

Mutahida Majlas-e-Amal (MMA) and Militancy in Swat: Rhetoric or Reality

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After 9/11, Pakistan became a contested zone between the Islamists and new-Islamic insurgent groups for the implementation of *Shariah* laws. Both groups, despite adherence to two extreme conflicting viewpoints over the issue, developed working relationship owing to the commonality of their purpose against the state and secular parties. This paper attempts to explore and analyse the development of militancy in Swat during MMA government (2002–2007), in the North West Frontier Province (NWFP) now Khyber Pakhtunkhwa (KP), by keeping in view the MMA's long-term political agenda, the state geo-strategic rhetoric and the structural deficiencies (in the context of centre-province relationship) in the Federation of Pakistan. Despite the state institutions involvement in the promotion of militancy in Swat whether for short or long-term strategic objectives, the MMA's political ineptness or craftiness, whether intentional or unintentional, could not be discounted, in the whole tragedy, which had been staged in the picturesque valley of Swat, during 2007-2009.

Keywords: Swat, militancy, Islamists, new-insurgent groups, Shariah laws, Talibanization

During the years 2007-2009, militancy in Swat, in religious contour, not only paralysed life in the region but panicked the international community at large. The development of militancy took place when Mutahida Majlas-e-Amal (MMA)¹ (2002-2007) was a ruling party in the then NWFP (North West Frontier Province) now KP (Khyber Pukhtunkhwa). During MMA rule, Fazlullah, son-in-law of Sufi Muhammad and adherent of the defunct TNSM (Tahrik Nifaz-e-Shariat-e-Muhammadi),² with new methods and tools, started campaign by installing FM³ radio channel in late 2004, with the explicit message of teaching the *Quran* (Sultan-i-Rome, 2011, 65). MMA and TNSM developed symbiotic relationship for short term political objectives,⁴ though both groups have divergent opinions and different strategies for the implementation of *Shariah* laws.

This rationale for political objectives turned into hostility when both groups sensed each other as an obstacle for their own long-term objectives. The fanatical posture of Tahrik Taliban Swat (TTS) against 'electoral politics' and 'Western democracy' segregated both groups from each other (White, 2008, 89). With open challenge of the writ of the state by the insurgent group and hence to start 'military operation' became a cause for Musharraf to prove the rhetoric of the 'most allied ally' against war on terror and to stifle his success in the forthcoming general election. The MMA provincial government, to take safe-side in the creation of the Taliban, voiced against ineffective Federation of Pakistan and the possible involvement of the spy agencies in the entire affair. The tussle for power between the provincial and local government at district level was another point for MMA to rule out involvement in the militancy in Swat.

This paper attempts to explore and analyse the development of militancy in Swat during MMA's government, and to find out answers to the questions, that when Taliban were a small group of indigenous people and could be easily routed out, why the state authorities (both central and provincial) turned a blind eye? And what were the compulsions and justifications of MMA government for not taking vital and in time steps to halt militancy in Swat?

Militancy in Swat: A Brief Historical Background

The rising of militancy in Swat in 2007-2009 have some roots in history, back to the foundation of TNSM in 1989 in Dir with the goal to implement *Shariah* as the primary legal system in Malakand Division.⁵ TNSM

took armed rebellion against the state, in 1994, after the Supreme Court's order of declaring Provincially Administered Tribal Areas (PATA) Regulations (viz. Regulation I of 1975 and Regulation II of 1975) null and void.⁶ For political stratagem, the Government of Pakistan promulgated, Nifaz-e-Nizam-e-Shariah Regulation 1994, and Shariah Nizam-e-Adl Regulation 1999, but it did not alleviate the grievances of the people.

