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**THESIS**

**THE EMERGENCE OF TRANSNATIONAL TERRORIST  
SAFE HAVENS: A COMPARATIVE ANALYSIS OF THE  
FEDERALLY ADMINISTERED TRIBAL AREAS IN  
PAKISTAN AND KABYLIA IN ALGERIA**

by

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December 2012

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## **ABSTRACT**

This thesis analyzes the similarities and unique conditions that have made the FATA and Khyber Pakhtunkhwa safe havens for transnational terrorist groups. The thesis uses five variables to compare the cases: geography, governance, society, security, and outside influences on both areas.

The thesis finds that geography has a strong influence on the creation of safe havens, particularly terrain that is difficult to access, as does weak federal governance and strong tribal societies. Furthermore, both Khyber Pakhtunkhwa and the FATA have suffered chronic instability, which has provided opportunities for terrorists to establish safe havens. External influences have also played an important role in both areas by creating competing loyalties that have weakened the legitimacy of the federal government in the area, thus helping to create favorable conditions for terrorist safe havens. Socioeconomic conditions were not a consistent cause of safe havens in this study, nor was the presence of international borders.

These findings suggest that improving communications infrastructure in places like the FATA and Khyber Pakhtunkhwa is an important first step in making these areas less hospitable to terrorist organizations, as is improved infrastructure, especially roads that grant access to security forces in these areas.

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## LIST OF ACRONYMS AND ABBREVIATIONS

ALN	l'Armee de Liberation National
ANDI	National Agency for Investment and Development
ANP	Popular National Army
AQIM	Al Qaeda in the Islamic Mahgreb
CRUA	Committee Revolutionnaire d'Unite et d'Action
D.I. Khan	Dera Ismael Khan
ENA	Etoile Nord Africaine
FATA	Federally Administered Tribal Areas
FCR	Frontier Crimes Regulation
FLN	Front de Liberation National
FR	Frontier Regions
GLD	Groupe de Ligitime Defense
GWOT	Global War on Terror
KP	Khyberpakhtunkhaw
MAK	Kabylia Autonomy Movement
MCH	Maternal and Child Health Centers
MNA	Members of the National Assembly
NATO	North Atlantic Treaty Organization
NWFP	North West Frontier Province
SO	Special Organization
PA	Political Agents
PCA	Parti Communiste Algerien
PKR	Pakistani Rupees
PPA	Parti du Peuple Algerien
RHC	Rural Health Clinics
SWA	South Waziristan Agency
TTP	Tehrik e Taliban Pakistan
UAE	United Arab Imarets
UNHCR	United Nations High Commissioner for Refugees

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## **I. INTRODUCTION**

### **A. INTRODUCTION**

Although not a new problem, safe havens—places where terrorists can organize and train within sovereign countries—have become a critical concern in the fight against terrorism in general, and transnational terrorists in particular, especially following the 9/11 attacks. Areas with strong tribal societies and weak central governments appear to be the type of territory in particular that terrorists have used for sanctuary. One such place, which has received considerable attention, especially post 9/11, is the Federally Administered Tribal Areas (FATA) of Pakistan. The FATA provided sanctuary to foreign terrorist organizations like Al Qaeda, as well as having created indigenous terrorist groups like the Tehrik e Taliban Pakistan (TTP). Pakistani Major General Hayaud Din argues, “The FATA is an anomaly that does not exist anywhere else in the world.”<sup>1</sup>

Although the FATA has been singled out as a particularly unique and ripe area for terrorist sanctuary, it is not unique. A similar area exists in Algeria, known as Kabylia. Both the FATA and Kabylia have strong tribal societies and house transnational terrorist organizations linked to Al Qaeda. In this study, we compare these locations with the goal of finding those similarities and differences that contribute to promoting terrorism, and of discovering possible means of mitigating their role as safe havens for transnational terrorist groups.

### **B. THE FATA PROBLEM**

The FATA has a long history of turmoil, conflict, and power politics. This area was a prime focus for the British during colonization. During their rule over the FATA, the British could not enforce their writ upon the tribal area. Exhausted by repeated battles with the tribes, the Frontier Crimes Regulation of 1901 (FCR) was introduced in an effort

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<sup>1</sup> Muhammad Hayaud Din, "The Frontier Problem," Military Digest-General Headquarters Rawalpindi, 1954, 1.

to subdue them, which consisted of a special governing system for the tribal region only. Political agents (PAs) and the *maliki* system were also developed to allow greater colonial control.<sup>2</sup>

The FATA was of great strategic importance, particularly when the Russian Empire and British India were rivals in the “Great Game” (1813 to 1989), a term used to describe the strategic rivalry and conflict between these empires for supremacy in Central Asia. The British feared that Afghanistan would become a staging ground for a Russian invasion of India and that the Tsar’s troops would subdue the Central Asian Khanates (Khiva, Bokhara, Khokand) one after another, in effect flanking the British presence in South Asia. Britain fought several wars with Russia to maintain her presence in the area, and the FATA became a critical buffer zone between the two great powers.

The FATA became an area of critical importance once again when the Soviet Union invaded Afghanistan in 1979. Initially, this area was the battleground for hostile intelligence operations, and then housed bases that supported the mujahedeen’s fight against the Soviets. Islamic religious extremism was preached in the area to recruit mujahedeen to fight the Soviets. This message of jihad against the infidels persisted beyond the war, radicalizing a generation of Pashtun refugees and helping to create the Taliban.

The FATA once again became an area of critical importance following the 9/11 attacks on the United States. According to FATA expert Sabina Khan, “the FATA is the epicenter of the ‘War on Terror.’”<sup>3</sup> Today, the FATA is an area of concern not only for Pakistan, but the international community as well. The region has promoted terrorism through the spread of militant ideologies and has provided havens to terrorists. Following 9/11, the FATA and some parts of the adjacent Khyberpakhtunkhaw (KP) have gradually continued to slip out of Pakistan’s control, to such an extent that militants routinely hit

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<sup>2</sup>Sabina Khan, "FATA's Political Status," *Strategic Insights* 10, no. 2 (Summer 2011): 35-46.

<sup>3</sup> *Ibid.*, 35.

NATO supply lines and storage depots in Peshawar, the capital of KP, forcing the United States and NATO to consider other, more expensive, logistics routes.<sup>4</sup>

These conditions have prompted international actors, particularly the United States, to demand that Pakistan take further action to control this part of their country. Pakistan launched military operations in the FATA beginning in 2002, but has been unable to bring the area under full control. The United States has used drone attacks in the FATA to target terrorist houses and individuals, straining relations with Pakistan. Despite these efforts, the FATA remains relatively autonomous and the presence of domestic and transnational terrorist groups persists.

### **C. THE KABYLIA: ALGERIA'S "FATA"?**

The Algerian Kabylia has many similarities with the Pakistani FATA. Partially controlled by the Algerian government, the Kabylia region is the main source of instability in Algeria. It is primarily governed through tribal structures (aarch)<sup>5</sup>, which do recognize neither the government's nor Algeria's political parties. Individuals devote their loyalty to the tribe rather than the central government. Similar to the FATA, which is linguistically and culturally distinct from the rest of Pakistan, Kabylia also has a separate language, culture, and history from the rest of Algeria. Its people, the Berbers, are distinct from Arabs and have a longstanding belief in their unique origins, fueled in part by French perceptions of Berber superiority over Arabs.

Also like the FATA, Kabylia has a strong sense of independence. Kabylia embraced the 1954 Algerian national revolution against French colonialism in its early days. Kabylisians were, in fact, the pioneers of the national movement. During the 1930s, the Berbers in France founded the first two national political parties, the Etoile du Nord Africain (ENA) and Parti du Peuple Algerien (PPA). These two parties, despite colonial repression, carried the struggle for national independence. After being dissolved by the

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<sup>4</sup> Hassan Abbas, "President Obama's Policy Options in Federally Administered Tribal Areas of Pakistan (FATA)," Institute for Social Policy and Understanding report (Michigan, 2009): 3-4, accessed May 4, 2012. [http://www.ispu.org/files/PDFs/fata\\_report.pdf](http://www.ispu.org/files/PDFs/fata_report.pdf).

<sup>5</sup> International Crisis Group, "Algeria: Agitation and Impasse in Kabylia," Middle East/ North Africa report (Brussels, 2003).

French authorities, the militants of both parties formed the Organisation Secrete (OS), which turned into the hardcore Front de Liberation National (FLN), the backbone of the armed struggle against French occupation.

Despite its role in fostering Algerian independence, Kabylia maintained a strong desire for autonomy from the rest of the country following liberation from France. In 1963, the Algerian Popular National Army (ANP) invaded Kabylia during the armed revolt of Ait Ahmed Hocine, one of the engineers of the Algerian revolution. The aftermath of these events is very significant in the Berbers social memory. Again, in 1980, the “Berber Spring” made clear the cultural and political demands of Kabylia, which had been previously largely ignored or obscured.<sup>6</sup> During the “Black Spring” of 2001,<sup>7</sup> the region witnessed violent riots, where hundreds of people lost their lives in a protest against the central government. The excessive use of government force led the Kabylia Autonomy Movement (MAK) to declare independence and form an exile Kabylia government in 2001.<sup>8</sup>

Along with social unrest, terrorist organizations such as AQIM have created a safe haven in the Kabylia mountainous region. From its stronghold in Kabylia, AQIM is focusing terrorist activities around Algiers, its immediate hinterland, and the south of Algeria.<sup>9</sup> Terrorist attacks by AQIM reached a peak in the years following 2003.<sup>10</sup> AQIM has since created training camps and doubled its recruitment campaign within the local population. The presence of AQIM in Kabylia carries dangers for the national unity of Algeria as a whole, since it aggravates the instability of the region and undermines the

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<sup>6</sup>Gilles Manceron and Farid Aissani. *Algrie: comprendre la crise.* (Bruxelles: Editions Complexe, 1996), 164.

<sup>7</sup>Maddy Weizman, *Berber Identity Movement and the Challenge to North African States*, (University of Texas Press, 2011), 185.

<sup>8</sup>Ramdan Belamri, "Algerian Separatist Leader's Visit to Israel Stirs Controversy," *Al Aarabia*, May 22, 2012, accessed October 15, 2012. <http://english.alarabiya.net/articles/2012/05/22/215732.html>.

<sup>9</sup>Scott Poynting, David Whyte, *Counter-Terrorism and State Political Violence: the War on Terror as Terror*, (Routledge, New York, 2012), 223.

<sup>10</sup>Yonah Alexander, *Terrorism in North, West and Central Africa: From 9/11 to the Arab Spring*, Potomac Institute for Policy Studies report (Arlington, 2012).

relationship of Kabylia to the Algerian nation. Moreover, it reflects the fundamental problem that has plagued Algeria since independence: the absence of adequate political institutions to represent Kabylia interests and grievances.

#### **D. THESIS STATEMENT AND METHODOLOGY**

In this thesis, we examine the similarities and ideal conditions that have made the FATA and Kabylia safe havens for terrorist groups, particularly transnational terrorists affiliated with Al Qaeda.

In particular we will explore the five critical variables that we hypothesize are important for understanding the conditions under which terrorist safe havens emerge: geography, society, governance, security, and external actors.

Geography is important because terrain, neighboring counties, and location may affect the emergence of safe havens to terrorists. We hypothesize that the more mountainous the terrain, the greater the access to transnational borders, and the more unstable the neighborhood, the greater the chances that an area will become a sanctuary for terrorists.

Regarding societies, we hypothesize that tribal structures are useful for terrorists wishing to create a sanctuary. Specifically, we will look at tribal codes of conduct and how they may create social conditions that allow terrorist groups to coexist among the population. We also hypothesize that the poorer the region and the more illiterate, the greater the chances that terrorists will use the area for sanctuary.

Regarding governance, we are interested in understanding how political structures may create, or be unable to prevent, the presence of terrorist groups. We hypothesize that the weaker the rule of law and the ability to enforce it, the more likely the presence of terrorist groups.

Security is a major contributor to safe haven in both areas under study. We hypothesize that the longer the insecurity in the area, regardless of the cause, the greater the chances that terrorists will use the area as a haven. We believe that chronic instability and lack of security creates a culture of insecurity that terrorists can exploit.

Finally, external actors are important to study because, as we hypothesize, terrorists need not only domestic support, but also external support to grow and carry out operations. We argue that the presence of external actors reflects weak legal and political institutions in an area and further weakens a government's ability to control the territory. This thesis uses these five variables to analyze the FATA and Kabylia separately, through process tracing, and then compares them to better understand both the common and distinctive causes that encourage international terrorist organizations in these areas. To investigate this hypothesis, we use data from primary and secondary sources, including government proceedings such as declassified national-security briefings, press releases, and statements from government agencies, as well as books, journals, articles, newspapers, and magazines on the past and the present condition of the region.

The thesis finds that geography has a strong influence on the creation of safe havens, particularly terrain that is difficult to access, as does weak federal governance, and strong tribalism. Both Kabylia and the FATA have had chronic instability, which has provided opportunities for terrorist havens. External influences have also played an important role in both the areas by creating competing loyalties that weaken the legitimacy of the federal government, helping to create conditions favorable for refuge. Socioeconomic conditions were not a consistent cause of safe havens in this study, nor were international borders.

## **E. CHAPTER OUTLINE**

The thesis proceeds as follows. Chapter II uses the five critical variables (geography, society, governance, security, and external actors) to describe and analyze the FATA in Pakistan. This chapter will describe the historical background of the FATA since British rule and focus on the British mode of governance, their policies, and their on tribal people.

Chapter III uses the same framework to analyze Algeria and the history of the Kabylia region, looking first at how the Ottomans shaped early society and politics in Algeria and then the French influence under colonial occupation. This chapter reviews Algeria's bid for independence and the role that the Berbers played. It will then consider

Kabylia following Algerian independence, the continuing struggle for cultural, social, and political autonomy, and how this unrest has shaped the emergence of transnational terrorists in the area.

Chapter IV summarizes the findings of this research and highlights key points.

In Chapter V, pragmatic recommendations for strategies to oppose potential safe havens are proposed.

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## **II. THE FEDERALLY ADMINISTERED TRIBAL AREA OF PAKISTAN**

### **A. INTRODUCTION**

This chapter briefly discusses the historical background of the FATA and gives an overview of its geography, administration, society, security, and international involvement. Since the FATA is linked to harboring terrorism, it is necessary to understand why the area is ideal for such activities.

To understand the dynamics of the FATA, this chapter is divided into three parts. The first section discusses the historical overview of the FATA from the British colonial period to the present. The second section discusses the five variables of this study: the geographical location of the FATA and the society, people, governance, security, and outside influences. The third provides concluding thoughts.

This chapter argues that the favorable conditions for promoting terrorism in the FATA are embedded broadly in the tribal culture and geographical location of FATA.

### **B. THE HISTORY OF THE FATA**

The areas that today make up the Federally Administered Tribal Areas (FATA) of Pakistan have been a semi-autonomous region throughout known history. Many dynasties ruled the area, but none succeeded in bringing the tribal people under full control. To understand the emergence of the FATA as an area of concern for domestic and international terrorism, this section highlights the pre-colonial era, British rule, Pakistan's bid for independence, and the FATA before and after 9/11.

#### **1. The Pre-Colonial Period**

The Federally Administered Tribal Areas of Pakistan, an area roughly 280 miles long and 155 miles wide, has seen the rise and fall of several ancient civilizations and dynasties. Nonetheless, this region has ever remained independent or autonomous.

