



AN INVESTIGATION INTO THE CAUSES AND CONSEQUENCES OF LAW AND ORDER SITUATION IN KHYBER AGENCY, PAKISTAN

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Abstract

Law and order is one of the major concerns in Pakistani society after 9/11. Tribal areas are the most effected than the other parts of the country. Present study was conducted to find out the causes and consequences of law and order situation in Khyber Agency. Data for the study were collected from 120 respondents of the four selected villages in Khyber Agency through a pre-tested interview schedule. The results stated that Islamic extremism (32%), poor government policies (17%), illiteracy (15%), weak political and malik system (15%) have been reported as the major causes of deteriorated law and order situation in the area. All these especially government policies and presence of insurgents resulted drone attacks, bomb blasts, kidnapping, youth conversion into insurgents, fear and harassments, closure of business and schools and migration to safe areas etc. Regarding the effects and consequences of law and order situation in local community the sampled respondents as a whole reported that besides human deaths and injuries drone attacks destroyed/damaged homes (55%), shops (68%) and livestock (54%) which generated hate (36%), sadness (37%) and sentiments of revenge (33%) in the community. They especially targeted youth who joined insurgents to get guns and power (31%), lead a glorious life (28%) and sacrifice their life for Islam (20%). According to pro-government (95%) and common man (64%) groups, most of the anti government persons/insurgents are doing this due to ignorance and illiteracy in the study area where they were trapped on the basis of religion, culture and foreign intervention (9%). All such activities generate fear and harassment in the area. Besides this, the insurgents attacked on schools (38%), threatened students (20%), teachers (28%) and business men (100%). Furthermore, war culture (89%) in the area where there was war between insurgents and government (54%) or sectarian clashes (46%). The study recommends that law and order situation can be improved through peace in the area by using jirga and talks with all the stack holders.

Key words: Law and order, Causes and Consequences, Khyber Agency, Pakistan.

Introduction

Since no society can function in a state of chaos and disorder, it is axiomatic to postulate that the conditions of law and order must have direct and significant bearing on the pace and pattern of the development of a country. Law and order in common parlance has come to mean the provision of a strong police force and a concern with reducing crime and vandalism. It generally refers to those rules and norms that govern a community. The basic function of the law is to control illegal activities of members within a society, and thus within that context, it is bound to have a major effect on every aspect of life (Nadeem, 1997).

Law and order further refers to a state of society in which there is regular process of criminal and civil law and in which certain agencies, such as army and Para military forces are responsible for maintaining domestic tranquility. It is generally seen by most conservatives and many liberals as the basic requirements of a state, and without these conditions civil society, political freedom and civil liberties are not possible. As such, law and order may become an election issue in democracies concerned with rising crime rates (Robertson, 2002).

Khyber Agency, tribal areas of Pakistan is one of the major affected areas in the region. It was perfectly at peace with itself and its neighbors prior to 9/11 (On September 11, 2001, some terrorists hijacked four commercial passenger jet airliners. They intentionally crashed two of the airliners into the Twin Towers of the World Trade Center in New York City), nearly 5,000 sq kilometers of area was totally inaccessible with no writ of the government. There was no militancy and no suicide attackers, although there had been presence of some foreigners due to Afghan problem. Besides, there were also Afghan refugees but they were shifted to settled areas in the year 2004. Taliban were present but no one had ever heard of militant Taliban till March 2004. After 9/11, the Allied Forces launched an operation in Tora Bora which lies just opposite to Khyber Agency. These are the low hills of Koh-e-Sufaid (White Mountain) on the Afghanistan side, very close to the Pakistan border. Pakistan and its military command were not informed by the US/NATO about this operation and they came to know about it through media.

