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Livia Holden

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| Livia Holden (Dir.). Law, Culture, and Governance in Hunza. 2018. hal-03601069

HAL Id: hal-03601069

<https://hal.science/hal-03601069>

Submitted on 24 Mar 2022

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NAVEIÑ REET: Nordic Journal of
Law & Social Research

LAW, CULTURE, AND GOVERNANCE IN HUNZA

Guest editor: Livia Holden

An Annual Interdisciplinary Research Journal, Number 8, 2018

NAVEIÑ REET:

Nordic Journal of Law
and Social Research

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Published by the Department of Cross-Cultural and Regional Studies at University of Copenhagen.

Cooperation: Bahauddin Zakariya University, Multan and The Islamia University of Bahawalpur, Pakistan.

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The name of the journal is *NAVEIÑ REET*: Nordic Journal of Law and Social Research (NNJSLR). *NAVEIÑ REET* is a punjabi word meaning “New Tradition”.

Printed and bound by GRAFISK – University of Copenhagen

Layout and graphic design by Åse Marie Fosdal Ghasemi

Cover photograph by Marius Holden

Cover design by Åse Marie Fosdal Ghasemi

www.jlsr.tors.ku.dk

Subscriptions:

All subscription requests and orders should be sent to

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NAVEIÑ REET: Nordic Journal of Law and Social Research

rubya@hum.ku.dk

ISSN 2246-7483 (print)

ISSN 2246-7807 (online)

NAVEIÑ REET:
Nordic Journal of Law
and Social Research

**LAW, CULTURE, AND
GOVERNANCE IN HUNZA**

An Annual Interdisciplinary Research Journal
Number 8 2018

Guest editor: Livia Holden

Dedicated in honour of Prof. Gordon R. Woodman.

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NAVEIÑ REET:

Nordic Journal of Law and Social Research

Law, Culture, and Governance in Hunza
Number 8 – 2018

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Law, Culture, and Governance in Hunza: Introduction

Livia Holden

This special issue is the offshoot of *Law and Governance in Gilgit-Baltistan* under publication in the *Journal of South Asian History and Culture* to which I refer the readers for a general introduction on Gilgit-Baltistan as a disputed area under the control of Pakistan. Whilst this special issue focuses on law, culture and governance in Hunza, the extreme northern district of Gilgit-Baltistan, it is necessary to recall here some of the facts that I have already mentioned in the introduction to *Law and Governance in Gilgit-Baltistan*. In 1948 and 1949 the United Nations, solicited by Pakistan and India, delivered two resolutions attesting to the status of present-day Gilgit-Baltistan as a disputed territory waiting for the plebiscite to decide the fate of Kashmir. The UN advised both India and Pakistan to remove their armies from all disputed territories, so that the UN-supervised referendum could take place; however, neither country was prepared to do so. As a result, the situation has not changed since then. In April 1949, Pakistan signed the Karachi Agreement that gave to Azad Jammu and Kashmir (AJK), also called Pakistan Controlled Kashmir, power of administration over present-day Gilgit-Baltistan. The Agreement has always been considered highly controversial for negating rights of self-determination for the people of Gilgit-Baltistan. Hunza was a princely state located to the north of Jammu and Kashmir. It used to pay tributes to the Maharaja of Kashmir and to China. Some records say that on 3 November 1947, the Mir of Hunza sent a telegram to Jinnah stating that Hunza wanted to accede to Pakistan. It was however not until 1974 that Zulfikar Ali Bhutto abolished the Mir's government and that Hunza was veritably annexed to Pakistan. Oral accounts tell that when this happened a light rain started to pour on central Hunza, over Baltit Fort and the central square: it was the sky crying for the lost kingdom of Hunza. As the authors of this special issue account from a variety of perspectives, the processes of local governance were progressively wiped out in Hunza to the benefit of a form of centralisation that still struggles to be implemented to this day. Customs and local governance have however been kept alive in several ways in Hunza and this is why this special issue focuses on the particular linkage of law and governance with culture.

Law, Culture, and Governance in Hunza shares with *Law and Governance in Gilgit-Baltistan* not only a similar focus but also the same ideological positioning in support of diverse and inclusive scholarship. The choice of the authors for this special issue was guided by an engagement with the scholarship originating from and/or working on

the longer term in Gilgit-Baltistan. During my tenure as an anthropology professor in Lahore and later as the Dean of Faculty in Gilgit, I have realised that whilst there is a global consensus on the need to de-colonise anthropology in Western universities, a more subtle discrimination runs alongside and combines with the deep divide between scholars at well-ranked and less-well-ranked universities. This divide deepens even further when scholars are affiliated with universities located in remote areas and in developing countries. If on the one hand, standards of scientific enquiry that favours excellence require selection, on the other, the very access to competition is affected by the opportunities to be heard for scholars based in unprivileged areas. The additional risk is that universities located in more affluent areas of the world set unspoken models underlying the criteria of excellence that universities in less privileged areas struggle to follow and to conform with. In addition to perpetuating mechanisms of discrimination that are so embedded at an institutional level that they escape any detection by today's anti-discrimination policies, the scientific community is losing out in human capital. Hence, this special issue proposes a correction to the criteria of excellence by introducing, also, the notion of human capital to be preserved by fostering wider inclusion.

Most authors in this special issue originate from Gilgit-Baltistan and feature different levels of seniority and experience: Fazal Amin, Muhammad Ali, Mueezyddin Hakal, Abida Ali, and Sherbaz Khan; but also Zoran Lapov who assisted as co-author Fazal Amin Beg and Muhammad Ali, Julie Flowerday who has elected Pakistan as an area of residence, work and fieldwork for more than seven years at the time of writing this introduction, and David Butz and Nancy Cook who have regularly visited Gilgit-Baltistan, and especially the Shimshal Valley for the past 10 years. This special issue includes two papers in which Fazal Amin Beg is the principal author. This is a tribute to the unique commitment and human capital of one among the few anthropologists native to Gilgit-Baltistan and the first to have received a degree in anthropology.

The first paper of this special issue is entitled "Rights and Governance of Natural Resources in upper Hunza" by Faizal Amin Beg, with the co-authorship of Muhammad Ali and Zoran Lapov. This paper retraces the transformation of the Khunzharav Valley, a nature and game reserve in the former Hunza state, to an internationally-protected area of the Khunzharav National Park. The authors follow the process of legal and socio-economic transformation in which the dwellers of the protected area and its buffer zone became suddenly deprived of their ancestral rights, such as grazing and right to use the forest and were instead invested with new duties of conservation. Moreover, since the above-mentioned transformation shortly followed the end of the Hunza state

and its accession to the state of Pakistan, the inhabitants of the area found themselves in a setting of democratic competition with new stakeholders where national laws were for the first time referred to as having supremacy over local customs. Faizal Amin Beg and Muhammad Ali base their analysis on long-term fieldwork as well as on personal insights as native anthropologists.

The second paper, entitled “Inheritance rights and tribal governance of innermost Hunza” engages with the conflict between holding to the ancient customs of women’s disinheritance and abiding to gender equality and international human rights. The author adopts an emic perspective within a framework of self-ethnography to explain that the prevalent customs of women’s disinheritance are linked with the concept of “landwholeness” and the power attached to it. According to elders in Hunza, the capacity of innermost Hunza to perpetuate a position of control in the area was due to the transfer of undivided land from generation to generation. This implied that women would not inherit land but in exchange would receive respect and protection within the family. Such traditions of women’s disinheritance find similarities in many areas of the world that have been impacted by socio-economic transformation. Yet the uniqueness of this paper lies in its insights into the local narratives of the elders and their fears that by allowing women to inherit they will lose power and control over the territory. This acquires particular interest concerning the dynamics between the former princely state of Hunza as the northern region of Gilgit-Baltistan, and the state of Pakistan in the prospective of self-determination rights.

“Autoethnography, knowledge governance and the PANOS Oral Testimony Program” by David Butz and Nancy Cook is based on 67 oral testimony interviews collected from community members between 2000 and 2002 in Shimshal (Gojal), a border valley that connects Gilgit-Baltistan with China. The authors examine the self-reflective process around the collection of oral testimonies and its implications for subsequent research in the village. The paper discloses the underlying implications of local governance that are embedded in the considerations of the local members of the community who express their disappointment regarding the modalities of collection of the oral testimonies. The authors argue that by contesting the presence of the researchers and the collection of oral testimonies, the community members were asserting their governance rights on the area. Ultimately, according to Butz and Cook, it was precisely through this contestation process that the local community was able to assert themselves and create awareness on knowledge production as well as the ways through which this should be transmitted and perpetuated.

“Governance and customary laws of Hunza in Burushaski folktales: An emic approach” by Abida Ali brings the readers into the world of oral literature, for detecting and explaining recurrent themes which pertain to local customs and governance in Hunza. Three stories are analysed in depth: Turanas, Shorti ke Borti and Girixcir. Turanas is the tale of a poor man whose wife gave birth to a cockroach that could speak like a human being. Shorti ke Borti is the story of two sisters, Shorti and Borti who were married to two brothers from the same household. One day while collecting vegetables, they found riches and eatables in the underground house, which led to a series of misadventures. Girixcir is the moving tale of a mother ibex comforting her young kid while a hunter chases and shoots her. The dialogue between the mother and her kid is harrowing as she convinces the kid that nothing bad is happening while she is dying. The author adopts an emic perspective, which is complemented and corroborated with interviews with Hunza elders, for discovering concepts of hierarchy, gender roles, resistance and transformation. Ali’s paper combines the atmospheric narrative of the folktales with a linguistic analysis of phonemic and phatic phrases that allows meaning otherwise inaccessible to non-local readers to be grasped. The author positions herself and her stories as to differentiate the various voices while also conveying some of the traditional flavour of story-telling in Hunza.

“Aga Khan Rural Support Programme (AKRSP) and governance in Gojal” by Fazal Amin Beg and Zoran Lapov, brings us again to Gojal, also called Upper Hunza, the farthest north *tehsil* in Gilgit-Baltistan. This paper is based on self-ethnography and participant observation by Fazal Amin Beg who has been an active member of the Aga Khan Rural Support Programme (AKRSP) for several decades. This paper traces the grassroots process of democratic governance through civil society membership gathered under the umbrella of AKRSP. The authors celebrate the initiative of the AKRSP as a unique factor for social change in Upper Hunza because it introduced democratic self-governance without causing excessive disruption. Fazal Amin Beg argues that “revolutionary results” were observed in the 1980s and 1990s also for what concerns women’s rights. The authors explain in their conclusions that these results were made possible only thanks to the capacity of the AKRSP to act immediately after the fall of the princely state of Hunza and to mobilise local modes of governance reformulated according to the principles of equality and citizenship. The authors conclude that by fostering civil society initiatives through a democratic participatory model that combined ancestral principles of governance, the AKRSP was able to gain the trust of the community and bring socio-economic transformation.

The last paper entitled “Britain and China’s 19th Century Stalemate over Hunza—Kanjut, Precursor to the Kashmir Dispute” by Julie Flowerday brings the readers to the 19th century stalemate over Hunza-Kanjut which the author proposes as a precursor to the Kashmir dispute. This paper is based on the interpretation of historical documents by an anthropologist reading through the narratives and the gaps in the narration by local members of the Hunza community. The author analyses the practice of tributes that the former state of Hunza used to offer to China and Kashmir in terms of political alliances. She combines history and anthropology to give contextual texture to Hunza-China relationships and their potential repercussion on the Kashmir issue. Her whole analysis is developed around an episode to which she gives particular importance in light of the collected narratives: “Elders opened to me a debate about *Wazir* Hamaiyun Beg’s role in the 1891 Campaign. Some said he was a traitor because he had guided the British into Hunza. They also said that on the approach of British-led troops, *Tham* Safdar Ali and his followers went *inside*. In Burushashski ‘ulo’, inside, signified the sense of inner part, being within, but in this historical context *inside* was China and no parallel political geography existed for Kashmir or elsewhere.” The entire second part of her paper is devoted to the possible reasons for the unresolved British-Chinese stalemate that she connects with the current uncertainty regarding the constitutional status of Gilgit-Baltistan and the anxiety of its people. The paper concludes with considerations of the opportunities available to bring China to the table to discuss the Kashmir issue today.

This special issue concludes with “Shutinatum Ghau: An account of the first Burushaski drama”. This is a personal account by Sherbaz Kaleem, a playwright and poet, who first introduced TV dramas in the local Burushaski language to Hunza. The paper introduces the plots of the drama which follow the everyday life and the *misunderstandings* of a family whose members are confused by the fast-paced socio-economic transformation which took place in Hunza after the fall of the princely state.

Transition from a Traditional Nature and Game Reserve to a National Park: the Case of Khunzhrav Valley in Northern Pakistan

Fazal Amin Beg, Muhammad Ali and Zoran Lapov

Abstract

Governance systems aimed at protecting natural resources, and especially their biodiversity, offer a huge gamut of conservation approaches, tools and intervention patterns, including the management of nature reserves. Set in this scenario, the paper follows the transition process that took the Khunzhrav¹ valley, a traditional nature and game reserve of the former Hunza State, to a protected area in the form of Khunzhrav National Park (KNP). Dissolved in 1974, the Principality of Hunza was declared part of the Northern Areas, known at present as Gilgit-Baltistan Region (Pakistan). In April 1975, the communal pasturelands within the valley were converted into the Khunzhrav National Park, which was the first such park notified in the Region of Gilgit-Baltistan. The abolition of the Hunza State, and the following transformation of the valley into a national park had a double effect: the transition process led the local community to new conditions hampering over their ancestral rights to natural resources, particularly grazing and forest rights; concomitantly, their social transition from an old royalist towards a new democratic system of governance was affected by a row of multilevel changes. The challenges and strategies that emerged as consequences of the KNP notification process are examined in the paper along with the forms of mobilisation that have been adopted by the relevant stakeholders, namely the Khunzhrav community and the local government: similarities and differences in values between the traditional model of the former Hunza State, and modern conservation patterns of the IUCN Worldwide park model (International Union for Conservation of Nature), introduced

1 The name of the valley, *Khunzhrav*, has been distortedly written as *Khunjerab* in documents of various professional fields (scholarly, journalistic, or else publications): this terminological distortion has never been acknowledged by the indigenous people of the area who felt it as an "offense" to the historical and natural heritage of their valley. The meaning of *Khunzhrav* in Wakhi Pamiri language is "home stream" referring to the belongingness of the indigenous community to the valley; the second derivative takes us to *Khonzhrav*, viz. "Mir's stream", recalling thus the former Hunza State that the valley was a part of as a nature and game reserve, hosting also the pasturelands of the indigenous people. In contrast, *Khunjerab* seems to be a mixture of Wakhi and Urdu words, interpretable as "house of socks" having no meaning contextually. At the request of educated community members, we decided to comply with the indigenous term (*Khunzhrav*) of the toponym, while giving up its distorted version (*Khunjerab*).

by the Government of Pakistan on the same valley, are comparatively explored with particular attention to the issue of communal rights as predicted by the related customary laws addressing the governance of natural resources. Being mainly founded on empirical research, yet underpinned by relevant bibliographic sources, the contents of the present study bring original fieldwork results, especially in terms of experiences, perceptions and opinions expressed by local community members with regard to the phenomenon of conservation models as applied to their native land, the Khunzhrav valley.

Keywords: Khunzhrav valley; natural resources; customary natural resource governance; modern conservation patterns; communal rights; community mobilisation

Introduction

Before merging the erstwhile princely states of Hunza, Nagar, Skardu, Shigar, and Khaplu in the northernmost territory of Pakistan within the Federation in the first half of the 1970s, communities across this culturally diverse region used to abide by their own valley-based customary laws regulating their daily life within sociocultural, economic, political, and environmental realms. It further means that the local people had – and still have – their centuries-old rights of using the available natural resources.

The set of organisational and administrative patterns adopted since the 1970s on has brought about a misunderstanding between traditional and newly introduced hybrid-value systems (government and local community) of governance. In fact, the concept of nature conservation² itself may not be defined as unusual to the local communities since traditional forms of conservation were applied in the region before notifying Khunzhrav valley as a protected area. Nonetheless, the concept of modern protected area system was, in a sense, new for the communities and for the Government of Gilgit-Baltistan (the then Northern Area): as the concept of protected area (with different forms and typologies) had recently developed on a global scale, the Khunzhrav National Park (KNP) was the first national park notified in the region. In order to get a complete picture of the phenomenon, it is important to recall a definition of the main concept, namely “protected area”, which is termed by the International Union for Conservation of Nature (IUCN) as “*an area of land and/or sea especially dedicated to the protection and maintenance of biological diversity, and of natural and associated cultural resources, and managed through legal or other effective means*” (Dudley 2008: 4). Focusing on it as

2 “The protection, preservation, management, or restoration of wildlife and of natural resources such as forests, soil, and water” (Free Dictionary by Farlex).

“an area of land”, the IUCN-designed definition of protected area broadly applies to Khunzhrav valley.

The former principality of Hunza has been no exception in this process of political and administrative transformations. Accordingly, the phenomenon produced diverse outcomes in form of disputes and conflicts: intra- or inter-communal disagreements between individuals, families, villages, and communities; between the indigenous communities and the new administration. The main issue were the protection of natural resources, along with their ownership and ancestral rights pertaining to grazing in lowlands and highlands (pastoral rights to pasturelands and rangelands), using forests and waters, treating the wildlife (hunting rights), and so on. And the relevant variances emerged from the process of declaring the valleys a national park, and from concomitant approaches to the question of nature conservation: it actually lacked a proper consultation with local communities, resulting thus in taking no customary laws and local needs into consideration.

On these grounds, the paper follows the process that took the Khunzhrav valley, a traditional nature and game reserve of the former Hunza State, to a protected area in the form of Khunzhrav National Park (KNP). More specifically, the challenges and strategies emerged out of the KNP notification process and introduction of national park model are analysed along with the forms of mobilisation around conservation within the KNP that were adopted by the relevant stakeholders, namely the Khunzhrav community and the local government: similarities and differences between traditional and modern conservation patterns are explored on the background of communal rights and governance pertaining to natural resources.

For the purposes of a better understanding, a month of intensive field-based data collection was undertaken, whereby in-depth interviews with more than 40 key informants and focus group discussions were conducted in the region of Hunza valley. Such a methodological choice was functional to exploring experiences, perceptions and opinions, concerning the question of rights over natural resources, as expressed by the related social actors, namely the local community and the Park Administration. The study further builds on the main author’s extensive fieldwork on the subject of natural resources within national parks and their conservation in the region of northern Pakistan. Thereby, the contents rely to a great extent on the primary sources, without neglecting though relevant literature.

Contextualisation of the Khunzhrav Valley

A Basic Orientation within the Area

The Khunzhrav valley (now: Khunzhrav National Park, KNP) falls within the territory of Hunza district: evolved from the former principality of Hunza, it is nowadays a part of the Gilgit-Baltistan Region in northern Pakistan.

Being located in the border area between Pakistan, China and Afghanistan, the position of the Khunzhrav valley within the Hunza district is of international strategic importance: externally, it borders the Tashkurghan county (Xinjiang Region) in China, and the Pamir-e Khurd (“Little Pamir”, Badakhshan Province) in Afghanistan; internally, Hunza borders the upper Nagar and Ghizer districts through Ishkoman valley via Chillenji Pass to Chipursan valley.

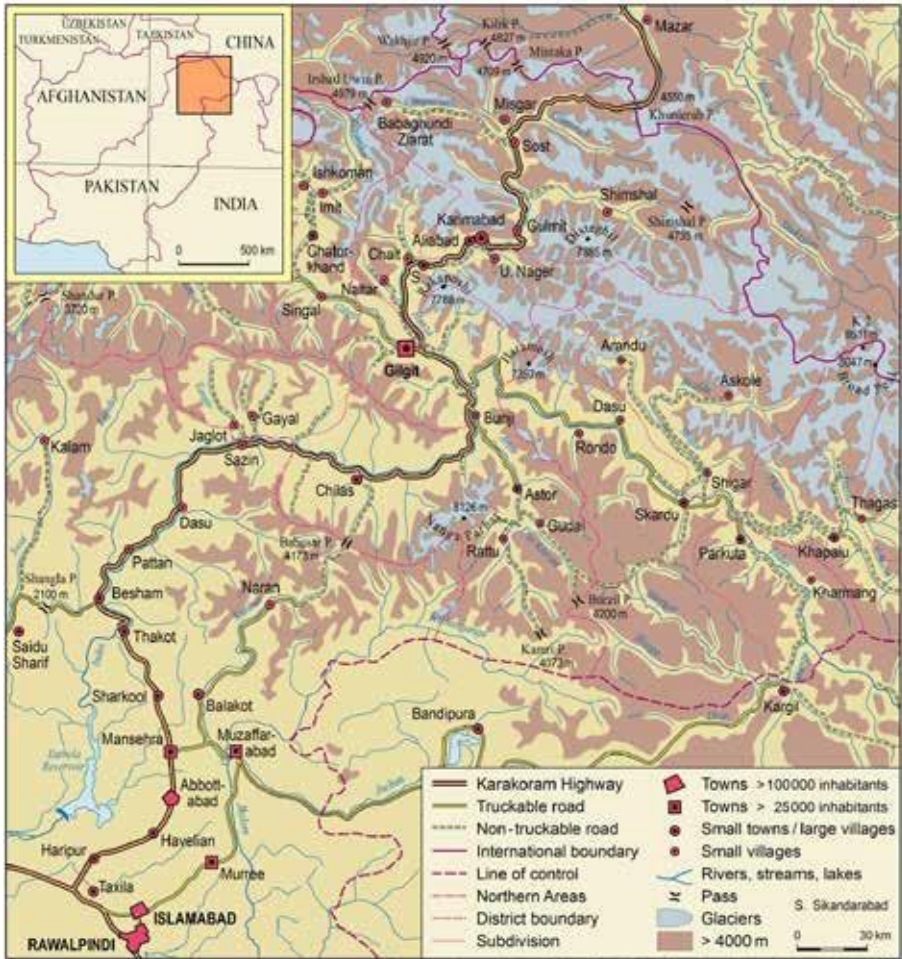
In 1974, Hunza was merged with Pakistan as a sub-district. Since then, it has been territorially subdivided into three geographical areas: Upper Hunza named Gojal (over 75% of the territory), Central Hunza (generally termed Hunza), and Lower Hunza or Šhinaki.

A Demographic Outline

Various communities inhabit the Hunza valley of Gilgit: aside from sharing a general dimension of being pastoral mountain communities and Hunza valley dwellers, they can be further viewed through the prism of their linguistic, sociocultural, and religious diversity.

Linguistically speaking, Hunza is defined by four language communities including Wakhi (predominant in Gojal valley), Burushaski (mainly employed in central Hunza, though counting significant numbers of speakers in upper and lower Hunza too), Šhina (predominant in Šhinaki), and Ďumaki (a significant population living in central Hunza, though being found in small numbers in upper and lower Hunza as well).

In terms of their faith, the inhabitants of Hunza are Muslims. More in detail, the Ismaili Shias are the most representative religious group of the valley, following prince Karim Aga Khan as their 49th hereditary imam (spiritual leader) in the line of Prophet Muhammad through Ali, the Prophet’s paternal cousin and son-in-law. Concentrated mainly in central Hunza, the Twelver Shias (*Ithna’ashariya*) form the second religious group of Hunza; these two communities are followed by the Sunni Muslims placed at the third tier of demography.



Source: based on map "Northern Pakistan" published by Culture Area Karakorum Research Project 1999

Source and courtesy: Hermann Kreutzmann, *Field Manual for Karakorum Traverse*, 2008, Part 1.

At present, Hunza-Nagar district is among the top ten districts with high literacy rate with over 77.8% for both male and female populations (SDPI-Alif Ailaan 2013: 15). Hunza could be termed as the valley of civil society organisations as several of them are active in the area.

Forms of Indigenous Community Organisation within the KNP

The indigenous people of KNP area are generally known as *Avgarchik*, i.e. "people of Avgarch", the latter being the name of a small place where their ancestor at first arrived and settled. In the idiom of Gojal (Upper Hunza), the term *Avgarchik* extends to the native communities having their indigenous rights in Khunzhrav valley (KNP), as well

as to other local communities including a significant number of Burushaski speaking population. A number of villages, namely Ghalapan, Murkhun, Jamalabad, Gircha, Sarteez, Nazeemabad, Sost, and Hussainabad, falls into this toponymic entity. Another village community having pastures in KNP is called *Ghulkin* (a twin village with Gulmit, the headquarters of Gojal).

Accordingly, when referring to the Avgarch community (*Avgarchik*), the designation is being used in relation to the inhabitants of the aforesaid villages; the Ghulkin community would refer, instead, to another indigenous people still having legitimate rights within KNP.

Today, both communities have their umbrella organisations, that of Avgarchik (as a strong civil society organisation) being named Khunzhrav Villagers Organisation (KVO), while the umbrella forum of Ghulkin community is called Ghulkin Educational, Social Welfare and Nature Conservation Association (GESWANCA).

Becoming a National Park: Khunzhrav Valley between Traditional and Modern Conservation Systems

Traditional Governance Patterns

The former princely state of Hunza was governed by local hereditary rulers known as *Mirs*³ (lords, princes). The Mir had his governance team composed of *wazirs* (ministers) and *tranphas* or *arbobs* (chiefs or headmen at village and areal levels). As far as the domain of animal husbandry and related pastoral functions was concerned, important actors were the Mir's *yarpas* (livestock heads) and *šhüpüns* (shepherds).

In the Hunza State, lands and pastures were owned by the local residents with ownership and use rights; on their side, the Mirs of Hunza held their personal cropping lands, pastures and game reserves too. Moreover, the Mirs had the authority of conferring (giving or taking) pasturelands to members of the local communities on varying reasons. As for the revenues, they were mainly generated by levying taxes on agricultural produces, livestock products, by-products, and grazing taxes of the pasturelands.

3 The title *mir* derives from the Arabic word *amīr* meaning “commander”, “leader”, “chief”, or “lord”, “prince”.

Although the indigenous people of Khunzhrav *de jure* had their pastures within the Khunzhrav valley and *de facto* paid various taxes including grazing taxes to the Hunza State, the Khunzhrav valley was designated as a nature and game reserve by the Mirs with the goal of protecting the flora and fauna, more specifically dense forests and wild ungulates. By bringing in use the customary laws, the governance and management teams of the former Hunza State committed to protect the natural resources available within the villages and pasturelands under their rule.

Notification of the Khunzhrav National Park

In 1974, the princely state of Hunza was dissolved and declared part of the Northern Areas (now known as Gilgit-Baltistan Region). Soon after the abolition of the Hunza State, the Khunzhrav valley was notified in April 1975 as one of the national parks of Pakistan (under the then Prime minister, Zulfikar Ali Bhutto): the notification was basically aimed at protecting the Marco Polo sheep as a top priority.

Although the Khunzhrav valley was literally under the Mir's custody, he had already bestowed upon the community the pasturelands within the restricted Khunzhrav valley, described the respondents.

In this decision, the local community had no say, which ultimately led towards deprivation of their ancestral and indigenous rights over the natural resources for which they had paid taxes, and defended the international borders bestowed upon them by the Mirs: in fact, as local governors, the Mirs used to grant grazing rights to the local residents, and in return collect taxes in form of livestock and livestock products (Mock 1997: 2).

More in detail: disestablishment of traditional political entities and systems was followed by a power regulation vacuum as the new administrative setups seemed alien to the local customary laws. On their side, the mountain communities of Hunza – rooted in the old set governance values of their respective cultures – were sceptic to the outsiders, that is other than native community members.

The Transition Has Begun

The end of the Hunza State in 1974, and the following decision to convert the communal pasturelands within the Khunzhrav valley territories into a national park in 1975, had a double effect: the transition process led the local community to encounter challenges hampering over their ancestral rights to natural resources (with a particular reference to the rights pertaining to grazing and using forests); furthermore, it slackened

the paths of their social transition from an old royalist towards a new democratic system of governance, as shared by one of the key informants on June 12th, 2015.

The transition was illustrated by a socio-political activist as follows:

Although the native communities already went through a number of related experiences as subjects of the former Hunza State, the practices enacted within the new politico-administrative setup were felt more suppressive than those applied by their old lords.

What is more, when the KNP was notified, local communities initially had no awareness of modern conservation concepts, such as national park, wildlife sanctuary, and community-managed conservation areas. Unlike customary conservation practices, the majority of modern concepts tend to limit or eliminate the resource ownership and the management role of local communities. Some informants describe as, going to the pastures in Khunzhrav valley, they noticed the KNP signboard: yet, they would not deliberate upon its significance. With the passing of time and after experiences of the Avgarch community with the Park Administration (cfr. later on), members of other communities learnt the notion behind it.

In the initial days, the park administrators used to meet concerned community members; nevertheless, the notion of national park was poorly communicated by the former, being their main emphasis placed on restricting the community from grazing in the Core Zone, i.e. a 12km zone in the vicinity of the Khunzhrav top area, locally known as *Wiyinsar*.

More specifically, the approaches implemented by the Park Administration proved *not* to be effective nor trustworthy as the relevant statements had been communicated verbally (Khan 1996: 2). The situation is still remembered by the key informants and other respondents who recall the memories of government officials making verbal commitments with the indigenous instead of opting for a communication based upon written documents and practice-oriented strategies of community inclusion. Having produced the feelings of doubt, distrust and scepticism in local population, these approaches had finally developed into a series of disputes between the indigenous communities and the respective Government departments (esp. the Park and Local Administrations) that had lasted for more than one and a half decade (1975-1992).

Indigenous Rights and Resistances

In 1976, the native community members took their livestock to the Khunzhrav National Park (KNP) up to the Core Zone. The Park Administration brought the grazers down in order to have the Government's writ on the KNP. Community members though descended from the Core Zone that year; the next year (1977), they decided to reach the Wiyinsar (Core Zone) again. One of the influential persons, named Khudo Burdi of Murkhun, being a *yarpa* (livestock head) of the Mir of Hunza, strongly resisted against expelling the livestock of the community from their ancestral pasturelands. He thus remained up on the Wiyinsar. The Park Administration charged him of poaching the Marco Polo sheep, hence the *yarpa* was sent to prison for six months.

Once entered the world of a "modern state", like other natives of Hunza, the indigenous community of the park had gradually acquired a considerable experience in order to orient and adjust themselves within the new governance system, on one hand; and to find their way with regard to their ancestral rights to natural resources and their communal governance in a legal context, on the other, states one of the key informants.

In the second half of the 1970s, another case was noted: two siblings from Murkhun were arrested and charged with cutting trees in the natural forest in the KNP.

Succeeded in late 1970s after the Bhutto administration, Zia-ul Haq's government was not much oriented towards the national parks. Since the needs and opinions of the indigenous population kept being not included in the governance programmes, in the 1980s the local communities showed their resentment against declaring the pastures as state-owned and removing thus their ownership and use rights.

In the first half of the 1980s, another event occurred: the forces captured dozens of yaks of the Avgarch community and community members were taken to the police station in order to register First Information Reports (FIRs) and file cases against the owners.

Ironically, the local administration of Gilgit-Baltistan and intelligence agencies charged our peace-loving people, demanding for their ancestral rights to natural resources in the KNP, with separatism, and the like. In such an environment, based upon the tactics aimed at subjugating a community, what could be done in such a situation?, shares one of the respondents on June 27th, 2015.

Despite the existing circumstances of the KNP, more invigorated steps are observed since 1986 on, especially during the semi-civilian government of Muhammad Khan Junejo, the then Prime Minister of Pakistan under General Zia-ul Haq. The indigenous people of the park area used to gather untidily to express their strong voices in favour of their rights, particularly their ancestral rights to pasturelands, and against the formulated charges on them.

In 1990, the Avgarch community in the KNP area planned a long protest march of both male and female with the goal of clarifying their rights and compensation against the withdrawal of their ancestral rights in the national park. The procession departed from the village of Sost: it had travelled for over 10 kilometres towards Gilgit, when the community leaders of Hunza intervened to stop the procession, which was growing in size and risking to turn into a mob. The situation was however controlled and settled in time when the Regional Ismaili Council of Hunza intervened and played the role of mediator between the community and the Park Administration where the latter agreed to discuss on demands and options for compensating the communities.

Towards an Agreement

In June 1989, on the initiative of the International Union for Conservation of Nature (IUCN), a team of experts from the USA, Canada, China, Nepal, and Pakistan gathered in order to formulate the Management Plan of KNP. On that occasion, the rights and inclusion of the native communities were also discussed (Khan 1996: 3).

In August 1990, another workshop was planned under facilitation of the World Wide Fund for Nature (WWF), when Pakistan took into account the community concerns in the national park. During the workshop, the participants learnt that the Avgarch community had brought a suit against the Park Administration in the Court of Law regarding their rights (Knudsen 1999: 6): the Court bestowed the “Stay Order” upon the community, justifying its right to stay in the Core Zone of the park for the time being, unless the judgement comes up after a thorough examination of the case.

As a result of the Gilgit Workshop (June 1989), WWF Pakistan was tasked of preparing a comprehensive management plan for the KNP. Considering the continuum of variances between the Park Administration and indigenous communities, it was not possible to opt for the assignment without a process of conflict management and resolution (Khan 1996: 3).

In January 1992, a decision was finally taken (thanks also to the facilitation of WWF) in the form of a mutual agreement between the local community and the Park Administration: by reaching this agreement regarding the KNP management, the communal rights were accepted and incorporated into the plan, though with limitations and reinterpretations. Some of the main decisions were the following: 1) one hundred yaks of the community would graze for a limited period in winter keeping in view the caring capacity of the Core Zone's vegetation with priority to the Marco Polo sheep's grazing right; 2) the indigenous population, particularly the grazing communities, would have the largest share (80%) in the accumulated revenues generated from the entry fee of the park; 3) the community would get the employment benefits (80%) with the related government departments provided the concerned community members have the required capacity; 4) minimum 5 students will be sent on scholarship to study the related subjects (B.Sc/M.Sc.) from the Pakistan Forest Institute (PFI), Peshawar.

By signing the agreement, the 17-year controversy between the local community and the Park Administration was settled. This positive move has finally paved the way for devising the KNP Management Plan: the appointed expert, Ashiq Ahmed Khan, did a detailed fieldwork and prepared a comprehensive Management Plan of the Khunzhrav National Park (cfr. Khan 1996).

Roles and Rights of the Ghulkin Community in the KNP

As the main authority of the former Hunza State, the Mirs had the power to take or give pasturelands to the communities under their rule. In conformity with this regulation, the last Hunza ruler, Mir Muhammad Jamal Khan, conferred the pastures of Qarachanay in Khunzhrav valley to the Ghulkin community. There are two Qarachanays locally known as *Chap Qarachanay* and *Rost Qarachanay* (Left and Right Qarachanays). One of the several ravines in Chap Qarachanay, called *Wüloghdhur* (*Wuloγdur*), meaning the "cattle ravine" in Wakhi, is of high significance due to the presence of Marco Polo sheep as testified by Ashiq Ahmed Khan (1996) during his extensive fieldwork in the KNP.

Initially, not all of the local communities were aware of the processes that had emerged out of the KNP notification. Gradually, and especially after the experiences underwent by the Avgarch community with the Park Administration, other communities became more familiar with the situation:

The case of the Avgarch community with the Park Administration was mainly on the Core Zone, but, despite this fact, our elders and village representatives, hiring

a van, would meet with the Avgarch community representatives at that time if any help was required. The Avgarch representatives answered that the case concerned the 12km of the Core Zone (Wiyinsar). However, if the case spread downward from the top, the Ghulkin community would be informed and asked for necessary actions, described a community leader.

The Ghulkin community though did not apparently have a role in opposing the KNP: according to its representatives, the community was in close contact with the stakeholders, especially the WWF Pakistan office in Gilgit. The Ghulkin community collaborated with WWF on various conservation projects in the village through the forum of Ghulkin Educational, Social Welfare and Nature Conservation Association (GESWANCA).

From Avgarchik to Khunzhrav Villagers Organisation

The identity of being *Avgarchik* (*Avgarch-ik*, natives, dwellers or community of Avgarch) is mainly associated with the descendants of Bobo Sufi, the apical ancestor of a Sufi clan. As time went by, this regional identity extended to other clan groups (whether or not they embraced the regional term for them) which immigrated in the valley area representing now the six villages from Ghalapan to Sost.

The second half of the 1980s witnessed the emergence of a new identity for the Avgarchik when the respective community members joined hands together for their ancestral rights to the Khunzhrav National Park in order to make the Government and the administration realise that KNP is not heirless: there was a community owning lands and resources. They firstly formed an informal forum of the concerned communities under the name of Khunzhrav Committee or Khunzhrav Action Committee with the goal of organising meetings, keeping records of their progress, giving accounts to the people, and – most importantly – collecting findings from each household in order to sue the case in the Court of Law. When the agreement between the community and the relevant Government bodies took place (1992), the informal forum evolved into the Khunzhrav Villagers Organisation (KVO). Now, the people of Avgarch (*Avgarchik*) are known as KVO community (emerged in result of the KNP process) before the outsiders, esp. in front of development-related organisations.

After bringing the KVO into existence, it was registered with the Government of Pakistan in 1993. Since its inception, the Organisation has been working in close collaboration with all social actors inside and out of the valley. As a community organisation, the KVO has its governance share in the KNP. Being an effective and

outstanding civil society organisation, the KVO safeguards not only the natural resources of the KNP, but also works for the preservation, mobilisation and promotion of any other resources under its jurisdiction.

Comparative Perspectives of Conservancies

As remarked by Somuncu (et al), the “history of preserving particular areas for specific purposes goes back to dawn of civilizations. Land areas set aside specifically for protecting wildlife is not a new concept in the area of present day Pakistan” (Somuncu, Khan, Wasim 2009: 4). Accordingly, the concept of nature conservation in the context of the former Hunza State in general, and in Upper Hunza in particular, is not a new phenomenon: what may relatively differ are the patterns in terms of ownership, use of rights, and management structure. With regard to the Khunzhrav valley as a protected area, the issue offers interesting outcomes when the status of the said protected site (KNP) is cross-historically analysed and compared.

Traditional Nature and Game Reserve of Khunzhrav

Taking into account the biodiversity of the region, the Mirs of Hunza, who traditionally held authority over all kinds of natural resources, declared the Khunzhrav valley as their “nature reserve”. The resultant customary laws were devised by the same Mirs, and observed by the population of the principality. These laws used to be enacted and communicated to the population through local representatives called *arbobs* (chiefs or headmen at village and areal levels) selected by the Mirs. The following are main customary regulations regarding natural resources in the Khunzhrav valley under the rule of the Mirs:

1. no one was allowed to cut any fresh/living tree in the Khunzhrav valley. Only those plants that were dried up naturally or came under flooding could be used as timber within Khunzhrav valley when the few pastoralists would stay in the valley for some months in a year;
2. no one shall carry along with him any kind of weapon, and hunting in the Khunzhrav valley was strictly prohibited. In case of any violation, the violator was given penalty of ox, sheep or goat;
3. the selective pastoralists would graze the livestock on rotation basis depending on the seasons, weather conditions and altitude.

Despite the regulations, episodes of poaching were not missing: the reported examples speak of poachers hiding their weapons under their beds, or on the horses' or yaks' back. In the former principality, two figures were in charge of law-breaking individuals: the border security forces, called *levies*, or rather *libi* as pronounced by the natives; and *garey*, an agent, a monitoring official, appointed by the Mir to supervise his livestock heads (*yarpa*) and shepherds (*shūpūn*), as well as other related matters. He was supposed to be informed about any violation of the rules in the Khunzhrav valley.

Important historical divide in this panorama was given by construction of the Karakoram Highway (KKH, 1966-1978): before it started, the Khunzhrav valley was not easily accessible due to its highly dangerous terrain, which hindered the access to the area and the mobility of local community members. As pointed out by some informants, only those who were strong enough to cross the Khunzhrav river, as hunters (*paliwon*) or swimmers (*ašnowar*), could enter the valley.

According to the personal experiences of our respondents in diverse side valleys and rangelands of the Khunzhrav Valley in relation to the period before the Karakoram Highway existed, the local plant and animal life was characterised by some exemplary species, including: forests of juniper (*yarz*), birch (*fürz*), salicaceae (*tērghoq*), multiple varieties of willow (*wūnūk*, *mūzhūr*), along with wild ungulates, predators, and diverse bird species.

During and after construction of the Karakoram Highway, period embracing the abolition of the princely state of Hunza (1974) too, dense forests of the Khunzhrav valley were depleted by the Chinese labour forces, Pakistani security forces, and local communities. In the light of road construction, the wild ungulates, particularly the Marco Polo sheep locally known as *rūsh* and the ibexes, were of no exception to get spared.

Traditional and IUCN Model of Conservation in Comparison

Interesting similarities and differences we can find between both the traditional (the Nature Reserve of the Mir) and the IUCN models (International Union for Conservation of Nature) and approaches of nature conservation. Some of them are highlighted as follows:

Conservation focus. Within the traditional model, special focus was put on preservation of wild ungulates, natural forests, and rotational grazing. Although the attention was mainly paid to a selective fauna (wild ungulates), predators had also got

safe havens. The Nature Conservation of IUCN Model (through KNP) focused on all natural resources (with Marco Polo sheep as a top priority).

Conservation approach. The traditional model privileged the top-down approach allowing and/or rewarding few pasturelands to the local community as tools for conserving the nature reserve. A combination of both top-down and bottom-up approaches was adopted by the IUCN-KNP pattern, being it added by recreational and environmental education as a further conservation tool.

