

Al-Aijaz Research Journal of Islamic Studies & Humanities

(Bi-Annual) Trilingual: Urdu, Arabic and English
ISSN: 2707-1200 (Print) 2707-1219 (Electronic)

Home Page: <http://www.arjish.com>

Approved by HEC in "Y" Category

Indexed with: IRI (AIU), Australian Islamic Library, ARI, ISI, SIS, Euro pub.

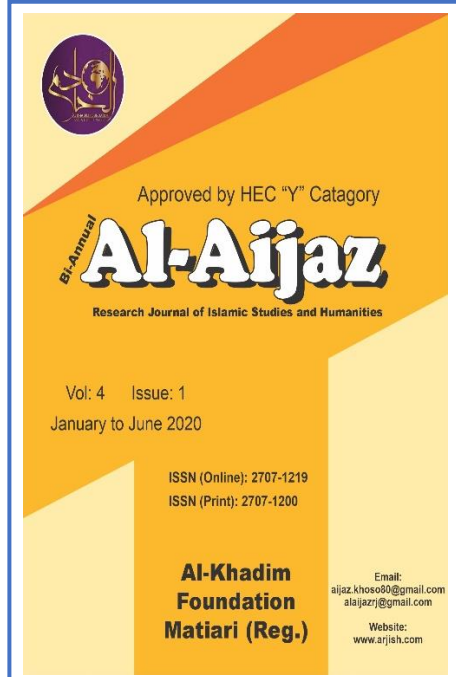
Published by the Al-Khadim Foundation which is a registered organization under the Societies Registration ACT.XXI of 1860 of Pakistan

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TOPIC:

Religious Conservatism and the Case of Islamization: Examining the Roots of Talibanization in Malakand Division of Khyber Pakhtunkhwa

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How to cite:

Ullah, K., & Rahman, K. ur. (2020). E-5 Religious Conservatism and the Case of Islamization: Examining the Roots of Talibanization in Malakand Division of Khyber Pakhtunkhwa. Al-Aijaz Research Journal of Islamic Studies & Humanities, 4(1), 40-55.

<https://doi.org/10.53575/E5.v4.01.40-55>

URL: <http://www.arjish.com/index.php/arjish/article/view/86>

Vol: 4, No. 1 | January to June 2020 | Page: 40-55

Published online: 2020-06-30

QR Code



Religious Conservatism and the Case of Islamization: Examining the Roots of Talibanization in Malakand Division of Khyber Pakhtunkhwa

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Abstract

It is generally believed that Malakand Division has witnessed unprecedented Jihadism, Islamization and later on Talibanization. This article aims to analyze the process of religious conservatism and Talibanization with special emphasize on Sufi Muhammad and Fazlullah led Shariah movement on the northerly Malakand Division of Khyber Pakhtunkhwa, Pakistan. The paper discusses about the background, emergence, process of Talibanization and the role of Sufi Muhammad and Fazlullah for the implementation of Shariah in Malakand Division. A descriptive method was used in which both primary and secondary sources in the form of Interviews, autobiography journals, books and reports were consulted and reviewed while carrying out this research. The article highlights that Sufi Muhammad and Fazlullah, the militant leader of Tahrir-e-Taliban Pakistan (TTP) was intended to implement Shariah law through an unlawful and violent armed struggle in Malakand Division of Khyber Pakhtunkhwa. In this regard, the FM radio channel was brought into use to mobilize masses to challenge the writ of the state by establishing parallel court in the region. In the process, many civilians, government servants, and large numbers of notables were being killed for in Talibanization process in Malaknd Division.

Keywords: Shariah, Islamization , Talibanization, Jihadism , Malakand

Introduction and Background

Islam has played and playing an important role in Politics and society of Pakistan. Pakistan came into being with the prime objective of establishing an ideological state based on the Islamic principles and norms due to which the origin of Pakistan was different from other emerging states in contemporary world. The famous slogan “Pakistan ka Matlab Kiya, Lallahallallah” was the striking feature of this state which was considered as a source of salvation for the Muslims of subcontinent. The founding father of Pakistan Quaid-e-Azam said: “our demand for Pakistan was not merely to get a piece of land, but our foremost purpose was to get a separate homeland where we could enforce Islamic principles”.¹ On many occasions, he stated and showed his ambitions for establishing a just and true Islamic society in Pakistan. His ambitions and desires for establishing an Islamic state is reflected in his speeches. For instance, on the occasion of a Muslim league conference held in Gaya in January, 1938, Quaid e Azam expressed that “when we are talking about the flag of Islam, the other nations think that we are mixing religion into politics, and we have to be proud of this matter. Islam is the complete code of life and covers all of our day today matters from morning to night.”² On another occasion, Quaid-i-Azam stated that “Quran is a complete source of guidance for all because it covers all spheres of life including religious, social, political, spiritual, judicial, commercial and military. He told that the Holy Prophet

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Muhammad (S.A.W.) guided us holding the Holy Quran for the personal and social development and progress because it doesn't only teach us about the religious dogmas, doctrines and ceremonies but also regulate the private life of the Muslims both individually as well as collectively".³

