Introduction
Honour Violence, Law and Power in Upper Sindh

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The story that I am to narrate here begins in the 1990s, when as a reporter in a local magazine called *Newsline*, I wrote a comprehensive news story on *karo kari,*[1] (literally 'black man and black woman'), a vernacular honour-based practice in the Upper Sindh region of present-day Pakistan. Known popularly as a *rasam*, a 'custom' that sanctioned men and women accused of sexual transgressions with death,[2] *karo kari* has since become a leading story of the national media in Pakistan, a major human rights issue and a problem that both lawmakers and civil society are concerned about.

My report was the first comprehensive exposé of the existence and prevalence of this practice in the region of Upper Sindh.[3] This report disclosed the violence committed through *karo kari*, whose perpetrators were defending what was considered a timeless, natural and therefore unquestionable ideology of honour called *ghairat*, a moral sanction enforced by each individual, and more specifically each man, but with social approval. In the report, I described the punishment of 'black' men and women as retributive justice for men whose honour had been damaged when a female relative was accused of engaging in sexual relations with another man. Husbands, fathers, brothers and sons could accuse their wives, daughters, sisters or mothers of being black, and the action taken against women could be either expulsion from the community or death. If found with the woman, the co-accused man could be killed or subsequently hunted down. If the woman alone was expelled or killed, the local practice allowed the man who had accused or killed her to exact fines from the co-accused man, or demand that he replace the 'lost' woman with another. My report focused on this latter aspect. In particular, I argued that, far from such killings being perpetrated merely in defence of *ghairat*, most men used the provisions in the

custom strategically, whether for private gain, to harm their enemies, or to rid themselves of women they did not want.

Since that report, hundreds of news stories and campaigns have given the phenomenon of *karo kari* national and international significance.[4] Activists, political leaders, religious leaders and even judges have actively condemned the practice and called for punishment of its perpetrators. More recently, in 2011 the Sindh Assembly passed two resolutions declaring *karo kari* killings to be murders and called upon the National Assembly to make the legal changes that will ensure perpetrators are punished.[5] A private member's bill – called the anti-honour killing bill – is also under discussion in the parliament, and I am actively involved in supporting this legislation.

My own concern with the issue developed from that of an involved journalist into that of a distant, neutral academic. Recently, however, as an elected official[6] in Upper Sindh, I became involved with this phenomenon in different ways as both a community representative and a representative of the people in the National Assembly, committed to providing justice to victims while also working towards enforcement of the law.

These simultaneous experiences of belonging to Upper Sindh, as well as living, working and researching there, leave me in no doubt that tragically, the violence associated with *karo kari* has inspired graphic, shocking instances of brutality. However, it is also the case that *karo kari* accusations and the related violence pervade aspects of rural social life comprehensively, involving marriage disputes, power struggles, and conflicts over resources and territories. It can therefore be called a total social phenomenon in the Maussian sense, one that is simultaneously social, political, economic and juridical. Empirically speaking, Upper Sindh reports the highest number of such deaths in the country. Probably about two hundred men, women and children are killed there each year, which constitutes approximately a quarter of the estimated deaths on the pretext of honour violation for all of Pakistan.[7]

This book examines why and how *karo kari* occupies a central social, moral, juridical and ideological position in Upper Sindh, one that mediates social relations generally in the area. In order to address these questions, I treat *karo kari*, as constructed in Upper Sindh, as a customary social sanction that must nonetheless be viewed in its relationship to the formal state laws and considerations of power generally. As Upper Sindh is a complex society operating within a state, incorporating colonial and modern post-colonial and more recently Islamic textual law in its regulation, customary violence has to be understood in terms of relations between the state, power and the law, since these areas have developed interdependently over time. To that end, this study posits that *karo kari*, as a violent cultural form of normative sanction contained within the moral idiom of *ghairat*, persists not

parallel to, outside of, or in deviation from the state laws, but within and even through them.

This study examines the alternating relationships and interconnections in Upper Sindh between *karo kari*, the law and power in the following different ways. First, I examine the ethnographic data to describe the local meanings that people ascribe to *karo kari*. At the same time, I consider whether *karo kari* is a timeless, unchanging social norm – a *rasam*, as it is called or understood by the people in that area – or a contemporary cultural product that people expand, adapt and appropriate in their everyday politics of social relations such as marriage and the competition over resources and power. Second, I investigate the organization of the field of law and power across time to assess how historical forces have been implicated in the making of *karo kari*. And third, I look at the forms of this violence in everyday life in Upper Sindh in the context of the present, plural, state laws to determine what role, if any, the law as a product of power plays in shaping current *karo kari* violence. In other words, does *karo kari* violence contain a formal legal space that will allow me to understand its present violent articulation?

Honour Violence, Law and Power: Theoretical Settings

Law and Custom in Anthropology

In anthropology, the relationship between custom and law, as cultural concepts, has been both dichotomous and dialectical. Both an analytical separation and an overlapping and intertwining relationship between these two categories have been variously suggested at different times. Initially, the anthropological study of social norms in smaller, 'simpler' societies was understood with reference to modern law, often being framed in Western legal concepts and discourses, and presented as law-like systems; but later the modern law itself became a cultural product and object of anthropological scrutiny.

The opposition between custom and law was implicit in much of the early anthropological and jurisprudential discourse – the law was as intimately linked to state formation in a complex society as custom was in a simple, rudimentary one (Hart 1961; Bohannan 1965; Diamond 1971).[8] The law was perceived as an innovative modern instrument, a tool for social change, as, according to Bohannan, it had to be 'out of phase' with society.[9] Also, 'Custom must either grow to fit the law or it must actively reject it; law must either grow to fit the custom, or it must ignore or suppress it. It is in these very interstices that social growth and social decay take place' (Bohannan 1965: 37). However, while Bohannan saw customs and laws as continuous,

Diamond (1971) considered them contradictory, emerging from a breach of prior customary order and increasing as conflicts divided political societies internally and from each other, changing the dictum of law and order to one of law versus order. In Diamond's view laws arose in opposition to customary order because they represented new social goals by 'a new and unanticipated power', for instance the development of early states, conscription of labour and troops, and censuses of populations.[10] In later studies of the law, anthropologists challenged the view of positive, rule-based Western law as natural and increasingly perceived it as a historical product of culture.[11] The uniformity, cohesion and precision of modern law also came under critical review.[12]

In this study, both law and custom are shown to be products of modernity, of the colonial and postcolonial state: there is no prior customary order outside the framework of the state here. 'Anthropology,' Herzfeld (1987: 3) writes, 'entails the unveiling of intimate practices that lie behind the rhetorical protestations of eternal truth, ranging from "that's always been our custom" in every village and tribal society studied by the anthropologists of the past, to the evocation of science and logic by every modern political elite'. Custom, in anthropological tradition, seems to be a rhetorical device, as much for anthropologists to construct 'the other' as it is for natives to construct their world view. Studying the practice of custom in action as compared to its rhetoric shows that it is a dynamic, inventive field in which many meanings are created. Several anthropologists have provided colourful instances of such re-creations of customs (e.g. Borofsky 1987; Keesing 1994). Analytically, therefore, custom as a solid, bounded entity becomes meaningless.