Weapon regulation. Strong regulation and restriction was in practice with regard to carrying weapons in the Khunzhrav valley except for the game purposes through the Mir's permission (traditional model). Consequently, these regulations implied less or no violation of the customary laws. In contrast, although the same regulations are in theory comprised within the IUCN and KNP administration model, they are violated by the Khunzhrav Security Forces (KSF) having their permanent encampment inside the national park, which itself is a violation of KNP regulations as according to IUCN regulations for category II of protected area, resource use and establishing permanent infrastructure is not allowed except for subsistence or minor recreational purposes (IUCN 2015).

Fauna conservation. The aim adopted by the traditional model was to fully protect the wild ungulates, particularly *rūsh* (Marco Polo sheep) and *yuksh* (ibex), while the restriction on carrying any weapons in the valley automatically implied the protection of predators. While a full protection of all wildlife is characterising the IUCN-KNP approach, endangered Marco Polo sheep remains a top priority.

Flora conservation. Restriction on deforestation for timber or fuel-wood was the core of the traditional approach; accordingly, the use of dead and naturally fallen trees was allowed. Likewise, in the IUCN-KNP approach, strong restriction on deforestation is in place, which encourages reforestation of indigenous species within the sites of the valley.

Pasture management. The strategy of the traditional approach, placing great emphasis on rotational grazing, was adopted by the KNP administration too.

Livestock population. In the traditional approach, increase in the number of livestock was not discouraged: accordingly, farmers would rear a huge number of livestock, such as sheep, goats, yaks, cattle, or else. Contrariwise, the IUCN model on KNP,

discouraging this approach, emphasises instead on decreasing livestock population, particularly yaks.

Abiotic component. Although concrete and detailed information on traditional approaches regarding abiotic aspects of natural resources would be required, generally cautious utilisation of land and water resources, as highly valued elements, could be attested among local communities. In the IUCN model on KNP, great emphasis is unquestionably placed on conserving the abiotic components.

Environmental Education Component. In the frames of the traditional model, environmental education has been informally handed down through the customary laws/rules, folk songs, folk tales, and discussion gatherings of families and groups. In the IUCN model, it is imparted through formal education, trainings, workshops, and alike events.

Recreational component. The traditional way used to provide a high level of accessibility and regulation issues for people to interact, hence minimum or no recreation has been observed for native people. Conversely, KNP has no accessibility issue as the Karakoram Highway passes through the heart of the national park connecting Pakistan with its neighbour China. In addition, emphasis on recreation/ecotourism is made as per concepts like wildlife sighting, site seeing, trekking, camping, etc.

Management/administration. In the traditional model, care and management of natural resources were run by means of an institutional team including *arbob* (chief or headman at village and areal levels), *yarpa* (livestock head of the Mir), *garey* (monitoring official of the Mir), *libi* (border levies), and other team members. As for the present-day KNP, it relies on an extensive administration team working in collaboration with the local civil society organisations, such as KVO (Khunzhrav Villagers Organisation) and GESWANCA (Ghulkin Educational, Social Welfare and Nature Conservation Association).

Poaching and clash of security interests. Poaching was on a very insignificant scale within the traditional model, while it remains a significant issue within the KNP administration model. The reasons for such approaches are linked to security interests of two main areas: nature versus political or human. There is apparently a clash of security mandate between the two public sector organisations, namely KNP and KSF (Khunzhrav Security Forces). KNP urges towards nature conservation (viz. nature

security) as a top priority, while KSF put human or political security between Pakistan and China as the top concern. KNP strictly advocates and restricts in carrying even a knife along while entering the natural park; quite the opposite, KSF has employed its forces within the park, as shared by a respondent on July 15th, 2015. Poaching of the wild ungulates in particular are reported clandestinely within the park.

Punishment/Penalty. Within the traditional model of natural resource governance and management, the violators of the customary laws were punished by putting penalty on them in form of an ox, sheep, goat, or else by observing contextually the nature of violation. Under the KNP administration, First Information Reports (FIRs), imprisonment, or other types of punishment have been brought in use.

Regulation mechanism. Within the traditional model, regulation mechanism was given by the customary laws whereby the people were held responsible if they violated any related rules. In contrast, within the KNP administration model, it has a full-fledged rules and regulations in place reaching back to the imperial times.

Conclusion

The idea of conservation of protected areas, fully or partially related to natural resources, seems not to be a new phenomenon in Hunza: in fact, the present-day Khunzhrav National Park (KNP) was predated by the traditional nature and game reserve devised by the Mirs of the former Hunza State. To boot, both models present significant similarities, as well as differences, in conservation approaches and intervention patterns within their mandates.

As illustrated, the variance that emerged between the indigenous community and the Park Administration after the KNP's birth (1975) was based upon a distrust that had grown in local population towards the authorities. Likewise, the new condition had negatively contributed to exploitation of the biodiversity for approximately two decades, especially during the Karakoram Highway construction. After the climax in the second half of the 1980s, the process resumed a more productive communication in early 1990s resulting in an agreement between the primary stakeholders. Thus, the ownership and ancestral rights of the communities inhabiting the Khunzhrav valley were finally accepted. On its side, the local community understood the importance of the Park, and agreed on many points of the agreement in order to preserve the biodiversity related to the community economy.

Inclusive approach in communal matters, based upon acknowledgement of relevant rights and responsibilities, along with promoting a multilevel communication with the concerned communities, leads towards productive forms of mobilisation and reliable outcomes. In the frames of this approach, the native community members should be actively involved in the related public sector organisation and its actions; besides, be they customary or contemporary, leadership and law are fundamental tools in such processes. Failure in implementing this kind of approaches brings about generating negative consequences for all the involved, such as frustration, distrust, uncertainty, disputes, and conflicts.

As evidenced by the case of Khunzhrav valley, building participatory forms of governance starting from the local grass-roots levels, including economic incentives for the involved communities, represents a beneficial modality which may produce an effective and sustainable conservation system. In this very sense, both traditional and contemporary conservation systems should be further explored so as to identify good practices and bring them into a combination that may enhance a better functioning of the Park's conservation.

In conclusion, such an approach calls for a reliable commitment and active participation of the concerned public sector organisations, especially the Park and local administration and the security forces within the Park, as well as the related community organisations, within their mandates pertaining to the nature conservation of the Khunzhrav National Park.

Bibliography

AKRSP. *An Assessment of Socio-economic Trends in Gilgit-Baltistan and Chitral, Pakistan, (1991-2008)*. Gilgit: Aga Khan Rural Support Programme, 2010.

Benz, Andreas. "How migrants made their way: The role of pioneering migrants and solidarity networks of the Wakhi of Gojal (Northern Pakistan) in shaping the dynamics of rural-urban migration." *Conflict . Migration . Development . Crossroads Asia Working Paper Series*, July 2013.

Bilal, Asad, Huma Haque, and Patricia Moore. *Customary Laws Governing Natural Resource management in the Northern Areas*. Karachi: IUCN, 2003.

Campbell, J. Gabriel. *Inventory of Glaciers, Glacial Lakes and the Identification of Potential Glacial Lake Outburst Floods (GLOFs) Affected by Global Warming in the Mountains of India, Pakistan and China/Tibet Autonomous Region*. Kathmandu: International Centre for Integrated Mountain Development (ICIMOD) and Asia-Pacific Network for Global Change Research (APN), 2005.

Dudley, N. *Guidelines for Applying Protected Area Management Categories*. Gland, Switzerland: IUCN, 2008.

IUCN (International Union for Conservation of Nature). *Customary Laws*. Karachi: IUCN, 2003.

Khan, Ashiq Ahmed. *Management Plan of Khunjerab National Park*. Gilgit: WWF-Pakistan, 1996.

Khan, Babar, Ablimit Abdukadir, Rahmatullah Qureshi, and Ghulam Mustafa. "Medicinal Uses of Plants by the Inhabitants of Khunjerab National Park, Gilgit, Pakistan." *Pakistan Journal of Botany*, 2011: 2301-2310.

Knudsen, Are. "Conservation and Controversy in the Karakoram: Khunjerab National Park, Pakistan." *Journal of Political Ecology*, 1999: 1-30.

Kreutzmann, Hermann. "The Karakoram Landscape and the Recent History of the Northern Areas." (Umberto Allemandi & Co) 2007: 41-76.

Kreutzmann, Hermann. "Pastoral Practices and their Transformation in the North-Western Karakoram." *Nomadic Peoples NS, Vol: 8 Issue: 2*, 2004: 58-88.

Mock, John. "Mountain protected areas in Pakistan: The case of the national parks". Department of South and Southeast Asian Studies, University of California, 1997.

Qureshi, Rahmatullah, et al. "First Report on the Biodiversity of Khunjerab National Park, Pakistan." *Pakistan Journal of Botany*, 2011: 849-861.

SDPI-Alif Ailaan. *Alif Ailaan Pakistan District Education Rankings 2013*. Islamabad: Alif Ailaan, 2013.

Shroder, John F., Ronald Johnson, Saqib M Khan, and Mark Spener. "Batura Glacier Terminus, 1984, Karakoram Himalaya ." *Geology Bulliton, University of Peshawar*, 1984: 119-126.

Sokefeld, Martin. "The Attabad landslide and the politics of disaster in Gojal, Gilgit-Baltistan." *Ute Luig (Ed.): Negotiating Disasters: Politics, Representation, Meanings*, 2012: 176-204.

Somuncu, M., A. A. Khan, and L. A. Wasim. "Review of Protected Areas System in Pakistan: Present Status and Problems Concerning Future Development." *Ankara University Journal of Environmental Sciences, Vol. 1 Issue. 2*, 2009: 001-015.

Wang et al. "Wildlife Protection Along the Karakorum Highway in Khunjerab National Park." *Pakistan Journal of Zoology*, 2012: 1452-1457.

WWF. *Boundary Deliniation of Khunjerab National Park*. Lahore: WWF-Pakistan, 2009.

Electronic sources:

Free Dictionary by Farlex, <http://www.thefreedictionary.com/conservation>, last searched on 7/7/2015, 9:34 PM.

IUCN, <https://www.iucn.org/theme/protected-areas/about/protected-areas-categories/category-ii-national-park> accessed at 20/7/2015 at 11:25PM.

Autoethnography, Knowledge Governance and the PANOS Oral Testimony Program in Shimshal, Pakistan

David Butz & Nancy Cook

Abstract

Between 2000 and 2002 the community of Shimshal, Gilgit-Baltistan, Pakistan collaborated with PANOS, a London-based NGO, to gather 67 oral testimony interviews from community members. About half of these were transcribed and translated into English, and are now freely available on the internet. In this paper we examine the process according to which the testimonies were generated, the main contours of their content, the project's reception in Shimshal, and its implications for subsequent research in the village. The paper argues that contested issues of knowledge governance were implicated in all aspects of the project, are central to understanding the testimonies' epistemological character, and help shape the project's lasting effects on research practice in the community. We conclude that although the project was a source of contention in Shimshal, it helped enable Shimshalis to take greater control of the processes through which knowledge is produced in and about the community.

Introduction

In the spring of 2000, a British development communications NGO called PANOS arranged a five day workshop in the village of Shimshal, a small community located at 3,100m in the Karakoram Mountain Range, in Pakistan's Gilgit-Baltistan region. During this workshop 13 villagers were trained to collect and transcribe oral testimony interviews with their relatives and neighbours in the community. Over the next two years 67 interviews were tape-recorded; 35 of these were transcribed and translated into English, and are now freely available on the *Mountain Voices* website (www.mountainvoices.org), along with similarly-constructed sets of oral testimonies from nine other mountain communities worldwide.¹ The website provides open access to over 300 interview transcripts from inhabitants of small mountain communities talking to local interviewers about their lives. It is a fantastic teaching resource and a virtually untapped source of qualitative research data (but see Cook and Butz 2011).

1 The Shimshal Oral Testimony Project was coordinated between PANOS and a community organization called the Shimshal Nature Trust (SNT), which represents the community in its dealings with outside researchers and donors. Villagers' trust and willingness to contribute to the project as interviewers and participants was predicated on the active involvement of SNT.

The Shimshal transcripts are especially intriguing to us for several reasons. We have had an ongoing research relationship with the community since 1988, so we know most of the interviewees and many of the people who were interviewed. It is fascinating to read our friends' and acquaintances' published accounts of their lives, and to compare them with our own conversations with some of the same people. Moreover, much of our research has focused on social change in Shimshal, which over the course of our familiarity with the community has been significantly shaped by a variety of global/local – or transcultural – interactions. Some of these are dramatic and ongoing (e.g., transnational Ismaili'ism; see Steinberg 2011), others fleeting and quotidian (e.g., individual encounters between tourists and porters; see Butz 2002). The Oral Testimony Project is a noteworthy example of the latter: a small-scale transcultural global/local event that occurred over a short time-span, but left its durable mark on Shimshal's social landscape. Finally, we were strong supporters of the initiative to establish an oral testimony project in Shimshal, and were peripherally involved in the early stages of the project's coordination, and therefore we have a special interest in pondering the characteristics of the testimonies it generated and its implications for the community.

In this paper we examine (a) the epistemological characteristics of the testimonies that were generated, (b) the manner in which the project became implicated in larger political and representational struggles in Shimshal and (c) the project's implications for subsequent efforts to generate transcultural knowledge about the community through research. We are concerned throughout with the problem of transcultural knowledge governance. Any time indigenous communities like Shimshal seek to represent themselves to the wider world for instrumental or communicative purposes (Habermas 1981) questions arise as to (a) what self-representations are commensurate with community interests, (b) who should be responsible for shaping representations and under what constraints, (c) to what extent self-representations should be framed (and are likely to be received) as individual or collective, and (d) how decisions regarding individual or collective self-representation are likely to shape subsequent knowledge practice in and about the community in question. At the time the oral testimony interviews were being conducted in Shimshal these questions were especially prominent, because the community was in the midst of a decades long struggle with Khunjerab National Park (KNP) over control of its high altitude pastures (Ali 2010). Shimshalis felt that KNP advocates were relying on inaccurate portrayals of the community's hunting and herding practices to justify incorporating Shimshal territory into the park, and therefore community leaders were motivated carefully to manage self-representations emanating from the community, especially with regard to nature stewardship, conservation and alpine resource use (see Butz 1996, 1998, 2002; Ali and

Butz 2003). In this context, the Oral Testimony Project represented both a risk and an opportunity in relation to the governance of transnational knowledge.

The paper unfolds in four main sections. We begin by briefly describing the PANOS Oral Testimony Program and its objectives. The second and longest section examines the characteristics of the narrative material this approach to collecting oral testimonies yielded. Our main claim here is that the transcripts are *autoethnographic* in their careful negotiations and re-shapings of the balance between the community's internal discourses of itself and the way it presents itself to the world. In the third section we consider Shimshalis' reactions to the testimonies and the project that generated them, suggesting that villagers' criticisms of the project reveal internal power struggles over how Shimshal is represented to the outside world and who controls this authorized truth. The fourth section outlines the effects of the Oral Testimony Project on subsequent research in the community, including a tendency toward the bureaucratisation and formalization of the research process in the interests of greater local control. The paper concludes by returning to the overarching issue of transnational knowledge governance.

PANOS Mountain Voices Oral Testimony Program

PANOS London's now defunct website described its overarching mission as follows:

PANOS London aims to make complex development issues accessible and understandable. We try to make sure that those who have the most to win or lose from these debates – the most marginalized people in developing countries – have their voices heard in the public arena. And we aim to provide balanced information on critical development issues.²

One of the approaches PANOS London promoted to achieve its aim was oral testimony interviewing, by which they meant the following: “free-ranging, open-ended interviews around a series of topics, drawing on direct personal memory and experience. Interviewers do not use formal questionnaires, and narrators are encouraged to reflect upon the events they describe, and to give their views and opinions” (Bennett 2003: 1). Between 1986 and 2013 PANOS London coordinated numerous large oral testimony programs in various developing world contexts, focusing on themes such as ‘Women and Conflict,’ ‘Displaced for Development,’ ‘Desert Voices,’ ‘Mountain Voices,’

2 PANOS London, the NGO that coordinated the Mountain Voices Oral Testimony Program, closed in 2013 after 26 years of operation; the testimonies it generated have been archived and are freely available on the *Mountain Voices* website (www.mountainvoices.org).

Speaking Freely on HIV,' 'Pushed to the Edge,' 'Survival Strategies,' and 'Living with Poverty' (<http://panos.org.uk/oral-testimonies/>).

In two publications that outline the organisation's approach to oral testimony (Bennett 2003; Slim and Thompson 1993), PANOS convincingly makes the case that international development routinely ignores the perspectives of its ostensible beneficiaries, and therefore a "key value of oral testimony in development is that it can amplify the voices of those whose economic, social or educational position has excluded them from the circles of influence and power" (Bennett 2003: 2). PANOS London's former Oral Testimony Program Director, Olivia Bennett (2003: 2), argues that, "oral testimonies are vivid, personal and direct; they challenge the generalisations of development literature and enlighten planners and policymakers about how it feels to be at the sharp end of development. They also increase understanding of issues by providing new insights and experiences."

Bennett (2003: 1) emphasizes that the narratives that result from "free-ranging, open-ended interviews around a series of topics, drawing on direct personal memory and experience" (Bennett 2003: 1), are "subjective, anecdotal, selective, partial and individual... Oral testimonies offer clues as to how people interpret events and – especially valuable in the context of development – what their priorities and values are. Ultimately, they tell us less about the fine details of events and experience than about their *meaning* for people" (Bennett 2003: 1). For PANOS, it is this intensely subjective characteristic of oral testimonies that make them such a potentially valuable – even radical – intervention into international development discourse: "what some might call 'flaws' in the evidence are in fact strengths, for the way that people remember or describe something tells us what is important about it to them" (Bennett 2003: 1). Bennett (2003: 1) goes on to caution readers as follows: "do not start an oral testimony project if you want only to uncover facts, figures and irrefutable truths; do embark on one if you want to gain greater understanding of what people believe to be important and true, and why." In addition to offering these epistemological benefits, oral testimony is understood by PANOS to give narrators the self-validating and empowering experience of telling their story to a public audience, and to help "build capacity" at the local scale as people learn interviewing and translation skills, and as communities assemble a permanent testimonial archive.

In practical terms, the process of coordinating an oral testimony project was usually mediated by a local NGO, which initially put PANOS in contact with a community, and then sometimes became a local partner in the project. In Shimshal, PANOS

worked with a community-based volunteer organisation called the Shimshal Nature Trust (which was established in 1997 initially to contest Shimshali pastures' inclusion in Khunjerab National Park; see Ali & Butz 2003) to organize a training workshop in which the terms of the partnership were delineated, project coordinators were appointed, interviewers were trained, and a list of interview themes was assembled.³ The interviewers – nine men and four women – were all drawn from the more educated strata of Shimshal society; several of them were teachers or development professionals. From June 2000 to December 2002 they interviewed 67 villagers. By December 2005, 35 testimonies had been transcribed, translated, and published on the *Mountain Voices* website, along with information about participants, a summary of each interview, a glossary of terms, a cross-referenced index of themes, and an overview of the community and the project. A 50 page booklet called *Voices from the Mountain: Oral Testimonies from Shimshal, the Karakoram, Pakistan* (Davies 2004) was also published. It contains overview material and lengthy extracts from 15 of the testimonies.

The Shimshal Oral Testimony Project produced a large quantity of carefully organized and cross-referenced narrative material, much of it available on the internet to an international audience in both transcript and summary form. We turn now to the characteristics of the testimonies that were generated, as a way both to assess PANOS' epistemological claims regarding its oral testimony program and to approach the knowledge governance aspects of the project.

The Shimshal Testimonies as Data

One of PANOS London's central aims was to give voice to the *most* marginalized people in the global South. However, as much postcolonial analysis asserts, the radically subaltern lack the appropriate resources and social networks for this sort of transcultural communication almost by definition (Spivak 1985; Besio and Butz 2004). This presents a tremendous challenge to initiatives like the Oral Testimony Program, which seeks to amplify disenfranchised voices, but must often rely on pre-existing transcultural networks and social capital to access community partners. The Shimshal Oral Testimony Project is a case in point; it was precisely Shimshal's existing connections in the research and development worlds that enabled it to establish a partnership with PANOS in the first place. Specifically, the PANOS employee who coordinated the Shimshal testimony project had previously completed an internship with a prominent local NGO, and

3 The PANOS process of coordinating and conducting oral testimony projects is outlined in detail in *Giving Voice: Practical Guidelines for Implementing Oral Testimony Projects* (Bennett 2003).

already knew us and several well-educated Shimshalis in that context. Shimshal's partnership with PANOS grew out of that pre-existing network of connections and local pool of transcultural competence. Shimshal is not among the most marginalized and disenfranchised communities in northern Pakistan, but it is a community that is well-resourced to undertake an oral testimony project.

The challenge of giving voice to the voiceless is also evident at the micro-scale, within Shimshal, where the individuals who were interviewed were *not* among the most voiceless Shimshalis. The 35 interviews that were translated come from a range of social locations, but they include a disproportionate number of Shimshal's most educated people, individuals from well-positioned families, people who are living and working outside the community, and men (26 of 35 respondents were men). Participants were selected purposefully, for what interviewers consider their special knowledge or distinctive experiences. Women and poor people are seldom understood locally to possess these knowledge characteristics unless they are very old, and so their voices are under-represented in the testimonies, as they are in the conventional development discourses criticized by PANOS. By selecting participants who would in their judgment have the most interesting or appropriate things to narrate, Shimshali interviewers effectively governed the production of authorized knowledge along familiar lines of education, wealth, social status, age and gender. Various dimensions of this active and contested process of gatekeeping knowledge will become more evident as the paper proceeds.

The median age of respondents was 50, considerably older than the average age of Shimshal's adult population. This reflects perceptions in Shimshal that older people have more interesting things to say and are more likely to govern their speech according to community norms. Moreover, many Shimshalis understood the Oral Testimony Project mainly as a way to salvage the memory of how things used to be; according to that understanding elderly individuals were the most appropriate interview respondents. Unsurprisingly, two history-oriented themes figure prominently in the resulting testimonies. The first of these themes may be described as 'old-time Shimshal.' It includes, for example, descriptions of traditional weddings, the feudal taxation system, colonial political arrangements, old songs and stories, obsolete agricultural and pastoral practices, former patterns of trans-local mobility, and the way festivals were once celebrated. In most cases the point of these descriptions is to contrast the past with the present in straightforwardly comparative terms, either positively or negatively, depending on the respondent's perspective. The second past-oriented theme highlights the life stories and self-reflections of individuals who started out as the children of

subsistence farmers and rose to positions of respect and influence, usually outside the community. These are community success stories, evidently intended to provide encouragement and a degree of moral instruction to community youth.

Although descriptions and evaluations of the past were most prominent, interviews also include considerable discussion of Shimshal's anticipated future, especially in relation to a new link road to the Karakoram Highway, which was nearing completion at the time interviews were being conducted (Cook and Butz 2011). Interestingly, present-day circumstances, practices and social arrangements were given relatively little attention by either interviewers or respondents, except in rather abstract comparisons with the past or hoped-for future. For example, the testimonies include few detailed descriptions of contemporary agricultural or pastoral practices, livelihood strategies, social events, or mobility patterns. Perhaps not incidentally, the present is usually the riskiest time-frame to represent transculturally – given the opening it provides for negative repercussions – and therefore the most important to self-discipline and govern at the community level. At the same time, however, representations of present-day circumstances, practices and experiences are arguably the most important to insert into transcultural development discourse, in order to achieve PANOS' ambitions for oral testimony to intervene in development discourse.

As we have discussed, part of the process of governing the representations that appear in testimonies is through the selection of interview participants and the choice of topics to discuss with individual participants. In this regard it may be important to select participants who will speak appropriately and reliably on specific topics. It is not surprising, therefore, that more than a dozen of the oral testimony respondents were individuals who are frequently called on to represent the community, to researchers, students, development workers, or government functionaries. Their transcripts add little to the existing public record, and to a large extent reproduce authorized representations. Moreover, many of these and other transcripts rehearse well-worn stories by accustomed storytellers. This seems to have been encouraged by interviewers in their selection of participants, and in a tacit agreement with participants to interview them narrowly according to type: old-timer, development professional, former mountaineer, storyteller, lady teacher. This type casting is especially self-conscious in those testimonies where interviewers and translators interviewed each other. The resulting transcripts – good examples of the success stories mentioned above – are fascinating records of Shimshal's educated elite discursively constructing themselves as a category of Shimshali. Like the other interviews, they also reveal the awkwardness of conversations

among people who know each other well, but are pretending not to for the sake of the interview.

Compared with our own casual conversations in Shimshal, in which individuals usually express themselves with considerable nuance, thoughtfulness and reflexivity, many of the oral testimony transcripts sound uncharacteristically declarative, as well as cautious in the range of content participants seemed willing to address. We think there are several specific methodological reasons for these characteristics, as well as a broader contextual reason relating to the self-governance of transcultural representation. In terms of the former, many of the interview themes were well-rehearsed, participants often conformed to type, some of the interviewers lacked skill at drawing out nuance and subtlety, many of the subtleties of voice were erased in translation and transcription, and most participants were ill-at-ease in the formal interview context. Moreover, because respondents were being interviewed by people who were familiar with what they were talking about, they often followed the shortest route through their narrative without providing detail and context. These are methodological characteristics that could potentially be altered with better training for interviewers, a different interview guide, and a modified sampling strategy, but they are to some extent inevitable in interviewing research; we face them ourselves when coordinating or conducting field interviews.

More intrinsic to PANOS' overall approach and its associated ethic of inserting villagers' narratives into transcultural public discourse is participants' awareness that their transcripts will eventually be read or heard by friends and adversaries in the village, and by distant others on the internet. To use James Scott's (1992) term, these are "public transcripts," in two senses. First, they are publicly available at a variety of scales, and participants expect to be asked to account for what they say. Second, they are public representations in the sense that, despite PANOS' stress on the individuality of oral testimony, participants know that in a transcultural context their words will be taken to represent the whole community. The transcripts are therefore careful negotiations of the balance between the community's internal discourses of itself and the way it wants to present itself to the world, as well as between individuals speaking for themselves and speaking for a collective. These are not individual testimonies, except in the narrowest sense, and both interviewers and respondents were aware of that. This helps to explain why most of the testimonies seem cautious, declarative, and narrowly focussed. Participants did not want to speak beyond their authorized realm of knowledge and authority, and so they 'stayed on script.' The process of transcription and translation no doubt emphasized those characteristics.

Our point here is not that the testimonies are less rich and informative than they could be – although that may be the case for methodological reasons – but rather to suggest that interpreting them productively requires understanding them as *autoethnographic*, that is, as self-representations by members of a peripheral group, which are shaped by the intention “to intervene in metropolitan modes of understanding” that group (Pratt 1994: 28), as well as by local and transcultural fields of power.³ Far from being the naïve articulations of ‘native informants’ (Spivak 1999), they are self-conscious, self-interested and self-reflexive efforts to speak authentically to an audience of insiders (i.e., to be true to one’s own community) and compellingly to an audience of metropolitan outsiders (i.e., to intervene successfully in transcultural understandings) (Butz and Besio 2004, 2009). That is to say, the testimonies are most fascinating and useful as a record of how individuals and the community as a whole negotiated a particular moment of self-representation in a transcultural context. What Shimshali people say in the testimonies tells us more about how, why, with what resources, and in what knowledge governance context they constructed such a testimonial record, than about what people do or did, or even think or feel, about whatever it is they were talking about. Of course all self-representations have this autoethnographic epistemological characteristic, but these testimonies are exceptionally strong examples of representations as performances of representation.

We want to be clear that this is not a criticism of the testimonies, or of the PANOS Oral Testimony Program. Rather, it is an effort to take the context of the testimonies’ production seriously, to understand their characteristics as sources of knowledge accordingly, and to suggest a way to read them. We are led, therefore, to offer the following crucial amendment to the description of oral testimony’s epistemological characteristics offered by Bennett, and quoted in the previous section:

Oral testimonies [do] offer clues as to how people interpret events and what their priorities and values are. Ultimately, they tell us less about the fine details of events and experience than about [how people narrate] their meaning for people in a transcultural field of power/knowledge (amended from Bennett 2003: 1).

In our view, awareness of the transcripts’ autoethnographic characteristics makes them richer and more interesting sources of insight, but also more difficult to interpret,

4 Postcolonial scholar Mary Louise Pratt frames autoethnography as follows: “if ethnographic texts are a means by which Europeans represent to themselves their (usually subjugated) others, autoethnographic texts are those the others construct in response to or in dialogue with those metropolitan representations” (Pratt 1992: 7).

especially for readers unfamiliar with Shimshal and its knowledge governance environment. This perhaps limits the testimonies' usefulness as an international resource for encouraging debate over development issues, but enhances their value as a local archive, to be accessed by people who have some context for interpreting them.

The Shimshali Response

What do Shimshalis think about the testimonies and the project that generated them? In order to answer this question we draw on informal conversations we had with interviewers, translators, participants, and community leaders during five visits to the community between 2005 and 2013. From what we can discern, everyone welcomed the training – the “capacity building” (Bennett 2003: 15) – that PANOS provided, as well as the modest funding that was associated with the project. Moreover, people were enthusiastic about assembling a community archive of tape-recorded testimonies, although that has not yet occurred and seems unlikely more than a decade later. For many the main purpose of the project was to record people talking about past times before the memory of them was lost. This objective was often framed in terms of giving community youth a sense of their history in the face of rapid social change, especially in the context of increased geographical accessibility arising from the construction of a link road to the Karakoram Highway. Shimshalis also had a strong understanding of the project as part of the community's ongoing efforts to represent itself on its own terms to the world outside (i.e., autoethnographically). People were gratified that the community's testimonies were widely available on the internet, and they anticipated that this publicity would lead to new development opportunities and more satisfactory understandings of the community. Beyond that there was much mild disappointment and lots of criticisms, the main one being that the whole process was less transparent and accountable than it should have been, in that some key decisions were made without sufficient public consultation in Shimshal. Moreover, a common complaint was that PANOS had not lived up to what some locals understood as its agreement to distribute the transcripts in the community, help publish a book, and produce radio broadcasts.

Concerns over accountability are contextualized by an on-going power struggle between Shimshal's traditional leaders and a younger leadership group of formally educated people. Some Shimshalis think the latter group deliberately used the Oral Testimony Project as a way to consolidate their emerging material and representational power. This charge is likely exaggerated, promulgated by people who wanted more of their own friends and relatives to be involved and fuelled by the (almost inevitable)

rumour of small-scale financial irregularities. However, underlying these complaints is a larger context of anxiety over collective self-representation. Shimshalis are keen to produce representations that intervene strategically in the ways the community has been portrayed by outsiders (Ali and Butz 2010; Butz and Besio 2004, 2009), and this has led to two sets of tensions in the community: a tension over how much the self-representational efforts of individual Shimshalis should be controlled at the community level, and a tension over who should be responsible for governing the way Shimshal represents itself. Concerns over who did the oral testimony interviewing and translation, who was interviewed, which interviews were transcribed, and what bits were extracted in the PANOS booklet, all emerge in the context of these larger tensions and anxieties, and in fact fuel them.

Most people whose opinion counts in Shimshal think that self-representations of the community *should* be controlled to some extent. Shimshal's struggles with Khunjerab National Park have made inhabitants intensely cognizant of the risks of representation (Butz 1998). The relevant questions are, who should be responsible for producing authorized truths, and what is the truth that will best serve the community's interests? In light of these questions, control over the oral testimony process became a matter of political significance in the community, and also of micro-scale social significance. We frequently heard the complaint that particular participants spoke out of turn in some way that was offensive to others. The whole exercise fuelled a degree of low-level interpersonal strife in the community, and some people thought the transcripts should have been edited more thoroughly to avoid that.

These sentiments brought another tension to the surface, between oral testimony as a form of individual self-expression and people's understanding of the project as a vehicle for collective representation. This tension is intrinsic to the PANOS approach, which stressed the individuality of the testimonies, and then collected and presented them in a strongly community-centred way. But it is not limited to the context of the Oral Testimony Project. As young Shimshalis become increasingly educated and more involved in salaried employment, international development, and other trans-local relations (see Steinberg 2011), they also become ever more imbricated in liberal humanist ideals that value individual self-expression and ambitions at the expense of a more communal or collectivist subjectivity. Many in this younger generation find it unreasonable to subordinate their own voice in favour of elders with greater formal authority to speak. This is to some extent a generational struggle (articulated by the older generation as "loss of unity"), but it is also a struggle within the subjectivities of individuals, because many of the same young educated Shimshalis are keenly aware

of the value of a consistent and carefully-articulated collective self-representation, and deeply value the cultural virtues of respect for elders and community cohesiveness. As we experience (with some frustration) in the context of our own ethnographic research in Shimshal, young people still often defer to community “experts” in the context of formal transcultural interactions (such as research interviews), even as they delight in uncensored individual self-expression in less formal transcultural contexts like Facebook. The governance of autoethnographic self-representation is becoming increasingly complicated.

The Oral Testimony Project and Subsequent Research in Shimshal

We now want to turn our attention to the implications of the Oral Testimony Project for subsequent research in the community. Again, we are drawing on conversations with Shimshalis, as well as our own experiences in Shimshal, this time in the context of coordinating and conducting a new research project in the community, which focuses on the importance of the newly-constructed Shimshal link road for various aspects of social organisation and involves a variety of methods including qualitative interviewing.

Shimshalis are no strangers to research. We have been working in Shimshal for a quarter century, and numerous other researchers and research teams have visited over the past two decades. Nevertheless, the Oral Testimony Project was distinctive in (a) the number of Shimshalis who were formally involved as researchers and participants, (b) the extent to which all stages of the project were coordinated and conducted by community members, (c) the formal, contractual nature of the project’s relationship with a non-local development agency, (d) the public availability of the material that was collected, and (e) the extent to which it became tangled up in local debates and political struggles. Consequently, the project has had a substantial impact on the way Shimshalis think about research in their community.

In the wake of the project, community leaders have become more committed to the idea of a community repository or archive of research data, and have come to expect that data collected in Shimshal should be shared with the community, and should in some instances be subject to formal review by community representatives. There is also a growing commitment to greater village-level coordination of research, and a sentiment that social research in Shimshal should be worked out collaboratively between the community and outside researchers. These changes in expectation, if not always in practice, stem partly from the positive example of the Oral Testimony Project, which encouraged community members to take control of the process and resulting data, and

partly from the community's self-reflexive efforts to overcome the perceived deficiencies of the project. Overall, the Oral Testimony Project increased Shimshal's sense of its status as a community experienced with research, and this gave people confidence that they could exercise more control over what research gets done in Shimshal and how it is conducted.

One aspect of this control is a tendency toward the bureaucratisation and commodification of research, evident in emerging discourses of transparency and accountability, formal arrangements for involving local field assistants, procedures for vetting and archiving research data, and expectations of remuneration for certain types of participation (often in the form of left over research equipment, such as cameras). At a more mundane level, Shimshalis have become more comfortable with audio- and video-recording equipment, and now expect that social research will involve formal, recorded interviews, not least because recordings are a good way to make data accessible to everyone in the community.

We think the project has also helped consolidate Shimshalis' understanding of a distinction between physical science and social science research. In our experience during the 1980s and 1990s, both were understood as offshoots of tourism: externally driven endeavours where foreign researchers called the shots, and Shimshalis were hired as labourers. In those days the research relationship mirrored the tourism labour relationship, and researchers were referred to locally as tourists. The PANOS project was part of a shift toward understanding social research as more akin to international development. This is evident in the community's growing expectation that research will involve formal community-researcher collaborations, targeted income generation, capacity building in the form of local training, and community oversight.

Finally, in the decade since the testimonies were produced and uploaded to the Mountain Voices website, Shimshal has become an increasingly active site of social research and other forms of – mainly development-oriented – transcultural collaboration. It is likely that the published testimonies have attracted some of this attention to the community, although we have no reliable data to establish such a correlation. More importantly, when researchers and other non-locals visit Shimshal they encounter a population that is ready to engage with them confidently, skillfully, and with a clear sense of intention. Some of the seeds of this transcultural cultural capital were sown by the Oral Testimony Project.

We are not suggesting that these changes in Shimshalis' perspectives on – or involvement in – research stem solely from the Oral Testimony Project. Many of them are part of larger processes of modernisation, of which the PANOS project is an artifact. In addition, our own long-term efforts to engage the community collaboratively have contributed in anticipated and unexpected ways to some of these developments. Other foreign researchers have adopted a similar approach to research in the community, in some cases going far beyond us in their commitment to collaboration and capacity building. We are strongly supportive of Shimshalis' efforts to gain greater control over the process through which knowledge is produced about them; it has been a productive resource in relation to our research interests, and more importantly, is part of an on-going process of decolonising knowledge production. The PANOS Oral Testimony Project deserves much credit for this.

It is important to note in concluding this section that the control Shimshal is asserting over research in the community is another dimension of transcultural knowledge governance. For most of the paper we have focused on efforts by Shimshalis to discipline their own transcultural self-representations or the self-representations of other Shimshalis to serve specific instrumental and communicative ends. This is what Pratt refers to as *autoethnography*. Here we see attempts by the community to govern the ways that *outsiders* produce knowledge about them; that is, to intervene in the production of *ethnographic* knowledge. Although we doubt that certain aspects of recent tendencies toward gatekeeping knowledge are conducive to the production of rigorous ethnographic analysis, we think that on the whole the community's exertion of greater control over the research process is emancipatory, and should be supported.

Conclusion

It is often asserted that we live in an information age, a period when humanity's store of knowledge is expanding exponentially, where those with the capacity to control its production and distribution, and the skills to gather, sort, interpret and use it, wield an important form of power. Powerlessness is perpetuated in this context by denying historically subordinated groups the capacity to insert their own voices – their own self-representations – into authorized circuits of knowledge at various scales. One such closely-governed knowledge circuit is international development discourse, which routinely and systematically excludes the lived perspectives of its intended beneficiaries. Oral testimony projects, like those initiated by PANOS London, are a way to intervene in development discourse by opening spaces for marginalized people in the global South to express themselves in a transcultural, trans-national arena. These are important

interventions, and necessary to the process of knowledge decolonization. But, as we have attempted to show through our discussion of the Shimshal Oral Testimony Project, generating such a testimonial record is far from uncomplicated for the individuals and communities involved.

In order to appreciate these complications it is helpful to understand oral testimonies as autoethnographic: reflexive self-representational efforts by members of a group to shape how their group is understood transculturally. A key characteristic of autoethnographic expression is that although individuals may be speaking in the first person singular, their self-representations are understood by local and transcultural audiences also to represent the group to which they belong. Therefore, in addition to the self-regulation that all self-representations are subject to, autoethnographic expressions are also exposed to community-level knowledge governance mechanisms, which exist to ensure that individual self-expression serves – or at least does not undermine – community-level representational interests. In the case of the Shimshal testimony project, these mechanisms included the selection of interviewers and respondents, the choice of topics to address in interviews, the framing of their purpose, decisions around which transcripts to translate and publish, and most importantly individual respondents' self-regulation. Such knowledge governance is a contested process with uncertain outcomes, because even in a highly cohesive community like Shimshal opinions differ regarding what collective representational interests are, who should decide them, and who the spokespeople should be. It is also an exclusionary process, in that certain groups are judged to be unqualified to speak on their own or the community's behalf, while others are afforded a dominant voice. We think it is important to be aware of this knowledge governance context when attempting to make sense of the testimonies individually or as a set, not in order to dismiss them, but rather to appreciate their constitution as collectively-shaped autoethnographic self-expressions.

Producing a testimonial record was one important motivation for the Shimshal Oral Testimony Project. The other was helping Shimshalis develop capacity to conduct and participate in research. The latter also has implications for knowledge governance, in that it has helped to inspire the community to take greater control of research that is conducted in the community and the knowledge it yields. We think this is a positive development in two respects. First, it provides Shimshalis with another, more continuous, arena for participating in the knowledge that is produced about them, and allows community members to benefit materially and intellectually from involvement in social research. Second, in our experience at least, collaborating actively in the overall design and conduct of research, and having established procedures for reviewing certain

types of data, has reduced the inclination of Shimshal's knowledge gatekeepers to micro-govern the interactions between researchers and community members. We have found that this results in a more intellectually productive transcultural exchange, and satisfies community members' growing desire for individual self-expression in a transcultural context.

Throughout the paper we have stressed the autoethnographic character of the Shimshal oral testimonies. We think it is important to recognize that this paper is *also* an instance of autoethnographic representation. Given that the piece will appear in a journal special issue devoted to Gilgit-Baltistan we expect it will be read by people familiar with Shimshal, perhaps even by interviewers or respondents involved in the Oral Testimony Project, and we have shaped the paper according to that expectation. In this regard it is the product of an effort at transcultural self-representation, influenced to some extent by the conventions of our own academic context as well as by our respect for what we understand to be Shimshal's collective (albeit contested) knowledge governance ambitions. In other words, the truths it attempts to tell are – like all secular truths – constructed in the context of interests: our own and our understanding of others'. To deny that for ourselves or for Shimshalis is to turn us and them into mere informants, rather than the self-reflexive, self-interested, socially constituted subjects we all are.

References

- Ali, Inayat and David Butz. 2003. The Shimshal governance model: community conserved area, a sense of cultural identity, a way of life. *Policy Matters* 12, 111-120
- Ali, Nosheen. 2010. Re-imagining the nature of development: biodiversity conservation and pastoral visions in the Northern Areas, Pakistan. In, P.McMichael (ed.) *Contesting Development: Critical Struggles for Social Change*. New York: Routledge, pp. 64–80.
- Bennett, Olivia. 2003. *Giving Voice: Practical Guidelines for Implementing Oral Testimony Projects*. London: Panos Institute.
- Besio, Kathryn and David Butz. 2004. Commentary – Autoethnography: A limited endorsement *The Professional Geographer* 56(3), 432-438.
- Butz, David. 2002. Resistance, representation and third space in Shimshal Village, Northern Pakistan *ACME: An International Journal of Critical Geographies* 1: 15-34.