In the wake of 9/11, Sufi Muhammad and his son-in-law Fazlullah along with thousands of Pukhtuns crossed over to Afghanistan to fight against the US-led coalition forces.⁷ Their adventurism considerably failed. Resultantly, both along with some others TNSM activists were arrested by the Pakistani establishment and were imprisoned in D.I. Khan Jail.⁸ On 12 January 2002, President General Pervez Musharraf announced a ban on TNSM along with four other militant and sectarian organisations. This decision was termed by some critics a "right noises" (for taking western leaders into confidence) for assuming the seat of presidency, in the "flawed" referendum of 2002 (Abbas, 2014, 95). Despite being banned, TNSM continued its activities unhindered and without changing the name. In 2002 general elections, MMA emerged a leading party and succeeded to form government in the province and even emerged as the leading opposition in the National Assembly of Pakistan.⁹ In Swat, MMA overwhelmingly swept the polls, at both national and provincial levels.¹⁰

After initial setback, in mid-2003 the defunct TNSM re-organised the movement and retained linkages with the provincial government of MMA (*Dawn*, August 4, 2002). In the meantime, Fazlullah was released from jail¹¹ and after a while put a new vigour in TNSM by launching FM radio broadcasts, in late 2004, from his own village Mamdherai. In the initial stage his approach was soft and proselytizing but doubtful, as at this stage too, he was against 'polio vaccination' and 'females education' (Rahi, 2010, 35). In 2006, Fazlullah, started to preach puritanical Islam, anti-Americanism and *jihadism*: well-matched with the tacit state ideology. The local administration—either owing to its inability to face Fazlullah group or its powerlessness at the hands of provincial government—could not dare to take decisive action. This laxity on the part of the state institutions encouraged the non-state actors to challenge the writ of the state.

In July 2007, the central government deployed army into Swat with the implicit endorsement of MMA's provincial government. And from October 2007 the central government with the implicit endorsement of the caretaker provincial government started military operations, in various phases (Yusafzai, 2009, 207). Militancy and lawlessness spread like a wild fire in the whole valley. In May 2009, final and decisive round of military operation was launched in and around Swat, due to which millions of people had been internally displaced.

MMA and TNSM Relationship

The nature and relationship between MMA and Fazlullah, was not well understood. However, from Fazlullah statements on FM radio, it could be induced that members of the religious parties (JI and JUI-F), during MMA era, had retained linkages with TNSM leaders.¹² In preliminary phase, Fazlullah would frequently express pleasure over the winning of election by the religious parties, despite staunch opposition to electoral politics. The commonality of purpose—implementation of *Shariah* laws—despite diverse opinion and approach, made both groups in line with each other. In 2002 elections, despite TNSM's opt-repeated statement of democracy being un-Islamic TNSM members voted in favour of the MMA (Sultan-i-Rome, 2012, 120).¹³

From 2006 onward, this reciprocal relationship changed into verbal hostility. MMA's failure to implement its 'Islamisation' agenda from the top, its loyal opposition role in the centre, the passing of 'Women's Protection Bill' (WPB) and Musharraf's 'Enlightened Moderation' pomposity was told to be the reasons for parting ways between the two groups (*Dawn*, May 22, 2011). Furthermore, MMA's own scheme of executing '*nizam-i-ma'ashrat*' (social system) (ban on music in public transport, defacing of billboards etc.) were in contrast with TNSM preference scheme of implementing '*nizam-i-adalat*' (judicial system). On FM channel, in poetic style, Fazlullah condemned MMA's members, by saying that in the guise of Islam they simply wanted Islamabad (Fazlullah, FM sermon, 2006). In the same address he compared MMA's members with 'jugglers'. In this context, on one occasion, Fazlullah reminded to MMA members, on FM radio: the obvious reasons for mullas [MMA] to win outright majority in NWFP, in the 2002 elections and to out-class the big 'Khans' and 'landlords' were not to

occupy merely the seats of MPAs and MNAs, but to implement Shariah Laws in the whole province generally and in Malakand Division particularly (Fazlullah, FM sermon, 2006).

