Law, Culture, and Governance in Hunza: Introduction

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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-raked 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 Baig, Muhammad Ali, Mueezyddin Hakal, Abida Ali, and Sherbaz Khan; but also Zoran Lapov who assisted as co-author Fazal Amin Baig 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 Baig 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 Baig, 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 Baig 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 Baig 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 Baig 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 Baig 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 Baig'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 incertitude 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.