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Abstract

The Pakistani state signed a number of peace agreements with the Taliban between 2004 and 2015. Despite their significance, hardly any academic evaluations of these agreements exist. This paper assesses these peace deals from three perspectives: political settlements, culture and conflict resolution and cosmopolitan protection. We argue that they failed due to the following reasons: the Pakistani state was more concerned with the interests of the central government in Islamabad than those in the tribal borderlands; the agreements clashed with the unique tribal cultural code of Pashtunwali; and they represented a solution imposed on the tribal societies from the outside.

Keywords: counterterrorism; borderlands; peace agreements; tribal territories; drones

I. Introduction

Pakistan has been tackling terrorism in its Federally Administered Tribal Areas (FATA) since the early 2000s. Terrorists hiding there have conducted attacks on the international forces in Afghanistan as well as on targets in Pakistan. The army launched its first operation against terrorists in FATA in 2004. However, it encountered serious resistance and the state quickly decided to change tack, adopting another strategy for counterterrorism that involved signing peace agreements with the Taliban. Pakistan agreed twenty-four peace deals involving nine

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different groups between 2004 and 2015.\(^1\) Most of these agreements and military operations concerned FATA territories. Pakistan also collaborated with the US during this period by sharing intelligence for a number of American drone strikes in the tribal areas. Some of these strikes resulted in the deaths of high-profile terrorists sought by the Pakistani state, such as Baitullah Mehsud in 2009.\(^2\)

Where Pakistani military operations and US-led drone strikes in the tribal territories have come under substantial academic scrutiny,\(^3\) there has been surprisingly little discussion of the Pakistani strategy of signing peace agreements with the terrorists. There exist some very descriptive accounts of those agreements but an academic evaluation of them is still lacking. We do not know much about the nature of the peace agreements, their achievements and what led to their eventual breakdown, but this article will shed light on all of these. A study of these peace agreements is necessary not only to learn about their efficacy, it is also instrumental in understanding the basis on which peace agreements in such tribal societies are likely to hold. Most importantly, the peace agreements signed by the Pakistani state with the Taliban in FATA have the potential to provide unique insights regarding similar mechanisms of conflict resolution in tribal societies across Africa and the Middle East.\(^4\)

This article relies on interviews with well-informed observers and security analysts from FATA to study the efficacy of the peace agreements.\(^5\) Additionally, we consult three strands of academic literature to assess them. The first body of literature concerns the area of “political settlements”. This literature has gained much traction recently and has the potential to provide significant insights into the agreements studied in this paper. The second set of literature covers writings in the field of “culture and conflict resolution.” The last strand of literature comprises the subject of “cosmopolitan protection”. Relying on these bodies of
literature and the interviews, we make three interrelated arguments. First, we argue that the peace agreements failed because the Pakistani state was more concerned with the interests of the central elites in Islamabad than those in the tribal borderlands. Second, we assert that the peace deals could not survive because they clashed with the unique culture of the tribal areas. The clauses of the agreements as well as the way they were signed did not accord with the cultural mores of FATA, leading them to a dead-end. Finally, we argue that the peace deals failed because they represented a solution imposed on tribal societies from the outside by the Pakistani state: the locals lacked both stake and agency in enforcing and protecting them, leading to their ultimate collapse.

The article is structured in the following way: the next section will critically review the writings on the peace agreements in general, and on the Pakistan-related peace deals in particular. It will highlight the gaps in literature that need bridging. The third section will shed further light on Pakistan’s counterterrorism strategy with a focus on the peace agreements, the military operations and the National Action Plan (NAP). The fourth, fifth and the sixth sections will conduct a critical evaluation of the peace agreements from the perspectives of the three arguments introduced above. The fourth section will employ the literature on political settlements to argue that the tribal areas were seen by the state as more of a problem to “pacify” and the agreements did not hold because the state was primarily concerned with the interests of the metropolitan elites at the cost of those living in the tribal areas. The fifth section will consult the literature concerning culture and conflict resolution to argue that the peace agreements did not hold because they clashed with the unique tribal cultural mores of FATA. The sixth section will use the literature on cosmopolitan protection to argue that the peace agreements failed because they denied agency to the locals in FATA. This article makes a timely and robust contribution to the debates on Pakistan’s
counterterrorism strategy as well as on the efficacy of micro-level peace agreements concerning tribal societies. As we will see, surprisingly little literature exists on both subjects. A study of the peace agreements can be quite instructive and this paper is a step in that direction.

II. Literature on peace agreements: A critical review

In this section, we will look at literature on peace agreements in general, as well as that related to Pakistan. A critical review of the literature shows that the contemporary knowledge on FATA peace deals is severely lacking on various fronts. This section will also present a very brief introduction of the three bodies of literature consulted to study the efficacy of the FATA peace deals.

Despite the immense salience of the issue, the literature on the conceptual dimension of peace agreements is relatively sparse.\(^6\) There are even fewer writings on the derailment of peace agreements.\(^7\) Toros\(^8\) has argued that if the objective of peace agreements is to transform the conflict and not just to address the issue of immediate violence, the concepts of “legitimacy” and “complexity” can open avenues for future research. States can adopt the tool of peace agreements to accord legitimacy to those willing to engage and to isolate more radical groups. However, this useful contribution does not address the issue of “borderlands” where terrorists might operate in the periphery of state – an issue that this paper tackles. We do so by building on Toros’s notion of “complexity” of dealing with certain types of groups.\(^9\)

Zartman and Alfredson have also debated the subject of negotiating with terrorists. According to them, peace agreements can be applied as tools to moderate the views of extremist groups.\(^10\) Weinberg, Pedahzur and Perliger\(^11\) assert that often terrorists operate in a
competitive environment similar to the one in which political parties operate. They share their “doctrinal space” with other groups. Such groups want to have their voices heard, which can only be done through their front organisations that are often actively involved in politics.\textsuperscript{12} These writings are useful but they do not help us in situations when dealing with jihadi terrorists whose legitimacy relies on the full implementation of sharia and who are not willing to compromise on a goal short of that objective.

Crooke\textsuperscript{13} comes close to making the case for giving special attention to the socio-political milieu in which terrorists operate. He argues that Islamic societies operate on different assumptions from Western societies and peace agreements that accord with the ideas of a more traditional Islamic society will have greater chances of success. However, Crook falls short of using the cultural lens to study traditional societies – one of the objectives driving the current article.

Ricigliano\textsuperscript{14} argues that terrorists like to engage because they believe that engagement will enhance the chances of agreement. Although an interesting point, this perspective treats an agreement as a “just” solution regardless of its legitimacy or rightfulness. It is important to problematise the very idea of an agreement – an objective that this paper performs.