It appeared from Fazlullah's statements that he had been in odds with MMA, but behind the scene 'as long as the alliance took a hands-off approach to Fazlullah' he did not strongly oppose them. However, all rhetoric aside, neither JI nor JUI-F was pleased to see the success of Fazlullah in Swat valley, because his politically rejectionist message ran counter to the religious parties' electoral interests (White, 2008, 89). Some scholars articulate this complex relationship between the two groups in terms of broader political and cultural context. The MMA, though by itself fraught with internal division and ideological differences but to acquire political advantage viz-a-viz the state and their political opponents, put hands together. Similar is the case of the Islamists and other insurgent groups that have been operating in various parts of Pakistan.

Militancy in Swat and Inaction

It is commonly believed, and on the ground it is true as well, that no political party either Islamist or secularist, mitigated the grievances of the common people of Swat during militancy, in the way as they were being expected (Hussain, 2013, 80). However, the Islamists are held responsible for the reasons that at the initial stage, when militancy was not firmly established in Swat and could have been decimated easily, they overlooked to this danger, either for undue intrusion of the central government, decentralised and manipulated local government bodies or for its political manoeuvrability at provincial level.

In broader perspective of the un-constitutional and illegitimate rule of Pervez Musharraf (1999–2008), his most 'allied ally' role as a partner and the leading role of Pakistan as a 'front-line state' in the so-called war on terror could not be overruled, while probing causes of belligerency in the scenic valley of Swat (Behuria, 2008, 334). For example, when Musharraf proclaimed emergency, on 3 November 2007, the main reason reportedly was told has been, 'the unprecedented violent intensity and the worse law and order situation in Swat' (*Dawn*, November 4, 2007). Ironically, when he lifted the declared state of emergency in December 2007, exactly on the same day, *Tahrik Taliban Pakistan* (TTP), led by Baitullah Mehsud, came into being (Behuria, 2008, 334). In retrospect, it could be assumed that the intelligence agencies had conceivably played a role in the entire affair (Sultan-i-Rome, 2009, 18).

Soon after the proclamation of Emergency, on 12 November 2007, the army took over command of the military operation in Swat. And the reason for this development has been assumed that for taking such steps, Musharraf was trying to prove the pretention of the 'most allied-ally' of America in 'War on Terror'. Though, this idiom had already been unfolded in 2006, when allegations were put by Washington, that he 'was not a willing ally in the war on terror' (Mir, 2009, 384). The report, published on 11 November 2007, in the *San Francisco Chronicle*, titled, 'Friend or Foe' added:

Musharraf likes to be fire-fighter and has portrayed himself as a bridgehead between the West and the badlands of Islamic South Asia, where our own spooks and soldiers are rarely able to tread. He has worked hard to finesse his special relationship with the White House, familiarly known inside Pakistan as "Bush and Mush", and it has paid off with Pakistan receiving billions of dollars in US aid (Mir, 2009, 385).

A research paper, published on 4 December 2007, titled 'Musharraf: Curtain Call' stated:

Musharraf's worst legacy would be the band of religious extremists and terrorists who had been allowed to run riots across Pakistan, threatening not only life and property inside the country but also in Afghanistan, India and other parts of the world (Mir, 2009, 385).

To keep up appearances with the West, Musharraf articulated secularism and modernism, but to stay in power he felt compelled to maintain working relation with the MMA, which in blanket term often described

by the critics as the 'Mulla-Military Alliance' (*Dawn*, May 6, 2009). To hold onto its Islamisation programme, MMA purportedly provided a perfect jihadi milieu for the militant groups in FATA and in some settled areas of NWFP (Abbas, 2010, 25). The vigilante campaign of MMA, in 2003, to tearing down billboards that displayed women's faces, threatening music stores, and destroying cable television transmission equipment, evidently provided favourable environment for Fazlullah's group in Swat (White, 2008, 53). Hassan Abbas, understand 'behind-the-scene' relation between MMA and the neo-insurgent groups in these words: *The MMA was not a militant outfit, but its policies offered extremists a golden opportunity to expand their space and to gain time to organise and pursue their dangerous agenda* (italic mine) (Abbas, 2014, 100).

