the 9/11 events; nobody questioned the new homeland regulations, Indian regulations in Kashmir and Great Britain did the same after the July 2005 attacks on the railways. It is an open-ended question, whether arming civilians is legal or illegal, but states take unusual steps to counter unusual threats and this is what Pakistan did (Imtiaz Gul, 2015).

Eminent journalist Rahimullah Yusufzai suggests a state can take any decision in unusual situations, particularly war. If a country or a nation is at war as the Pakistan government kept saying it is at war, then the government can take any decision to defend the country. Yusufzai personally believes if the threat is big, then the country can arm civilians. The government can amend the constitution or even make new laws. As a matter of policy, the Pakistani state should not allow any armed group to operate within its border because this has inflicted harm on Pakistan.

Now people are irregularly organised in Pakistan. There are Baloch insurgencies in Baluchistan and Pakistan is fighting a full-blown insurgency in FATA and heavily armed groups in the port city of Karachi. These groups are posing a threat to the country and its people. As a matter of policy, that state should not arm any group; rather it should be powerful enough to protect the people, borders and land. But in an emergency, a state can do anything and this counter-insurgency strategy of militias did not work everywhere; they only worked in few areas. As a matter of principle, the state should allow none to raise militias because they will create problems, they will not abide by laws, they will fight the militants but eventually they may start fighting the state (Rahimullah Yusufzai, 2015).

Political and security analyst Brig. (R) Said Nazir has also the same personal opinion; If a country declares emergency and says that it is in a state of war, then every citizen has to take war (Said Nazir, 2015).
In an interview, Lt General Asad Durrani, the former Inter-Services Intelligence (ISI) chief, told this researcher that the military perhaps did not think seriously about the legality of arming civilians.

“The military doesn’t think about the legality of arming civilians but the army recruits locals when they engage in such operations. Military used the tribal militias in FATA as a counter-insurgency strategy without thinking whether this is something legal or illegal. Military officers often think about successful strategies and they are least bothered about the legal provision or legal cover for their strategies” (Asad Durrani, 2015).

Justice (R) Muhammad Munir writes as far as the Pakistan Constitution is concerned, raising anti-Taliban militias is a complete violation. The Constitution says it is the responsibility of the state security forces to secure the life and property of citizens. Chapter two of the Constitution (Article 29 to 40) guarantees security of the property and life of the citizens.

“The state shall protect the marriage, the family, the mother and the child; protection of minorities; promotion of social justice and eradication of social evils; participation of people in Armed Forces and strengthening bonds with the Muslim world and promoting international peace” (Munir, 1999).

Experienced journalist Hasan Khan, Federally Administered Tribal Areas (FATA), Provincially Administered Tribal Areas (PATA) and Frontier Regions (FRs), where Taliban have strong influence, are part of Pakistan, so this is the responsibility of the state to guarantee security of the people. Raising lashkars is a clear violation of the Constitution (Hasan Khan, 2015).

There is a separate chapter on fundamental rights in the Constitution. One is right of association and right of organisation that allows citizens to form welfare bodies. Such organisations are not made in the name of the government or military. Such associations or organisations are formed in the name of a notable who may be a landlord or an influential person in the area. The country allows formation of such welfare associations to protect communities.

In Pakistan, fundamental rights are enshrined in Part (II) Chapter (1) of the 1973 Constitution Article 9 is related to the security of a person. It reads: “No person
shall be deprived of life or liberty, save in accordance with the law” (Munir, 1999, p. 89).

However, during an emergency, fundamental rights can be suspended. The president is empowered to declare that the right to move any court for the enforcement of such suspended rights shall remain suspended for the period during which proclamation is enforced. Articles 232 to 237 deal with the proclamation of emergency in Pakistan. Under Article 232, proclamation of emergency happens on account of war, internal disturbance, etc.

“If the president is satisfied that a grave emergency exists, in which the security of Pakistan or any part thereof is threatened by war or external aggression, or by internal disturbance beyond the power of a provincial government to control, he may issue a proclamation of emergency” (Munir, 1999, p. 205).

Article 233 deals with the suspension of fundamental rights, “While a Proclamation of Emergency is in force, the president may, by order, declare that the right to move any court for the enforcement of such fundamental rights, and any proceeding in any court which is for the enforcement, or involves the determination of any question as to the infringement, or any of the rights so specified, shall remain suspended for the period during which the proclamation is in force, and any such order may be made in respect of the whole or any part of Pakistan” (Munir, 1999, p. 505).

Aftab Alam Advocate says roughly 38 intelligence agencies were involved in controlling the crisis in the Swat Valley of Khyber Pakhtunkhwa. Some personnel of these agencies have also interviewed Aftab Alam, who admits that Pakistan has 0.6 million- strong army and its population is 180 million. If deployed to save the entire population, the army will be diluted. He believes this was beyond the control of the 0.6 million army to combat the Taliban and that without the cooperation of the civil population the military operation neither in Swat and nor in FATA could succeed. Alam says,

“The formation and arming of anti-Taliban militia was the need of the hour, unusual circumstances need unusual decisions that is mostly beyond the normal law. Necessity overcomes
Formation and arming of the civil population was the necessity that overcame the law (Aftab Alam, 2015).

But Feroz Shah Advocate insists the Constitution does not allow formation of anti-Taliban militias. However, he admits it was demand of the situation. The Supreme Court of Pakistan did not react to the formation of anti-Taliban militias. Perhaps both political and military leaders agreed that mobilising civilians was the right strategy to eradicate militancy from Swat (Feroz Shah, 2015).

Justice (R) Sher Muhammad believes that Pakistan is considered as a laboratory for amendments to the Constitution. Probably no other constitution is amended so frequently as Pakistan’s. Pakistan has often been ruled by the military and even the civilian government has never been free of military influence. The military has also removed civilian governments, which always regard themselves weak.

The history of judiciary shows that before the lawyers’ movement for the restoration of Justice Iftikhar Muhammad Chaudhry, who was deposed by then military dictator Gen. Pervez Musharraf, most court decisions were made in the favour of the military. The reason was that the court was aware if it gives a verdict against the military, then who will implement it as the Supreme Court has no force to enforce its judgments. The military influence has even affected the allegiance of the judges to the constitution. The very existence of the Anti-Taliban militia is against the constitution of Pakistan. As the very existence of the anti-Taliban militias was against the Constitution, thus all their actions were violation of the law.

In Pakistan, no one has respected the supremacy of the constitution, as none is ready to act upon the basic law. The formation of lashkars (anti-Taliban militia) was against the constitution, as protection of a citizen and his/her property is the responsibility of the state, this is not the responsibility of the citizen to pick guns and protect his property. If it happens, where the state and institutional functions stand? When a state asks its citizen to protect himself/herself, it acknowledges its failure and weakness.
Justice Sher Muhammad recalled when he was president of the Swat Bar Association he invited Chief Justice Iftikhar Muhammad Chaudhry and requested him to form a high-level judicial panel to investigate how militants came to Swat. Muhammad claimed Iftikhar did not pay any heed to his request. He said Iftikhar was acutely aware how much his wings allowed to fly (Sher Muhammad, 2015). Islamabad-based BBC Journalist Tahir Khan says: “I have never heard any law expert justifying the arming of civilians in Pakistan” (Tahir Khan, 2015).

Wali Khan Afridi, a lawyer of the Peshawar High Court, thinks tribespeople do not need to seek government permission for keeping arms, as the relevant ordinance has not been extended to some of tribal areas. That is why there are industries in parts of FATA, like the semi-autonomous Dara Adamkhel area near Peshawar, manufacturing different kinds of weapons. The government raised or supported lashkars in settled areas as it has the power to promulgate a special law in certain areas in peculiar circumstances. But there is no legal or constitutional provision that allows the government to raise lashkars. Setting up militias is not a constitutional, but a domestic, decision or tribal tradition.

The government raised lashkars both in FATA and parts of Khyber Pakhtunkhwa as a minimum deterrence policy to combat Taliban. The tribespeople do not need training as they have been using weapons for years. But what is equally true is that militants also possess more sophisticated weapons. The government used lashkars as a minimum deterrence policy on the one hand and exposed civilians to highly trained and well-equipped insurgents on the other. Tribal areas, where traditions amount to law, these lashkars have a very old and strong tradition. However, in the settled areas where traditions are weak and law strong, the government issued members or volunteers of lashkars with special licences to carry weapons (Wali Khan, 2015).

In an interview, Lateef Afridi, a renowned lawyer of the Peshawar High Court (PHC), agreed private militias were prohibited under the constitution and other laws of the country. There is no legal status of lashkars, particularly in settled areas where law is more effective and the writ of the government properly established. In tribal areas, where there is no state as the military is not present there, tribespeople set up lashkars according to their tradition. However, after the
military was sent to the tribal areas, raising lashkars was an unconstitutional and illegal act (Afridi, 2016).

4.3 PAKISTAN PENAL CODE (PPC)

Volunteers of anti-Taliban militias have no uniform, token and crowns like regular forces, as they are not state forces. Wearing uniforms or using signs or symbols of the security forces is against Sections 140 and 171 of the Pakistan Penal Code (PPC). Without these signs the recognition of the militiamen becomes difficult, endangering their lives. Wearing uniforms of security forces for volunteers of the militias is in conflict with Section 171 of PPC that allows the signs only for state forces. However, the use of such signs by volunteers of anti-militias would be considered fraudulent.

“Whoever, not belonging to a certain class of public servants, wears any garb or carries any token resembling any garb or token used by that class of public servants, within the intention that it may be believed, or with the knowledge that it is likely to believed, that he belongs to that class of public servants, shall be imprisoned or either description, for a term which may extend to three months, or with fine, which may extend to two hundred rupees, or with both” (Nizami, 1999).

According to Nizami, fighters of anti-Taliban militias do not work in official capacity that can safeguard their actions. Contrarily, the security forces work in official capacity, as under the general explanation of Section 21 of PPC, law-enforcement agencies work officially -- something that safeguards them for their lawful actions and also give them job security (Nizami, 1999).

Though fighters of anti-Taliban militias may have no criminal intentions, yet their actions are not secured by official sanction. Thus their actions can be illegal. As under Section 141 of PPC, the assemblage of five or more than five persons is considered unlawful if they have some criminal intention (Nizami, 1999, pp. 166,216).

Peace Committees in Swat, Dir and suburbs of Peshawar have their armed wings. According to the leaders of the committees, armed volunteers can gather in a short time, when called. As these people will carry arms when, their gathering is
contradictory to the Constitution. Article 16 of the 1973 Constitution has vested all citizens of Pakistan with the right to assemble in a peaceful manner, holding no arms (Nizami, 1999).

In case of unlawful assembly, under Section 127, the security forces, a magistrate or a police officer in PATA may take action to disperse the unlawful assembly accordingly (Nizami, 1999, p. 122).

Abdullah, a lawyer of the Peshawar High Court, says keeping in view Sections 171, 21 and 141 of the PPC, arming civilians or raising anti-Taliban militias, *prime facie*, contradicts the code -- a law that is mainly applicable to the settled areas or PATA (Abdullah, 2016).

Only the forces created under a statute are legal. Since the anti-Taliban militias are not created under any statute, they are illegal. But lawyer Tariq Afridi of the Peshawar High Court personally believes laws are only meant to deal with routine issues or crimes. In unusual circumstances, the existing laws cannot cope with the situation and unusual steps are needed. Raising or supporting anti-Taliban militias in parts of Khyber Pakhtunkhwa or tribals areas was in fact a step above the law that was taken to control unusual circumstances. The raising of *lashkars* was an unlawful act but the government wanted to empower locals to combat militants. Even if tribesmen wanted to voluntarily offer their services to the government against militants, still a legal cover was needed. But that protection is totally missing in the case of anti-Taliban militias.

The sphere of actions or operations decides the legality or otherwise of a force. In Pakistan, other forces like the Frontier Constabulary (FC), Frontier Corps (FC) and the military are legal, as they have specified spheres of operations. A soldier or a group of soldiers of these forces can be dealt with according to law. A complaint can be registered against a soldier or a group of soldiers as they have a proper system of accountability to control or monitor their actions. But as the anti-Taliban militias are not formed under any statute and they have no specified spheres of operations, no complaint can be lodged against them. A sense of freedom of any law tempts these private militias to crimes (Tariq Afridi, 2016).
Another lawyer of Peshawar High Court, Ijaz Afridi, opines the political agent (agency administrator) and deputy commissioner (district’s administrative head) in PATA holds discretionary or extra-ordinary powers to form peace committees, these committees would have no constitutional or legal status (Ijaz Afridi, 2015).