All this was confirmed by studies of colonial societies' interactions with colonial law, which was probably also the single most important factor in removing the evolutionary, definitional and analytical distinctions between law and custom and in showing a vibrant, dialectical relationship between Western law and local social norms. Colonial officials' introduction of formal legal systems alongside customary and personal law allowed anthropologists to see how multiple legal systems could operate at the same time, making a unified legal system look like a myth (Pospisil 1971; Hooker 1975; S. Moore 1978; Merry 1992). Besides, comparative anthropological work in the former colonies showed that customs were often shaped, renewed and even changed as a colonial strategy of domination and appeasement in which the so-called customary laws, which were simply Western legal forms enabling the local elite to appropriate or share power, were actually constructed (Snyder 1981; Chanock 1985; Cohn 1985; S. Moore 1986; Merry 1991; Rouland 1994). The Marxist analysis of colonial law viewed the law as an instrument of power as well as a key tool for expanding capitalism (Ghai, Lukham and

Snyder 1987). The term 'legal pluralism' grew out of all this literature, but the understanding of this term also underwent radical interpretative changes, and the focus shifted from considering law and customary forms as disjunct yet parallel, to understanding them as 'mutually constituted' (Merry 1992) or as legal spaces 'superimposed, interpenetrated and mixed in our minds as well as actions' (Santos 1987: 297). Other ethnographies showed how custom and law merged, existing in a continuum (Rosen 2000). This was presented in the context of history and power when Starr and Collier (1989) brought together a body of work by legal anthropologists showing how local legal events were implicated in larger processes of history and power (e.g. Blok 1989; Cohn 1989; S. Moore 1989).

Where does my study fit into this discussion? As Just (1992: 376) says, 'Both local meaning and larger processes of history and power need to be marshalled to see what happens when people dispute'. My starting point is to explore how people create meaning locally in *karo kari* violence in Upper Sindh, based on the timeless ideology of *ghairat,* but my ethnography also demonstrates that both *karo kari* and *ghairat* are merely masks screening out a vast and untidy field of multiple conflicts. I attempt to show that what is formulated as a custom in the local discourse is not unchanging; rather, it is a dynamic cultural product perpetually adapted to fit contemporary local contests and social relations. After showing how *karo kari* is constructed in the local field, I move on to demonstrate the historical relationship between law, custom and power. Whereas in the colonial period the local adultery law was incorporated into customary law as an 'indirect policy', now, in the postcolonial period, the state explicitly rejects the custom of *karo kari*, though at the same time newer laws seem to provide a legal space for this customary form in different ways. So, unlike Diamond (1971), my study asserts that custom and order are not necessarily related, just as institutional state law and custom are not necessarily opposed, although they may be mutually constitutive of one another even when they are constructed in very different forms.

To a certain extent, therefore, my work is set within multiple, interactive relationships of law and the local customary norms provided for in legal pluralism. At times this concept has been criticized for circumscribing the multiple normative orders within the category of 'legal', which may not always be the case, and for failing to fully contextualize the power relations and social contexts (Fuller 1994). Nonetheless, as a space that creates a constantly ongoing dialogue between what is locally constructed as custom and what is locally understood as law, resulting in 'unpredictable patterns of competition, interaction, negotiation' (Griffiths 1986: 31), legal pluralism would seem to offer a basis for the interpretation of the present ethnography.

A large body of anthropological theories shows how customs as normative orders may be incorporated either as a source of law, or in the modern legal form as 'customary law' or as autonomous systems. However, there is less articulation, if any, of how modern laws can shape or provide new contexts for the seemingly traditional cultural forms of violence. Comaroff and Comaroff (2004) highlight the dilemma courts face when confronting a case concerning a witch-hunt in South Africa, and how customary forms subvert the state's monopoly over violence when the state cannot entirely criminalize such customary forms due to the moral legitimacies involved. They observe that 'the kingdom of custom is not dying in postcolonies', but taking new shape. Here the state's position is always ambiguous, yet no links are drawn between the legal context and witch-hunts. In contrast, I demonstrate that *karo kari*, represented popularly as an ahistorical, timeless custom, may not be easily isolated from the laws of the state, being in some ways generated within and through the modern legal system, its institutional setups and its day-to-day articulations, or, to use Malinowski's term, through 'codes, courts and constables' (Malinowski 1926: 14), In any case, I consider modern-day customary forms and law not as separate categories but as two products of modernity, articulated in different techniques. In that sense, custom is not prior to or apart from law. Shaped by power, it alternates with formal law, and even comprises it.

Law, the State, Kin Groups and Power

Modern law has historically been a medium through which power is exercised and legitimated (F. von Benda-Beckmann, K.Benda-Beckmann and Griffiths 2009), and state power offers the best site from which to understand modern law and legal systems. Despite a growing field of law in the domain of transnational laws (F. von Benda-Beckmann, K. von Benda-Beckmann and Griffiths 2005; Merry 1992) whose scope clearly extends beyond the state, the latter continues to provide ostensible authority and determinism for the law and legal systems.

The state as an analytical category was discovered rather late in anthropological terms. Initially, the societies studied were classified in the anthropological imagination as 'acephalous', 'stateless', or lacking in 'central authority', as this served functionalist, ahistorical models of looking for order in microscopic societies. Nevertheless, as Das and Poole (2004: 4) suggest, the 'language and the figure of the state' resonate in these writings, in the very concern about how social order and political authority are derived.[13]

The concept of the state is diffuse and vague, as is evident in the range of ways in which it has been defined or understood. Social scientists have

defined the state as a coercion-wielding organization distinct from kin groups (Tilly 1990), a site of meta-capital (Bourdieu 1999), and a centralized government emerging from institutional inequality (Fried 1967) or having a monopoly over violence (Service 1975). Others have challenged the very concept of the state as a distinct entity. Abrams (1988), in his rather cynical but amusing article, says that the state is an ideological project masking its true objective of political domination and capitalist undertakings. More recently, however, anthropologists have been concerned with diffusing its mystique as a denaturalized entity (Hansen and Steputtat 2001), showing how its power is perforated by the global and transnational claims to power (Appadurai 1996) or reduced to a cultural artefact, a historical product in which the cohesion or unity of the state is an illusion (Sharma and Gupta 2006). Concerned with how the differences between the state and society are produced in the discursive domain, Mitchell (1991, 1999) has called for observation of the state's structural effects, the mundane practices that blur the boundaries between the state and society. Anthropologists, with their strategically located study of micro-societies, have focused on the state's subjective effects, that is, the set of practices and discourses that represent the state in the everyday lives of the people (Aretxaga 2000).[14]

Theoretical work on the state has often been influenced by the Marxist theory of the state as a means by which a particular class gains control over the means of production; Weberian state practices traceable to rationalism through bureaucracy; or the Foucauldian disciplinary power of the state as dispersed and internalized via the organization of institutions such as prisons, clinics and mental asylums, and in a set of practices that he calls governmentality (Foucault 1977, 1991), in which individuals incorporate obedience within their bodies. All of this has markedly decentred the state and dislocated its power.

In recent years, though, there seems to have been a theoretical shift towards the centrality of the power of both the law and the state in trying to make sense of the actions of the state, such as those at Guantanamo Bay. The Austinian definition of law as something that commands the sovereign is back in vogue, and within this context Agamben's reconstruction of Foucault's biopolitics as the overarching form of power of the sovereign helps us to understand how state power can shape the very discourses of life and death. Power can produce, destroy and re-create law in the form of a sovereign who, placed both inside and outside the law, can suspend all law and call for a state of exception (Agamben 2005). Wherever human life is stripped bare of its social, political and cultural aspects, and collectively reduced to its animalistic form in camps or prisons – that is where the naked power of the state is felt and experienced in its purest form (Agamben 1998).

Global political, academic and journalistic discourses now regard Pakistan, as a state, as being on the edge of a precipice. Variously dubbed failed or failing, fragile or weak, it has more recently been said to be teeming with terrorist and militant outfits and franchises, and of course to be the most dangerous country on earth. It is a state that fares poorly on service delivery systems and in various surveys, and its illiteracy, poverty and health indicators are quoted to show how the state has failed to meet its commitments to the people. But even as all these attributes of the modern Pakistani state signify a lack of power and indeed of function, here I am claiming otherwise: in Pakistan, state power shapes cultural forms of violence. Power in postcolonial Pakistan has been asserted by a powerful, autonomous, corporate-like military establishment in coalition with self-seeking elite that has worked closely with the judiciary to legitimate its claims over the country. Such power is frequently asserted in emergency rules that remain in place for several decades. Pakistan's frontier geography has made it a rentier state of sorts whose elites allow the state to be used in global power games in exchange for dollar aid. 'States of exceptions' have been the rule rather than the exception (Taussig 1992) in the legal history of Pakistan, and most of the law that is being considered here has been created under emergency rules and legitimized in the 'doctrine of necessity'.[15] Hence, state power is asserted within a 'very legal' form and is claimed to be morally justifiable (see Chapter 2). In particular here, the state is implicated in constructing the laws 'of the body' that allow the discourses of biopolitics to enter the everyday world of Upper Sindh in the context of *karo kari* killings and their legal treatment and resolution.