Johnson and Mason (2007) assessed the insurgency and the re-emergent Taliban. The common view of the Taliban as simply a radical Afghan Islamist movement is overly simple, for that organization has been able to build on tribal kinship networks and a charismatic mullah phenomenon to mobilize a critical and dynamic rural base of support. This support, buttressed by Taliban reinforcements from Pakistan's border areas, is enough to frustrate the U.S.-led Coalition's counterinsurgency strategy. At the operational level, the Taliban is fighting a classic "war of the flea," while the Coalition continues to fight the war largely according to the Taliban "game plan." This is resulting in its losing the war in Afghanistan one Pashtun village at a time. After the existence of extremists and terrorists in the Khyber Agency soils is

stated not only dangerous for Pakistan but also posing threat for global peace. Not only Pakistani government but also people at large living in conflicted areas including Khyber Agency are passing through great trouble. The ongoing sectarian clashes and blood bath in agency are adding problems to people in the area. So far innocent people in thousands are being killed and kidnapped and there is a silent war against a particular sect. like many areas of NWFP the writ of the government is in the hands of local militants and situation in Khyber Agency due to so called sectarian clashes is getting worst day by day (Nelson, 2009). The emergence of Taliban in the region and their subsequent violation of the governmental writ have raised many questions on the future law and order situation in the Khyber tribal Agency of Pakistan.

Materials and Methods

This section describes the research methodology adopted for the study. Keeping in view the objective of the study, following methodology will be used for conducting the research. Landi kotal, one of the three sub-division of Khyber Agency is the universe of the study. Data were collected from three major groups (a) pro-government group, the Malik/other people, (b) anti-government group, the insurgents and (c) common people. This was done due to the fact that perception about causes and consequences of law and order situation was found different in the preliminary survey of the study area while one can classify the population into three major groups. Though a large sample size gives better results but keeping in view the time financial, topographic, security and human resources constraints, only 120 respondents were selected through purposive sampling method. Data was analyzed through frequencies and chi square test.

Results and Discussion

Major Causes and Consequences of Law and Order Situation in Khyber Agency

In order to assess the effects of law and order situation in Khyber Agency, this section first describes the major causes of law and order situation, then it probes how and what effect they have on local population.

When the respondents were enquired about the causes of law and order situation in the study area, Table 1 shows that it was due to Islamic extremist (32%), poor government policies (17%), illiteracy (15%) and weak political and malik role (15%). At individual level 42 percent of the sampled respondents from anti-government group stated that poor law and order was due to poor government policies (42%) followed by foreign interference (18%) and weak political and malik role (37%). A 31, 12, 12, 10 and 10 percent from common man group said that major causes of law and order are Islamic extremism, poverty, poor government policies, weak political role and Afghan problem respectively. According to pro government group it was due to illiteracy (30%), Islamic extremists (65%) and sectarian clashes (5%). The results are similar to the finding of Akhtar and Hayat (2009) who stated that "insurgents were responsible to create such a terrible situation. However majority of respondents were not in the favor of Islamic extremist".

Table 1 concludes contradictory statements where, according to anti government group poor law and order situation in Khyber Agency was because of the failure of government policies, political and administrative system and foreign intervention in the area, while common man and pro government groups stated that it is due to extremism, illiteracy and weak political system in the area.

A statistical result shows a high significant association between the causes of law and order situation and the opinion of different local community groups.

TABLE NO 1: Major Causes of Law and Order Situation in Khyber Agency

Causes of law and order	Anti Government (n=38)	Common man (n=42)	Pro Government (n=40)	Total (n=120)
Illiteracy	(0) 0	(5) 2	(30) 12	(15) 19
Islamic extremist	(0) 0	(31) 17	(65) 26	(32) 39
Poor Govt polices	(42) 16	(10) 4	(0) 0	(17) 21
Foreign interference	(18) 7	(10) 4	(0) 0	(9) 11
Poverty	(0) 0	(12) 5	(0) 0	(4) 4
Sectarian Clashes	(0) 0	(5) 2	(5) 2	(2) 2
Weak political and Malik role	(37) 14	(10) 4	(0) 0	(15) 18
Afghan problem	(3) 1	(12) 5	(0) 0	(5) 5
Total	38	42	40	120

Source: survey, the value in parentheses are percentages, chi-square value=114, with P- value=0.000

Effect of Drone Attacks on Infrastructures and livestock

As the effects of drone attacks were multi dimensional so besides deaths and injuries, infrastructures had also been

affected. These included shops, homes and bridges. Table 2 states that a 68, 55, 54 and 27 percent of sampled respondents reported that drone attacks both destroyed and damaged shops, homes, livestock's and bridges. At individual level, major destruction for anti government groups was the homes (79%) and shops (53%) while according to common group, drone attacks damaged more to shops (95%), livestock (83%) and homes (52%). For Pro-government the drone attack targeted shops (55%), livestock (50%), bridges (38%) and homes (35%). Table 2 as a whole reveals the drone attacks destroyed and damaged the homes, bridges and livestock.