As vice-chairman of the Human Rights Commission of Pakistan, Justice Sher Muhammad took up the issue with the Muttahida Majlis-i-Amal (MMA) government in Khyber Pakhtunkhwa. He said these militias were against human rights but the MMA government told him it had no option but to patronise, sponsor and mobilise anti-Taliban lashkars to combat Taliban. Though Justice Muhammad admits it was a wrong statement and was a violation of the human rights but the government showed its compulsion and weakness. The Human Rights Commission of Pakistan raised its voice against the anti-Taliban militia on every forum as it protested the statement of the provincial government. The Human Rights Commission wants to create awareness among the people regarding their basic rights and it also pressurises the government to grant basic rights to citizens (Sher Muhammad, 2015).

4.4 FRONTIER CRIMES REGULATION (FCR)

The British government imposed the Frontier Crimes Regulation (FCR) in FATA in 1901. It wanted to control and administer the tribal areas by proxy with FCR, through local tribal leaders and chieftains, who were commonly known as khans and maliks. The regulation is a comprehensive law, addressing administrative, legal and judicial affairs in the tribal areas. The FCR was originally designed to consider social, cultural and political traditions in the region to limit resistance and societal conflict between the British and the Pakhtun population.

The tribal areas are divided into two categories with distinct legal regimes: areas under administrative control of the federal government and those under provincial governments. The tribal areas under the administrative control of the federal government are referred to as the Federally Administered Tribal Areas (FATA), including seven agencies (quasi-districts) like Bajaur, Mohmand, Khyber, Orakzai, Kurram, North and South Waziristan and six frontier regions (tribal areas adjoining settled districts) like Peshawar, Kohat, Bannu, Dera Ismail Khan, Lakki
Marwat and Tank districts (Zardari, 2011).

The second category is referred to as Provincially Administered Tribal Areas (PATA). The provincial governments of Khyber Pakhtunkhwa and Baluchistan govern these areas respectively. The difference between FATA and PATA is in their system of governance and controlling authority. FATA is governed and managed by the central government through the governor of Khyber Pakhtunkhwa and subsequently the FATA Secretariat as its agent. The FATA Secretariat, located in Peshawar, acts as the primary government headquarters for FATA. PATA, alternatively, is adjacent to and administered directly by the respective provincial governments (Zardari, 2011).

Ayaz Wazir, a former ambassador and security analyst, says there is no law of the country in the tribal areas. Under the FCR, absolute power after God Almighty lies with the political agent, who is accountable to none. Tribal areas are out of the jurisdiction of the parliament and Supreme Court. Thus FATA is beyond the country’s laws. Self-defence is a lawful act but picking up guns to fight against militants is something wrong as this is the job of security forces to defend the land and protect the citizens (Ayaz Wazir, 2015).

Even there is also no provision in FCR under which the government can arm civilians in tribal areas. Even after the 2011 reforms in FCR, the political administration can arrest family members or close relatives of an accused under the ‘collective responsibility’ provision. Earlier, the political administration could arrest elders of that entire tribe or sub-tribe under the ‘collective responsibility’ provision. One of the more substantive reforms brought to FCR in the 2011 was the prohibition of arresting an entire tribe under the collective responsibility section. Chapter 4 of FCR discusses penalties under Section 21 related to the blockade of a hostile or unfriendly tribe In the event of any frontier tribe or of any section or members of such tribe, acting in a hostile or unfriendly manner towards the British government or persons residing within British India, the deputy commissioner may, with the previous sanction of the commissioner, by order in writing, direct:
a) The seizure, wherever they may be found, of all or any of the members of such tribe and of all or any property belonging to them or any of them;
b) The detention in safe custody of any person or property so seized and;
c) The confiscation of any such property; and may, with the like sanction by public proclamation;
d) Debar all or any member of the tribe from all access into British India; and
e) Prohibit all or any persons within the limits of British India from all intercourse or communication of any kind whatsoever, or of any specified kind or kinds with such tribe or any section or members thereof (FCR, 2011).

Lawyer Ijaz Afridi thinks: “If a state is at war, then only in that case the government may arm civilians and the existing situations were not serious enough when the Pakistani government raised or supported militias in FATA.” However, he admits there is no article in the Constitution and no provision in the FCR supporting his stance that the state can arm civilians in war (Ijaz Afridi, 2015).

Contrary to legal experts, defence and strategic analyst Maria Sultan argues the formation of anti-Taliban militias was a legal decision as the FATA system is controlled either through presidential decrees, FCR or traditional tribal system. The Pakistan Penal Code doesn’t exist there. FATA is an autonomous region, and tribal elders have the right to take internal decisions and they don’t have the right to external defence. Three principles -- economy, defence of external borders and political borders -- the government of Pakistan has to look in it. When the Pakistan Penal Code (PPC) doesn’t apply to FATA, then this is an autonomous area and this means its people have the right to autonomy (Maria Sultan, 2015).

4.4.1 Regional and international laws

According to Ana, Katja LH and Nigel, terrorist acts are often followed by counter-acts that cause an escalation in violence. Obviously, the essence of terrorism is to violate all existing national, regional and international laws while counter-terrorist blows should comply with these laws. However, as terrorist acts and counter-acts often form a never-ceasing upsurge of violence, thus it makes it tough to identify or determine the legal framework or moral judgement of a just cause (Ana Maria Salinas De Frais, KatjaLh Samuel. Nigel D White, 2012).
Rule of law should be the possible demarcation in terrorism and counter-terrorism acts, “as terrorism is often directed against democracy and rule of law; counter-terrorism has to be concerned with upholding and directing those values” (Ana Maria Salinas De Frais, KatjaLh Samuel. Nigel D White, 2012). Lack of a unanimous international definition of terrorism has doubted the status of terrorist groups and freedom fighters or freedom militias, liberators or liberation movements.

The absence of this internationally-accepted definition of terrorism has doubted the legality of some Islamic groups. In some cases, international norms seriously question the legitimacy of certain Islamic groups like Ansar-al-Islam, Hezbollah and the Palestinian Islamic Jihad. “Both Terrorist Financing Convention of 1999 and Security Council Resolution (1373) make the status of the Ansar-al-Islam, Hezbollah and the Palestinian Islamic Jihad controversial for the Arab and Islamic states and the West. As for the West, they are unlawful terrorist groups while for the Arab and Islamic states they are a genuine liberation movement” (Ana Maria Salinas De Frais, KatjaLh Samuel. Nigel D White, 2012, p. 19).

Certain governments can even cash in on the illegal status of these militias on particular occasions. These governments can hardly utilise the state security organisations for extra-judicial services as they are bound to operate within a legal framework. Both government and security organisations can be held responsible for any extra-judicial acts.

Governments can use militia groups for extra judicial services, peculiarly during elections. Because these militia groups have no legal status, the state can attribute their violence to the democratisation process, or to criminal activities (Nanjala Nyabola, 2009).

The US Congress has placed strong checks on presidential powers. Although Congress is authorised to declare war but the president’s power to order the military into conflict in foreign countries and to wage war has been firmly demonstrated. In a historical perspective, restraints on the president’s power to wage war remain almost entirely in the hands of Congress. In wartime, even US courts are reluctant to question the wisdom of a president’s military decisions. “It
also recognises the potential futility of declaring unconstitutional presidential actions during wartimes and international emergencies” (Brien, 2003).

The United States and the United Kingdom relied on militias in Iraq and Afghanistan. Russia also aligned with militias in Afghanistan, Chechnya, Georgia and Ukraine. Prior to 2003, Saddam Hussein used militias both for counter-insurgency and during the conflict with Iran (Sabine Carey, Neil Mitchell, 2015).

The governments often use militias in counterinsurgency for face saving. The governments might turn to militias to avoid accountability for violence and could rationally deny certain actions. Delegating violence to militias may be another tactic of the government to avoid International Pressure of conforming to human rights standard or facing internal legal action (Sabine Carey, Neil Mitchell, 2015).

According to Meisels, as militias often don’t wear any uniform like regular forces, it not only questions the legitimacy of the militias but can also deprive them of the right of the Prisoners of War (POW) status in case they are captured. Under the Hague Convention of 1907, to be entitled to the POW status, the fighters wear ‘a fixed distinctive sign visible at a distance’, must ‘carry their arms openly’, must ‘obey chain of command’, and they themselves obey the customs and laws of war. However, the law is silent about the rights and immunities of the fighters who don’t follow these conditions, like who don’t wear insignia and secretly carry their arms. These provisions were aimed primarily to differentiate soldiers of militias (Meisels, 2007).

Justice Harlan Stone of the United States Supreme Court in 1942, in a swift trial, executed six of the eight German would-be spies who were caught on US territory. Justice Stone dubbed these Germans ‘unlawful combatants’, observing that they had buried their uniform on arrival and didn’t bear arms openly. Justice Stone was the first to use the term ‘unlawful combatant’, which is not used in the Hague Convention or elsewhere in international law, although Justice Stone pleaded that his notion reflected ‘universal agreement and practice’ (Meisels, 2007).
However, Prof. Karma Nabulsi disagrees with Justice Stone. She believes this ‘agreement and practice’ about so-called lawless combatants was not absolutely universal. ‘In contrast, those contesting the legal norm (at Geneva in 1949) argued that all citizens who bore arms for the nation were legitimate combatants. Equally controversial was the issue of prisoners of war. Small countries sought to have all armed defenders protected from reprisals if captured (as professional soldiers already were) (Nabulsi, 1999).

The convention relating to laws of war on land, which is known as Hague Convention Number IV of October 18, 1907, was first codified as Article 9 of the Brussels Declaration of 1874 (The first international instrument specifying the customs of war). Article 1 of the Hague Convention enumerates that combatants comprise the organised armed forces including militias, volunteer corps and members of the resistance movements of a state or otherwise recognised party to a conflict are lawful combatants, provided that they meet certain criteria: they must be under a responsible command system; wear a fixed distinctive sign; carry arms openly; and conduct their operations in accordance with the laws of war (Roberts, 2002).

In 1977, delegates from various nations drafted two protocols to the 1949 Geneva Conventions. One of the primary purposes of Protocol I Additional to the 1949 Geneva Conventions was to expand the categories of individuals who would be protected under any of the four original 1949 Geneva Conventions. Article 44(3) of Protocol I, for example, would significantly dilute the traditional requirement under customary law that combatants must distinguish themselves from civilians and otherwise comply with the laws of war as a condition of protection under the Geneva Conventions (Borch, 2003).

On January 29, 1987, President Reagan refused to recommend Senate approval of the 1997 Geneva Protocol 1, additional to the 1949 Geneva Conventions. He argued that giving combatant status to certain irregular forces ‘would endanger civilians among whom terrorists and other irregulars attempt to conceal themselves’ (Roberts, 2002). Several states have statutes prohibiting the existence of private militia and/or their training activities. There are usually two
types of state statutes -- those that prohibit paramilitary organisations altogether and those that proscribe only paramilitary training (Polesky, 1996).

Mohammad Osman Tariq says *Arbakis*, a tribal community policing system in Afghanistan, mainly function under the customary tribal code of Pakhtuns (Pakhtunwali). Differing from militia, in Pashto derivation of the word ‘Arbaki’ are messengers. However, with reference to the security system, *Arbaki* is used in the broader context of security enforcement and it played a positive role in parts of Afghanistan in counterinsurgency as well. A recently published report by the International Legal Foundation (ILF) about customary law in Afghanistan states the enforcement system used to implement the final decisions of the *jirga* is called *Arbaki* (Mohammed Osman Tariq, 2008).

Mohammad Osman Tariq argues the *Arbakis* also face the problem of legitimacy in Afghanistan. They have an established method of gaining legitimacy through their establishment and acceptance by the people. “However, the *Arbaki* system is incompatible with several rules and regulations currently practiced by state police, even where the *Arbakis* are officially recognised. “Yet examples do exist where the *Arbakis* were recognised and approached by the state for assistance. For example, they were asked to assist the security sector during the elections to secure polling stations. However, the legality of *Arbakis* in Afghanistan is a problem because customary laws clash in many ways with the civil law and Islamic regulations used in the state judicial system (Mohammed Osman Tariq, 2008).

The Constitution of Afghanistan allows citizens to form associations according to the law. However, associations or parties having military goals are not allowed. Article 35 of the Afghan Constitution states: “To attain moral and material goals, the citizens of Afghanistan shall have the right to form associations in accordance with provisions of the law. They shall not have military or quasi-military aims” (Constitution, 2004).
4.5 CONCLUSION

This chapter concludes militias do not have legitimacy under Pakistan laws. However, most of analysts opine the government often holds laws in abeyance during unrest or war. Article 256 of the Pakistani Constitution bars formation of the private militias. Likewise, there is no room for the formation of militias in the Frontier Crimes Regulations (FCR) applied in FATA and the Pakistan Penal Code (PPC) enforced in PATA (Khyber Pakhtunkhwa).

