

CHAPTER 6

Condemned and Confined

My main aim in this chapter is to get as close as possible to the events that led Baram, a proud, passionate and, at times, belligerent man in his sixties, to kill his cousin. On a drab and cloudy spring morning, Baram, in a fit of anger, fired his gun at his younger cousin Hilal. Fatally wounded, Hilal fell to the ground and died shortly after. The underlying conflict that led to this tragic incident was an inheritance dispute over a piece of land covered with oak trees, locally categorised as *pare*, located between the houses of Baram and Hilal. The dispute progressed through a series of 'conflict events' that, in the final instance, made Baram kill Hilal. A detailed examination of these events sheds light on the ritualised aspects of lethal conflicts (*kané*) and local notions of honour and revenge. Moreover, it illustrates the prevalence of land disputes and competing claims to ownership of landed property.

PREAMBLE

The village Jhumra is reached after a day's climb up a steep footpath. Located in the *maji ser*, approximately 2,000 metres above sea level, the villagers increasingly use the village for year-round habitation without seasonally migrating. Jhumra looks like a tranquil mountain oasis, but, in reality, the village plays host to a number of persistent disputes and vendettas, witnessed by tall watchtowers visible on top of many houses. Due to these conflicts, many men never step outside their houses without their rifles, automatic guns and heavy leather bandoleers loaded with cartridges. For those involved in lethal conflicts, being armed no longer provides enough safety. For protection they must keep themselves confined in their houses. In rare cases, they must stay in house confinement indefinitely.

Since the day of Hilal's (8) killing, Baram (4) has been hiding from Hilal's brother Khushal (7) who seeks to avenge his brother's death (Figure 6.1. overleaf). Confined to his house (*ban bon*), Baram cannot move about

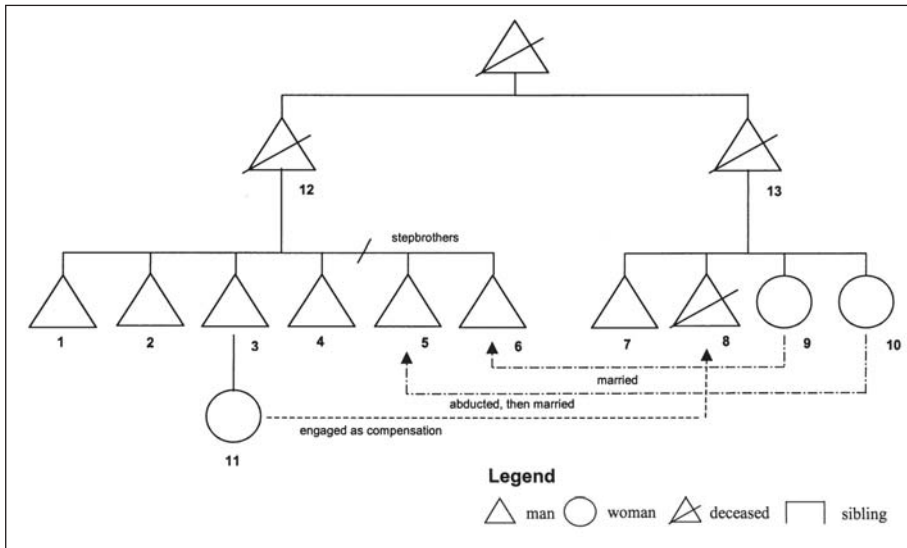


Figure 6.1: Kinship chart – the killing of Hilal

freely. Visits help break the feeling of isolation, but confinement is both mentally agonising and physically straining. Together with his two sons, Baram spends a large part of the day praying, reading and reciting from the Quran. He also plays affectionately with his grandchildren. Some of Baram’s opponents say that he should neither pray nor study the Quran because for a murderer there is no salvation. Baram smiles at such remarks. He believes that his thirty-year experience of hunting and the long hours he has spent waiting for game have prepared him for the mental strain of being in confinement.

As is common among the men of his age, Baram keeps his head shaved and his beard a fist’s length. Seated in his *shalwar kamiz* and woollen cap with tightly rolled up hem, Baram is a friendly and conscientious host. It makes it easy to forget that he is also a formidable foe. An experienced hunter, Baram’s agility does not betray his age. Baram has earned a reputation for being quarrelsome. His toughness has entangled him in many disputes. The Kohistanis do not recognise formal leadership, but Baram is a prominent member of one of the larger Shin patrilineages in the village. His forceful protection of his interests has earned him many enemies and ill-wishers. Since he killed Hilal, even his elderly mother curses him.

