



THE BOHRAS

ASGHAR ALI ENGINEER

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PREFACE AND ACKNOWLEDGEMENTS

The Bohras number more than a million in India and abroad, the Daudis being in great majority. The other branches of this sect, the Sulaimanis and Aliyas seceded from the main body of the Bohras in the sixteenth and seventeenth centuries respectively and have been in small minorities ever since. The schism, in both the cases, took place on the question of succession and no doctrinaire dispute was involved. Thus all the three Bohra sects subscribe to the same fundamental doctrines of the Ismā'īlī Shi'a faith.

This book deals with the Daudis only, especially because for the last few years the Daudis have been in ferment on the question of certain vital reforms which are being vehemently opposed by the priesthood. To view the whole controversy in proper perspective it is necessary to understand the historical and religious-cultural background of this community. The present book is an humble attempt in that direction.

There are some books on the Ismā'īlī movement in English and other European languages. The pioneering work in this direction was done by the well-known orientalist, W. Ivanow. His book, *A Guide to Ismaili Literature*, threw much light on Ismā'īlī literature which was unknown to those outside this faith. First published in London in 1933, this book is generally reliable. However, in the intervening years, much new material has come to light. Ivanow has also written on various aspects of Ismā'īlīs. He has been to my mind, quite objective and certainly free of any malice towards Ismā'īlīs, unlike many Muslim and

non-Muslim historians. Ivanow has also contributed a number of valuable articles on the Ismā'īlīs in the *Journal of the Royal Asiatic Society*, Bombay. Other books on the Fatimids (the Isma'ili rulers of Egypt, so called because they belonged to the progeny of Fatima) include F. Wustenfeld's *Geschichte Der Fatimiden-Chalifen Nach Arabischen Quellen*, O'Leary's *A Short History of the Fatimid Khalifate*, P.J. Vatikioti's *The Fatimid Theory of State*, Stanley Lane-Poole's *History of Egypt in the Middle Ages*, etc. Besides these there are many books like Prof. Browne's *A Literary History of Persia*, Prof. R.A. Nicholson's *A Literary History of the Arabs*, etc., in which we find references to the Ismā'īlī movement or the Fatimid caliphate. Except for Ivanow and Vatikiotis, other orientalists have committed errors due either to the inaccessibility of original Ismā'īlī sources or to their inability to understand the subtler aspects of this dissident movement. These books are no doubt a result of painstaking research and interest the specialist more than the layman. Moreover, these books either deal with the earlier period of the Ismā'īlī movement or end with the Fatimid rule in Egypt. They do not deal with the Bohras of India. The only book on Daudi Bohras in English entitled *Gulzare Daudi—A Short Note on Daudi Bohras*, was written by Mian Bhai Mulla Abdul Hussain in 1920. This short account was meant to be a supplement for an article on the Bohras printed in the *Ethnographic Survey of the Central Provinces*, and as such is inadequate both from the point of view of matter as well as its treatment. The present work, besides dealing with the earlier period, also deals with the followers of this faith in India. However, it does not lay claim to any original research, nor it is meant to be for specialists.

This book is rather intended to be a short account of the history and religious beliefs of the Bohras along with an analytical account of the current turmoil within the community. This turmoil can be better understood against the background of its earlier history.

I have tried to deal with the subject as objectively as possible. As I have been born and brought up in the Bohra community and have also been closely associated with the reformist movement, I could be easily accused of the contrary. I can, however, modestly claim that this limitation, in a sense, also becomes my strength, as not only have I access to several original works

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1

THE ORIGIN OF THE ISMA'ILI MOVEMENT

Soon after its rise in Arabia, Islam spread to north and north-west Africa, Persia, regions of Central Asia and Asia Minor. Within a few decades of their conquest by the Muslim Arabs, the peoples of these regions—for reasons political, social, religious and economic—entered into the fold of Islam. (In some cases, however, the process of conversion lasted for more than a century.) That people of such diverse ethnic stocks and cultures were embracing Islam created problems and gave rise to new doctrines. However, it would not do to view these new doctrines as a part of sectarian dogmatics only; they should also be examined from the point of view of social, political and economic factors, which play no mean role in the shaping of ideas and ideals. Religio-cultural assimilation nurtured strains of unorthodox thought, and political struggles for power gave birth to new sects, as political dissent was, more often than not, expressed through religious channels. This has to be taken into account while analyzing the formation of new sects.

The major schism in Islam apparently took place on the question of succession to the Prophet Muhammad. Sunnis and Shi'as split on this question. However, a serious student of history would not be satisfied by this explanation and would probe deeper for the inextricable links with socio-economic and political motives. I am not suggesting that religious belief by itself has less importance, let alone ignoring it; what I am saying is that what we believe to be a spiritual phenomenon has its social roots

and cannot be fully comprehended in isolation from these roots. The question of the first ideological split among Muslims has also to be seen in this light in order to fully grasp its socio-political implications and further developments in the body politic of Islam. The origin of the Isma'ili movement, too, can be properly understood only if we examine the socio-political implications of this split which itself was brought about by certain forces in the heart of early Islamic society.

Shi'ās, to use Toynbee's oft-used terminology, are the external proletariat of Islam whereas the Kharjis (seceders) are the internal proletariat. Shi'ās were mostly of non-Arab ethnic stock (Persians) whereas the Kharjis were Arabs of Bedouin stock. During the military campaigns in Persia, Kufa, and Iraq, grew into one of the major military camps. In this camp, there were a large number of people of other ethnic stocks, chiefly Persian. They were mostly slaves captured during the wars. It has been estimated by some historians that half the population of Kufa consisted of *mawālīs* (non-Arab clients). Most of them were either slaves, domestic servants or petty craftsmen. These *mawālīs* were naturally malcontents. They resented not only their masters as an exploiting class but also the fact that the Arabs, whom they considered their inferiors culturally and intellectually, were the ruling race. This discontent became acute and socially explosive as the Umayyads adopted highly repressive measures against their political foes. Even the period of the first four caliphs was not free of blemishes. Commenting on this period, Dr. Tāha Husain says

... it became apparent that this new government too (the caliphal regime after the death of the Prophet) which was expected to be of a new type at last adopted the same old course and like other old types of governments it too had to be based on vested interests, power politics and a class system in which a small minority of a particular nationality uses as its instrument a vast majority of peoples of different nationalities.¹

The Umayyad rule was, of course, downright repressive. The slaves, *mawālīs* and other exploited sections of the people in Kūfa readily responded to any leader who promised either to better

their lot or liberate them from the clutches of the Umayyads. The Shi'ī leaders who totally opposed the Umayyads found their adherents among those of Persian origin. There were several reasons why Prophet Muhammad's son-in-law 'Alī's personality found ready appeal among these slaves and clients. Firstly, 'Alī was known for his simplicity, piety, integrity and scrupulous conduct. Secondly, he never discriminated between Arabs and non-Arabs and treated all faithfuls equally, irrespective of their colour, race or nationality. Thirdly, he became a victim of Umayyad conspiracies against his regime and his two sons Hasan and Husain were killed by them (Hasan was allegedly poisoned by Mu'āwiyah, the founder of the Umayyad dynasty and Husain, along with his close relatives and companions, was killed by Yazid, the second Umayyad caliph). This naturally created sympathy for 'Alī and his family among those who resented the Umayyad rule. As monarchy was their national institution the Shi'ī doctrine of succession for the office of *Imām* was more appealing to the Persian mind than the principle of election which was an Arab tradition. These and similar other factors popularized Shi'ī faith among non-Arabs in general and Persians in particular.

Dozy, a well-known French Islamicist says:

Although the Shi'ites often found themselves under the direction of Arab leaders who utilized them in order to gain some personal end (*not always so*) they were nevertheless a Persian sect at bottom; and it is precisely here that the difference most clearly showed itself between the Arab race, which loves liberty, and the Persian race, accustomed to slavish submission. For the Persians, the principle of electing the Prophet's successor was something unheard of and incomprehensible. The only principle which they recognized was that of inheritance, and since Muḥammad left no sons, they thought that his son-in-law 'Alī should have succeeded him, and that the sovereignty was hereditary in his family. Consequently, all the caliphs except 'Alī i.e., Abū Bakr, 'Umar, and 'Uthmān, as well as the Umayyads—were in their eyes usurpers to whom no obedience was due. The hatred which they felt for the Government and for Arab rule confirmed them in this opinion; at the same time they cast covetous looks on the wealth of their masters.²

Commenting on the sad plight of these clients, Prof. Nicholson says, "Far from obtaining the equal rights which they coveted, and which, according to the principles of Islam, they should have enjoyed, the *Mawālī* were treated by their aristocratic patrons with contempt, and had to submit to every kind of social degradation, while instead of being exempted from the capitation-tax paid by non-Moslems, they still remained liable to the ever-increasing exactions of Government officials. And these 'Clients,' be it remembered, were not ignorant serfs, but men whose culture was acknowledged by the Arabs themselves—men who formed the backbone of the influential learned class and ardently prosecuted those studies, Divinity and Jurisprudence, which were then held in highest esteem."³ Mukhtār, who himself belonged to a noble Arab family, led the first rebellion against the Umayyads after the martyrdom of *Imām Ḥusain* and became master of Kūfa in A.D. 686. He had raised the cry of avenging Ḥusain's blood and, as expected, conscripts to his rebellious force came from the non-Arab *mawālī*. He treated them as equals in keeping with the true spirit of Islam and paid them their share from *bait at-māl* (state treasury) which was denied them by the Umayyads. These *mawālī* fought against their Arab masters as Kāmil bin Athīr tells us quoting 'Abdar Raḥmān bin Makhnaf al-Azdī "with the fortitude of Arabs and animosity of 'ajam (non-Arabs)."⁴ Ṭabarī also tells us that the *ashrāf* (the nobles) were annoyed with Mukhtār for inciting these *mawālī*. "You have taken away," they told Mukhtār, "our clients who are the booty which God bestowed upon us together with this country. We emancipated them, hoping to receive the Divine recompence and reward, but yet would not rest until you made them sharers in our booty."⁵ In a battle fought by the Mukhtār's partisans, Ibn Aithr tells us, of 3,000 combatants, only 700 were Arabs and the rest *mawālī*.⁶ Moreover, the rebellion was not confined to Kūfa alone; it had spread to far and wide places like Armenia. However, due to various reasons we need not analyze here, this revolt was successfully crushed by the Umayyad rulers.

We dealt with this first rebellion against the Umayyads by Mukhtār in order to show how deep was the resentment among the Persians and other non-Arab peoples against their Arab rulers and masters. The rebellion having failed, some leaders connected directly or indirectly with it drew their own lessons. The main

weakness of this rebellion was lack of proper organization and coordination between different units. Moreover, it tended to be a spontaneous outburst on the part of the oppressed rather than a well-planned-out uprising. Some leaders realized these mistakes and set about organizing the movement in a proper way. They appointed a secret network of *dā'īs* (propagandists, missionaries) throughout the Umayyad empire to canvass in favour of the House of Alids. The activities of these missionaries were carefully coordinated and the identity of the main leader in whose name the propaganda was being carried out kept a well-guarded secret.

We have to bear in mind that there were many contenders for power among the opposition, a fact which, as we will see later on, sometimes caused confusion among their supporters. But they were shrewd enough to realize that mutual confrontation would benefit only their enemies and they very cleverly avoided any such possibilities. Even their propaganda was couched in a language which gave the impression of rallying support for the family of the Prophet. Thus the children of 'Abbās, the Prophet's uncle (they later captured power by overthrowing the Umayyad dynasty and came to be known as the Abbasid dynasty) cleverly organized their propaganda in favour of the Prophet's family, giving the impression they had no conflict with the Alids. From 'Abbās, their ancestor, these descendents inherited qualities of caution, duplicity and wordly wisdom that ensured them political success. Nöldeke tells us that 'Abbās' descendants "lived in deep retirement in Ḥumayma, a little place to the south of the Dead Sea, seemingly far withdrawn from the world, but which, on account of its proximity to the route by which Syrian pilgrims went to Mecca, afforded opportunities for communication with the remotest lands of Islam. From this centre they carried on the propaganda in their own behalf with the utmost skill. They had genius enough to see that the best soil for their efforts was the distant Khurāsān—that is, the extensive north-eastern provinces of the old Persian Empire."⁷

Abu Muslim of Khurāsān was the chief propagandist of the House of 'Abbās. Khurāsān was seething with discontent. Being himself of this province, Abū Muslim could easily win over the confidence of his fellow countrymen in favour of his masters. For a number of years this propaganda was carried out in strict

secrecy, but by about A.D. 840, Abū Muslim and his partisans were openly organizing their forces for a decisive confrontation with the Umayyads. They also hoodwinked the Shī'ites into supporting them by conducting propaganda in the name of Hāshim, the common ancestor of 'Abbās and 'Alī. Thus Abu Muslim succeeded in gathering a large force around him. Naṣr b. Sayyar, the governor of Khurāsān, took alarm and sent his slave Yazīd to fight Abū Muslim. However, Yazīd was defeated and taken prisoner but treated well by his captors so as to convince him of their cause.⁸ Naṣr anticipated disaster and wrote to Marwān to send more troops. He added a few couplets at the foot of the letters: "I see burning ambers in the ashes and I am afraid it will turn into conflagration . . . Alas if I knew whether the House of Umayyads is awake or asleep."⁹ Between A.D. 749 and 750, the Umayyad dynasty fell and the Abbāsids came to power. "The 'Abbāsīd government called itself *dawlah*," says Hiiti "new era, and a new era it was. The 'Irāqīs felt freed from Syrian tutelage. The Shī'ites considered themselves avenged. The clients became emancipated. Al-Kūfah, on the border of Persia, was made the new capital. Khurāsānians formed the caliphal bodyguard and Persians occupied the chief posts in the government."¹⁰

However, the woes of the Shī'ites did not end with the installation of the Abbasid government. Abbasids, as pointed out above, were determined to monopolize power, eliminating all other claimants from the scene. Even Abū Muslim who enjoyed virtual autonomy in Khurāsān was not spared. He was treacherously killed by the second Abbasid caliph al-Manṣūr. The Abbasids felt that he was too powerful in Khurāsān to remain subjugated to their dynasty for long. They also knew that the Shī'ites (who themselves were divided in many sects and groups) had their own aspirations as they considered themselves to be the rightful claimants to the caliphal throne. Despite all precautions not to do so, on several occasions the Abbasid *dā'īs* had clashed with those of the Shī'ite while campaigning against the Umayyads. "Abbasids also knew that Zayd, the son of the fourth *Imām* 'Alī Zayn al-'Ābidīn had organized unsuccessful insurrection against the Umayyads in A.H. 122 to capture power ('Alī, Zayd's father was against this insurrection as he knew it was a premature attempt). Moreover, the second Abbasid caliph al-Manṣūr himself had taken part in a meeting jointly organized by Alids and Abbasids in the

last days of the Umayyads to chalk out their strategy. On behalf of the Alids *Imām* Ja'far al-Šādiq, 'Abdullah al-Maḥḍ and his two sons Muḥammad (called Nafs Zakiyyah) and Ibrāhīm were present whereas al-Manṣūr and others attended on behalf of the Abbasids. Abdullah al-Maḥḍ suggested that they should establish a secret mission of which Nafs Zakiyyah should be the head as he was highly respected for his piety. Everyone present supported this suggestion except *Imāmt* Ja'far as-Sādiq who told 'Abdullah al-Maḥḍ that his suggestion would not work as ultimately the caliphate would go to the man in the yellow robe (al-Manṣūr). No one heeded *Imām* Ja'far at that time but his prediction came true and al-Manṣūr became caliph.¹¹

Al-Mansūr was aware of this as he himself was present in the said meeting and knew that Nafs Zakiyyah and other 'Alids had their own claims to power and that they would organize themselves to wrest political power from the Abbasids. He, therefore, initiated repressive measures against Alids in general and their leaders in particular. Nafs Zakiyyah and his brother Ibrāhīm went underground. Al-Manṣūr failed to trace them until they organized an insurrection and captured Madinah and drove away the Abbāsīd governor from there. Manṣūr sent his forces against Nafs Zakiyyah, defeated him and killed him. The repression let loose by the Abbāsīds drove many Shi'ite leaders underground. Some of them tried to organize armed uprising in different parts of empire but were crushed. Abbāsīd rulers were specially worried about those *Imāms* who claimed to be the progeny of Faṭīma, the daughter of the Prophet of Islam. They were hunted down by the network of spies specially set up for this purpose. Abbāsīds were no strangers to such methods as they themselves were experienced in underground functioning and had been victims of spying by the Umayyad rulers.

The Shi'ites before and after the Abbāsīd revolution had split into a number of sects and sub-sects, moderate as well as extremist (Ghulāt) Zaydiyya, Kaysaniyya, Ḥanafīyya, Imamiyya, Isma'īliyya and many other extremist groups. Each of them was further sub-divided into smaller groups. We will be mainly concerned here with Ismā'īlīs not only because they were the precursors of the Bohras of India but also because they challenged the Abbāsīds most effectively and succeeded in founding their own state, known as the Faṭimid state in the history of the Arabs. The

other Shi'i sects either could not organize themselves as effectively as the Isma'ilis or rose in premature revolts and were wiped out. The Imamiyya or Ithna 'Asharis are the largest religious group among the surviving Shi'ite sects today. But they too did not become an effective challenge to the Abbasids as they could not evolve a well-knit underground organization like that of the Isma'ilis.

Before we proceed further let us first clearly define what is meant by Shi'a. Al-Qalqashandī calls the Shi'a the second largest group or community in Islam, and defines it as "those who supported (shāya'ū) Amīr al-Mu'minīn 'Alī b. Abī Ṭālib, professed in his Imāma and Khilāfa, by naṣṣ and Prophetic delegation (wiṣāya) whether openly or secretly, that Imāma cannot leave his line of succession except by usurpation and oppression by another without his consent or by taqīyya (dissimulation) on his part for another."¹² This is quite a comprehensive definition and except for some subtle points of interpretation, most Shi'a sects can be covered by it. However, the Shi'i movement began with political support for the members of the house of 'Alī; the religious dogma as stated in al-Qalqashandī's definition above crystallized much later. After the death of Ja'far aṣ-Ṣādiq, the sixth *Imām* (to Ismā'ilis the fifth *Imām*; for them 'Alī holds the office of waṣī and is not counted as *Imām*), the Shi'as split into two major groups: those who accepted Mūsā Kāzim, the younger son as *Imām* after him, and were called twelvers (Ithna 'ashari) because of the twelve Imāms in that line beginning with 'Alī, and those who accepted Ismā'il, the elder son of Ja'far aṣ-Ṣādiq, as *Imām* and were called Ismā'ilis.

Ismā'ilis believe that Ismā'il was appointed *Imām* by naṣṣ by divine inspiration which continued in his progeny and could not be taken back from him. So *Imām* Ismā'il's son Muḥammad became, by naṣṣ of course, the next *Imām*. Thus according to the Ismā'ilī dogma, *Imāmat* continued to be passed on from father to son (although, as pointed out by Ivanow, this dogma crystallized much later and if applied strictly, gives rise to many baffling problems of succession which the available Ismā'ilī records are unable to resolve). Again, according to the Ismā'ilī-Musta'lian belief (the Ismā'ilis split into two sects—Nizāris and Musta'lians—after the death of the eighteenth *Imām* Mustanṣir) the identity of *Imāms* after the twenty-first *Imām* Ṭayyib went into

seclusion is not known, but, nevertheless, the *imāmat* continues in the same progeny. The Ithna-'asharis, on the other hand, believe that the twelfth *Imām* went into hiding in a cave and would emerge one day to fill this earth with rectitude and justice. However, the Ithna — 'asharis, unlike the Ismā'ilis, could not (or perhaps, did not?) evolve a complex of religio-political doctrines which could help in organizing a closely-knit resistance movement. Or, one could say that the descendents of *Imām* Musa Kāzīm never made a serious bid for power like the Ismā'ilis did and so felt no need for such doctrines or effective organization. Some of the descendents of *Imām* Musā Kāzīm lacked shrewdness and political finesse as is proved by the case of 'Alī Ridā who accepted the Abbāsīd caliph's offer of being appointed heir-apparent and was quietly poisoned. The Ismā'īlī *Imāms* were too shrewd to walk into such traps.

We will see what elaborate precautions the Ismā'ilis took in organizing their secret religio-political mission. But before we delve deeper into this important movement we would throw some light on the social, political and economic situation prevailing in the Abbāsīd empire in A.D. 900 (A.H. 300) as it would enhance our understanding of the Ismā'īlī movement. It was during this period that it achieved great success by enlisting support of different sections of people. The Abbāsīd revolution in the middle of A.D. 800 (A.H. 200) had aroused the expectations and aspirations of people, specially of non-Arab origin, as they had had enough of persecution and harassment at the hands of the Umayyads. The character of the Abbāsīd empire was different from that of the Umayyad in as much as it was an empire of neo-Muslims of which the Arabs were only a part. It was mainly due to the support of these non-Arab sections of people that the Abbasids succeeded in establishing their rule. However, this euphoria did not last much longer. Abū Muslim Khurāsānī who did so much to bring the Abbāsīds to power and symbolized the aspirations of the people of Persia was himself put to death. The general socio-economic conditions were such as to encourage rebellion. And rebellions did occur throughout the length and breadth of the Abbāsīd empire. Qarmatian uprisings (of which we would talk more little later), Zanj revolts from A.D. 869 to 883 which nearly shook the empire, revolts of Sonbadh, Ustadh Sis, al-Muqanna', etc., occurred one after the

other or simultaneously. Referring to these revolts, Farouk Omar in an article "The Nature of the Iranian Revolts in the Early 'Abbasid Period", says:

With the 'Abbasid accession to power, the masses, whether Arab or non-Arab, expected to see the dawn of a new era of equality and prosperity. This new consciousness and these expectations were impossible to suppress. In Iran the central government was faced with twofold problems: (i) Rebellious outbreaks which followed in the footsteps of the 'Abbasid upheaval and were, in a way, its natural results, as the great Abbasid revolution had stirred up the masses, who expected better conditions of life. (ii) The conflict between the central government and the local princes in the region of the Caspian sea, i.e., in Tabaristan, Daylam and Transaxonia, which was primarily a war of occupation The establishment of the Arab rule was naturally equivalent to the introduction of Islam whose spread the natives resented, as they identified it with the ruling class and consequently with oppression. Even after the Muslim conquest, the social stratification had been preserved. The Iranian *dihqāns* (village landlords) adopted Islam and co-operated with the ruling Arabs.¹³

Omar Farouk further points out:

If one studies the movements of *Sonbādh*, *Ustādh Sīs*, *al-Muqanna'*, etc., one notices that they expressed a conflict between the oppressed population, whatever its ethnic origin, and the representatives of the existing regime, whether Arabs or non-Arabs, and were generally not ethnically, but socially and economically motivated. The people either participated in movement led by local rebels such as *Bihāforīd*, *Ustādh Sīs*, *Sonbādh*, *Ishāq al-Turk* and *al-Muqanna'*, or joined the *Khārijites* in *Sistān* and *Khurāsān* or the 'Alids in *Khurāsān* and *Daylam*. On the other hand, they even supported Arab rebels such as *Jawhar al-Ijlī*, 'Abdul Jabbar al-Azdī and *Rafī' b. al-Layth*: when the governor was loyal to the central government they opposed him, but they joined him if he rebelled.¹⁴

Thus we see that there was a great deal of unrest among the oppressed and ruled. The climate was favourable for dissident

movements to strike roots. However, the movements described above by Omar Farouk were mostly of a political nature with either very little or no religious element at all. The Ismā'īlī movement, on the other hand, was a religious-cum-political movement. It had (and continues to have) a well-defined religious ideology with its own distinct features as well as political aim to establish a government based on this religious ideology. As far as its religious doctrines were concerned, they had nothing to do with political opportunism, but were based on the religion of Islam, philosophy and higher learning (*ma'rifa*, gnosis). The Ismā'īs clung fast to these religious doctrines and never compromised, whatever the circumstances. However, on the political front they took advantage of various socio-economic as well as political factors and suitably modified their tactics, or even strategy, to suit their political ends. It was primarily for this reason that they succeeded in establishing their rule whereas all other rebellions fizzled out including those of Qarmatians and Zanj which had otherwise struck terror in the hearts of Abbasid rulers. (Of course, the Qarāmita, as pointed out above, were a branch of Ismā'īs, distinct from the Fātimids whom the Bohras of India followed.)

Ismā'īs, as far as their political goal was concerned, exploited the prevailing socio-economic conditions to their own political ends. Ivanow, commenting on this situation says, "The extraordinary triumphs of the Fatimids, following each other in quick succession, were obviously due to this widespread discontent and unrest, coupled with a favourable superstitious atmosphere, widespread and ardent expectations of the advent of the promised Messiah, the Deliverer, who was due to make his appearance by the end of the third century after the death of the Prophet." He further says: "Lower Mesopotamia, with the neighbouring parts of Khūzistān, which was apparently the cradle of the Ismā'īlī movement, as is known, had a long record of continuous insurrections, led by different Alids. The new cities which rose under the Arabs, Baṣra and Kūfa, originally as military settlements, and later as important trading centres, were always famous for their turbulent population, and were hotbeds of unrest."¹⁵

Another important centre was Daylam in the Caspian provinces. People of this region led a precarious life and hence discontent prevailed among them. Ivanow informs us:

Economic conditions in 'Daylam', i.e. Caspian provinces, with which the Imams of Salamiyya had strong connections, as is persistently indicated by different Ismaili sources, were a parallel to those in the sawad of Kūfa and Baṣra. Here the belt of rice-fields on the coastal plains even to the present day is chiefly cultivated with the help of what may be called 'distressed labour,' the proletarianized surplus labour of the half starving villages in the adjoining mountainous districts Rūdbār, Alamūt, Ṭāliqān and elsewhere, who for miserable wages do enormously hard work in terrible conditions of continuous excessive humidity, heat or cold. These provinces always harboured many Shi'ite sects, and were the scene of various insurrections which lacked importance only on account of the remoteness of the provinces from the vital centres of the caliphate.

The Yaman, with its terraced slope cultivation, and the proximity of nomads, probably presented its own economic difficulties, while the grievances of the Banū 'Ulayṣ camel-men, plying between the trading centres of Southern Mesopotamia and Syria, probably were much nearer to those of the Berbers of the remote portions of Ifriqiyya, exploited by the Arab city population.¹⁶

Ismā'ilīs, being shrewd tacticians and master strategists, concentrated their attention on these provinces. Their missionaries spread their network in such areas very carefully and never precipitated a premature revolt. Let us now examine in detail the structure and functioning of the Ismā'ilī movement.

The beginning of this movement can, in fact, be traced to the fifth (but according to the Ithna 'Asharī Shi'as, sixth) *Imām* Ja'far as-Ṣādiq from whose son Ismā'il this movement derives its name. According to the beliefs of the Ismā'ilī Shi'as *Imām* Ja'far as-Ṣādiq appointed his son Ismā'il as the next *Imām*, he being his eldest son. Throwing light on the origin of the Ismā'ilī sect, Mustafa Ghālib, an Ismā'ilī scholar, says that it becomes evident from various historical and other sources of knowledge available to us that the Ismā'ilī movement began around A.H. 128 as a religious, philosophical and esoteric movement in Iṣṭāḥ and Kūfa and was organized by *Imām* Ja'far as-Ṣādiq who was the

pillar of various schools of thought in Islam.¹⁷ According to *Ismā'īlī* sources the sixth *Imām* *Ismā'il* died in A.H. 145 when his father *Imām* Ja'far aṣ-Ṣādiq (he is reported to have died in A.H. 148) was still alive. *Imām* Ṣādiq was fully aware of the designs of the Abbāsīd rulers and so before burying his son *Ismā'il* he gathered the prominent persons of Madīna and showed his dead body to them and obtained their signatures as witnesses thereof and presented the signed declaration to the Abbasid governor.

But some *Ismā'īlī* sources also tell us that *Ismā'il*'s death was only a ruse to mislead the Abbāsīd rulers. In fact *Imām* Ja'far aṣ-Ṣādiq wanted to hide him from his enemies. Thus says Sayyidnā Idrīs in his *Zahru'l-ma'ānī*: "When the time came for *Ismā'il* to dissemble death, using this rule against his enemies who were full of hatred, enmity, and the ardent desire to extinguish the Light of God—although God will always preserve His Light as He intended it to be, if He wishes, (allusion to Qur. IX, 32)—he, *Ismā'il*, made a will addressed to his father, Ja'far aṣ-Ṣādiq, the Veracious, the Faithful, so that he should appoint 'veils' (ḥujūb), and one who should be the guardian (mustawda') for his son, Muhammad And he (Ja'far As-Sadiq) entrusted him, i.e., Muḥammad b. Isma'il, to Maymūn b. Ghaylān b. Bidar b. Mihrān b. Salmān al-Fārsī. The *Imām* educated him (Muḥammad b. Isma'il), and guarded him with the help of Maymūn al-Qaddāh, while he was still three years of age."¹⁸

This passage from *Zahru'l-ma'ānī* clearly shows that *Imām* Ja'far aṣ-Ṣādiq was well aware of the political situation involved and shrewdly worked out a proper strategy. Sayyidna Idrīs gives us further details as to how *Imām* Ja'far aṣ-Ṣādiq arranged witnesses for testifying *Ismā'il*'s death. He says: "*Ismā'il* dissembled illness,¹⁹ and people began to visit him, from near and far. His father, however, watched the visitors, and noted their presence. When the death of *Ismā'il* had taken place (in appearance), he was kept lying covered for three days, while *Imām* Ja'far noted the presence of those Hashimites and others who came to express their condolence. On the third day he gave orders to take the body to the grave, and, unveiling the face of the deceased, he asked those present whether they were sure that this was his late son *Ismā'il*; they testified to this. And he again recorded those present. Then he buried *Ismā'il*, and later wrote to Abū'd-Dawānīq (i.e., the Abbasid caliph al-Manṣūr, notorious for his

parsimony, 136-158/754-755), informing him of what had taken place. His informers also submitted their reports to the same effect, gladdening him, relieving his anxiety as to what otherwise might worry and upset him.”²⁰

Later, we are told by Sayyidna Idrīs, *Imām* Ismā‘il reappeared in Baṣra. He was recognized and people rushed to him with joy. When the Abbasid caliph came to know of this he demanded an explanation from Ja‘far aṣ-Ṣādiq who produced witnesses testifying Ismā‘il’s death and thus he was left in peace. Of course, there are other versions also by both Ismā‘ilī and non-Ismā‘ilī sources. This confusion arose because of hidden identity and secret functioning. In my opinion Muṣṭafa Ghālib does not err much when he says that when *Imām* Ja‘far aṣ-Ṣādiq sensed the danger with which his son Ismā‘il’s life was threatened, he gathered together his four *dā‘īs* (confidants) and his son Ismā‘il and held mutual consultation in the matter. It was then decided to give borrowed names to his son and the four *da‘īs* in order to conceal their identity. As we come to know from the letter of al-Mahdī—they were named al-Mubārak, al-Maymūn, Sa‘id and Al-Khayr, names usually added as a good omen at the end of a name. Thus, Muṣṭafa Ghālib continues, these four *dā‘īs* left Madīna for Kūfa in the company of Ismā‘il (peace be on him). And it is possible that *Imām* Ja‘far aṣ-Ṣādiq arranged with the governor (*‘āmil*) of the Abbasid caliph who at that time was one of his (*Imām* Ṣādiq’s) followers that a declaration announcing the death of Ismā‘il bin Ja‘far be prepared. It can be concluded from various Ismā‘ilī sources available with us that Ismā‘il headed towards Silmiyya and from there to Damascus. Maṣṣūr al-‘Abbasi came to know of this and wrote to his governor to arrest him but Ismā‘il found this out and left Damascus for ‘Irāq as he was seen in Baṣra in 151 A.H. It is said that he passed by one suffering from paralysis and cured him with the permission of God. Ismā‘il lived for a number of years moving around his followers till his death was announced in 158 A.H.²¹

There is an important question which must be dealt with here. As strict secrecy had to be maintained about the identity of the *Imām* either by adopting assumed names or by setting up other persons called *hujūb* (veil), a great deal of confusion arose outside the circle of close confidants of the *Imām* about his identity. For reasons just mentioned, even an important official historian like

Sayyidna Qāḍī Nu'man has omitted these names in his book *Iftitāḥ al-Da'wah*. Later on these names were brought on record but, by then, the damage was done and the non-Ismā'īlī historians either did not take notice of these names or looked upon them with suspicion. For lack of authentic data, strict secrecy on the part of Ismā'īlī missionaries and religious prejudice against them, the historians and authors made fantastic allegations against the Fatimid mission. Many of these historians were supporters of the Abbāsīd regime and thus in every Ismā'īlī move against that regime they saw the pernicious hand of the enemies of Islam ready to destroy its glory. These historians wove false stories to debunk the Fatimid movement. Thus partly due to secrecy and partly to their enmity against the Fatimids (this enmity intensified when the Fatimid *Imāms* succeeded in establishing an empire which was more than rival to that of the Abbasid) these historians alleged that the founder of the Ismā'īlī movement was one Maymūn al-Qaddāḥ who was bent upon destroying Islam and its glory by infiltrating into its rank. He was assisted in this by his son who was not malicious in his hatred against Islam. This son was known as 'Abdallah bin Maymūn. Baghdādī, the author of '*Farq bayn al-Firaq*' thinks that the general Bāṭiniyya (believing in secret doctrines) sect was founded by Maymūn b. Dayṣān, known as al-Qaddāḥ from the Aḥwāz, a province in Persia. He was said to be a *mawlā* (client) of Ja'far aṣ-Ṣādiq. We find the first account of al-Qaddāḥ's theory in *Fihrist* of Ibn al-Nadīm who has taken it from Ibn Razzām's work. The basic snag of this theory is the almost improbable gap of hundred years which it leaves between the father and the son. P.J. Vatikotis says: "The period between Muḥammad b. Ismā'il and A.H. 250 is not dealt with at all. It begins with 'Abdalla b. Maymūn of al-Aḥwāz whose father headed the Maymūniyya sect. Now, this father must be the alleged Abū Shākir Maymūn ibn Dayṣān, Ja'far's *mawlā* in other renditions. If 'Abdalla flourished c. A.H. 250 and this 'father' of his was active around A.H. 140, the father-son relationship becomes physically somewhat impossible, considering the lapse of a whole century."²²

Ivanow has devoted one full chapter on "The Myth of 'Abdu'l-Lah B. Maymun al-Qaddah" in *The Rise of the Fatimids*. Ivanow, as opposed to B. Lewis and de Goeje thinks that the

story of Maymūn al-Qaddāḥ is a pure fabrication of the enemies of the Fatimids as it does not bear historical scrutiny. He very emphatically maintains: "Looking at the matter critically and soberly, we can come to only one inevitable conclusion, regardless of whether the Fatimid version and tradition is true or false; there is no doubt whatever that in the stories of 'Abdu'l-lah b. Maymūn al-Qaddāḥ we have a *myth*, probably, as all myths, accidentally born, and as accidentally developed into a complex theory. It has all the features of a real myth: (1) a gigantic span of life attributed to the hero; (2) a gigantic underground plot and conspiracy; (3) a gigantic fraud; and (4) a gigantic impiety of doctrine."²³

However, the matter is not so simple as to be brushed aside by making al-Qaddāḥ a mere figment of an historian's imagination, inspired by animosity towards the Ismā'īlīs. Some of the later Ismā'īlī sources like *Zahru'l-ma'ani* of Sayyidna Idrīs and Ghāyatu'l-Mawālīd of Sayyidna al-Khaṭṭāb (which belong to the middle of the ninth and fifteenth centuries respectively mention al-Qaddāḥ as the guardian and trustee of *Imām* Muḥammad b. Ismā'īl in his childhood. Thus Sayyidna Idrīs says: "He (*Imām* Ja'far) entrusted him i.e., Mawlāna Muḥammad b. Ismā'īl to Maymūn bin Ghylān bin Bayder bin Mehrān bin Salmān al-Fārsī. (*Imām* Ja'far) brought him up and guarded him when he was three years old with the help of Maymūn al-Qaddāḥ. And he (al-Qaddāḥ) was his guardian (*kafil*) and trustee (*mustawda*)"²⁴ of his high position."²⁵ But the matter is complicated by the fact that the early Ismā'īlī sources are silent about this mysterious personality. Some documents like the al-Kāfiya of Ḥamidud-dīn Kirmānī and epistles of *Imām* al-Mu'iz refute his existence. Of course, it can be argued that they have not refuted the existence of Maymūn al-Qaddāḥ but his being an ancestor of the Fatimids or the founder of Ismā'īlī da'wa.

'Arif Tamir, on the other hand, maintains in his book, *Al-Qaramita* under the legend of Maymūn al-Qaddāḥ that when Muhammad bin Isma'īl fled from the east and established in Palmyra in Syria the centre of his activities he called himself Maymūn and Qaddāḥ, i.e., specialist of eye diseases.²⁶ Thus we see there are many versions about the personality and activities of al-Qaddāḥ. These are those who consider him to be the founder of Ismā'īlī da'wa with an ultimate motive to destroy Islām from

within as he was a *zindīq* who at heart was the sworn enemy of Islam. Such a myth has been perpetrated by those historians beginning with Ibn Razzām who bore malice towards Fatimids in particular and the Ismā'īlīs in general. Then there are those who think that names like Maymūn or Sa'īd al-Khayr etc., had been assumed by the concealed *Imāms* in order to mislead the Abbasid rulers and their intelligence network. Also, there are those who maintain that Maymūn al-Qaddāh, his son 'Abdallah as well as other descendants were *hujub* (veils) or *hujja* (proof) i.e., high dignitaries of the Ismā'īlī *da'wa* who played very important roles in propagating it and strengthening it in the face of Abbasid onslaught against them. Some sources even maintain—and these include later Ismā'īlī sources as well like *Ghayatu'l-mawalid* of Sayyidna al-Khaṭṭāb—that some of these descendants of al-Qaddāh were even appointed as temporary *imāms* (*mustawda'*). It is indicated in *Ghayatu'l-mawalid* that Maulana al-Mahdī the first Fatimid caliph was a *mastawda'* (trustee, temporary *Imām*) who belonged to the progeny of Maymūn al-Qaddāh. Ḥasan Ibrāhīm Ḥasan and Aḥmad Sharf in their book, *Al-Mu'iz li-Dinilla* also take this position. They have quoted al-Da'i Idrīs's *Zahru'l-ma'ani* to this effect.²⁷

It is difficult to ascertain facts for the simple reason that during that period the Ismā'īlī mission had to conduct activities secretly. There were enemies all around distorting truth and carrying out hostile propaganda against these Fāṭimī *Imāms*. It was a formative period for the Ismā'īlīs and most critical from the point of view of their survival, and hence its importance. It was during this period that the movement took a decisive shape and evolved a fool-proof structure so vitally needed for its underground functioning. This structure continues till today and, therefore, it would be quite interesting to examine this question closely. In my opinion Maymūn al-Qaddāh and his son 'Abdallah were not merely a myth or a product of someone's fertile imagination as Prof. Ivanow maintains. Though he is a scrupulous and learned researcher, he has not taken into account certain peculiarities of the Ismā'īlī movement while venturing his opinion about Maymūn al-Qaddāh and his son. He is fully justified in castigating those historians who, out of malice towards the Fatimids, tried to project al-Qaddāh as an enemy of Islam, planning to destroy it from within by founding the Ismā'īlī

movement and evolving its doctrines in such a way as to present Zoroastrian or Manichean teachings in the Islamic garb. These historians want us to believe that both father and son had nothing but contempt for Islam and fierce hatred towards the Arabs and that they conceived the idea of a secret society which should be all things to all men, and which, by playing on the strongest passions and tempting the inmost weaknesses of human nature, should unite malcontents of every description in a conspiracy to overthrow the then existing Abbasid regime.

These are fantastic allegations levelled with a calculated purpose to discredit the Ismā'īlīs in the eyes of orthodox Muslims. Many eminent orientalists like de Goeje, R.A. Nicholson, etc., have erred in taking this story from the prejudiced historians. It is, therefore, quite creditable on the part of Prof. Ivanow to have condemned these historians for distorting the truth about the Ismā'īlī movement. But he seems to have erred in describing Maymūn and his son 'Abdallah as either mythical or having played no significant role in the dissemination of the Ismā'īlī mission. In my opinion Maymūn al-Qaddāh, although certainly not the founder of this mission, did play an important role in shaping and organizing it. *Imām* Ja'far as Sādiq was not only a highly learned man, he was—and this can be established from various Ismā'īlī and non-Ismā'īlī sources—also a shrewd man with experience and political wisdom. It was he who first said that "*taqiyya* i.e., secrecy is my and my ancestors' religion" and that there is no religion without *taqiyya*. From then on *taqiyya* became part of all the Shi'a sects. Looking to the conditions then prevailing it was a very wise move on the part of *Imām* Sādiq as open activities would have meant sure doom in view of the powerful Abbasid establishment.

Ja'far as-Sādiq had then realized the significance of a tight, well-knit and secret organization, so as to make it an effective challenge to the Abbasid power without running the risk of premature and, consequently, disastrous confrontation. He set out to build such an organization and, for that purpose, employed the services of his Persian mawla Maymūn al-Qaddāh. The Arabs, it must be noted, were not traditionally or temperamentally suited for secretive and underground functioning. They had always lived in an open and free society without the usual paraphernalia of state and political intrigues. The Persians, on the

other hand, had known the institution of state—and a feudal one at that—for some time and were used to political intrigues and diplomatic finesse. *Imām* Ja'far aṣ-Ṣādiq might have felt the need for employing the services of a *mawla* of Persian origin who had the skill for organizing the vast network of an underground organization. His eye fell on Maymūn who had been his father's trusted *mawla* and disciple.

Maymūn was, as we learn from some Ismā'īlī sources, a learned and a pious man. Dā'ī Idrīs maintains that he comes from the family of Salmān al-Fārsī, a fact which Ivanow dismisses as untenable. But there is no doubt about his being of Persian origin, probably from Ahwāz. It is even said that he was born in Mecca and later went to Ahwāz. Many historians indicate that he was in the company of *Imām* Muḥammad al-Bāqir and later served *Imām* Ja'far aṣ-Ṣādiq. It was, I think, because of this close association within the family of *Imāms* that he was chosen for the task of organizing the Ismā'īlī da'wa. Had he harboured evil intentions as he is accused of, he would not have been referred to with respect in the Ismā'īlī sources. 'Ārif Tāmir hints at this when he says that by examining the history of the life of Muḥammad b. Ismā'il it becomes evident that he was the founder of the period of concealment (*dawr as-satr*) and that his *imāmate* was the beginning of a new period in the history of the Ismā'īlī movement. We go even further and say that he (i.e., *Imām* Muḥammad) came with some new teachings, setting aside some teachings of *shari'ah* which preceded. He was in fact the first *Imām* to have done away with the troubles of manifestation (i.e., the burden of practicing the injunctions of *shari'ah*) and gave call for *t'awil* and esoteric meaning, and for spreading his mission he relied on his *hujja* and great *da'i* Maymūn al-Qaddāh'. 'Ārif Tāmir says how it becomes evident that the family of al-Qaddāh played a very important role in the history of the Ismā'īlī movement.²⁸

This statement by 'Ārif Tāmir is important as it involves two questions that concern us here. The first is that of Maymūn al-Qaddāh's role in the Ismā'īlī da'wa. As regards this 'Ārif rightly points out that although he played a very important role in spreading it, and though his family was closely associated with this movement, al-Qaddāh was not its founder. Secondly he says that with *Imām* Muḥammad b. Isma'il a new phase of

this movement began. This phase was not only of concealment (*satr*) but also of new teachings which replaced the old teachings of the *shari'ah* and its manifest practices. This statement needs to be carefully understood else it can prove to be controversial. It also necessitates that some light be thrown on the teachings of the Ismā'īlī mission. In fact apart from other things—malicious motives and all—these teachings were never properly understood by the non-Isma'ilis who accused them of being atheistic or propagative of reincarnation or similar other non-Islamic beliefs. They were also accused, as 'Ārif Tāmīr does in the above passage, of having dispensed with the trouble of observing outward practices enjoined by *shari'ah*. This is not true although it may apply to some sub-sects like the Qarāmiṭa which were disowned by the Fatimids.

We will have to examine this question closely as on it depends the correct understanding of the Ismā'īlī teachings and beliefs, and its religio-political organization. After the Abbasids came into power, the Persians, who excelled the Arabs in learning and scholarship, became associated with their empire. In fact they were the intellectual cream of that society, being greatly inclined towards philosophy, theology and similar disciplines for which the Arabs had no taste. It was for this reason that during the Umayyad period, which has been called the Arab national rule, intellectual disciplines like philosophy never acquired any popularity although the fine arts belonging to the *jāhiliyya* period like poetry, and singing were revived. But during the Abbāsīd rule (which Toynbee rightly calls the Universal State of Islam), because of the close association of the Persians, Greek philosophy acquired great currency. Moreover some Abbāsīd rulers during their hey-day spent part of the huge social surplus on translating the Greek, Persian and Indian books on philosophy, mathematics, etc., into Arabic. Thus a vast store of knowledge became available. Plato, Aristotle and other Greek philosophers became an intellectual rage. Islamic mysticism imbibed what came down from Plotinus and his Neo-Platonism. The *Mu'tazalites* were the first to see Islamic teachings in the light of philosophy. Moreover, unlike the early days of Islam, now enough social-surplus was available to sustain a class of theologians, jurists, philosophers and scribes. Translation bureaus hummed with activity. Baghdād became not only the metropolis of the Abbāsīd empire but also

an important intellectual centre of the world. Scholars, philosophers, astrologers, mathematicians of repute came there from all over the world including—it is interesting to note—India.

It is against this background that the Ismā'īlī movement should be viewed. When this movement was striking its roots in parts of Irāq and Persia, there was a great intellectual urge for assimilating the notions of Greek philosophy, there being no native Arab philosophy. The Arabs, due to scanty resources at their disposal in the desert (there was no agriculture to provide enough surplus for the growth of a civilization and the sustenance of a class of intellectuals) could not achieve intellectual sophistication and, therefore, were both physically and intellectually, very simple people. Islam, too, was a very simple faith devoid of any elaborate rituals, intellectual sophistries and theological subtleties and laid more emphasis on sense perception than intuition or speculative thought. This was quite natural for a religion originating in a desert. However, by the time the Abbāsīd dynasty established its rule, the situation had changed drastically. Islam was no longer the simple faith it used to be in the Arabian desert. The Persians who embraced Islam had intuitive and speculative minds and they saw Islam with such minds. The Mu'tazila were the first to apply the criterion of reason in presenting Islamic teachings. Tools of Greek reason were now being freely applied for defending the faith. Even the Ash'arites who were fanatically opposed to see Islam in the light of Greek philosophy had to employ those very tools to refute such attempts by their opponents. Thus hair-splitting in doctrinal differences and theological disputations became the order of the day. Mysticism too, grew side by side and due to certain socio-political conditions which we need not analyze here, acquired popularity. The mystics were influenced by neo-Platonism and its teachings and thus emanationist and immanentist doctrines became common among certain mystic schools. Islam thus soon acquired all the trappings of speculative thought. Although the orthodoxy strongly reacted against this it was hardly of any avail as the historical and social forces disfavoured orthodoxy itself.

The Ismā'īlī *a'awa* came into being in such circumstances. The organizers of this mission were well aware of the intellectual trend of their time. They sincerely desired to creatively apply Greek philosophical concepts to the teachings of Islam. The

Ismā'īlī missionaries worked out a creative synthesis of Islamic and Greek thought. What is known as *ta'wīl* and *ḥaqīqat* in Ismā'īlī jargon is nothing but the esoteric explanation of the exoteric teachings and practices of Islam. This assimilation of Greek philosophy attracted a number of eminent persons towards the Ismā'īlī movement. In course of time they became its theoreticians. Most of these theoreticians, it is important to note, came from Persia. Armed with their speculative tradition, theoreticians like Sayyidnā Ḥamīdu'd-dīn Kirmānī, Sayyidnā Mu'ayyad Shīrāzī, Ya'qūb al-Sijistānī, Abū Ḥātim al-Rāzī and others wrote many important works on esoteric interpretations of the teachings of Islam. Earlier, the ninth *Imām*, Aḥmad al-Mastūr is said to have produced an encyclopaedic work divided into 52 *risālas* on Greek philosophy and other sciences known as *Ikhwān aṣ-Ṣafā*. Among the books of the Ismā'īlī d'awa these *risālas* have a very important place. A Daudi author Shaykh Ibrāhīm aṣ-Ṣayfī says: "I have heard some 'ulamā say that the *rasāil Ikhwān aṣ-Ṣafā* are a Qurān after the Qurān and this (i.e. *Ikhwān aṣ-Ṣafā*) is the Qurān of knowledge ('ilm) as that Qurān is the Qurān of revelation and this is the Qurān of imāma as it is the Qurān of nubūwwat (i.e. prophethood)." ²⁹

It is also said that at the time the *rasāil Ikhwan aṣ-Ṣafā* were compiled there was an increasing trend among the educated elite of that society to drift towards Greek philosophy, disregarding Islamic teachings. In order to check this trend, the *Imām* felt the need to reconcile philosophy with religion. The *risālas* were distributed in various mosques of Baghdād in the later half of A.H. 300. This, if true (and there is every reason for it to be true), clearly shows the general inclination towards Greek philosophy at least in the metropolitan and cosmopolitan centres of the Abbasid empire. The Ismā'īlī mission played a very important role by attempting a creative synthesis of Greek philosophy and the doctrines of Islam and giving a new dimension to Islam. Again, it was for this reason that it succeeded in attracting the best intellectuals of its time. If *ta'wīl* and *ḥaqīqa* are carefully studied similarities with Greek philosophical concepts can be easily discovered. It was for this reason that the orthodox *ulama* vehemently opposed Ismā'īlī teachings and falsely accused Ismā'īlīs (either out of ignorance or out of malice) of having suspended the operation of the Islamic *sharī'a*, of

permitting their followers to drink and to indulge in all that Islam had prohibited and of considering it no longer necessary to offer prayers, to fast in the month of Ramaḍān or to perform *hajj* as laid down by Islam. In fact all this was not true.

The Ismā'īlīs have always believed in, and scrupulously observed, all the practices laid down by the Islamic *shari'ah*. The only "sin"—if it can be so construed—they committed, was to have seen Islamic teachings in the light of Greek philosophical concepts. Many eminent Ismā'īlī *ulamā*, right from the earliest period, have refuted these charges with all the emphasis at their command. Thus we see that the chief *da'i* of Mesopotamia and Persia, Ḥamīdu'd-dīn Kirmānī in his book *al-Kāfiya* refutes all the charges levelled against the Ismā'īlīs by a Zaydite Imām Hārūnī al-Ḥasanī. Ivanow tells us: "The author of the *Kāfiya* mentions a number of reliable and well-known Ismā'īlī books, and invites the accuser to refer to these works, and not to one which does not belong to their literature. His defence generally is an explanation of the fact that words of the sacred text of the Coran have not a mere literal meaning, and that Ismailism in no way contradicts the *shari'ah* of Islam, either in spirit or in letter."³⁰ Another eminent chief *dā'i* Sayyidna Muayyad Shīrāzī says that one who observes both *bāṭin* (the hidden, secret) and *ẓāhir* (the outward, open) together is from amongst the Ismā'īlīs whereas one who observes only one of the two without the other is worse than a dog and he is not from amongst the Ismā'īlīs.³¹ A number of such other sources can be mentioned to prove that the Fāṭimī Imāms never allowed their followers to disregard the observance of the outward injunctions of Islamic *shari'ah* although they always believed in a hidden meaning of the Quranic verses. This hidden meaning could be known only to the Imām, the highest teacher of his time and to the *dā'is* who were appointed by him, and who learned from him.

Before discussing the main teachings of the Ismā'īlīs we will deal with their organizational structure which is very important from our point of view. As indicated earlier, Imām J'afar aṣ-Ṣādiq had realized the significance of underground functioning. Maymūn al-Qaddāḥ, in all probability, was entrusted with the responsibility of organizing the underground network either by Imām J'afar himself or his son Ismā'il. It also appears that al-Qaddāḥ's descendants continued to hold high religious offices in

the Ismā'īlī *d'awa* (mission), till the emergence of *Imām* 'Abdullah al-Mahdī on the scene. At the time this religio-political mission began spreading, during the early years of the Abbasid rule, there was not much progress in developing an exclusively Ismā'īlī synthesis of Islamic teachings and Greek philosophy and neo-Platonic doctrines. The process had just begun. It is for this reason that we do not find any celebrated work on *ta'wīl* or *ḥaqīqa* during this period. The first landmark of this synthesis is, as mentioned above, *Ikhwān aṣ-Ṣafā* ascribed by Ismā'īlīs to *Imām* Ahmad al-Mastūr. Maymūn al-Qaddāh and his son 'Abdullah, in all probability, were very good organizers. They set up a network of this mission in many parts of the Abbasid empire and even outside it. They fully exploited the socio-economic conditions of the weaker sections of society to attract them towards the mission on the one hand, and the philosophical interpretations of the teachings of Islam to attract the thinking sections of the society, on the other.

Maymūn al-Qaddah also worked, as the Ismā'īlī sources indicate, as the *ḥijāb* (veil) of the hidden *Imām* and thus protected him from the prying eyes of the Abbasid rulers. Ismā'īlism, if it can be so called, evolved into a well-knit organization based on a definite religious world-view. What was the structure of this organization? Here again it must be borne in mind that primarily it was a religious mission with a political end. This mission, as we shall see later, had a definite vision of a future society. Those who joined it had some idea about this vision, although in some cases it may have been vague. For purposes of this mission the world was divided into twelve parts, each part being called a *jazīra* (usually translated as an island). It is difficult to say whether *jazīra* really meant an island. One can broadly agree with Prof. Ivanow when he says: "It appears that in this sense *jazīra* does not mean the 'island,' as it usually means, but is taken here in its basic sense, from the root j-z-r = to cut off, and therefore means 'a slice, cutting,' or a part, a section. Therefore the expression '12 jazā'ir' should be translated as the '12 sections of the world's population.' They are: Arabs, Turks, Berbers, Negroes, Abyssinians, Khazras, China, Daylam (obviously for Persia in general), Rūm (= Byzantium and Europe in general), and Ṣaqāliba (Slavs,—often confounded with Sicily). Thus this classification is partly based on geogra-

phical, and partly on ethnographical principle, and plainly belongs to the fourth/tenth c. . . ."³²

Each *jazīra* was put in charge of a *ḥujja* or a chief *dā'i*. The office of *ḥujja* is of great significance in the Isma'īlī *d'awa*. According to the compiler of *al-Fatarāt wal-Qirānāt*, al-Nātiq (the great messenger of God), and al-Asās (foundation of religion or executor of the Prophet), and *Imām* and *ḥujja* (proof) and *dā'i* (summoner) point to the five spiritual forms.³³ And in *Sarāiru'n-nuṭaqā* it is said that "The Messenger of God set up five *ḥudūd* comparable with the five of the higher (spiritual) world and they are al-Asās, and *Imām* and *bāb* (i.e., gateway) and *ḥujjat* and *da'i* . . ."³⁴ Though there is some difference between the two authors in listing the key offices, *ḥujja*, *dā'i* etc., are important posts in the Ismā'īlī *d'awa*. It did have a political significance no doubt but it also had religious importance. We also see in some books that there used to be twelve *nahārī* (i.e., daytime) *ḥujjas* and twelve *laylī* (i.e., night) *ḥujjas*. However, those who are conversant with the Ismā'īlī terminology know that *nahārī* means those who function openly and *laylī* means those who function secretly. Sometimes we even find mention of yet another office i.e., that of *Bāb al-abwāb* or *dā'iud-du'āt*. This is supposed to be the highest religious office next to the *Imām*. *Bāb al-abwāb* or the chief *dā'i* used to be in charge of the twelve *ḥujjas* of different *jazā'ir*. Each *ḥujja* had a number of *da'is* in a particular region under him. These *dā'is* organized activities in ones own region inducing people to join the only true mission left on the earth. However, in the Fatimid state, the office of *bāb al-abwāb* or *dā'iud-du'āt* did not have political assignment and had separate functions from that of the *Qāḍī al-quḍāt*. The latter performed judicial functions whereas the former discharged those of the highest religious office.

The *dā'i*, in a way played a very important role in organizing the activities of the region under his charge. He appointed in turn two more functionaries—*mādhūn* (one permitted to propagate) and *mukāsir* (one who demolishes all the arguments of his opponents). The last functionary was expected to be thoroughly versed in the religion of his opponents in order to disarm them in arguments and create doubts in their minds. Thus Kāmil Ḥusayn says that *al-mādhūn*, *al-mukāsir* or *al-da'i* are functionaries closest to neo-converts (*mustajibīn* i.e., one who responds to

the call) and that such offices cannot be held except by those who had perfect knowledge of the religion of their opponents and its weakness and that they be eloquent debators in the principles of religion.³⁵ This well-knit, clandestine organization worked very cautiously. It had, as pointed out earlier, evolved an elaborate, abstract, intellectualized and coherent system of religious doctrines. In bringing people to their fold, their *modus operandi* seemed as under: A functionary of the Ismā'īlī *d'awa* like a *mādhūn* or *mukāsir* would start debating on some principle of *shari'ah* or contradiction in the apparent meaning of a Quranic verse with a person who showed some interest in the matter and create doubts in his mind about his beliefs. He would then, in order to test his sincerity, hint at the real meaning and leave him at that with nagging doubts in his mind. The functionary thereafter would not show much anxiety to meet that person or discuss the matter with him. The respondent (i.e., the *mustajīb*), if sincerely interested, would pursue the matter with him in order to satisfy his curiosity and overcome his doubt. The functionary would evade him for some time till he became convinced of his (i.e., the respondent's) bona fides.

He would then reveal the inner meaning or explain the apparent contradiction in the teaching of the *shari'ah* or meaning of the Quranic verse. The respondent would be ushered in the presence of the *mādhūn* who would impart further knowledge of the Isma'īlī doctrines according to the capacity and receptivity of the respondent. The *mādhūn* would further screen him in order to make sure that he was not an enemy agent. After thorough screening he would be finally ushered in the presence of the *dā'ī* of that region who then extracted an oath of allegiance from him. This oath or covenant is called *mīthāq* in Ismā'īlī jargon. *Mīthāq*, it should be noted, had a religio-political significance, religious because the text of the covenant expounded the religious doctrines the respondent had to subscribe to and political because the respondent had to take a strict oath of loyalty to the supreme leader, the *Imām* and had to bind himself to certain conditions. Among others, some of the conditions were that he would never establish any contact with the enemy or any of his agents, would not pass on any secret to any other person, and would not reveal the esoteric meaning of Quranic verses to anyone other than the authorized persons. Maqrīzī and Baghādī both have given the

text of this covenant in their history books. What is extant among the Bohras today is a much later version which has undoubtedly undergone many changes. It would not be out of place to mention some parts from the extant document to give the readers an idea about its contents:

The praise be to God who created all the creatures for His worship and accepted their worship through *tawhīd* (concept of His unity) and connected belief in His unity with His obedience and He commenced His creation of all His servants with the one whom He appointed His vice-regent on the earth. . . .³⁶

Thus, beginning with a religious note, it continues:

And He created woman for man and from them spread many women and men . . . and for guidance He made the likeness of a door through which one can reach Him and a ladder on which one can climb to reach Him and a path similarly for guidance unto Him and it is trust unto Him. This covenant, this *mīthāq* is a mark of respect and honour to Him. It is for protection and exhortation for holding fast to it One who breaks it (i.e. the covenant), God will punish him and one who fulfils what he promises, God will reward him. He took the covenant from Adam and it continued (i.e., the practice of covenants) among his descendants as He says (in the Qurān), 'And verily we obtained a covenant from Adam before' and He says addressing His most worthy creature Muḥammad, His messenger (may God send His blessings on him and his family), 'And when we took *mīthāq* of the prophets and of you and of Noah, of Abraham, Moses, Jesus the son of Mary and we took firm oath from them'³⁷

In this document at least, the covenant has been given a firm religious basis and its legitimacy drawn from the Qurān itself. It is clearly stated therein that the practice of taking oaths began with Adam and it is God's precept for which you would not find any change. After the Prophet his *waṣī* (successor, executor) and after him *Imāms* whose obedience has been enjoined on human beings by God, continue to extract this oath from those who take

upon themselves to follow them willingly. Thus it is made clear in the covenant that

You have taken upon yourselves and on your necks the covenant of God—a covenant which has been confirmed and about which you will be questioned. His covenant is strong and fortified by *your willingness and pleasure and by way of inclination and not by fear*. It should not be by way of corruption, trickery or fraud nor should it be used as a ruse, flattery, or sycophancy. It should rather be with sincere intention and pure conscience and purified soul. . . .³⁸

However, once a faithful person enters this covenant and solemnly affirms his support to the movement, the element of voluntarism is replaced by the element of compulsion. The covenant assumes political character. Of course, the text of the *mīthāq* forewarned him in this respect. The party to the covenant was required to maintain all religious as well as political secrets, not to swerve from the right path and to remain steadfastly loyal to the supreme authority, the *Imām*. The text of the *mīthāq* lays down:

And you will obey him (Imam Ṭayyib or succeeding Imāms) and anyone whom he orders you to obey. You will hear him and obey him and never defy him, never cheat him or deceive him. Believe in his truthfulness and do not falsify him. Help him and do not forsake, stand firm by him and do not deviate from or change whatever comes to you from him and do not find fault with one whom he chooses as his messenger to you. You will not renounce allegiance to him and carry out commands of the Imām Ṭayyib Abu'l Qāsim Amīr al-Mu'minīn (peace be upon him) and your Imām; say yes You will love whom he loves, treat as enemy whom he declares as his enemy, fight him whom he fights with and with him who breaks the covenant be he a distinguished or a common man, near one or distant; say yes. You will not establish contact with his enemy either through a letter, message, hint, signal, sign, inclination or trick whatever the reason or cause; say yes. . . .³⁹

If anyone breaks the covenant after entering into it then

Whatever he owns from property, assets, real estate, wealth, jewels, agriculture, milch cattle, live-stock, workers, riding animals, slaves or whatever has been earned by him will be siezed and distributed among the poor, needy and indigent Muslims and nothing out of it will return to him whatever ruses he adopts; say yes. Whatever he will earn in his remaining life is forbidden to him and there is no redemption for him save his fulfilling the covenant, say yes. And every slave, male or female, who is in his possession is free in the cause of God. He has no right over them. All his wives and whom he will marry in future will be treated as divorced. This divorce will be final from which no retreat is permitted and which is pronounced at the time of menses (i.e., he cannot remarry her under any circumstances).⁴⁰

We have quoted the text of the *mīthāq* at length to bring out its significance for our understanding of the character of the *Ismā'īlī* movement. From some of the extracts quoted above it is obvious that the *dā'i* first explains what *Ismā'īlī* religion is and then the respondent either agrees or disagrees with these doctrines and accepts the religious leadership of the *Ismā'īlī Imām*. The first part of the *mīthāq* is more or less religious in character. However, once the respondent agrees to accept these religious doctrines and the leadership of the *Imām* he is made to enter into the covenant which has political significance as well. The *Ismā'īlī* movement was underground in those days and anyone joining it had not only to be properly screened but was also required to pledge loyalty to the supreme leader. This loyalty had to be absolute as it was a must for an underground movement. No one could question the authority of the Supreme leader as religiously too, he was believed to be infallible. It was also required of the person to maintain strict secrecy and have no contact, direct or indirect, with those whom the *Imām* considered enemies. Had *Ismā'īlism* been a purely religious movement without any political aspirations, it would not have needed any such carefully structured underground organization. It is the only sect of Islam which considered it obligatory for its followers to enter into a formal covenant more out of a political necessity (to guard against infiltration of

enemies) than a religious act. It is important to note that being an underground movement, the highly centralized structure was also a political necessity then. However, this centralized structure remains intact even today. Ironically, from the beginning of the twentieth century it has assumed a more authoritarian character causing many problems within the community which we will discuss subsequently. It is also interesting to bear in mind that this centralized structure produced—what is otherwise absent in all other sects of Islam—the concept of priesthood. As is well known there is no priesthood in Islam and religious functions can be performed by any layman. However, among the Ismaʿīlīs, again for reasons explained above, a concept of ordained priesthood gradually evolved which bears close resemblance—in all probability accidentally rather than by any conscious design—to the structure of Catholic priesthood. The *Imām* appoints *hujjas* for different regions with *dāʿīs* under them. *Dāʿīs* then appoint *madhūns* and *mukāsirs* and other lower functionaries and all of them derive their legitimacy not directly from the Quran, *sunna*, tradition or consensus of the community but from the *Imām*. The *Imām* is considered the absolute authority and it is he who interprets the Quran and other teachings of Islam and his authority in all these matters is considered final. The *dāʿī*, in the absence of the *Imām*, claims inspiration from him and is supposed to represent his authority.

Coming back to the point, the Ismaʿīlī *dāʿīs* spread far and wide in the twelve *jazāir*. They took full advantage of local conditions to induce people to join the movement. However, it was not that only individuals were admitted by administering the oath; more often than not, a *dāʿī* would try to convince a tribal chief or some other influential members of the tribe and through them win over the entire tribe to their side. In such cases the members of the tribe would be collectively administered the oath of allegiance. The *dāʿī* abu ʿAbd allah Shiʿī thus enlisted the services of the Berber tribes of North Africa and with their help conquered that region for the Fātimids. Similarly, the Qarāmiṭa *dāʿīs* winning over entire tribes to their side in certain areas around Kūfā established base areas from where they carried out daring raids against the Abbasids. The Qarāmiṭa, named after Ḥamdān Qarmaṭ, their chief *dāʿī* (probably appointed by *Imām* Ismāʿīl for sawād al-Kūfā), were an important sect of the Ismāʿīlī religion.