TABLE NO 2; Effects of Drone Attacks on Infrastructures and livestock

Effect on Infrastructures	Anti government (n=38)	Common man (n=42)	Pro government (n=40)	Total (n=120)
Homes	(79) 30	(52) 21	(35) 14	(55) 66
Shops	(53) 20	(95) 39	(55) 22	(68) 81
Bridges	(13) 5	(29) 12	(38) 15	(27) 32
Livestock	(26) 13	(83) 34	(50) 20	(54) 64
Total	38	42	40	120

Source: survey, the value in parentheses are percentages, chi-square value=52.304, with P- value=0.091

Kidnapping and Law and Order situation

Kidnapping of people from settled areas has been common phenomena. However, it has been enhanced due to insurgency in the tribal belt. Table 3 while describing it as a whole stated that according to 73 percent of the sampled respondents kidnapping had been enhanced in the study area while the remaining (27%) said that there is no kidnapping. A 71, 88 and 58 percent from the common people, pro government people and anti government people viewed that kidnapping has been enhanced in the area after insurgency respectively. Regarding that who is kidnapped, a 55 and 45 percents of the anti government people named government employees and maliks are kidnapped respectively. Common people in this regard said that rich people (73%), government people (20%) and maliks (7%) are kidnapped in order to make money and put pressure in the area. Similarly, a 31, 40 and 29 percents of pro government people described that rich people, government people and maliks are kidnapped from different area respectively. When they were further asked about that from where they kidnapped, a 65 percent as a whole reported that from Khyber Pakhtunkhwa while 15 percent said that it kidnapped from Khyber Agency and 20 percent as a whole reported that it kidnapped from other area.

The result was supported by the finding of Duschishki (2009) who stated that most of the business community and investors belonging to tribal areas were leaving the area because of security and massive incidents of kidnapping by the insurgents and other criminals. Similarly a high significant relationship is shown by chi square results between kidnapping and its effects on law and order situation.

TABLE NO 3: Kidnapping After Insurgency

Kidnappings After insurgency	Anti government (n=38)	Common man (n=42)	Pro government (n=40)	Total (n=120)
Yes	(58) 22	(71) 30	(88) 35	(73) 88
No	(42) 16	(29) 12	(12) 5	(27) 32
If yes who kidnapped				
Rich	(0) 0	(73) 30	(31) 12	(38) 46
Govt people	(55) 20	(20) 8	(40) 16	(37) 45
Maliks	(45) 18	(7) 4	(29) 14	(25) 29
Total	100	100	100	100
From where it kidnapped				
Khyber pakhtunkhwa	(68) 26	(60) 25	(69) 27	(65) 78
Khyber Agency	(23) 8	(10) 4	(14) 7	(15) 18
Other area	(9) 4	(30) 13	(17) 6	(20) 24
Total	38	42	40	120

Source: survey, the value in parentheses are percentages, chi-square value=48.801, with P- value=0.000

Insurgency due Law and Order Situation

Insurgency in the tribal belt is one of the major developments from the last decades. After the fall of Taliban government in Afghanistan, many of the defeated groups came to the tribal belt of Pakistan and started their activities both against the Pakistan and Afghan governments. Many of the local outlaws either joined them or started their activities in the name of insurgents. Khyber Agency is one of the areas having insurgency in large number. It is also generally said that this might be root-causes of deteriorated law and order situation in Khyber Agency.