Situated in the upper part of the village, Baram’s home is a rectangular, one-storey house. The thick wooden doors shut out the cold and enemies.

Inside are a big chest for storing maize, a few agricultural implements, some carpets, a blanket and cooking utensils. On the wall a rifle, a Kalashnikov and bandoleers, hang within easy reach. The brown mud walls are capped by thick wooden beams blackened by smoke from the open fireplace. The only light seeps in through the vent between the roof and the wall. During the evening, Baram sits with his family around the fireplace where wooden splinters are burned to give light. Behind the wall in the cooking quarters, the women talk in hushed voices as they prepare food and sweet tea. Because the men are confined, the women are obliged to collect the firewood and tend the animals.

Due to the conflicts, Baram has built a watchtower on top of his house. Peeping out from the top of the watchtower, he can follow the yellow maize fields on the hillside until the valley drops suddenly out of sight. Looking uphill, he can see the house of his cousin, his present enemy, below the evergreen coniferous trees. Beyond them are the lofty peaks that Baram knows so well from his hunting trips but now is prevented from visiting. He can also see some women sifting the dried maize for grinding. Further down in the village the old mosque is barely visible. He can hear the call to prayers from the mosque, but is obliged himself to pray at home. The soothing hum of the gushing stream and the irrigation channel blend with the occasional sound of barking dogs. From his home, Baram can see the houses of his brothers and neighbours. The fields of his neighbours are yellow from maturing maize, but his own fields, and those of his brothers, are lying fallow. Involved in enmity, they have not been able to cultivate them.

INHERITING THE *PARE*

In order to understand the origin of the conflict between Baram and Hilal, and many others like it, it is necessary to retrace the history of the disputed *pare*, a piece of land that originally belonged to Mir Khan (12), Baram's father. As is customary, Mir Khan apportioned most of his property among his heirs before his death. According to the tradition, his wife received 1/8 of the property while he kept 1/3 of the remaining to himself. The rest (approximately 2/3) was divided among his six sons; as is customary, Mir Khan's three daughters (*not shown*) refrained from claiming their rightful share of the inheritance.¹ After the death of Mir Khan the *pare*, his remaining 1/3 of his land, remained undivided. Although it was not cultivated, its location and many oak trees made it valuable. The *pare* was

divided equally among the six brothers. Later on, some of them traded their parts of the *pare* among themselves. This reduced the number of owners to the four brothers (1, 2, 3, 4), with Walia (2) receiving the largest part (Figure 6.1). The boundaries of each section were demarcated using stones and they agreed that neither of them would sell his part of the *pare* to outsiders without everybody's consent. Nonetheless, the brothers continued to wrangle over their inheritance.

Some years later, Walia sold his share of some fields located near the Indus that he had inherited together with his brothers. Shortly after, he bought a costly piece of land in the village. Baram had opposed the sale of the fields and was able to have the deal revoked through a *Shariat*. With the deal nullified, Walia came under pressure. He suddenly owed money to the person who had sold him his land and was in a bit of a fix. In spite of the brothers' earlier agreement, Walia went on to sell his part of the *pare* to his cousin Hilal (8) for about Rs 40,000, to be paid in cash and kind. When Khushal learnt that Hilal had purchased the *pare* he immediately sensed that Baram might oppose it. At the time, Baram was away on a trip and was therefore unaware of the deal.

THE KILLING OF HILAL

When Baram returned to the village a fortnight later, he learned about Walia's sale of the *pare*. He was determined to have the deal cancelled and tried to convince Hilal to revoke the purchase. By now the dispute had become public knowledge and the whole community anxiously watched as tensions grew. Neither Baram nor Hilal were inclined to compromise, fearing, that by doing so, they would lose honour (*hayáa bojon*, literally, 'honour goes') and be shamed (*sharam ayon*, literally, 'shame comes') before the community.