Lower Mesopotamia, though fertile, was a very unhealthy region. Large numbers of unsettled agricultural workers were attracted to this area for employment. Ḥamdān the Qarmaṭ found ready response among these hard-pressed villagers from different districts. He organized a communistic set-up and won over the sympathies of these lowly workers. Firstly, he thought of establishing a base area from where various operations could be carried out. Thus Nuwayri tells us in his book, *Nihāyat al-'Arab*:

Thereafter all the *dā'īs* gathered together and agreed that they be provided with a place (a base area) which should become their place of abode and a centre of immigration to which they (the Qarāmiṭa) could migrate and get together. They selected a place . . . from the rural surroundings of Kufa and took possession of a huge rock and constructed around it a fortification very difficult to reach, its breadth being eighty *adhr'a* (arms length), and behind it was a great trench. They completed this work of fortification at their earliest and constructed within it a great structure and brought from all places their men and women there and it was called the house of flight and this was in A.H. 277. (author's translation)

Ḥamdān evolved an excellent economic system very close to the communistic pattern and it was on account of him that the *Ismā'īlī* movement became very popular among the tribes of the Arabs. All the levies collected were brought to one place as if belonging to one family. He appointed his *du'āt* in every village so as to collect revenue from goats or ships or ornaments or property. Out of this common fund they clothed their naked and spent on them for what was needed. No one remained needy. All men worked hard to produce more and win greater respectability; the women collected their earnings from weaving and children from looking after the birds. All of them brought their earnings to the *dā'ī*. No one possessed anything except his sword or weapon. In this way many discontented tribes and *mawālīs* were attracted towards Qarmaṭians. From their fortification which served as a base area they launched attacks on the citadel of the established power. From a careful study of the *Ismā'īlī* sources it appears that the Qarmaṭians remained loyal to the hidden *Imāms* but their relations were strained after the establishment of the Faṭimid

state first in North Africa and then in Egypt. Ismail Poonawala thinks that the rift occurred after *Imām* 'Abd Allah al-Mahdī claimed the *imāmate* for himself and his ancestors. Thus he says: "One faces another complex problem in dealing with some of the early Iranian *dā'īs*—for example, al-Rāzī, al-Nasafī and al-Sijistānī—viz. the nature of their relationship with the Fatimids in North Africa on the one hand and the Qarmaṭians in Iraq on the other. Now there seems to be considerable evidence to suggest that the original Ismā'īlī movement preached the return of Muḥammad ibn Ismā'il⁴¹ as the seventh Nāṭiq, the Qā'im, the Mahdī. The change in this ideology was probably introduced by 'Ubayd Allāh (or 'Abd Allah, the later Fatimid caliph al-Mahdī) who succeeded to the leadership in Salamiyyah about the year 286/899. His claim to the *imāmate* for himself and his ancestors split the movement. Ḥamdān al-Qarmaṭ and 'Abdān, who became known as the Qarmaṭians, broke off from the central Ismā'īlī movement. This early rift affected the whole movement by splitting the various *da'wah* units in their loyalty between the Fatimids and the Qarmaṭians."⁴²

One more reason for the breach between the Ismā'īlīs and the Qarmaṭians was (though it cannot be emphasized too much) that whereas the Ismā'īlīs established their state and compromised their earlier revolutionary fervour, the Qarmaṭians continued to be revolutionary in zeal and opposed the established powers. Even when they established their state in Baḥrayn they continued to enforce their egalitarian principles. Naṣir Khusrau, himself an eminent Ismā'īlī *dā'ī*, has left a graphic description of the Qarmaṭians of Baḥrayn and their egalitarian set-up in his *Safar Nāmāh*. Muṣṭafā Ghalib also points out:

We can find out the cause as to why the Qaramatians did not coalesce with the Ismā'īlīs and why they stayed away from them. The state apparatus of the Fatimids relied on flexible politics in running the affairs of their empire and their main concern was to consolidate their gains in the first phase of their rule and to win over people to their ranks through incentives and soft policies. This is what the extremist *dā'īs* were repelled by as the soft policies were not to their liking and they thought it is gross violation of the Ismā'īlī ideology and open defiance of what the Qaramiṭa had learnt from the begin-

ning It was the opinion of the Qarmatians that the Ismā'īlī movement should continue to struggle against the Abbasids without yielding or submitting or showing indulgence till evil and anarchy are rooted out and a healthy communistic set up free of dirt and filth is established.

Further the author tells us that though the Qarmatians were sincere in their intention they erred in judging the policy of the Fatimid *khulafa* which was based on higher statesmanship and they went to extremes in opposing them and treating the Fatimids as their enemies. However, when they realized their error they joined the ranks of Fatimids and remained loyal to them till the Fatimid state declined.

Be that as it may, the Ismā'īlī movement had, due to its efficient organization, spread far and wide and was the greatest challenge to the Abbasid rulers. Soon it was to succeed in establishing its power in North Africa. Whatever the faithfuls may say, the Fatimids, in my opinion, could establish their state in North Africa because of superior organization, careful planning, proper strategy and correct tactics. We will throw some light on the history of the Fatimid rule as well as their teachings.

NOTES

¹Dr. Tāha Husayn, *Al-Fitnat al-Kubrā*, vol. II, (Urdu tr. by 'Abdul Hamid N'umānī), Ajmal Press, Bombay, .nd., p. 307.

²Dozy, *Essai sur l'histoire de l'islamisme*, pp. 219 ff. Cf. R.A. Nicholson, *A Literary History of the Arabs*, Cambridge University Press, 1969, p. 214 (Italics mine.).

³Nicholson, *op. cit.* p. 248.

⁴*Kāmil bin Athīr*, vol. IV (Urdu tr. by Maulvi Muhammad Jamilur Rahmān of 'Uthamānia University), Daruttab'a Jami'a. 'Uthmania, Hyderabad, 1922, p. 381.

⁵See Ṭabari, ii, 650, I. 7 ff., Leyden, 1881.

⁶*Kāmil bin Athīr*, *op. cit.*, p. 397.

⁷Nöldeke, *Sketches from Eastern History* (tr. by J.S. Black), pp-108; cited by Nicholson, *op. cit.*, p. 249.

⁸*Kāmil bin Athīr*, *op. cit.*, vol. V, p. 567.

⁹*Ibid.*, vol. V, p. 573.

¹⁰Philip K. Hitti, *History of the Arabs*, Macmillan, New York, 1958, pp. 286-287.

¹¹Al-Fakhiri, p. 146; quoted by Dr. Zahid Ali, *Tarikh Fatimiyyin Misr*, vol. I, Nafis Academy, Karachi, 1963, p. 57.

¹²*Subḥ al-a'shā* xiii, 226, cf P. J. Vatikiotis, *The Fatimid Theory of State*, Oriental Publishers, Lahore, 1957.

¹³Farouk Omar, "The Nature of the Iranian Revolts in the Early Abbasid Period," *Islamic Culture* vol. XLVIII No. 1, January 1974. The author has quoted *Tabarī, Tārīkh*, Leydon 1881, Vol, iii, pp. 458, 995, 1470, Narshkhi, *Tārīkh-i-Bukhāra*, p. 58, Sadighi Les Mouvements, Paris, 1938, pp. 42ff.

¹⁴Farouk Omar, *op. cit.*, p. 58.

¹⁵W. Ivanow, *Ismaili Tradition Concerning the Rise of the Fatimids*, Oxford University Press, 1942, pp. 71-72.

¹⁶*Ibid.*, pp. 73-74.

¹⁷Muṣṭafā Ghālib, *Al-Harakat al-Baṭīniya fil Islam*, Dārul Kātib al-'Arabī, Beirut, 1963, p. 71.

¹⁸Sayyidna Idrīs, *Zahru'l-ma'ani*; cf. Ivanow, *op. cit.*, pp. 232-233.

¹⁹Ivanow considers this story a "fairy tale" typical of secret esoteric works, reserved for the trusted and fully initiated few. Perhaps he thinks so on account of the way Sayyidna Idrīs has worded the story. Commenting on the reappearance of Isma'il in Baṣra he (Sayyidna Idrīs) says, "Such are the great miracles which reason and logic are unable to comprehend; they are performed by the First Reason, which is the Primal Principle of Creation. . . ." Sayyidna Idrīs's story, looking to the situational context and Isma'ili beliefs in the "secret" and "mysterious," need not be rejected.

²⁰*Zahru'l-ma'ani*; *op. cit.*, pp. 47-48; cf. Ivanow, *op. cit.*, p. 234.

²¹Muṣṭafā Ghālib, *Al-Harakat al-Baṭīniya fil Islam*, *op. cit.*, p. 78.

²²Vatikiotis, *op. cit.*, p. 12.

²³Ivanow, *op. cit.*, p. 131.

²⁴*Mustawd'a* in the Isma'ili parlance means temporary *Imām*. But this term has also undergone an evolutionary process and may not always mean temporary *Imām*. It can also be interpreted as trustee of the secret of appointment (naṣṣ) by the predecessor of his successor to the high office of *Imām*. In underground functioning a guardian of such secrets was a *must*. Literally it means "one who is entrusted with."

²⁵Sayyidna Idrīs, *Zahru'l-ma'ani*, chapter xvii, cited by Ivanow, *op. cit.*

²⁶Arif Tāmīr, 'Al-Qaramita', 86-87 of *Al-Harakat al-Baṭīniya*, *op. cit.*, p. 90.

²⁷Ḥasan Ibrāhīm Ḥasan and Aḥmad Sharf, *Al-Mu'iz li-Dinallah*, Maktaba al-Nahdah al-Miṣriyah, Cairo, 1947, p. 19.

²⁸Arif Tāmīr, 'Abqariyat al-Fāṭimiyān, Muqaddima, 1960, Manshurat Dare Maktabatul Ḥayat, pp. 14-15.

²⁹Shaykh Ibrāhīm. *Tuhfat Rasā'il Ikhwān of Descriptive Catalogue of the Faizi Collection of Isma'ili Manuscripts*, Mu'izz Goriawala, University of Bombay. 1965, p. 2.

³⁰Ivanow, *op. cit.*, p. 142.

³¹Quoted by Muṣṭafā Ghālib in *Harakat al-Batiniya fil Islam*, *op. cit.*, p. 18.

³²Ivanow, *Rise of the Fatimids*, *op. cit.*, p. 21.

³³*Al-Fatrāt wal Qirānāt*, p. 108, (author's collection).

³⁴Ḥamish Jami' al-Haqaiq vol. 11, p. 107.

³⁶Muhammad Kāmil Husayn, *al-Muayyad fid-din Da'i al-du'at*, Dār al-Kitāb al-Miṣri 1949, Cairo pp-54.

³⁸*Aḥdu'llah al-Karīm wa Mithāqihī*, M.S. folio no. 1 and 2, author's translation. The author has obtained this mss. from Mulla Ibrahimhai Chamrawala.

³⁷*Ibid.*, folio nos. 5-9; author's translation.

³⁸*Ibid.*, folio no. 27; author's translation.

³⁹*Ibid.*, folio nos. 34-37; author's translation.

⁴⁰*Ibid.*, folio nos. 48-51; author's translation.

⁴¹What the author says here, quoting Stern from *Early Isma'ili Missionaries*, about the original Ismā'ili movement preaching the return of Muhammad ibn Ismā'il as the seventh Nātiq, the Qāim, the Mahdī is debatable. It is not convincingly established. The Ismā'ili doctrines have undoubtedly undergone many changes and eminent dā'īs have differed among themselves on certain fundamental questions. At least the belief as it has crystallized later and what is held by the Bohras in India today does not agree with the proposition that the early Isma'ili believed in the return of Muhammad bin Ismā'il, the seventh Nātiq.

⁴²Isma'il K. Poonawala, "Al-Sijistani and His Kitāb al-Maqalid" in *Essays on Islamic Civilization*, ed. by Donald P. Little, Leiden E.J. Brill, 1976.

⁴³Muṣṭafa Ghālib, *Al-Harkāt al-Bāṭiniya fil Islam*, op. cit., pp. 161-162; author's translation.

2

THE ISMA'ILI DOCTRINES

In the last chapter we discussed the origin of the Ismā'īlī movement as well as various socio-political factors which helped its growth. We now propose to examine the cardinal doctrines and esoteric teachings (*'ilm at-ta'wil wa al-haqīqa*) of the Shi'a Isma'ili faith as developed by its great *da'īs*—Y'aqub al-Sijistani, J'far bin Mansur al-Yaman, Qadi al-Nu'man, Hamid al-Din Kirmānī, Muayyad Shirāzī, and others—who are considered the main architects of the various theories and interpretations of Koranic verses and Islamic teachings. These teachings are highly fascinating for speculative minds and, despite varied, and at times even contradictory, interpretations by different *dā'īs*, have a logical coherence of their own. It is a unique sect of Islam in this respect (i.e., its systematic and allegorical interpretation) and uncomparable with any other except perhaps some mystic schools which too have been influenced by neo-Platonism. But even these schools fall short of building a coherent logical structure like the one evolved by Ismā'īlīs. Coupled with the tightly-knit organization, these teachings drew a large number of people whose unflinching loyalty, devotion and perseverance produced the "disastrously" effective results. While these teachings did have a political slant (they were made use of for capturing political power by projecting the *Imām* as a religio-political figure unqualified obedience to whom was made a fundamental tenet), they were primarily spiritual in genesis and as such exercised deep influence on the great minds of that time. It is enough to

read the autobiography of Sayyidna Muayyad Shīrāzī to convince oneself of this. It depicts the trials and tribulations this great person underwent in the hostile environment of Persia to uphold his Ismā'īlī faith. While these teachings did contain, as Fyzee rightly maintains, "fanciful explanations, elements of Pythagorean and neo-Platonic philosophy and other myths, legends and philosophical speculations"¹ the total is much more than its ingredients.

We will now discuss some of the important aspects of Ismā'īlī teachings. While these teachings are, undoubtedly a creative synthesis of Islam and Greek philosophy, Islam remained the mainspring of its chief doctrines. In fact it often appears to be a far-fetched attempt to rationalize Islam in the light of Greek thought. The religious doctrines of Ismā'īlism were evolved, contrary to what is claimed by sacred literature, over a period of time. It was a historical process. Its evolution began in the latter part of A.H. 200. The Ismā'īlī exegesis, of course, claims that it is eternal and began much before Adam appeared on the scene. However, a student of history would know that the process of evolution of the Ismā'īlī doctrines began after Greek knowledge became widespread in the Islamic world. "The introduction of neoplatonic philosophy into Ismā'īlī circles," Ismail K. Poona-wala tells us, "is generally ascribed to Muḥammad ibn Aḥmad al-Nasafī (or al-Nakhshabī, d. 332/943). According to Nizām al-Mulk he was one of the distinguished philosophers and theologians of Khurasan and headed the da'wah in Nishapur. His major work, *Kitab al-Maḥṣūl*, in which neoplatonism was adapted to Ismā'īlī doctrines, caused a sharp reaction within Ismā'īlī circles and raised a bitter controversy. His contemporary, Abū Ḥātim al-Rāzī, the chief dā'ī of Rayy, wrote his *Kitāb al-Isḥāḥ* to rectify the errors in al-Maḥṣūl. He criticizes al-Nasafī with regard to some of his metaphysical conclusions, such as the precedence of qaḍā over qadar, the imperfect nature of emanation of the Soul from the Intellect, the dissociation of sharī'ah from the first Natiq, i.e., Adam. Soon after, al-Sijistani wrote his *Kitab al-Nusrah* in which he criticized al-Razi but upheld the conclusions of al-Nasafī. This, in turn, led Ḥamīd al-Dīn Aḥmad al-Kirmānī (d. after 411/1020), who is credited with the introduction of Ten Intelligences into Isma'ili doctrine, to compile his *Kitab*

al-Riyad fī al-Hukm bayn al-Sadayn (i.e., al-Islah and al-Nasrah).''²

In fact, *Kitāb Ikhwān aṣ-Ṣafa* ascribed to *Imām Aḥmad al-Mastūr* was the first systematic attempt to project Islam in the light of Greek thought and it was for this reason that this book, which is said to have been divided into 52 sections (*risālas*), is held in high esteem by the *Ismā'īlīs*. There has been a great deal of controversy about the authorship of these *risālas*, different historians and scholars holding varied views. The *Ismā'īlī* sources like '*Uyun al-Akhbar* and *Zahr al-ma'ani* of da'i Idris of Yaman have maintained that *Imām Aḥmad al-Taḳī* compiled these *risālas*. It is interesting to note what Sayyidnā Idrīs has to say about the genesis of this important work:

And then *Imām Taḳī Aḥmad bin 'Abdallāh bin Muḥammad bin Isma'il*, took charge of the *Imāmat* after his father and sent his *dā'īs* in all directions from Silmiyya. The *dā'īs* maintained contact with him and propagated his cause while concealing his whereabouts and his identity And when *Mā'mūn* (the Abbasid ruler) committed treachery on *Mūsā al-Riḍā bin J'afar* (i.e., poisoned him), he thought that the God's (chain of) command has been broken and His proof disappeared from the earth . . . and when *Ma'mūn al-'Abbāsī* thought as he strove to change the *Sharī'ah* of Muḥammad and to bring people to accepting philosophy and the Greek sciences . . . and the *Imām* feared that the people would incline towards the false decorations of *Ma'mūn's* grandfather's *shariat* (i.e. towards Greek sciences). . . he (i.e., the *Imām* compiled the *rasai'l of Ikhwān aṣ-Ṣafā*.³

Here one must bear in mind that the same author in his later book '*Zahrul'm'ānī* gives a slightly different version of this. In this later account he tells us that the *Ithnā 'asharī Imām 'Alī Riḍā* was killed by *Ma'mūn* after the compilation of *Ikhwan aṣ-Ṣafā*.

What is important for us to note here is that before *Ikbwān aṣ-Ṣafā* was compiled Greek philosophy had achieved a measure of popularity in the Muslim world and, in certain circles at least, it was thought to be a dangerous trend inasmuch as it undermined the Islamic *sharī'ah* and encouraged free inquiry. Generally it has been alleged by the Sunnite historians that the *Ismā'īlī* movement

was a conspiracy hatched by the enemies of Islām to destroy it from within. It was for this reason, it is alleged by these historians, that they resorted to Greek philosophy and promoted alien ideas. However, *dā'ī* Idrīs tells us a different tale in the above passage. We are told (and this version with certain difference of details has been reported by other eminent *dā'īs* like Qāḍī N'uman, Shara-fuddīn J'afar bin Muḥammad, etc.) that it was the 'Abbasid ruler Ma'mūn who was enamoured of Greek philosophy and who intended to replace his grandfather's (i.e., Muḥammad's) *sharī'ah* by the Greek laws which were permissive and liberal and thus Islamic *sharī'ah* was in great danger of being wiped out. Ma'mūn thought, we are further told by these *Ismā'īlī* scholars, that there is no one left from among the legitimate descendants of 'Alī (i.e., one who could uphold the truth of Islam) and that the way was clear for him to tamper with the Islamic *sharī'ah* and to dye it in any colour he wanted. But when this trend was on the ascendant, the *Ismā'īlī Imām* who was in hiding somewhere compiled the 52 *risālas* of *Ikhwān aṣ-Ṣafā* and got them distributed all over the Islamic world through his *dā'īs*. The purpose of this encyclopaedic compilation was, we are told, to prove the superiority of Muḥammad's *sharī'ah* in the light of Greek philosophy and thus to save it from being tampered with by the unscrupulous Abbasid ruler al-Ma'mūn.

What is being claimed here by the Fatimid *dā'īs* may not be improbable if seen from the point of view of their beliefs. Arabs, who came from the desert and lived with scarce means, were, by necessity, extroverts and have no tradition of speculative philosophy. Islam too bore this imprint and consequently its teachings were comparatively simple, devoid of mythology (the few instances of mythology in early Islam belong to Judeo-Christian tradition) and speculative thought and with an emphasis on external observations. More than a hundred years after the Arabs founded their empire there were enough means—and the desire, too—to enjoy the fruits of a higher culture which included philosophy and the wonderland of speculative thought. As there was no native tradition, they had to turn to Greece. Alexandria in Egypt, which was already in possession of the Muslims, was a great centre of learning and neo-Platonic and Pythagorean schools. Soon Greek philosophy became a powerful intellectual trend and everyone with intellectual pretensions had

a smattering of it. Baghdad, the Islamic metropolis, attracted great men of learning from different countries. These men of different religious and intellectual persuasions produced a liberal outlook. Islamic orthodoxy thus felt threatened, more so as the Abbasid ruler al-Ma'mūn himself encouraged a liberal trend.

Prof. Nicholson says,

The first century of 'Abbasid rule was marked, as we have seen, by a great intellectual agitation. All sorts of new ideas were in the air. It was an age of discovery and awakening. In a marvellously brief space the diverse studies of Theology, Law, Medicine, Philosophy, Mathematics, Astronomy, and Natural Science attained their maturity, if not their highest development. Even if some pious Moslems looked askance at the foreign learning and its professors, an enlightened spirit generally prevailed. People took their cue from the court, which patronized, or at least tolerated, scientific research as well as technological speculation.⁴

The orthodox circles had two options open before them—either to adopt a rigid stance in view of the onslaught from the liberal thinkers or to assimilate the new knowledge and work out a synthesis which, while retaining a core of orthodoxy, would make it acceptable to those enamoured of Greek philosophy and the new sciences. The Ismā'īlīs opted for the latter course. This is what Sayyidnā Idrīs, while commenting on the reasons for the compilation of the *Ikhwān as-Safā* says in the passage quoted above. The Ismā'īlī *Imām*, who was then in hiding, perceived a threat to the Islamic *sharī'ah* from liberal Greek sciences and, therefore, he set out to prove its superiority in the light of Greek philosophy.⁵

While to the Ismā'īlīs al-Ma'mūn's liberalism was a license against the Prophet's *sharī'ah* and hence needed to be refuted, to the orthodox the synthesis worked out by the Ismā'īlīs was unpardonable heresy and had to be rejected. It was for this reason (and also as they claimed absolute political power) that they were much reviled by their Sunnite counterparts and their teachings condemned by them as an attempt to subvert Islam from within. However, it is far from being true as we shall see shortly. The Ismā'īlīs, in my opinion, and as is also obvious from

Sayyidna Idrīs's statement referred to above, were trying to evolve a new synthesis in order to save Islamic teachings from being swept away by the new flood of knowledge. In the process a new orthodoxy was evolved which, like the M'utazalities, could not find much wider appeal among the Muslim masses as its teachings were based on reason and esoteric interpretations. In a way it was the religion of the intellectual elite and, therefore, it was also known as a T'alīmiya sect, i.e., a sect based on spreading knowledge. The whole hierarchy of the Ismā'īlī *d'awa* was based on acquisition of higher knowledge. This hierarchy remained more or less intact even after the establishment of political power and its subsequent loss. As we shall see later, the Fatimid calipha used to appoint a chief religious propagandist called the *dā'ī al-du'āt* or *Bāb al-abwāb* who held a high position and delivered religious discourses which had prior approval of the *Imām*.

With this introduction, let us now discuss the teachings of the Ismā'īlīs as it evolved over a period of time. Before we begin to discuss these teachings, some observations about the literary activities of the Fatimids will be in order. From the Fatimids we have a very rich heritage in the field of dogmatics. Much of this was produced during the earlier period of the Fatimid *d'awa*—till the death of *Imām* al-Mustanşir in A.H. 487. Thereafter it split into two separate branches. The Fatimid propaganda influenced a large number of people some of whom were great intellectuals of their time. Thus Dr. Muḥammad Kāmil Ḥusayn says:

Regarding Ismā'īlī studies and knowledge about the truth of the old *d'awa* (i.e., of the earlier period as mentioned above) ascertaining the evolution of intellectual life of Islam in the fourth, fifth and sixth centuries A.H., during these centuries the Islamic world was busy with what the (Ismā'īlī) missionaries disseminated among the people. A few people responded to them and a large number hated them. The animosity between the Ismā'īlīs and their opponents was intensified and its echo is heard among a large number of Muslim thinkers. Ibn Sīna, the philosopher was one of the *du'at* propagandist of Ismā'īlīs who grew up under their influence and Mutanabbi, the poet laureate, was influenced by Qarāmiṭa who were related to

the Ismā'īlīs. It is even said that Mutanabbi had adopted their religion and his life and poetry were influenced by them. And Abul 'Alā al-Ma'arrī was also under the influence of the Ismā'īlī environment in which he grew. He was influenced by their opinion. After his intellect matured he started doubting everything around him and chose for himself a philosophy for which he was accused of atheism. *Imām* Ghazālī was brilliant and in spite of the fact that he attacked Ismā'īlīs in his books he could not escape their influence. This becomes very clear from his book *'Mishkāt al-Anwār . . .* And those who study Islamic mysticism can, with ease, find out the influence of Ismā'īlism on the philosophy of Ṣūfīs. Ibn 'Arabī and Suhrawardī etc., were students of Ismā'īlism.⁶

However, much of this literature was destroyed. Dr Kāmil Husayn writes:

Despite the fact that the Fatimids strove to spread their mission among the people and disseminate something of their dogmas and exegetic literature which had been concealed so long, the (Sunnite) writers continued to differ in their opinion about these dogmas and the genealogy of the Fatimids. The Ayyubids who succeeded the Fatimids, let loose their ferocity and vendetta on the Fatimid libraries. They scattered all their books and threw them away near the hillocks of al-Muqattam. The pile of books looked like a mound and was known as 'the mound of books.' Thus these precious treasures of knowledge were destroyed by blind prejudice. And this is another reason why those who inherited the Fatimid mission went back into seclusion and hid their beliefs and religious books which they had derived from the Fatimid *'ulama*. These books were thus confined to a small circle and none but elders of that religion could have access to them.⁷

Fatimid Teachings

It is very difficult to cover all the aspects of the Ismā'īlī doctrines in a short space. We will confine ourselves to discussing some of its important aspects in bare outline; a comprehensive treatment would require an exhaustive treatise. The Ismā'īlī teachings are based on certain concepts. The Ismā'īlīs believe that for each

major period there is a *Nāṭiq* (a pronouncer, law-giver) who lays down the *shari'ah* for his period. The *Nāṭiq*, however, speaks in plain language (without allegorical interpretations) as he has to deal with common people. Every *Nāṭiq* appoints an *asās* (base, executor). The *asās* lays the foundation of '*ilm al-bāṭin* (hidden knowledge). For every apparent (*ẓāhir*) ritual or teaching of the *shari'ah* here is a hidden or allegorical (i.e. *bāṭin*) aspect. The *asās*, also called *waṣī*, is in possession of this knowledge and organizes its dissemination among the faithfuls (*mu'minīn*) only. This *asās* is followed by a chain of *Imāms* who organize the *d'awa* on the basis of hidden teachings. The period (*dawr*) of one *Nāṭiq* comprises six *Imāms* and the seventh one becomes another *Nāṭiq* who either proclaims another *shari'ah* setting aside the earlier one or cancelling (*t'aṭīl al-shari'a*) its manifestations (*ẓāhir*), gives it a new interpretation on the basis of hidden secrets (*asrār-e-bāṭin*). The Prophet Muḥammad was preceded by five *Nāṭiq* each *Nāṭiq* having cancelled his predecessor's *shari'ah*. Every *Nāṭiq* had his *asās* and *Imāms*. This becomes very clear when we study Imām Mu'izz's prayers.⁸

Prophet Muḥammad was the sixth *Nāṭiq* who appointed his son-in-law 'Alī as his *waṣī* and there followed after him six *Imams* up to Ismā'il bringing Prophet Muḥammad's *dawr* (period) to a close. The seventh *Imām*, Muḥammad bin Ismā'il was the seventh *Nāṭiq* who cancelled the *shari'ah* promulgated by the Prophet. However, this has been a highly controversial issue in Ismā'īlī literature. Did the seventh *Imām* Muḥammad really cancel or suspend the *shari'ah*? *Imam Mu'izz*'s words are very clear in this respect. Moreover, Sayyidna Ibrāhīm bin al-Ḥusayn who was the second *da'i mutlaq* from Yaman in his "*Kanzu'l Walad*" and Sayyidna Muḥammad bin Ṭāhir in *Al-Anwār al-Laṭīfa*, have clearly stated while referring to *Imām Mu'izz*'s prayers that *Imām Muḥammad bin Ismā'il* was the seventh *Nāṭiq* and seventh prophet whose prophethood was testified by the Prophet Muḥammad himself and that *Imām Muḥammad* cancelled the Prophet's *shari'ah* as he was the seventh *Nāṭiq*.⁹

But then does it mean that the Ismā'īlīs believe in the cancellation of Prophet Muḥammad's *shari'ah* as alleged by many Sunnite historians. There are some like Dr. Zahid Ali who believe that it was so and that it was only later that some other explanations were found to satisfy the faithfuls. Ivanow in

his *Rise of the Fatimids*, says, "If thou takest the number of Adam, his Waṣī and the Imāms of his period the last of them will be a Nāṭiq . . . Muḥammad b. Ismā'il the seventh . . . a Nāṭiq who cancels Shariat by explaining its hidden meaning . . . If Muḥammad b. Ismā'il was the one who was Nāsikh (i.e. one who cancels) of the shari'at of the sixth dawr (period), by explaining its hidden meaning,' then logically we can expect that all the Imāms, before and after him, were also seventh *Nātiqs*, because such was also their mission. Such a helpless struggle to reconcile superstitious beliefs with a philosophical theory is typical of Ismā'ili esoterism, one of its great mysteries."¹⁰ Sayyidnā Idrīs, the eighteenth dā'ī muṭlaq has tried to explain this problem of *t'atīl al-shari'ah* in *Zahru'l-m'ānī*. He maintains that all *shari'as* ended with Imām Muḥammad bin Ismā'il who encompasses all the *ḥudūd* (i.e., God's bounds or, in Ismā'ili terminology, the functionaries of the Ismā'ili d'awa's hierarchy), their hierarchy and their knowledge. He is a potential *Qāi'm* one who would initiate *dawr al-kashf*, the Ismā'ili millennium) and not the actual *Qāi'm* who is the lord of the great *qiyāma* (the last day of judgement) as there is not one but many *qiyāmas*. (It will be interesting to note that the Ismā'ilis believe in a theory of eternal recurrence as spelled out by the German philosopher Nietzsche. We find this theory in an Ismā'ili book called *Mabd'a wa m'ād* which deals with the origin, development and end of this world.) Sayyidnā Idrīs further tells us that Muḥammad bin Ismā'il is called *Nāṭiq* only because he explained the divine commands and he reached a pre-eminent position. He is, otherwise, neither a prophet nor one who accomplishes (*mutimm*). He was favoured with this position (i.e., that of *Natiq* who supersedes the *shari'ah* of his predecessor) only because he was the link between the *Imāms* of the period of concealment (*dawr as-satr*) Da'i Idrīs also tells us that Muḥammad bin Ismā'il became *Nāṭiq* only because he was the seventh *Imām* and that every seventh *Imām* has a higher position in comparison with the preceding *Imāms*.¹¹

Thus we see that Sayyidnā Idrīs tries to explain away the pronouncements of Imām Mu'izz who declares Muḥammad bin Ismā'il to be a seventh *Nāṭiq* who set aside the *shari'ah* of the sixth *Nāṭiq* i.e., the Prophet Muḥammad. He tries to convince us that *t'atīl al-shari'ah* by Muḥammad bin Ismā'il did not mean suspending it or setting it aside. It only meant that he emphasiz-

ed its hidden meaning. But for a historian who is interested in the development of human ideas there is more to it than this explanation. Dr Zāhid 'Alī is not entirely wrong in insisting that the internal evidence of early Ismā'īlī literature corroborates the theory of suspension of *shari'ah* by Muhammad bin Isma'il. It is not only consistent with the Ismā'īlī trend of thinking in the early period but also harmoniously blends with it. The t'awil (i.e. hidden or allegorical interpretation of the Qurā'n and Islamic teachings), as pointed out earlier, was based on reason, at least partly, if not wholly. Their study of history must have led them to believe that within a certain period of time, a great deal of changes take place and earlier laws (or *shari'ah*) become obsolete and are replaced by new ones. The Quran itself, in a way, subscribed to this theory. Adam to Muḥammad, there were six great prophets all of whom had their own *shari'ah* and when the next prophet came he cancelled the *shari'ah* of his predecessor. The Ismā'īlī theory fills the gap between the two prophets by the *asās* and six *Imāms* who are supposed to explain the hidden implications of *shari'ah* till it is replaced by another one by the following prophet. Again, this process did not terminate, as far as the Ismā'īlis are concerned, with Prophet Muḥammad. Muḥammad b. Ismā'il, the seventh *Imām* from the progeny of Faṭīma, the Prophet's daughter, was designated as another *Nāṭiq* and a prophet who proclaimed that his predecessor's *shari'ah* stands suspended. This was quite natural in the Ismā'īlī scheme of things as the process of history did not come to a standstill after the sixth *Nāṭiq*.

This proclamation was necessary from another point of view also. *Imām* Muḥammad bin Ismā'il's period proved to be a turning point in the history of the Ismā'īlī mission. It was, in fact, from his time that this religio-political mission took underground shape. By the time, *Imām* Muḥammad took charge of the *Imāmate*, the Abbasid revolution had consolidated itself and Persian influence in particular and Greek influence in general was being felt in the intellectual field, specially in that of theology. We see that during this period the Islamic world was undergoing revolutionary changes. Islam had to keep pace with, and adjust to, the fast-changing world. *Imām* Muḥammad had shifted his centre of activity from Madīna to somewhere in Persia consequently exposing himself to new influences. How-

ever, the concept of *t'atil al-shari'ah* does not seem to have materialized in his own life-time.

Despite the later proclamation of *t'atil al-shari'ah*, our sources do not mention promulgation of any new *shari'ah*. We do not know whether any attempt was ever made in that direction. I think there is good reason to believe that no serious attempt was ever made. All that seems to have been done was to remove the emphasis on the ritual part of *shari'ah* in the case of intellectuals of high calibre. But, in their case too, the setting aside of *shari'a* did not mean license or permissiveness. They were considered self-restrained. This becomes obvious from the Ismā'īlī concept of *shari'ah* as *siyasat al-nafs* i.e., management of soul. Sayyidna Aḥmad Nīsābūrī, in his epistle *Ithbāt al-Imāma* says that *siyāsāt* (governance, administration) can be divided into three categories i.e., *siyāsāt al-Khassah* (of special, particular category), *siyāsāt al-ḥamma* (pertaining to protection) and *siyāsāt al-'amma* (of general category). *Siyasat al-khassah* pertains to controlling or governing oneself, *siyāsāt al-ḥamma* pertains to managing or governing the affairs of ones family, whereas *siyāsāt al-'amma* means the governance of people.¹² *Siyāsāt al-nafs*, says Nīsābūrī, further means that a person should keep away from detesting habits, bad manners, bestial tendencies and deplorable lust. The people in higher grade can achieve this by self-control and assiduous cultivation whereas people in lower grade are enabled to do so by observing the laws of *shari'ah*.

Though as a logical extension of the Ismā'īlī theory of *Nāṭiqs*, it was claimed that Muḥammad bin Ismā'il—he being the seventh *Nāṭiq*—cancelled the Prophet's *shari'ah* he actually did it only in name and did not replace it with another *shari'ah* as earlier *Nāṭiqs* had done. He only emphasized its hidden meaning for superiors in the religious order. The systematic esoteric interpretation (*ta'wil*) of *shari'ah* and the Quranic verses also seems to have been worked out later, in the third century. It is interesting to note here that this Ismā'īlī theory of the coming of a *Nāṭiq* after completion of an epoch and cancelling his predecessor's laws is, in a way, the spiritual expression of historical process and social changes which, after a period of time, render most progressive laws too ineffective. The same laws need to be replaced by a new set of laws which would be in keeping with the changed conditions.

The pivotal doctrine of Ismailism is the concept of the *Imām*. The Ismā'īlī and the Ithana 'asharī are the two sects of Islam for which the concept of *Imām* remained most central. Whereas among the Ithna 'asharies no organization or functionaries developed around the personality of the *Imām* as they do not seem to have made any serious and calculated bid for power, among the Ismā'īlīs, as pointed out earlier, a careful attempt was made to build up a most efficient organization and a hierarchy of functionaries to achieve their religio-political goal. In this way it was a unique sect to have developed a concept of priesthood which is otherwise absent in Islam. According to the Ismā'īlī belief, the *Imām* is the supreme leader without whose existence the world of faithfuls cannot exist. "In contrast to prophethood," says Vatikiotis, "and *wiṣāya*, the position of a 'designated heir,' the imama is a permanent institution in the world. Its permanence (*istimrār*) is part of its nature. The *Imām* is not a mere temporal executive enforcing the sacred law among the community of believers and adjudicating their disputes. He is rather an heir to prophet's 'ministry' and a proof of God on earth. As the rightful heir of the prophetic mission, he possesses and knows the esoteric meaning of the 'Book' and its interpretation, *ta'wil*. Thus, the *Imām* rules and guides in the name of God"¹³ As according to Ismā'īlī theory there could be only one *Nāṭiq* and one *asās* in a particular *dawr* (period) and a number of *Imāms* following one after the other, the institution of the *Imāmate* became most central to it. The whole legitimacy of the Ismā'īlī movement was built around it. In fact, the concept of *Imām* became so vital to it that the concept of every seventh *Imām* being *Nāṭiq* was not given the importance it deserved after applying it to *Imām* Muḥammad b. Ismā'il. Also, Ḥamīd al-Dīn Kirmānī, Aḥmad Nisābūrī, etc., wrote several books to prove the necessity of *Imām*. Aḥmad Nisābūrī in his *Ithbāt al-Imāma* says

Confirmation of *Imām* is a confirmation of *risālat* (i.e. prophethood) and the confessor of *Imām* is a confessor of *risālat*. But all those who confess *risālat* do not necessarily accept (the doctrine of) *Imām*. Undoubtedly confirmation of prophethood is dependent on it (i.e., on the confirmation of *Imāmate*) alongwith those who are outside the abode of Islām (i.e.,

even non-Muslims need guidance from the *Imām* to be led to the confirmation of prophethood) and confirmation of *Imāmate* is in need of confirmation of prophethood along with Muslims who are nearer *mu'mīnīn* (i.e., the faithfuls who accept *Imāmate*).¹⁴

Thus it can be seen that the concept of *Imām* is the cornerstone of the Ismā'īlī religion. Ismā'īlīs believe that at no period of time can there be no *Imām*, though there can be a period without prophethood. In fact a prophet proclaims *shari'ah* (a prophet can also be an *Imām* before proclaiming *shari'ah* and the *Imāms* after him enforce it till a new *Nātiq* appears on the scene with a new *shari'ah*). Also, along with *Imāmate*, the concept of *hudūd* (i.e. limits, bounds of God or the spiritual hierarchy of functionaries in the Ismā'īlī terminology) is highly significant in Ismā'īlī religion. These *hudūd* include, among others, 'Ashir-e-mudabbir (i.e. the tenth Intelligence who manages or runs the affairs of this universe (we will discuss this in more detail later), *Nātiq*, *asās*, *Imām*, *hujjat*, *dā'i*, *ma'dhūn*, *mukāsir*, etc. In fact, according to some of the Ismā'īlī books like *Mabd'a wal-m'ad*, the real meaning of *tawhīd* is recognition of these *hudūd*. Without recognizing these *hudūd* one cannot really believe in *tawhīd*. This brings us to the question of the concept of God in the Ismā'īlī religion. It is the only Islamic sect which nearly touches the boundaries of agnosticism with its statement "*lāy'alamu mā huwa illā huwa*" (i.e., no one knows what is He except that He is). He is also called *mubd'i awwal* (i.e., first creator). Sayyidna Muayyad Shīrāzi says in his *Majālis-e-Muayyadiya* that real knowledge of (God (*haqiqat al-m'arifa*)) is denial of any knowledge of Him and the best attribute of God is denying all attributes.¹⁵ According to the Fatimids the real meaning of *tawhīd* (unity of God) is denuding God of all attributes.¹⁶ Thus we see that for the Fatimids *tawhīd* means elevating God above all possible attributes which, generally, people ascribe to Him. These praises or attributes imply peers or opposites; for example, if we say God is alive (*hayyūn*) it has certain implications: living is essence of life and if God is alive eternally (i.e., does not die) and man is alive but is subject to accidents of life, it means life is something that man shares with God and to be alive is to be opposite of being dead and this is a contradiction (and God can-

not be subject to contradiction).¹⁷ The Fatimids maintained that those who believe in the attributes of God are concealed polytheists (*mushrikīn*) and they quoted a tradition of the Prophet in their support that polytheism in *myumma* (nation, people) is more concealed than the crawling of an ant on a rock on a dark night.¹⁸ It is narrated from 'Alī that when he was asked about *tawhīd* he replied that *tawhīd* meant that one should not conjecture about Him. He is also reported to have said that to describe Him was to liken or compare Him, to praise Him was to misrepresent Him, to point at Him was to exemplify Him, to be silent about Him was to be an atheist and to imagine about Him was to estimate Him and to talk about Him was to limit Him.¹⁹ Thus it can be seen that among the Fatimids the concept of *tawhīd* is very different from other Muslims and like M'utazila they interpret allegorically those verses of the Quran which describe the attributes of God, i.e., *asmā' husna* and consider all those who believe in these attributes of God as concealed polytheists. The attributes of God, the Fatimids maintain, described in the Quran do not apply to Him but they point to various higher spiritual and lower corporeal functionaries of the hierarchy (i.e., *hudūd*). One can obtain the knowledge of God only through these *hudūd* and by invoking these attributes one does not invoke God but the spiritual and corporeal *hudud*. Sayyidna Mu'ayyad says that one cannot sincerely subscribe to *tawhīd* without subscribing to belief in *wiṣaya* (the office of executor of the Prophet) and *Imam* as they are important corporeal functionaries (*hudūd*) of God on earth. Faith in these *hudūd* distinguishes a faithful (*mu'min*) from a Muslim.

Another important Ismā'īlī dogma which has been obviously borrowed from Greek sources is of *ibdā'a* i.e., creation (literally, making something new). The dogma of *ibda'* belongs to the realm of '*ilm al-ḥaqīqa*' and is taught only to those who have reached higher grades of learning. This dogma entails the Ismā'īlī theory of creation of universe. According to it the first thing to be created was '*aql*' (Intelligence). The Fatimids agree with the Greek philosophers that the first thing to come into existence was '*aql*' but they differed with them on the mode of its coming into existence. Did it flow from Him as maintained by the neo-Platonists or was it a result of creation *ibda'*? The Fatimids themselves differed in their opinion. Ikhwan aṣ-Ṣafā, for example,

followed neo-Platonists as they said, “ ‘*Aql*, which is first of all that exists, flowed from the goodness of God.”²⁰ But Ḥamīd al-Dīn Kirmānī argued with those who did not agree with the theory of *ibdaʿ*. He says in the *Rahat al-ʿaql* that it is in the nature of *fayḍ* (i.e., overflowing) that it is of the same substance from which it flows and it partakes of it For example the light which flows from the Sun is nothing but part of the Sun itself from which it flows as the essence of the Sun is found in it and there is no difference between the two in this sense. Thus the origin of the flow becomes multiplied, being part of it and not distinguished from it by anything else. It is constituted by two things; the thing which is part of it and is not separate from it and the thing which is separate from it. Had this difference not been there it would not have been possible to say it is different from this and this is different from that. It (the theory of *fayḍ*) necessitates that God, glory be to him, if it flowed out of Him, comes under this category (i.e., the substance flowing from it and multiplying). God is above the attributes of being multiplied or scarce and thus the theory of He being constituted by two things gets falsified as also the theory that what came into existence flowed from him. Nothing exists in this universe but by way of *ibdaʿ* (i.e., creation by God and not as flowing from God).²¹

Another important element of the Fatimid belief-system is the theory of *mathal* and *mamthūl*, i.e., for every corresponding corporeal appearance there is higher spiritual or super-sensible form (called *mamthūl*). Sayyidna Muayyad says in his *Majālis* that God designed the wise system of universe in such a way that whatever He created consists of *mahsus* (i.e., that falls within the realm of senses) and *mʿaql* i.e., the realm of intellect or super-sensible) and *mathal* and *mamthul*.²² Dr Kamil Husayn says:

The theory of *mathal* and *mamthūl* is the basis of the Fatimid belief in *taʿwīl* and all the rituals of religion; not only were all the sessions of (discourses in) wisdom themselves based on comparison between *shariʿah* and *ʿadq* (i.e., higher spiritual realm) and extracting examples from religion and applying them to creation and extracting examples from material world and applying them to religion i.e., in these sessions (on religious discourses) they used to apply their theory of *mathal*

and *mamthūl*. [Commenting on this theory he further says] the theory of *mathal* and *mamthūl* is not a creation of the Fatimids but is an old theory referred to by Plato repeatedly in his books and criticized by Aristotle who did not accept it. Plato, in many of his sayings, used to indicate that for whatever exists here there are (corresponding) abstract forms in the celestial world and at times he calls it the ideal form and this form does not deteriorate, nor can it be wiped out, but is permanent. What deteriorates and gets destroyed is what is existent here on earth.²³

Fatimid Cosmogony

The theory of the origin of the universe too has been more or less derived from the Greek sources. But it is creative assimilation rather than mechanical application. We find this theory systematically propounded in an epistle called *Risāla al-Mabd'a wa al-Ma'ad*. According to this *risāla* al-Mubd'i al-Awwal (the First Creator) created '*alam al-ibd'a*, a world which consisted of illuminated forms (*ṣuwar al-nūrāniya*) so numerous that they can't be counted at one go. To begin with, all these forms were equal in rank without any distinction. Then one of these images (*ṣura*) cast a glance over all these illuminated forms and over itself and after initial wonderment acknowledged the glory and greatness of its creator. This act of acknowledgement gave it precedence over all others and it came to be designated as 'Aql al-awwal (the First Intelligence). This was followed by two others who, similarly, not only acknowledged the greatness and glory of the First Creator but also the precedence of 'Aql al-awwal over them as it was the first to recognize the greatness of its creator. Seven more thus responded to the greatness of their creator and earned precedence over other 'Uqul and were called *sab'at al'uqul*. Those who refused to acknowledge either the greatness of the first creator or the precedence of other Intelligences were degraded and turned into darkness. The one who repented was rehabilitated but was given the tenth position. It was called 'Āshir-e-Mudabbir or 'Āshir al-'uqūl (i.e., the Tenth Intelligence or administrator of this world). In the Fatimid cosmogony it is considered the duty of 'Āshir-e-Mudabbir to bring back to light those who, on account of their dissidence, turned into darkness. Mubd'i awwal (i.e. the First Creator or God) created 'Uūql

(Intelligences) or the spiritual realm and those of this spiritual realm acknowledged His authority, His greatness or His glory retained their light and those who refused turned into darkness. The matter was created from this stuff by Āshir-e-Mudabbir. Our material universe was created by Āshir-e-Mudabbir and it is he who runs the affairs of this universe. It is his duty to refine this matter and bring it back to a spiritual state. Mubd'i awwal has no role in it. What generally is referred to as God by the people is this Āshir-e-Mudabbir.²⁴

The Fatimids point out that the contradictions of our world arise on account of this process of refinement. Suffering and evil are products of this process and responsibility for all this is to be assigned to Āshir-e-Mudabbir and not to God (i.e., the First Creator). The Ismā'īlīs used to question their respondents in the early stages as to how—God being just and merciful—there is so much evil and suffering in the world. Does it not detract from His mercy and justness? Then in the higher grades they used to explain it away by saying that it is 'Āshir-e-Mudabbir who is responsible for the affairs of this universe and not God who is referred to as Mubd'i awwal. The *Mabd'awa Ma'ād* also propounds the theory of cycles. Each cycle begins with the coming into existence of Adam and ends with rise of Qa'im al-qiyyama (i.e., the lord of the day of resurrection). In each cycle a particular quantum of matter is refined and reaches back into the fold of the spiritual realm. Thus many Adams have been born and will continue to be born and these cycles will go on repeating themselves till all matter is refined. Those men and women who owe allegiance to Allah's *ḥudūd* (functionaries of spiritual heirarchy) will rise to '*ālam al-ibd'a*' and would thus attain salvation. Those who don't will remain *kathīf* (heavy) and not rise. By accepting the authority of *ḥudūd* men become *laṭīf* (light, refined) and consequently rise. It is the duty of 'Āshir-e-Mudabbir to supervise this process of refinement which will continue till everyone comes back to the fold of 'Āshir-e-Mudabbir. Then the material universe would cease to be. These cycles will then come to an end.

Thus we see that the Fatimid cosmogony is a curious mixture of Greek philosophy, ingenious imagination and a creative synthesis of various elements both real and fictitious. The running thread in this theory is acknowledgement of *ḥudūd* which is

nothing but an ordered hierarchy in order to ensure complete obedience of the faithful to the *Imām*. The circumstances in which this movement came into being heavily influenced all its theories. Be it cosmogony or other beliefs like *walaya* (love, devotion), everywhere emphasis is on loyalty and devotion to authority. The key element of the Fatimid belief system is *walaya* i.e., sincere friendship with or devotion to the house of the Prophet to which the Fatimid *Imāms* belonged. They cited the Quranic verse, "Say, I ask not of you, for this my preaching, any reward, except the love of my relations," as a proof. Sayyidna Qādī al-N'uman, in his book, *D'ā'im al-Islām* has written a complete chapter on the necessity of love and devotion to the house of the Prophet and has quoted a number of traditions from *Imām* Muḥammad al-Bāqir and *Imām* J'afar aṣ-Ṣādiq to prove that the above-quoted verse of the Quran was meant for them (i.e., the *Imāms* from the progeny of Fāṭima.²⁵ Also, Qādī N'uman tells us: "The Righteous *Imāms*, the blessings of God be on them, and His mercy and His charismatic favours (*barakāt*) are only creatures of God the Glorious, and His bondmen, especially selected among others. God has ordained that persons living during the time of each *Imām* should obey him, and accept his commands absolutely. God has constituted the *Imāms* the Guides for mankind, and the Reasons (*adillā'*) for His existence. He has equated obedience to the *Imāms* with obedience to Him and His Prophet in the Koran. The *Imāms* are the Proofs of God and His representatives on earth."²⁶

No other sect of Islam demands such absolute devotion to persons belonging to a lineage. The other sects of Islam, including the Ithna 'ashari sect, are far more democratic in the sense that the religious authority, as far as these sects are concerned, is not vested with one person. The '*ulamā*' of these sects hold different opinions and these differences are not looked down upon. Whereas, among the Fatimids, such differences are ascribed to erroneous interpretation of the Quran and *shari'ah* and are, therefore, discouraged. The *Imām*, who is considered infallible, is regarded as a final authority in all such matters and his word is considered as final. But these *Imāms*, except a few, did not compile books on *shari'ah* or esoteric sciences (hidden meaning of the Quran or *shari'ah*). They only approved what was written by their chief *dā'i* or *dā'i al-du'āt*. Most of the Fatimid books on

fiqh (jurisprudence) or esoteric sciences have been compiled by these chief *dā'īs* or *hujjas* like Qādī N'umān, Muayyad Shīrāzī etc. These *dā'īs* have also differed with each other and in some cases these differences resulted in polemics. So it would not be correct to maintain that, like the Sunnites, there have never been differences among the Fatimid '*ulamā*. But, what is certain, is that there has been much more cohesion among them compared to other sects. Also, as far as the *fiqh* (jurisprudence) is concerned, there has been near unanimity among them as no one has deviated from Qādī N'umān's *D'ai'm al-Islam*.

Tā'wīl

Another most important element—in fact its forte—is the Ismā'īlī belief in *tā'wīl* (esoteric interpretation). *Tā'wīl* provides great latitude to the intellectual elite of this sect by lessening the rigors of orthodoxy and giving comparatively more freedom of interpretation. Belief in *tā'wīl* enabled the Ismā'īlī intellectuals to integrate or assimilate certain ideas and concepts of Greek philosophy and give new interpretation to the Quranic verses and the Islamic *shari'ah* *Tā'wīl*, it can be said without exaggeration, at that point of time in Islamic history, provided a forward impulse and opened new vistas. However, this intellectual discipline, which had revolutionary potential (it did revolutionize and even dominated the trend of thinking at least among Muslim intellectuals during A.H. 300 and A.H. 400) was soon reduced to barren speculative exercises. As explained earlier, the Greek philosophy, by laying emphasis on reason and logic, exercised progressive influence over the Ismā'īlī movement which creatively assimilated it. The Ismā'īlīs found religious justification for *tā'wīl* in the Koranic verse—No one knows its *tā'wīl* (i.e., the esoteric meaning of the Quranic verses) except God and those who are confirmed (*rāsikhūn fil 'ilm*) in knowledge. Of course, it would be futile to expect uniform interpretation; some basic principles were commonly adhered to and the whole structure of *tā'wīl* was built on this foundation. Thus we see that different authorities, despite their varying interpretations of the Quranic verses would interpret them in such a way as to conform to the theory of *hudūd al-lāh*.

It will be interesting to note some instances of esoteric interpretations. The Ismā'īlī faith is based on seven pillars (*d'ai'm*)

and their exposition. Qādī N'umān's book *D'āi'm al-Islam* is based on these seven pillars. He also wrote *Ta'wīl al-D'āi'm* to explain the hidden meanings of these seven pillars. The first of the pillars is *walaya*. Its *mathal* (ideal example) is Adam. He was the first whose *walaya* (devotion) and *wilaya* (authority) was made obligatory and God ordered his angels to prostrate before him (thus devoting themselves to him and accepting his authority). He further tells us that there is no escape from devotion to Adam and his successors i.e., all the prophets, their *awṣiya* (executors) and *Imāms*. The second pillar is *ṭahārat* (purity, cleanness). In *tā'wīl* it is likened to Nuḥ (Noah). He was the first to receive God's mandate to purify and cleanse mankind of its sins. Thus we see that *ṭahārat* does not mean physical cleanliness, but ridding ones soul of all impurities. The third pillar is *ṣalāt* (prayer) and it points to the third great prophet Ibrahīm (Abraham). It was Abraham who built the mosque at Mecca (called bait al-ḥarām). And *zakāt's mathal* is Mūsā (the prophet Moses). He was the first prophet to have been ordered by God to purify (*yazakka*). The sixth pillar, *ṣawm* (fasting) points to the prophet 'Īsā (Christ). Christ's mother, Mary, was asked not to talk with people; she had vowed to observe a fast so she would not talk. Moreover, Christ never went near a woman, as a fasting person has to avoid going near a woman. Similarly Muḥammad, the Prophet of Islam, has been likened to *ḥajj* (pilgrimage) as it was he who fixed its rituals. *Hajj* is the last of those things made obligatory by God and he is the last of the Prophets. Now there remains from the pillars of Islam *jihād* and it is indicative of the seventh *Imām* who happens to be the seventh of the group of seven *Imāms* and he is also the *Ṣāhib al-Qiyāma* (lord of the day of judgement).²⁷

Again we read in *Ta'wīl al-D'āi'm* that *ṭahārat* apparently means performing ablutions or the ritual bath (*wuḍū* and *ghusl*) or *tayammum* i.e., ablution applying soil but in reality it means purifying one's soul by acquiring '*ilm al-ḥaqīqa*' (i.e. the knowledge of ultimate reality). As ablutions or a bath removes impurities of body, knowledge removes the impurities of soul. Quoting the Quranic verse in which it is said that the God sends forth rain from skies in order to purify you, Qādī N'umān says that here rain-water means '*ilm* (knowledge).²⁸ Also, different *dā'īs* have attempted different interpretations of various Quranic

verses. Sometimes these interpretations are at variance with each other depending on the situation in which interpretation is being attempted. However, many interpretations are made with a view to justify the structure of the *d'awa* (i.e., religious mission of the Fatimids). Thus the Quranic verse from the chapter called Yāsin, "It is not expedient that the sun should overtake the moon in her course: neither doth the night outstrip the day, but each of these luminaries moveth in a peculiar orbit"—is interpreted by Sayyidna J'afar bin Maṣṣūr al-Yaman as follows: Sun here means *Imām* and moon *ḥujja* (i.e., proof). It is not expedient or desirable for the *Imām* to follow up or overtake his *ḥujjat* unless he establishes the hidden mission (*d'awat al-batin*) as the sun does not appear in the sky along with the moon. Night does not precede day means the hidden mission ought not to outstrip the open mission i.e., *ẓāhiri d'awa*.²⁹ The Fatimids believe that a *Nāṭiq* (speaker) first proclaims an open mission and is then followed by *asās* i.e., one who lays the foundation of the *bāṭinī* (hidden) mission. Sayyidna J'afar bin Maṣṣūr al-Yaman tells us in the same book that K'aba (the mosque in Mecca) is like Muḥammad who is *Nāṭiq* whereas the *ḥajar* (i.e., the stone revered by the Muslims) is like 'Alī who happens to be his *waṣī* (executor). There are seven circumambulations between Maqām and Rukn. Maqām is likened to Muḥammad and Rukn to 'Alī. And the seven ambulations are indicative of seven gradations (*marātib*) that call to the mission of Muḥammad and 'Alī.³⁰

Thus we see that the Fatimid *du'āt* (summoners) and other religious functionaries interpret the Koranic verses and Islamic rituals and teaching as to reinforce the Ismā'īlī *d'awa* and its structure which was evolved in certain historical circumstances. To begin with, as it happens with every revolutionary movement, it was not only a great challenge to the Abbasid power but also a progressive intellectual movement which believed in the creative assimilation of the Islamic and non-Islamic teachings thus widening the scope of Arabian Islam and enriching it with non-Arabic thought. But after capturing power it became another establishment and lost the revolutionary elan of its earlier days. It was, perhaps, for this reason that the Qarāmiṭa remained committed to the earlier revolutionary elan of the Ismā'īlīs and found it difficult to re-adjust to the Fatimids in their new role as rulers, and the ostentation, political intrigues and conspira-

cies accompanying the role. However, it must be admitted in fairness to the Fatimids, that their religious establishment i.e., *d'awa* had not only a separate identity but was also autonomous.

Lastly, there is the much-debated and controversial question of Ismā'īlī belief in practising *shari'ah* like other Muslims. There is a school of thought which believes that Ismā'īlīs believed in *batini asrar* (hidden secrets) of *shari'ah* and did not consider it obligatory to follow the injunctions of *zahiri shari'ah*. Many western scholars like Prof. Nicholson compare it with a sort of free masonry by pointing out various grades through which a respondent had to pass. In the higher grades, these scholars think, the obligation to follow *shari'ah* was done away with and they became free thinkers. However, *shari'ah* continued to be followed at lower grades. There seems to be great deal of confusion in this regard. Ismā'īlīs themselves had split into a number of sub-sects many of which were at variance with each other. Some of these did believe in *shari'a* having been set aside and it was no longer obligatory in their case to follow it after the *bāṭinī d'awa* had been established. Some of these sects exist even today and continue to hold such beliefs. Some scholars maintain that even Fatimids, whom the Bohras of India follow, believed in the abrogation of the *shari'ah*. Dr Zāhid 'Ali quotes a soliloquy by the fourteenth *Imām* Mu'izz in which he is said to have pronounced the abrogation of the *shari'ah* by the seventh *Imām* Muḥammad bin Ismā'il. He, on the basis of this soliloquy, argues vehemently that the Ismā'īlī (and also by implication the Fatimids) believe in the abrogation of the Prophet's *shari'ah*. However, Dr. Zāhid 'Ali may be right in the literal interpretation, but the matter is not as simple as he assumes. I have already referred to the intellectual basis of the Ismā'īlī doctrine of revision or renewal of *shari'ah* after every seventy *Imām* assumes the reigns of *Imāmat* (and it is for this reason that some Muslim historians as well as some western orientalists have described them as seveners). But this revision or renewal did not necessarily mean its literal or actual revision or abrogation (there is no evidence of any new *shari'ah* having been propounded replacing the old one by any of these Ismā'īlī *Imāms*); all it meant was its re-interpretation in a way which reinforced the authority of the *Imām* and his *d'awa*. It is primarily for this reason that we find different or even contradictory interpretations of the same

Quranic verse of injunctions of the *shari'ah* depending on the situation (political as well as social) obtaining at the time of a particular *Imām*. Also, the Faṭimid *Imāms* ruled over a country where majority of the population followed the Sunni orthodox faith. For them any attempt to abrogate *shari'ah* was nothing short of sacrilege. But this should not lead us to think that the Faṭimids followed *shari'ah* as the situation compelled them to do so. It was, in my opinion, an integral part of their belief. Even persons like Sayyidna Mu'ayyad Shīrāzī, Hamīd al-Dīn Kirmānī etc., who are considered as the pillars of *ta'wīl* (esoteric interpretation) always emphasize in their writings that it is absolutely necessary to observe *ẓāhir* (open teachings of *shari'ah* without which *bāṭin* (hidden or esoteric aspects) has no significance at all. It is for this that the *'ulama* as well as the laity among the Dawoodi Bohras have so far always observed the teachings of Islamic *shari'ah* meticulously. Only lately, under the influence of western thought has the new generation started neglecting these teachings. This is not to deny the fact that there have been some sects among the Ismā'īlis like the Qaramīṭas or Āghā Khānīs of India who have held the belief that the *shari'ah* was abrogated and hence it was no longer necessary to follow it. But this certainly does not apply to Bohras who have upheld belief in the validity of *shari'ah*. We read in the *al-Majālis al-Mustaṣariya*, one of the revered books of Bohras, that *ẓāhir* (apparent, manifest) and *bāṭin* are like body and soul and when the two combine advantages flow and purposes are recognized. Soul perceives what is in the world through the senses and thus through the existence of creation attains the knowledge of the creator.³¹ Thus we see that in observing *ẓāhir* *shari'ah* despite their belief in its esoteric interpretation, the Bohras are hardly different from other Muslims. Also, unlike the Ithana 'asharī shi'as, they reject the concept of the *muta'* marriage (i.e., temporary marriage)

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¹Asaf A.A. Fyzee, *The Book of Faith* from *Da'aim al-Islam* of Qādī al-N'uman b. Muḥammed al-Tamīmī, Nachiketa Publications Limited. Bombay, 1974, p. xi.

²Ismail K. Poonawala, "*Al-Sijistānī and His Kitab al-Maqālid*", in *Essays on Islamic Civilization*, Donald P. Little and Leiden E.J. Brill, ed., 1976, pp. 278-279.

³Sayyidna Idrīs, *'Uyūn al-Akhbār* vol. IV p. 229 (Manuscript from the author's collection); (author's translation).

⁴R.A. Nicholson, *A Literary History of the Arabs*, Cambridge University Press, 1930, p. 367.

⁵There has been great deal of controversy about the authorship of these epistles. Ismā'īlīs, with good reasons of course, believe that these *rasā'il* (epistles) were compiled by Imām Aḥmad al-Mastūr and some of his *dā'īs*. Though there is no specific mention of this in the books or literature written during the Fatimid rule, the later Yamanite *dā'īs* ascribe their authorship to Aḥmad al-Mastūr. Dr. Ḥusayn Hamdānī al-Y'aburī in his *Balḥith Tārīkhī fi Rasā'il Ikhwan as-Safā* has adduced internal and external evidence to show that they were compiled by Ismā'īlī authors.

⁶Dr. Muḥammad Kāmil Ḥusayn, Muqaddima, *al-Majālis al-Must-anṣariya* Dar al-Fikr al-'Arabī 1974, pp. ix-x; (author's translation).

⁷*Ibid.*, (author's translation).

⁸See Dr. Zahid 'Alī, *Hamare Islam'ili Mazhab ki Haqiqat Aur Uska Nizam*, Nami Press, Hyderabad, 1954, p. 92.

⁹See *Kanzul-walad* of Sayyidna Ibrāhīm bin Ḥusayn al-Ḥamidī, chapter xi, pp. 500-501, and *al-Anwār al-Latifa*, section v, chapter 11.

¹⁰W. Ivanow, *Ismaili Tradition concerning the Rise of the Fatimids*, Oxford University Press, 1942, p. 245; cf. *Hamare Isma'ili Mazhab ki Haqiqat Aur Uska Nizam*, *op. cit.*, p. 106.

¹¹Sayyidna Idrīs, *Zahru'l-m'ani*, cf. Dr. Zahid 'Alī, *op. cit.*, pp. 102-103.

¹²Sayyidna Aḥmad Nisāburī, *Ithbāt al-Imāma*, manuscript of A.H. 1373 copied by Ibrahim bhai Shaikh 'abd al-Qayyūm.

¹³P.J. Vatikiotis, *The Fatimid Theory of State*, Oriental Publishers, Lahore, pp. 29-30. The author has quoted *Taj al-'aqa'id* and *Rahat al-'aqd* of Kirmānī on the concept of Imāma.

¹⁴Sayyidna Aḥmad Nisāburī, *Ithbāt al-Imāma*, *ibid*, folio no. 4, (author's translation).

¹⁵See *Majālis al-Muayyadiya* by Sayyidna Muayyad Shirāzī (Manuscript in the author's collection).

¹⁶*Ibid.*

¹⁷*Majālis al-Muayyadiya* vol. 1, p. 104, (author's collection).

¹⁸*Ibid.*, vol. 1, p. 104.

¹⁹Alī bin Muḥammad b. walīd, *Risāla Jilā al-'Uqūl*, Manuscript no. 25433, quoted by Dr. Kāmil Ḥusayn in *Dīwān al-Muayyad fi al-Dīn*, *op. cit.*, p. 90.

²⁰*Ikhwānaṣ-Safa*, vol 111, p. 4, published from Bombay; (author's translation).

²¹Ḥamid al-Dīn Kirmānī, *Rāḥat al-'aql*, pp. 278-279, (author's collection).

²²*Majālis al-Muayyadiya*, vol. 1 p. 84.

²³Dr. Muḥammad al-Kāmil Ḥusayn, *Dīwān al-Muayyad*, *op. cit.*, p. 108. For Plato's theory the quotes *risalah Kitab al-Jam'a bayna rai' al-Hakimi-ayn* of al-Farābī, pp. 31, (author's translation).

²⁴The account given above and what follows has been taken from *risālat Mabd'a wa-Ma'ād*, (author's collection).

²⁵Sayyidna Qādī al-N'ūman, *'D'aim al-Islām*, (Urd. tr. by Maulana Yunus Shakeb Mubārak Pūri) Vol. 1, Idara Adabyat-e-Fatemi, Surat, nd., p. 122.

²⁶*The Book of Faith*, *op. cit.*, p. 54.

²⁷See Sayyidna Qādī N'ūman's *Ta'wil al-Da'aim al-Islām* (author's collection), p. 54.

²⁸*Ibid.*, Majālis v. vol. p. 78.

²⁹Sayyidna Jāfar Manṣūr al-Yaman *Kitāb al-Shawāhid wa al-Bayān*, (author's collection).

³⁰*Ibid.*

³¹*Al-Majālis al-Mustanṣariya li al-Dā'ir* Thiqat al-Imām 'Alam al-Islām. Taḥqīq Dr. Muḥammad Kāmil Ḥusayn, *op. cit.* Ist Majlis, p. 27.

3

THE FATIMID STATE AND ITS POLICIES

The Ismā'īlī movement, from the very beginning, had political ambitions and was organized with a view to wrest power at an appropriate moment. As it was not possible to challenge the mighty Abbasid rulers openly, an underground network was spread throughout that empire especially in its most vulnerable areas. As explained in the previous chapter the *Imām*, according to the Ismā'īlī doctrine, constituted the highest authority and hence he alone could be a legitimate ruler, all others being mere usurpers. This was not only an excuse for grabbing political power but a sincere belief with all the Shi'a sects. Whereas other shi'a sects could not evolve an effective organization to become a real challenge to the Abbasid rulers, the Ismā'īlīs did. They succeeded in establishing their power after decades of underground work which tested their patience, sagacity, endurance, shrewdness and ability to chalk out political strategy to the maximum. The *Imāms* maintained strict secrecy about their identity so much so that despite their powerful intelligence network, the Abbasids could not succeed in tracing any of them (i.e., the Fatimid *Imāms*). These *Imāms* lived in disguise, mostly of rich traders, and kept shifting from place to place in order to avoid the rulers' suspicion. Wherever they lived they maintained good relations with provincial governors by giving them rich presents and projected themselves as rich and influential traders.

The Fatimids took every possible precaution in whichever town they lived. A careful study of their literature makes this

obvious. J'afar, a slave of *Imām* al-Qā'im who later achieved an eminent position (not very uncommon for slaves in Islamic empires) wrote his autobiography called '*Sirah J'afar*'. There are many interesting incidents in this book. Describing an incident J'afar tells us:

A day or two later al-Mahdī (the 11th *Imām* who later became the first Fatimid ruler) ordered me to bring him a barber, instructing me to get one who was a *stranger* in the town. So, I went and by chance met a barber, in whose appearance there were traces of a journey. I asked him whether he was a stranger, and he said yes. I asked him when he entered the town, and he said that he had arrived two days ago. I took him with me, brought him to the house, and told al-Mahdī that he was a stranger. When the Imam saw him, he asked his name, his place of origin, and whether he was a freeman, or a slave. It was his habit that when seeing a man for the first time, he would first ask the name and the birthplace of the man before starting conversation and acquaintance with him.¹

Thus we see that even a barber had to establish his antecedents before he could be ushered in. Such were the hazards of underground functioning. Similarly we read in Qādī N'umān's *Iftiāḥ al-D'awah*.