Cronin\textsuperscript{15} has provided an excellent perspective on when is the right time to talk to terrorist groups. Groups that have been in existence for a longer duration are more susceptible to negotiating than newer groups. She argues that violence is central to the identity of certain groups and it is crucial to learn which groups will eventually go along with the promises made during peace negotiations and which will renege on their words.\textsuperscript{16} Cronin asserts that when a state engages with terrorists, it can mobilise a public-relations campaign to isolate
more-extreme groups. However, it is difficult for such campaigns to be successful in societies like FATA where the state itself has limited presence to ensure that they are convened effectively.

Neumann\textsuperscript{17} believes it is easier for a state to engage with the groups that have “local aspirations, a firm territorial base and a clearly defined territory.” On the other hand, it is harder to negotiate with nihilistic jihadi terrorists. Zartman\textsuperscript{18} also makes the distinction between “absolute” terrorists and “conditional absolutes.” For the former, a terrorist act “is completed when it has occurred and is not a means to obtain some other goal.”\textsuperscript{19} “Conditional absolutes” are those who “do not seek negotiation as part of their act” but “their demands are potentially negotiable.”\textsuperscript{20} Neumann\textsuperscript{21} suggests that governments can moderate the behaviour of terrorists if terrorists promise to play by democratic rules. According to him, the state can persuade terrorists by giving them a stake in the political process if they can stop resorting to violence. In general, this is a good idea but might not work in tribal peripheries like FATA where political process is limited in the first place.

Svensson\textsuperscript{22} believes that effective mediators who are slightly biased in favour of the government can play an important role in decreasing that government’s fears and mitigating the rebels’ commitment problems. Although useful, this contribution does not help in situations where potentially useful mediators are bypassed. As we will see below, the state in Pakistan decided to go around the tribal intermediaries, thereby heightening mistrust.

After discussing the general literature on peace agreements, we will now turn our attention to the context of Afghanistan and Pakistan. The literature on Afghanistan concerns more macro-level questions regarding reaching an agreement with the Taliban to find a settlement of the Afghanistan war started in 2001.\textsuperscript{23} This literature does not enlighten us
much regarding the type of peace deals we are studying in this paper – they are micro-level activities undertaken as part of a broader counterterrorism effort.

There exist some studies on the Pakistani peace deals but they have either focused on narrating the background and the context\textsuperscript{24} or describing the key clauses of the agreements and how they benefited the militants more than the state.\textsuperscript{25} Surprisingly, these authors do not deploy any conceptual literature or theoretical paradigms to provide us with an in-depth evaluation of the efficacy of these peace agreements. This paper will rectify that weakness.

We will be analysing the FATA peace deals by looking at the issue from three perspectives: political settlements (that concerns centre-periphery relations and governance), culture in conflict resolution and cosmopolitan protection. The first of these is relatively recent but has made space for itself quite quickly.\textsuperscript{26} The second topic is explored by scholars like Lederach\textsuperscript{27} and Dietrich and Wolfgang.\textsuperscript{28} The last area of study is an emerging critique of liberal interventionism that problematises the often-accepted notions of the protection of the victims of mass violence. This research conducts empirical and theoretical studies to show that wars of protection have led to more violence and harm to civilians than otherwise thought.\textsuperscript{29} A point worth noting is that all three sets of literature are relatively new but scholars covering these subjects are conducting ground-breaking and highly influential research. We hope that by utilising these innovative bodies of research, this article can make an original and novel contribution to the literature on the topic.

\textbf{III. Pakistan’s counterterrorism strategies in FATA (2004-2015)}

Before critically evaluating the efficacy of the FATA peace agreements, a background of Pakistan’s counterterrorism efforts between 2004 and 2015 is necessary to place the
agreements in context. Pakistan adopted three strategies to tackle terrorism in FATA during this period: peace agreements, military operations, and military operations combined with a “comprehensive counterinsurgency strategy across the country” called the National Action Plan.\textsuperscript{30} We will discuss each component below in more detail. However, before doing so, it would be important to present a rationale for the time period chosen for our study. The FATA territories have seen significant changes since the onset of the Afghan jihad launched in the aftermath of the Soviet invasion of the country in 1979. Due to the religious nature of the anti-Soviet struggle, the religious elements in the FATA territories were also strengthened. After the onset of the war on terrorism, the FATA territories attracted worldwide attention. However, it is important to note that these areas did not go through much violence during the Afghan jihad or in the first few years of the war on terrorism launched after the attacks of September 2001. Most of the violence within FATA took place between 2004 and 2015. That is not to say that violence completely subsided after 2015 but its intensity gradually came down with a significant drawdown by 2020. As most of the peace agreements also took place between 2004 and 2015, it makes sense for us to study that time period.

During the above-mentioned period, the FATA territories underwent a major social change as scores of tribes were displaced and traditional structures were attacked and replaced by new structures. After their displacement, they spent months (or longer) in the camps for displaced persons. Scholars have looked at how violence had a serious impact on the role played by the elders in FATA as a number of them were killed or expelled.\textsuperscript{31} Same is the case with tribal Maliks, or representatives of the tribes, for communicating with the federal government. The conflict has had a profound impact on the social fabric of the FATA societies and would affect the security and political dynamics there for years to come.\textsuperscript{32}
**Peace deals**

The Pakistani state employed this strategy to deal with terrorism in FATA from early 2000s fearing that a military operation might lead to blowback. These agreements allowed the state to follow the path that it had adopted since independence, which is to refrain from using force in the tribal areas. The strategy of signing peace deals quickly gained much political significance. International Crisis Group labelled this practice a policy of “appeasement”, arguing that the state had buckled under the threat of the Taliban’s retaliation. The Group believed that the strategy had resulted in “empowering the militants who [were] establishing administrative and judicial structures modelled on Taliban rule” in Afghanistan. The *Express Tribune* noted that the Pakistani government “ha[d] entered all such agreements from a position of weakness, thereby allowing the militants to extract significant concessions from the state without offering anything in return.”

The supporters of the strategy emphasised its utility in dealing with the challenge at hand using traditional means instead of resorting to force. They held that the use of force would result in unnecessary loss of property and life without realising the overarching objectives of reducing terrorism in Afghanistan, Pakistan and on NATO supplies. Former President Pervez Musharraf described one such deal as an “achievement for Pakistan and a model for Afghanistan to follow.”

The major peace deals included the Shakai agreement (signed 24 April 2004), Sararogha agreement (signed on 7 February 2005) and Miranshah agreement (signed on 5 September 2006). Most peace deals followed the same pattern: certain groups were offered amnesty in exchange for ensuring that they would not conduct attacks on “Pakistani security forces, public servants, state property, tribal leaders and journalists” and will not “carry heavy
Further clauses stated that the “[Mujahidin] will not provide any sort of shelter or assistance to any local or foreign terrorist in [their] territory”; “the government will release prisoners taken before and during [military] operations”; “the government will pay compensation for the ‘shuhada’ (martyred and injured persons)” during the operation, and for collateral damage; “the government will return all vehicles and other items, like weapons etc., captured during the operation.” Acknowledging these militants’ potential linkages with Afghanistan, the agreements allowed them to “travel across the border into Afghanistan on a “business trip” or a “family visit” and carry “light” weapons such as AK-47s.”