- Butz, David. 1998. Orientalist representations of resource use in Shimshal, Pakistan, and their extra-discursive effects. In, I. Stellrecht (ed.) *Karakorum–Hindukush–Himalaya: Dynamics of Change, Part I*. Köln: Rüdiger Köppe Verlag, pp. 357-386.
- Butz, David. 1996. Sustaining indigenous communities: symbolic and instrumental dimensions of pastoral resource use in Shimshal, Northern Pakistan. *The Canadian Geographer* 40(1), 36-53.
- Butz, David and Kathryn Besio. 2009. Autoethnography. *Geography Compass* 3(5), 1660-1674.
- Butz, David and Kathryn Besio. 2004. The value of autoethnography for field research in transcultural settings *The Professional Geographer* 56(3), 350-360.
- Cook, Nancy and David Butz. 2011. Narratives of accessibility and social change in Shimshal, northern Pakistan. *Mountain Research and Development* 31(1), 27-34.
- Davies, Wendy. 2004. *Voices from the Mountain: Oral Testimonies from Shimshal, the Karakoram, Pakistan*. London: Panos Institute.
- Habermas, Jürgen, 1981. *The Theory of Communicative Action: Reason and the Rationalization of Society*. Boston: Beacon Press.
- Pratt, Mary Louise. 1992. *Imperial Eyes: Travel Writing and Transculturation*. London: Routledge.
- Pratt, Mary Louise. 1994. Transculturation and Autoethnography: Peru, 1615/1980. In, F. Barker, P. Hulme, and M. Iverson (eds.), *Colonial Discourse/Postcolonial Theory*. Manchester: Manchester University Press, pp. 24-46.
- Scott, James. 1992. *Domination and the Arts of Resistance: Hidden Transcripts*. New Haven: Yale University Press.
- Slim, Hugo and Paul Thompson. 1993. *Listening for a Change: Oral Testimony and Development*. London: Panos Institute.
- Spivak Gayatri C. 1985. Can the subaltern speak? Speculations on widow sacrifice. *Wedge* 7/8, 120-130.

Spivak Gayatri C. 1999. *A Critique of Postcolonial Reason: Toward a History of the Vanishing Present*. Cambridge: Harvard University Press.

Steinberg, Jonah. 2011. *Isma'ili Modern: Globalization and Identity in a Muslim Community*. Chapel Hill: University of North Carolina Press.

Governance and Customary Laws of Hunza in Burushaski Folktales: An Emic Approach

Abida Ali

Abstract

Folktales in Hunza, as in many cultures, are the repositories of the local culture, traditions, language and history. The purpose of this paper is to investigate traces of the system of governance and customary laws of Hunza in local folklore. This study was conducted in Karimabad, capital of the Hunza district in Gilgit-Baltistan, and is based on three Burushaski¹ folktales which have been analysed to find popular representations of the system of governance and traditional laws which still play a role in the Hunza district today.

The collecting of the folktales was carried out using qualitative methods, firstly by interviewing people who remembered folktales transmitted orally to them by older generations, and secondly, by examining these folktales on the basis of the interviews. The methodology involved techniques of structural and historical analysis on the basis of the researcher having an emic perspective as an insider.

Though it is impossible to trace out a particular time for their historical origin — as stories vary with time — an examination of phonemic and phatic phrases (spoken units of sounds related to phonology, morphology and semantic) and individual words led to some meaningful considerations. Examining the folktales for the presence of themes of customary laws and governance resulted in the uncovering of themes of hierarchical structures, societal norms and political conditions in the Burusho community of Hunza. Subthemes that are drawn out of these narratives deal with the existence of class structures, gender roles, societal norms, resistance, transformation and the treatment of wildlife in Hunza. On examination, these narratives provide insights into the administration system and rulers and subjects, customary laws, and the system of justice.

Also, a deeper scrutiny of these folktales by those who have been listening and living with these stories provides the readers with a picture of a world somewhat shrouded in mystery because of the vagueness of the time-period surrounding the origin of these

1 A language isolate, spoken in Gilgit-Baltistan, Pakistan. The research is about Burushaski spoken in Hunza.

folktales, but it is a picture which nevertheless maintains ties with the everyday lives of the people of Hunza today.

Keywords: Hunza, Gilgit-Baltistan, folktales, governance and culture

Introduction

“This is probably the relic of a former custom of the upper classes of spending the evening after the lighting of lamps, between supper and bedtime, in recounting past events, and doubtless in confirming and explaining traditional behaviour and practices”.²

The above quote demonstrates that story-telling was a social activity for the people of Hunza. The oral tradition of story-telling in Hunza has been a significant activity and continues to exist to the present day, albeit on a smaller scale. Oral tradition is considered to be a tool through which cultures and traditions are kept alive and protected from the danger of obsolescence. In the past till the 1930s, when there was no written form of communication, the elders would use word of mouth to pass their wisdom on to the younger generation, and this process would continue for the subsequent generation. In Gilgit-Baltistan, “oral traditions and genealogies are also preserved in families to whom this duty is assigned, and carefully handed down from father to son”.³

The current research is an attempt to capture some of the aspects of Hunza’s oral traditions and to analyse how folktales exhibit socio-cultural and historical aspects especially regarding governance and customary laws. These folktales unravel the socio-economic and political lives of people. Life is portrayed in tales told by children but lived by adults. The memory of a community seems therefore to be captured by folktales; the lives of the ageing mother, the anxious housewife, and the eager and enthusiastic child of the Hunza Valley form a narrative which no longer belongs to the realm of imagination, but is a compilation of the lives of people: a story made real through narration. The wisdom of the past is carried from generation to generation, the past and the present intertwine, and the people of the valley are enlivened through one story to another.

2 David Lorimer, *Folk tales of Hunza* (Islamabad: Institute of Folk Heritage, 1981), 1.

3 John Biddulph, *Tribes of the Hindoo Koosh*. (Calcutta: Office of the Superintendent of Government Printing, 1880), accessed Jan. 1, 2015. <http://pahar.in/mountains/1880-tribes-of-the-hindoo-koosh-by-biddulph-s-pdf/>.

By tracing the socio-political representation of Hunza's governance and traditional laws as narrated in folktales, this article will contribute to scholarship in the fields of anthropology, sociology and history. Within a framework of self-ethnography that looks through the lens of the natives, by using their emic interpretations as insiders, I have selected three folktales: *Turanas*, *Shorti ke Borti* and *Girixcir*. Each exhibit traces of economic and social conditions, including customary laws and governance in the region. These stories provide hints about the established and transformed systems of justice, and the roles of individuals and the rules governing them, including the rulers and their subjects in Hunza. Laws concerning families, wildlife, firewood, hunting, agriculture and the economy can be traced from these folktales and can provide glimpses into the laws governing the relationship of men with animals.

This paper is divided into two sections: firstly, an initial background of the three oral narratives and secondly, an analytical discussion thereof. This paper argues that in the absence of a written codification, the tradition of oral storytelling is a means through which societies in Hunza Valley have disseminated and sustained notions of customary laws, governance and social order.

The site and the researcher

This research was conducted in Karimabad, ⁴the largest and most populated town in the entire Hunza Valley, which is divided into three regions: Upper, Lower and Central Hunza. The town occupies about 320 hectares of land, is approximately 115 kilometres north of Gilgit, and stands at an altitude ranging from 2,250-2,850 metres above sea level.

Hunza was an independent princely state for more than 900 years, ruled by rulers called *Tham*⁵ until 1974, when Zulfikar Ali Bhutto, the prime minister of Pakistan, dissolved its status as a semi-autonomous state. The people of Hunza call themselves Burusho or Hunzukutz⁶. The Burusho have a clan-based system in Hunza and more than 20 tribes are present there. Like the Burusho of other regions of Hunza, the people of Karimabad live as one united community divided into tribes: "Six hundred households and approximately five thousand people live in Karimabad. The population of Karimabad

4 Karimabad was the former capital of Hunza and formerly named as Baltit.

5 Ruler (Burushaski), in Urdu the ruler was known as the Mir of Hunza.

6 Burusho derived from Burushaski, Hunzukutz derived from Hunza.

is divided among five principal extended family clans: Diramting, Baratling, Brong, Khurukutz, and Beyricho.”⁷

I come from Hunza and my field-trip there was a part of my M.A dissertation research. This paper builds on that study, which focused on the oral tradition of storytelling in Hunza and how it is on the verge of disappearing. Five Burushaski folktales were analysed to find their socio-cultural and historical significance in Burusho society; whereas this research paper, by closely examining three Hunza folktales, sheds light on some aspects of governance and customary laws in Hunza. I have attempted to highlight the themes and subthemes associated with customary laws and governance in Burushaski folktales. Oral tradition has been a significant part of Hunza society and folktales have been transmitted across the generations. This tradition of storytelling has kept the world of Hunza alive and is shared by the Burusho as part of their culture and their world. Stories and responses were collected in Karimabad from Burusho men and women.

After collecting the folktales, I investigated whether they had any connection with the culture or history and particularly with the system of governance and customary laws of the Hunza Valley. Afterwards, by carrying out an in-depth analysis of these narratives, I examined the system of governance and law in the past and present. The ‘emic’ perspectives of the researcher and the ‘natives’ are the basis of this study. There is a close association “between spiritual beliefs, traditional knowledge, customary laws and landscapes and natural resources.”⁸ Therefore in a traditional and close-knit society with common customs, belief systems, customary laws and practices are inseparable and communally interdependent.⁹ Hence in a similar manner, the people of the Hunza Valley as a collective community possessed traditional knowledge, laws, oral traditions, folklore, customs and beliefs under the rule of a monarchy in the past and some traces of these elements are still present in their society today.

7 Tahir Ali. “The Burusho of Hunza: Social Structure and Household Viability in a Mountain Desert Kingdom”. Thesis (PhD dissertation, University of Rochester. Department of Anthropology, 1983), n. 9.

8 International Institute for Environment and Development. *Protecting community rights over traditional knowledge: implications of customary laws and practices*. IIED (Peru, 2005), 6. accessed on June 30, 2014, <http://pubs.iied.org/pdfs/G01090.pdf>.

9 Ibid.

Oral Tradition and Analysis of Folklore

This section will focus on the approaches used for the analysis of folklore in this paper. Also, it is appropriate to provide a background on folktale research in Hunza, to examine its scope and issues surrounding it.

The ATU¹⁰ classification system¹¹ is a widely used analytical tool for comparing folklore around the world¹². I have identified motifs for three Burushaski folktales in accordance with the motif-index of folk literature,¹³ which can further be compared with folktales of other regions. I have employed it to find parallels between Burushaski folklore and other South Asian folklore. It involves examining various themes, types and motifs (i.e. recurring elements that have symbolic significance in a story).

Burushaski has been the topic of considerable research since the nineteenth century. Several European and American linguists and scholars have been interested in Burushaski.¹⁴ Among these important scholars are G.W. Leitner, John Biddulph, and Lt. Col. D.L.R. Lorimer¹⁵, all of whom worked in the colonial period. Important post-colonial scholars include Hermann Berger¹⁶, Ilija Casule¹⁷ and Etienne Tiffou.¹⁸

Linguists classify Burushaski as an isolate language. There is no clear evidence to link it with any other languages, either alive or dead. Though it is difficult to find relevant literature about the study of Burushaski folktales, some oral tales, like the epic of Kesar and the legend of Shribadat, have been analysed comprehensively by some linguists of

10 Aarne-Thompson- Uther

11 Uther H.-J. *The types of international folktales. A classification and bibliography, based on the system of Antti Aarne and Stith Thompson. Parts I-III*. Helsinki: Folklore Fellows Communications, 2004.

12 This system indexes folktales by their structure and assigns them AT numbers. It also includes an alpha-decimal motif-index system (A-Z followed by numeral) for cataloguing individual motifs.

13 Stith Thompson. *Motif-Index of Folk-Literature*. Indiana University Press, 1955.

14 "see Leitner (1840-1899), Biddulph (1840-1921) and Lorimer (1876-1962)"

15 Major works: Three volumes on Burushaski language (1935- 1938), Folktales of Hunza (1981)

16 Hermann Berger, "A Survey of Burushaski Studies", *Journal of Central Asia*, vol. VIII, no. 1 (July 1985): 33-37.

17 Ilija Časule. *Burushaski as an Indo-European "Kentum" language: reflexes of the Indo-European gutturals in Burushaski* (Munich: Lincom Europa) 2010.

18 "see Berger (1926-2005), Casule (1958) and Tiffou (1935)"

South Asian languages like David Lorimer¹⁹ and John Mock²⁰ respectively. Skyhawk²¹ studied Kesar's Nagyr version. Also, Tiffou²² with the collaboration of Naseeruddin Hunzai²³ has collected and analysed 550 Burushaski proverbs and riddles with linguistic and ethnologic notes.

It is possible to trace themes of law and governance in folklore. Customary laws have long been part of earlier societies. From this perspective, customary law is considered to be indispensable in governance and justice and in serving their aims. According to the recent re-valuation of traditional knowledge by international organisations, customary laws are defined as sets of rules which have been formulated or transformed with time, practised by specific communities and deemed to have a legal effect by them.²⁴ Customary laws are said to be different from the modern systems of common law and civil law because they include accepted norms of behaviour, practices and customs, as well as more rigorous rules which are enforced by traditional institutions (e.g. elders), with sanctions or penalties attached.²⁵ Since Hunza was ruled by local monarchs for more than 900 years, we can assume that a long tradition of uncodified customary laws played a role within the monarchic system of governance. Another way of defining customary laws is to take into consideration its purpose rather than its content. A widespread legal definition of customary laws is one of customs that are accepted as legal requirements or obligatory rules of conduct, practices and beliefs that are such a vital and intrinsic part of a social and economic system that they are treated as if they are laws. This paper, however, is not trying to extrapolate the essence of customary laws

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- 19 David Lorimer. "An Oral Version of the Kesar Saga from Hunza", *Folklore*. 42, no. 2 (1931): 105–140
- 20 John Mock. *Shri Badat The Cannibal King: A Buddhist Jataka from Gilgit*. in Irmtraud Stellrecht (ed.) in press. *Karakorum-Hindukush-Himalaya: Dynamics of Change* (Proceedings of the International Symposium on Karakoram-Hindukush-Himalaya, Islamabad, Pakistan, October 1995). Cologne: Rüdiger Köppe Verlag. 1995
- 21 Peter Claus and Margaret Mills, "Kesar" in *South Asian folklore: an encyclopedia* (London: Routledge, 2003), 338.
- 22 Étienne Tiffou. *Hunza proverbs* (Calgary: University of Calgary Press, 1993).
- 23 1917-2017, Burushaski linguist and scholar of Gilgit-Baltistan.
- 24 WIPO and UNU, *The role of Customary Law in access and benefit-sharing and traditional knowledge governance: Perspectives from Andean and Pacific Island Countries* (2008), 22. accessed on Oct, 24 2014, http://www.wipo.int/export/sites/www/tk/en/resources/pdf/customary_law_abs_tk.pdf
- 25 See for example IDRC, The Christensen Fund, The Netherlands Ministry for Development Cooperation (DGIS), The Rockefeller Foundation, SwedBio and Sida. *Interim technical report: Protecting Community Rights over Traditional Knowledge and genetic resources; implications of customary laws and practices*. Interim Report (2005-2006), 2006, accessed on Dec 24, 2014, <http://pubs.iied.org/pdfs/G01253.pdf>

and governance from folktales. Rather, it is seeking to trace popular themes revolving around law and governance in folktales.

This analysis contains the inside views of the respondents and of the researcher herself. Also, upon examining individual words and phatic phrases in these folktales, their usage in the daily lives of the Burusho is also studied. The significance of folklore should be located within the context of the natives while broader perspectives can be identified by examining the morphology of folklore.²⁶ Some phatic units have indirect and metaphorical meanings. In the absence of written codification and without any trace of exact historical origin and time, etymology in folktales leads to information which could be either confirmed by current usage, or constitute data that would be otherwise lost because of not being part of the daily language.

This study will also contribute to the research method of emic perspectives. These emic interpretations are meaningful for natives, anthropologists and historians for further research. A future implication of this study is that the analysis of folktales of this particular culture will also contribute to the understanding of emic research methods meaningful for indigenous people, anthropologists and historians for further research. It may be useful to compare them with the folktales of the surrounding and adjacent communities first and then with other remoter cultures.²⁷

Methodology

This section will elaborate on research methods and tools of data collection which the present researcher used to collect and analyse data. I conducted this study in two phases: collecting the folktales and then analysing them to categorise themes. This study adopted a qualitative research paradigm. Karimabad was selected as the site for the data collection because it was the capital of the princely state of Hunza and storytelling in the court of the Tham in Baltit Fort and the *shabarann*²⁸ was part of the oral tradition. Data were collected over a period of 25 days in July 2013 as part of the fieldwork conducted for the researcher's MA dissertation. Data collection was carried out through focus groups and semi-structured interviews²⁹. Interviews were recorded, transcribed, and translated. Themes were identified, analysed and reported.

26 John Mock. *ibid*

27 J Fischer, "The sociopsychological analysis of folktales", *Current Anthropology*, 4. (Chicago/ University of Chicago Press, 1963):237

28 At the centre of the village, meeting place for the community and a major location for telling of folktales.

29 In this paper, listed source in parentheses (xxxx, 2016), refers to an oral interview and is not a printed source.

The interviews served two purposes: the collection of folktales and data about the traces of customs and laws in these folktales. Most informants have lived in Hunza and observed its society since the time of their birth. Therefore, their experiences and views are also a basis for the conclusion of this research. I came across Burushaski words that were not familiar to me, even though I am a native speaker. These words are archaic and no longer used by the younger generation.

When back from the field, I identified relevant textual sources and examined the collected data. Then, I investigated how the society and culture of Hunza are reflected through this significant genre of oral tradition. For this purpose, the stories were analysed by seeking out symbols and motifs contained within them.

I have selected three famous³⁰ but previously unstudied Burushaski folktales for this article³¹: *Turanus*, *Shorti ke Borti* and *Girixcir*. Therefore I endeavoured to fill an existing gap by studying stories that were not yet the subject of any academic research.

In this study, I transliterated those three stories in the Burushaski language and then translated them into English. The script used for transcribing Burushaski in this research is formulated by Dr. Hermann Berger³². *The Cockroach* and *The Hunter and the Ibx* are fables, while *Shorti and Borti* is a fairytale. Though I endeavoured to provide an accurate translation, it sometimes does not convey the exact meaning of some Burushaski terms because of the non-availability of the exact corresponding word in English.

This paper adopts an emic approach by basing itself on native perspectives. Emic and etic, words derived from linguistics, represent the distinction between phonemic and phonetic. Phonemic means sounds that signify meaning in a particular language. Phonetic means sounds that can be contrasted, but do not necessarily differentiate meaning. The emic structure is a part of the pattern of objective reality and not merely the construct of the analyst. Native speakers are competent judges of emic descriptions, and are thus crucial in providing data for linguistic research.³³ Within this theoretical

30 These are well-known according to most informants in Hunza.

31 In my MA thesis (Ali 2013), I studied thirty Burushaski folktales, including the three considered in this article.

32 Hermann Berger. *Die Burushaski-Sprache von Hunza and Nager. Teil 1: Grammatik. Teil III: Text emit Übersetzungen. Teil III: Wörterbuch*. Wiesbaden: Harrassowitz (Neuindische Studien, 1998), 13)

33 Thomas Headland, Kenneth Pike, and Marvin Harris, eds, *Emics and Etics: the insider/outsider debate*. (Newbury Park, CA: Sage Publications, 1990), 101.

framework, my own observations are those of an insider. I grew up listening to these oral narratives but unfortunately at the time of my fieldwork I could only remember parts of some of them. Analysis demands that we learn from storytellers: “The primary lesson from storytellers is that they learn to work with stories that are not theirs but there, as realities. Master storytellers know that stories breathe.”³⁴

Analysis and Discussion of the Three Oral Narratives

In this section, I trace the themes of customary laws and the system of governance of Hunza by analysing three Burushaski folktales: *Turanas*, *Shorti ke Borti* and *Girixcir*. These stories decipher the class structure, gender roles and societal norms as part of the customary laws and system of governance in Hunza.

Turanas

The folktale of the cockroach is one of the oldest tales from Hunza. *Turanas* is the tale of a poor man whose wife gives birth to a cockroach which could speak like human beings. With its supernatural powers, *Turanas* provides wealth and riches to its poor parents. After some time, *Turanas* asks his father to go to the palace of the black king to request his daughter’s hand in marriage, which seems an impossible task at the beginning of the tale as they are very poor. The king makes many seemingly impossible demands but *Turanas* with his magical powers easily fulfils them and finally the king agrees to his request. Eventually, the princess comes to know that the cockroach is in fact a prince in disguise. To see his real human form, she burns its skin when it is taking a bath. However, later she drowns it in milk by mistake. Thereafter, she journeys and meets many trees, people and fairies and finds her husband in his real form as a prince after a long quest.

Tiffou translates *Turanas* as ‘cockroach’³⁵ while Abdullah Jan translates it as ‘scavenger beetle’³⁶. According to the respondents, it could be a species of cockroach, which lives in cold regions.

34 Jack Zipes, *The Irresistible Fairy Tale the Cultural and Social History of a Genre*. (Princeton: Princeton University Press, 2012), 4, accessed Dec 12, 2014, <http://press.princeton.edu/chapters/s9676.pdf>.

35 Étienne Tiffou. *Hunza proverbs*. (Calgary: University of Calgary Press, 1993), 166.

36 Abdullah Hunzai. *Hunzah kī lok kahāniyān : sarzamī n-i Hunzah kī ‘ajī b o gharī b magar haqī qī kahāniyān* (Lahore: Sang-i Meel Publications, 1998), 109.

This story contains many central elements of Burusho culture, which address subthemes of hierarchical structure, societal norms and political conditions that elucidate customary laws and governance in Burusho society. Subthemes include belief in supernatural elements, imposition of taxes, dispute resolution, social gatherings, defiance against upper class, social discrimination, poverty and gender roles.

Hierarchical Structure:

Belief in the supernatural and class structure:

A major theme of this story is the hierarchical structure of Burusho society. It demonstrated that the society was governed by ruling dynasties, whose status was highly venerated by commoners. The princes and princesses formed a distinct class, while commoners were economically much deprived. In the past this privileged class was highly revered by the common people of Hunza due to their political status as rulers as well as their linkages with supernatural powers. In the case of this particular story, the cockroach gains respect for two reasons. Firstly, due to his marriage with the princess and consequent affiliation with the monarchy; and secondly, for his ability to be able to transform from a mere insect to a handsome prince whenever he wished. According to the respondents, this folktale is evidence of the existence of actual *thamoshu*³⁷ of Hunza and their fortresses.

“The Hunzas are credited by all their neighbours, even by Kashmiris of the highest education and position, with supernatural powers.”³⁸ Also throughout the Gilgit Agency³⁹, the ruler of Hunza is considered to have the power to bring down the rain and in the case of drought people would go to him requesting to make water reappear.⁴⁰

“The royal families of Hunza and Nagar descended from two brothers who lived in the fifteenth century, but they trace their ancestry further back, to a divine origin. The Thum of Hunza... boasts of being the descendant of Alexander the Great — a common claim hereabouts — by a fairy of the Hindoo Koosh; certainly a very respectable pedigree.”⁴¹ Therefore, it shows that belief of the Burusho in the supernatural powers

37 Plural of *Tham*.

38 Edward Knight. *Where three empires meet; a narrative of recent travel in Kashmir, western Tibet, Gilgit, and the adjoining countries*. (London: Longmans, Green, and Co, 1893), 370. accessed on Dec 17, 2014, <https://ia601700.us.archive.org/9/items/wherethreempir00knig/wherethreempir00knig.pdf>.

39 Administrative division is called the Agency.

40 Reginald Schomberg. *Between the Oxus and the Indus*. (London: M. Hopkinson, Ltd, 1935), 134.

41 *Ibid*, 349-350.

of the Thum underlie his political power. The story of *Turanas* reflects the strong belief of the Burusho in the existence of supernatural powers and the role these play in their lives.

Other instances also show that the ruling family was given a sacred status by its subjects in the past until it got annexed with Pakistan in 1974. *Tham* was believed to be *Ayesho*⁴² and *Suuri*⁴³ which shows the subjects' utmost respect for the ruler, e.g., Suuri Jamal Khan⁴⁴. This term, in its essence, is a remnant of the godly status of rulers in Burusho societies.

From the ATU classification system⁴⁵, this story can be identified with some motifs, i.e., B211, speaking insects.⁴⁶ In this folktale, the cockroach is actually a prince in disguise with supernatural powers, therefore it also comes under the category of A527.3.1.1, i.e., a hero assumes an ugly and deformed guise.⁴⁷ When he takes the form of an ugly insect such as a cockroach, he performs miraculous activities. This story narrates the receipt of a bride followed by a marriage and the imposition of a difficult task set by the *tham* for the cockroach.⁴⁸ This scenario refers to the social conditions of Hunza when in the past its royal families were deemed to have links with supernatural elements.

Imposition of taxes:

In Hunza, most of the cultivable land belonged to the rulers of the time⁴⁹ and the subjects would work on their assigned fields and hand over major portions of their produce to the fortress as tax. The monarchs usually cared little about the welfare of their subjects and used them as forced labour without wages. In the past, tax in the form of cattle, crops, trees and dairy products, was taken from the subjects by the rulers

42 Sky-born (Burushaski).

43 Sun in Shina (the major language spoken in Gilgit-Baltistan).

44 (1945 – 1976)

45 Uther H.-J. *The types of international folktales. A classification and bibliography, based on the system of Antti Aarne and Stith Thompson. Parts I-III.* Helsinki: Folklore Fellows Communications, 2004.

46 Stith Thompson. *Motif-index of Folk-Literature; A Classification of Narrative Elements in Folktales, Ballads, Myths, Fables, Mediaeval Romances, Exempla, Fabliaux, Jest-books, and Local Legends.* (Bloomington: Indiana University Press, 1955), 342.

47 Stith Thompson. *Motif-index of Folk-Literature; A Classification of Narrative Elements in Folktales, Ballads, Myths, Fables, Mediaeval Romances, Exempla, Fabliaux, Jest-books, and Local Legends.* (Bloomington: Indiana University Press, 1955), 58.

48 Ibid, 102.

49 Clark John. *Hunza, lost kingdom of the Himalayas.* [New York: Funk & Wagnalls Company, 1956] 209.

of Hunza. “In the court of *Tham*, *Wazir*,⁵⁰ *Trangfa*⁵¹, *Charbu*⁵² and a representative from each tribe were assigned the task to collect *maliya*⁵³ and control forced labour. Varieties of taxes on marriage and divorce were imposed. They were also responsible to settle disputes among vassals.”⁵⁴ This shows that under the princely rule there was a system of hierarchy in Hunza and at the court in the fort⁵⁵ whose hierarchical structure can be seen in the folktales. Some tribes like the Wazirkutz, which were part of the upper hierarchy, were given more privileges. Therefore, the *tham* used tax to control the social and personal life of all the Hunzukurts to a greater or lesser degree, depending on their rank in society. “Justice was administered by the Wuzers in their own districts. Cases which principally arose out of disputes about land were generally settled by a fine of cattle, sheep, or gold-dust. Serious crimes, such as murder or treason, were punished by the destruction of the whole family of the offender. His house was razed to the ground, and his relations reduced to slavery, and sold or distributed according to the will of the Ra⁵⁶.”⁵⁷

An example of a hierarchical structure is that a traditional clan system prevailed in Hunza before the eleventh century. Three tribes were settled in Hunza, namely the Tapkients in Baltit, the Hamachating in Ganesh and the Usengumuts in Altit. Therefore, customary laws for taxation included also the rules for tax allocation. Later, Hunza was ruled by *thams* from the descendants of Girki⁵⁸ who controlled sovereignty and the taxes. The *tham*, Aesh Maiyure, murdered the Tapkients, Khisrau killed the Hamachating, and the Shabos⁵⁹ executed the Usengumuts.⁶⁰

Social discrimination:

The word *turanas* is also used for people having a black complexion. According to

50 Subordinate of *tham*.

51 Who took care of administration.

52 Who communicated with people.

53 Tax (Burushaski).

54 Fida Hunzai. *Riasat Hunza: Tarikh o Saqafat ke ainay may* (Gilgit: Hany Sara Publishing Network, 2002), 159.

55 Baltit and Altit forts.

56 The former rulers of Gilgit had the title of 'Ra'.

57 John Bidduph. *Tribes of the Hindoo Koosh*. (Calcutta: Office of the superintendent of government printing, 1880), 44. accessed on Dec 13, 2014, <http://pahar.in/mountains/1880-tribes-of-the-hindoo-koosh-by-biddulph-s-pdf/>.

58 First *tham* of Hunza

59 A *thum*, a ruler of the Tarkhan Dynasty of Gilgit, who ruled Hunza before Girki and Maglot (rulers in the 15th century CE).

60 Lormier, D.L.R.1981. *Folktales from Hunza*. Islamabad. Institute of Folk Heritage.

Tiffou it is used for a person who is not good-looking, but full of qualities⁶¹. The idiomatic phrase ‘*goskil matum manum*’⁶² shows how black colour was disapproved of in Burusho society. Even uttering the word ‘matum’⁶³ was considered taboo and was only used as a swear word. For punishment, people were defaced with black colour using coal. It shows that black colour was considered as in a negative sense. Even so, if someone had to say the word ‘black’, the word ‘white’ was uttered instead to make it more appropriate. This is a trace of social discrimination on the basis of ethnicity that Burusho society may have practiced at some stage of their history.

On the contrary to the above interpretation, here a certain degree of social equality is visible, when a *shamuli*⁶⁴ married a *turanas*. However, due to his supernatural and extraordinary powers, the cockroach dares to ask for the hand of the princess and becomes triumphant in his quest. This also leads the listener to think about the existence of discrimination and consequent social change, when the poor part of the society struggles but eventually triumphs in attaining their rights. The desire for change noted by Clark⁶⁵ is likely a long-standing one, which has become expressed in folktales such as *Turanas*. Recently, a respondent commented that,

In the past, the ruling families of Hunza would never think of getting married with their subjects and matrimonial relations would remain confined only to the royal families, however, the story narrates an unusual and far-fetched episode (Ghulam Abbas 66, 2013).

This interview shows that Hunza had a very class-conscious society. A person had to be extraordinary and to have powers and abilities to demonstrate their strengths. In *Turanas*, because of strong socio-economic capabilities, the social status of the cockroach drastically rises to unprecedented heights. Therefore, this story sheds light on the subtheme of the socio-economic modalities of the Burusho of Hunza in an ancient historical context.

61 Étienne Tiffou. *Hunza proverbs*. (Calgary: University of Calgary Press, 1993), 166.

62 ‘May your face become black’-May you evils be revealed and you be disgraced in front of the people.

63 black

64 princess

65 The American geologist.

66 Scholar of Gilgit-Baltistan

This story, however, shows how a common subject struggled against the monarchs. An examination of the usage of phatic phrases and individual words gives more insights into the folktales and their recurrent themes. There is a Burushaski proverb about *Turanas*, ‘*Turanase phosulo Lili-Guspur*⁶⁷’ - ‘It is Lili-Guspur in the shape of a cockroach’.⁶⁸ This term ‘*Lili-Guspur*’ is used when a person hides their identity or refers to a resourceful person who is too humble to boast of their wealth. This proverb is drawn from the folktale under review. It is about why a girl/princess should marry an ugly man because he may prove to be a prince despite his appearance. The story shows that barriers of class are not totally impermeable: even an ugly man may marry a princess if he possesses other redeeming qualities.

Social gatherings:

Inviting the community is also an attempt to celebrate the arrival of this strange creature which brings blessings and good luck to the family. It also refers to the ethical value of generosity and a liking for communal life that prevailed at that time when people used to share what little food supplies they had. In such gatherings a *tamasha*⁶⁹ was one of the major events wherein men would demonstrate traditional dance while the *bericho*⁷⁰ played music for them.⁷¹ Usually this age-old tradition was held under the supervision of the king.

The festivities also included games like polo, tug-of-war and archery, where the skills of strong young men were appreciated by the public and state officials:

Especially during the long nights of winters, wise, competent old men would train young men in terms of training for war, how to use the hunze (arrow) and khee (shield). As there was no information technology or educational institution at that time, therefore, the only way of getting information was this long-established oral tradition (Fidali Esar⁷², 2013).

67 Guspur is a prince.

68 Étienne Tiffou. *Hunza proverbs*. 199, 166.

69 Communal musical concert and dance party.

70 Musicians in Hunza, belong to a lower caste termed *Berich* and live in special place called the *Berishal*.

71 Tahir Ali. *The Burusho of Hunza: Social Structure and Household Viability in a Mountain Desert Kingdom*. (Thesis (Ph.D.) University of Rochester. Department of Anthropology, 1983), 13.

72 Scholar and writer of Gilgit-Baltistan.

The above interview signifies the value of the old wise men of times of yore. They would continuously provide informal training to successive generations. In this way, elders counselled and mentored the young ones through this oral tradition. Therefore, most people would pass the long winter nights in the company of wise people and benefit from their wisdom. In the past, Hunza was a small state which needed to be protected from other surrounding hostile states as it had no regular army in case of any external attack. Hence the population needed to know the techniques and skills of warfare in order to defend themselves.

The elders were respected in the valley and their decisions in the family were followed indicating that Burusho society was characterised by gerontocracy. The elders were considered prudent and *gunaycho*.⁷³ Before the establishment of educational institutions, those who told tales had a great significance in society because of the knowledge and wisdom derived from the oral tradition.

Socio-political System:

Dispute resolution:

This folktale sheds light on the socio-political conditions of Hunza in past when the absolute power was possessed by the *tham*. In Hunza, disputes related to clans, individual families, land, water and trees were solved in the court of the *tham*, who in consultation with the Trangfa and Charbu made decisions. This traditional judicial system comprised of unwritten laws practiced by the Burusho for centuries in Hunza. During the hearings, representatives of the tribes, elders and interested parties would have been present to witness the hearing, which indicates a communal judicial system. However, the *tham* would sit in judgment and the final decision would always be theirs. In 1934, Emily⁷⁴ observed that neither police nor prisons existed in Hunza as the Burusho rarely witnessed any major crime. However, on a rare occasion, if somebody was found guilty of any serious crime, he would be banished to the distant Shimshal Valley, where life was very hard.⁷⁵ The localities adjacent to Hunza also had similar customary laws for justice. “(In Hunza) serious crimes, such as murder, are rare. In Wakhan murder is punished by a fine of six horses, six guns, and thirty woollen robes; should the murderer be unable to pay the fine, he is forced to give up a son or daughter as a slave to the family of the murdered person.”⁷⁶ This similarity of customary laws

73 well-informed (Burushaski).

74 Emily Overend Lorimer- British Linguist

75 Emily Lorimer. *Language Hunting in the Karakoram* (London: G. Allen & Unwin, 1939), 121.

76 John Biddulph. *Tribes of the Hindoo Koosh*. 98.

between two different ethnolinguistic groups (the Wakhi and Burusho) could be because of the unrestricted shared border of Wakhan with Misgar and Chupurson.

Before the reign of Mir Jamal Khan⁷⁷ movement in and out of Hunza was almost impossible as the people were not allowed leave the valley without the permission of the ruler.⁷⁸

As people of Hunza were not allowed to go out of the valley by the ruler therefore they would believe that Hunza was the biggest place on earth. They believed that there may be places outside but much smaller than Hunza. They did not know about big empires, civilisations and events that were happenings outside the small valley (Fidaali Esar, 2013).

The above interview shows that the *tham* of Hunza imposed geographic restrictions on the Burusho and therefore they were not aware of anywhere else. The subjects were obliged to stay within the confines of the valley under the rule of the rulers⁷⁹ with meagre and at times insufficient sources of income.

Poverty:

Poverty is another subtheme of this story under the socio-political conditions of Hunza. Burusho society in Hunza was generally poverty-ridden. Some of the narrative forms of metafolklore⁸⁰ include opening and closing formulae and repetitions.⁸¹ In Burushaski folklore, some open with the likes of, ‘there was a poor man and a poor woman’ as in the story of *Turanas*. Hence, poverty seems be a common condition of the Burusho, which is evident from the oral literature such as this folktale.

Defiance against the upper class:

An element of wonder is also evident in this story when an ultra-poor subject asks for the hand of the princess. Drama unfolds as this apparent impossibility is challenged when the father becomes convinced of his son’s extraordinary qualities and dares to initiate a dialogue with the ruler in order to arrange the marriage. It could be deduced that sometimes an ordinary person can prove to be powerful thanks to some unexpected

77 (r.1945 – 1976)

78 John Clark. *Hunza, lost kingdom of the Himalayas*. [New York: Funk & Wagnalls Company, 1956], 192.

79 *ibid*

80 Stories or sayings about folklore.

81 A.K, Ramanujan. *Who needs folklore*. 2013. 6.

abilities and can turn impossible tasks into realities. The sons and daughters of the ruling family are among the most revered class in society, thus it is astonishing that a mere cockroach was able to forge a matrimonial relationship with a princess. This also shows that folktales are a site of resistance to unjust governance structures and discriminatory systems of governance. The unrealistic rebellion and success of the dauntless cockroach in this story shows that through the storytelling, the Burusho demonstrated their resistance against an unjust monarchy: it shows that magical power can overcome despotic and unjust rule.

Economic indicators:

This story also outlines the economic indicators under the theme of socio-political norms of the Burusho society. The king demands that the cockroach brings a herd of *bakhta*⁸² as a condition for permitting the cockroach to marry his daughter. This shows that livestock was an indicator of wealth in Hunza. Even the king had his own pastures and meadows full of herds of all kinds of livestock. In this story, the king expects that anyone who marries his daughter should have a strong economic background. It shows that in Hunza, the wealth and income source of an individual was measured by the number of cattle he owned, which was also a symbol of economic stability.

In the story, the cockroach has an economic stature that is equal to or even higher than that of the king and he was able to meet the demands of the king by producing such a large number of *bakhta*. It is unexpected that a commoner like the cockroach would be able to accomplish such a huge task. This indicates that there was a socio-economic and political hierarchy based on wealth (among other factors) that is in part determined by livestock ownership.

Many motifs can be identified from this story including B498 - helpful mythical animal⁸³, B524.2 - animals overcome man's adversary by strategy,⁸⁴ B572.1 - animals build palace (house) for man,⁸⁵ B581 - animal brings wealth to man,⁸⁶ B600 - marriage of person to animal, which is extremely common in folktales all around the world,⁸⁷ B620.1 - daughter promised to animal suitor,⁸⁸ C757.1 - destroying animal skin of

82 Lamb or fat-tailed sheep.

83 Ibid, 384.

84 Ibid, 388.

85 Ibid, 398.

86 Ibid, 400.

87 Ibid, 402.

88 Ibid, 405.

enchanted person too soon,⁸⁹ D100–D199 - transformation: man to animal,⁹⁰ D300–D399 - transformation: animal to person,⁹¹ B643 - marriage to person in insect form.⁹² These shared motifs about animals treated like human beings show the importance given to animals in Burusho society. In the past, animal husbandry has been a major occupation of the Burusho in Hunza.

Gender roles:

Another subtheme of this story under societal norms is gender roles. An important insight into the socio-cultural dynamics of Burusho society is the support that Turanas extends to his mother. This shows how the child was concerned for his mother's needs when she was in bed and in need of post-maternity care.

Comparison with other folktales:

Folklore is given broader significance by finding structural links in the form of motifs and themes, instead of confining folklore to a particular location.⁹³ The famous novella *Die Verwandlung (Metamorphosis)* by Franz Kafka (1883-1924) can be compared with *Turanas*. *Metamorphosis* is the story of a travelling salesman, Gregor wakes up one day to find that he has transformed into a cockroach. Gregor as a cockroach wants to help his parents to be happy but cannot because of his condition. *Turanas* was able to help his parents become happy and rich but Gregor could not.

Turanas can also be compared to the famous oral epic of *Kiser*.⁹⁴ Slightly different versions of *Kiser* exist in many regions including Tibet, China, Mongolia, Ladakh, Nepal, Bhutan, Baltistan and Hunza. All these regions are located in interconnected mountainous ranges. In terms of religious beliefs, Buddhism was historically the common religion in all these regions and remains so today except for Gilgit-Baltistan where it has been replaced by Islam. *Kiser* is considered to be a historical figure in these regions. Lorimer analysed the Burushaski version of *Kiser* and found common motifs by comparing it with Tibetan and Mongolian versions⁹⁵. In the Burushaski version, *Kiser* takes many forms one of which is that of Pangchu (ugly, weak but who gains power

89 Ibid, 476.

90 Ibid, 496.

91 Ibid, 497.

92 Ibid, 408.

93 A. K. Ramanujan. *Who needs folklore*, 2013. 6.

94 Also called Gesar.

95 Samuel Geoffrey. "The Gesar Epic of East Tibet". *Tibetan Literature Studies in Genre*. (New York/ Snow Lion 1996). accessed on Dec 10, 2014, <http://www.thlib.org/encyclopedias/literary/genres/genres-book.php#book=/studies-in-genres/ta/>

and status in the end) who is similar to Turanas (a black and ugly cockroach that turns into a prince). Pangchu and Turanas both possess magical qualities. Both stories share underlying cultural substrata including monarchy, belief in deities and supernatural elements, and the practice of shamanism in these regions. Respondents in my study pointed out that Kiser and Turanas share similarities and that these stories originated from the same place or that they are two versions of the same story, which then spread to many regions including Hunza.