All that happened reached the knowledge of the *Imām* (i.e. al-Mahdī), who did not wish to go to Yaman while the state of local affairs was such as described, and continued to reside in Egypt, in disguise, posing as a merchant. Meanwhile letters came from Baghdad to the governor of Egypt, giving al-Mahdī's description, and ordering his arrest. Similar orders came to his deputy ('āmil). One of the higher officials of the deputy governor was a faithful devotee (an *Ismā'īlī*). He at once informed al Mahdī, advising him to conceal himself. The Imam was grateful for his advice, and left Egypt, with his son al-Qā'im, and several slaves, carrying with him many camel-loads of property. He bought with his money various goods, concealing cash in these, and travelled in the company of different people, as an ordinary merchant.²

Further on we are told,

When Abū'l 'Abbās arrived in Qayrawān, letters containing description of al-Mahdī, and orders to arrest him reached Ziyādatu'l-lāh, after they, (as mentioned above) had missed the party in Egypt. Accordingly, Ziyādatu'l-lāh gave orders to collect information about al-Mahdī; and some of those who were travelling by the same caravan informed him that he had remained in Tripoli. They mentioned that Abū'l-'Abbās was one of his associates. He was arrested and tortured, but denied everything, stating that he was a merchant; he was imprisoned, and news about this reached al-Mahdī, who was still in Tripoli. He by chance got hold of a caravan leaving for Qaṣṭiliyya, and left with it. The latter came to the local governor, from Ziyādatu'l-lāh, with his description and orders to seize him. Al-Mahdī, however, succeeded in gaining the favour of the local governor by gifts; the latter therefore replied that the person in question had already left, and had reached Qaṣṭiliyya. Al-Mahdī really reached the place, and spent 'īd there (i.e. one of the two great Muslim holidays).³

Thus we see that al-Mahdī and his followers had not only to remain in disguise but had to flee from place to place to avoid being arrested by their enemies who were chasing them everywhere. The Fatimids posed a political challenge and the Abbasids were out to decimate them. However, Fatimids were so well experienced and shrewd in such matters that the Abbasids just could not succeed in defeating them at their own game. The Fatimids had also realized after a long spell of underground functioning that it was not easy to dislodge the Abbasids or challenge them near the centre of their power. They, therefore, decided to strike at the periphery constituting the weak link. First they set their eyes upon Yaman, which was in the south and they were quite hopeful of establishing their base there. The third *Imām* of the period of seclusion, Ḥusayn bin Aḥmad al-Razī, sent his most trusted *dā'ī* Abū'l-Qāsim al-Ḥasan bin Farḥ (later known as Maṣṣūr al-Yaman for being victorious over it) to Yaman. Abū'l-Qāsim Maṣṣūr al-Yaman went there in A.H. 258 (i.e., A.D. 881) after performing *haj* and achieved a

measure of strength in two years by capturing a number of cities and forts.⁴ O'Leary says:

Further, Ahmad drew the conclusion that Yemen would offer a promising field for Shi'ite propaganda, and decided to send Ibn Hawshab to act as da'i in Yemen, and about A.H. 270 (=A.D. 883) he appears there as settled in the district of the B. Musa tribe at Sana (Maq. i. 349). At first he claimed to be simply a merchant, but his neighbours soon penetrated his disguise and urged him to act openly as a Shi'ite missionary who, they assured him, would be in every way welcome (Bibars Mansuri). Thus encouraged he declared himself a Shi'ite agent, and soon gathered a considerable band of followers, drawn not only from the immediate vicinity, but also from the Qarmatians of Mesopotamia. As soon as they were strong enough Ibn Hawshab's companions took up arms and began raids upon neighbours who had not accepted the Shi'ite creed and met with much success in obtaining plunder.⁵

Imām Aḥmad al-Razi was thus sure that Yaman would be the seat of the Fatimid rule in future. However, other developments were also taking place. Abū 'Abdullah Shi'ī was one of the close confidants of Ibn Ḥawshab, the conquerer of Yaman and was educated and trained by him. When the *dā'i* Abu Sufyan of North Africa died, Ibn Ḥawshab chose Shi'ī to fill the void as he had already tested his capabilities as an organizer. He was asked to proceed to North Africa. For a long time he hid his political motives and led the life of a simple and pious person. Meanwhile he had established close contacts with a Berber tribe Kutāma. The Berbers of North Africa were highly independent and difficult to subjugate. They strongly resented domination by the Arab rulers. Ibn Khaladūn, the celebrated historian, says,

One may compare what has happened in this connection in Ifriqiyāh and the Maghrib from the beginning of Islam to the present time. The inhabitants of those lands are Berber tribes and groups. The first (Muslim) victory over them and the European Christians (in the Maghrib) was of no avail, They continued to rebel and apostatized time after time. The Muslims massacred many of them. After the Muslim religion

had been established among them, they went on revolting and seceding, and they adopted dissident religious opinions many times. They remained disobedient and unmanageable. The Berber tribes in the West are innumerable. All of them are Bedouins and members of groups and families. Whenever one tribe is destroyed, another takes its place and is as refractory and rebellious as the former one had been. Therefore, it has taken the Arabs a long time to establish their dynasty in the land of Ifrīqiyah and the Maghrib.⁶

Abu ‘Abdallah Shi‘ī exploited this resentment of the Berbers and won a large number of them over to his side. When Ibrāhīm bin Aḥmad bin Aghlab, the ruler of Ifriqiyah came to know of this he wrote to his deputy in Mīlah to subdue ‘Abdallah Shi‘ī. However, this deputy thought that ‘Abdallah is a simpleton who leads a pious life, is innocuous and wears coarse clothes. But ‘Abdallah’s influence kept increasing and soon he became a challenge to the ruler of Ifriqiyah. ‘Abdallah, with the help of some important Kutāma leaders, captured Tāhirat which was the base of the Fatimid rule in the Maghrib i.e., North West Africa. ‘Abdallah Shi‘ī however, had to face many vicissitudes, sometimes meeting with success and sometimes facing defeats. But he never wavered in his resolve and continued to work with devotion for his cause. After the death of Ibrāhīm b. Aḥmad b. Aghlab, his grandson Ziyādat al-Lāh came to power. Ziyādat al-Lāh was devoted to the pleasures of life and hardly cared to attend to the efficient administration of his country. Al-Shi‘ī got a good opportunity after Amir’s death in A.H. 291 (A.D. 903) to expand his base from his “house of flight” in Mount Ankijan. According to Maqrīzī he now boldly declared that the Mahdi was now near at hand and would soon appear in Africa, and would prove his sacred mission by working miracles.⁷ Many officers of Ziyādat al-Lah’s army were sympathetic towards ‘Abdallah Shi‘ī and some of them even secretly corresponded with him.

‘Abdallah Shi‘ī, due to his wise policies and large following went on conquering town after town despite some temporary setbacks here and there. At last he attacked Raqqāda which was close to Ziyādat al-Lah’s capital Qairwān and conquered it in A.H. 295 (A.D. 907). Ziyādat al-Lah, after the crushing defeat of his armies left Raqqādah and fled towards Egypt.

Ibrāhīm b. Aghlab, his deputy, too, on not receiving any support from the people left Qayrwān and joined Ziyādat al-Lah on his way to Egypt. Thus ‘Abdallāh Shi‘ī established his supremacy over the Aghlabid empire and ended Abbāsīd suzerainty over it. *Imām* ‘Abdullāh al-Mahdī was kept informed of these developments in Sijilmāsa prison through clandestine channels. *Imām* Mahdī, in fact, had no intention to go to the Maghrib at first. He was more hopeful of the developments in Yemen. But on hearing news of victory from the African front, he changed his mind and instead decided to proceed towards Ifriqīya. Thus according to *Ifritāh al-D‘awah*, when the Abbāsīds issued orders to all their governors for arresting *Imām* Mahdī wherever he was found, Abu ‘Abdallāh Shi‘ī had already conquered Maghrib (North Africa) and written to his lord Mahdī to come to Maghrib from Silmiyya where he was residing then and assume power. After receiving this news he started for Yemen along with his son al-Qai‘m Shi‘ī’s elder brother Abu’l-‘Abbas and some slaves. But as ‘Alī b. Fadl had revolted there at that time, Mahdī, instead, chose to proceed to Maghrib (*Ifritāh al-D‘awah*).

Mahdī had to face many hazards on his way to Maghrib. He was almost arrested in Egypt but managed to escape (Ibn Athīr gives two different versions of this). However, Mahdī could not evade arrest for long; he was at last arrested by the ‘āmil of Sijilmāsa and put in jail. Al-Shi‘ī came to Sijilmāsa to get *Imām* Mahdī and his son al-Qāi‘m released. First he wrote a polite letter to the ‘āmil of Sijilmāsa requesting him to release al-Mahdī and others. But the messenger bringing this request was put to death. The ‘āmil came out for a battle with al-Shi‘ī but took to his heels after some skirmishes. *Imām* Mahdī was released from jail along with his son, slaves and others. Al-Shi‘ī took the pledge of loyalty for Mahdī and took him around the city of Sijilmāsa on horse-back while he walked on foot. Tears of joy welled up in his eyes. He had waited for this day for long. The other story that ‘Abdallāh al-Mahdī was put to death before the ‘āmil of Sijilmāsa ran away seems to be fabricated. Even Ibn Khaldūn discounts it as a fabrication of the enemies of the Fatimids. Thus in A.H. 297 al-Mahdī assumed charge of those territories conquered by al-Shi‘ī as ruler and gradually took all the powers.

Here there is some controversy about ‘Abdullāh al-Mahdī

being the son of Ḥusayn al-Mastūr. Some scholars maintain that he was not. Of course, the official belief of the Bohras is that *Imām* ‘Abdallah al-Mahdī was the son of *Imām* Ḥusayn al-Mastūr and that *Imām* al-Qāi’m was his son. But there seems to be some problem here. Even Fatimid literature shows that *Imām* Mahdī was *mustawd’a* (i.e., in charge, temporary) *Imām* which a son of an *Imām* is generally not. The son of an *Imām* and a father of a succeeding *Imām* is always a *mustaqarr* (i.e., permanent or in his own right) *Imām*. Why should al-Mahdī then be designated as a *mustawda Imām*? A Bohra ‘ālim Shaikh Ḥasan ‘Alī maintains that it was done for security reasons and to divert the attention of the Abbāsids from al-Mahdī. While this possibility cannot be ruled out it does not appear to be very convincing; neither could it be the only possibility. We have, in this regard, testimony of an Ismā‘īlī book called *Ghāyat al-Mawālīd* supposed to have been written by Sayyidnā al-Khaṭṭāb (Ivanow doubts the claim of authorship giving certain plausible reasons in *The Rise of the Fatimids*). We learn from this book that al-Mahdī was not an *Imām* (i.e., *mustaqarr Imām*), that al-Qāi’m was not his son and that there was a fourth concealed *Imām* (whose identity is not known). Ivanow rejects this theory and doubts the authenticity of *Ghāyat* itself. However, it does not mean that he accepts uncritically the Bohra belief today that al-Mahdī was son of *Imām* Ḥusayn al-mastūr, and that he was father of al-Qāi’m, his successor.

However, another Ismā‘īlī scholar, Husayn F. al-Hamdānī is inclined to believe Sayyidnā Khaṭṭāb’s version. He says:

Mahdī belonged partly to the Pre-Zuhūr Period, and a great deal of secrecy was attached to the real person of Mahdī, before and after his arrival in the Maghrib. Mahdī gives his own real name as ‘Alī b. Ḥusayn b. Aḥmad, and not ‘Alī b. Muḥammad b. Aḥmad. The Report (the author is here referring to a letter written by al-Mahdī and sent to Yemen) points out that Muḥammad (Ḥusayn) b. Aḥmad vested in his nephew Sa‘id b. Ḥusayn b. Aḥmad the full powers of the Imāmate, and that Sa‘id took over charge of the D‘awat ‘for some time’. The language of the Report at this point is purposely dubious and vague, when it says: ‘When he appeared, he proclaimed the name of ‘Abdullah, for he is our Master

‘Abdullah the Imām.’ It does not explicitly say that he (Sa‘īd) proclaimed the rank of his cousin ‘Alī b. Muḥammad as Imām-Mahdī, nor that he proclaimed his own rank as Mahdī. We are inclined to favour the latter interpretation, and *not to reject the statement categorically made by the Yemenite Dā‘ī Sulṭān al-Khaṭṭāb b. Ḥasan al-Ḥajūrī al-Hamdānī* (died circa 534-113; italics mine), in his treatise *Ghāyat al-Mawālīd*, that ‘Alī b. Ḥusayn b. Aḥmad, while proceeding to the Maghrib, disappeared, leaving behind his Ḥujjat Sa‘īd al-Khayr, who assumed the name of Mahdī. According to al-Khaṭṭāb, Mahdī ‘Abdullah was really Sa‘īd, who handed over, before his death, the charge of the D‘awat to his ‘spiritual’ son and legitimate Mustaqarr Imām Abu’l-Qāsim al-Qāīm Muḥammad b. ‘Alī b. Muḥammad b. Aḥmad.⁸

Hamdani then concludes:

From what has gone above, we conclude that ‘Alī b. Muḥammad b. Aḥmad was earmarked as Imām-Mahdī, but he died on his way to the Maghrib. Thereupon, Sa‘īd who was actually and temporarily directing all operations as Imām on behalf of his cousin ‘Alī b. Muḥammad, took over the rank and names of the deceased; this was in order to reach the goal of empire, now very near at hand thanks to the great successes scored in the Maghrib by Da‘ī ‘Abdullah ash-Shi‘ī. The fact that Mahdī ‘Abdullāh was really Sa‘īd had, for political and doctrinal reasons, to be hushed up in the Report by vague and ambiguous phraseology.⁹

Whatever be the truth, al-Mahdī became the first ruler of the Fatimid dynasty established in the Maghrib. Ḥasan Ibrahim Ḥasan feels that al-Mahdī belonged to the family of Maymūn al-Qaddāh and that by appointing al-Qāīm (who belonged to the Fatimid dynasty) as his successor he restored the *Imāmate* to where it belonged.¹⁰ But it does not seem to be true. Al-Mahdī, as pointed out above by Ḥusayn Hamdānī, was cousin to his predecessor Imām Ḥusayn al-Mastūr. This brings us to the important question of Fatimid descent. Did these *Imāms* belong to the progeny of Fāṭima, the Prophet’s daughter, as claimed by them? The Abbāsids charged that they did not and even went to the extent

of convening an assembly of *'ulamā* to prepare a document to this effect. Not all the historians agree with the Abbāsids' charge. They were obviously motivated by political rivalry. The document on the Fatimids' descent was forged and, at best, was, based on hearsay. Two eminent historians Ibn Khaldūn and Maqrīzī uphold the Fatimid claim of having descended from Fāṭima. According to Ibn Khaldūn most of those who reject the Fatimid claim rely on weak traditions forged by Abbāsids who were political rivals of the Fatimids. Abbāsids wanted to denigrate their rivals and rejoice. The narrators of these traditions did not exert themselves to obtain evidence of real events nor did they study the circumstances which could have exposed the falsehood of the Abbāsīd claim.¹¹

The Fatimid Rulers

The first Fatimid ruler was, as pointed out above, *Imām* al-Mahdī. He was born in A.H. 260. In A.H. 297 he assumed the reins of power in the Maghrib (North Africa) and died in A.H. 322.¹² Mahdī was a shrewd ruler and a pragmatic politician. When 'Abdallah Shī'ī, to whom he owed his empire in North Africa, wavered a little in his absolute loyalty to him, he did not waste much time in physically eliminating him. Al-Mahdī had his spies planted where Shī'ī and his brothers met. The reports indicated that 'Abdallah Shī'ī, under the influence of his brothers had started wavering in his loyalty towards al-Mahdī. Thereafter, it did not take long for him to perceive the implications and he ordered his personal bodyguard to liquidate him while entering the palace. Shī'ī was thus beheaded. Mahdī also knew that Shī'ī was popular among the Berber tribes and his elimination could spark off trouble. So he personally offered prayers on his dead body, participated in his burial ceremony and canonized him.

The *Īsmā'īlī* movement had at one time, aroused hopes of radical changes in the social and economic relations. The Qarmatians in Iraq and Bahrain even founded communes and collectivized their property. However, nothing of the sort happened under al-Mahdī's regime in north Africa. On the contrary, he restored the landed property to those from whom it had been snatched during Ziyādat al-Lah's time. Thus we see that al-Mahdī took steps to maintain a status quo. The property relations did not—and perhaps could not—undergo fundamental changes.

They remained intact. Al-Mahdī, on the other hand, made a successful attempt to consolidate his position by providing a stable government on the basis of existing property relations. "Towards religion," O'Leary tells us, "the Mahdi's attitude had been at first one of rabid Shī'ism, though he, as one of the fully initiated, could not have been sincere: no doubt he was acting up to what he expected to be the feelings of his subjects so far as he had observed the Katama and the immediate followers of Abu 'Abdullah: closer acquaintance with the people of Kairawan showed him that he had been mistaken. The people, generally, were quite ready for a Mahdī, or anyone else, who could establish and maintain an orderly government, but were by no means willing to accept the rather fantastic theories of incarnation and transmigration which appealed to the Persian mind. As soon as this was made clear the Mahdī formulated a definite policy in religion, enforcing strictly all the outward observances of Islam, rigidly punctilious in the prohibition of forbidden food and drink, and punishing severely those of the Isma'ilian sect, who tried to practice the freedom of the higher grades of the initiated."¹³

O'Leary's statement consists of truths, half-truths and falsehood. He does not quote the source of his information but it is quite likely that he has derived it from those Muslim historians who were hostile to the Fatimids. Fatimids and their followers never believed in incarnation or transmigration. There are no traces of such concepts even in their esoteric and secret literature. Though they believed in *ta'wil* (i.e., hidden meaning of the Quran and *shari'ah*) at no time did they order suspension of Islamic *shari'ah*. Al-Mahdī, it appears, was a man with a secular bent of mind (he was certainly not a religious thinker). But that does not mean that he could have shown any disregard to the Islamic tenets. After all he was what he was because of his religious status as *Imām*.

Imām Mahdī was a man of wisdom, courage and bold action. Politically he was shrewd and pragmatic. As soon as he was enthroned by 'Abdallah Shī'ī, he assumed effective powers and asserted his authority. He was not a man to play second fiddle to anyone. Even a historian like al-Suyūfī, who does not hide his animosity towards Fāṭimī 'māms, acknowledges Mahdī's love of justice and fair-play. D. Zāhid Alī, who too is not favour-

ably disposed towards the Fatimid *Imāms*, their beliefs and practices, says about Mahdī:

If Mahdī had not acted wisely and determinedly at that time (i.e., when he got his close confidant 'Abdallah Shī'ī killed), the Fatimid state would have disappeared forever. It was he who made the foundation of the Fatimid dynasty so strong that it could last for nearly two hundred and fifty years. He did not remain content with the territory he got, he expanded its frontiers upto the Black Sea by conquering other parts of Africa. He vanquished the Banū Idris also and tried to conquer Egypt but did not succeed. He strengthened his naval fleet thereby increasing the Fatimid sea-power so much that it could compete with Rome—the strongest sea-power of that period. He devised proper administrative measures for every department which resulted in peace in every corner of his country.¹⁴

Mahdī, before his death, had appointed al-Qāi'm as his successor. Thus on Mahdī's death in A.H. 322 (A.D. 934) he assumed power. Al-Qāi'm had proved his military ability by taking part in the two expeditions against Egypt, both as a leader and a fighter. After his accession to the throne, he, too, organized military expeditions. A naval attack was launched on the south of France, the coast of Genoa and Calabria. It resulted in bringing home many slaves and a rich booty. An attempt was made on Egypt again. Ikhshīd, the ruler of Egypt, sent his brother 'Ubaydallah to meet the challenge. He successfully repulsed the attack. Thus the second expedition against Egypt resulted in failure.

However, nearer home, *Imām* al-Qāi'm was facing more serious rebellions the principal of which took place amongst the Zenata tribe, south of the Ketama territory. All the participants in the revolt belonged to the Khariji sect and were led by Abu Yazīd (also called Dajjāl i.e., impostor, anti-Christ, by the Fatimid authors) who assumed the title of "Sheikh of the true believers." But he was popularly known as Sāhib al-Ḥimār, i.e., the man with an ass. This revolt which shook the Fatimid empire in the Maghrib has been strongly denounced by all the Fatimid authors who dubbed its leader as anti-Christ. In fact, the Berbers who

participated in the revolt were expressing their strong resentment against Arab domination. The Fatimids themselves had taken advantage of the Berbers' hatred against foreign domination for capturing power. Now they were at the receiving end. Thus O'Leary says:

This movement was mainly of nationalist character, and aimed at establishing a purely Berber state in which Arabs should have no place. The Berbers had won Spain, and had done most to place the Fatimids on the throne of Kairawan, but in both cases they seemed to have been cheated out of the fruits of their labours by wily Asiatics, and so the motive in this revolt was the assertion of their racial rights.¹⁵

The challenge from the Kharji leader was much more serious than what it was earlier thought to be by the Fatimids. It rocked their empire. In A.H. 322 Abū Yazīd marched swiftly northwards at the head of most of the Zenata tribe of the south (this tribe was rival of the Katamas who supported the Fatimids) and other Berbers. He wanted to capture Kairawan but was defeated on the way by the Fatimid army. However, it was a temporary setback for him. He gathered his forces again and this time made a successful bid to capture Kairawan. *Imām* al-Qāi'm had to seek refuge in al-Mahdiya—a city founded by his predecessor al-Mahdī. This city was also besieged by Abū Yazīd. But the Katama and Sanhaja tribes rallied round al-Qai'm to relieve the city and Abū Yazīd and his followers were forced to retire. He was pursued by al-Qai'm and inflicting defeat upon defeat on Abu Yazīd recovered the whole of Tunisia. al-Qāi'm died when Abu Yazīd laid siege to the town of Susa and preparing to take further offensive.

Thus we see that al-Qāi'm was an experienced soldier and an able commander who could lead his forces to victory. Unlike al-Mahdī he used to participate in military expeditions. He also knew the importance of having a strong naval fleet and prepared one. His eyes were set on the Roman sea. In A.H. 322-323 he sent Y'aqūb b. Ishāq with a naval fleet to conquer southern Italy. This expedition was successful and reached right up to Genoa. It is said that had Abu Yazīd not staged such a massive revolt against al-Qāi'm, he would have probably conquered the whole of

Italy.¹⁶ Even with all this trouble on hand he managed to conquer quite a few cities in Italy.

Al-Qāi'm was bold and courageous. His activities were not confined to military expeditions only; he was equally interested in organizing missionary activities to spread his religion. But he never used force. He was not harsh towards his opponents and was tolerant. He spread the missionary activities to Iran through the network of his *dā'īs*. These *dā'īs* won over a large number of adherents, some of them quite important poets and intellectuals. He ruled for over 12 years and died in A.H. 334 (A.D. 945-46).

Al Qāi'm had appointed his son Ismā'īl as his heir-apparent who succeeded him A.H. 334 assuming the title al-Mansūr billah. He was also a man of determination. His father had died at the height of Abu Yazīd's rebellion. The city of Susa was under siege. Thus his first task was to relieve the city and take further steps to quell the rebellion. Ibn Athīr tells us that he personally took charge of the military operations and put an end to Abū Yazīd's menace.¹⁷ Thousands of enemy troops were killed. Had *Imām* Manṣūr failed in checking this menace, the Fatimid empire would not have survived long. With all this Manṣūr behaved generously with his implacable foe. In A.H. 324 Manṣūr came to Kairawān and gave protection to the members of Abū Yazīd's family who had despaired of life. He even granted his wives and children monthly allowances. He also granted Abū Yazīd's request to restore his wives and children to him on condition that he would not wage war. But Abū Yazīd soon broke his promise and tried to organize another insurrection. Manṣūr took ruthless measures to crush it. At last he was beheaded by his own colleague for his treacherous behaviour and this menace finally came to an end in A.H. 336.

The first two years of Manṣūr's rule were spent in crushing Abu Yazīd's rebellion. Thereafter he lived for six years more. His death occurred in A.H. 341 (A.D. 953). He was a great orator and spoke extempore. Though generous, he dealt with his opponents firmly, if the situation so demanded. He put down all the rebellions of his period firmly and restored peace. But death did not leave him enough time to consolidate his gains. He tolerated other faiths and never behaved like a bigot.

Reign of al-Mu'izz

The reign of al-Mu'izz the fourth Fatimid caliph is most important as the Fatimid empire achieved its highest glory during his regime. He ascended the throne in A.H. 341 and ruled for nearly 24 years—quite a long period compared to his predecessors. Moreover, it was he who conquered Egypt and made it the centre of his empire. Again, it was he who founded the great city of Qāhira. We will deal with his reign in little more detail as it reflects the basic policies and orientation of the Fatimid empire. Imām al-Mu'izz was a great statesman as well as a religious scholar. He gathered around him men of great abilities in different fields. He attracted talented people from different parts of the world and extended his patronage to them.

Al-Mu'izz was extraordinarily intelligent and received excellent training. He was born in A.H. 319 when Imām Mahdī was alive. He saw three Fatimid caliphs namely al-Mahdī, al-Qā'im and al-Manṣūr. Al-Mahdī had predicted that he i.e., al-Mu'izz will be a man of great glory. An incident from the early life of al-Mu'izz is worth quoting here as it shows how intelligent he was right from his infancy. Mu'izz recalls it for us: "I am reminiscing about the day I was a small child." Mu'izz further recalls "The day I was taken into his presence, (i.e., al-Mahdī's) I had been weaned and I could understand and remember what happened. He reached for me and kissed me and took me into his robe. . . . He seated me by his side and ordered something for me to eat. A gold and silver platter was brought containing apples, grapes, etc. He put it before me. I did not eat anything from it. Then he took it and gave it to me and said, 'Go and eat what is in it and give the platter to such and such woman' . . . I told him, 'No, I will keep the platter and give the fruits to her'. (Al-Mahdī) laughed and wondered at my perception. He prayed for me and said, 'You will have a glorious future'." ¹⁸ Ḥasan Ibrāhīm Ḥasan tells us, "Al-Mu'izz Lidinillah is considered to be the real founder of the Fatimid empire as 'Abd al-Malik b. Marwān is of the Umayyad Empire and Abū J'afar al-Manṣūr was of the 'Abbāsīd Empire for he laid down the rules which were later followed by other Fatimid caliphs and also later on by the Ayyubids and Mamlukites. . . ." ¹⁹

Mu'izz's great ambition was to conquer Egypt. He chose his best general (qā'id) Jawhar for this purpose. He had great faith in

him. Jawhar started for this historic expedition on the 14 Rabi' II, 358 (A.D. 969) Al-Mu'izz came in person along with his court to bid him farewell. Jawhar first proceeded towards Alexandria. The city was taken after little resistance. Fustāt i.e., old Egypt, was also taken over after a few skirmishes. Jawhar entered the city triumphantly. O'Leary tells us: "After the 'Aṣr or hour of mid-afternoon prayer Jawhar himself made his entry preceded by drums and flags; he wore a silk dress heavily embroidered with gold, and rode a cream-coloured horse. He rode straight through the city with his men, and passing out on the north-east side pitched camp there."²⁰ The same evening Jawhar set out to demarcate the boundaries of a new city as per the instructions of his master al-Mu'izz. The city was named al-Qāhira, as at the time the digging operations for it began the planet Mars (a-Qāhir) was in ascendance. Maqrīzī observed this city in A.D. 1400 and has preserved its description. Quoting him O'Leary writes: "The new city was surrounded with a wall of large bricks, of which the last fragments were observed by Maqrīzī in A.D. 1400. In the middle of the great enclosure was an open space, the Bayn al-Kasrayn, 'between the two palaces,' as it was afterwards called, large enough for 10,000 troops to be paraded: a small portion of this open space remains as the Suq-an-Nahhasin. On the east was the Khalif's palace; one corner of its site is now marked by the Khan al-Khalili, another by the Husanayn Mosque. The name of the square was of later date, and due to the fact that al-Mu'izz's successor built a lesser palace on its west side, at the beginning of the beautiful garden which Kafur had laid out, and which the Fatimid Khalifs maintained. A great thoroughfare led through the midst of Kahira from the Bab al-Zuwayla on the south side, communicating with the old city of Fustat, and passing through the Bayn al-Kasrayn to the Bab al-Futah, which led out to the open country on the north. To the north of the Khalif's palace lay the Wazir's official residence, and to the south the mosque of al-Azhar, which Jawhar commenced soon after the foundation of Kahira and finished on the 7th of Ramadan, 361."²¹

On repeated requests from qāi'd al-Jawhar al-Mu'izz decided to assume the reins of power in Egypt in A.H. 363. He appointed Bolukkin b. Ziri of the Sanhaja tribe as his deputy in Ifrikiya and set out for Egypt. After his arrival in Egypt he had to face the Qarāmiṭa who continued to harass the Fatimids. Al-Mu'izz tackl-

ed the situation cleverly. He bribed B. Tayy, the allies of Qarmaṭians into deserting them (they were the strongest factor in the Qarmaṭian army), the price being 100,000 dinars. O'Leary informs us that "As the treasury did not contain sufficient gold these coins were specially struck of lead and gilt."²²

The Fatimid caliphs combined both, the religious as well as secular power in their person and thus were more respected than the Umayyad or 'Abbāsid caliphs. These caliphs wore a religious halo. Thus Hasan Ibrāhīm Ḥasan tells us that "...the personality of al-Mu'izz was clothed in the clean robes of holiness and majesty. The Fatimid caliph was not, unlike his Umayyad and 'Abbasid rivals, a tyrant in running the affairs of the state. Neither was he over-indulgent about pleasures. His subjects and helpers held him in high esteem as he belonged to the progeny of the Prophet. Al-Mu'izz used to narrate prophetic traditions (*aḥādith*) which urged his subjects and helpers to consider it obligatory to follow him and gather around him, and which explained that God shall fulfil His promise through him and that the Ismā'īlī *Imāms* shall possess the earth without exception. And, then, they (i.e., the subjects) shall become the 'Army of God' to help establish 'The Kingdom of God'."²³

Commenting on this the authors say, "This itself explains as to how the Fatimids achieved in the period of Mu'izz those brilliant victories in the west as well as in the east, on land as well as on sea. It also explains with what earnestness the Fatimid caliphs took their 'Caliphate' and thought them to be the (spiritual) guides of people and the centre of their hopes and aspirations. No one could occupy the Fatimid throne except those who were thoroughly acquainted with the Ismā'īlī tenets and exerted themselves in spreading them and winning adherants to them."²⁴

Al-Mu'izz had properly organized different departments in order to ensure efficient administration. During al-Mu'izz's reign the department of finance in the Maghrib (i.e., west Africa) was in the hands of the Ismā'īlīs themselves. The main reliance of the Fatimid regime for its finances was, of course, on land tax. That land tax was the basis of its prosperity means that the surplus was extracted from the peasantry. There was also a levy called *khums al-Imām* (the fifth part of wealth meant for the *Imām*). But this levy was obligatory only on the followers of the Ismā'īlī *Imāms*. The Sunni Muslims and others were exempt from it.

Though the main reliance was on land tax the Fatimid state cannot be construed as feudal. The reasons are obvious. There was no system of allotting *jagirs* and as such there was no class of nobles owning *jagirs* and maintaining troops. *Kharaj*, (the land tax) was directly collected by government officials and credited to the state treasury. The Fatimid state was theocratic-autocratic. The caliph enjoyed absolute powers—at least in theory—and drew his legitimacy from the religious office of the *Imāmate*. The Fatimid theoreticians, as pointed out earlier, interpreted many Quranic verses to prove the inevitability of the office of *Imāmate*. These theoreticians maintained that the world cannot exist without the *Imām* who was considered the only legitimate ruler, all others being usurpers.

Was there then ruthless exploitation of peasantry and an oppressive taxation system? It cannot be ruled out but in the case of caliph al-Mu'izz the authors of *Al-Mu'izz li-Dinillah* have this to say: "This (i.e. the Fatimid) regime did not transgress limits in collecting taxes. On a number of occasions we see al-Mu'izz punishing officers for committing excesses in collection of taxes as he saw that goodwill of the state depends on happiness of the people and that embezzlement of people's wealth and their impoverishment results in poverty."²⁵ Apart from the land tax what were the other sources of revenue? Al-Mu'izz, we are told, encouraged trade, especially foreign trade, and imposed special levy on commodity transactions. 'Al-Mu'izz also relied, for augmenting his treasury, on customs duties (*jamārik*) levied on foreign goods arriving at different ports. For this reason he encouraged foreign trade and gave so many facilities for trade from different directions that ships sailed freely in the Fatimid territorial waters without harassment from this Shi'ite state. We often see merchant ships belonging to Spain and others to Byzantium at the Fatimid ports and the cities in the Fatimid Maghrib flooded with (foreign) commodities."²⁶ The revenue records and collection of taxes was in the hands of Jawhar aṣ-Ṣiqilī. He intended to work for the stability of finances and state economy and for this reason he made abundant supplies of food available to the Egyptians. He not only procured enough food to remove the threat of starvation faced by the Egyptian people for long, but he opened big godowns of foodgrains for common men. Owing to this assiduous financial system it became possible to avoid hoard-

ing of foodgrains and large quantities of grains could be made available specially to the poor and needy.²⁷

System of Justice

— *Imām al-Mu'izz* gave utmost importance to dispensation of justice according to the laws laid down in the Quran and *shari'ah* as interpreted by the Fatimid school. His chief *qādī* i.e., head of judiciary was Qādī N'uman who was a man of integrity. Al-Mu'izz had told N'uman that "*qaḍā* (administration of justice) is God's scape of justice on earth. One who turns away from it (i.e. justice) and strives against it, he invites God's wrath and the curse of his friends. Administration of justice is a great task. It is like carrying a heavy palanquin. People turned against 'Alī (bin Abī Ṭālib) as he required of them to follow (the path of) justice and carried them along the righteous path. And for this we follow him (i.e., 'Alī) 'and it is in our interest. It is expected of the *qādī* that he should treat the weak and strong, nobles and others, equally, in pronouncements as well as action, in nearness and remoteness as has been the wont of our ancestors."²⁸ Al-Mu'izz always strove for his chief justices to be paragon of virtue and an example for others. He used to induce them to dispense justice among people regardless of whether they were poor or rich. He used to exhort and scold the *qādī* if he was found soft and partial towards one or the other party to the dispute. He also exhorted his *qādīs* to follow the book of God and the Prophet's path. Thus we see—and the historians bear us out—that al-Mu'izz had laid down strict norms for dispensation of justice and enforced them rigorously.

al-Mu'izz. was very fond of building elegant structures. Jawhar built the city of Qāhira at his instance. Al-Jāmi'i al-Azhar the famous mosque which flowered into a world-renowned university of Islamic learning in course of time was also built by Jawhar at the instance of al-Mu'izz. His personal palace, called Qaṣr al-Mu'izzi, was an elegant piece of architecture. Maqrīzī tells us that al-Mu'izz himself had drawn its plan and it was constructed by Jawhar accordingly.²⁹ This palace was also called the Great Eastern Palace to distinguish it from the one built later by al-'Azīz. This palace was one of the biggest structures of its time, perhaps the biggest in the history of Egypt. It had 4,000 rooms; the biggest palace of 1801 B.C. belonging to the twelfth

dynasty had 3,000 rooms. Ṣalāhuddīn Ayyubī who later conquered Egypt found more than 12,000 ladies in this palace. This great palace remained the residence of the Fatimid caliphs from A.H. 362 to 567 when the empire disappeared. Such grand living could not have become possible without a large-scale, extraction of surplus from the peasantry the main source of production in those days. Undoubtedly a part of this surplus did come from international commerce, but it could not have accounted for the greater part of the surplus, although no definite figures are available. Huge sums must have been spent on the upkeep of such palaces. Al-Mu'izz, it must also be admitted, spent a great deal of his time in lonely places living in an austere and simple way. He was also a great patron of learning and scholarship. Scholars from different fields of learning were always welcome to seek his patronage. He showed extraordinary generosity towards them. The fourth century *higra* saw the flowering of Islamic learning and the Fatimid contribution to this was no less than that of the Buwayhids, the Umayyads in Andalusia particularly that of 'Abdar Rahmān an-Nāṣir (A.H. 300 to 350) and the Ḥamdāniyun. Al-Mu'izz, was in fact, very eager that such a renaissance of Islamic learning ought to take place in the hands of the House of the Prophet. Many *Ismā'īlīs* as well as the Sunnites believed that the *Imām* was the source of all learning. He himself was highly learned and demanded a high level of scholarship from the learned men around him. His library in al-Manṣuriyah and later in al-Qāhira was rich in books. His acquaintance with these books was so thorough that he knew their place as well as what they contained. It is said that Al-Mu'izz once asked his librarian to bring a particular book. He could not locate it. Al-Mu'izz then found it himself and its contents so enticed him that he spent a major part of that night reading it. No wonder he used to say that the best enjoyment for him was to occupy himself with the world of knowledge and philosophy.

Qāḍī al-N'uman tells us that Al-Mu'izz used to organize special sittings which used to be attended by high officials, courtesans' *ulama*, litterateurs etc. They used to vie with each other in proving their abilities and degree of learning in philosophy, the esoteric interpretation of the Quran, the Prophetic traditions, jurisprudence, etc., Al-Mu'izz according to N'umān,

had a smattering of different disciplines and excelled in different fields of knowledge. His learned discourses always added something to those of other dialecticians. As for the esoteric sciences he was like an ocean whose depths it was not possible to explore. In matters like *tawhīd* (unity of God), affirmation of religion, refutation of atheists, innovators and deviationists, his (Mu'izz's) knowledge could not be matched. He is the banner, minaret and pillar of that knowledge. As for the knowledge of jurisprudence and what is permitted and what is forbidden and the problems and injunctions of shari'a, he is at home, it is his own field. The experts in medicine, mathematics, philosophy and astronomy were like beginners before him. He made new inventions, discovered new meanings and nuances in these sciences everyday which astounded the experts.³⁰

Al-Mu'izz thus we see, was a versatile genius and the most powerful ruler of his time. He had qualities of the head as well as of the heart. Ibn Athīr tells us that although he was the head of his religion and its active missionary, he never compelled anyone to embrace it. He was very tolerant and forebearing with others.³¹ And, according to Maqrizi, he was god-fearing and ascetic and usually spent whole nights praying.³² However, despite these preoccupations, he never neglected his work as a ruler and administrator. In fact, it was he who reorganized the entire revenue system. Al-Mu'izz appointed a Jew, Y'aqūab b. Kils to reorganize the revenue system. Ḥasan Ibrāhīm tells us that

The old system of revenue collection was abolished and a new system introduced for estimation of properties and fixing rates of taxation. All beats were centralized and differences in collection, if any, were inquired into and investigated. The new government did not allow delays in payment of taxes and realized payments with strict regularity. It also saw to it that whatever complaints and appeals are received from the tax payers are looked into. The government enforced its new taxation policy with firmness and dealt severely with those taxpayers who tried to evade or resist payment of their dues. As a result of this correct policy the revenue collection increased enormously.³³

According to Maqrizi's estimate the revenue collection for A.H. 358 was three lakh forty thousand dinar from Egypt.

Al-'Aziz, The Fifth Fatimid Caliph—A.H. 365-386 (A.D. 975-998)

Al-Mu'izz died in A.H. 365 (A.D. 975) and was succeeded by his son al-Aziz. Al-Mu'izz's death was concealed for quite some time for political reasons. It was declared only after al-'Aziz's succession was secure. His accession to the throne was finally declared on 4 Rabi'II, A.H. 365. According to most historians he was generous, humane, quite intelligent and brave. He preferred to pardon his enemy than to seek revenge. He was also a poet, besides being a religious scholar and a good orator. O'Leary tells us that "The traditional picture of al-'Aziz represents him as humane, generous, a fearless hunter, and a successful general. Like his father he had a strong taste for building, and erected a great mosque in Kahira, generally known as the Mosque of al-Hakim, as it was finished by his son Hakim, near the Bab al-Futuḥ: besides this he built the 'Palace of Gold' facing his father's palace across the great square in the midst of Kahira, also a mosque in the cemetery of al-Karafa, and a palace at 'Ayn Shams (Ibn Khall. iii. 525). These can hardly be called public buildings in the true sense as they were all connected with the royal court, and as such were within the precincts of the 'guarded city' and inaccessible to the public generally."³⁴

Actually in the time of al-'Aziz, the Fatimid sultanate expanded still further. Ḥams, Ḥamāt and Ḥalb were conquered in his period and added to the Fatimid empire. Even the ruler of Muṣal Mukhallad accepted the Fatimid suzerainty and mentioned the name of the Fatimid caliph in their religious address every Friday. Yaman also acknowledged the Fatimid sovereignty. Thus in 'Aziz's period the empire extended from the Euphrates to the Atlantic Ocean. The entire Arab Maghrib including Yaman was part of it. About al-'Aziz's secular credentials we would do no better than quote O'Leary who says, "Like his father, al-'Aziz was favourably disposed towards the Copts and other Christians, but in his case a pro-Christian attitude was emphasized by the fact that he had a Christian wife whose two brothers were, by the Khalif's influence, appointed Malkite patriarchs—that is to say, patriarchs of the church in communion with the orthodox Greek Church as distinguished from the Jacobite body to

which the Copts belonged—the one at Alexandria, the other in Jerusalem. The Khalif's favour was extended to the Coptic Church as well as to the Malkite body to which his wife belonged, and permission was given to the Coptic patriarch Efraim to rebuild the ruinous church of Abu-s-Seyfeyn in Fustat."³⁵

In al-'Azīz's time one more important change took place which ultimately destabilized this empire. So far the Berbers, with whose help 'Abdallah Shi'ī had founded the Fatimid empire, had continued to be the backbone of the Fatimid empire. Perhaps in order to get rid of their undue influence and power, al-'Azīz recruited the Turks and Persians also. This ultimately led to competition for power between these two sections of the army as both the factions laid their claims to the key posts in the army as well as administration and, naturally, the caliph had to show favour to the faction which commanded more power.

Al-'Azīz, although quite lenient in dealing with his enemies was by no means a weak ruler. He could deal with difficult situations firmly. Al-'Azīz's rule was by no means free from trouble. Aftakin had set his eyes on Syria. First he tried to capture some towns on the Syrian coast. 'Azīz, when he heard of this, sent Jawhar along with a big army to deal with Aftakin in A.H. 365. However, the engagement did not prove decisive and when Jawhar heard that Ḥasan b. Ahmad Qarmaṭī was coming to join hands with Aftakin, he withdrew, lest he be caught in between the two armies. Jawhar could not even induce Aftakin for a negotiated settlement. He returned to Egypt and appraised the caliph of his predicament. 'Aziz himself went along with Jawhar to face Aftakin. Aftakin fought with great valour. Even al-'Azīz was impressed and wanted to negotiate for peace with Aftakin. However, Ḥasan al-Qarmaṭī came in the way. 'Azīz thereupon attacked enemy forces with all his might and forced them to retreat. Aftakin and Qarmaṭī took to their heels. Al-'Azīz announced a reward of one lakh dinar for capturing Aftakin. Ironically Aftakin was caught by one of his friends and brought before al-'Azīz. The captor was given the reward and 'Azīz, in keeping with his nature, behaved very generously with Aftakin. He returned to him all his personal belongings and included him among his door-keepers (*ḥājib*)—quite a high position in the hierarchy of the Fatimid court. His behaviour with Aftakin was so generous that Aftakin himself admitted:

"I feel ashamed to face al-'Azīz. I did everything to oppose him but he did not seek revenge. On the other hand, he was so generous to me." According to Sayyidna Idrīs, Imām al-'Azīz had taken a vow that if he overpowered Aftakin, he would pardon him.³⁶

Al-'Azīz's period, on the whole, was one of peace and prosperity. He also patronized scholars and encouraged learning. His generosity became well-known. The common people were comparatively happier in his regime. He died in A.H. 386 (A.D. 996).

Al-Ḥākim Bi Amrillah: The Sixth Fatimid Caliph (A.H. 386-411)

Al-Ḥākim was appointed successor to the Fatimid throne when he was eight years old. Ḥākim was only eleven years old when his father al-'Azīz died. Al-'Azīz had appointed Barjawan, the white eunuch who had attracted 'Azīz's attention by his ability and worked his way up to a high position as al-Ḥākim's tutor. With the ascension of al-Ḥākim on the throne, Barjawan assumed the title of Ustadh and the role of a regent. Al-Ḥākim was too young to take part in the affairs of the state. The usual court intrigues to control the affairs of the state started. Ustadh Barjawan had an initial advantage. He had played a key role in seating al-Ḥākim on the throne and also in obtaining a pledge of loyalty for him. Barjawan was a Turkish slave and hence his supremacy over state affairs aroused feelings of jealousy among the Berber nobles of the Kutama tribe who had played a very important role in establishing the Fatimid rule.

Hasan b. 'Ammār was the acknowledged leader of the Kutama party. He decided to prevent Barjawan's supremacy even if it meant weakening the Fatimid state. Ibn 'Ammār seized the office of chief minister ejecting Isa b. Nestorius and assumed the title of *Amīn ad-Dawla*. Quoting De Sacy, O'Leary tells us that it was the first time that the term *dawla* or "empire" was used in the Fatimid state and that it indicated the emergence of a new tendency.³⁷ As we have pointed out earlier, the character of the Fatimid state was partly theocratic and partly autocratic. The caliph was not only a secular ruler but also held authority as an *Imām* which was a religious office. When al-Ḥākim came to the throne he was too young to rule and hence power struggle started between the Turkish and the Berber groups. These groups had no religious pretensions. They were now interested in controlling the

state power as the caliph was a child. Also, the Berbers who had helped found this dynasty, did not take the religious claims of the the Fatimid rulers now very seriously. The new generation of these Berbers had seen the pomp and glory rather than the simplicity and spiritual meditations of these rulers. Now Ibn 'Ammār, taking advantage of the young caliph, who could hardly inspire any religious awe, declared the Fatimid state an empire.

The process of polarization between the Turkish forces and, the Kutamian forces now began. The office of prime minister became very important as the caliph came increasingly under its control. O'Leary writes: "De Sacy suggests that Ibn 'Ammār's party was disposed to get rid of the young sovereign and to establish a purely Berber government a suggestion which has every appearance of probability. With the disappearance of the divinely appointed Mahdi and the end of the Fatimid line the country would be set free from the peculiar religious views of the *Ismā'īliya*, which were an actual barrier to the progress of the state and alienated from it the bulk of the subject population. It seems a very probable picture of the tendencies prevailing at the moment and rests upon rather more than simple conjecture, though it must be admitted that none of the native historians attach this deep significance to the introduction of the term *dawla*."³⁸

Whatever be the truth, it is clear that rival groups were contending for power and controlling the caliph. The succeeding caliphs too, found it difficult to get rid of this hold completely. Ustādh Barjawan, pitted against his rival Ibn 'Ammār, was compelled to become the champion of the young caliph. Having been deprived of effective authority, Barjawan turned to his friend Manjutakin—a fellow Turk and the governor of Syria—for help. He requested Manjutakin to deliver him and the Caliph from the servitude of Ibn 'Ammār. Manjutakin readily agreed to help with a view to support the Turks vis-a-vis the Berbers. He started assembling the troops for marching on Egypt but Ibn 'Ammār came to know of this plan and, treating it as a revolt by the provincial governor, sent his forces under the command of Sulaymān b. J'afar to crush it. Manjutakin was defeated and brought as a prisoner to Egypt. However, Ibn 'Ammār treated him well, as he was of the opinion that the Turks and the Berbers should unite in order to put an end to the supremacy of the Fatimid caliphs.

But despite good treatment given to Manjutakin, things did

not work out in favour of Ibn 'Ammār. The differences between the Turks and Berbers were very deep. Street riots between them occurred quite frequently. The Turkish mercenaries were jealous of the favour shown by Ibn 'Ammār to his fellow Berbers. Barjawan exploited this situation in his favour and when the army was away in Syria to deal with the developments there, he struck at the right moment and compelled Ibn 'Ammār to retire from public life. Barjawan became all powerful again and brought forth al-Ḥākim in public and had him again proclaimed caliph and sovereign. But Barjawan was no more loyal to the caliph than Ibn 'Ammār. He wanted al-Ḥākim to remain subservient to him. He even treated him (al-Ḥākim) contemptuously calling him little "lizard." (According to Dr. Zāhid 'Alī the orientalist is mistaken here. It was not Barjawan who called Ḥākim "lizard" but Ḥākim who called Barjawan a "lizard.") Barjawan continued to control al-Ḥākim as long as he was young and unable to assert his authority. But when he became mature enough to understand all this he did not waste much time and decided to get rid of him. In the year A.H. 390 he sent him a message saying "the little lizard has become a great dragon and wants you."³⁹ When Barjawan came, Abu'l Fadl Raydan, the bearer of the royal parasol, stabbed him in the belly.⁴⁰ Another historian Nuwairī gives a little different account of Barjawan's assassination. According to him Raydan was instigating Ḥākim to kill Barjawan. One day while on the usual morning round of the royal garden, Raydan attacked Barjawan and other servants of al-Ḥākim severed his head.

There was rioting in the streets of Cairo as news about Barjawan's assassination became known to the public. However, al-Ḥākim showed rare courage and came out in the streets and addressed the people: "I have been informed of an intrigue which Barjawan made against me, and for that I caused him to be executed. I beg you to take my part and not to be hard on me, for I am yet a child," and he burst into tears.⁴¹ This was the beginning of a new phase in al-Ḥākim's rule. He was now firmly on the saddle and started asserting himself. He chose Ḥusayn, the son of Qā'id Jawhar as his chief minister. From now on Ḥākim becomes a highly controversial personality. His "strange" decrees, rigorous imposition of various curbs, his "persecution" of the Christians and the Jews, etc., are cited as the examples of

his inexplicable behaviour which many historians consider as "schizophrenic" or bordering on madness. In my opinion it will be unfair to pass such a sweeping judgment without understanding the situation as it existed then.

The period between A.H. 390 and 396 (A.D. 1001 and 1007) was critical because of famine and economic distress. From Maqrizī, Ibn Khallikan, etc., we can easily establish that there was general deterioration of economic and social life between A.H. 395 and 411 when most of the decrees covering religious and social legislation were issued by al-Ḥākim.⁴² The year A.H. 395 marks the beginning of his controversial legislative programme. P.J. Vatikiotis says, "Although such legislation may have appeared maniacal to al-Ḥākim's contemporaries, it is astounding how modern historians, who could have conducted a more dispassionate investigation, have accepted such verdict. His forbidding extravagant spending in entertainments when the Nile was exceptionally low in 398/1008 and his fight against profiteering from high prices during the famine crisis are examples of sensible legislation for the public welfare." He further says, "For example, his handling of thieves and vagrants was amazing and probably very effective at the time. A spy system to report thieves to the 'man' inside the 'sphinx' statue is commendable, if that were to stop hooliganism. In the evening al-Ḥākim would hold open forum, where the merchants would report to the 'sphinx' the missing items from their stores. The latter would—through previous information—deliver the name of the robber. This seems an interesting and brilliant method of coping with vagrant thieves rampant in a period of depression. Al-Ḥākim no doubt understood the psychological power of miracles and their effect upon the masses."⁴³

What Vatikiotis says makes sense. Al-Ḥākim was forced to adopt such measures by pressure of circumstances. But it appears that al-Ḥākim often adopted extreme measures and more often he had to retreat in the face of adverse reaction. Take, for example, the measures he took against the Christians and Jews. Till then *dhimmīs* (i.e., Christians and Jews) had enjoyed superior positions in the Fatimid empire and most of the revenue officers and tax collectors were recruited from these two communities. They also held some top posts including that of the chief minister and had become very wealthy as a con-

sequence of this. The Muslims naturally resented the ascendancy of the *dhimmīs* in the administrative hierarchy. Also, many of these Christian officers had misused their positions and committed excesses. These cases were reported to Ḥākim. He initiated measures against them from A.H. 395. Many corrupt Christian officers were put to death. Some of them were given three alternatives: Either to embrace Islam, leave the country or face execution. Many embraced Islam whereas some preferred death. He also made it obligatory for Christians to wear a cross weighing about five pounds and exhibit it and for Jews to carry an image of a calf of the same weight. Dr Zahid Ali quotes Maqrīzī for this narration (*Tarīkh Fatīmiyyin Miṣr*, Vol. 1, p. 223). But it seems improbable that a weight of five pounds could have been prescribed. It does not stand to reason. Firstly, five pounds is too heavy a weight to be carried around one's neck and secondly by wearing a cross the purpose of identification is fulfilled. It is not necessary to specify any weight. Christians even otherwise considered it a religious duty to wear a cross. When Ḥākim heard of some fraud being committed in a holy sepulchre in Jerusalem called *Qiyama*, he had it demolished. Christians and Jews were also forbidden to mount horses. (Of course, we are also told that horse-riding was prohibited for all civilians irrespective of their religion.) The severity of these measures continued for about a decade. Thereafter, Ḥākim relaxed these measures and *dhimmīs* were permitted to follow their religion freely if they so desired.

Even the Sunni Muslims faced certain stiff measures. Al-Ḥākim encouraged his subjects to adopt the Ismā'īlī faith, at times he even forced them. In A.H. 395 he caused inscriptions cursing the first three Caliphs whom the Sunnis revered, to be written upon the doors of the mosques, shops and houses. He compelled people to display similar inscriptions in gold letters and bright colours (Maqrīzī, vol ii, p. 286). Though Maqrīzī has reported this he does not say who gave the order to inscribe curses. It is unlikely that Ḥākim, knowing fully well that the Sunnis were in a majority, would pass such a suicidal order. It seems more probable that some over-enthusiastic Shī'a officers were responsible for this step. Why did Ḥākim take these extreme measures? According to Vatikiotis—and he is probably right—the Fatimid *d'awa* faced a crisis of its own making. It pertains to the

doctrine of the *mahdī* and the universalist claim of the Fatimid faith. The founders of the faith had promised that after the appearance of *mahdī* the earth will be freed from injustice and all the people would embrace the true faith. However, the Ismā'īlī faith continued to be confined to a small minority which created doubts about the validity of the Fatimid claims. Al-Ḥākim, therefore, set upon the course to spread the Fatimid mission among his people. Vatikiotis observes, "The change, therefore, from the traditional Fatimid policy of toleration was both wise and imperative, regardless of its ruthlessness. The *d'awa* was in a crisis and the state was in danger. Al-Ḥākim's policy contemplated the achievement of two objectives: (1) to satisfy, at least temporarily, the demands of popular mass expectations of a *mahdī*. For this, it was necessary to crush those who did not accept the religion of the imam-caliph. (2) To pressure a dangerous foreign foe (the Byzantines) to terms."⁴⁴

But soon discontent spread among the Sunnis who were in majority against this policy. Al-Ḥākim—no doubt partly on account of this policy—had to face the rebellion of Abū Rikwa in North Africa from A.H. 395 to 397. He, however, moved wisely and made concessions to the previously persecuted Sunni Muslims. He issued "letters of toleration" to the Muslims who did not subscribe to the Fatimid creed. (Maqrīzī has cited the text of these "letters".) Al-Ḥākim's attitude towards women was the result partly of Islamic laws and partly of intrigues which he faced from some influential women in the palace. His sister Satt al-Mulk wielded enormous power. Using her wealth she could promote political intrigues. Al-Ḥākim imposed severe restrictions on women in general and confiscated their properties including those of his mother and sister.

Al-Ḥākim, on account of such extreme measures which he took to meet various challenges, has become a controversial figure. Historians have held different opinions. The Muslim historians like Abu'l Fidā, Ibn al-Athīr and Ibn Khallikān depict him as an heretic and wily tyrant. Prof. Hitti, on the other hand, defends him and says: "The fact that al-Ḥākim introduced many reforms regulating weights and measures, fought immorality with police ordinances and succeeded in establishing a religious community (the Druze) that has survived nine centuries like a fossil—and if ever there was a fossil in history that certainly is the Druze

community—amidst a hostile environment indicates that he was not the kind of maniac or fool whose biography these early writers have left us.”⁴⁵

Al-Ḥākim was deeply religious. His predecessors had lived with great pomp and glory. They constructed great palaces and decorated them lavishly. Al-Ḥākim, on the other hand, preferred simplicity. He even gave up riding horses. He used an ass for that purpose. He wore simple clothes without any jewels. He often rode out on his ass and people would flock around him with complaints. He was, at the same time, very generous. He used to reward his servants generously. Aḥmad b. Muḥammad Nisāburī writes in *Ithbāt al-Imāma*, “Ḥākim did not distinguish between good and bad persons in rewarding them generously.”⁴⁶ Aḥmad Nisāburī in fact compares Al-Ḥākim’s qualities with those of God—as God showers his bounties on all irrespective of his or her religion or whether he or she is good or bad, the commander of the faithfuls (i.e., Al-Ḥākim) too does not distinguish between good or bad person while rewarding.⁴⁷ Sayyidna Ḥamīdud Dīn Kirmānī was a great Ismā‘īlī intellectual who has written number of books on *ḥaqīqa* (the ultimate reality). He pays his tributes to Al-Ḥākim in these words: Ḥākim’s actions are dark, which baffle human intellect. These actions are a curse for *d’awa* and a great test for it. God shall fulfil His promise after this period and this darkness will vanish and the truth will return in its entirety towards the house of the Prophet.”⁴⁸

The above tribute is no less baffling for an ordinary mortal. Whatever its interpretation by the faithfuls what emerges clearly is that *Imām* Ḥākim’s acts were full of contradictions which needed either to be explained or rationalized or to be accepted as a matter of faith by the followers. Al-Ḥākim’s personality in my opinion was charismatic and his actions enigmatic which made him a highly controversial figure. Al-Ḥākim’s disappearance or death is also surrounded by mysterious circumstances. Ḥākim used to frequent a cave on the mountain of Muqattam. One evening in the A.H. 411 he went there along with a servant. As usual he was riding an ass. He did not return to the royal palace that night. Next day the ass was found dead outside the cave but there was no trace of Al-Ḥākim or his body. Did he disappear never to return or was he murdered? It is difficult to say. The *Dūrūzīs* who have faith in his divinity believe that he will reappear.

The Ismā'īlīs do not entertain any such belief. Neither do they have any decisive answer to his mysterious disappearance. However, it seems improbable, as maintained by some historians, that he was murdered at the instance of his sister Sitt al-Mulk. The Ismā'īlīs believe that he was not killed but disappeared and, like Christ, ascended to heaven. But this does not mean he is physically alive.⁴⁹ Al-Ḥākim's actions, for a student, of history, were no more contradictory than the situation he was facing. The contradictions sprang as much from his personality as from the situation he was faced with.

Aḏ Ḍāhir, The Seventh Fatimid Caliph (A.H. 411 to 427)

Some historians like Maqrīzī think that al-Ḥākim had appointed, seven years before his death, 'Abdur Raḥīm bin. Ilyās b. Aḥmad as his heir apparent. His name was also mentioned in Friday prayers and he had taken charge of administration. However, this seems unlikely for two reasons: (1) In a dynastic rule the successor is chosen from among the members of the dynasty whereas 'Abdur Raḥīm was an outsider; (2) The Fatimid caliphs also held the religious office of Imām which could be passed on from *father to son only* and to no one else. What seems more probable is that Ḥākim might have appointed 'Abdur Raḥīm as regent because his son Ḍāhir was still young. He was 16 years old when Ḥākim died.

The Isma'ili sources maintain that Imām Al-Ḥākim had appointed his son Ḍāhir as his heir-apparent before he disappeared. The news of Imām Ḥākim's disappearance was concealed from the people for some time. Meanwhile Ḍāhir obtained the oath of loyalty from the most trusted of his followers. Ḍāhir was about 17 years old at that time. Satt al-Mulk, Al-Ḥākim's sister, wielded great influence over her nephew and directly participated in the state affairs. She sent for 'Abdur Raḥīm who was in Damascus at that time as she wanted him to pledge his loyalty to the caliph. 'Abdur Raḥīm declared himself the independent ruler of Syria and got some support for this from the people of that region. However, on account of his high-handedness the people soon turned against him. Satt al-Mulk got him arrested. He was brought to Egypt and thrown into prison where he died after some years.

Satt al-Mulk remained quite influential until her death in

A.H. 415. During these four years chief ministers changed in quick succession and the administration could not acquire stability. Reasons for this remain obscure but these changes might have taken place on account of palace intrigues. After Satt al-Mulk's death a trio from among the court nobles was put in charge of the administration. This trio consulted the caliph in all important matters and took decisions. The Nile did not flow abundantly from A.H. 416 onwards for three years. There was famine, and loot and pillage became the order of the day. Some thousand slaves revolted and started looting and killing the government officials. However, the revolt was put down and the situation began improving with increase in the level of the Nile. In A.H. 419 normalcy returned.

Caliph al-Zāhir was not lacking in the qualities of a good diplomat. In A.H. 418 when normalcy was about to return, he was able to enter into a favourable treaty with the Greek Emperor, Constantine III. It was agreed that the Fatimid caliph's name should be mentioned in Friday sermons in all the mosques in the Byzantine dominions. It was also agreed that the mosque in Constantinople, which was destroyed in retaliation to the destruction of the Church of the Resurrection in Jerusalem, would be built; on the other hand, the Caliph agreed to permit the rebuilding of the Church at Jerusalem. Zāhir also succeeded in restoring authority over Syria. Some historians maintain that Zāhir was reduced to the status of a titular head and the real power was wielded by the trio.

In A.H. 427 Zāhir fell sick of the plague and as his condition worsened he was taken to the "Garden of the Strand" at Maqs (today the port of Cairo). He died there, leaving behind his son al-Mustanşir who was only seven years old at that time.

Al-Mustanşir A.H. 427-487 (A.D. 1035-1095)

Al-Mustanşir—only seven years old—was proclaimed caliph after his father's death in A.H. 427. His mother—a Sudanese negress—became all-powerful and ruled from behind the caliphal throne. Non-Isma'ili historians have maintained that the queen-mother was a slave girl and Caliph Zāhir had acquired her from her Jewish master. This may be so. But the Isma'ili sources maintain that Zāhir had married her and Mustanşir was born of this wedlock. Fights between the Turks and the negroes start-

ed and the queen mother threw her weight behind the negro regiments. Trouble was brewing in Syria too and after a few months a formidable rising took place. After the death of the wazir al-Jarjarai, who was an able administrator, in A.H. 436 factional fights and court intrigues became rampant. Now there was no restraint on the queen-mother. Ministers changed in quick succession and for the next six years (A.H. 436-442) the domestic politics of Egypt centred around the struggle between the Turkish mercenaries and the negro troops.

In A.H. 442 al-Mustanşir found a very capable minister in the person of al-Yāzūrī—a son of an humble fisherman of the village of Yāzūr. He remained in charge of administration for eight years and introduced many reforms. O'Leary says; "One of his first measures was to sell the government stores of corn at the lowest current prices, thus bringing down the price of corn throughout the country and forcing the merchants to put their stock upon the market at prices which suited the people. Incidentally, this involved a severe loss to the revenue, and, a more serious result, there was nothing available when soon afterwards a bad Nile produced general scarcity, so the country had again an experience of famine and then of plague."⁵⁰ But al-Yāzūrī managed this adverse situation admirably well by procuring food-grains from the Emperor of Greece. This assistance continued till about A.H. 447 when the emperor died. Empress Theodora, his successor, wanted to drive a harder bargain but Yāzuri did not agree. Fortunately there was an exceptionally good Nile the next year and once again there was abundance in Egypt. Yāzūrī also took strict measures to protect the interests of poor peasants. He made laws forbidding money-lenders from siezing standing crops and merchants from buying unreaped corn at a low price. Yāzūrī, however, was not above reproach. He had amassed a great deal of wealth and was also accused of treasonable correspondence with the Abbasids. He is said to have been poisoned by the queen mother with the consent of the Caliph in A.H. 450.

It would be interesting here to throw some light on what the well-known Persian poet Nāṣir Khusraw says about the life in Qāhira, the capital city of Egypt, which he visited in A.H. 439. He spent seven years in the city and acquainted himself with every aspect of life. He was a keen observer and has left graphic accounts of the wealth and splendour of the Fatimid court and the

prosperity of Cairo even in that period of comparative disorder. It should be noted that the eyes of this traveller who was also an *Ismā'īlī dā'i* were familiar with the most prosperous and cultured cities of Persia and Irāq. Even to his eyes the magnificence of Cairo and its court seemed astonishing. He tells us in his *Safar Nama* (travelogue) that Cairo is a grand city having five gates. There is no wall around it but its buildings are taller than any such wall built around cities. The total number of buildings may be around 20,000 most of them five or six-storeyed. The buildings have been constructed away from each other. There are beautiful gardens around watered by wells and windmills. The rent of an average-sized four-storeyed building is eleven dinar. Describing the grandeur of Mustanşir's palace he says that it is a huge and strong building which looks like a mountain from a distance. It is surrounded by big open fields and guarded by 500 mounted and 500 foot soldiers. The number of its inmates runs into 30,000 out of which 12,000 are slaves and servants. Every part of this huge complex is called a palace. Writing about the throne he says that even a full length book would not be sufficient to describe its matchless beauty.⁵¹

The Caliph al-Mustanşir passed through different phases during the long spell of his reign. Sometimes he exercised effective authority and at times he became a mere prisoner of his wily and crafty ministers. After al-Yāzūrī's death the Turkish troops slowly increased their influence and their leaders acquired more and more authority. Some forty ministers were appointed one after the other within the period of 15 years. The Turks and the negroes constantly clashed with each other. In A.H. 460 Nāşir ad-Dawla, the Turkish general, inflicted a decisive blow on the negro forces and dispersed them. Nāşir ad-Dawla now became very powerful and plundered the Caliph's palace. Al-Mustanşir was reduced to dire straits. He captured Alexandria and stopped the movement of foodgrains to Egypt. As a result of this there was so much scarcity of food in Egypt that even with precious stones and expensive ornaments one could not buy bread. Hundreds perished and many migrated to other places. Even the Caliph could not get more than two pieces of bread a day. Nāşir ad-Dawla was a tyrant and his own man killed him in A.H. 465.

After Nāşir ad-Dawla's assassination, al-Mustanşir invited Badr al-Jamālī, an Armenian-slave, to take charge of the ministry, which

he accepted on certain conditions. Badr al-Jamālī soon brought the situation under control and restored the caliphal authority. Prosperity once again returned to Egypt and the annual revenue touched a new high. It increased from twenty lakh dinars to thirty lakh dinars. Fatimids were well-known for ostentation and splendour. Even after Nāṣir ad-Dawla's reckless plunder the Caliph's palace was left with precious stones, jewellery and gold and silver vessels worth millions of dinars. These artifacts were of matchless beauty. Maqrīzī and others have given an exhaustive list of these precious articles. Caliph al-Mustanṣir was equally interested in the spread of the Ismā'īlī mission. It was in his period that the great da'i Sayyidna Mu'ayyad Shīrāzī rose to eminence and held religious discourses in the Caliph's palace. Mu'ayyad Shīrāzī was a genius, and one of the most learned *dā'īs* of the Ismā'īlī *d'awa*. Mustanṣir himself, in one of his couplets calls him the mountain of knowledge which is very difficult to climb.