While addressing the lawyers of Karachi Bar Association on 25th January, 1948 he said that "I didn't know the creed of those people who spreads rumors to create Babble in the Muslims that the Pakistan would not adopt any constitution on the basis of Shariah. We will follow Islam in such a manner as those were thirteen hundred years ago".⁴ Furthermore, addressing the Shahi Darbar at Sibbi in Baluchistan on 14 February 1948, Quaid-e-Azam said "I have only one prescribed objective in my mind, and that is the concept of Democracy based on the Islamic Principles. I realize that that we can success only by fowling Quran and ways adopted by the Holy Prophet Muhammad (SAW).It is our obligation to mould our Politics in Islamic democracy. Our Creator has told us, that u should make consultation and decisions in State affairs for guidance."⁵

Quaid-e-Azam not only pleads in favor of Islamic state, but also depend the cause of Islamic State. On his visit to Osmania University in August 1941, students asked him about to enlighten them about his notion of Islamic State. While replying to their question he stated that "the notion of an Islamic government which will always be in our hearts and minds demand us our total submission and subservience to Allah Almighty and Prophet Muhammad (SAW) and the commandments that have been given to us through the Holy Quran. In Islamic State the Sovereign powers does not belong to an individual, king, parliament or any other institution but only with Allah. Our rights and duties are assigned by the Holy Quran, in actual practice the Islamic government is only the obedience of Almighty Allah and Holy Prophet Muhammad (SAW) as teaches in the Holy Quran. To mould such government into its real shape, a separate piece of land is essential".⁶

Objective Resolution: First Formal Step towards Islamization

To mould Pakistan into an Islamic Ideological state, the country's first Prime Minister Liaquat Ali Khan took the first formal step on March 12, 1949, when he passed the Objective Resolution from the constituent assembly of Pakistan. The resolution made it clear that the future constitution of Pakistan shall be based on democratic views, rule of law, and social justice as prescribed by Shariah.⁷ Some of the major contents of objective resolution are:

1. "Whereas sovereignty over the entire universe belongs to Allah Almighty alone and the authority which He has delegated to the State of Pakistan, through its people for being exercised within the limits prescribed by Him is a sacred trust".
2. "Wherein the principles of democracy, freedom, equality, tolerance and social justice as enunciated by Islam shall be fully observed".⁸
3. "Wherein the Muslims shall be enabled to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam as set out in the Holy Quran and the Sunnah".
4. "Wherein the territories now included in or in accession with Pakistan and such other territories as may hereafter be included in or accede to Pakistan shall form a Federation wherein the units will be autonomous with such boundaries and limitations

on their powers and authority as may be prescribed”.

5. “Wherein shall be guaranteed fundamental rights including equality of status, of opportunity and before law, social, economic and political justice, and freedom of thought, expression, belief, faith, worship and association, subject to law and public morality”.
6. “Wherein adequate provisions shall be made to safeguard the legitimate interests of minorities and backward and depressed classes”.⁹
7. “Wherein the independence of the Judiciary shall be fully secured”.
8. “Wherein the integrity of the territories of the Federation, its independence and all its rights including its sovereign rights on land, sea and air shall be safeguarded”.¹⁰

The objective resolution was the initial step toward Islamization which has enormously colored Pakistan as an Ideological state. The resolution not only made anxious the minorities and secular parliamentarians but also compelled them to think that how to bring their lives according to the teaching of Islam.¹¹ Some Islamist Parliamentarians in the government suggested for adopting the Arabic as a national language and the scripts of Bengali should be changed into Persian-Arabic. Chaudhary Khaliq-uz-Zaman of Muslim League stated that Pakistan will establish close ties with Muslim world and would unite them into one Muslim polity, which will be called Islamistan. In this regard, Pakistani government summoned a conference of the Muslim world in Karachi in 1949, in which leaders from eighteen Muslim states arrived to participate in the conference and finally succeeded in the formation of the Motamar-Al-Islami (Muslim World Congress). Later on, they also founded the Organization of Islamic Conference (OIC) on Sept, 25 1969, which was the outcome of Pakistan’s efforts for Pan-Islamism.¹²

22 Points of Ulema (Religious Seminaries): The Second Steps towards Islamization

In 1951, the government of Pakistan rejected the recommendations of Ulema for the implementation of Shariah in the country on the plea that Ulema of different school of thoughts were unable to frame a universal Islamic constitution that would be acceptable to all in Pakistani society. To counter this stance and demonstrate unity against the decision of government, 31 prominent Ulema of all sects including Sunnis, Shia, Devbandis, Barelvis were gathered in Karachi in January 1951. The Ulema proposed 22 points, an irreducible agenda for the implementation of Shariah that can produce a pure Islamic society in the country.¹³ Few selected points of which are given as under.

- “Allah (SWT) is the sovereign power and Lord of this universe”.
- “The Law of the country shall be based on Quran and Sunnah and neither any Law shall be enacted nor any administrative injunction be laid down that is repugnant to Quran and Sunnah”.¹⁴
- “This country shall not be based on any geographical, racial, linguistic or any other concept but on those principles based on the code of life laid down by Islam”.
- “It shall be the obligation of Islamic state to promote the good defined by Quran and Sunnah, suppresses the wrongs, and arrange for the revival and supremacy of Islamic beliefs and for the necessary education of established Islamic sects according to their understandings of religion”.
- “The Head of the State shall be Muslim”.¹⁵

The government decision not only united these diverse shades of Ulema for the imposition of Shariah in the country but also compelled them to accept their demands. On the other hand some of the political leaders also used the Islamist or Rightist parties or groups as a tool to achieve their political long term goals. In this regard the most serious sectarian violence flared in the capital of Punjab which is known as Lahore riots.