The earliest known migration to the region was the influx of Arians from the north in 1700 B.C., traversing mountain passes into the subcontinent. Recorded history

began with the arrival of the Persians in the 5th century B.C., who ruled the area for about two centuries. The Greeks, under Alexander the Great, crossed the area in 326 B.C. and established a satrapy (province) comprising this and adjoining areas. The Mauryan Empire also extended to these areas in 322 B.C. and spread Buddhism as a popular religion. The Greco-Bactrians occupied the area in 185 B.C., followed by the Scythians (Sakas) in 97 B.C. and Kushanas in the second century A.D. The Kushana's period was followed by fragmented local rule until the Muslim conquest of these areas beginning in the eighth century A.D.

Muhammad bin Qasim<sup>11</sup> conquered the Sindh and adjacent Multan areas in 712 A.D. when the subcontinent was ruled by the Hindu Shahi dynasty. This was followed by many other Muslim sultans' wars with the Hindus, including Mahmood Ghaznavi, Shahabud Din Muhammad Ghori, and Qutb-ud-Din Aibak. These sultans (1206–1525 A.D.) confined their reign to the east of the Indus River and did not interfere in the affairs of the trans-Indus tribes. The Mughal Empire (1526–1857 A.D.) had political links with Kabul and further north, in addition to the east, and required safe passage through the tribal areas of the FATA. Despite frequent contact, local tribes remained hostile and implacable toward the Mughals.

## **2. British Rule**

In the 19th century, the Sikhs sought to extend their rule to the eastern tribal areas after their occupation of the trans-Indus plains, but failed. Sikh rule was brought to an end by the British occupation of the Punjab India in 1849. When the British arrived in India, there was no defined border with Afghanistan. Nor were there regularly constituted political agencies or a demarcated tribal area between the British-administered territories at the foot of the FATA mountain ranges and Afghanistan to the east. The tribal area across the border enjoyed de facto independence and was commonly known as *ghairilaqa*

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<sup>11</sup> Muhammad bin Qasim was the military General sent by then Arab ruler of Umayyad Caliphate Al Hajjaj bin Yusuf, to conquer Sindh when Sindh was being ruled by Hindus. Qasim is famous for being the youngest General ever (age 17 years) who successfully conquered a large area of subcontinent and expanded the Muslim ruled area.

(un-administered territory) or *Yaghistan* (the land of rebels).<sup>12</sup> In other words, the Indian frontier (the present day FATA) was regarded as standing on the administered border between India and Afghanistan.<sup>13</sup> There was doubt between the Afghan kingdom and British India about the ownership of this tribal belt. The British had not occupied the Khyber Agency area and the Upper Kurram Valley. In reality, both these areas remained under vague Afghan rule.

British rule in the Punjab, including Khyberpakhtunkhaw (KP) and the FATA, continued from 1849 to 1947. To maintain security at the FATA's border, the British created a special indigenous force called the Punjab Frontier Force, which was amalgamated with the regular army in 1886. During the period between 1849 and 1857, the British sent troops against the tribesmen on seventeen occasions to consolidate their rule and secure the border.<sup>14</sup>

Another means of securing the border in what is now the FATA was a policy of non-aggression toward tribal territories and non-interference in tribal affairs; this was known as the close-border policy.<sup>15</sup> The British also repaired existing forts and constructed new ones along the administrative boundary, linking them by military roads. The people of the tribal areas were permitted to enter the British-occupied area and carry out trade freely, but the officers of the British government were not allowed to enter the tribal area.<sup>16</sup> British military expeditions were undertaken only in response to violations by tribesmen.

The British made several attempts to rule the people of the tribal belt, specifically the Pashtuns, but the Pashtuns violently resisted all attempts to conquer. Between 1849 and 1908, the British conducted sixty-two military expeditions against tribes along the

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<sup>12</sup> Olaf Caroe, *The Pathans 550 BC-AD 1957* (London: Macmillan, 1965), 347.

<sup>13</sup> Ibid.

<sup>14</sup> Ibid.

<sup>15</sup> Maqbool Wazir, "The FATA Region in History," Waziristanhills, last modified 2009, accessed October 28, 2012, <http://waziristanhills.com/FATA/FATAinGeneral/TheFATAregioninhistory/tabid/117/language/en-GB/Default.aspx>.

<sup>16</sup> Ibid.

border. As a result, strong revolt against the British engulfed the whole frontier, from Malakand to Waziristan, in 1897.<sup>17</sup>

Around the turn of the 19th century, the Russian Empire began to set its sights on Afghanistan. In response, the British began securing the border between British India and Afghanistan. Interestingly, the boundaries of Afghanistan were not determined by the neighbors of Afghanistan and Afghanistan itself, but by the mutual consultation of neighbors only. At that time, the rulers of Afghanistan were very weak against their neighbors to the west and east; they were compelled to give recognition the borders. In 1872, the border between Afghanistan and Iran was fixed through British arbitration. However, the limits of Afghan territory on the Pakistani side were determined by the authority of the British. Amir Sher Ali, the ruler of Afghanistan, was told by the British in 1877 that they did not recognize Dir District, Swat Valley, Chitral Valley, and Bajour as part of Afghanistan (the areas situated east of the Durand Line).<sup>18</sup>

The British abandoned the close-border policy in the 1890s in view of the threat of Russian expansion into Central Asia. Their new objective was to occupy a “scientific frontier” on the Kabul-Ghazni-Kandahar line.

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<sup>17</sup>Ghani Khan, "Origin of the Pathans," Pakhtun, accessed October 28, 2012, <http://www.pakhtun.com/index.php/about-pashtuns/history-of-pashtuns/pashtun-history>.

<sup>18</sup> Louis Dupree, *Afghanistan* (New Jersey: Princeton University Press, 1973), 425.

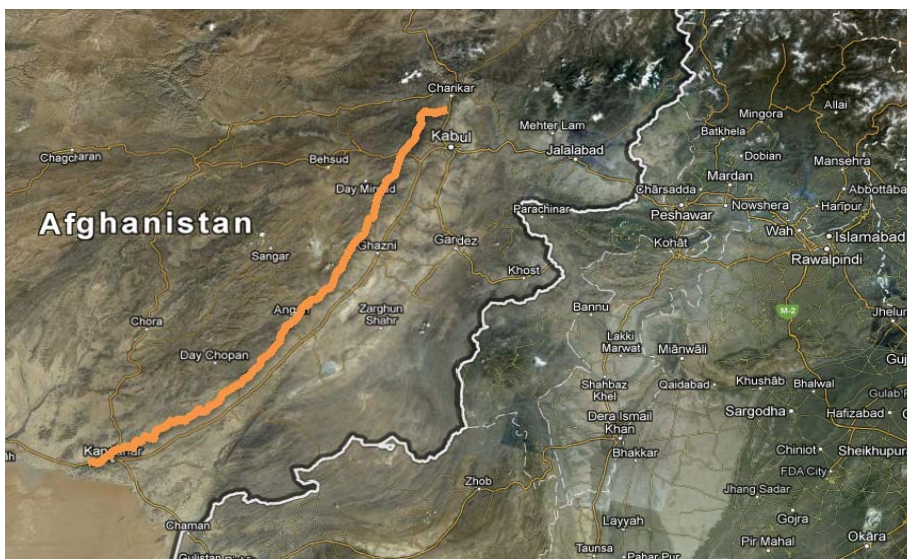


Figure 1. The “scientific frontier” on the Kabul-Ghazni-Kandahar line<sup>19</sup>

This new strategy necessitated the control of mountain passes in the tribal areas to improve communication and set advanced military posts to secure the strategic line. To secure the border, the British established a working relationship with Amir Abdur-Rehman Khan of Afghanistan, and to administer tribal areas, appointed political agents (PAs) and stationed scouts in strategic locations. The Durand Line was set in 1893.<sup>20</sup>

The status of Afghanistan was confirmed as a buffer state between the two empires by the Anglo–Russian Convention of 1907<sup>21</sup>. These developments effectively split the Pashtun tribes between Afghanistan and British India. According to the last governor of the former North-West Frontier Province (NWFP), Olaf Caroe, who had helped Sir Mortimer Durand draw the border line known as the Durand Line,

... the agreement of 1893 did not describe the line as the boundary of India but as the frontier of the Afghan dominion and the line beyond which neither side will exercise interference. This was because the British

<sup>19</sup> "Pakistan-Afghanistan," map, Google, accessed October 28, 2012, <http://www.google.com/maps>.

<sup>20</sup> Naveed Ahmed Shinwari, “*Understanding FATA, Attitudes Toward Governance, Religion and Society in Pakistan’s Federally Administered Tribal Areas*,” research report (Islamabad, Pakistan, 2010), 6, accessed October 30, 2012, <http://www.understandingfata.org/files/Understanding-FATA-Vol-IV.pdf>.

<sup>21</sup> Anglo-Russian Convention of 1907 was signed on August 31, 1907 in St Petersburg, Russia to bring weak British-Russia relations to the forefront by solidifying boundaries that identified respective control in Persia, Afghanistan, and Tibet. This agreement seemingly ended a long-standing struggle for power that had gone on at the expense of less-developed regions in Central Asia.

government did not intend to absorb the tribes into its administrative system, only to extend their own and exclude the Amir Ali's authority from territory east and south of the line.<sup>22</sup>

The *ghairilaqa* was a concern for the British, so they established a system to deal with the tribes of the present FATA area. According to Caroe:

Since no part of the trans-border territory had been occupied, it was necessary that this should be done by the Deputy Commissioners, each officer with the tribes on his own border; for example up to the end of the British period, the Deputy Commissioner of Peshawar dealt with the important and powerful Mohmand tribe, the Kohat Deputy Commissioner dealt with Orakzais, the Bannu Deputy Commissioner dealt with some of Wazirs, Dera Ismail Khan with Sheranis and Bhattanis, and so on.<sup>23</sup>

The fundamental problem lay in the fact that the British attempted to deal with the Pashtuns of the area now called Khyberpakhtunkhaw (KP) according to the standards of an imported European-type administration, while leaving their immediate neighbours, the Pashtuns of the hills, now known as FATA, in a state of undiluted tribalism. Although a definite border existed between the former NWFP and the tribal belt, tribal ties were strong on both sides of the border, and the people were neither socially nor economically seen as belonging to different areas.<sup>24</sup>

The previous administrators, Mughal, Durrani, and even Sikh, had already inured the plains Pashtun tribes to life under occupation. They collected taxes on them and, in return, built some roads, forts, and even towns.<sup>25</sup> But these changes were minimal in comparison with British colonialism and its complex system of judges and magistrates' courts, police, lawyers, appellate courts, revenue collectors, land administrators, and other agents of bureaucratized government. And most difficult of all, they came armed with laws and regulations that had no relevance to the standards by which Pashtun society lived.<sup>26</sup>

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<sup>22</sup> Olaf Caroe, *The Pathans 550 BC-AD 1957* (London: Macmillan, 1965), 382.

<sup>23</sup> *Ibid.*, 347-348.

<sup>24</sup> *Ibid.*, 346.

<sup>25</sup> *Ibid.*, 346.

<sup>26</sup> *Ibid.*, 346-347.

Observing the movement for freedom gaining momentum in most areas of the subcontinent in the 1930s and 1940s, the tribesmen and Pashtuns of NWFP united to demand the creation of an independent Muslim state. Pakistan became an official state in 1947, with the support of the tribal areas.<sup>27</sup> Following independence, the first governor general of Pakistan, Jinnah, ordered that all troops be withdrawn from the tribal areas.<sup>28</sup>

Initially, the establishment of authority in the tribal area was not difficult for the federal government of Pakistan. The area was given the status of a semi-autonomous region and the administrative system established by the British was permitted to continue. PAs continued to administer their areas and the tribal form of justice, the *jirga*, was left in place to resolve petty as well as big issues. Tribal leaders, *maliks*, remained influential heads of their tribes.<sup>29</sup> This form of administration and justice was separate and different from other areas of Pakistan, which adopted a legal code based on Western democracy. This decision had serious consequences and limitations, which will be discussed later in this chapter.

### **3. The FATA Before and After 9/11**

The 1979 Soviet invasion of Afghanistan badly affected the political situation in the FATA. To contain Soviet expansion, the United States and its allies decided to support Pakistan overtly and covertly, and the FATA became the main hub of activities. According to Ali Muhammad Jan Orakzai, the former governor of KP,

Before 9/11 there was no problem in the tribal areas of Pakistan. Whatever is happening in the tribal areas today is a gradual spillover effect of the Soviet invasion in Afghanistan and ensuing events. Militancy and violence have gradually found roots in tribal areas and are spreading toward settled areas of Pakistan.<sup>30</sup>

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<sup>27</sup> Ibid. , 346-347.

<sup>28</sup> Ghani Khan, "Origin of the Pathans," Pakhtun, accessed October 28, 2012, <http://www.pakhtun.com/index.php/about-pashtuns/history-of-pashtuns/pashtun-history>.

<sup>29</sup> Council on Foreign Relations, *Securing Pakistan's Tribal Belt*, by Daniel Markey, report no. 36 (New York: Brookings Institution Press, 2008), 7-8.

<sup>30</sup> Ali Muhammad Jan Orakzai and Rahman Khalid, "Situation in FATA: Causes, Consequences and the Way Forward," *Policy Perspectives* 6, no. 1 (January 2009).

Historically, it appears that the maliks kept crime low in the tribal belt through the norm of the joint responsibility of every member in the society. However, it must be borne in mind that the FATA at that time had no means of recording the crime rate, and these claims are difficult to verify. The authority of the maliks started to diminish in 1980, when Islamic clerics in Afghanistan and the FATA with an extremist approach started to unite different tribes for jihad against the Soviet aggression in Afghanistan.<sup>31</sup>

September 11th raised awareness and concern about activities in the FATA, particularly when Pakistan opted to join the world in the global war on terrorism. Following 9/11, the FATA began to have considerable security problems. “Approximately 600 influential maliks/elders, who sided with the government, were killed in a number of suicide attacks and bomb blasts in the area. A total of eleven incidents of suicide attacks, 153 IED attacks and 146 cases of kidnapping of government personnel occurred from March to October 2008 alone.”<sup>32</sup>

The FATA’s security issues were not confined to the tribal areas, however. On average, in 2008, there was at least one suicide attack per week in Pakistan. Overall there were sixty-six such attacks, which killed approximately 965 people, including 651 civilians, 159 paramilitary personnel, and 155 policemen).<sup>33</sup> The number of all types of terrorist attacks, other than suicide attacks, is much greater. For example, the KP province witnessed 475 terrorist attacks in 2008, where 575 people were killed.<sup>34</sup>

Although militant groups based in other parts of the country (mostly Punjab province) were also involved in some of these attacks, the FATA provided the major bulk of terrorist operations. Analyzing the 2007 database of 26 cases of suicide attacks in Pakistan (out of a total of 61) where the special investigative unit of Pakistan’s Federal Investigation Agency (FIA) recovered crucial evidence, they concluded: “More than

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<sup>31</sup> "Cost of Conflict in FATA," Planning and Development Department, 15, accessed October 30, 2012, <http://fata.gov.pk/files/costconflict.pdf>. 15.

<sup>32</sup> Ibid. , 16.

<sup>33</sup> Amir Mir, "Pakistan: Human Bombs Killed 80 People a Month in 2008," Middle East Transparent, accessed November 2, 2012, [http://www.mettransparent.com/spip.php?page=article&id\\_article=5113&lang=en](http://www.mettransparent.com/spip.php?page=article&id_article=5113&lang=en).