On the fateful day of the killing – a wet and chilly morning near the first planting of maize – Hilal was alone in his house. In the morning Baram dropped in, carrying his gun on his shoulder. They took tea together and were joined by Hilal's father Sojat (13). After a while, Baram raised the subject of the *pare* pleading with Hilal and his father to cancel the purchase. They refused to do so and suggested that Baram sort it out with Walia instead. Baram repeatedly asked them to revoke the deal and reminded them that Walia could not sell it to them without the consent of his brothers. Hilal again refused to cancel the deal and, although Sojat tried to calm him down, yelled at Baram: 'You're getting on our nerves. You don't want us to

keep the *pare* [but] I'm going to cut the trees in the *pare* down right now.' On the point of leaving, Baram shouted angrily at Hilal: 'By God, I will kill you if you touch a single tree.' Sojat tried to restrain Hilal but he was not to be stopped and, grabbing a hatchet, came after Baram as he left the house:

Hilal followed me with a hatchet in his hand. I shouted, 'Man, do not follow me. I will not allow you to touch the trees.' Hilal responded that he would never give up. I swore I would kill him if he came near me. He stopped for a moment, but then walked towards me. I swore again that I would kill him if he took another step. I warned him. But he came at me. I loaded a bullet into the chamber and pointed the gun at him. He stopped ... but then came at me again. I moved to aim at him. He raised the hatchet above his head. I lost my senses. Suddenly I saw that Hilal was lying on the ground. That is all. This is how it happened.

Shortly after, Baram ran towards his house and bolted the door. When Khushal heard the rifle shots he quickly left his work nearby and ran home. There he found Hilal lying on the ground. He was still breathing but bleeding profusely. Khushal ordered family members to move him to a bed indoors. They recited the *Kalima*, the Muslim declaration of faith, and shortly after Hilal expired. The news of Hilal's murder spread quickly and soon relatives and neighbours gathered around the body. Hilal's father Sojat was shattered. He put his son's head in his lap and cried and wailed that his son had been martyred (*shaheed*). To validate this, Sojat told the onlookers that he had spotted the sun through the cloudy sky. Sojat advised Khushal in front of all the villagers that it would have to be up to Hilal's sons when they grew up whether they wanted to take revenge. At Sojat's request, the only item of Hilal's clothes to be removed was his waistcoat because martyrs are buried in their own clothes and not, as is customary, draped in a shroud. Hilal was buried the same day in a graveyard near his house. Khushal arranged for some relatives to serve charity food (*kherat*), and scores of people, including Baram's wife and daughters came to offer their condolences. Khushal also invited Baram's brothers, who hesitantly joined the congregation of mourners.

Later the same day, Khushal rushed down to nearest police station and registered a 'First Inquiry Report' (FIR) with the police to start a criminal investigation. As material evidence, he handed over Hilal's bloodstained waistcoat. Khushal had to bribe the policemen to make them walk back to Jhumra with him to arrest Baram. By the time they arrived, Baram had escaped and neither he nor his sons were to be seen. People disapproved of

Khushal's bringing policemen to the village and nobody was willing to be recorded as a witness. In the end, only Khushal's eldest son was willing to witness. Their investigations completed, the policemen returned to base the next morning. They were never heard from again.

The villagers unanimously condemned Baram for killing Hilal, saying that it was unjustified. Baram's brothers vowed to stay impartial, since the deceased was their own cousin.² Baram's two step-brothers, Draz and Jumal (5, 6), also refused to support him and, in addition, averred that they would stay impartial because they were married to Hilal's sisters (9, 10). Baram's two sons (*not shown*) sided with their father and joined him in his house confinement. As they would be legitimate targets for revenge killings, they were left with little choice. In local terms, Khushal and Baram had gone from being mere 'opponents' (*pecha*) to becoming 'owners' of a lethal conflict (*kané xawáano*).

ABDUCTION AND COMPENSATION

Why did Baram get so passionate about a piece of land sold by his brother to a paternal cousin he otherwise was not only on friendly terms with, but who on many occasions had supported Baram against critics and opponents? And why did he not direct his animosity towards his younger brother Walia, who had violated an explicit agreement among the heirs that they would not sell the *pare* to an outsider? To explore plausible motives, we need to look back in time. Some years prior to the dispute over the *pare*, Sojat (13), Baram's uncle, had beaten the wife of his nephew Draz (8). To make matters worse, Draz's infant son had been hurt in the brawl. When Draz learned about this he became furious. In order to insult Sojat, he vowed to take Sojat's daughter (10) forcefully as his second wife.