Courts do not challenge the US president’s powers in during wars. And the president may also bypass Congress if he wants to wage a war. International laws like Geneva Convention, Hague Convention and Brussels Declaration also put certain conditions on the legitimacy of the civilian combatants. These laws also outline criteria for both legitimacy and Prisoner of War (POW) status of civilian combatants. Article 1 of the Hague Convention states that fighters including militias, volunteer corps and members of the resistance movements of a state or otherwise recognised party to the conflict are legitimate combatants, provided that they fulfill certain criteria: they must be under a responsible command system; holding a specific insignia or sign; carry arms barely; and carry out their operations as per laws of war.

Thus, this chapter discussed the legal status of arming civilians in Pakistan and neighbouring Afghanistan. The Constitution of Afghanistan also bars formation of military organisations. Nonetheless Kabul has recognised Arbakis in some parts of Afghanistan and has used them during elections. The Arbaki system may have legitimate status according to customary laws, but is against the Constitution of Afghanistan.
Chapter 5

MILITIA STRATEGY AND CIVIL WAR PROSPECTS

5.1 INTRODUCTION

In this chapter, repercussions of raising anti-Taliban militias and militarising Pakhtuns in FATA and Khyber Pakhtunkhwa, as well its impacts on the region, particularly Pakistan, are discussed. It recalls the political, socio-cultural, ethnic, military and religious landscapes of Afghanistan, where freedom fighters (Mujahideen) and Arbakis (local militias) indulged in civil war after the Soviet withdrawal and compares them with the situation in Pakistan. An attempt has been made to investigate whether militias can touch off a civil war in the tribal areas. The militias as a potential civil strife threat have been analysed cautiously. The strategy of the Pakistani government to demilitarise these anti-Taliban forces to ward off a possible future threat has also been explained. The chapter investigates statements from some renowned authors on whether or not the militias can touch off a civil strife in Pakistan.

5.2 MILITIAS: A COUNTERINSURGENCY STRATEGY

The Pakistani government mobilised the civil population of the tribal belt like Khyber, Mohmand and Bajaur agencies and parts of Khyber Pakhtunkhwa, such as Dir, Swat and Peshawar suburbs against militant groups. The programme for mobilising local communities in FATA and Khyber Pakhtunkhwa against insurgents can play a potential counterinsurgency role, as the militias possess small weapons.

The government succeeded in shaping the public opinion against militant groups in the tribal belt and Khyber Pakhtunkhwa. Tribal elders mobilised their respective tribes to form lashkars to protect their areas against militants and to stop military deployment. “The emergence of tribal lashkars in Bajaur in the fall of 2008 was a sign of the success of this movement. Yet there is a potential danger that leaders of these groups may become independent local warlords, equipped by
the state” (Nawaz, 2009). Warlord is a controversial term that is poorly defined; there is no unanimous definition of this, “Warlords are individuals who control small pieces of territory, using a combination of force and patronage” (Marten, 2012).

Referring to the anti-Taliban militias, ex-ambassador Rustam Shah Mohmand says any group, assembly or jirga created with the intervention of the administration is not a very enduring phenomenon in tribal areas. But a jirga constituted by the tribesmen themselves in accordance with their culture and norms is long-lasting and effective. The anti-Taliban militias were not a spontaneous response from tribespeople to militants groups, including Tehrik-i-Taliban Pakistan (TTP).

The tribal people felt angry because their traditional values and norms were harmed and they also felt helpless because the government could not commit a rescue. When the situation was getting out of control, the administration -- mainly the security forces -- helped the tribesmen organise to show resistance to militants in Khyber, Mohmand and Bajaur agencies. The government wanted support from local tribesmen against the Taliban and wanted to take them on board in hunt for the Taliban (Rustam Shah Momand, 2015).

Dr Khadim Hussain, a security and political analyst, says the use of anti-Taliban militias at an informal level is a counterinsurgency strategy. But there has been no legal mechanism or a policy on this whole strategy. In a way, law-enforcement agencies were instrumental in employing the tribesmen to fight against the Tehrik-i-Taliban Pakistan in particular and other defunct militant organisations in general.

Unfortunately, nobody in state institutions took responsibility for raising the anti-Taliban militias, as there was no legal or constitutional basis for it. The militias were used as ‘sand-bags’. Unfortunately, the Pakistani state has all along outsourcing its security responsibilities. First, it outsourced security responsibilities to private militias that were formed to fight against the Soviet Union in Afghanistan. When the same organisations turned against Pakistan, the state started employing tribespeople to fight against them, particularly the TTP. The motive behind outsourcing and abdicating the security responsibility has been
one of the strategies and one of the components of external security policy of the Pakistani establishment (Dr. Khadim Hussain, 2016).

Despite using anti-Taliban militias as a counterinsurgency strategy, the Pakistani Army is not in a position even today to declare these areas free of militancy. The large-scale involvement of non-state individuals or groups in FATA and parts of Khyber Pakhtunkhwa indicates flaws in the counter-militancy strategy of the Pakistan Army (Ayesha, 2011). A key flaw in Pakistan’s anti-terror strategy, defence analyst Ayesha Saddiq explains, is that the army has driven its strategy through a kinetic approach. Another major reason is lack of clarity on policy level to identify the threat (Ayesha, 2011).

The kinetic approach refers to the excessive use of military force while Pakistan ignored other approaches that could have been more effective. The military undermines the security of civilians during counter-insurgency offensives. Contrary to this approach, there is a non-kinetic approach or “population security and counterinsurgency strategy”, which prefers a political solution to a military one (Lalwani, 2009).

Pakistan opted for the community-led “bottom-up” approach, as evident by the government’s move to involve local civilians through lashkars, peace committees etc. Much of the leadership of lashkars is constituted the young tribesmen. The young leadership cannot strategise same as the elders. The young leaders often cause human rights violations. Moreover, elders are a source of social harmony, but the young ones often show a great inclination to violence. Youth refer to the source of internal conflict and violence. In this context, young leaders of the present peace committees have become a source of the escalating conflict in FATA.

5.2.1 Protective and abusive

Former chief secretary of Khyber Pakhtunkhwa Khalid Aziz opines that arming civilians shows the fragility and incapability of the state to deliver. It is said that sovereignty is indivisible, but by forming anti-Taliban militias, the Pakistani government divided it. This could be a big problem in future. To be more
accurate, these militias have already become a headache for Pakistan. One example is the head of the defunct Lashkar-i-Islam, Mangal Bagh, in Khyber Agency. The government patronised Mangal Bagh to counter Munir, a Khassadar official in Kurram Scouts, who created mischief in the Qambarkhel area of Khyber. The administration strengthened the militia led by Mangal Bagh to counter Munir. But later Mangal Bagh became such a nuisance that the government moved the military against his militiamen. Thus Mangal Bagh’s militia is a reflection that the loyalties of militias can change anytime (Khalid Aziz, 2015).

Aziz believes there can be apprehensions that the anti-Taliban militias may fight for foreign benefactors as soon as the opportunity is right and this has been happening in Afghanistan. The people, who were recruited by warlords, carry out the so-called green-on-blue attacks in Afghanistan. The previous way of recruiting soldiers was completely different: the warlords recruited them and now Afghanistan is facing the problem, as this was not a solution. By creating armed groups like anti-Taliban militias, the government is heading for trouble. Today, they are fighting for the government but tomorrow they may fight against it. As we see in tribal areas, the concept of enmity or revenge (badal) is something personal. Revenge may not cause a civil war, but it may induce lawlessness in the area (Khalid Aziz, 2015).

Ex-ambassador Ayaz Wazir saying arming civilians to fight against militants is quite a new phenomenon that was never seen before in tribal areas. This is quite strange that defenders of the country ask civilians to be the first line of defence. The army was totally new to the tribal area, unaware of the customs and it was quite difficult for them to differentiate between militants and peaceful civilians. The army particularly needed support from tribesmen in identifying militants. The lashkars are not properly trained and do not have sophisticated weapons. Now the government has almost withdrawn its support to volunteers, making them much vulnerable to militant attack (Ayaz Wazir, 2015).

According to Wazir, a noted security and political analyst, the foreign forces can use anti-Taliban militias for their own benefits. The danger exists, depending on the situation and ideology. If the anti-Taliban militias coin such an ideology that
suits foreign forces, these volunteers can be misused in future. TTP is a conglomeration of fighters belonging to different tribes while a specific tribe usually raises lashkars. Given the tribespeople’s strong predilection for revenge, lashkar activities can create problem in tribal areas in future. The tribal peoples hardly forgive those who inflict physical losses on them and this disposition can ignite clashes among them at some point in time.

Perhaps, the tribal system would not allow a civil war breaking out, but the ‘hidden hand’ that Ayaz Wazir did not explain fully (but such vague terms are often used for Pakistan’s powerful spy agency Inter-Services Intelligence (ISI) or foreign secret services) can exploit anti-Taliban militias to induce a civil war. He alleged it was the ‘hidden hand’ that wrote the fate of the tribals and it was the ‘hidden hand’ that created Baitullah Mahsud and Hakimullah Mahsud in South Waziristan. Militias have always been a problem in other countries of the world as they often revolt against existing rules of the state and the same thing can happen in Pakistan as well (Ayaz Wazir, 2015).

While comparing the situations in Afghanistan and Pakistan, author and analyst Imtiaz Gul says in Afghanistan, many of freedom fighters (mujahideen) morphed into warlords as for years there were no central authority. In Pakistan, this seems difficult but not impossible, as a tendency has been witnessed among many people wielding guns or having official backing to exploit state sanction of an action in a particular area. “This is what we have seen in Baluchistan, where the government or military-backed militias have got involved in organised crime and this is what has partially happened in some of tribal areas. So the chance or possibility is always there that once supported by the government, particular private groups or actors tend to exploit the situation and abuse the authority conferred on them by the state or state institutions (Imtiaz Gul, 2015).

The anti-Taliban militias have boomeranged in three aspects:

1) These militias gave impetus to the war economy. They got involved in certain things that benefitted the militants fighting in the garb of private jihad;
2) They have a disruptive effect on society, inducing cracks in the indigenous social fabric because they have funds, weapons and support the local administration. This lends them an upper hand over their opponents in local politics, disputes and family feuds;

3) The militias were somehow instrumental in doing away with legal procedures. So rule of law kind of thing in the constitution and legal mechanisms and structures of Pakistan were crippled because of these private militias (Dr. Khadim Hussain, 2016).

Gul believes the possibility always exists that some of volunteers of anti-Taliban militias could be used for promoting policies of other countries that view Pakistan as a source of trouble. In the case of Pakistan, both India and Afghanistan could possibly use some of the proponents of anti-Taliban militias. About groups like Tehrik-i-Taliban Pakistan (TTP), we don’t have any evidence but we can connect the dots in terms of what the TTP does or what the Afghans and the Indians have been saying. It is quite possible the TTP was used as a ploy for India and Afghanistan in the arrest of Latifullah Mahsud on October 8, 2013 in Afghanistan, where the Americans snatched him from the Indians. This is one of the indications that other countries may be using the so-called insurgents for their own objectives (Imtiaz Gul, 2015).

Dr Hussain likens notion of private counter-insurgency to private jihadism. Outsourcing security responsibilities or using private militias to achieve certain policy goals, in both ways, the anti-Taliban militias damaged the narrative of counter-insurgency, counter-terrorism and counter-extremism. At a practical level, they strategically backlashed. Foreign forces or their agents are using anti-Taliban militias for their own goals in parts of Pakistan and Afghanistan. Once certain people or a group of people were provided with weapons without state’s sanction and once they are funded to fight, they become a ‘fighting machine’ in the long run. And to continue oiling that war machine needs more funds (Dr. Khadim Hussain, 2016).

Journalist and political analyst Tahir Khan concurs foreign forces may use anti-Taliban militias for their own goals. Examples already exist of foreign forces using freedom fighters for their aims. The BBC correspondent says both Pakistani
and Afghan Taliban commanders have confirmed several times that they are receiving funds from other countries. The Pakistani Taliban confirmed to him that they are getting money from India (Tahir Khan, 2015).

According to defence analyst Brig. Said Nazir, of course, in the form of the Anti-Taliban militias (Lashkars), Pakistan provides a sort of ready-made outfit to any interested party that it can contact them or recruit them and it is an outfit, which had already led by a leader. So if some thirty or forty leaders are bought or hired then of course they can be misused and can become a nuisance for the security forces and the local administration. If we take the examples of North and South Waziristan, the Commander Hafiz Gul Bahadur in the North Waziristan has his own militias and likewise Commander Maulvi Nazir has his own militias in the South Waziristan. They were considered as pro-Pakistani government commander but there are secrete information that foreign element were busy to buy their loyalties. Maulvi Nazir was later killed in a drone attack. Buying their loyalties and double-crossing is very easy in such a situation and their loyalties are changed then. There are so many things in their hands while knowing about the weakness of the security forces they can exploit these weakness, and in intelligence jargon they can work as a double agent or a double-edged sword that can cut both sides. Arming the civilians is probably a rapture of the society and disturbing the structure of the society is not a constructive rather a destructive job (Said Nazir, 2015).