Anti-Qadiyani/Ahmadiyya Movement

In February 1953, some Islamist and political parties started violent demonstrations against the Ahmadiyya sect at Lahore, in Punjab province. More than 200 Ahmadis were killed, their properties and presses were burnt and the riots spread to the rest of country. The demonstration was headed by Syed Abu Ala Maududi of Jamaat -e-Islami, Abdu Sattar Niazi of Pakistan Muslim league and some other prominent leaders like, Syed Ata Ullah Shah Bukhari, Syed Abuzar Bukhari, Maulana Mazhar Ali Mazhar.¹⁶ These leaders put forward three demands before the government.

- Resignation of Mr. Zafar Ullah Khan from ministry of foreign affairs
- To remove the Ahmadis from high offices in the government.
- To declare Ahmadis as Non-Muslims.¹⁷

The reason behind the anti-Ahmadiyya movement that was started in reaction to their false belief system especially the denial of the *Khatm-i Nabuwwat* (Finality of Prophethood) and Jihad (Holy War) led by a nineteenth century Mirza Ghulam Ahmad Qadiyani. The Anti-Ahmadiyya movement was later spread in the length and breadth of the country and pressurized the government to declare Ahmadis as non-Muslims. These Islamist forces were finally succeeded in getting their demand accepted and Ahmadis were being declared as Non-Muslims during Z.A Bhutto era.¹⁸

Framing of the Islamic Constitution Of 1973

In 1973 the Z.A Bhutto government turned toward a difficult step of framing a new constitution for Pakistan. After nearly two years of discussion and debate in the assembly, a consensus of opinion was arrived at and a new constitution was framed and passed. It was proclaimed as the Islamic constitution of Pakistan on August 14, 1973, to please the religious groups and parties.¹⁹ Some Islamic provisions of the Constitution of 1973 are;

1. "Pakistan shall be federal republic to be known as the Islamic republic of Pakistan".
2. "Islam shall be the state religion of Pakistan".
3. "The principles and provisions set out in the objective resolution are hereby made substantive part of the constitution and shall have effect accordingly".
4. "Steps shall be taken to enable the Muslims of Pakistan individually and collectively to order their lives in accordance with the fundamental and basic concepts of Islam and to provide facilities whereby they may be enabled to understand the meaning to the Holy Quran and Sunnah".²⁰
5. "To make the teaching of the Holy Quran and Islamiyat compulsory, to encourage and facilitate the learning of Arabic language and to secure correct and exact printing and publishing of the Holy Quran"²¹
6. "To promote unity and the observance of the Islamic moral standard".
7. "To secure the proper organization of Zakat, Ushar, Auqaf and Mosques".

8. "The state shall Endeavour to preserve and strengthen fraternal relationship among Muslims countries based on Islamic unity".²²
9. "The office of the President and prime minister shall be achieving only Muslim candidate, non-Muslim shall be not eligible for such posts".
10. "To prevent prostitution gambling and taking of, injurious drugs, printing, publications, circulation and display of obscene literature and advertisements".²³
11. "All existing laws shall be brought in conformity with the injunction of Islam as laid down in the Holy Quran and Sunnah, in this part referred to as the injunction of Islam and law shall not be enacted which is repugnant to such injunction".²⁴

President Zia ul Haq Islamization Process

On May 5, 1973 a military coup took place under the leader ship of General Zia- Ul- Haq and Z.A Bhutto was dethroned. Zia a religious man, after consolidated his position, consider himself is a soldier of Islam and proclaimed that he will mould Pakistan into original shape for which it was created in 1947.²⁵ During in Army, he used to distribute the Islamic literature of Maulana Abul AlaMaududi the founding Father of Jamaat-i-Islami to create Islamic zeal in the military personnel.²⁶ While visiting various garrisons of Pak army, he used to give written instructions to the crops commanders to offer prayers five times regularly. He introduced religious education during the training period and constructed Mosques for prayer in all army units. Before Zia, there was no ministry for religious affairs and for the first time Maulana Kausar Niazi was appointed minister for religious affair in the central cabinet. He also released funds for those Mosques who were under financial crisis; during the same year copies of the Holy Quran were provided to all VIP hotels to place them in every room. Zia imposed ban on eating and drinking not only in Army units but also in public places during the holy month of Ramadan, he also prohibited urinating in the public places according to sayings of the Holy Prophet. Zia left no stone unturned to make Pakistan as an Islamic ideological state and for such purpose he established close ties with Jamaat-i-Islami Pakistan to provide not only an Islamic cadre, but also to prolong his regime and to handle those secular parties who were against the Islamization processes. On February 10th 1979 on the first Muharram, in 1398 Hijri, Zia took the first steps toward the Islamization of Pakistan.²⁷

The main steps which were taken for Islamization process are discussed as under.