When Sojat came to know of Draz's claim to wed his daughter, he refused ever to let the marriage happen. Some relatives urged Sojat to compromise, giving him a guarantee that an adequate compensation would be paid to him. Sojat declined again. Draz, watching the girl's every step, later abducted her and dragged her into an empty house nearby where they spent the night. When news of his daughter's abduction reached Sojat he was terribly shocked. A makeshift *jirga* of Sojat's relatives urged him to pardon Draz. Although dishonoured, Sojat seemed willing to compromise and forgave Draz on condition that a girl was given to his son Hilal as compensation (*sora*). Shortly after, Draz came out of hiding and went to Sojat's house and asked his forgiveness by offering an ox and a goat for slaughter at his

threshold.³ To help Draz, his brother Mosam Khan promised one of his daughters to Hilal and she was later engaged to him. (However, before Hilal could be married to the girl and consummate the marriage, Baram killed him.)

This settlement brought hostilities between the parties to an end, but hidden grievances and mutual distrust lingered on. According to public opinion, Hilal's purchase of the *pare* had been motivated by a wish to slight Draz, who had abducted his sister. By buying the *pare*, Hilal was taking covert revenge for the abduction of his sister. While this is only one of several interpretations of Hilal's purchase, Baram certainly took it as an insult to his honour. This explains Baram's frustration and Hilal's stubbornness. The *pare* was no longer merely a piece of land. It had turned into a symbol of the perceived insult to their honour. Another factor that could have weighed heavily on Baram was that all his agricultural fields were subject to a cultivation ban (*shar*). Khushal had not enforced the interdict – although doing so would have been legitimate. Hafia (*not shown*), Baram's neighbour, had enforced it. For Baram, the *pare* was hence a crucial source of animal fodder.

THE TROUBLESOME BAANDO

As mentioned above, the ban on cultivation preceded the dispute with Khushal and is linked to Baram's long dispute with Hafia over the ownership of an oak forest (*baando*) located far below the village. More than fifty years ago, Baram's father had leased the oak forest from a man living in another village. Later, Hafia's father claimed to have bought it from the owner. Thus began the dispute between the two that Baram and Hafia inherited from their fathers. To end the problem and invalidate Hafia's claim, Baram purchased the oak forest from the grandsons of the deceased original owner. He later offered to settle the issue with Hafia through a *Shariat*, but Hafia refused. The dispute had slowly soured their relationship, and finally Hafia banned Baram and his brother Guldad (1) from cultivating their fields. The reason that Guldad's fields were included in the ban was that he shared with Baram the ownership of the oak forest. In return, Baram placed a cultivation ban on Hafia's land. Shortly after, Mosam Khan's (3) maize fields were mysteriously razed to the ground. He suspected Hafia's cousin Maroof (*not shown*) and destroyed his maize crop in retaliation. The conflict now entered into a phase with sporadic exchanges of gunfire. In one of these exchanges, Hafia wounded Baram and his eldest son. Later,

Mosam Khan and Walia wounded Hakia in an ambush. This attack got Hakia to place a cultivation ban on Mosam Khan and Walia's fields.

Since Baram killed Hilal, his confinement has prevented him from exerting pressure on Hakia. Moreover, he suffers from having all his land under a cultivation ban. It is therefore understandable when Baram says:

The matter of banning cultivation (*shar*) is highly inappropriate. If someone kills a man, one man is killed in revenge. Similarly if a man is accused of being involved in an illicit affair, just one man is held responsible. But by banning cultivation, the subsistence of women, men and children is jeopardised. The livestock also suffers. This practice is recent and strange and ... banning cultivation is alien to [our] traditions and religion.

In order to ease the hardships inflicted by the ban on cultivation, a mediator managed to broker a cease-fire (*madan*) between Hakia and Baram for a period of forty days. Baram and Hakia agreed to settle their differences in a *Shariat*, but the dispute is complicated because, firstly, Hakia claims that the original owner owned only some and not all of the forest, and, secondly, Hakia's cousin Maroof has put in a claim for his grandmother's share of the forest. With the exception of the cease-fire, Hakia, Mosam Khan and Walia were kept in semi-confinement. This precluded new attempts at mediation. Moreover, because Baram was confined already, Hakia was not in a hurry to settle the matter.