Al-Mustanṣir, according to 'Uyūn al-Akḥbār of Sayyidna Idrīs, was poisoned and died in A.H. 487. He was 67 when he breathed his last. Al-Mustanṣir's reign proved to be the beginning of the decline of the Fatimid rule. In fact, it was the statesmanship of Badr al-Jamālī which arrested the process of decline for some-time. The great famine from A.H. 459 to 465, the factional fights between the Turks and the negroes, the revolt in North Africa, the huge expenses on war against the 'Abbasid's and the crusaders' attacks are some of the causes of the decline of the Fatimid power. P.J. Vatikiotis says that "In surveying the internal developments of al-Mustanṣir's rule, political intrigue, rebellion, and administrative inefficiency are prominent as signs of general decline. The pattern of events that destroyed the authority of the orthodox caliphs in Baghdad was then repeated in Egypt. Ministerial rule replaced the personal authority of the imam-caliph at a rapid pace. This was the situation which the prominent dā'i of al-Mustanṣir, al-Mu'ayyad fi'd-dīn, deplored in his autobiography."⁵²

Al-Must'ali: A.H 487-495 (A.D. 1094-1101.)

Must'ali was the youngest son of al-Mustanṣir and was 21 years old when he succeeded his father in A.H. 487. However, Must'ali's succession did not remain unchallenged and a contro-

versy both from a sectarian and secular view-point arose and consequently the Fatimids split into two groups: (1) Those who accepted Must'ali as Imām and (2) those who accepted the eldest son Nizār as the rightful successor both as *Imām* and caliph. The Bohras belong to the former group and the Nizāris or the Khojas belong to the latter.

According to the *dā'i* Idrīs, the author of the Ismā'īlī history 'Uyun al-Akhhbār, al-Mustanşir, had decided to nominate Must'ali before he was born. When Mustanşir's two elder sons Nizār and 'Abdallah were quarrelling over the Imāmate he told them, "do not quarrel for something which you are not going to get" and pointing to his back he said "the real Imām is here" meaning thereby that he was yet to be born. When Must'ali was born al-Mustanşir gave good tidings of his becoming *Imām* to the followers of the Isma'ili *d'awa*. Al-Mustanşir also wrote a letter to the chief *dā'i* of Yaman saying, "God has bestowed a son on the Commander of the Faithfuls due to whom (the office of) Imama will be strengthened and through whose progeny God's Word will continue until the day of Judgement. He has been born in the month of Muḥarram 467." *Dā'i* Idrīs also tells us that the pledge of loyalty (i.e., *bai'a*) for Must'ali was taken next day after al-Mustanşir's death. That time he was 21 year old and among those who first pledged their loyalty were his two brothers Nizār and 'Abdallah. But both of them did not fulfil their pledge.⁵³

This is the official version given by an eminent historian of the Must'alian sect about this sectarian dispute. But Maqrīzī gives a different version. According to him after Mustanşir's death the *wazīr* Afḍal entered the palace and seated the youngest son of al-Mustanşir i.e., al-Must'ali on the throne. Then he sent for his other brothers Nizār, 'Abdallah and Ismā'īl. When they reached the court they saw that their younger brother was sitting on the throne. This was completely unexpected for them. Afḍal asked them to give oath of allegiance to Maulana Must'ali and to prostrate themselves before him saying that Imām Mustanşir had appointed al-Must'ali as his successor. Both the brothers refused, each one of them maintaining that it was he who was appointed as *Imām* by his father. Maqrīzī's version also cannot be completely ignored. In those days the *wazīrs* had become all-powerful and could choose one or the other as the preceding caliph's suc-

cessor. It is also quite probable that the Caliph Mustanşir had nominated Must'ali as his successor and being youngest and easy to control, Afdal also threw his weight behind him. Whatever the merit of this sectarian dispute al-Must'ali became Imām-Caliph after al-Mustanşir and Nizār, along with his followers, declared war against the caliphate of his younger brother. He was defeated by the Caliph's army and had to sue for peace. He was pardoned and allowed to come back to Cairo. "Nizār's subsequent life," says O'Leary, "is totally unknown. He was either imprisoned in absolute secrecy, or put to death: stories were told of both these ends, but nothing was ever known for certain. A certain Muḥammad afterwards claimed to be Nizār's son, and had a following in Yemen: he was brought to Cairo and crucified in 523. In all probability he was an imposter."⁵⁴

Al-Must'ali died in A.H. 495. He was 28 at the time of his death. It is said he was poisoned by someone. The first crusade was launched in Must'ali's reign in A.H. 489. That further weakened the Fatimid empire. Imām Must'ali died young but he was liked by the army as well as the people. However, the effective power was wielded by his *wazīr* Afdal. He was reduced to the status of a titular head.

Al-Āmir, The Tenth Fatimid Caliph: A.H. 495-524

Āmir was only five years old at the time of his father's death. Afdal proclaimed his caliphate and continued to rule himself. The Crusaders also continued their attacks and succeeded in establishing their base in Palestine and were threatening Egypt. However, the Crusaders could not take Egypt. Wazīr Afdal kept them at a distance. But the Caliph Āmir now started resenting the domination of Afdal. In A.H. 515, one day when the wazīr rode out towards the Nile he was attacked and seriously wounded. Āmir visited him at his death-bed. But it is difficult to say whether he had a hand in this murderous attack on his wazīr. Imām Āmir himself was killed by a group of assassins, supposedly the partisans of Nizār in A.H. 524 when he was going out either for hunting or to his palace in Fustat. Some historians say that the palace in question belonged to his most cherished concubine. The Ismā'ilis, however, denounce this charge as a canard perpetrated by the enemies of the Fatimids.

According to the Must'alians Āmir, before his death, nomi-

nated his son Ṭayyib who was then two years and some months old. According to some other sources Āmir's son was only six months old. And, not surprisingly, many historians maintain that Āmir had no son when he died. Still, some other historians say that when Āmir died one of his wives was pregnant and the Caliph had predicted that she would give birth to a son who would succeed him as *Imām*.⁵⁵ But the Must'alian Ismā'ilis maintain that Ṭayyib was already born before Imām Āmir's death. He is even reported to have sent a letter giving the news of the birth of his son to his governess in Yaman, Ḥurra Malika. This letter has been quoted by 'Ammarat al-Yamanī in his *Tārīkh al-Yaman*. 'Ammarat al-Yamanī was a contemporary of the Caliph Āmir.⁵⁶ As Ṭayyib was just an infant, Āmir appointed his cousin 'Abdal Majīd as regent of the state. But, the sectarian sources tell us, 'Abdal Majīd's intention changed and he thought of usurping the throne. The Bohras believe that those loyal to the *d'awa* perceived danger to the life of *Imām* Ṭayyib and so they had to hide him. Ḥurra Malika of Yaman remained loyal to *Imām* Ṭayyib's *d'awa* and did everything to promote its cause. Thus *Imām* Ṭayyib went into hiding, and, according to the belief held by the Bohras, the *Imām* continues in his progeny although the identity of the *Imāms* subsequent to Ṭayyib is not known till today. Ḥurra Malika, the Must'aliyan Ismā'ilis believe, was appointed as ḥujja and overall in charge of *d'awa*. The Fatimid caliphate continued in Egypt until A.H. 567 when Ṣalāḥ ad-Dīn Ayyūbī, an orthodox Sunni, took over the power in the name of the Abbāsīd caliph of Baghdad. This was the end of the Fatimid rule in Egypt and North Africa.

NOTES

¹*Sira J'afar*, cf. W. Ivanow, *The Rise of the Fatimids*, Oxford University Press, 1942, pp. 199-200.

²Qāḍī al-N'uman, *Iftitah ad-D'awa*; cf. *ibid.*, p. 225.

³*Ibid.*, pp. 226-227.

⁴Mulla Yunus Shakeb Mubarakpuri, *Fatīmi Akābir*, Idarāe Adabiyat-e-Fatīmi, Surat, n.d., pp. 57-60.

⁵De Lacy and O'Leary, *A Short History of the Fatimid Khalifate*, Kegan Paul, London, 1932, p. 52.

⁶Ibn Khaldūn, *Muqaddimah*, (ed. and abr. by N.L. Dawood), Princeton University Press, 1967, pp. 130-31.

⁷Maqrizī, vol. II, p. 11, quoted by O'Leary, *op. cit.*

⁸Husayn F. al-Ḥamdānī, *On the Genealogy of Fatimid Caliphs*, Publication of the American University at Cairo School of Oriental Studies, Cairo, 1958, pp. 19-20.

⁹*Ibid.*, p. 20.

¹⁰Hasan Ibrahim and Taha Ahmad Sharf, *Al-Mu'izz li-Dinillah Maktaba al-Mahda al-Miriyya*, 1947, pp. 11-13.

¹¹Ibn Khaldūn, *Tārikh al-'Allama Ibn Khaldūn*, vol. I, pp. 33.

¹²Dr. Zahid Ali, *Tārikh Faṭimiyyin Misr*, vol. I, Nafis Academy, Karachi, 1963, p. 123. He has quoted from *'Uyan al-Akhbar*, vol. V, p. 166.

¹³O'Leary, *op. cit.*, p. 75.

¹⁴Dr. Zahid Ali, *op. cit.*, p. 134, (author's translation).

¹⁵O'Leary, *op. cit.*, p. 89.

¹⁶Ali Muhammad Jan Muhammad Chinara, *Mun-a-Mubin, Habl al-Matin*, p. 180, (manuscript).

¹⁷*Ibn Athir*, Vol. VII, *op. cit.*, p. 171.

¹⁸Hasan Ibrahim Hasan and Taha Ahmad Sharf, *op. cit.*, pp. 13-14; cf Qāḍī an-N'ūmān *Al-Majālis wa al. Musa'iarat*, vol. II, pp. 616-617, (Author's translation).

¹⁹*Ibid.*, p. 145, (author's translation).

²⁰O'Leary, *op. cit.*, p. 102.

²¹*Ibid.*, pp. 104-105.

²²*Ibid.*, p. 111.

²³*Al-Mu'izz li-Dinillah, op. cit.*, p. 139, (author's translation).

²⁴*Ibid.*, p. 139, (author's translation).

²⁵*Ibid.*, p. 168, (author's translation).

²⁶*Ibid.*, pp. 168-169, (author's translation).

²⁷*Ibid.*, pp. 169-170.

²⁸Qadi an-Numan *Al-Majālis wa-al-Musa'iarat*, vol. III, pp. 210, (Manuscript in author's collection; author's translation).

²⁹*Al-Maqrizī, Khitāṭ*, vol. I, (ed. Bulaq) A.H. 1270, p. 384.

³⁰*Al-Majālis wa al-Musaṭṭarāt, op. cit.*, vol. I, p. 199.

³¹*Ibn Athir*, Vol. VIII, (ed. Bulaq) A.H. 1276, p. 263.

³²*Maqrizī, op. cit.*, Vol. II, p. 166.

³³Hasan Ibrahim Hasan, *Al-Fatimiyyūn Fi Miṣr*, p. 184, (author's translation).

³⁴O'Leary, *op. cit.*, p. 115.

³⁵*Ibid.*, pp. 116-117.

³⁶This account of Aftakin's fight has been quoted from Dr. Zahid Ali, *op. cit.*, pp. 192-194.

³⁷O'Leary, *op. cit.*, p. 224.

³⁸*Ibid.*, p. 125.

³⁹*Ibid.*, p. 130.

⁴⁰*Ibn Khaldūn*, Misr vol. I. A.H. 1311, p. 53.

⁴¹O'Leary, *op.cit.*, pp. 131-132.

⁴²See al-Maqrizī, *Al-Khiṭaṭ*, I. 19, 458 ff., *op. cit.*, and Ibn Khallikān, Cairo, A.H. 1310, Vol. iii, pp. 449-454.

⁴³P.J. Vatikiotis, *The Fatimid Theory of State*, Oriental Publishers, Lahore, 1957, pp. 152-153.

⁴⁴*Ibid.*, pp. 153-154.

⁴⁵Prof. Philips Hitti, *The Origins of the Druze People and Religion*, p. 27; cf., Vatikiotis, *op. cit.* p. 157.

⁴⁶Aḥmad b. Muḥammad Nisābūrī, *Ithbāt al-Imāmā*, The ms. in the author's possession has been copied by Ibrahim b. Miyasaheb Abdul Qayyum Godharvi, in A.H. 1373 (author's translation).

⁴⁷*Ithbāt al-Imāmā*, *op. cit.*,

⁴⁸Sayyidna Aḥmad Ḥamīd al-Dīn Kirmānī, *Risāla Mabāsīm al-Bashārāt fī Ithbāt-e-Imāmat al-Ḥāṣim* (13 epistles), chapter VI, cf Dr. Zahid Ali, *op. cit.*, p. 261, (author's translation).

⁴⁹Shaikh Hasan Ali Sarangpuri, *Dāmigh al-Buhtān*, Vol. II, Darul Ishā't, Jam'ah Saifiyah, Surat, n.d. pp. 871-872.

⁵⁰O'Leary, *op. cit.*, p. 197.

⁵¹Dr. Zahid Ali, *op. cit.*, vol. I, pp. 281-284 and O'Leary, *op. cit.*, pp. 198-199.

⁵²Vatikiotis, *op. cit.*, p. 163.

⁵³Sayyidna Idrīs, *Uyūn al-Akhhbār*, Vol. VII, pp. 245-250, (manuscript).

⁵⁴O'Leary, *op. cit.*, p. 212.

⁵⁵S. Zākir Ḥusayn J'afar, *Ar-Raudāt al-Baḥiyya fī Tārīkh-e-Salāṭin-Fāṭimiyā wa Radd-e-Buhtanāt al-Khārjiyya*, Maṭba'a Nādirī, Jabalpur, n.d., p. 105.

⁵⁶*Ibid.*, p. 107.

4

THE ORIGIN OF BOHRAS IN INDIA

The Isma'ili movement, right from its inception, was a proselytizing mission which had spread the network of its missionaries to countries like Africa, Persia, Central Asia, Yaman and India. In India, however the missionary activities had not spread beyond the Sindhu valley. It was during al-Mustansir's reign (A. D. 1035-1095) that it was decided to send missionaries beyond the valley of the Sindhu river. From Egypt two eminent *da'is*, Ahmad and 'Abdallah were sent via Yaman to India. They landed at the port of Cambay. The author of *Mousam-e-Bahar*, which the Bohras consider to be their authentic history (it is, in fact, a legendary account, based more on imagination and religious devotion than on facts), gives a version which it is difficult to verify from other sources. According to him the ruler of Pattan Siddharaja Jaysingha was intent upon killing Muslims. A large number of Muslims had been killed when this news reached the Fatimid ruler of Egypt, al-Mustansir. To set the things right, two missionaries, Ahmad and 'Abdallah were sent to India and they landed near Cambay.¹ The activities of these missionaries were quite peaceful and, it appears, they had no political ambitions. Thus Satish C. Misra says: "The foundation of Isma'ili communities in Gujarat is an unique fact in Indian history. Nowhere else in India did these communities come into being in any sizable dimensions; nowhere else was the penetration of Islam as peaceful or the rise of the new communities as imperceptible. No other Muslim community in India suffered more at the hands of the iconoclastic

Sunni rulers. And finally, none other has developed a business outlook which is distinct in Muslim communities. Their only compeer in this respect is the Gujarati community of the Memons.”²

It is difficult to get historical accounts of these missionaries as no historian has recorded it. We have to rely mainly on the legends current in the community or some sketchy record which itself is by no means free of confusion. Even the names of these first missionaries differ in the various accounts given by the historians. Conolly (Journal of the Asiatic Society, VI.2, 824) calls the missionary *Muhammad* not *Abdullah*. The *Mirat-i-Ahmedi* (Persian Text, II.87) agrees with Conolly in stating that the name of the first Bohra missionary was Mulla Muhammad Ali and says that the shrine of this Pir at Cambay, known as the shrine of the Pir-i-Rawan or the Ever-alive Saint, still yearly draws large crowds of Bohras from all parts of Gujarat. According to the account given by the author of the *Mirat* when Mulla Muhammad Ali landed in Cambay the people of Gujarat were ignorant of Islam. A Hindu saint was the object of general faith. The Mulla considering open opposition to this saint dangerous and impossible joined the number of his disciples. His intelligence soon attracted the saint's notice. After mastering the language of the country, he studied the saint's holy books and so worked upon his mind as to convert him to his views. Many of the saint's chief followers adopted the new faith. At last news that his minister was a convert reached the Raja's ears. The Raja finding his minister at his prayers asked what he was doing. "Searching for a snake," said the minister. A snake appeared in a corner and the Raja became a convert though he kept it secret till on his death-bed he ordered his body to be buried.

However, *Mausam-i-Bahar* gives a little different version. According to its author the *dā'i* Abdullah landed at Cambay and proceeded further through the land-route. He felt intensely thirsty and went to a nearby garden in search of water; but the gardener Kaka Akela and his wife Kaki Akeli told him that due to famine the well was dry. Maulai Abdullah went near the well and threw a spear in it. Lo and behold! there gushed out a stream of sweet and cold water. Seeing this miracle both husband and wife embraced Islam. Abdullah learnt the local language and established contact with the priest of a nearby temple. After defeating him in

religious polemics he converted him to the Islamic faith. Through the priest he converted the minister Bharmal. All of them kept their conversion to the new faith a secret lest they should be punished by the king of Pattan Siddharaj Jayasingha. Bharmal's conversion was, however, reported to the Raja and when he went to his minister's residence to check, he was praying. The snake appeared and saved the minister. But now Abdullah was interested in converting the Raja himself in order to win general support. The priest told him that the Raja could be converted only if the elephant-god of this temple, for whom the Raja has great regard, is made to fall from its hanging position in mid-air. On close examination Abdullah found that the elephant was hanging in mid-air without any support as there were four powerful magnets of equal pull hidden in the four walls of the temple. The magnets were removed one by one thus bringing the elephant-god tumbling down on the floor of the temple. The Raja shook with terror. On being shown more miracles by the missionary he embraced the new faith.³

According to Satish Misra, Raja Siddharaj Jayasingha (1094-1143) was very tolerant towards the other faiths but himself was never converted to any other religion. He says, "The reign of Siddharaj Jayasingha is not only the most glorious in the history of Rajput Gujarat and one of the most well-remembered ones in this land but it has also become one of the important landmarks in the early history of Muslim communities. In popular imagination, Siddharaj himself was the founder of *all* the important communities in Gujarat—no less than *three* Muslim *pirs* are reported to have converted him to their own particular sect. The legendary Bohra accounts are definite that he accepted their faith and the genealogy of one of the most notable of Bohra houses is traced back to him, a line which has produced several Da'is. In Khojah memory, he is said to have been converted by their first missionary, Nur Satgur. Finally, in the Mirat-i-Ahmadi is recorded a tradition that he was secretly converted to the Sunni faith by a *Pir* of that persuasion."⁴ Misra rightly points out that these are popular traditions without any historical authenticity. No sober historical account supports them. No evidence suggests that the great Rajput ruler died in a faith different from that of his fathers. The purpose which these traditions have served, has been to provide each of these communities with a charismatic

figure as its early champion and thereby invest it with a romantic halo.⁵

Now let us consider the question of conversion in a socio-political perspective. It is clear from the outset that these Arab missionaries had no political ambition in India unlike the Ismā'īlī missionaries of the second and third centuries *higra* in Arabia who had the definite political goal of capturing the state power. At least there is no indication—neither in word nor in deed—that these Arab missionaries in India had any political aim whatsoever. In their sectarian scheme of things Hind (India) was also one of the *jaziras* (regions) where the mission had to spread. The methods of these missionaries were so peaceful that even in the legendary history no violent incident with the followers of local religions has been reported. Now the question arises, among which class of people did the Ismā'īlī propagandists succeed most and what were its social and political contradictions vis-a-vis other classes?

Raja Siddhraj Jayasingha of Pattan who began his rule in A.D. 1093 seems to have been a popular ruler. He was tolerant towards other faiths too. The Arab *dā'īs*, as legends show, tried to win over converts from among both the rulers as well as the ruled, from the towns as well as the villages. Does it mean there were no contradictions between these classes to be taken advantage of by the propagandists of the new faith? These contradictions did exist though they were not very apparent, nor did the propagandists seem to have been conscious of the same. But we get an indication of these contradictions—however subtle they might have been—from the converts and the classes they belonged to. The legends point out that the Ismā'īlī missionary Abdullah first met a poor gardener and his wife who had been affected by famine. He converted them to his faith by performing a "miracle", i.e., by producing water in their dry well. This shows that the *dā'īs* first approached the local poor for whom religion was not an intellectual exercise in philosophic speculations, but a spiritual solace in "the vale of tears" that this world was for them. Also, the first martyr of this faith was one Maulai Fakhruddin who was killed in Galiakot while passing through a tribal belt in Rajasthan. He was obviously carrying on missionary activity, if not among the tribals themselves, at least among the non-tribal villagers. It is mainly due to his activities that we find today a sizeable number of

Bohras (who are mostly poor, having petty-shops in the villages) in the Wagar area of Rajasthan. This also clearly shows that the first missionaries had spread out among the poor both in urban and rural areas. Another early missionary, Maulai Nuruddin, is lying buried in a small village called Dongaon in the Aurangabad district of Maharashtra. Maulai Nuruddin was in charge of missionary activities for the Deccan plateau. He was trying to convert people in the remote villages and towns when he died in Dongaon.

Though there are no definite records to prove the contrary, it would not be very wide off the mark to say that there were very few converts from amongst the ruling nobility. Such conversions could have taken place only on the grounds of personal convictions and thus were very few and far in between, whereas in the lower rungs of society certain social contradictions did make the task of conversion relatively easier. The caste hierarchy in India was highly oppressive and exploitative for those at the bottom or outside it. Islam suffered from no such social stigma; it was more democratic and laid greater emphasis on equality as it had originated among the pre-feudal trading class of Mecca and the desert nomads of Arabia. In Islam there is greater emphasis on equality in the absence of any such social hierarchy. Thus Islam had great appeal for the lower castes as it promised them equal status with all other faithfuls (although in the Indian social milieu this was more illusory than real). However, in case of the Ismā'īlī sect, there is another factor to be borne in mind: this sect grew in the feudal environment of Persia and imbibed many elements of its religio-cultural outlook. As a result of this and also because it was forced to function underground, it developed a religious hierarchy which basically militated against the spirit of the more democratic, orthodox Sunni sect.

This kind of hierarchical outlook, which at the same time was free of the caste stigma, had a definite appeal for certain classes in India. The ruling nobility did not have to search for any other religion as it had sanction for all it did in the Hindu religion itself. The untouchables at the lowest rung of society were, on the other hand, more attracted towards orthodox Sunni Islam as it was more democratic and free of any notions of hierarchy. However, there were middle castes and sub-castes like those of traders who had differences not only with the ruling feudal

nobility but also with those who were lower in the caste hierarchy like the untouchables. These middle castes were not free of hierarchical notions and were thus more inclined to adopt a partially heirarchical faith like Ismā'ilism. It was probably for this reason that these Arab missionaries found most of their converts from amongst the trading castes. The word "Bohra," according to most writers on the subject, seems to have been derived from *vohrwu* or *vyahwar* meaning to transact, to trade. Thus we read in the *Bombay Presidency Gazetteer*: "The origin of the name Bohra is doubtful. It is generally traced to the class of Hindu Bohorās who are still found in Mār wād, Rajpūtāna, and the North-West Provinces. But as there is no certain record of Hindu Bohorās in Gujarāt, it seems better to derive the word from the Gujarāti *vohorvu* to trade, the occupation followed by the first Hindu converts to Islam."⁶

What we read further in the *Gazetteer* is quite interesting. It says:

Besides the traders there is a larger and not less prosperous class of village Bohorās, tillers of the soil and Sunnis by religion. The existence of these two distinct classes is an illustration of the fact that in Gujarāt Shiāhism was spread by the persuasion of preachers and Sunnism by the power of rulers. The early Shiāh preachers (A.D. 1067), being treated with much kindness by the Hindu kings of Anahilavāda (i.e., Pattan), settled and made converts chiefly in the great trading centres, while to the Musalmān governors it was of more political value to bring over to their religion the sturdy and outlying villager than the weak and peace-loving trader. The use of the same name to classes so unlike as the city and village Bohorās, would seem to be due to the great division of the Gujarāt population into armed dhārāla and unarmed. To distinguish converts from the armed Rajpūt and Koli castes the Musalmān governors coined such names as Molesalām, Malik, and Sipāhi. For converts of the trading class the word Bohra was in use, and this they extended to converts from all the unarmed castes, Brāhmans, husbandmen and craftsmen.⁷

Thus we see that the Bohras were traders before their conversion

to the Shi'a Ismā'īlī faith and mostly belonged to big or small urban areas. Peasantry, by and large, remained outside its orbit. From the *Mirat-i-Ahmadi* as well as from certain traditions within the community we learn that many Brahman and Bania traders were also converted to this new faith. But—and it was no mean achievement for the missionaries of the new faith—there remained no trace of caste-consciousness among these new converts. It was most probably for this reason that the system of commensality was introduced and strictly adhered to. Till today the Bohras eat together from a common *thali*. Praying together in one line was not, from the caste point of view, as radical a step as eating together from a common vessel. Moreover, compared to other similar communities, there has been much more cultural homogeneity within the community. Also, unlike the Khoja converts, the Bohras imbibed the traditions of the new religion in a thorough manner. Though it was basically a *batinite* sect (i.e., believing in the esoteric interpretation of the Koran and *shari'ah* as explained in an earlier chapter) its followers in India have been very scrupulous followers of all the practices prescribed by the Islamic *shari'ah*: praying as prescribed by Islam (*namāz*), fasting in the month of Ramaḍān, performing *hājj*, paying *zakāt* and all other Islamic injunctions—obligatory as well as voluntary—were observed fastidiously. It was, in a way, a complete break from the past, although, as we shall see later on, the traces of the past traditions continued in one from or the other.

The converts to the new faith, consciously or unconsciously, underwent a complete cultural revolution. Their social and religious outlook underwent a thorough change. Hinduism does not prohibit fine arts like music, dancing and painting. In fact many of its religious traditions find expression through the medium of these arts. Islam, on the other hand, has proscribed these arts. Soon after conversion to the new faith these arts were prohibited and till today the Bohras, by and large, abide by this prohibition. It applies with an equal degree of rigour to the Sunni Muslims as well; but these Muslims, as we know, have produced a large number of great musicians, painters, and even some dancers. The reasons for this, in my opinion, must be sought in the socio-economic structures rather than in the religious prohibition. The Bohras, as we have seen above, belonged to the class of petty traders which tends to be conservative and narrow in out-

look. Moreover, it does not command enough surplus in a feudal set-up (due to restrictive trade practices followed by the ruling class in the feudal society to keep the merchant class subordinated to itself) to develop a taste for the fine arts. The feudal class and its proteges on the other hand extract enough surplus from the peasantry to spend on refining and developing such arts. As a section of the Muslims constituted the ruling class in India, they had enough surplus to patronize musicians, painters and poets, religious prohibition notwithstanding. Among the Bohras not only have music, painting and dancing, been prohibited, there has been no tradition of literature either. At best one can find religious poetry—either didactic, elegiac or eulogistic but hardly any creative poetry. The highly revered Indian poet among the Bohras is Shaikh Sadiq Ali. He has written a few volumes of didactic verse. But judged from the point of view of creative literature he was not a poetic genius. And no one else among the Bohras has achieved the status of Shaikh Sadiq Ali in versification. We will discuss these socio-cultural aspects of the Bohras' lives later.

In the absence of authentic accounts it is very difficult to establish how many local people from Gujarat were converted to the new faith by Maulai Abdullah and Maulai Ahmad. According to the legendary account of *Mausam-i-Bahar* along with the Raja of Pattan so many people were converted to the new faith that the weight of sacred threads taken off that day was not less than 260 Arabic pounds.⁸ This is incredible. If the author of the book is to be believed then it would mean that lakhs of people embraced Islam in one day. This is not a sober account and, therefore, should be rejected. The real figure cannot be estimated with any accuracy but it can be said that given the missionary zeal there must have been steady progress in increasing the ranks of the new converts. Mulla Abdul Husain says in his account on Daudi Bohras, "The new converts continued increasing considerably and for two centuries and half from A.D. 1130 to A.D. 1380 there was little in the history of Gujarat to check the progress of the Ismaili faith. The Dais of the Mastur (hidden) *Imams* in Yemen sent their deputies to the towns and tracts of India where the Ismaili Shias were spread. These deputies collected the tithes (Zakat) for the Dai in Yemen and preached the Ismaili faith more freely than their co-religionists were able to do in

Yemen, Persia and Syria.”⁹ This clearly shows that the Indian people were more tolerant towards other faiths than the peoples of other countries.

But with the invasion of Muzaffar Shah (A.D. 1390-1413) things began to change for the Bohras in Gujarat. So far the Bohra missionaries had been carrying on their activities unhindered by the Hindu rulers as they did not constitute any political challenge to them. However, with the advent of Muslim power in Gujarat, the sectarian differences also assumed some importance. This was further aggravated by certain differences of a personal as well as religious nature within the community itself. In the opinion of Mian Bhai Mulla Abdul Hussain: “When Muzaffar Shah’s (A.D. 1390-1413) power was established in Gujarat, he noticed with great envy and jealousy the spread of the Ismaili Shias. He, being a new Rajput Sunni convert, vigorously encouraged Sunni doctrine, and the Bohras and the Ismaili Shias were suppressed, persecuted and forcibly converted to Sunnism. The chief Bohra persecutions during the period or the rule of the Mughal Empires and other bigoted Mohammadan rulers were under Sultan Ahmad A.D. (1411-1443) son of Muzaffar Shah, and Mahmud II (A.D. 1536-1554) rulers of Gujarat. Every Mulla or Deputy of the Dai had to pretentiously (as Takia) observe certain Sunni formalities for self-protection. Even under the more liberal reign of Delhi Emperors, the Gujarati Bohras were also involved in difficulties of concealment and suffered much persecution at the hands of the wicked murderers, i.e., Sunni Subordinate Musalman officers invested with wide powers.”¹⁰

However, a close scrutiny of facts would show that things were not as simple as assumed by the author of the *Gulzar-i-Daudi*. Behind the early persecution of the Bohras (persecution it was which no one can deny) by the Sunni rulers of Gujarat there were more complex factors. The internal schism within the community was as much responsible for it (i.e., the bigotry of the Sunni rulers) as anything else. Here we must take cognizance of the great schism which took place in the Bohra community on account of certain delicate questions of faith and beliefs. The author of the *Duat al-Akramin* says that J’afar (the person who brought about the first great schism in the community and to whom we shall refer shortly) came to Ahmedabad amidst great pomp and sought the company of King Ahmed Shah’s son, Mohammad

Shah, who was then governor of that province. The real motive of this visit was to poison the mind of the ruler against the Sayyidna (the Bohra *dā'ī*) and his followers and to create an impression that they were all *rafdis*. In this way J'afar spread his mission easily with the help of Mahmud Shah and in the bargain got a good opportunity to take revenge against the Sayyidna.¹¹ Thus we see that the persecution of the Bohras by the Sunni rulers started as a consequence of the complaints made by J'afar who had felt slighted at the hands of the Bohra deputy in Ahmedabad.

It will be interesting to throw some light on the dispute with J'afar and its consequences. This dispute arose at the time of Maulai Hasan who was the son of Maulai Adam Ibn Sulaiman. Maulai Hasan became the deputy of the *dā'ī* in Yaman after his father's death in A.H. 836. He started a *madrasa* (school) in Ahmedabad with a view to teach religious doctrines. J'afar—a student from Patan—also joined it along with many other faithful followers. Maulai Hasan himself taught these students. Before long J'afar came to Maulai Hasan and implored that he be sent to Yaman for further studies. But Hasan told him that he had yet not completed his course of studies in India and therefore it was too early for him to proceed to Yaman. However, J'afar ignored the advice of his teacher and proceeded to Yaman on his own. Maulai Hasan was disturbed at his departure to Yaman and wrote to the *dā'ī* Sayyidna Ali bin Sayyidna Abdullah about J'afar's defiance. But according to our source J'afar managed to satisfy Sayyidna and soon won over his confidence. J'afar stayed there for two years and then returned to India. He was reportedly advised by Sayyidna Ali to submit to the authority of Maulai Hasan as he was in charge of the *D'awa* in India. With this advice J'afar left Yaman and came back to India via Cambay. He was received by a large number of Bohras and brought to the city. When it was time to pray, these people requested J'afar to lead the prayer. He said he has not been permitted to do so by the *da'ī* in Yaman. But the people insisted, so J'afar led the prayer. The deputy *dā'ī*, Maulai Hasan, came to know of this and when J'afar met him he remonstrated him and asked J'afar to write to those Bohras, whom he had led in prayer, to say that prayer again as without specific permission from the *da'ī* or his deputy no one can lead a prayer. Though J'afar felt sorry for what had happen-

ed he was not prepared to write to the Bohras of Cambay to say that prayer again as he had led it without authorization. But Maulai Hasan took the hard line and was not prepared to pardon him unless he wrote such a letter. J'afar did not write the letter and left for Patan.

According to the author of *Du'at al-Akramin* J'afar came to Patan and by his eloquence and persuasive ways succeeded in inducing them to adopt the Sunnite religion. Many Bohras from Patan and the villages around enthusiastically responded to his call, and leaving the fold of the Shi'a Isma'ili faith embraced the Sunni religion. Alarmed by the situation Mulla Raj, the Amil of Patan wrote to Maulai Hasan in Ahmedabad about the activities of J'afar. Maulai Hasan informed the *dā'i* in Yaman who instructed Maulai Hasan to meet J'afar and persuade him to give up this course. However, J'afar refused to give up his highly successful drive to convert Bohras to the Sunni faith.¹² It appears that from the beginning Maulai Hasan had not adopted a very reasonable attitude towards J'afar either through a sense of rivalry or because he underestimated his capabilities. The *dā'i* in Yaman, on the other hand, adopted a conciliatory attitude and advised Hasan also to do so. But it was too late as Maulai Hasan had already inflicted injury on J'afar's proud ego. It is said that the majority walked off the fold of the community along with J'afar. According to Abdul Husain about 80 per cent of the Isma'ilis separated at this juncture while according to Najm al-Ghani Khan some twelve lakhs became Sunnis.¹³

From then on it has been a story of persecution for the Shi'a Isma'ili Bohras at the hands of the Sunni rulers in India. J'afar, after his phenomenal success in A.D. 1428 came to Ahmedabad and met Mahmud Shah who deputized for the Sultan. He got Mahmud Shah's full support in his campaign to convert the Bohras to the Sunni faith. When Mulla Raja, the Amil of Patan approached J'afar for rapprochement he turned down his request and asked him to leave the city of Patan. Thus Mulla Raja moved to Morbi in A.H. 840-41 (A.D. 1436-37). This harassment to the Shi'a Bohras continued till J'afar's assassination near Champanir on 5 July 1441. The official Bohra sources are reticent about J'afar's murder. May be, one of the sorely affected victims struck the fatal blow. However, with his assassination, the persecution of the Bohras did not come to an end. After Mulla Hasan's

death his son Mulla Raja became the deputy *dā'ī* in India. According to the Bohra *riwayats* (narratives) he was a pious man who earned his living by making and selling soaps. He was said to be highly learned. When a *maulavi* from Iran visited India—we read in the Bohra sources—no Sunni *'alim* could reply to his queries. But Mulla Raj fully satisfied him and the Maulavi from Iran embraced his faith. When this news reached Sultan Muzaffar Shah (1512-1526) he was furious and by his orders Mulla Raja was arrested and executed. This execution took place in A.H. 924.¹⁴

However, till that time, the Shi'a Bohras and the Sunni Bohras had not developed separate identities. Even intermarriages had continued. It was nearly a century after the split with J'afar that formal separation between the two sects occurred. Satish Misra says, "Nearly a century later arose another figure who completed the work begun by J'afar. Syed Ahmad J'afar Shirazi arrived in Gujarat from Sind and established himself in the favour of Sultan Mahmud Shah Begada and his successor Sultan Muzaffar Shah (1457-1512-1526). Till then intermarriages between the two wings had been frequent and the social unit had not been decisively split by the religious cleavage. This was the task accomplished by the learned and purist Syed; he persuaded his fellow-Sunnis to sever all links with their Isma'ili brethren. The two *jama'ats* became distinct and separate after his missionary work, moving in different directions."¹⁵ These days were not very happy for the Isma'ili Bohra community. They could not offer their prayers openly in the mosques and had to resort to the Shi'a doctrine of *taqiyya*. This persecution lasted till the end of the Sultanate and it was only after the Mughal rule was firmly established that the Bohras offered prayers publicly and gave up *taqiyya*.

Now for a while let us turn our attention to the events in Yaman. After Imām Āmir's assassination in Egypt his son Tayyib who was an infant at that time, was hidden by the well-wishers of the Isma'ili mission. The centre of the mission was transferred to Yaman. Though Egypt was sacked by Sultan Ṣalāḥuddīn, Yaman remained under the Fatimids. At the time of Imām Āmir's assassination, one Hurrah Malika, a pious and capable lady was in charge of the province of Yaman. She was sincere and faithful to Fatimid Imāms and held the important rank of *ḥujja* in the Isma'ili *d'awa*. It may be recalled that every *Imām*

appointed twelve *laili* (night-time) and twelve *nahārī* (day-time) *hujja*. The *laili hujja* were meant for the *bāṭini* (secret) *d'awa* whereas the *nahārīs* were in charge of open functioning. Hurra Malika belonged to the second category. She was assisted by al-Khaṭṭāb ibn al-Ḥasan al-Ḥamdānī and also by the *da'is* Sayyidna Lamak ibn Mālīk and Sayyidna Yahya ibn Mālīk. Hurrah, through her statesmanship and experience in the state affairs, had won the position of a recognized leader whom everyone followed. *Imām* Mustanṣir had put her in charge of *d'awa* in India and *Āmir* had let her continue in this position. After the *Imām* went into hiding Hurrah Malika was put in charge of the whole *d'awa*. She looked after this work for six years and died at the age of 92. She appointed Sayyidna Zūb bin Mūsa as the first *dā'ī-muṭlaq* at the time of her death in A.H. 532 (A.D. 1133). Thus for the first time in the history of the Fatimids a *dā'ī-muṭlaq* was put in charge of a whole *d'awa*. Before this the office of *dā'ī-muṭlaq* was a subordinate one there being the *dā'ī Balāgh* and *hujja* above him. During the earlier periods of concealment of *Imāms* a *hujja* or a *dā'ī-ad-Du'at* used to be in charge of the *d'awa* and he used to be in contact with the *Imām* in seclusion. Now after Hurra Malika's death in A.H. 532 there was no other *hujja* to take charge of the *d'awa* and there was no *Imām* in contact with the officials of the *d'awa* to appoint another *hujja*. It was perhaps for this reason that the office of *da'ī muṭlaq* was given fundamental importance and put in charge of the mission. *Imām Ṭayyib* went into hiding in A.H. 524 and Hurra Malika died eight years later. If *Imām Ṭayyib*'s age at the time of concealment was six months, he must have been around eight years old at the time of Malika's death. Even if she was in touch with the *Imām* till then he (i.e., *Ṭayyib*) was too young to appoint any other *hujja* after her death.

Since Sayyidna Zūb's appointment as the first *dā'ī-muṭlaq* there has been no authentic record of any *da'ī-muṭlaq* having established contact with the hidden *Imām*. So the *da'ī-muṭlaq* became the final authority in all religious matters thereafter. However, a few questions did arise. What should be the qualities of a *dā'ī*? Could he commit errors like others or was he protected from sinfulness? This and many other questions arose which created certain problems from time to time. Sayyidna Ḥātim, the third *dā'ī-muṭlaq*, in his book *Tuhfat al-Quloob*, has enumerated the quali-

ties of a good *dā'i*. These qualities were originally elaborated by Sayyidna Aḥmad bin Muḥammad Nisāburi in his epistle, *Mujazat, al-Kāfiya*. According to this epistle quoted by Sayyidna Ḥātim a *dā'i* should be pious, should observe the injunctions of *shari'ah* scrupulously, should pay *zakāt* regularly, and should induce his followers to be pious and truthful. A *dā'i* should be judicious and trustworthy. He should be intelligent and learned and a good administrator as he has to run the affairs of *d'awa*. He should not be harsh towards others but should be persuasive in his approach. His conduct should be above reproach in every respect and he should scrupulously follow the teachings of the *Imām*. He should be sincere and devoted to the *d'awa* and should never put personal interest above that of his mission.

The very fact that these qualities have been laid down for a *dā'i* shows that, unlike the *Imām* who is infallible, a *da'i* is not infallible and can commit errors. He can become a victim of human weaknesses. Therefore it is highly necessary to exercise due caution in the selection of a *dā'i*. There are many instances of *dā'is* having committed errors and having been reprimanded for the same by *Imāms*. This brings us to the question of infallibility for the *da'i-muṭlaq* in the period of concealment (*daur as-Satr*). This is a very important question from the point of view of the community. Is the *dā'i-muṭlaq* infallible? According to the eminent Ismā'īlī scholar, Sayyidna Ḥamidu'd Dīn Kirmānī, the answer is no. According to him there can be only one infallible person at a time and the *Imam* is ever-present amongst us (although he may be hidden from our eyes). Thus if we accept the *dā'i-muṭlaq* as infallible there will be two such persons at a time which is not possible. In fact the question of infallibility for the *dā'i-muṭlaq* did not arise when Sayyidna Zueb was appointed as the first *dā'i-muṭlaq*. Until much later the *dā'i-muṭlaq* was never adorned with the halo of infallibility. It was only when some disputes arose and the *dā'i-muṭlaq's* position was challenged on certain issues that such a pretentious claim was made on behalf of *dā'i-muṭlaqs*. Thus we see in some of the epistles of Sayyedi Luqmān bin Ḥabibulla that a *da'i* in the period of seclusion has a different position from a *dā'i* during the period of the *Imām's* manifestation. In the latter period the *Imām* himself is present and therefore *dā'is* need not be infallible as he can correct their errors, if any. However, during the period of

seclusion the *Imām* is hiding from our eyes and the highest authority is of the *dā'ī muṭlaq* and if he errs the *d'awa* will suffer and hence the *da'ī* is protected from committing errors during the period of seclusion. Khauj bin Malik also maintains that in *daur as satr dā'ī muṭlaq* is *kal m'aṣūm* (almost infallible).¹⁶ However, such a position will be difficult to maintain except through subtle interpretations and rationalizations of post-facto situations. There have been numerous instances where it becomes obvious to a student of history that *dā'ī muṭlaqs* have committed tactical errors and that a different course of action could have been more beneficial to the community. Even the most faithful follower would find it difficult to defend the dogma of the *dā'ī* being *kal-m'aṣūm*.

Now let us come back to the history of *dā'ī muṭlaqs* and the Bohras. As we have already pointed out Sayyidna Zueb bin Mūsa was appointed as 'the first *dā'ī muṭlaq* by the last *hujja* Ḥurra Malika. Ḥurra Malika was also the ruler of Yaman. However, after her death in A.H. 532 Yaman, the last citadel of the Fatimid rule, slipped out of control and the *da'īs* were left with religious control only. Some forts here and there continued to be under their control. These *dā'īs* in Yaman continued to appoint their deputies in India where the Ismā'īlī *d'awa* continued to make satisfactory progress till the advent of the sultanate and the great schism led by J'afar which reduced the Shi'a Ismā'īlī Bohras to a minority. This split took place during the eighteenth Yamani *dā'ī* Sayyidna 'Alī bin 'Abdulla's time. Before we proceed further a complete list of the Yamini *dā'īs* would benefit our readers. The list has been compiled by Asaf A.A. Fyze: from the *Ṣaḥīfat al Ṣalāt*. Against each *dā'ī's* name is given the date of his death:¹⁷

1. Dhu'aib ibn Mūsa	546/1151
2. Ibrāhīm ibn Ḥusain	557/1162
3. Hātim Ibn Ibrāhīm	596/1199
4. 'Alī Ibn Hātim	605/1209
5. 'Alī Ibn Muḥammad	612/1215
6. 'Alī Ibn Ḥanzala	626/1229
7. Aḥmad Ibn al-Mubārak	627/1230
8. Ḥusain ibn 'Alī	667/1268
9. 'Alī ibn Ḥusain bin 'Alī	682/1284

10. 'Ali ibn Ḥusain	686/1287
11. Ibrāhīm Ibn Ḥusain	728/1328
12. Muḥammad Ibn Ḥātīm	729/1329
13. 'Ali Ibn Ibrāhīm	746/1345
14. 'Abdul Muṭṭalib	755/1354
15. 'Abbās Ibn Muḥammad	779/1378
16. 'Abdullah Ibn 'Ali	809/1407
17. Ḥasan ibn 'Abdillah	821/1418
18. 'Ali ibn 'Abdillah	832/1428
19. Idrīs ibn Ḥasan	872/1468
20. Ḥasan ibn Idrīs	918/1512
21. Ḥusain ibn Idrīs	933/1527

The nineteenth *dā'ī* Sayyidna Idrīs bin Ḥasan was a great scholar and a historian. He has written several books of which '*Uyūn al-Akhbār*' is a historical account of the Ismā'īlī *d'awa* and is considered most authentic by the Must'alian Ismā'īlīs. However, the *d'awa* was losing its hold in Yaman and the *dā'īs* were worried about its future. But they were quite hopeful about their followers in India as they were convinced of their devotion. How high the Indian followers were held in the esteem of the Yamani *dā'īs* can well be judged by the following incident recorded by the author of *Akhbaru'd Du'at al-Akramin*. According to this author a faithful came from India in the period of Sayyidna Idrīs, the nineteenth *dā'ī*. When he saw this man from India Sayyidna Idrīs got up, gave him a warm welcome and embraced him. There were some 300 Arabs sitting at that time. Sayyidna Idrīs seated the Indian near him above all these Arabs. The Arabs were greatly perturbed at this and their faces turned pale. Sayyidna Idrīs thereupon told the Arabs: "I know you have misgivings in your heart as you have contempt for this man from India. I can read from your faces the question in your mind that why should this Indian be seated above you all? Brothers! had you known this man you would not have shown contempt toward him. This Indian is a precious stone of the Indian treasure. The *mu'minūn* (faithfuls) from India, as required by the holy Koran, never disobey God and carry out His orders."¹⁸ This episode indicates that the Yamani *dā'īs* had great regard for their followers in India and were convinced of their sincerity and devotion.

Due to the changed political climate in Yaman it was becoming increasingly difficult to continue the activities of the *d'awa* there and the *dā'īs* were more inclined to shift their headquarters to India. Sayyidna Idrīs decided to test the devotion of his Indian followers. He wrote to his deputy, Maulai Adam bin Sulaiman, in Ahmedabad that "the water carrier who brings water to your house should be requested, as per my orders, to look after the religious affairs of the Bohras in India and he should lead you all in daily prayers." The deputy read out the letter in the presence of his followers and decided to approach the humble and poor water carrier with a request to look after the religious affairs and to lead them in prayer. The water carrier was highly embarrassed and said that he knew nothing about religion and the daily prayers. Maulai Adam offered to teach him and after the water-carrier learnt how to pray everyone, including the deputy, offered prayer behind him. Maulai Adam then wrote to the *dā'ī* in Yaman that he had carried out his orders. Sayyidna Idrīs was overwhelmed with joy. He gathered his Yamani followers and read out the contents of the letter received from India and predicted that soon the *d'awa* would be shifted to India as it was there that its future was bright.¹⁹ The above incident well illustrates that the whole emphasis in the Ismā'īlī sect had been on total surrender to authority. This was alien to the outlook and mental make-up of the Arabs and it was for this reason that this sect registered success with the non-Arab peoples who were long used to feudal and monarchic systems.

The twenty-third Yamani *dā'ī* Sayyidna Muḥammad 'Izzud-dīn, in view of his disenchantment with his followers in Yaman, induced some of his Indian followers to send their children to Yaman for education and training. Among them was one Yusuf bin Sulaiman. He accomplished training under the *dā'ī* and returned to India. He preferred to live in his own country. Sayyidna 'Izzud-dīn nominated Yusuf bin Sulaiman as his successor before his death in A.H. 946 (1540). Thus Yusuf Najmuddin became the twenty-fourth in succession and the first Indian *dā'ī*. Ever since, the head quarters of the *d'awa* have remained in India. Yusuf Najmuddin, after being appointed as *dā'ī* had gone to Yaman and remained there for about 28 years till his death. But he chose as his successor another Indian Ḥasan bin Jalāl who became the twenty-fifth *dā'ī*. Ḥasan bin Jalāl in turn appointed Daud bin Ajab

Shah as his successor. By now the Mughal rule had been established over Gujarat. The head of the J'afari sect was one Muhammad bin Tahir who had good connections with the Mughal governor of Gujrat. Sectarian rivalry prompted him to use his influence with the Mughal governor of Gujarat to persecute the Shi'a Isma'ili Bohras in general and their head Daud bin Ajab Shah in particular.

When the persecution became unbearable Sayyidna Daud decided to see the Mughal emperor, Akbar in person. Akbar was then in Agra. Sayyidna Daud was granted audience by him. It is said that there was some lively debate about the Shi'a Isma'ili faith in the presence of Akbar. Sayyidna Daud also drew his attention to the persecution of his followers at the hands of his officers. Akbar readily wrote a letter to his officials in Gujarat asking them to ensure peace and security for the Bohras and their head. He is also reported to have written that he should not receive any complaint in this regard in future. Sayyidna Daud returned to Gujarat with the letter and was accorded welcome by his followers on the way home. The *taqiyya* (secrecy) was given up in the matter of observing religious practices and prayers were said publicly as prescribed by the Shi'a Isma'ili religion.

Daud bin Ajab Shah was followed by Daud bin Qutub Shah. Here again a controversy arose on the issue of succession and the community was further split. The Daudi Bohra sources say that Sayyidna Daud bin Ajab Shah had appointed Daud bin Qutub Shah as his successor and all the prominent *'ulamā* and other members of the community were informed of this decision. In fact these sources maintain that the predecessor of Daud bin Ajab Shah, Sayyidna Hasan bin Jalal himself, had desired that Daud bin Qutub Shah be appointed as the successor of Daud bin Ajab Shah. Whatever the truth, the fact remains that after the death of Daud bin Ajab Shah in Ahmedabad Daud bin Qutub Shah became his successor and the first Indian *dā'i*'s nephew Shaikh Sulaiman was the deputy in Yaman at that time. The Daudi sources maintain that for a period of four years after the death of Sayyidna Daud bin Ajab Shah Shaikh Sulaiman who was at the time acting as the deputy in Yaman continued to acknowledge Sayyidna Daud bin Qutub Shah as the legitimate successor and it was only after four years that he claimed the august office of *dā'i* for himself.

The Daudi sources maintain that a scribe of Daud bin Ajab

Shah, his two slave-girls Nurussabah and Rummanah and their sons Ibrahim and Ahmad committed theft from the treasury of the *d'awa*. They stole precious stones along with the seal of the *d'awa*. It is said that this theft came to the knowledge of Sayyidna who reprimanded the culprits. The culprits, who were now joined by Sayyidna's son-in-law Khanji ibn Amin Shah, decided to hatch a conspiracy to install the deputy in Yaman Shaikh Sulaiman as the legitimate successor to Daud bin Ajab Shah. They wrote a letter, the Daudi sources maintain, to Shaikh Sulaiman and induced him to accept the offer which the latter did. Sulaiman, who had, according to these sources, accepted the authority of Daud bin Qutub Shah for four years (they claim that Sulaiman had written several letters to this effect to Daud bin Qutub Shah) now turned against him and claimed the office of *da'i* for himself. It is said that he sent Jabir bin Hadi to India along with a letter purported to have been written by Sayyidna Daud bin Ajab Shah declaring Shaikh Sulaiman as his successor to get the stolen seal affixed on it. The seal was affixed and the letter was made public thereby winning many adherants in favour of Sulaiman.²⁰

However, the Sulaimani Bohras have their own version. Satish Misra on the basis of his personal conversation with Maulana Muhammad Shakir of Baroda, head of the Sulaimani community in India and Pakistan, tells us as follows: "The Sulaimani position is naturally vitally different. The *nass-i-jali* had in reality been pronounced in favour of Syedna Sulaiman bin Syedi Hasan but since with the Turks in Yemen, he was not in a position where this fact could have been revealed, Shaikh Daud, the *manṣūṣ* was placed in charge of the office, as a temporary measure. The letters written by Syedna Sulaiman were a part of this game of hoodwinking the enemy; the truth was recognized by both parties. In fact, during the preceding *dā'i*'s office, Shaikh Da'ud bin Qutub Shah had himself written letters bearing his seal which communicated the fact of *nass-i-jali* to Syedna Sulaiman. However, once in power, he had no wish to relinquish it and, when the time to do so came, he turned against his rightful master and attempted to prove himself the rightful claimant and Syedna Sulaiman, an impostor."²¹

In this sectarian dispute it is very difficult to ascertain the truth as the claims made are a matter of belief for the respective followers and a historian is not concerned with the beliefs. The

Sulaimanis' case appears a little weak in at least one respect: the Sulaimanis themselves accept that Shaikh Sulaiman had accepted Daud bin Qutub Shah as *dā'ī* for four years though for the sake of *taqiyya*. But this seems to be an afterthought. Similarly the Daudis base their entire case on the forging of the letter of *naṣṣ* (appointment) by Shaikh Sulaiman. It is they (i.e., the Daudis) who accuse and it is they who judge. It is best to steer clear of this controversy as such matters rest on belief rather than on historical veracity. Thus the split became inevitable and the Shi'a Isma'ili Bohra community was further split in A.H. 1005 (A.D. 1597). The majority in India followed Daud bin Qutub Shah and were called Daudi Bohras whereas the followers of Shaikh Sulaiman remained in a small minority and were called the Sulaimanis. The community was split in Yaman also but it is difficult to say which side won the majority.

Now the sectarian fight started between the Daudis and the Sulaimanis. At that time Shahzada Murad was the *subedar* at Ahmedabad and one Sadiq Muhammad Khan—a prominent Mughal noble—was his *atāliq* (tutor). In the beginning the Mughals remained neutral in the dispute. But Jabir, whom Shaikh Sulaiman had sent to Gujarat from Yaman established contact with a city Mughal officer named Fateh Muhammad and through his help Ibrahim, who was the son of one of the slave-girls of Syedna Qutub Shah, filed a suit in the court of Subedar claiming eighteen lakhs of rupees (or one hundred and eight lakhs according to another version) as his share in the property. Many prominent Daudi's including the Sayyidna himself were imprisoned on this charge. The incarceration of the *dā'ī* spread panic among the Daudis but Sadiq Muhammad Khan helped and secured the release of the head of the Daudis. The Daudis, according to Misra, argued that since office was not hereditary among them and the *dā'ī* did not own the properties governed by him but held it in trust for his people, this claim of Ibrahim was false and fraudulent.²²

The dispute, however, did not come to an end. Relations between the two groups worsened and violent clashes took place in which one person was severely injured. Sadiq Muhammad again came to the rescue of the Daudis and threatened Ibrahim that his nose would be cut off unless he acknowledged the authority of Sayyidna Daud. Ibrahim at first seems to have agreed but soon

resiled from his position saying that he would do so if his preceptor Shaikh Sulaiman preceded him. The Daudis produced letters by Shaikh Sulaiman in which he had acknowledged Sayyidna Daud bin Qutub Shah as *dā'i* (Shaikh Sulaiman, as mentioned above, had accepted Daud bin Qutub Shah as *dā'i* for the first four years) which impressed the Mughal officials, especially Sadiq Muhammad Khan. However, further developments changed the whole course and Sayyidna Daud, anticipating trouble, had to go into hiding.

Shaikh Sulaiman, who had a taste of Turkish prisons in Yaman for some time, decided to come back to India. He arrived in A.H. 1003. Shaikh Sulaiman insisted on pressing the claim for the money suit filed in the court of the Gujarat Subedar by Ibrahim bin Daud. Both parties tried to court favour with one or another official of the court and succeeded in getting one or the other imprisoned. But nothing decisive happened. At last Shaikh Sulaiman decided to take the matter to the court of the emperor who was then at Lahore. Shaikh Sulaiman sent Yusuf bin Shahji and Jabir bin al-Hadi to Lahore whereas Sayyidna Daud bin Qutub Shah deputed his would-be successor Shaikh Adam Safiyuddin, Maula Ali Muhammad and many others to represent his case. At Lahore Shaikh Adam Safiyuddin and some of his colleagues were arrested and tortured. With great difficulty they were released on personal surety given by a prominent citizen of Lahore.

After imprisoning Shaikh Adam and others a Mughal official called Kamal Khan was sent to Ahmedabad to bring other leaders of the Daudis to Ahmedabad. He reached Ahmedabad in A.H. 1004 and cordoned off the Bohra *muhalla*. Many prominent Daudis were arrested and produced before Kamal Khan. According to the compiler of *Mausam-i-Bahar*²³ Shaikh Sulaiman and Ibrahim bin Daud were sitting by the side of Kamal Khan when these prisoners were brought before him. Kamal Khan asked Ibrahim whether all those required in the case had been arrested. Ibrahim said that the head of the community Daud bin Qutub Shah was still at large. According to Misra²⁴ Emperor Akbar himself had desired Daud bin Qutub Shah's presence in his court. When Kamal Khan questioned the prisoners of the whereabouts of their head, they pretended ignorance. This enraged Kamal Khan who surrounded the *muhalla* and indulged, accord-

ing to the Bohra *riwayats*, in wanton acts of loot and savagery. This was a great calamity for the Bohras of Ahmedabad. At last Shaikh Adam Safiyuddin succeeded in contacting a Shia Irani noble Hakim Ali Gilani and on his personal assurance of safe conduct for the Sayyidna, he came to Ahmedabad and persuaded Daud bin Qutub Shah to come out of hiding. This brought great relief to the harassed Bohras. Sayyidna Daud and Shaikh Adam Safiyuddin then started for Lahore on Rajab 22, 1005 (March 11, 1599) and reached on Ramzan 7, 1005 (April 24, 1599). They stayed there for four days with Hakim Gilani and then proceeded to Kashmir as the emperor had gone there.

However, at this time there occurred an incident which changed the entire course of the dispute. On Ramzan 25, 1005 (May 12, 1599) Sulaiman developed severe stomach pains and died. The Sulaimani sources assert that the Daudi agents conspired to poison him. It is difficult to say anything with certainty. After Shaikh Sulaiman's death only Ibrahim bin Ajab Shah was left in the field to carry on the fight. Despite heavy odds, he decided to fight his battle alone and secured four months' time to produce his witnesses before the emperor. It should be clearly borne in mind that the case taken to the emperor's court was in respect of money claimed by Ibrahim and not for succession as commonly believed. During his stay in Kashmir, Sayyidna Daud was treated well by the Emperor Akbar. On one occasion he presented Sayyidna a Kashmiri shawl. As the winter began—it was a rather harsh winter—the emperor left Kashmir hurriedly and constituted a tribunal consisting of Abul Fazl, Khan-i Azam Aziz Koka, Hakim Ali Gilani and Amir Ghizai to try the case at Lahore. As the names of the members indicate, it was a high-powered tribunal indeed, which shows that the emperor attached great importance to this case.

The tribunal subsequently held its meetings at Lahore and the Bohra sources claim that Ibrahim bin Ajab Shah could not substantiate his claims and his case was dismissed. Unfortunately we do not have other independent sources of information as to what really happened at the meetings of the tribunal. Whatever might have happened the Sayyidna won the case and he waited on the emperor. The emperor granted a gold-lettered *firman* and allowed him to return to Gujarat with due honour. The Bohra chief was not troubled thereafter during Akbar's reign. Only once, when

Mirza Aziz Koka's son Shadman was the Subedar of Gujarat, Sayyidna Daud had to leave Ahmedabad for a short period. Akbar died in A.D. 1605 and this led to a change of governorship. Shaikh Farid who took over from Aziz Koka maintained cordial relations with Sayyidna Daud till the latter's death on 13 August 1612. He was succeeded by his chief lieutenant Shaikh Adam Safiyuddin. His nine-year uneventful career as *dā'ī* came to end on 18 May 1621. He appointed Abdu'l Tayyab, Sayyidna Daud's son, as his successor.

After Abdu'l Tayyab took over, the community was faced with another split on the question of succession. Sayyidna Adam's grandson Ali was the claimant this time. In his claim Ali was supported by his paternal uncle and two others. Ali took the matter to the court of Jahangir in Lahore and is said to have cultivated relations with some influential nobles in the Mughal court. Jahangir summoned Sayyidna Abdu'l Tayyab to Lahore to hear him in person. Sayyidna, according to the Bohra sources undertook the journey to the north. Jahangir decided the case in favour of Abdu'l Tayyab and on the emperor's recommendation he forgave Ali and both of them returned to Ahmedabad. However, according to the official Bohra sources, Ali did not honour his word and finally a small number of people owing allegiance to Ali seceded from the community. They are called Alia Bohras and are mainly confined to the city of Baroda in Gujarat. This split must have occurred around A.D. 1627 or 1628.

Sayyidna Abdu'l Tayyab passed away on Rabi 1, 8, 1041 and was succeeded by Sayyidna Ali Shamsuddin bin Maulai Hasan. Ali Shamsuddin was a descendant of the nineteenth Yamani *dā'ī* Sayyidna Idris. Thus after a long time a Yamani was appointed to the high office of *d'awa*. However, he lived for one year after his appointment and died in A.H. 1042. He was succeeded by an Indian *dā'ī* called Sayyidna Qasim Zainuddin bin Pir Khan who was a descendant of an early martyr in the cause of *d'awa* Syedi Hasan Pir. Sayyidna Qasim Zainuddin's tenure was also peaceful. He died in Shawwal 9, 1054. (November 29, 1644). However, this spell of peace did not last very long. The appointment of Aurangzeb as the governor of Gujarat on April 27, 1645 did not augur well for the Daudis. His appointment, according to Satish Misra, "spelt the commencement of a fresh wave of persecution for the community."²⁵ Again, according to

Misra, "The main responsibility for this wanton religious interference which heralded the later events to come rests with 'Abd-u'l Qawi, the Prince's mentor and close adviser. This person, ennobled in Aurangzeb's reign as I'timad Khan was, till his assassination in 1077/1666-67, very close to Aurangzeb and as the author of M'aasir-u'l-umara remarks, he was very pompous and very bigoted. It was he who ordered the execution of Sar-mad, a tragic event of Aurangzeb's reign."²⁶

Aurangzeb's appointment as the governor of Gujarat coincided with the appointment of Sayyidna Qutub Khan Qutubuddin bin Daud Burhanuddin bin Qutub Shah as the thirty-second *dā'ī*. Shi'a Ismā'īlī Bohras were a heterodox sect and this fact attracted the attention of Abdul Qawi when he arrived in Gujarat along with Aurangzeb. According to the author of *Mausam-i-Bahar*, Abdul Qawi convinced the prince Aurangzeb that the Bohras were heretics (*rawāfīd*) and their blood, according to the book of God, could be shed. Aurangzeb believed Abdul Qawi and issued orders to imprison their *dā'ī* Sayyidna Qutubuddin. The chief of the city police was Shah Beg who was a Shi'i himself. Abdul Qawi entrusted him with the task of imprisoning the Bohra *dā'ī*. He went to Sayyidna Qutubuddin and requested him to accompany him to Prince Aurangzeb's court. Sayyidna Qutubuddin who was very old and physically infirm accompanied Shah Beg along with his colleague Shuja'uddin. Shah Beg also took all the books—about six cartloads—belonging to the *dā'ī* into his custody. Both the distinguished prisoners were taken to Shah Beg's house awaiting further orders from the prince.

Abdul Qawi meanwhile asked the Sunni *'ulamato* go through those books to establish the charge of heterodoxy against the Bohra chief. However, they could not find any such matter till late in the night. The Bohras of Ahmedabad gathered in large numbers around Shah Beg's house hoping that their chief would be soon released. However, till late in the night there were no such signs and Shah Beg requested them to disperse. Sayyidna Qutubuddin was imprisoned on 25 Jamad I, 1056 and on 29 Jamad I was transferred to the central prison from Shah Beg's house. Despite his sympathy for the Bohra *dā'ī* Shah Beg could not do much for him in view of the bigoted Abdul Qawi's pressure on him. Sayyidna Qutubuddin remained in the prison for about three weeks and was then ordered to appear before

Aurangzeb to clearly state his religious beliefs. On being questioned by the prince Sayyidna said that he was a true Muslim and believed in all the basic tenets of Islam. Cross-examination by Abdul Qawi could not establish the charge and the prisoners were sent back to the prison till further orders by the prince. According to the Bohra *riwayat*, a minor son of the *dā'ī* was, by a fraudulent deal, made to say that his father was *rafzi* and that he believed in the Godhood of Ali ibn Abi Tālib. After hearing this minor son, the Chief Qazi put his seal on the *maḥḍar nama* (the document vouching for the crime). It was presented before Aurangzeb who then gave order for beheading Sayyidna Qutubuddin on the charge of being *rafzi*. Thus Sayyidna Qutubuddin was killed on 27 Jamad II, 1056 (August 10, 1646). A night before his martyrdom, the Sayyidna had appointed his lieutenant Shujaudin as his successor in the presence of two prominent Bohras who were their co-prisoners.²⁷

After the execution of Sayyidna Qutubuddin his lieutenant Pir Khan Shuj'auddin and others remained imprisoned and a general campaign of terror was launched against the Daudi Bohras. The Bohra women were forced to wear ivory bangles and men to smoke *huqqa* (both the things are prohibited among the Bohras) and trim their beards in the Mughal style. Sunni, *pesh imams* were appointed in the Bohra mosques to lead prayer. The Bohras once again resorted to *taqiyya* and came to the mosque for prayers after praying at home. Those who did not come to the mosque were publicly lashed. This campaign continued for about four months when Aurangzeb decided to leave Gujarat for the Deccan (according to *Mausam-i-Bahār* he was transferred by the emperor Shah Jahan when he learnt of the martyrdom of Sayyidna Qutubuddin and the persecution of Bohras). Shaista Khan was given charge of Gujarat. He was no fanatic and stopped the harassment of Bohras and permitted them to follow their religion in their own way.

However, Sayyidna Pir Khan Shuj'auddin, the next Bohra *dā'ī* in succession remained prisoner of Aurangzeb who took him in handcuffs to Deccan. Sayyidna Shuj'auddin, anticipating the same fate as that of his predecessor, nominated Shaikh Isma'ili Badruddin of Jamnagar as his successor. While in the Deccan Aurangzeb could not decide the fate of his Bohra prisoners and took them along to Lahore. According to the Bohra sources

Sayyidna Pir Khan, along with other Bohra prisoners, was kept in a small hut by the side of the royal stables. One day the stable was destroyed by fire killing many horses, but the hut by its side remained unaffected. When Aurangzeb came to inspect the fire-ravaged stable, he happened to pass by the hut. Sayyidna Pir Khan and his followers stood up to greet the royal visitor. This probably impressed the prince and he ordered their immediate release and gave them costly presents along with horses to travel back to Gujarat. Sayyidna Pir Khan returned to Ahmedabad via Sironj, Dohad, Ujjain, Rampura and Udaipur in A.H. 1058 in the holy month of Ramaḍān.

Sayyidna Pir Khan's freedom did not last long. He was soon to be imprisoned by the deputy of Dara Shikoh, Ghairat Khan. Ghairat Khan took charge of the Gujarat province in A.H. 1058 (October 17, 1648). It was complained to him that the Bohras had collected Rs 3 lakhs to secure the release of their *dā'ī* Qutubuddin but Aurangzeb refused to accept the sum and instead ordered his killing and the sum was then made over to his successor Pir Khan. For reasons not very clear Ghairat Khan demanded the sum to be deposited back into the state treasury but Sayyidna Pir Khan, denied knowledge of any such transaction. Ghairat Khan thereupon imprisoned him. After waiting for a month Sayyidna Pir Khan sent his trusted man Ahmad to Agra to secure his release. Ahmad went to Agra and waited there for a month but without any result. He therefore returned empty-handed. Sayyidna Pir Khan was expecting some concrete result. When Ahmad went to see him in the prison without any letter of release from the emperor he lost his temper and rebuked him for having returned from Agra without achieving any result. Nevertheless, Sayyidna Pir Khan was released after a couple of months on receipt of an order from the emperor's court at Agra. But he did not forgive Ahmad, even after his release.