<sup>34</sup> Javed Aziz Khan, "2008 – A Year of Suicide Attacks," *The News* (Islamabad, Pakistan), January 2, 2009.

eighty percent of suicide bombers belong to the Mehsud tribe (residing in South and North Waziristan) and were aged 15 to 20.”<sup>35</sup>

It is believed that many of the suicide attackers who struck across the Durand Line were trained and launched from KP and the FATA.<sup>36</sup>

To eliminate the threat of terrorism from the FATA, the Pakistani military entered the region for the first time in 2002.<sup>37</sup> Pakistan presently (2012) has 140,000 troops on the ground in the FATA and military operations have been conducted in six of the seven agencies, with the exception of North Waziristan.<sup>38</sup> This nearly decade-long military operation has yielded results far from desired by the Pakistani government and the United States.

The FATA has also been a problem for NATO-led operations in Afghanistan. The area is a safe haven for anti-U.S. and -NATO terrorist groups such as the *Haqqani* Network.<sup>39</sup> Eliminating havens for such groups is a continuing concern for U.S. and NATO forces. The United States is continuously following terrorists inside the FATA, successfully tracing and killing some of them through drone strikes.<sup>40</sup> Under public pressure following the 2011 NATO strike on the Pakistani military post in Salala, the Pakistani government ceased to cooperate in drone operations and closed NATO supply routes to Afghanistan through Pakistan. The main cause of concern for Pakistan is the

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<sup>35</sup> Hassan Abbas, “*President Obama’s Policy Options in Federally Administered Tribal Areas of Pakistan (FATA)*,” Institute for Social Policy and Understanding report, (Michigan, 2009), accessed July 16, 2012, [http://www.ispu.org/files/PDFs/fata\\_report.pdf](http://www.ispu.org/files/PDFs/fata_report.pdf).

<sup>36</sup> Tom Koenigs, “*Suicide Attacks in Afghanistan (2001-2007)*,” United Nations Assistance Mission to Afghanistan, research report (2001), accessed November 1, 2012, <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Afgh%202007SuicideAttacks.pdf>.

<sup>37</sup> Sabina Khan, “FATA’s Political Status,” *Strategic Insights* 10, no. 2 (Summer 2011).

<sup>38</sup> Adam Entous and Siobhan Gorman, “U.S. Slams Pakistani Effort on Militants,” *The Wall Street Journal*, (October, 2010).

<sup>39</sup> Erik Schmitt, “U.S. Seems Set to Brand Militant Group as ‘Terrorist’,” *The New York Times*, August 31, 2012, National Edition, Asia Pacific.

<sup>40</sup> Bill Roggio and Alexander Mayer, “Charting the Data for US Airstrikes in Pakistan, 2004 - 2012,” *The Long War Journal*, accessed November 1, 2012, <http://www.longwarjournal.org/pakistan-strikes.php>.

collateral damage done by drone strikes and compromise of sovereignty.<sup>41</sup> Nonetheless, drone strikes have proven effective in following and killing terrorists inside the FATA.

### **C. UNDERSTANDING THE FATA'S TERRORISM PROBLEM**

To better understand the current dynamics in the FATA, this section will analyze five variables: geographical location and terrain; governance; the society and people; regional security; and outside influences.

#### **1. The FATA: Geographical Location and Terrain**

The FATA covers an area of 10,507 sq. miles, which is 3% of Pakistan's total territory. The FATA comprises seven administrative divisions called political agencies, namely, the Bajaur, Mohmand, Khyber, Orakzai, Kurram, North Waziristan Agency (NWA), and South Waziristan Agency (SWA). FATA also has six frontier regions (FRs): Peshawar, Kohat, Bannu, Lakki, Tank and Dera Ismael Khan (D.I. Khan).<sup>42</sup> SWA is the largest political agency and FR D.I. Khan is the largest FR.

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<sup>41</sup> Huma Imtiaz, "After US Says 'Sorry' for Salala Attack, Pakistan Reopens GLOCs," *The Express Tribune*, July 3, 2012, accessed October 28, 2012, <http://tribune.com.pk/story/403075/us-says-sorry-for-salala-attack/>.

<sup>42</sup> The Frontier Region (FR) is small administrative unit in the Federally Administered Tribal Areas (FATA), lying immediately to the east of the seven main tribal agencies and west of the settled districts of Khyber Pakhtunkhwa. The FRs are geographically part of the respective agency. Each of the Frontier Regions is named after an adjoining settled district and is administered by the district coordination officer (DCO) of that adjacent district. The overall administration of the Frontier Regions is carried out by the FATA Secretariat based in Peshawar, the capital of Khyber Pakhtunkhwa.

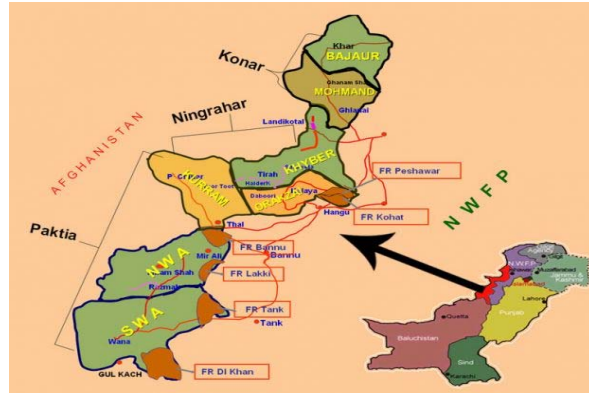


Figure 2. Divisions of the FATA<sup>43</sup>

The border between the FATA and Afghanistan comprises one of the most formidable and ruggedly mountainous terrains in the world. Inhospitable, sparsely populated, and underdeveloped, it has acted as a natural barrier isolating Central Eurasia and South Asia, forcing invaders through a few passes, notably the Khyber Pass.<sup>44</sup> The FATA is surrounded by mountain ranges that include Hindu Kush, Sufed Koh, the Suleiman Mountains, and the Waziristan Hills, with heights ranging from 4,500 to 11,000 feet. Five rivers flow through the area—the Paujkara, Kabul, Bara, Kurram, and Gomal—providing water for regional agriculture. Of the reported 2.7 million hectares of land, less than 8% is cultivable. About 44% of the cultivable area is irrigated, supporting 40 persons per hectare. Except in Kurram, there is no land settlement. Land is mostly owned by tribes, and ownership is based on customary laws.

<sup>43</sup> "FATA Divisions," images, Google, accessed October 28, 2012, <http://www.google.com/images>.

<sup>44</sup> Yasub Ali Dogar, "The Talibanisation of Pakistan's Western Region," Institute of South Asian Studies, National University of Singapore, 7, accessed November 2, 2012, [http://www.isas.nus.edu.sg/Attachments/PublisherAttachment/ISAS\\_Working\\_Paper\\_98\\_-\\_Email\\_-\\_The\\_Talibanisation\\_of\\_Pakistan's\\_Western\\_Region\\_18122009122105.pdf](http://www.isas.nus.edu.sg/Attachments/PublisherAttachment/ISAS_Working_Paper_98_-_Email_-_The_Talibanisation_of_Pakistan's_Western_Region_18122009122105.pdf).

1	Reported Area (hectares)	2722.04
2	Cultivated Area	216.18
3	Cultivable Waste	173.99
4	Cultivable Area	390.17
5	Irrigated Area	83.24
6	Forested Area	43.18
7	Cultivated Area as % of Reported Area	7.94%
8	Irrigated Area as % of Cultivated Area.	38.50%
9	Forest Area as % of Reported Area.	1.59%

Table 1. FATA land division<sup>45</sup>

Geographically, three regions lie entirely within the FATA: the northern, central and southern regions.<sup>46</sup> The northern region, between the Swat and Kabul rivers, contains the Bajaur and Mohmand agencies. The land is mostly mountainous, with deep ravines and limited irrigated area. The temperature and climatic conditions, however, make it possible to grow a variety of crops, including oil seeds, fruits, and vegetables.<sup>47</sup> The central region consists of the Khyber, Kurram, and Orakzai agencies and the frontier regions of Kohat and Peshawar. The fertile Khanki, Masturea, and Bara River valleys lie in the foothills of the 4,000-meter high Safed Koh. The Kurram valley is the most

<sup>45</sup> Socio-economic Indicators of FATA. *FATA Figures* (Islamabad: Shaheed Bhutto Foundation, 2008), accessed November 2, 2012, <http://www.sbf.org.pk/pdf/FATA-data.pdf>.

<sup>46</sup> Sher Alam Shinwari, "The FATA Areas, So Near Yet So Far Away," Khyber Gateway, accessed November 2, 2012, <http://www.khyber.org/pashtoplaces/fataareas.shtml>.

<sup>47</sup> Socio-economic Indicators of FATA. *FATA Figures* (Islamabad: Shaheed Bhutto Foundation, 2008), accessed November 2, 2012, <http://www.sbf.org.pk/pdf/FATA-data.pdf>.

extensively cultivated agricultural land in the FATA.<sup>48</sup> The southern region is bound by the Gomal River in the south, Kurram River in the north, and Afghan border in the west. This region consists of North and South Waziristan and the frontier regions of D.I. Khan, Tank, Bannu and Lakki. Most of the area is unsuitable for agriculture and has no major industry.

The mountainous region of the FATA straddles a very difficult, inhospitable, extremely underdeveloped, and sparsely populated terrain which is inherently difficult to access and govern.<sup>49</sup> There are many remote areas where an ordinary man may not be able to approach, so it is hard to implement law enforcement in such areas. Generally terrorists find such areas favorable to live and hide in and continue with their activities; the FATA is no exception.

## **2. The Society and People**

According to the 1998 census, the total population of the FATA is 3.138 million.<sup>50</sup> Bajaur is the largest political agency on the basis of population and FR Kohat is the largest among the FRs. The FATA is inhabited by eleven major tribes, in addition to numerous smaller ones. Statistics for the FRs are detailed in Table 2.

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<sup>48</sup> Ibid.

<sup>49</sup> Shuja Nawaz, *FATA-A Most Dangerous Place*, (Washington, D.C.: Center for Strategic and International Studies, 2009), 6.

<sup>50</sup> *FATA Figures* (Islamabad: Shaheed Bhutto Foundation, 2008), accessed November 2, 2012, <http://www.sbf.org.pk/pdf/FATA-data.pdf>.

Agency/FR	Area Sq Km	% of FATA	Population in Millions	% of FATA	Tribes
Bajaur	1290	4.74	0.595	18.7	Utmankhel & Tarkani
Mohmand	2296	8.43	0.334	10.5	Mohmand, Safi & Utmankhel
Khyber	2576	9.46	0.547	17.2	Afridi, Shelmani, Shinwari & Mulagori
Kurram	3380	12.42	0.448	14.1	Turi, Bangash, Parachinari & Masozai
Orakzai	1538	5.65	0.225	7.1	Orakzai and Bangash
North Waziristan	4707	17.29	0.361	11.4	Utmanzai, Dawar, Saidgai, Kharasin & Gurbaz
South Waziristan	6620	24.32	0.430	13.6	Mahsud, Ahmadzai & Wazir
FR Peshawar	261	0.96	0.054	1.7	Afridi
FR Kohat	446	1.64	0.088	2.8	Afridi
FR Bannu	745	2.74	0.020	0.6	Wazirs & Bhattani
FR Lakki	132	0.48	0.007	0.1	-
FR D.I.Khan	2008	7.38	0.039	1.2	Bhattani, Ustrana & Shirani
FR Tank	1221	4.49	0.027	0.9	-
<b>Total</b>	27220	100.0	3.138	100.0	-

Table 2. Details of the FATA Agencies and FRs<sup>51</sup>

<sup>51</sup> *FATA Figures* (Islamabad: Shaheed Bhutto Foundation, 2008), accessed November 2, 2012, <http://www.sbf.org.pk/pdf/FATA-data.pdf>

The population of the FATA has increased at a rate of 2.1% per annum against the national growth rate of 2.69%. The male to female ratio in 1998 was 1:0.92 and the population density was 117 persons per square km.<sup>52</sup> Population figures and growth rates for the FATA are reflected in Table 3.

S. NO.	Years of Census	Population x1000	Increase (%)	Growth Rate (%)
1	1951	1332	-	-
2	1961	1847	38.66	3.3
3	1972	2491	34.87	2.6
4	1981	2199	(-) 11.72	(-) 1.5
5	1998	3176	44.43	2.4
6	1951–1998	-	138.44	2.1

Table 3. Population growth rates in the FATA<sup>53</sup>

Comparative demographic indicators show that the average household size in terms of family members in the FATA is 9.3, compared to 8.0 in KP and 6.8 in Pakistan.<sup>54</sup> The average per-capita income in the FATA is 2,391.00 Pakistani Rupees (PKR), against a per-capita income in the Pakistani mainland of 4,000.00 PKR. The Bajaur agency has the lowest per-capita income, of 1,045.00 PKR, mainly because of its highest comparative population, which is 18.7% of the total population of the FATA. The

<sup>52</sup> "Population Demography," Federally Administered Tribal Areas, accessed November 1, 2012, [http://fata.gov.pk/index.php?option=com\\_content&view=article&id=56&Itemid=92](http://fata.gov.pk/index.php?option=com_content&view=article&id=56&Itemid=92).

<sup>53</sup> Government of Pakistan Ministry of Finance, *Population, Labor Force and Employment*, publication (2008), Table 12.5, accessed November 2, 2012, <http://finance.gov.pk/survey/chapters/12-Population08.pdf>.

<sup>54</sup> "Population Demography," Federally Administered Tribal Areas, accessed November 1, 2012, [http://fata.gov.pk/index.php?option=com\\_content&view=article&id=56&Itemid=92](http://fata.gov.pk/index.php?option=com_content&view=article&id=56&Itemid=92).

region with the highest per-capita income 5,846.00 PKR, is FR D.I. Khan, which has 1.2% share of the total population of the FATA.<sup>55</sup>

The main sources of income for the population are small-arms manufacturing and trade, limited agriculture, and jobs in other settled areas.<sup>56</sup> Mohmand Agency has marble as one form of industry, and NWA has timber. One way of earning money is by protecting marble and timber transportation, especially in areas controlled by the Taliban.<sup>57</sup> Gray and black markets are an important source of income in the FATA. As an expert in the FATA describes,

Smuggled goods are big business in all seven tribal districts, and traders in nearly every FATA agency have defined their niche market. If one agency is known as a trading hub for smuggled tires, other deals exclusively in smuggled cars, weapons, or chemicals. Whenever the government of Pakistan introduces any changes in the taxation system that pushes up the price of any such goods or cracks down more vigorously on the illegal weapons trade, smuggling of these articles into Pakistan through these routes begins.<sup>58</sup>

These socioeconomic factors indicate that most of the population of the FATA is poorer than the rest of Pakistan. It should also be noted that the per-capita income of mainland Pakistan, cited above, is also well below the required minimum income to fulfill the basic necessities of life.

Per the 1998 census, only 17.42% of the FATA population is literate, with a male literacy rate of 29.51% and female rate of 3.0%. The 2005–2006 data reveals that there were 4,327 primary schools in the FATA (male 2,582, female 1,745) constituting 2.75% of the national figure. Furthermore, the FATA has 1.02% of the middle schools in Pakistan (402), 233 high schools, and only thirty-three degree-granting colleges. Most

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<sup>55</sup> *FATA Figures* (Islamabad: Shaheed Bhutto Foundation, 2008), accessed November 2, 2012, <http://www.sbf.org.pk/pdf/FATA-data.pdf>.