CONFINEMENT AND MEDIATION

Khushal's strategy has been to keep Baram in constant confinement. Still, a year after Hilal's death he agreed to a two-month cease-fire. Since then, Khushal has rejected Baram's every plea for a cease-fire or a peaceful settlement. Khushal's justification for keeping Baram in confinement is that it allows Hilal's sons to grow old enough to decide whether to avenge their father. In response to Khushal's refusal of further cease-fires, Baram declared that he would no longer be allowed to utilise the *pare*. Khushal consequently put it in the custody of a local Maulvi, but Baram's household repeatedly let their animals graze on it, much to Khushal's resentment.

A year later, pressure mounted on Khushal to agree to a cease-fire with his opponent. Khushal insisted that the girl (11) who was originally betrothed to Hilal should be betrothed to him without further delay. Mosam Khan, the girl's father, indignantly refused and would only betroth her if Khushal paid a bride price of Rs 200,000. According to Islamic jurisprudence (*din*), there is no precedence for Khushal's claim on Hilal's fiancée. Because the

girl was betrothed but not married to Hilal, Mosam Khan was not obliged to let her be betrothed to Khushal. Khushal sees this as irrelevant, arguing that according to local tradition, the girl was bound to marry him as compensation for the abducted sister (10).

Watching the conflict between Baram and Hilal with increasing displeasure, men belonging to their patrilineage decided that it was time to intervene. In preparation for their mission they took an oath that they would treat all parties equally and not hide anything from each other. They also called God's destruction – 'ill-pray' (*shao*) – on anyone who violated their agreement. Then the *jirga* of about twenty men assembled on the roof of Khushal's house. They first asked his permission to consult all parties to the conflict (Table 6.1). A few members placed their caps in front of Khushal, a traditional way to enforce a request. They also warned Khushal of the seriousness of the matter and that the bad feelings were getting out of hand. They asked Khushal for a 'free hand' to settle the matter. Hesitantly, he agreed to let the *jirga* meet the parties but refused their request to be given a free hand to settle the matter. The *jirga* left.

They returned the following day after consulting the contestants. Two of the *jirga* members kept insisting that Khushal had given them a 'free hand' to find a solution. In the end Khushal became angry and urged them to remember how the conflict had started and that the previous *jirga* had secured Mosam Khan's daughter as compensation for his abducted sister. In addition, Khushal wanted the *jirga* to settle the unresolved dispute over the *pare*. Promising to address these grievances the *jirga* members asked for a three-day cease-fire, something Khushal angrily refused. After more wrangling, Khushal reluctantly agreed to a twenty-four-hour cease-fire so that the *jirga* could try to broker a temporary cease-fire with all involved.

Table 6.1: Baram's opponents and allies

	Parties to the conflict	Sources of the conflict	Types of enmity
Opponents	Khushal	<i>pare</i> /homicide	lethal conflict (<i>kané</i>)
	Hakia	oak forest/wounding	opponent (<i>pecha</i>)
	Maroof	oak forest	dispute (<i>bilosh</i>)
Allies	Mosam Khan	oak forest	opponent (<i>pecha</i>) *
	Walia	oak forest	opponent (<i>pecha</i>) *
	Guldad	oak forest	dispute (<i>bilosh</i>) *

* Involved in the dispute with Hakia but not Baram's enmity with Khushal

The *jirga* members went from house to house to make everybody agree. Baram was more than willing, saying that even if they decided to throw him before an armed Khushal he would not object. The other parties all first declined to give the *jirga* a free hand, but later agreed to abide by its decisions. Baram's main allies, Mosam Khan and Walia, were also unwilling to give the *jirga* a free hand, but under pressure, agreed to abide by whatever it decided. Relieved that they had been able to get all parties to co-operate the *jirga* decided to make the verdict short, decisive and unequivocal:

Khushal keeps the *pare* and Mosam Khan's daughter. Moreover, Baram will pay him Rs 200,000 in compensation – reducible to Rs 100,000 at Khushal's discretion – for killing Hilal. Additionally, Baram and his brothers will choose one of their daughters to be engaged to Hilal's eldest son.

The oak forest will be divided between Hakia and Baram. Hakia will give one third of his part to Maroof. If not, Baram and Hakia will pay him an equivalent value in cash. Hakia is required to present a bullock and a goat to Baram, seeking his forgiveness. Baram will then absolve him from having wounded his son.