- Islamic law was enforced for serious crimes like, adultery, drinking and thieving.
- The government will establish appellate Shariat court in central at the High court level. Ulema will also be appointed as judges for such courts.
- Zia founded Islamic University and Shariah faculty in Islamabad with the aim that these institutions will provide professional staff to the Islamic courts.
- He issued decrees to all government institutions to offer their prayers during office time.
- Blasphemers were considered guilty and will be executed.²⁸
- Azan was broadcasted both from Television and Radio.
- Islamiyat was considered as compulsory subject in Education system.
- The government declared the sanad (Degree from Islamic seminaries) equivalent to a University level.²⁹

- Religious scholars were also appointed as commissioned officers in Pakistan Army.
- The government introduced Masjid/Maktub school system on primary level.
- Islamic jurisprudence was considered compulsory subject in the Law Colleges.
- The government also imposed 2.5 levy on the accumulate assets of Muslims.
- On 1st January, 1980 the government abolished interest system from banks in Pakistan, and started interest free banking system.³⁰
- Un-Islamic programs were stopped from television broadcasting
- Recitation of Holy Quran and Arabic knowledge programs were introduced both on television and radios.
- Mazriba (an Islamic economic system) was also introduced.
- Haddood (crimes prescribed in the Holy Quran) ordinance was also introduced.
- Qazi courts were also set up.³¹

Zia Ul Haq Role in Afghan Jihad and its Impacts on Pakistan

The cold war which left indelible imprints on south Asia instigated the Soviet Union to invade in Afghanistan in December 1979 to support communist party against the growing insurgency in Afghanistan. During this period, Zia Ul Haq established close ties with USA to support Afghan jihad on one side and to gain military and economic aid on the other side.³² During the war, most of the Afghanis fled to Pakistan to secure their lives and hosted more than 3 million Afghan refugees in tents villages in Baluchistan and NWFP now Khyber Pakhtunkhwa. Most of the young Afghanis were jobless and lying idle in the camps, which were easily motivated by the Pakistani establishment to fight against the soviet troops. Most of the refugee camps became recruitment center for Afghan freedom fighters which were supported by the CIA covert operation against the USSR with the help of Pakistan. When the Afghan war expanded, Zia also extended his network to include other Islamic parties of Pakistan to participate in Afghan war. Jamiat-i-Ulema Islam also joined the Afghan jihad, initially the Jamaat-i- Islami, Jamiat-i-Ulema Islam and Afghan refugees were funded by the American. By 1984, mujahedeen from Muslim countries like Saudi Arabia, Philippines, Burma and from Gulf states arrived in Pakistan to take part in Afghan Jihad.³³ These Mujahedeen were funded by Saudi Arabia, Gulf States, Rabita al-Alam al-Islami and Motamar al-Alam Islami. The leading figure in these Mujahideen was a Palestinian scholar Abdullah Azzam, who was given the charge to recruit foreigner Mujahedeen in his Maktab al-Khidmat which was recruiting center for Afghan jihad. Abdullah Azzam motivated the people towards Jihad by citing the verses of the Holy Quran and Hadith and called Osama bin Laden in Pakistan to take part in Afghan jihad. Pakistan trained more than twenty thousand Afghan refugees on annual basis as mujahedeen with US assistance of money and weapons. Pakistani Islamic parties also got trained their cadre with Afghan trainees. A large amount of weapons which were given to mujahedeen was now available in the open market at that time. The Pak-Afghanistan border was now a safe haven for smugglers and was easily smuggling opium poppy, heroin, and weapons to Pakistan. Likewise, Kalashnikov and other weapon like IEDs and rocket launcher was introduced in Pakistan. According to the Geneva accord, when the Soviet troops withdrew from Afghanistan, most of the Pakistani as well as the foreigner mujahedeen came back and Pakistan became the quagmire of these jihadist groups.³⁴ Some of the hardliner Islamists commanders established their own

jihadi organization with different identity and names. The Afghan jihad left great influence on Pakistani masses. Some of these jihadist groups now wanted the enforcement of Islamic Shariah Law in the country because the role of Mujahedeen in Soviet defeat and Zia-Ul- Haq Islamization processes has enormously encouraged these groups for the demanding of a system based on Islamic Shariah in the country.³⁵ One of the most important groups among these groups was Tehreek-e-Nifaz-e-Shariat-e-Muhammadi; a group which wanted the enforcement of Islamic Shariah in Malakand division.³⁶ Detail of TNSM can be discussed as under.