While state power is not absolute in the Agambian sense, neither is it uniform or monopolized by the state (von Benda Beckmann et al 2009). I show that power is devolved to or shared with the local elite and, more recently, with the family or what I call kin groups in order to include lineages and tribal entities. Diamond's doctoral study (1951) of the formation of the proto-state of Dahomey in West Africa contrasts the consensual authority of kin groups with the power of modern states, where the state has gained control over the kin community by controlling women's reproductive power and social roles through the law. In another discussion related to the family and the state, Bayart (1993: 261) calls the state in Africa 'fundamentally indirect', obeying 'the law of incompletion', and functioning as a 'rhizome of personal networks' that assure 'centralisation of power through family alliance and friendship', thus showing the subjectivity associated with the power of the state. I do not mean to say that only African states are incomplete and subjective – this could be true of any state. The point is that kin or group identity is of critical concern to the discourses of both law and custom in this study, as along with state officials, it is the kin groups and collective

identities such as the tribe or family who perpetuate, sustain and normalize violent articulations of *karo kari*.

In his historical ethnography on Berlin as a 'dual organization,' Borneman (1992: 75) writes that 'a history of family law, written from an anthropological perspective, is a history of narrative strategies about nation-building'. Of these, he holds that 'kin strategies' aim to constitute citizens as subjects and are formulated to direct a citizen's life course. In many ways Pakistan is a patrimonial state where personal and family networks, relationships and dynasties form the basis of power and privilege. However, there are two different paths in the state's relationship with the family: when it comes to the reproductive power, the state becomes the guardian of women, not allowing any family members power over their body; whereas the power over the life and death of individuals, particularly women, is shared with kin so that the family heirs are vested with legal powers to condone or punish perpetrators. Since elite and kin groups are both vested with the legal authority to mediate social conflicts, including murder, local forms of power are directly implicated in shaping social norms and honour-related violence. However, I also show that these kin groups and collective identities are not only pre-existing entities of power but also are constituted by the state.

The place of religion in relation to custom, the law and the state in Upper Sindh is another significant factor, especially given the importance of notions of law generally in Islam. It is to this issue that I turn next.

Islamic Law, Custom and the State

In a recent volume on law, the von Benda Beckmanns and Griffiths (2009) highlight a need to examine religion contextually with relation to the law, reacting specifically to negative approaches to representations of Islam. In Pakistan, the discursive space of the law is, both geographically and textually, a disjointed agglomeration of often incoherent and contradictory systems superimposed on one another. Deriving equally from custom, religion and the common law of the British period, these systems feature extensive Arabic and Latin terminology but are coded in the Western legal traditions. The Islamic law scholar Hallaq, even when presenting a golden age of Shariah, draws on a historical process to argue that present-day Shariah laws in Islamic countries have become westernized and uprooted from their interpretive context, being reduced in most cases to 'family law'. In this form, 'the Shariah became a state tool, for only to the state could it have subordinated [itself]' (Hallaq 2009: 170).

The present laws applied to *karo kari* killings by the criminal justice system, generally called *qisas* and *diyat*, are framed as 'Islamic' in line with

the state's objective of ordering the lives of citizens according to Islam. In the field I observed that Islamic law, like customary law, is constituted and incorporated into modern legal systems and procedures; hence, it cannot be analysed as opposed to or separated from modern legal systems but must be seen as contained within them. Whereas in colonial times one kind of Islamic law was introduced into the corpus of Anglo-Mohammadan personal law, later, during the postcolonial period, another form of Islamic law that consolidated dictatorial power was presented as an alternate law but incorporated within the Constitution: the penal code, and the code of legal procedures, which are clearly modern, Western legal constructs.[16] Gilmartin (1988) provides historical context for the opposition between customary law and Islamic law, which he argues was sharpened in the nineteenth and twentieth centuries by the development of law within the colonial order.

My work diverges from studies in which custom and Islamic law are viewed either as a continuum, as in the case of Rosen (2000), or as enjoying a 'peaceful coexistence' (Stewart 2006). Instead I am concerned primarily with how power acts upon these discourses in the field.[17] This book shows that although 'new' Islamic laws and their discourses have been a means of appropriating and consolidating power by using the moral discourse of Islam at one level, Islamic notions are rarely used to justify normative, customary violence in the everyday lives of the people of Upper Sindh. That they are practised in an Islamic society does not preclude references to ideologies of Baloch *mayar*, honour, *riwaj*, and so on, as a distinct set of concepts. The people of Sindh are Muslims, and their religion is mediated by Sufic orders and mystics identified by their shrines dotted across the landscape. Religion provides general guiding principles for life, but the day-to-day world is ordered by 'customary' norms and practices related closely to economic and social life. The Islamic discourse rejects violence related to honour, terming it 'un-Islamic', and constructing the cultures and customs of rural and tribal systems as backward and retrogressive, practiced by those with no knowledge of religion.

At another level, Islamic and Western or colonial law, as power constructs, certainly make room for custom by giving enormous legal space to the perpetrators of violence (see Chapter 3). Studies of Islamic law and local practices must consider both with regard to how they are used, rather than only describing what they contain. Islam has been appropriated by the formal state power and incorporated in Pakistan's fundamental laws and legal systems. Rhetorically, the urban elite, conservative scholars, and often even civil society cast *karo kari* as a practice grounded in ignorance and lack of Islamic knowledge. Islamic law therefore features in this work as a tool of power within the state. In everyday *karo kari* practices, by contrast, religious

discourse is largely absent, and even when it is present it is clearly positioned in opposition to *karo kari* as a custom.

Stewart (2006), discussing customary law in the Islamic societies of North Africa and East Arabia, states that with regard to customs such as feuds and honour killings, there is a gap between people's values and state law; hence, by articulating these cultural practices, people reject state law. He further traces the roots of these practices to ancient Arabia, thereby building a model of timelessness for them. As opposed to this gap between custom and law, my research shows not a rejection of state law but a consonance and a resonance with it in these very practices.

Honour and Violence

'The ultimate vindication of honour lies in physical violence', says Pitt-Rivers (1965: 24), and 'to kill and die for honour' is a phrase that regularly echoes throughout the ethnographies of honour (Pitt-Rivers 1954; Campbell 1964). The anthropological discourse on honour is peopled by cuckolds wearing horns, men raiding sheep, pastoralists feuding endlessly, mafiosi collecting protection money, women peeping through their veils, Arab horsemen raiding through the deserts, tribesmen donning swords and exchanging rifles, and matadors taking the bull by the horns, all in the name of honour – yet in all these accounts, violence as an explicit social action, although assumed to exist, is almost invisible.[18]

In the anthropology of honour, violence is often explained by presupposing the existence of a sense of order within the implied disorder of conflict. For instance, a feud has been seen to create a balanced opposition between lineages and thereby a whole system of social relations (Evans-Pritchard 1940; Stirling 1960; Lewis 1961; Black-Michaud 1975), aggression leads to social cohesion (Gilmore 1987), and sheep-raiding is a way to create alliances through theft (Herzfeld 1985). Social ecology, scarce resources and pastoralism are shown to lie behind self-help processes when, in the absence of the state, people have to compete for resources by raiding and feuding (Evans-Pritchard 1940; J. Schneider 1971; Meeker 1979). Honour encompasses social conflict as both 'a cause and an historical effect of interpersonal conflict' through which resources are protected and competed for (P. Schneider 1969: 131). Where pastoral and agricultural economies compete, these honour conflicts are also seen as ways of procuring resources in the form of patrimonies (Davis 1977; J. Schneider 1971), an idea that has been used to develop the Mediterranean as a culture area. Comparably, in this study, honour is shown to be a strategy of self-interest to protect and increase material resources that is clearly related to the agrarian economy.