Shorti ke Borti

The second tale to be analysed is that of *Shorti ke Borti*. This story has been traditionally told to children at bed time in Hunza. It is the story of two sisters, Shorti and Borti who were married to two brothers from the same household. They were assigned the task of tending the fields. One day while collecting vegetables, they unearthed a *phut*'s⁹⁶ underground house where they found riches and eatables but they did not share this information with their family. One day both sisters sneaked into the *phut*'s house to steal some food but then could not escape because the *phut* was there in the house preparing cauldrons of food for his wedding. Shorti flatulated so violently that the *phut* fell into the cauldron and died before both sisters took all its possessions.

The story sheds light on societal norms and political conditions that illustrate customary laws and governance in Burusho society. Subthemes of this tale concern those of agrarian society, family structure, gender roles, economic conditions, belief in supernatural elements, and transformation and struggle in Hunza.

Socio-Political System:

Agrarian society:

This story refers to Burusho society as agrarian. The story begins with the mention of farming when Shorti and Borti go to fetch vegetables from the field, again alluding to the agrarian aspect of the society. Most of the people of Hunza were farmers by profession. Borti finds a large turnip, which is one of the most popular vegetables in Hunza, which is often cooked with meat or other vegetables. This fairy-tale illustrates the farming system of Hunza. It also indicates the value of essential food items such as apricots, apples and nuts in the past, which are still valued as staple foods in Hunza today.

96 In Burushaski, a supernatural creature.

In this fairy-tale, Shorti and Borti find and steal food from the *phut*'s underground home. Searching and acquiring food items like butter, dried apricots, walnut kernels and meat shows the longing for and importance of certain food items, which were not readily available. It also indicates the essential food items of the past, which are still valued as staple foods in Hunza today. In the past, dry fruits and vegetables were more readily available than meat. People would store food items during 'starvation springtime' to survive harsh winters.⁹⁷ Dried apricots, butter, walnuts, and dried meat were the foodstuffs that would last over the winter and sustain people until the crops were ripe. In the story, the two girls could not hide the food from the family because the joint family system required the appropriate level of sharing of income and resources.

Family structure:

Zhorti and Borti lived in a joint family system and their quest for food shows a possible generational difference of that particular era. The character of the mother-in-law in the family could be symbolically compared with the *tham* of the valley: both are authoritative and oppressive. The decision of Shorti and Borti not to speak of their discovery refers to a change in social norms which lead to a socio-political change. The story seems to be a caricature of that new generation, who seek their own rights. Also, at the end, the decision of the sisters to stay in the *phut*'s house against the will of the mother-in-law is an indication of a socio-political change in that particular era. Therefore, social conditions including family customs, and the norms and rules of the Burusho can also be inferred from this story.

Gender roles:

According to most respondents, women had a strong role in family matters. They were also the custodians of food and made sure that it lasted all the way through the year.

It was the lady's responsibility to check the food and to keep grain available all year along in a xhagur.⁹⁸ She would pray for prosperity and blessings before taking something out from the xhagur in order to keep it available throughout the year. My mother would pray while giving us food (Zulfiqar, 2013).

Therefore, social conditions including the family systems of the Burusho can also be traced from this story. The story mentions food items such as *sharbat*⁹⁹ prepared for wedding ceremonies in Hunza, which was considered a big feast in the past.

97 Emily Lorimer. *Language Hunting in the Karakoram*. 242.

98 A large flour-container

99 A local traditional food made of wheat, butter, water and salt.

Social and economic conditions:

There are some idiomatic phrases in Burushaski which mirror the social and economic conditions of the Burusho in Hunza. Some of the idiomatic phrases are present in folktales. For instance, the idiomatic expression *phut-e doolat te/paatshey te het umanas* meaning ‘they have come across the treasures of the *phut*’ is used when a poor person stumbles upon some spontaneous and unexpected large source of wealth. It also shows that the people of Hunza believe that the *phut* has enormous wealth and therefore rich people are compared with it accordingly. Another proverb *phute haale Sorti ke Borti ghiltirum juwan* meaning ‘it is like Sorti and Borti who had a good time in the *phut*’s house¹⁰⁰ refers to a situation when two cheerful ladies live in the same house.

Belief in Supernatural elements:

The *phut* in the story indicates a belief in supernatural and magical elements in Burusho society. *Phut* is a very common mythical being in Burusho culture. According to Tiffou, ‘the *phuts* are supernatural creatures resembling the Djinns of Islamic mythology’.¹⁰¹ These mythical creatures can also be compared to gnomes.¹⁰² It is a relatively benign type of supernatural being which, according to folklore and people’s beliefs, lives near human settlements, often in large boulders, a rock, a mountain or under the earth in family groups. The *phut*’s house was under a turnip and the presence of a supernatural element like a *phut* in the story reflects the belief of the people of Hunza in them. Oral folklore also records various encounters of *phuts* with humans.

Phuts have never been said to have done any serious harm to human beings; rather, they give them respect. Also, a *phut* gives people symbolic wealth (*phutey dolat*,¹⁰³ *phutey hanjil*,¹⁰⁴ *phutey bishkey*¹⁰⁵). These words have been widely used in folktales and everyday-language. For example, when children cried, elders used to frighten them into being quiet by calling upon the presence of a *phut*: *waphut diya naa*,¹⁰⁶ *phutar yuucham*,¹⁰⁷ *phutey guxhuchi*.¹⁰⁸

100 Ibid, 124.

101 Étienne, Tiffou. 1993. *Hunza proverbs*. 124

102 In Scandinavian folklore, a small humanoid creature which lives underground and guards treasure.

103 Wealth of a *phut*.

104 Coal of a *phut*.

105 Bodily hair of *phut*.

106 Beware, the *phut* will come.

107 Will hand you over to the *phut*.

108 The *phut* will take you with it.

According to the informants, the word *phut* is used in various forms in the Burushaski language: *phutey maltash*¹⁰⁹ (a kind of wild mushroom); *phutey shuting*¹¹⁰ (a thorny plant which spreads on the land); *phutey oq*¹¹¹ (uncountable wealth); *phutey haalar giyayas*¹¹² (to encounter unusual good luck); *phutey mull*¹¹³ (it is said that in old times, the *phut* would make and give *mull* to married women who would help the *phuti*¹¹⁴ in giving birth); *phutar gharusum gus*¹¹⁵ (a derogatory remark for women expressing her lack of social commitment and lack of trustworthiness); *phut dixas, phuta phut manaas*¹¹⁶ (to become crazy with anger); *phuta phut umanas* (to become obscene, e.g. by drinking too much); *phutuu juan huruttas*¹¹⁷ (to live in darkness); *phuti, phutey fataayi* (a way of addressing a female young girl); *phut ditalas*¹¹⁸ (to become upset, angry), and *phutey barxi qisaas*¹¹⁹ (a noisy thunderstorm).

According to one of my interviewees, who has been part of the Burushaski Research Academy,¹²⁰ “the word *phut* itself seems to have stemmed from Hindi, ‘*bhoot*’.¹²¹ This indicates that Sanskrit and Burushaski might have stemmed from a same root-word. The *phut* only appears when the corn is being stored in the bins for the winter, and he then begins stealing. To avoid this, some flour is put with water in a large pot and well stirred. Some bitter apricot kernels are ground up with salt and pepper and placed in the middle of the mixture, the whole of which is known as *phut-o-mull*; this is placed on the edge of the threshing flour. The *phut* comes and eats it and the corn is hastily gathered up and carried away whilst the pot is attracting the attention of the visitor. If this be not done the fairy takes away the grain from one side of the heap whilst the farmer is carrying it away on the other. This belief is current throughout the Agency.”¹²²

109 Butter of the *phut*

110 Surroundings of fire place in a traditional *Ha* (main room).

111 Vomit of *phut*

112 To get into *phut*'s house

113 *Mull*: A traditional dish; mixture of flour, butter, salt and water.

114 The *phut*'s wife.

115 Woman who accepts *phut*'s offer.

116 To bring *phut*.

117 To live like *phut*.

118 The waking up of the *phut*.

119 Flame of the lightning of the *phut*.

120 A local organisation which aims at the promotion, research and preservation of the Burushaski language.

121 In Indian mythology, a demon or spirit.

122 Reginald Schomberg. *Between the Oxus and the Indus*. 1935, 208.

This indicates the strong belief of the people in supernatural elements in this region in the past.

Phut is greatly used in folktales and idioms because in the past, Hunza was not a thinly populated area and in the absence of electricity or a lack of any other lighting source, the inhabitants had to live in darkness during the night. In such wilderness, they had to travel far away to bring water to irrigate their lands. In times of loneliness, they used to imagine the shadows as supernatural elements similar to *phut*. Also, physically powerful men were idealised in past and *phut* was also considered as strong with extraordinary magical powers.

It is argued that folktales are a means of reconstructing the past as they not only tell us about history but also about the social set-up, people's perceptions, views, ideals and their philosophies of life. Folktales cannot be merely treated as incredible supernatural stories; rather, they transmit allegorical and metaphorical messages which provide realistic clues to the life and representation of the society where these stories originated. In this tale, the presence of the *phut* shows the belief of the Burusho in supernatural elements.

The relationship between humans and supernatural beings has always been complex. They both are believed to fear each other. In the past, pastures which were far away were irrigated at night, because of the lack of availability of water. To frighten *phut*, farmers would strike their shovel on a hard surface noisily. Shorti and Borti were frightened by the existence of the *phut* because of its supernatural powers but hunger forced them to go back again into its home to seek out some food. The fate of the *phut*, dying in the cauldron, shows that supernatural beings are not always triumphant over human beings, rather they are interdependent.

This story is also humorous which is blended with a mythological touch. It has another version in which a fox offers help to the *phut*. Here, a fox speaks to the *phut* and demands *mull* with butter in reward for solving its problem through some magical skill. The fox's demand for butter in exchange for solving the problem can indicate that butter was a valued food product at that time. The fox is known for its cleverness and trickiness in many African, American, European and Asian cultures. There is an entire series of tale-types of 'the clever fox' under 'animal tales'. The tale types¹²³ are AT211,

123 The Aarne-Thompson classification system, which indexes certain folktales by their structure and assigns them AT numbers.

AT 1, AT 9C, AT 31, AT 37, AT 47A, AT 50, AT 56, AT 60, AT 61, AT 62, AT65, AT 275.¹²⁴

In this story, the fox's offer of help was not a selfless gesture but one made out of greed for butter. Here again, an insight into ancient human life is given when supernatural beings are intertwined with human beings and animals. It shows how the *phut* and the fox behave like human beings. The motifs which are traced in this tale are B210-speaking animals and B211-animal using human speech. These tale-types are common in folktales of Ireland, France, Canada, India and China.¹²⁵ In the Quran, the tale of Sulayman and Bilqis is mentioned where the hudhud¹²⁶ bird has the power of speech. The *phut* has a house, wealth, food and eats and lives like a human being but because of its supernatural powers, it has a big advantage over humans.

Girixcir

The third Burushaski folktale to be analysed here for crucial insights into the economic and social circumstances of the people of Hunza in past is *Girixcir*, which translates as ibex. It is the moving tale of a mother ibex, who comforts her young kid as a hunter is about to hunt her down. The dialogue between the mother and her kid is heart-rending as she tells it that the hunter is a shepherd with merely a stick in his hands. When the bullet hits the ibex and the blood appears, she tells her kid that it is just cosmetic but in the end the ibex dies leaving the kid behind.

Identified themes in the story which show customary laws and governance in Burusho society are societal norms, political conditions and historical aspects. Subthemes are wildlife, hunting and the laws concerning them in Hunza.

Socio-economic system:

Wildlife and hunting

This story gives an insight into the relationship of men with animals, especially the ibex, which is hunted for food. The Karakoram Range is home to several wild animals that are still hunted as food sources by local communities today. The ibex, Marco Polo sheep, and blue sheep are the main game animals. Nowadays, only a few have survived due to the increase in hunting activities during the construction of the Karakoram

124 AT Types of Folktales. accessed on 8 Jan, 2015 from <http://oaks.nvg.org/folktale-types.html>.

125 Thompson, *Motif-index of folk-literature*. 1955, 340.

126 hoopoe

Highway (KKH). As a consequence hunting has been restricted in most parts of Hunza. The same story is also found among both the Xhik and Kho communities.¹²⁷

This species¹²⁸ of wild goat¹²⁹ is usually found in high altitude mountainous region surrounding the Hunza Valley. Due to excessive hunting in the past, the ibex had become an endangered species in the Karakoram Range before crucial steps were taken to preserve it a few decades ago. It cannot be domesticated and always dwells on mountain patches and slopes. In the past, their meat was consumed as food and their skin used for making winter footwear. Men in Hunza have always hunted the ibex. John Mock recorded a Wakhi version of *Shikor Bayd* from which he extrapolates a process that integrates indigenous concepts to the ethics of modern preservation in order to form the basis for the management of protected areas.¹³⁰

Mythology and folklore are a vital link to our past as well as to our religion, our language and our traditions. In dealing with folktales and fairy-tales with a historic approach, it is argued that these genres can only be understood by exhibiting keen insight and good judgment on the historical context. Tales have an ethnographic importance, which provide significant evidence to the diminishing aspects of tribal history.¹³¹ In these tales, mentioning the fear of beasts, shows that “the threat of animals was a real and frightening one in the seventeenth and eighteenth centuries”.¹³² The Hunza Valley is a rural region and consists of several villages surrounded by huge mountains with meagre cultivable lands. Hence hunting has always been both a source of food and leisure displaying many aspects of the life cherished in a rural context, i.e. prowess, courage and adventure.

This is a sad story of a baby ibex and its mother, who is wounded and on the verge of death. The hunter comes and circumambulates the ibex for three days with a gun in his hands because he wants to kill it. The dialogue between the mother ibex and her offspring is full of emotions and is most touching. The kid, deducing the imminent death of its mother becomes scared of the consequences of being an orphan and asks

127 Wakhi and Chitrali in Gojal and Chitral.

128 Scientific name: *Capra ibex siberica*.

129 Girixcir in Burushaski.

130 John Mock, “The Discursive Construction of Reality in the Wakhi Community of Northern Pakistan”, (Doctoral dissertation, Department of South and Southeast Asian Studies, Berkeley, University of California at Berkeley, 1998).

131 Richard Dorson. *Current folklore theories*. (Chicago, IL: University of Chicago Press, 1963), 101.

132 Marina Warner, “Go! Be a Beast: Beauty and the Beast”, in *Folk and Fairy Tales*. ed. Martin Hallett and Barbara Karasek (Peterborough, ON: Broadview, 2002), 416.

its mother why the hunter is coming towards them. The ibex, in order to pacify her kid says that he is a shepherd, not a hunter, and that he is holding a rope in his hand, not a gun. The kid again asks why she has a blood spot on her face. It was the scar from a previous shot by the same hunter. Again the ibex pretends that there is no danger from the hunter and it says that the blood spot is a pregnancy-mark. There is a Burushaski proverb related to face powder, *Giri-chiire tur maltarabaa senum juwan*: like the ibex who told her kid: “I have put some horn powder on my face.”¹³³ In the past women in Hunza would make a powder from ibex horns and after giving birth would put it on their face to get rid of scars, acne and wrinkles.

The story of the ibex and the hunter, due to its tragic theme, is usually narrated in a sombre and gloomy manner that can make the listener cry. It is a tragedy in the form of a ballad. This folktale can be categorised as a fable. “Fables do not always end happily... They move readers and listeners to contemplate how they might act if they were in a similar situation.”¹³⁴ In the story the kid cries “If you die, other ibex will kill me.” The mother ibex replies: “no, they are your uncles, they will take care of you.” But in the end, the ibex is killed by the hunter, leaving the kid sobbing and wailing. One of my informants recalled:

“I remember in the past when this story was broadcast over the radio, women would cry as they listened. Maybe they were thinking about their own children (*Sherbaz Bercha*,¹³⁵ 2013).

From the story, it is revealed how this cruel activity of hunting wildlife is a source of agony and tragedy for the young offspring of the ibex. Before killing the ibex, the hunter waits and thinks for a while. This shows his human side. However, his need overcomes his human sentiments. Later in the story, the ibex kid is adopted by a female goat from the same herd which shows a replication of human social relations and the transfer of emotional relationships to the animal kingdom, as if even animals need love and care just like human beings. This story mentions a gun, which is a modern notion. We speculate that in older versions of the tale the hunter used a bow and arrow.

133 Tiffou. *Hunza proverbs*. 1993,117.

134 Jack Zipes. *The Irresistible Fairy Tale the Cultural and Social History of a Genre* (Princeton: Princeton, University Press, 2012), 13. accessed on Dec 17, 2014, <http://press.princeton.edu/chapters/s9676.pdf>.

135 A writer and senior librarian at Biddulph House in Gilgit.

If this folktale is seen through the lens of symbolism, the hunter can be seen as impersonating the ruler of the time. The hunter is a tyrant and the mother-ibex a common person, who is trying to save her child and sacrifices herself for his freedom. It is classified as a tragedy which shows injustice in Hunza. In Hunza, hunting wildlife was strongly embedded in the local culture. Excessive game hunting by hunters drove some wildlife to become endangered.

Relevance in Present Times

Social, cultural, political aspects of the Burusho in Hunza have gone through immense changes. An important change is that of the political system – democracy has replaced the monarchic system. In most stories we see a prince, princess or a king. Previously, in the Hunza Valley, peoples' lives were governed by the king. As such, all cultural activities were structured and decided by the king. Stories were told to the king by storytellers and these percolated down to all lower levels of the social strata. The establishment of democratic governance has been seen as adversely affecting the older patterns of patronage which are expressed in terms of affective relationships by the following respondent:

Those were the times, when people had warmth for each other. They lived like one family but now they have dispersed and gone out of Hunza. Now, values have changed, youngsters do not respect elders. How would they know their heritage, when they do not interact? (Amina, 2013)

The above interview shows how the elderly people of Hunza believe that life in the past was better than in present times. Reminiscence of those times when the whole community of Hunza lived under the supervision of a ruler and everyone lived in brotherhood and shared the same values is recurrent among the elderly in Hunza today. Now this situation has changed completely but perhaps this is nothing but a nostalgic feeling about “the good old days”.

Under the governance of the older rulers, many restrictions were imposed on the Burusho people. As mentioned before, they were confined to their original place. The earlier people of Hunza never imagined living outside Hunza but now they have spread out to other parts of Pakistan and beyond. Migration has created diasporic groups of Hunza people. Since the construction and opening of the Karakoram Highway in 1966, it became easier to travel to Gilgit and farther to get an education and search for work. Now, people have different interests and have not only adopted new ways of living but

have also started to interact with other cultures and languages, and are embracing new lifestyles.

Conclusion

This research paper by closely examining three Burushaski folktales sheds light on some aspects of governance and customary laws in Hunza. The initial research proposition that folktales can tell us about law and governance in Hunza is verified by the in-depth analysis provided. I have also investigated the three stories for their multiple meanings trying to understand if they convey implicit messages. The analysis is carried out by tracing out meanings of phatic phrases, symbolism in individual words, and motifs. The related popular themes and implied messages under the umbrella of laws and governance are power structures, a possible change in societal norms, taking a stance for rights and the courage to stand-up, conventional norms of society, assigned gender roles and the dealings of the Burusho with wild animals in Hunza.

The first folktale to be analysed is *Turanas*. This narrative revolves around the themes of class structures, and hierarchies in Burusho society. This involves the relationship between those who wield power and their subjects in Hunza. In the past, the rulers and their families were highly respected for their imaginary connection with the supernatural. As we have seen, this folktale appears to be also a site of resistance to unjust governance structures, inasmuch as an ordinary cockroach could dare to ask for the hand of a princess and get what he desires. Therefore, the traditional systems of justice and possible transformation of these rules are observed in this story. This tale also reveals the belief systems of the natives of Hunza, showing that they believed in supernatural beings as seen in the character of Turanas, who could change the conventional set standards in that a poor subject could not endeavour to do great things. Turanas proved them wrong by fulfilling all the seemingly difficult tasks given by the *thum*. Another emerging theme is poverty, shown when the father of Turanas goes out to search for firewood

The second story chosen for the purpose of analysis is *Shorti ke Borti*. It unveils the social structures including family systems, the belief in the supernatural and agriculture as the main economic means of that region. Working in the fields and looking for vegetables reveals the agrarian nature of the community in Hunza. It sheds light on the roles allocated to women, when Shorti and Borti had to go to the fields to tend their family's land and cultivate vegetables. This tale also has elements of poverty, seen when Shorti and Borti find food and other treasures in the *phut*'s underground home and

keep these a secret. This refers to a possible revolt against the societal norms and changes when both ladies hide their discovery from their family.

The third folktale uncovers themes of traditional law and governance concerns, wildlife and hunting in the mountainous region of Hunza. It discloses the association of men with animals, the laws thereof and the treatment of wildlife in Hunza. The mountainous wild animals like ibex have been traditionally hunted by the people of Hunza, as portrayed in this tragic tale. It shows that hunting animals has been an integral part of Burusho culture, like many other mountain societies. The need for nutritional products like meat was fulfilled in this manner.

The paper concludes with some views that the system of governance and customary laws has been an important part of the society of Hunza as depicted in these three Burushaski narratives. Though these laws and the system of authority have changed, some elements are observed in local folklore. In a similar manner, societal norms, social behaviour and gender roles have changed immensely. In present times, the people of Hunza do not live in a princely state, under the rule of a monarch but under the rule of the Government of Pakistan.

Bibliography

Ali, Tahir. “*The Burusho of Hunza: Social Structure and Household Viability in a Mountain Desert Kingdom.*” Ph.D Thesis, University of Rochester. Department of Anthropology, 1983.

Biddulph, John. *Tribes of the Hindoo Koosh*. Calcutta: Office of the superintendent of government printing, 1880. <http://pahar.in/mountains/1880-tribes-of-the-hindoo-koosh-by-biddulph-s-pdf/>.

Berger, Hermann. “A Survey of Burushaski Studies”, *Journal of Central Asia*, vol. VIII, no. 1 (July 1985): 33–37.

Berger, Hermann. *Die Burushaski-Sprache von Hunza and Nager. Teil I: Grammatik. Teil II: Text emit Übersetzungen. Teil III: Worterbuch*. Wiesbaden: Harrassowitz (Neuindische Studien, 1998), 13).

Čašule, Ilija. *Burushaski as an Indo-European “Kentum” Language: Reflexes of the Indo-European Gutturals in Burushaski*. Munich: Lincom Europa, 2010.

Chan, Tak-hung. "Text and Talk: Classical Literary Tales in Traditional China and the Context of Casual Oral Storytelling". *Asian Folklore Studies* 56, no. 1 (1997): 33-63.

Clark John. *Hunza, lost kingdom of the Himalayas*. [New York: Funk & Wagnalls Company, 1956] 209.

Claus, Peter and Mills, Margaret. "Kesar", in *South Asian Folklore: An Encyclopedia*. London: Routledge, 2003.

Fischer, J. "The Sociopsychological Analysis of folktales". *Current Anthropology* 4, no.3 (1963): 235-295.

Geoffrey, Samuel. "The Gesar Epic of East Tibet". *Tibetan Literature Studies in Genre*. (1996). accessed on Dec 10, 2014, <http://www.thlib.org/encyclopedias/literary/genres/genres-book.php#!book=/studies-in-genres/lta/>.

Headland, Thomas. Pike, Kenneth and Harris, Marvin, eds. *Emics and Etics: The Insider/ Outsider Debate*. Newbury Park, CA: Sage Publications, 1990.

Hunzai, Abdullah. *Hunzah kī lok kahāniyān: sarzamīn-i Hunzah kī ‘‘a o gharīb magar haqīqī kahāniyān* . Lahore: Sang-i Meel Publications, 1998.

Hunzai, Fida. *Riasat Hunza: Tarikh o Saqafat ke ainay may*. Gilgit: Hany Sara Publishing Network, 2002.

Knight, Edward. *Where Three Empires Meet; A Narrative of Recent Travel in Kashmir, Western Tibet, Gilgit, and the Adjoining Countries*. London: Longmans, Green, and Co. 1893. accessed on Oct 8, 2014. <https://ia601700.us.archive.org/9/items/wherethreeempir00knig/wherethreeempir00knig.pdf>.

Lorimer, David. *Folk Tales of Hunza*. Islamabad: Institute of Folk Heritage, 1981.

International Institute for Environment and Development. *Protecting Community Rights over Traditional Knowledge: implications of customary laws and practices*. Alejandro Argumedo and Asociación ANDES. IIED, Peru, 2005. accessed on June 30, 2014, <http://pubs.iied.org/pdfs/G01090.pdf>.

Lorimer, Emily. *Language Hunting in the Karakoram*. London: G. Allen & Unwin, 1939.

Lorimer, David. "An Oral Version of the Kesar Saga from Hunza". *Folklore* 42, no. 2 (1931): 105-140.

Mock, John. "Shimshal Nature Trust (SNT)", *John Mock & Kimberley O'Neil*, accessed on Jan 5, 2015, <http://www.mockandoneil.com/shimsnt.htm>.

Mock, John. "Shri Badat The Cannibal King: A Buddhist Jataka from Gilgit", in Irmtraud Stellrecht (ed.) in press. *Karakorum-Hindukush-Himalaya: Dynamics of Change*, Proceedings of the International Symposium on Karakoram-Hindukush-Himalaya, Islamabad, Pakistan, October 1995. Cologne: Rüdiger Köppe Verlag, 1995.

Mock, John. "The Discursive Construction of Reality in the Wakhi Community of Northern Pakistan", (Doctoral dissertation, Department of South and Southeast Asian Studies, Berkeley, University of California at Berkeley, 1998).

IDRC, The Christensen Fund, The Netherlands Ministry for Development Cooperation (DGIS), The Rockefeller Foundation, SwedBio and Sida. *Interim technical report: Protecting Community Rights over Traditional Knowledge and genetic resources; implications of customary laws and practices*. Interim Report (2005-2006), 2006, accessed on Dec 24, 2014, <http://pubs.iied.org/pdfs/G01253.pdf>.

Ramanujan, A. K. *Who Needs Folklore?: The Relevance of Oral Traditions to South Asian Studies*. Honolulu, Hawaii: Center for South Asian Studies, School of Hawaiian, Asian, and Pacific Studies, University of Hawaii at Manoa, 1990.

Richard Dorson. *Current Folklore Theories*. Chicago, IL: University of Chicago Press, 1963. 1.

Schomberg, Reginald. *Between the Oxus and the Indus*. London: M. Hopkinson, Ltd. 1935.

Thompson, Stith. *Motif-Index of Folk-Literature; A Classification of Narrative Elements in Folktales, Ballads, Myths, Fables, Mediaeval Romances, Exempla, Fabliaux, Jest-books, and Local Legends*. Bloomington: Indiana University Press, 1955.

Tiffou, Étienne. *Hunza Proverbs*. Calgary, Alberta: University of Calgary Press. 1993.

Uther H.-J. *The types of international folktales. A classification and bibliography, based on the system of Antti Aarne and Stith Thompson. Parts I-III*. Helsinki: Folklore Fellows Communications, 2004.

Warner, M. "Go! Be a Beast: Beauty and the Beast", in *Folk and Fairy Tales*. edited by Martin Hallett and Barbara Karasek, 415-426. Peterborough, ON: Broadview, 2002.

Walji, Aleem. "Landscape Management and the Challenge of Sustainable Tourism in Northern Pakistan: The Case of Karimabad." Thesis (M.C.P.), Massachusetts Institute of Technology, Department of Urban Studies and Planning, 1996.

WIPO and UNU, *The Role of Customary Law in Access and Benefit-Sharing and Traditional Knowledge Governance: Perspectives from Andean and Pacific Island Countries*(2008), 22. accessed on Oct,242014,http://www.wipo.int/export/sites/www/tk/en/resources/pdf/customary_law_abs_tk.pdf.

Zipes, Jack. *The Irresistible Fairy Tale the Cultural and Social History of a Genre*. (Princeton: Princeton University Press, 2012), 4, accessed Dec 12, 2014, <http://press.princeton.edu/chapters/s9676.pdf>.

Civil Society and Governance in Gojal (Gilgit-Baltistan)

Fazal Amin Beg¹ and Zoran Lapov²

Abstract

Focusing on both soft and hard development, Aga Khan Rural Support Programme (AKRSP) reached Gilgit-Baltistan and neighbouring Chitral (northern Pakistan) in 1982. In a short span of time, more than 4,500 community associations, namely village and women's organisations (VWOs), were formed throughout the Region, introducing the local population to democratic governance grounded in civil society-based system. The phenomenon brought about producing significant public and agricultural infrastructures in less than 15 years. As a result, AKRSP turned into a laboratory and model of rural development for many South Asian realities. Underpinned by a qualitative case study and relevant literature review, the present research addresses the process of civil society construction in Gojal (sub-district of Hunza, Gilgit-Baltistan), including the role and engagement of AKRSP: introduced by depicting the scheme of traditional social institutions in front of novel patterns of social organisation, the paper delves into the emergence of – formal and informal – civil society organisations (CSOs) in the form of local support organisations (LSOs) as federations of VWOs and related networks, whose establishment in Gilgit-Baltistan (as well as in Chitral) is a recent phenomenon dating back to the mid-2000s.

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Introduction: Concepts and Contexts

The discourse on civil society is not a new issue for the contemporary social scientists and development practitioners: as a core of social theory, it has been debated in different ways and stages of human history by leading social thinkers “from Aristotle, Hobbes and Locke through to Rousseau, Tocqueville and Gellner” (Pollard, Court 2005: v, 5, 25). Therefrom, the topic of civil society has been attached a row of definitions.

While discussing public participation and civil society, Desmond Connor describes the latter as being “composed of autonomous associations which develop a dense, diverse and pluralistic network. As it develops, civil society will consist of a range of local groups, specialised organisations and linkages between them to amplify the corrective voices of civil society as a partner in governance and the market” (Connor 1999: 2). Likewise, Andrew Clayton and co-authors write that: “Civil society constitutes a vast array of associations, including trade unions, professional associations, religious groups, cultural and sports groups and traditional associations, many of which are informal organizations that are not registered” (Clayton et al. 2000: 2). Pollard and Court look at the topic as follows: “CSOs include a very wide range of institutions, including non-governmental organisations, faith-based institutions, community groups, professional associations, trade unions, media organisations, research institutes and think tanks” (Pollard, Court 2005: 2). According to another study, carried out by Aisha Ghaus-Pasha, the civil society sector “embraces entities as diverse as village associations, grass roots development organizations, agricultural extension services, self help cooperatives, religious institutions, schools, hospitals, human rights organizations and business and professional associations” (Ghaus-Pasha 2004: 2).

By excluding formal institutions of the public sector, political parties (for being embedded, one way or another, in state agencies and bureaucracy), and media (for being “profit-organisations in nature like the business sector”), Sattar and Baig specify the CSOs sector as comprehensive of “nongovernmental organisations, trade unions, professional associations, philanthropies, academia, independent and quasi-independent pressure groups, think tanks, and traditional, informal formations such as faith-based organisations, shrines, seminaries, neighbourhood associations, burial societies, *jirgas* (councils of elders) and savings groups” (Sattar, Baig 2001: 1).

On the subject, Prince Karim Aga Khan, Chairman of the AKDN, a global advocate of civil society and development practitioner, states: “By Civil Society, I mean that range of social activity that does not stem from private business organizations, nor from governmental authority. The institutions of Civil Society are motivated, rather, by

voluntary energies, and their purpose is to improve the quality of community life. They are private institutions, devoted to the public good. [...] Civil Society includes a host of professional, labour, ethnic and religious groups and a broad array of non-governmental organizations – NGOs – as well.” (Aga Khan, Speech of February 21, 2016).

This brief presentation allows us to observe similarities and differences existing among definitions of civil society. Considering the whole gamut of formal and informal structures, we have adopted – for the purposes of the present study – a wide description (rather than definition) of Civil society comprising: NGOs, trade unions, professional groups, traditional associations (mainly informal), cultural associations, sports groups, village associations, grass-roots development organisations, self-help cooperatives, agricultural extension services, schools, hospitals, independent and quasi-independent pressure groups, human rights organisations, philanthropic organisations, faith-based structures, think tanks, neighbourhood associations, elders councils (e.g. *jirga*), and else (Aga Khan 2016; Clayton et al. 2000; Connor 1999; Ghaus-Pasha 2004; Pollard, Court 2005; Sattar, Baig 2001).

Socio-Political Landscape in Gilgit-Baltistan: from Hereditary Rulers to Political Parties

Before coming under the administration of Pakistan (1947), the communities of Gilgit-Baltistan lived in princely states and acephalous social organisations: being both backed by the respective customary laws, the former governance model was run by hereditary rulers termed *raja*, *tham* or *mir*, and the latter by tribal councils. During the erstwhile princely state of Hunza (dissolved in 1974), the society was split into three classes (upper, middle, and lower)³ dealing also with socio-political matters. Being observed in a number of cultural realities, such a tripartite social structure proves not to be an exclusive trait of the Gilgit-Baltistan society.

In the context of the Pakistani State, the people of Gilgit-Baltistan have embraced various national-level political parties, such as Pakistan Muslim Leagues, Pakistan Peoples Parties, Pakistan Tehreek-e-Insaf (Pakistan Movement for Justice), Awami Workers Party (People’s Workers Party), Labour Party Pakistan, Muttahida Quami Movement (United National Movement), Jamiat Ulema-e-Islam (Assembly of Islamic Clergy), etc. Among a few indigenous parties, the Balawaristan National

3 The traditional social strata included: upper class (*zharzhon* in Wakhi language, *ushum* in Burushaski, *uniloin* in Shina), middle class (*darqaney*), and lower class (*borwar* in Wakhi, *balda- kuyin* in Burushaski).

Front succeeded in creating its own space and position within the Gilgit-Baltistan Legislative Assembly as it has been frequently winning the last two elections. Under the administration of Pakistan, the Region has undergone various forms of development intervention – involving national-level parties too – in socio-cultural, economic, political, and environmental realms.

It is interesting to take a glance at the socio-demographic composition of political parties in Hunza. Once the former Hunza State was abolished and new democratic governance through elections introduced, the traditional social classes allied, in most cases, with national-level parties: those which used to be regarded as upper classes, added by a share of middle class, came under the umbrella of right wing – initially a Pro-Mir party, affiliated since the 1990s to the Pakistan Muslim League (PML); a significant portion of the so-called lower classes, in addition to some middle-class segments, came – instead – under the centre-left Pakistan Peoples Party (PPP).

In the 2009 election (November), a third national-level party called Muttahida Quami Movement (United National Movement) reached Hunza. In the last election (June 2015), two more national parties, Awami Workers Party (People’s Workers Party) and Pakistan Tehreek-e-Insaf (Pakistan Movement for Justice), entered Hunza by defeating the PPP. Finally, many independent candidates could be witnessed in all elections: though being difficult for them to win over the national-level parties in most cases, they are supported in different contexts and at different levels.

Evolution of Civil Society Organisations (CSOs) in Gojal

Viewed as a first step in building Gojal civil society, village and women’s organisations (VWOs) of the early 1980s could be seen as a new model of social organisation: yet, some of their conceptual and organisational aspects were already embedded in the societal model pre-existing in the Region.

Based on *traditional socio-political institutions* governing kin relationships, the communities used to be mobilised at intra-clan and inter-tribal levels. Customary assemblies (*marka* in Wakhi), where a village (*diyora*) or community (*yürt*) gathers (*diyordoriğh – yürtdoriğh*) to discuss issues and interests, are still in use in Hunza. Two more forms of social organisation, employed among the local communities, are: brotherhood at a broader level (*vürütdoriğh*) deals with the matters regarding a respective clan or tribe, whereas a particular brotherhood within the kinship (*vürütiğh*) mobilises the members around their collective or family interests and issues. The outlined system

played a vital role in the life of valley communities under the rule of principalities and acephalous states.⁴

The *community governance scheme*, based on clans and tribes, is further completed by *nang* or *nomūs*, a *self-help system* in Wakhi. Practised in Gojal valley as an indigenous philanthropy system of community participation, this phenomenon consisted in: contributions by affluent families to the construction of public and agricultural infrastructures (horse trails, roads, bridges, afforestation, irrigation channels, etc.); clans and tribes used to be important actors in maintaining natural resources and environment, rituals and festivities, social safety nets, social development, economic collaborations, etc.; religious institutions tried to provide an enabling environment for the social harmony, which remains valid for formal religious institutions at present; communal arrangements used to be made by villages in order to store grains and credit them to needy families in times of crisis; finally, the homes of indigenous health practitioners keep serving as voluntary clinics. Nowadays, the practice of philanthropy has shifted towards a transparent system of CSOs.

Along with traditional institutions, the Region of Gilgit-Baltistan has experienced *external interventions of social development*. Some formal structures of socio-political, economic, military, and security development (schools, health facilities, military bases, entrepreneurial activities e.g. shops) were introduced during the British-Dogra period, and continued by Pakistani administrators, mainly in Gilgit. Yet, no new organisation within the realm of civil society seems to have been established by the colonial administrators to carry out socio-economic projects and activities.

Formal development promoted by educational agency of the *Aga Khan Development Network* (AKDN)⁵ can be followed since 1946 when the then Aga Khan Education Board (AKEB) started establishing a series of Diamond Jubilee (DJ) Schools⁶ in the former Hunza State – under the patronisation of its last ruler, Mir Muhammad Jamal

4 Among the principalities: Hunza, Nagar, Gilgit, Punyall, Ishkoman, Yasin, Skardu, Shigar, and Khapulu, while the acephalous states could be found, though in small domains, in Diamar, such as Gor, Chilas, Darel, and Tangir.

5 One of the leading international development agencies, AKDN, has been trying to put theories into practice for over 60 years while closely working with CSOs in dozens of countries, and advocating for creating enabling environment and sustainability for CSOs around the World.

6 The well-known DJ schools, established in Gilgit-Baltistan Region, are gifts to the mountain communities by Sultan Muhammad Shah, Aga Khan III, after his Shia Ismaili followers celebrated his Diamond Jubilee in Bombay (India). This could be seen as a primary development intervention aimed at addressing the poverty through education.

Khan (reign 1945-1974), as well as in the present-day Ghizer District. This initiative paved the way for other communities to benefit from educational institutions, and provided opportunity for the respective educational administrators to learn on the basis of institutional experiences and expand their intervention to other localities.

Two more initiatives related to the CSOs development within the Ismaili community can be pointed out. In the 1950s, Sir Sultan Muhammad Shah, Aga Khan III, introduced his community to the system of *cooperative societies* based upon organised collaboration and contribution to improving the quality of life. Being rather significant for the engagement of village communities in Gilgit-Baltistan, the phenomenon helped them get prepared for AKRSP as a novel pattern of civil society.

The second was the *Shia Ismaili Constitution*, introduced to the community by Mir Muhammad Jamal Khan in 1969 (President of the Shia Ismaili Supreme Council for Pakistan and Central Asia), and developed by Prince Karim Aga Khan.⁷ The Constitution could be seen as a legal tool linking thousands of followers, namely volunteers operating through the *jamati* (faith-based) institutions of the Ismaili community, whose impact in both tangible and intangible realms of socio-economic development is rather vital. One of the main factors for AKDN's (Aga Khan Development Network) achievements are these *jamati* institutions with their multiple functions: maintaining peace and harmony, preparing people for change and development, and establishing good and sustainable relationships with sister communities by helping them in their development processes.

The *road network* in Gilgit-Baltistan have had a great impact on the overall development, especially since 1947 after Gilgit had been linked with Pakistan's administration. Though being gradually extended to other valleys of Gilgit-Baltistan, radical contribution of the road-communication network can be observed after construction of the Karakoram Highway (KKH) that has been serving the mountain communities since 1978 (Kreutzmann 1991, 2015).

However, the end of the former political entities (principalities and acephalous states), and the opening of the KKH in the 1970s enabled development agencies and organisations (public, private, and NGOs) to enter the towns and valleys of

7 Sources: Fazal Amin Beg: 2008-2012 interviews with community key informants; cfr. also: Jaffer, 2006; *Constitution* <http://www.ismaili.net/Source/extra1.html>, in <http://www.ismaili.net/>; *The Preamble of "The Constitution of the Shia Imami Ismaili Muslims"*, in: *Simerg – Insights from Around the World*, <https://simerg.com/special-series-his-highness-the-aga-khan-iv/the-preamble-of-the-constitution-of-the-shia-imami-ismaili-muslims/>, in <https://simerg.com/>.

Gilgit-Baltistan. Apart from them, some *international development agencies and organisations* have become active in the Region, namely: AKDN, International Union for Conservation of Nature (IUCN, or World Conservation Union), World Wide Fund for Nature (WWF), and few UN agencies.

AKRSP and Village and Women's Organisations (VWOs)

In 1982, the Region witnessed the arrival of *AKRSP*, hence a new participatory package of community governance and development was put into action: the overall goal of this rural support programme was improving the quality of life of the local population. Guided by AKRSP, the communities of Gilgit-Baltistan and Chitral were mobilised around *a triangular development model* anchored in social organisation (*tanzeem*), skill acquisition and capacity building (*hunar*), and capital development (*bachat*).⁸

Shoaib Sultan Khan, founding General Manager of AKRSP and exponent of community development, initiated the first *village and women's organisation* in the village of Japuka (Ghizer district) on December 12, 1982. While sharing his experiences in the field of participatory governance and development in South Asia

during the AKRSP gathering at Duykar (Altit) on September 22, 2012⁹, he stated: "It were the local communities and community leaders [and not *me*] who were determined to bring changes to their own societies." Inspired by Michelangelo, he continued: "I have done nothing in making the sculpture: the figure already existed within the marble. I just removed the useless matters from the top ... in the context of Gilgit-Baltistan and Chitral, each man and woman possess the image or capacity internally. AKRSP performed its vital role only in terms of enabling environment and removed the obstacles that were on the way." While highlighting the AKRSP approaches to community development, S. S. Khan specified that AKRSP is trying to help the communities by suggesting actions that they themselves would be able to fulfil.