Ahmad, as the narrative of *Mausam-i-Bahār* shows,²⁸ did not turn against the Bohra *dā'ī* right away. Though he was insulted and humiliated by Sayyidna Pir Khan while in prison, he sent two prominent Bohras namely Yusuf bin Chandji and Chand Miyan Abuji to Pir Khan Shuja'uddin for arranging reconciliation. He was even prepared to tender an apology though he does not seem to have been very much at fault or at least the author

of *Mausam-i-Bahār* does not give any such indication. Sayyidna Pir Khan, however, firmly rejected this move on the part of Yusuf which virtually amounted to ex-communicating him. This brought about yet another split in the community. Ahmad took the position that the *dā'ī* has erred in this case and any *dā'ī* who commits such an error ought to be replaced by his *ma'dhun*. He therefore, made some overtures to the nominee for the office of *dā'ī* Maulana Isma'il of Jamnagar, but seems to have failed as Maulana Isma'il remained loyal to Pir Khan. By saying that the *dā'ī* has erred, Ahmad raised the very fundamental question of whether a *dā'ī* can commit error. Some epistles were written to say that though a *dā'ī* can err in the period of *zuhūr* i.e., when *Imām* is present before his followers a *dā'ī* in the period of *satr* i.e., when *Imām* is in seclusion cannot err as there is no *Imām* to correct his error and any error on the part of the *dā'ī* can do harm to the cause of *d'awa*. Thus at the time of the challenge of *hujumiya* a new theory that a *da'ī* in the period of seclusion is *kal-m-a'sum* was evolved. This dogma of near infallibility had important repercussions later in the fight for reforms. It is obvious in this case that had Sayidna Pir Khan adopted a conciliatory attitude the community would not have split further. His obstinacy can hardly be justified.

Initially the Hujumiya group seems to have gathered some strength and Ahmad succeeded in obtaining the favour of Murad when he was the Subedar of Gujarat and got the Sayyidna imprisoned once again. This time the Sayyidna could regain his freedom only after spending a great deal of money. Sayyidna died on Zi'l-qada 9, 1065 (September 10, 1655) as a result of severe pain in the stomach. It was strongly suspected that it was the case of poisoning by his enemies. He was succeeded by Sayyidna Isma'ilji Badruddin bin Mulla Raj, the first Rajput *da'ī* who traced his ancestry to Bharmal. The new *dā'ī* remained at Jamnagar. Sayyidna Isma'il made some efforts to win over the head of the Hujumiya sect Ahmad but did not succeed. The sect was active and created some trouble. Otherwise his period was uneventful. He passed away on 24 September, 1674 and was succeeded by his son Abdul Tayyab Zakiyuddin. The lull in persecution of the community experienced in the last days of the Sayyidna Isma'il was shortlived. Satish Misra says, "It was in his (Abdul Tayyab Zakiyuddin's) time that the impact of the new religious

policy initiated by Aurangzeb, the foretaste of which had been given during his short governorship of Gujarat, was felt by the community. By now, the famous interdict of 1665 had virtually ended that age of toleration which despite occasional lapses had characterized the Mughal era. Besides, Jamnagar had been made *khalsa*, directly administered territory, in 1663 and was no longer a safe haven."²⁹

It is really difficult to apportion blame between Aurangzeb and his Subedars. Misra rather oversimplifies the issue by throwing the entire blame on Aurangzeb whereas *Mausam-i-Bahār*, compiled by a Bohra author, is far more cautious in this respect. No doubt the bigoted Sunnis considered the Shi'a Isma'ili Bohras as *rafdis* i.e., those who have turned away from the faith. But the persecutory measures were not directly inspired by the religious bigotry alone; there was more to it than meets our eyes in these books. Aurangzeb, though a strict follower of the orthodox Sunni faith, was not altogether intolerant of other faiths as he has been projected in our history books. Above all he was a statesman and did not interfere with others' religion as far as possible. But the persecution of the Bohras is no myth. Although we cannot undertake any detailed analysis of this phenomenon here we will confine ourselves to a few remarks throwing some light on it. The Bohras, as we have seen above, had split into a number of sects mostly on the issue of succession. The rival groups tried to court favor with the Mughal officials. As there were some rich businessmen among them, financial inducements to win over officers were by no means rare. Even the author of *Mausam-i-Bahār* admits in many cases that the officials were bribed either to secure the release of a *da'i* or to get the leader of the rival group arrested. The emperor or the governor did not always get the true picture. It is not quite improbable that they were presented with a distorted picture by the subordinate officials. We have seen in the case of Sayyidna Qutubuddin that the Qāḍī was refusing to sign the document testifying the charge of reneging against the Bohra *dā'ī* and without it Aurangzeb would not agree to pass the death sentence. A son of Sayyidna Qutubuddin was then tutored to give false evidence to get the Qāḍī's signature. We have also seen that Sayyidna Pir Khan who succeeded Sayyidna Qutubuddin was Aurangzeb's prisoner for quite some time. But he did not execute him, and

later released him giving him costly presents when convinced of his innocence. A close scrutiny of the Bohra history of this period also shows that as soon as the new governor or some influential official arrived the rival groups vied with each other to win his favour. Besides this, there were conflicting class interests at work. The Bohras belonged to the merchant class which was sought to be suppressed by the ruling feudal class by means of monetary exactions and heavy punitive taxes. This also seems to have played no mean role in this dispute which acquired religious overtones. Thus the persecution of the Bohras cannot be ascribed to the religious bigotry of the ruler alone though it did play a role

Sayyidna Ismā'īl Badruddin never visited Ahmedabad, Jamnagar being his headquarters. However, his son came over there by the end of A.H. 1085 (A.D. 1675). Sayyidna 'Abdul Ṭayyab remained there for a couple of years and all seemed well. In A.H. 1091 15 April 1680, he held a public congregation to declare *naṣṣ* in favour of his son Musa Kalimuddin. But by about A.H. 1093 (A.D. 1682-83) complaints against the Sayyidna began to be made to the Subedar of Gujarat who ordered his arrest. Sayyidna Zainuddin was forewarned and he secretly left Ahmedabad for Jamnagar. Unable to find the Bohra head, the Subedar's men imprisoned a number of prominent Bohras. These prisoners were sent to Aurangzeb who was then in Aurangabad. From the Bohra sources the reason for these arrests is not clear. But the author of *Mirat-i-Ahmadi*, Ali Muhammad Khan gives us some inkling into it. Two retail cloth dealers Isa and Taj were reportedly collecting money to spread "false" religion and it was also brought to the notice of the emperor that one Khanji, a deputy of Sayyidna Qutubuddin who was executed had collected, along with twelve others, a sum of a lakh and fourteen thousand rupees for the release of prisoners imprisoned by royal orders and that they were also busy spreading "false" religion.³⁰ Satish Misra has pointed out that the author of *Mirat-i-Ahmadi* ascribes these events to A.H. 1115 (A.D. 1705) while the Bohra riwayat relate them to A.H. 1093 (A.D. 1682-83) when Sayyidna 'Abdul Ṭayyab left Ahmedabad in face of the threat of his arrest.

A new wave of persecution started. Orders were given banning a number of "objectionable" practices. Visits to tombs, observing of Id according to the *Miṣri Calendar* instead of the usual

Muslim practice of sighting the moon etc., were prohibited. Thus the Bohras were compelled to observe a fast even on Id. The ten-day mourning assemblies in the month of Muharram were also banned both at homes as well as in public places. According to the Bohra sources Sunni *pesh Imāms* were appointed in the Bohra mosques once again and the absentees were punished by flogging. Even the funeral prayers were conducted by the Sunni *pesh Imāms*. The community once again resorted to *taqqiya* in the face of these inquisitional regulations.

Abdul Tayyab Zainuddin was forced to leave the town of Jamnagar fearing arrest and moved over to Khambhalia, the capital of the Jadeja ruler of Jamnagar. He lived here during the period of trial through which his followers were passing. Later on he seems to have moved back to Jamnagar where he died in A. H. 1110 (A.D. 1699). He was succeeded by Musa Kalimuddin. He saw the last decade of the Alamgiri era. For reasons unknown he displeased the Jadeja ruler of Jamnagar who arrested his son and successor Syedi Nur Muhammad. During his father's tenure *dā'ī* Syedi Nur Muhammad spent most of his time in detention and was released only on payment of three lakhs of the Mahmudi coins—a coin which was current in that part of Gujarat. The imprisonment of his son seems to have affected the Sayyidna very deeply and he is said to have passed away the day after his son was released i.e., on Rab I, 22, 1123 (May 21, 1710).

Sayyidna Nur Muhammad Nuruddin lived for about eight years and died in Rajab A.H. 1130 (May 1718). He was succeeded by his cousin and brother-in-law Sayyidna Isma'ilji Badruddin bin Shaikh Adam Safiyyuddin. In view of pressure from the Jam of Jamnagar he moved his headquarters to Anjar in Kutch. Sayyidna Isma'il was known for his generosity and hospitality. He was very liberal towards the poor students for whom he did everything to help them acquire knowledge. He enforced the tradition of 10 mourning assemblies in the month of Muharram and is also said to have issued orders not to arrange communal dinners without the permission of the *dā'ī* as it entailed ruinous expenditure, often for those who were unable to bear it. He also made it compulsory to read a chapter of the Koran after the morning prayer everyday. The most notable thing of his period is that the Hujumiyans who had split from the community at the time of Sayyidna

Pir Khan Shujauddin returned to the fold. Their *dā'ī* Latif Bhai submitted to the Ma'zūn and was made a Shaikh. He refused to go to Ahmedabad when invited by the Bohras of that town, saying that it would entail wasteful expenditure for the poor Bohras of Ahmedabad and moreover there he would not be able to devote much time to studying and dissemination of knowledge. In Mundra, Kutch, he appointed Syedi Wajihuddin bin Syedi Abdul Kadar Hakimuddin. He then moved to Nawanagar (i.e., Jamnagar) where he died on Muharram 7, 1150.

Syedi Abdul Qadar Hakimuddin, it is important to note, was an influential person in Malwa. He was widely respected and had been elevated to the position of *ma'dhūn ad-d'awa* and would have certainly become *dā'ī* had he lived longer. Due to his early death in Burhanpur in A.D. 1730, Ibrahim Wajihuddin was appointed the next *dā'ī*. Ibrahim Wajihuddin was at Ujjain when he received the testament of his predecessor. He made Ujjain his headquarters. It was for the first time that the headquarters of the Fatimi *d'awa* in India were shifted to Malwa—a region outside Gujarat. There is a considerable population of the Daudi Bohras in this region even today.

While appointing Sayyidna Ibrahim Wajihuddin as the next *dā'ī*, it was also made very clear in the testament that the *d'awa* will return to Shaikh Adam Safiyuddin. Sayyidna Wajihuddin therefore, arranged matches between his family and that of the late Sayyidna to strengthen his position in the *d'awa*. He married his daughter to Abd-i-Musa, and his son's daughter to Syedi Abdul Tayyab both sons of Sayyidna Isma'il, the marriages having taken place in A.H. 1150, soon after his accession. Ten years later Shaikh Safiyuddin died and he married his widow to his son Hibatullah al-Muiyyad. Even with this preparation the *naṣṣ* could not be announced in favour of his son without the claim of "divine inspiration."

The unsettled period in the eighteenth century made the central government weak and consequently the petty provincial rulers became more powerful. The Bohras who constituted the trading community attracted the attention of these petty rulers who needed more and more money for upholding their feudal glory. The Bohras, therefore, very often had to pay through their nose to these petty princes or the provincial rulers. More often than not, it used to be the case of a conflict between the feudal an

mercantile classes. Very often the Bohras had to pay the demanded sum by the ruler or else had to face public humiliation or imprisonment. In Ujjain as well as Rampura the Sayyidna and his son had to face the wrath of the respective rulers and, therefore, Sayyidna Ibrahim Wajihuddin and Hibatullah al-Muayyad had to bide their time in Burhanpur till the beginning of the year A.H. 1158 (February, 1745). Burhanpur during this period became one of the important centres of the community.

Such a conflict between the Bohra traders and the ruling dynasty arose in Surat also. The Nawab cast his covetous glances over the wealth of the community. The Sayyidna was arrested and released on payment of a security deposit of one lac rupees. The Sayyidna left the city before the matter was aggravated further. The Hibtia sect came into existence at this juncture. Its founders were Shaikh Ismā'il and his son Shaikh Hibatullah. It is interesting to know that the Hibtia claim was based on the fact that the *Imām* had contacted Shaikh Ismā'il and his son and had appointed Shaikh Ismā'il as *dā'ī al-balagh*, a position which was above that of *dā'ī al-muṭlaq*. Shaikh Ismā'il succeeded in gathering some followers. Sayyidna Hibatullah had to make efforts to conciliate his namesake and bring him back to the fold but without any success. The fanatic followers of Sayyidna Hibatullah later cut the nose of Hibatullah, but his father, Shaikh Ismā'il managed to escape. Hibatullah even claimed that he was appointed as the highest functionary in the Ismā'ili *da'wa* next to the Imam and that he had married the daughter of the *Imām*. The Sayyidna had to make tours to dissuade people from accepting such claims and he largely succeeded.

But it must be said to the credit of Shaikh Ismā'il and his son Hibatullah that they were great scholars and it is they who compiled an extremely useful bibliographical catalogue of the Isma'ili books called the *Fihrist al-Majdu'*. It was on this basis that Ivanow prepared his *Guide to Ismā'ili Literature*. Sayyidna Hibatullah was compelled to undertake tours to counteract the propaganda of his rivals. He went as far as Aurangabad but had to leave that city as the local officials became covetous of his wealth. For some reasons, not very clear, there was a fight between the two groups of Bohras in Ujjain. He returned to the town but did not stay there very long. Sayyidna, during his tours

went to Surat in 1772 (A.H. 1186). Surat was by then under British control. He stayed there for three years and his representatives contacted the British headquarters at Bombay for the Sayyidna's safe conduct. From now on Surat began to acquire importance as the centre of the *d'awa*.

After his three-year stay in Surat Sayyidna Hibatullah again undertook a tour of Gujarat before returning to Ujjain. After facing some trouble in Ujjain he went to Rampura and Sironj. He died on Sh'aban, 1, 1993. Sayyidna Hibatullah had a dynamic personality and devoted his energies towards organizing the community and consolidating his position. Satish Misra rightly observes: "Syedna Hibt-u'l-lah was an accomplished man, among other things an Urdu poet. His career bridged an important transition period during which he gave to his people an able guidance. His defence against the Hibt-u'l-lah attack protected the community from a serious secession, and from the Bohra accounts, both the leading figures in this movement appear to have been men of considerable ability. His political relations were equally consummate; with the Mughal Emperor, Shah 'Alam from whom he received a farman for the *Qaziship* of Ujjain, with Peshwa Madhav Rao and Nana Phadnavis whom he visited in Poona, with Mahadaji Sindhia and the Holkar rulers of Indore and finally with the British who by this time had come to control south Gujarat—with all these powers, generally at loggerheads with each other—he maintained cordial relationships."³¹

Now Sayyidna Abdul Tayyab Zakiuddin, the son-in-law of Sayyidna Hibatullah took charge as the next *dā'i*. He belonged to the Rajput dynasty of Gujarat and shifted the head quarters of the *d'awa* back to Jamnagar although he died in Burhanpur. He remained mostly in Gujarat. He left for Burhanpur in A.H. 1199 (A.D. 1785) and passed away there on Safar 2, 1200. His son Muhammad Yusuf Najmuddin, 23, succeeded him. Probably on account of the British influence over Surat, he shifted his head quarters to that town. He subsequently went to Burhanpur and got his brother, who succeeded him later, married to the sister of Mian Saheb Jiwanjee of Aurangabad whose family gradually acquired more importance. He then toured Malwa and returned to Surat where he built a palatial house for himself. How-

ever, he did not live very long and passed away in A.H. 1213 (A.D. 1798).

Sayyidna Abde-ali Saifuddin who succeeded him is another important personality among the Indian *dā'īs*. He was also very young when he assumed office. A year after his accession two of his wives passed away and later, in A.H. 1217 (A.D. 1803), his brother Syedi Abdul Qadir Hakimuddin. He was also faced with other troubles like a wide-spread fire in Bombay affecting many Bohras, tension in Rampura and political troubles in Ratnagarh, Malwa. This was followed by the flood in the Tapti at Surat and then famine in 1805 in northern Saurashtra. The Sayyidna did his best to help the afflicted on both occasions.

Abde-ali Saifuddin was a majestic figure. He brought about many reforms in the community. He is said to have banned public wailing and breast-beating in Muharram although he made it compulsory to attend the sermons during the first ten days of that month. Moreover, it was he who founded the seminary at Surat for training *mullahs* and imparting higher religious education for the Bohras. It was called *dars* and is now known as Jami'a Saifiyya. He also died comparatively young in A.H. 1232 (A.D. 1817). Sayyidna Abde-ali Saifuddin's regime saw further consolidation of the British power in India and an end to persecution of the community.

Now Shaikh Jiwanji's son Muhammad Izzuddin of Aurangabad became the next *da'i*. He was Abde-ali Saifuddin's wife's brother although very junior in the heirarchy of the *d'awa*. Anticipating some trouble his nomination was kept secret for the time being. Like his two predecessors, his life was also short. He succeeded at the age of twenty-nine and died in A.H. 1236 (A.D. 1821) at the age of 34. Before his death he nominated his elder brother Sayyidna Tayyab Zainuddin as his successor. Sayyidna Zainuddin had to face a series of troubles immediately after his succession. First there was an unprecedented flood in Surat which remained alive in the memory of the people for years to come. Then Sayyidna Tayyab Zainuddin visited Mandasore in 1240. There, a scuffle issued between the Bohras and other Muslims. According to the Bohra sources the trouble was started by a Muslim Maulavi Ramzan Ali. The Arabs sided with the Bohras and one Muslim was killed in the scuffle. This worsened the situation and the house in which Sayyidna Tayyab

Zainuddin was staying was surrounded and fired at. Rioting followed in which a number of Bohras and others were killed and the situation was brought under control with the help of a white regiment requisitioned from Neemuch. Uneasy peace prevailed for some time, then the situation flared up again causing many deaths.

Sayyidna Zainuddin left Mandsore in A.D. 1825 and proceeded towards Indore and then to Ujjain which he reached on 8 June 1825. One Mazhar Ali incited the Muslims in Ujjain and called for the vengeance of Ramzan Ali who was killed in Mandasore. Again troops had to be called out to control the situation. Due to the advent of the British the Bohras not only won more security and peace, they also became more prosperous with the increased volume of trade. Thus, like other trading communities, the Bohras also welcomed the British whereas the artisans and the masses of people resented the foreign rule. The advent of the British rule had other repercussions which we will discuss in the next chapter. Increased prosperity encouraged ostentation in marriages and other similar functions causing embarrassment to the less fortunate. Sayyidna Zainuddin preached against ostentation and his daughter's marriage was extremely simple, thus setting an example. In A.H. 1249 (A.D. 1833), the Sayyidna who had now returned to Surat nominated his son-in-law Muhammad Badruddin as his successor. The latter belonged to the Rajput dynasty. A few years after this the Sayyidna fell sick and passed away in A.H. 1252 (A.D. 1837).

Sayyidna Badruddin was the son of Sayyidna Abde-ali Saifuddin and was the last of the Rajput *dā'īs*. He was just 26 when he succeeded as *dā'ī* and 30 when he died in August 1840. His death was so sudden that poisoning was strongly suspected. The author of *Mausam-i-Bahār* says that fine ground diamond powder, along with piles, was the cause of his death.³² In a special issue of *Dawn*, Karachi, published at the time of Sayyidna Taher Saifuddin's visit to that city, his son Yusuf Najmuddin had written an article in which he admitted that Sayyidna Muhammad Badruddin was poisoned. The article says: "Unfortunately, the only son of Sayyidna Abde-ali Saifuddin, Sayyidna Muhammad Burhanuddin died on account of poisoning at a young age and with him ended the Rajput dynasty of Gujarat."³³ Later on, all efforts were made by the present dynasty of *dā'īs* to

suppress the story of poisoning. It was for this reason that the famous source book on the history of the *dā'īs* was also proscribed. The motive of poisoning Sayyidna Muhammad Burhanuddin is not clear but it is alleged by some knowledgeable *ulama* in the community that the Sayyidna was poisoned as he was not likely to nominate a particular person as his successor.

After the tragic death of Sayyidna Muhammad Badruddin the one who succeeded him was Sayyidna Abdul Qadar Najmuddin. He was son of the forty-fifth *dā'ī* and great-grandfather of the present *dā'ī* Sayyidna Muhammad Burhanuddin. Most of the Bohras accepted him as the legitimate successor but among the '*ulama*' around him the question of clear pronouncement of *naṣṣ* in his favour was disputed and has not been resolved till now. Some people firmly believe that the forty-seventh, Sayyidna Abdul Qadar Najmuddin was not 'validly appointed. At best they accept him as the *nāẓim dā'ī* i.e., *charge de affaires*. But the majority of the Bohras, as pointed out above, was not much concerned as to whether *naṣṣ* was properly proclaimed or not. They were more concerned with having a religious head who anyway they got. Thus Abdul Qadar Najmuddin, *de facto* or *de jure* became the head of the community, The '*ulama*'s opposition notwithstanding. It is also alleged that some '*ulama*' were bribed or coerced into accepting the legitimacy of Abdul Qadar Najmuddin as a *dā'ī*. Perhaps it was on account of this that it was alleged in some circles that his (i.e., Abdul Qadar Najmuddin's) accession was actually the handiwork of four Shaikhs who certified his right to the office of *da'ī*. Nevertheless, some '*ulama*' remained firmly opposed to the claim of *naṣṣ* and it was for this reason that the trial judge in the Burhanpur Dargah case was constrained to remark "that it was taken almost as an accepted fact among the prominent learned men of the time that Najmuddin Saheb had no *naṣṣ* and he was a *dā'ī* for administrative purposes only."³⁴

Some conscientious Shaikhs were in real dilemma as, for them, unambiguous declaration of *naṣṣ* in favour of a successor was a religious obligation. An alternative in the form of a Grand Council of the Learned (*Hilful Faḍā'il*) was tried, but failed. The institution of *dā'ī* was too well entrenched to be displaced so easily. Many traditional '*ulama*' seriously entertained the possibility of the appearance of the *Imām*, as the chain of *dā'īs* sustained so

long by duly proclaimed *naṣṣ* had been cut off. Even some letters purported to have been written by the *Imām* appeared mysteriously, further confounding the confused. A party of *ʿulama* set out towards Arabia in search of the *Imām*. The Turkish rulers of Arabia suspected them to be foreign spies and released them with great difficulty. However, nothing came of this venture which had to be abandoned.

Despite all this Sayyidna Abdul Qadar Najmuddin's position was not very seriously affected. He continued to be in the saddle for nearly forty-five years. But he paid a price for this. The position of *mashaikhs* was virtually devalued as the ordinary people were welcomed to the fold without any formal qualification provided they remained loyal to the *dāʿī*. The annual grant for the religious academy at Surat was reduced as then it was becoming the hot-bed of intrigues. The *ʿulama* till then had enjoyed a good status in the Bohra society and were comparatively more free. They could perform the rituals on these occasions without any restraint from the ruling *dāʿī*. The new *mashaikh* were the Sayyidna's creation and thus were more dependent on him. Slowly more and more restraints on the functioning of these *mashaikh* were put in order to better control them. The controversy about the *naṣṣ* never completely died down. It brought about another split in the community.

Due to these dissensions the position of the *dāʿī* was weakened and his authority seriously eroded. The author of *Mausam-i-Bahār* tells us that the people around the Sayyidna were not sincere. They were after the worldly possessions and all their actions were motivated by greed. No one cared for the *dāʿī* and his religious sanctity.³⁵ The forty-seventh *dāʿī* also faced considerable financial difficulties which, in fact, had begun from his predecessor's time. Sayyidna Abdul Qadar Najmuddin passed away on Rajab 26, 1302 (May 11, 1885). He was succeeded by Sayyidna Abdul Husain Husamuddin. His tenure was no less dogged by financial troubles. As the *dāʿī*'s authority had been weakened it became more and more difficult for him to collect money to meet his expenses. It is said that the sons of Sayyidna Abdul Qadar Najmuddin had divided different areas among themselves establishing their right to collect money from their respective "fiefs." This right they were not ready to surrender. They enjoyed a considerable degree of freedom. Syedi Burhanud-

din, who later succeeded his uncle, was the Amil of Bombay which was a very fruitful area from the point of view of collecting money, it being the centre of coastal trade. In 1886 the Sayyidna visited Bombay and appealed to his nephew to relieve the pressure of debt on *d'awa* but the latter refused to oblige and the Sayyidna left Bombay much disheartened. Sayyidna Husamuddin's reign was notable for two things: he persuaded his followers to construct rest houses (*musafir khanas*) at various centres of pilgrimage thus enabling the Daudi Bohras to have better rapport with their fellow religionists. Secondly he campaigned against superstitious beliefs in ghosts, vampires etc., which commonly prevailed at that time. Sayyidna Husamuddin died in Ahmedabad in A.H. 1308 (A.D. 1891).

Now his nephew Sayyidna Burhanuddin took over as the next *dā'ī*. He too had to face stiff opposition. His own younger brother Abdullah Hakimuddin was among the ranks of the opposition. The Sayyidna tried to patch up with him. It is said that in order to conciliate him, he conceded to his brother, that he was a caretaker *dā'ī*. During the Burhanpur case the plaintiff had filed the photocopies of the declaration which was allegedly made by Sayyidna Burhanuddin to his brother that he was not a *Dā'ī-u'l muṭlaq* and that he was only managing the affairs of the *d'awa* as a caretaker.³⁶ Ismā'il Poonawala also says: "Muhammad Burhān al-Dīn, the forty-ninth *dā'ī* and the son of 'Abd al-Qādir Najm al-Dīn, succumbed to the opposition and acknowledged in a document that he and his two predecessors were merely caretakers of the community."³⁷

The financial troubles continued and were even further aggravated. The Sayyidna was heavily indebted. Two Hindu *mahajans* and one of his own Amils filed suits in the court of the first class Judge at Surat, The Amil Shaikh Abdul Tayyab Shaikh Abdul Husain claimed Rs. 56,680 including interest. The case was settled and Sayyidna Burhanuddin agreed to pay Rs. 54,000 along with interest in 12 instalments from his personal income as well as from the *d'awat* account.³⁸ The Sayyidna later on drew up a *Dastur al-amal* (a constitution) which was promulgated at Dhoraji in a conference held there at the instance of the famous Bohra industrialist Sir Adamjee Peerbhoy on Shawwal 26, 1216 (March 9, 1899). This was done with a view to abolish certain undesirable customs, to simplify the procedure for

marriages etc., and to put restrictions on excessive powers enjoyed by the local functionaries. It was also made obligatory for Amils to remit part of their collections to the centre (earlier the entire amount was retained by the Amils). This was perhaps the beginning of a process which resulted gradually in monopolizing all powers in the hands of the *dā'ī*, completely throttling the freedom of his followers.

Sayyidna Burhanuddin appointed his cousin Abdullah Badruddin as his successor after returning from *hajj*, before he passed away on 22 February 1906. As indicated earlier, the dispute about *naṣṣ* after the forty-sixth *dā'ī* brought about another split in the community in the period of Sayyidna Muhammad Burhanuddin. A new sect called the Mehdibagh sect came into existence with its headquarters at Nagpur. Its founder was a highly talented young man called Abdul Husain bin Jiwaji of Kapadwanj. He had a shop in Bombay but later shifted to Nagpur. Maulana Abdul Husain (as he came to be called now) claimed that he was in direct communion with the *Imām* and that he had been appointed as *ḥujjat*—an office which is much higher in the hierarchy of the Isma'ili *d'awa*.

Maulana Abdul Husain appointed as his successor one Ghulam Husain (Khan Bahadur H.H. Malik). Maulana Ghulam Husain took over in 1903 and remained head till 1922. Maulana Ibrahim Raza Saheb became head in 1922 and continued till 1956 when Maulana Hasan Nurani succeeded him in the high office. It is interesting to note that this small sect believes that the *Daur al-Kashf*⁹⁹ has begun and it is no longer necessary to observe the manifest practices of *shari'ah*. What is needed, according to the followers of this sect, is to understand the hidden (*batini*) meaning of prayer, fasting, *hajj*, *zakat* and the Koranic verses. Thus, like other Bohras or Muslims, the followers of this sect do not pray or undertake fasts during the holy month of Ramadan or perform *hajj*. They also reckon their era from the time when the light dawned on Maulana Malik Saheb and with this the period of *zahur* begins. Of their era it is the ninetieth year. However, in all other respects its followers are like other Bohras. Their number, according to one source, does not exceed 1,000, many of whom live in Nagpur and Bombay.

Coming back to the Bohra *da'is* what we saw earlier was that Sayyidna Abdullah Badruddin succeeded Sayyidna Muhammad Burhanuddin. However, the fiftieth *da'i's* term lasted only for seven

years. During his short term, he initiated reforms to improve functioning of the *d'awa* and local administration. He further curtailed the powers of *Amils*. He also brought under check the liberal distribution of titles as done by his predecessor (and was again revived by his successor Sayyidna Tahir Saifuddin). He awarded these religious titles strictly on the basis of knowledge and learning as was the original practice. He also undertook measures to improve the standard of teaching at the seminary at Surat. It was during his time that serious trouble broke out between the Bohras and other Muslims in Bhopal resulting in the flight of many Bohras from there. However, it was during the early period of his successor Tahir Saifuddin that a decision about that case was made, which made him (i.e., Saifuddin) unpopular among the Bohras of Bhopal. Sayyidna Abdullah Badruddin died of heart trouble in A.H. 1333 (A.D. 1915). Before his death he had nominated his nephew Tahir Saifuddin as his successor, his elder nephew Syedi Tayyab Zainuddin having declined to accept the office. We shall deal with the period of Sayyidna Tahir Saifuddin and his successor Sayyidna Muhammad Burhanuddin separately as the whole reformist movement spins around these two *da'is*.

NOTES

¹Shaikh Muhammad ali Ibn Mulla Jiwabhai, *Mausam-i-Bahār*, Vol. III, Matbae Safdari, Bombay, n.d. pp. 328-329, Also see Satish C. Misra, *Muslim Communities in Gujarat*, Asia Publishing House, Bombay, 1963.

²Misra, *op. cit.*, p. 15.

³*Mausam-i-Bahār*, *op. cit.*, pp. 330-342.

⁴Misra, *op. cit.*, pp. 8-9

⁵*Ibid.*, p. 9.

⁶*Gazetteer of the Bombay Presidency*, Vol. IX, Part II, Gujarat Population, Musalmans and Parsis, Bombay Government Central Press, 1899, p. 24.

⁷*Ibid.*, pp. 24-25.

⁸*Mausam-i-Bahār*, *op. cit.*, Vol. III, p. 343.

⁹Mian Bhai Mulla Abdul Husain, *A Short Note on Daudi Bohras*, (Gulzare-Daudi), Progressive Publication, Surat, 1920, p. 20.

¹⁰*Ibid.*, pp. 20-21.

¹¹*Akhbar ad-Du'at al-Akramin*, Progressive Publication, Surat, 1975.

¹²*Ibid.*, pp. 75-81.

¹³John Norman Hollister, *The Shi'a of India*, Luzac & Co., London, 1953, p. 271.

¹⁴*Du'at al-Akramin*, *op. cit.*, pp. 87-88.

¹⁵Misra, *op. cit.*, p. 23.

¹⁶Sayyidna Tahir Saifuddin, *Risāla Ramdaniyya Fauzun Azim*, Bombay 1368 A.H..

¹⁷A.A.A., Fyze: *A Chronological List of the Imams and Dāis of the Mustalian Ismailis*, JBBRAS, 1934, x pp. 11/12.

¹⁸*Du'at al-Akramin*, *op. cit.*, 93, (author's translation).

¹⁹*Ibid.*, pp. 93-94.

²⁰*Ibid.*, pp. 148-150.

²¹Misra, *op. cit.*, pp. 27-28.

²²*Ibid.*, p. 28. Also see *Du'at al-Akramin*, *op. cit.*, pp. 145-159.

²³*Mausam-i-Bahār*, *op. cit.*, p. 214.

²⁴Misra, *op. cit.*, p. 30.

²⁵*Ibid.* p. 32.

²⁶*Ma'āsiru'l-Umara* (trans.) I, pp. 44-48; cf Misra, *op. cit.*, p. 30.

²⁷*Mausam-i-Bahār*, *op. cit.*, pp. 280-296.

²⁸*Ibid.*, pp. 316-317.

²⁹Misra, *op. cit.*, p. 37.

³⁰Ali Muhammad Khan, *Mirat-i-Ahmadi* I, pp. 356 and 358-359; cf. Misra, *op. cit.*, p. 37.

³¹Misra, *op. cit.*, p. 43. Misra quotes from a letter in Persian written by Sayyidna Abdul Qadar Najmuddin written to W.E. Brere, Agent to the Governor of Bombay, Surat and reproduced in the *Gulzar-i-Daudi*, *op. cit.*, pp. 216-220.

³²*Mausam-i-Bahār*, *op. cit.*, p. 717.

³³Quoted from the special issue of *The Daudi Bohra Bulletin*, Surat,

March, 1965. The excerpts from the article of *The Dawn*, Karachi, has been reproduced in the above issue.

³⁴The Judgement in the Burhanpur Dargah Case, p. 33.

³⁵*Mausam-i-Bahār*, *op. cit.*, pp. 738-739.

³⁶See *Judgement Burhanpur Dargah Case* referred by Misra, *op. cit.*, p. 50.

³⁷Ismail K. Poonawala, *Bibliography of Ismā'ili Literature*, Undena Publications, Malibu, California, 1977, p. 14.

³⁸See Special issue of *The Daudi Bohra Bulletin*, Surat, March, 1965, *op. cit.*, p. 69.

³⁹According to the Ismā'ilī belief there are two *daurs* (periods) namely the *daur as-satr* and *daur al-kashf*. During *daur as-satr* it is obligatory to observe *zāhirishari'ah* along with the knowledge of its hidden or real meaning. But during *daur al-kashf* which will be a prelude to *qiyama* (i.e., the day of resurrection) lasting over several hundred years, it will no longer be obligatory to observe *zāhirishari'ah* i.e., praying, fasting, performing hajj, etc., will be voluntary acts during this period and not obligatory.

5

A SHORT NOTE ON THE PRESENT-DAY BOHRAS

The first question before us relates to the population of the Daudi Bohras. In the absence of any authentic census figures this is not easy to answer. The Government of India does not publish figures about the sects and sub-sects among the Indian Muslims. The problem, therefore, becomes more difficult. One of the possible sources is the central register of religious taxes maintained by the high priest's establishment. The figures could be taken as reliable, as the taxes are collected with strict regularity. However, the access to this central register is not easy as it is a confidential document. Only a few members of the high priest's family or some close confidants of that family have access to such records. Some knowledgeable people claim that the population of the Daudis touches a million mark. But the figure seems to be rather exaggerated.

According to Abdul Husain, the Bohra population in the second decade of the nineteenth century was around 200,000. He says: "The Bohra population according to the latest census of India was about only 200,000* but the figure is unreliable as most of the Bohras returned themselves as Shias and large numbers got themselves confused with the Sunni Bohras."¹ This clearly implies that the figure mentioned above is an understatement. However from other sources too the author does not arrive at a very different figure. He continues further, "The best census is from the tax register of the Head Priest at Surat. A poll-tax is collected every year in the month of Ramzan (fasting month) by the

deputies of the Head priest at the rate of 4 annas per head of every male and female. Children are not excepted. Even an embryo in the womb is not excluded. Bohras living in distant places pay their poll-tax as a religious duty. The Head Priest's register is not open for public inspection, but the population according to the register is believed to be about two lakhs, excluding Sunni Bohras and dissenters."²

Thus Abdul Husain in 1920 came to the conclusion that the Daudi population was around two lakhs. If we take 3 per cent as overall growth in the Bohra population since then it should be around 560,000 today. The *Gazetteer of the Bombay Presidency* of 1899 gives the Daudi population of the Bombay presidency as 130,000³ and it appears that two decades later Abdul Husain has taken this figure from the *Gazetteer* and has added figures for other provinces. This estimate also, therefore, does not seem to be very reliable. Karim Mohammad Master, the author of *Maha Gujarat na Musalmano* (The Muslims of the Greater Gujarat) does not give any population estimate of the Bohras. But John Hollister the author of *The Shi'a of India* has given population figures. He says: "The Daudi Bohras number, according to the testimony of its leader in the court about three hundred thousand. The number seems to be a little high, although the Mulla Šāhib is said to have an accurate list of the whole community. Accurate figures are difficult to obtain. According to the census of 1931, the Bohra population of India numbers 212,752. As with other Shiite communities, this number is likely to be under rather than

*Bombay Presidency	1,30,000
Central India	36,000
Central Province	5,000
Rajputana	10,000
Nizam's territory	5,000
Other parts of India, Burma, Ceylone etc.	15,000

	200,000

For Bombay Presidency the figures are according to the last census and for other places these numbers are based on census figures and are not accurate.

above the true figure. The community includes a considerable number in Yaman, Fyzee calling a figure of twenty-five to thirty thousand 'a modest estimate'. Besides these there are Bohras i.e., Mustalian Ismailis, in South Arabia, the Persian Gulf, East Africa, the Straits Settlements, Burma, and as many as two hundred in Spain."⁴ Hollister's book was published in 1953 but he does not update the population figures, leaving them at the 1931 estimate.

The other source for us is a directory recently compiled by a Bohra from Ujjain, S. K. Rayaq. It is called *Gulshan-i-M'alumat* and was published in 1975.⁵ The compiler of the directory is a traditional Bohra and it is doubtful whether he is really equipped with the modern scientific techniques of carrying out population census. Nevertheless it has collected much useful information about the Daudi community in India and abroad. According to it the current population of the Daudis is 317,844. This figure, though not explicitly stated, seems to be that of the Bohras in India. Obviously the figure seems to be an understatement. As pointed out above, if Abdul Husain's figure of two lakhs in 1920 is correct, the population today should work out to around five lakhs and sixty thousand. I am told that though the veracity of this claim cannot be checked, the younger brother of the present *da'i* Dr. Yusuf Najmuddin has given a figure of one million, including Bohras in other countries. This again seems to be an exaggerated figure if ever Dr. Najmuddin made any such claim. Keeping all these figures in view it should not be very much off the mark to assume the Daudi population to be around half a million or little more.

A French writer and a historian Victor Jack Mont had come to India in A.D. 1832 and wrote a book on various religious communities of India. According to him the world-population of the Bohras then was 600,000. The figure does not seem to be based on any authentic source. It is probably his own guess or that of his informers. The figure obviously errs on the higher side. If this figure is taken as correct, the population today will work out to much more than a million, taking three per cent as the rate of growth.

More than 50 per cent of the Daudis live in Gujarat. Maharashtra comes next. The highest population of Daudis is in Bombay there being 60,000 of them in this *urbs prima*. Outside India the

highest number of Bohras is found in Karachi where there are around 25,000 of them. In India they are found in Madhya Pradesh (170 towns), Gujarat (164 towns), Maharashtra (101 towns), Rajasthan (53 towns), Kerala (5 towns), Tamil Nadu (4 towns), Uttar Pradesh (4 towns), Mysore (3 towns), Andhra Pradesh (3 towns), Bihar (2 towns), Orissa (2 towns), Goa (1 town), and West Bengal (1 town).⁶ In India the major centres of Bohra population after Bombay are: Dohad, Gujarat (11,200), Udaipur, Rajasthan (10,000), Indore, M.P. (7,750), Ujjain, M.P. (7,143), Surat, Gujarat (7,601), Ahmedabad, Gujarat (7,803), Siddhpur, Gujarat (6,675), Calcutta, West Bengal (5,400), Godhra, Gujarat (5,200), Jamnagar, Gujarat (4,833), Poona, Maharashtra (4,127), and Madras, Tamil Nadu (2,757).

Outside India the Daudis are found in 31 countries. The Daudi population abroad is around 75,000. The foreign countries where the Bohras have settled are Pakistan 33,000, Tanzania 8,250, Madagascar 7,100, Ceylon 3,000, Kuwait 2,500, Kenya 7,700, U.K. 5,000, Yaman 3,000, Singapore 500, Malaysia 500, Hongkong 200, Thailand 1,000, Japan 15, Comores 200, Dubai 750, Indonesia 800, Burma 150, Bahrain 500, Bangla Desh 750, Aden 950, Iraq 125, Ethiopia 350, America 1,000, France 100, Muscat 100, Maldives 5, Mauritius 125, Saudi Arabia 550, and Sweden 90.⁷

As pointed out earlier, most of the Daudis are engaged in business. But nowhere in the world do they control big business or industries, not even in India. The overwhelming majority is engaged in petty shop-keeping and only a few can be said to be doing business on even a middle scale. Several factors are responsible for lack of industrial entrepreneurship among Bohras. Traditionally they have been doing petty business and it was not easy for them to accumulate the capital needed for industrial enterprises. They were a persecuted community and often in the past the rich had to part with their wealth to save their faith or honour. Religious leadership discouraged Western learning as well as institutions like banking etc., due to religious inhibitions. The Daudis, therefore, could not realize the importance of developing industrial enterprises. The priesthood never set up institutions to provide guidance in this area. If anything it discouraged the Bohras by launching campaign against interest. The industries the priesthood set up proved utter failure. Moreover, it was difficult for them to compete with other non-Muslim industrial giants. However, in Pakistan a few families like the Walikas succeeded in developing

big industry. But it is an exception rather than a rule. Again, it being a petty-shopkeepers' community, the percentage of education too is not very high and for this reason we find relatively few academicians, university teachers, doctors, lawyers, management experts, etc. And there are practically no renowned scientists, poets, novelists, painters, etc. If a comparison be made with the Parsis, the Daudis will emerge in a poor light.

The Parsis are certainly not as numerous as the Daudis and yet we see that they have produced many world renowned scientists, artists, legal luminaries as well as big industrialists. The percentage of education among them would be far higher than that among the Daudi Bohras especially among the women. The Daudis too, being primarily a business community, had better resources at their disposal to promote a higher degree of education. However, the priestly class, as we shall see while discussing the reform movement in the community, became a great obstacle in that direction and always sought to discourage the spread of modern education. It was only lately that they realized the importance of education; but again what followed was mere relaxation and not a vigorous step to promote education. The spread of education certainly undermines the priestly authority. Even the Sulaimani Bohras, who are very few in number compared to the Daudis and do not suffer from the strict priestly control have produced more world renowned personalities than the Daudis. We will discuss this in greater detail in the next chapter.

According to the compilers of *Gulshan-i-M'alumat* the total number of shops among the Daudi Bohras is around 18,321 of which 3,090 are of hardware followed by *kirana* (provision) shops numbering around 2,088. Cutlery and cloth shops come next being around 1,290 and 1,027 respectively. The other business activities include tin-works, glass-frames, shoe selling, timber, general merchandizing, paper electric goods, watch-repairing, perfumeries, aerated drinks, plumbing, medicines, sweet-meats, book-binding, hosiery, floor-mills, rope and coir, book-selling, gold and jewellery, etc. And at the bottom of the list come the fire-work shops, these being no more than 25 in number. It will be seen that in the above list wine-vending, tobacco, narcotics, etc., are conspicuous by their absence. Drinking and smoking is strictly prohibited among the Bohras although tobacco chewing is not uncommon. Although under modern influ-

ences many people drink and even smoke, they do so clandestinely and they refrain from dealing in these commodities.

Being petty shopkeepers, as the above data shows, the Bohras have a rather narrow *weltanschauung*. They are more concerned, even in the big cities like Bombay, with maintaining their traditions and past practices, such tendencies being much more pronounced among the ladies. The ladies, having very little intercourse with their counterparts in other communities, tend to become more conservative and exercise a restraining influence on their husbands who meet a variety of people. The percentage of the educated among Daudi ladies is comparatively much less. The priesthood encourages this narrow-mindedness and lack of higher education among the ladies, as given these conditions they become the bulwark of priestly dominance.

The Daudi Bohras generally do not like to serve; at least it was so until a few decades ago. Most of them preferred to take up petty hawking rather than serve elsewhere, while many of them were forced to do so for lack of education. Also, being a petty business community, it was against their values to work for others. However, with the spread of modern education and rapid industrialization, the situation is fast changing. Although it still remains a predominantly petty-business community, many of the Bohras are taking to various professions like law, medicine, teaching, engineering, etc. Quite a few are now doing various government and semi-government jobs as well. In 1920 Mulla Abdul Husain wrote: "Except the inhabitants of a few villages in Dholka and in the north of Gujarat, who are peasants and some who have risen high in government services, like Abde ali Qaziji, High Court judge, Abdulla Esufali, Commr. in U.P. service, and a few in provincial and medical services, almost all Dawoodi Bohras live by trade, some are merchants having large dealings with Arabia, China, Siam and Zanzibar. One Aniq, son of Shaikh Mohammad Ali Aniq, has an export business in London and was last year Worshipful Master of the London Masonic Lodge. Bohras are mostly local traders in hardware, silk, hides, horns, and live-cattle but most of them are town and village shopkeepers selling hardware, cloth, stationery, books, groceries and spices, and a few in Ahmedabad, Baroda, Surat and Bombay are confectioners and hotel keepers."⁸

However, today the situation has greatly changed under the

impact of industrialization and modern education. Many more Bohras have taken to various profession as well as other private or government jobs. According to the compilers of *Gulshan-I-M'alūmāt* there are around 608 engineers and 534 doctors. There are 89 lady doctors as well. The number of lawyers exceeds 387 and the government functionaries, 317. All these figures relate to 1974-75. It is difficult to obtain latest figures. The number of professionals incresing fast with economic development. Most of these professionals are concentrated in big cities. Thus in Bombay alone there are as many as 100 doctors followed by 60 in Hyderabad. There are also a large number of engineers among the Daudis in Hyderabad. Those who are called *mulkis* (i.e., natives) are quite bad holding some important positions. The Arastu family is one among them and it has produced a large number of doctors and engineers recently. The third popular profession is that of law. The largest number of lawyers are from Nagpur. No figures about the university teachers among the Bohras is available. But there are not many. There are said to be 15 judges. As for the new professional groups in modern industries (managerial and other related groups, financial experts, econometricians, statisticians) there are hardly any. As pointed out above, there are no reputed scientists, artists or writers either.

The Bohras in general, and the Daudis in particular, lay much emphasis on cleanliness; in fact it is one of their religious obligations. It is the only sect of Islam which holds that *ṭahara* (purity, cleanliness) is one of the seven pillars of the faith. They do not even pray in their usual business dress like other Muslims. They have separate clothes for this purpose—a lungi, a white muslin *kurta*, a cap woven with cotton and golden threads and a small prayer carpet. On certain occasions apart from ablutions (*wadū*), a bath (*ghusl*) is also prescribed before prayer. Moreover, cleanliness is not restricted to prayer and other religious rituals only; it is meticulously observed in all walks of life. Even the poor Bohras who cannot afford to decorate their houses try to keep them spotlessly clean. Those belonging to middle-income groups or the rich classes have a special taste for decorating houses.

The *Bombay Presidency Gazetteer* also acknowledges this fact. Quoting various sources it states:

Sir John Malcolm (A.D. 1823) says (Central India, II. 3)

'The Bohoras have brought in European improvements in constructing their houses and furniture.' Forbes in the *Rās Mālā* (I. 63) speaks of the houses of Sidhpur Bohorās as 'half European in form with balustered terraces and windows fenced with venetian screens.' In Rāndir the Bohora houses [There seems to be some confusion here as in Randir there are mostly Sunni Bohras and these houses belong to them] are one of the chief objects of interest in the town. In Surat many of the best of the modern houses belong to Bohorās. The following gives some idea of a rich Surat Bohorā's house. The house is raised on a plinth six or seven feet above the level of the road. It is three stories high, of brick faced with richly carved timber, and is built round a court about eighteen feet square. Passing through a dark and untidy entrance and up steep and narrow wooden stairs in the front part of the first floor is a sitting room about twelve feet square. The ceiling is closely hung with European metal lamps and glass chandeliers, and the windows have, inside of their regular frames, English-made plates of stained glass decorated with verses of the Kuraān. The floor is richly carpeted, cushions are set round the walls, and in the middle are tables covered with ornaments. . . . On the second floor in the back part of the house, a large room, about thirty feet by sixteen, has the walls coloured, the floor richly carpeted, and along the wall rows of closely packed sofas and chairs. Above is a third public room full of furniture with a large German organ in the place of honour; and let into the walls niches and cabinets stocked with Chinese and Japanese cups, English vases and Constantinople mugs of gilt-streaked glass. Along the walls, above the cabinets, are rows of China dishes.⁹

Such traditional houses are found even today with the kind of interior decor described above in many places like Surat, Siddhpur, Ujjain, Indore etc., However, in cities like Bombay the rich Bohras live in apartment houses with the decor not much different from other apartment houses. Also, in the industrial cities like Bombay hundreds of Daudi Bohra families are forced to live in hutments in slum areas. For example in Bombay hundreds of families are living in huts 10'x10' or even smaller, in notorious slum areas like Golibar, Santacruz, Jogeshwari,

Dharavi, etc. However, even in these miserable hovels they try to maintain their traditional cleanliness though it is extremely difficult, as many of these huts are by the side of dirty *nullahs* and sewage outflows. Most of the Bohras living in these huts are either petty hawkers, or employees in small shops and establishments. Some of them are employed in medium- or small-scale industries. There are very few, if any, working in big industries. Ethnologically, and in their value-orientation, the Bohras are, by and large, petty bourgeoisie.

The Bohras have a distinct identity in their culinary as well as sartorial habits. Except for a few highly modernized families the Bohras are commensal. The practice of commensality is not restricted to the family members alone; in the communal dinners—which are very common among the Bohras and are held very frequently on occasions like the death anniversary of a saint or birthday of the high priest or the first ten days of the month of Muharram and tens of similar other occasions—all Bohras sit around a *thali* in the groups of eight or ten and eat from it. The Bohras are known for their expertise in preparing good dishes and delicacies. On festive occasions they prepare exotic dishes which are very appetizing. It is also interesting to note that beef-eating is not common among Bohras. Although not prohibited it is generally shunned. The reason seems to be economic rather than religious. The income of an average Bohra is higher than the income of an average Muslim. Among the Muslims too, beef eating is more common among the lower income groups. However, in an average Bohra family the consumption of mutton is also not very high. It is not prepared everyday, but generally prepared on Fridays, Sundays and other festival days. In communal dinners mutton preparations are a must. A small section of the Alia Bohras (which has now almost vanished) gave up eating flesh in A.D. 1789 and were called Nagoshis (those who do not eat meat, i.e., vegetarians). They considered eating animal food a sin.

The Bohras can be easily distinguished from other Muslims by their dress. The traditional Bohras wear a golden turban which varies in its shape from region to region the most common nowadays being round. Especially on religious or other festive occasions, the turban is worn with a *sherwani* (the latter is an overall garment which is also common among Indian

Muslims). Nowadays the Bohra menfolk have taken to the western spread dress like others and wear the traditional dress only on religious occasions. But the Bohra women still, by and large, wear traditional garments. Though this dress is of Indian origin, it is different from others. The *lehanga* (a skirt tied at the waist and hanging loose upto the ankles), a blouse and an *aurhni* (a long piece of muslin or some other fine variety of cloth embroidered with silver or golden threads to cover the head and to hang loosely around the neck and the chest) are the different parts of the dress worn by Bohra women. This dress is common among all Bohra women with little local variations: In big cities like Bombay the Bohra women no longer observe purdah and go about freely. However, this is no longer true as the priesthood has made wearing of *rida* (veil) compulsory for all Bohra women since early eighties. We will throw more light on it in a subsequent chapter. However, in smaller towns, they still wear a *rida* (a garment covering the whole body with a veil to cover the face). In some places like Ujjain and Indore the elderly ladies wear what is called a *khais* (a thick black, piece of cloth covering the upper part of the body to the waist but keeping the face open). In Saurashtra and some other places (mostly smaller towns) it is difficult to distinguish Bohra women from Hindu women as they dress alike. Their names also bear close resemblance to Hindu names.

The Bohras, as commonly believed, do not have a very homogenous culture. There are regional variations. The Bohras of Malwa differ from those of Gujarat and the Bohras of the former C.P., Berar provinces differ from both. However, these differences should not be exaggerated. Similarly the language spoken also differs from region to region. While the Bohras of Gujarat speak comparatively "purer" Gujarati, those of Malwa (Indore, Ujjain, Ratlam, Rampura, etc.) speak Gujarati mixed with Hindi. Many Arabic words, especially related to religion, have also found currency among the Bohra. Their religious books meant for the laity are written in the Arabic script but in the Gujarati language which has a liberal dose of Arabic words. Some literature is also available in the Gujarati script. The priesthood communicates with the laity in a language which has a very high content of Arabic words. It is generally prefaced with the praise of God and salutations to His Prophet and his progeny and the Imams and dais in Arabic. Many Bohras who are not acquainted with Arabic can hardly follow these communications, which are then explained to them by the local '*amil*'.

Social Customs and Ceremonies

Many ceremonies and customs (apart from the religious rituals) are of Indian origin and vary from region to region. In social functions like marriage, celebration of festivals etc., local customs are followed. Some of the customs followed during the marriage ceremony include applying *haldi* (tumeric) to the bridegroom. The mother-in-law and other women relatives do *arti* of the bridegroom, the bride is led to the bridegroom's house along with a lamp and a certain amount of coins are placed at each threshold she crosses. In the event of death communal dinners are arranged on the third (*tija*), ninth (*nomia*), and fortieth (*chehlum*) day and on the death anniversary. After a death in the family, marriages or similar celebrations are shunned for a period ranging from 40 days to a year. Many superstitions like being possessed by spirits, considering it a bad omen if crossed by a dead body, wearing a talisman to guard against the evil eye or any other calamity, wearing certain precious stones like *aqiq*, *panna*, etc., for good luck, starting work at an astrologically auspicious moments, not undertaking journeys on certain days in certain directions etc., are prevalent. Many Bohras, specially women, believe that certain diseases can be cured by drinking water from a bottle or a cup into which either the high priest or any other priest appointed by him has blown his breath. Many students go to the members of the priestly family requesting them to blow their breath on the nib before an examination. The priesthood, it appears, encourages such practices. However, these customs or superstitions, as it so often happens, have nothing to do with the religious tenets. They are of local origin and are more widely prevalent among the more backward sections.

Marriage among Bohras, as with other Muslims, is contractual and not sacramental. To maintain the latter position, as some people have sought to do, would not conform to the spirit of the Holy Koran. It is for this reason that the upholder of the latter view, Abbasali Najaf Ali, had to make contradictory statements. Thus he says in his *Law of Marriage Governing Dawoodi Bohra Muslims*, "According to the special features of marriage peculiar to this sect it would not be possible to define marriage or *Nikah* as merely a contract pure and simple. Certain essential ingredients of marriage are *no doubt such as are found*

in a contract but in this sect the *Nikah* does not merely stop there (emphasis mine). According to this sect it is both a contract and a sacrament, indeed, it is more a sacrament than a contract." Citing reasons for this he says, "Unlike other sects of Islam no *Nikah* can be solemnized except through the intervention of "Qazi-l-Haq' i.e., the true and and rightful Qazi."¹⁰

It is a well established fact that the Daudis are a sect of Islam and like all other Muslim sects the source book of their laws is the holy Quran. Abbasali Najafali explicitly states this when he says, "It is not correct to say that the Imam is the Law-Giver. The law has been given by the Qura'n. The Imam is its sole and final expounder and interpreter. He does not lay down laws but simply interprets them. He cannot make new laws abrogating old ones."¹¹ And according to the Koran marriage is contractual, *not sacramental*, in the sense that the consent of both the parties is necessary for the Qazi to solemnize it. If the either party does not give consent, the marriage will be deemed to be invalid. What act does then transform it into a sacrament? According to Abbasali Najafali the necessity of Qazi-l-Haq (the "true and rightful Qazi") for performing the *Nikah* imparts it such a character. But this is an erroneous view and at best a weak argument which cannot be substantiated by the source books of the Ismā'ili jurisprudence. No court of law has so far upheld this view.

It will be interesting to first narrate the procedure followed for performing *Nikah* among the Daudis. When a *Qazi* is requested to perform *Nikah* he enquires about the marriage guardians of the bride (according to the Daudi law mediation of a marriage guardian to be appointed by the bride as per the requirements of the law is necessary to represent her before the *Qazi* as she cannot present herself before the *Qazi* for reasons of purdah). He also enquires if the bride and bridegroom have attained the age of puberty. If the woman to be married is a divorcee he has to ascertain the fact of divorce from the two witnesses who were present at the time of divorce and are called witnesses of divorce. On his being satisfied about these matters he calls the two witnesses in whose presence the bride has appointed her marriage guardian and has authorized him to give consent for her marriage before the *Qazi* on her behalf of a fixed amount of dower (to be decided by the bride herself).

He then recites *khutba* (a litany) which consists of a recital of

praises to God and salutations to His Prophet and his holy descendants. He then joins the right hands of the bridegroom and the marriage guardian and these are covered by a handkerchief. He then asks the bridegroom to make the proposal of marriage to the guardian the following way: "In the name of God and according to the shari'ah of Muhammad you marry with me . . . (name of the bride) whose marriage guardian you are and who has duly authorised you as *vakil* (i.e. trustee) for giving consent for marriage on her behalf, on a dower of Rs. . . . prompt or deferred" (as the case may be, generally it is prompt and usually is either Rs. 41 or 101). The *Qazi* then asks the marriage guardian to make the declaration as follows: "In the name of God and according to shari'ah I marry you with.. whose marriage guardian I am and who has duly constituted me as her *Vakil to give consent for marriage with you on her behalf* (emphasis mine) on a dower of Rs. . . ."

Then the *Qazi* asks the bridegroom to accept the proposal as stated below: "I accept to marry in terms offered by you." The *Qazi* asks the reliable persons to be witnesses to the solemnization of the marriage. Lest there should be any misunderstanding about the recitation of the *khuṭba* in the beginning, it should be clearly understood that it is not obligatory to recite it (the *khuṭba*) at all. On the authority of the eighteenth *Da'i-ul-Mutlaq* Saiyyidna Idris Imaduddin it is stated that "aqd" (the knot of marriage or the proposal and declaration, also called *ijāb-o-qubūl*) is compulsory although the prayer (the *khuṭba*) can be dispensed with.¹² It is clear that primary importance in the solemnization of marriage is given to the proposal and acceptance by the bridegroom and the marriage guardian.

To further reinforce our argument that marriage among the Dawoodis too is contractual and not sacramental, we would again like to quote the same author who claims to the contrary: "According to the Dawoodi Bohra's Law of Marriage as laid down in *Mukhtasar-ul-A'saar*, Volume II, by Saiyyidna Qazi Noman, Nikahs that are solemnized by marrying parties according to the principles of faith which the marrying parties profess at the time of their marriage are to be deemed as valid and *need not be re-solemnised according to the principles of the Dawoodi Bohra sect when they embrace that faith* (emphasis mine)."¹³ This makes the other argument of the author superfluous that

among the Daudi Bohras marriage is sacramental as it is to be solemnized by the *Qazi-l-Haq* only. Had it been so it would have been clearly laid down by the great Fatimid jurist Sayyidna Qāzi N'uman to re-solemnize marriage after embracing the Fatimid religion. But Sayyidna N'umān clearly lays down that it is not necessary to do so. It was for this reason that in 1938 in suits 547 and 548 in the Bombay High Court the then *da'i* Sayyidna Taher Saifuddin had to compromise with those whose marriage he declared void on the grounds that they were not solemnized by him or his authorized *mulla*. In both the cases he had to recognize that the marriages were perfectly valid even though they were solemnized by a non-Daudi Bohra *Qazi*. The whole procedure described above makes it quite clear that the marriage among the Daudis is also essentially contractual and not sacramental. The necessity of a marriage guardian and the *Qazi-l-Haq* cannot impart it a sacramental character.

Among Bohras in general, and Daudis in particular, there is no practice of dowry. The bride-price, i.e., *mahr* or dower too, unlike other Muslims, is not very high. As already pointed out, it does not usually exceed Rs 101 and is always paid promptly whereas among other Muslims—specially among the Sunni Muslims of the Hanafite school—it is normally several thousand, sometimes even in lakhs and is always deferred. Also, though polygamy is perfectly lawful, it is seldom practiced among the Bohras who are, by and large, monogamous. Similarly, although divorce is legal, there are strong social sanctions against it. The divorce rate among Bohras, unlike among their Sunni bretheren, is not very high. Such sanctions can easily operate among Bohras as they are a small and closely-knit community. As we shall see later, there are advantages as well as disadvantages of such a closely-knit structure.

We have already described the structure of the religious hierarchy as it operates among the Bohras. When the *Imām* is in seclusion, his deputy, called *dā'ī muṭlaq* officiates in his absence to provide religious guidance. The present *dā'ī muṭlaq* is fifty-second since the seclusion of the twenty-first *Imām* Tayyib. Each *dā'ī* appoints one *ma'dhūn* (who is next to him in the hierarchy) and one *mukāsir*. Earlier, as we saw in the first chapter, these officials had definite functions to perform in spreading the Fatimid mission. Since the the seclusion of the *Imām* the missionary

activities have completely stopped. There have been no efforts since then to spread the mission or organize any underground movement. In India too, the conversions took place when the Fatimid *Imāms* were ruling in Egypt. With the decline of the Fatimid *Imāms* (although the Fatimid dynasty continued for a couple of decades more) the tempo of conversion died down in India also. Moreover, in this country, unlike in Arabia, this mission never had any political ambition. Here it remained a proselytizing mission upto a time. So the traditional offices of *mā'dhūn* and *mukāsir* are only relics of the past without any active function. The *da'i muṭlaq* of course continues to head what is left of this mission i.e., a community. The present *da'i muṭlaq* is Sayyidna Muhammad Burhanuddin the son of the late Sayyidna Tahir Saifuddin. His *mā'dhūn* is Saiyyedi Khuzema Bhai Saheb and his *mukāsir* Saiyyedi Saleh Bhaisaheb Safiyuddin. There are several other members of the *da'i's* family who hold important positions in the administrative set-up of the community. These members hold key positions and control the funds which run into several crores. Other members of the community outside the family are not allowed to have much say in running the affairs of the community. Even the youngest child of Saiyyidna's family has acquired much more importance than the most learned and elderly members of the community who do not belong to this family. All the members of this family style themselves as princes and princesses and demand royal treatment from their followers. They take pride in calling themselves the members of a royal family. They expect people to kiss not only their hands but also their feet. Even the most learned and the eldest has to bow before the youngest and the least educated member of the "royal family." Such a status was not enjoyed by the relatives of the *dā'is* in the past. The *dā'ī* was undoubtedly highly revered but certainly not worshipped alongwith other members of his family. In the past even the humble members of the community not belonging to the family of a *da'i* could rise to the status of *da'i* as this office is not hereditary. But now it appears that it has become a monopoly of one family only.

As per the present practice (of course this has been in vogue for centuries) on attaining the age of puberty, every adult Bohra has to take an oath of allegiance called *mūthāq*. The oath of allegiance was originally designed, as discussed in the

earlier chapters, to ensure the loyalty of those who joined the Ismā'īlī movement which was underground at that time. The practice, even though its political utility was over, continues till today. However, the text of the oath has been changed, as was alleged in the court cases in the past, by the fifty-first *dā'i* Saiyyidna Tahir Saifuddin. It is very difficult to trace the original text used before the Fatimid dynasty was founded as at that time it had real operational value. The earliest text has been reported by Maqrīzī, the well-known historian of the Fatimid period. According to this text severe measures have been prescribed for those who break the oath. We have already reproduced the text in an earlier chapter.

The present *da'i* and his predecessor have used *mithāq* to claim absolute authority over their followers. It was for this reason that the plaintiffs in the Burhanpur Dargah case challenged the very text of the *mithāq* being used by the *da'i*. They claimed that the extant text had been tampered with by the fifty-first *dā'i* and to prove their contention they produced the original text of *mithāq* from the *Tuhfat al-Qulūb*, compiled by the third *dā'i muṭlaq* Sayyidna Ḥātim around A.H. 560. The book is accepted as the most authentic by all the Bohras. The text of the *mithāq* recorded in *Tuhfat al-Qulūb* and whose translation was produced in the court is as follows:

Then he (the Daei) should begin with praising and adoring God, with praying God for blessing his Prophet and the pure Imams in taking from him the vow of allegiance to God, to his angels, to his Prophets, to the Wasis and Imams and that of the Imam of his own time. May God bless all of them, and the oath of faithfulness to him (i.e. Imam) according to what is prescribed for him in the book of covenant and (he should take vow) that he will believe in God, his angels, his apostles and their Imams, from Wasi to the present Imam that he will perform the devotion outwardly and inwardly, that he will assist the Imam of his time, and will not turn disloyal to him and that he will not divulge anything of the secrets of the Deen to him who does not deserve it and also to him who has not taken the covenant, that he will not be dishonest to any one of the Momins (Faithful) who are with him in the covenant. that he will love him who loves the Imams, and will

be hostile to him who is hostile to the Imams, that he will sever his connection from their enemies, that he will show sincerity to God and his favourites (i.e. *Imām*), and that if he will break the covenant then the same thing will be imposed upon the breakers of the oath. *He (the Dae) should call them towards the Imam of their time, ascribe the knowledge to him (i.e. Imām), and should not attribute a single letter of that to himself (i.e. Dae).* (Vide the book of exhibits in the Privy Council on Appeal from the High Court of Judicature at Nagpur pp. 835, part II).

The whole emphasis in this text of *mithāq* given in *Tuḥfat al-Qulūb* is on the authority of the *Imām*. It is very clearly stated at the end of this text that “He (the Dae) should call them towards the Imam of their time, ascribe the knowledge to him (i.e. *Imām*), and should not attribute a single letter of that to himself (i.e. Dae).” But the text which is used by the *da’ī* or his authorized agents does not conform to Sayyidna Ḥātim b. Ibrahim’s text and gives more credit and authority to the *da’ī*. In this text *dā’ī* is mentioned alongside the *Imām*. Thus it is stated:

(1) And if the Imam of the time or his *Dae* calls upon you to war against the enemy then you should make war. You should help with your life and property. And you should obey the *Imām* of the time or *his Dae* sincerely. Say yes.

(2) And whatever the *Imām* of the Time or *his Dae* orders you to obey you should obey the *Dae* and you shall not become a sinner (by disobedience); and you shall not become hostile to the *Dae*. You shall not lay claim to the *Daeeship*. You shall back up the *Dae* as true and you shall not falsify the *Dae*.

(3) And you shall accept the order of the *Dae* of *Imām* in all things. *And you shall not use that things which the Dae shall forbid you, and you shall not take steps (towards it). You shall love him whom the Dae loves. You shall be enemy to him whom the Dae is hostile. You shall war against him against whom the Dae makes war. Any person transgressing those engagements to the Dae he is outside the pale of religion, whether he be great or small, whether he is a close relation or a distant one. You shall not have any intercourse with*

him. You shall not correspond with him openly or secretly. You shall not do any act calculated to be friendly to him. And by no manner or means or pretence you shall see the enemy of the Dae. The enemy of the Dae is your enemy. Say yes.¹⁴

Thus we see that the whole text as it was compiled by the third *dā'i muṭlaq* Sayyidna Ḥātim b. Ibrāhim has been tampered with and his clear instruction that the *dā'i* should not ascribe anything to himself flagrantly violated. The fifty-first *dā'i* Sayyidna Tahir Saifuddin had to admit it in the court of law in the above case. It appears that due to the challenge of the reformists *mithāq* has been transformed into something which it really was not intended to be. This change in its character, however, cannot be supported by the earlier religious tradition as it has operated for the past several centuries. In the new *mithāq* the *dā'i* has been given the pre-eminence which he did not earlier enjoy. All this has an important bearing on the reformist movement as we shall see later.