Rehman, Nasir and Shahbaz argue that the peace agreements were ineffective in reducing violence as they did not harm the capacity of the militants. Instead, certain peace deals increased violence – understandable, as some clauses of the deals might have aided the militants’ capacity for violence by enhancing their financial and militant capacities. The deals did not symbolise a comprehensive strategy and they were of little use due to the lack of political support behind them across the regional, provincial and central administrations. The deals were put in place without attention to the “larger problems of the region, which revolved around the altered socio-political dynamics of the tribal areas.” The fragile relationship between the Mullahs and the Maliks (tribal elders) took a serious hit as a result of the peace deals as it further empowered the religious elements over the tribal ones.

One can argue that the peace agreements fell apart because of the support the Taliban enjoyed among the locals. That made it difficult for the state to enforce such deals. It is true that the Taliban gained much support in a short period of time because the locals looked at them as a group who could bring some order to their societies. They were also considered to be not corrupt. In a rare statement of its type, the military’s own spokesman said ‘We had
lost our connections, our informers, our support from the public. That did make it hard for the military to tackle militancy in FATA. The reasons due to which the locals started supporting the Taliban in Pakistan in mid- to late-2000s is similar to the reasons the Afghan Taliban gained support in Afghanistan from mid-1990s onward. Matinuddin studies how the Taliban declared a jihad against ‘sins, corruption and cruelties’ which was widely welcomed by the people in southern Afghanistan. The Pakistani Taliban had similar promise and some people in the tribal areas saw that as potentially a refreshing change.

However, it is not easy to say that such a support also made it hard for the state to enforce peace deals because that would imply the following. First, such an assertion would imply that the Pakistani state was sincere in enforcing those peace deals and was really invested in them. As we show below, that was not the case and the state did not really pursue this path of peace deals in letter and spirit. Second, such an assertion would imply that the factors making these deals unsuccessful were very surface-level which could be addressed by making minor changes to Pakistan’s counterinsurgency strategy at that time. As we show below, the problems in FATA have been related to major structural issues such as the state’s total disregard of development there as opposed to other parts of Pakistan such as Punjab. These broader issues need greater attention if one is really interested in learning why the peace agreements fell apart. The support for the Taliban on the ground is not that big of a factor.

By late 2000s, the insurgency in the northwest of Pakistan was in full swing. It appeared that the militants were about to march into the Punjabi heartland of Pakistan. The militants’ power projection abilities in Punjab had alarmed Pakistani people who called into question the state’s ability to enforce its writ. The militant encroachment in Punjab can speak for the
urgency the military gave to the matter as it was calling into question its own legitimacy.\(^{51}\) That can also explain the quick signing of peace agreements by the military, and certain military operations) without investing too much effort into their longer-term sustenance.

**Pakistan Military Operations**

Pakistan launched several military operations against the terrorists in FATA including Operation Rah-e-Nijat (Path to riddance), starting from 19 June 2009; Operation Rah-e-Shahadat (Path to Martyrdom) starting from 5 April 2013; and Operation Zarb-e-Azab (Strike of Zarb) starting from 15 June 2014. These military operations were used to drive the militants out of FATA and into Afghanistan. Rehman, Nasir and Shahbaz\(^{52}\) contend that where peace agreements had no effect on reducing violence, Pakistan’s military operations led to a substantial increase in violence due to “vengeance” or “backlash” effects.

**The National Action Plan (NAP)**

The National Action Plan was a concerted effort on the part of the government of Pakistan to come up with a comprehensive strategy to defeat militancy instead of just using peace agreements or military operations. It came into existence after the brutal massacre at the Army Public School in Peshawar in December 2014. NAP included around two dozen points, such as “a ban on militant outfits and their financers, restrictions on hate speech, the registration and regulation of religious seminaries, development and administrative reforms in FATA … and drawing widespread public support for the ongoing military operations in FATA, Karachi, and Baluchistan.”\(^{53}\) Though these ideas look good on paper, no serious effort have been invested in making NAP work.\(^{54}\)
IV. Peace settlement and centre-periphery relations

After providing the background and context of the peace agreements, the rest of this paper will evaluate their efficacy. The literature on political settlements shines new light on various issues regarding the FATA peace deals which led to their failure.\textsuperscript{55} A significant problem with these deals was that they did not give enough attention to the issues of inclusion, which would involve multiple stakeholders in the process of bringing peace in the territory. The literature on political settlements identifies two types of inclusion: horizontal inclusion and vertical inclusion.\textsuperscript{56} Horizontal inclusion ensures that all of the power elites involved in peace process are included, whereas vertical inclusion refers to the links between the elites and the wider community within a territory.

In the case of FATA peace deals, only a certain type of power elites (namely militants) were included, whereas local tribal elders were sidelined and their role in the process was notably diminished.\textsuperscript{57} These tribal elders have roots in their societies and their exclusion negated both vertical and horizontal inclusion. The elders possess the ability “to represent and vocalise the demands and beliefs” of the members of the community.\textsuperscript{58} The militants, on the other hand, had relatively limited following in the society as many residents considered them to be a problem for the peace in the region. Sattar\textsuperscript{59} believed that at the time when the government’s energies should have “strengthened and rejuvenated” the traditional tribal structures, the state handed over the power of the tribes to the militants. One interviewee told the author that if they were involved in the process, the tribes could have served as a bridge between the militants and the central government as well as the international community for the purpose of reducing violence.\textsuperscript{60} If the tribes were involved, they would have asked not only the Taliban but also the central government to do the best to protect the peace deals. Some tribal elders said that if the deals were done through them, they
would like a message to be sent to the US to not conduct drone strikes which might lead to the deals breaking down. Sending such a message through the Pakistani government was possible. There have been instances in the past when the Pakistanis asked the US to desist from using drones at certain times and the former listened.61

By engaging with the militants alone and marginalising the wider FATA population, the Pakistani state made things particularly hard for FATA’s women who were left reliant on the militants’ interpretation of Islam. When the government ceded to the militants’ demands for the implementation of the *sharia* law in a territory adjacent to the tribal areas in 2009, the liberal circles in Pakistan were alarmed.62 An NGO activist rightly asked: “Has anyone consulted the women on whether they are happy with this decision?”63 Feryal Gauhar, a film-maker and a woman’s rights activist also asked: “Will not the imposition of shariah tear asunder the fabric of Pakhtun society where women are largely confined and supposedly “protected” in order to retain the “honour” of the men in the family?”64