The tacit "give-and-take" policy of Musharraf and MMA went on throughout 2002-2007 period. The MMA at central level performed a "loyal opposition" role, because of voting in favour of the 17th Amendment in the constitution (White, 2008, 71). As a result, Musharraf succeeded to hold the seat of presidency and Chief of Army Staff (COAS) simultaneously. In return, for helping to consolidate Musharraf's power, the MMA was explicitly allowed to pursue its Islamisation agenda in NWFP (Abbas, 2010, 6). But, implicitly, this canon was overruled by the centre, a few times, as in the case of 'Hisba Bill', which was passed twice by the provincial assembly of NWFP, but was rejected by the Supreme Court, on the ground of its ultra-constitutional nature.¹⁴

The decentralised and complicated administrative set-up at district level, after the promulgation of the Local Government Ordinance (LGO), 2001, produced a conducive (as it has been alleged) background, for the proliferation of militancy in Swat (Lau, 2002-2003, 372-380). The executive power, at district level, had been shifted to *zila nazim* (executive head of the district administration) and District Coordination Officer (DCO) (administrative head). In 2005, at crucial stage, elections for local governments were held. In view of that, in District Swat, PML-Q candidate, hold the seat of *zila nazim*.

A tussle for power between the provincial government of MMA and local government (LG) of PML-Q marred the delicate balance of administration at district level. This acrimonious liaison between the two opposing parties gave space to Fazlullah which he considerably cashed. Both parties, for political preponderance, took cautious measures for dealing with the popularised Fazlullah. At later stage, after losing power, both parties (MMA and LG) accused each other for not taking spirited and calculated steps to curtail infesting talibanisation in the area.

In this regard, the then District Nazim Swat (Jamal Nasar) claimed "MMA government intervened and stopped the district administration from taking in-time action against Fazlullah" (Sultan-i-Rome, 2009, 7). However, the MMA's members counterweight these allegations with their own parameters. They recalled the formative phase (2005-2007), when the transformation of the society was taking place and people were exhilarated to infringe the routine life, the *nazims* of various union councils—for securing their future constituency—would encouraged and even led the people for provoking vandalism. This tricky relation between the LG *nazims* and Fazlullah was even admitted, by one of the union council *nazim*, to the effect: for political scoring and to win over their opponents, the union councils *nazims* would often go to Mamdherai Centre (for taking part in the construction work) with their vast number of followers. Their names would be regularly announced on loud speaker [on the spot] and even later that day evening would be revealed on FM radio [translation mine] (Riaz Ahmad Khan, personal communication, January 12, 2013).

When the MMA sensed failure of its Islamisation Agenda 'from above' they tried to meet it 'from below' (White, 2008, 54). The MMA leadership occasionally would turn a blind eye to vigilante action carried out by local clerics in the name of Islam. The MMA members judged these developments by their own yardstick. One of the MMA provincial member emphatically told an anonymity that 'in initial stage, Fazlullah simply taught Dars-e-Quran on FM radio, so to counter or to take him on would likely be a cause to undercut MMAs electoral politics in the region'.

This political brokering between the two co-religionists has been widely seen in the colour of excessive interloping of the ISI at the behest of General Musharraf's central government. The MMA's members further pushed the ball in Musharraf's court by claiming to take him on board about the 'military camps', run by the non-state actors in various localities of Swat. President Musharraf (according to a MMA member), considered it mere allegations and further augmented, that intelligence agencies are quite alert and are being capable to know the whereabouts of the area (Hussain Kanju (JI based minister), personal communication, December 26, 2011 & January 1, 2013).

The above statement clearly suggests that the central government explicitly or implicitly supported militancy in Swat, but still, being in outright majority in NWFP, the MMA government could not be exonerated from the blame of allegedly supporting militancy in the area. In the National Security Council (NSC) meeting, on 22 June 2007, regarding the creeping talibanisation in the MMA-ruled NWFP and inaction on the part of law-enforcement agencies (LEAs), it was termed a "buck and blame-game" between the centre and the province (*Dawn*, June 23, 2007).