Once a set of collective issues at village level was presented in front of the AKRSP team, the involved would be asked to base their upcoming decisions on the community's consensus, and to elect dedicated persons whom they could entrust the task of

8 *Tanzeem* – literally "organisation, arrangement", hence: social organisation; *hunar* – lit. "skill, accomplishment, attainment", hence: skill acquisition and resultant capacity building through learning and experience; *bachat* – lit. "savings", hence: capital development, building capital at individual and collective levels.

9 In September 2012, an award programme was organised by AKRSP in honour of Shoaib Sultan Khan and community leaders and activists of his time to acknowledge their services to the mountain communities of Gilgit-Baltistan and Chitral.

representing them. This is how village and women's organisations (VWOs), as semi-formal organisations, were democratically formed. The VWO members were requested to keep their weekly meetings, discuss collective issues, challenges and interests, develop consensus, and write shared and undersigned resolutions around any issues they prioritise and submit to AKRSP in order to get rural development support.

While capitalising human resources, the AKRSP team paved the way for practical intervention that consisted in facilitating development process of mountain communities by activating diverse change models. Thereupon, more than 4,500 village and women's organisations emerged in the communities of Gilgit-Baltistan and Chitral, excluding Diamar district where the community leaders showed a strong reluctance to join the experience of development on self-help basis.

The community leaders, as VWOs office-bearers, and activists attended periodic capacity building trainings supplied by AKRSP, and participated in a series of conferences and workshops where they shared their development approaches and success stories, while seeking ideas and techniques to overcome challenges. In this way, linkages among community leaders and activists increasingly developed, hence mutual sharing of ideas and experiences continued.

Each member tried to save money so as to raise the collective capital of the VWOs. The collected savings represented another guarantee for getting projects ranging from construction and maintenance of irrigation channels to plantation of new types of fruits; from supplying livestock breeds to fruit drying machines; from construction of road infrastructures to bridges, etc. In parallel, AKRSP auditors would audit each VWO on annual basis and keep a record on their bank accounts.

Despite their pivotal role in introducing changes in their respective valleys and the whole Region, it needs to be pointed that these VWOs were not registered with the Government, hence their legal status was questionable. Thereby, they got a position of non-formal organisations. A ten-year experience in the field of development strategies led many rural communities – that had felt highly confident – to take a self-initiative in founding their umbrella organisations at village level: born in the 1990s, these *local development organisations* (LDOs) (or “associations”) were registered with the Government as formal entities. These new CSOs tried to facilitate the work of the local VWOs within the ongoing projects aimed at education, health, nature conservation, and the like. Yet, not all VWOs agreed to link with the respective LDOs: one of the main reasons for this mutual trust deficit was the non-acceptance of an entity, junior to

the respective VWO, that would become umbrella organisation and have a supervision over the activities. That said, the day had to come when AKRSP would no longer offer its support leaving the sustainability of the Programme to the local bodies.

In conclusion: several proactive and effective VWOs evolved out of the AKRSP triangular model of development resting on social organisation, capacity building, and capital development; likewise, a number of experiences and practices, including establishment of LDOs, was realised under the patronisation of AKRSP; more particularly, the First MicroFinance Banks (FMFBs), taken as a model of poverty alleviation, emerged at mega level. It should be observed that not all experiences worked equally nor produced equally positive outcomes: concerns have always been expressed by some organisations, areas or population segments towards specific aspects of one project or another. The fact remains that the process as a whole has been essential for the Region of Gilgit-Baltistan in many respects, especially in terms of civil society formation and its autonomy.

Development of Local Support Organisations (LSOs)

It has been over 30 years since the first village and women's organisations (VWOs) were fostered by AKRSP, and realised by the mountain communities in the early 1980s: some of them are still active; some have become dormant; some had difficulties with managing resources. There is a number of reasons underlying such outcomes, the most important being: the AKRSP's "receding" strategy from its programme areas, accompanied by a variety of possible forms of follow-ups exercised by VWOs; the role of AKRSP as a Project of Aga Khan Foundation for a specified time frame depending on priorities; finally, in the mid-1990s, AKRSP Board of Directors and top management had to opt for downsizing of its employees.

In order to productively address the communities, the system needed to be restructured through a novel strategy. Therefore, AKRSP gradually streamlined thousands of VWOs by regularising their status through the bylaws registered with the Government. In this connection, a set of organisations that might serve the community as a mini-AKRSP in terms of its roles, responsibilities and functions, was looked for. This is how *local support organisations* (LSOs), a renewed CSOs model, came into being in 2005: styled as "second generation" of CSOs, the LSOs represented evolved and upgraded forms of VWOs. Ten years after (2016), 77 LSOs were active in the Region, 37 of which in Gilgit Region, 21 – in Baltistan, and 19 – in Chitral. According to Pakistan Centre for Philanthropy (2016), most of them were formed over the 2005-07 period.

As for the district of Hunza, there are 10 LSOs: 1 in Šhinaki (Lower Hunza), 5 in Central Hunza, and 4 in Gojal (Upper Hunza).

Out of multi-sectoral issues of societal development that the engagement of an LSO revolves around, some of the LSO key features and responsibilities can be summarised as follows:

- provide legal and formal protection to the VWOs and other CSOs within the administrative jurisdiction of the respective Union Council (UC);
- advance suggestions for effective improvement while providing the follow-up mission (monitoring and evaluation) to its member organisations;
- strive to build the capacity of its member organisations (focusing on VWOs) in all respects of development;
- ensure to act and advocate for good governance and democratisation within and out of the LSOs and member organisations;
- ensure to act and advocate for gender equality within and out of the LSOs;
- ensure to promote pluralistic approaches within and out of the civil society in order to lead the related LSOs towards peace and harmony;
- act as an intermediary between its member organisations (internal) and other organisations (external);
- struggle to build and sustain strong linkages with all related stakeholders at local, regional, national, and international levels;
- mobilise internal and external resources to positively contribute to development of the respective civil society;
- and advocate for a vibrant civil society through CSOs.

In developing these lines of approach, the AKRSP aimed at a strategy including the population of the Gilgit-Baltistan and Chitral in the development and linking the activities of the LSOs narrowly to the interest of the population.

The aims (both the aforesaid and else) of the LSOs operating in Gilgit-Baltistan and Chitral generally converge on positive and sustainable development of the communities in the respective socio-cultural contexts. Considering these development goals, thousands of men and women, many of whom volunteers, professionals and philanthropists operating either at home or abroad, are striving for a further level of positive change in their societies in Gilgit-Baltistan and Chitral.

In the following paragraphs, the importance of both social and societal transformation is shown through a case study on the Attabad disaster.

Gojal Valley: Natural Resources, Economy, Society

In order to better understand social changes occurred as a result of the 2010 Attabad disaster, including the formation of Gojal LSO Network (GOLSON), it is essential to delve into some basic knowledge of geopolitical, socio-cultural, and socio-economic characteristics of Gojal valley in the pre-disaster period.

Gojal is a sub-district of Hunza consisting of the main valley, and four larger side valleys: Shingshal (Shimshal), Khunzhrav, Misgar, and Chipursan. It is bonding Pakistan with China and Afghanistan through its highest plateau, Shimshal Pamir, and mountain passes of Khunzhrav, Mintaka, Kilik, Dilisang, and Yirshodh (Irshad). Besides facilitating the course of the Hunza River, the terrains of Attabad (disaster site) represent the only narrow passage of the Karakoram Highway (KKH) connecting Gojal with Central Hunza and Gilgit, as well as Pakistan with China.

The population of Gojal is around 20,000 people (Sökefeld 2012: 179). Its valleys are inhabited by dozens of clan groups (native to different parts of Gilgit-Baltistan and Central Asia), anchored in their faith (Shia Ismaili Muslims), and split in three language communities (Wakhi, Burushaski, and Ğumaki).

As for social development infrastructures, over thirty villages and sub-villages of Gojal have been endowed with schools at primary and middle levels; it has two high schools for boys and girls each, and three higher secondary schools.¹⁰ In order to continue their formal education (college and university levels), the aspirant both male and female students are obliged to go out of the valley to central Hunza, Gilgit, and main Pakistani cities. The entire sub-district of Gojal has one hospital with 10 beds, led by a medical officer; patients of the side valleys have to reach Gulmit (headquarters of Gojal) for basic medical care, whereas serious patients refer to central Hunza and Gilgit, or to the health facilities in larger Pakistani cities, such as Islamabad or Karachi.

10 Educational service providers are: the Government, Aga Khan Education Services – Pakistan (AKESP), six community-based English medium schools, and the only higher secondary school provided recently by Gulmit Educational and Social Welfare Association (GESW) running its educational project “Al-Amyn Model School, Gulmit” since 1991.

Besides traditional agro-pastoral activities, a significant share of Gojal population is employed in a variety of organisations (public, private, NGOs), connected with local enterprises or involved with trade and business at national and international levels. The towns of Gulmit and Sost provide employment opportunities for local entrepreneurs and businessmen. Though, while Gulmit is the headquarters of Gojal sub-district, the tiny border settlement of Sost is becoming overburdened by the flood of passers-by daily leaving behind environmentally unfavourable wastes.

The whole area is reliant on the KKH to get access to the markets and various facilities. After formal opening of the KKH in 1978, almost all families of Gojal shifted their livelihood strategy within agricultural domain towards intensification of potato production guaranteeing higher level of yields: used both as a staple foodstuff and important cash crop, the potatoes of Gojal – being supplied up to Karachi – got their fame nationwide. The money acquired out of horticultural products, esp. potatoes, is being spent in purchasing food, investing on children's education and health emergencies, contributing to the community development activities, and so on.

The valleys of Gojal sub-district count a number of non-formal organisations, including traditional kinship-based institutions (families, clans, tribes); the institution of headmanship; committees for social and cultural activities, etc. The valleys are further energised by thousands of volunteers contributing, within various CSOs, to societal development of their communities: their members range from 5-year old children involved in associations of scouts and guides up to senior citizens aged 80-90 offering their advisory activities. The civil society organisations of Gojal (formal and informal) can be grouped in the following two realms:

1) *faith-based organisations*, i.e. *jamati institutions*: Ismaili Councils; institutions of religious education; arbitration and reconciliation boards; Aga Khan Education Board; Aga Khan Health Boards, etc., plus the affiliates of each one of these structures;

2) *secular community organisations*: educational institutions; local development organisations; local support organisations, plus affiliates and networks; youth forums at village and valley levels; cultural forums at village and valley levels (also operating out of the valleys, in different parts of Pakistan, yet formed by the people native to Gojal); environmental and conservation organisations; business associations run by volunteers on non-profit basis, etc.

Disasters and Politics

The Attabad disaster occurred on January 4, 2010: the rockfall abruptly took place in the narrow valley devastating the small village of Attabad situated between Gojal and Central Hunza, taking 19 human lives, and blocking the Hunza River course and the Karakoram Highway (KKH), the only Sino-Pak motorway. The routine life of the inhabitants was interrupted: they became – all of a sudden and in a couple of minutes – physically disconnected from the World, isolated and imprisoned between two political borders to its north and north-east (Afghanistan and China respectively), and the newly emergent natural border to its lower part at Attabad.

The community of Gojal began experiencing the bitter aspects of the situation in the second phase of the catastrophe when the blocked KKH started producing effects on the mobility of people linked to their socio-economic activities, health emergencies, education, and so on. Along with physical and socio-economic damages, local population suffered psychologically too. Among the victims, patients, elderly people, women, and children represented the most vulnerable groups.

The river lake had already devoured a small village of 32 households called Ayinabad whose inhabitants become internally displaced as nothing saved out of their properties, including houses, gardens, terraced fields, domesticated forests, commercial structures, livestock pens, places of worship, etc. While continuing its upward movement, the water began submerging the village of Shishkat (lower and central), engulfed significant parts of Gulmit (the centre of Gojal), lower parts of Ghulkin and Hussaini, and a portion of Passu (as measured by the experts of Focus Humanitarian Assistance, a former affiliate of AKDN).

At the time of the Attabad tragedy, the engagement of three LSOs of Gojal valley, namely Mountain Area Support Organization (MASO), Gojal Rural Support Organization (GRSO), and Chipursan Local Support Organization (CLSO), emerged. GRSO¹¹ was the pioneering LSO of the valley established in October 2006, MASO¹² was founded in January 2008, while CLSO¹³ dates back to July 2008. Being not approved yet as LSO by AKRSP, Shimshal Nature Trust (SNT) was excluded:

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- 11 GRSO's administrative boundary included a significant portion of Union Council (UC) Sost including the villages of Khyber, Ghalapan, Murkhun, Jamalabad, Gircha, Nazimabad, Sost, Hussainabad, Khudabad, and Misgar.
 - 12 MASO's administrative jurisdiction was UC for Gulmit including the villages of Ayinabad, Shishkat, Gulmit, Ghulkin, Hussaini, Borit, and Passu.
 - 13 CLSO's administrative jurisdiction was composed of the villages of Yarzrich, Raminj, Kirmin, Kil, Reshit, Shorisavz, Spenj, Shūtmerg, and Zudkhun.

established in 1997 (Ali, Butz 2003: 5, 7, 15) in order to protect the rights of centuries-old indigenous communities over the local ecosystem, the community-initiated and -based SNT opposed the idea to be part of either the Khunzhrav National Park (notified in 1975) or Central Karakoram National Park (1993). The goals of the Gojal LSOs were focused around: VWOs activation and mobilisation, capacity building, institutional development, culture and environment, natural and human resources management, youth development, vocational training, etc. These LSOs (SNT included) were engaged in pooling funds and carrying on development projects in the respective territories, without being immune to a kind of competition among each other. At the moment of the catastrophe, it was the MASO's jurisdiction that was directly affected, while the people of other LSOs were indirect sufferers due to the blockage of KKH, and the consequent disconnection of trade routes and supplies.

Following the Attabad disaster, most of the Government's and NGOs' attention was focused on this village. Despite seeming oppositions that could have made hard to join the efforts of various political forces, the circumstances slightly changed in front of the emergency: helicopter services were provided by the Government to transport the patients, goods in relief, and stranded people across the lake. After couples of weeks, the Government took further measures on removal of the debris of over 2 kilometres long terrain that had blocked the river converting it into a dam.

The natural catastrophe of Attabad rockfall and the subsequent formation of the river lake created a huge complex of emergency issues for the community of Gojal in terms of its overall development. The state of affairs, especially in relation to the near future, was highly challenging for the community leaders and social activists. Some informal social and political movements, organised through forums, became immediately active in sensitising the society on the related issues. Still, no sufficient voices were raised in favour of the disaster victims and the valley people as a whole by the traditional political leaders of Hunza. Accordingly, further steps were required.

Emergence of Gojal LSO Network (GOLSON)

As soon as the Attabad disaster occurred, representatives of the three Gojal LSOs – MASO, GRSO and CLSO – got together in AKRSP office in Gilgit¹⁴ to explore their common issues, namely: confronted challenges, needs assessment, effective long-term strategies, and anticipated results for the suffered communities. The leaders and representatives, along with the respective facilitators (assisting LSO officials), agreed on creating an LSOs network that would advocate for community rights, civil society promotion, and overall development of Gojal valley through a platform. As a matter of fact, Gojal LSO Network (GOLSON), as a new voluntary, community-initiated, and civil society organisation, was born out of a highly critical emergency so as to represent the entire population of Gojal valley with the idea to gradually extend the network to Hunza level and beyond.

Being formed in Gilgit city, i.e. over 145 kilometres away from the Gojal context, the network needed to make itself known. Soon after its formation, GOLSON exponents held a series of press conferences and radio talks in Gilgit by the end of January 2010. Therewith, they started a line of advocacy and sensitisation campaigns regarding the Attabad catastrophe, suffered communities of Gojal valley, and related issues by means of mass media and forums within Gilgit-Baltistan and Pakistan.

For a nine-month period, GOLSON acted informally so as to observe the results from different angles, and to get meaningful feedbacks from the stakeholders. After ten months, a formal GOLSON body led by a Chairperson, Vice Chairperson and Secretary¹⁵ was composed in October 2010. Finally, GOLSON was legally registered in 2011 with the Government of Gilgit-Baltistan.

14 As an AKRSP researcher and development consultant at that time, the main author of the paper, Fazal Amin beg, was asked by the management to hold a meeting with representatives of the three LSOs in AKRSP office in Gilgit. Who in the meeting suggested the idea of LSO Network that would advocate for the communities by addressing their issues. The suggestion transformed into Gojal LSO Network that F. A. Beg served as a volunteer adviser in the first tenure. The first author of this paper was serving AKRSP as a Development Researcher and Consultant at that time. The senior management of AKRSP thus asked him to hold a meeting with community representatives of the three LSOs and extend necessary facilitation and coordination. It was in this meeting the first author of this paper thus offered the idea and suggestion of forming a strong network of the respective LSOs to effectively advocate and lobby for and robustly address their emerging issues and challenges and. Consequently, the representatives honor the idea and the was given as Gojal LSO Network (GOLSON).

15 Abdul Rasheed (male) from MASO as Chairperson, Mehr Kamil (female) from GRSO as Vice Chairperson, and Karamat Shah (male) from CLSO as Secretary.

With the support of AKRSP in different realms, the newly born GOLSON experienced, on the one hand, the process of building linkages and partnerships around its goals with NGOs at regional and international levels; on the other, it put a great deal of its efforts in mobilising internal and external resources. Upholding its vision of an equitable, stable and vibrant civil society for all, grounded in a pluralistic, democratic and meritocratic values, GOLSON has been trying to promote a strategic advocacy while coordinating its member LSOs, and creating relations with various organisations including public sector, NGOs, business sector, with particular attention to the related CSOs of the Region.

Governance Structure of GOLSON

As a federation of LSOs, GOLSON has its roots in more than a hundred CSOs, primarily VWOs and LDOs (registered with their respective LSOs). And if LSOs are the pillars of GOLSON, VWOs, LDOs, and other local forums are the foundation of LSOs, meaning: these civil society organisations are inseparable from each other. It is imperative then to explore the configuration of an LSO and VWO so as to arrive at a better understanding of the GOLSON's structure.

Any person of any sex and age can become member of a VO or WO: this precondition brings about having an average of at least two persons per household (or more in the case of large families) included into a membership of the respective VO/WO.

The office-bearers of a VO or WO (President, Vice President, and Secretary) are chosen by the VWO members. For the purpose of VWO representation in the respective LSO, a VO sends to the general body of its LSO a competent and dedicated member, democratically designated through a process of election or selection. In average, an LSO has 40 General body members and 13 Board members (termed as Board of Directors).

The structure of GOLSON is composed of its General body and Board of Directors (BOD), the latter being democratically elected by the General body. The 13 Directors of the respective LSOs are General body members. Thereupon, the Board members elect or select Chairman, Vice Chairman, General secretary, and else for a three-year period. Besides, each LSO has a quota of one technocrat to which a highly educated, competent, and dedicated person should be selected to voluntary serve GOLSON in the Board as its Director.

Success and Failure: a Matter of Governance

While the legacy of the civil society based on VWOs goes back to more than 30 years ago, GOLSON is at present only six and a half years old: still, it has contributed since its inception to the respective civil society and other stakeholders in many ways.

There was no collective CSOs platform in Gojal at the moment of the Attabad disaster (January 2010): thus, it was challenging to commit to advocating for the cause of the whole community in a sustainable way. Once constituted, GOLSON started representing the local civil society and lobbying with diverse organisations. Despite the chaos and strong political pressures in the early disaster period, GOLSON had a possibility to play its strategic role in the later phases (as the catastrophe continued for over three years) through the network of thousands of its members at grass-roots level. In this sense, GOLSON was particularly engaged in: providing educational assistance to needy students within the territories under its jurisdiction; introducing and sensitising the (suffered) community to alternative types of agricultural seeds rather than mostly or exclusively depending on potatoes. As for its inner administration, time-to-time meetings of the BOD would be held despite the fact that the valley was under disaster, and it was difficult to travel between valleys due to the distances and road quality (unpaved and bumpy roads), along with an unprecedented rise of vehicular fuel (while in Central Hunza and Gilgit the fuel cost was almost half).

Considering its positive performance in civil society, AKRSP provided GOLSON with an office within its Emergency Field Office in Gulmit, plus a couple of years of financial and technical support so as to continue from 2013 onward. Broadly speaking, GOLSON boasts several achievements in his life history. Nonetheless, in the light of the reigning circumstances, these conquests had come with a row of challenges (as in the case of other LSOs in GBC) that put GOLSON to severe tests. Observed from different angles, especially in terms of its internal capacities, this CSO has attracted several questions that can be summarised in the following: to what extent it could productively, representatively, and collaboratively contribute to community development?

Starting from the organisational level, i.e. hard-working and volunteering office-bearers of GOLSON, more team work would be needed. Another remark regards the fact that GOLSON is not getting success yet in pooling and creating an attractive endowment fund that would be based on the mobilisation of internal resources which would reduce the need to resort to external resources. In fact, it would be important for GOLSON to move towards a self-reliance and sustainability so as to become more transparent and accountable before the stakeholders.

Due to heavy reliance on external resources, human resources management is sometimes challenging, especially when donors or philanthropists draw back after a specified time period. In this respect, hiring GOLSON human resources needs to be strict and faithful to the principles (above all, meritocracy and professionalism), and to the goals. Such an approach will contribute to GOLSON in terms of innovative ideas and resources mobilisation, particularly at local level.

Natural and Strategic Resources: a Matter of Market or Social Investment

Gojal valley is rich in natural and strategic resources: each community settlement has its natural resources that have attracted the tourism industry, mineral industries, hydropower generation companies, etc.; as for their strategic aspects, there are the community-based Silk Route Dry Port (at Sost), community conservancies, Khunzhrav National Park (KNP), and else.

Hence the question: to what extent the GOLSON leadership has envisaged and strategised these resources in terms of community rights and development? A variety of options is there before GOLSON to consult its member organisations, and look for internal resources mobilisation so as to promote development of the communities.

GOLSON, as a voluntary organisation, values the notion of free market economy (as the free market also functions on voluntary enthusiasm between sellers and consumers, producers and suppliers, without pressure from State regulations). As a non-profit CSO, GOLSON would never become a business entity: still, one of its goals is to address poverty by imparting training courses and sensitisation campaigns aimed at enabling vulnerable and marginalised segments of the society, as well as the local youths, to become self-reliant while facilitating them in undertaking their own professional life. In line with its capacity building mission and enterprise development, GOLSON promotes these activities in collaboration with its partner organisations (e.g. AKRSP and other AKDN agencies, KADO, etc.). Such objectives and strategies underlie a long-term social investment with the potentials and prospects for family and community prosperity. If the youth and vulnerable community members prosper, they will be capable of contributing (with knowledge, skills, time, financial resources) to development of their families, communities, and the entire society in many ways (in/ formally, independently, or through CSOs system).

Conclusions

Coexisting in Gilgit-Baltistan, indigenous entities – including traditional socio-cultural and kinship structures – were able to harvest ideas, social norms, values and patterns while bringing their customary laws into exercise. Along with the intervention by some public sector organisations before and after 1947, CSOs in Gilgit-Baltistan Region could be analysed, up to the 1980s, through a prism of evolutionary process. Such a phenomenon became possible only when former princely and acephalous states were abolished and administratively merged within the State of Pakistan, in addition to the opening of the KKH in the late 1970s: it was in that period that development started being addressed by AKDN agencies, as well as by UN, IUCN, WWF, and else organisations. Revolutionary results can be observed in the 1980s and early 1990s, when community associations, esp. village and women’s organisations (VWOs), were introduced and fostered by AKRSP. In conclusion, reaching positive societal changes in Gilgit-Baltistan and Chitral required the target communities to be prepared for voluntary self-initiatives through a participatory model.

The VWOs of Gilgit-Baltistan and Chitral (more than 4,500) had an important impact in terms of socio-economic development by providing enabling environment for the related stakeholders to put their development models into practice. At local level, the acquired knowledge encouraged village communities to create their local development organisations in the 1990s; at organisational level, the emerging phenomena led AKRSP and related AKDN experts to ponder over introducing the First MicroFinance Banks inside and outside Pakistan. Motivated by the experiences emerged from the social development laboratories of Gilgit-Baltistan, the governments and development practitioners of the 1990s launched the participatory model of community development throughout Pakistan in the form of Rural Support Programmes (RSPs) operating under the name of Rural Support Programmes Network (RSPN), subsequently exported beyond the national borders.

Entered the 21st century, the set of challenges encountered by grass-roots structures (VWOs) led AKRSP to inspire a next generation of community i.e. civil society organisations in the form of local support organisations (LSOs): their mission was to sustain VWOs by providing legal covers, building multilevel relationships, mobilising the local communities and resources (internal and external), advocating for their common issues, addressing challenges, etc. Organised at either district or sub-district levels, the LSOs in Gilgit-Baltistan and Chitral are at advanced level and beyond the scope of AKRSP now. Their performance depends on the members sent to the LSOs general bodies and boards, elected against eligibility criteria (e.g. correctness, dedication)

to represent the respective VWOs at a broader level. Now praised, now criticised, the LSOs – though novices – proved in a short span of time to be productive in bringing positive changes within the domain of local CSOs.

Emerged out of the Attabad disaster (January 2010), Gojal LSO Network (GOLSON) is another example of LSOs networks facilitated by AKRSP. Being the only forum of civil society having its roots in all households throughout the sub-district, it is both allowed and duty-bound to deal with the issues, rights, responsibilities, and challenges of the communities. With the help of experts and professionals, GOLSON can sensitise the community members through the system of LSOs and VWOs so that they could understand what types of changes could be expected in the near future.

Being the post-disaster experience demanding for both the local people and CSOs, the phenomenon has compelled many sensible members of the civil society, especially the youth, to deliberate more seriously on the states of affairs in practice. How it could be possible to effectively and positively address the situation (roles and responsibilities of CSOs)? To what extent these CSOs are capable of acting upon their own communities so as to facilitate the members in electing their political leaders against consensus-based criteria? And finally: how a good governance practice could be achieved and maintained for a sustainable societal development?

Experiences of CSOs, addressed by this study, provide us a deep insight into their governance and management practices, implemented so far. Once exposed to good governance and management practices (equality, consensus, meritocracy, etc.), CSOs – being connected to the people and understanding their priorities – can be expected to become more effective than organisations that have not gained such experiences. This kind of action has a potential to guide the process of delivering development projects in effective and transparent manner, including the system of CSOs (e.g. LSOs), rather than choosing mechanisms prevailing in tradition.

Finally, if the village and women's organisations, conceived and fostered by AKRSP, yet realised by the communities, could become models for the rest of Pakistan and abroad, why not to make these VWOs, LDOs, LSOs, and related networks a model of good governance, for both the communities, and the political and bureaucratic organisations of Gilgit-Baltistan that would lead towards bringing improvements to the whole society.

References

Aga Khan, 2016, *Speech by His Highness the Aga Khan on Civil Society*, Sharm el-Sheikh, Egypt, February 21, 2016 (<http://www.akdn.org/speech/his-highness-aga-khan/africa-2016-conference>).

AKRSP, 2013, *Self-Assessment Exercise of LSOs in Gilgit, Baltistan and Chitral: Findings of the Self-Assessment Exercise of Local Support Organisations (Report-Draft Version)*, AKRSP, Gilgit.

Ali Akhtar, 2012, *LSOs Annual Progress Report 2012 (Draft)*, AKRSP, Gilgit.

Ali Inayat, Butz David, 2003, *Report on Shimshal Nature Trust (SNT), Ghojal, Northern Areas, Pakistan*, September 2003, Brock University, Canada.

Ali Liaqut, 2011, *How to make use of knowledge embedded in development practice by using ICT to sustain rural development? - Case of Gilgit-Baltistan Pakistan*, Master's Thesis, Swedish Business School, Örebro University.

Ali Syed Waqas, Akhuzada Taqi, 2015, *Unheard voices: engaging youth of Gilgit-Baltistan*, Conciliation Resources, London & Centre for Peace, Development and Reforms (CPDR), Islamabad.

Beg Fazal Amin, 2009a, "The Process of Societal Transformation: Khyber Village En-route to Development", *Karakoram Knowledge Highways 2*: 67-73.

Beg F.A., 2009b, "Societal Development and Change in Hunza Valley: A Study of Ghulkin (Part I)", *Karakoram Knowledge Highways 1 (3)*: 47-63.

Beg F.A., 2009c, *Perceptions and Experiences of Socio-Political Governance: A Case Study on Gilgit, Baltistan and Chitral Region*, AKRSP, Gilgit.

Beg F.A., 2010, "Societal Development and Change in Hunza Valley: A Study on Ghulkin (Part II)", *Karakoram Knowledge Highways*.

Beg F.A., 2013, *Role of Civil Society Organisations in Hunza Valley, Gilgit-Baltistan Region: A Study on Effectively Strengthening Local Support Organisations*, AKRSP, Gilgit.

Clayton Andrew, Oakley Peter, Taylor Jon, 2000, *Civil Society Organizations and Service Provision, Civil Society and Social Movements*, Paper N° 2, UN Research Institute for Social Development.

Connor Desmond M., 1999, *Public Participation and Civil Society*, Excerpt from Volume 27, Issue 3 of *Constructive Citizen Participation*, December 1999, Connor Development Services Ltd.

Ghaus-Pasha Aisha, 2004, *Role of Civil Society Organizations in Governance*, 6th Global Forum on Reinventing Government: Towards Participatory and Transparent Governance, United Nations, Seoul.

Hong Caylee, 2012, *Liminality and Resistance in Gilgit-Baltistan*, Working Paper, Centre for International Sustainable Development Law (CISDL), Faculty of Law, McGill University, Montreal.

Jaffer Mahomed J., 2006, *The Ismaili Constitution. Its importance in Today's World*, Karachi.

Kreutzmann Hermann, 1991, "The Karakoram Highway: The Impact of Road Construction on Mountain Societies", *Modern Asian Studies* 25 (4): 711-736.

Kreutzmann H., 2012, *Democracy for Gilgit-Baltistan? Kashmir legacy and administrative challenges on route to equal rights within Pakistan*, in: Kreutzmann H., Talat M. (eds.), *Understanding Pakistan*, Wissenschaftlicher Verlag Berlin, Berlin, pp. 211-245.

Kreutzmann H., 2015, "Boundaries and space in Gilgit-Baltistan", *Contemporary South Asia* 23 (3): 276-291.

Manor James, 1999, *Civil Society and Governance*, Concept Paper, August 1999, The Ford Foundation, Institute for Development Studies, University of Sussex.

Mir Muhammad Shams, 2010, *Strengthening Civil Society of Gilgit-Baltistan: A Case Study of the Northern Areas of Pakistan*, Master's Thesis, Department of Political Science, Lund University.

Mock John, 1997, *Mountain protected areas in Pakistan: The case of the national parks*, Department of South and Southeast Asian Studies, University of California.

Mock J., 2008, *Mountain Protected Areas in Northern Pakistan: The Case of the National Parks*, in: Israr-ud-Din (ed.), *Proceedings of the Third International Hindu Kush Cultural Conference*, Oxford University Press, Karachi, pp. 30-39 (Available at: <http://www.mockandoneil.com/>).

Mock J., 2013, “No American, No Gun, No BS”: *Tourism, Terrorism, and the Eighteenth Amendment*, in: Anita M. Weiss, Saba Gul Khattak (eds.), *Development Challenges Confronting Pakistan*, Kumarian Press, Sterling Virginia, pp. 141-160 (Available at: <http://www.mockandoneil.com/>).

Mostowlansky Till, 2016, *Humanitarianism Across Mountain Valleys: “Shia Aid” and Development Encounters in Northern Pakistan and Eastern Tajikistan*, in: Kreutzmann H., Watanabe T. (eds.), *Mapping Transition in the Pamirs*, Advances in Asian Human-Environmental Research, Springer International Publishing Switzerland, pp. 229-244.

Pakistan Centre for Philanthropy, 2016, *The State of Local support Organisations in Gilgit, Baltistan & Chitral 2016*, PCP, Islamabad.

Pollard Amy, Court Julius, 2005, *How Civil Society Organisations Use Evidence to Influence Policy Processes: A literature review*, Overseas Development Institute (ODI), London.

Sattar Adnan, Baig Rabia, 2001, “Civil Society in Pakistan: A Preliminary Report on the Civicus Index on Civil Society Project in Pakistan”, NGO Resource Centre, Karachi, *Civicus Index on Civil Society Occasional Paper Series* 1 (11): 1-28.

Sökefeld Martin, 2005, “From Colonialism to Postcolonial Colonialism: Changing Modes of Domination in the Northern Areas of Pakistan”, *The Journal of Asian Studies* 64 (4): 939-973.

Sökefeld M., 2012, *The Attabad landslide and the politics of disaster in Gojal, Gilgit-Baltistan*, in: Ute Luig (ed.), *Negotiating Disasters: Politics, Representation, Meanings*, Peter Lang Verlag, Frankfurt, pp. 176-204.

Sökefeld M., 2014, “Anthropology of Gilgit-Baltistan: Introduction”, *Ethnoscripts* 16 (1): 9-29.

Walter Anna-Maria, 2014, “Changing Gilgit-Baltistan: Perceptions of the recent history and the role of community activism”, *Ethnoscripts* 16 (1): 31-49.

Zain O. F., 2010, “A Socio-Political Study of Gilgit Baltistan Province”, *Pakistan Journal of Social Sciences (PJSS)* 30 (1): 181-190.

Abbreviations and Acronyms

AKDN	Aga Khan Development Network
AKRSP	Aga Khan Rural Support Programme
CLSO	Chipursan Local Support Organization
GB(C)	Gilgit-Baltistan (and Chitral)
GOLSON	Gojal LSO Network
GRSO	Gojal Rural Support Organization
IUCN	International Union for Conservation of Nature (or World Conservation Union)
KKH	Karakoram Highway
LDO	Local Development Organisation
LSO	Local Support Organisation
MASO	Mountain Area Support Organization
RSPs	Rural Support Programmes
RSPN	Rural Support Programmes Network
SNT	Shimshal Nature Trust
UN	United Nations
VO	Village Organisation
WO	Women’s Organisation
VWO	Village and Women’s Organisation
WWF	World Wide Fund for Nature

Inheritance rights and tribal governance of innermost Hunza (Gilgit-Baltistan)

Mueezuddin Hakal

Abstract

The tribes in Altit, Baltit (Karimabad) and Ganish, the innermost Hunza in Northern Gilgit-Baltistan, see their own political strength in keeping the land property within the same patrilineal lineage, which continues from the time immemorial. In this connection, this article offers an anthropological inquiry about the power dynamics between tribal groups and the state of Pakistan. It is studied here by scrutinizing the prevalent customs of inheritance in order to understand the notion of “land-wholeness”, the process of its materialization into power, and its role in influencing the everyday governance. The methodological originality of this paper lays in the adoption of an emic perspective within a framework of self-ethnography. This was chosen to better apprehend the scope of inheritance customs in the fast changing scenario of the current cultural and socioeconomic transformation in Gilgit-Baltistan. The paper unfolds in three parts: the first part provides an introduction of the said three localities with a sketch of the tribal governance that prevails therein; the second part reproduces the ideal narrative of customs regarding women’s inheritance; and the third part offers a scrutiny of the current arguments that associate the regulation of women’s inheritance with tribal power in today’s governance in Hunza. The study is concluded by highlighting how the specific traditions that uniquely characterize law and governance in Hunza. Such traditions are broadly connected with the similar customs in South Asia, and are similarly impacted by the fast paced changing process that is happening in many areas of South Asia. Yet their interpretation by the local people and their interplay with state law varies significantly across the sub-continent and, in this case, highlights the challenges at stake between Gilgit Baltistan and the state of Pakistan.

Introduction

Gilgit-Baltistan, located at the juncture of the mountain ranges—the Karakoram, the Hindukush and the Himalaya—was very difficult to approach before the construction of the Karakoram Highway (KKH) between 1966 and 1978. This major link connected the local population with the world through an ongoing process of acquisition of novelties that deeply impacted the everyday life of people as well as our worldviews. Whilst, many of these changes have been accounted by some among the prominent

scholarship of Gilgit Baltistan,¹ notions of law and governance remain understudied, and in particular the notions that links the concentration of land with tribal power as a form of governance.

Currently, the sources of law in Gilgit-Baltistan feature a mix of customs, Islamic principles and the modern welfare state to which the state of Pakistan try to conform. In this complex situation, the local population seems polarized between the traditional customary approach and the Islamic models proposed by the state of Pakistan. Moreover, the human rights discourse that rests on the principles of equality and democracy makes its way among the youth especially and through international networks.

This paper describes the ongoing struggle in Hunza between the perpetuations of inheritance customs that exclude women's share, and analyses its underlying reason and purported long lasting impact in the innermost Hunza. Mostly, the data of this article have been collected through interviews of elders in Hunza, but they also include my personal observations as a member of this society, and in particular, the information collected through conversations with my father and grandfather. My approach is thus both historical and anthropological, which I can define as self-ethnography. In that, I have accessed as much as I could the collective memory in Hunza, which also belong to my own cultural heritage and memories, in order to record a local understanding of inheritance customs, and scrutinize their link with governance.

The first part of this paper provides a brief introduction of my informant, and of myself adopting a self-ethnography approach; the second part offers a historical introduction of Baltit, Altit and Ganish, with reference to the details of the tribes that reside therein; the third part deals with the documentation of customs regarding women's inheritance as I have collected in their idealized form during interviews with my informants; and the fourth part offers a scrutiny of the current narratives that associate the regulation of women's inheritance with tribal power in today's governance in Hunza.

Self-ethnography

Among several stories of family divisions, some came into my knowledge through formal and informal interviews, including the data gathered from Ghulamuddin Ghulam and Muhibuddin my grandfather and father respectively. I also based my

1 Socioeconomic transformation in Hunza is studied by Kreutzmann (1991, 1993 and 2006), Malik and Piracha (2006).

personal observations, during my participation in such cases, including that related to my own family, part of Galyukutz clan in tribe Hakalukutz of Altit.

This study is based on oral tradition, reached to my generation through my grandfather and father includes the family history and particularly several events of family divisions that have been remembered by generations earlier than them. For example the known earliest story is about the undivided family of Shukur Ali, working as *Ghulchin*, the Keeper of Central Stocks of Hunza at Altit, and *Yarpa*, the Keeper of State properties in Aliabad, who had seven sons. Excluding one of his sons' families, all of them died due to the epidemics of chickenpox, spread in Altit as a result of polluting the well of drinking water with infected exfoliations by the then enemies of Nagir. This event might occur in the first decade of nineteenth century. The only survived members of his family were his son Gurg Ali, daughter-in-law Rupi and his grandson Nadir Ali. They survived because they were living in new establishment of Ahmadabad outside proper Altit. Gurg Ali also died accidentally soon after this event during *Rajaki* (public work) at Ahmadabad canal. We do not have any accurate information of family division in tradition before them, because Nadir was too young to know more about his forefathers; however, the current occupation of land by different households can help us in understanding this problem. Nadir revived the glory by continuing his ancestral position of *Ghulchin*, and occupying his ancestral lands at Altit, and left the lands of Ahmadabad to his nearest in paternal lineage, under the conditions of return. He had three sons from two wives, from the first wife Kalb Ali, and Dad Ali and Shukur Ali from the second. Dad Ali was offered with a portion of land in Ahmadabad, after settling the matters of conditions, but he refused the offer, and demanded equal proportion of land in Altit. Under the customs of tradition all lands were distributed equally. In the next generation, Shukur Ali had only one son Qalandar Ali, so, there was no division of land. The land was again divided among three sons of Qalandar Ali, namely Ghulamuddin, Salmanul Qudrat and Shukur Ali, again under the tradition. That after the portion received by Ghulamuddin was further distributed among his four sons, namely Mujeebuddin, Muhibuddin, Muneebuddin and Muneeruddin. This is the recent most development on the land of my ancestors.

The procedure adopted in the division of land among my family basically attracted my attention, which was in contradiction with that I used to know at that time and that studying in Islamic Studies. The customary approach was not much popular among general public, compare to those emerging as Islamic laws. Therefore, I started to search for finding the complete understanding of tradition related to inheritance, its positive

or negative impacts on the people of Hunza and particularly on the female segment of society.

Therefore, I started to explore this tradition beyond of my family tradition during 2009. I discussed this topic with different people having diverse tribal background of Hunza. I found it everywhere same to that practiced in my family. In formal interviews and informal discussions; male members from Baltit, Altit, Ganish, Aliabad and Gulmit, and females of Ganish, Baltit and Altit background; the age of resource persons over 50 years were considered. I adopted a methodology to ask about the actual stories of different families' divisions and always searching for the clues to complete the draft of regulations, and confirmed it by comparing with the distributed land. I heard several stories helping in exploring the formula of inheritance. I did not travel intentionally for this activity, but in different gatherings I used to ask the same questions from different people about the topic. I also heard about several cases of female members of family claiming for their share in inheritance, particularly of those who do not have male siblings. In interviews, I noticed that Nazim Khan ordered to grant *I chuq* of cultivated land to daughters. On the other hand I noticed the concept and examples of *Uthengi* provided in their need. Means, it even existed before Nazim Khan, but the granted land was supposed to be returned to the brothers or transferred to the next sisters after the holders death, cannot be inherited by the offspring of the female.