The verdict acknowledges the loss suffered by Khushal and, accordingly, awards him compensation. This should put an end to his enmity with Baram and settle his claim to Hilal's fiancée. It should also end Baram's and Hakia's cultivation ban and share the oak forest between them. However, the verdict absolves Baram for killing Hilal and releases him from confinement through monetary compensation. For Khushal, accepting 'blood money' for his brother's murder would be dishonourable and hence unacceptable. Despite this, the *jirga* members pleaded hard with him to make him accept it. Feeling that he was being treated unfairly and made a scapegoat, Khushal lashed out against the *jirga* members and asked them to leave.

At Khushal's refusal, the settlement fell apart. A last-minute effort by the *jirga* to salvage it proved fruitless. All parties reverted to their initial positions. Mosam Khan would no longer give his daughter to Khushal without monetary compensation; Hakia would not share the forest with Baram and Baram even threatened Khushal that, from now on, all his fields would be banned areas (though not Hilal's). At this stage, the *jirga* members declared that there would be no further attempts to mediate nor would they take any interest in the well-being of the parties. The *jirga* members scorned Khushal for not giving them a free hand to settle the matter. They also suspected him of conspiring with Hakia to keep Baram confined indefinitely.

BARAM'S CONFINEMENT

Baram has repeatedly showed willingness to follow any decision reached by mediators. He has also offered to let Khushal have the *pare*. His willingness to compromise and his explicit expression of guilt have redeemed him in the eyes of the community. His honourable behaviour and confinement have slowly moved public opinion in his favour. He is well versed in matters of local tradition and has frequently travelled beyond Indus Kohistan. In addition to his native Shina dialect, he is fluent in Pashtu and Urdu. His two sons have had a religious education from a *madrassa* in the Punjab. While confined, he arranged for his youngest son to be married in an exchange marriage (*badali*). Even in confinement, he is able to take care of his household's interests. He has sold most of his livestock because the conflict prevents the household from tending the animals. Nonetheless, he has purchased agricultural land in the village. This has been possible by sending his two sons off during the summer to mine gemstones. It is the money made from mining that has saved the household from poverty.

Khushal is alone, without grown-up sons, and cannot leave the village for mining work. He also needs to keep watch over Baram. In sheer fighting power there is no doubt that Baram and his sons could easily overpower and kill Khushal. By keeping himself confined Baram is strictly adhering to the local code of honour, rather than being kept in confinement by Khushal. Despite being watched over night and day, Baram and his sons are occasionally able to sneak out of the village. Baram never ventures far but his sons travel to Rawalpindi and towns with a Kohistani diaspora. Khushal has never attempted to kill or ambush any of them nor conspired with others to kill them. Baram and his sons are wary of him nonetheless.

Once, Khushal's young son picked up a gun and fired at the house, barely missing one of Baram's sons. Demonstrating how the idea of revenge is alive in children, Khushal's son is said to have lamented: 'They killed my beautiful uncle.' Nonetheless, Baram's teenage grandson moves freely in the village and even plays with Khushal's sons. In this sense, enmity is limited to the main protagonists, and the children and women can move about freely.⁴ By playing his cards wisely, Baram has marginalised Khushal, who, to make ends meet, has been forced to sell much of his livestock. Unable to cultivate his fields located beyond Jhumra, Khushal has been forced to buy wheat flour in the bazaar. Lacking other sources of income, he is struggling to feed his large family. If Baram makes good his threat of banning cultivation in Khushal's fields, Khushal will have no choice but to leave.

EPILOGUE

Due to the tussle with Hakia, Baram has not been able to cultivate his fields for the past five years. Because he killed Hilal, he has spent four years in confinement. As long as he is in confinement, there is little chance of a settlement with Hakia. Baram feels that his attempts to appease Khushal have been of no use and that he must increase the pressure on him. The first step would be to declare a cultivation ban on Khushal's land. Up to now, he has not done so out of guilt for killing Hilal. Baram accepts that Khushal has a right to kill him:

There are precedents in our land for solutions. There have been [other] rivalries around here. Even brothers have killed one another. Cousins have also killed each other. In rare cases, they have avenged [murder] also but some of them have compromised as well. People accept *diyat* [religiously fixed monetary compensation] too and there is a *saz qasas* [mutually agreed monetary compensation] too ... If he killed me, I would not have resented it. He has the right (*haq*). I will not be offended because I am in debt to him. As for the *pare*, if he acquires it by God's law (*Shariat*), he can have it.⁵ He is not obliged to forgive me. The *pare* should not be a cause of bloodshed. Economic and bloodshed issues are resolved differently.