Fazlullah's repeated disavowal of 'women education', 'polio vaccination' and 'non-governmental organisations (NGOs) divulge the underground motive of him, but still MMA's member contemplated the FM radio broadcasts a source to disseminate religion in the area. However, for political intriguing, the MMA would always have sought to take a 'safe-side' either not to debase their 'vote bank' or to escape discreetly from the 'takfiri seal' (infidelity) of Fazlullah.

In 2007, after sensing Fazlullah's far and wide success, the local administration signed an agreement with him. According to the agreement, he would not oppose polio vaccination, female education and would not make propaganda against the state (*Dawn*, May 23, 2007). Nevertheless, his 'vitriolic' messages, laterally with reformist plan, spread with rapid space in the width and breadth of the valley. The religiously frenzied environment of the valley was further deteriorated, when in the mid of 2007, Ghazi brothers of Lal Masjid were reportedly geared up plan to back Taliban jihad in NWFP (*Dawn*, May 25, 2007). This fomentation of talibanisation, according to MMA, was 'structural' and they further revealed that 'state intelligence agencies' were responsible for it.

The Lal Masjid operation, in July 2007, was a turning point for Fazlullah's men uprising and rebellion against the state institutions (Dolnik & Iqbal, 2016, 223-224).¹⁵ Various mortar and roadside explosion attacks were reported on a police stations in different localities. These unprecedented incidents could best be testified from the FIRs against Fazlullah, under the Anti-Terrorism Act (ATA), in many Police Stations in district Swat (*Roznama Mashriq*, February 13, 2015, 3). Provincial government of MMA, though endorsed links of Fazlullah with the administration of the Lal Masjid, still resorted to 'contemplate' the matter (*Dawn*, July 5, 2007). Reacting to the developments relating to Lal Masjid, Fazlullah openly urged people to 'prepare for jihad' and announced that it was 'time to go to war' (*Dawn*, July 5, 2007). Both Fazlullah's group and the government blamed each other for violating the agreement, which had been signed in May 2007.

To curb the growing militancy and extremism in the area, the central government of Pakistan deployed army contingents in July 2007. The MMA members/allies, particularly JI and JUI-F, were not seemed unanimous over the deployment of troops in the area, as they considered the provincial government 'capable of handling any situation' (*Dawn*, July 16, 2007). The Jamat-i-Islami (JI), particularly, opposed the deployment of troops in Swat and Dir and warned against conducting military operation and its likely backlash (*Dawn*, July 16, 2007). The chief minister, Akram Khan Durani repeated rhetoric of requesting the centre for deploying forces 'where required' was too criticised by the JI, and the reason for this has been told was not taking all factions of MMA into confidence (*Dawn*, July 18, 2007).

At the point of acting against Fazlullah and his movement MMA members seemed hesitant and worried. Majority of them believed that the reasons of their electoral success were religious zest, so they could

not take the risk to be in tussle with other religious group (Mohammad Amin (JI based MPA), personal communication, March 10, 2013). However, they pledged, to continue their efforts to implement *Shariah* Laws through constitutional and legal methods. Interestingly, uncertainty and perturbation among members of MMA over the issue continued even after resignation from seats and losing of power in October 2007.

For example, in November 2007, when Qari Abdul Bais (JUI-F based MMA in MMA period), was asked about the deteriorated situation in Swat and its consequences on the forthcoming 2008 election, he remarked:

Today the worsen law and order situation in Swat and NWFP is just because of the tacit endorsement of the central government, to make it a case for the declaration of emergency and to dismiss Chief Justice of the Supreme Court. Musharraf sought the election result, as suit him best, to maintain the status quo, in the long run of the state affairs [translation mine] (Rahi, 2011, 26).