Another by-product of excluding a large segment of the tribal populations from these peace agreements was that it resulted in further stereotyping of Pashtuns as violent communities that are prone to militancy.65 This approach silenced the voices who spoke out against violence and presented an alternative view of the Pashtun identity. Yousaf66 argues that such negative stereotyping has existed since the colonial period and hinders peaceful dialogue. In addition, this stereotyping exacerbates exclusion as it acts as a self-fulfilling prophesy. This is because the central government has often tended to dismiss even the rightful demands of the Pashtuns as unfair demands of a “resistant” and a “recalcitrant” community.
Peace agreements also fail because they are signed by central-government functionaries who are only concerned with the interest of the broader “nation-state” that serves as their main frame of reference. A nation-state framework of analysis has problems because it over-emphasises national priorities and every problem is perceived from a statist lens.\textsuperscript{67} The case of FATA is particularly significant because the central government in Pakistan has often treated FATA agencies as “ungoverned territories” that need to be “pacified.”\textsuperscript{68} Until the recent FATA reforms in 2018, the central government chose to directly run the business of FATA using the colonial-era Frontier Crimes Regulations of 1901. This code gave significant importance to the tribal elders and the central government’s representatives known as political agents.\textsuperscript{69} During most of Pakistan’s history, the Pakistani state’s treatment of FATA territories has been peripheral to its main priorities as FATA does not feature in the state’s national narratives about its own identity.\textsuperscript{70} The recent reforms have been criticised by knowledgeable observers for being half-hearted because Pakistan army wants to continue to use the territory to harbour the Afghan Taliban that promote Pakistan’s agenda in Afghanistan (for purported ‘strategic depth’\textsuperscript{71}) and Kashmir.\textsuperscript{72} As mentioned above, the state and the dominant Punjabi ethnic group were particularly worried when the militants marched southward and quickly increased their following. That led members of the civil society, journalists and politicians to question the state’s ability to tackle militancy comprehensively.

The fact that the militants’ ability to project power into Punjab played a major role in spurring the state also shows that the state was not interested in tackling the problems of FATA for its own sake. It was the impact of the developments in FATA on the rest of Pakistan, especially Punjab, which was the driving factor. In other words, the interest of Punjab was the driving force behind the military’s unsuccessful peace deals with Pakistan. That means that as soon as the militants were pushed sufficiently away from Punjab, the urge
to continue to engage with the problems of FATA subsided. It is no wonder that a contemporary civil society resistance group the Pashtun Tahafuz Movement (Pashtun Protection Movement or PTM) has often raised the issue of Punjab’s interest taking precedence over those of the Pashtun interests causing resentment among the Pashtun communities. The leader of the PTM, Manzoor Pashteen, has poignantly said that ‘Punjabi dominance of the … state meant erasing the identity of other cultures and nationalities.’ Pashteen asserts that the Pakistani state (especially the army) does not treat Pashtuns and Punjabis in the same way. Where the Punjabi-dominated media diligently reports on the killings of innocent Punjabi civilians, such a response only ‘applies in Punjab, not to thousands of cases of police killings of Pashtuns, the nation to which [he] belong.’

FATA territories have long been presented as “ungoverned”, “unruly,” “exceptional” and beyond the sovereign control of the central government. Keister, however, is critical of the very idea of “ungoverned spaces.” She argues that these spaces are “not ungoverned. They are simply ruled by subnational authorities. Failure to understand why ungoverned spaces exist and persist may lead policymakers to underestimate the costs of integrating them.” An interviewee told the author that due to this view of FATA, the state was not really sincere in bringing genuine stability and peace in FATA. It merely wanted the problem of the militancy in FATA to go away.

A nation-state framework also ignores the centre-periphery relations, leading one to believe that “political order radiates outwards from the centre into unruly peripheries.” Such an approach does not acknowledge that “many conflicts emerging from the state’s margins are driven by contestation for control of borderland regions and longstanding grievances against central state authority (often linked to ethnic, religious and linguistic differences).”
When priorities are reversed, the central government believes that an agreement that suits the interests of the central government will also suit those of the peripheries. As we saw in FATA, the central government’s main concern while signing the peace deals was the cessation of attacks by the militants on its forces – attacks which were challenging the writ of the state. However, a by-product of that approach was that the peace deals ended up emboldening the militants as the Pakistani government elevated their status by negotiating with them directly. The process, ironically, granted them a certain legitimacy which they lacked before the signing of the deals. This set an unusual precedent for other groups who saw an opportunity to engage the state by escalating their violence instead of limiting it.

The peace-settlement literature also states that certain peace agreements can be weak because those brokering peace are focused on reducing “competitive violence” but do not concern themselves much with other types of violence such as “embedded violence” and “permissive violence.” Cheng, Goodhand and Meehan define “competitive violence” as the violence that is “deployed by warring elites to contest or defend the existing distribution of power. Stabilising large-scale armed conflict is primarily about ensuring that elites no longer deploy violence to compete for power.” On the other hand, embedded violence refers to “how a political settlement works, as the deals agreed between elites may revolve around who has the ‘right’ to use violence.” Permissive violence refers to the peripheral violence that occurs in a territory where the state does not have monopoly over violence but it does not have a direct impact on the peace settlement.

Embedded violence is key to how a political agreement works because the elites’ gains from an agreement are not just economic (“control over certain resources”) or political, but also include “the ‘right’ to use violence.” When the government of Pakistan ceded
concessions to the militants through the above-mentioned peace agreements, it effectively gave them carte blanche to use violence or to engage in future criminal activities. For example, a number of Miramshah residents told Pakistan’s prestigious newspaper Dawn soon after the Miramshah deal was signed that there was a spike in “kidnappings, robberies and murders” since the singing of the deal in September 2006 and the limited, ill-equipped government forces allowed to operate in the area after the deal did not have the wherewithal to reign in the militants or control crimes. Due to this embedded violence meted out to the residents as a result of the deal, the locals quickly lost faith in the peace agreement that the government had signed with the militants. Close attention to all types of violence is needed if the parties wanted their agreements to gain broader support and legitimacy among the general public.