According to Dr Khadim Hussain, the larger picture is that most of the privatization of the militias was happening in the Pakhtun belt whenever the Pakhtun belt has tried to evolve into a modern, civilized and political entity it was re-tribalized. Now this tribalization of militias actually helped in the re-tribalization of the Pakhtun belt which was in turn more damaging for the counter-terrorism and counter-insurgency. This helped in divesting the Pakhtun belt of their legitimate social, political and economic rights (Dr. Khadim Hussain, 2016).

To a political and defence analyst Brigadier (Retired) Said Nazir, perhaps iron cuts iron was the purpose behind formation of the anti-Taliban militias, but this strategy of the government has claimed many lives of the tribal chieftains. To him even if dust of the insurgency settles down the scars of the insurgency and
vengeance would be remembered for long time, as the tribals don’t forget the vengeance. This formation of the anti-Taliban militias has sown the seeds of so many feuds that many rivalries might surface afterwards even if the dust of the insurgency subsides. The anti-Taliban militias in the tribal areas was like fire, its terrain and people were used like material and oxygen for this fire, and heat of the fire could be resembled with the future impact of the fire (Said Nazir, 2015).

Asad Durrani opines with the military withdrawing support to lashkars, the volunteers may suffer at the hands of militants. The militias can become warlords as warlordism has not been completely overcome anywhere. At times, warlords become an asset. After the 9/11 attacks in the US, Northern Alliance warlords and drug lords, who were popular in their areas, collaborated with the foreign forces in Afghanistan. These Northern Alliances played someone else’s game in Afghanistan (Asad Durrani, 2015).

On the prospects of a backlash from tribal lashkars, Durrani says it is a complex phenomenon as such operations take a long time, not a matter of months or years, but decades. The stakeholders involved in normal or abnormal situations have their own interest. With an eye on their respective interests, some support change while others favour the status quo. If tribal lashkars take full credit for the fight against militants and demand normal rewards like gallantry. Their calls of sensible but if they clash on the credit issue or think like freedom fighters, who adjudged themselves as the real rulers for fighting against the Soviet forces in Afghanistan, then a tense situation in tribal areas is expected (Asad Durrani, 2015).

Journalist Hasan Khan says formation of anti-Taliban militias is not a solution; rather it has added to the problem. The government or its agencies that support these militias purposely or unknowingly exposed militia leaders and volunteers to the militant threat. The militias could not be a big problem for the state, like the Taliban or other insurgents who challenged the writ of the state. However, in the shape of militias, the government has raised different powerful groups in tribal areas and suburbs of Peshawar. Nobody could say for sure that tomorrow the control of these groups would be in the hands of the local administration (Hasan Khan, 2015).
President of FATA Research Centre Dr Ashraf Ali says the political motive behind raising the militias was to counter the insurgency at the local level. Creating armed *lashkars* to counter Taliban was purely an ad-hoc decision. The government has perhaps not logically thought about the repercussions of the armed militias. While looking at the origin of militancy, leaders like Baitullah Mahsud, Hakeemullah Mahsud, Maulana Fazlullah and others, were in fact ordinary people. But they were supported, and in some cases, their activities were ignored by the government (Dr. Ashraf Ali, 2014).

Ali says the government has armed anti-Taliban militias, but disarming them would be a real problem. There is a possibility of foreign forces using these militias for their goals. The militias do not have any ideology or ideological targets that they may strive for. In fact, they are exploited, just like more than a hundred militant groups, in the tribal areas. These militant groups cannot function without foreign support. As such, the foreign threat of using these anti-Taliban militias is always there. Also due to dozens of militants groups, the lives of volunteers would always be at severe risk (Dr. Ashraf Ali, 2014).

He is of the view that the government of Pakistan has sought many temporary solutions to the issue like supporting *mujahideen* in Afghanistan to fight against the Soviets, the creation of Taliban and then the recognition of their government in Kabul. When the Taliban backlashed in Pakistan, the government persuaded, supported and encouraged anti-Taliban militias. If tomorrow, these *lashkars* become a threat, the government will perhaps need to create other militias to confront the previous ones (Dr. Ashraf Ali, 2014).

Mehmud Shah also fears political parties can use the volunteers in tribal areas to promote their interests. The Awami National Party (ANP) and Pakistan People’s Party (PPP) promote warlordism in Sindh province. There are also chances that some of disgruntled political leaders, as we have seen in the past in Khyber Pakhtunkhwa and now in Baluchistan, can misuse these militias. Additionally, foreign agents/forces can exploit the militias for their own purposes. There is evidence that they are using other militias groups for their own goals.
Shah adds it is true that anti-Taliban militias can become a problem in future. He was on and off consulted by the government on the formation of militias, but he always warned against encouraging them beyond a certain limit. He told officials during security meetings to bind tribal elders to protect their areas under the collective responsibility clause of the FCR instead of giving them arms and money (Mehmud Shah, 2015).

Rustam Shah Mohmand says loyalties in tribal areas have already been divided and the situation has become more complex as some of tribesmen aligned themselves with the government, others with American spies and agents providing information to facilitate US drones attacks, particularly in North and South Waziristan. Others left their homes and villages and became silent spectators. The biggest casualty was that the security forces took over the civilian administration in tribal areas. And that is the situation even today. The civilian administration has withdrawn or has been forced to withdraw and security forces are almost controlling all administrative affairs. According to Mohmand, this strategy of the government has generated an intra-tribal fight and innocent people fall victim of target killings. More than two million people have left their homes (Rustam Shah Momand, 2015).

5.2.2 Prospects of Civil War

Programme Manager at a non-government research organisation and resident of Bajaur Fazal Saeed describes pro-government militias an eminent feature of civil wars. Governments in Sudan, Colombia and Syria recruit irregular combatants to counter insurgents. The United States encouraged and supported the Awakening Groups in Iraq, just as colonisers often use local armed groups to fight against rebels in their colonies. History shows irregular armed groups have often remained a source of civil war in various countries (Saeed Fazal, 2015).

Looking at the history of irregular forces, there is a strong possibility of anti-Taliban militias precipitating a civil war or intra-tribal clashes in Pakistan (Saeed Fazal, 2015). There was a time that the situation in Bajaur bordered civil war. However, the peace militia expelled the Taliban fighters and now there are meagre
chances of their comeback. Thus there are no chances of civil war (Israr Khan, 2015).

According to Hakim Khan, head of political affairs of Tauheed-i-Islam in Khyber Agency, the apprehension of civil war will haunt tribesmen until the government completely clears the area of militants. If the government keeps its promise of continuing military operations till the killing of the last militant, the chances of civil war will be minimised. The government should give regular jobs to volunteers of Tauheed-ul-Islam in Khyber Agency and other militia groups in their respective areas to resolve their financial problems that can also help in minimising the chances of civil war in future (Hakim Khan, 2015).

Head of anti-Taliban militias in Mohmand Agency Saeedullah Khan warns the day the army leaves, tribesmen may engage in a civil war. Both volunteers disguised as members of the peace committee or tribesmen disguised as Taliban have been engaged in killings. The Pakhtuns never forget revenge. Both Taliban and volunteers have settled scores in the area. The government has ceased supporting the peace committee. Volunteers of the committee have owned permanent enmity with Taliban (Saeedullah, 2015).

While analysing the statements of different analysts and tribal elders, one may assume the situation in tribal areas is passing through different stages before reaching the point civil strife. The following diagram can help in explaining and analysing the current and can possibly predict the future situation in FATA in terms of civil war:

Dr. Alex P. Schmid explained in 2013 has how the state of peace transforms into a state of war.
Malik Subaidar, anti-Taliban militia leader in Mohmand Agency, says militants have sown the seeds of militancy in the area, where some locals -- shopkeepers, taxi drivers and farmers -- secretly work for the Taliban at night. They particularly perform the intelligence-gathering duty for the Taliban. Militancy in Mohmand agency will end only when all fighters are eliminated. The Taliban collected millions of rupees in extortion from locals through threatening letters and telephone calls. They are behaving like rulers and that status they would never give up easily. The Taliban can even regain control of the tribal areas as peace lashkars have become weak now due to dwindling government support and a shift in government policy. Officials tell leaders of peace lashkars that the reason for declining support is a shift in government policy (Malik Subaidar, 2015).

Source: Dr. Alex P. Schmid (2013). Radicalisation, de-radicalisation, counter-radicalisation: A conceptual discussion and literature review. ICCT Research Paper, 97.
Subaidar believes that if government abolishes peace committees, volunteers will still possess guns for self-defence as they have declared war against an enemy that remains powerful and attacks them. The government stopped providing funds to peace *lashkars* in June 2014. Only those tribal elders who can afford to pay volunteers from their own pockets now head or keep peace *lashkars*. Other tribal leaders have reduced the number of volunteers or intend to abolish the peace *lashkars* (Malik Subaidar, 2015).

Hakim Khan confirms leaders of anti-Taliban militias are still receiving threats from the militants in Khyber, Bajaur and Mohmand agencies, as well as settled areas of Khyber Pakhtunkhwa. The security forces secretly informed an anti-Taliban militia leader in Mashogagar area of Peshawar, Mukamil Shah, to limit his activities. The security personnel say they have intelligence reports that he is on militants’ hit-list. Shah claims the anti-Taliban militias have protected Peshawar. Militancy is not over but militants still continue their activities. The militants are targeting leaders and volunteers of peace committees. However, according to him, there are little chances of civil war. Target killings continue and thus the fear of the civil war always exists (Hakim Khan, 2015).

Lawyer Aftab Alam characterises anti-Taliban militias as an anti-biotic; it cures one disease but creates another. A person who has knowledge and power cannot sit idle. Both militias and Taliban have tasted power and have got enough information about the government system. They would not sit idle; rather they will continue infighting -- sort of an aftershock in the form of Taliban-volunteer clashes. Though there are no chances of civil war, fighting will continue for a long time. This fight will continue as long as grandsons of Taliban and anti-Taliban militia members are live (Aftab Alam, 2015).

Ex-chief justice of Peshawar High Court and then chairman of the Human Rights of Pakistan in Khyber Pakhtunkhwa Sher Muhammad says anti-Taliban militias have no precedent in Pakistan’s history. Neither the law nor the Constitution allows anti-Taliban militia. In some areas, Muhammad alleges, anti-Taliban militias have fanned militancy instead of taming it. It was a weakness of the state that has pitted one citizen against the other (Sher Muhammad, 2015).
The government even did not play its role effectively in mobilising the civil population. People were untrained, ill-equipped and thus more vulnerable to threats. That was why militias lost several volunteers in fighting against Taliban, who still target them for forming *lashkars*. It is also strange that *lashkar* leaders are being targeted, the killers flee the scene and their identity has never been revealed (Sher Muhammad, 2015).

Muhammad continues those associated with the military or peace *lashkars* are now being targeted. This seems a never-ending phenomenon as Pakhtuns never forget revenge. In future, this killing spree can affect families and gradually tribes before transforming into a civil war. The killing of anti-Taliban militia leaders is one adverse effect of the counterinsurgency strategy, if it is really a counterinsurgency strategy (Sher Muhammad, 2015).

Swat Peace Jirga leader Haji Inam-ur-Rahman, views the targeted killing of peace committee leaders as an indication of the looming civil war in the valley. He says: “Someone blames Taliban, some army and intelligence agencies for killing leaders and volunteers of peace *lashkars*, but I think this is start to the civil war. In the Pakhtun culture, grandchildren take revenge for the wrongs done to their grandparents. Thus the horror of civil war hovers on the horizon. This horror persists in the minds of militia leaders and volunteers who have fought against the Taliban” (Inam-ur-Rahman, 2015).