However, I tend to see the physical aspects of such conflict as violence that is recurrent and graphic, and that is neither a manifestation of order, nor something that promotes social relations. It is a social fact, it is present, it is tragic, and people have to deal with it. Violence is not a cause, function or effect of honour but merely draws its legitimacy from it, which is partly what this work is about.

Explaining what local honour terms mean is problematic. As Herzfeld (1980) reminds us, the term 'honour' is difficult to translate across and through cultures, as the same word may have different meanings in different contexts. Besides, many words may denote attributes of honour in cultures that nonetheless have no single term for honour. Various theories have attempted to explain the changing meanings of the term 'honour' in the West. Pitt-Rivers (1965) states that honour may simultaneously imply precedence, status and virtue, thus encompassing what one may consider opposing moralities. Meanwhile Caro Baroja (1965) says that in Europe, that first meaning of honour (as precedence) fused with the third meaning, virtue, when the term 'honour' was adopted by religion, whereas in pre-Christian times honour was perhaps only exclusively used as an ideology for precedence, and fighting and killing were legitimate acts.

In Pakistan, the two words denoting honour, *ghairat* and *izzat*, are interpreted and understood differently, motivating contradictory forms of behaviour and action among individuals. Anthropologists too have defined them differently. I define *ghairat* as defensive honour and *izzat* as a moderate term enclosing values of prestige, respect and status. But Alvi (2001), for instance, translates *ghairat* as shame and *izzat* as honour (see Chapter 1 for details).

In a recent controversy in the Pakistani parliament, as female members were denouncing the killing of two women for honour, a Baloch senator and a tribal leader and got up and emphatically defended this action, stating that it was part of the ancient Baloch moral system. Many denounce *karo kari* as a retrograde practice, but many others defend it as the implementation of a sacred value system. Discussing another level of complexity in an article comparing the Marri Baloch in Pakistan and the Sarakatsani shepherds in highland Greece, Paine (1989) argues that different societies' rules are not mutually consistent: 'in fact, "rules" can establish "contradictions" between values so then an individual may follow two rights not one, and hence be simultaneously right and wrong'. Honour can encompass opposites, as demonstrated by the following quote from Pehrson's ethnography on the Marri Baloch: 'He who takes no mistress is unmanly and unworthy of admiration; he who does may be killed without recompense (for) adultery is dishonorable' (Pehrson 1966: 65, 105).

Honour violence is also gendered in anthropological writings: aggressive men are always ready to defend their honour, armed as they are with their

repertoire of moustache, beard, and sword, while women are shown as part of the patrimony, along with other possessions that men must defend. Thus women are paradoxically both the victims and the cause of violence in the masculinist worldview. Anthropologists have drawn attention to the stereotyping of women in Mediterranean ethnographies as both powerless and passive according to the honour/shame model (Sciama 2003). Lindisfarne-Tapper and Cornwall (1994), in examining the universalizing tendencies in studying masculinity or the male/female binary models, suggest that a multiplicity of gendered identities and gender differences are caused by changing relations of power, where both masculinities and femininities are internally gendered in dominant and subordinate forms. Such a perspective is more useful in Upper Sindh, where power divides gender internally as well.

Unfortunately, much of the honour violence discourse in Pakistan is also trapped within gender binarism. Despite the fact that at least a third of the recorded killings are of men, the activists, academics and politicians only take note of the women who are killed. It is true that nearly 100 per cent of the perpetrators are men, but women often collude in these acts of violence. On the other hand, far from being passive victims, women in Sindh actively resist gendered attributes of proper moral behaviour by defying marriage arrangements (Chapter 7).[19] My approach is gendered to the extent that the discourses of the victims as subordinated masculinities as well as femininities are positioned in opposition to dominant hegemonic ones. At the same time, however, too much dislocating of masculinities or femininities may lead us to overlook the ever-present structures of power that socially place all men in a dominant position relative to women that is important to emphasize here.

Historical studies have also shifted the conceptual static binarism of honour violence as a relationship between men and women, tribe and tribe, or tribe and state, adopting a more dynamic approach involving historical changes over time. Ginat's (1997) account of the alternating processes of blood revenge and mediation among Bedouins in rural Israel captures the relationships between tradition and change with respect to Israeli law. Keiser (1986) constructs violence among the Kohistanis of Pakistan as historical, arguing that death enmity strengthened the political significance of political networks and weakened the descent groups, complicating both ethnicities and the distribution of power and authority. Blok's (1974) historical ethnography also treats the historical formation of honour. It traces the history of the Sicilian mafia to show how it was a consequence of reformulating an old structure of estates, the *latifundia*, within the context of the state. The *latifundia*, as a territory controlled by the landed elite, depended on the force exercised by peasant entrepreneurs-turned-mafia. As the state became a partner in the nexus, the mafia was able to fragment the potential peasant

MAP 0.1. • *District Map of Upper Sindh, 2000–2001 (Inset showing Sindh in Pakistan)*

movements against such a structure. Blok shows how this new configuration of power, perpetrated largely in the language of brute violence, was able to create an ideological construction of values: honour, loyalty and astuteness. However, Blok's argument treats the state as a norm and the weakened state as a source of articulations of violence. I cannot form the same conclusion

in my work. I am more focused on the nature of state power than on its categorization in terms of weakness or fragility. Finally, I reveal how honour is both a strategy and a moral mask behind which violence gains legitimacy.

Upper Sindh: The Land and People

Although the custom of putting people to death for sexual transgressions is known to occur all over rural and more recently urban Pakistan, Upper Sindh is identified as the region in which its particular form *karo kari* is most prevalent. Upper Sindh stands out as a conceptual postcolonial frontier where the indirect policy of the state is implicit, and extreme violence is seemingly legitimized through the law and formal power. This ethnography is based in Upper Sindh, the northern part of the southern province of Sindh in the present-day Pakistan. Unlike the classical format of micro-studies, this research covers a large geographical area, and the focus is not the microcosmic village, but honour-related violence throughout the region. No comparable ethnographic work on Sindh is available to draw on, but as this area has a concentration of and is identified with violence constructed as *karo kari*, it is the ideal location for studying this phenomenon.

Paradoxically, Sindh is considered the most progressive province in Pakistan, boasting its liberal values and enormous cultural space for mystic Islam in the form of shrines scattered across its landscape. Its lawmaking assembly has passed historic legislations against gender violence, prohibited marriages of girls under eighteen and promoted laws against discrimination of all forms against women and minorities.[20] Of all Pakistan's provinces it is considered least affected by violent Islamic extremism, and rural Sindh, unlike other provinces, has not faced the brunt of terrorist violence. Upper Sindh is considered the 'tribal area' of Sindh: an agriculturally rich border-land occupied by warring tribes that migrated from Balochistan in various historical epochs.

The space that constitutes Upper Sindh, both geographically and historically, has changed from time to time. Located between the delta of Indus and its upper riparian region, the region is extremely hot and dry.[21] Its irrigated area, with the Indus and its plains at the centre, has deserts on either side – to the west, rocky western deserts called Pat, and to the east, the sandy Rajasthani Desert. In the nineteenth century, it was a patrimony of the Baloch Talpurs,[22] with its capital in Khairpur (Mirs'), my home-town; then it became a single administrative unit of British colonial power called Shikarpur. At the time of the fieldwork, Upper Sindh comprised six administrative districts that have since become eight: Khairpur (Mirs'),[23] the southernmost, followed by Sukkur, Shikarpur, Ghotki, Larkano, and

finally Jacobabad at the northernmost edge, with a combined population of eight million. Since 2004, two more districts have been added by dividing Jacobabad into Kashmore and Jacobabad, and Larkano into Qambar-Shahdadkot and Larkano.[24] Within Pakistan the region borders the western province of Balochistan and the central province of the Punjab; to its west it borders India. Because the shortest route from India to Kandahar in Afghanistan runs through it, it was historically strategic to British imperial power and in fact became the primary site of the nineteenth-century Great Game.[25] *Karo kari* cases seem to increase as we go northwards towards the border regions, with the highest number of cases occurring in the districts of Larkano, Qambar-Shahdadkot, Ghotki and Jacobabad – all border districts sharing boundaries with Balochistan and the Punjab, feeding into the popular narrative of *karo kari* originating in the territories of the Baloch tribes and having 'travelled' to Sindh with the Balochi diaspora.