<sup>56</sup> Ghani Khan, "Origin of the Pathans," Pakhtun, accessed October 28, 2012, <http://www.pakhtun.com/index.php/about-pashtuns/history-of-pashtuns/pashtun-history>.

<sup>57</sup> Asif Mian, "FATA: Tribal Economy in the Context of Ongoing Militancy," *PIPS Journal of Conflict and Peace Studies* 2, no. 3 (September 2009), 3.

<sup>58</sup> *Ibid.*

schools lack water, electricity, and facilities and are highly understaffed.<sup>59</sup> These statistics indicate that the FATA not only has very low literacy and education rates, but that change is unlikely, given the low number of schools.<sup>60</sup>

The FATA has only thirty-three hospitals, thirty-three dispensaries, fifty-five maternal and child health centers (MCHs) and eight rural health clinics (RHCs). Infant mortality is estimated at 87 per thousand births and maternal mortality is 600 per 100,000 live births, making it one of the highest areas for infant and maternal mortality in the country.<sup>61</sup>

Culturally, the FATA is primarily made up of Pashtuns, a group that is linguistically distinct from Urdu speakers in Pakistan, with distinct cultural traits. Pashtuns have their own law or code of honor, called *Pakhtoonwali*. Social interaction is heavily influenced and governed by this strict tribal code, characterized by *pat* (comradeship), *shegara* (doing good to others), *toora* (bravery), *wafa* (fidelity to the word and cause), *baramta* (the act of taking goods or individuals hostage), and *nang* (honor). The society is also very particular about *milmastia* (hospitality) and *badal* (taking revenge). The Pashtuns consider their desire for independence, bravery, hospitality, and retaliation great features of their culture. These characteristics are thought to be the supports of the *Pakhtoonwali*.<sup>62</sup>

Islam and the *Pakhtoonwali* regulate life for the Pashtuns and complement each other. However, *Pakhtoonwali* often contradicts religious practices. Some examples include the perpetuation of blood feuds, revenge, the practice of usury, and the refusal to include female members in the father's inheritance.<sup>63</sup> *Sharia* (Islamic law) is not viewed

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<sup>59</sup> Socio-economic Indicators of FATA. *FATA Figures* (Islamabad: Shaheed Bhutto Foundation, 2008), accessed November 2, 2012, <http://www.sbf.org.pk/pdf/FATA-data.pdf>.

<sup>60</sup> Ibid.

<sup>61</sup> Ibid.

<sup>62</sup> Naveed Ahmed, "The Laws and Justice System in FATA with Recommendations for Reformatations" (master's thesis, University of South Asia, 2008), 2.

<sup>63</sup> Arab Naz and Hafeez-ur-Rahamn Chaudhry, "Pakhtunwali versus Islam: A Comparative Analysis of Women's Rights in Islam and Their Violation under Pakhtunwali (Pakhtun Code of Life) in Khyber Pakhtunkhawa Pakistan," *International Journal of Humanity and Social Sciences* 1, no. 2 (July 1, 2011), 23.

as essential to Pashtun life. It is taken as a code of conduct and faith, standing outside the Pashtun code of conduct, and its sole role is to regulate inter- and intra-tribal issues. Among Pashtuns, tribal leaders are not subordinated to Islamic leadership, making it difficult for a central religious leader to impose himself. Religion becomes apparent only in a crisis, when collective interests of the Pashtuns are threatened. In such cases, leadership is voluntarily passed on to the religious leaders.<sup>64</sup>

Finally, the FATA is characterized by a very strong tribal structure. There are eleven major tribes and many smaller tribes within the Pashtuns. The majority of the population is Muslim. The tribesmen are known for their courage, dignity, and proverbial hospitality. They have always guarded their independence. The famous tribesmen of the FATA are the Utman Khel and Tarkani in Bajaur Agency; Mohmands in Mohmand Agency; Afridis and Shinwaris in Khyber Agency, Peshawar and Kohat; Orakzais in Orakzai Agency; Turis and Bangash in Kurram Agency; Khattaks in east and southeast of Kohat; Wazirs in NWA; and the Mahsuds in SWA.<sup>65</sup>

### **3. Governance**

Muhammad Ali Jinnah, while speaking to a grand tribal Jirga on April 17, 1948 in Peshawar said:

I am fully aware of the part that you have already played in the establishment of Pakistan, and I am thankful to you for all the sympathy and support you gave me in my struggle and fight for the establishment of Pakistan. Keeping in view your loyalty, help, assurances and declarations we ordered the withdrawal of troops from Waziristan as a concrete and definite gesture on our part that we treat you with absolute confidence and trust.<sup>66</sup>

Mr. Jinnah also guaranteed the culture prevailing in the tribal area by announcing that Pakistan did not want to affect the internal freedom enjoyed by the tribal society.<sup>67</sup>

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<sup>64</sup> Ibid.

<sup>65</sup> "Tribal and Ethnic Diversity," Federally Administered Tribal Areas, accessed November 1, 2012, [http://fata.gov.pk/index.php?option=com\\_content&view=article&id=53&Itemid=87](http://fata.gov.pk/index.php?option=com_content&view=article&id=53&Itemid=87).

<sup>66</sup> Amir Usman, "Military Operation in Waziristan," *Dawn*, May 2, 2005, Internet edition, Opinion, accessed November 3, 2012, <http://archives.dawn.com/2005/05/02/op.htm>.

<sup>67</sup> Ibid.

At the time of independence, Pakistan faced a host of problems. The political leadership that succeeded Jinnah chose to continue the treaties, agreements, and allowances between the British and the border tribes, refraining from interference with their independence.<sup>68</sup> The basic understanding was that, internally, the area would remain autonomous and the government of Pakistan would look after the area's external security and development. The aim was to gradually improve the tribal areas economically so that over time they could play a bigger role with the rest of the country.

To make tribal leaders more authoritative and thus better able to control the tribal areas, the government of Pakistan engaged in new agreements with the chiefs in 1951–1952. A dramatic change in government policy occurred in 1955, when the one-unit plan for the former West Pakistan was introduced. According to this policy, the Punjab, former NWFP, Baluchistan, Sindh and the tribal areas were put together under the name of West Pakistan. The administration of the tribal areas was taken over by the ruler of West Pakistan, who acted as an intermediary to the president of Pakistan.<sup>69</sup>

The first constitution of Pakistan went into effect on March 23, 1956. Although it created a parliamentary government, it did not change the political and administrative setup of the tribal areas.<sup>70</sup> Under Article 247 of the 1973 constitution, central and provincial laws could not be applied, due to the unusual conditions and difficulties of the tribal areas. At the same time, these areas were excluded from the domains of fundamental human rights and equal protection under the law, which were guaranteed to every citizen in the constitution. Article 247 renders these protections null and void in the tribal areas and explains the working parameters of the tribal areas as a “separate administrative system.” Under this arrangement, the president of Pakistan is not only the constitutional figurehead, but also the chief executive of the tribal areas.

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<sup>68</sup> Rashid A. Khan. “Political Developments in FATA: A Critical Perspective,” in *Tribal Areas of Pakistan: Challenges and Responses*. Islamabad: IRPI (2005), 30.

<sup>69</sup> Noor ul Haq, Rashid Ahmed Khan, and Maqsoodul Hasan Noori, *Federally Administered Tribal Areas of Pakistan*, publication no. ISBN 969-8721-12-6, IRPI Paper 10 (Islamabad: Assia Printers, 2005), accessed October 30, 2012, <http://ipripak.org/papers/federally.shtml>.

<sup>70</sup> Admin, “The Constitution of 1956,” Story of Pakistan, accessed October 26, 2012, <http://storyofpakistan.com/the-constitution-of-1956/>.

Under Article 247, the president has the exclusive authority to decide which laws will be applied in tribal areas. Article 51 (6) of the constitution empowers the president to extend the electoral system, based on adult franchise, to tribal areas. The article states, “Notwithstanding anything contained in this article, the President may, by order, make such provisions as to the manner of filling the seats in the National Assembly allocated to the FATA as he may think fit.”<sup>71</sup>

Typically, twelve members of the National Assembly (MNA) from the FATA are elected on the basis of adult franchise. However, the tribal people of KP have no representation in the MNA. The eight FATA senators who represent the tribes in the senate are elected by the twelve MNAs of the FATA. These members of parliament participate in legislating for the entire country, but cannot make law for their own area.

Furthermore, Article 247 (6) of the constitution grants presidential powers to abolish the tribal areas without any constitutional amendment:

The President may, at any time, by order, direct that whole or any part of tribal area shall cease to be tribal area and such ordinance may contain such incidental and consequential provisions as appear to the President to be necessary and proper. Provided that before making any order under this clause, the President shall ascertain in such manner as he considers appropriate, the views of the people of Tribal Areas concerned as represented in tribal Jirga.<sup>72</sup>

According to the constitution, neither the supreme court nor the high court exercises any authority in the tribal areas, unless the parliament authorizes the laws. Although the administrative system inherited from the British was highly anomalous, Pakistan continued with that system and adopted all treaties made by the British with the tribal people. The institutions of PA and maliks continued. Under the British, a PA was appointed in each agency whose primary function was not to look after the welfare of the people, but to look after the interests of the British crown through domination and

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<sup>71</sup> "Article: 51 National Assembly," *The Constitution of Pakistan, 1973*, accessed October 27, 2012, <http://pakistanconstitutionlaw.com/article-51-national-assembly/>.

<sup>72</sup> "247. Administration of Tribal Areas," part xii (contd), miscellaneous, chapter 3. tribal areas to *The Constitution of Pakistan*, accessed November 4, 2012, <http://www.pakistani.org/pakistan/constitution/part12.ch3.html>.

persecution. Good governance meant administration through all means, fair or foul, including the harshest possible methods. The task of the PA was to collect intelligence, cultivate informers, create friction among the tribes, and keep the lines of communication open between the garrisons maintained in the tribal areas. Control was exercised through tribal levies, *khasadars* and militia.

With the British gone, the PA is the executive, police, and judge, as well as dispenser of goods, permits, and development projects. The PA's main duties are to keep general peace, maintain the roads, and protect government property. As an executive, the PA ensures law and order, collects revenues and taxes, approves rural development plans, and performs judicial duties under the FCR. He disburses, at his discretion, various allowances and funds to tribesman for political work. He also approves scholarships, rations, and domicile certificates. Under his signature, charcoal and timber permits are also issued.<sup>73</sup> The character and wisdom of a PA are important in the political handling of the tribes. Generally, the PA has no role to play in the day-to-day life of tribal people; he acts only when an extraordinary situation develops, for example, when tribal hostilities break out. The power vested in the PA has often been misused, which restricts development and positive changes in the tribal areas.<sup>74</sup> Dissatisfaction with the PA or his junior field officers is expressed by sniping, demolishing of government buildings, and even kidnapping.<sup>75</sup> According to Mateen A. Mirza:

Finally, there are three reasons why control over the FATA has been entrusted directly to the Federal Government. First, in view of the sensitive nature of the Durand Line as an international border between Pakistan and Afghanistan, the federal government wanted to look after security issues in these areas. In addition, the government wanted to clamp down on the Pashtun issue, and ethnic-based nationalist politics in the NWFP. Second, the tribal areas are the poorest and most underdeveloped

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<sup>73</sup> Noor ul Haq, Rashid Ahmed Khan, and Maqsoodul Hasan Noori, *Federally Administered Tribal Areas of Pakistan*, publication no. ISBN 969-8721-12-6, IRPI Paper 10 (Islamabad: Asia Printers, 2005), accessed October 30, 2012, <http://ipripak.org/papers/federally.shtml>.

<sup>74</sup> Mateen A. Mirza, "Taming the Wild West - Integrating the Federally Administered Tribal Areas of Pakistan" (master's thesis, Naval Postgraduate School, Monterey, 2005).

<sup>75</sup> Noor ul Haq, Rashid Ahmed Khan, and Maqsoodul Hasan Noori, *Federally Administered Tribal Areas of Pakistan*, publication no. ISBN 969-8721-12-6, IRPI Paper 10 (Islamabad: Asia Printers, 2005), accessed October 30, 2012, <http://ipripak.org/papers/federally.shtml>.

region of Pakistan. To bring tribal areas on par with the settled areas of the NWFP required a massive effort to initiate development work which could only be undertaken by the federal government. Third, in the 1948 grand tribal Jirga previously mentioned, two hundred Maliks pledged their allegiance to Pakistan and unanimously requested to be placed under the direct administration of the central government.<sup>76</sup>

#### **4. Security, Law, and Order**

As previously mentioned, the tribal areas have been neglected by the central governments of Pakistan. Not only have the people been left on their own, but murderers and thieves have often sought refuge in the tribal areas. The Soviet–Afghan War exacerbated the problems of lawlessness and criminal refuge. Weapons began to flow to the area in abundance, and mujahedeen took refuge in the area. Pakistan used the ungoverned area to help supply the Afghan fighters with U.S.-backed supplies.<sup>77</sup>

Intervention by Pakistan and United States during the war resulted in the creation of a puppet government in Afghanistan, led by Babrak Karmal. This Soviet-backed government was weak and unable to provide security. The harsh policies of the Karmal regime forced many Pashtuns to move across the border to Pakistan and take refuge in the FATA and KP, where a number of Afghan refugee camps were established. These camps later became recruiting and training centers for mujahedeen.<sup>78</sup> After the Afghan war, these trained fighters were left on their own to continue jihad against states that they believed to be oppressing Muslims. Hence the FATA became the base for the Taliban and Al-Qaeda.

Following the Soviet withdrawal from Afghanistan, the country spiraled into civil war. Jalaluddin Haqqani, Hekmatyar, and others controlled a vast number of militants in Afghanistan and Pakistan, who spread insecurity in the area. This new chaos led to the birth of the Taliban, composed of Afghan orphans. Numerous madrassas were built in the

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<sup>76</sup> Mateen A. Mirza, "Taming the Wild West - Integrating the Federally Administered Tribal Areas of Pakistan" (master's thesis, Naval Postgraduate School, Monterey, 2005).

<sup>77</sup> Manzoor Ahmad, "Implications of the War on Terror for Khyber Pukhtunkhwa, Pakistan," *Journal of Critical Globalisation Studies*, no. 3 (2010), 104.

<sup>78</sup> Muhammad Tayyab Ghafoor, "Impediments Involved in the Integration of Federally Administered Tribal Areas (FATA) in the National Mainstream of Pakistan" (master's thesis, U.S. Army Command and General Staff College, 2009).

Pakistan–Afghanistan region, with teachings strictly focused on fighting infidels.<sup>79</sup> The madrassas used Islamic ideology as a way of creating an army of anti-communist guerilla fighters. The Taliban's swift rise to power was the result of the disorder and civil war that ensued following the complete breakdown of law and order in Afghanistan after the Soviet retreat.<sup>80</sup>

September 11th and the U.S. invasion of Afghanistan also affected security in the FATA. In early 2002, the Pakistani military commenced operations in the FATA, with the aim of combatting militant groups in the area. The military authorities started dealing directly with the militants and their tribal intermediaries. The tribes and maliks could not stand up to the military and opted to make peace deals with the government of Pakistan.<sup>81</sup> Later events revealed that these peace deals provided time for the militants to organize themselves, and the peace deals failed.<sup>82</sup> Militants of the Taliban and Al-Qaeda beheaded almost 300 maliks in the FATA, accusing them of collaborating with the Pakistani army and intelligence services.<sup>83</sup> Foreign fighters supported by local sympathizers launched an insurgency against the government of Pakistan, ranging from raids and ambushes to suicide missions.