A resident of Bajaur, Zia-ur-Rahman, lecturer at the Department of International Relations of the University of Peshawar, calls *lashkars* an ossified tribal tradition. *Lashkars* were previously set up during the Tehrik-i-Nifaz-i-Shariat Muhammad (TNSM) movement led by Sufi Muhammad and now against Taliban. In the local parlance, the TNSM is called *tor patkis* (black turban) movement. The Mamond tribe was split on forming *lashkars as tor patkis* were from Wara Mamond and Lashkars were from Loi Mamond. This stance was witnessed again: Taliban hailed mostly from Wara Mamond and *lashkar* volunteers from Loi Mamond. This conflicting position can lead to intra-tribal differences. Anti-Taliban militias have played an indirect role in restoration of peace as they helped contain the insurgent narrative in the area.
Lashkars in Salarzai were effective in restoring peace and those in Mamond were passive. Those living on Malik’s land were forced to become volunteers of anti-Taliban militias, claims Zia-ur-Rahman. He was a fresh graduate in 2009 when he was forced to guard the village at night. He could not combat the Taliban but had to obey the order of the Malik (tribal elder). The volunteers guarded exits and entry points. The state is responsible for providing security to its citizens. On the contrary, tribesmen were asked to ensure security of government installations and army check-posts. The tribals feared they would bear the brunt of any attack on army check-posts. The shift in narrative can lead to a civil war and the target killings in revenge -- a part of the tribal system -- will continue forever. The Taliban, who have suffered at the hands of lashkars or vice versa know their feuds. Thus target (revenge) killings will go on (Zia-ur-Rahman, 2015).

Professor Gul Badshah, principal of the Government Post-Graduate College in Bajaur and also resident of the agency, says anti-Taliban militias gave courage to locals who thought that someone could resist the Taliban. The Taliban belong to FATA tribes that also formed similar militias. These rival groups can harm peace and prolong feuds (Gul Badshah, 2015).

Inam-ur-Rahman concurs Pakhtuns are famous for taking revenge even after a century and they never forgive their enemy. The revenge code can stoke civil war, or at least this horror haunts militia leaders and volunteers, who have backed the military against the Taliban. It seems that leaders and volunteers of anti-Taliban militias are carrying their coffins on their own shoulders. Quoting Gen. Ashfaq Nadim, an army officer who served in Swat, Rahman says: “The war was not a jihad (holy war); rather it was a fight in between the haves and have-nots. The people belonging to the despaired and poor class stood by Maulana Fazlullah against the landlords who deprived them of their lands” (Inam-ur-Rahman, 2015).

Afzal Khan Lala, a veteran leader of the Awami National Party in Swat Valley, echoes the concern that the wave of revenge killings will continue between Taliban and militiamen. It would be difficult to predict the revenge killings can turn into civil war (Afzal Khan Lala, 2015).
Abdul Wali, operational commander of Anti-Taliban militias in Mohmand Agency, has strong apprehensions about civil war. As both Taliban and militia members belong to same locality and same or different tribes, will never forgive their losses. Wali says some Taliban commanders from his tribe, including Mangal, Mustafa, Samandar and Shamsuddin, have been killed in clashes with lashkars. Peace Lashkars fighters Malik Star, Khoja Mir and Gul Nazir were also killed in the clash.

Pakhtuns never forgive killers of their relatives and revenge is part and parcel of tribal customs and traditions. Such things can spark a civil war in future. If the government winds up peace lashkars or withdraw assistance, still these fighters cannot do their job anywhere, as Taliban will continue to go after them. After standing up against the Taliban, the fighters of peace lashkars have become their permanent foes. These fighters cannot do any type of job now and if they do, the Taliban will target them. Families of peace lashkars members will pay for the blood of Taliban relatives (Abdul Wali, 2015).

Tahir Khan also sees target killings of volunteers as an indication of civil war; this is something that can be called the beginning of a civil war at a small scale. Tribal compulsions and the element of revenge were the driving forces behind the formation of lashkars in the tribal belt and parts of Khyber Pakhtunkhwa. To Tahir Khan, formation of anti-Taliban militias is not part of the solution; rather it is a part of the problem (Tahir Khan, 2015).

He believes arming tribals is like pitting one group or community against another. With the raising of anti-Taliban militias, the government wanted to show the world the tribals are also against the insurgents. Protection of family is very important for every human being. Now the government has almost withdrawn its support to anti-Taliban militias, thus there is a possibility of volunteer switching loyalties from the government forces to the Taliban. Only if the government succeeds in eliminating all militants, the importance of anti-Taliban forces will vanish; otherwise, the peace volunteers will always remain important to Pakistani security forces. A major civil war could not be foreseen in the near future in Pakistan but in Pakistan anything could happen (Tahir Khan, 2015).
Dr Khadim Hussain says when they become vulnerable financially, volunteers can easily be used by anybody externally or internally. The notion of raising the anti-Taliban militias is not only like the killing of one monster by creating another; it can be actually seen as continued creation of monsters (Dr. Khadim Hussain, 2016).

Dr Ashraf Ali believes there is a strong possibility that withdrawal of government support and leaving volunteers at the mercy of Taliban can prompt lashkar members to change loyalties. Now that the Taliban have stepped up targeting killings of militia volunteers and leaders, there is little likelihood of a civil war. But if the Taliban start attacking entire tribes for forming militias, they can probably ignite a civil war in the tribal belt (Dr. Ashraf Ali, 2014).

When the government withdrew support to them or fails to compensate them for their sacrifices, leaders of anti-Taliban militias in Peshawar will threaten the authorities with swelling insurgent ranks (Dr. Ashraf Ali, 2014). Barbara Walter has synthesised some theories on causes of continuation of civil wars. According to her, civil wars can be divided into four broad categories:

1. Historical hatreds, namely, groups fight because they hate each other and have no desire to cooperate;
2. Conflicts of interest, in which groups fighting for control of a single state inevitably encounters conflicts of interest that is difficult to reconcile;
3. Greedy elites, that is stubborn, threatened or self-interested leaders often with little to lose by continuing to fight;
4. And security dilemmas, in which fear and uncertainty during the war can ultimately sabotage cooperation efforts and perpetuate violence. A study of causes for the continuation of the Afghan civil war encompasses all these reasons (Ghufran, 2001).

5.2.3 Anti-Taliban militias versus Arbakis, mujahideen

Like Pakistan, Afghanistan has a long history of experimenting with militia, which have got various names like irregular forces, Arbakis and private armies. However, the concept of Arbakis is very old in Afghanistan. Arbakis -- a traditional and loosely organised private army -- has been tried over and over
again in the landlocked Central Asian country. The militia is a tad bit more advanced and organised form of Arbakis. Freedom fighters raised by spy agencies of America and Pakistan also played the role of militias and offered stiff resistance to Soviet forces in 1979.

When the Soviet-Union invaded Afghanistan in 1979, CIA and ISI mobilised mujahedeen to fight against the occupation forces. Weapons worth of million dollars were distributed to the freedom fighters for use against the Soviet forces. However, the same weapons were later widely used in the civil war.

The study of counterinsurgency acquired a lot of significance in the 21st century. Various warfare tactics are employed to counter insurgencies and terrorism. However, winning support of the civil population against the enemy is a common strategy. The formation of militias in wartime is a common strategy adopted in different parts of the world. War history shows these militia or irregular armed forces have often resulted in civil war.

Raising irregular armed forces has been an old tradition in Afghanistan and Pakistan. In Afghanistan, these forces are known as Arbakis, while in Pakistan they are called lashkars. Sometimes, the terms are used synonymously for private forces. However, they denote different connotations, like Arbakis command more respect than lashkars. Arbakis enjoy strong tribal backing and are different from other hired militias. The Pashto meaning of Arbaki is messenger. There is no specific definition of the Arbaki. Broadly speaking, the forces that enforce jirga verdicts are dubbed Arbakis, who have got a special indemnity in the tribe to ensure their safety.

Arbakis are known differently in different areas, like in tribal belt, they are called as Salweshti (a group of 40 fighters) or Shalgoon (a group of 20 fighters). But in Afghanistan’s southern Kandahar province, they are called Paltanai. Arbakis, unpaid protectors of the tribe, are usually honoured and proud fighters. To be part of the militia is also a distinction according to the tribal tradition. In 1980, American CIA and Pakistan’s ISI supported freedom fighters against the Soviet Union. But the mujahedeen precipitated a civil war in Afghanistan later on. To
end this civil war, Taliban arose with the support of Pakistan, and now again *Arbakis* have been motivated against Taliban (Rashid A., 1999).

Dr. Hussain clarifies objective, structures and functions of mujahideen and anti-Taliban militias are different. The *mujahideen* and Taliban were organized apparently on the basis of the religious interpretation of war, called jihad (holy war). The *mujahideen* were hierarchically structured and they developed their own mechanisms in due course of time. Private militias, which are employed by the state, and private forces (*mujahideen* and Taliban) have different objectives. *Mujahideen* and Taliban fought against states while the states used private militias to fight against non-state actors. The private militias are vulnerable and among different groups there can be turf wars for a due share in booties that can lead to a civil war on a local or regional level (Dr. Khadim Hussain, 2016).

To Dr. Ashraf Ali, however, the situations in Afghanistan and Pakistan are dissimilar in many ways. Afghanistan has experienced a civil war remains a war zone while Pakistan is a nuclear country, where the military, democratic institutions and judicial system are functioning and militias are probably not strong enough to ignite civil war (Dr. Ashraf Ali, 2014).

Yusufzai says in other countries of the world, especially in Afghanistan, militias are tempted to take the law into their own hands. They think they are fighting for the state, doing what security forces and law-enforcement agencies should be doing. Since the state cannot do that, they are helping it and think they are above the law. These militias think as they have been sacrificing for the state, they should be treated differently and none should touch them if they commit illegal acts. This is something dangerous. Perhaps, for this reason, an overwhelming number of people oppose the formation of militias (Rahimullah Yusufzai, 2015).

Yusufzai adds there are so many complaints against *Arbakis* in Afghanistan. “When Taliban captured the northern Kunduz City on September 28, 2015, Governor Muhammad Umar Safi, who was later sacked, said the reason for Kunduz collapse was these militias (*Arbakis*), which were under nobody’s control; they were a law unto themselves; committing atrocities.
“The people were tired and did not support the security forces or the government to fight against the Taliban. Subsequently, the security forces, army and police ran away and the Taliban easily captured the city.” Such things have been happening in Afghanistan, where the Gilam Jam militias of Uzbek warlord Abdur Rashid Dostum committed atrocities. When non-state actors or militias are heavily armed or supported by the government, they eventually become a big problem and pose a threat not only to the government but also to civilians. These militias get involved in extortions, kidnappings for ransom and other illegal and immoral activities (Rahimullah Yusufzai, 2015).

Yusufzai wants the Pakistan government to learn a lesson from what had happened next door in Afghanistan. This may also happen in Balochistan province, where pro-government Baloch militias are also accused of committing illegal actions. The militias have been tested and the result has not always been successful; they have been problems before, they are problems now and these problems can emerge in future too. An overwhelming majority of the Taliban in Afghanistan are Pashtuns, though some non-Pashtuns have also joined them recently.

Almost the entire Taliban leadership is Pashtun from southern and eastern parts of that country. But militias were mostly from non-Pashtun tribes, especially in those provinces where Pashtuns are not in majority. In Kunduz, for instance, militias’ volunteers were non-Pashtuns. Then it becomes an ethnic issue as well because Pashtun supporters of militias are fighting against the Taliban. It also happened in Uruzgan province, where some people belonging to the Hazaras tribe joined government forces like Afghan Local Police (ALP). Then it also became an ethnic issue (Rahimullah Yusufzai, 2015).

Yusufzai warns of possible tensions or civil war in countries like Afghanistan, where several ethnic groups live. But in Pakistan, ethnicity is not a problem as both Taliban and volunteers of the militias belong to Pashtun tribes. Though in Pakistan Pashtuns are fighting against Pashtuns belonging to different groups, yet there is no problem among different ethnic groups. Although there is minor ethnic issue as fighters belonging to the Punjabi Taliban group are also involved in the
insurgency. But in North and South Waziristan, where the Punjabi Taliban are fighting, there are no formal militias or peace communities.

In both North and South Waziristan, the government would have liked these tribes to form anti-Taliban militias but the tribesmen opposed such moves. To Yusufzai, anti-Taliban militias were formed in the semi-autonomous tribal regions of Dara Adamkhel, Orakzai, Khyber, Bajaur and Mohmand. In these areas, Pashtun volunteers are fighting against the Pashtuns. Al-Qaeda, other foreign militants, Afghan Taliban, Haqqani network and now the Islamic States (Daesh) have huge focus on Afghanistan. Though foreign groups are supporting Pakistani Taliban, yet the command lies with leaders of Tehrik-i-Taliban Pakistan (Rahimullah Yusufzai, 2015).

Ex-ambassador Rustam Shah Mohmand says the TTP insurgency was born directly as an outcome of the deployment of the military to tribal areas in 2002. Had the military not been sent there, there would be no rebellion, no revolt and no TTP. For instance, in 1980s, there was a bigger conflict in Afghanistan against the Soviet Union and there was an exodus of refugees and Pakistan received 3.3 of them. All mujahideen (freedom fighters) used tribal areas to go back to Afghanistan to wage a jihad against Soviet Union. This could hardly affect the living condition in tribal areas because that government did not meddle in FATA affairs.