Goodhand and Meehan also contend that often political agreements can fail because they are signed with the objective of “an over-emphasis on short-term stabilisation” (or “pacification”) instead of promoting the “rule of law” over the long term. FATA peace deals had to be unsustainable by default because the government of Pakistan hoped that franchising violence out to certain factions of the militants would be enough to ensure immediate stability. However, the strategy caused further instability and ended up making the agreements unpopular among the masses in the tribal territories. Criticising the peace deals, the most prestigious newspaper of Pakistan, Dawn, also wrote:

[O]ne look at the agreement and the situation on the ground and it is glaringly evident that the government has chosen the path of pacification by appearing to capitulate to the militants than take corrective measures to ensure lasting peace. Peace is vital but
not at the expense of abdicating state authority, as appears to have happened in Waziristan’s case.\textsuperscript{88}

The peace deals represented desperate attempts by the state to regain control when a weak Pakistani military was unable to challenge the stranglehold of the militants directly. The decision to work with the militants represented an experiment in “hybrid governance,” described as “sharing or ceding some political, administrative or security functions to local non-state structures.”\textsuperscript{89} The traditional centres of power (tribal elders) were sidelined in favour of the young militants who represented the new sources of power.\textsuperscript{90} The approach further fragmented the local political leadership in an area with “longstanding historical experiences of state exclusion.”\textsuperscript{91} The tribal residents, especially the younger generation, were observing the Pakistani state’s presence in the tribal area for the very first time and for them the state represented repression through the Taliban militants, increasing their alienation. Where the absence of the state represented relative freedom for them, its presence meant an uneasy life for the tribal residents. That is why “the assumption that peacebuilding, economic development and the expansion of state authority are necessarily mutually reinforcing” is not always correct and there is a need “to understand the trade-offs that often surround these policy goals.”\textsuperscript{92}

A sincere approach to tackle the problems of FATA would also have required the state to pay attention to why the Taliban gained significant popularity in such a short span of time in different parts of northwest Pakistan. It is not unusual for the Taliban in the AfPak theatre to amass the support of general public.\textsuperscript{93} It would make sense that the general public, tired of local corruption and lack of law and order, would support such groups. A genuine peace building effort would have looked at the root causes of the problem and not superficial efforts practiced by the Pakistani state and enumerated here. Orakzai\textsuperscript{94} believes that the main
objective behind the government’s approach should have been to transform the dynamics of the conflict instead of ending violence. These territories were ripe for change and the local communities were increasingly demanding political freedom and choice. Instead of leading the change, the government’s handling of the matters allowed the militants to take over the process of change, which ironically helped them attract scores of new followers.  

V. The cultural dimension

After discussing the peace deals from the prism of “political settlements,” we will analyse them from the perspective of “culture and conflict resolution.” Culture does not get much attention in conflict resolution and where it does, it is perceived in a simplistic way and is often confused with local custom. There have been some attempts to “conceptualise” culture in this context but when it comes to studying the role of culture in conflict resolution, Paul Lederach’s work is clearly pioneering. Though scholars took interest in this issue before Lederach, none did so with the objective of reaching a scholarly understanding of how to adopt a cultural route for conflict resolution. For example, Nader, Todd and Gulliver studied culture in dispute resolution but they were more concerned with bringing out the commonalities of law systems in the societies facing conflict than to study how culture can help in the matters of conflict resolution.

An evaluation of the peace agreement from a cultural perspective tells us that the FATA peace deals failed to sustain and gather support because they went against the tribal cultural code of Pashtunwali and they bypassed the tribes’ traditional mechanisms of conflict resolution. According to Ali, Pashtunwali is composed of four components: nang (honor), badal (revenge), turah (bravery) and milmastiya (hospitality). The codes of
Pashtunwali are ever-present in the lives of Pashtun tribesmen and they abide by them at all costs. Johnson and Mason\textsuperscript{103} assert that

Passhtunwali is the keystone of the Pashtuns’ identity and social structure, and it shapes all forms of behaviour from the cradle to the grave. Its rules are largely responsible for the survival of the Pashtun tribes for more than 1,000 years, but they remain little understood in the West.

Throughout the history of FATA, the state gave preference to the tribal means of conflict resolution in FATA. One such way to approach the issue is rooted in the local tribal culture, known as salah-mashwarah (“discussion” or “consultation”) and involving a variety of tribes to resolve the conflict in the tribal areas.\textsuperscript{104} Salah-mashwarah is the traditional forum for discussion of important issues. With matters of serious nature, a jirga (a “traditional assembly of all the tribes’ adult male members”) would be called.\textsuperscript{105} Conflicts resolved in the presence of jirgas and agreements struck there prove extremely resilient due to their egalitarian nature and reconciliatory character. For Johnson and Mason, “the egalitarian character of the jirga and the salah-mashwarah are in direct contrast with a hierarchical state power structure. Both are driven by the consensus of the group, composed of equal individuals. It is understood that representation is a bottom-up structure, operating within a system based on the concept of equality.”\textsuperscript{106}

For a Pashtun, a verbal commitment with an enemy is as important as a written agreement – if not more so. A commitment in front of guarantors means that a Pashtun would rather lose his life than renege on the promises made in front of his entire tribe. Going back on one’s promises would bring shame to the name of the entire tribe and doing so is unheard
of in this culture. Nobody would dare do that because doing so would invite ostracism, ridicule and excommunication. Johnson and Mason assert that

A Pashtun must adhere to this code [of *Pashtunwali*] to maintain his honor and retain his identity. The worst obscenity one Pashtun can call another is *dauz*, or “person with no honor.” In a closed, interdependent rural society, a Pashtun family without honor becomes a pariah, unable to compete for advantageous marriages or economic opportunities, and shunned by the other families as a disgrace to the clan.107

However, when dealing with militancy in FATA, the state of Pakistan failed to adopt *salah-mashwarah*. As said above the traditional elites were sidelined in these peace deals and the government chose to negotiate directly with the militants.108 The signing of the peace deals represented a break from the traditional way of doing business in FATA. A vacuum of social and political authority was created, serving to empower the religious militants. Engaging with the militants also flew in the face of this traditional mode of conflict resolution. In their interview with the author, an academic from FATA asserted that the peace deals lost validity and legitimacy because the traditional leadership was either killed or bypassed.109 A senior security official, who was involved by the state in getting the peace deals signed, told the author that only the tribal elders could proffer guarantees on behalf of the entire tribes. The elders had public support behind them which was essential for the legitimacy of the deals. In the tribal areas, the guarantees are offered collectively, never individually. Written papers have no validity without guarantors.110 Without such strong foundations, it was no wonder that the peace deals broke down when they came under even a little bit of stress.111

The peace deals failed because they ignored the rich cultural resources of dispute resolution (such as the *jirga*) that the tribal communities provided, leading to fragile
agreements. According to the senior security official interviewed by the author, the tribal customs and traditions have substantial power to reduce terrorism. For example, if the state had insisted that the militants only engaged with it through the tribes, that would have forced the Taliban to liaise with the tribes to request them to be their guarantors. Doing so would have bound the militants in the local customs, thereby bringing down the levels of violence. There are multiple layers of tribal authority – militants who wanted the tribes to be their guarantors would have to persuade individuals at different levels. Once the due process was followed, this would have operationalised a number of traditions which would have in turn ensured that the Taliban kept their word.\textsuperscript{112} The state either engaged with the militants who had newly arrived in the area or those who were from the younger generation of radicals. In both cases, these individuals did not know the local customs and worked outside them. Furthermore, the militants targeted hundreds of tribal elders who talked about signing the agreements properly.\textsuperscript{113}

A consideration of the cultural and traditional norms of the Pashtun way of life leads to the logical conclusion that if the tribal elders had promised the state of Pakistan that they would not allow for the force to be used against their fellow citizens, they would have ensured that the promise was kept. Not only were the tribes not involved in the peace deals from the very beginning, they were collectively punished by the militants and the government when the peace deals fell through as both sides blamed the locals for that eventualty.\textsuperscript{114} A large number of tribal elders were killed by the Taliban and the government of Pakistan failed their descendants in their pursuit of badal (revenge).