The Taxes and the Tithes

A Daudi Bohra today has to pay a number of compulsory levies. These levies are collected with regularity. They include (1) *Zakāt*, (2) *Ṣila* (3) *Fitra* (4) *Nazar Muqām* (5) *Ḥaqqun-naṣṣ* (6) *Khums* and (7) *salām* i.e., personal offering to Sayyidna. Of these the first, third and sixth have Islamic sanction. Zakat has been prescribed at the rate of two and a half per cent by the Prophet. (The holy quran prescribes *zakat* but not its rate.) The grand jurist of the Fatimids Sayyidna Qadi al-N'uman has also prescribed the same rate in his *D'aim-al-Islam*. *Fitra* is also according to the Islamic *shari'ah* and is to be given to the poor and needy on 'Id-al-Fitr (the Ramzan Id). It is to be given on behalf of all the members of one's family. *Silat-al-Imam* or simply, *Sila* is a much later invention and neither is it obligatory according to the Islamic *shari'ah* nor has it been mentioned even in the *D'aim al-Islam*. But it is also being collected as a compulsory levy ostensibly as an offering for the hidden *Imam*.

Nazar Muqām is actually vow-money. Usually in times of trouble the Bohras take a vow to spare a particular amount as vow money if their difficulty is solved. This amount is also col-

lected by the priesthood from such families. Usually every Bohra family spares some amount by way of Nazar Muqām every year. *Khums* literally means one-fifth and is levied, according to the Islamic *shari'ah* on war-booty, mined ores or other metals, unexpected gains like hidden treasures, etc. However, the Bohra priesthood levies *khums* arbitrarily, specially on businessmen. Lastly *haqqu-nafs* is a later invention and is levied on the relatives of a deceased. It could be anything from 119 four-anna coins to 119 guineas depending on the status of the deceased. *Haqqun-Nafs* has not been prescribed by *shari'ah*. In 1920 the author of *Gulzare-Daudi* had estimated the income of the fifty-first *da'i* from all these sources as around Rs. 11 lacs. He writes: "Thus the average annual income of the Head Priest is not less than Rupees 11 lacs a year. (In a footnote the author has given the details of income under different heads.) During the last 4 years of war, when the Bohra merchants earned exceptionally big sums in profiteering business, Syadna had also an increased share in his income."¹⁵ Currently it is very difficult to estimate the income of Sayyidna and his family as no accounts are declared (in fact the question of accountability is one of the important points in the reformist agitation as we shall see later). The collection of these levies and tithes have been centralized and no one has access to these registers except perhaps the members of Sayyidna's own family. However, a reformist leader Noman L. Contractor, had prepared a rough estimate of Sayyidna's current income through various sources. According to this estimate the priestly family gets the following amounts: *Sila Fitra* from India and abroad Rs 630,00,00, *Nazar Muqām* Rs 80,00,000 from India and the same amount from abroad, personal *salaam* to Sayyidna about Rs 41,20,000 from India as well as abroad, *Zakat* Rs 448,00,000 from India and abroad, *Haqqun-Nafs* figures not given, *salaam* offered to Sayyidna at the time of meeting him in person Rs 20,77,000 and Rs 3,00,000 as *salaam* on the occasion of Diwali while writing Bismillah on the account books. In addition to this is *Nazar Muqām* from the poorer families, amounting to about Rs. 8,00,000. All this works out to about Rs 743,93,000 per year. Also, there are cash boxes kept at various mausoleums in India which yield around Rs 1.80 crores and similarly about Rs 1.20 crores from abroad. All this works

out to around Rs 11,43,93,000 per annum.¹⁶ However, these figures seem to be little exaggerated as the population base assumed is around 1,60,000 families in India and 40,000 families abroad. But the Daudi Bohra population is not as high as that. Though the actual figure is anybody's guess, it can be safely assumed that it runs into several crores both from India as well as abroad. these estimates were prepared in late seventies. Though the population base assumed seems to be higher, these figures today seem to be an underestimate. The high priest has increased the taxes several fold causing great deal of discontent in the community. Current estimate of high priests income could be Rs. 25,000,000.

As discussed in the earlier chapter the Bohras were locally converted. They, therefore, continue to follow many Indian traditions although they are a much more Islamicized community than the Khojas. For example, being a business community, their year of accounting, in most cases, begins with Diwali. The new account books, like other Hindu businessmen's are started from the Hindu new year and Diwali is celebrated with great fanfare. On Diwali most Bohra businessmen approach the Sayyidna in Bombay or local *amil*s in other towns for writing *Bismillah* (in their account books) and on this occasion the Bohras offer large sums as *salaam* to the high priest. Also, the Bohras, although they follow the Islamic calendar, do not believe, like other Muslims, in seeing the new moon by the naked eye at the beginning of every month. Instead, they follow a lunar calendar which was prepared during the Fatimid rule in Egypt by the expert astronomers employed by the ruling *Imams*. It is for this reason that the Bohras celebrate Id and other festivals a day or two earlier.

The Bohras being a Shi'a sect observe ten days of mourning during the month of Muharram as on the tenth day of this month *Imam* Husain, the grandson of the Prophet of Islam was martyred by the Umayyad caliph Yazid. From the second of Muharram every year religious sermons are held upto the tenth every morning from 10 A.M. to 1-30 P.M. All these days communal dinners are also arranged after the sermon. The tenth of Muharram is observed as a day of fasting as *Imam* Husain, along with his colleagues died without food and water on that day. The whole day is spent weeping and beating the breast by way of mourning. In the evening a communal dinner is arranged in the Jamat Khana wherein a special dish called *khichda* (prepared from boiled and pounded wheat and mutton) is served. The Bohras do not marry or celebrate upto 40 days after the tenth of Muharram.

Burial of the Dead

Burial rites among the Bohras are not much different from other Muslims except in one respect. The Bohras keep a piece of paper in the shroud which is buried along with the body. On this piece of paper is written a prayer in Arabic, the English translation of which is as under:

I seek shelter with the Great God and with his excellent nature against Satan, who has been overwhelmed with stones. O God, this slave of yours who has died and upon whom you have decreed death, is weak and poor and needs your mercy. Pardon his sins, be gracious to him, and raise his soul with the souls of the Prophets, and the truthful, the martyrs, and the holy, for to be with them is good. This is Thy bounty. O God have mercy on his body that stays in the earth, and show him thy kindness so that he may be freed from pain and that the place of his refuge may be good. By your favourite angels; by the serene angels; by your messengers the Prophets the best of the created; and by the Chosen Prophet the choice *Amin* (i.e. trusted) Mohammad the best of those who have walked on earth and whom heaven has overshadowed; and by his successor 'Ali the son of Abu Talib, the father of the noble Imams and the bearer of heavy burdens from off the shoulders of your Prophet; and by our Lady Fatimah-zahara, and by Imams, her off-springs Hasan and Husain, descendants of your Prophet; and by Ali son of Husain; and by Muhammad, son of Ali; and Jafar son of Muhammad Ismail son of Jafar and Mohamed son of Ismail; and Abdullah-al-mastur; and Ahmed-al-Mastur; and Husain-al-Mastur and our Lord Mahdi; and our Lord Kaim and our Lord Mansur; and our Lord Muizz; and our Lord Aziz; and our Lord Hakim and our Lord Zahir; and our Lord Mustansir; and our Lord Mustaali; and our Lord Amir; and our Lord the Imam al-Tayyib, Abul Kasim Amirul-Mominin, and by their deputies and their representatives; and by the apostles; and by the Kaimi-Akhir-al-Zaman (a) and his representatives; by the religious Imams of his time. May the blessings of God be upon them and by the apostle Dai (b) for the time being our Sayad and Lord (c) . . . and our Sayad the

neighbour of his Lordship, (d) . . . and the ministers of law who are learned and just. God is the best representative and the best defender. There is no power nor virtue but in God.¹⁷

This is called *Ruq 'a Chitthi* in the Bohra parlance and no dead can be buried without obtaining it from the high-priest or his appointed agent. There is no mention of it in Sayyidna Qādi N'umān's *D'āim al-Islam* and, therefore, it is obviously a latter day invention. Yet it has become a compulsory part of burial rites among the Bohras. No Bohra can think of burying his dead without obtaining it.

Although the Bohras are a Shi'a sect, a *Muta'* marriage (a temporary marriage contract which automatically expires after a stipulated period of time), like the Sunni Muslims, is forbidden among them. The Ithna 'Ashari Shi'as permit *Muta'* marriages. Also, unlike other Shi'a sects, the Bohras are particular about performing *hajj*. But they also give equal importance to visiting the tomb of *Imām Ḥusayn* in Kerbala and that of Hazrat 'Alī in Najaf (both the places are in Iraq). Every Bohra aspires to go for *hajj* and Kerbala. Many Bohras in fact try to fulfil both the obligations in one trip provided their resources and the political conditions permit. In their food habits the Bohras differ from other Muslims only in one respect i.e., eating fish. Unlike other Muslims they do not eat dead fish. The traditional Bohras are very particular about it. They will eat fish only when assured that a Bohra had caught it alive and pronounced the words "*Bismillah ar-Raḥmān ar-Raḥīm Allaho Akbar*" before it died. They do not trust Muslims in this matter as the Muslims do not consider it obligatory to pronounce these words before the fish is dead. The Bohras interpret the relevant Koranic verse in such a way as to prove their contention. The Bohras would eat anything offered by the Muslims but fish. The traditional Bohras do not eat anything prepared by the Hindus. But all these barriers are now breaking.

NOTES

¹Mian Bhai Mullah Abdul Husain, *A Short Note on Daudi Bohras*, (Gulzare-Daudi) Progressive Publication, Surat, 1920. p. 2.

²*Ibid.*, pp. 2-3.

³*The Gazetteer of the Bombay Presidency*, Vol. IX, Part II, Gujarat Population, Musalmans and Parsis, Bombay Government Central Press, 1899, p. 28.

⁴John Norman Hollister, *The Shi'a of India*, Luzac & Co., London, 1953 p. 293. The sources cited by the author are the Bombay Law Reporter (BLR), 1922, XXIV, ¶p. 1068, C.I.R., 1931, I. Part 2, p. 529, Fyze, *A Chronological List of the Imams*, JBBRAS, 1934, X, p. 16.

⁵S.K. Rayaq, *Gulsha-I-M'alumat*, Kalim Kutub Khana, Kamari Marg, Ujjain M.P., 1975.

⁶*Ibid.*, p. 350.

⁷The figures in brackets indicate population in the respective countries. These figures are based on *Gulsha-I-M'alumat*, *op. cit.* As these figures were collected from 1970 to 1974, as per the instructions of the compilers they have been increased by about 20 per cent to 40,000 to make them up-to-date. There are different estimates about the Daudi population in Yaman, some sources putting the figure as high as 30,000. It is also reported that during the civil war in Yaman in the sixties the partisans of Zaidi Imam massacred some 10,000 Daudis. However, it is difficult to check the veracity of these reports. It is also said that many Daudis fled from the Hamadan region and that many from Harraq region embraced the Nizari faith. Another independent source from Yaman puts the population of Daudis there as 6,000.

⁸*Gulzare-Daudi*, *op. cit.*, p. 75.

⁹*The Bombay Presidency Gazetteer*, *op. cit.*, p. 29, footnote 1, italics mine.

¹⁰Abbasali Najafali, *Law of Marriage Governing Dawoodi Bohra Muslims*, The Times of India Press, 1943, p. 23.

¹¹*Ibid.*, pp. 14-15.

¹²*Ibid.*, p. 40.

¹³*Ibid.*, p. 41.

¹⁴Vide para 88 of the Judgement in suit no. 941 of 1971 in the High Court of Judicature of Bombay.

¹⁵*Gulzare-Daudi*, *op. cit.*, p. 68.

¹⁶See the cyclostyled note prepared by Noman L. Contractor and circulated to the press in India from Delhi.

¹⁷*Gulzare-Daudi*, *op. cit.*, Appendix C, pp. 101-102.

6

A HISTORY OF THE REFORMIST MOVEMENT

The history of the reform movement is long and tortuous. Where does it begin? The answer will depend on the terms of evaluation we choose. What is a reform movement? Does it advocate any reform or change having religious repercussions? Or does it intend to bring about changes in the secular sphere cautiously avoiding the religious one? The present leadership insists—and rightly so—that it advocates changes only in the mundane and not in the celestial sphere. It is for this reason that the reformist leaders do not identify themselves with those who raised the question of succession after the death of the forty-sixth *dā'ī* as discussed at the end of the Chapter 4. Theodore Wright, Jr. says in one of his articles:

The reform movement among the Daudi Bohras dates back to one such controversy in 1840 following the death of the forty-sixth Dai, Mohammad Badruddin. The new pontiff, Abdul Qadir Najmuddin, apparently had to quiet doubts about the legitimacy of his title by liberal distribution of titles such as Shaikh and dues collecting perquisites among relatives and religious functionaries at the court . . . The continued but intermittent opposition of some of these *ulema* (Islamic learned men) to the reigning Dais was religious, not modernist, and was conducted largely through polemics in the Gujarati language and therefore within the bounds of the community. Only in the sense that Martin Luther or

John Calvin were unwitting precursors of European modernization can one say that these men played a like role among the Daudis.¹

It can also be said that the modernist movement started with the turn of the twentieth century. The fiftieth *da'i* Sayyidna Abdullah Badruddin was opposed to the spreading of western education among his followers whereas some Bohras were, under the influence of the British rule, determined to establish educational institutions for the community. At first a primary school was established around 1901 known as the Madrasae Hakimiyah. The classes were conducted in the Jamat Khana (a place where communal dinners were held). This *madrasa* was sought to be converted to a middle school in 1910. Sayyidna Abdullah Badruddin did not like this and therefore in April 1910 he imposed certain terms on the managing committee, one of which was that his local *amil* was to supervise the tuition given in the school and *to close it at his discretion*.² Not only that, the Sayyidna, in order to downgrade that school, established another in the same town called the Qadaria School. However, through the efforts of the then Deputy Commissioner, Leftwich, the two were amalgamated in September 1911. But the pontiff was not reconciled to the idea of a school being run by an independent committee. He continued to harrass them in number of ways. The committee was experiencing financial difficulties but the high priest wrote letters to his *'amils* prohibiting his followers to give help to the Hakimia School. It was then decided to send a deputation to wait upon Sayyidna Badruddin for obtaining his permission.

When the deputation met him in June 1912, he laid down certain conditions which struck at the very root of the institution. Some of the conditions were: (1) that everyday, three hours would be devoted to religious instruction and teaching of Arabic literature and three hours for the study of English and the periods to be of 60 minutes duration instead of 45 minutes; (2) that the power of appointment and dismissal of all Arabic teachers was to rest with the Sayyidna and the curriculum of Arabic studies was to be decided by him; (3) that no pecuniary or any other help should be accepted by the institution without his prior permission; (4) that English education was to be imparted only as much as was necessary i.e., only upto 6 or 7

books—neither should the School be affiliated to any College (University) nor should any scholarship or lumpsum of money be given to a student who wants to proceed further for higher education; and (5) that if it transpires that the School is not conducted according to the instructions issued by us (the Head Priest) it will, after inquiry be closed.³

As these conditions did not leave the committee with effective powers and negated the very basis on which the school was established, it rejected them. The high priest intensified his vilification campaign against the school and its management with the result that it was totally starved of funds. When the fifty-first *dā'i* Sayyidna Tahir Saifuddin took charge of the high office in January 1915, the school authorities made fresh overtures to him and ultimately an agreement was arrived at between him and the Hakimia School authorities. Some of the conditions laid down were: (1) that the present system of education would continue upto Matriculation according to the University curriculum; the students who would be admitted for purely Arabic education would have no concern with English education; Sayyidna would appoint teachers for religious education and this department would remain under his total control; (2) that no alteration or change could be made in the present High School education without the permission of Sayyidna; (3) that in the event of the resignation or death of any trustee or if the trust committee wanted to increase the number of trustees, it should suggest a panel of few names out of which the high priest would choose one; (4) that Sayyidna would, as he thought proper, issue orders to the deputy *mullahs* of the undermentioned places for the realization of Rs 25,000 for the completion of the High School buildings. Members of the trust committee should not go to places other than mentioned above.⁴ This agreement was signed on 29 August 1915.

The school committee seems to have carried out its part of the agreement but the same cannot be said of the high priest who started putting new obstacles as his main object was to prevent the spread of secular education in the community. Thus, strong differences arose between the committee and the high priest. The school committee then decided to get the Hakimia School Society registered and accepted a government grant despite strong objections from the Sayyidna. The staunch followers of

the Sayyidna withdrew from the committee and strong communal feelings were aroused.

Meanwhile another thing happened which further complicated matters. One Asghar Ali, a pleader, was to marry in April 1917. His marriage dinner was attended by Hasanali, editor of the *Gulzar* magazine. Hasanali had been excommunicated earlier by the Mullaji and inviting him to a community dinner was nothing short of "sacrilege." The 'āmil fined the father of Asghar Ali for extending an invitation to an excommunicated person. Aggrieved by this, he filed an extortion case against the 'āmil and the 'āmil retorted by excommunicating the plaintiff (the brother of Asghar Ali), his father, K.B. Fakhruddin, Habiullah, pleader, and Imranali, pleader (the latter three being the members of the managing committee, and the life and soul of the Hakimia School) in August 1917. Further developments took place in Bombay as a result of which the sons of Sir Adamjee Peerbhoy were excommunicated along with others in July 1917. We will deal with this also in detail as it is an important event in the history of the Bohra reformist movement.

From now onwards the Bohra high priest started harrassing even those who studied at the Hakimia School. They were under constant threat of excommunication. The trustees and the students of Hakimia school were even prevented from entering into the mausoleum of Sayyedi Hakimuddin at Burhanpur which led to the filing of the civil suit no. 32 of 1925 which was known as the Burhanpur Dargah Case.

Certain events in Bhopal, which was then a princely state, also had bearings on the reform movement. A Bohra house abutted a Sunni mosque in Bhopal. In December 1914 a piece of blood-stained cloth was found in the courtyard of that mosque. It was suspected to be stains of menstrual blood and the piece of cloth to have been thrown from the adjoining Bohra house. This led to rioting and about 120 of the 134 Bohra shops were looted or burned by the Sunni Muslims of Bhopal. This wanton arson and loot drove some 800 Bohras out of Bhopal. They sought shelter in a Bohra *musafirkhana* at Ujjain. When the sons of Sir Adamjee Peerbhoy came to know about it they sent their representative to the viceroy and the political agent at Bhopal and sent telegrams to the Begum of Bhopal demanding compensation for the loss suffered by the Bohras. A deputation

of the victims of the riot also met Sayyidna Abdullah Badruddin to appraise him of the events at Bhopal. The latter expressed his satisfaction at the action taken by the sons of Sir Adamjee Peerbhoy.

However, Sayyidna Abdullah Badruddin died on 24 January 1915, and Sayyidna Tahir Saifuddin succeeded him. The new Sayyidna did not like the initiative taken by the sons of Sir Adamjee for securing compensation and rehabilitation of the victims of the Bhopal riot. He sent a barrister called H.A. Husain and resident of Bhopal Zamin Husain to the vazir of the Begum to convey to her that the Sayyidna had raised a fund of Rs. 10 lakhs for the relief of riot victims and that she need not arrange for the compensation as payed by the sons of Adamjee Peerbhoy. When the Bohras of Bhopal learnt of this step they requested the high priest to withdraw his letter to the Begum of Bhopal asking her not to arrange for the compensation. The high priest gave a verbal assurance to the delegation that he would consult the sons of Adamjee Peerbhoy before taking any step. Despite this assurance the high priest met the Begum's *Vazir* secretly in Surat and settled the matter with him without any conditions. Not only that, he sent his men to Ujjain and forced the refugees staying in the *musafirkhana* to vacate it immediately and proceed to Bhopal.

The riot-affected Bohras however, refused to go to Bhopal without any assurance of their safety. The sons of Adamjee Peerbhoy again came to their rescue and arranged for a special train to take them to Burhanpur. Meanwhile they started negotiations with the political agent at Bhopal and finally secured an assurance from him for the safety and well-being of the Bohras before they returned to that town. The high priest was annoyed at this development and decided to take revenge. He withdrew his '*amil*' from Bhopal and stopped permission for all religious rites. Ultimately the Begum intervened and the high priest agreed to send his '*amil*' again. But he never pardoned the sons of Sir Adamjee Peerbhoy for the initiative shown by them in securing relief for the riot-affected Bohras of Bhopal.

Sir Adamjee Peerbhoy was a man of humble origin who through his hard work and entrepreneurship became quite rich. However, he remained pious and humble. He was also a great philanthropist who founded many charitable institutions like

orphanages, schools etc. He was highly respected by the community both for his humility and philanthropy. It was for this reason that Sayyidna Tahir Saifuddin did not take very kindly to his sons' activities, as in them he saw his rivals, and perhaps more so because their philanthropic activities far exceeded his. Sir Adamjee's sons were well educated and emulated their father in public and charitable activities. Sir Adamjee was a highly successful government contractor mainly supplying to the British army in India. His honesty, integrity and hard work were highly valued by the government officers. He was made sheriff of Bombay for the year 1897-98. Adamjee Peerbhoy was the first member of his community to become Justice of Peace and Sheriff of Bombay. He died on 11 August 1913.

On 13 August the *Times of India* editorial said : "His wealth was made entirely by his own energy and persevering enterprise. He started life next to none. But as he accumulated the earnest of a hard life he showed in a marked degree that trait, which is fortunately characteristic of the modern Indian Capitalist, of generosity in devoting a portion of it to the amelioration of the lot of his fellow men... Moslems will remember him for his benefactions to their communal interests and all India is indebted to him for the splendid contribution which he made for the prosecution of scientific study at Aligarh. Government marked publicly their sense of his worth when they recommended him for Knighthood and now that he is gone we may think of him as a faithful citizen whose example it behoves his successors to emulate."⁵

Sayyidna Tahir Saifuddin succeeded to the *dā'i*-ship after the death of Sir Adamjee Peerbhoy when his sons had taken over all their father's activities in full vigour. We have already seen how they helped the Bohras of Bhopal in distress and secured their rehabilitation through the offices of the political agent in Bhopal. Sayyidna Tahir Saifuddin not only disliked this but arrived at a secret understanding with the minister of the Begum of Bhopal to undo what the sons of Adamjee had done. It left a trail of bitterness. A reconciliation was effected between the Mullaji Saheb and the sons of Sir Adamjee but did not last long.

One of the important demands of the Bohra reformists from the very beginning has been about the rendering of accounts for

the enormous funds collected by the head priest. This demand now came to the fore when the head priest acquired certain properties in the fort area of Bombay. Near Badri Mahal, the official residence of the High Priest, there was a saint's mausoleum called Seth Chandabhai's mausoleum. It was visited by hundreds of Bohras, Parsees and others. These visitors put their offerings into a *gulla* (a cash box) kept there for this purpose. The annual collection from the cash box was to the tune of Rs. 35,000. There was a mosque adjoining this tomb and the mosque, tomb, offerings and investments formed the subject of a trust created for public purposes of a charitable and religious nature. The mosque had always been maintained by the offerings, and the surplus either invested or spent towards diverse charitable objects, like assisting the poor, maintaining *madrassas* (schools) and the giving of a *fatyeh* (*fateha*) dinner on the anniversary of the death of Seth Chandabhai.⁶

The head priest utilized the cash offerings from the *gulla* for buying four properties and a part of what afterwards constituted Badri Mahal in the year 1916-17. This action on the part of the high priest was not in keeping with the objectives of the said trust and, therefore, the sons of Adamjee gave a notice to the managers of the charity box at Chandabhai Seth Mausoleum for accounts. The managers were Messers Yusufali Ibrahimjee Banduwala. They replied that the *gulla* was being managed under the instructions from, and on behalf of, Mullajee Saheb and that if they wanted accounts they should approach Mullajee Saheb. Accordingly the notice was served on the Bohra head priest who replied that he was the sole proprietor of the *gulla* and, therefore, was not bound to submit the accounts. Then the Advocate General also used to look after the public charities and so he filed a suit against the Bohra head priest in the High Court of Bombay on 28 August, 1918.⁷

This case is of great importance in the history of the Bohra reform movement and therefore should be dealt with in detail. The Bohra head priest, after the notice was served on him, started training his guns against those who challenged his authority. He arranged a number of meetings (in fact it was clever manoeuvring on the part of Mullajee Saheb) wherein he was requested by those present to excommunicate the sons of Sir Adamjee

Peerbhoy and those who stood by them. Those who stood by the sons of Sir Adamjee Peerbhoy were Sharaf Ali Mamujee, M. Jeevanjee of Mombasa, East Africa, etc. All these persons were excommunicated and thereby totally isolated in the community. It may be pointed out here that excommunication in a small-knit community like that of the Bohras has disastrous consequences. We shall examine its consequences in a subsequent chapter. Suffice it to say here that despite great hardships these families stood for the cause of social reform steadfastly.

When the hearing began in the Chandabhai Gulla case in August 1917, the Mullajee Saheb made unusual claims which cannot be substantiated even by the tenets of the Shi'a Ismā'īlī Must'alian Tayyabi faith. Denying that there is any charitable trust enforceable in the Court of Law (now of course, they accept—rather they are compelled to accept—the application of the charity act of the Government of Maharashtra and other states) Mullajee Saheb's representatives claimed that according to the tenets of their religion, the Mullajee Saheb is the representative of God on earth, and as such is infallible and immaculate. The Defendants' witnesses further say that, according to these tenets, the Mullajee is the master of the mind, property, body and soul of each of his followers; that these followers are bound to obey him implicitly and cannot question any act of his; that he is entitled to take any property from his followers,

whether that of trust or of private, and to alter and cancel the trusts; and that there can be no such thing in the Dawoodi Bohra Community as a permanent irrevocable charitable trust, and that it makes no difference in this respect whether the trust purports to be established by deed or by a scheme of the Court.⁸
the Court.⁸

This was not all. In the earlier stages of the trial, it was contended by the Defendant's Counsel on several occasions that the Mullajee Saheb was in effect God, or for all practical purposes God, and that this suit was a sacrilege. The former contention was eventually withdrawn, but it was claimed for the Mullajee Saheb that though he had not the rank he had the powers of the Holy Prophet Muhammad, and that he was a Saint or Wali. Advocate Binning, on behalf of the Mullajee Saheb, also claimed that "Any gift a Bohra makes, he makes with full knowledge and

intention it will be absolute property of Mullaji. He does so because he regards the Mullaji as direct representative of God and therefore entrusts money to him. In effect Mullaji Saheb is God. The tenets of this community are peculiar. I enlarge my admission. I say that my contention applies to all mosques, gullas, tombs, cemeteries and religious institutions of the Bohra Community.”⁹

In fact the claims made above had nothing to do with the tenets of the Daudi Bohras. According to this faith the Mullajee Saheb is no more than a representative of the *Imām* in seclusion. He has to act on his behalf and has *no right whatsoever* to tamper with the laws of *shari’ah* or any other tenets of the faith, much less claiming to be God. Even the *Imām* whose representative he is supposed to be cannot claim to be God or His incarnation; in fact no *Imām* in the known history of this sect has ever advanced claims to Godhood. It was for this reason that the Mullajee Saheb had to withdraw his unusual claims. The trial judge J. Marten himself wrote in his judgement: “It is incorrect to say that the Mullaji Saheb is in effect God, or for all practical purposes God, and that it is a sacrilege to bring the present suit. This is, I think, opposed to the leading tenet of the Mahomdan faith which is known to educated people all the world over, viz., ‘There is but one God and Mahomed is his Prophet.’ The Holy Koran itself lays it down that the error the Christians made was in treating the Prophet Jesus as divine and in adopting the doctrine of the Triune God; but that they were right in so far as they treated our Lord as a prophet and that the error of the Jews was in rejecting him altogether. Divinity is a real distinction.”¹⁰ Thus it is really very unfortunate that a non-Muslim judge who has no pretensions to dabble in Muslim theology understands the spirit of Islam better and more correctly than a person who claims to be the high priest of a sect supposedly representing the true principles of Islam. In fact the claims made by the fifty-first *dā’ī* would shock even an illiterate Muslim, let alone a well-studied theologian. But then the selfish motives have their own logic which defy all the ideological stances and the irony of it is that these selfish motives can be hidden behind the high-flown words and noble phrases of that very ideology.

It will be interesting here to give certain details of the

judgement of the Chandabhai Gulla Case as it throws interesting light on the unrealistic claims made by the Mullaji Saheb and on how the claims have ever since been established as a myth. The judge observed, correctly of course, that "the principal religious books in this Community are : (1) The Koran, (2) The Hadees, or sayings and doings of the Holy Prophet Mahomed, and (3) the Nehjul Balagh, or sayings and doings of Ali. In none of these is the claim which the Mullaji now makes specifically put forward. His Counsel admitted that he had no religious authority to show in precise words that the Mullaji could take away trust property under a deed, will, or scheme. The text in the Koran which was principally relied on was the one which says : The Prophet has a greater claim on the faithful than they have on themselves."¹¹

The learned judge further observed : "I have been through all the other religious writings which were cited but it is impracticable to do this in a judgement. I have given them my consideration, but in the result I am not satisfied that they fairly substantiate the claims of the Mullaji to ownership of the minds and properties of the followers. *I mean even as a matter of religious belief*" (emphasis mine).¹²

Not only this, the learned judge also observed very pertinently : "... I should mention an extremely important fact, viz., that the Defendants cannot produce a single instance of these extreme claims having been exercised by any Mullaji Saheb prior to the present suit. They cannot even show that these claims have ever been put forward prior to this suit. Not even their present pleadings show it, at any rate expressly. The trial of this suit in 1920 would seem to be the first occasion, whereas the first Dai came to the *gadi* in A.D. 1137. The Defendants' own witnesses make it clear in cross-examination that these claims are at best purely theoretical and that in fact they never have been exercised and never would be exercised. Possibly these claims owe their origin to legends of the days when the Dais as Sultans of Yemen had sovereign, independent rights. But as I have already pointed out... these days ended about A.D. 1539, if not earlier, when the Dais left Yemen and came to India."¹³

As indicated earlier the chief pontiff had excommunicated all those prominent members of the Bohra community who had associated themselves with this case. The learned judge, therefore,

referred to an earlier case filed in Surat by a Bohra priest Abdul Tyeb against the then chief pontiff Sayyidna Burhanuddin (the forty-ninth *dā'ī*) in 1892 (suit no. 285 of 1892) for claiming Rs 53,680 which the plaintiff had advanced to the defendant. In this case the plaintiff had even prayed for imprisoning the Mullajee Saheb. Making a reference to this case the judge, Marten, observed, "Not a word was then said by the Dai that he was the master of the Priest's (i.e. plaintiff's) body and soul and the owner of the Priest's property. And if ever there was an occasion to raise such a plea, surely it would be when this follower of his proposed to put the then Mullaji Saheb into prison. It is, I think, *to the credit of the then Dai that he did not even excommunicate this audacious priest. He was very angry, so his son now says. But nothing was then said about sacrilege; on the contrary the Plaintiff would appear to have received his wajifa or priest's allowance down to the date of his death*" (emphasis mine).

It would be interesting to note certain observations made by the learned judge as they have a bearing on the claims advanced by Mullajee Saheb in contesting the case. Some of those claims were that he is the sole proprietor of everything that belongs to the community and his followers, that he is not accountable to anyone save God, that he is infallible and that he is not subject to the law of the land. The judge has made his observations after careful sifting of all the evidences placed before him, some of which have already been quoted above.

In 1908-9, there was a proposal to form a company to be financed by the surplus funds from the *gulla* at the Chandabhoy mausoleum in order to build a mosque and the palatial residence of the high priest known as Badri Mahal. However, for reasons not very clear the proposal fell through before it could take any shape. Commenting on this the judge says, "This Prospectus Ex. A.K., (for the proposed company) which was printed about 1908-9, is another of the many remarkable documents in this suit, and illustrates *how religion and business may be combined in this community*, as indeed may be the case with others. The Prospectus invites subscriptions for a company to be called 'Chandabhoy Seth's Company' which was to take over Chandabhoy's *gulla* and properties as wakf for 3½ lakhs and to build a new mosque and also a residence for the Mullaji."¹⁴

About the Mullajee being the absolute owner: some docu-

ments were placed before the court showing that the Mullajee had signed them as a trustee or a managing trustee. "Ex. E.N. 5 is dated the 14th October 1919, and recites that the Mullaji was in possession of the property 'as trustee or manager of the religious charity or wakf created by Vazirbai, the trusts whereof were or purported to be set out In addition to those documents, the Mullaji signed a letter of the 2nd September 1916 formally setting out his claim as managing trustee under the trust deed...., Accordingly in the proceedings before the special Collector, he is described as managing trustee of the wakf created by Vazirbai."

Continuing further, the judge comments: "That these documents seriously affect the defendants' case is obvious. The explanation given is that they were all a mistake, and were not understood by the present Mullaji, and could not have been understood by his predecessors. But these documents were of a most formal character, and the Mullaji was claiming to be paid money on the basis that they were correct. In Ex. E.N. 5 he obtained a conveyance of land on that basis, and the Board in their letters Ex. E.R. had asked for the Mullaji's execution to be attested by a Solicitor, which in fact was done. The onus therefore lied heavily on the defendants to prove that the documents were not understood. I have carefully considered the evidence in support of the explanation tendered to me, but to my mind it fails to discharge that onus" (pp. 42-43). When put in the dock the Mullaji admitted to have made a "mistake" but he kept claiming infallibility, nevertheless. So much for his being "infallible."

The Mullaji also claimed in this suit that if he was in fact a trustee and so in theory accountable, the Mahomedan religion would be at an end. Also, according to the Judge Marten the Mullajee produced many "ignorant witnesses" to say that he (i.e., Mullajee) was the absolute owner (*malik* or *dhani*) of the mosque whereas cross-examination was bound to show otherwise. By ignorance the judge meant the ignorance of what ownership means in law. The judge felt that the Mullajee's claim to infallibility or absolute ownership cannot put him above the law of the land. He observes: "But the fact that such restraints exist and apply to all citizens alike is not a slur upon the honest citizen. It is unthinkable that His Grace the Archbishop of Canterbury, for instance, would commit a criminal offence, but he is subject to the criminal law all the same, and this fact involves no slur. So, too,

in theory the Mullaji Saheb is amenable to the criminal and civil law of this country, though it is unthinkable that he would commit any offence. A striking instance of this is the attempt made by the Dawoodi Bohra Priest to put the forty-ninth Dai in to prison for failure to pay a judgement debt, and which I have already referred to."

Logically the very same principle applies to the trusts and trustees of charitable and religious natures also. Thus the learned judge felt that the foundation of the law of trusts is that the trustee is trusted. Hence the greater the trust, the more unthinkable does it become that the trustee will violate it. And yet the law has to impose restraints on the guilty or negligent trustee and to give its assistance to any honest trustee who requires it. But the existence of these civil restraints is no more a slur upon the honest trustee than the existence of criminal restraints is upon the honest citizen. The judge thus observed—and rightly so—"... in my judgement the infallibility of any particular individual does not affect his theoretical legal position in the slightest. In short the test of a trust is not whether the alleged trustee can ever commit a breach of trust, which is what the defendants' contention in effect amounts to."

It becomes still more difficult to sustain the claim of infallibility when it is taken into account that the Mullajee has to run his administration through hundreds of *'āmil*s and others who by no means can claim any sort of exemption from accountability. Thus Marten said: "The claim to non-accountability is all the more surprising, because in effect it involves the infallibility of some 266 *'āmil*s and numerous other managers and officers under the Mullaji. No man can manage personally 648 mosques, to say nothing of 69 *gullas* (now the number of mosques and *gullas* has actually multiplied many times over since then). The Mullaji must therefore act by agents. But no one suggests that they are infallible. If any such agent is corrupt or negligent, why should the Community be without a remedy against him?"¹⁵

However, despite many court cases and sympathetic judgements the community has remained without any such remedy till today. As we shall see further on, all the members of Mullajee's family as well as his establishment behave with impunity and do not tolerate any criticism of their conduct as if all of them are as infallible and as immaculate as the pontiff himself. The ques-

tion of accountability still is what it was at the time of filing the suit in question. Despite the learned judge's view that the Mullajee Saheb is accountable like any other trustee, he refuses to submit accounts of vast sums of money collected from the community every year.

It is essential from the point of view of the Bohra reform movement to dwell a little more on this point as the question of accountability is central to it. The high priest's establishment compels all its philanthropic followers to declare the Mullajee in their trusts' deeds as the sole trustee and give him all powers. The trust funds are then at the disposal of the high priest and his relatives. No one can question them any more. In fact, in the history of Dawat such a claim was made by the fifty-first *dā'ī* for the first time when the *gulla* case was filed. But this claim could not be substantiated by him.

Dealing with the question of trust funds the learned judge observed:

Let me once more go back to first principles. One essential principle of a trust is that it should be imperative. If a man can carry out, or not carry out, the alleged trust *just as he likes*, then there is no trust (emphasis mine). In other words, if he is entitled to put the money into his own pocket, he is not a trustee known to the law That brings me to the important point as to the intention of the donors, on which great stress was laid by the defendants. I have already dealt with some of the evidence on this point in paras, 157, 160. It is not disputed that if donors want to make a personal gift to the Mullaji, they can do so. The gifts known as salaam are an instance of this. But the *gulla* offerings seem to me to stand on a totally different footing. After giving my best consideration to the evidence and arguments, I am of opinion that it is imperative on the Mullaji Saheb to distribute these *gulla* offerings for the benefit of the community, and that he is a trustee in respect thereof.

The plaintiff won the case as the court held that according to the religious tenets and beliefs of the Dawoodi Bohra community, the control and authority of the Mullaji Saheb for the time being over the said mosque, tomb, and box, or *gulla*, and all offer-

rings, to or in connection therewith, are not absolute and do not exclude any interference from within the community or without and the said mosque, tomb, and box, or *gulla* and offerings, are vested in the Mullaji Saheb for the time being as trustee (*and not as absolute owner as claimed by him*), on diverse charitable trusts for the benefit of the community.¹⁶

Despite this legal victory the leaders of the reform movement could not make much of a dent in the community. As indicated the Sayyidna had taken severe steps against those Bohras who had supported the plaintiff, and excommunicated them. The extreme step of excommunication kept away from the reformists many members of the community who had full sympathy with their cause. Many of them tendered an unqualified apology to the pontiff. He also took other similar steps to increase his hold over the community. As a result of this the Bohras became much more subdued. Through a reign of terror he converted his legal defeat into a victory.

Even physical assaults were resorted to. Ibrahimbhai, the son of Sir Adamjee Peerbhoy, who had served notice on the high priest for rendering the account of *gulla* kept at Chandabhai mausoleum, was the target of the Sayyidna's wrath. He was assaulted by some followers of the high priest on 22 August 1922 at about 2 P.M. on Esplanade Road in the Fort area. *Lathis* and other weapons were used. Ibrahimbhai was badly injured. Three of those involved in the assault were convicted and sentenced. It is interesting to note that one of the assaulters, Shri Roshan Ali Muhammadali Badshah who was sentenced to a term in prison realized his mistake and later became one of the supporters of the reformist cause.

This was no isolated instance. Many more such attacks on reformists or their supporters and sympathizers took place in order to intimidate them into submission. A very sensational attack took place in Ujjain in 1917. What happened was as follows: The Mullajee Saheb had called a meeting in Badri Mahal in Bombay on 28 July 1917 to excommunicate those who supported the plaintiff in the Chandabhai *gulla* case. The news of this meeting was disseminated in around 250 towns which had a sizeable Bohra population. Ujjain was one of them. The '*Amil* of Ujjain, Abdul Taiyyib Husainbhai called a meeting in support of the Mullajee's action on the sixth day of the Bombay meeting. He

made a very provocative speech and incited those present to teach the enemies of the Sayyidna a proper lesson. This highly provocative speech inflamed the feelings of the Bohras. In this meeting the 'Āmil also declared his verdict of excommunication against 90-year old Shaikh Ali Muhammad, and four others. As a result of this a mob of 500 Bohras went to Shaikh Ali Muhammad Ghodiwala's house, beat him, his son, his daughter-in-law and cut off his nose. Shaikh Ali Muhammad pleaded with the mob to kill him rather than cut off his nose, but to no avail. Some of the culprits were caught and sentenced to one to two years of imprisonment with hard labour in addition to fines ranging from Rs 1,000 to Rs 1,500. Those convicted fought the case in the Ujjain high court and then went in appeal to the Ruler of Ujjain but did not succeed in setting aside the sentence awarded by the lower court. Sindia, the ruler of Ujjain made it very clear that those who took the law into their hands would be severely punished.¹⁷

The Burhanpur Durgah case was also an important case as it involved the very important question of the dissemination of education within the community. As indicated earlier the fiftieth and fifty-first *dā'īs* were opposed to the founding of institutions meant for the spread of Western education. They did their utmost to stop any such attempt. Some prominent members of the community who strained every nerve to promote the cause of education were excommunicated as a result of which the Burhanpur Durgah case arose. It would be quite appropriate to quote a few excerpts here from the judgement which was delivered on 2 January 1931. Referring to the excommunication of those on the committee of the Hakimia High School the judge observed in the above case:

On perusal of the entire correspondence on the subject, it would appear that the Hakimia School authorities apparently stood in need of funds for carrying on the institution and for its growth and development so as to bring it up to a standard, where the young hopefuls of their community could get education to equip them, so as to be able to hold their own in all walks of the life forward. That appears to be the lofty object of the prime movers of the institution, but the policy of the Syedna as disclosed by correspondence on record, appears to kill the institution. The terms dictated by the Syedna as shown

by Ex. P-39 and P-25 were impossible and arbitrary, and it was no wonder that the school committee, then consisting of even devout Bohras like Seth Yusufali and others, had to throw them overboard in the interest of the institution. The Syedna's devout followers seem to be in slumber then and the doctrine of implicit obedience to his fiat the breach thereof resulting in their automatically going out of the fold of their community was apparently forgotten by them as not being in use in those days, but they woke up in the vigorous regime of the defendant Mulla Saheb.¹⁸

The judge further observed, referring to the lame excuses given to justify the repressive measures initiated against the members of the Hakimia School committee: "In my opinion this excuse is entirely unfounded, and the truth appears to be that the defendant Mulla Saheb in spite of the agreement wanted to pursue the repressive policy of his predecessor towards the school. He was offered full control and management over the Religious School, and also substantial control over the High School, but he tramples under foot all this and asks his followers through his Amils not to give any subscriptions to the Hakimia authorities in total disregard of his own condition vide clause 6. It is therefore no wonder that the Hakimia School managing committee get exasperated and are driven to fall on their own resources." Then the judge asks a very pertinent question: "Being thus denied the help as promised by clause 6 of the agreement, was it an irreligious act on their part to approach the Government for help and accept Rs. 5,000 and register themselves into a Society?" He went on to say, "Despite strong opposition by such a powerful adversary as the defendant Mulla Saheb, I think it will not be out of the way to observe that it reflects great credit on the Hakimia School managing committee for their courage and grit shown by them in the cause of education and in maintaining the institution at a high degree of efficiency in the face of persecution and social boycott. Even Sheikh Dawood Saheb D.W. 25 has to acknowledge the efficient management of the Hakimia High School in these words: 'So far as I know excepting the Burhanpur town, there is nowhere in the Bohra world any systematic High School.' It is noteworthy that the school is prospering in spite of series of attacks levelled against it. It is regrettable that such opposition should have been

offered in the matter of education. It is not possible for one to agree that religion could be pressed into service for purposes of making the said opposition effective."¹⁹

Examining all the documents produced by the Sayyidna on his right to excommunicate as *dā'ī mutlaq* those who flout his authority, the judge observed as follows: "On a consideration of these extracts in particular and others in general referred to by the parties together with the testimony of D.W. 2 on commission, it appears to me that it is slackness or negligence in the performance of acts of *Shariat* (religion), or committing *shirk* (heresy), or preaching doctrines pernicious to true religion, or disobedience to the Dai or causing disturbance in the Mission, that are punishable by excommunication. The nature of disobedience is not mentioned in the extracts. I think it apparently refers to disobedience in religious matters. . . . Applying this test to Burhanpur excommunications, the reasons for which are already stated above, it is manifest that neither the differences of opinion on matters educational between the defendant Mulla Saheb and the Hakimia School Managing Committee, nor the disobedience of His Holiness, orders as regards prohibition of registration of the society and acceptance of Government grant, nor filing cases civil and criminal under the law of the land can be a valid ground for excommunication."²⁰

The plaintiffs had filed the above suit to claim their right to enter into the Dargah of three saints at Burhanpur. The priestly establishment was denying them this right. The high priest had also ordered their excommunication along with others whom the plaintiffs represented. The judge did not uphold the excommunication of *all* as valid. According to the judge even those who had "honest and conscientious objection to recognizing the defendant Mulla Saheb as Dai-ul-Mutlaq" could not be deemed to have been validly excommunicated unless they held him in contempt and deliberately flouted his authority. The judge, therefore, held that those who had not been validly excommunicated²¹ were consequently held to be continuing as members of the Dawoodi Bohra Community and were entitled to enter the three Mausolea of the Saints Syedi Hakimuddin Saheb, Syedi Jiwanji Saheb and Syedna Zakiuddin Saheb, to bury their dead in their reserved family plots (the plaintiffs had some reserved family plots within the cemetery under the control of the high priest), to perform their

religious obligations and do all other lawful acts at, and in connection with, the graves and tombs of their relatives and friends in the graveyards wherever they be, such as reciting Fatehas (praying for the dead), repairing and renovating the graves, using the Mosques on plots No. 10 and 11 for worshipping God and staying in the Rest Houses standing on plots nos. 10 and 11, for the purposes of carrying out their vows and worship the three said saints on all the aforesaid necessary occasions.²²

However, the defendants in the above case challenged the judgement in the above case in the court of the Judicial Commissioner, Central Provinces and Berar, Nagpur, which reversed the judgement and decree of the Court of the Additional Subordinate Judge, Burhanpur, dated the 2 January, 1931. The plaintiffs, therefore, went into appeal in the Privy Council, London. Whilst the appeal was pending the original plaintiff died and others had to join in as respondents in the appeal for themselves as well as in a representative capacity. The new respondents who lost the case in the Judicial Commissioner's court at Nagpur, became appellants in the Privy Council, London.

The questions for the consideration of their Lordships' decision (presented by the Counsel for the appellants) were as follows: (1) Is the respondent No. 2 Dai-ul-Mutlaq? (2) If yes, has he power to excommunicate? (3) (i) If yes, is such power absolute and arbitrary so that it cannot be questioned or must it be exercised in accordance with natural justice? (ii) Can the respondent effect excommunication by implication on the ground that his authority is questioned by any person or on the ground that any person has consorted with or supported an excommunicated person? (4) What is the effect of excommunication on property rights? and (5) What, if any, difference does it make that an oath of allegiance has been taken?²³

As to the first question their Lordships felt that: "Undoubtedly he and his four predecessors have acted as Dais and been accepted as Sardar or Nazim, i.e., as acting head of the community. Moreover by a large number of the sect they have been and are recognised as Dai-ul-Mutlaq though from the first there has been a number which has refused to acknowledge them as such. "Their Lordships held that "There are certainly indications that enough had been done by Badruddin, in pointing out to the two virtuous brothers, to the Mazoon and indeed generally,

to mark out Najmuddin as his successor and in their Lordships' view there is ample evidence upon which the fact of 'Nass' can be inferred."²⁴ Further the Judges observed that "Their Lordships see no reason for differing from or criticising that finding and therefore agree with the Appellate Court in thinking that the second respondent must be regarded as Dai-ul-Mutlaq."²⁵

About the power to excommunicate the judges observed: "Their Lordships cannot doubt his having this power. . . . Indeed the right of excommunication by a Dai-ul-Mutlaq was not so strenuously contested as were the limits within which it is confined. The main contention was that the only method of depriving the adherents of the community of their rights as members was either by voluntary secession or an express act of expulsion—and the latter, it was said, must be consistent with justice, equality and good faith." Further, they observed: "Though their Lordships hold that the power to excommunicate exists, it by no means follows that it is absolute, arbitrary and untrammelled. The power possessed by the prophet Mohammed or the Imams is a different matter, the question is what authority the Dais possessed." Their Lordships, therefore, maintained: "This course appears to their Lordships that which the Dai is obliged to take if an effective decree of excommunication is to be pronounced and save in exceptional circumstances (such as occur when a member of the community abjures the faith altogether, e.g., by turning Sunni) the only course which will effectively deprive them of the rights which the appellants claim. It is noteworthy that in the case of Sir Adamjee Peerbhoy the present Dai actually adopted this course by calling an assembly and affording an opportunity of making amends. Normally therefore, the members can be expelled only at a meeting of the Jamat after being given due warning of the fault complained of and an opportunity of amendment and after a public statement of the grounds of expulsion."²⁶

So ruling out the Chief Pontiff's claim the Privy Council judges said that such a view obviously precludes the imposition of the penalty apart from the taking of the formal steps indicated and rules out the claim of the second respondent that *those who question his authority or support or even consort with such persons are by that very act excommunicated* without any further steps being taken. Their lordships did not uphold the plea of the second defendant that since the Bohras were bound by Meesak to

him, any breach of the same on their part would automatically warrant their expulsion from the community. They observed, "The Dai is the religious ruler and trustee of the properties of the community but even if the oath be taken to him he must still act in a constitutional manner. An alleged breaking of the oath no more excommunicates than does any other alleged departure from the faith. Nor does it assist to say that an adherent may by his own confession of apostasy cut himself off from the community. The appropriate steps must still be taken to ascertain that he is an apostate."²⁷

Mullajee Saheb once again lost the case as it was decreed: "Their Lordships will therefore humbly advise His Majesty that the decree of the Court of the Judicial Commissioner be set aside, and that the decree of the Additional Subordinate Judge be reinstated. . . ."²⁸ Some minor variations have been suggested here. The following paragraph was added to the judgement of the Subordinate Court's judgement: "The defendents, their agents and servants be and are hereby permanently restrained from obstructing and interfering with Tahirbhai and Hasan Ali Jafferji from and in exercise of their rights aforesaid, but nothing in this injunction shall prevent the Defendant Mullaji Saheb from making and enforcing rules regarding proper management of the Dargah properties and the uses thereof provided that the rules are fair, reasonable and not aimed at oppressing either Tahirbhai or Hosen Ali Jafferji and not inconsistent with this decree or with any directions which may hereafter be given in these proceedings by the Court."²⁹

However, despite these judgements which deprived him of arbitrary action against the reformists the high priest continued to harass and persecute his dissenters as not every dissenter could afford to fight a costly legal battle. Moreover, the pontiff made it a point to project distorted versions of these judgements before the community to the effect that he had scored over the reformists. Not only that, after every defeat of his in the court of law he ordered *fathe Mubīn* (manifest victory) to be celebrated on a grand scale with illumination, fire-works, processions and communal dinners. Thus the majority of the Bohras thought that the *da'i* had registered an impressive victory and that his authority was invincible. The Bohras became more subdued and the reformists' position more hopeless despite their legal victory. They

continued to be boycotted under instructions from the pontiff. The *dā'ī* thus derived immense benefit from such cleverly thought out moves. Truth and the reformists became their victims. But the high priest was concerned with consolidating his authority, truth or whatever else be its cost.

The reformists were deeply concerned with the spread of education within the community as it was their only hope for bringing attitudinal change in the community. We have seen in the beginning of this chapter how the reformists strove against all the priestly odds to run a school. However, though the Bohras were instructed by the priesthood not to contribute funds, the members of the Hakimia School Committee did not lose heart. They decided to organize a conference with a view to discuss the problems of education in the community. Theirs was the pioneering role like that of Sir Syed Ahmed among Indian Muslims in general.

The first idea of organizing an educational conference was conceived on 4 December 1919 at the time of the inauguration of Hakimia Hospital. After the inauguration ceremony a meeting was held under the chairmanship of Hafiz Khanbhai Mulla Abdulali in the afternoon. It was decided to hold a "Daudi Bohra Educational Conference" in order to spread education among the Bohras in a big way. To organize the conference a committee of 27 members was formed. The committee included some prominent Bohras like Hafiz Khanbhai Mulla Abdulali, Seth A.M. Jiwandjee of Mombasa, Seth Ibrahimbhai Sir Adamjee Peerbhoy, Shaikh Faizullahbhai Hamdani, Seth Muhammad Ali Mamuji, etc. The committee was of a representative character as it included members from various parts of India and abroad.

It took more than one and a half years to finally issue a circular for holding the conference at Burhanpur. The conference began on 4 December 1921. It took place in the hall of Hakimia School, Burhanpur. It was presided over by Khan Bahadur Muhammadali Abdulqadar Kanga (J.P.) the day was considered auspicious, it being the birthday of *Imam* Az-zamān. On that day a grand procession was taken out which was joined by even the supporters of the Sayyidna. In the afternoon that day the session was attended by the government officers, municipal members and other public figures. The chairman said in his address that when the first notice of this conference was published

in *Gulzar-i-Hakimi* it was ridiculed and many thought that it was impossible to hold any such conference. However, it had become a reality. "The Prophet has said that everything takes place at the appropriate time. . . . I hope that this conference will be a boon to the coming generations. The fruits of the seeds we have sown will be tested by the coming generations and I hope that this conference will integrate the scattered efforts of various individuals and institutions to spread the cause of education among the Bohra community."

After this inaugural address, a constitution drafted by the committee was discussed and approved by the delegates. It was then decided to raise the necessary funds for the Daudi Bohra Education Conference. Many well-to-do Bohras present contributed generously. But what was a moving gesture was the donation of the gold bangles of their daughters by two poor and afflicted Bohras. It showed how deep was the urge for education among the Bohras. Two more such conferences were arranged in 1923 and 1926 as a result of which more and more Bohras realized the importance of education and created such an atmosphere that gradually even the priesthood was forced to surrender and reluctantly allow more and more educational institutions to be opened.

The judgement in the Chandabhai Gulla Case was delivered in 1922. Thereafter, the reformist movement lost its focus although scattered efforts through various forums and institutions continued. But nothing much happened from 1922 to 1928. It again gathered momentum in 1928. The Central Assembly had passed the Mussulaman Wakf Act in 1923. The provincial assemblies also adopted it and enforced it in their respective provinces. However, in the Bombay province the Bohra high priest managed to get exemption from the act initially for a period of three years. The reformists were hoping that the application of the Wakf Act would force the high priest to subject the Bohra wakf properties to the control of the Wakf Board and thus would no longer be under his absolute control. With the granting of exemption for three years that opportunity was lost. The reformists also knew that the high priest, if the exemption is not challenged in time, would manage to get it extended for a much longer period, perhaps even permanently. The reformists, therefore, decided to challenge the exemption.

When the Wakf Act of 1923 was before the Legislative Assembly, the Bohra high priest, through whatever leverage he had, pressed the Government and the legislature to exempt the Bohra wakf properties from the said Act. The legislature thereupon introduced a section (section 13) in the Act empowering local governments to exempt any community from the operation of the Act. The Act was made applicable to the Presidency of Bombay in 1925, and at that time the Government of Bombay, under pressure from the Bohra high priest, exercising the powers under the said section 13, issued a notification exempting the Bohra community from the operation of the Act. This exemption continued in force till 1931 when the Government of Bombay withdrew it.³⁰ The reformist Bohras had played an important role in getting the exemption withdrawn.

The Bohra high priest was indignant at the withdrawal of exemption. He organized demonstrations and ordered his followers to take out processions with placards denouncing "gross interference in the religious affairs of the Bohra community." The high priest also won over some Muslim members of the Central Legislative Assembly to support his demand for the exemption but it was refused by it on the ground that this was a matter for the Local Government to decide. The Wakf Act was applied to the Central Provinces in May 1932 and the high priest had managed to get exemption from the government of Central Provinces right away. Now he enjoyed this exemption in the Central Provinces whereas he lost it in the Bombay Province. In a memorandum submitted on his behalf to the Joint Parliamentary Committee it was maintained that "This exemplifies the danger of allowing matters connected with religion to be left to the sweet will of different Governments and legislatures. What has happened to the Bohra community may happen to any other community. Moreover there is great danger of such interference under the new constitution where all Legislation will depend upon the will of the majority in any legislature. It is therefore essential in the interest of peace and good Government that by a proper enacting of fundamental rights, it should be put beyond the Powers of any Legislature or government either by legislation or by executive action to do anything which either directly or indirectly has the effect of interfering with religion or religious beliefs of any community."

Thus we see that the Bohra high priest wanted, in the name of religion, to do whatever he pleased. The only result of non-interference by the government would be unhindered exploitation and unrestricted persecution of those who defy the priesthood. Naturally the reformists pleaded with the government to use its powers, executive or legislative, to curb such exploitation and persecution of dissidents. They formed Dawoodi Bohra Wakfs and Trusts Welfare Associations to struggle for the withdrawal of the exemption of Bohra Wakf properties from the Mussalman Wakf Act of 1923. A memorandum was submitted on behalf of this association to the Joint Parliamentary Select Committee on 6 October 1933 by its secretary, I.M. Mandviwala. All the claims of the Bohra high priest were refuted point by point, heavily substantiated by quotations from various religious scriptures and also some important observations of the learned judge in the Chandabhai Gulla case.

An appeal was also addressed to the Honourable Members of the Council of State, the Legislative Assembly and the Legislative Council of Bombay. This appeal was signed by some Muslims, Hindus and Christians as well, besides 407 prominent members of the Bohra Community. Among its Bohra signatories were persons like A.M. Kajiji, B.A., LL.B., (Cant.) Bar-at-Law, Ex. Judge of High Court Bombay, M.T. Kaderbhoy, Bar-at-Law, President of Anjuman-Zia-ul-Islam, Bombay, Shaikh Faizullahoy, S.M. Hamdani, Professor of Theology and brother-in-law of Mullaji Saheb, Ismailbhoy Saiyadi Lookmanji, Professor of Theology and brother-in-law of Mullaji Saheb, Dr. T.M. Kajiji M.A., (Oxon.) LL. D. J.P., Bar-at-Law, Dr. F.G. Abbasi, M.B.B.S. and many others most of whom held high qualifications. It was emphasized in the above appeal that "It is absolutely false to say that the application of the Wakf Act is against the religion of the Bohras. Dawoodi Bohras are Mussalmans pure and simple. The Laws of their Religion are strictly according to the Shariat of Islam. All the Religious books of the Dawoodi Bohras are written strictly as per Commands and Injunctions contained in the Holy Quoran, strictly according to the Hadees and Sunnate Nabavi, and strictly according to the Teachings, Writings and Khootbas (public lectures) of Hazrat Ali several of which are found in the book *Nehjul Balagha*."³¹

Similarly, the reformists submitted a memorandum in detail

to the Governor to Bombay Sir Leslie Wilson. In this memorandum the reformist leaders challenged the Mullaji's contention that there have been no complaints of mismanagement or misappropriation about the charitable trusts under him. The memorandum pointed out, among other things, that: "It was only the Mullaji Saheb who has not only not published an account of his management but denied the charities notwithstanding that he had under his management as Trustee more than 600 Mosques and 60 Gullas. The Mullaji during the last 7 years by various coercive methods got scores of charitable properties and other institutions of the Community transferred to his name or brought under his control."³²

The above memorandum also pointed out the *modus operandi* employed by the Sayyidna Saheb to get the charitable properties transferred to his name. Since accountability of the high priest to the community has been one of the major demands of the reformist movement it would not be out of place here to give details of one case showing how coercion was used for transferring properties to his own name. The case pertains to the Faize Huseini Trust, Karachi. I am quoting from the memorandum itself:

There is in Karachi a Trust by name Faiz-e-Huseini, which was founded about 35 years ago on a small scale. A trust Deed with really fine conditions was drawn up by some honest and sincere good Borah gentlemen of Karachi. During the last 35 years its management was so good, and it did such an enormous amount of good to the Community and the Trustees created such confidence in the Community, that within the short period of 35 years the Trust, though it was started on a small scale of about 10 to 15 thousand rupees, has grown today enormously, become possessed of properties and other things of the value of 30 to 35 lacs of rupees. The trustees themselves carried on their affairs quietly and peacefully without interference or authority over them from any of the three predecessors in title of the present Mullaji. About 6 months ago, when the Mullaji last went to Karachi, he sent round his agents to the Trustees, firstly in asking them to insert a clause in the Trust Deed that the Trustees cannot do anything without first obtaining the Mullaji's permission, and that

on a vacancy of trustee no trustee could be appointed without his approval. As the trustees had no authority to do this the Mullaji started coercion. The Trustees to save the Mullaji's molestation and wrath took legal advice, and the *advice was that their action would be illegal and they would be civilly and criminally liable* as the Trust Deed prohibited the interference of any one other than the Trustees. The threat of the Mullaji increased and he demanded that the trustees should transfer the whole concern, including all estate and properties, to his name. As the Karachi legal advisers of the trustees did not advise them to comply with the Mullaji's demand, the Mullaji instructed his solicitors in Bombay on behalf of the Trustees to draw up a deed transferring all properties and everything to the Mullaji's name. When the document went to Karachi, the Mullaji's emissaries went to the Trustees, coercing and threatening them to sign the deed under the pain of ex-communication. To save himself from the punishment of the Mullaji prescribed in the manipulated Meesak, the president of the Trustees, Yusufaly Alibhoy Karimji, resigned. Thereafter the feast of the Community was held at the Jamatkhana and a crier loudly proclaimed that no Bohra should go out of the Jamatkhana. There were *only two trustees in the Jamatkhana out of nine*. One of them under Meesak said that the "Mullaji was Malik and Dhani and we hereby transfer the whole concern of Faiz-e-Huseini to our august Master Mullaji." Within a minute it was declared that the *Jamat* had passed a resolution, and 10 or 15 Bohras waited upon the Mullaji and told him that by their resolution the whole concern of Faiz-e-Huseini was transferred to him. The memorandum further continued, "Thus the biggest charitable institution is swallowed up by the Mullaji. We humbly request Your Excellency to inquire into this matter by reference to the Collector of Karachi, and Your Excellency and the Government of Bombay will be horrified to learn from the Collector of Karachi what kind of tricks and dangerous games were played by the Mullaji with Faiz-e-Huseini knowing full well the law of the country."³³

Many more memoranda were given to the Governor of Bombay and other officials to press for the withdrawal of exemption from

the Wakf Act. These memoranda were given by the leading Bohras of different towns and cities. A petition was presented to Sir Frederick Sykes, Governor of Bombay in Council, Kirkee, by 100 families of Dawoodi Bohra Community residing in Surat. Similarly about 786 families of Dawoodi Bohras of Central Division gave a petition to him for the same purpose. In a similar memorandum to the minister of education Maulvi Rafi-uddin Ahmed, signed by many prominent Bohras of Bombay, the following facts were highlighted:

It is astounding and deplorable that the Dawoodi Borah Community, with its nearly 15 Crores of Rupees worth of Wakf properties, bringing in an Annual Income of more than 15 Lacs of Rupees, in the shape of income, rents, profits etc., does not possess a single High School in the Presidency; not an Hospital; nor a Maternity Home; nor an orphanage; nor an Asylum for widows, the aged, and the crippled, and emaciated. If the income from Bohra Wakf properties were made available for its legitimate and proper use and the Trustees brought under the operation of the Mussalman Wakf Act of 1923, the Dawoodi Borah Community would possess a number of High Schools and other such Charitable and Benevolent and Human Institutions, much to the relief of the needy and the poor, and also to the educational and other advancement and progress of the community, and this moreover would relieve the burden of Government, who have not surplus money for nation building purposes.”³⁴

As a result of all this the government of Bombay appointed a committee under the chairmanship of the collector of Bombay to consider the question of withdrawal. Many prominent Bohras like Abdul Tayeb Maskati, Seth Amiruddin Salehbhai Taiyebji, Dr. Taher Ali Qazi, bar-at-law, Abdeali Qazi (the first Bohra judge of Bombay High Court), Qamruddin Isabhai Vahmi, and others deposed before the committee urging it to withdraw exemption as the community required most of the protection of the Act. The committee subsequently urged the government of Bombay to withdraw the exemption which was done. One Tayyebali Musajee Koicha also played a leading role in the withdrawal movement and was greatly persecuted by the Bohra High Priest. He was

excommunicated and his two daughters who are now past 50 could not marry for that reason. They are presently living in Nala Sopora, a western suburb of Bombay.

Again, after the 1937 elections and the formation of ministries under the 1935 constitution, the Bohra high priest, through Muslim members, tried to obtain permanent exemption from the Wakf Act. The reformists, on learning of this led a deputation to Mahatma Gandhi. The deputation also included one Lady Amatullah who knew Gandhiji from the days when they were in South Africa. Gandhiji was favourably impressed and the matter was discussed in the Congress Working Committee. Maulana Abul Kalam Azad spoke in favour of Sayyidna but Frontier Gandhi Khan Abdul Ghaffar Khan said that if the Bohra high priest was a Muslim the Act should apply to him also and this was accepted. Bhulabhai Desai who was Mullajee's lawyer was also present in the meeting and had to confess that the high priest had forced his followers to transfer charitable properties to his name and was about to do so in case of many more properties.

Events in Karachi

Karachi at that time was in the Bombay province and had a sizeable Bohra population. In Karachi an organization called the Young Men's Bohra Association was formed. It organized various cultural, educational and similar programmes. Sayyidna Tahir Saifuddin, the then Bohra high priest, never took kindly to its activities as it would not submit to all his dictates. Its active members were on his "black list." One Shirin Mandviwala, one of its active members, delivered a speech on women's liberation in a public function in 1935. In her lecture she appealed to the Bohra women to come out of the four walls of their houses and take part in public activities. Her speech was considered against the principles of the Bohra religion and the high priest ordered her to apologize. She refused. The high priest was indignant, declared her as an enemy of religion and excommunicated her. She had to face a great deal of persecution at the hands of the priesthood for her convictions.³⁵

Soon after this the aged mother of Hatim Alvi died in Karachi. Alvi was a leading member of the Young Men's Bohra Association, an active leader of the Bohra reform movement and at one time was mayor of Karachi. For all these activities the priestly establishment was against Hatim Alvi. When his

mother Hayatibai died the high priest refused to give permission for her burial in the Bohra cemetery except on condition that those excommunicated should not join the funeral procession or enter the cemetery. Hatim Alvi was a popular public figure of Karachi and therefore a large number of non-Bohras including Parsis, Sunni Muslims and others had joined the funeral.

When the dead body reached the cemetery, it was found locked from inside and a number of Bohras were found guarding the entrance. There was great deal of argument but the Bohras were under strict instructions not to let in Hatim Alvi and others along with the body. The orthodox Bohras were bent upon creating trouble. To avoid bloodshed a Muslim maulvi Ziyauddin and one, Jamshed Mehta persuaded Hatim Alvi and his brothers to bury their mother in the nearby Muslim cemetery belonging to the Anjuman-e-Musalmana-e-Punjab. The body was thus buried in a Muslim cemetery to avoid confrontation with the orthodox fanatics acting under instructions from the priesthood. A number of *Nikahs* (marriage ceremony) were also performed by the Muslim Qazis. These incidents gave a new life to the movement in Karachi. At this time a paper, *Aage-Kadam* was started by a reformist Bohra Adamali Jiwaree in 1936 from Karachi. It became very popular and continued upto 1945.