I started to draft the main content of this tradition having inspiration from official laws of Pakistan during 2013 at Peshawar. Several times I brought changes in it by confirming it from local examples and from my father also. Any type of new aspect I use to receive from original sources, after confirmation, I used to add it with the content of this paper. It was easier to understand the emic perspective of the tradition being a local, because, there are no linguistic barriers and/or cultural difference which can minimize the possibility of concealing information, and this process was always adding my background knowledge. Recently, in October 2017, I conducted a survey in the young females from above mentioned three villages, in order to establish an understanding about the future status of such customs.

The downside of this approach of investigation is time consuming. This research is mainly based on the informal interviews, normally noted in research diaries but not recorded in audio or vedio forms. Therefore, the record of primary source is not available in the original form. However, the upside of this approach, I think, may be the maximum possible accuracy in data, because the same information has been extracted from the interviews of different people with different backgrounds and in different

meetings and confirming it from material evidences. The codification of custom and its analysis to understand its impact on ethnic geography are the key outcome of this study.

Tribal governance

The conflict between the tribal and imported systems of governance, as well as the introduction of new ways of living to the land of lofty mountains, is said to have deep roots in the historic connections of this region with the Indo-Pakistan Subcontinent. Such influences can be dated back to the rise of Dōgra and/or the British colonial power, which started to expand in this area during the decade of 1840s. Baltistan was the first to receive such influences, Gilgit was the next, and the fall of Muduri Fort (Sandi) and the massacre in Yasin during 1862 (Dani 1989 [Re. ed. 2001, Rept. 2007], 259) extended the colonial influence over the borderlands of Yasin and Gupis. Later, it reached the territories of Hunza and Nagir during the winters of 1891 (Huttenback 1975, 17-26).

Nevertheless, the elders use to say that in Hunza once there was “no anguish, no crime, no locks, men living in vigour to great age” (Greenberg 1971, 27) and that this extraordinary state of peace was due to the enforcement of the tribal system of governance. This system was abolished in 1974 by the Central Government of Pakistan, that simply declared nowadays in Gilgit-Baltistan as a district (Hunzai 2013, 84-115), without, however, recognizing its full constitutional status. Nevertheless, a new system of administration was introduced, wherein earlier people abided to customary laws and values. In spite conflicts between tribal governance and exogenous governance were not new to the area, the abolishment of the Mir governance in 1974, is still remember as an abrupt contact with a new system of laws and governance.

In order to understand governance in Hunza, it is important to know the organization in everyday life, political activities and justice settlement is heavily relying on the authority of the tribal elders. Several definitions of tribe have been proposed by the academic scholarship (Biebuyck 1966, 501-502). The term tribe itself has been the object of many diatribes among the anthropological scholarship and in particular it has been criticized as a notion that would precede the state in terms of governance (Fried 1975). However, similar to Piang (2008) I have chosen to use the term tribe as a crosscutting notion that clusters with identity. The term tribe has also become widespread in the English language talked by local people in Hunza as a translation

of the Burushaski *rōm*, which designates the groups within the larger ethnic group of Burushaski speakers in Hunza².

Everywhere in Hunza, the tribes were governed through their elders ranked as *Uyum* (now rather called Nambardar) who are performing the *rajaki*, literally King's/State's work. *Uyum* means the tribe's elder who administers and deals the internal matters of the tribe. Nowadays, the Nambardars heads the tribes in Hunza and plays a role, which is similar to the one of the *Uyum*. Traditionally, it is said that the whole tribe is in charge to defend their women, called *Silezin*, in case of any offense to their honor, belonging, and personal safety.

Burusho, i.e. the people who speak Burushaski and, are the dominant linguistic group of Hunza, see the innermost Hunza as the heart of the local government, which has gradually expanded to the upper areas including Gojal and beyond, and the lower areas called *Šināki*. This core area, until 1970s was divided into three distinctive and separate administrative divisions:³ Baltit, Altit and Ganish. Each of these administrative units, comprised of several settlements and villages that were termed collectively as *maqso*. Every *maqso* possessed a demarcated territory, governed as one whole unit, and had several fortified settlements of tribesmen residing therein. In any *maqso*, there was water or control over a proportion of it. The agricultural land of the *maqso* was possessed individually by the residents but would never be transmitted outside the tribe. The property rights over the grazing land and the pastures above the mountains were commonly hold by the inhabitants of the *maqso*, however, in some cases particular tribes were controlling some particular pastures almost as if they would own these.

Baltit, the Capital of the former State, is at the top of a foothill with a monumental royal fort built at the head of the settlement. It is separated from Altit by the Utlar Šang or Harchi Har (a ravine), which is the eastern limit of this *maqso*. The western limits of Baltit are demarcated by Hyderabad Har (a ravine). Ganish, right below Baltit, extends down to the limits of the Hunza River. In-between Altit and Ganish, and below Karimabad (Baltit), Mominabad formerly called Berishal is located. There the artisans—blacksmiths, musicians that have been considered as a separate ethnic groups—live

2 Burushaski, the language of Burushos, spoken in Hunza, Nagir and Yasin, has three regional dialects. The Dialects of Hunza and Nagir are not much different but that of Yasin appears to be inspired highly or influenced by the language of Kho called Khowar. This language is also known among Chitralis and Wakhis as Virshikwar/ Virchikor, and popular within Shina speakers as Khajonaa or Hunzejaa means the dialect of Khajons or Hunzais respectively.

3 Now, Pakistan's administrative setup in District Hunza is very different than that in the past, comprise of two tehsils namely Tehsil Aliabad and Tehsil Gojal.

(Schmid 2006, 320-328). They are known as Bericho, speakers of Beriski or Domaki, which has been defined as an Indo-European language, whilst Burushaski would be a non-Indo-European language (Barbour 1921, 64).

The *Maqso of Baltit* stretching from Ultar Sang to Hyderabad Har is a sloping landscape with numerous terraced fields. The area comprises four distinct settlements beside few others. This is the division of land outside the main fortified settlement based on the tribes. The traditional land use of Baltit is based on the division of land among the four tribes. Each area is called with a name, which shows a clear association of the place with a tribe. Every name comprises two words: first the name of the tribe and the second is the attached suffix 'shal'. Such as Bara-shal, Borang-o-shal, Dhiram-i-shal, and Khuruk-u-shal. Bara-shal is the land of the tribe Barataling, Borang-o-shal is the area of the tribe Borang, Dhiram-i-shal is the place of re-establishment⁴ of tribe Diramiting and Khuruk-u-shal is the place where the members of tribe Khurukutz have their homes now.

Maqso of Altit, the earliest seat of the King, is still visible from its location and remains, presenting the glory of its past. It was a center for the cultural activities up to the days of State's dissolution. Altit, the name of the central village, which has a fort of royals at its head, and settlement of the subjects below, was also the name of whole *maqso* in broader terms. The geography of the territory of Altit *maqso* extends to the limits/borders known to as *Vardikatam*⁵ in the East, which demarcates Gojal, to Harchihar in the West. The ravine of Harchi demarcates the administrative border between Altit and Baltit above and Mominabad below.

The northern limits of Altit reached to the summits of the pastures, the passes and the peaks above. Pasture lands include that of Baldiyate, Khuwate, Talmushi, Mōingtas and etc. The villages in this *maqso*, below these pastures are Dūiker and A'tabad also called *Gharēyat*⁶ at the top. The southern extremes are to the limits of the right bank of the river Hunza, flows in a deep ravine in the lower extremes of the Hunza valley.

4 Tradition lets us know that this tribe was first established in the pastures of Shishpar above Hyderabad.

5 Literally means the place of trapped ram, located on the right bank of Atabad Lake at the opposite of Ainabad or Ghosben, also submerged by the same water deposit.

6 zzNow, partially cut down due to the geological facts and it is the reason of the formation of the Ataabad Lake in 2010 disaster at Hunza.

The four tribes of Altit are known as Khanukutz, Hakalukutz, Husaingutz and Şuşorōting. Each tribe has its own story of origin. Khanukutz claim to be the earliest occupants of Altit. The word Khanukutz literally means the people of the fort, which might be an indicator of their fortified settlement in this place. Their cultivated lands can be still observed in the proper or central village of Altit. Baru Tili, a walnut tree, at the old settlement of Altit is claimed by them to be the first tree grown, by their forefather in this village.

Hakalukutz, are divided into five major clans, however, the original descendants of Hakal are said to be three of them, namely Mukutz-Mamukutz also known as *Ulum Guti*; Galyūt̄z and Toqutz-Buluşkutz. Same to other tribes in Hunza, the two more clans, namely Sotkutz and Mushkinkutz are attached to thizzs tribe, whom ancestors reached Hunza from Shigar in Baltistan with Shah Khatun d/o Abda(l) Khan (1632-34), when she married Ayasho II. The right descendants of Hakal locate their land in Duiker and their pasture is Mōingtas. The lands of remaining two tribes of Husaingutz and Şuşorōting are located around Chukushal and Faizabad (Khōśi), respectively.

The third *maqso* is Ganish. The major division here is also based on clans, but it is different than the earlier cases of Baltit and Altit, but similar in nature. In the earlier two cases, there were four tribes in each, but interestingly the case here is very different. It is a kind of kinship of several clans, have routes in two primary settlements of Ganish. The first settlement is of proper Ganish called Gamun Ganish and that of the other is Tsil-Ganish. Both parts of Ganish are located in the area between Mominabad (Berisál) in the East and Garelth in the West. In the North Karimabad (Baltit) is located and, this village stretches down to the river in the South. The landscape of this area is comparatively flat, compared to the earlier two. Village Mominabad, located between Altit, Baltit and Ganish has also four tribes or clans also intact to their ancestral land.

Hence, in Altit and Baltit and Ganish all of the four tribes were living together in one fortified place and cultivable ground in surrounding. From these three core areas or villages all Burushos of Hunza have been developed and spread further to other villages including that in Gilgit area. The settlement of Hyderabad was established by the people of Baltit, therefore, we find the blood link of people of Hyderabad only with Baltit. Murtazabad, Hasanabad, Aliabad are established by the people from Baltit and Ganish jointly. Inside Altit *maqso*, Ahmadabad and Sarat (Salmanabad) are established by the settlers of Altit. From these places, during different phases in history, people further shifted to Shinaki and Gojal inside the territory of Hunza State. And later also migrated to the enclaves of Rahimabad (Matumdas) during 1902/3 and Oshikhandas during

1920s, and to the other villages in the Gilgit region—*Sat maqso*, the land of seven divisions/provinces—outside the territory of the state of Hunza. In continuation to this, later several people from Hunza purchased the lands around at the outskirts of Gilgit city, on their private grounds mainly in Danyore, Sultanabad, Nomal, Jutial, Sonikot and Zulfiqarabad.

Thus, the strength of the tribe was measured by the capacity to keep the ancestral land as one, as well as to extend its influence beyond and founding other settlements. It was thanks to the strength of one's tribe that subjects could expect a more or less successful representation in litigation. Every elder of the tribe represented his own tribe in the Court and had the right to defend the tribe's interest. The power of selection of elders was not based on democratic grounds, but rested on the authority of the King, or Mir. On the other side, the decisions of the court were implemented through the *maqso*-based structures; hence, top down hierarchy includes the *Wazir/Zanguin*, *Trangpha* and *Yarpa*, with different terms of references. *Wazir/Zanguin* used to work as the representative of the King supposed to maintain the justice. *Trangpha* was the head of public works. *Yarpa* was working as the keeper of state properties. All of activities were executed through tribal elders and performed by tribesmen.

Women's inheritance and tribal governance

These old laws and principles, which are still followed albeit with several degree of innovation, are deeply connected with an ethnocentric principle of tribal governance according to which the division of the land must be avoided. This principle has been largely followed in Altit, Baltit (Karimabad) and Ganish, but there are two exceptions, which deserve our attention. They include the case of 'Atābad in Altit and the case of establishment of Dadutsingkut in Khurukuśal area of Baltit (Karimabad).

The unique settlement of 'Atābad or Ghareyat in Altit *maqso*⁷ composed of the eight tribes, from Altit and Baltit living together is located in the North-Eastern corner of the territory of Altit area, there are now the families of Baltikut living together with Altikut and are distributed into eight tribes, including Khanikut, Hakalikut, Şuşorōting, Husaingutz, Dhiramiting, Borōng, Baralating and Khurukutz. In order to establish this village, Mir Nazim Khan interfered. He ordered to mix the people of different blood from Baltit and Altit, due to the failures of the earlier attempts

7 This is a preliminary attempt to know about the unique facts, but needs a separate investigation based on field oriented activities in this area and in-depth study which may include the distribution of tribes reside in Atābad.

to establish his village by the people of Altit. These mixed villagers were called *Gharey*; mean the mixture of people of different colors or blood, and their village was called Ghareyat. His wise idea and decision was more effective and successful, in its establishment, which flourished even in its very difficult terrain.

The second unique example is of Dhatusingkutz, a clan of Khurukutz of Baltit, shifted from Tzil Ganish and settled in the lands of Khamaro. Connected to the event of Khamaro's claim on the land portion, and died without leaving any surviving descendent. Later, the occupation of this land was refused by Khuro, the brother of Khamaro. Thus, a family of their relatives belonging to the Dhatusingkutz clan from Ganish, believed to be of "*dōm rāci*" means the keepers of stronger spirit⁸, and the flag holders of Hunza, reached Baltit and joined Khurukutz tribe, linked to the popular story of Khuro and Khamaro. Both of the cases have, however, nothing to do with inheritance and its regulations.

In 2004 the questions in this connection was raised by some female members of Gulmit, where they demanded the share of inheritance under Islamic Personal Laws, by mentioning, "at the day our marriage, we are sent off from our homes only with clothes and shoes along with the beat of big drum". Alwaiz Aslam attempted to convince the demanding team of women based on the following two major points in the tradition: first, if the inheritance would be granted under Islamic personal laws, then a man who has more sons and has less daughters he will have more land through daughters-in-law, thus, equality in the land distribution will be no more. In case, if a particular man he who has no son, the developed land of his family after the suffering and hardships of generations will be loosed, and the land would be transferred to the externals; Second, wherever the daughter is being married, she is the owner of those lands, and the doors of her father and brothers will remain always open for them, in addition he said to them "in front of our eyes our daughters are more important than our lands".

Nevertheless, the preservation of the tradition that connects power with undivided land, is considered by the elders and nationalist youth as paramount in maintaining peace in the situation of emerging conflicts between the tribes, and also within tribes. However, the sustainability of such worldview is a matter of debate vis-à-vis today's

8 On the death of any person from this clan, "chardangēlo" a spirit is believed to be appearing, which can ultimately take more people along with the deceased person, therefore, an iron nail is normally placed in the grave of the particular person. However, for the remaining tribesmen, the death on Wednesday is believed to be a curse, that many others are also expected to die, therefore, in the grave of the person who dies on this day similarly an iron nail is necessarily placed in the grave (Hakal 2015, 88).

pressure for human rights and democracy. The major element of this transformation might come from the adoption of Muslim Personal Laws in Pakistan, extended to Hunza after 25 September 1974, after the incorporation of Hunza State into Pakistan. In order to protect the women's rights in inheritance, the Constitution of Pakistan (1973) is said to have taken inspiration from the Holy Qur'an in Surah al-Nisā, fourth chapter, verses 11, 12 and 176 (Cheema 2012, 75-79). The case of Bibi Sitara verses Amanullah from Karimabad Hunza (Holden and Chaudhary 2013, 115-117) is a good example for understanding this transformation in relation to the governance in Hunza, which established a continuum between custom and personal law. This is added by the preaching system of the mosque, indeed, working in the education of masses in adoption of sharī' practices. Therefore, the application of Sharī'ah in the matters of inheritance can be prominently observable particularly among Ithna-'asharī Shi'ah community of Ganish, Hunza, compared to that among the majority Ismā'ilies. Change in the mind-set of locals regarding women's rights and towards the inheritance is another variable which can add it. Therefore, its future seems different than that exists before State's dissolution, which continues until now.

In order to explore more about the future status of traditional regulations in Hunza, mainly related to female inheritance, I conducted an investigation based on field activity. A questionnaire, based on seven open scope questions, was designed keeping the objectives of this research in view. This specially designed survey form was filled independently by twenty one adult and educated females from Altit, Baltit and Ganish with age in between 20-26.

The first three questions were planned mainly to ascertain the understanding of females regarding their inheritance rights at the mentioned three villages. The fourth question was helping to know their level of understanding regarding customary, Islamic, and human right approaches towards inheritance. The fifth and sixth questions were asking about about the sustainability of particularly chosen regulation of the above three in the environs of Hunza. The last and important question was to know about their selection of either land or protection of brothers till death as the female inheritance in Hunza.

The first three questions reveals that female segment of society is well aware about their inheritance rights in Hunza. They consider dowry, education, training of art and craft, business, protection, money etc. as their inheritance. All of them know and endorse that the land is normally transfers only in patrilineal lineage. In the cases of only daughters—in the absence of rightful male descendent—they believe that a portion of land is also use to be transferred as inheritance.

The fourth question, regarding legal approaches towards inheritance, let us understand that majority of the female respondents cannot differentiate the approaches of the customary, Islamic and human rights towards inheritance. They consider all the same and mainly confuse Islamic and customary regulations. However, minority of them can differentiate between all three. This reveals that, generally, the public cannot recognize the difference between customary and emerging approaches or ideas about inheritance.

Questions fifth and sixth ask the respondents about the suitable approaches for the inheritance and its sustainability, respectively. Here, mostly, the Islamic approach is considered safer approach for the women inheritance in Hunza. In this connection, fourteen out of twenty one consider Islamic approach more sustainable. However, interestingly, of them only four claim for the land as their inheritance right, but the remaining prefer for the protection of brothers till death. Here, only six, preferably choose, the customary approach, and select the option of protection of brothers rather the land.

In Hunza as majority are Ismailies not observing Shar'ī practices but concentration of Shar'ī practicing Ithna'asharī Shi'a Muslims is only in Ganish in innermost Hunza. As this is noticeable from ground evidences, that the land is granted in Ganish to others even of Nagir background, but here out of four only one with Ithnaashari background from Ganish is demanding land as her inheritance under Islamic principles.

On one hand the majority consider Islamic regulations preferable but on the other hand most of them are not claiming for the land under Islamic grounds. However, minority of the respondents vividly expressed their view to retain their custom. Therefore, no one of the aspect appears dominant here, but Islamic approaches are normally considered preferable. Therefore, this preliminary survey help us to consider this age of contemporary period as the early phase of its transition from customary grounds to inheritance rights based on Islamic principles. Possibly, the approach after few decades would be different and visible, if the active evolving process retained in the same way as it is now.

In this connection, the co-existence of ethnocentrism and new perceptions regarding human welfare either based on Islamic personal laws or else, can raise the conflicts within and between the families, particularly during this transitional period. So far in Hunza, there are claims of inheritance by daughters whose father did not have male children, as in Bibi Sitara case, but there are no claims of inheritance rights by women whose father also had male children. Traditionalists fear that if women will start to

claim their share of inheritance even in the presence of brothers it will undermine the loyalty of their brother to their protection and honour within the tribe. Furthermore, it is feared that the division of land will facilitate the mix of tribes not only within Hunza, but also with other districts of Gilgit-Baltistan and with different parts of the down country (four provinces of Pakistan).

Conclusion

Similar to the customary laws in other areas of South Asia (Agarwal 1994 and Mehdi 2002), Hunza customs, in principle, do not recognize inheritance rights to women. This loss is traditionally balanced by other benefits, which mainly includes their protection (Holden and Chaudhary 2013, 111). According to elders and traditionalists in Hunza patrilineal lineage has made the people of innermost Hunza to retain and perpetuate the strength of their tribes. This preservation of tribal groups that materialized by the fact of keeping the land within the tribe has been governed by the law called *sucē*, in force until 1974. This meant that a man who married a woman from another other *maqso*, was not supposed to get the property of his wife's ancestors and therefore transmit it to their children: land would only come from the father. This ideal principle was said to ensure the tribes to govern their territory peacefully. However, in Hunza the present coexistence of customs with the enforcement of personal laws of Pakistan, based on Islamic ideologies, is felt as an innovation which might jeopardize the strength of the tribe and therefore undermine its capacity to keep peace and govern its territory. This paper, however, has also mentioned that in Hunza, some women have started to claim their inheritance rights. Time will tell if this will indeed jeopardize peace as some think.

Bibliography

Agarwal, B. 1994. *A Field of One's Own: Gender and Land Rights in South Asia*.

Cambridge: Cambridge University Press.

Barbour, P.L. 1921. "Buruçaskī, a Language of Northern Kashmir." *Journal of the American Oriental Society*: 60-72. <http://www.jstor.org/stable/593703>

Beg, Q. 1980. *Tarikh-e Ehde Atiq-e Riyasat-e Hunza*. (Persian) Rawalpindi: S.T. Printers.

Biddulph, J. 1880 [2001, Reprint]. *Tribes of The Hindoo Koosh*. Lahore: Sang-e-Meel Publications.

Biebuyck, Daniel P. 1966. "On the Concept of Tribe." *Civilisations* Vol. 16 , no. No. 4: 500-515. <http://www.jstor.org/stable/41231451>

Cheema, S. A. 2012. "Shia and Sunni Laws of Inheritance: A Comparative Analysis." *Pakistan Journal of Islamic Research* 10: 69-82. <http://www.bzu.edu.pk/PJIR/vol10/>

Dani, A. H. 1989 [Revised 2001, Reprint 2007]. *History of Northern Areas of Pakistan*. Lahore: Sang-e-Meel Publications.

Ethar, F. A. 2002. *Riyasat-e Hunza, Tarikh-o Thaqafat ke A'ine me* (Urdu). Gilgit: Hanisari Publishers.

Fried, M. 1975. *The Notion of Tribe*. Menlo Park, California: Cummings.

Greenberg, J. 1971. "The Supremacy of the Hunza." *The Transatlantic Review* 29: 13-29. <http://www.jstor.org/stable/41513097>

Hauptmann, H. 2007. "Pre-Islamic Heritage in the Northern Areas of Pakistan." In *Karakoram, Hidden Treasures in the Northern Areas of Pakistan*, Edited by Stephano Bianca, 21-40. Aga Khan Trust for Culture. <http://archnet.org/publications/4868>

Hakal, M. 2015. *History and Antiquities of District Ghizer: A Case Study of Tehsil Punyāl, Gilgit-Baltistan*. PhD dissertation submitted to University of Peshawar.

Hunzai, A. Jan. 2013. *Jab Riyasat-e Hunza Tehlil ho Rahi Thi* (Urdu). Lahore: Sang-e-Meel Publications.

Hunzai, Faqir. M. 2004. "A living Branch of Islam: Ismailies of the Mountains of Hunza." *Oriente Moderno, Nuova serie, Anno 23 (84)*: 147-160. <http://www.jstor.org/stable/25817922>

Huttenback, R. A. 1975. "The 'Great Game' in the Pamirs and the Hindu-Kush: The British Conquest of Hunza and Nagar." *Modern Asian Studies*: 1-29. http://journals.cambridge.org/article_S0026749X00004856

Ismaili.net. 13 April 2015. "Ismailia Constitution." *Heritage Society*. Accessed on April 15, 2015). <http://www.ismaili.net/Source/extra1.html>

Khan, Masud A. 1996. "Catching a Passing Moment: The Redeployment of Tradition." *Traditional Dwellings and Settlements Review* 7, no. 2: 43-62.

Khan, Masud A. 2006 "Conceptual Planning in the Karakoram: The Built Heritage and Dynamics of Institutional Building." In *Karakoram in Transition*, Edited by Hermann Kreutzmann, 305-319. New York: Oxford University Press.

Kreutzmann, H. 1993. "Challenge and Response in the Karakoram: Socioeconomic Transformation in Hunza, Northern." *Mountain Research and Development* Vol. 13, no. No. 1: 19-39. <https://www.jstor.org/stable/3673642>

Kreutzmann, H. 2006. "High Mountain Agriculture and its Transformation in a Changing Socio-economic Environment." In *Karakoram in Transition*, Edited by Hermann Kreutzmann, 329-358. New York: Oxford University Press.

Kreutzmann, H. 1991. "Impact of Road Construction on Mountain Societies." *Modern Asian Studies* Vol. 25, no. No. 4: 711-736. <https://www.jstor.org/stable/312750>

Holden, L. and A. Chaudary. 2013. "Daughters' Inheritance, Legal Pluralism and Governance in Pakistan." *The Journal of Legal Pluralism and Unofficial Law* 45, no. 1: 104-123.

Mehdi, Rubya. 2002. *Gender and Property Law in Pakistan: Resources and Discourses*. Lahore: Vanguard Publications.

Malik, A. and M. Piracha. 2006. "Economic Transition in Hunza and Nager Valleys." In *Karakoram in Transition*, Edited by Hermann Kreutzmann, 359-368. New York: Oxford University Press.

Muhammad, G. 1905. "Festival and Folk Lore of Gilgit." *Memoirs of the Asiatic Society of Bengal* Vol.1, no. No. 7: 93-127. <http://www.mahraka.com/gilgit.html>

Piang, L. Lam Kan. 2008. "Clan, Dialect and Tribe Identity: Emergence of Crosscutting Identity among the Zo People in Manipur." *Indian Anthropologist* Vol. 38, no. No. 1 (January-June): 43-60. <http://www.jstor.org/stable/41920056>

Schmid, A. 2006. "The Land Scape of Mominabad: Meanings and Identities." In *Karakoram in Transition*, Edited by Hermann Kreutzmann, 320-328. New York: Oxford University Press.

Singh, S. Thakur. 2010. *Dhilla Gilgit ke Qabail Rasam-o-rivaj*. Translated by Z. H. Pal Lahore: Maktaba-e Jamal.

Iqbal Z., G. Shabir, R.H. Saami. 2010. "Conflict, Constitutional and Developmental News in Print: How Does the Press in Gilgit-Baltistan Treat Them?" *International Journal of Operations Research and Optimization* 1, no. 2: 257-271.

Britain and China's 19th Century Stalemate over Hunza—Kanjut

Julie Flowerday¹

Abstract

The political modality of *modern state* is associated with a particular time and European colonial practices of territorial acquisition. The Western European model fixed evolution as advancement with nationalism as inborn superiority, which stigmatized other paradigms of state as pre-modern. The case presented here concerns the past, the notion of modern state, and an unresolved pre-Partition struggle between Britain and China over a political entity situated in the high Karakoram Mountains, which Britain named Hunza and China termed Kanjut, and asks if that impasse affects the contemporary Kashmir Dispute? In that earlier construct, Britain perceived its state as modern but China was not.

There are two sections to this paper. In section one, I provide a narrative account to Britain and China's political stalemate over the small polity of Hunza-Kanjut, which British-led forces captured in the *1891 Hunza Nagyr (Nagar) Campaign*. In section two I ask why this political stalemate was underreported during the colonial period and why it can no longer be ignored.

Keywords: Hunza, Kashmir, British India, China, Gilgit

Introduction

Rarely do we separate *modern* from *state* to recognize the political modality of *modern state* as a device associated with a particular time and colonial practices of territorial acquisition. The modern state emerged in Western Europe through conjoining notions of evolution as advancement and nationalism as inborn superiority, which stigmatized other paradigms of state as pre-modern. Although the colonial period is past, the notion of modern state as territorial geography prevails. It is no longer modern but merely state, a kind of real estate registered with the United Nations. Even so, political organizations that operate outside geographic constraints thrive presently and they did in the past. The case presented here concerns the past and reflects on an unresolved

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pre-Partition struggle between Britain and China over a political entity situated in the high Karakoram Mountains, which Britain named Hunza and China termed Kanjut, and asks if that impasse affects the Kashmir Dispute? In an earlier paper I challenged the reductive view that the dispute rests on Pakistan and India's perceived inheritance to British India and pointed to the pre-Partition stalemate between Britain and China in which the Gilgit Agency administering Hunza operated on territory that was not British Indian and, therefore, inconspicuously not British India at Partition (Flowerday 2019). Following Partition, British India was defunct (1947) and the People's Republic of China (PRC) emerged (1949). Hence, a critical question is whether in the 21st century an unresolved 19th century political standoff between Britain and China over Hunza-Kanjut matters to the Kashmir Dispute? At Hunza no clearly demarcated international border yet exists with China.

There are two sections to this paper. In section one, I provide a narrative account to Britain and China's political stalemate over the small polity of Hunza-Kanjut, which British-led forces captured in the *1891 Hunza Nagyr (Nagar) Campaign*.² Based on archival work at the India Office Library, London, I learned something of a political discourse involving Russia and China but, whereas concerns about Russia appeared in the ordinary press of the period, China was undistinguished except for its outmoded practice of tribute with Hunza, an annual symbolic exchange of goods. I was nonetheless surprised during my dissertation fieldwork on the *Construction of Cultural History from Visual Records* to hear about China.³ Elders opened to me a debate about *Wazir* Hamaiyun Baig's role in the 1891 Campaign.⁴ Some said he was a traitor because he had guided the British into Hunza. They also said that on the approach of British-led troops, *Tham* Safdar Ali and his followers went *inside*. In Burushashki 'ulo', inside, signified the sense of inner part, being within, but in this historical context *inside* was China and no parallel political geography existed for Kashmir or elsewhere. Tribute suddenly shifted for me from a historical curiosity to a meaningful political alliance. On returning from the field and reviewing archival notes and actions by the United Nations (UN), I realized that there was no resolution to Britain's 1890s' impasse with China and wondered if that blip might have anything to do with the Kashmir Dispute? Barely noteworthy at the time of the UN Ceasefire to the Indo-Pak War (1949)⁵ was the

2 I use Hunza-Kanjut/Kanjut-Hunza interchangeably for the valley politically dominated by the Burusho whose first language was Burushaski. Hereafter I use 1891 Campaign for the 1891 Hunza-Nagyr (Nagar) Campaign.

3 Flowerday, "Cultural History Visual Records", 1998.

4 Hamaiyun's brother, Thara Baig, was *wazir* (first minister) to *Tham* (ruler) Safdar Ali who opposed Britain's demand for a road through Hunza.

5 Indo-Pak War (1948) is also known as the first Kashmir war.

absence of an international border at Hunza, which separated China from the disputed territory entrusted to Pakistan. What makes this historical case both pertinent and remarkable to the contemporary period, I argue, is the unrecognized embeddedness of China, now the PRC, in the on-going irresolution of the Kashmir Dispute.

In section two I ask why this political stalemate was underreported during the colonial period and why it can no longer be ignored? There are not only textual gaps in Britain's government papers addressing China's claims to Hunza, but Gilgitis (people claiming Gilgit heritage) knew little if anything about the British-Chinese stalemate then or now. In addressing these concerns, I relied on ethnographic field notes, British Political Agents' (PAs') diary entries, government confidential papers, Lin Ting's English translations of Chinese confidential papers held in Taiwan, and an *Autobiography* dictated in the 1920s by Hunza ruler Mir Muhammad Nazim Khan.⁶ These materials exposed the British-Chinese stalemate and, further, pointed to relevant issues in the contemporary period. PRC, for example, is attracting worldwide attention as a growing world power and its action of spearheading economic development through the unresolved territory of Gilgit-Baltistan (under the ongoing protection of Pakistan) is adversarial to the Republic of India's interests. Further, the angst of Gilgiti residents stuck in a liminal transitional stage with citizenship-like rights to Pakistan on territory that is not Pakistani, already spans three generations. Beyond these existing anxieties, conceptual frameworks of the state have shifted. Whereas colonial constructions emerged over time in conjunction with territorial integrity, border inviolability, autonomous supremacy, and a supreme lawmaking authority, 21st century paradigms of the state diverge and carry disciplinary and legalistic distinctions beyond the present work.⁷ Significantly, in the colonial period not all states were equal. Russia, like Britain, was modern, i.e., evolutionarily advanced. China was not. This sense of discernment was evident in Sir Alfred Comyn Lyall's (1835-1911) comment that, 'if Asians were organized, like Europeans, into sovereign nation-states, then it would not be legitimate for the "governing class" of another nation-state such as Britain, to impose "foreign

6 Hereafter I refer to the ruler as Mir Nazim. I used an English translation of the Mir's *Autobiography* produced in 1931 under the British. The original *Autobiography* is in Persian and held at the Baltit Research Library, Karimabad, Hunza. A copy appears in Müller–Stellrecht, *Hunza: Materialien*.

7 See "Peace of Westphalia", which was a series of European peace treaties signed between May and October 1648. https://en.wikipedia.org/wiki/Peace_of_Westphalia. Cf. Cohen, "Statehood in United Nations", 1129. Nation-state typically refers to a ruling organization that maintains a national identity, that occupies a bounded territory, and that possesses its own government. See Nation-state.

rule” on them’.⁸ Accordingly, in this section I ask why Britain erased this episode from its colonial history and why the stalemate must now be addressed.

Section I. Background Hunza-Kanjut

It was the 1880s. Following a period of wavering, the Qing Emperor mandated the production of Xinjiang (Sinkiang 1884) as China’s westernmost province. Kanjut was to be part of it. At this time, notably, Hunza/Kanjut was tributary to both Kashmir and China, a situation that became problematic. Kanjut’s tribute to China commenced in 1760 under Emperor Chien Lung. Hunza’s tribute to Kashmir began roughly one hundred years later, following the defeat of Gilgit in 1860 under the Jammu-Kashmiri ruler Maharaja Ranbir Singh of British India.⁹ Although Britain wanted an exclusive relationship with Hunza-Kanjut, the counter-argument went “but if it ([Hunza] has relations with us, it has them no less, and no less legitimately with China”.¹⁰ Already anxious about consolidating the frontier beyond its state of Jammu-Kashmir, Britain authorized the Lockhart Expedition (1885-86) to survey the mountain reaches north and west of Jammu-Kashmir to determine the feasible limits of British India. A member of the expedition, Mr. Ney Elias, recounted that

*‘at the same time as my visit the Chinese authorities regarded Hunza as an outlying district of the New Dominion [Xinkiang] and talked of incorporating it formally into the province and are prepared to interfere there, even to the extent of promoting an attack on a part of British officers engaged on a peaceful mission’.*¹¹

Elias added that China saw Hunza/ Kanjut as “one of their outposts”, which tied it to a different geo-political history of central Asia.¹² As demonstrated later in the paper, ‘guard post, outpost’ signified a territorial marker that was unlike Britain’s notion of border.

8 Inden, *Imagining India*, 176. Inden noted that Lyall was rebuking Edmund Burke’s critique of the East India Company being like the German Empire in its, “forcible domination of one clan or family over other races or tribes (Lyall 1899: 222)”.

9 Drew, *Jummoo and Kashmir*, 443-444. Further, “in 1870 the Hunza Raja sent an agent to Srinagar to open friendly relations” (ibid., 457).

10 P/L&S/18 A.82: 23.

11 P/L&S/18 A.83, 2-3. Cf. Mir, *Autobiography*, 28. Mir referred to the Chinese officer that entered Hunza as ‘Jangdarin’, which judging by Elias’s comments, occurred before 1886. Lin identifies the Chinese officer as Zhang Hongchou, and dates this event to 1888 (Lin, “Hunza Tribute,” 496).

12 P/L&S/18 A.82.

In 1888 Col. Algernon Durand and (medical doctor) George Robertson went to Gilgit to investigate why the “tributary States” of Hunza and Nagar were threatening to break their alliance with Kashmir and while there observed serious weaknesses in the Maharaja’s military presence and heard that a Chinese Amban (昂邦, high official) was in Hunza similarly investigating the trouble.¹³ The implications were clear. In the wake of China’s newest provincial design and Britain’s identification of Hunza (and neighboring Nagar) as key to blocking Russian advances, Britain moved quickly in formalizing its Gilgit Agency (GA, 1889), building a 240 mile Gilgit Transport Road from Srinagar (GTR 1890-1891), and sending a diplomatic letter to the Chinese government¹⁴ with separate letters of ultimatum to the rulers of Hunza and neighbouring Nagar. In the cross exchange Macartney, Officer on Special Duty, Kashgar, reported that the Chinese considered Hunza-Kanjut as a dependency of theirs.¹⁵ Britain’s declared purpose, however, was simply to build a road through Hunza and Nagar to protect British India from Russian advances. Consequently, China’s quest for Kanjut and Britain’s pursuit of Hunza converged.

Stand-off

Britain made the next move. The 1891 Campaign lasted under three weeks (December 2-21, 1891). As Government led troops approached Nagar and Hunza, its leaders fled. They went inside “*Uwayulo niban*” (Burushaski). According to Mir Nazim Khan, “the people had come [to China] as refugees for the protection of the *Khakhan*’ (Emperor of China).¹⁶ In other words, inside, (*ulo*) signified a Qing political space that carried sanctions of protection for those who had submitted to China’s Emperor. Some 500 followers of *Tham Safdar Ali* (and others of Uzr Khan of Nagar) sought sanctuary. British led troops did not pursue them. A political standoff followed in which Chinese officials held the leaders of Hunza and Nagar while British officers occupied the rulers’ respective forts. Uzr Khan of Nagar did not remain¹⁷ but at Kashgar, *Tham Safdar Ali* faced Chinese officer Jangdarin¹⁸ who blamed him for two grave crimes, “[first] the

13 Durand, *Making of a Frontier*, 3-4; 40.

14 The government’s letter, 29 August 1891, informed the Chinese Government that as Hunza was south of the Hindu Kush, it was “exclusively within the sphere of British influence” (P/L&S/18 A.82). As far as known, China did not respond.

15 Noorani, *India-China Boundary Problem*, 77. Macartney sent his report to the Foreign Office on 24 October 1891.

16 Mir, *Autobiography*, 40-41.

17 Chinese officials refused refuge to Uzr Khan because Nagar had no tribute relation with them (Mir, *Autobiography*, 46.) See also Müller-Stellrecht, “Passage to Hunza”, 198-199.

18 Jangdarin may be a title, which is similar to *Jiangjun*, a military governor. In the process of setting up the Qing provincial design, such administrators represented Imperial authority. See Millward and Newby, “Qing and Islam”, 116.

murder of his father by which he had cut away the branch upon which he was sitting and [second] the fight against the Government [Britain]”.¹⁹ On both counts, Jangdarin said the *Tham* acted against Chinese advice and interests.

Stalemate

Mir Nazim’s dictated *Autobiography* provides further details of how British and Chinese representatives selected him as Hunza ruler, but it is the event of 15 September 1892 that is critical to the discussion of Britain and China’s impasse. On that date two Chinese envoys, Yangchidarín and Jangdarín, following a one-month retreat as guests at the headquarters of the Gilgit Agency, Gilgit Town, assembled at the ruler’s Baltit Fort to solemnize *Sanad* (treaty) XVI granted by His Highness Pratab Singh Maharaja of Jammu-Kashmir to Raja Muhammad Nazim Khan of Hunza.²⁰ Likely unknown to the Chinese, the British penned *sanad* fell under the jurisdiction of the 1846 Amritsar Treaty that incorporated the princely state of Jammu-Kashmir inside British India. Major George Robertson read the Maharaja’s script, saying, “I have, with the approval and authority of the Governor General of India in Council selected you, Muhammad Nazim Khan, to be ruler of the said State of Hunza.”²¹ The document addressed Muhammad Nazim Khan as *Raja* not by his local title of *Tham* and guaranteed him the hereditary right of a “Chiefship.”²² The polity became Hunza, not Kanjut.

Sanad XVI accomplished three objectives. First, it made the Maharaja of Jammu-Kashmir responsible for constructing roads through Hunza. Second, it formalized a vassal relationship of symbolic tribute and patronage between the Maharaja of Jammu-Kashmir and the Raja of Hunza, rather like China’s relationship with the *Ichen* of *Kanjut* (ruler of Kanjut). Owing to that parallel construction and also to the absence of exclusionary rights, the treaty did not provisionally disconnect China’s prospects of dominion. The third objective was not provisional. It linked both the State of Jammu-Kashmir and by extension the State of Hunza to the superior dominion of British India. A clause in *Sanad* XVI noted that the succession of the “Chiefship” “is approved by the Maharaja of Jammu and Kashmir for the time being and by the Government of India”.²³

19 Mir, *Autobiography*, 40, 43.

20 Mir, *Autobiography*, 50. The Mir acknowledged no presence of the Maharaja’s government.

21 Mir, 1931, 50-51; Aitchison, *Treaties*, 15, 49. Britain wrote and delivered the Maharaja’s *sanad*.

22 See Lorimer, “Vocabularies”, Vol. III, 342). Britain substituted *Mir* (Persian) in formal dealings to avoid Chinese associations with *Tham*, which local residents continued to use.

23 Aitchison, *Treaties*, 49. On August 22, 1891 the *Gazette of India* announced that “the succession to a Native state [was] invalid, until it receive[d] in some form the sanction of the British authorities.” (Lee-Warner, *Native States*, 323).

That is, the Maharaja did not so much as confer his presumed power as he deferred his authority to *the Governor-General of India in Council*. According to the Parliamentary Interpretation Act of 1889, *India* enshrined the statutory employment of British India's supreme suzerainty, which thereafter subordinated all native princes, sovereigns, offices, territories and other political divisions under the Governor General of India.²⁴ Thus, the government imputed the power enjoyed by the Maharaja and disabled that same authority over time to fit its needs. In the *sanad* of seven paragraphs, the government incorporated rules, roles, and participants. The Maharaja of the princely state of Jammu-Kashmir would receive tribute from the ruler of the tributary state of Hunza but the government would hold the executive role of command. The hitch? The treaty marginalized China to a subordinate position. Had Britain successfully made Hunza subject to its nation-state, Britain would have solely adjudicated its defense and foreign matters, which did not happen.

Before the Chinese officers departed, Mir Nazim refused to accept gifts from them and added that the British would decide the fate of their tribute relationship, i.e., the annual presentation of gold from the *Ichen of Kanjut* to Chinese officials.²⁵ Reflecting on this incident, the Mir wrote, "it was evident that Hunza had been conquered by the British and I was under their sway".²⁶ Although, Mir Nazim signed the *sanad*, which was an agreement between the ruler of Hunza and the Maharaja of Jammu-Kashmir of British India, it was not binding on third parties, i.e., China.