The population of Upper Sindh is diverse, and it is extremely difficult to attempt its classification. Parkin (1992) notes that there are definitional problems with both caste and tribe and it is never clear where the transition from caste to tribe should be placed, pointing out in the case of Munda in Central India, for instance, that low castes and tribes often exhibit a similar social organization. In Upper Sindh, caste and territorial identities often overlap but also become intermingled. Upper Sindh represents the confluence of three groups of people. Generally speaking, the districts of Larkano and Jacobabad have a large number of Baloch, vernacularly called the 'Baroch', but moving southwards one finds more Samatr, people considered to be 'natives' but of Rajput origin; meanwhile Jats are spread throughout the entire region.[26] The people of Upper Sindh tend to identify more with their immediate and distinctive group, but in times of feud a Baloch-Samatr opposition is created, whereby the Samatr are all described as native and the Baloch as outsiders. Whereas Rajputs are classified as a caste elsewhere, in Upper Sindh both Baloch and Samatr are identities in a more ethnic sense, each divided and subdivided into lineages based on both descent and territorial unity. Perhaps all three identities are constitutive of each other. The oral history of the Baloch in Upper Sindh always adds 'Jat', the native camel herders of the region, to their tribal structure through marriage or feud, as a 'feminine principle' in their identity construction.[27]

Elderly Baloch intellectuals endlessly debate the declassification of Sindh's `Baroch, going into historical narratives to argue why such and such a tribe is not Baloch, but Sindh's `Baroch proudly claim their origins in present day Balochistan. The chiefs I spoke with authoritatively repeated the narrative of their long march along Central Asian, Iranian, or Syrian routes, and of the mythical wars and opposition between Gwaram and Mir Chakar, two warrior heroes said to have been the cause of the Baloch diaspora in

Sindh and the Punjab. The elders further stated that the Baloch have come at various times from the area of Kachi, which was part of the Talpur patrimony of Upper Sindh in the late eighteenth century. Since Baloch social organization incorporates different people within its ideology of protection and asylum,[28] many non-Baloch are incorporated into the tribal identity. For instance, Bugtis took in various refugee groups, even Hindus, which were then identified as Bugti. For Jakhranis, it is said that the tribe came from a man called Jakhro, who was Abro, from the Jat tribe, and was adopted by the chief, Mir Chakar. The territorially organized groups often vest their collective authority in chiefs called *sardar*, and all seem to follow honour ideologies and protect their identity, resources, and boundaries.

Apart from territorial identities, there is also a caste-like social stratification of identity formations based on divisions of labour, especially in towns with many different groups of people. There are status identities like the Syeds, considered to be descendants of the Prophet and positioned as the highest, and low-caste Hindu converts, who rank lowest. The business communities are mostly the Memon and Sheikh. Hindus have clear caste boundaries: middle-class Hindus called Dewan or Vaniya often deal with capital and business, while low-caste rural Oa`d and Marecha, perhaps the equivalent of Muslim peasant cultivators, provide farm labour in rural areas. Numerous migrations from Afghanistan by nomadic camel and sheep herders have sustained constant turnover of the population, and frequent invasions have brought Arab, Afghan, Turkic and Mongol groups to this region as well. The spoken languages are largely Sindhi and Seraiki, but Balochi and to a lesser extent Brahui are also spoken.

Economically, Upper Sindh is agrarian. The landholdings are irregular; their owners range from chiefs with thousands of acres to peasants cultivating a few acres. Land tenure is unstable and titles often outdated, making frequent changes of ownership a primary cause of disputes. Maintenance of land boundaries is more a matter of might than of state allocations, which in any case are easily forged. Time and space are both organized within an agrarian calendar known by two seasons: *rabi*, a cropping season when wheat is sown after the rainy season, in October and November, and harvested during spring in April and May; and *kharif* crops sown between April and June and harvested in October and November, including rice, millet, cotton and sugar cane. Upper Sindh also has farms producing fruits such as mango, guava, dates and more recently bananas.

Despite the mechanization of agriculture, its linkage to global markets, and the existence of a cash economy, peasant cultivators still pledge part of their produce to the *arti*, a middleman who provides credit for seed, medicine, or marriage expenses. Several agricultural transactions take place in kind, through the exchange of commodities and crops. Compared to the

rural areas of Lower Sindh, Upper Sindh is richer in agricultural production and its people are economically better off.[29] Despite the agricultural connection with the world market, capital is scarce in the region, and informal moneylenders charge exorbitant compound interest, creating a high degree of rural indebtedness.

Villages are organized around common landholdings by people with shared values who intermarry. There are several terms for group identities. The most frequently used is the *qaum,* which refers to large group identities, while *biradar* (Punjabi *biradari*) is a more intimate term for groups of interrelated lineage with a common identity; however, these terms are used interchangeably (cf. Eglar 1960; Alavi 1972; Donnan 1988; Shaw 2000; Alvi 2001).[30] Both terms emphasize fraternal ties, especially in feuds and mediations. *Paro* refers to sections or subgroups within a *qaum*, while *ghar* refers to an extended family of brothers living in one area. *Ra`je* implies multiple groups and their relationships, and *ra`juni* defines a normative order determining the relationship of these groups. Resources are contested on identity frontlines, which often are articulated in *karo kari* conflict, as explained later (Chapter 1). Marriage systems further strengthen corporate and collective identities; breaches in marriage rules therefore lead to conflicts.[31]

In many ways, Upper Sindh has been marked as a social and political frontier for long historical periods.[32] Upper Sindh has been a geopolitical frontier, but transformations of space have created new physical and conceptual boundaries as well. First, in the imperial imagination this region was constructed as a frontier on which contests for power and resources were played out, though also as a barbaric frontier outside the Indian empire. After the incorporation of Sindh into the British empire in 1843, part of Upper Sindh was 'indirectly' governed[33] through a frontier policy designed by creating a loyal elite that kept the local people in check, as well as through local custom, which was protected and reshaped to formally incorporate the frontier. The Baloch especially were allowed to follow their custom, which complicated the relationship between law and customary violence, since colonial law was applied to non-Baloch, and custom, called 'local usage', to Baloch in the same areas.

Since the formation of Pakistan in 1947, the region of Upper Sindh has been a frontier in terms of the way power is organized there. Geographically, Upper Sindh shares borders with the provinces of Balochistan, Punjab and India, and offers geographical access to Afghanistan. One reason why I call Upper Sindh a frontier is a special area called the *kacho*, literally meaning 'raw'. It is the area that the river floods when it overflows its banks, constructed as a special space in the modern irrigation system, that is, the swampy area between the river and the flood protection embankments. It is a makeshift land, under the river at times and outside it at others. In the

popular imagination *kacho* is conceived of as a vague place lying outside the domain of the state, law or order. It surfaced in my research as the liminal space from where people engage in conflict, offering an alternative discourse for understanding the operations of laws and legal systems.

Frontier zones are always places at the edge, where the difference between law and lawlessness, state and not state, justice and violence, becomes blurred and interchangeable. The ethnographic space of Upper Sindh perpetually contests what it means to be inside and outside the law, to be a victim and a perpetrator, to be deviant and normal, because the opposing moral ideologies that operate here make honour violence for sexual transgression both right and wrong at the same time: right in the normative world, where honour must be defended; wrong in the legal world, where murder is an offence. As a frontier, Upper Sindh allows unlimited possibilities for people to enact forms of violence by allowing the creation of shifts in moral meanings and cloaking bare violence in the name of moral honour.