If the statement of Qari Abdul Bais and ground reality in late 2007, is considered, the state institutions involvement and Fazlullah's anti state behaviour were no more mystery, but still some members of MMA put their weight in favour of him. At this stage, one of the MMA members remarked:

To reinstate peace in Swat, the use of force must be stopped and to keep open the process of dialogue and holding of local jargah, because Fazlullah's demands are very simple and unambiguous and he too is very eager to bring back peace and normalcy in Swat [translation mine] (Rahi, 2011, 75).

This political gambling of MMA yielded adverse consequences for the alliance, in terms of its splitting up and hence its defeat in the 2008 election, at the hands of the Pukhtun nationalists, Awami National Party (ANP). J.T. White has attributed "specific opposition" to MMA, owing to the "ineffective response of the alliance to the creeping militancy in the NWFP" and "specific response" to ANP by the promise to deal with the rising militancy in the Frontier (White, 2008, 97).

The militants' sanguinary appetite and the military unrestrained operation, during 2008-09 and the MMA undemonstrative response, with few notable exceptions,¹⁶ were not laudable while keeping in view their 'street power' politics. All the leading Islamists politicians, though overtly denounced the militants cold-blooded approach, covertly seemed to were in line with them.¹⁷ Although the inhuman action of the militants and the brutal aggression of the military, enacted on the civilians, were expressed and resented by a circle of JI and JUI-F at press conferences or in party's corner meetings, being 'vanguard of Islam' their struggle seemed wavered.¹⁸

Conclusion

Although militancy in Swat started with the advent of TNSM in 1990s, it developed during MMA government (2002-2007) and reached its climax in the early two years of ANP-led coalition government in the KP. MMA put all blame on Musharraf and the reason being to make it a point for the extension of his unconstitutional and illegitimate regime. The available evidences, no doubt, testify the charges, put by MMA on the central government, but the double standard they had shown, before and after being in power, substantiated their involvement in the creation of the Taliban for political expediency. The role of the intelligence agencies and local government, as MMA frequently stated and supported by other sources, is crucial but being in outright majority in the KP province and responsible for keeping law and order situation intact, the MMA could also be largely held responsible for not taking in time and calculated steps to curb the growing militancy in the area.

It is also clear that though the neo-insurgent group opposed and exterminated all political and non-political forces that created hurdles in their way, the MMA workers and members affected the minimal. Though both groups have divergent opinions and drastically different methods for the implementation of *Shariah* Laws, to beat their political opponents, they often, at critical times, supported and cooperated each other.

There is no uniform yardstick to judge the possible involvement of MMA in the creation of the Taliban and militancy in Swat, but their defeat in KP in 2008 elections testify the 'specific opposition' against MMA by not taking in time action against the neo-insurgent groups. Such apprehensions against MMA further strengthened when they raised voice against military operation in mid-2009. All the political parties generally failed to address properly the issue of Swat on every national and international forum, but MMA could be held particularly responsible because of taking no concrete steps at the initial stage, when they were in power in KP, to curb the growing power of Fazlullah and later after resignation from power, of not using 'mass mobilisation' against the barbaric and ruthless steps and actions of both the 'militants' and the 'military'.

The sources consulted divulges one way or the other, that state institutions (federal and local) sparked militancy in Swat whether for short or long-term objectives, but MMA's political ineptness or craftiness, whether intentional or unintentional, could not be ignored in the whole tragedy, which had been staged in the picturesque valley of Swat, during 2007-2009.

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Endnotes

¹ MMA was alliance of six Islamists religious political parties, formed in 2002 general election. The alliance consisted of the Deobandi-dominated Jamiat Ulama-e-Islam (JUI-F) (Fazl-ur-Rahman Group), JUI-S (Samuil Haq Group), the traditionally Islamist Jamat-e-Islami (JI), Barailvi-oriented Jamiat Ulama-e-Pakistan (JUP), the Shia/Shiate Tahrik-e-Jafaria Pakistan (TJP) and the Wahabi-inspired Jamiat Ahl-e-Hadith. In Malakand division, JI and JUI-F were the dominant religious political parties of the MMA alliance, the rest of the religious parties were non-existent here.