Two years passed. Mir Nazim exchanged no tribute with the Chinese during which he forfeited his herding rights and tax revenue from China's Taghdumbash Pamir region.²⁷ Then in 1894 and with no explanation Colonel Bruce, acting temporary British Agent (BA), told Mir Nazim that

the Government had decided that I might still pay my annual tribute to China [...] and that no suspicion would attach to me as long as there were friendly relations between the British Government and The Emperor of China'; ... [and

24 L/P&S/18/D169, 2.

25 Mir, 1931, 51. Britain's directive likely grew from an event in May (1892) when General Chang Hung Tao brought gifts for the Mir of a hat adorned with a button and a peacock feather—symbols of the Chinese tribute alliance. Accordingly, the Chinese envoy was "not to have any direct dealings with the Hunza Chief" (Huttenback, "Great Game", 28).

26 Mir, *Autobiography*, 51. Lin overlooked the Mir's *Autobiography* and interpreted the events differently (Lin, "Tributary System").

27 The situation was dire, as *Tham* Safdar Ali Khan impoverished the polity by taking with him a wealth of horses and herds; and later British forces depleted local resources. See File No. 27-C/1894, 4.

*that I should let the Political Agent [PA] in Gilgit see the letter that accompanied the gold before it was dispatched.*²⁸

In 1894, the year that China resumed its tribute relationship with Hunza, Lieutenant Gurdon acknowledged that the British Government had in fact received a letter from the “Taotai of Kashgar” that confirmed that “the Government of England have agreed not to place any obstacle in the way of the Mir of Hunza complying with the demands of the Chinese Government for the tribute formerly received by them.”²⁹ Most surprising, however, was Britain’s role in the event. When the exchange resumed, China demanded four times the amount of gold earlier paid by the Hunza ruler and, owing to the destitution of Hunza, the British government realized that this could “only [be] overcome by our supplying the Mir with the amount of gold required”.³⁰

Two more years passed. Then in 1896 Britain inexplicably withdrew its resident Assistant Political Agent (APA) from Hunza after completing a new house for the officer at Aliabad village (1894). The government also pulled out its military troops after having just completed a fort for them in Aliabad (1895) to replace their tent quarters below the Mir’s fort at Baltit [Karimabad].³¹ There were never again permanent colonial officials and standing government troops residing in Hunza. After 1896 a Political Agent (PA) administered Hunza from Gilgit Town and made annual visits there. Local levies and later Gilgit Scouts (1913) replaced government troops.³² Post (dak) service and vetted officials en route to Kashgar continued to access Hunza.³³ Moreover, in just seven years (1889-1896) Britain set up the Gilgit Agency (GA, 1889), built the Gilgit Transport Road (GTR, 1890-91), captured Hunza and Nagar in a military campaign (1891), penned a treaty between the Maharaja of Jammu-Kashmir with the ‘Raja’ of Hunza (1892), inaugurated Muhammad Nazim as ruler of Hunza (1892), and were busily constructing a road through the country (1892-96) when everything came to a halt. A popular book at the time was photojournalist Edward Knight’s account,

28 Mir, *Autobiography*, 51.

29 File No. 27-C/1894, 5.

30 Ibid., 3. China demanded four and a half tolas (roughly, one and one-half ounce) of gold. Other comments on the state of Hunza’s economy are in this same file. See document No. 290, dated 20 September 1893 on subsidies.

31 I corroborated entries in the Mir’s *Autobiography* and in British Political Agents’ diaries with Hunza residents for China-Hunza’s resumed tribute practice in 1894 and for Britain’s withdrawal of official personnel in 1896. In the 1960s, residents of Baltit renamed the village Karimabad in adoration of Prince Karim, Aga Khan IV, the 49th Ismaili Imam claiming lineage to Ali, cousin of the Prophet Muhammad.

32 Aitchison, *Treaties*, 15.

33 Later, during China’s civil war, Christian missionaries also used this route.

Where Three Empires Meet, which characterized China as an imperial power but largely inconsequential.³⁴ At Partition and unknown to the postcolonial public there was no completed Imperial Road—cause célèbre of the campaign—and no international border with China.³⁵ More critically, neither Britain nor China exclusively controlled Hunza-Kanjut’s foreign affairs and its defense that were key to Britain’s 19th century notion of the modern state and which meant that Britain could not declare *de jure* or *de facto* sovereignty over it.³⁶ Time ran out.

*The suzerainty of the British Crown, however, lapsed on 15th August 1947 by reason of Section 7 of the Indian Independence Act, 1947, and on the lapse of suzerainty the Indian States became independent sovereign States released from their obligations to the British Crown and all functions exercisable by the British Crown at that date with respect to Indian States and all powers, rights, authority or jurisdiction exercisable by the British Crown at that date in or in relation to Indian States by treaty, grant, usage, sufferance or otherwise also came to an end.*³⁷

Thus, the stalemate: China never completed incorporating Kanjut inside its Xinjiang province; and Britain never concluded joining its Gilgit Agency with the state of Jammu-Kashmir. The Gilgit Agency was a legal institution, but it operated on territory that was not British India. (Flowerday, 2019).

Section Two: Underreporting the Stalemate

The absence of China in the colonial period of Hunza affairs for those who know no differently is unremarkable and China’s contemporary involvement with Pakistan in the *China Pakistan Economic Corridor* (CPEC) is commonplace. To many outside observers China is disassociated with the Kashmir Dispute and there is little if any material in the public domain that says otherwise.³⁸ The task, too, of producing a comprehensive account of the British Chinese stalemate is complicated. High-level British documents

34 Knight’s book, *Where Three Empires Meet* has many reprints.

35 See Lamb, *China-India Border*, 16. Imperial here distinguishes roads produced and classified by the British as distinguished from a local insular road that the Government used in Hunza.

36 The distinction of *de facto* (practice that is not necessarily ordained by law) and *de jure* (legal rule that secures practice) assumes agreement at some point between those involved on discordant grounds of possession. Although Furber noted that Britain regarded the princely union of Kashmir “as *de jure* Indian territory” (Furber, “Unification of India”, 356), unsettled was Kashmir’s rights over the territories of some tributary states.

37 Bhagwati, P. and A. Desai. Gujarat High Court.

38 See Lakshman, “China Wants”; “China and Kashmir Dispute”; and Kreutzmann, “Boundary and Space”.

on the Gilgit Agency, for example, are rare owing to practices of Lord Ripon's *kharaita*, which directed government personnel not to commit to writing what could be said and when possible to reference existing documents.³⁹ The paucity of records may also be due their purposeful disappearance. At Partition, junior forestry officer, Haji Ghullam Rasool, observed the government destroying documents at its Gilgit Agency.⁴⁰ There was also the matter of dealing with the government's bureaucracy that was expanding into hierarchies of specialized tasks and classified knowledges. Rotating mid-level civil servants passed through postings at regular short-term intervals and no single, high-ranking bureaucrat remained in Gilgit for a significant duration of the colonial period. At best the published accounts of retired government administrators, indisputably constrained by love of Queen-King and Country, were narrowly constructed.⁴¹ Hence, practices of evading written documentation, burning government papers, and dissembling information through disparate hierarchies lies at the heart of underreporting the stalemate. The significance of why this happened remains.

Did Great Britain cover-up the affair because it perceived China as antecedent to its notion of a modern nation-state, hence not its equal counterpart? Colonial writers typically portrayed it as a backward despotic country, sleepy at best. Even in the 20th century, this characterization persisted.⁴² Yet contrary to this perception, China was not stuck in a pre-modern mode but was actively engaged in modern state making policies that involved Kanjut. Xiaomin and Chunfeng note that in 1864, the Qing Court accepted a memorial (submission) of a translation of *Elements of International Law*, which became essential to their diplomatic relations with Western nations and also to non-Chinese nationals residing and trading inside China.⁴³ By the 1880s the Qing had not only shifted its attention to diplomatic relations with Western nations, it had sent envoys to foreign countries and started the formal process of producing Xinjiang

39 Lord Ripon's *Kharaita* (18 June, 1881) appears in File No. 97-C 1927, 3.

40 I am grateful to Gilgit scholar Mr. Sherbaz Ali Bircha for recounting Haji Ghullam Rasool's witnessed account of colonial staff burning Government documents at Chenabagh, Gilgit Town, and discharging their ashes into the Gilgit River.

41 Algernon Durand remarked, "For the man on the Frontier sees but his own square on the chessboard and can know but little of the whole game in which he is a pawn" (Durand, *Making of a Frontier*, 2).

42 Wittfogel, "Marxist View of China", 154.

43 Xiaomin and Chunfeng, "Late Qing Dynasty", 431. In 1866 the emperor endorsed the idea of sending diplomatic representatives abroad and in 1875 the Imperial Court agreed in principle to it (*ibid.*, 438-439; 442). For contrasting British perceptions of the Chinese, see Hevia, *Cherishing Men from Afar*.

as a Chinese province.⁴⁴ Then, again, was the reason why Britain underreported its stalemate with China because it was preoccupied with Russia's expansion towards India? Documents in the public domain of the colonial period support this position.⁴⁵ The material left to be analyzed however, also carries an introspective dimension that underwrites a state script being written at the edge of what had not yet happened while simultaneously predicting and hedging its outcomes. What emerges is an account bearing the likeness of British values and standards used to rout China's connection to Hunza by calculatedly dismissing China's Kanjut ties, which also led miscalculatedly to an unfinished border.⁴⁶ Two matters support this interpretation: a British subtext of suzerainty during the colonial period; and following Partition the work of scholars in producing translations and commentaries to Qing presence in central Asia.

British Subtext of Suzerainty

China's practice of tribute was complex, but equally complicated was British India's notion of suzerainty.⁴⁷ The latter grew from Henry Sumner Maine's contributions on the evolution of political organization, which recognized elements of quasi-sovereignty in Indian polities and the need for Britain "to guide the speed of its legal and political development".⁴⁸ Western evolutionists conceived British superiority as proved by the theories of Charles Darwin, hence its paramountcy.⁴⁹ By the mid 1890s, members of the Foreign Office advanced the position that "the relation between princely states and the British government should be regulated through 'political law,' [based on] the doctrines of 'divisible sovereignty'".⁵⁰ Britain had hundreds of dependencies negotiated by treaties, engagements, and grants that ranged from elaborated systems of assemblies and councils of princely states to "the rude patriarchal rule of a border chief",

44 Newby notes that "Only in the late 17th century, however, was the Qing court introduced to the Western notion of border treaties and the mapping of lines mutually agreed between sovereign powers in order to demarcate precise territorial limits which corresponded to the respective legal and political jurisdiction of the parties concerned" (Newby, *Empire and the Khanate*, 12).

45 CKs See Ewans, *Great Game*; Gillard, "Martin Ewans. *Great Game*"; Hamm, "Revisiting the Great Game".

46 See also Noorani, *India-China Boundary Problem*, chapter 11, "The McMahon Line".

47 China made it quite clear to Captain Biddulph, Resident at Gilgit, 1878, "that she considered Hunza her feudatory" (Huttenback, "Great Game", 7, 25, and 25-26).

48 Benton, "From International Law", 603.

49 Winks, "British Imperialism", 3. "Benjamin Kidd, like Herbert Spencer and Karl Pearson, found British superiority proved by the theories of Charles Darwin" (*ibid.*, 6).

50 Benton, "From International Law", 602. Further, "During the nineteenth century international law as it was construed by European and American publicists, asserted that inter-national law applied only to civilized sovereign states that composed the 'Family of Nations'" (Kemmer, "European International Law", 489).

which Durand “described as feudatories of the Suzerain Power [Britain]”.⁵¹ It was a totalizing view, a language of symbolic power that embellished British Indian polities by titles, salutes, obligations, and laws and that, further, distinguished itself by such superlatives as Great Britain, Supreme Government, Superior and so forth. Relations with the Supreme Suzerain, the Crown, passed through a thousand gradations, ranked hierarchically from quasi-independence to complete subservience.⁵² Britain perceived its higher order as contractual power, laws and agreements that it exercised with all its members from princely states to lesser ‘feudatories’ that paid tribute to princely states.⁵³ Over time, theoreticians predicted, the entire system would evolve into contractual order. China was an incipient state, not yet a nation-state. Marx judged those states that ruled by tribute-collecting despots and depended on a system of production-property relations as non-progressive.⁵⁴ Consequently, Britain perceived China as a lower order of political organization and possibly a pawn in its ‘great game’ against Russia as evident in the following events.⁵⁵

Within weeks after the 1891 Campaign, Sir Steuart C. Bayley wrote preemptively that the Tagdumbash Pamir and territory claimed by the Russians “seem to have been effectively occupied by no one” and he “proposed to consider this district Chinese, the importance of it being that it commands the main passes into Hunza and the principal road from Central Asia to Yarkand.”⁵⁶ The proposed move tentatively blocked Russia’s advance and as the region was north of the Hindu Kush, it did not differ with the region that Lord Salisbury identified in his letter to the Chinese Minister on the eve of the 1891 Campaign “informing him that Hunza lying entirely to the south of the

51 Durand, *Making of a Frontier*, 9.

52 Crown and Raj were shorthand for Britain’s monarchy, which in 1857 replaced the East India Company.

53 The Government of India’s revised edition (1893) of its handbook on honours included a chapter on titles and ceremonial because of “the great importance of these matters in Indian Political business” (McLeod, “English Honours System”, 237).

54 See Despotism, http://en.wikipedia.org/wiki/Oriental_despotism. In the 19th century many ‘modern Chinese’ believed that China would inevitably metamorphose into a nation-state (Fairbank, “Synarchy under the Treaties”, 230).

55 Hopkins writes that the Russian threat to Britain’s presence in Afghanistan was more rumour than actuality in the period of 1800-1850. By the early 20th century, Soviet Russia truly threatened British India. The phrase, ‘the great game’, became a popular phrase after the colonial period.

56 The phenomenal record also states that Britain accepted a Chinese carved inscription at Somatash dated to 1759 as evidence of China’s claim to the region. Russia claimed that everything west of the Aksu as far as Bozai Gumbaz territory “was subject to Kokand and the apparent proof of this [was] the tomb of Boza (Bozai Gumbaz), a supposed tax collector, whereas Ney Elias and Col. Lockhart speak of him as a Kirghiz Chief killed by the Kanjutes”. P/L&S/18 A.82, p, 21. See also Huttenback, “Great Game”, 27.

Hindu Kush was held by Her Majesty's Government to be within the sphere of their influence".⁵⁷ Once, however, Britain recognized the strategic importance of Raskam and the Taghdumbash Pamir to Hunza, the government shifted its tactic. In 1899 Britain's Minister at Peking (Beijing), Sir Claude Macdonald, penned a note to the Chinese government proposing that China relinquish its "shadowy claim to suzerainty over Hunza," and to adopt a frontier line that included "the British sphere of the western end of the Taghdumbash Pamir, and a small deviation from the main crest of the Mustagh range, near the Shingshal pass leading to Darwaza where the Mir of Hunza maintained a post".⁵⁸ China's minister never answered Macdonald, but three cases drawn from rare colonial documents demonstrate that Britain and China's claims of suzerainty over Hunza continued throughout the colonial period. The cases are: Britain's *concessions to China*; its *disclosure of deception*; and its *closure of the Gilgit Agency to the Maharaja of Kashmir*.

The first of these was *Britain's concessions to China*. The danger of Russia absorbing Xinjiang remained, especially on the collapse of the Qing Dynasty (1911-12) during which a dispute erupted over the Russo-Chinese Treaty of 1881. China backed down. British fears rose and then, oddly, it shifted its attention abruptly from choreographing a Chinese buffered zone against the Russians to guarding against China's claim of its suzerainty over Kanjut. It would be a mistake to presume that Chinese officials were unable to push back. As already noted, Britain acquiesced to restoring China's Hunza tribute relation (1894) and following 1896 Britain never again sustained permanent official physical or military presence inside Hunza territory. Further, China's silence in response to Macdonald's note (1899) need not be understood as compliance but contempt of Britain's ignorance of China's imperial omnipotence. China's claim of suzerainty over Hunza, moreover, did not fade ... not even in the years surrounding the fall of the Qing Dynasty (1911-12). Memorandum 17770, dated 23rd April 1914, addressed China's claim

that during the reign of the Chinese Emperor Chien Lung (1736-96), the Mir of Hunza having utterly routed the Kirghiz nomads of the Tagh Pamir and having pursued them as far as Tashkurgan [Tashgurgan], announced his victory to the Chinese with a present of Kirghiz heads. The Chinese dispatched a return present

57 P/L&S/18:A.83: 4 and footnote 7.

58 Contents of the note appears in P/L&S/10/924. See also Karackattu, "India-China Border", 139.

*to the Mir for having conquered their enemies, and the Chinese messengers were sent back with a small present of gold.*⁵⁹

Hence, in 1760 Tham Khisrau Khan inaugurated Hunza's submission to China; thereafter, "a yearly tribute was due, which was to be presented only by high-ranking persons—[that is] sons or brothers of the Beg or political leaders".⁶⁰ In the government memorandum, Britain retorted that China's "claim for suzerainty over Hunza has no grounds".⁶¹ Hardly the stuff a modern state would wield for policy-making, yet in a group of files dated to 1926, an added commentary to the 1911 document explained that Britain had to take a degree of responsibility for the breach, as it

*shows that we may have given colour to this claim [of suzerainty] by—1) allowing two Chinese envoys to be present at the installation of the Mir of Hunza in September 1892; and 2) permitting the interchange of presents between Hunza and the Chinese authorities at Kashgar to continue, though it is said that the continuance of this custom has been allowed in view of the Mir's claim, above mentioned, to territory north of the watershed [reference to Raskam and Taghdumbash Pamir regions].*⁶²

Britain's carefully staged event of Sanad XVI (1892) performed in the presence of two Chinese officers (see above) did not diminish but actually elevated China's status, a matter that haunted the British throughout the remainder of the colonial period.

The second case was *Britain's disclosure of deception*. The event stands out clearly in the papers on "Hunza Affairs (1920-1932)" for its duplicity. It occurred under the watch of PA, Gilgit, Major David Lorimer in the mid-1920s, which again referred back to Sanad XVI. The issue was the Mir's grazing rights in Raskam. After repeated demands, the matter came to a head when the Governor of Urumchi directed the Taotai of Kashgar to require the Mir to immediately desist from his occupation.⁶³ December 1923, PA

59 F.2873/2873 dated 10 July 1926 in P/L&S/924, "No. 1 Sino-Indian Frontier".

60 Stellrecht "Passage to Hunza", 198. See also Müller-Stellrecht, *Hunza Und China*, 16-27.

61 P/L&S/924

62 Ibid., The 1911 commentary first appeared in paper number 46877, dated 28th November 1911.

63 L/P&S/10/973. *Gilgit Diaries 1921-1930; No. 21T, Camp Astor, 14th June 1923*. "The Amban has received orders from Jang Jung to the effect that he should inspect all the land at Bazar Dara [to which Lorimer's penned in the margin: 'this includes Raskam'] and turn out all non-Chinese subjects. This land will be cultivated by Chinese subjects".

Lorimer sent a telegram to the Foreign Secretary, Foreign and Political Department, stating that

Failing compliance friction is likely to arise. Hunza has for long been subject to China to whom she pays annual tribute [stop]

Mir thinks it desirable to answer and I think that he should be allowed to do so quietly reasserting rights in Raskam, repudiating Chinese sovereignty, and denying that annual friendly present is tribute [stop]

Early reply very desirable [stop].

[The Foreign Secretary responded:]

Your 6923 [government code] of 26th December last [stop] Hunza [Mir] should certainly maintain his rights in Raskam and deny any Chinese right to demand withdrawal of his men, but it does not seem necessary for us to suggest to him anything more than this [stop].⁶⁴

It was a standoff and Britain pursued the matter relentlessly—intermediating in the Mir's exchanges with the Taotai while also directing the Mir *not to mention 'Britain'* in his correspondence with China. No explanation was given as to why Britain concealed its presence from Chinese scrutiny; but a report remaining in the confidential files suggests that the government used Kashmir as its proxy, thus avoiding direct dealings with Chinese officials by claiming that

The chief [Mir] of Hunza, who is a tributary of the Maharaja of Kashmir, has certain vague 'rights' of occupancy; over the tracts known as Raskam and Taghdumbash Pamir, in the Chinese District of Sarikol (Chinese Turkestan)⁶⁵

But whereas Mir Nazim's concern was his tribute entitlements—grazing his herds and collecting revenue from tenants (Kirghiz, Russians, and travellers)—Britain's focus was

64 L. P/L&S/924. A copy of the telegram was sent to the Resident in Kashmir, No. 84-5 dated 8th January 1924.

65 Paper 6475, dated 6 September 1920, occurs in L/P&S/10/924.

strategic. Raskam and Taghdumbash Pamir provided direct access to Hunza, which led to Gilgit—a key hub to south Asia.⁶⁶ The issue persisted throughout the colonial period.

Closure of Gilgit Agency to the Maharaja of Kashmir is the third case. A few short years after the 1891 Campaign and without unduly stirring-up indeterminable trouble, Britain consistently obstructed Maharaja Pratab Singh and his successors from collecting taxes, establishing its judicial system, and placing its troops in the Gilgit Agency.⁶⁷ Contrary to the position advanced by some scholars, Britain never practiced a British-Kashmir diarchy of power over the entire Gilgit Agency. Indeed, “*The only portion of the Gilgit Agency which [was] under direct control of the Darbar [was] the Gilgit Wazarat comprising the teshils of Gilgit and Astor and the Niabat of Bunji*”.⁶⁸ More critically, government officials told the Maharaja that although Hunza and Nagar were “Kashmir feudatories” and “under Kashmir suzerainty”, they were “not Kashmir territory”.⁶⁹ A marker of this dilemma was Britain’s resolve to keep its Gilgit Agency self-contained. Locally recruited levies and later ‘Scouts’ known as VCOs (Viceroy Commissioned Officers—not British Indian troops), comprised the agency’s bureau of Standing Militia (1913). Its bureaus of Agriculture (1889) and Public Works (1889) never devolved to Kashmir and its bureaus of Education (1893), and Forestry (1917) remained independent from Kashmir. I learned from *Mirzaidi* Shah Khan, a son of Mir Nazim, that at no time did the Maharaja visit or send an official delegation to Hunza; and at no time did the ruler of Hunza raise a Kashmiri flag, salute, or officially acknowledge Kashmir on Hunza soil.⁷⁰ Deceptive practices, moreover, kept the Maharaja at bay while the government faced the horror of a British appointed head of state bearing the titles CIE, *Commander of Indian Empire* 1903, KCIE, *Knight Commander of the Indian Empire* 1921, and also the Chinese title of *Ichen* of *Kanjut*. This was a big matter, which may contribute to the irresolution of the Kashmir Dispute as discussed later in the paper.

66 As noted, the Mir lost his tribute rights of herding and of collecting revenues in Raskam and the Taghdumbash Pamir from 1892 until the resoration of tribute in 1894. A second tribute interruption occurred in 1936. Mir Jamal Khan initiated contact with Chinese officials in 1947. See Lin 2009a; Flowerday, “Identity Matters”.

67 See Flowerday, “Identity Matters” for fuller discussion.

68 File No. 97-C, 1927, Letter No. 1800-F, dated 24th July 1901, Appendix I: 7. Sökefeld, for example, incorrectly supports the Maharaja’s position that the Gilgit Agency merged with the Gilgit Wazarat (Sökefeld, “Segmentary State in Africa”; “Jammu and Kashmir”); and Bangash follows this interpretation (Bangash, “Three Forgotten Accessions”).

69 File No. 97-C, 1927, Appendix I: 1, 3, 4, and 7.

70 Flowerday, “Identity Matters”.

Missing from colonial files was a broader conceptual treatment of China's Hunza tribute. Based on the confidential papers that I saw, tribute was typically a transaction of gold, goods, and letters exchanged between the Mir, the Taotai, and some lesser Chinese officials. The PA saw all letters and advised the Mir on his response. He reported to the Kashmir Resident, who informed the Secretary of the Foreign Department, who ultimately notified the Viceroy of India. Only in reading the Mir's autobiography alongside government political diaries and confidential papers does the complexity of tribute begin to emerge. I was amazed to discover how elaborated and explicit tribute was. People were named and details given about the changing route and location of the annual ceremony, which shifted from "Yarkand via Raskam" to "Kashgar via Sarikol and Tashgurghan."⁷¹ A Kanjut ruler not only gained revenues from the Taghdumbash Pamir and taxes from Raskam, but the Chinese Taotai gave gifts on marriages in the ruler's household, acted as intermediary to Kanjuti complaints against Russians, and punished Kanjutis for acts of slavery. Hunza rulers channeled their requests through the Qing bureaucracy and knew that the *Chi Tai* at Yagi Shar was responsible for requests of military assistance against the coming of the British (1891). Rulers paid a Yarkand Road Tax that supported Qing infrastructure and Kanjut was a Qing outpost.⁷² Tribute was more than an annual ceremony. It could not, as Britain attempted to rationalize, be written off as an accountancy transaction of a lower order of political organization. Hunza's bond with China involved emotional and spiritual elements of loyalty, trust, and longevity. Consider the following excerpt of Mir Nazim's experience as a young man coming before Chinese officials at Kashgar.

This time I was travelling with Nazar Ali who was going by the quickest route with the present of gold that was sent annually by the Mir to the Chinese and which I had promised to see safely to its destination. Its reception by the Chinese authorities was a very impressive ceremony. A durbar was assembled which consisted of the Daotai [Taotai] and sixty other Chinese officials, who sat on his right and on his left each decorated with Peacock feathers [each] according to his rank. While I was still some way off [a] shout was raised that the Ichen of Kanjut

71 L. P/L&S/924. Abdullah Khan, Commander-in-Chief of the Kanjut army in the time of *Tham* Shah Ghazanfar Khan, expelled the Kirghiz from Sarikol after which the *Tham* sent his tribute to Kashgar.

72 Straub provides more information on Qing administration in Taghdumbash. He notes that, "West of the Sarikol Range the Qing established three begships located on the Aktash Pamir, Rangkul Pamir, and Alichur Pamir. Each pamir was under the administration of a Kirghiz Beg who received a hat-button of the sixth rank from the Qing daotai [taotai] at Kashgar. (Straub, *Ismailis and Kirghiz*, 44).

had brought fifteen bags of gold, a plate was brought to me and the gold was placed upon this and covered with a silk handkerchief.

When I reached about twenty paces from the Durbar all those present rose to their feet making strange motions with their hands, almost as though they were worshipping the gold, whilst a salute of twelve guns was fired. A weighing scale was all ready and as soon as the gold had been weighed out ten soldiers took it up and laid it upon the Daotai's [Taotai's] feet. He then asked me how the Mir [Tham] was and whether the state of crops was good etc.⁷³

Significantly, these three cases span the colonial period from 1892 when Britain inadvertently gave credibility to China's claim of suzerainty, then in the 1920s when it admitted its duplicitous role, through to the end of the colonial period (1947) when Kashmir faced the closure of the paradoxical situation of being suzerain to Hunza (and Nagar) but having no rights over its territory. The problem is not the complexity of suzerainty *per se* but cloaked practices underlying symbolic power.

Post-Partition Work by Scholars

In addition to suzerainty, the other issue that needs to be addressed in Britain's underreporting of China's connection to Kanjut is the work of scholars on 19th century Qing presence in central Asia. Discussions of tribute, references in annals to Kanjut, descriptions of guard posts / outposts, and recognition of the role of sanctuary are some of the ways that Qing presence is validated. I leave for others the analysis of tribute—its functional, economic, performance and power driven models⁷⁴ but choose to comment on the incontrovertible problem that Britain faced in recognizing China's tribute practice as submission.

73 Mir, *Autobiography*, 32-33. The original document dates to c. 1920. It was discussed in Burchaski with Nagari Akhon Aman Ali Shah of Sumayar Village. Qudratullah Beg scribed the work in Persian. Muhammad Jamal Khan (later Mir Jamal Khan) translated the document into Urdu (n.d.) and Khan Sahib Muhammad Masih Pal later translated it into English (n.d.). Captain Barkley typed the document into English (1931, 1349 Hijiri). I am grateful to Mr. Ejaz Ullah Baig, Curator of the Baltit Museum, Hunza for this information. Further, "Photographs of the ceremony, in which the Tao Tai [taotai] of Kashgar sat in full darbar with scales for weighing the gold dust, were sent to Sinkiang's governor at Urumchi" (Noorani, *India-China Boundary Problem*, 75).

74 See Fairbank, "China's Foreign Policy"; Lin, "Tribal Diplomacy"; Cranmer-Byng, "Chinese Perception"; Xiaomen and Chenfung, "Late Qing Dynasty"; Zhang, "Standard of 'Civilization'"; and Zhou, "Equilibrium Analysis". Newby, *Empire and the Khanate*, 9 footnote. 28.

Tribute

Millward notes that *gong*, the Chinese term for diplomatic presents, “is usually translated as tribute, but it would be better to simply call them ‘gifts’ since ‘tribute’ implies a subservient and extractive relationship that did not exist [73]”.⁷⁵ By all accounts tribute governed China’s interactions with the outside world by transforming all matters and all peoples from outside to *becoming* inside China. Submitting acknowledged Chinese authority through the symbol of the Chinese emperor who, for example, emblematically accepted the memorial (submission) of a translation of *Elements of International Law* (1864), dispensed justice, granted entitlements and grazing rights, channeled trade in central Asia and all other happenings with non-Chinese.⁷⁶ For members of a sovereign nation-state like Great Britain, however, submission meant subservience, which was totally untenable. Joining in ceremonies as part of protocol was acceptable, but submitting to the Chinese principle of unlimited territorial jurisdiction (based on moral authority) and the supremacy of another political power was tantamount to treason.

Kanjut in Qing Annals

Laura Newby’s commentary and translation of 18th century Qing annals contextualize Kanjut in Qing’s expansion into *Huijiang*, the Muslim frontier.⁷⁷ Under the Qinglong emperor (r. 1736-95), it defeated the Dzungarians of the steppe region north of the Tianshan Mountains and installed Sufi Shaykhs (spiritual leaders of Sufism) known as Khojas⁷⁸ in the Tarim Basin (Altishahr) south of the same mountain system. Kanjut appears in conjunction with the peoples of the southern Altishahr region. Five tribes of eastern Kirghiz (Qirghiz) submitted fairly early in the 1750s and peoples of Badakhshan, Chitral and Bolor soon followed.⁷⁹ Sarikol immediately north of Kanjut paid tribute of saltpeter to the Qing.⁸⁰ By geography alone, Kanjut would have been

75 See Becquelin, 2007, Reviewed Work: “Eurasian Crossroads”, 780.

76 Joseph Fletcher in Fairbank, “China’s Foreign Policy”, 459.

77 I use Qing and China interchangeably without intentionally conflating the terms. The Qing dynasty, the ruling ethnic caste under the Manchus, ruled (1644-1911).

78 In central Asia, Khojas or Khwajas, referred to those claiming descent from the Naqshbandi Sufi teacher Ahmad Kasani (1461-1542), many of whom played important parts in the politics of Xinjiang during the seventeenth through to the nineteenth century. Interestingly, the Chinese inscribed the event in stone in a trilingual record of Chinese, Manchu, and Turki (Curzon, “Pamirs and the Source”, 102).

79 Chitral submitted in 1763. Bolor, which also submitted in 1763, referred to “a tiny political entity of some 30,000 households to the southeast of Badakhshan” (Newby, *Empire and the Khanate*, 33).

80 Newby, *Empire and the Khanate*, 202, and ff. 47.

implicated in these events, but it was not until some years later that Qing authorities mentioned them specifically.

Kanjut appears twice in Newby's translations. In the first case, dated to the mid 1830s, Khoqandi troops established themselves at Sariqol and sent men to "stir up trouble" in Kanjut and also among other tribes. Following instructions from the Qing court, authorities in Altishahr avoided military intervention, but informed Khoqand that

*the region belonged to Yarkand; it had been annexed by the Qing during the time of Qianlong and no less than eight beks had been established to administer the region which paid an annual tax of 27.7 tael of silver, 1,700 jin of saltpeter and 150 bolts of cloth. Sariqol, it pointed out, might lie outside the karun [outpost, guard post], but it was Qing territory....*⁸¹

The second case occurred in 1847 when Kanjutis aided the Chinese against the 'seven khojas'⁸² following which Qing authorities placed a stele at Yarkand honoring their service.⁸³ Thereafter, Kanjut was identified along with the rulers of Sarikol and the chiefs of tribes called Qazaq and Qirghiz [Kirghiz] as annually sending tribute to Qing authorities. The court, in turn, rewarded them with titles, emoluments, and grazing rights.⁸⁴ This episode corresponds with Britain's memorandum 17770 mentioned earlier. It also underscores the tension between Kanjutis and Kirghiz, which the British knew and, more importantly for this discussion, ties rights of grazing and revenue to tribute.⁸⁵

Kanjut also occurred in Chinese publications. One such reference appeared in 1897 in the publication *Pami'er jil e*, which included three terms for Hunza. Its author wrote,

81 Ibid., 204. Qing military action was always limited in this region owing to difficulties of supporting Chinese troops in small localities, interminable hostile eruptions in the region, and limited financial leverage. Hence, Qing authorities at Altishahr resigned themselves "to the constant squabbles and territorial battles among their Central Asian neighbours" (Ibid, 43).

82 For 'Seven Khojas' *ibid.*, 223-26.

83 The event was Kanjut's help in putting down the seven khojas. Management of affairs beyond the *karun* (guard post) passed to the authorities in Altishahr who took instructions from officials in Kashgar and Yarkand (Ibid., 40).

84 Ibid., 208.

85 See Hussain, *Remoteness and Modernity*, for a fuller discussion of Kirghez-Kanjut relations. Kirghiz competed with Kanjutis for grazing rights and some tribes maintained separate relations with Afghanistan and Russia. They likely competed over robbing caravans for which Kanjutis were famous. In the late 18th century, Kirghiz tribes regularly attacked and robbed Khoqandi traders as they travelled back and forth to Altishahr (Newby, *Empire and the Khanate*, 30-31).

'Kachute (喀楚特) in Hu Weizhong's Unification map should be Kanjuti (坎巨), but Kachute (喀楚特) on the unification map is Ganzhute (乾竺特) on the waterway map.' In addition to these three different variations of Kanjut, Qing sources connected claims to Kanjut with territorial claims dating from 'Pankeju (鑿可據) [which] was a small tribe in an ancient land that belonged to China'.⁸⁶

Karun as guard posts not borders

The Qing's tribute complex connected guard posts also called outposts (*karun*, Manchu) with grazing rights.⁸⁷ Millward described *karun* in Xinjiang as "enclosed forts built in frontier zones between territory under close Qing supervision and the pastures of independent nomads not enrolled in the banners".⁸⁸ Other central Asian terms include Mandarin *kalun*, Turki *qarawal*, and Mongolian *qaragul*, which suggest a varied central Asian history and raises the question of tracking such structures over time as they passed through different political regimes.⁸⁹ Two forts of significant age—one at Altit dated at approximately 1100 years and the other at Baltit roughly at 700 years—were in Kanjut. It is not known if they were connected in some fashion to the Qing tribute relationship, but Burusho scholars link them many centuries earlier to Baltistan.⁹⁰ The English term outpost appears in British confidential papers,⁹¹ but the notion is fairly complex. Newby provides the following explanation of the Manchu term, *karun*, which she says literally means guard-post.

Although the karun were sometimes positioned at strategic points within Xinjiang, for example, along the south of the Tianshan, for the most part they were located in the border zone on the Qing empire and were used as check points, trading posts

86 Straub, *Ismailis and Kirghiz*, 41.

87 It is evident from practices in other regions that the Qing tailored its tribute complex to separate polities. See Lee, *Understanding the Tribute System*.

88 Millward, "Financing New Dominion", in *Beyond the Pass*, 46.

89 See Millward, *Beyond the Pass*; Newby, *Empire and the Khanate*. Mock postulates "that a network of forts and signaling posts existed along the Silk Roads throughout the western regions of the Tang and Tibetan empires, including Wakhan, Chitral, Palola/Balur" (Mock, "Raising the Alarm", 8). He includes citations to Stein (*Ruins of Desert Cathay*), Takeuchi ("Tibetan Military System"); Mu Shunying "Development and Achievement"; and "the 'red fire raising stations' mentioned in the Old Tibetan Annals" in: Dotson (Old Tibetan Annals). See Mock, "Raising the Alarm", 1; 11, Note 3.

90 According to Burusho scholars, Baltit built the earliest fort. See Hughes and Lefort, "Conservation of Baltit Fort".

91 For example, Ney Elias reported that "the Chinese treat Hunza as one of their outposts" L.P&S/18 A.82, 15. This refers to what occurred at the time of Colonel Lockhart's mission in 1886.

*and bases from which to send out patrols into neighbouring regions. They did not, however, mark a defined territorial border.*⁹²

She continues by saying that *karun* came closest to a physical representation of a border but the boundary of Xinjiang was an abstraction. That is, *karun* represented the limits of Qing legal jurisdiction not the territorial limits of the empire, which included the emperor's moral authority among the polities and tribes living proximal to *karun* locations.⁹³ Britain's notion of borders, by contrast, was not relatable to moving spatial fields. For China, bounded spaces were highly impractical. The Qing like earlier dynasties before them dealt with nomads and segmentary states,⁹⁴ not sedentary territorial populations. Hence, the notion of guard post / outpost was both mutable and operational over time and under changing conditions.

Sanctuary

Sanctuary was likely an especially eccentric notion for the British. True, British troops did not pursue *Tham Safdar Ali* into Chinese territory, but ... did the government expect the Chinese to turn out *Uzr Khan* of *Nagar* on the grounds that he had no right of refuge, i.e., sanctuary? People with memorials (submission) to the Qing had the right to seek refuge at *karun*,⁹⁵ those without it did not.⁹⁶ Newby includes accounts of people using the *karun* during the rise of *Khoqand* authority, which resonate with the action taken by the *Hunza Tham* and his followers.⁹⁷ Recall that *Mir Nazim* explained

92 Newby, *Empire and the Khanate*, 14-15, Note 39. *Sariqol* [geographically north and contiguous to *Kanjut*] was outside the *karun* but was considered Qing territory (ibid., 204). For a detailed study of the establishment of both the *karun* and the post-stations (*junta*) in Xinjiang, Newby directs readers to "Luo Yunzhi, *Qing Gaozong tongzhi Xinjiang zhengce detantao*, 361-474" (Newby, 2005, 15). See also Millward, "Financing New Dominion" in *Beyond the Pass*, 46.

93 Newby, *Empire and the Khanate*, 31-32; and 14, ff. 39. For discontinuous boundaries see Winichakul, *Siam Mapped*, 75-77.

94 Tribal leaders were possibly organized in a confederation that approached Southall's notion of a segmentary state. Southall defines the segmentary state "as one in which the spheres of ritual suzerainty and political sovereignty do not coincide. The former extends widely towards a flexible, changing periphery. The latter is confined to the central, core domain" Southall, "Segmentary State", 52. Frembgen first used Southall's concept of the segmentary state in his analysis of *Zentrale Gewalt in Nagar* [Nagar]. See Stellrecht, "Passage to Hunza," 2006, 194 ff. 7.

95 Newby, *Empire and Khanate*, 14 and Note 39; also 37. People went to the *karun* for refuge.

96 Stellrecht, "Passage to Hunza".

97 For example, in 1764, *Junghars*, "who had been living outside the *Khoqandi* city of *Marghilan* arrived at one of the Qing *karun* seeking sanctuary" (Newby, *Empire and Khanate*, 202); and in 1833 *Qazaqs* had taken refuge within the Qing *karun* in order to avoid *Khoqandi* taxes" (ibid, 37; and 202).

when *Tham* Safdar Ali went ‘inside’ he was seeking protection of the Khaqhan [Chinese Emperor]. Based on Hunza’s tribute relation with China, this was his right.

Looking again at why Britain underreported its stalemate with China, the matter merges with prestige. Russia was a rising power in central Asia and publicly claimed as a threat to British India. But Britain disappeared China, kept it out of public sight. As Winks notes, “British Imperialism was based upon a sense of superiority, upon a conviction of a superior economic system, a superior view of some Higher Being, on a superior life”.⁹⁸ Nothing short of Britain’s exercise of power through its self-proclaimed superiority could be matched, made equal. Thus, Britain did what was necessary to protect its ranked prestige and progressive position as a modern state. It safeguarded British India against Russian and later Soviet incursions and it determined to leave as its legacy in south Asia an emblematic Indian nation-state.

The colonial narrative on the stalemate officially ended in 1947, the subtext of suzerainty and translations of Qing presence in central Asia stirs-up more issues and returns to the question raised at the beginning of the paper of whether in the 21st century an unresolved 19th century political standoff between Britain and China over Hunza-Kanjut matters to the Kashmir Dispute? Indeed,

*The sector of Chinese territory bordering Pakistan lies between Xinjiang and the portion of the disputed state of Jammu and Kashmir, which is controlled by Pakistan. The border there had never been delimited, but there was an extensive history of clashing claims between petty states under British suzerainty, Hunza and Gilgit and Kashmir itself, on the one hand and Chinese authorities on the other.*⁹⁹

Matters that Impinge on the 21st Century

On the British side, Hunza was an exception to Britain’s stance on suzerainty. Based on Sir William Lee-Warner’s classic and authoritative account, *Protected Princes of India*, all British Indian states were subject to the suzerainty, that is, paramountcy of the British Crown.¹⁰⁰ Great Britain was supreme suzerain. There were almost 700 native states that met the definition of a Native State:

98 Winks, *British Imperialism*, 2-3.

99 Maxwell, “Settlements and Disputes”, 3875

100 Richter and Ramusack, “Chamber and the Consultation”, 755, Note 3. Crown and Raj replaced the East India Company following 1857.