My Arrival in My Hometown: Insider on the Outside

I never really understood what anthropologists meant by saying fieldwork is a liminal stage until I returned to my country dressed as an outsider, groomed by Oxford academia, raring to go and brave my obstacles in the violent world of Upper Sindh. My case is a story of arrival that made me a central figure in the area of study, as both a subject and an object of my fieldwork. I returned to Pakistan from Oxford in June 2001, and in August 2001, by an indirect vote,[34] I was unexpectedly elected District Nazim or mayor in part of my field area, which gave me a broad mandate to oversee practically everything in the district.[35] The field is always an autobiographical site of experience and encounter (Okely 1992). In my case, the intensive experiences, locations, and dialogues both within the self and with the outside world made both the field and my fieldwork a dislocating experience – always shifting, moving, displaced and displacing. James (2000) has termed her field as a 'moving target' where she is occasionally dragged in to play a role in an 'endlessly unfolding action serial'. In my case too, it was as if time had organized a four-year theatrical performance for me, with characters slipping in and out, playing their roles, presenting their lives, vanishing, returning and leaving again. Each time their stories unravelled until they came no more, which constituted closure.

This experience must be quite different from Malinowski's fieldwork, which still epitomizes anthropological enquiry. Malinowski's fieldworker is a predator who has 'to spread his nets in the right place, and wait for what will fall into them', and be 'an active huntsman and drive his quarry into

them and follow it up to its most inaccessible lairs' (Malinowski 1922: 8). Anthropologists must overcome travails and produce objective, scientific, positivist knowledge from their hunting forays. I was never a predator; in fact, as a native in a position of power, I was discreet, unassuming and evasive, and the fieldwork only meant living my life in the role of the Nazim. But the field is not a neutral site, a medium or source of knowledge. It raises questions about outsiders and insiders, about power and knowledge, and finally about the anthropologist as a mediator between different worlds of knowledge. Waldren (1996), in her ethnography of Deia, discusses shifting ideas of and by both the insiders who were natives of Deia, and the outsiders, who were foreigners, and how these shifting perspectives allowed conflicts and compromises that enabled both to adapt, develop and sustain their sense of belonging with respect to each other and the place they lived in. In my case, I was both an insider and an outsider. Having travelled to Khairpur from Oxford and 'arrived' at the time of mayoral election, the people considered me an outsider, believing I would leave them soon after the elections. They considered me so foreign I would not be able to bear the rigours of rural Sindh society, being an upper-class woman who, as they saw it, had lived abroad and did not speak their language. After fourteen years of rigorous political life, I am accepted as an insider, though with varying degrees of scepticism.

Native anthropology therefore is not an uncontested concept (Kuper 1994), and being native does not necessarily give one naturalized insights into one's own people. The native's own position of power and in politics must be contextualized to see where, on the inside, he or she is located. In one sense, I am as native as anyone could be: I was born in the Upper Sindh region, speak the language, and have my ancestral graveyard there. On the other hand, as a woman, a Syed and a Nazim, I was positioned as an outsider in more ways than one (cf. Sciama 2003: xv). As a woman I still belonged in many ways to the private sphere, even as a public official; as a Syed I occupied a saintly status; and as Nazim I clearly commanded bureaucratic power, which made my relationships with others awkward and self-conscious. My gendered self was always present in the political landscape as *adi*, the Sindhi word for sister, which became my generic identity for the entire population of Khairpur; meanwhile the officials referred to me by the more distant 'officialese' term for women in power: 'Madam'.[36] Power played a central part, creating opportunity for fieldwork but also hindering it. Though power helped me collect data, especially from the police and the judiciary, it clearly hindered first-hand, on-site accounts. Communities either were reserved, or would produce structured, clearly rehearsed accounts, designed strategically and presented as partial stories, especially when they concerned two-way conflicts (Jenkins 1994). In the role of Nazim, I lived the limitations of

power every day. I also experienced how other people manipulated power. They often succeeded in influencing me with their stories, covering their tracks through the use of language, emotion, politics and influence. In some instances, the threat of losing votes was used by villagers to persuade me leave aside cases that were being officially investigated, but most of the time people came to me with endless appeals concerning stolen goats and cattle, runaway wives, missing children, applications for government assistance and real political work on roads, schools and hospitals – that is, they came in search of a better life. Power also meant that I could not adopt a clear position as I had in the past, and that any issue was seen not in terms of right and wrong, or even in relativist terms, but in terms of its political implications.

My experiences as Nazim provided for fast-paced, intense engagement with my field, often making me feel as if I were in some surreal plot replete with stories of cyclical and ever escalating violence. Looking back now, I see myself repeatedly in two ceremonial locations: on a mourning mat called a *ta`do*, offering condolences to local people who sustained scores of deaths due to violence, illness and emergencies that I had lived through; and attending marriages, sharing happy moments – sometimes as many as a dozen a day across distances of a hundred kilometres, back and forth. This study focuses on the politics of both violent deaths and marriages.

But this study is not simply a product of a specific fieldwork alone but rather an accumulation of my encounters with the practice of *karo kari* from various perspectives over time. The study began prior to fieldwork, when as a young journalist I visited Jacobabad in 1992 to do an extensive story on the practice. As a Reuters Fellow in 1998, I compiled an extensive paper on the same subject. Later, as a politician – first mayor, then legislator – I was able to see the field from perspectives of power that gave me both access and capacity to solve some of these problems, and made me an exclusive informant.

In these various perspectives, I found that discourses of honour and the violent acts within them covered up more than they revealed. Violence is a central theme in my work, and the district during my fieldwork period was one of the most intense sites of conflict in Sindh,[37] forcing me to experience its impact on people face-to-face. This did not leave me unscathed. The experience of violence and the ways of knowing about it are intertwined (Nordstrom and Robben 1995). As someone who has negotiated both with and over violence and was forced to deal with it, I find that the theme of the experience of violence emerges in various forms in this book. Yet equally important, and perhaps more intense and ceremonial, were the ideologies of peace that people had constructed, which I learnt and used as a discourse to counter violence.

My earlier fieldwork revolved around events of *karo kari* violence throughout Upper Sindh, rather than a specific location. Participant observation at times meant active, subjective engagement and interaction when residents of my area came to me with their complaints and conflicts. Since most of the data is based on reported cases already in the public domain, I have retained the actual names in the research in most cases, but in those that have not been reported the names have been changed. The material is largely drawn from memories stored in diaries and notebooks throughout the time I stayed there, but more specifically it is an embodied, lived experience, not of questioning, interviewing or interrogating, but of observing by means of the 'apprenticeship' of political power (Jenkins 1994; A. Turner 2000). Living through the incidents and solving problems made me, in a sense, my own informant. The material for this book was mostly collected between 2001 and 2005, during which time I served my official term, having suspended my status at the university. News stories, interviews, conversations with informants, court proceedings, litigations and police records, visits and short stays in the villages of Upper Sindh, and even statistical surveys conducted with the help of police officers in the area were the methods of collecting information. However, because Upper Sindh was my home, I had the advantage of seeing events develop over time. Therefore this book includes information collected beyond fieldwork as well.

The first part, 'A Frontier of Honour Violence: The Problem of *Karo kari* in Upper Sindh', introduces the problem of *karo kari* in its newer forms, contests the idea that it is a timeless custom and provides the historical and political contexts for changing articulations. In Chapter 1, '*Ghairat*, *Karo kari* and the Spectacles of Violence', I introduce *karo kari* as it takes place today, showing that it is a contemporary cultural product that often articulates social hierarchies and contests over marriages and resources. This chapter is, in a way, a 'thick description' (Geertz 1973) of the background, representations and local meanings attached to the ideologies of honour and violence. I show how men, women and children accused of sexual transgressions are metaphorically branded black within the moral ideology of honour called *ghairat*, which serves as a mask hiding strategic actions and motives of the perpetrators of *karo kari*.