The overall security situation in the FATA has not changed. Despite a large number of troops present in the area and targeted military operations, the FATA has not evolved. The presence of foreign fighters could not be eliminated because of the freedom of movement across the Durand Line and local tribes' support of foreign fighters.

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<sup>79</sup> Vali Nasr, "Analysis Madrassas," interview, *Frontline*, accessed November 3, 2012, <http://www.pbs.org/wgbh/pages/frontline/shows/saudi/analyses/madrassas.html>.

<sup>80</sup> Alex Kirby, "War Has Ruined Afghan Environment," *BBC News*, accessed October 25, 2012, <http://news.bbc.co.uk/2/hi/science/nature/2704989.stm>.

<sup>81</sup> Sabina Khan, "FATA's Political Status," *Strategic Insights* 10, no. 2 (Summer 2011): 39.

<sup>82</sup> *Ibid.*

<sup>83</sup> *Ibid.*

## 5. Outside Influences

Outside influences have greatly changed dynamics within the FATA. In particular, the Soviet–Afghan war and efforts to arm the Afghan mujahedeen against the Soviet army in the 1980s had a detrimental effect on the area. Initially U.S. funding to the mujahedeen began at \$20 to \$30 million in 1980 and increased to \$630 million a year in 1987.<sup>84</sup> A good portion of this money went to fighters in the FATA, creating, in effect, a new form of economy for the area.

Pakistani, U.S., and Saudi Arabian support for an anti-Soviet jihad in Afghanistan subsequently altered the structure of governance in the FATA. During this time, mujahedeen commanders and *mullahs* (Islamic clerics) emerged to weaken the traditional governance model in the tribal areas.<sup>85</sup> The military commanders at the forefront of the jihad against the Soviets became increasingly powerful because of their leadership skills and capability as fighters. The mullahs, who were disregarded and mocked before the Soviet invasion, gained influence because of the religious motivation they provided for the war. The power of the commanders and mullahs grew even stronger with the large sums of money channeled in by the U.S. and Saudi Arabia through Pakistan. Therefore, political agents and maliks stopped enjoying the status of sole power brokers in the FATA. As the staging area for Operation Cyclone,<sup>86</sup> the FATA was left with a destroyed system, the world's largest refugee population, radical Islam, drugs, and weapons.<sup>87</sup> The terrorist attacks of Al Qaeda, including 9/11, were deeply rooted in the Soviet–Afghan war.

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<sup>84</sup> "Operation Cyclone," Wikipedia, accessed November 4, 2012, [http://en.wikipedia.org/wiki/Operation\\_Cyclone](http://en.wikipedia.org/wiki/Operation_Cyclone).

<sup>85</sup> Sabina Khan, "FATA's Political Status," *Strategic Insights* 10, no. 2 (Summer 2011): 38.

<sup>86</sup> Robert D. Billard, Jr, "Operation Cyclone: How the United States Defeated the Soviet Union," *Undergraduate Research Journal of University of Colorado* 3.2 (October 2010): 29.

<sup>87</sup> Saba Imtiaz, "Pakistan Has the Sixth Largest Population of Displaced Persons," *The Express Tribune*, April 24, 2011, accessed October 28, 2012, <http://tribune.com.pk/story/155548/pakistan-has-the-sixth-largest-population-of-displaced-persons/>.

The FATA is among those few troubled areas of the world that came into the limelight especially after 9/11, needing attention from the international community. Pakistan joined the war on terrorism and deployed 80,000 troops along the western border to capture or kill Taliban and Al Qaeda militants escaping from Afghanistan.<sup>88</sup> The situation in the FATA took a turn for the worse when U.S. and NATO forces invaded Afghanistan in October 2001. U.S. drone strikes and Pakistani military operations in the tribal area triggered 980,000 FATA residents to relocate to other parts of Pakistan.<sup>89</sup> This led to a spillover of militancy from Afghanistan into the FATA, with thousands of militants belonging to the Afghan Taliban and the Arab Al Qaeda rushing in. Foreign affiliates of these groups—including Uzbeks, Chechens, and Tajiks—came to the tribal areas to establish bases to carry on their fight against the U.S. and allied forces in Afghanistan.<sup>90</sup> The local tribes who believed in the cause provided support to the fighters, while local militants who were allied with the Afghan Taliban before 9/11 began to form local Taliban groups.

#### **D. CONCLUSION**

The area now known as the FATA has, throughout history, been semi-autonomous. It held great strategic importance in the 19th century, serving as a buffer zone between the British colonial government of India and Russia. More than a century has passed, and the FATA is once again a cause of concern in the security of the international community. This area is becoming increasingly impoverished and marginalized due to different administrative systems and vulnerability to exploitation at the hands of criminal and extremist elements.

This thesis' five study variables—geography, society, governance, security, and international influences—reveal the following findings regarding the FATA's persistence

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<sup>88</sup> "Pakistan: A Relationship with the Taliban," Fact Monster, accessed October 30, 2012, <http://www.factmonster.com/ipka/A0107861.html>.

<sup>89</sup> Saba Imtiaz, "Pakistan Has the Sixth Largest Population of Displaced Persons," *The Express Tribune*, April 24, 2011, accessed October 28, 2012, <http://tribune.com.pk/story/155548/pakistan-has-the-sixth-largest-population-of-displaced-persons/>.

<sup>90</sup> Mansur Khan Mahsud, "The Battle for Pakistan: South Waziristan, Militancy and Conflict in South Waziristan," *New America*, accessed November 5, 2012, [http://counterterrorism.newamerica.net/publications/policy/the\\_battle\\_for\\_pakistan\\_south\\_waziristan](http://counterterrorism.newamerica.net/publications/policy/the_battle_for_pakistan_south_waziristan).

as an area that supports domestic and international terrorism. Although tribal culture, political situations, and lack of governance in the FATA are critical factors, the geographical location of the FATA, instability in Afghanistan, and the interest of superpowers in Afghanistan and adjoining lands further complicated the situation in the FATA. Taken together, these factors have made the FATA an ideal location for terrorists to organize and train.

### III. ALGERIA'S KABYLIA REGION

#### A. INTRODUCTION

Although much attention has been paid to the FATA region of Pakistan and the conditions that have led to its being a safe haven for terrorism, the FATA is not the only region that is harboring transnational terrorists. The Kabylia region in Algeria is currently one of the principle basing areas for Al Qaeda in the Islamic Mahgreb (AQIM), and the Algerian government and international powers face similar concerns with curbing terrorist activities in this region. This chapter, therefore, presents an overview of the Kabylia region in Algeria, with the goal of better understanding the conditions that have led to transnational terrorism's basing in the area.

This chapter begins by discussing the historical background of the Kabylia region, starting with the Ottoman occupation of the northern part of Africa and concluding with recent events in the area, especially after the 9/11 attacks. Second, it uses the five study variables to analyze the conditions that led to the security situation in the Kabylia region: the geography, society, governance, security, and the external influence connected to this area. The chapter concludes by summarizing the conditions that have led to Kabylia connection to criminal groups and AQIM.

#### B. HISTORICAL OVERVIEW

In 1504, the Ottoman brothers, Aruj and Khayr al-Din, liberated the city of Algiers from Spanish occupation.<sup>91</sup> Following liberation, Algiers expanded its influence into the eastern and western regions of what is now known as Algeria. The Turkish janissary (*odjak*) remained in Algiers and created the *dey* (the regency), which became the supreme political authority within Algiers.<sup>92</sup> Despite some opposition from the indigenous population, the new Turkish province was able to control the coastal part of

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<sup>91</sup> Trimmingham, F. R. C. Bagley, et al., *The Last Great Muslim Empires*, (Leiden: E.J. Brill, 1969), 115.

<sup>92</sup> John Douglass Ruedy, *Modern Algeria: the Origins and Development of a nation*, (Indianapolis: Indiana University Press, 2005), 19.

Tlemcen in the west and Constantine and its coastal regions in the east. Ottomans, therefore, gave geographical shape to contemporary Algeria. To manage the territory, they adopted four administrative divisions, known as *beylics*: Dar Al Sultan included mainly the regency of Algiers and the plains of Mettija; Beylic Titri included the central part of the country; Beylic Al Shark lay in the eastern part of Algeria, to the frontiers with Tunisia; and Beylic Al Gharb, with Mascara, then Oran, as its capital, included the western part of the country, to the frontiers of Morocco.<sup>93</sup> The four beylics were partially autonomous, but still had to pay taxes to the regency of Algiers.

Along with territorial subdivisions, the regency adopted a three-part tribal subdivision of the area. The first category was the urban tax-exempt area, which included janissary armies and the auxiliary Kouloughlis and Makhzan tribes who helped to protect the urban core. The second category, Ahl al Makhzan, was composed mainly of Rayat, taxpaying tribes and non-tribal sedentaries. This group of tribes exchanged services with the other groups. They also formed a protective buffer for the central government against the fourth category, which were the independent Kabylia tribes.<sup>94</sup>

The majority of janissary troops were stationed in Algiers; nevertheless they maintained a number of garrisons at strategic points around the country.<sup>95</sup> In addition to defending key points, their primary mission was collecting taxes, along with the Makhzen tribes. Except for the Kabylia region, the regency of Algiers was able to control the north of what is now Algeria to the pre-Saharan region.<sup>96</sup> The mountainous areas that were not directly controlled, specifically Kabylia and Dahra, had to pay higher taxes to the central government to get access to outside markets. Even though Ottoman hegemony was spread throughout the region, some of the local tribes did not recognize the beylic of Algiers' domination. However, anti-Ottoman sentiment was not strong; most tribes did not reject the power of the regency and did not revolt against it. This compliance was due

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<sup>93</sup> Ibid.,32-33.

<sup>94</sup> Ibid.

<sup>95</sup> Ibid.

<sup>96</sup> Ibid

primarily to tribal consensus that the Turks were fellow Muslims and the real danger came from the northern shores of the Mediterranean Sea, which was Christian.<sup>97</sup>

The French historian Devoulx dates the emergence of Algerian–French relations by noting: “Marseille, the southern French city, had trade relations with the coastal city of Bejaia since the thirteenth century, a treaty of commerce and fishing in the early fourteenth century.”<sup>98</sup> Just as important, Algeria and France engaged in peace treaties over piracy, which became the main issue in bilateral relations. Trade and treaties were the main source of power and finance in Algiers, where agriculture and small industry were secondary resources. France and other European countries paid taxes to the regency to protect their commerce through the Mediterranean Sea. Despite the economic and diplomatic ties between Algerian and its European neighbors, Algiers faced European military campaigns in retaliation for high taxes, European slavery, and the capturing of merchant ships by Algerian naval forces.<sup>99</sup>

The early relationship between Algiers and France was punctuated by misinterpretation, uncertainties, tensions, and occasional armed conflict. In general, peace treaties outlived diplomatic turbulence and wars; some treaties with France survived more than two hundred years.<sup>100</sup> France and Algeria’s economic and diplomatic relationship also persisted. Algiers supplied the 1798 French campaign against Egypt, along with the Napoleonic wars. Two Jewish families in Algeria, Bakri and Bushnak, assured commercial relationships with Europe, including grain to European markets, which created large debts between the French government and Algiers.<sup>101</sup>

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<sup>97</sup>Ahmed Rouadja, *Grandeur et Deacadence de L’etat Algerien*, ( Paris: Karthala Press,1994), 99.

<sup>98</sup>Sadek Benahmed Berkan, “L’Algerie ne Fut pas une Province Turque”, “*ElWatan*” May 4, 2004, accessed September 3, 2012, <http://www.commandant-moussa.com/pdf/ew040504p11.pdf>

<sup>99</sup> Fatima Maameri, “Ottoman Algeria in Western Diplomatic History with Particular Emphasis on Relations with the United States of America, 1776-1816” (Ph.D. diss. Constantine: University Mentouri, December 2008), 15.

<sup>100</sup> Ibid. 108

<sup>101</sup> John Douglass Ruedy, *Modern Algeria: the Origins and Development of a nation*, ( Bloomington: Indiana University Press, 2005), 40-41.

The 1827 “Coup d’Eventaille” marked the beginning of the end of the Kingdom of Algiers after more than three centuries of dominating the Mediterranean.<sup>102</sup> Dey Hocine of Algiers, in a dispute with Pierre Duval, the French consul, over French debt, quit the palace. France allegedly took the event as an excuse to invade the country and put out the upheavals against the kingdom.<sup>103</sup> France defeated the regency and Dey Hocine gave up the city. Among other things, the invasion showed the fragility of the defense infrastructure of the regency. The conquest of Algiers ignited France’s imperial appetite.

The 1830 Treaty of Algiers put only the city of Algiers (Dar Al Sultan) under French control; the other parts of the country were not included.<sup>104</sup> In fact, the French expansion encountered a ferocious resistance from the autochthone population. Abd el-Kader, the leader of the resistance, formed allegiances with previously divided tribal leaders to wage jihad against the French. These new alliances enabled him to defeat the French troops in many battles, eventually leading to the Desmichels treaty in February 1844.<sup>105</sup> Later, he consolidated his control over the areas allotted by the treaty, except for the Kabylia region, which showed steadfast opposition to his authority. However, in 1847, Abd el-Kader surrendered to the French government after failing to attract Moroccan support and in the face of improved French military practices.<sup>106</sup>

During Ottoman rule, the majority of the inhabitants of the plains and cities of present day Algeria were “arabicized,” meaning that they learned to speak Arabic and to identify with Arab culture. In the less accessible areas, including Kabylia, the people maintained their Berber identity. Lesser Kabylia (Bejaia), had the seaport of Bejaia, and was autonomous vis-a-vis the regency of Algiers. Greater Kabylia was ruled by the

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<sup>102</sup> Timothy John Walker “Coup D’eventail: The Maghreb, The French and the Imperial Pretext” (MasterThesis, Montana State University, 2006), 1.

<sup>103</sup> John Douglass Ruedy, *Modern Algeria: the Origins and Development of a nation*, (Bloomington: Indiana University Press, 2005), 47.

<sup>104</sup> Lous Rinn, *L’algerie Sous le Dernier Dey*, Alger: Typographie Adolphe Jourdan. (1900),1.

<sup>105</sup> John Douglass Ruedy, *Modern Algeria: the Origins and Development of a nation*, ( Bloomington: Indiana University Press, 2005), 59.

<sup>106</sup> John Reynell Morell, *Algeria: the Temporary and History, Political, Social, and Natural of French Africa*,( London: Nathaniel Cook Milford House Strand, 1854), 443-444.

kingdom of Kouko until 1857.<sup>107</sup> The two parts of Kabylia, therefore, retained the use of their language and customs. Nineteenth-century French invaders were not surprised by the presence of the Berbers. They had conducted previous studies about the nature of Kabylia, including its geography and culture.<sup>108</sup> However, the French did not turn their attention to Kabylia until the elimination of Emir Abd-el-Kader's popular resistance in 1847. Following his defeat, the French began to access Kabylia through military engagements. The French conquered the region in 1857, taking many prisoners and deporting resistance leaders to New Caledonia. During this time, large numbers of men left Kabylia<sup>109</sup> to regions offering work, such as Tunisia, Morocco, and metropolitan France.<sup>110</sup> The French remained in Kabylia until the independence of Algeria in 1962.