Formation of TNSM: Struggle for implementation of Shariah in Malakand

The Tehreek-e-Nifaz-e-Shariat-i-Muhammadi is a movement which wants the implementation of Shariah law in Malakand Division. The Movement was formed by Sufi Muhammad and his comrades on June 28, 1989. Sufi Muhammad a Cleric who was born in 1931 in Koaray, Union council Lal Qala district Dir lower got his religious education from Madarasa Haqqania Saidu Sharif Swat and from Madrasa Isha'at- Wa-Tauheed at Panj peer in Sawabi. After getting his education he came back to Maidan Lal Qala and started his career as a teacher in Mazar-ul-Uloom in Maidan at Dir.³⁷

In the initial stage the movement was confined only to District Dir while after the short span of time it was extending to the entire Malakand Division. After flexing the muscles, on 9th May 1991 Sufi Muhammad and his comrades pitched a protest camp with thousands of his supporters at Timargara in District Dir of Pakistan which further highlighted the vision of TNSM. In the protest camp Sufi Muhammad invited leaders of the political parties to convince and motivate them for the implementation of Shariah in Malakand Division.³⁸ During the camp, members of the TNSM, leaders of different political parties and people of all sphere of life participated and supported the TNSM demand enforcement of Shariah in Malakand division for their political goals. The Chief Minister of NWFP Mr. Mir Afzal Khan assured Sufi Muhammad that the government will implement Shariah in Malakand Division. On February 24, 1990 the PATA regulations were abolished by the Peshawar High Court and later the supreme court of Pakistan on February 13, 1994, which further encouraged the TNSM cadres for mass mobilization toward their movement. The Supreme Court also ordered the Provincial government of NWFP to decide all the pending cases in Malakand Division according to the regular Law before March 23, 1994. Beside to follow the order of the Supreme Court, the government covertly supported the activities of the TNSM and no alternative system was implemented in the area, which created a vacuum in Malakand Division. In order to fill the vacuum after sensing the pulses of common masses, Sufi Muhammad called the meeting of the TNSM leaders in Zafar Park, at Batkhela on April 20, 1994.³⁹

Malakand Blockades

During the meeting the TNSM Chief Sufi Muhammad convinced for the blockade of Malakand High way to Mardan and blocked the road for eleven days. Later the blockade converted into militancy and eleven TNSM activists were gun downed by the security forces at Baba Jee Kandao in Buner and three were shoot by Levies force at Anayat Kalay in Bajure Agency. Besides these incidents the TNSM leaders and supporters also started violent

activities in District Swat, firstly they hostages the Matta camp court along with a Police station in KhwazaKhela and later the movement supporter siege Saidu Sharif Airport at Kanju in District Swat. The government started operation against the TNSM activists to vacate these important places from these insurgent which converted in bloodshed. Later the TNSM chief Sufi Muhammad signed a peace agreement with the government and law and order was restored. In the Peace accord, the government agreed to enforce Shariah in Malakand Division, and at last the on December 1, 1994 the governor of NWFP signed the Shariah regulation bill and was promulgated in Malakand Division. According to the Shariah regulation the names of courts and Judges were changed and advisors were also appointed to each Qazi to provide speedy Justice to the people and to decide cases on Shariah law. According to these changes, a new parallel judicial system was also introduced in Malakand Division, where the litigants had a choice to decide their cases either on the law of Pakistan or Islamic Shariah.⁴⁰

The Impacts of Afghan Taliban on TnsM

During the Soviet invasion in Afghanistan Sufi Muhammad and some of his Ideologues were fought and played a vital role in the Afghan Jihad. During Jihad, he and his supporters sponsored by Jameet-e-Islami Pakistan fought under the leader ship of Gull Badin Hikmtiyar and established close relations with the Afghan warlords. When the Taliban seized Kabul in 1996 and established Shariah law in Afghanistan that really influenced religious and militant groups in Pakistan to start an arm struggles for the implementation of Shariah law in Pakistan. The TNSM cadres was really inspired from the Afghan Taliban and considered their government as Ideal and role model. The TNSM movement started their support for the Taliban because the TNSM movement sought it necessary that if the Taliban grip the power of the entire Afghanistan and become more powerful they will assist the TNSM for the implementation of Shariah Law in Malakand Division. The Taliban government also encouraged the TNSM to continue their struggle for the enforcement of Shariah law in Malakand and assured them that one day their hard struggle will bear fruit.⁴¹

TNSM Support for Afghan Taliban

In 1998, when the United States of America (USA) launched its first air strikes on Afghanistan, Sufi Muhammad and his ideologues once again started protests against the US and pledged that they will target the US citizens, property and installation if they would not apologize for their attacks on Afghanistan. On October 7th, 2001 the Americans air strikes on Afghanistan further provoked the religious parties and other Islamist groups in Pakistan to start an anti-American campaign which has further sowed the seeds of hatred against US in Pakistan. In this regard the TNSM leader Sufi Muhammad was succeeded to organize a volunteer force of ten thousand men to fight against the US in Afghanistan. Besides, TNSM has also provided a logistical support to the high profile Taliban commanders in Qandahar which was comprised of 60 trucks full of foods along with 1.7 million Pakistani rupees.⁴² The untrained TNSM volunteer fighters fashioned with old guns unaware of the modern technological warfare were incapable enough to compete with US well trained army and majority of them were killed in air strikes and some were arrested by the Northern Alliance. On 16th November 2001, Sufi Muhammad along with Fazlullah and other TNSM volunteers

had tried to come back to Pakistan while carrying illegal weapons were arrested in Kurram agency and jailed in Dera Ismail Khan.⁴³ After spending seventeen month in prison, Fazlullah was released and took charge as Amir (leader) of TNSM for Tahsil Kabal, District Swat of Pakistan. He started motivating people towards the mission of Sufi Muhammad for the enforcement of Shariah law.⁴⁴