² For some detail of the organisational difference between TNSM, Tahrik Taliban Swat (TTS) and Tahrik Taliban Pakistan (TTP) and about the reconciliation policy of MMA towards Fazlullah's activities see Sultan-i-Rome, 2012, p. 51.

³ It is a wrong concept, with few notable exception, in literature, related to talibanisation or militancy in Swat, that FM radio which had been operated in Swat, was illegal. Before the enactment of Shariah Nizam-e-Adl (SNA) Regulation, 2009, PEMRA (Pakistan Electronic Media Regulatory Authority) Ordinance was not extended to PATA (Provincially Administered Tribal Area), under article 247 (3) of the 1973 Constitution of Pakistan. It was

under the SNA Regulation, 2009, that the Pakistan Electronic Media Regulatory Authority (Amendment) Act, 2007 (II of 2007), No. 92, in Column (2) of Schedule-I, along with others 93 laws (specified in the same column (2) of schedule-I) as in force in the North-West Frontier Province, was extended to Malakand Division and some parts of Indus Kohistan (See Hameedullah Khan, *Laws in Pakistan against Islamic teaching: cleric*, March 6, 2007, http://www.dawn.com/2007/03/06/nat_13.htm). Therefore, when the law was not applied to the area the Fazlullah FM broadcasts were not illegal technically.

⁴ For the reciprocal relations between the 'old' Islamists and 'new' radicals to maximise their benefits vis-à-vis the state and the secular political parties see Pattanaik, 2011, p. 582; for some detail that how Islamists provide real financial and human capital to militant groups and help them to achieve their political ends and the way they ideologically and operationally supported vigilant activities in pursuit of a variety of Islamist causes see Nazar, 2016, p. 250.

⁵ For details about the unique legal and constitutional status of Provincially Administered Tribal Areas (PATA) and the legal lacuna that gave birth to TNSM (for the implementation of Shariah Laws in Malakand and some part of Indus Kohistan), in early 1990's see Sultan-i-Rome, 2008, pp. 265-311; Sultan-i-Rome, 2012, pp. 109-118; Sultan-i-Rome, 2012, pp. 239-244; Sultan-i-Rome, 2001, pp. 87-89; Weiss, 2013, p. 182.

⁶ The Provincially Administered Tribal Areas Criminal Law (Special Provisions) Regulation, 1975 (N.W.F.P. Regulation I of 1975), and the Provincially Administered Tribal Areas Civil Procedures (Special Provisions) Regulation, 1975 (N.W.F.P. Regulation II of 1975), commonly referred to as PATA Regulations, were repealed and were to be deemed to have been so repealed with effect from the twelfth day of February 1994 see Ali, 2003, p. 26.

⁷ For details that how TNSM rose to prominence after 9/11, by mobilising Pukhtuns of Malakand Division for jihad against US-led military campaign in Afghanistan; the returning back of Sufi Muhammad and Fazlullah and their incarceration by the Pakistani authorities over their alleged role in recruiting volunteers; and the resultant pressure of the US on Pakistan to put ban on the jihadi organisations including TNSM see Marwat and Toru, 2005, pp. 103-107; Mir, 2009, pp. 395-396; Siddique, 2014, pp. 79-94; Abbas, 2006, pp. 190-91; Zahab and Roy, 2004, p. 45.

⁸ According to Fazlullah's own statement on FM radio, on returning back from Afghanistan both Sufi Muhammad and Fazlullah were awarded ten years imprisonment, by the law enforcement agencies of Pakistan—three years for taking up arms and seven years for violation of the FCR rules see Fazlullah, 2006); also for some detail see Bureau Report, *LHC moved for registration of cases against TNSM chief* www.dawn.com/2002/01/03/top1/htm.

⁹ Prior to 2002 general elections, the electoral performance of Islamist parties in Pakistan was poor generally and in particular in District Swat. Save Khaliq Dad Khan, who succeeded in 1993 election, as MNA from NA-29, Swat-I, under the banner of Islamic Front (coalition of JI and ANP), no other single member of JI or JUI-F had won either MPA or MNA seat in the set-up of District Swat, since its merger with Pakistan in 1969.