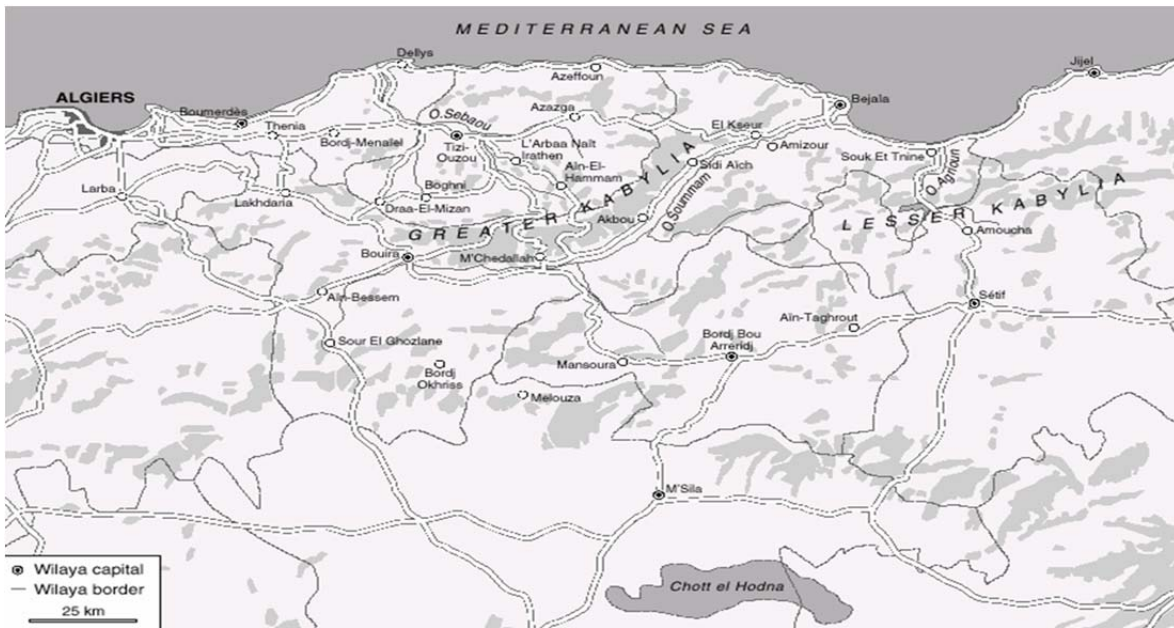


Figure 3. Algeria: unrest and impasse in Kabylia

<sup>107</sup> Gilles Manceron, *Algerie: comprendre la drise*, Bruxelles: Editions Complex, (1996), 159-166.

<sup>108</sup> Ibid.

<sup>109</sup> Jacques Simon, Kabyles, “Structuring Force of Algerian Nationalism”, *Le Matin*, February 3, 2012. Accessed July 13, 2012, <http://www.lematindz.net/news/7211-les-kabyles-force-structurante-du-nationalisme-algerien.html>

<sup>110</sup> Ibid.

The first significant political movement, called the “Young Algerians,” was led by Khaled, the grandson of Abd el-Kader. The movement started when the French government introduced conscription for young Algerians in 1911. Inspired by French political grievances, the Young Algerians demanded the right to vote, representation in the national assembly, and equality in paying taxes.<sup>111</sup> In 1912, Khaled sent a delegation to the French parliament demanding clear assimilation in rights between the Muslim population and French colonials in Algeria. The demands of the delegation met with complete denial by the French government and they were accused of menacing the prosperity of the colony.<sup>112</sup>

World War I was another factor that contributed to the Algerian national awakening. French colonials in Algeria were exempt from conscription; however the French government forced 173,000 Algerians to fight against Germany. Most of them perished in combat.<sup>113</sup> This embittered the Algerians toward French colonization. In addition, more than 120,000 Algerian workers contributed to the war effort in factories and on farms. The war was an opportunity for Algerians to encounter and learn from the French of the metropolis and other vulnerable people of the French empire. Moreover, the Algerians were also exposed to anti-French propaganda and the concept of Wilson’s principle of self-determination.<sup>114</sup> All of these factors contributed to Khaled’s Young Algerians’ demands for equality. In 1919, the French government issued new laws concerning certain categories of Algerians, such as veterans and educated people. These groups benefitted from the right to citizenship and access to government jobs.<sup>115</sup> And in 1926, the Young Algerian movement extended its demands from assimilation to full equality with French citizens in rights and duties, which were rejected once again by the settlers.

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<sup>111</sup> Martin Evans, *Algeria: France Undeclared War*, (Oxford: Oxford University Press, 2012), 43.

<sup>112</sup> Ibid.

<sup>113</sup> Ibid.

<sup>114</sup> Ibid.

<sup>115</sup> Martin Evans, *Algeria: France Undeclared War*, (Oxford: Oxford University Press, 2012), 45.

The 1920s witnessed the rise of a new Islamic revival throughout most of the Muslim world. Eminent Muslim scholars Abd al-Hamid Ben Badis, Bashir Ibrahimi, and Shaykh Tayyib Uqbi formed “the Association of Algerian Muslim Ulama [religious scholars]” under the leadership of Ben Badis.<sup>116</sup> It devoted its struggle to combat the extraneous ways that colonialism affected the Algerian society, such as Western education. The Ulama established a reliable educational network based on Islamic sciences and the Arabic language. They extended their reformist activities through media and recruiting. In general, the demands of the Ulama were more about improving Muslims’ economic and social life than evoking a religious revival. The movement, however, did not go beyond rhetoric.<sup>117</sup>

Another key movement for national independence was the Etoile Nord Africaine (ENA), headed by Messali Hajj. The political agenda of the party was to create a real alternative to colonial rule. Specifically, the ENA called for the independence of Algeria from France and withdrawal of French troops.<sup>118</sup> The French administration took action at once and dissolved the ENA.<sup>119</sup> However, Algerians’ bid for national independence continued, and other political parties emerged such as the Parti du Peuple Algerien (PPA) and the Parti Communiste Algerien (PCA).

At the end of World War II, Algerians took to the streets hoping for independence. These celebrations turned bloody in the eastern provinces (Setif and Constantine), where masses demanded independence and were met with force. In Setif, clashes between police and nationalists morphed into a riot, and angry demonstrators turned against the French colonials. The French army responded with brutal force; thousands of people were killed or arrested.<sup>120</sup> These events compelled the nationalist movement to turn to violence to liberate the country. The Special Organization (SO)

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<sup>116</sup> John Douglass Ruedy, *Modern Algeria: the Origins and Development of a nation*, (Bloomington: Indiana University Press, 2005), 135.

<sup>117</sup> Ibid.

<sup>118</sup> John Douglass Ruedy, *Modern Algeria: the Origins and Development of a nation*, (Bloomington: Indiana University Press, 2005), 137-143.

<sup>119</sup> Ibid.

<sup>120</sup> Ibid. 149-154.

appeared, with the aim of collecting weapons for combat.<sup>121</sup> In 1950, conflicts between the SO and political nationalists eventually ended the mission of the OS.<sup>122</sup>

In 1954, following this initial dispute, most members of the OS were organized into the Committee Revolutionnaire d'Unite et d'Action (CRUA). This twenty-two member committee continued the mission of the OS and announced the birth of the Front de Liberation National (FLN), a new revolutionary movement, whose mission was to carry out armed struggle to gain independence. On November 1, 1954, the FLN issued its first declaration to the Algerian people, which was also a declaration of war on France. The FLN, with its armed branch, l'Armee de Liberation National (ALN), conducted a war of attrition against the colonizing forces. After seven years, this struggle ended with a self-determination referendum and independence on July 5, 1962.<sup>123</sup>

In 1963, post-independence trauma was heightened when the Popular National Army (ANP), the new Algerian forces, intervened in Kabylia during an armed revolt. The uprising was led by Ait Ahmed Hocine, one of the engineers of the Algerian national revolution against the French. The aftermath of these events is very significant in the Berber's social memory, which saw the ANP as a new army of occupation.<sup>124</sup> The population believed that the central government was using security to justify the oppression of the Kabylia population and separatist movements.<sup>125</sup>

The "Berber Spring" of 1980 brought into the public arena the cultural and political demands of Kabylia, which were previously largely ignored or obscured.<sup>126</sup> Before the 1980s, Berber demands did not play a specific role in the evolution of politics and culture in Algeria. During the "Black Spring" of 2001, the region witnessed violent

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<sup>121</sup> Martin Evans, *Algeria: France Undeclared War*, (Oxford: Oxford University Press, 2012), 98.

<sup>122</sup> Ibid. 109

<sup>123</sup> Martin Evans, *Algeria: France Undeclared War*, (Oxford: Oxford University Press, 2012), 178.

<sup>124</sup> Yacine Tamllali, "Le Mouvement pour l'Autonomie de la Kabylie (MAK)." babelmed - Homepage. Accessed July 31, 2008. [http://www.babelmed.net/index.php?option=com\\_content&view=article&id=3445](http://www.babelmed.net/index.php?option=com_content&view=article&id=3445).

<sup>125</sup> "La situation en Kabylie et la «théorie du complot»," Algeria-Watch, Accessed September 14, 2012. [http://www.algerie-watch.org/fr/article/pol/us/wikileaks\\_kabylie.htm](http://www.algerie-watch.org/fr/article/pol/us/wikileaks_kabylie.htm).

<sup>126</sup> Gilles Manceron, *Algerie: Comprendre la Crise*, Bruxelles: Editions Complexe, (1996), 164.

riots where hundreds of people lost their lives.<sup>127</sup> Young people, overwhelmed by social problems and motivated by movements demanding autonomy, protested against the central government. The excessive use of government force led the Kabylia Autonomy Movement (MAK) to declare independence and form an exile Kabylia government.<sup>128</sup> Even though not recognized in the Kabylia region itself, this movement carries the grievances of a large portion of the population.

The 9/11 attacks returned the Kabylia struggle to national and international attention. Addressing grievances in Kabylia became an important strategy for fighting Islamic terrorism, because several groups sympathetic to Al Qaeda had found refuge in the mountains of Kabylia. Since the 2007 announcement of the birth of AQIM by its leader Abdelmalek Droukdal (originally from the Kabylia region), this terrorist organization has been able to conduct major attacks against the state and foreign nationals from its safe haven in Kabylia. Perhaps the most brutal of these attacks, for which AQIM claimed responsibility, was in December 2007, when two cars exploded in front of a government building. Seventeen people died and several dozen were injured.<sup>129</sup> Furthermore, affiliated groups of AQIM have been the main perpetrator of tourist kidnappings in the Sahel region and the Sahara, also causing instability in Algeria and beyond.<sup>130</sup>

### C. ANALYSIS OF KABYLIA

This section uses the five study variables of the thesis—geography, society, governance, security, and international actors—to analyze the conditions under which Kabylia became a region of criminal activity and a safe haven for AQIM.

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<sup>127</sup> Maddy Weizman, *Berber Identity Movement and the Challenge to North African States*, (Texas: University of Texas Press, 2011), 185.

<sup>128</sup> Ramdan Belamri, “Algerian separatist leader’s visit to Israel stirs controversy”, :Alarabia”, May 22, 2012, accessed July 15, 2012. <http://english.alarabiya.net/articles/2012/05/22/215732.html>.

<sup>129</sup> John Duffield, Peter Dombrowski. *Balance Sheet: The Iraq War and U.S. National Security*, (California, Stanford University Press, 2009), 29.

<sup>130</sup> Ibid.

## 1. Geography

The Kabylia region sits between the provinces of Jijel in the east and Bouira in the south. The region includes seven administrative provinces: Boumerdes, Tiziouzou, Bejaia, Setif, Jijel, Bouira and Bordj Bouariridj (see Figure 4–5) with almost 22,300 square kilometers in total.<sup>131</sup> Geographically, Kabylia is divided into two major parts, separated by mountain ranges: Greater Kabylia and Lesser Kabylia. The two regions are separated in the east by the Soummam and Seybouse rivers. The coastal areas are largely mountainous in the eastern part of the region, except for the coastal cities of Bejaia and Jijel. The mountainous region of Kabylia varies from 1,300 to 4,300 feet in elevation, with the highest peaks being Lala Khadidja, Haizer, and Timedjoune.<sup>132</sup> In the interior, the southern provinces of Setif and Bouira are marked by wide, high plains.



Figure 4. Kabylia main cities

<sup>131</sup> Kabyliie.Net. "Kabyliie: appellation et limites territoriales." Kabyliie.Net. Accessed July 20, 2012. <http://kabyliie.net/kabyliie-appellations-et-limites,8385.html>.

<sup>132</sup> Johathan Oakes, *Algeria*, (Connecticut: Globe Pequot Press, 2008),114.



Figure 5. Kabylarian administrative divisions

## 2. Society

Berbers or “Imazighen” are the ancient inhabitants of North Africa, especially the region of Kabylia; they differ from Arabs in language, history and heritage. The estimated population of Berbers in Algerian is approximately 9–10 million, which is 20 to 25 percent of the country’s population. In fact Kabylia is the most densely populated mountainous area in the world, at more than 510 inhabitants per square km.<sup>133</sup> Berbers are characterized by a distinctive physical appearance as to light skin, facial shape, and light hair. They are known to value private property and have a natural aptitude for commerce.<sup>134</sup>

<sup>133</sup> Abrika, Belaid, “Governance and responsibility: proposals for human, solidarity-based development”, (Ph.D. diss. Tizi-Ouzou Algeria Faculté des sciences économiques et de gestion, Université Mouloud Mammeri, 2011), 7.

<sup>134</sup> Neil McMaster, *Colonial Migrants and Racism: Algerians in France, 1900-62*, (London: Macmillan Press LTD, 1997), 44.

Berbers believe in their superiority and ethnic linkage to Europeans, a myth that France has supported since 1857.<sup>135</sup> The main language spoken is the Berber language, Tamazight, used in a dozen countries across the Maghreb–Sahel–Saharan region, including Morocco, Algeria, Tunisia, Libya, Egypt, Niger, Mali, Burkina Faso, and Mauritania. But Algeria and Morocco have by far the largest Berber populations. The Berbers have a consonantal alphabet that has existed since antiquity. The most ancient inscriptions date back to the sixth century B.C., and the language was found throughout the ancient world, including in the Punic and Roman eras. Although never mentioned by medieval Arab authors, it is specifically mentioned by Latin authors of the late fifth and sixth centuries.<sup>136</sup> The Berber language, therefore, and the culture it supports, are ancient and a source of pride for the people of Kabylia.

Berber society is thought to be the most democratic within the region. All members of the village take part in electing their representatives to the local committee, and opportunities are equal regardless of other considerations. Furthermore, Berber society has greater tendencies toward secular values than religious.<sup>137</sup> Education in Kabylia is excellent and excels beyond its neighbors. Berbers encourage education for both genders and are known to be the toughest intellectuals in Algeria.<sup>138</sup>

Kabyle women occupy a cardinal place in the preservation and reproduction of Berber culture and have perpetuated the culture despite the difficult situations they historically faced. Before the Arab conquest, Kabylia women played an important role and were sometimes the head of kingdoms; Fatma N'soummar, for example, was the head of an army that confronted the French in 1857.<sup>139</sup>

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<sup>135</sup> Jeremy F. Lane, *Modern European Thinkers Pierre Bourdieu: A Critical Introduction*, (London: Pluto Press, 2000), 114.

<sup>136</sup> Salem Chaker, "Langue et littérature berberes - Clio - Voyage Culturel." *Voyages culturels et historiques de Clio*. Accessed July 16, 2012.  
[http://www.clio.fr/BIBLIOTHEQUE/langue\\_et\\_litterature\\_berberes.asp](http://www.clio.fr/BIBLIOTHEQUE/langue_et_litterature_berberes.asp)

<sup>137</sup> Secular values, which is basically the role of the woman in the society comparing to its role in the Islamic societies, also the governance system based on elections not on the religious consensus.