As Baram points out, monetary compensation is sometimes used to settle murder among close kin. The enmity between Baram and Khushal is a threat to the cohesion of the patrilineage and weakens them *vis-à-vis* the other patrilineages. Infighting is discouraged and, even in the event of homicide between close relatives, the parties can be pressured to overcome their differences and to accept monetary compensation. Baram is a tough man, even reckless in his self-assertive behaviour. This can sometimes make him a liability. Still, his boldness discourages incursions by the rival lineages. For this reason, Baram's patrilineage, including Khushal himself, is apprehensive of the situation. This is why the men of his patrilineage formed a *jirga* in an attempt to solve the enmity.

Under great pressure, Khushal is considering leaving the village and moving elsewhere. In retrospect, he regrets filing the FIR with the police, but laconically remarks, 'The weak person must always go underneath someone's lap, either in the beginning or at the end. I am a weak man and he is a wrestler.' He does not foresee a peaceful solution to the conflict and thinks that it will not be resolved even until the 'Day of Judgement'.

Walia recently moved out with his family to a town in the northern Punjab. He works there as a woodcutter. With his fields closed to cultivation,

he saw no other option than to leave the village. Walia has offered to return the money to Khushal that he paid Hilal for the *pare*. Khushal cannot accept his offer because it would be construed as revoking the original deal.

Hilal's death still haunts the community. Some years after his death, a person who helped dig a grave next to Hilal's noticed a small hole in the side wall of the grave. Peeping through the hole, he saw Hilal's undecomposed body. According to local belief, martyrs only sleep in their grave, and this observation seemed to confirm Hilal's martyrdom. Later, some saw a bright flame emerging from Hilal's grave, further evidence, many believe, that he was a martyr. However, the local Maulvis argued that such flames are made by Satan rubbing his hands and nails together to misguide people.

NARRATIVE AND SUBJECTIVITY

In this chapter I have attempted to frame events which, although they happened recently, have been retold, remembered and reinterpreted by the actors justifying their actions. In order to tell this complex story, the 'narrative' has been used as a literary device (White 1990). This narrativisation of scenes and events comes close to what Ryle has termed 'thick description' (1971: 482). It tries to convey not only 'what happened' (causation, temporality) and 'why it happened' (interpretation, rendition), but also to describe events as experienced by those 'to whom it happened' (subjectivity). Baram's land dispute and the subsequent killing of Hilal allow us to seek out the complexities and deeper motivations of institutionalised vengeance, a practice that is often miscast as an expression of a 'Kalashnikov culture'.⁶

While internecine feuds and vendettas are common, mediation and reconciliation can bring enmities to a peaceful conclusion. While it is unwise to generalise from this one case, especially because homicide among cousins is rare, we can also see why enmities drag on, despite attempts at mediation. In the case of lethal conflicts the aggrieved party can disregard *jirga* decisions – but only at great social costs. To an outsider it would appear that everyone loses in these lethal conflicts. Homicide transfers the antagonisms beyond the original source of the conflict, spurring a defence of 'honour' and the right of revenge (*haq*). The problem of retaliation can be summarized by a 'Damn you if you do – damn you if you don't' attitude. If the aggrieved party takes revenge, retaliation will follow until the scores are settled. If the taking of revenge is renounced, honour suffers again. This underscores the seriousness of lethal conflicts compared to minor quarrels,

tussles and shoot-outs. For this reason, there is a tendency for lethal conflicts to become privatised and limited to close kin belonging to the same *miráas* (i.e., descendants of the same grandfather). Increasingly, close relatives, even brothers, can remain impartial and avoid involvement.

The bans on cultivation and fallow fields leave visible marks in the landscape: they carry tales of enmity and confrontation. Property relations are not only social and economical, but are contained by moral precepts and the historical trajectories of enmity. Property disputes invoke contested stories of ownership, which take on properties of ‘tournaments of value’ (Appadurai 1986: 21) that turn the fields and oak forests into key ‘tokens of value’. The idle fields symbolise central cultural values and the sites of contests of honour. In the course of such contests, the division into separate realms is reflected in the fact that homicide can only be mediated through the ‘law of land’ (*dastoor*) in consensual assemblies (*jirga*), while ownership of land is decided on the basis of Islamic jurisprudence (*fiqh*) in *Shariat* courts.