In Chapter 2, 'Honour, Violence, Law and Moral Power in Colonial Sindh', I introduce Upper Sindh as a historical and postcolonial frontier within the context of power, law and the ideology of honour. The point of drawing a macro-history is to introduce into the study a political approach that implicates much more than simply men, honour, culture or custom, and to emphasize the large-scale historical and power processes that are conjoined in the local problem. History shows that the British condoned earlier 'adultery killings' by constructing laws informed by both custom and their

own colonial power, using the frontier regulations to permit local usages. Later, colonial law also condoned these killings under the pretext of 'grave and sudden provocation', which allowed a legal space for their existence and persistence.[38] The changing laws also reflect power processes constructed by the state's relationship with the local elite and kin groups. For instance, recent transformations of law have provided a legal and moral space within which kinsfolk can mediate homicides.

The book's second part, 'Honour, Moral Power and Law: Mirroring of Law in the Forms of Violence', explores the relationship between custom and law, showing through field examples that honour violence is not simply a timeless cultural idiom but also a form of violence that mimics and is informed by recent changes in the laws. In Chapter 3, '*Karo kari*, *Wali* and Family Violence: Cultural Violence Mirroring Law', I examine data showing the negligible number of convictions in *karo kari* cases, as low as 3 per cent at the trial court level, to build my argument that the perpetrators of honour violence are deemed to be innocent through the formal legal process, which thus resonates with custom. The samples show that violence against women accused of sexual transgression is committed within the immediate family, mostly by victims' husbands or brothers. The state laws place justice in the hands of the victim's heir, the *wali*, who can either kill or pardon the killers. *Wali*, in law, is the heir within the immediate family unit, who may be any of the sharers under the Islamic inheritance law – father, mother, son and daughter. The state's giving the family heir the right to negotiate murder encourages family violence, since it is easier for the *wali* to pardon an offence if the victim is related to the accused.[39] This leads to the creation of vigilantes within families to watch over women and control them, making the perpetrators of violence and the *wali w*ho pardon the offenders mirror images of each other. Here I present two case studies, each describing how persons charged with murder were acquitted using both the Western legal procedure and Islamic law.

In Chapter 4, 'Violence, Kin Groups and the Feud: The Making of Frontier Justice', I show both the diversification of *karo kari* violence and its reach into the extended family, as well as into vast dispersed group identities. In both of these social forms, intense and warlike feuds are waged for years. From my location in Khairpur, I observed an area alongside the *kacho* to research the extensive forms of *karo kari*, which are divided into case studies. These cases illustrate how *karo kari* is used to assert claims regarding the settlement of marriage or land disputes, where the causes mutate but the fighting remains constant. The state's power is involved in this cultural form of violence in three ways: by creating a frontier space in *kacho*; by recognizing the feud as a private matter to be settled through mediation; and by recognizing retribution in the legal concept of *qisas*.

In the third part, 'Normalizing Violence: The Everyday World of Upper Sindh', I first describe how violence is incorporated and normalized; then show how the ideology of peace used to counter violence is reinforced in daily life; and finally explain how women reverse the discourse of submission by reacting against their objectification in *karo kari* violence. This part also brings in human agency in every form. As litigants, mediators, tribal chiefs, police officers, judges, bearers of the flag of peace, runaway lovers and women in refuges, the people of Upper Sindh occupy a rich, variegated, textured social world as they engage in contests and competitions for power, status, resources and honour. Furthermore, these human interactions, far from being isolated from the modern legal institutions and political authorities, are constantly engaged with them.

Chapter 5, 'Mediations on the Frontier: Ceremonies of Justice, Ceremonies of *Faislo* and the Ideology of *Kheerkhandr*', demonstrates how communities construct ceremonial ideologies of peace to both counter and live with violence. After inflicting 'self-help justice', communities negotiate ways to recreate new relationships through ceremonies of mediation. The everyday dictum in Sindh, 'if one dies or a hundred die, the eventual course is settlement', makes mediation, called *faislo*, inevitable. Once violent scores are balanced, it is time for unity via the ceremonies of becoming one in the popular ideology of *kheerkhandr*, translated as milk and sugar when 'sugar dissolves in milk and sweetens it'. I show finally how the formal and informal processes, custom and law, become a single process.

In Chapter 6, 'The Criminal Justice and "Legal" Contests of Honour: Two Case Studies', I show the dispute settlement process at work and the way this process has been set in motion by the interplay of cultural norms and formal criminal justice to create a system of relations between the accused and the accusers that will facilitate the mediation. This chapter also shows that official justice is not an organized system but a field of contest between the communities, where the formal providers of justice become the means through which competitions are played out.

Chapter 7, 'The Sound of Silence: Lives, Narratives and Strategies of Runaway and Missing Women of Upper Sindh', foregrounds women's voices, actions and reactions to the constructions of honour by making their strategies of resistance and of adjustment central to gender politics. It is in the interactive spaces between law and custom that the counter-discourse to *karo kari* is shaped, as state law allows women the choice of marriage – hence the *pyar jo parano*, a cultural construction shaped by the law. I study the fate of runaway women who elope with men and by doing so invoke the label of 'blackness'. After contracting civil marriages under the law, these women live invisible lives, which the social world in Upper Sindh paradoxically allows by not acknowledging whether they are alive.

The case of one woman who vanished after being branded *kari* is presented as an example.

In the volume's concluding essay, entitled '*Karyan Ja Kabrustan*: The Imaginary Burial Grounds for Black Women', I discuss my final fieldwork site, a hypothetical burial ground in the middle of some fields, for women killed as *kari*. These burial sites seem to be products of the Sindhi media, archaeological inventions dug out of nowhere with no basis in historical or forensic evidence. Theoretically and otherwise, these sites seem fictional, as *kari* women do not usually receive any funerary rites. The popular narrative about *kari* women and the way they are killed effaces them, their names, and their identities. By marking them and giving them a separate place, even after death, the Sindhi intellectual seeks to claim a place for them and invent a new landscape of honour. In addition, Sindhi journalists and intellectuals have developed a whole corpus of poetry, art, drama – an aesthetic universe – devoted to these dead women, almost as a fetish.

Finally, in this book, like the journalists, I have tried to claim a place for the victims – those who have been killed – that is currently denied to them, but I have done so within a quiet and distant academic discipline. As if to reify a graveyard of labelled women full of anonymous stories, here I present texts, or epitaphs, that mark the problem, giving names and funerary rites of recognition to the people who have died due to this practice. This way of ending leaves this work open to the many other questions whose investigation this study will prompt. Most importantly, I examine a cultural practice that exists within the colluding powers of the elite and the state and derives equally from law and custom, showing how this can be related to current theoretical directions in the anthropologies of both honour and law, and suggesting what comparative elements can be taken forward in future research.

Notes

1 The terms *karo* (black man) and *kari* (black woman) are used as both nouns and adjectives, and the phrase *karo kari* is now employed as a general term, a compound noun for 'honour killings'. The linguistic change is recent and is explained in the Chapter 1. 'Black' here suggests a lack of morality, not skin colour or any other racial category.

2 Sexual transgression means heterosexual sex with a partner other than one's spouse.

3 '*Karo Kari*: Ritual Killings in the Name of Honour', *Newsline*, January 1993, awarded the All Pakistan Newspaper Society (APNS) 'Award for Best Article of the Year'.

4 A number of campaigns have been initiated by the British Council, Oxfam, Amnesty International, Amnesty Sweden, the Aurat Foundation, and Shirkat Gah, among others. Amnesty International's reports and campaigns brought international exposure to this problem. See e.g. *Violence against Women in the Name of Honour*, AI Index: ASA

33/017/1999; *Honour Killings of Girls and Women*, AI Index: ASA 33/18/1999; *Pakistan: The Tribal Justice System*, AI Index: ASA 33/024/2002.

5 See http://www.pakistanpressfoundation.org/news-archives/3447; http://tribune.com.pk/story/73119/karo-kari-cases-to-be-dealt-under-section-302/.