The military was not sent and the administration went on normally. In 2002, when Gen. (R) Pervez Musharraf deployed the military to the tribal areas, that was the single biggest reason for infighting and emergence of Taliban. The Afghan Taliban appeared on the scene in October 1994 and in 1996 they took control of Kabul while the Pakistani Taliban emerged in 2003 after the military deployment caused provocation (Rustam Shah Momand, 2015).

Ex-judge Sher Muhammad says the scenarios in Pakistan and Afghanistan are quite different. When the Soviet Union Socialist Republics (USSR) invaded Afghanistan, a major chunk of Afghans society was comprised of tribespeople. And most of properties were owned by tribals. Thus the USSR used these tribes against one another. In Afghanistan, the tribal-versus-tribal situation was possible.
But here in Pakistan, there are seven tribal agencies and the rest are settled areas. Therefore, chances of civil war seem insignificant, as these people are bonded culturally, linguistically and ethnically, unlike in Afghanistan where these situations are totally different (Sher Muhammad, 2015).

Muhammad believes Pakistani institutions are involved in patronising, training and equipping insurgents, whose basic agenda is to fight in India and Afghanistan. For this purpose, Pakistani institutions used religious literature; some basic changes were brought to the curriculum and seminaries were mobilised. The same formula was applied to the Afghan Taliban as well. The Afghans have successfully fought two wars against the British, not on the basis of religion, but nationalism. For the first time, the Pakistani establishment, helped by Arab and western states which were aware of religious fanaticism in Afghanistan, persuaded Afghans for the war against the USSR and this is now an unending story. Only title of the story and characters change (Sher Muhammad, 2015).

To Justice Muhammad combating Taliban is a state responsibility; instead it is patting them. The Muttahida Majlis-i-Amal (MMA) government told Muhammad, who was also vice chairman of Human Rights Commission of Pakistan, it had no option but to mobilise society against insurgents. The provincial government was weak and it motivated locals in Khyber Pakhtunkhwa to fight against militants (Sher Muhammad, 2015).

Muhammad does not call anti-Taliban militia a counterinsurgency strategy; rather he denounces it as a disastrous decision. Unfortunately, the structure of Pakistan is very odd; history reveals that federal and provincial government have never been in harmony. The 2002 general elections were held under military rule and the federal and provincial governments were greatly influenced by the military. When the US toppled Taliban regime in 2001 and the Taliban fled to tribal areas, Pakistani government provided them protection.

The Pakistani military and intelligence agencies imparted these Taliban proper training in Rawlakot, Manshera and Azad Kashmir. The Pakistani government moved the Taliban into Swat and other settled areas to protect them from the foreign forces, who came here to help the people after the 2005 earthquake. The
Taliban then started their activities in Swat and challenged the writ of the government. Though the militants were patronised and trained by the military government, yet it could not control them. Thus both federal and provincial governments joined hands to mobilise the civil population to combat the Taliban. The government would restore its writ with the help of locals; it was the real strategy (Sher Muhammad, 2015).

In Pakistan, Yusufzai says, there is no ethnic issue, though Frontier Corps is almost for Pakhtuns and the two major ethnic groups - Pakhtuns and Punjabis -- are parts of the Pakistan Army. But in Pakistan, this is not really an ethnic issue, basically Taliban fight whoever fight against them, and the anti-Taliban forces are army, police and militias. In South Waziristan, the local Taliban who emerged were belonging to Ahmadzai Wazir tribe and later there were also Taliban in Mahsud tribe who became stronger and the leadership of the Tehrik-i-Taliban Pakistan (TTP) emerged from the Mahsud tribe. Baitullah Mahsud, Hakeemullah Mahsud, Wali-ur-Rahman and Khan Sayed Sajna all belonged to Mahsud tribe and had their own command structure. While the Wazir tribe had their command structure and its leaders were Naeek Muhammad Wazir, Maulvi Nazir etc. there were no militias in both North and South Waziristan if there were militia groups here they could become big problem. People often organize on the line of the tribal affinities, if there is one tribe that is pro-government and other tribe who have got lot of fighters belonging to the Taliban, then it could cause a tribal dispute. The tribal people joined the Anti-Taliban militias, as they wanted to avoid military operations in their areas that could cause big problem, the Salarzai tribe in Bajaur succeeded to avoid military operations as they firmly stood against the Taliban (Rahimullah Yusufzai, 2015).

Yusufzai believes that the militias in Afghanistan were raised in the last decade after US military commander Gen. David Petraeus floated the idea. He raised the first militias, whose strength ranged between 18,000 and 30,000. People like Abdur Rashid Dostum are trying to re-activate their old militias because Taliban have become stronger in northern provinces, including Dostum’s home province of Jawzjan. Despite reservations from the Afghans, these militias are being reactivated and there are reports that Muhammad Mohaqiq, the Shia leader and
deputy chief executive, is arming his own people. Atta Muhammad Noor, a Tajik governor of Balkh, is reportedly considering creating his own militia to fight against the Taliban. This would be a new challenge for the Afghan government checking these militias groups, who will fight against the Taliban. It will be a kind of civil war (Rahimullah Yusufzai, 2015).

Yusufzai opines that both Arbakis and Taliban will fight against each other and Afghan civilians will continue to suffer. The US forces wanted to raise these militias as they had limited manpower to check the Taliban (Rahimullah Yusufzai, 2015).

Afghanistan has also limited resources and hiring Arbakis was its need to counter the Taliban. Though it shows the weakness of the state, yet the government relied on private militias to keep the Taliban at bay. “Faced with insufficient resources to secure Afghanistan as a whole, Washington resorted to outsourcing a number of important security functions. It continued to arm and finance, as an exigency under the circumstance, a number of private security firms and existing local power-holders—‘strongman’—and their militias” (Amin, 2014). It shows that the US coalition and North Atlantic Treaty Organization (NATO) forces also couldn’t undermine the strength and importance of the private militias in Afghanistan.

Both the United States and Afghan government feared about controlling the Arbakis in Afghanistan. “Both security firms and armed groups operated independently of the Afghan government, and the United States could not ensure control over them in the medium-to-long term” (Amin, 2014).

Yusufzai explains the Pakistan government did not formally announce the creation of anti-Taliban militias, but tacit support from the military is an open secret. The government raised the militias temporarily and had no long-term policy. There are some basic differences in the militias of Pakistan and Afghanistan, In Afghanistan, these militias are still there. Even President Ashraf Ghani has taken former mujahideen leaders Rasul Sayyaf, Ismail Khan and others into confidence to re-organise their fighters against the Taliban. It shows the Afghan government
supports former mujahideen and *Arbakis*, as it is very weak (Rahimullah Yusufzai, 2015).

5.2.4 Monitoring anti-Taliban militias

Political and security analyst Imtiaz Gul says some anti-Taliban militias, if not guided, controlled or watched, can become a problem. Intelligence agencies may keep an eye on activities of the anti-Taliban militias, but there is no well-planned strategy evolved so far by the government. The best way always is to keep a watch on non-state actors, used for a particular purpose. But once that purpose is achieved, they have to be disengaged somehow in a way that they do not become a problem for the people and the state.

The withdrawal of government support to militias cannot pave the way for Taliban to come back, because the security forces have established posts and sub-command posts in tribal areas. And this means the army wants to stay there and no power vacuum could arise. The army getting entrenched in tribal areas also serves as a deterrent to all militants who have been challenging the writ of the government (Imtiaz Gul, 2015).

On the other hand, Dr Hussain thinks no mechanism has been set for the formation of militias -- a job left to local law-enforcement agencies. Therefore, there is no system to in place to monitor activities of anti-Taliban militias (Dr. Khadim Hussain, 2016).

Ex-ambassador Ayaz Wazir opines the government should have adopted a strategy to monitor anti-Taliban militias to avoid a future backlash. Governments always run affairs of the tribal areas on an ad-hoc basis and the same policy has been employed with regard to anti-Taliban militias, which are often left unbridled after being used. Cooperation from anti-Taliban militias contributed to the success of military operations in Mohmand and Bajaur. The government has the means and power to stop Taliban controlling Khyber, Mohmand and Bajaur agencies but it often waits and reacts when it is too late (Ayaz Wazir, 2015).
To Yusufzai, the government has realised these militias could cause problems and is considering an array of pre-emptive ways. The state is mindful after lots of losses that this counter-insurgency policy of arming the civilians can be counter-productive. The shift in government policy, regional political or security situation can change the loyalties of these irregular forces, like the fighters in Kashmir and Afghanistan later turned against Pakistan. The Taliban turned against the Pakistan state for two main reasons: one, they thought the government trained and equipped them to fight abroad, but now the state wants to eliminate them. Two, they think the Pakistani state has committed a big mistake in becoming an ally of America in Afghanistan. Rahimullah Yusufzai believes this policy of Pakistan has become counter-productive. And by raising anti-Taliban militias, Pakistan has repeated the same policy.

Anti-Taliban forces have sensed the weakness of the state. They feel the state needs their support. Because once these people are armed and used, they realise the state is weak and then they start taking the law into their hands and creating problems for the state and the people. There is no announced state policy to keep a watch on the activities of these militias. Perhaps, local army commanders and political administration may have evolved some secrete monitoring systems but they have not made them public. If there is no monitoring system, the government must evolve a proper strategy to watch activities of lashkar volunteers in all areas. Local army commanders and the political administration know the leaders of anti-Taliban militias and the means of their funding the government should check their actions.

In Yusufzai’s opinion, there are many unresolved problems in the tribal areas as many of the militants have escaped, they can come back, and for how long the army can stay in the tribal areas, for all such things army should check the actions of militias that they may not annoy the locals as for the actions of the militias the people will directly blame army and the government. Such things can increase the grievances of the people instead the government needs to win hearts and minds of the people that is essential for the success of the war-against-terror. If government provide resources to the tribal areas, provide them good health care, speedy justice
system and education such things can help in reducing problems in the tribal areas (Rahimullah Yusufzai, 2015).

Similarly, journalist and FATA watcher Hasan Khan thinks the government has not evolved a proper strategy to monitor the activities of anti-Taliban militias. Perhaps, this was done on an *ad hoc* basis. The government used them against militants and then left them at the mercy of militants (Hasan Khan, 2015).

Brig, (R) Said Nazir argues if the government is interested in extinguishing the fire of militancy in tribal areas, all the wrongs are supposed to be addressed. Rehabilitation and master plans for FATA on the political and economic fronts should be adopted on a massive scale. Once the injuries and sufferings of all are addressed, tranquillity could be restored quickly. If things are left as they are, nothing is done for the prosperity of tribesmen, no master plan made, no economic package announced, no political reforms introduced, the Islamic States (IS) can perhaps exploit the sense of deprivation in tribal areas.

Like anti-Taliban militias, he maintains, the Taliban were once reared by the Pakistani state or spy agency. Unwittingly, the government then tried to milk a venomous snake. Weapons are perceived as a deterrent in tribal areas and de-weaponisation is almost impossible there. The Levies in tribal areas also work like *lashkars* because they use their weapons to help the local administration in maintaining law and order. The dynamics in Afghanistan and Pakistan are different. Inter-tribal feuds may be common in both countries, but there are little chances of warlords emerging in the tribal areas of Pakistan. The formation of anti-Taliban militias is not a lasting solution to militancy. Such *lashkars* have damaged the social fabric of tribal society. But the government made these volunteers more vulnerable to threats (Said Nazir, 2015).

To defense analyst Lt. Gen. (R) Asad Durrani, the government has not chalked out any solid strategy to monitor the activities of anti-Taliban militias, which could follow in the footsteps of Afghan *mujahideen* who took the credit for fighting against the Soviet forces and wanted to be the sole rulers of Afghanistan. The agendas of anti-Taliban militias and mujahideen are different. “In this case it would be naïve to believe the situation would not be exploited by anyone who is
against Pakistan and Afghanistan to plant their groups.” The use of such planted groups has been witnessed in Indian-administered Kashmir. These groups posed as freedom fighters (mujahideen) but they were actually working for someone else.

The freedom fighters got much intelligence about the country as they remained inside mujahideen groups. At times, they did certain things that raised disturbing questions about the whole movement. The government supported anti-Taliban militias to eliminate militants. If tomorrow these militias become menace, the government will also deal with them in a similar fashion. Once the militias have completed their mission then, what the government should do is a significant question. “Manage it before it acquires that type of clout in which they say we have freed this area on behalf of the military and now we have the right to rule it” (Asad Durrani, 2015).

Ex-ambassador Rustam Shah Mohmand feels the government has not evolved a comprehensive policy to deal with the tribal areas, including anti-Taliban militias. However, one policy that the military has adopted is the establishment of cantonments in the areas where militant groups are more active. The Bagh sub-district of Khyber Agency is a case in point. (Rustam Shah Momand, 2015).