The Rise of Fazlullah and F.M Radio as a Source economic of Mass Mobilization

Fazal Hayat alias Fazlullah the militant leader of Tahreek-e-Taliban Pakistan (TTP) was born in 1974 in the house of Biladar Khan in Tahsil Kabal, District Swat of Pakistan. He belongs to Babu Kar Khel, a sub-branch of the Yousufzai Pashtun tribe. His father was one of the closest comrades of Sufi Muhammad, then Amir of (TNSM) in Malakand Division of Pakistan. As inspired from his teachings, Biladar Khan sent his son Fazlullah to educate him in a Madrassa (Seminary) run by Sufi Muhammad naming Mazahar-Ul-Ulum situated in Kumbar Maidan lower Dir. With the passage of time, their friendship converted into matrimonial relationship and Sufi Muhammad married his daughter to Fazlullah.⁴⁵

In the end of 2004, Fazlullah established FM radio station in Imam Dherai Mingora, and started to motivate people through his hair-raising sermons and speeches for the implementation of Shariah in Malakand Division. He successfully attracted public towards his mission through emotional speeches and some welfare activities. Gradually, while realizing his strength, he started a campaign against polio vaccination and female education with the statement that all these activities are repugnant to the basic principles of Islam. He also advised parents and guardian to abstain their daughters from getting worldly education because it leads towards vulgarity among woman folk. Besides, he motivated the people of Swat to burn their televisions and other instrument and sources of entertainment with the belief to please Almighty Allah. The people accepted his appeal and burnt their TVs, VCRs and CD cassettes in front of Fazlullah. Those who abandoned their CDs business were highly praised and congratulated by Fazlullah through his FM Radio.⁴⁶ He also mobilized the people of Swat to put their contribution for building a seminary in the area of Imam Dehari Mingora. It is because of his motivational speeches, the people generously assisted him and the local land lords donated four canal lands for the establishment of seminary and collected millions of rupees along with gold. Later on, when Fazlullah was convinced that he got a complete support of the public, he begun to challenge the writ of the government and turned his peaceful mission into a violent movement.⁴⁷

Ban on Musical Instruments and Musical Shows

Swat was one of the oldest centers of Fine Arts and people from different parts of the country and especially from NWFP made visits to swat to enjoy Musical Shows and different festival in the area. One of the most important festivals which are celebrated every year on 14 of August at Kalam in District Swat was known as Kalam festival. A large number of people were coming to attend such festival and enjoyed here. Some poor people in Swat and from other parts of the country shifted to Swat and adopted the profession of Whores and Eunuchs to earn money and passed their lives. Swat was one of the famous centers of Arts in Malakand Division and there were two Cinemas in Swat where the people were coming to the entire divisions to get entertainment. The first step of Fazlullah sponsored insurgency in

Swat was when his Brigade planted explosives devices in the Palwasha cinema in Mingora City in which one person got lost and some other got serious injuries. Besides, when Fazlullah and his Militants hostage the Malakand Division, number of artist including whores and eunuchs were assassinated and their dead bodies were hanged with electric and telephone pole for several days as exemplary punishment and the remaining left Swat valley and shifted to safer places and even some of them left their professions. A lot numbers of shops were destroyed by these militants with the help of explosive materials and some shopkeepers left the CDs business.⁴⁸

Arm Struggle for the Implementation of Shariah and the Emergence of Tahrir-e-Taliban Swat

The *Lal Masjid* (Red Mosque) and *Jammia Hafsa* operation in 2007, which results the death of hundreds of innocent teachers and dispels, abruptly changed the situation of the whole country especially in tribal belts and Malakand Division. In December 2007 TNSM was split into two groups and those who were in favor of arm struggle for the Implementation Shariah, joined Fazlullah group. Fazlullah and his supporters waged war against the government and challenged the writ of the government by establishing their own parallel judicial courts in the respective areas. Fazlullah pledged that he will take revenge from the government for killing hundreds of innocent students and teachers in the operation. To pressurize the common people of Malakand Division and to spread fear among the masses those who were barriers in the path of Fazlullah's implementations of Shariah law, majority of them were assassinated and the remaining were escaped to safer places due to security threats. In the meantime the killing of the security forces and law enforcing agencies was legal and he leaves no stone unturned in the killing of Army, Police and Frontier Constabulary personnel.⁴⁹

The Release Sufi Muhammad and Swat Peace Accord

When the situation of Swat t moved from bad to worse the Awami National Party (ANP) coalition government released Sufi Muhammad on April 21, 2008 to negotiate with Fazlullah to abandon the anti-government activities and restore peace in Malakand Division. After his release the TNSM chief Sufi Muhammad, called the central Shura of TNSM meeting in Timargara and decided to patch a camp and to make peaceful demand for the enforcement of Shariat-e-Muhammadi in Malakand Division.⁵⁰