Without formal land titles, the contestants cannot refer property disputes to outside arbitration. This makes ownership of land inherently contestable. Land ownership is supported by the history of *de facto* ownership, where ‘might’ is equally important to ‘right’. The custom of partible inheritance, together with a large number of offspring and frequent polygamy, causes severe field fragmentation. The scarcity of land and subsequent poverty compel villagers to vigilantly defend what property they have. Herzfeld is right to point out that the ‘division of property among co-heirs ... is often marked by tension, mutual distrust, and occasional violence’ (1980: 91). We have seen that people do not wrangle over their inheritance only, but also over land purchased or leased from others. In doing so, they get entangled in brawls, disputes and enmities. This does not explain the genesis of blood revenge, but can explain why disputes literally become a matter of survival.

Rural villages are often considered a ‘moral community’, a *Gemeinschaft*, where there is a pronounced communality. With the prevalence of paternal cousin marriages and local exchange marriages in Jhumra, most of the villagers are related to each other. Nevertheless, the value system of the community legitimises the frequent antagonisms. Being involved in, or party to, conflicts is not condemned – only failing to conform to the local aesthetics and etiquette of fighting is condemned. Moreover, this case study shows that poverty makes villagers vulnerable and liable to repulse even

minor infractions on their property. Similarly, concerned as they are about their honour, even petty insults are harshly reciprocated. On top of this, adult men care strongly about their prestige (*ghairat*), which encourages them to harm their enemies as much as possible. In more abstract terms, competition for property and prestige is a 'zero-sum game' where one person's loss is equalled by another's gain.

The conflicts do not involve arbitrary violence, but carefully meted out pre-emptive and retaliatory attacks. Retaliation is made to match the offence and there are rarely unfounded murders. On the contrary, the conflicts are carefully scripted and ritualised events that tend to follow a stylised pattern of:

- (1) Provocation,
- (2) Confrontation, followed by either
- (3) Mediation,
- (4) Reconciliation, or, failing this,
- (5) Retaliation,
- (6) Escalation.

In the latter cases (5, 6), rather than swift and decisive retaliation, people may sometimes wait for many years before taking revenge. As long as they do not publicly retract their right of revenge, it does not infringe upon their honour. By seeking confinement, a family risks a painful war of attrition and a slow, but inevitable, drift into poverty and misery. Poor families are, in general, unable to stay confined for long periods and are forced to resettle in one of the lowland Kohistani communities. Resettlement gives temporary relief from hostilities but does not end them. Instead, attacks, raids and ambushes often follow. It can be speculated that paid work as seasonal labourers makes it possible to prolong hostilities. This provides sustenance in lieu of agricultural produce. Although the families involved are suffering, their honour is not compromised. The importance of finding ways to earn supplemental money is clearly shown by comparing the financial status of Baram and Hilal. Baram's fields are closed for cultivation, but, thanks to the money earned from mining gemstones, he is better off than his opponent.

The men who are confined hold out against great odds, thereby living up to the ideals of manhood. Nonetheless, being confined to the house day and night involves a degree of self-sacrifice, because the house is primarily a female and domestic domain. Those who are confined for long periods invariably alter their house by adding a watchtower (*gari*). This not only

provides them with better protection from attacks, but transforms the house (*gosh*) into a fortress (*qal'a*). This, it can be speculated, symbolically alters the nature of confinement: the man is no longer hiding in his 'house' but is defending his 'fortress'. This changes the symbolic meaning of house confinement from one of potential effeminacy to one of forcefulness and masculinity.

There is a homology between the dynamics of social strife and the narrative structure of enmities. They tend to lack a key narrative element, namely one which provides an 'ending', 'closure' or 'finale'. The absence of this narrative element is a general characteristic of the vendetta: it goes on and on without end. Instead of ending, disappearing or vanishing, the histories of enmity remain inscribed in the collective memory of the community and imprinted on the landscape as untilled fields, imposing watchtowers and scenes and sites of killings.

In the next chapter, the interface between homicide and honour is explored further. Especially, I examine how honour is conceptualised locally and intertwined with magical rites believed to promote personal safety and reveal the identity of absconding murderers.