Table 4 shows that all the respondents both as a whole and at individual level had stated that poor law and order situation is because of insurgency. When the respondents were further probed out about the major motives behind insurgents entrance in the sampled area, the respondents as a whole stated that insurgents either intend to bring Islamic law called sherie (23%) and to control the area (15%). They have linked with local Taliban (18%) and those living other side of the border (14%).

At individual level, for anti government group the major reasons were bringing/enforcing Islamic sherie (42%), controlling the area (24%) and border linkage (12%), while common people believed that they entered in Khyber Agency as it is safe place (29%), no law enforcement present in the agency (17%) and they have support/links with local Taliban (16%). The pro-governments group was of view that insurgents in Khyber Agency are due to their linkages with local Taliban (25%), there is border linkage with Afghanistan (20%) and it is safe heaven (18%) for insurgents. The results are supported by to Ali (2009) who said that militancy and vandalism were gradually found roots in the tribal areas especially in Khyber Agency due to border linkage and also spreading towards settled areas of Pakistan.

Table 4 as a whole concludes that the presence of insurgent in Khyber Agency was due to border linkage, presence of Taliban and safe place for insurgents. Chi square results also show a insignificant relationship between insurgency and its effects on law and order situation.

TABLE NO 4: Insurgency due to Law and Order Situation

Insurgency due to Law and Order Situation	Anti Government (n=38)	Common man (n=42)	Pro Government (n=40)	Total (n=120)
Yes	(100) 38	(100) 42	(100) 40	(100) 120
No	(0)	(0)	(0)	(0)
If yes so how				
To control the area	(24) 10	(12) 5	(10) 4	(15) 16
To bring Islamic Sherrie	(42) 15	(14) 6	(12) 5	(23) 33
Border linkage	(11) 4	(12) 5	(20) 8	(14) 15
No law enforcement agencies	(3) 1	(17) 8	(15) 6	(12) 14
Consider safe place	(8) 3	(29) 11	(18) 7	(18) 21
Affiliation with local Taliban	(12) 5	(16) 7	(25) 10	(18) 21
Total	38	42	40	120

Source: survey, the value in parentheses are percentages, chi-square value=23.617, with P- value=0.009

Possible Solutions of Current Problems

Discussing about the solutions of current problem Table 5 states as a whole 55 percent of the sampled respondents stated that the present crises should be resolved through peace talks or jirga system while a 30 and 15 percents stated that it can be solved through army operation and development in the area respectively. A 25 and 43 percent of the sampled respondents of pro-government and common men and all the sampled respondents of anti government emphasized to solve this problem through jirga i.e peace talk.

Table 5 as a whole concluded that peace talk or jirga system was reported as the most suitable solution followed by army operation and development in the area. The results are supported by the finding of Ali, (2009) who stated that for immediate and long term peace and development in the region, dialogue should precede with necessary action. Statistical result show that data contain highly significant.

TABLE 5: Possible Solutions of Current Problem

Possible solution of current problem	Anti Government (n=38)	Common man (n=42)	Pro Government (n=40)	Total (n=120)
Arm struggle	(0)	(33) 13	(55) 22	(30) 39
Peace talk or Jirga system	(100) 38	(43) 10	(25) 10	(55) 66
Development in the area	(0)	(24) 19	(20) 8	(15) 15
Total	38	42	40	120

Source: Survey, the value in parentheses are percentages, chi-square value=50.091, with P- value=0.000

Conclusion and Recommendation

Law and order in Pakistan emerged as the main issue in recent year especially after 9/11 which subsequently effect law and order situation has been deteriorated in Pakistan especially in tribal belt located near to afghan border. Khyber Agency, a tribal area of Pakistan is one of the major affected areas in the region, that is passing through a series of chronic and painful problem including political, social economic , security , uncertainty , day to day suicide attack , foreign drone attack and worst situation of law and order. The main factors deteriorated law and order situation were Islamic extremist and poor government policies, along with was bomb blasts and drown attacks had created fear and harassment in the area which compelled many people to migrate from Khyber Agency to another area as there is no security in the area. Law and order also badly affected business in the area. The number of killing, kidnapping and attacks on school also been enhanced. As a result it gave an opportunity to the insurgent to spread their activities.