The peaceful protest of TNSM compelled the provincial coalition government of ANP in NWFP to accept the demands of Sufi Muhammad for the Implementation Shariat-e-Muhammadi in Malakand. The Provincial government appointed a six member committee to talk with the TNSM chief and other leaders to initiate peace process in Malakand division. On October 9, 2008 the ANP government accepted the demands of Sufi Muhammad and for such purpose they send a delegation under the leadership of provincial information Minister Mian Iftikhar Hussain, including minister of livestock Haji Hadyat Ullah, the spokesman of ANP senator Zahid khan, Secretary department of interior Fayaz Toru and Commissioner Malakand division Javed khan. While on the other side TNSM was led by chief Sufi Muhammad, Naib Amir Muhammad Alam, Spokesman Amir Izzat Khan and exchequer Badshah Sardar. In Timargara rest house both the parties signed the accord

which is known as “swat peace accord” and the TNSM leader Rizwan Ullah the elder son Sufi Muhammad told to the media that the Chief Minister of NWFP will soon announce the enforcement of Shariah law when he will meet with the TNSM leaders in Chief Minister House Peshawar.⁵¹ After negotiations with the government official, the TNSM leaders abandon their peaceful protest camp in Timargara and went to Swat to convince Mullah Fazlullah to abandon his anti-state activities. After a fruitful meeting with Sufi Muhammad, Fazlullah then ordered his militants to abandon their activities and announced one side ceasefire for ten days. On February 16, 2009 the Chief Minister Amir Haider Khan Hoti during a press conference formally announced the Nizam-i-Adal Regulation 2009 for Malakand Division and for District Kohistan of Hazara Division. The provincial government with the approval of TNSM leaders and other participants Ulema, made some amendments in the 1999 Nizam-i-Adal regulation and implemented with a new version as Nizam-i-Adal regulation 2009.⁵²

On the other hand the ANP provincial government sends the draft bill of the Nizam-i-Adal regulation for presidential sign to implement Islamic Shariah law in Malakand division. In the meantime the federal information minister Sherry Rahman point out that president Asif Ali Zardari will not sign the bill until Taliban didn't restore full peace and writ of the government in district Swat. In the response of the federal government Sufi Muhammad stated that if president Zardari didn't sign the Nizam-i-Adal regulation bill, he will abandon the peace camp and then it is the responsibility of the ANP government to resign from the government. The threat of abandoning the peace camp really pressurize the ANP government and the ANP provincial president Afrasiyab Khatak, information minister Mian Iftikhar, Home Secretary Fayaz Toru, Syed Javed Commissioner for Malakand division and Arshad Khan District coordination officer of Malakand visited the central office of TNSM at Amandara Batkhela in district malakand to assure Sufi Muhammad that provincial government is serious in the implementation of Shariah law in Malakand Division. But Sufi Muhammad refused to meet the ANP delegation on the plea that they are using tactics to delay the implementation of Shariah Law in Malakand. Later the TNSM spokesman Amir Izzat Khan in a press conference told to the media that Sufi Muhammad as a protest didn't meet with the ANP delegation because the provincial as well as the central government is not sincere in the implementation of Nizam-i-Adal Regulation.⁵³ While on the other side the president send the Nizam-i-Adal regulation to the parliament for legislation which further disturbed the relation of central government and provincial government as well as with the TNSM. The Swat Taliban Spokesman Muslim Khan in press conference with media personnel stated, that those parliamentarian who will oppose the Nizam-i-Adal regulation, will be considered infidels and if alive in the next election will context the election from the minority. The Taliban spokesman further stated that in the meantime only President Asif Ali Zardari and his ministers are opposing the Nizam-i-Adal Regulation bill, and the Taliban have considered them infidels and in Islam the punishment for infidels is execution, so we recommend execution for them.⁵⁴ The TNSM spokesman Amir Izzat Khan also made a statement in the same tone and stated that we can't give guarantee of peace without the implementation Shariat-i-Muhammadi in Malakand Division. The government use delay and tactics in the implementation of Shariat-i-Muhammadi which has compelled the Taliban for arm struggle once again, and they are ready for new war with security forces. He also

mentioned that the opponent of Shariat-i-Muhammadi will be considered non-Muslim and they will proof Pakistan as the land of war, according Amir Izzat khan we are authoritative in our decisions and we don't need to make consultations with others. He also criticized the sending of Nizam-i-Adal Regulation bill in the Parliament with extreme protest by saying that even the Prophets were not allowed to make an Islamic law rather than Quran.⁵⁵

On April 12, 2009 on the direction of Commissioner Malakand, the Swat Police released five militants as a good will gesture as it was the part of deal accord between TNSM leaders and the NWFP coalition government. On April 13, 2009 the Nizam-i-Adal regulation bill was passed by the National Assembly with majority votes except the Muttahida Qumi Movement (M.Q.M) who opposed the bill. The Presidential Spokesman Farhat Ullah Babur stated that the President has signed the Nizam-i-Adal Regulation bill on April 14, 2009. Then the TNSM chief Sufi Muhammad stated that the PAK Army is the real the defender of Pakistan and Pakistani nation and requested the Taliban commander to disarm their Militias and stop sabotage activities to restore writ of the government as well to restore peace in Malakand Division. He also mentioned that the Taliban will grant amnesty to all those prisoners on humanitarian basis whose are in the prisons of Taliban very soon at public gathering.⁵⁶