Where the tribal elders could have been important partners in bringing peace, their marginalisation tore apart the social fabric of FATA.\textsuperscript{115} According to an academic from
FATA, the locals would prefer drones over peace deals. The latter opened avenues for further violence because these were the common people who were affected while the militants and the army remained secure. The drones hit the miscreants while the deals hit the common masses.\textsuperscript{116} For the locals, the peace agreements meant serious trouble. The Taliban refused to allow the schools, hospitals and markets to be opened fully even after they had signed the peace deals with the state. The residents were often displaced when violence erupted in the aftermath of the breakdown of the peace deals.\textsuperscript{117}

The peace deals also put much emphasis on the foreigners living in the tribal areas, including Uzbeks and Tajiks. Where some of these foreigners were waging jihad against the Pakistani state, quite a few of them were living there peacefully under the protection of the local elders. A number of Tajiks and Uzbeks had been living in the tribal areas since the anti-Soviet Jihad of the 1980s. They had intermarried and made the place their home. Abbas\textsuperscript{118} asserts that the tribal norm of \textit{nanawatay} (sanctuary) refers to the protection given to someone against their enemies. Once granted this sanctuary by the locals, that “person is protected at all costs, and under any circumstances.”\textsuperscript{119} When the peace deals were signed, the local tribes were unable to provide them the protection they were assured. That made the elders feel impotent, powerless and humiliated as they were unable to keep their words. That shows how the peace agreements flew in the face of the local cultural norms.

Lederach argued that a cultural-based conflict resolution procedure would work if it focused on “the validation of the people and the expansion of resources within the (indigenous) setting.”\textsuperscript{120} For one to truly transform a conflict, there is a need for treating the setting and the people as part of the solution rather than the problem. Orakzai\textsuperscript{121} has argued that indigenous processes of peace building as a bottom-up approach based on local culture
and traditional practices (that possessed “material and symbolic values”) goes against the idea of liberal peace which is individual-centric and institution-focused. For her, the turmoil in Iraq and Afghanistan after the recent wars signifies the rejection of the liberal peace by the traditional communities.\textsuperscript{122} The same appears to be happening in the tribal areas of Pakistan.

A conflict is a result of “the social construction of human experience, interaction and social realities.”\textsuperscript{123} An attempt to resolve that conflict will naturally mean that the starting point is the analysis of that human experience and social reality of the space in which the conflict is located. As conflicts are socially constructed cultural events that emerge through an interactive process based on the search for and creation of shared meaning\textsuperscript{124} this means conflict is not something that can “just happen” to someone (like a disease that needs to be cured). Those involved in conflicts are active participants “in creating situations and interactions they experience as conflict.”\textsuperscript{125} Conflicts, therefore, are usually disagreements over meaning. Meaning, on the other hand, is connected with knowledge and knowledge is rooted in culture.\textsuperscript{126} For Lederach,\textsuperscript{127} “understanding conflict and developing appropriate models of handling it will necessarily be rooted in, and must respect and draw from, the cultural knowledge of people.” The discussion in this section has shown that not only the FATA peace deals failed to draw from the cultural knowledge of the people, they also actively contravened it.

**VI. Cosmopolitan wars of protection**

The tribal territories are often portrayed by the Pakistani government as areas where the Taliban have inflicted major harm on the civilians who need protecting. There are interesting parallels between the Pakistani state’s intervention in FATA to protect the locals and the international community’s humanitarian interventions such as Operation Provide Comfort in
Somalia. The similarities relate to the employment of protection discourses, as such actions are often justified in the name of protecting civilians. However, even though these actions are often justified in this way, the views and agency of those being protected do not often feature in the calculations.\textsuperscript{128}

The peace agreements between the state and the militants failed because “there [was] a lack of local ownership and agency in the protection of civilians and the observance of humanitarian norms.”\textsuperscript{129} In the case of the peace deals, not only were the local communities not consulted in signing these agreements, they were actually sidelined, their agency was missing and their views were completely ignored. The interests of the locals were not the primary considerations for the Pakistani state to sign these agreements. Instead, it was more interested in protecting its own soldiers from harm who were being constantly attacked by the Taliban.\textsuperscript{130} Kivimaki\textsuperscript{131} believes that the campaigns undertaken in the protection of others have “become the main source of violence in the world occasionally contributing over 50 percent of total conflict fatalities.” According to this view, the approach of signing the Pakistani approach of signing peace agreements with the Taliban is problematic because the norms being enforced are disputed, “their interpretation is not agreed upon and the enforcement agency is missing. As a result, the simple enforcement of norms we think are commonly accepted is not an adequate substitute for dialogue and negotiation” with those who matter.\textsuperscript{132}

That view is slightly different from Mary Kaldor, who thinks that the “failure to protect the victim is a kind of tacit intervention on the side of those who are inflicting humanitarian or human rights abuses.”\textsuperscript{133} This view contends that one can enter a conflict theatre and enforce liberal norms – even if the local communities are not fully consulted.
Roberts\textsuperscript{134} also contends that given the spread of the global media, the plight of those suffering cannot be ignored, thereby putting pressure on those with the ability to do something. Kivimaki,\textsuperscript{135} however, is wary of abuse in the name of upholding certain rights of these communities. His statistics show that wars fought in the name of protection are more likely to go wrong, both because the local agency is missing and there is no agreement on what constitutes proper “protection”.