<sup>138</sup> Walid Phares, *The Coming Revolution: Struggle for Freedom in the Middle East*, New York: Threshold Edition (2010), 285.

<sup>139</sup> John Douglas Ruedy, *Modern Algeria: The Origins And Development of a Nation*, (Bloomington: Indiana University Press, 2005), 68.

However, the condition of the Kabyle women has deteriorated over the years. They have been victims of injustice and violence from a society that has become acutely sexist, based in large part by the adoption of practices from Islamic (shariah) law. Under shariah, men are considered superior to women in the family code, which contradicts the Berber culture, in which women are respected as individuals and spouses.

Furthermore, state interventions aimed at changing the tribal structure of the Kabylia and introducing new administrative divisions may jeopardize national security and promote instability. Similarly, the Algerian constitution, which states in its second and third article that Islam is the religion of the state and Arabic the national and official language, tends to purposely omit Berber traditional values.<sup>140</sup> These policies have provoked several civic revolts to recognize Berber as a national language. The government's reluctance to take action is creating space for more extremist revolts and movements to take root, such as the MAK, which proclaims the autonomy of the Kabylia region and threatens national unity.

Finally, though the Kabylia population is assumed to be a completely Muslim community, a large number of Christians and atheists are recorded in Kabylia, more than any other region in Algeria. Many Berbers renounced their Islamic faith and converted to Christianity with the efforts of missionaries in the aftermath of the Algerian national tragedy during the nineties.<sup>141</sup>

Despite political and social tensions in the region, Kabylia has attracted the greatest national and international investments in Algeria. In 2011, Tizi Ouzou, the capital of Kabylia benefited from 928 new developmental projects.<sup>142</sup> The province of Tizi Ouzou ranks first nationally for projects registered in 2011 at the National Agency for Investment and Development (ANDI).<sup>143</sup> According to a ranking compiled by the

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<sup>140</sup> Algerian Const., Art. 2, 3. Web. Accessed November 5, 2012, [http://confinder.richmond.edu/admin/docs/local\\_algeria.pdf](http://confinder.richmond.edu/admin/docs/local_algeria.pdf)

<sup>141</sup> Jonathan Oakes, *Algeria*, (Connecticut: Globe Pequot Press, 2008), 21.

<sup>142</sup> Idir Tazrout, "Investissements en 2011 Tizi Ouzou se Classe Première", *"l'Expression"*, January 16, 2012, accessed June 15, 2012. <http://www.lexpressiondz.com/actualite/146415-tizi-ouzou-se-classe-premiere.html>

<sup>143</sup> Ibid

Directorate-General of ANDI for 2012, more than \$2 billion in projects will create around 4,783 jobs.<sup>144</sup> This investment and development is in spite of the isolation of Kabylia, which is not accessed by any highways, railways or ports. Investments and development in the Kabylia region encounter several challenges. The tribal mentality is one of the most important. Berbers, who value their private property, do not give up their land for public benefits. Indicators show that despite the economic reforms conducted by the Algerian government, intended to improve the living situation and prosperity in Kabylia and cut support for the separatists, Berber society is not satisfied, and the economy depends on remittances from the large number of immigrants in Europe.

### 3. Governance

The core element of Kabylia society is the village (*taddart*). Each village has legislative and executive powers and calls the village assembly, which includes all citizens of the village. The village leader, or *amghar* (elder), is elected by the members of a committee (the *thadjmaat*). These committees make sovereign decisions through democratic decision-making processes. Unity among several villages makes an *aarch*. The union of several *aarchs* makes a coordination of *aarchs*, which outlines rules of exchange, solidarity and, in particular, mutual defense in the event of outside aggression. Several *aarchs*, when united, can resolve short- and long-term issues.<sup>145</sup>

The Kabyle reliance on ancestral institutions has lasted for centuries and been a major contributor to the people's sense of protectiveness over their independence and cultural values, which are built on the rights of the community. Democratic discussions in the village meetings teach and support this awareness.

Berber society is unique in its functional structure. The traditional institutions show effectiveness in managing daily business. Berber society, represented by village committees, takes advantage of the Kabylia regional characteristics and availability of financial and human resources to further entrench an isolated and independent society

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<sup>144</sup>Ibid.

<sup>145</sup> Abrika, Belaid, "Governance and responsibility: proposals for human, solidarity-based development", (Ph.D. diss., "Tizi-Ouzou Algeria Faculté des sciences économiques et de gestion, Université Mouloud Mammeri, 2011), 8-9.

that does not recognize the state, constitutional divisions, and laws. The inner organization of the Berber society competes with and contradicts the state and its institutions. This is particularly true when it comes to security in the region.

#### 4. Security

Historically, Berber identity has been the core grievance and cause of insecurity in the Kabylia region. In September 1963, a year after Algerian independence, Berber groups led by Ait Ahmed Hocine, one of the engineers of the revolution against France, refused to give up arms and reintegrate into Arab society. The Popular National Army (ANP) intervened in Kabylia during the armed revolt of Ait Ahmed Hocine; the consequences of these events are very significant in the Berber's social memory, which see the ANP as a new army of occupation.<sup>146</sup> The population believes that the Algerian government is using security to justify the oppression of the Kabylia population and separatist movements.

Many movements appeared in the post-independence era that recognize Berber as a national identity, call for autonomy to Kabylia, and demand that the presence of security forces in the region be reduced.<sup>147</sup> The "Berber Spring" of 1980 suddenly brought into the public arena the cultural and political demands of Kabylia, which were previously largely ignored or obscured.<sup>148</sup> During the "Black Spring" of 2001, the region witnessed violent riots where hundreds of people lost their lives.<sup>149</sup> Young people, overwhelmed by social problems and motivated by movements demanding autonomy, protested against the central government. The excessive use of government force led the Kabylia Autonomy Movement (MAK) to declare independence and form an exile

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<sup>146</sup> Chaker Salem. "La question berbère dans l'Algérie indépendante : la fracture inévitable ?." *Revue du monde musulman et de la Méditerranée*, accessed May 12, 2012 .  
[http://www.persee.fr/web/revues/home/prescript/article/remmm\\_0997-1327\\_1992\\_num\\_65\\_1\\_1557](http://www.persee.fr/web/revues/home/prescript/article/remmm_0997-1327_1992_num_65_1_1557).

<sup>147</sup> Ibid.

<sup>147</sup> Ibid.

<sup>148</sup> Gilles Manceron, *Algerie: Comprendre la Crise*, (Belgium: Imprimerie Complexe, 1996), 164.

<sup>149</sup> Maddy Weizman, *Berber Identity Movement and the Challenge to North African States*, (University of Texas Press, 2011), 185.

Kabylia government.<sup>150</sup> Even though not recognized in the Kabylia region itself, this movement continues to carry the grievances of a large portion of the population and will most likely persist into the future.

According to the Algerian constitution, the state is responsible for the security of its citizens and their property. However, until the beginning of the 1990s, security in Kabylia was guaranteed by the local committees. The beginning of the nineties was marked by a sharp deterioration in the security situation, especially after the coup d'état of 1992.<sup>151</sup> With the emergence of terrorist organizations in the Kabylia region (whose members are mainly Kabyles), traditional village committees could not face organized crime and Al Qaeda-affiliated groups all alone.<sup>152</sup>

AQIM, through a complex network of recruitment and weapons smuggling, has found a perfect haven in Kabylia. The mountainous region, naturally fortified, provides a defense for terrorist groups in the area. The neutrality of the Berber society toward the fight against terrorism is another vital element that extends the AQIM presence. AQIM has recruited the local population by force as well as through blood ties.

At first, the villages of Kabylia suffered terrorist attacks regularly. Several localities broke their silence with the creation of the first self-defense groups in Kabylia. Berbers made headlines by deciding to arm themselves to protect their lives and property. This initiative spread quickly, and virtually all the provinces were mobilized as Groupe de Legitime Defense (GLD) to deal with the attacks of jihadi groups.<sup>153</sup> With the help of the Algerian central government, weapons were distributed to civilians throughout Algeria, including the Kabylia region. The authorities, who tended at first to deny the existence of militias or minimize their role, have openly encouraged civilians to take up

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<sup>150</sup> Ramdan Belamri, Algerian separatist leader's visit to Israel stirs controversy, *Alarabia*, May, 22 2012, accessed July 3, 2012, <http://english.alarabiya.net/articles/2012/05/22/215732.html>

<sup>151</sup> John Douglas Ruedy, *Modern Algeria: The Origins And Development of a Nation*, (Bloomington: Indiana University Press, 2005), 263.

<sup>152</sup> Ahmed Charai and Joseph Braude, "Al Qaeda's Resurgence", *The National Interest*, September 14, 2012. Accessed October 1, 2012, <http://nationalinterest.org/commentary/al-qaedas-resurgence-7463?page=show>

<sup>153</sup> International Crisis Group (ICG), *Algeria: Unrest and Impasse in Kabylia*, 10 June 2003, accessed October 4, 2012, <http://www.unhcr.org/refworld/docid/3f13c7d04.html>

arms and organize into militias. National television has reported militia activities, praising their role in the “fight for the elimination of terrorism” and allocated advertisement space encouraging men to create militias, under the motto “*rijal khuliqu lil Watan*” (men born for the country). The newspapers have also begun to give more prominence to the activities of militias.<sup>154</sup>

Following this mobilization, the militias, along with the other branches of the security forces, were accused of human-rights violations against the local population, including those in Kabylia. According to a 1997 UNHCR report, there were large-scale violations of human rights all over the country by the security forces and terrorist groups.<sup>155</sup>

## 5. Outside Influence

The struggle between the Kabylia region and the Algerian government has been fed, in part, by the Berber myth. Berbers believe in their superiority and shared common origin with Europeans. This myth was encouraged by strenuous efforts to rediscover their Latin-Christian origins. In 1962, the hostility of the post-independence Algerian government toward the social, political, and administrative structure of Kabylia pushed Berbers further away from joining Algerian society. Faced with this long-standing hostility, the population of Kabylia constantly retrieved the traditional way of governance to meet their social, cultural, political, economic, and administrative aspirations.

Currently, Kabylia represents a real challenge for Algerian national security. The emergence of the MAK in the 1960s began this challenge. Mainly supported by Morocco, France, and other western countries, the MAK tried to internationalize the Berber question.<sup>156</sup> Several actions were taken by this movement, such as creating a provisional

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<sup>154</sup> Immigration and Refugee Board of Canada, Algérie : groupes d'autodéfense, appelés également « milices » et « patriotes », en particulier dans la région du Chlef; protection des miliciens par le gouvernement et conditions de recrutement; mauvais traitements infligés par les miliciens, 26 September 2000, DZA33334.F, accessed October 1, 2012, <http://www.unhcr.org/refworld/docid/3ae6ad4418.html>.

<sup>155</sup> Ministry of Foreign Affairs, Netherlands, “Situation in Algeria,” 18 September 1998, accessed October 5, 2012, <http://www.unhcr.org/refworld/docid/46700c682.html>

<sup>156</sup> Walid Phares, *The Coming Revolution: Struggle for Freedom in the Middle East*, New York: Threshold Edition (2010), 282.

government in exile and endeavoring to get international recognition and support for the independence of the Kabylia region. Algeria's western neighbor, Morocco, is heavily involved in this turmoil. The relationship between Algeria and Morocco is historically characterized by tension over the Occidental Sahara conflict. The Algerian stance, which supports the right of self-determination, is faced with undercover support for the MAK by Morocco. Algeria allegedly supported the independence movement in the Occidental Sahara since 1975, by providing refuge, finance, and armament. In return, Morocco has taken advantage of the MAK's declaration of autonomy and harnessed its potential to back the MAK up.

The Algerian newspaper *Ennahar* claims that Morocco and Israel are the main suppliers of the Kabyle separatists.<sup>157</sup> *Ennahar* further claims that one million Euros was given to the MAK from an American Jewish group.<sup>158</sup> The MAK leader Ferhat Mhenni expressed his solidarity with Moroccan officials on the Occidental Sahara issue.<sup>159</sup> In its endeavors to involve Israel in the conflict and get more financial support for the Berber cause, the MAK leader traveled to Tel Aviv in 2012 and gave a speech to the Israeli parliament (the Knesset).<sup>160</sup> This visit complicated the political situation in Kabylia and widened the rift between the population and Berber elites.<sup>161</sup>

The Kabylia struggle to impose its identity and the use of its language, along with the neutrality of the population in the war against terrorism, has provided many

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<sup>157</sup> *Ennahar* is an Algerian regime-backed up newspaper. This article is talking mainly about the hidden conflict between Algeria and Morocco over the Occidental Sahara and how Morocco is supporting the movement of autonomy MAK in the Kabylia region and the visit of Ferhat Mhenni the leader of the MAK to Israel in May 2012 and his speech to the Israeli parliament to demand the Israeli support to the Kabylia struggle for independence

<sup>158</sup> Mohamed Ben Kemmoukh, "One Million euros for the MAK from the American Jewish group", *Ennahar*, June 17, 2009, accessed August 5, 2012, <http://www.ennaharonline.com/en/news/1461.html>

<sup>159</sup> *Ibid.*

<sup>160</sup> In his speech to the Israeli parliament (Knesset), Ferhat Mhenni the MAK leader expressed his gratitude to the Israeli officials to grant him a chance to expose the light on the Berber problem and how similar is the struggle of Kabylia for its independence with the Israeli struggle to create a nation state. He also mentioned the similarities between the Berber and the Jewish Population.

<sup>161</sup> Kassa Aïdli, "Ferhat M'henni a Tel Aviv : Visite Israélienne et Maladie Algérienne", *Tamut.Info*, October 5, 2012, accessed September 12, 2012, <http://www.tamurt.info/ferhat-m-henni-a-tel-aviv-visite-israelienne-et-maladie-algerienne,2624.html>

opportunities for external actors to be involved. Many countries support the autonomy of Kabylia. The Algerian–Moroccan conflict over the Occidental Sahara is casting a shadow over the Kabylia region. Morocco supports the MAK in response to the Algerian support of the rebellion movement in the Sahara. Transnational terrorism, represented by AQIM, is another factor in the equation. Despite the pressure of the Algerian security forces, the AQIM, which controls the mountains of Kabylia, has found in these instable circumstances a perfect motivation to enlarge its activities into the Sahel region.

#### **D. CONCLUSION**

This chapter analyzed the five variables that have contributed to the current situation in the region: the geography of the area and how it aggravated tribal trends toward autonomy, tribal society and mentality, the local governance structure and its relation to the state, chronic insecurity particularly following the emergence of AQIM, and finally the influence of the foreign hands in the conflict.

Throughout 132 years of French presence in Algeria, Kabylia was considered a strategic area and an unstable zone at the same time. Fifty years after the independence of Algeria, the Kabylia region is still the center of turbulence, despite the efforts of the Algerian central government to improve the area economically. With the rise of extremist Islamic trends, Kabylia has become a base for terrorist activities and the stronghold of AQIM. This gives the area an international dimension, especially with the parallel rise of movements advocating the autonomy of Kabylia.

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## **IV. COMPARING KABYLIA AND THE FATA**

### **A. INTRODUCTION**

This chapter builds on the above case studies of Kabylia and the FATA to analyze the similar and unique conditions that have led to these regions' becoming fertile lands for extremism and transnational terrorism. Specifically, the chapter analyzes the five study variables—terrain, society, governance, security, and external influences—to discuss similarities and differences between Kabylia and the FATA and draw conclusions as to which variables may be most significant in their use as safe havens.