Parent who were thinking about education of their children were found consideration more importance to the food and security of their family members. Further, majority of people had reported that the people especially the youth had joined insurgents groups, where there is great dignity and honor in the area. They also had power, authority, money and armed. However, despite this majority of sampled respondents reported that Pakistan has the ability to handle to this situation but it would take time. Further they stated that it can be controlled through peace talk (jirga system) and through development activities in the area.

Based upon the conclusion of the study, some recommendations are given as under:

1. Special attention should be given to children and young people as more than two third of the anti government persons were insurgents from the age group 15 to 35 years.
2. Government should change their policies regarding the tribal areas and make effective and people need policies with the involvement of agencies people. Special attention in this regard should be given to stop the bomb blast and drone attacks in the tribal areas.
3. The tribal people should made aware about the Islamic extremist that there are many organization and personalities who are spreading their activities in the name of Islam.
4. Presence of insurgents in the study area was because of its location near afghan border. Special attention in this regard is needed both by the Pakistan and afghan governments in stopping the insurgent's infiltration.
5. For immediate and long peace and developing in the region, jirga system or peace talk should be precede with consideration.

References

- Akhtar and Hayat S. 2009. The Impact of Talibanization on the Education of IDP's in N. W. F. P. Journal of Pak Search. Pages10.
- Ali M,J. 2009.Situation in FATA: Causes, Consequences and the Way Forward .*Policy Perspectives* .6(1).
- Azhar H,N. 1997. Impact of Lawlessness on Economic Development and Role of Effective Policing. Journal of Pakistan Research Repository. pp450.
- Coaffee J. 2004. Designing out Terrorism in Central London pre and post September 11th.Urban and regional Research. 28(1); 201_211
- Die T. 2001. Terrorist attack on World Trade Center. National Institute of Standards and Technology (NIST)
- Duschinski. 2009. Militarization, state power and punitive containment in Kashmir valley. Journal of Anthropological Quarterly. 82(3).
- Flynn N and Shihadeh E S. 1996.The Effect of Black Social Isolation on the Rates of Black Urban Violence. *Social Forces*, 74(4):1325-1352
- Ghafoor, M. 2009. Impediments Involved in the Integration of Federally Administrated Tribal Areas (FATA) in the National Mainstream of Pakistan. Pp: 96.
- Ghauri and Muhammad. 2009. Role of Pakistan in War against Terrorism with Particular Emphasis on its Tribal Area .pp: 44.
- Glaeser E L and Shapiro J M.2002. The Impact of Terrorism on Urban Form. Journal of Urban Economics.51(2); 205_224
- Graham J and B Bowling.1995.Young People and Crime .NCJRS (national criminal justice reference service) 551(2); 155
- Johnson T.H and M.C Mason. 2007. Understanding the Taliban and Insurgency in Afghanistan. ORBIS. 51(1):71 -89.
- Kittrie N.2008.The International Law of War and America's War on Terrorism. International Journal on World Peace. 25(3); 85_22.
- Klick J and A Tabarrok. April 2005.Using Terror Alert Levels to Estimate the Effect of Police on Crime .Law and Economics.48 (1)
- Mathew, J.M. 2009. Pakistan in 2009. Journal of Caliber. 50 (1): 112-126.
- Primoratz I.2008. What Is Terrorism? Applied Philosophy.7 (2); 128_138.

- Robertson. 2002. Similar trends, diverse agenda. *Journal of Inform world*. 1 (2): 201-221.
- Shapiro J N and Fair C C.2009.Understanding Support for Islamist Militancy in Pakistan *International Security* -34(3); 79-118.
- Shorthose J.2003.Unlawful instruments and goods Afghanistan, culture and the Taliban.*Jr capital & Class*.27 (1); 9_16
- Sullivan D P.2007.Tinder, Spark, Oxygen, and Fuel: The Mysterious Rise of the Taliban. *Journal of Peace Research*. 44(1); 93-108
- Tanvir, H.2008. Volatile Law and Order Situation in Pakistan. *Freelance International Columnist*.
The Daily Dawn Newspaper. June 09, 2009. Current situation in Khyber Agency.