Quite often, those acting on behalf of the victims of violence care little about those victims’ interests.\textsuperscript{136} As an interviewee told the author, not only did the FATA residents receive nothing from the peace deals between the state and the Taliban, even their own ownership rights to the region were suspended as they were forced to move out of areas when violence erupted when peace deals in place then broke down. According to this interviewee, the peace deals could have worked if they were not between the militants and the military (both of which only knew the language of violence and war). Instead, the deals should have involved local residents and the local civilian administration to ensure full transparency. Doing so would have greatly reduced the chances of the violation of the agreements.\textsuperscript{137}

Neither the Pakistani state nor the Taliban militants were serious about the interests of the locals in FATA. An interviewee reiterated that these peace deals happened because the interests of the state and the militants converged, while the main losers were the residents of the area. For example, some deals were signed in the winter as the state was reluctant to launch operation against the militants in that weather. On the other hand, the militants were drawn to the idea because they wanted time to consolidate their position in order to ensure full cross-border movements. Neither party was primarily concerned with the interests of the locals.\textsuperscript{138} Violence could be ended through peace deals but that would require sincerity on the
part of each side to ensure local agency. According to an interviewee, peace deals could be a
great mechanism of conflict resolution but they would only succeed if the main objective was
to ensure a genuine peace that would work for the residents\textsuperscript{139} – something that was missing
in this case.

The fact that the Taliban killed scores of tribal Maliks during this insurgency and the
state could not do much to protect them also speaks volumes about how the local
communities were not given much representation in the matter. The Maliks were “moderate”
representative chosen by the tribes to communicate with the federal government on their
behalf.\textsuperscript{140} The Foreign Policy Centre quoted a journalist from North Waziristan in 2013 as
saying that “thousands of Maliks [were] killed or forced to leave [the FATA areas] since
2001.”\textsuperscript{141} According to this journalist, when the Maliks were killed or expelled, the tribal
areas “lost their leadership” severally reducing the local representation, and hence agency, in
the matters crucial to their well-being.\textsuperscript{142} Where it suited the militants to not have the Maliks
be present in the area, the state could have and should have done more to provide them
protection which was not done. That meant that any solution that the federal government
(especially the army) came up with was a foreign solution for the locals of FATA who did
not have much influence or say over it.

Another interviewee concurred that genuine peace agreements are the only way of
resolving conflicts in the tribal areas. They could be a useful tool if they are signed the right
way with strong mechanisms put in place for their implementation. For example, the local
political administrations should be involved in drawing up the agreements and spelling out
the conditions in detail. The militants sought by the state would be handed over, reforms
would be undertaken and peace would return.\textsuperscript{143} Where the state should have refused to talk
to the militants who did not negotiate through tribes, it rushed to reach agreements directly with the Taliban which was a mistake. It released the militants the Taliban wanted without getting anything in return. At times, the army made verbal commitments with the militants conceding their demands. That hindered the civil administration stopping it from doing its job. Doing so enhanced the militants’ standing in the community and reduced respect for the local administration.\textsuperscript{144} Abbas\textsuperscript{145} also agrees that the peace deals altered the balance of power in the eyes of the local populations as they showed that the militants had more power than the tribal elders. According to this view, the deals sent a signal that anyone could be forgiven for challenging the writ of the state as long as they were powerful enough.

The similarities with the American drone campaign in the tribal areas is also quite telling. The drones campaign did not seek or obtain any local agreement: the local agency was bypassed. President Obama justified the usage of the drones in the tribal areas of Pakistan through a “protection” discourse – the idea that the American drones are protecting civilians in host territories from attacks by the terrorists hiding there.\textsuperscript{146} The Pakistani state also acted similarly when it signed peace deals. It has effectively been an outsider to FATA for most of the country’s history but it nevertheless imposed a solution on the locals (through the peace agreements) without allowing them to have a say on the matter. The stated objective of the government has been the protection of the civilians in FATA, but this “protection” discourse is highly problematic.\textsuperscript{147}

Commentators have also blamed these drone strikes for breaking down certain peace deals with the Taliban.\textsuperscript{148} Condoleeza Rice, the former US Secretary of State was vocal in criticising them in 2008 saying that they were “not working [and ] instead, the militants [were] finding a place that they c[ould] train and equip [in]”.\textsuperscript{149} The BBC also reported that
when a drone strike killed Nek Muhammad in 2004, the Taliban escalated their violence because they wanted to strengthen their stronghold over the Mohmand area, which was under their influence. The Danish Institute of International Studies wrote that the US was worried that peace agreements with the Taliban would reorient their attention towards “the invading forces” in the neighbouring Afghanistan. According to a local resident interviewed by this author, the Pakistan army signed the peace deals with the hope that the Taliban will cease their attacks on Pakistani security forces and instead concentrate more on attacking targets in Afghanistan. The army was happy as long as these militants did not conduct attacks in Pakistan itself.

A look at the clauses of the agreements shows that the Pakistani government promised compensation for those who died due to the state’s military operations. Funding was also promised to rehabilitate the displaced persons and to promote economic development in FATA. Some local elders managed to persuade their followers to support the deals and their “clear and immediate economic rewards” because that would be the only way to assure the locals that the truces were working. However, such funding was not delivered, souring the relations between the tribes and the government. That also damaged the relations between the elders and the common people as the former appeared like liars to the latter. That not only diminished the tribes’ interest in supporting the peace deals, it also showed the tribes that the state was not serious in ensuring their agency in the process. When the agreements came under stress, the tribes were blamed for this by the militants and a number of tribesmen were executed for being Pakistani army spies. The Pakistani state did nothing to protect tribe members from the wrath of the Taliban.
In brief, the story of the government’s involvement is a litany of the number of ways in which it diminished the agency of the residents of the tribal areas. The very fact that it dealt directly with the Taliban instead of going through the traditional structure is sufficient to show the state’s lack of interest in treating the tribes as genuine stakeholders in the process. For Farooq, the tribes suffered from three sides; they were blamed by the Taliban as well as by the state whenever a deal came under stress. In addition, the American drones did severe damage to the tribes in the areas where the deals were in operation as the US opposed the policy of signing peace deals with the Taliban. It is estimated that by the end of 2017, around 1100 tribal elders were killed in the conflict. The killing of the tribal Maliks also affected the dynamics of the conflict as the locals had even more restricted means to engage with those shaping these dynamics, such as the Pakistan army or the militants.

Khattak argues that the peace deals were signed by the government from a position of weakness and it was not able to enforce its demands that the militants disarm or surrender foreign militants. Instead, the government made three key mistakes resulting in the suppression of the voices of resistance among the civilian population against the Taliban. First, it allowed the Taliban to level demands against the government and share the table as equals to the state. Critics wryly point out that the Taliban leaders became models of defiance for younger radicals of the area. Second, it provided significant economic compensation to the Taliban on the pretext of paying for the damage to their properties due to state’s use of force but the funds exceeded the alleged damage. The militants used that money to prepare for future operations against the civilians and the state. Third, the way the Pakistani government dealt with the militants emboldened the militants’ positions in the society, swelling their ranks at the cost of strengthening the ordinary residents opposed to the militants.
VII. Conclusion

This article has conducted an in-depth, critical evaluation of the peace agreements signed by the Pakistani state with the Taliban militants in the FATA territories between 2004 and 2015. We argued that despite the significance of these peace agreements for the conflicts in Pakistan and Afghanistan, it is surprising that hardly any academic studies exist that conduct their assessments. Where other methods of counterinsurgency and counterterrorism (such as drones and military operations) have been extensively analysed, the peace agreements have so far evaded academic scrutiny. We have bridged that gap by evaluating these peace agreements from the perspective of three different strands of literature, hitherto unutilised for this purpose.