Dohad became another centre of reform movement in 1936. There an organization called Anjuman-i-Muhammadi was formed to arrange for funeral ceremonies at a nominal cost for the poor. It also ran night classes to teach English as well as tailoring. The Millwala family and Alihusain Cyclewala were at the forefront of this organization. The Bohra priesthood objected to establishing this organization on the grounds that it was done so without the prior permission of the high priest and demanded its dissolution. The members of the Anjuman requested for permission but the local priest insisted on its dissolution before the question of permission to reestablish it could be considered. The members of the Anjuman did not comply, and as result were excommunicated. In the Bohra Muhalla there was only one well and the supply of water from it was stopped for the reformists. Meanwhile Alihusain's father died. The pre-condition for burying him was that he (i.e., Alihusain) should not be present when the burial rites are performed. This resulted in clashes and a number of cases were filed in the court. Similarly, many other individuals

and families which chose to act according to their conscience rather than the dictates of the Sayyidna had to face a great deal of persecution. And this happened in a number of places far apart from each other.

Another important event of the Bohra Reform Movement was the conference of 1944. In 1943 there was marriage in the family of Hatim Alvi at Karachi. Many prominent reformist Bohras got together on this occasion. Amongst others there were Yusufali Alibhai Karimjee (who was later knighted), A.E. Maskati, Seth Ibrahim Sir Adamjee Peerbhoy, Tayyibali Koicha, Taherbhai Kinkhabwala, Imran Ali Vakil (who was pioneer of modern education among Bohras), etc. There it was decided to convene a conference in Bombay at the Sunderbai Hall in January 1944 to give a new direction to the reformist movement.

There was great deal of opposition to it by the Bohra high priest and his followers. The high priest mobilized an armed mob to prevent people from going to the hall. The venue, therefore, had to be abandoned. Thereupon Abdul Tayyib Sharafali Mamuji offered the terrace of his building Asma Manzil at Nagpada as an alternate venue. There was great difficulty in persuading the authorities to grant permission to hold the conference there. Sir Yusufali who was to preside over the conference being indisposed, Hatim Alvi was requested to take his place. Having realized his failure to stop the conference, the high priest now initiated moves for mutual negotiations. At the instance of Muhammad Ali Allahbakhsh the conference was postponed for three days.

However, the high priest adopted delaying tactics and was more interested in postponing the conference indefinitely than in arriving at mutually agreed plan of action. The negotiations, therefore, broke down and the conference was resumed after three days. The sessions of the conference were arranged in the evenings on the terrace of Asma Manzil at Nagpada, Central Bombay, in order to avoid trouble by the orthodox followers of the Bohra high priest. The whole emphasis of the conference was on the dissemination of education among the Bohras. With this view a resolution was adopted. The resolution proposed by Dr. Tahirali Kajiji was as follows: "This conference emphasizes the need for modern education for the community and considers it a fundamental task for its progress. This conference, therefore, resolves to take suitable steps for providing facilities for education to the

Bohra youth. It will also be necessary to establish a central organization for this purpose in Bombay.”³⁶

The above resolution was supported by the advocate Imaranali of Hakimiya Education Society, Hatimbhai Shaikh Faizulla Bhai Hamdani, education inspector, Miss Zulekha Vasi, Solicitor Dadla and many others. The Chairman of the conference Hatim Alvi made it clear in his concluding speech that the reformist movement was not against the *D'awat* (i.e. the religious mission) or the *dār*; its main aim was to spread education, reduce unemployment and create opportunities for technical and industrial progress in the Bohra community. On the last day of the conference it was decided to create a fund in order to give concrete shape to the above resolution. Sir Yusufali Alibhai Karimji announced a donation of one lakh for this purpose. Other donations totalling to Rs. 99,000 were also announced and thus a corpus of about two lakhs was created. A committee comprising many prominent persons was constituted to implement the programme chalked out in the conference.³⁷ From the corpus fund a building was bought and its income was utilized for giving scholarships to Bohra students.

As a result of this conference the high priest also felt compelled to announce certain schemes which benefited the community. A girls' high school was established at Muhammadi Bagh, Khoka Bazar, Bombay; a scholarship society was established to provide facilities for higher studies and a fund was also raised to establish a hospital—a facility the community so far did not enjoy. The high priest also made personal donations to some of these funds. In fact, he had to do all this in order to counter the effect of the conference.

The Abde-Fatima Case

Those who had participated in the Mussalman Wakf Act agitation against exemption became the targets of the Bohra high priest's wrath and had to pay the price for it in different ways. One of those who had taken part in it and had appeared before the committee appointed by the Bombay Government to urge to withdraw the exemption was Seth Amiruddin Salehbhai Taiyyabji. He had also stated before the committee that his mother had donated rupees two lakhs for the Madrasa Taiyyabiyah but the amount was not properly utilized. This statement had naturally annoyed the high priest.

Immediately after this there arose the occasion of a marriage in the family of Amiruddin. His son Abdeali was engaged to be married to Fatima, the daughter of Abdulali Rajabali Chibawala. The high priest and his establishment refused to solemnize the marriage. The priestly establishment was approached a number of times but with no result. Apparently the head Amil of Bombay gave the excuse that the bridegroom Abdeali was clean-shaven and so his marriage would not be solemnized. But the real reason was participation by the bridegroom's father in the agitation for the withdrawal of the exemption given to Mullaji from the Mussalman Wakf Act of 1923.

However, Amiruddin waited for two years for the permission for marriage after which he decided to get it solemnized by a Muslim Qazi. The bride's father was not prepared to face the consequences of this disastrous course and accordingly a Khoja gentleman Baronet Sir Karimji Ebrahimji was appointed as the bride's *vakil* (agent) to appear on behalf of her before the Kazi Hafiz Abdul Halim for solemnization of the marriage on 25 February 1937. The *Nikah* was performed as per the *shari'ah* of Islam. However, the chief Amil of Bombay Shaikh Salehbbhai Safiyuddin served the notice both on husband and wife to the effect that the *Nikah* had not taken place properly and he refused to recognize it. He addressed the notice to the bride as Miss Fatima and not as Mrs. Fatima Abdeali. The late Sayyidna had then gone for *hajj* but he upheld the contents of the notice on his return.

The aggrieved party then filed a case in the Bombay High Court for defamation. Both the parties engaged well-known lawyers to fight the case successfully. The case came on the board in the month of March in 1940. Setalvad appeared on behalf of the reformists and argued before the learned judge that the *Nikah* was performed according to the *shari'ah* of Muhammad. According to the plaintiff's counsel a marriage in Islam is contractual and it is not necessary to obtain any priest's permission before its solemnization. The high priest employed the best available legal brains to win his case but could not win as the Islamic law was so very clearly on the plaintiffs' side. The high priest had to arrive at a compromise with the plaintiffs and recognize their marriage withdrawing all allegations made in the letters written and in the notice served on them. Despite this the high priest continued to

harass other couples who dared to marry without his permission or consent.³⁸

Buxamusa Dadhi (Beard) Case

It would be interesting to narrate in brief the contentions in this case to show how the Bohra high priest harassed his followers even on petty matters. This suit (No. 7074) was filed in the Court of Small Causes at Bombay in 1941. Fazle Hussein, M.H. Buxamusa's son Idris was to marry. When the high priest was approached by the plaintiff for his permission for marriage the former refused on the grounds that his son did not have a beard and so his *nikah* could not be performed. However, the high priest agreed to perform *nikah* if an amount of Rs. 200 was kept with him as a beard deposit which would be refunded if his son Idris grew a beard. Buxamusa saw no other way of removing this formidable obstruction to his son's marriage and reluctantly agreed to pay the deposit after which the *nikah* was performed.

The plaintiff's son started growing a beard as per the high priest's stipulation and one year later Buxamusa approached the high priest's local *amil* Ishaq Bhaisaheb for the refund of the deposit. The Amil at Surat asked him "to obtain a letter from the Amil at Hodeida where the plaintiff's son had gone for his business, to the effect that he was keeping the beard. And when such a letter (dated 18 Shavaal 1358 A.H. [Ex. K] was produced by the plaintiff from the Amil of Hodeida, the defendant's Amil put off the refund on the plea that the letter produced was not quite unqualified and so not quite satisfactory as the Hodeida Amil was said to have written, "Bhai Idris grows a beard but it appears to be a little bit trimmed."

The '*amil* having asked for another letter the plaintiff obtained accordingly a second letter [Ex. L] dated 21 August 1940 from the Hodeida Amil who now wrote, "Bhai Idris Buxamusa has been maintaining a beard since a long time, hence I have given this letter in writing."³⁹

The judge observes in his judgement, "Even though this letter, unlike the previous one was quite unqualified and wholly free from any personal impression of the writer suggestive of any interference on the part of the plaintiff's son with the natural growth of his beard, the defendant's Surat Amil Ishakbhai considered that it would not suit the purpose adding that the

man though keeping the beard was trimming it The plaintiff thereafter wrote to the defendant (i.e. the high priest) on 31st January 1941 setting out the facts stated above. The defendant, though he felt offended against the plaintiff's accusation of his deputy Isakbhai, promised a reply after inquiry. The plaintiff not having got the promised reply again wrote to the defendant on 18th March 1941 that he would be compelled to take an action for the recovery of the amount if the moneys were not refunded to him within a week to which the defendant replied on 2nd April 1941: On inquiry it has been found that Isakbhai Jamaluddin Saheb (defendant's Surat Amil) was not satisfied with the question of maintaining beard according to the Holy Shariat, by your son on whose behalf the amount of Rs. 200 was deposited, hence the said amount was not refunded."⁴⁰

The judge was of the opinion that "The facts stated above have been abundantly borne out not only by the plaintiff's oral evidence which has remained unconverted and uncontradicted by any evidence to the contrary on the defendant's part, but also corroborated by contemporaneous correspondence passed between the parties and put in the case."⁴¹

There was one more thing. The Surat *'amil* had also undertaken from the plaintiff's second son Mansur, a promise to keep a beard although he was not to marry and was not in the picture at all. On this the learned judge observed: "When permission for the marriage of Idris alone was applied for I fail to understand why Mansur should have been made to execute that writing Ex. 2 and why an additional writing Ex. No. 3 of even date and even tenor was also taken from Mansur alone. One can understand the writing from Idris as the party required to keep a beard and guaranteeing its maintenance for one year after marriage. But Mansur was not going to be married nor was any permission for his marriage applied for and yet he was dragged in and made to sign a writing placed before him by the defendant's Surat Deputy. The object of the defendant in thus taking such writings of a guarantee for the maintenance of the beard, from persons other than those to be married, on the eve of the marriage of any other member of their family *appears to be not so much to enforce any particular religious injunction as pretended by the defendant, as to keep them under his domination and thereby counteract any possible reformist activities on their part*"⁴² (italics mine).

About the high priest's claim to possess the sole right for performing the *nikah* of the Dawoodi Bohras, the judge observed: "No text from any religious book nor any authority from any of the recognised text books on Mahomedan Law was cited to me in support of the defendant's extreme (right) that his permission was necessary or obligatory as a *sine qua non* for the validity of the marriage effected by a Dawoodi Bohra without any such permission of the defendant was illegal or invalid in law as urged by the defendant. *This only confirms the observation of Mr. Justice Arnold made more than half a century ago that spiritual Heads of communities are not generally remarkable for the modesty with which they state their pretensions.*" Further, the judge remarked significantly, "Moreover, I find that when an occasion did arise for testing such a highly pretentious claim of the defendant in a regular suit in the High Court, the defendant allowed a decree to be passed against him 'in invitum' that the marriage of the Dawoodi Bohra in that suit though performed without his permission was valid according to the law applicable to the Dawoodi Bohras (See decree in High Court suit No. 548 of 1938)." ⁴³

The judge, therefore, concluded, "It virtually comes to this that the defendant by fostering a belief contrary to Islamic law that marriage by a Dawoodi Bohra without his permission is illegal and invalid, exploits the occasion he thereby gets when his permission is sought, to extort agreements extraneous to the purpose of the marriage like those in the present suit." The judge, therefore, decreed, "I would hence on the findings recorded, decree the plaintiff's claim with costs and Rs. 30/- professional costs against the defendant." ⁴⁴

The reformists no doubt registered victory in many of these law-suits. But the Bohra high priests—shrewd tactician possessing formidable money-power—converted the defeats into victories. Thus Theodore P. Wright Jr. says: "The Syedna learned to be a consummate politician. He hired the best British legal talent, used skilful but unscrupulous commoners from his sect, turned court defeats into tactical victories and ultimately ruined his more modern adversaries, the sons of Sir Adamjee." ⁴⁵ Not only that, after every such law-suit grand victory celebrations were organized keeping the community completely in the dark about the actual results. Such tactics helped in increasing the hold of the Sayyidna over the community and creating an image

of invincibility. What was worse, the reformists were in no position to match the superior resources of the plaintiff. Thus commenting over this Theodore Wright says, "To pay for all of this costly litigation, the Syenda centralized his financial power over his community by compelling wealthy Daudi Trustees to deed over to him their religious endowments (awqaf) under threat of excommunication. What the new brand of reformers of the 1922's resented was not so much the Syedna's claim to succession, but his lack of accountability to them for the uses to which he put the community's considerable income from tithes, taxes and endowments. In short, they were engaged in a classic struggle over the power of the purse."⁴⁶ Neither the nature of the struggle nor the main strategy or tactics of the high priest have undergone much change till today as we shall see later. On the part of the priesthood no weapon has remained untried—whether ethically desirable or not—to crush the reform movement.

Post Independence Era

The Bohra high priest, in order to frustrate the moves of the reformists, had to involve himself in politics. With a view to wrest concessions from the British government, he had to keep his distance from the leaders of the Indian National Congress and woo the Muslim League leaders. By so doing he also tried to manifest his "Islamic solidarity" when the Indian Muslims were passing through a critical period. The reformists found themselves closer to the Congress as it represented the ideals of freedom, democracy and purposive social change. The high priest, on the other hand, threw his lot with the Muslim League in the mid-forties and publicly campaigned for it on the eve of the elections.

The reformists after independence contacted the Congress leaders of the then Bombay state and persuaded them, in keeping with the spirit of the post-independence era, to legislate against the practice of excommunication so often resorted to by the Bohra high priest. The Congress leaders, partly inspired by the ideals and partly by way of political vendetta decided to legislate against the practice of excommunication. A bill was introduced in the Bombay assembly when B.G. Kher was chief minister and Morarji Desai home minister. B.G. Kher and Morarji Desai, while piloting the bill against excommunication are reported to

have said that the Bohra high priest runs a "government within the government" and that he enjoys "monstrous powers." The bill was passed by the then Bombay Legislative Assembly and was called the Prevention of Excommunication Act.

The high priest challenged it in the Bombay High Court and prayed for declaring it *ultra vires* the constitution. The Bombay High Court upheld its validity in 1953 in Tayyibali Koicha's case, denying that the right to excommunicate members is a part of the constitutionally protected right of religious faith and belief. Rather, in the court's opinion, it was a matter of religious practice subject to reform by the state.⁴⁷ The Bombay High Court thus deprived the Bohra high priest of his right to excommunicate by upholding the piece of legislation passed by the Bombay legislature. But the high priest was not resigned to this judgement. He decided to challenge the judgement in the Supreme Court.

We will briefly consider here the issues at stake and the view taken by the Supreme Court Judges. The Prevention of Excommunication Act was a short one with six sections. Section 3—the main operative section—invalidated all excommunication of members of any religious community (although the bill was not restricted to the Bohra community alone it was only the Bohra high priest who challenged it in the court of law). Excommunication was defined in section 2 to mean "the expulsion of a person from any community of which he is a member depriving him of rights and privileges which are legally enforceable by a suit of civil nature by him or on his behalf as such member." Thus a person's right to worship in any religious place or right to burial or cremation was included as a right legally enforceable. It was exactly through depriving Bohras of these rights that the high priest was punishing the reformists. Now he himself was deprived of this crucial right and hence his determination to get it undone legally.

The high priest filed a writ petition in the Supreme Court in 1958, under article 32 of the constitution. He contended that the Act violated the fundamental right of the Dawoodi Bohras, including himself, freely to practice religion according to their own faith and practice—a right guaranteed by Article 25 of the Constitution, and further that it violates the right of the Dawoodi Bohra community to manage its own affairs in matters of religion

guaranteed by Article 26. He, therefore, contended that the Act was void and prayed for a declaration that the Act is void and the issue of an appropriate writ restraining the respondent (The State of Bombay), its officers, servants and agents from enforcing the provisions of the Act against the petitioner and/or any other member of the Dawoodi Bohra community.

In view of its importance the Chief Justice, B.P. Sinha constituted a bench consisting of A.K. Sarkar, K.C. Dasgupta, J.R. Mudholkar and himself. The petition was upheld by the majority of three judges, the chief justice dissenting. Dasgupta, one of the judges, observed that "It was faintly suggested however that the Act should be considered to be a law 'providing for special welfare and reform'. The barring of excommunication on grounds other than religious grounds, say, on the breach of some obnoxious social rule or practice might be a measure of social reform and a law which bars such excommunication merely might conceivably come within the saving provisions of cl. 2(b) of Art. 25. But barring of excommunication *on religious grounds pure and simple* [italics mine], cannot however be considered to promote social welfare and reform and consequently the law in so far as it invalidates excommunication on religious grounds and takes away the Dai's power to impose such excommunication can reasonably be considered to be a measure of social welfare and reform. As the Act invalidates excommunication on any ground whatsoever, including religious grounds it must be held to be in clear violation of the Dawoodi Bohra community under Art. 26(b) of the Constitution."⁴⁸

Thus it becomes very clear that the learned judge did not support excommunication *per se* but only on religious grounds, pure and simple. The reformists, it must be clearly borne in mind, have never challenged the religious authority of the Mullaji Saheb nor have they ever demanded any change in any of the religious tenets. They have all along fought for social change and reform. The irony of the situation is that the reformists have always been excommunicated or persecuted in different ways for their conviction to effect social reform and end corruption in the priestly establishment. However, the fifty-first *dā'ī* and his successor, faced with the challenge of the new social forces working to bring about social change, included every aspect of social life as an inalienable part of the Bohra religion

which is not correct. The simple truth is that the increased challenge from the social changes have thrown up new forces which are equipped fully to bring about purposive change which ultimately strikes at the very root of exploitation in the name of religion. The priesthood resent these forces most and aim at paralyzing them by any means, social boycott being one among them.

It was for this reason that Chief Justice Sinha took a different view and considered excommunication invalid on any ground *including that of religion*. The Chief Justice in his dissenting judgement very pertinently observed: "It (i.e. the Prevention of Excommunication Act) is also aimed at ensuring human dignity and removing all those restrictions which prevent a person from living his own life so long as he did not interfere with similar rights of others. The legislature had to take the logical final step of creating a new offence by laying down that nobody had the right to deprive others of their civil rights simply because the letter did not conform to a particular pattern of conduct." The learned judge therefore said, "The Act, in substance, has added a new offence to the penal law of the country by penalizing by action which has the effect of depriving a person of his human dignity and rights appurtenant thereto. It also adds to the provisions of the Criminal Procedure Code and has insisted upon the previous sanction of the prescribed authority as a condition precedent to launching a prosecution for an alleged offence against the provisions of the Act."⁴⁹

Chief Justice Sinha at length considers various provisions of the Constitution to examine the validity or otherwise of the said act. It would be quite in place here to quote him at length in order to throw more light on this vexed question. Thus Justice Sinha says:

It now remains to consider the main point in controversy which was, as a matter of fact, the only point urged in support of the petition, namely, that the Act is void in so far as it is repugnant to the guaranteed rights under Arts. 25 to 26 of the Constitution. Art. 25 guarantees the right to every person, whether citizen or non-citizen, the freedom of conscience and the right freely to profess, practice and propagate religion. But this guaranteed right is not an absolute one.

It is subject to (1) public order, morality and health, (2) the other provisions of Part III of the Constitution, (3) any existing law regulating or restricting an economic, financial, political or other secular activity which may be associated with religious practice, (4) a law providing for social welfare and reform, and (5) any law that may be made by the State relating or restricting the activities aforesaid or providing for social welfare and reform.

The learned judge then distinguishes between religious activities and those which are associated with religion and this is a vital distinction. He says: "The expression 'matters of religion' in Art. 26(b) and 'activities associated with religious practice' do not cover exactly the same ground. What are exactly matters of religion are completely outside State interference, subject of course to public order, morality and health. But activities associated with religious practices may have many ramifications and varieties—economic, financial, political and other—as recognized by Art. 25(2)(a). Such activities, as are contemplated by the clause aforesaid cover a field much wider than that covered by either Art. 25(1) or Art. 26(b). Those provisions have, therefore, to be so construed as to create no conflict between them. We have, therefore, to classify practices into such as are essentially and purely of religious character, and those which are not essentially such." The learned judge, therefore, maintained, "Actions of the Dai-ul-Mutlaq in the purely religious aspect are not a concern of the courts, but his actions touching the civil rights of the members of the community are justiciable and not outside the pale of interference by the legislature or the judiciary. I am not called upon to decide, nor am I competent to do so, as to what are the religious matters in which the Dai-ul-Mutlaq functions according to his religious sense. I am only concerned with the civil aspect of the controversy relating to the constitutionality of the Act, and I have to determine only that controversy."⁵⁰

Whereas other judges, caring more for the technicality than the spirit of justice, could not appreciate the deeper implications of the power of excommunication vested in a religious authority (certainly not infallible even according to the religious belief of the Bohras), Justice Sinha did. The reformists have always maintained that the plight of an excommunicated Bohra becomes

worse than that of an untouchable. Justice Sinha appreciated this when he observed: "On the social aspect of excommunication, one is inclined to think that the position of an excommunicated person becomes that of an untouchable in his community, and if that is so, the Act in declaring such practice to be void has only carried out the strict injunction of Art. 17 of the Constitution, by which untouchability shall be an offence punishable in accordance with law. The Act, in this sense, is its logical corollary and must, therefore, be upheld."⁵¹

However, the majority of the judges decided otherwise and the "Prevention of Excommunication Act" passed by the Bombay Legislative Assembly was declared *ultra vires* the Constitution by the Supreme Court. This set-back caused to the reform movement which aimed at upholding human dignity and freedom of conscience was celebrated as '*fath-e-mubin*' (clear victory) by the Bohra priesthood. The reformists had no option but to carry on their struggle against heavy odds and suffer all the injustices silently without any hope of support even from the guardians of justice and constitutional experts. The constitution which is supposed to have enshrined all the noble principles of equality, justice and liberty was so interpreted as to deny the reformists all this.

The struggle for reform has not been confined to the Bohras of India. Other countries where the Bohras have been in sizeable number have also witnessed it. East Africa has quite a good number of Bohras of Indian origin. The priesthood seeks to maintain its stranglehold over the Bohras wherever they happen to be. The Bohras of East Africa too, therefore, had to struggle to assert their basic rights vis-a-vis the priesthood. They were also wanting to have an effective say in managing the affairs of the local *jamats*. As against India, the Bohra high priest did not have much political leverage in East Africa. After a great deal of efforts on the part of the Bohras of East Africa, the high priest had to ultimately yield to their demand of granting a democratic constitution for managing the affairs of the community. The *jamat* constitution called the "Constitution of the Dawoodi Bohra Jamaat Corporation" was blessed by the fifty-first *dā'i* and implemented in 1955.

In the preamble to the said constitution it has been said that "it is desirable in the interest of the Jamaat that a Jamaat Cor-

poration should be created for the better organization and for the more convenient and systematic management of the affairs of the said Jamaat. AND WHEREAS His Holiness the Dai-al-Mutlaq is satisfied that it would be in the best interest of the Jamaat to have such a Corporation in order to secure the full benefits of organized social life. Now therefore His Holiness is graciously pleased to sanction and grant to the Jamaat this Constitution.”⁵²

The Indian reformists were agitating for a similar constitution and vesting of rights to manage the secular affairs of the community with the elected members of local Jamaats. However, it was all along maintained by the fifty-first high priests who blessed the above constitution for the East African Jamaats that there was no place for democracy in the Bohra religion and that he was the sole master in his capacity as the Dai-al-Mutlaq. The fact of having granted such a constitution embodying democratic principles was not made public in India and it was much later that the Bohras in India came to know of it. The then high priest had to concede the demand of East African Bohras for a democratic constitution under heavy pressure. These Bohras were much more united than their counterparts in India. Moreover, the high priest, as pointed out above, did not have any political leverage in East Africa to outmanoeuvre his agitating followers as he has in India and hence he saw no other way but to accept their demand for a democratic constitution. Later on, in 1967, when his successor Syedna Muhammad Burhanuddin was able to manoeuvre the situation in his favour with the help of his brother Dr. Yusuf Najmuddin, the constitution was abrogated. The reformists argue that if the high priest is infallible as claimed by him, how could he have, in his divine wisdom, sanctioned a constitution which had to be abrogated later?

When the constitution was “bestowed” on the Bohras of East Africa, the reformists in India, unaware of this important development in Africa, were planning to hold a conference in Bagasra—a small town in Saurashtra—to chalk out a further programme of action for realizing their longstanding demand for democratization of the Jamaat’s management. The conference was held in December 1957 at a small town in Kathiawad called Bagasra. This conference had deeper implications for the high priest as one of his close associates and adviser, Muhammad Ali

Allah Baksh, feeling neglected, joined the reformists and attended this conference. Tayebbhay Zarif of Calcutta and Fazle Abbas Zamindar, a noted political leader of Gujrat also attended this conference.

However, there was an important addition to the rank of reformists in this conference. Noman Contractor, a self-made industrialist, took part in this conference and proved to be much more consistent and steadfast in his standing than other leaders who at one or the other time apologized and left the reformist fold due mostly to the pressure brought on them by other family members or business and other considerations. Contractor, though he too dithered once in 1968, faced all odds but stuck to his position and continued playing a leading role until his death in February 1983. In fact after the sons of Adamjee Peerbhoy his contribution was most significant in sustaining this movement against very heavy odds. Thus the Bagasra Conference became symbolic of a new phase which was more vigorous and dynamic.

The conveners of the conference, perhaps for the first time, carefully avoided any religious controversy. They were not interested in the question of *nass*. Their avowed aim was to bring about improvement in the socio-economic status of the community. The resolutions passed called only for welfare measures similar to those carried on by other castes and communities. It was resolved to provide facilities for scholarship, hostels and technical education, a cooperative credit society to relieve unemployment, and cooperative housing and social reforms like curbs on costly community dinners. Theodore Wright Jr. says in this regard: "Several of these measures were already supposed to have been undertaken by the sect's official organizations, but the reformists charge that funds promised or even announced as given by the Syedna for their support are not, in fact, forthcoming. (I have heard such complaints from several non-Bohra organizations too.) Without a detailed audit of the community's accounts it is impossible to evaluate these accusations of diversion of funds. A reading of a sample of letters to the editor in the Gujarati newspaper, Bombay Samachar would indicate at least that there is considerable discontent among Daudis with the operation of their service organizations."⁵³

The Bagasra Conference once again perturbed the high priest

and his establishment and the pontiff began his counter-offensive. Letters were sent to the Amils (local priests stationed in various places) to hold *Jamat* meetings to condemn the Bagasra Conference and those who participated in it. Well-planned attempts were made to isolate the supporters of the Bagasra conference. The priesthood, as we shall see later, whenever faced with a challenge from the reformists, tries to create hysteria in the community by misleading propaganda against the reformists through its splendidly well-organized and tightly controlled propaganda machinery. The reformists, on the other hand, just cannot match this resourcefulness of the priestly establishment. This has been one of their main failures. We will analyse later, in detail, the various other causes of their failure to register satisfactory, if not brilliant, success.

Alarmed by the reformists' efforts to regroup themselves the high priest revived his old strategy of wooing the politicians mainly belonging to the ruling party in order to frustrate their attempts at reform in the community. The high priest was in a much better position to do so as his resources had now multiplied. The Bohras had, due to a booming market during the Second World War, and later, due to expanding business and industrial enterprises in the post-independence period, made a lot of money. These rich businessmen—many of them not even adequately literate—made or were rather made to offer huge amounts to the high priest to win recognition in the community. The high priest ingeniously devised various titles like N.K.D. (*An-Nāshit fi Khidmatit D'awa*), M.K.D. (*al-Muayyid fi Khidmatit D'awa*) etc., in addition to the traditional titles of *mulla* and *shaykh*. These titles had modern glamour too. As an inducement to offer large sums of money ranging from a few thousands to a few lakhs these titles were bestowed on rich businessmen. The high priest multiplied his fortunes by these ingenious devices and utilized a part of it to win political support from the ruling party.

The high priest, as pointed out earlier, had supported the Muslim League before independence and this connection was now proving to be a source of embarrassment to him. A.K.M. Hafizka, a shrewd politician came to his rescue. Hafizka was a Muslim Leaguer but in 1955 he, along with his group in the assembly, merged with the Congress through the clever

manoeuvrings of S.K. Patil and Morarji Desai. Later he emerged as the secretary of the Bombay Pradesh Congress Committee and a political bridge between the high priest and the senior Congressmen. It was not for nothing that he was made the Managing Director of the Sayyidna's new enterprise, Asian Electronics.

Sayyidna Tahir Saifuddin also strove to establish contact with the central leaders i.e., the Prime Minister Jawaharlal Nehru and others. Dr. Zakir Husain was Vice-Chancellor of the Aligarh Muslim University in the mid-fifties. The Bohra high priest offered rich donations (the entire amount was later collected by way of donations from the community) to the University in return for its chancellorship. The deal was struck and so through Dr. Zakir Husain he came in contact with Pandit Jawaharlal Nehru who was later invited to visit Jamia Saifiyah at Surat. Thus through his superior resources the high priest increased his political influence to frustrate the reformists' attempt for social change. The high priest could dangle the bait of block voting as well as rich donations for the Congress party to win his way through. In this manner he converted his superior material resources into useful political leverage.

It can thus be said that the political democracy established in the country after independence did not necessarily help the forces of social change. The ruling party was mainly concerned with retaining political power by placating vested interests both economic as well as religious. The politicians were concerned with votes and party funds, everything else being secondary for them. To fill their party coffers they welcomed funds even from smugglers. Many of the top Congress leaders then contacted by the reformists pleaded their inability to help them as the high priest could ensure both money as well as votes, whereas they could neither. Thus a delegate in the 1970 Conference of the reformists succinctly expressed this situation as follows:

If some politicians did not support the religious head, we would be able to make faster progress towards our objective of social upliftment . . . We have made representations even to New Delhi regarding some of our problems, but have not received any assistance.⁵⁴

The story is no different today. The ballot-box-oriented politics in a backward country like India has been fully exploited by all sorts of vested interests whether of a casteist, religious or economic nature. Many reformists despairing of the possibility of any change, surrendered to the high priest on his terms. This further helped the high priest in subduing the non-conformist elements and consolidating his position.

The reformists decided to convene another conference in May 1959 in Bombay itself. The high priest has always dreaded such conferences perhaps because he knew that the sentiments for change are very strong and little success on the part of the reformists would soon snowball into a movement of serious proportions. Whatever the reason, both the high priests, fifty-first as well as the fifty-second, have always over-reacted to any such meetings or conferences. The high priest normally uses his storm troopers to break such conferences and tries to galvanize his supporters into action by a relentless campaign of hatred (using words with religious overtones like *kafir*, *munafiq* etc., against whom all-faithfuls should wage holy war) against the reformists. However, this time the high priest adopted different tactics to sabotage the conference. These tactics, for that matter, were adopted during the 1944 conference also but with different effect.

The high priest called Fazal Abbas Zamindar and Noman L. Contractor and persuaded them to postpone the conference so as to call a joint conference later. The reformist leaders agreed and a document was prepared to that effect and was signed by the two reformist leaders and the five members of Shait-e-Ali including two past mayors Ishaqbhai Bandukwala and Salehbhai Abdulqadar, on behalf of the high priest. However, the joint conference never materialized as the high priest, who was more interested in getting the conference postponed than in a joint conference, started raising technical issues as to who was a Dawoodi Bohra and who was not. Consequently the reformists alone met in December and founded the Madhyastha (central)

Pragati Mandal in order to give new direction to the movement and to coordinate activities of various local committees. Noman Contractor who had made his debut at the Bagasra Conference was elected president thus signalling a new and dynamic leadership. The reformists could not have had a better choice.

More conferences followed: at Ahmedabad in February 1961, Dhari in May 1963 and Godhra in November 1963. The conference at Godhra triggered off new events. Godhra became the hotbed of reformists' activities. Noman Contractor also hailed from this place and it is said that more than 50 per cent of the families in this town in Gujrat have reformist sympathies. At one stage during this period, the reformists even planned black flag demonstrations against the high priest at Godhra. The high priest, as usual, retaliated by declaring *barat* (social boycott) against all the reformists and instructed his *'āmil* at Godhra not to perform their marriages or funeral rites. Thus the reformists were compelled to get their marriages solemnized by Muslim Qazis and bury their dead by themselves. However, the Godhra reformists, though sincere to their cause, could not resist social pressures for long and many of them re-entered the fold by tendering apologies to the high priest. Only a few were left in the field who too saw no other way but to follow suit.

Due to defections of Allābux and Fazal Abbas Zamindar, the two leaders of the new trio (the third leader was Noman Contractor), the reform movement received another setback. However, even in these trying circumstances, Contractor, Husenibhai Sanchawala (the then editor of *Bohra Bulletin*, the official mouth organ of the reformists now re-named '*The Bohra Chronicle*'), Mohsin Nagree and some others kept the banner aloft. Turning to the Gandhian method of Satyagrah, these reformist leaders took out *prabhat-pheris* (early morning processions) from the Bohra *muhalla* of Bhendi Bazar in Bombay on four consecutive Sundays in the holy month of Ramzan in 1965. The Bombay dailies, including the English ones, reported these events. At considerable risk to their lives Huseni Sanchawala and Zaitun Kapasi (an ex-M.L.A. from Gujrat) went on *satyagraha* outside the Saifee Masjid (the main Bohra mosque in Bombay) in protest against auctioning of places inside the mosque for making money, as it was highly repugnant to the principles of Islam. According to the

principles of Islam a mosque is a house of God where any one can pray at any place. It does not admit of any business transactions like auctioning or reserving at a price the places for prayer as the high priest did. The *satyagrahis* had to face the fury of the high priest's followers.

Also, Contractor and others from the reformist group took out a "shroud procession" to protest against the recurrent violent assaults on the reformists by the high priest's followers. Contractor, Huseni Sanchawala and others wrapped themselves in shrouds to march through the *muhalla*, an act symbolic of their preparedness to sacrifice their lives for the cause. "Kill us once for all" was the message of this unique protest march. Of course, there was heavy police bandobust which had cordoned off that area. The crowd of fanatics would have otherwise really tried to kill the reformist leaders. Contractor and his colleagues were taken into safe custody by the police and driven off in a jeep. Nothing much happened in India after the mid-sixties as under threat of social boycott many a person left the reformist fold.

The fifty-first high priest Sayyidna Tahir Saifuddin died in November 1965 after celebrating the golden jubilee of his accession to the 'throne' of *D'awa*. He was succeeded by his eldest son Muhammad Burhanuddin who, it was generally believed, was pious and lenient. Thus after the death of the fifty-first pontiff, the reformists had to adopt the policy of wait and watch. Also, there broke out war between India and Pakistan in 1965 which turned attention to more urgent things. Thus the reform movement shifted to the background for a couple of years in India. However, in the meanwhile, certain developments took place in East Africa.

After the death of Sayyidna Tahir Saifuddin, his son Yusuf Najmuddin visited East Africa and withdrew the constitution granted by his father. This step caused great consternation among the Bohras in East Africa as it deprived them of their fundamental right to manage their own affairs. Some believers even questioned the concept of *infallibility* claimed by the high priest. If he was infallible how could he grant a constitution which was not proper they argued. Sayyidna Muhammad Burhanuddin visited East Africa in August 1968. Noman Contractor also happened to be there on a business visit. This was a sheer coincidence. How-

ever the high priest's visit turned sour as the Government of Tanzania took action against him for violation of exchange control regulations. An expulsion order was served on him and he was asked to leave the country within 24 hours. This news was published prominently by major dailies both of Tanzania and other countries.

The Guardian of London, in its issue dated 15 August, 1968, published this news: "Tanzania today served a 24-hour expulsion order on the spiritual leader of an international Moslem community, claiming that he was using religion to exploit the poor. The order was served on Dr. Syedna Mohammad Burhanuddin Saheb, leader of the Dawoodi Bohra sect, which claims adherents in many Asian countries and Europe as well as East Africa. Tonight's Government statement echoed a warning in the Government press last week that Tanzania would not allow religious leaders to collect money and take it away 'to their celestial seats in foreign countries.'"

The Government order as reported by *East African Standard* of 15 August 1968, was very strongly worded. The order, according to this report said, among other things, "Freedom of religion, however, does not involve freedom to disregard or circumvent the Exchange Control laws of this country. Nor does it involve freedom for any individual or group of individuals to get rich by using the name of religion in order to exploit the poor." It further said, "This is a poor country, and it is the duty of the Government, acting on behalf of all its citizens, to prevent the abuse of believers by those who demand money as a religious duty and then use it for purposes which have nothing to do with the spiritual or material welfare of Tanzanian citizens."

The high priest, as expected, ascribed the whole episode to the "mischief" of the reformists. According to *The Nationalist*, Dar-es-Salaam, 16 August 1968, "At an impromptu/airport Press Conference, Dr. Saheb said: 'What has happened to me in Tanzania has never happened to me anywhere else in the world. But I don't blame the Tanzania Government. It is dissident members of my community who have planned this to sabotage my visit.'" As coincidentally, Contractor was there on a business visit, the whole blame was thrown on him. His business collaboration project was affected and reportedly there was an attempt to poison him. Contractor, under pressure from his family and

some friends withdrew from the movement. In an open letter addressed to Yusuf Najmuddin published by the *Bohra Bulletin*, he announced his intention to withdraw from the movement.

Contractor's withdrawal, though under duress, caused a great set-back to the reform movement and many friends and sympathizers were bitter about it. It had, undoubtedly, a demoralizing effect on many well-wishers of the movement. However, if seen in proper prospective, it was a "tactical manouever" rather than total surrender, as later events very well proved. At that time he was totally isolated and his continuation would have adversely affected his business interests thus further weakening his position. This temporary withdrawal, on the other hand, allowed him sufficient time to recoup his strength. With honesty of purpose, such tactical withdrawals could be more in keeping with the interest of the movement provided the situation so demands.

H.K. Sanchawal—now the only reformist leader left in the field—recovered from this shock in 1970, a good two years after Contractor's withdrawal and organized a conference in a remote and tiny village called Kunkavav in Gujarat that year. However, the movement was still restricted to the elite Bohras, as was the case during the pre-independence years. But now in Udaipur, the picturesque city of Rajasthan, partly due to widespread education and partly on account of corrupt practices of the priestly establishment, things were working in different direction. The developments in Udaipur and their aftermath are of great significance in the contemporary history of the Bohra reform movement. We shall deal with them in the next chapter.

NOTES AND REFERENCES

¹Theodore P. Wright Jr. "Competitive Modernization within the Daudi Bohra Sect of Muslims and its Significance for Indian Political Development" in *Competition and Modernization in South Asia*, (ed. by Helen E. Ullrich), Abhinav Publication, Delhi, 1975, p. 153.

²Vide Judgement in Civil Suit no. 32 of 1925 commonly known as Burhanpur Durgah case in the court of 1st class sub-judge, Burhanpur C.P. published in the booklet form by Tayyebali Mohamedali Bhamgrahwala, Burhanpur, October 1931, p. 59.

²The book of exhibits in the Burhanpur Durgah case appeal in the Privy Council from the High Court of Judicature at Nagpur, pp. 157, exhibit No. 25.

⁴*Ibid.*, p. 187.

⁵Quoted from 'A Brief History of Matheran Railway and its Pioneers, by Adamjee F.M. Peerbhoy, pp. 20-21. This is in the form of a souvenir published by A. Peerbhoy from Bombay in 1978.

⁶Vide Judgement by J. Marten in suit No. 941 of 1917 in the High Court of Judicature at Bombay, 19 March 1921, p. 5.

⁷*Ibid.*, p. 2.

⁸*Ibid.*, pp. 8-9.

⁹*Ibid.*, p. 12.

¹⁰*Ibid.*, p. 26.

¹¹*Ibid.*

¹²*Ibid.*, p. 27.

¹³*Ibid.*

¹⁴*Ibid.*, p. 37.

¹⁵*Ibid.*, p. 60.

¹⁶*Ibid.*, p. 79.

¹⁷Dawoodi Bohra Bulletin, Miladun Nabi Number, Surat, 27-28, dated 31-5-69 pp. 61-62.

¹⁹The Burhanpur Durgah Case Judgement, *op. cit.*, p. 63.

¹⁹*Ibid.*, p. 64.

²⁰*Ibid.*, p. 67.

²¹The learned judge here in this case is even permitting "honest and conscientious objection" to recognizing the Mulla Saheb as the rightly appointed Dai-ul-Mutlaq still remaining within the fold of the community and does not recognize excommunication as valid only on this ground. However, the present day reformists do not challenge the present Mulla Saheb's position as Dai-ul-Mutlaq and do not even flout his religious authority, even then they are excommunicated by pronouncing *bural*-against them.

²²*Ibid.*, pp. 93-94.

²³In the Privy Council, Hasanali and others versus Mansoorali and others appeal no. 79 of 1947, Hind Printing Works Bombay, 1948 pp. 14-15.

²⁴*Ibid.*, pp. 18-19.

²⁵*Ibid.*, p. 19.

²⁶*Ibid.*, pp. 20-21.

²⁷*Ibid.*, p. 24.

²⁸*Ibid.*, p. 25.

²⁹*Ibid.*, p. 26.

³⁰Vide Mussalman Wakf Act and The Dawoodi Bohra Community—Important Memorial 1933, printed at Satya Mitra Press, Fort, Bombay. Mark A pp. 3.

³¹*Ibid.*, pp. IX.

³²*Ibid.*, pp. 23.

³³*Ibid.*, pp. 24-25.

³⁴*Ibid.*, p. 75.

³⁵*The Daudi Bohra Bulletin*, Surat, Special Issue on completion of ten years 1960-19770, ed. by Huseini Sanchawala, p. 57.

³⁶See Souvenir Charity Programme Social Cultural Centre 28.6-75, Surat, under the title, The First Conference of the Reformist Bohras in 1944.'

³⁷*Ibid.*

³⁸Sourvenir, *op. cit.*, under *Abdeali Fatima Nikah Case*.

³⁹See Judgement in Fazal Husien Baxamusa versus Sirdar Syedna Tahir Saifuddin Suit No. 7074 of 1941 in the court of Small Causes at Bombay.

⁴⁰*Ibid.*

⁴¹*Ibid.*

⁴²*Ibid.*

⁴³*Ibid.*, p.7.

⁴⁴*Ibid.*, p. 8.

⁴⁵Wright, *op. cit.*, p. 155.

⁴⁶*Ibid.*, p. 156.

⁴⁷*Ibid.*, p. 155.

⁴⁸Vide Judgement written by J. Dasgupta on Writ Petition filed in the Supreme Court of India on Original Side bearing no. 128 of 1958.

⁴⁹*Ibid.*

⁵⁰*Ibid.*

⁵¹*Ibid.*

⁵²Vide photocopy of *Proposed Constitution of the Dawoodi Bohra Jamaat Corporation*, 1955, The Northern Province Press Ltd., Tanga, p. 1.

⁵³Wright, *op. cit.* p. 164.

⁵⁴*Ibid.*, p. 163.

7

THE REVOLT IN UDAIPUR AND ITS¹ AFTERMATH

Udaipur is a picturesque city of lakes surrounded by rugged mountains. Once the capital of the Ranas of Mewar, it harbours a sizeable population—around 12,000 to 13,000—of the Daudi Bohras. In terms of the Daudi population it ranks third after Bombay. Upto 1947 most of the Bohras, in keeping with their age old tradition, carried on petty or middle level business. However, the partition of the country and consequent inflow of Sindhi immigrants adversely affected the Bohra economy in Udaipur. Many shops were destroyed during the riots in the wake of partition and, apart from this loss, they had to face stiff competition from the Sindhi community which was no less skilled in business. The Bohras thus no longer enjoyed the monopoly of business they once had in Udaipur. They had now to explore other areas to keep themselves going. Many of them realized the importance of higher education in the changed circumstances as it could enable them to secure government and other jobs. Moreover, Udaipur, being the capital city of the erstwhile Rana, had good facilities for modern education. Many Bohras thus turned towards higher education and within a decade and half there was hardly any family without a matriculate or a graduate. The Bohra women too took to education and today there are many graduates among them.

Although education did not breed indifference towards religion or make them rational (I am saying this on the basis of my own field investigations in Udaipur), it did make them conscious

of their individual rights and human dignity. Even this much reorientation of attitude on the part of the younger generation was enough to generate pressure in favour of change in the behavioural pattern of the priesthood towards its followers. They could no longer be treated as mere slaves nor could their rights be easily trifled with, as in the past. It is not insignificant that the whole revolt centred around democratic rights to contest elections or elect members of *Jamat* and not around any religious question or heresy. In this chapter we shall deal with this revolt and its aftermath in detail as it is an important milestone in the history of the Bohra reform movement.

The reform movement in the early twentieth century or even little earlier had its echo in Udaipur. But, like in other parts of India, it remained confined to a few families. These families were harassed and persecuted. In this connection I talked to some very old persons who knew about these events first hand. Ghulam Abbas Akbarali Khakerwala aged 72, and Tiriwala aged 92, were quite knowledgeable. According to them around 90 years ago there was a dispute about the accounts of the *jamat*. The Kurarhwala family kept the accounts. Rajabali Paliwala wanted the Kurarhwala family to account for the *jamat* funds. On refusal by the Kurarhwala family to do so, there was a violent quarrel and many people involved in it were jailed by the local ruler. The chief pontiff of that time sided with the Kurarhwala family and he declared *salam band* (it meant excommunication) against the Paliwala family and those who were in his party. Many marriages were solemnized independently by one Shaikh Tayyibali—a rebel priest. Many of these events, as we shall see, had remarkable parallel with the recent developments in Udaipur.

At that time too, as has happened again, the Bohras of Udaipur divided in two parties: the Kurarhwala or the Syedna Party and the Paliwala or anti-Syedna Party. The matter went to the court. The *jamat* hall was locked and the key was kept with the local police officials. Either party for using the hall or the utensils had to apply to these officials. Rajabali Paliwala maintained in the court of law that they were not bound by every order—religious or otherwise—of the high priest. Later on, reconciliation took place in both the groups and the Kurarhwala family not only submitted accounts but also tendered public apology for misappropriation of *jamat* funds. All the marriages performed

independently by the rebel priest were recognized by Sayyidna Badruddin, the pontiff. But the Paliwala family stopped taking interest in the *jamat* affairs.

However, the reconciliation did not last much longer. With the filing of the Chandabhai Gulla Case in 1917, the Paliwala family came out actively in support of the reformist group. Jeevanali Rajabali Tajkhanwala, belonging to the Paliwala family played a very active role in support of the reformist group in Bombay and Burhanpur. There were violent incidents between the two groups in Udaipur and ultimately Jeevanali and his supporters (some ten or twelve families) had to leave the Hathipole area (where the Bohra *muhalla* was situated). They were excommunicated. In 1924 Shaikh Rajabali, the rebel priest died. The local '*amil* refused to give permission for his burial despite an offer of apology by his sons. Even the government authorities did not succeed in persuading the '*amil* to allow the Shaikh to be buried. At last the Maharaja of Udaipur sent his army to help dissidents bury the body. From then on the Jeevanali party was completely segregated. In 1936 some members of this group formed a society called *Anjuman-e-Rifahul Muminin* (Society for the welfare of the faithfuls). The orthodox followers of the high priest opposed its activities and there were violent scenes. A boy was killed in these clashes. The orthodox party soon established its sway and only a few families remained with Jeevanali. Most of these families migrated to Pakistan after partition. Some of them rejoined the orthodox mainstream in Udaipur as well as Karachi.

Many people who had sympathies with the reform movement hid their feelings until 1970 when things began to take a different shape once again. Moreover, as indicated above, a silent socio-economic revolution was taking place in Udaipur from 1947 onwards. During this period a class of highly educated people (both male as well as female) was coming into existence which no longer depended on petty business for its livelihood. This revolution, naturally, brought about attitudinal changes of a far-reaching character i.e., greater awareness of their individual rights and democratic privileges. This class began to resent priestly domination over the secular sphere too in the name of religion.

Matters came to a head in the 1970 municipal elections in Udaipur. It is a well-known fact that the priestly establishment

tried to influence the Bohra voters in favour of a political party of its choice—invariably the ruling party i.e., the Congress. There are many instances of letters having been written by the high priest's secretariat (al-Wizaratus Saifiya) to the local '*amil*' ordering them to direct the Bohra voters to vote in favour of the Congress. In Udaipur there is Bohra majority in four municipal wards. The local priest usually nominated candidates for these wards. In 1970, the local Congress unit requested the '*amil*' to nominate four candidates to whom party tickets could be given for the ensuing municipal election.

The '*amil*' was under the influence of one Zakir Kurarhwala who was alleged to be corrupt. He recommended four names to the '*amil*' who forwarded them to the Congress party. The educated youth resented this as the '*amil*' turned down their request to nominate four candidates who enjoyed the confidence of the Bohras of Udaipur. The Congress of course, gave tickets to those who were nominated by the '*amil*' as they expected that the Bohras will vote only for those candidates nominated by the '*amil*'. The youth party thus had no other alternative but to set up its candidates independently which they did.

The youth party was led by Ghulam Husain—a highly popular social worker who enjoyed the confidence of the Udaipur Bohras. Ghulam Husain was politically well connected and used his political influence for helping his co-religionists whereas Zakir Husain Kurarhwala was alleged to have used the same for personal ends. What was worse, Zakir Husain was openly patronized by the high priest's establishment. There was much anger against this among the Bohras in Udaipur. Thus the municipal elections aroused much passion among the Bohra populace of Udaipur as the verdict at the hustings became a matter of prestige for both parties. The verdict was clearly in favour of the youth party as all its candidates inflicted a crushing defeat on those blessed by the local priest at the instance of the high priest's establishment at Bombay.

The defeat of the candidates officially blessed by the priestly establishment became the turning point of the struggle of the youth for democratic rights denied them for a long time. The verdict at the polls was significant in more senses than one. It should also be borne in mind that the verdict was *certainly not* against the religious sanctity of the high priest and the *D'awat-e-*

Hādiya (the holy mission) represented by him. It was rather against the corrupt practices of certain individuals patronized by the high priest's establishment. Men and women, old and young alike had voted for the youth group which, besides service and dedication, stood for democratic functioning. The priestly establishment was aghast at the results coming from Udaipur. All its nominees lost by a heavy margin. The local '*āmil*' was also highly embarrassed by the defeat of his candidates and had to bless the victorious procession of the elected candidates from Bohra ward.

However, the priestly establishment at Bombay was very unhappy at the developments at Udaipur. It treated the defiance of its order to vote for the candidates nominated by the local priest as a defiance against the religious authority of the Saiyyidna. The elected Bohra candidates were called at Bombay and reprimanded for their "erroneous behaviour" in contesting the elections without the permission of the high priest. An apology was demanded from them. The youth party refused to tender any apology and maintained that they had informed the local priest of their intention to contest the elections and that it was he who, under the influence of certain elements, turned down their request for the Congress party tickets. The high priest's case was completely unjustified.

To begin with the high priest, realizing the significance of the democratic rights of the Bohras and the passions aroused by the resentment against violation of their democratic rights, saw no other alternative but to patch up with the youth party led by Ghulam Husain. He was even blessed by the title of a *mulla* to placate him and his supporters. But, it is alleged by the youth party, that it was merely an outward gesture or a tactical move to bide time. Zakir Husain Kurarhwala whose overlordship was resented by the Bohras in Udaipur, did not loose favour with the Saiyyidna; on the contrary he was given the still higher title of *Shaikh*. The priesthood, it is alleged, wanted to maintain close contact with Zakir Husain—as he was instrumental in arranging the high priest's visits to Udaipur and also *ziyafat* (dinner parties) at the houses of Bohras. Though the Bohras of Udaipur had expressed their strong resentment against Zakir Husain through Municipal elections, the priesthood continued to patronize him.

When Ghulam Husain, the leader of the youth party, returned from Bombay the *jamat* of Udaipur organized a big reception for him which was attended by the Chief Minister of Rajasthan, Sukhadia. Zakir Husain, although he was awarded a higher title by the high priest, was not given any reception; not only that, he was criticized by the speakers in the reception held in honour of Ghulam Husain. This created more bitterness. Zakir Husain in desperation took some steps which made him more unpopular. The *jamat* had a plot of land and around Rs. 70,000 in balance. It was decided by the *jamat* committee to construct shops to create a permanent source of income. Zakir Husain, in order to increase his leverage, was planning to utilize this amount for arranging the high priest's visit to Udaipur. The younger people were against "squandering" money on such a visit. In order to forestall construction of shops, Zakir Husain tried to get the plot of land declared as municipal land. This move created much strong feelings against him.

The Bohra youth of Udaipur were no longer prepared to put up with the corrupt practices indulged in by a coterie of people with clear approval from priestly establishment. Moreover, they felt that the priesthood was virtually doing nothing to promote the welfare of the local Bohras although it took away a large sum annually from their town. Thus in 1971, some young educated people met together with the avowed objective of forming the Bohra Youth Association. An ad-hoc committee was formed and its aims and objects were decided. To promote welfare of the community, to spread education and create more awareness about the political, social and economic matters, were some of its aims.

The Bohra Youth Association, due to its sincere work, soon became a popular forum for all those who were against corrupt practices and who desired more liberty to work for the betterment of the community. It started a monthly bulletin which exposed the corrupt practices of a small coterie enjoying the Sayyidna's confidence. It was because of such public exposures that it became very difficult for this coterie to arrange the high priest's visit to Udaipur. The organ became very popular among the Bohras of Udaipur.

The Bohra Youth Association slowly expanded its activities and arranged an Idd-Diwali milan programme in November 1972

(This programme continued to be celebrated for many years). Many ministers of the state of Rajasthan were invited to speak on this occasion. The local priest refused to give permission for this function and issued a *firman* forbidding the Bohras from attending it. However, the function was held and a large number of Bohras participated in it despite instructions to the contrary by the local *‘āmil*. This was the second instance of defying priestly orders on a large scale, the first being voting against those candidates in the Municipal elections who were blessed by the priestly establishment. The High priest's establishment was aghast at such mass defiance and was waiting for an appropriate opportunity to teach them a lesson.

Meanwhile the Youth Association gained more popularity among the Bohras of Udaipur due to its activities which benefited a large number of Bohras. It founded an urban cooperative bank in 1972. It made good progress and was given license within one year by the Reserve Bank of India which was no mean achievement for such a small bank. This bank served the needs of a large number of needy Bohras. All this was in sharp contrast to the activities of the priestly establishment and its coterie which did nothing but extract money from the people. The high priest, therefore, brought pressure on Ghulam Husain to dissolve the Bohra Youth Association and the Urban Cooperative Bank as well. When questioned, the high priest maintained that the Youth Association was established without his permission and that interest was forbidden in Islam and so banking too cannot be permitted. (It may be recalled that in the Chandabhai Gulla case his father, the fifty-first *dā‘ī* said that he both gave and took interest as indicated in *Da‘aim al-Islam*. Also, the priestly family had no hesitation in depositing money in banks and lending it and on interest. The motive here was to break the back of the Bohra Youth Association.

Ghulam Husain, on behalf of the youth, refused to oblige the high priest and maintained—rightly so—that he was not authorized to carry out the high priest's orders. The high priest's secretariat thereupon issued a *firman* to dissolve the bank as the same was established without prior permission of the priesthood. The priesthood also insisted on the dissolution of the Bohra Youth Association on the same grounds. The priesthood was now determined to force its decision on the people of Udaipur. It may be recalled that the high priest and his establishment do not

recognize the fundamental rights of the Bohras as citizens of India to form an association or to freely express their views etc., and it was for this reason that Morarji Desai had accused the high priest of running a government within a government in the legislative assembly of the Bombay state in 1948.

Seeing that the B.Y.A. and the urban cooperative bank continued to function, the high priest sent one of his family members, Prince (so he was called) Qaid Jauhar to Udaipur in 1973. On 23 February he called a meeting of *jamat* in Wazirpura mosque and announced the dissolution of the Anjuman-i-Najmi which was a duly elected *jamat* committee. Instead he constituted another committee and packed it with those people against whom the Bohras of Udaipur in general, and the Bohra youth in particular, were waging their struggle. Earlier Qaid Jauhar had agreed to give due representation to the nominees of the B.Y.A. This unilateral and undemocratic act sent a wave of indignation among the Bohras and around 1,000 people surrounded the *jamat* office next morning where the executive council nominated the previous night was in session. These people demanded that the committee be dissolved and elections be held to elect new members of the *Jamat* committee.

Sensing the mood of the people Qaid Jauhar promised to consider their demand sympathetically. The people were jubilant and they took out a procession to celebrate the victory. However, Qaid Jauhar had different ideas up his sleeve. Next day when some elderly people went to see him in support of the Youths' demand for holding elections for the *jamat* committee, they were beaten up by some toughs trained in Burhani Akhara. This news spread like wild fire and thousands of people including women soon gathered there and surrounded Qaid Jauhar's residence. These people were now more determined to press for their demand to hold elections for the *jamat* committee. Qaid Jauhar summoned the police for his "protection." The district Collector and other authorities rushed to the scene but found the crowd peaceful. When they listened to their demand for democratic elections for constituting the *jamat* committee, they were convinced of their case. The district authorities were hard pressed as the President of India Shri V.V. Giri was visiting the city the same day. They, therefore, intervened and requested Qaid Jauhar to accept the reasonable demand of the people

gathered there as they would be unable to continue police bandobust there for long. It is said that around 90 per cent of the Bohras—men, women, old and young alike—had gathered on that day. Thus the high priest's representative saw no other course but to dissolve the committee nominated by him.

After this announcement the people dispersed peacefully in a jubilant mood and that night a meeting was held in Bohrawadi to celebrate the victory of the democratic forces. This meeting was also attended by large number of people. For the high priest's representative it was an unprecedented situation as he had never witnessed such a defiant Bohra crowd before. They were just used to facing faithful and obedient followers standing with folded hands before them and prostrating and kissing the high priest's hands and feet. Qaid Jauhar was, naturally, enraged. The Bohras of Udaipur had violated the "sanctity" of the high priest's family and thus committed an unpardonable "sin." On 26 February, 1973 he left Udaipur for Galiakot—a small village 75 miles away from Udaipur where there is a holy shrine of a Bohra saint.

The high priest had also come to Galiakot as it was the occasion of the death anniversary of the martyr saint. On this occasion a large number of Bohras from various towns specially gather there. Udaipur Bohras also visit the shrine on this occasion. Many women from Udaipur had come to Galiakot in advance so as to occupy in time the available rooms in the *musafirkhana* near the shrine. Their men-folk were yet to arrive. Many of these women were quite unaware of what had happened in Udaipur. Meanwhile Qaid Jauhar came from Udaipur accompanied by Zakir Husain Kurarhwala and some of his followers and gave an exaggerated account to the high priest of what had happened in Udaipur and how his orders were defied by the Bohras of Udaipur who were once considered to be the most obedient followers.

The high priest and his followers were furious. It is alleged by the Youth leaders of Udaipur (I have personally interviewed many of them including Ghulam Husain, Abidali Adeeb and others) that hearing of all this the younger brother of the high priest Shri Yusuf Najmuddin came to Galiakot and a meeting was held in which Yusuf Najmuddin, Numan Bhaisaheb (the Amil of Udaipur), Ibrahimbhai Saheb and Zakir Husain Kurarh-

wala participated and it was at this meeting, according to the Youth leaders that a plan to attack the supporters and sympathizers of the Youth was prepared.

The plan was put into action on 28 February and 1 March. A Hindi pamphlet published by the Bohra Youth Association says: "It was the month of Muharram. Imam Husain was not given water or food for three days in Karbala and made martyr. On this basis these vested interests fabricated a false story and told the large gathering (of the visitors to the shrine) that the people of Udaipur did not give food and water for three days to the Shahzada saheb (i.e., the prince, Qaid Jauhar) and insulted him. The blind followers were thus provoked. The plot was already hatched before for a violent attack (on the supporters of the Youth). Thus started the terrible riot which had no parallel in the history of the community."¹ When the attack began, there were very few men from Udaipur as they had not arrived as expected. So their wives, sisters and mothers became the main targets of attack. According to the Youth leaders they were pulled out of their rooms (in many cases they were pulled out by their hair) and brought before the crowd outside. While being pulled out they were spat upon and dust was thrown in their eyes. Their clothes were torn and they were molested. Many of these women ran away into jungles three to four miles away to save their honour. Many tried to catch any available vehicle. However, they were hounded out everywhere, beaten and molested. I met many of these women in Udaipur who narrated this nightmarish experience with tears in their eyes. I could still see the horror in their eyes five years after this incident.

What was most shocking for these women was that all this happened in the presence of the high priest himself. These women, when attacked, shouted "*maula bachao, maula bachao*" (i.e., our lord save us, our lord save us). But the high priest allegedly did not stop the hooligans from attacking the innocent women. On the contrary many priests in white robes and members of the high priest's family were heard shouting "Kill these bitches, don't spare them, dishonour them," etc. These women till then had great faith in Sayyidna Sahib. They had believed that he was unaware of the misdeeds of the corrupt elements around him and that he was the embodiment of mercy. But that day their faith was shattered and they were shaken out of their complacency.

Then onwards they became staunch supporters of the youth movement for democratic reforms and the cleansing of the community of corrupt practices perpetrated by the priestly establishment.

Some women who could not escape were kept confined in a few rooms and next day they were brought to the mosque near the shrine and were made to take an oath that after returning to Udaipur they would not disclose what happened with them. These women were also compelled—the threat of violence lurking over their heads—to curse their near and dear ones who had taken part in the youth movement. Some people from Udaipur approached the district authorities of Dungarpur and got these women released from the clutches of their oppressors.

The priestly establishment now declared full-scale war on the supporters of the Bohra Youth. They declared *baraat* (social boycott) against all of them. The permission for offering congregational prayers in the mosques in Udaipur was withdrawn (unlike other Muslims, the Bohras believe that the congregational prayer can be led only by a person permitted to do so by the *d'āi*, and no one else), as also permission for other activities like marriages, in order to harass and persecute them. Moreover, throughout India as well as other countries a priestly firman was issued—mostly by word of mouth so as not to involve them in any legal complications—not to maintain any contacts with the rebel Bohras of Udaipur, to totally boycott them and not allow them entry into mosques, Jamat khana, religious shrines and other communal properties like rest-houses, etc.

These measures created panic among the Bohras in general, and people of Udaipur in particular. Many Bohras from Udaipur had relatives in cities like Bombay and other places. According to this firman these relatives also could not keep contact with them or else they would also face a similar fate. Only a few Bohras from Udaipur who had supported Zakir Husain Kurarhwala—and they were very few in number initially, not more than five per cent—were issued identity cards and only those who held these identity cards were allowed entry into mosques and other places. This regimentation undoubtedly brought pressure on many people some of whom tendered an unqualified apology to the high priest. We will discuss this in more detail later.

The events took a violent turn after the Galiakot incident. Zakir Husain Kurarhwala and others who had taken part in

attacking and molesting women in Galiakot found it difficult to enter the city of Udaipur for fear of being attacked. The 'āmil of Udaipur, Numanbani, also could not enter the city as he was instrumental in attacking and provoking other Bohras to molest those women. A violent mob chased him away from Udaipur. The Shababis (now the orthodox followers of Syedna were called by this name as against the Youths. It will be interesting to note that *shabab* is an Arabic word for youth) organized themselves for planning attacks. Some persons were allegedly sent from Bombay to participate in planned attacks against the followers of the Bohra Youth. Thus violent occurrences became a daily affair in Udaipur. The peaceful Bohra community, due to manipulations of certain vested interests, was drawn into a whirlpool of conflict. As a result of that hundreds of cases had to be filed in the district and session courts.

Sukhadia, who had been the Chief Minister of Rajasthan, and was now the Governor of Tamilnadu, tried to intervene in the dispute in order to resolve it. He sent some office bearers of the City Congress Committee of Udaipur to Rampura with a personal letter of recommendation to talk to the Sayyidna. However, Yamāni, secretary to the Sayyidna, did not permit any such visit saying that he had no time. Thus they returned disappointed from Rampura. Then Sukhadia persuaded the Youth leaders to go to Rampura to resolve the dispute. Thereupon about 750 persons from Udaipur hired the buses for Rampura—a town in M.P.—and went there to meet the high priest. This journey was undertaken on 12 April 1973. A mass marriage was taking place in the mosque when the party from Udaipur reached Rampura. To begin with the leaders from Udaipur were not allowed to meet the Sayyidna at all.

Thereafter about 10 persons were called. Yamāni, the Sayyidna's secretary adopted a very stiff attitude and the people of Udaipur were told that there was no question of granting them an apology. On the other hand, the Bohras of Rampura did not allow the guests from Udaipur to rest at a suitable place. They were not even allowed to draw water from a nearby well. The people of Udaipur were thus deliberately humiliated. Seeing no other way out they left Rampura and came to Kukreshwar where there is a mausoleum of a Bohra saint. All the Youth leaders of Udaipur now took a pledge collectively not to tender an apology

to the high priest individually under pressure. They decided that they will stand by each other in the face of severe persecution. The non-Bohra population of Udaipur showed great respect for the people of Udaipur and they were given all possible facilities. These people returned to Udaipur without any hope of reconciliation with the Sayyidna's party.

The violent incidents continued. After Sukhadia had bowed out, Barkat Ali Khan became Chief Minister of Rajasthan. Generally the priestly establishment maintains very close relations with the important leaders of Rajasthan. It had very close contact with Barkat Ali Khan too. Under his chief ministership they had even obtained exemption from the Wakf Act.

It is alleged by the Youth leaders of Udaipur that Barkat Ali Khan favoured the Sayyidna in dealing with the supporters of the Bohra Youth. As an instance they quoted the incident of 23 June 1973. On that day some youth leaders and supporters went to the residence of the local '*amil*' to complain against the violent attacks being often made by the Shababis. While the Youths were standing near the '*amil*'s residence, there started a shower of stones from inside the '*amil*'s house. The Youths retaliated by throwing stones from outside. The police were then summoned and they started ruthlessly attacking the Youths. The police went into the Bohrwadi area and beat up women, children and old people ruthlessly without any provocation from them. The Youth leaders allege that the Superintendent of Police was heard saying that day that he has orders from above to wipe out the Youth leaders and their supporters within 24 hours. Whether this was true or not, the spot interviews indicate that the police used force on unarmed people including women and children, an act that was not at all warranted.

The only result of this unprovoked and unwarranted attack was that the women became more determined than ever to fight against the priestly establishment which was using violence openly to crush their movement for democratic rights. This was the second onslaught faced by them, the first being in Galiakot which was equally unprovoked. The women and children now formed squads to defend themselves against such attacks in future. The *muhallahs* in Udaipur have very narrow lanes and the houses are interconnected. These squads would come into action the moment police or the Shababis tried to enter Bohrwadi. By

throwing stones from house tops or other missiles which used to be supplied by the squad of children, they made it impossible for the police or others to enter. Thus we see that the Bohra women who normally remain confined to their houses, showed great valour and determination to fight when fired by inner conviction and faced with a dangerous situation. These women devised many ingenious methods to put their enemy to rout. They would blacken their face or apply cowdung over it. They even came out on the streets to fight. The women's participation gave much more stability to the reform movement. At other places lack of support from women has been the main weakness of this movement as the mother or the wife forces her son or husband to surrender when faced with social boycott and complete isolation.