### **B. GEOGRAPHY**

#### **1. Similarities**

The geography of Kabylia plays a critical role for transnational terrorist groups in the region. The rough terrain, which kept Kabylia independent until French colonization, provides a suitable defensive position against invaders. The Kabylia region is divided into two major parts—Greater and Lesser Kabylia—separated by mountains and rivers. The coastal areas are largely mountainous in the east and there are wide, high plains in the south.

These natural defenses have not only prevented invaders from occupying the area, but have also allowed illicit groups to establish themselves and flourish. Following 9/11, Kabylia became the stronghold for AQIM due to its rough terrain, which enables it to conduct terrorist attacks against Algerian and Western interests.

The FATA's terrain is similar to Kabylia; it is mountainous, rugged, rural, and difficult to invade and occupy. The FATA has a long history of hosting illegal groups. In particular, it became a key staging area for the mujahidin during the Soviet–Afghan War. Following 9/11 and the U.S. invasion of Afghanistan, the FATA became a critical safehaven for Al Qaeda after it was forced to flee its sanctuary in Afghanistan. The FATA's difficult terrain has made it difficult for Pakistan security forces to rout Al Qaeda and Taliban from the area.

## **2. Differences**

Despite their similar terrains, Kabylia and the FATA have one critical difference. Kabylia is surrounded by mainland Algeria and the Mediterranean Sea, whereas the FATA has a long, porous border with neighboring Afghanistan. This porous border has allowed illegal groups, including terrorists, to move between Pakistan and Afghanistan unobstructed. Efforts by Pakistan, Afghan Security Forces, and NATO to secure the border have proven unsuccessful.

Although Kabylia does not share a border with a foreign neighbor, it still harbors foreign fighters, particularly after 9/11. The fact that Kabylia sits in the middle of Algeria, however, suggests that Algerian forces could potentially cordon off Kabylia more easily than Pakistan forces could secure the FATA's border with Afghanistan. However, Algerian forces have not successfully contained Kabylia to date.

## **C. SOCIETY**

### **1. Similarities**

The peoples of Kabylia and the FATA are distinct from the societies in their countries. Both speak a different language—Berber and Pashtun, respectively. Furthermore, both areas have peculiar tribal codes and cultural traditions that distinguish them in the countries in which they reside. Perhaps most significantly, both Kabylia and the FATA have strong tribal structures that dictate social and political relations. These strong tribal ties have made these areas impervious to the laws and customs of others in their countries. They also have provided opportunities for illicit groups to establish themselves.

### **2. Differences**

Perhaps one of the most interesting differences between Kabylia and the FATA is the level of literacy and education in each region. Kabylia has a long history of education, stretching back to the presence of the French in the 1800s; they have high literacy rates and are generally well educated. The FATA, by contrast, has the lowest literacy rate in Pakistan and equally low educational possibilities.

The regions have differing economic possibilities as well. Kabylia has seen growth in industry and investment in the last few decades. With higher literacy and education, jobs and economic prosperity are possible in this region. The FATA, however, is punctuated by few economic opportunities. The major portion of income stems from the local arms industry, agriculture, and smuggling, professions that tend to prosper in the presences of illegal groups, including transnational terrorists.

## **D. GOVERNANCE**

### **1. Similarities**

The terrain and strong tribal identities of Kabylia and the people of the FATA have also produced forms of governance that may affect the presence of transnational terrorist groups in these areas. Both regions have semi-autonomous forms of governance. In Kabylia, each area is governed by a village assembly elected by the people and a village leader elected by members of a committee. The people of Kabylia see this as their legitimate governance and the wider Algerian government as less valid, despite the fact that the Algerian government claims primary authority over the region.

Somewhat similarly, the FATA is governed by PAs and maliks, who were historically empowered under the British. In addition, tribal elders play an important role in governance by mutual consultation of the population through tribal meetings. Finally, mullahs have had an increasingly important role in governing the region, particularly after their influence increased under the Soviet–Afghan war. These forms of leadership are distinct from the central government of Pakistan.

### **2. Differences**

The only major distinction between Kabylia and the FATA region regarding governance is that the FATA enjoys a special status politically and legally within Pakistan. The region is not under direct control of the government. A special provision allows the president of Pakistan to directly intervene in the FATA but, otherwise, the federal government has limited jurisdiction. This lack of jurisdiction has prevented the government from having a strong presence in the region, including the absence of

development and federal security forces. There is a small representation of the FATA in the national assembly and the senate, but they are not empowered to bring change to the status of the area. Only the president of Pakistan can change the constitutional status of the FATA and bring reform.

## **E. SECURITY**

### **1. Similarities**

As previously suggested, security in Kabylia and the FATA is precarious. Both regions have had minimal national-security protection. Both are difficult to access physically, which has prevented national-security forces from adequately controlling the regions.

Furthermore, both regions have experienced chronic instability, albeit for different reasons. Kabylia has gone through episodes of unrest as part of their ongoing struggle to attain greater social, political, and cultural rights in Algeria. Recently, the region has experienced violence through the presence of AQIM, which will be described further below. The FATA has been plagued by unrest that derives largely from the presence of foreign influences, which will also be described below, and by becoming a buffer zone and staging area for great power politics. The FATA has also suffered from high rates of crime and illicit activities, which have further reduced its security.

### **2. Differences**

Perhaps the greatest difference between Kabylia's security concerns and that of the FATA is that the people of Kabylia do not want the presence of foreign fighters and AQIM in their area, but they are unable to push them out on their own. As described in Chapter III, the Kabylisians have attempted to create local security forces to address the security concern posed by AQIM, but have been unable to thwart them to date.

By contrast, the FATA's security concerns come from a mix of local and foreign fighters, and it appears that the tribes in the FATA have developed a somewhat mutually beneficial relationship with these fighters. In other words, it is not clear that the population wants the Taliban and Al Qaeda gone from their region. As described in

Chapter II, Pakistan deployed its military to the FATA for the first time following 9/11, with the hopes of tamping down terrorism in the area. However, the operations were largely unsuccessful. The increase of U.S. drone strikes in the region may change this dynamic.

Another unique facet of the FATA's lack of security comes from the presence of Pashtun refugees from the Soviet–Afghan war. These refugees have settled in the FATA and KP, bringing increased pressure on limited resources in the area. Refugees have also become a hotbed of recruitment for the Taliban and possibly other terrorist groups, further decreasing security in the area.

## **F. OUTSIDE INFLUENCES**

### **1. Similarities**

Although the Kabylia is an internal region within Algeria and the FATA has a long porous border, both regions are shaped by direct and indirect external influences. First, both are under international pressure to remove international terrorist organizations in their area, particularly Al Qaeda. The United States has named the FATA as one of the major areas of importance in fighting Al Qaeda and denying it sanctuary. The United States has used a number of means to achieve these ends. First, it has given Pakistan significant foreign aid with the hope that this will allow greater development and security in the FATA. Second, the United States has used direct military intervention in the form of drone attacks and placed diplomatic pressure on Pakistan to encourage it to contain transnational terrorism in the FATA.

Similarly, international attention has focused on fighting AQIM in Kabylia. As described in Chapter III, the United States has given funding and military assistance to Algeria—although in significantly smaller sums than to Pakistan—in an effort to boost domestic security and help rout AQIM from the region. Kabylia may have the added bonus of leveraging the local population against AQIM, which does not want it in the region, but efforts to destroy the transnational terrorist group have yet to succeed.

## **2. Differences**

Despite the similar international attention given to fighting Al Qaeda in these regions, each also has unique external sources of influence. In Kabylia, the Berbers' desire to maintain their social, cultural, and political autonomy has been shaped by external actors. Colonial France supported the Berber myth and fed it by claiming that Berbers had European ties and were superior to Arabs. Berber nationalism has further been supported by Morocco, which has recognized the MAK as a legitimate, independent Berber polity.

The FATA also has external actors that continue to shape developments in the area. Following the end of the Soviet–Afghan war and the influx of Pashtun refugees to the FATA, Saudi Arabia and the UAE established charities and madrassas that targeted these vulnerable groups. Along with this aid came a militant ideology that helped shape the Taliban. During the ongoing NATO war in Afghanistan, the Taliban have become another external influence, taking advantage of FATA's porous border to establish a safe haven in Pakistan, away from NATO's reach and well hidden among fellow Pashtuns. These unique sources of instability show no signs of abating.

## **G. CONCLUSION**

This chapter has built on case studies on the FATA and Kabylia to compare the distinctive and common attributes of each region as a sanctuary for transnational terrorism. Examining terrain, society, governance, security and external influences, this comparison reveals the following results. First, terrain is a common factor in sanctuary for transnational terrorists; both regions are mountainous and difficult to secure. Second, both societies are tribal and have separate cultures and languages from their countrymen. Third, both have a strong desire for self-rule. Fourth, both have experienced chronic insecurity. And finally, external actors have contributed to both regions' insecurity and sanctuary status.

Also important in this study are these regions' differences. The FATA has a porous border, whereas Kabylia is an interior region of Algeria. Kabylia is largely educated and literate, while Pashtuns in the FATA are not. Both regions are

administrative exceptions in their countries. Although both areas are insecure, they have different causes for this insecurity. And the regional actors that influence the dynamics in these areas are different.

The concluding chapter offers policy recommendations based on these findings.

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## **V. POLICY IMPLICATIONS**

### **A. SUMMARY OF FINDINGS**

Having analyzed key variables in the FATA and Kabylia, this thesis has found that the following conditions have contributed to the establishment of havens for transnational terrorism.

#### **1. Geography**

Geography has a strong influence on the creation of safe havens. Mountainous regions that are difficult to traverse and have few roads make ideal conditions for terrorist groups to train, organize, and hide. These conditions also make it difficult for police and military to monitor and secure the area, adding to its appeal to terrorists. Second, for the FATA specifically, the presence of a porous, international border is a key contributor to its appeal as a terrorist safe haven, especially for transnational terrorists.

The location of an area is unchangeable. However, there are options for mitigating geography's effects. In the FATA as well as Kabylia, the road infrastructure is very weak, which makes these areas difficult to access by law-enforcement agencies. Improving infrastructure is therefore an important first step in making areas less hospitable to terrorist organizations. Improving the roads in the FATA and Kabylia is a feasible project for Pakistan and Algeria, respectively. Moreover, this should be a goal for areas with rugged terrain that show symptoms of becoming a haven. Securing the border in the FATA is a much more difficult undertaking than road construction, but nevertheless, the Pakistani government should work with Afghanistan to make the border less porous.

#### **2. Governance**

Since before the creation of Pakistan, the tribal people of the FATA have continued to live in their own traditional way. The FATA region enjoys semi-autonomous status that is permitted by the constitution of Pakistan. Since the federal law and the judicial system of Pakistan are not applicable to the FATA, governance remains a

problem. The lack of political will by the government to bring the FATA on the same legal and political level with other areas of Pakistan is also a major contributing factor in the existence of safe havens in the area.

In Kabylia, although there is strong federal and local government in place, the village system still predominates. Furthermore the reluctance of the central government to deal with the grievances of the Berber population is widening the gap between the people of Kabylia and the government. This gap between local and federal has been a problem because village government is too weak to oust terrorist groups, especially AQIM, and the federal government does not have the necessary presence to do so.

Therefore, despite the contrasting reasons behind the lack of federal governance in the FATA and Kabylia, weak federal governance and control over these areas is contributing to the presence of terrorist sanctuaries. Thus, a low presence of government law and enforcement—particularly because the people reject the presence of the government in the area—is another important factor in the creation of sanctuaries. While geography contributes to minimal governance in both regions, cultural factors also play a role. Strong tribal structures and historic grievances against the federal government are also important to understanding this lack of federal control.

### **3. Society**

The FATA and Kabylia have similar social structures, but different socioeconomic situations. Both Kabylia and the FATA have inherited a strong tribal culture with specific traditions. These traditions have created loyalty to the tribe or the village over the larger country. The tribal codes of conduct and traditions have some negative aspects that help promote terrorism, specifically codes of honor and hospitality that have embedded terrorist groups into the tribal culture. Both the FATA and Kabylia have allowed terrorist groups to create strongholds based on these tribal codes.

Socioeconomically, the two regions are quite different. The FATA's tribal society is very poor, the population illiterate and uneducated, and people rely on unlawful activities to earn a livelihood. The situation in Kabylia is different; people have economic opportunities and a strong work ethic and are well educated.

Therefore, tribal society has emerged as a contributing factor that promotes terrorism both in FATA and Kabylia—that is, places with strong tribal traditions appear to promote terrorist safe havens. By contrast, weak socioeconomic conditions have not proven to be a cause in either case. The FATA is extremely poor and uneducated; Kabylia is not. Tribalism, therefore, appears to be a more important contributor to the emergence of safe havens than socioeconomic conditions.

#### **4. Security**

This study has revealed that both Kabylia and the FATA have suffered chronic instability, which has provided good opportunities to terrorists. In the case of the FATA, the area was used to stage operations in Afghanistan during the Soviet invasion and the post-9/11 global war on terrorism (GWOT). The use of the FATA as staging area has led to an accumulation of arms, illegal activities, and refugees willing to support insurgencies and terrorism.

In Kabylia, security has been an issue from the time of Algerian independence, and continues to the present. Despite efforts by the federal government to establish security in the region, the Berber's perception of the government's intentions as hostile to their culture and language has prevented the security services from being effective on the ground. The Algerian government's war against AQIM has militarized the Kabylia region by pouring more forces into the area and creating self-defense groups and militias aimed at preventing the advance of terrorist attacks into the surrounding areas. These efforts have thus far proven ineffective in denying AQIM safe haven in the area.

Despite the different reasons for instability in the FATA and Kabylia, its chronic presence provides an opportunity for terrorists to seize on this insecurity and establish bases. Chronic insecurity, in other words, creates the lawless and warlike conditions that are ideal to terrorists in their training, planning, and operations.

#### **5. Outside Influences**

External influences have played an important role in both areas. As mentioned, the FATA has a long history of interference from outsiders. It was a buffer between the

British and Russian Empires in the late 1800s, into the 1900s. It was chosen as a staging area by the United States at the time of Soviet–Afghan war. During this war, Saudi Arabia and the UAE supported the people of the FATA by providing personnel, money, and arms to keep the spirit of jihad alive. The loyalties established during that time still appear to be present in the people of the FATA.

Following 9/11, international interest in the FATA resumed. At present, some elements in Saudi Arabia and UAE still support the jihad, particularly religious extremist elements in the FATA. Post-9/11 actions by the Pakistan government to join the GWOT and fight religious extremism have caused the FATA people to mistrust Pakistan and to preserve their loyalty to other supporting states.

France and Morocco have been supporting the Berber cause in Kabylia, including the MAK, the organization seeking autonomy from Algeria. France helped create the Berber myth and has hosted the MAK. Morocco has supported instability in the Kabylia region as a containment policy for the conflict in the Occidental Sahara. The loyalty of Berbers to the Algerian state has been further jeopardized by the emergence of AQIM. The methods the state has used to combat terrorism have had negative side effects and have instigated mistrust among the Kabylia population.

The presence of outside influences has divided loyalty in both the FATA and Kabylia and contributed to their not trusting their respective governments. Outside influence by other states, therefore, is a big problem in these areas. International actors have created competing loyalties and weakened the legitimacy of federal government, , thus helping to create the conditions for terrorist safe havens.

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