The first strand of literature relates to political settlements. The study of the FATA peace agreements through the prism of that literature informs us that these peace deals were signed without due regard to the issues of inclusion. The state only engaged with a certain type of power elites (i.e. militants) and ignored the local tribal elders. The elders represented the locals and had more legitimacy (compared to the militants) to vocalise the demands of the FATA residents. By primarily engaging with the militants, the state sidelined big sections of the local population: they were not represented in the process, leading to their resentment. This lack of inclusion meant that the agreements served the interests of the militants more than the locals, whose perspective (and interests) should have played a part in shaping these agreements.

The functionaries of the central government in Pakistan adopted a nation-state framework when signing the peace agreements which prioritised the interests of the “centre” over those of the “periphery.” They did not consider the fact that what suits the “centre” might not always suit the “periphery” – and in fact may be damaging for it. The Pakistani
state was keen to “pacify” the tribal borderlands and its desire to do so caused it to rush into engaging with the militants. However, this approach ended up backfiring: it emboldened militants in FATA. Their status was elevated because the state negotiated with them directly. This focus on short-term stabilisation might have momentarily placated the militants but it did not lay the foundations for a durable peace. The treatment of FATA as “ungoverned” or “peripheral” territories also alienated the younger generation of residents, who inferred the state to be not interested in their welfare.

The second strand of literature relates to culture and conflict resolution. The study of the FATA peace agreements through this prism showed that the deals failed because they contravened the tribal cultural norms of Pashtunwali. The agreements not only did not benefit from the cultural mechanisms of conflict resolution, they went against them. The Pakistani state could have acknowledged and benefited from the tribal tradition of salah-mashwarah (“discussion” or “consultation”) which has been utilised by the tribes for hundreds of years to resolve disputes. This consultation is done on the basis of equality and involves a wide representation by multiple stakeholders. If involved in the process, the elders can proffer guarantees which may strengthen the peace agreements. However, the state’s refusal to consult the local residents meant that the peace agreements under discussion did not benefit from the rich cultural resources of the FATA communities and they also lacked legitimacy in the eyes of many. Furthermore, they violated several cultural norms such as nanawatay (sanctuary) which enable the locals to grant sanctuary to the outsiders. Once the deals were signed, the state forcefully removed some outsiders who were given sanctuary by the locals. Doing so frustrated and disrespected the locals who resented these peace agreements, and subsequently did not take much interest in honouring them.

The third strand of the literature utilised here relates to cosmopolitan protection. An examination of these peace agreements revealed that when locals are bypassed, an
opportunity to reach an agreement on the norms being enforced is wasted. The state’s imposition of the peace deals on the local population meant that they were not made stakeholders in the process. The agreements served the interests of the state and the militants while the local interests (accompanied by local agency) were absent from the equation. When the militants threatened a large number of Maliks (representatives of the tribes), the state was unable to provide them protection. Similarly, the state did not encourage the militants to negotiate through the tribes – even though doing this could have empowered the locals. Doing so would have helped the latter feel that they could define and shape the processes that were being put in place for their protection. The actual approach empowered militants at the expense of the locals whose representatives were not protected or involved in the process. Like drones, peace agreements were also an external solution imposed on the residents by outsiders. Given the lack of roots and support among the residents, these peace deals were clearly and obviously not durable. The state promised funding to the local communities as part of some agreements but those funds were not delivered, souring the relations between the tribes and the state and weakening trust for any future deal. The beleaguered Pakistani state could have used the local residents as force multipliers by strengthening their agency.

However, that resource was squandered – leading to the predictable resumption of violence soon after the agreements were signed.

This article leads the way for future studies of peace agreements involving tribal societies. Tribal borderlands are a neglected subject in peace and conflict studies. This research shows that they provide their own distinct set of challenges and opportunities to tackle complicated security issues such terrorism and militancy. We make an emphatic case for acknowledging local perspective, local culture and local agency if counterterrorism and counterinsurgency measures in such theatres are meant to succeed. We also argue that there is need for further research on the subject after learning from the experience of the tribal areas.
of Pakistan. Our findings are instructive in shining new lights on similar theatres where such counterterrorism initiatives may be considered.

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Notes:


5 Three semi-structured interviews were conducted for this project. The interviewees are originally from FATA but divide their time in the territories and other parts of Pakistan. The names and personally identifiable information concerning the interviewees has been withheld to protect their identities. The interviews were conducted in Urdu by phone or by email.


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16 Cronin, When Should We Talk to Terrorists? 4.
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59 Sattar, “Talking Peace.”

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61 Author interview with a high-ranking security official in FATA, July 11, 2019. For further details on the Pakistan’s state’s role in the US drone campaign in Pakistan, see *Drones: Myths and Reality in Pakistan*, International Crisis Group, Asia Report Number 247, 21 May 2013. For information on varying scholarly interpretations of drones-related statistics see
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75 Butool, “Pakistani Responses,” 1021.
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85 Khan, “Why the Waziristan.”
88 Khan, “Why the Waziristan.”
100 Lederach, Preparing for Peace, 4.
101 We would lack to state here that the interpretations of Pashtunwali presented here might not be universally shared by scholars across the board. There are some who might believe that Pashtunwali as a code has been severely weakened and does not play much role in the Pashtun societies anymore. For example see, Kim Marten, Thomas Johnson and Chris Mason, ‘Misunderstanding Pakistan’s Federally Administered Tribal Area?’ International Security 33, no. 3 (2008): 180-189. However, the author does not share that view though it is important to give a reference to the variations in perspectives.
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105 Johnson and Mason, “No Sign,” 60.
106 Johnson and Mason, “No Sign,” 60.
109 Author interview with an academic from FATA, July 9, 2019.
110 Author interview with a high-ranking security official in FATA, July 11, 2019.
111 Author interview with an academic from FATA, July 9, 2019.
112 Author interview with a high-ranking security official in FATA, July 11, 2019.
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123 Lederach, Preparing for Peace, 8.
124 Lederach, Preparing for Peace, 8.
125 Lederach, Preparing for Peace, 8.
126 Author interview with an academic from FATA, July 9, 2019.
127 Author interview with an academic from FATA, July 9, 2019.
130 Quoted in Orakzai, “Framework for Peace Pathways,” 1.


130 Author interview of a FATA resident, July 14, 2019.

131 Kivimaki, “First Do no Harm,” 62.


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