Security and defence analyst Maria Sultan sees a sense of conflict in Pakistan’s tribal region but not a sense of war. State and governance structures are also in place, with development strategies also being worked out. But still the probability of a blowback from anti-Taliban militias, particularly in tribal areas, cannot be ruled out. The adverse effects of militias will depend on certain factors, including how the government deals with them. Security, she says, the role of the state itself is important in preventing a future backlash, as the tribals trust the state and think the use of force is a primary and legitimate actor. If tribesmen start thinking that the security forces could not deliver, their confidence in the government will erode.

Political emancipation, bringing FATA into mainstream politics and giving tribesmen a role in ruling themselves can reduce problems like a blowback from anti-Taliban in future; otherwise, this threat will persist forever. There can be
individual cases of volunteers working other foreign forces or intelligence agencies to earn money. Some militiamen can also go astray for other reasons like frustration and personal revenge. In future, anti-Taliban militias could be used as a border management force and they the capacity to serve the country (Maria Sultan, 2015).

Former FATA security chief, Brig. (R) Mehmud Shah, shares the concern that anti-Taliban militias could also have negative impacts, if they were not properly controlled and used in a limited way. To stop these militias becoming a threat, the government should not only use them carefully but should also remove them slowly and gradually. The government has initiated a strategy in settled areas by issuing licences to volunteers (Mehmud Shah, 2015).

Khalid Aziz, a former chief secretary of Khyber Pakhtunkhwa and security analyst, notes a marked improvement after Chief of Army Staff Gen. Raheel Sharif’s takeover. The military and local authorities are working in a coherent manner. Many things they are undertaking are positive. But then all such actions in the insurgency-hit areas have a negative part, namely inadequate oversight. No one can control what happens at the lower level. The abuses that take place go unnoticed and spark off a reaction. The problem with such military operations is that they may be very effective but that they can result in a backlash.

Aziz believes, unfortunately the Pakistan government never had a disarmament policy and there is a mass proliferation of weapons in Pakistan and Afghanistan. Unless these anti-Taliban militias in particular and other criminals in general are not disarmed, security forces could not ever enforce the law. Now if government wants to disarm the anti-Taliban militias, they would easily fall prey to Taliban attacks. If the government wants to give legal status to the militias or induct them in the regular forces, it will be a bad move (Khalid Aziz, 2015).

Mehmud Shah believes the government has not devised a viable strategy to rein in anti-Taliban militias. To pre-empt a future backlash in some settled areas, these lashkars have been disbanded now (Mehmud Shah, 2015).
5.3 CONCLUSION

This chapter is focused on the formation of anti-Taliban militias as a new phenomenon in the tribal areas, where the government has revealed its weakness by persuading and arming civilians to fight against insurgents. The government forced tribespeople to create militias to support the security forces against militants.

It also weighs in on the possibility of foreign agents using the militias to attain their own goals. The deep-seated custom of revenge can fuel anarchy in tribal areas, if not a real civil war. But some analysts view target killings as an indicator of civil war in the tribal belt and parts of the Khyber Pakhtunkhwa. The arming of civilians is tantamount to militarising society that can spawn problems for the government in future. It is argued such militias often take the law into their hands and perhaps the government would need to form other militias to counter the present ones.

While comparing the chain of events in Pakistan and Afghanistan, this chapter concludes that, like freedom fighters, anti-Taliban militias cannot trigger a civil war in Pakistan. It also discusses the government’s failure to evolve a policy to monitor activities of the militias.
Chapter 6

CONCLUSION, FINDINGS AND RECOMMENDATIONS

6.1 CONCLUSION

This study is about the use of militias as a counterinsurgency strategy (COIN) in Pakistan. It is an inquiry into the concept of traditional militias that provided a basis for their formation in the tribal areas. The study discusses the composition, operations and role of anti-Taliban militias in Mohmand, Khyber and Bajaur agencies of FATA and parts of the Khyber Pakhtunkhwa. In this study, I argue anti-Taliban militias were used as a counterinsurgency strategy in FATA and parts of Pakhtunkhwa.

The study, as highlighted in chapter 1, intends to make clear whether the use of anti-Taliban militias as a counterinsurgency strategy can militarise society and result in sparking a civil war in Pakistan. In other words, it intends to know whether the militias can backlash and foreign forces can use them to foment trouble in the region, particularly for Pakistan. The study has been conducted in three tribal agencies -- Bajaur, Mohmand and Khyber -- and three districts of Khyber Pakhtunkhwa -- Swat, Dir and suburbs of Peshawar (see chapter 3 for detail). The primary data was collected from relevant stakeholders and analysed vis-a-vis secondary data on terrorism (see chapter 3 and 5). It shows the use of militias against militants as a counter-insurgency strategy by Pakistan has been effective in some areas but can become a potential threat to peace and security elsewhere. It elucidates the tunnel approach and the nature of the counter-militancy strategy dealt a severe blow to civilians in FATA in particular and parts of Khyber Pakhtunkhwa in general. What paralysed counter-insurgency strategies to effectively deal with militants and how they caused and intensified materialisation of tribesmen have also been analysed in light of the tunnel approach.
6.1.1 Bottom-up approach

Pakistan used mainly two kinetic and bottom-up approaches to counter terrorism. The kinetic approach couldn’t succeed because the security of the civil population was ignored due to excessive military offensives. While employing the bottom-up approach, the government involved tribespeople in defeating insurgents. On persuasion of the government, the tribal people formed *lashkars* that supported the military in many ways, but this strategy put the security of civilians at stake. Usually, the most appropriate and effective strategy for countering the insurgency focuses on the security of the population instead of targeting foes with the help of civilians, whose lives are put at risk. The government chose to involve, or win support from the civil population -- an old military strategy. But it forgot that by doing so it can put people’s lives at stakes and militarise society, something that can ignite a civil war in future. Though the government encouraged the formation of militias complying with the bottom-up approach, yet the *lashkars* are illegal under the Constitution.

6.1.2 Illegal counterinsurgency strategy

In constituting traditional militias and mobilising anti-Taliban volunteers, as explained in chapter two, the government has utilised the historical concept of *lashkars* against militants in FATA and parts of the Khyber Pakhtunkhwa. The traditional and anti-Taliban militias are different: the former comes together to punish outlaws and then quickly disperse while the latter are semi-autonomous. The study finds anti-Taliban militias were used in FATA and parts of Khyber Pakhtunkhwa as a counterinsurgency strategy to defeat militants or non-state actors. However, chapters four and five reveal that due to the illegal and unconstitutional status of such irregular forces, the government never officially announced the formation of militias as a counterinsurgency strategy.

The anti-Taliban militias remained effective in providing intelligence to the military. In some areas like Salarzai, the military operation succeeded due to the support of anti-Taliban militias. Chapter 2 of the study elucidates the composition, operations and role of anti-Taliban militias. Here the differences between the traditional and anti-Taliban militias are also discussed in detail. The study says
volunteers of anti-Taliban militias operate in a systematic way, guarding check-posts and performing night duties at entry points to block militants’ entry and protect villages.

6.1.3 Potential threat of civil war in FATA

It is found in chapter five that the anti-Taliban militias, if not properly monitored, can cause a civil war or at least lawlessness. The study also establishes that foreign forces can play on the militias to achieve their own designs. Revenge killings are seen as an indication of civil war in this chapter. A comparison of anti-Taliban militias with the Afghan mujahideen shows there is little or almost no resemblance between the two. However, anti-Taliban militias have close resemblance to private militias -- Arbakis in Afghanistan, who have been found involved in human rights violations and internal fighting.

The study lays bare the fact that anti-Taliban militias can indulge in intra-tribal fighting and human rights abuses. Once they taste power and privileges, private militias rarely surrender and often try to use their influence over the government. As the government has not formally announced the formation of anti-Taliban militias, thus no strategy has been evolved to monitor their activities. This non-serious attitude of the government can create situations where it will probably need to form other militias to counter the anti-Taliban volunteers.

6.1.4 Theoretical implications

Since 9/11, we have been witness to a dramatic inclination towards terrorism-related research. Some scholarly works pinpoints the causal factors of terrorism. Others seek to understand counter-terrorism strategies to address its roots causes. Among others, both kinetic and bottom-up approaches are often adopted by few states. In Afghanistan, the use of Arbakis against non-state actors has been an old concept. The US-led coalition also stressed the need for mobilising Arbakis against the Taliban. By the same token, the ‘Awakening Council’ is used to counter militants in Iraq. Pakistan too adopted the bottom-up approach to countering militants by persuading tribals to form lashkars against the rebels.
As part of this bottom-up approach, the Pakistani government has focused on vanquishing militants instead of securing civilians. Arming civilians to fight against insurgents can militarise society and set off intra-tribal clash as target killings in revenge have already rocked FATA. Such strategy encourages a military approach over a political solution -- to the detriment of peace in the region, particularly in Pakistan. The study suggests the bottom-up approach can put the lives of civilians at risk besides precipitate inter-tribal fight in future. This strategy could not be an ideal choice, because once civilians turn into violent combatants, they could not be disarmed easily. These volunteers will prefer being identified as members of the private militias they belong to. Even the government and security forces would find it hard disarming these militias in the post-insurgency situation or when they are desired to lay down their weapons.

6.1.5 Areas for future researchers

This research, as described above and also elaborated in chapters one, two, three and five, reveals the effectiveness of anti-Taliban militias as a counterinsurgency strategy and has enumerated problems that this strategy can push the country into. The study, hence, carries out in-depth analysis of how such strategy works out in maintaining peace and can possibly cause civil war or lawlessness. To complete this study, primary data was collected from tribesmen and some political, security and legal experts cognizant of the whole process of counter-terrorism strategies undertaken in FATA and parts of Khyber Pakhtunkhwa in particular and other areas of Pakistan in general. Moreover, the foremost focus of the project on military activities and arms display lead in to further militarisation of society.

The debate will contribute to the existing literature review that has been less reflective on the topic and suggesting future researches avenues related to the militias as a counterinsurgency strategy in Pakistan. A major part of the data regarding the anti-Taliban militias, shaping the analysis of this study and seeking to contribute to literature, is collected mainly from field research. However, for a small portion of the study, available literature is also consulted.

Pakistan opted for a bottom-up approach, which is evident by the strategy that involved local civilians through anti-Taliban militias and peace committees. The
The study focuses on the counterinsurgency strategy in FATA and Khyber Pakhtunkhwa that made locals volunteers or irregular forces who can possibly transform into future militants.

The study explains that the poorly-trained or untrained and ill-equipped volunteers were compelled to support security forces in FATA and Khyber Pakhtunkhwa. The tribesmen raised Lashkars partly for their safety and partly because of their aversion to military deployment to their areas. The tribal people were compelled or persuaded to raise *lashkars* though any *jirgas*, assembly, *lashkars* imposed on the FATA inhabitants have a history of little or no success, compared to the ones the tribesmen have formed on their own.

### 6.2 KEY FINDINGS OF THE STUDY

1. By studying anti-Taliban militias as a counterinsurgency tool in Pakistan, this research concludes the policy has militarised society. And as a counterinsurgency strategy, anti-Taliban militias can spawn more harm than the benefits it may yield.

2. The military does involve locals in tracking down militants who merged into the population. Without local support, the military can get a broader picture. But to know exactly what is happening on the ground needs local support. Locals help in identifying insurgents and without the involvement of tribes, hardly anything functions. For that reason, tribal *lashkars* are formed.

3. Winning local support in Khyber, Mohmand and Bajaur agencies and Swat, Dir and the Peshawar districts of Khyber Pakhtunkhwa was part of the counterinsurgency strategy of the army. The military wants tribespeople to come up with some sort of *lashkars*. But problems may emerge because tribesmen who raise *lashkars* are responsible for the credibility of volunteers. Anti-Taliban militias are a short-term proposition, not a long-term counterinsurgency tool. It is a defensive, not an offensive, strategy.

4. The study illustrates the government organised tribesmen against the Taliban, whose basic tactic is to scare locals and target their elders. In
order to strengthen tribespeople against the Taliban, the government motivated them to keep away or expel the rebels from their respective areas. The locals, having the required resilience, need government support. The study signifies the creation of anti-Taliban militias was just a temporary solution, not a permanent one.

5. The study reveals the political and military administration both miscalculated the perception that lashkars are successful in a limited way; their timeframes are supposed to be limited and specified. Targets are also to be limited and pinpointed. If dragged into a long-drawn war, the lashkars become weak with time.

6. Moreover, the study significantly explains the government hardly achieved any international benefits by constituting anti-Taliban militias, as it was a local strategy. The international community did not offer any fund or weapons to the Pakistani government to use the strategy of the anti-Taliban militia. The study denotes the formation of militias is basically a half-hearted attempt of the people to placate the state, it’s a demand of the state and it has never worked anywhere. It cannot work because the dynamics of the people are different from that of the state. If people were closely integrated into the state, the militias could work but there was a conflict in the public interest and the state and the lashkars couldn’t succeed.