According to Badshah Sardar the key figure of TNSM said that some of the Taliban welcomed the Nazim-i-Adal regulation, while others were in favor of arm struggle to pursue their wills. According to him that Sufi Muhammad ordered to Fazlullah to stop Taliban from sabotage activities and to lay down arms immediately. He said that Fazlullah asked some time from Sufi Muhammad to convince other Taliban commanders to abandon arm struggle, but Fazlullah in vain to convince other Militant leader such as Shah Dawran and Ibn-Amin to lay down arms.⁵⁷ Ibne Ameen and Shah Dawran were fearful about the Swat peace accord and they knew that if the peace was restore in the area, those people whom are migrated from the area as internally displace people (IDPs) and those people whose relatives have kidnapped and then beheaded and hanged by them in public places will take revenge from them and their families. They were also afraid that there is no one to give them guarantee of their lives, so both these Militants were against the peace deal and continue their arm struggle. Their Militias didn't abandon anti- government activities and were repeatedly marched with weapons in Bazaars, roads other parts of the Swat areas. Bothe the Taliban and Military personnel accused each other for the violation of the peace accord.⁵⁸

Due to the mounting pressure from these Taliban leaders on Sufi Muhammad to provoke the peace accord, on April 19, 2009 Sufi Muhammad stated in a gathering at Grassy Ground in Mingora City, that the blood of the Swati's people for the Implementation of Shariat-i-Muhammadi is seem to be wasted and turned the barrel of his guns toward the government and he harshly criticized the government for their policies.⁵⁹ He stated that democracy is the system of Heathenism and there is no room for democracy in Islam. He mentioned in his speech that the existing judicial system in Pakistan is un-Islamic and both Supreme Court and High court can neither proceeds case against the decisions of newly set up Islamic based Shariah courts. He further stated that there is no voting system in Islam, and the election procedure for the nomination of assembly member is totally against the basic principles of Islam. He also mentioned that the western inherited democratic system has divided the peoples of Pakistan even the Ulema into different groups, and claimed that the State high judicial institutions such as Supreme Court and high courts are appreciating the

System to pivot their roots. During his speech he also made demands from the government for the withdrawal of the Judges from Malakand Division and warrens the government to setup Darul Qaza as an Appellate court within four days which will hear case against the decision of Qazi courts. He further extended his demand for the Appointments of Qazi for District as well as for Tehsil level in the whole Malakand Division.⁶⁰

According to the TNSM chief Sufi Muhammad, that if the Government failed to implement the Islamic Shariah law in Malakand Division then the government has to face the Music of such a circumstances. He also mentioned that the government is not looking sincere in the implementation of Nizam-i-Adal regulation 2009, because they have approved it from the Assembly and president but they didn't discuss it with the Army and police high officials. On the other hand the Swat Taliban Spokesman Muslim Khan denounced the Swat peace accord an interview with the CCN the American news channel that the Swat Taliban are not bound to obey and respect the Peace accord because the government has signed the accord with TNSM personnel not with the Taliban.⁶¹

Military Operation against Fazlullah and TNSM Absconders

After the revoke of the Swat peace accord by the TNSM chief Sufi Muhammad on April 19, 2009, the government compelled and started operation *Rah-I-Rast* ("The Righteous Path) against the militants on April 26, 2009 from Maidan District Lower Dir against the militants to restore law and order situation. The operation was also extended to other districts of Malakand Division and parallel judicial courts of Fazlullah's were abolished majority of the Taliban leader were killed in the operation the remaining pleaded away from the area.

Conclusion

This study concludes that the *Shariatization* process led by Fazlullah and his brigade in Malakand Division trace its roots from early 19989 when Sufi Muhammad and his colleagues formed TNSM to solve mutual conflict and disputes though Jarga by the prominent leaders of the area. In 1991 Sufi Muhmmad patched a protest camp in Timargara hence District Dir lower in which he invited members of all political parties and civil society to convince them to struggle collectively for implementation Shariah in Malakand division. The leaders of different political parties supported the TNSM stance for their political goals which further strengthen the movement in the area. Beside, the abrogation of PATA regulation by High Court and later Supreme Court of Pakistan in Feburary 1994 provides an opportunity to TNSM to struggle for the implementation of Shariah in Malakand Division. In this connection to pressurize the Provincial government for the implementation of Shariah in Malakand Division, Sufi Muhammad took a violent step when he moved his peaceful campaign in to Arm struggle in April 1994. The TNSM supporters not only blocked the Main highways of Malakand Division which linked it to the rest of the province but also captured some strategic positions from the police including Saidu Sharif Air Port of Swat. At last the provincial government compelled to accept the demands of Sufi Muhammad and Nizam-e-Adl Regulation was implemented in Malakand Division. According to the Nizam-e-Adl regulations Qazis were appointed to all district courts of Malakand Division where the litigant were the choice to solve their case either the regular law of Pakistan or through Shriah law. The American invasion in October 2001 in Afghanistan also paved way for

Shriataization process in Malaknd Division There numerous events which provide an opportunity to TNSM to struggle for the implementation of Shariah law in Malakand Division of Pakistan but the notable event which not only changed the peace full situation of Pakistan specially of Malakand Division was the October 2001, American invasion in Afghanistan.

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