¹⁰ Successful candidates (MNAs and MPAs) of MMA, in 2002 elections, from district Swat: (1) NA-29, Swat-I, Qari Abdul Bais (JUI-F) (2) NA-30, Swat-II, Mawlana Fazli Subhan (JI) (3) PK-80, Muhammad Amin (JI) (4) PK-81, Mawlana Nizam-u-Din (JUI-F) (5) PK-82, Mawlana Irfan Ullah (JUI-F) (6) PK-83, Hussain Ahmad Kanju (JI) (7) PK-84, Qari Mahmud (JUI-F) (8) PK-85, Malak Amir Zada (JI) and (9) PK-86, Mufti Hussain Ahmad (JUI-F) (see *Dawn*, MMA Bags all seats in Swat, 13 October 2002).

¹¹ According to Fazlullah's own statement on FM, he was released from jail after sixteen and half months imprisonment. He termed this out of time release from jail a '*mujaza*' (miracle). Sufi Muhammad, on the other hand, had refused to file an appeal against his conviction on two grounds; terming the court un-Islamic and saying the judges did not understand the philosophy of jihad and, therefore, were not capable of conducting a fair trial see *Dawn*, www.dawn.com/2002/05/04

¹² According to Fazlullah's own statement on FM radio, after winning elections in 2002 the MMA members visited D.I. Khan jail to meet Sufi Muhammad. Sufi argued that upon implementing Shariah Laws in NWFP, the MMA members will become *Amir* (governor) and the TNSM activists will become their *Mamur* (workers).

¹³ For some detail also see Khan, 2010, pp. 155-156.

¹⁴ For details whether "Islamisation" of laws, initiated by MMA, in the NWFP, was a political gimmick or a serious change in ethos and mode of governance in the province and eventually in the country see Ali, 2003-2004, pp. 107-124; also for full details about the nature, objectives, constitutionality and the judgement of the

Islamic Ideology Council (IIC) and the Supreme Court of Pakistan over Hisba Bill see Khan, 2004-2005, pp. 413-466.

¹⁵ For some details see Sheikh, 2016, pp. 84-86.

¹⁶ The stance for which JI, JUI-F and JUI-S, seemed unanimous, after losing their power, were: staunch opposition to the military operation in Swat and Bajawar; voice against the involvement of central government and intelligence agencies; joint effort for the implementation of *Shariah* laws and to discredit ANP, by signing 'peace deals' with the militants and the consequence implementation of *Shariah* Regulations in Malakand Division. See for details *Roznama Azadi Swat* (Urdu daily: Mingawara, Swat): 25 October 2007, 30 October 2007, 6 November 2007, 2 August 2008, 3 August 2008.

¹⁷ Maulana Sami-ul-Haq (JUI-S leader) expressed his views about the ongoing military operation (operation *Rah-i-Haq*, phase-II) against the Taliban in Swat, in the way: If struggle for the implementation of *Shariah* is a name of talibanisation, we all are proud to be called taliban (see *Roznama Azadi Swat* (Urdu daily: Mingawara, Swat), 5 August 2008; Maulana Fazl-u-Rahman (JUI-F leader and the then chairman of Kashmir Committee) in a press conference in Peshawar, after the deliberations of *majlas-i-shura* of his party, made his party position clear by saying: We fully endorse the struggle of the '*banduq bardar*' (militants) of Swat, for the implementation of *Shariah* laws, but disapprove their barbarous plan of killings and beheadings (see *Roznama Azadi Swat* (Urdu daily: Mingawara, Swat), 15 January 2009.

¹⁸ In February 2009, Siraj-ul-Haq (a leader of JI) openly admitted the gruesome conditions in Swat and termed them more terrible than Kashmir, Ghaza and Baghdad (see *Roznama Azadi Swat* (Urdu daily: Mingawara, Swat), 9 February 2009.

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