7. The discussion reveals political and military motives behind the formation of militias in the tribal belt and parts of Khyber Pakhtunkhwa. The study shows there were certain political motives behind the move, including like showing the world that the government conducted military operations in tribal areas with full support from local tribes. Though the militias have not changed, ultimately, the military was moved to the tribal areas. It shows the militias have never worked.

8. The thesis discusses the tribes’ ability to stop the insurgency when they function best by having a great deal of social cohesion within. When the tribes are broken up or splintered because of individuals, they wouldn’t function. However, due to military operations in Bajaur, Mohmand and Khyber, hundreds of thousands of people were displaced social cohesion broken. Volunteers who were the bulwark against militants were
discouraged. This is a sort of encouragement and paving for the militants to return to the areas. Though the government has started the repatriation process for the internally displaced persons (IDPs), yet the exercise has not been accomplished so far due to a whole host of reasons.

9. The study denotes the understanding of the dynamics of tribalism, customs and the potential of the government machinery is very important. Unfortunately, the government has not properly understood it so far, as it is a difficult thing. After understanding these dynamics, the government would adopt a softer policy toward the tribal belt.

10. The study finds none of the military operations in FATA and parts of Khyber Pakhtunkhwa was launched with clear policies. Former US Army Commander Gen. David Petraeus had a clear policy in neighbouring Afghanistan. But Pakistani military operations lack any clear policy, including a return to the legitimate authority. There is no proper timeline for military operations, policy for instituting society, strengthening tribes and introducing reforms. The military operations against insurgents are like antibiotics that are used for a specified period. The study concludes the government should have a clear timeline for military operations in tribal areas. Like antibiotics, military offensives work for a specified period, but the unspecified timelines have made them ineffective. The Pakistan Army has now been challenged. A large amount of money and resources have been spent on these operations, the timeline and goals of the military should be clear as now it seems a waste of the military in this war. The country may need, or will need, the military for certain other things to do due to changes in the region.

11. The research concludes the situations in Pakistan and Afghanistan are quite different. Anti-Taliban militias can violate laws as mostly young people head these lashkars that are more prone to violence. Anti-Taliban militias can be a potential civil war threat in Pakistan. Moreover, the study equally signifies that revenge is deep-seated in the tribal society and escalating target killings indicate the beginning of a civil war in tribal society.

12. The study has hints at the importance of anti-Taliban militias. Without support from the civil population, military operations couldn’t succeed in
Swat. The basic reason behind the restoration of peace in Swat in a short span of time was that the civil population cooperated with the security forces. The locals have a better understanding of the area that they share with security forces. Militancy is still going on in tribal areas like South Waziristan but it has almost ceased in Swat, whose residents honestly cooperated with the security forces.

13. The study reveals infighting is the cause of militarization of tribal areas. But now as the military has taken full control and is practically administering tribal areas, there is no possibility of a real civil war. The research indicates that government is dealing with symptoms of the disease in tribal areas, not the disease itself. The root cause of the insurgency in tribal areas is marginalisation of institutions. Instead of strengthening, the government has paralysed civilian institutions, which are no longer capable of delivering. The government has not any comprehensive policy to deal with the tribal areas, including curbs on anti-Taliban militias. Revenge killings will continue on a person-to-person basis because in the tribal areas, people take revenge even after decades. The study concludes the government raised militias but certain important requirements were not met, like proper monitoring, compensation, recruitment and adequate training. Safeguarding the lives and property of citizens and protecting borders is the duty of the state, not of locals. This is also a moral duty of security forces to protect citizens instead of asking them to fight against the insurgents.

14. The extension or withdrawal of government support to the militias would be absolutely need-based. If the government needs these militias, it would review them or decrease or almost stop support, when needed. The government has never officially announced the formation nor closed the chapter of militias. The anti-Taliban lashkars were mostly forced to fight against the Taliban but freedom fighters were mainly willing to battle the Soviet forces in Afghanistan.

15. The Afghan dynamics are starkly different from tribal areas of Pakistan. Though tribal areas supported the Afghans in the war against the Soviet Union and tribals were armed to the teeth. Though after the Soviet withdrawal from Afghanistan, the tribal areas got weapons but still they
remained peaceful. The law and order situation never deteriorated, but tribal feuds partially emerged there. Though the tribals wanted to possess more weapons than they required. The arms are a source of trade, a symbol of strength, adherence to tradition and temptation due to easy availability.

6.3 **RECOMMENDATIONS**

1. If the political and military administration intends to better use lashkars in future, they should be assigned a particular task to be completed in a specified period.
2. After dealing with the threat in tribal areas, the government -- particularly the local administration -- should evolve a strategy to closely watch activities of tribal Lashkars.
3. The government should concentrate on areas where anti-Taliban militias are armed and should slowly and gradually disarm them.
4. The government should revert to the tribal system of administration and should opt for a reconciliation policy to avoid a future backlash in tribal areas.
5. The government should restore civilian institutions in tribal areas to address the basic problems of tribemen, like health, education and employment opportunities.
6. The counter-narrative of the government could not match that of militants. If the government could shape an effective and timely counter-narrative, it could perhaps work well as part of the counter-insurgency strategy.
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Tribal militias check Pakistani Taliban, but at risk of private armies


Appendix

List of informants with their names and other details

<table>
<thead>
<tr>
<th>Interviewee</th>
<th>Details</th>
<th>Place</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abdul Wali</td>
<td>Chief of militias in Manzari Cheena, Baizai tehsil, Mohmand Agency.</td>
<td>Manzari Cheena</td>
</tr>
<tr>
<td>Abdullah</td>
<td>A lawyer of High Court, Peshawar</td>
<td>Peshawar</td>
</tr>
<tr>
<td>Aftab Alam</td>
<td>A resident of Swat and a lawyer of High Court, Swat</td>
<td>Swat</td>
</tr>
<tr>
<td>Afzal Khan Lala</td>
<td>A resident of Durushkhela, Swat, ex-federal minister and senior leader of Awami National Party</td>
<td>Swat</td>
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<tr>
<td>Asad Durrani</td>
<td>Ex Lt. General of Pak Army and former director-general of Inter-Services Intelligence (ISI)</td>
<td>Islamabad</td>
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<tr>
<td>Ayaz Wazir</td>
<td>Ex-ambassador and political and security analyst.</td>
<td>Islamabad</td>
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<tr>
<td>Dr Ashraf Ali</td>
<td>President of FATA Research Center Islamabad.</td>
<td>Islamabad</td>
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<tr>
<td>Dr Khadim Hussain</td>
<td>Managing director at Bacha Khan Trust Educational Foundation (BKTEF), Peshawar</td>
<td>Peshawar</td>
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<tr>
<td>Maria Sultan</td>
<td>Defence analyst and director general of the South Asian Strategic Stability Institute (SASSI)</td>
<td>Islamabad</td>
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<tr>
<td>Fazal Saeed</td>
<td>Resident of Bajaur and programme manager of ZComms, Islamabad.</td>
<td>Islamabad</td>
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<tr>
<td>Feroz Shah</td>
<td>A resident of Swat and member of peace committee Swat. A lawyer of High Court, Swat.</td>
<td>Swat</td>
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<tr>
<td>Gul Badshah</td>
<td>A resident of Bajaur and principal of Government Post-Graduate College, Khar, Bajaur.</td>
<td>Peshawar</td>
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<tr>
<td>Haji Gul Miran</td>
<td>Head of Peace Lashkar of Akakhel, tribe in Khyber Agency.</td>
<td>Peshawar</td>
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<tr>
<td>Haji Inam-ur-Rahman</td>
<td>Head of Swat Qaumi Aman Jirga.</td>
<td>Swat</td>
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<tr>
<td>Haji Subaidar</td>
<td>Chief of militia in Ziarat, Adamzai, Tehsil Safi, Mohmand Agency</td>
<td>Adamzai</td>
</tr>
<tr>
<td>Hakim Khan</td>
<td>Head of political affairs of Tauheed-ul-Islam, Landi Kotal, Khyber Agency</td>
<td>Peshawar</td>
</tr>
<tr>
<td>Name</td>
<td>Occupation</td>
<td>Location</td>
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<tr>
<td>Hasan Khan</td>
<td>Senior broadcast journalist AVT Khyber. Anchor person and analyst in Islamabad</td>
<td>Islamabad</td>
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<tr>
<td>Idrees Khan</td>
<td>Militias and peace committee head in Bara Banda, Swat.</td>
<td>Swat</td>
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<tr>
<td>Ijaz Afridi</td>
<td>A resident of Khyber Agency and lawyer of High Court, Peshawar</td>
<td>Peshawar</td>
</tr>
<tr>
<td>Imtiaz Gul</td>
<td>Executive Director of Center for Research and Security Studies (CRSS). He is the author of many books on militancy and terrorism.</td>
<td>Islamabad</td>
</tr>
<tr>
<td>Israr Khan</td>
<td>Son of member of national assembly Shahab-u-din Khan, he fought along with volunteers of militias formed by his father with the support of tribes men in Pashat, Salarzai, Bajaur Agency.</td>
<td>Pashat, Salarzai.</td>
</tr>
<tr>
<td>Khalid Aziz</td>
<td>Ex-chief secretary of KP and defence analyst.</td>
<td>Peshawar</td>
</tr>
<tr>
<td>Lateef Afridi</td>
<td>Former MNA and a resident of Khyber Agency. A lawyer of High Court, Peshawar</td>
<td>Peshawar</td>
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<tr>
<td>Malik Anwar Khan</td>
<td>Head of militia in Loi Mamond. Focused Group Discussion (FGD) in Inayat Kalay</td>
<td>Inayat Kalay</td>
</tr>
<tr>
<td>Malik Muhammad Yousaf</td>
<td>Vice chief of militia in Wocha Jawara, Khwaizai, Mohmand Agency.</td>
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<tr>
<td>Malik Yusuf</td>
<td>Chief of militia in Wara Mamond, Bajaur Agency</td>
<td>Wara Mamond</td>
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<tr>
<td>Mehmud Shah</td>
<td>Ex-bigadier of Pak Army and defence analyst.</td>
<td>Peshawar</td>
</tr>
<tr>
<td>Muhammad Hameed Sufi</td>
<td>President of Traders Union of Inayat Kalay Bazaar, Bajaur Khar. Focused Group Discussion (FGD) in Inayat Kalay</td>
<td>Inayat Kalay</td>
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<tr>
<td>Mukamill Shah</td>
<td>Chief of militia in Mashogagar, Peshawar</td>
<td>Mashogagar</td>
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<tr>
<td>Mutabar Khan</td>
<td>Militia chiefs in upper Dir</td>
<td>Upper Dir</td>
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<tr>
<td>Qari Abdul Majeed</td>
<td>Local political leader of Jamaat-i-Islami in Bajaur Agency. Focused Group Discussion (FGD) in Inayat Kalay</td>
<td>Inayat Kalay</td>
</tr>
<tr>
<td>Rahimullah Yusufzai</td>
<td>A senior journalist, expert on Pak-Afghan affairs and resident editor at The News International</td>
<td>Peshawar</td>
</tr>
<tr>
<td>Rustam Shah Mohmand</td>
<td>Ex Ambassador and analyst of Pak-Afghan Affairs</td>
<td>Peshawar</td>
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<tr>
<td>Sadaat Khan Afridi</td>
<td>Ex spokesman of Ansar-ul-Islam, of Terah Valley, in</td>
<td>Peshawar</td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
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<tr>
<td>Saeedullah Khan</td>
<td>Chief of militias in Gurbaz, Tehsil Safi, Mohmand Agency</td>
<td>Gurbaz</td>
</tr>
<tr>
<td>Said Nazir</td>
<td>Ex Brigadier of Pak Army and Defence Analyst.</td>
<td>Islamabad</td>
</tr>
<tr>
<td>Sher Muhammad</td>
<td>A retired justice of Peshawar High Court, Peshawar</td>
<td>Swat</td>
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<tr>
<td>Tahir Khan</td>
<td>Editor NNI and BBC correspondents in Islamabad.</td>
<td>Islamabad</td>
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<tr>
<td>Tariq Afridi</td>
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<tr>
<td>Wali Khan Afridi</td>
<td>A resident of Khyber Agency and lawyer of High Court, Peshawar</td>
<td>Peshawar</td>
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<tr>
<td>Zia-u-Rahman</td>
<td>A resident of Bajaur. Lecturer at International Relations Department, University of Peshawar.</td>
<td>Peshawar</td>
</tr>
</tbody>
</table>