6 I was elected to a local government position in 2001 and have been a member of parliament since 2008, reelected in 2013, to seats reserved for women.

7 Based on estimates compiled by the Human Rights Commission of Pakistan (HRCP, www.hrcp-web.org) between 1998 and 2005. No single organization seems to have followed a consistent method of collecting the figures, so estimates are randomly compiled, based on newspaper information. The most authoritative figure is the 2004 ministerial statement to the Senate of Pakistan, which states that 4,101 people were killed in the six years leading up to 2004. Some 2,776 of them were women. The number of registered cases in the decade for which I collected information relating to the Upper Sindh districts, for the period 1995–2004, is 1,482. However, the number of deaths in these cases would far exceed the number of cases.

8 In his classic work *The Concept of Law*, Hart stated that customs were a subordinate 'source' of law and were defective because they were static, uncertain and inefficient, whereas positive law, characterized by 'rules of recognition, change and adjudication', corrected the above defects (Hart 1961: 89–93). Evolutionary and historical approaches regarded customs as pre-existing social norms, to be eventually replaced, superimposed or changed by law (Maine 1861; Vinogradoff 1966).

9 E.g., Bohannan, in drawing a relationship between custom and law in his essay 'The Differing Realms of Law', argued that for the law to be properly enforced, it must be based on custom, but unlike custom, it has to be institutionalized or restated, a process he described as 'double institutionalization' (Bohannan 1965).

10 Similarly, Turk (1976) argued that law was power and that, as power, it generated and exacerbated conflict rather than resolving it.

11 The focus shifted from the description of systems, rules, norms, and developing models and observing disputes, to interactive processes and change-making involving how people as agents used the law (Nader and Todd 1978; Starr 1978; Comaroff and Roberts (1981). Roberts, e.g., desisted from using the construct 'law', as he considered its scope to be far narrower than the concepts of order and dispute (Roberts 1979). For Geertz (1983: 173), law was not a decontextualized text based on fact, but a process in which a system of meaning was socially constructed and was 'a part of a distinctive manner for imagining the real'.

12 Moore (1978) argued that legal systems were neither coherent nor holistic, but built by piecing together different ideas at different times, and hence normative, subjective and often contradictory.

13 See e.g. Fortes and Evans-Pritchard (1940) and the classification of African peoples into state and stateless societies.

14 For instance, corruption (Gupta 1995), coping with the everyday violence of civil war (Hutchinson 1996), violence as a product of law (Kelly 2006), physical and political violence (Feldman 1991), terror as the norm (Taussig 1989), electoral contests (A. Shah 2007), economic reform (Pieke 2004), power and the textual representation of the law (Messick 1993), resistance (J. Scott 1987; Abu-Lughod 1990), the elite culture and its

relationship with the state (Gilsenan 1996), and gender and state identity (Ong 1990; Das 1996; Aretxaga 2001).

15 In Pakistan, the legal dictum 'that which is otherwise not lawful, is made lawful by necessity' has often been used as a legal basis for the suspension of law in military coups. In modern judicial history, it was used first in Pakistan by Justice Munir, who validated the suspension of the Constituent Assembly in 1954.

16 For example, M. Anderson (1993) and Kugle (2001) regard Anglo-Mohammadan law as a hybrid form constructed to consolidate and reinforce colonial power in South Asia.

17 See Layish (2006), who shows how Shariah and custom interact, and how this interaction is shaped by power. Also cf. Rosen (1989: 61), who states that Islamic justice is individualistic and therefore not a concern of the state, while Starr's (1992) ethnography shows how the elite uses competing ideologies of religious and secular law to enhance its power.

18 For a review of literature on violence and honour see Shah (2000), my MSc thesis.

19 Kressel (1981) states that most women are guilty of assisting in the murder of women, and that mothers entice their daughters to the place of their death. Ginat's (1997) case studies also show how women press men to respond to the damage to honour.

20 Recent laws include the Sindh Child Marriages Restraint Act of 2013 and the Domestic Violence (Protection and Prevention) Act No XX of 2013

21 Summer temperatures rise to 50º C.

22 The Talpur wrested power from the earlier Kalhora in the late seventeenth century and ruled Sindh through a confederacy, where the territories were divided as patrimonies. The three power centres were in Hyderabad, Mirpur and Khairpur.

23 Khairpur (Mirs') was where I was based throughout the period of my fieldwork. Historically, Khairpur was an independent state until 1956, and therefore had somewhat a distinct identity, with its own flag, stamps, courts, and prime minister. Administratively, it is now part of the Upper Sindh region and forms part of Sukkur division. Upper Sindh has two divisions: Sukkur and Larkano.

24 According to the 1998 District Census Report, Khairpur had a population of 1.54 million, Sukkur 0.9 million, Ghotki 0.94 million, Larkano 1.9 million, and Jacobabad 1.4 million.

25 Widely used in the nineteenth century, this term refers to the strategic rivalry between the Czarist Russian Empire and the British Empire. Now it is again in wide use to denote the geopolitical competition between world powers in Afghanistan and Pakistan.

26 Samatr are related to the Rajput communities of Western Rajasthan.

27 In oral accounts narrated by the elderly Baloch, the Baloch caravans migrating from Aleppo in Syria were accompanied by a woman called Jato, from whom the Jatoi tribe was descended. A Balochi war legend describes conflict arising between Gwaram Lashari and Mir Chakar Rind over a Jat woman called Gohar, who was rich and owned many camels.

28 See Barth (1981), who shows how group identities changed in the Baloch area while the ethnic boundary remained the same.

29 Development index of Sindh districts by Finance Department and Provincial Finance Commission of Sindh.

30 Alavi (1972) regards *biradari* as an indefinitely sized descent group; Donnan (1988) explains the versatility of the concept of *biradari* both as descent and wider fraternal

group in the Punjab; and Alvi (2001) shows different ways in which men and women use the term in rural Punjab.

31 Women and marriage disputes are shown as the cause of honour-related crimes in some ethnographies, e.g., Kanwar (1989) and Chaudhary (1999).

32 Early definitions of 'frontier', perhaps related to colonialism and occupation, considered it a historical process of territorial expansion of 'civilisations' into 'empty' areas (F. Turner 1961[1894]). Distinguishing frontier from boundary, Kristof's (1959) evolutionary hypothesis considers a frontier a product of history and a boundary a product of the law – the former spontaneous and expedient, and the latter fixed. Lattimore (1962) sees the frontier as having a social rather than geographical origin. Frontiers have also been understood in the context of the state, e.g. according to M. Anderson (1996), who understands frontiers as both 'institutions and processes' central to understanding of political life and the historical development of the state. Donnan and Wilson (1999), in their review of anthropological approaches to the study of boundaries, including frontiers, have pointed out that the social, cultural and territorial aspects of boundaries are not mutually exclusive.

33 The term 'Upper Sindh Frontier' was more specifically applied to the area now called Jacobabad, Qambar-Shahdadkot in Larkano, and Naseerabad, which is where the Sindh Frontier Regulation of 1872 was applied.

34 Khairpur (Mirs') has been my father's political constituency for the past forty years. When I arrived in June 2001 the local government elections were under way, and a suitable candidate was being sought to head the district. Despite initial resistance on my side, my family persuaded me to stand for the elections.

35 Under General Pervez Musharraf, devolution reforms were initiated and a system of local government was put in place at the district level. Each district was further devolved into Taluka and Union Councils with their own local councils with separate functions.

36 See Callaway (1992), who shows how gender defines our relationships and the knowledge we produce when in the field.

37 Upper Sindh suffers from tribal feuds, kidnappings for ransom and raiding by armed gangs from *kacho*, along with highway robberies, motorcycle and buffalo theft, and burglaries, which occurred daily.

38 The legal literature shows how honour crimes are provided with a legal defence in Western law; e.g. Ian Leader-Elliot (1997); Spatz (1991).

39 See e.g. Kandiyoti (1991), who argues that the project of the state is to restructure the family, through which it can fulfil its agenda of control and socialization.