*a political community, occupying a territory in India of defined boundaries, and subject to a common and responsible ruler who has actually enjoyed and exercised, as belonging to him in his own right duly recognised by the supreme authority of the British Government, any of the functions and attributes of internal sovereignty.*¹⁰¹

Further,

*No Native state in the interior of India enjoys the full attributes of complete external and internal sovereignty, since to none is left either the power of declaring war or peace, or the right of negotiating agreements with other states; but the sovereignty of Native states is shared between the British Government and the Chiefs in varying degrees.*¹⁰²

Additionally, “Foreign powers can have no intercourse with the protected sovereigns of India, and this rule of isolation precludes the direct transmission of royal favours”.¹⁰³ As part of its further obligations, “all the states of India have delegated to the paramount power the duty of defending them, and consequently they are obliged to grant to the Imperial army the right of cantonment and effective control over the railways, Imperial post offices, and Imperial roads”.¹⁰⁴

The exception to these government injunctions was Hunza (and neighboring Nagar) of the state of Kashmir. Until 1936, Hunza had its own separate international relations with China. Recall too that after 1896, Britain never again permanently stationed Indian troops inside Hunza (and Nagar) but relied on VCOs, also known as Gilgit Scouts.¹⁰⁵ And, Britain, of course, never completed the road and cause célèbre of the 1891 Campaign. Most inexplicably, Kashmir was a suzerain to Hunza but had no rights to its territory. In 1941, the Kashmir government would not grant a Sanad to Mir Nazim’s son and successor, Mir Mohammad Ghazan Khan, because it would not accept that Hunza and Nagar were separate States from Kashmir.¹⁰⁶ That same year

101 Lee-Warner, *Native States*, [Entry No. 13.], 31.

102 Ibid., 32-33.

103 Ibid., [Entry No. 126], 322.

104 Ibid., 340-41.

105 Britain initiated the Gilgit Scouts in 1913 and used Gilgit Town as its headquarters.

106 Note, “The Kashmir Government did not accept the decision as final” File No. 137-C/45 R/2 1086/308. See also Flowerday, “Identity Matters”.

In 1941 an internal decision binding for administrative purposes summarized the results of a previous discussion for two exemplar principalities in question: "Hunza and Nagir:- Though these are under the suzerainty of the Kashmir State, they are not part of Kashmir but separate states." (Quotation from the Crown Representative's Records-Indian States Residencies-Gilgit, Chilas, Hunza and Nagir Files (Confidential): Serial No. IOR/2/1086/303-Number of Proceedings 17-C/41: Status of Hunza, Nagir...vis-a-vis the Kashmir State: decision that these territories are not part of the Kashmir State [India Office Library and Records, London]. This discussion is continued under the same heading in IOR/2/1086/304).¹⁰⁷

As a result of that contradictory situation, Kreutzmann writes, "the official document of the Pakistan Government distinguishes between Kashmir on the one hand and the Gilgit Agency on the other. This viewpoint is supported by a lengthy historical investigation and legal interpretation within colonial files regarding the status of certain territories in the Gilgit Agency."¹⁰⁸

On the Chinese side. PRC's interest in Raskam and Taghdumbash Pamir continues as evident in PRC's 1963 "*Agreement on the Boundary Between China's Sinkiang [Xinjiang] and the Contiguous Areas*". Pointedly, it is an agreement to agree not a treaty, which China made dependent (first) on the settlement of the Kashmir Dispute between Pakistan and India.¹⁰⁹ Following that settlement, hypothetically, the two Parties (China and either Pakistan or India) would settle "on the basis of the traditional customary boundary line."¹¹⁰ Possibly, only China has a customary boundary line that it can base on its practice of tribute. Otherwise, China's map is different from Pakistan's expectations and decidedly contentious to the Republic of India.¹¹¹

Although Mir Nazim Khan ended Hunza's tribute relation with China in 1936 at the height of Soviet penetration into Xinjiang, interest in reviving Hunza-China relations occurred in August 1947. After Britain blocked a Chinese mission from reaching Hunza that August, Mir Jamal Khan, grandson of Mir Nazim, secretly sent envoys to Kashgar in September with a letter (in Persian) stating,

107 Kreutzmann, "Globalization, Spatial Integration", 218.

108 Ibid., 218.

109 Flowerday, "Identity Matters".

110 *People's Republic of China-Pakistan*, Article One, 713.

111 Dobell, "China-Pakistan Border Treaty".

*With a view to renewing our old friendship with the Chinese Government and for the purpose of sending presents, I am sending Mr. Ali Jauhar to Kashgar. I hope that you will kindly extend to him any help he requires. And with regard to myself, I have arrived safely from Kashmir and hope that you are keeping well.*¹¹²

January 7, 1948, which followed the declaration of the first Indo-Pak War on January 1, General Zhao Xiguang of the Guomindang central government of Nationalist China signed a *modus vivendi* along with the Mir of Hunza's envoys—it was an agreement allowing conflicting parties to coexist peacefully, either indefinitely or until a final settlement is reached. Although the general argued that the envoys' consent to the document “implied that theoretically the Hunza State would henceforth be ready to come under Nationalist China's administrative jurisdiction and recognize China's ‘suzerainty’, if not sovereignty,” nonetheless he lacked the Mir's authorization and guarantee.¹¹³ Was, however, a new alliance opened between Hunza and China?

Finally, in 1948 there was a moment of flashback....

*The mir of Hunza Mohammad Jamal Khan and his entourage were reported to have also fled from their tiny court at Baltit to Misgar, some two days' distance from the Chinese-controlled district of Sarikol and the Mintaka Pass. For safety reasons, the mir was alleged to have transported most of his valuable possessions to Yarkand in advance. At one point, the eventual exile of Mohammad Jamal Khan into Southern Xinjiang, as was the case of his predecessor in the 1890s, seemed highly likely.*¹¹⁴

Tribute or friendly relations have not ended and the complications raised here go beyond the dismantling of British India and the emergence of the PRC, but do they matter?

Conclusion

What was particularly intriguing to me in working through this case study was how deftly Hunza became a nominal British colonial petit state with a head-of-state that depended on administrative support and financial subsidies from both British India and Kashmir. The shift was almost imperceptible as the territory was off-limits to non-

112 Lin, “Tribal Diplomacy”, 34. Mir Jamal regarded Kashmir as a separate, independent polity.

113 Ibid., 37; Flowerday, “Identity Matters”.

114 Lin, “Tribal Diplomacy”, 41.

official British personnel. By post-Partition time, when ordinary though privileged travellers entered Hunza, a very different society existed. Mir Nazim had died an autocrat and Knight Commander of the Indian Empire (KCIE) and his wazir and leaders of the confederated tribes had lost their political influence to become state subjects. Mir Jamal Khan, the last official mir and grandson of Mir Nazim, entertained guests with an ensemble of finery and Hunza became a Princely State and an exoticized land of people speaking Burushaski, a tongue like no other known to the world. For many Westerners, Hunza was a lost kingdom, a Shangri-la.¹¹⁵ With an accommodating public groomed in monarchal history and a belief in the superiority of the nation-state, the British government needed do little to mask an earlier discordant social history.

In the parallel postcolonial period, civil war occupied China and beyond that, Western scholars continued to treat tribute as an antiquated custom of an imperial state without modern equivalence. What did it matter that China situated Kanjut within the sphere of the Chinese Emperor and that the *Tham* similarly received titles (Ichen of Kanjut), emoluments, a Yarkand *jagir* (land), and subsidies from the Emperor.¹¹⁶ Western scholars continued to obliquely defuse tribute and to relegate it to a lesser orb of Chinese influence. Few listened to Fairbank who pointed out

*the Chinese empire had no foreign office, and the dynastic record of 'foreign policy' is fragmented under topics like border control, frontier trade, punitive expeditions, tribute embassies, imperial benevolence to foreign rulers and the like, so that it has seldom been pulled together and studied as an intelligible whole.*¹¹⁷

According to the present interpretation, the notion of nation-state became the scepter of difference in the British-Chinese stalemate. It veiled a colonial effort of territorial acquisition that used the advantage of a European modern nation-state apparatus to subordinate and erase a nonequivalent state scheme.¹¹⁸

115 Shangri-la is an analogy to James Hilton's book *Lost Horizon*, which captivated western audiences in the early 20th century. See also Bircher, *Les Hounza*; Banik and Taylor, *Hunza Land*; Shor "Life in Shangrila"; and Wrench, *Wheel of Health*.

116 Mirzaidi Shah Khan, *Gilgit Scouts* (Urdu).

117 Fairbank, "China's Foreign Policy", 449.

118 New work that counters this position includes Cosmos who argues that the concept of sovereignty in the political culture of Inner Asian nomads has never been seriously questioned or probed but instead remains most often identified with the ruler's ability to rule. Cosmo, "Nurhaci's Gambit: Sovereignty".

Yet for all its ideological and bureaucratic advantages, Britain did not emerge victorious. Instead, the United Nations Security Council, whose members included the United Kingdom, the United States of America, and Nationalist China, placed the territory under Pakistan's protection with the prohibition of making it sovereign to Pakistan.¹¹⁹ The present effort of unclocking China's involvement in this historical case and exposing some of the political and the cultural-ideological means by which a modern state attempted to obscure its adversary, points to underlying human dimensions of the stalemate. The reductive Kashmir Dispute obscures a complex of history that continues to impact not simply the political discourses of Pakistan, India, and China but also the welfare of real people. Gilgitis know little of their own history, though many yet strive to see their territory joined to Pakistan. Accordingly, this case study points to looking again at China's policy of tribute, disentangling the emotive subtext of Partition and the first Indo-Pak War of 1948, reexamining the UN's provisional acceptance of Maharaja Hari Singh's accession to India, and uncovering the injunction that prohibits Pakistan from making the territory sovereign to itself. Consequently, the position taken here is that the Kashmir Dispute includes China and that an unresolved pre-Partition struggle between Britain and China over Hunza-Kanjut points to the complexity that underlies the reductive perception of the modern state and Pakistan and India's claims to what was British India.

Acknowledgements

Working through a case study of this magnitude has no doubt stopped me from seeing many other relevant issues. I accept the critiques knowing that something better will follow. I am truly grateful to Livia Holden, Elena Bashir, James Peacock, Carl Ernst, David Gilmartin, Cabeiri Robinson, Yasmin Saikia, John Mock, and Craig Calhoun for their encouragement. Over the years I benefitted from funding from Fulbright, the American Institute of Pakistan Studies, and used grants from the University of North Carolina-Chapel Hill and Truman State University. I am indebted to the late Mr. Barry Bloomfield, SOAS Librarian, and Yoshiko Yasumura, Art and Music Librarian for starting me on this journey. I recognize the help of the British Library in making their archival materials available to the public. I hope I have honored the trust shared by the

119 The Security Council voted on this Resolution on 20 January 1948 with the following results:--In favor: Argentina, Canada, China, France, Syria, U. K, and U. S. A. Those against:--None. Abstentions:--Belgium, Columbia, Ukrainian S.S.R., and U.S.S.R. *Non-permanent members of the Security Council* were: Argentina, Belgium, Canada, Columbia, Syria, and Ukrainian S.S.R. Note, Ezdi, a former member of the Pakistan Foreign Service, explained that Islamabad had administrative powers over the territory but was debarred from changing its political status (Ezdi, 2009). Further, not all UN documents are public. "--/R" (Restricted) applies to "Gilgit Agency S-0692- 0003-11; and S-0694- 0002-14." See *Summary of AG-046*.

late Mirzaida Shah Khan (son of Mir Nazim); Sherbaz Ali Bircha (retired Librarian of the Municipal Public Library, Gilgit); Ejaz Ullah Baig (Director of the Research Center, Karimabad, Hunza); Retired Pakistan Army Brigadier Hisamullah Beg (dedicated blogger); and valuable community leaders like Iftikhar Hussain, Lal Bano, BB Najat, and Didar Ali. Beyond these academic efforts are the people of Gilgit who have the right to know more of a history that impacts their identity and territory.

Bibliography

Aitchison, C. U. *A Collection of Treaties Engagements and Sanads Relating to India and Neighbouring Countries*. Vol. XII. 'The Treaties etc.' Revised and Continued up to 1929. Calcutta: Foreign and Political Department Government of India Central Publication Branch, 1931.

Ali, Nosheen. "Poetry, Power, Protest: Reimagining Muslim Nationhood in Northern Pakistan." *Comparative Studies of South Asia, Africa, and the Middle East* 32, no. 1 (2012a): 13-24.

Ali, Nosheen. "Poetic Reflection and Activism in Gilgit-Baltistan." In *Dispatches from Pakistan*, edited by Madiha Tahir, Qalandar Bux Memon, and Vijay Prashad, 276-292. New Delhi, India: Leftword Books, 2012b.

Bangash, Yaqoob Khan. *A Princely Affair. The Accession and Integration of the Princely States of Pakistan, 1947-1955*. Karachi, Pakistan: Oxford University Press, 2015.

Bangash, Yaqoob. "Three Forgotten Accessions: Gilgit, Hunza, Nagar." *The Journal of Imperial and Commonwealth History* 38, 1(2010): 117-143.

Banik, Allen E and René Taylor. *Hunza Land. The Fabulous Health and Youth Wonderland of the World*. Long Beach, California: Whitehorn Publishing Co., 1960.

Bhagwati, P., A Desai. Gujarat High Court. "D.S. Meramwala Bhayawala vs Bai Shri Amarba Jethsurbhai on 3 May, 1967." Accessed March, 2018. <http://www.indiankanoon.org/doc/143916/>.

Becquelin, Nicolas. Reviewed Work: "Eurasian Crossroads: A History of Xinjiang by James A. Millward." *The Chinese Quarterly*, No. 191, China's Legal System: New Developments, New Challenges (September 2007): 779-781.

Benton, Lauren. "From International Law to Imperial Constitutions: The Problem of Quasi-Sovereignty, 1870-1890". *Law and History Review* 26, No. 3, Law, War, and History (Fall, 2008): 595-619.

Bircha, Sherbaz Ali. *Khud Nawisht Sawanah e Umri, Sir Muhammad Nazim Khan K.C.I.E. [Autobiography of Mir Muhammad Nazim Khan, K.C.I.E.]*. [Urdu] Gilgit: Hani Sara Publishing New Work: 2001.

Bircher, Ralph. *Les Hounza: un peuple qui ignore la maladie*. Neuchatel, Switzerland: B. Attinger, 1943.

Brown, Elizabeth Brown. "The Tyranny of a Construct: Feudalism and Historians of Medieval Europe," *The American Historical Review* 79, no. 4 (Oct., 1974): 1063-1088.

China Wants to be Part of Kashmir Dispute. Last updated October 14, 2010. <http://www.rediff.com/news/special/special-china-wants-to-be-part-of-kashmir-dispute/20101013.htm>.

Chohan, A Mar Singh. *The Gilgit Agency 1877-1935*. New Delhi: Atlantic Publishers & Distributors, date. Digital Library of India Item 2015.242488 https://archive.org/stream/in.ernet.dli.2015.242488/2015.242488.The-Gilgit_djvu.txt.

Cohen, Rosalyn. "The Concept of Statehood in United Nations Practice." *University of Pennsylvania Law Review* 109, No. 8 (June, 1961): 1127-1171. Accessed March 21, 2018. https://scholarship.law.upenn.edu/cgi/viewcontent.cgi?article=6971&context=penn_law_review.

Cosmo, Nicola Di and Don J. Wyatt, eds. *Political Frontiers, Ethnic Boundaries, and Human Geographies in Chinese History*. Curzon, Taylor & Francis Group. London: Routledge, 2005.

Cosmo, "Nurhaci's Gambit: Sovereignty as Concept and Praxis in the Rise of the Manchus", *The Scaffolding of Sovereignty*. New York: Columbia University Press. 2017. <http://www.jstor.org/stable/10.7312/beni17186.8>.

Cranmer-Byng, J. L. "The Chinese Perception of World Order." *International Journal* 24, No. 1 (Winter, 1968-69): 166-171.

Curwen, C. A. Review. "John King Fairbank, ed.: *The Chinese World Order: Traditional China's Foreign Relations*." *Bulletin of the School of Oriental and African Studies*. University of London 33, No. 3 (1970): 660-662.

Curzon, G.N., 'The Pamirs and the Source of the Oxus: Part II (continued), *The Geographical Journal* 8, No. 2 (Aug., 1896), pp. 97-119.

Despotism. Accessed May 11, 2012. http://en.wikipedia.org/wiki/Oriental_despotism. accessed 11 May 2012.

Dobell, W.M. "Ramifications of the China-Pakistan Border Treaty." *Pacific Affairs* 37, No. 3 (Autumn, 1964): 283-295.

Dotson, Brandon. *The Old Tibetan Annals: An Annotated Translation of Tibet's First History*. Vienna: Verlag der Österreichischen Akademie der Wissenschaften, 2009.

Drew Frederic. *The Jummoo and Kashmir Territories. A Geographical Account*. London: Edward Stanford. 1875. Accessed January 2018. https://books.google.com/books?id=t9gMAAAIAAJ&pg=PA435&source=gbs_toc_r&cad=3#v=onepage&q&f=false.

Durand, Algernon George Arnold. *The Making of a Frontier. Five Years' Experiences and Adventures in Gilgit, Hunza, Nagar, Chitral, and the Eastern Hindu Kush. (British Agent at Gilgit, 1889-1894)*. London: John Murray, Albemarle Street, 1900.

Ewans, Martin. *Securing the Indian Frontier in Central Asia. Confrontation and Negotiation, 1865-95*. London: Routledge, 2010.

Ezdi, Asif. "The Gilgit-Baltistan Bungle." Accessed September 10, 2009. <http://www.pakdef.org/forum/topic/9162-gilgit-baltistan-political-restructuring/page-2>.

Fairbank, John King. "China's Foreign Policy in Historical Perspective." *Foreign Affairs* 47, No. 3 (April, 1969): 449-463.

Fairbank, John King, ed. "Synarchy under the Treaties." In: *Chinese Thought and Institutions*. Edited by John King Fairbank, 204-234. Chicago: The University of Chicago, 1957.

Flowerday, Julie. "Identity Matters: Hunza and the Hidden Text of Britain and China." *South Asian History and Culture*, 10:1, 46-63, DOI: 10.1080/19472498.2019.1576299. To link to this article: <https://doi.org/10.1080/19472498.2019.1576299>.

Flowerday, Julie. "A Construction of Cultural History from Visual Records for the Burusho of Hunza, Pakistan." PhD diss, University of North Carolina, Chapel Hill, 1998.

Flowerday, Julie. "Hunza after 9/11. State and Development." In *Literary and Non-Literary Responses Towards 9/11: South Asia and Beyond*, edited by Nukhbah Taj Langah, editor. London: Routledge. In print, 2018.

Flowerday, Julie. "Federalizing a Non-federal Territory: Gilgit-Baltistan". *Proceedings of First International Political Science Conference* (2015), Ryan Brasher, ed. Oxford University Pakistan. In print, 2018.

Furber, Holden. "The Unification of India, 1947-1951." *Pacific Affairs* 24, No. 4 (December 1951): 352-371.

Gillard, David. "Reviewed work: Martin Ewans. *The Great Game: Britain and Russia in Central Asia*." *The Slavonic and East European Review* 84, No. 1 (January 2006): 161-163.

Haines, Chad. "Colonial Routes: Reorienting the Northern Frontier of British India." *Ethnohistory* 51, No. 3, (2004): 535-565.

Hamm, Geoffrey. "Revisiting the Great Game in Asia: Rudyard Kipling and Popular History" *International Journal* 68, No. 2 (June 2013): 395-402.

Hevia, J. L. *Cherishing Men from Afar: Qing Guest Ritual and the Macartney Embassy of 1793*. Durham: Duke University Press, 1995, 3rd printing 2005.

Hilton, James. *Lost Horizon*. New York: W. Morrow, 1936.

Hopkins, B. D. *The Making of Modern Afghanistan*. Palgrave, Macmillan, 2008. Accessed 11 May 2012. http://en.wikipedia.org/wiki/Oriental_despotism.

Hughes, Richard, Didier Lefort. "The Conservation of Baltit Fort 1981-1996". In: *Karakoram in Transition. Culture, Development, and Ecology in Hunza Valley*.

Hussain, Shafqat. *Remoteness and Modernity: Transformation and Continuity in Northern Pakistan*. New Haven: Yale University Press, 2015.

Huttenback, Robert A. "The 'Great Game' in the Pamirs and the Hindu-Kush: The British Conquest of Hunza and Nagar." *Modern Asian Studies* 9, No. 1 (1975): 1-29.

Inden, R. B. *Imagining India*, Blackwell Publishers, Cambridge. 1990.

Ispahani, Mahnaz Z. *Roads and Rivals. The Political Uses of Access in the Borderlands of Asia*. Ithaca: Cornell University Press. 1989.

Kandamath, Ravi Kumar Pillai. "Yaqoob Khan Bangash. A Princely Affair: The Accession and Integration of the Princely States of Pakistan, 1947-1955. *Asian Affairs*, 47, o. 2: 316-319. DOI: 10.1080/03068374.2016.1171621. <https://doi.org/10.1080/03068374.2016.1171621>.

Karackattu, Joe Thomas. "India-China Border Dispute: Boundary-Making and Shaping of Material Realities from the Mid-Nineteenth to Mid-Twentieth Century". *Journal of Royal Asiatic Society, Series 3*, 18, No. 1 (2018): 135-159. doi:10.1017/S1356186317000281.

Kemme, Clara. "The History of European International Law from a Global Perspective: Entanglements in Eighteenth and Nineteenth Century India". In: *Entanglements in Legal History. Conceptual Approaches*. Thomas Duve, ed. Max Planck Institute for European Legal History, 2014.

Kim, Kwangmin. "Xinjiang Under the Qing." *Central Asia, Political Online Publication*, March 2018. DOI: 10.1093/acrefore/9780190277727.013.13.

Knight, Edward Frederick. *Where Three Empires Meet*. London: Longmans, Green, 1895. Reprints: 1895, 1897, 1900, 1902, 1903, 1905, 1971, 1978, 1985, 1993, 2001, 2001, 2011, 2016, and 2017.

Kreutzmann, Hermann. "Boundary and Space in Gilgit-Baltistan, *Contemporary South Asia* 23, No. 3 (2015): 276-291. DOI: 10.1080/09584935.2015.1040733. <http://dx.doi.org/10.1080/09584935.2015.1040733>.

Kreutzmann, Hermann, "Kashmir and the Northern Areas of Pakistan: Boundary-Making along Contested Frontiers." *Erdkunde*, Bd. 62, H. 3 (July-September 2008): 201-219.

Kreutzmann, Hermann. "Globalization, Spatial Integration, and Sustainable Development in Northern Pakistan". *Mountain Research and Development* 15, No. 3, *Geoecology and Sustainable Development in Middle Mountains and High Mountains* (August 1995): 213-227. Stable URL: <https://www.jstor.org/stable/3673929> Accessed: 05-08-2018 20:30 UTC.

Lakshman, Nikhil. "China Wants to Be Part of Kashmir Dispute". Updated October 14, 2010. <http://www.rediff.com/news/special/special-china-wants-to-be-part-of-kashmir-dispute/20101013.htm>.

Lamb, A. *The China-India Border, the Origin of the Disputed Boundaries*. New York: Oxford University Press, 1964.

Lee, Ji-Young. *Understanding the Tribute System. China's Hegemony: Four Hundred Years of East Asian Domination*. New York: Columbia University Press, 2017.

Lee-Warner, Sir William. *The Native States of India*. MacMillan and Col, London, 1910. Accessed July, 2018. <https://archive.org/details/nativestatesofin011874mbp>.

Leitner, G. W. *Dardistan in 1866, 1886, and 1893. Being an Account of the History, Religions, Customs, Legends, Fables and Songs of Gilgit, Chilas, Kandia (Babriel), Dasin, Chitral, Hunza, Nagyr and Other Parts of the Hindukush*. It is also a Supplement to the Second Edition of The Hunza and Nagyr Handbook and an Epitome of Part III of the Author's 'The Languages and Races of Dardistan'. Asian Educational Services: New Delhi, 1996. [date]. Accessed August 8, 2018.

<https://books.google.com/books?id=EibNPPsNGPIC&pg=PA74&lpg=PA74&dq=Colonel+Devi+Singh,+gilgit,+1867&source=bl&ots=sqzXC1zUPm&sig=vmb0FrBCSEPq5r26eTpxEbVizGA&hl=en&sa=X&ved=2ahUKEwjv0OPPqN7cAhUOna0KHZC5AB4Q6AEwBHoECAkQAQ#v=onepage&q=Colonel%20Devi%20Singh%2C%20gilgit%2C%2018671860&f=false>.

Lin, Hsiao-ting. "Tribal Diplomacy and Frontier Territoriality in Modern China: Hunza and Nationalist China, 1947-1948," *Journal of Modern Chinese History* 3, No. 1 (2009a): 27-43.

Lin, Hsiao-ting. "The Tributary System in China's Historical Imagination; China and Hunza, ca. 1760-1960." *Journal of the Royal Asiatic Society of Great Britain and Ireland* 19, no. 4 (2009b): 489-507.

Lorimer, David Lockhart Robertson. *The Burushaski Language*. Volume III, Vocabularies and Index. Oslo: Norwegian University Press, 1938.

Maxwell, Neville. "Settlements and Disputes: China's Approach to Territorial Issues." *Economic and Political Weekly* 41, No. 36 (September 9-15, 2006): 3873-3881.

McLeod, John. "The English Honours System in Princely India, 1925-1947". *Journal of the Royal Asiatic Society*, Third Series 4, No. 2 (July 1994): 237-249.

Miguel, Loureiro. "The Boundary Within: Equality, Hierarchy, and Exclusion in Azad Jammu and Kashmir". *Contemporary South Asia* 23, No. 3 (July 2015): 314-333.

Millward, James A. "Financing New Dominion". In: *Beyond the Pass. Economy, Ethnicity, and Empire in Qing Central Asia, 1759-1864*. Stanford: Stanford University Press. 1998. Accessed November 21, 2017.

https://books.google.com.pk/books?id=XSv2CAAQBAJ&pg=PA46&lpg=PA46&dq=karun+manchu,+mongolian+qaragul&source=bl&ots=lojmSVrIV7&sig=aPPux_NPUG09C5vAStgPRAB-NXg&hl=en&sa=X&ved=0ahUKEwj4a6lp5vaAhUJ7xQKHdk0BSsQ6AEINDAG#v=onepage&q=karun%20manchu%2C%20mongolian%20qaragul&f=false

Millward, James A. *Eurasian Crossroads. A History of Xinjiang*. New York: Columbia University Press, 2007.

Milward, James A. and Laura J. Newby. "The Qing and Islam on the Western Frontier", In *Empire at the Margins: Culture, Ethnicity, and Frontier in Early Modern China*, P.K. Crossley, H. F. Siu, and D. S. Sutton eds. Berkeley: University of California Press, 2006.

Mir Muhammad Nazim Khan. *Autobiography*. English translation (1931) cataloged in "Lorimer Collection 1962". London: School of Oriental and African Studies. This

version appears in: Müller-Stellrecht, Irmtraud. *Hunza: Materialien zur Ethnographie von Dardistan* (Pakistan). Aus den nachgelassenen Aufzeichnungen von D.L.R. Lorimer Teil I. Graz, Austria: Akademische Druck- u Verlagsanstalt, 1979. The original (Persian) manuscript is held at the Baltit Fort, Karimabad, Hunza, Gilgit District.

Mirzaida Muhammad Shah Khan. *Gilgit Scouts*. (Urdu). Gilgit: Javid Publications, c. 2000.

Mock, John. "Raising the Alarm: Defensive Communication Networks and the Silk Roads Through Wakhan and Chitral" American Institute of Afghanistan Studies. *The Silk Road* 15 (2017): 1-12.

Mu Shunying. "Development and Achievement of Archaeology in Xinjiang since the Founding of New China." *Journal of Central Asia* 3/1 (1984): 55-72.

Müller-Stellrecht, Irmtraud. *Hunza: Materialien zur Ethnographie von Dardistan* (Pakistan). Aus den nachgelassenen Aufzeichnungen von D.L.R. Lorimer Teil I. Graz, Austria: Akademische Druck- u Verlagsanstalt, 1979.

Müller-Stellrecht, Irmtraud. *Hunza und China (1761-1891)*. Wiesbaden: Franz Steiner Verlag, 1978.

Nation-State. Accessed March 24, 2018. <https://www.google.com/search?client=safari&rls=en&q=modern+nation-state&ie=UTF-8&oe=UTF-8>.

Newby, Laura J. *The Empire and the Khanate. A Political History of Qing Relations with Khoqand c. 1760-1860*. Leiden, Germany: Brill, 2005.

Noorani, A. G. *India-China Boundary Problem 1846-1947*. Oxford Scholarship Online: September 2012. DOI: 10.1093/acprof:oso/9780198070689.001.0001.

Peace of Westphalia. Accessed April 22, 2012. http://en.wikipedia.org/wiki/Peace_of_Westphalia.

People's Republic of China-Pakistan. Agreement on the Boundary Between China's Sinkiang and the Contiguous Areas. Peking, March 2, 1963. *The American Journal of International Law* 57, No. 3 (July, 1963): 713-316.

Puri, Luv. "Pakistan's Northern Areas: Time for a Reality Check." *Economic and Political Weekly* 44, No. 39 (September 26-October 2, 2009): 13-15.

Reynolds, Susan. *Fiefs and Vassals: the Medieval Evidence Reinterpreted*. Oxford: Oxford University Press, 1994.

Richter, William L. and Barbara Ramusack. "The Chamber and the Consultation: Changing Forms of Princely Association in India." *Journal of Asian Studies* 34, No. 3 (May 1975): 755-776.

Shor, Franc and Jean. "Explorers Describe Life in Shangrila (Hunza)." *Life Magazine*, 30 January 1950, 43 – 44.

Skrine, Clarmont P. and Pamela Nightingale. *Macartney at Kashgar. New Light on British, Chinese and Russian Activities in Sinkiang 1890-1918*. London: Routledge, 2005 (1973).

Sökefeld, Martin. "From Colonialism to Postcolonial Colonialism: Changing Modes of Domination in the Northern Areas of Pakistan." *The Journal of Asian Studies* 64, No. 4 (November 2005): 939-973.

Sökefeld, Martin. "Jammu and Kashmir—Boundaries and Movements." *Contemporary South Asia* 23, No. 3 (July 2015): 251-265. <http://dx.doi.org/10.1080/09584935.2015.1060948>.

South Asia 23, No. 3 (July 2015): 251-265. Accessed March 21, 2017. <http://dx.doi.org/10.1080/09584935.2015.1060948>.

Southall, Aidan. "The Segmentary State in Africa and Asia." *Comparative Studies in Society and History* 30, No. 1 (January 1988): 52-82.

Stein, Marc Aurel. *Ruins of Desert Cathay: Personal Narrative of Exploration in Central Asia and Westernmost China*, 2 vols. London: MacMillan, 1912.

Stellrecht, Imtraud. "Passage to Hunza: Route Nets and Political Process in a Mountain State." In *Karakoram in Transition* edited by Hermann Kreutzmann, 191-216. Karachi: Oxford University Press, 2006.

Straub, David. *The Ismailis and Kirghiz of the Upper Amu Darya and Pamirs in Afghanistan: A Micro-History of Delineating International Borders*. Indiana University, April 2013. Master's thesis, UMI No. 1537231; accessed April 13, 2018.

Summary of AG-046 United Nations Commission for India and Pakistan UNCIP) (1948-1950). Accessed June 9, 2016. https://archives.un.org/sites/archives.un.org/files/files/Finding%20Aids/2015_Finding_Aids/AG-046.pdf; <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Chap%20VII%20SPV%202200.pdf>.

Takeuchi, Tsuguhito. "The Tibetan Military System and its Activities from Khotan to Lop-Nor". In: Susan Whitfield ed., *The Silk Road: Trade, Travel, War and Faith*. Chicago: Serindia Publications, 2004: 50-56.

United Nations Resolution 47 (1948) on the India-Pakistan Question. Submitted jointly by the representatives for Belgium, Canada, China, Columbia, the United Kingdom and United States of America and Adopted by the Security Council at the 286th meeting held on 21 April, 1948. Document No. S/726, dated the 21st April, 1948. Accessed April 8, 2010. <http://www.kashmiri-cc.ca/un/sc21apr48.htm>.

United Nations Security Council Official Records. Thirty-Fifth Year, 2200th Meeting: 25 February 1980. New York. 83-61462—August 1986—2,425. Accessed March 18, 2016. <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Chap%20VII%20SPV%202200.pdf>.

Winichakul, Thongchai. *Siam Mapped: A History of the Geo-Body of a Nation*. Honolulu: University of Hawaii Press, 1994.

United Nations Security Council Official Records. Thirty-Fifth Year, 2200th Meeting: 25 February 1980. New York. 83-61462—August 1986—2,425. Accessed March 18, 2016. <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Chap%20VII%20SPV%202200.pdf>

Winichakul, Thongchai. *Siam Mapped: A History of the Geo-Body of a Nation*. Honolulu: University of Hawaii Press, 1994.

Younghusband, Francis E. *The Heart of the Continent: A Narrative of Travels in Manchuria, across the Gobi Desert, through the Himalayas, the Pamirs, and Chitral, 1884-1894*. London: John Murray, 1896.

Call for Papers for special anniversary issue 2019

SPECIAL ISSUE OF *NAVEIÑ REET*: NORDIC JOURNAL OF LAW AND SOCIAL RESEARCH: Chinese Transitional Culture: Legal and Social Perspectives

Edited by, Hanne Petersen, Louise Therese Koefoed Rasmussen and Rubya Mehdi

In 2018 China celebrated 40 years of its opening up policy – a period where economy, law, politics and social structures globally have been undergoing considerable transitions. Several generations have now grown up during the One Child Family policy – now abandoned, and have thus been influenced by a more market oriented and individualist culture than many earlier generations. Xi Jinping has brought about changes to law, legal culture and politics nationally, and he also represents a China stepping forward on the international stage. Given global political developments China has been almost forced to play a bigger role in world society. This special issue of *Naveiñ Reet: Nordic Journal of Law and Social Research* wants to invite contributions related to both domestic and global aspects and impacts of these transitions of Chinese and global normative cultures. Chinese culture is generally very optimistic in the fields of technology, artificial intelligence and digital surveillance and law. The picture is perhaps more blurred as regards property culture and rights, trade or financial culture, and a Chinese culture of human rights, minorities, religion, criminal law, health care, education, literature, art or other fields. It seems that after 1979 China is returning to a more conservative policy in relation to issues of gender and generation. In practice, divorce rates are growing and a culture of mistresses especially in wealthy parts of society seem to be accepted to some extent. Issues of social security, economic inequality, (mental) health, obesity, environmental challenges and pollution and sexuality raise concern in some parts of Chinese society, but not necessarily everywhere.

Change is not unfamiliar to China and Chinese culture – in fact it is perhaps a more integrated and accepted phenomenon than what is the case in present Western cultures, which seem to be very concerned about securing its (first) status and influence.

In China, transition has for millennia been embodied in the I Ching, or Book of Changes. Perhaps the Chinese acceptance of change stems from a culture used to and acknowledging the role of change to the extent of even considering that the only constant is Change.

Periods of transition are also often periods of paradoxes and conflict, giving rise to confusion and insecurity, as is to a great degree the case in present Western societies. We invite contributors to consider how Chinese legal and transitional culture (within any field of law) deals with these phenomena – perhaps through field or case studies.

With this volume we wish to welcome a wide range of perspectives in order to cast light on the theme of transitions in China and explore different angles and consequences of such transitions in Chinese society.

Submission

Submissions should include the name of the submitter, institutional address, e-mail address, short résumé, and a 250 word abstract of the proposed paper, which should be sent via e-mail to Louise Therese Koefoed Rasmussen at fjd604@alumni.ku.dk and Rubya Mehdi at rubya@hum.ku.dk no later than June 30, 2019. Submitters will be notified of the outcome shortly after the deadline.

Publication

The papers will be published in the special issue of *NAVEIÑ REET: Nordic Journal of Law and Social Research 2019*. www.jlsr.tors.ku.dk.

Call for papers for special issue 2019

SPECIAL ISSUE OF NAVEIÑ REET: NORDIC JOURNAL OF LAW AND SOCIAL RESEARCH: Islam in the Nordic Countries – Consensus Areas and Practical Solutions

Edited by Mikele Schultz-Knudsen, Hanne Petersen and Rubya Mehdi

The presence of Islam and Muslims in Europe and the Nordic countries has been growing in recent years. Islam is still seen by many as a new and foreign religion, especially in the Nordic countries, where Islam has primarily been introduced through immigration. In the media and in political debates, it is often the conflicts between the West and Islam that are highlighted with a focus on the cultural differences.

However, that focus cannot stand alone. Many Muslim families have lived in the Nordic countries for generations, and their children are living as both Europeans and Muslims. Even in the Middle East, many Muslims are strongly influenced by Western culture today, while also retaining their religion. There is also a growing number of European converts to Islam. Thus, the practical reality is that Muslims are building bridges between Islam and the Western world. In some areas, the surrounding Western societies and governments are also trying to build bridges or include Islam in the society. Such developments are also taking place in the Nordic countries.

There is an increasing awareness among researchers of this bridge-building. The Center for European and Comparative Legal studies at the Faculty of Law, University of Copenhagen held a conference in January 2019 on “Islam and law in Denmark – legal perspectives”. Several of the speakers at the conference gave talks that included examples of such bridge-building, this included:

- How Danish Muslims are using Danish laws on foundations to create Islamic waqfs
- How Danish Muslims practically deal with religious rules prohibiting interest
- Whether Danish laws has de facto recognized the use of sharia in Denmark
- How Danish imams are attempting to solve conflicts over divorce among Muslims
- How Sunni-Islam is being reinterpreted in modern times to face new challenges
- Possible solutions to legal problems arising out of an informal use of Muslim legal traditions
- How the family roles among people with Pakistani background is being renegotiated in a Danish context

The conference has inspired this special issue of Naveiñ Reet. We are looking for papers that similarly explore bridge-building attempts, consensus areas and practical solutions between Islam and the Nordic countries in the area of law and social research. We are interested in papers within all fields of law, including developments in Islamic law, and in both theoretical and empirical work.

We imagine that such papers can take different approaches. One approach could be to look at the common elements between Islamic law and laws in one or more Nordic countries. Another approach could be to look at the actual conflicts and differences, but with an aim to explore how these can be overcome or be integrated with one another. Other approaches are welcome.

All papers should have a relation to one or more Nordic countries. However, such a relation could for example be to compare Nordic solutions with solutions being used in other European countries, either to highlight Nordic experiences or to use experiences from other countries to suggest new solutions in Nordic countries.

Submission

Submissions should include the submitter's name, institutional address, e-mail address, short CV, and a 250 word abstract of the paper and should be sent via email to mikele.schultz-knudsen@jur.ku.dk no later than 1 September 2019. Submitters will be notified of the outcome shortly after the deadline.

We accept submissions in English, Norwegian, Danish or Swedish.

Publication

The papers will be published in the special issue of NAVEIÑ REET: Nordic Journal of Law and Social Research 2019. Read more about the journal here: www.jlsr.tors.ku.dk or <https://tidsskrift.dk/NJLSR>

Information for Contributors

Contributions must be complete in all respects including footnotes, citations and list of references.

Articles should also be accompanied by an abstract of 100-150 words and a brief biographical paragraph describing each author's current affiliation.

Articles usually are expected to be in the range of 3000 to 6000 words and presented double-spaced in Times New Roman 12pt. Longer or shorter articles can be considered.

Please use British English orthography (of course, do not change orthography in quotations or book/article titles originally in English). Use the ending *-ize* for the relevant verbs and their derivatives, as in 'realize' and 'organization'.

Italics are used only for foreign words, titles of books, periodicals, and the names of organizations in the original language (except when the original is in English).

Dates are written in this format: 11 April 2013.

For numbers please use the following formats: 10,500; 2.53 for decimals; 35%; 5.6 million.

If a footnote number comes together with a punctuation mark, place it after the mark.

Standards for Source Referencing

It is essential that source referencing provides full and accurate information so as to enable a reader to find exactly the same source that is being referenced. Equally there needs to be pedantic consistency of presentation.

Please use the Harvard system of referencing which has grown in popularity in academic writing in education and the social sciences. In the main text, a reference or quotation is annotated in parentheses with the surname of the author, the date of publication of the work and the page number from which the quotation was taken. The full bibliographic details are then provided in a list of the references at the end of the work.

Contributors are requested to submit a soft copy of their article and abstract to ruba@hum.ku.dk in Word format.

Articles

Law, Culture, and Governance in Hunza: An Introduction

Livia Holden

Rights and Governance of Natural Resources in upper Hunza

Fazal Amin Beg, Muhammad Ali, Zoran Lapov

Inheritance Rights and Tribal Governance in Hunza

Mueezuddin Haka

Autoethnography, Knowledge Governance and the PANOS Oral Testimony Program in Shimshal, Pakistan

David Butz and Nancy Cook

Governance and Law in Burushaski Folktales: An Ernie Approach

AbidaAli

CIVli Society and Governance in Gojal (Gilgit -Baltistan)

Fazal Amin Beg and Zoran lapov

Britain and China's 19th Century Stalemate over Hunza- Kanjut,

Precursor to the Kashmir Dispute

Julie Flowerday

Shutinatam Ghau: the first Burushaski TV drama

Sherbaz Khan