On 23 June the police also made arbitrary arrests. Helpless people going to hospital or returning from work were rounded up and some 70 persons were arrested. They were kept in jail for 17 days without any formal charges and were later released on bail. Similarly on 10 July 1974 more than 50 supporters of the Bohra Youth were arbitrarily arrested. Among them there were many prominent businessmen and highly respected social workers, etc. They were not only arrested but were handcuffed and paraded through the streets of Udaipur. It will be interesting to quote a letter from Udaipur in *The Times of India*, 15 September 1974, by Dr. M.S. Agwani who was professor of West Asian Studies in Jawaharlal Nehru University and later became its vice-chancellor. This letter was written as a reaction to my article on Bohras which had earlier appeared in *The Times of India*. Prof. Agwani writes, "In an otherwise competent, objective and well-documented treatment of the schism between the forces of reform and reaction in the Bohra community, Mr. A. Engineer has erred on the side of understatement when he speaks of the attitude of the administrative machinery in Udaipur, the epicentre of the Bohra reform movement. As one hailing from Udaipur, I wish to invite the attention of your readers to the ruthless manner in which the local administration has sought to crush the morale of the partisans of reform by parading them handcuffed along one of the main streets of the city, even though most of the persons thus humiliated form the cream of Udaipur society in terms of education, professional skills and public service. The question that all thinking people, more particularly the legislators in Jaipur and at the

centre, must ask themselves is: are we reconciled to permitting a religious pontiff to flout the fundamental rights of a section of our citizenry?"

Thus it clearly shows that even the non-Bohra population of Udaipur was aghast at the treatment meted out to the Bohras of Udaipur who were supporters of the Youth movement. The role of administration, it is very clear from Agwani's letter, smacked of partisanship. Most of the non-Bohra populace of Udaipur fully sympathized with the cause for which the Bohra Youth was fighting. Bohra Youth became a byword in the city of Udaipur. We shall say a few words about this a little later.

The high priest and his orthodox followers never ceased to hit hard the supporters of the reform movement. All efforts by the leaders of the Youth and other well-meaning people came to naught. The Youth leaders themselves were unprepared for a complete break with the Sayyidna and his establishment. It was for this reason that the secretary of the Bohra Youth, Abidali Adib wrote a letter to the high priest on 9 August 1973, with utmost humility, to bring about a settlement of the dispute. The letter makes very interesting reading. It begins with all the usual titles and epithets used for the Sayyidna in all communications. Adeeb says in the letter, "Revered Sir, you know very well that the Bohra Youth Association is the institution of the faithfuls in Udaipur and almost 85 per cent of whom support it sincerely. Its sole aim is to work for the welfare of the community. In the interest of the welfare of the community it has taken many tasks in its hands with a view to bring about reform. This institution is working well due to your holiness's blessings. This institution has not done anything deliberately to displease you or to earn your wrath. . . . We implore you, on behalf of this institution to be pleased to shower your benedictions on it and to bless it. . . ." Although the high priest's younger brother Qasimbhai-saheb had advised them to write such a letter while on his visit to Udaipur, there was no reply to it. The letter was not even acknowledged.

Similarly, some prominent citizens of Udaipur, tired as they were of the frequent violent clashes between the two factions of the community, wrote a letter to the chief pontiff on 3 July 1973 to end the conflict. Had the priestly establishment desired a peaceful solution, this letter would have offered them the best oppor-

tunity for the same. However, it was not to be. The letter brought a negative reply in which it was maintained that the followers of the Youth had violated the holy injunctions of the religion and, therefore, unless they repented and tendered an apology and an oath of allegiance (*mīthāq*) individually, nothing could be done. The high priest, contrary to the religious requirement, declares any person who dissents with him even slightly in any secular matter as having ceased to be a Daudi Bohra irrespective of the fact that he continues to believe in all the basic tenets of that religion. Although the whole dispute is secular in nature (as the reformists have not questioned any religious tenet, neither have they challenged the religious authority or even the headship of the pontiff), the high priest and his establishment keeps on indulging in the propaganda that all those who support or even sympathize with the reform movement or the cause of the Bohra Youth, have ceased to be Daudi Bohras and have no right to remain within the fold of the community.

Thus all the efforts of the well-meaning people of Udaipur who wanted to end the bloody clashes between the two factions of the Bohra community came to naught due to the wrong and rigid posture adopted by the high priest. It is maintained by some Bohras that in all such matters the present high priest does not have an effective voice or he is not even informed of everything. It is alleged that all important decisions are taken by Yusuf Najmuddin and a small coterie of other brothers around him. Yusuf Najmuddin himself was a younger brother of the Sayyidna. These decisions, needless to say, are inspired more by worldly considerations than the so called religious or spiritual motives. Dr. Najmuddin maintains relations with important Muslim leaders and other key political figures of our country. It is also maintained by some people that the high priest himself is in favour of following a soft-line towards the reformist section but Dr. Najmuddin who died a few years ago advocates hard-line and his voice is decisive.

All this happened in Udaipur without the direct involvement of the reformist leaders like Noman Contractor and others from Bombay. It does not mean that Contractor was not aware of what was happening in Udaipur. Husaini Sanchawala, an old reformist and then editor of the *Bohra Bulletin*, had visited Udaipur several times and had reported the development of the movement exten-

sively. He was also in close touch with Contractor. Contractor, who had once withdrawn from the movement under most trying circumstances but had never changed his conviction became active again. He sent telegrams and letters to the Youth leaders extending his support for their struggle. The youth leaders of Udaipur were also beholden to the leaders from Bombay for broadening the base of their movement.

A number of telegrams were sent by the Bombay leadership both to the central as well as the state government to take effective steps to secure the safety of the supporters of the Bohra Youth. Some supporters of the Youth in Bombay who hailed from Udaipur, contacted the reformist leaders in Bombay. These leaders readily agreed to extend all possible support to the Youth movement in Udaipur. Contractor was also faced with a personal problem in those days. His daughter was to marry but the high priest refused to solemnize the marriage. Miss Yasmin Contractor his daughter, then wrote a letter which was published under the title "A Damsel in Distress" by the *Times of India* and other papers. Public opinion was so much aroused that the high priest was forced to depute a person to solemnize her marriage. This infused a new life into the reformist movement in Bombay.

The controversy over the marriage of Contractor's daughter stirred the old reformists of Bombay, while others hailing from Udaipur and settled in Bombay also joined them. Again there were suggestions for convening a conference in Bombay. I suggested that this problem is not confined to the Bohra community alone and had to be viewed in a wider social context. It would, therefore, be more appropriate to form a broad-based committee including representatives of various organizations engaged in the activities for social reform. The idea was appreciated and a committee under the name, The Society for Eradication of Social Injustices was formed with Malti Bedekar, a well-known Marathi writer and a fighter for social reforms, as President.

A manifesto was drafted which declared:

Our country is still in the grip of irrational parochial forces. The religious bigotry reigns supreme. In spite of constitutional guarantees and the directive principles enshrined in it, social injustices like rabid casteism, iniquitous treatment of

women, cruel exploitation in the name religion, etc., are rampant everywhere even after 26 years of our political freedom. The untouchability, though now punishable under the law, is still practiced in its most brutal form.

In pre-independence era, it was argued, the British imperialists propped up obscurantist practices and encouraged religious bigotry.... But our own record, during last more than two decades has not been glorious. Hypocrisy, it appears, has become the main characteristic of our socio-political system. Though we talk big our tryst with destiny etc., we act quite to the contrary.

The Society for Eradication of Social Injustices shall endeavour to organize and sustain the forces pressing for change. It would launch public movement to rouse the conscience of people against the inhuman and anti-secular practices indulged in either by politicians or the high priests of various sects and creeds. It would demand the benevolent use of wealth collected by high priests and pontiffs of different sects by way of offerings and religious tithes.

A conference was organized by the Society on 8 December 1973 which was largely attended by the citizens of Bombay. It took place in Cama hall. Various institutions belonging to different communities and groups wedded to the ideas of secularism and social reform participated in the conference. A delegation from Udaipur also came to take part. Abidali Adeeb, secretary of the Bohra Youth, Udaipur and Dr. Alam Shah Khan, a Muslim supporter of the Yough organization spoke, giving details of the persecution of the reformists at the hands of the priestly establishment. Namedeo Dhasal of the Dalit Panthers also took part in the conference along with Dara Cama of the Parsi community, Tarkirth Laxman Shashtri Joshi, a well-known Marathi scholar and a rationalist, Gurshani — a Sindhi reformist — and several others.

None other than the Bohra high priest took notice of this conference. Though the Hindus, Parsis, Christians and Muslims, all had participated in the conference and respectively criticized certain malpractices perpetrated in the name of religion in their

communities, no one except the Bohra priesthood launched an offensive against the conference. Next day some Urdu papers brought out supplements at the instance of the henchmen of the high priest condemning the conference as anti-Islamic and raising the slogan of "religion in danger" as was so often done by vested interest. A few local Muslim leaders were also made to issue statements condemning the conference as a design against Islam. The rejoinders written to these statement and articles in the Urdu papers were not published by them. Some of the Urdu papers unabashedly demanded amounts more than what was allegedly paid by the high priest of publishing rejoinders.

On 15 December 1973, a few days after the Cama Hall conference, the Bohra Youth Association was formed in Bombay with Abdulhussain Nazim as the president and Ismail Attarwala as secretary. Many persons from Udaipur and other places joined it. At that time some young professionals, mainly engineers, took active part in promoting the cause of that organization. The members of the Friend Circle, Bombay and some persons from Udaipur held a meeting in the Nagpada Neighbourhood House which I was also invited to attend. The first ever public meeting of the supporters of the Bohra Youth in Bombay was, in a way, quite successful. The people of Udaipur resolved in this meeting not to succumb to the pressure from the high priest for submitting an apology individually on his items.

The movement steadily grew in Bomby and many old reformists were emboldened to become active again. Contractor, A.H. Nazim, Attarwala, myself and other friends felt greatly encouraged to broaden the base of our activities. Shashi Bhushan, an M.P. belonging to the then ruling Congress, visited the city. He was progressive and was known for supporting the cause of minorities in India. He was persuaded by us to address a meeting of the Bohra Youth in the Nagpada Neighbourhood House on 22 November 1974. The daily newspapers carried the announcement of the meeting. The priesthood brought maximum pressure on him through important political leaders of the city not to attend the meeting. However, he did not flinch in his resolve to address our meeting. In my introductory speech, after throwing some light on the nature of the prob-

lem I requested him to raise this issue in parliament and to bring pressure on the government to inquire into our allegations.

Shashi Bhushan assured the audience (the hall was packed, in fact, overflowing) that he would certainly raise the issue in parliament. He also said that if there could be an Ajmer Dargah Sharif Act and a Pandharpur Temple Act, why could there not be one for the charitable properties of the Bohra community which could be valued in several crores? Bhushan also advised the high priest to act in the interest of his community and the country at large. "Those who renounce worldly temptations," he said amid applause, "are worshipped like gods in this country whereas those who run after power and pelf are denounced as devils. I wish Sayyidna Saheb to be a good citizen and a true spiritual guide for his community." It seems a few of the Sayyidna's men were planted among the audience. They started shouting slogans and soon the atmosphere was charged with violence. Shashi Bhushan and other leaders of the reform movement had to be escorted away by the police.

Next day a large number of orthodox Bohras led by Saleh Bhaisaheb, the high priest's uncle, surrounded Shashi Bhushan and demanded an apology for his allegedly derogatory remarks (calling the high priest a devil). Shashi Bhushan maintained that he did not say anything derogatory about the Sayyidna. However, if any word of his had hurt the feelings of the Sayyidna's followers, he is sorry. The mob dispersed from there but the priesthood was determined to make full use of this opportunity to launch an offensive.

Bhushan was to visit Surat (a town in Gujarat which has a large Bohra population) next day to address a meeting of the Youth Congress. The Bohras were instigated by the priestly establishment not to allow him to enter the city. They went on a rampage and a large crowd blocked the Bombay-Surat road near Nawsari. The situation became so serious that the police officials imposed Section 144 in the town and requested Bhushan not to visit Surat. Bhushan, in view of the grave situation, cancelled his visit. However, taking advantage of some accident near Nawsari, the priesthood spread a false rumour that Bhushan's car knocked down a Bohra-Muslim youth.

For two days there were violent incidents in Surat and a

large crowd, allegedly instigated by Dr. Yusuf Najmuddin, the rector of the Jamia Saifiya, went to Shaikh Sajjad Husain—who had reformist sympathies—and beat him up severely. The old man died next day in hospital as a result of the severe beating. His house was also ransacked and his wife and daughter-in-law were molested. We will have something more to say in the next chapter about the miserable plight of some of these reformist priests. Suffice it to say here that one of them, Shaikh Sajjad Husain, lost his precious life at the altar of the Bohra high priest.

The priestly establishment now launched a big offensive against the reformists and their supporters and sympathizers. Due to the Udaipur revolt the priesthood perhaps felt that the ground was slipping from under its feet and something should be done to further strengthen its already vice-like grip over the community. Shashi Bhushan's speech thus proved to be a much awaited godsend for them. The Bohra priesthood decided to organize a protest day throughout India and abroad against the alleged remarks of Shashi Bhushan describing the Bohra high priest as "Shaitan." The protest day was to be observed on 27 November wherever there were Bohras. It speaks volumes about the resources possessed by the priesthood as it is no joke to organize a protest throughout India and abroad within three to four days of an incident. Even the major political parties would find it difficult.

The first shot was fired in Bombay. On 25 November a procession was taken out led by some notorious elements of the Bohra *muhallah* in the Bhendi Bazar area. The processionists soon turned into an unruly mob and started looting the shops and offices of those suspected to have reformist sympathies. The office of a cooperative society belonging to the Bohras of Udaipur was also looted and its records were burnt. Later, the police made several arrests and raided a room by the side of the Qutbi mosque to recover some documents and goods looted from the shops. Among the papers seized there were placards and documents clearly showing a conspiracy to murder some key reformist leaders before 27 November, the day of the protest. The leaders named for liquidation were, besides myself, Noman Contractor Yahya Lokhandwala and Ismail Attarwala. These

heads should roll, it was said in the conspiracy papers, if the reform movement is to be liquidated.

A big protest march was planned for 27 November 1974. We were supposed to be murdered before that date. The looting of shops had created a sensation among the Bohras. All the Bohras were required to close their shops on 27 in order to join the protest morcha. Anyone who did not join ran the risk of having his shop looted in addition to being socially boycotted. As a result of this threat a large number of Bohras joined the procession which went up to Sachivalaya. It is said there were around 12,000 to 15,000 Bohras in the procession. On the same day similar processions were organized throughout India and memoranda protesting against the alleged remarks of Shashi Bhushan were given to the respective district authorities. Those who did not join the procession, for whatever reason, were boycotted. Social boycott in a small and well-knit Bohra community, it should be noted, proves highly disastrous and results in total isolation (sometimes it results in financial ruin as well) of an individual or a whole family.

In every town a meeting was organized in the mosque the day after the procession to boycott those "erratic souls" who dared to keep out of the procession. In every town a few persons were chosen for this punishment. All this was done by word of mouth so as not to leave any proof for legal redressal. This sent a wave of terror throughout the Bohra world. The Shabab (the youth organization for Bohra males) and the Bunayyat (the organization for females) were reshaped in every town and their members were asked to keep an eye on those who were suspected of reformist sympathies. In those days even husbands and wives were afraid of discussing this problem with each other for fear of being spied upon. The network of informers was so efficient that hardly anyone could escape from it. Those boycotted could not be pardoned by the local priest. They had to go to Bombay in the *darbar* of the high priest. Before being ushered into the presence of the high priest for a final apology, they were made to go through very humiliating experiences.

A priest in charge would ask the person concerned to confess his or her guilt. In case there was any hesitation the person would be sternly told that there was an up-dated file

and anyone lying would land himself/herself in further trouble. It is true that in many cases such files were maintained. But in many cases they did not exist. However, so much terror had been spread that the fellow did not dare ask any question and confessed his "guilt" of having maintained a liaison with some reformist or having maintained contact with a boycotted person. Then the person would be asked to sign a very humiliating apology which amounted not only to self debasement but also negation of basic democratic right. The draft would vary according to the nature of the "crime." The person had also to curse himself for the sheer hypocrisy of his having maintained relations with the reformist "Shaitan" named therein. If the person happened to be a firm supporter of the reformist cause he would not be pardoned on the basis of a mere written apology. The priest in charge would first treat him with the choicest of abuses. He would then be taken to the high priest where a host of his "followers" would hit him or kick him while calling him *munafiq* (hypocrite), *kafir* (unbeliever), *Shaitan* and so on. This led to some cases in which persons became unconscious. After being subjected to such indignities the person would be granted "pardon" by the high priest—"the embodiment of mercy." Even then the person concerned would remain on the blacklist and could be hauled up any time on the pettiest of excuses. In that period of priestly terror thousands of Bohras had to undergo this agonizing experience in order to make their peace with the community. Some cases will be described in detail later. For the Bohra community it was a period of "fascist terror." It is by no means over.

The reformist leaders, in order to give shape to the movement in that critical period decided to form a central organization. It was decided to name the organization "The Central Board of Dawoodi Bohra Community." An ad hoc body was formed with Noman Contractor as the Chairman. The Bohra Youth of Udaipur also declared its affiliation to this central body. A sub-committee was appointed subsequently to draw up a constitution on a democratic pattern which was to be ratified in the All-World Dawoodi Bohra Conference. Office bearers were to be elected as provided for in the constitution after its adoption

along with the members of the central executive committee. Until the conference the ad hoc committee was to function.

The immediate problem before the Central Board was the pending marriages of more than a 100 couples as the Bohra high priest was refusing to solemnize them. It must be noted here that the Central Board was formed to provide a democratic alternative for the secular affairs of the community. It was *not a religious alternative*. For this reason the Central Board made it very clear that it had no reservations about accepting the religious headship of the high priest. It was only opposed to his total domination over the secular affairs and personal lives of the Bohras. Therefore, the Central Board desired these marriages to be solemnized by the Sayyidna Sahib himself.

A memorandum was sent to the head priest on behalf of the Central Board. His headship was unhesitatingly and unreservedly acknowledged and he was earnestly requested to solemnize the long-pending marriages in Udaipur. However, the Sayyidna—or rather his dominating brothers—maintained a studious silence on the matter. It was also made very clear in the memorandum that the reformists represented by the Central Board, while acknowledging his religious leadership, wished to put three demands before him: (1) that the funds collected by way of religious taxes and tithes like *zakāt*, *fiṭra* etc., be accounted for regularly and that these funds be spent for the needy and poor as prescribed by the Quran; (2) that a democratic set-up be evolved for the functioning of Jamats at the central as well as local levels and a constitution be drafted defining the rights and duties of elected members vis-a-vis the rights and duties of the chief pontiff in such matters; and (3) the pending marriages in Udaipur be solemnized and that marriages and burials should not be obstructed as was happening.

As there was no reply from the priesthood despite several reminders both from the Central Board as well as the Bohra Youth from Udaipur, other moves had to be initiated. A deputation of the brides-to-be went to Delhi on 16 April 1974 and met the then Prime Minister Mrs. Indira Gandhi to appraise her of their woes. These “damsels in distress” were given a patient hearing by Mrs. Indira Gandhi but she could not do much in the matter. Salehbbhai Abdul Kadar, a Bohra M.P. from Bombay

was asked by her to discuss this matter with the Sayyidna and persuade him to solve the problem. However, the latter even refused to meet the Prime Minister's envoy. Dr. Najmuddin met him and reportedly scolded him for undertaking the mission. Kader made it clear that he had to comply with the Prime Minister's request. The delegation of the brides also met the President Fakhruddin Ali Ahmed in Rashtrapati Bhavan on 17 April 1974. President Ahmed had very close relations with the high priest and his family. Nothing came out of that either. However, for the press in the capital it became a front-page news. Various papers vied with each other to carry the story. But the brides had to return without much hope of their problem being solved.

At last the Bohra Youth Organization of Udaipur sent a last appeal to the Sayyidna on 6 November 1974 to solemnize the marriages and fixed 15 December as the deadline for a reply. The acting '*āmil*' of Udaipur, on inquiries told the Youth leaders that their request was not forwarded through him and hence it could not be considered. Another request then was forwarded through the acting '*āmil*' on 20 December to which no reply was received till the day of the marriages. The Youth leaders, therefore, announced the date of the mass marriage to be performed independently in consultation with the leaders of the Central Board. The mass marriage was to take place on 16 March 1975.

It was an event of great significance for the Bohras of Udaipur as well as for all the supporters and sympathizers of the reform movement. Marriage and burial were the two occasions on which the priesthood causes maximum harassment either to extort money from, or to take revenge on suspected sympathizers of the reform movement. A large number of Bohras were now anxiously waiting for the day of mass marriage as it meant a turning point for the movement and a hope for possible emancipation from the tyranny of the priesthood. Not only this, the whole city of Udaipur was agog with enthusiasm. The people had seen the upsurge of the Bohras of their town for democratic freedom, justice and emancipation from the yoke foisted on them by the priesthood. They had also seen the persecution to which these Bohras were subjected by their priests. Even the struggle for marriages had gone on for two years.

It was thus a red letter day for the people of Udaipur in

general. The festivities began a week earlier. A number of key places were illuminated and decorated. The Bhandari Darshan Mandap where the main ceremony was to take place was the scene of feverish activities. A huge *pandal* was erected to accommodate an expected crowd of 25,000 people. The main building was beautifully illuminated. Various city organizations and committees had erected arches on the route through which the marriage procession was to pass. It seemed as if it was not the cause of the Bohra Youth alone, it was a human cause towards which all the people of Udaipur had sympathy.

The intellectual community of Udaipur was wholeheartedly one with the cause of the Bohra Youth. As a mark of its support 133 teachers of Udaipur university brought out a printed pamphlet congratulating the Youth for its courage and determination. The pamphlet was widely distributed. It said, among other things: "The educated community of this city is fully aware of the activities of the Bohra Youth. It was through the liberation movement of the Youth that the common man became aware of the degree of control exercised by the high priest Saiyydna Dr. Muhammad Burhanuddin over the Dawoodi Bohra Jamat. A Dawoodi Bohra remains, from birth to death, a slave to the Saiyydna's permission. Without his permission, let alone marriage, even a dead body cannot be buried . . . A Dawoodi Bohra can exist only with permission. He ceases to be Dawoodi Bohra without this permission . . . In this way Saiyydna Saheb is running a parallel government and is enforcing his own laws as against the representative government of the country . . . No conscious citizen of this country can accept such totalitarian authority of any religious priest . . . We, the teachers of Udaipur University, heartily congratulate the Bohra Youth on its first grand victory and wish a happy conjugal life to all those who are getting married today." The signatures of 133 teachers are appended on this pamphlet.

There was an unprecedented crowd on the day of the mass marriage, 16 March 1975. The *pandal* which had a capacity of 25,000 proved hopelessly insufficient for the purpose. Police had a difficult time controlling the crowd. However, at no stage there was breach of peace. People were fully aware of the solemnity of the occasion and were determined to maintain decorum. Seated on the podium were central and state ministers,

some political leaders, the Maharaja of Udaipur, leaders of the Central Board and Bohra Youth, Bohra, Muslim, Hindu, Sikh, Christian and Jain priests and some other guests. Another unique feature of the mass marriage was that the marriages were solemnized in the presence of the priests belonging to all important religions in India. The Bohra high priest declares even the *nikah* performed by a Muslim Qazi as *ḥarām* (illegitimate). On that day three Muslim Qazis performed several *nikahs*. In all, 107 couples got married after an arduous struggle of more than two years. This unique event was covered by the Indian as well as foreign press and television and B.B.C. and West German T.V. cameramen were present. The Films Division also covered the ceremony.

Also, on this occasion, a declaration was issued by the chairman, Central Board of Dawoodi Bohra Community. It will not be out of place to quote a few excerpts from this important document. It began:

The Dawoodi Bohra Community is, as is well known, traditionally a peace loving and small business community. It subscribes to the basic tenets of Islam and takes due pride in the great Islamic culture. However, its schismatic origin and development in Arabia and, later, its transplantation to India gave it a unique character and sense of identity of its own. The Fatimid rulers of Egypt, who are revered as holy Imams, created a glorious era of culture which has acquired a place of pride in the history of Egypt. The Fatimid mission was later transferred to India—a country of phenomenal hospitality—where it flourished and grew and created a history of its own. The Bohras, who embraced this faith, are as much proud of belonging to this great country as of belonging to the body Islamic

Then the Declaration, after talking of the reform movement in general, comes to the struggle launched by the Bohra Youth:

The name of the Bohra Youth Association, Udaipur, would be inscribed with the letters of gold in the history of the Bohra reform movement. Its enthusiastic members, young and old alike, fought with unflinching determination to keep

the torch of freedom and dignity burning. They did all the Bohras proud. Their sacrifices and heroic fight constitute a saga of bravery and courage in the history of this movement The Central Board makes solemn declaration on this auspicious occasion that it would strive to organise the socio-economic affairs of this community on democratic lines and provide a meaningful alternative socio-economic set-up while retaining its loyalty and allegiance to the great institution of the Fatimid Dawat. It would undertake constructive activities to enable the community to play a significant role in the larger interest of its members and that of other fellow countrymen.

The All World Dawoodi Bohra Conference

As stated earlier, so far only an ad hoc committee was conducting the affairs of the Central Board of the Dawoodi Bohra Community. The office bearers and the central executive committee could be elected only in a general convention. Also, a draft constitution was being prepared which could be adopted only by a representative gathering. It was, therefore, decided to convene an all-world conference as, apart from India, there were supporters of the reform movement in several other countries as well. The sub-committee appointed for this purpose decided to hold the conference on 17-19 February 1977, in consultation with the leaders of the Bohra Youth. The venue of the conference was also decided, in consultation with them, to be Udaipur. The response from both India as well as abroad was very encouraging as a large number of people were anxious to participate in the proposed conference.

However, there was an element of uncertainty. The priesthood had started their machinations to sabotage the conference at any cost. They wanted to take advantage of the Emergency in the country to get it banned under the pretext of hurting the religious sentiments of the Bohra community. It may be noted here that as the priestly establishment wielded great influence with the ruling politicians in general and the Muslim leaders associated with the ruling party in particular, the Emergency had gone in its favour. The reformists' activities were directly and indirectly suppressed, specially in Udaipur. Again, it was during the Emergency that a T.V. programme on the Dawoodi Bohra

reform movement featuring Noman Contractor and myself, and conducted by Kamleshwar was cancelled under pressure from the Saiyydna's establishment on the well-known pretext of interfering with religion. The re-recorded programme, too (deleting the so-called "objectionable remarks"), was never shown despite the station director's promise to do so. It clearly shows how easily powerful vested interests can influence the media. After all these years of experience I am convinced that the greatest impediment against any meaningful social change in our country are our politicians whose sole aim is to retain power at any cost. Their rank opportunism does immense harm to such movements. The Bohra priestly establishment is known to be giving huge donations to the ruling parties in order "to buy license for tyrannizing the Bohras" as a Bohra friend, having secret sympathy for the movement, said.

In this connection I would like to cite an instance with due apologies as the person concerned is dead now. The mausoleum of the father of the present Saiyydna was completed at the cost of around four crores in 1975. On the inside of the walls of this mausoleum the verses of the Koran were inscribed in letters of gold and diamonds and other precious stones were studded in many parts. Most of the Bohras thought it to be an extravagant project for which they had to pay through their noses (it was made compulsory for every Bohra family to contribute a certain minimum amount towards this fund). In April 1975 this mausoleum was to be inaugurated and President Fakhruddin Ali Ahmed was approached for this purpose by the high priest. When we came to know of it we met the President at Rashtrapati Bhavan and drew his attention to the highly persecutory practices of the priesthood and requested him not to agree to inaugurate the mausoleum as it would go not only against the secular character of our polity but would also lend false prestige to the Bohra priesthood. The President promised to keep this in view if invited to inaugurate the mausoleum. However, to our shock and dismay, he came to inaugurate the mausoleum with accompanying pomp and ceremony. According to our information, more than 12 lakhs were spent on this inaugural ceremony alone. Thousands of Bohra families living in the utter misery of slums had the "consolation" of seeing their religious head in the company of the top dignitaries of the country.

In view of all this we had the apprehension that the high priest might after all succeed in getting our conference banned. They were using all their sources in that direction. However, fortunately for us, Emergency measures were relaxed and general elections announced on the eve of our conference. Moreover, a large number of foreign delegates were also taking part in the proposed conference. So the government found it rather embarrassing to ban the conference outright. Thus the machinations of the priesthood were unsuccessful.

However, the priestly establishment was determined to disrupt the conference by other means. The high priest was brought to Galiakot, a small town having a holy shrine some 75 miles away from Udaipur. The ostensible reason for the high priest's visit to Galiakot was an expected "miracle" in the tomb of the holy martyr Sayyidi Fakhruddin Shahid. Instructions were sent to the Bohras all over India to gather at Galiakot. In Bombay, preparations were made to disrupt the conference. In all some 15,000 people gathered at Galiakot. A day before the conference began at Udaipur, a "miracle" happened in Galiakot. Drops of blood started oozing from the dome of the martyr's mausoleum. "Lo and behold!" it was said, "due to enemies' attack on our religion even the mausoleum of Sayyidi Fakhruddin Shahid was weeping with tears of blood." The Saiyydna himself is reported to have preached a sermon and exhorted his followers to be ready for sacrifices to protect the religion. Now the crowd of 15,000 persons was ready to enter Udaipur and break our conference even "if rivers of blood flow."

We were to start by car from Bombay and the plan leaked out. Our well-wishers among the ranks of the "loyal followers" of the Saiyydna secretly warned us on telephone not to proceed by road as a plot was being given final touches to attack our car and kill us after we crossed the Rajasthan border near Ratanpur as the road there was narrow and lonely. We therefore, cancelled our journey by road and instead proceeded by air. When we entered the city of Udaipur it was being heavily guarded by the Jawans of P.A.C., as if the town was in imminent danger of being attacked. Indeed it was. All the entry points to the town were sealed. The police authorities were allowing only those genuine Bohras who had come to attend the conference after a thorough check. The authorities were determined not to allow

those 15,000 persons to enter as their intentions were by no means peaceful and their entry would have amounted to sure disaster.

All the participants were under continuous tension. The conference was being held under the shadow of guns and every minute the police officials were on our heads asking us to hurry up. We were not allowed to hold the inaugural function as planned in a *pandal* constructed for that purpose on the open ground of Bhandari Darshan Mandap. We were huddled in a hall which, although sufficiently large, was not enough to accommodate all the delegates. Many people had to stand or sit on the floor all around. At 9 A.M. the building was completely surrounded by the police and no one was allowed to enter, not even our genuine supporters. Kamleshwar, the noted Hindi writer, who was to inaugurate the conference, came around 9-15 A.M. and he too was refused entry. He telephoned the district collector who fortunately knew him and with his permission he could enter the hall.

With all these precautions which the police took, some thousand persons did manage to infiltrate into Udaipur and they took out a procession protesting against the conference. So much violent opposition on the part of the high priest was really beyond anyone's comprehension as the reformists had held the conference to adopt the constitution and elect the office bearers of the Central Board and members of its executive committee. But the priestly establishment wanted to crush any such attempt perhaps because they knew that once a democratic organization started working in a section of the community, it will not for long remain confined to that section alone. Any democratic or revolutionary ideal cannot be confined to a section of the society; the oppressed and the exploited soon start clamouring for it and oppressors dread this most.

Under pressure from the police authorities, the conference had to be curtailed by a day. It was wound up after two days' deliberations. But the whole agenda had been covered. The conference was presided over by Shri Hatim Durbar from Canada who was an old reformist and was once associated with Mahatma Gandhi and had taken active part in the Quit India movement in 1942. He was passionately attached to the Bohra reform movement and came all the way from Canada to preside over it. Kamleshwar, who had written extensively

for the Hindi magazine *Sarika* made a moving speech while inaugurating the conference. He said that "it was not the problem of Bohras as such; it was a human problem and should be viewed in that light. I am supporting the cause of reform, as the Bohras fight for social justice, not as a follower of this or that religion but as a human beings."

The draft constitution prepared by the sub-committee was adopted. For the first time in the community—at least as far as the reformist section is concerned—all persons, irrespective of sex, got voting rights. According to the constitution any Bohra above 18 years of age is entitled to vote in the *jamat* elections. (Later, the *jamat* elections were held on this basis in Udaipur, finally achieving what was rejected by Qaid Jawhar, the high priest's representative whose inept and arrogant handling of the situation led to this revolt.) The constitution accords complete autonomy to local *jamats*, also a long-standing demand of the reformists which the high priest had never conceded. Another unique feature of this constitution is that anyone who declares himself to be a Dawoodi Bohra (believing in the Shi'a Ismā'īlī Mustalian faith) will be treated as such. The high priest, on the other hand, insists that it is his personal preserve to accept or reject a person as a Dawoodi Bohra.

The constitution provides for a central executive committee comprising 60 members elected from different zones in India as well as abroad. The executive committee, to be elected once in two years, will be the central policy making body and will also run the administrative affairs of the community. Apart from the elected members, the chairman and the secretary-general who are directly elected, shall be the ex-officio members of the central executive committee. In the conference at Udaipur, Ismail Attarwala and myself were elected as chairman and secretary-general respectively. The 60-member council was elected, comprising members from Udaipur (Rajasthan), Gujarat, Madhya Pradesh and Maharashtra, in India; and Canada, Kuwait, Yaman, Pakistan, U.K. and Ceylon from abroad. Ghulam Husain of Udaipur and Mehfuza Sanawarwala of Bombay were elected as vice-presidents.

The conference was also attended by some well-known Dalit writers from Maharashtra like Babuji Baghulji, Daya Pawar and Arjun Dangle. While speaking at the conference, Baghulji said

that the plight of the reformist Bohras appears to be a degree worse than that of the scheduled castes. Untouchables cannot be touched but can be spoken to. Here one can neither touch nor speak with the reformist Bohras. The high priest, he said, is creating another category of untouchables in our caste-ridden country although Islam is against such abominable practices. He, therefore, appealed to the Government of India to take suitable measures to put an end to such anti-social practices as they are against the very ideals enshrined in our constitution. He also moved a resolution calling upon the government of India to enact legislation against the practice of social boycott. The resolution was unanimously passed with great applause.

The entire priestly machinery, after the conference, started working at a feverish pitch to propagate the lie among the Bohras that the conference due to their opposition never took place, that only a few persons held a closed door meeting for a couple of hours and called it a conference. Only when the Dawoodi Bohra Bulletin carried the details of the conference did our sympathizers in different parts of the country come to know the truth. Of course, the national dailies and the local papers of Rajasthan had also carried the news. When the priesthood's bluff was called off, it became highly embarrassing for them. So, in order to divert the attention of the Bohras from the conference, a series of "miracles" were performed at the tombs of various Bohra saints.

It started with Galiakot. We have already referred to it above. The second miracle happened at Bombay at the recently-constructed mausoleum we discussed above. One day in March 1977, the high priest entered the mausoleum around 10 A.M. On his entry he saw water "oozing out" of the walls of the mausoleum. Lo and behold! it was a miracle. The stones of the mausoleum were "weeping," remembering the tragic fate of the grandson of the prophet, Imam Husain. Allah accorded this "proud privilege" to the mausoleum of the high priest's father. All the Bohras from the city and suburbs were asked to visit the mausoleum to witness the unusual miracle. In no time thousands of people assembled. The press was also informed and a press party was taken round the mausoleum at about 4 P.M. They found the walls almost dry. They were told by the high priest's representative who pointed out the yellowish trail along

which the water had flown that since afternoon water had stopped oozing.

Many persons like Dara Cama, a Muslim chemist, Muzaffar Ali and myself, through press statements, challenged the claim. The chemist even said that he could make water appear from any stone publicly. The priesthood was furious. But it could hardly do anything. A suit was filed against the editor of the *Bombay Samachar* and me for having "incited religious passions and hurt religious sentiments." However, perhaps for fear of being challenged in the court for the miracle the suit was not pursued. Thrice I went to the court on the given dates but the plaintiffs never showed up. At mausoleums in Ahmedabad and other places, similar "miracles" were claimed. The whole community was now busy discussing the miracles. The high priest, at least for the time being and to some extent, succeeded in diverting the attention of the Bohras from the real issues involved in the reformists' fight. Thus as the reformist movement gathers momentum, the priesthood, with ever greater vigour, tries to push the community more and more backward. But the priesthood's success in this direction is more apparent than real. The forces of change (this is not a cliché; what I am saying is based on realistic assessment) are far stronger than those of status quo.

Prelude to Nathwani Commission

The All-World Dawoodi Bohra Conference was held at Udaipur when momentous political developments were taking place in the country. The Emergency had already been relaxed and the general elections announced (it was one of the reasons why we were allowed to hold the conference though earlier the Chief Minister of Rajasthan, Hardeo Joshi, had not taken a very favourable view of granting permission). The Janata Party was voted to power in the March 1977 elections, and Morarji Desai became the Prime Minister. It was a day of rejoicing for the Bohra reformists along with other fellow citizens who had suffered under the arbitrary and authoritarian rule of the Emergency. Desai knew the Bohra problem very well as in 1948 it was he who had piloted the bill prohibiting the obnoxious practice of excommunication in the then Bombay Legislative Assembly but which, thanks to our rather conservative judiciary, was sub-

sequently struck down on a narrow technical ground by the Supreme Court in 1961.

The Congress government and Party leaders, with the solitary exception of Morarji Desai, had not been helpful to the reformists in their 33-year rule. In fact the then high priest Sayyidna Tahir Saifuddin had started building contacts with the ruling party through a well-chalked-out strategy. Prominent Muslim leaders like the late Dr. Zakir Husain, Col. Bashir Husain Zaidi (the latter had a large number of shares in Asian Electronics—an industry belonging to the priestly family) and others became instrumental in promoting liaison with the ruling party. It was with this in view that the fifty-first high priest had announced a large donation to the Aligarh Muslim University when Dr. Zakir Husain was its Vice-Chancellor in the early fifties. Slowly, the priestly family developed close contacts with all important Muslim leaders and the Congress Party bosses and these contacts always stood them in good stead vis-a-vis the reformists. The reformists' pleas were never heeded although in theory the Congress Party was wedded to the ideals of democracy and secularism and lessening the influence of obscurantism. They always had their eyes on votes and the enormous wealth of the priestly family. Ideals can wait indefinitely, but not so the lure of wealth and power so near at hand.

The reformists rejoiced the most on the defeat of the Congress Party for another reason also. All the prominent Muslims with whom the priestly family had close ties were swept away from the political arena. The high priest had thus suddenly lost all leverage with the ruling elite, whom they had cultivated for so long at a considerable cost. The reformists saw a slight advantage as in the new central cabinet there were quite a few members who had supported their cause when in opposition, for example George Fernandes. In fact in the 1967 general elections, the high priest had openly espoused the cause of S.K. Patil and had issued a secret *firman* to the Bohras in the Bombay South constituency to vote for him and defeat Fernandes. Thus, after the Lok Sabha elections of 1977 the reformists launched a poster campaign. The slogan was: "The nation has been liberated. What about the Bohras who are living in a permanent Emergency? Help liberate them too."

Meanwhile, in Maharashtra too, the S.B. Chavan ministry had

to resign and Dada Patil was installed as the new C.M. The high priest had cultivated relations with Shankar Rao Chauhan but did not have much acquaintance with the new C.M. The reformists, along with some other organizations sympathetic to their cause, organized a seminar on the menace of social boycott on 4 June 1977 in Sunderbai Hall, near Churchgate. S.M. Joshi, Chairman of the Maharashtra Janata Party unit presided and Vasant Dada Patil, Chief Minister of Maharashtra inaugurated it. Shri Patil, in his inaugural address, condemned the practice of social boycott as un-Islamic and pledged his support to those who were fighting against this menace. He also assured the audience that he would soon introduce a bill in the Maharashtra legislative assembly banning this anti-social practice. S.M. Joshi said that a great deal of pressure was brought on him by the priesthood and their orthodox followers not to attend the seminar. But he firmly told them that the seminar was not against any religion or religious beliefs but against its misuse by certain vested interests. If at all he found that anyone was using undignified language against the religious head or casting slurs on religious beliefs he would not hesitate to walk out. Despite this categorical assurance, he told the audience, those people continued to pressure him not to attend the seminar. He was even threatened that his chairmanship of the Janata Party in Maharashtra would be in danger if he insisted on attending the seminar. (Later on they did take out a procession with placards demanding the removal of Joshi from his party post.) After attending the seminar Joshi was fully convinced of the reformists' struggle against the misuse of religion by some vested interests. Not only this, he consented to be the president of the Society for Eradication of Social Boycott, formed at the end of the seminar, for follow-up action. Joshi, as we shall see, played a very active role in helping the reformists in their struggle.

The Society for Eradication of Social Boycott met later under the presidentship of Joshi and decided that Joshi should lead a delegation to the high priest to discuss with him the problem of social boycott. Besides Joshi, the delegation was to consist of Noman Contractor, Prof. S.S. Varde, Sarabhai, myself and others. Joshi addressed a letter to the high priest seeking his appointment for the purpose. The high priest did not reply. However, after some time the joint secretary of the Shiat-e-Ali

(the Dawoodi Bohra Jamat of Bombay), Saifuddin Wakharia, replied. He wrote saying that the practice of *barat* (social boycott) was in keeping with the injunction of the Holy Koran and there was nothing to discuss about it. However, if Joshi so desired he could meet the undersigned (Wakharia) at a mutually convenient time and date. There was no mention of meeting the high priest for which Joshi had written the letter.

About the injunction of the Holy Koran for *barat* Joshi contacted some scholars of the holy book. On their advice he wrote back to Wakharia saying that he has been advised by those who have profound knowledge of the holy book that there is no provision for *barat* in the sense in which it is resorted to by the high priest. Only Chapter 9 entitled "Repentance" (*At-Tauba*) uses this word *barat* in the first verse and that too in a different context. The verse reads like this: "A declaration of immunity (*barat*) by Allah and His apostle to the idolaters with whom you have made agreements." This verse was revealed to the Prophet when the idolaters of Mecca broke the agreement they had made with the Muslims. So Allah also absolved the Muslims of this agreement by declaring immunity against it. Both meaning and context of *barat* were quite different here. He again repeated his desire to meet the high priest. To this letter Wakhadia did not reply at all.

Before further moves could be made an incident took place. Contractor was returning in his car along with his daughter and son-in-law from Ahmedabad after attending a Lions Club function. On the way he stopped at Godhra, which happens to be his native place. Godhra has a large population of the Dawoodi Bohras and at one time was the centre of reformist activities. Needless to say, his moves were being watched at the instance of the priesthood. Contractor visited the supporter of the reform movement in Godhra, Saifee Pavagadhwala who stayed close to the Bohra *muhalla*. A 3,000 to 4,000 strong mob surrounded Pavagadhwala's house in no time, which clearly indicated prior planning. The mob carried kerosene tins and rags to set fire to the house. But the fact that a few more families stayed in the same building restrained their intentions.

The mob now tried to break open the door and lynch Contractor along with his and Pavagadhwala's family. The police who had arrived on the scene was watching without taking any steps

to disperse the mob. The mob which was being led by some hirelings from the local Ghanchi Muslim community allegedly raised the slogan "police *zindabad*." However, by the time the mob succeeded in breaking open the door, the collector arrived on the scene along with more police. He rescued Contractor, Pavagadhwala and their families and they were escorted away in the police van. After the Collector departed Pavagadhwala's house was looted and Contractor's car, along with the furniture from Pavagadhwala's house was burnt down. Later, the police made 52 arrests some of whom were committed to the sessions court for attempted murder. This incident took place on 12 June 1977.¹

A delegation led by Joshi on behalf of the Society for Eradication of Social Boycott then met the Prime Minister Morarji Desai on 4 July 1977 in Delhi. The Chairman of the Central Board of Dawoodi Bohra Community, also presented a memorandum to the Prime Minister. The delegation made two principal demands: (1) the Government should appoint a commission to inquire into the allegations of violence, intimidation, social boycott and other forms of harassment and persecution of the reformist Bohras at the hands of the Bohra priesthood; (2) The Government should pass a law in parliament against the practice of social boycott bearing in mind the objections raised by the Supreme Court against an earlier legislation on excommunication.

The Prime Minister listened patiently and said that he was aware of the gravity of the problem and the hardships and persecution supporters of the reformists had to suffer. However, in view of the political complexities involved, it would be better advised if the inquiry is held by a non-governmental institution like the Citizens for Democracy on whose behalf V.M. Tarkunde had recently inquired into the killings of the Naxalites in Andhra Pradesh. He said that the Government could take notice of such an inquiry. As for passing a law in parliament against social boycott, he would have the issue examined by the law ministry. Thus a draft bill was given to him which he promised to pass on to the Law Minister, Shanti Bhushan. That bill was introduced as a private member's bill by Vasant Kumar Pandit in parliament.

After meeting Morarji Desai it was decided to meet Jayaprakash Narayan as he was then the president of the Citizens

for Democracy. Jayaprakashji was staying in Express Tower at that time. We met him along with S.M. Joshi and appraised him of the problem. We also narrated to him the murderous attack on Contractor by the followers of the Bohra high priest. We requested him to appoint an inquiry commission on behalf of the Citizens for Democracy of which he was President. Jayaprakash was shocked to hear the painful story of the persecution of the reformist Bohras and he immediately dictated two letters to his secretary one of which was addressed to the high priest and another to V.M. Tarkunde, the secretary of the Citizens for Democracy. His letter of 14 July 1977 to the Bohra high priest read as follows:

Dear Syedna Saheb,

My attention has been drawn to the sufferings of thousands of families due to the social boycott imposed on the Bohra reformists. The reformist Bohras do not challenge your spiritual status but have been striving for restoration of their democratic rights and preservation of human values. No other consideration, in my opinion, should be allowed to gain supremacy over humanity and freedom of conscience, nor should this issue be considered from the standpoint of political gain or losses.

I would have been very happy if you had publicly condemned the attack on the reformists at Godhra on 12th June. I am aware that no orthodox Bohra would go against your instructions, and, therefore, I appeal to you to provide immediate relief to the suffering humanity by arranging to lift the social boycott and advising your orthodox followers to help restore peace and tranquility,

With kind regards,

Yours sincerely,
Jayaprakash Narayan.

On the same day he wrote to V.M. Tarkunde:

My dear Tarkunde,

My friend S.M. Joshi met me this morning and explained to me how the Dawoodi community is suffering under the injustices perpetrated on them by their high priest—Bada Mullaji—of their community. Last month there was a seminar in Bombay to discuss the urgent need of prohibiting the practice

of social boycott which prevailed in his country in different communities such as Jains, Bohras, the Savarnas and the Harijans. In 1949 when Shri Morarji Desai was the Chief Minister of Bombay State (*sic.*) he had passed a legislation prohibiting excommunication which prevailed in the Bohra community and the right to declare such a boycott by their high priest. However, the Supreme Court declared it invalid and hence the need to prohibit social boycott, not restricted to the Bohras only but applicable to all communities in India.

The high priest functions like a state within a state. He levies taxes and penalises his followers for acts which he considers an offence to him. Recently, a deputation headed by S.M. Joshi went to see the Prime Minister to appoint a commission to enquire into the grievances regarding harassment of the reformist Section of the Bohra community, mostly young men and women. The Prime Minister expressed his inability to appoint a commission on behalf of the Government but he suggested that a non-official committee should be asked to do this work and in this connection the work of our committee in regard to the atrocities perpetrated on the Naxalites in Andhra was mentioned. Shri Joshi suggests that the Citizens for Democracy be requested to appoint a committee to go through the grievances of the Bohras who are struggling to reform their society by getting rid of these superstitions and the atrocities of the High Priest who deprives them of their civil rights.

I think that Shri Chandrakant Daru, along with some others, be entrusted with this task. You could request ex-Justice Nathwani, M.P., to be associated with the committee, of which Daru may function as the Secretary.

With warm regards,

Yours sincerely,
Jayaprakash Narayan

I have quoted the text of the two letters written by J.P. in full as later on a great controversy developed around these. As per J.P.'s suggestion the Citizens for Democracy appointed a committee headed by the ex-justice and then M.P. Narendra Nathwani, to inquire into the cases of harassment and persecution of the reformist Bohras. The other members of the committee

were V.M. Tarkunde, Chandrakant Daru, a well-known lawyer and champion of human rights from Ahmedabad, Dr. Aloo Dastur of Bombay University, Dr. Alam Khundmiri, Prof. of Philosophy, Osmania University, Hyderabad and Dr. Moin Shakir, a well-known scholar of Muslim politics from the Marathawada University, Aurangabad. Daru was appointed as the member secretary. Two prominent Muslims and a Parsi were specially included so as not to arouse minority apprehensions. But, as we shall see, the high priest exploited this potentiality to his maximum advantage. As the first statement to the press for the appointment of the inquiry commission was made by Tarkunde in his capacity as secretary of the Citizens for Democracy, for a long time the press called it the Tarkunde Commission. It was much later that the commission came to be known as the Nathwani Commission. The priestly establishment took advantage of this confusion in the press and spread rumours within the Bohra community that it did not allow the Tarkunde Commission to function and that consequently, the reformists constituted another commission headed by Nathwani.

The terms of reference of the commission were also announced which made it absolutely clear that the Commission would not touch any religious beliefs or dogmas and would *strictly confine its scope to inquiring into the cases of harassment and persecution* of those Bohras who are conscientious objectors to certain inhuman and irreligious practices of the Bohra priestly family. The terms of reference were announced by Chandra Kant Daru in Ahmedabad and were carried by many national and local dailies.

As indicated earlier, the priestly establishment maintained a very close relationship with the Muslim leadership, both religious as well as political. As soon as the terms of reference of the commission were announced, the representatives of the high priest approached these leaders for issuing statements condemning the commission of inquiry as a blatant interference in minority affairs. Maulana Mufti Atiqur Rehman, president of the Majlis-e-Mushawarat, issued a statement (as he told me later on the statement was drafted and brought to him by Col. Zaidi and some representatives of the high priest, and he was persuaded to sign) condemning the commission of inquiry. Referring

to the terms of reference of the commission he alleged in his statement that it proposes to inquire into such matters as whether the high priest maintains a separate flag and a separate army, etc. In fact the terms of reference did not include anything of the sort. The priestly establishment, it appears, forged some terms of reference and circulated the forged document among some Muslim leaders in order to play with the minority phobia.

Many other Muslim leaders, local as well as of national stature, issued statements opposing the Nathwani Commission as it amounted to interfering with the minority religion. In fact the issues involved were being cleverly twisted. For example, this fight had nothing to do with the change in the Muslim Personal Law, nor did the leaders of the Bohra reform movement have or ever have any covert or overt connections with the advocates of the uniform civil code like Hamid Dalwai. But every Muslim leader was told that the reformists' fight too was for change in the Muslim personal law and that they were hand in glove with Hamid Dalwai and others of his kind. In fact in all the important centres in India posters were put up decrying the reformists as the agents of Hamid Dalwai and his group. Posters were put up in places like Patna and Calcutta where there is a sizeable population of Muslims.

It was not for the first time that the priesthood was resorting to unashamed and blatant lies. All along, right from the beginning of the fight at the turn of the century, they have been doing that. The Bohra priesthood had never shown respect for the truth. For it, retaining hold over the community was more important than anything else, even more than truth and religion. The priesthood knew very well that the Muslims were touchy about the question of change in their Personal Law and the easiest way to get them to oppose the Commission was to link it up with that issue. A campaign to this effect was launched especially in the Urdu press. Most Urdu periodicals were paid in one or the other form to carry on a campaign against the reformist Bohras who were accused of being anti-Islam. When approached by the reformists with a clarification they would refuse to publish it. Many of them would openly say "We have been paid so much; you pay us more if you want to get anything published." Of course, it was out of question for us to pay. We were being

painted black by the Urdu press but we were helpless. There were very few Urdu papers who stood by us as a matter of principle without demanding any payment.

However, the top Muslim leadership was well acquainted with our problem. We had approached these leaders on several occasions and appraised them of our struggle for democratic freedom from the totalitarian rule of the Bohra high priest. We even requested them to use their good offices with the high priest to end persecution of the reformists and agree to negotiate with them after lifting social boycott. But they always pleaded helplessness, saying that it was an "internal matter." But now these very leaders, without any scruples, started denouncing "the Hindu Commission" and saw in its appointment a "conspiracy" to interfere with the religious affairs of the minority community. They knew fully well that there were two prominent Muslims and a Parsi on the commission and by no stretch of imagination could it be dubbed a "Hindu Commission." Anyway the Muslim leadership in India has no reputation for integrity and is as opportunistic as any political leadership could be. In fact in order to bargain for political sinecures, these leaders have no hesitation in opposing any purposeful change however beneficial it may be for the Muslims in India.

In fact this opportunistic leadership has always chosen the most obscurantist issues to espouse, as if these are main issues confronting the Indian Muslims today. As a matter of fact they have acquired a vested interest in espousing such causes as these issues, being highly emotional, help them retain their leadership without doing serious work for the uplift of the Muslim community. In the Milli convention held in Delhi in the first week of October 1977 and which was attended by all such "Muslim leaders," of and which was attended by all such "Muslim leaders," of the seven resolutions, incredible though it may seem, six resolutions were related in one way or the other to Muslim personal law. The convention was held to draw the attention of the newly-installed Janata government to the problems of Muslims and was attended by such representative organizations as the Jamaat-e-Islami, the Jamiatul Ulama, the Muslim League the Majlis-e-Mushawarat, the Muslim Majlis, the Tameere Millat, the Deeni Talim Board, the Ahle Hadis, the Imarat-e-Sharia and others.

Sultan Shahin writing about the convention ("Muslim Convention—A Critique") in the *Indian Express* on 14 October 1977, observed, "Why this abnormal obsession with Muslim Personal Law? This is particularly surprising in view of the fact that at the moment there is no move either by the Government or by any section of the people to force any change in the Personal Law. Their concern for the Personal Law which has rightly or wrongly become a symbol of their religious identity is quite understandable. But their obsession with it to the exclusion of all other problems is inexplicable. Obviously the leadership is hopelessly out of step with the real challenges facing the Muslims." Shahin also referred to the Bohra problem in this context as that too was a subject of discussion in the Milli convention. Shahin wrote: "What are the Muslim leaders doing to eradicate these evils? Nothing. Then what right have they to ask the Government not to interfere into what are called 'internal matters' of the community? Why this ballyhoo on the reported appointment of the Tarkunde Commission (he means the Nathwani Commission) to look into the affairs of the Dawoodi Bohra Community. There are strong reasons to believe, at least suspect, that all is not well with the Bohras. Some members of the Bohra community have alleged time and again the worst type of exploitation of the community by its chief. The people and their representative Government have a right to know if these allegations have any substance. Does the Dawoodi Bohra community or for that matter the Muslim constitute a nation within the Indian nation whose "internal matters" do not smack of a belief in the same old, discredited two-nation theory.

I had been to Delhi only a few days before the convention. I met all the important leaders of the Muslim community who later participated in it. Some of those whom I met, were Maulana Mufti Atiqur Rehman, Amir Jamaat-e-Islami Maulana Mohammed Yusuf and the Shahi Imam Abdullah Bukhari. I personally explained to them our problem and made it very clear that our movement had nothing to do with the movement for change in the Muslim personal law. Our fight was essentially against authoritarianism and exploitation in the name of religion. I also explained to them that the Nathwani Commission was appointed to investigate allegations of harassment and

persecution of the reformist Bohras and has given solemn assurance that it has no intention of touching any religious beliefs. I also told them that hundreds of matters relating to mosques or marriage and divorce etc., are investigated and decided by the secular courts having non-Muslim judges and these issues have direct bearing on religious laws or beliefs. What is wrong if a secular commission looks into the grievances of a section of the Bohra community which is allegedly suffering at the hands of the priesthood?

However, these leaders, though they did not reply to my arguments in a convincing manner, doggedly maintained that the commission was, to use the words of Maulana Mohammed Yusuf, Amir Jamaat-e-Islami, "a hanging sword" and that it would "open the floodgates of governmental interference into the affairs of the minority community." I thereupon suggested that the Muslim leaders appoint a commission of inquiry to inquire into our grievances and if a solemn assurance is held out by the Muslim leaders to that effect we would appear before it and request Nathwani to close the inquiry. To my dismay these leaders did not show any interest. And, a couple of days later, these leaders passed the resolution in the Milli convention condemning the Nathwani Commission in strong words. In fact it was projected in the press as the principal resolution of the convention. Not surprisingly the Bohra priesthood bore a day's boarding and lodging expenses for all the delegates.

I had also met the Shahi Imam Abdullah Bukhari in Delhi and explained to him in detail all about our fight against the exploitative practices of the Bohra priesthood. He said he had received many letters from the suffering Bohras of Udaipur. But, how could he, a person living in a small room which cannot even accommodate 10 persons, challenge the might of those who live in grand palaces? I was shocked to hear such comments but, nevertheless, told him that he had challenged the former Prime Minister Mrs Indira Gandhi who was much more powerful than the Bohra high priest from this very room. Even a *fakir*, if he fights for the truth with firm conviction can shake the most powerful monarch; what of the Bohra priesthood, which does not enjoy even political power? The Shahi Imam felt little embarrassed by these remarks and promised me to talk to the high priest in this connection and persuade him to resolve

this matter amicably. And how did he do that? Within a week of my visit he issued a statement to the press strongly condemning the Nathwani Commission which in his words "amounted to blatant interference in the affairs of the minority community." He called upon the Janata Government to ban this unofficial commission failing which very serious consequences would follow and the Muslims would loose faith in the Janata Government.

The story of the betrayal of our cause by the Muslim leaders is very long and painful. In my opinion these leaders are just not concerned with the plight of suffering Muslims. They have only sought to promote their leadership by espousing a few emotionally charged issues like Muslim Personal Law, Aligarh Muslim University, recognition of Urdu etc., as this is the easiest short-cut to power. They are least bothered about the fate of suffering Muslims and their socio-economic plight. As long as they continue to have easy access to the corridors of power and can share the spoils of office by playing up such issues, they will not give serious thought to the actual problems of their fellow religionists.

The Bohra priesthood saw to that the din of protest raised by these Muslim leaders reached the ears of Jayaprakash Narayan, who had initially suggested this inquiry. The priesthood also organized a well-orchestrated campaign of protest among the Bohras. Who can dare to be defiant to their orders among the Bohras? J.P. was flooded with letters and telegrams of protests against the appointment of the commission of inquiry. Those around J.P. (there were a few Muslims also among the people from Patna, the so-called Gandhians) were also pressured by the mighty Bohra priest to persuade J.P. to ban the commission or, at least, disown it. J.P. wrote to S.M. Joshi to come to Patna at the earliest to discuss the matter with him. Responding to the summons from J.P., Joshi went to Patna accompanied by Contractor on 11 September 1977. The high priest's representatives had managed to reach Patna two days before. They had gone with a prepared text of the statement with a view to obtain his signature over it. J.P. was reportedly suffering from amnesia and unfortunately his secretary, Abraham who was with him in Express Tower, Bombay at the time of writing the letter to Tarkunde about conducting the inquiry, was on leave.

Taking advantage of these two facts the crafty representatives of the high priest obtained his signature on a prepared statement before Joshi, whom J.P. had summoned from Poona, could arrive. Prior arrangements were also made by these representatives of the Bohra high priest to immediately release the statement to press, radio and television through a powerful media man who was holding the highest office in the Information Department in Delhi during the Emergency. In fact this retired government officer was reportedly doing public relations work on behalf of the high priest in return for a large salary.

J.P.'s brother came to receive Joshi at Patna airport and broke to him the news of J.P.'s having already signed the statement. Joshi was shocked that the statement was issued without consulting him although he was due to arrive today. The statement issued on behalf of J.P. read: "Mr. Jayaprakash Narayan today denied that he had ever suggested the setting up of an unofficial inquiry into Dawoodi Bohra Muslim affairs. In a statement here, Mr. Narayan said his attention had been drawn to the unofficial inquiry purported to be established at his request into Dawoodi Bohra Muslim affairs. He had also received a large number of representations from Dawoodi Bohras and other Muslim sects. He said, 'I wish to make it absolutely clear that I have never advocated interference by anyone in the religious affairs of any community. Our nation's constitution has taken special pains to guarantee this freedom and that is an ideal that must be honoured and cherished by all. I had never associated myself with the so-called inquiry and further make it clear that politicians or political considerations should not be allowed to infringe upon religious susceptibilities or wound them in any way. Every religious community must have the freedom to resolve its internal religious affairs according to the dictates of its faith and beliefs. It is matter of regret that through a misunderstanding the feelings of the Dawoodi Bohra community in particular, and Muslims in general have been hurt.' Mr. Narayan appealed to all concerned, including the government, political parties and press not to interfere in the religious affairs of any community." (Samachar)

Needless to say, it was a complete *volte face* on the part of J.P. or at least it appeared to be so on account of his amnesia. The statement was prominently carried by all the newspapers'

radio and T.V. Joshi met J.P. and reminded him of the letter he had written to V.M. Tarkunde from Bombay to institute an inquiry into the alleged harassment of the reformist Bohras by the Bohra high priest and also a letter written to Syedna Saheb by him condemning his silence on the violent attacks on some reformist Bohras at Godhra. On being reminded of these letters by Joshi J.P. felt highly embarrassed and was angry with those who contrived to obtain his signature. Ajit Bhattacharya, a noted Journalist, who was then present there suggested to J.P. to write another letter to Tarkunde explaining his position, but the same should not be released to the press to avoid embarrassment. J.P. agreed to the suggestion and a letter was accordingly addressed to Tarkunde and handed over to Joshi for delivering it to him.

Thus knowing full well that J.P. had written letters to both Tarkunde as well as the Bohra high priest, and requesting the former to institute an inquiry, the Syedna's representatives put him in an extremely embarrassing situation by obtaining his signature on a false statement. So much for the "upholders of religion and spiritual values." Not only this, the priestly establishment fully exploited J.P.'s statement for propaganda purposes. Lakhs of posters in English, Urdu, Hindi and Gujarati were printed and put up in important cities and towns of India. The slogan on these posters was "Beware of the Liars." Again they got Urdu papers to write editorials thanking J.P. for issuing the statement. Earlier, all sorts of derogatory remarks had been passed by the priestly establishment against J.P. and now he became a hero. After J.P.'s statement a new terror campaign was started against the reformists. The statement was issued on the eve of Ramzan Id. Some of my close relatives who had planned to meet me secretly (no one can meet, or talk to, a boycotted Bohra) on the occasion of Id sent me a message that after J.P.'s statement the priestly agents had become much more aggressive and so it would not be possible for them to meet me. Our supporters and well-wishers became disheartened and felt that ours was a truly hopeless task and all our efforts would not mean much in view of the rank political opportunism prevailing in the country.

But we did not lose heart. We had not only full conviction in our cause but also complete faith in those to whom J.P. had entrusted the task of carrying out the inquiry. Persons like Nath-

wani, Tarkunde and other members of the commission were persons of great integrity who could not be bought at any price. Even the Emergency regime of Indira Gandhi could not buy their silence, much less acquiescence, for her dictatorial pursuits. They were known for their democratic convictions and nothing other than these ideals had inspired Tarkunde to hold an inquiry into killing of Naxalites in Andhra Pradesh in the face of stiff opposition from the state government. Our conviction was soon vindicated. To begin with Yusuf Najmuddin, younger brother of the high priest and his political adviser, met Tarkunde in the first week of October 1977 in Delhi (in fact Najmuddin, as per my information from a reliable source, had invited Tarkunde to dine with him) to dissuade him from "interfering in the internal matters" of the Bohra community. Tarkunde was reported to have told Najmuddin in clear terms that the commission did not wish to interfere with the religious beliefs of the Dawoodi Bohra Community but was concerned only with the alleged infringement of human dignity and democratic rights of the conscientious objectors of the Bohra Community. In fact if these allegations were false, Tarkunde is reported to have told the Saiyydna's brother, it was good opportunity for them to appear before the commission and clear themselves. Disappointed, Najmuddin returned to Bombay.

The priestly establishment was now convinced that it would not be possible for them to silence the members of the commission by "soft methods." It therefore resorted to harassment and intimidation. Joshi, Nathwani, Tarkunde, Dr. Alam Khundmiri and Dr. Moin Shakir started getting thousands of letters and telegrams some of which contained filthy language and threats of murder. Most of the letters carried the same contents, as it was an organized campaign. Even school children, studying in the sixth or seventh standards and who could hardly understand the issues involved were forced to write such letters. It was made compulsory for parents to contribute a certain amount for sending these letters by registered post. The two Muslim members were made special targets of wrath and the members of their family were repeatedly warned that if they failed to dissuade their son or husband from sitting on the inquiry commission, they would lose them. It must be said to the credit of Dr. Alam Khundmiri and Dr. Moin Shakir that des-

pite such threats, which invariably led to tension in their families they did not shake in their determination. They put up, equally resolutely, with other forms of harassment too.

When despite our repeated appeals to the '*Ulama* and the Muslim political leaders they continued to support the Saiyydna (the Bohra high priest gives small or large donations to various Muslim political parties and groups as well as other institutions and these *ulama* and leaders are in one way or the other connected with these parties or institutions) we turned towards the Muslim intelligentsia. I had some friends among the Urdu writers in Bombay, Delhi, Hyderabad, Patna, Calcutta, Aligarh and other places as I also contribute in my own humble way to the world of Urdu writing. Urdu writers, I must say with a sense of pride, have never been moved by narrow communal passion even in the worst days of partition in 1947. They have, by and large, upheld the progressive and secular causes shunning the dark alleys of parochialism.

First I met my friend Dr. Qamar Rais, Head of the Department of Urdu in Delhi University. He responded enthusiastically. A statement was drafted in consultation with some other Urdu teachers and writers belonging to various institutions. The statement said:

For quite some time we have been reading newspaper reports about the turmoil in the Bohra Community. The Bohra Community is a small, well-knit and peaceful community. But it appears that certain priestly interests have caused a lot of trouble by resorting to strong regimentation. It is well-known that the Dawoodi Bohras do not enjoy ordinary rights like expressing their opinion freely, raising a charitable trust, establishing institutions, etc. The reformist Bohras who are struggling to end this regimentation and wanting accounts for the money collected by the priesthood from the community are being subjected to great deal of persecution. The priesthood frequently resorts to social boycott which has disastrous effects in this small community and brings about separation between mother and son, husband and wife and brother and sister. We strongly condemn such outmoded medieval practices to stifle the movement for asserting human and democratic rights and we welcome the appointment of the

Tarkunde (Nathwani) Commission which has been set up to investigate into these alleged atrocities being committed by the Bohra priesthood. The whole inquiry will be focussed on the issues concerning democratic rights and will have nothing to do with religious beliefs whatsoever. Mr. Tarkunde himself has repeatedly given this assurance. No one, therefore, need raise the issue of interference with the religion of minority community.

The above statement was signed by a large number of Muslim intellectuals and writers of repute belonging to Delhi University, Jawahar Lal Nehru University, Jamia Millia and other institutions. Notable among those who signed from Delhi were Dr. Qamar Rais, Dr. Mushirul Haq, Head of the Department of Islamic studies, Jamia Millia, Dr. M.S. Agwani, Dr. Siddiqur Rehman Qidwai, Dr. Aslam Parvez, Dr. Zafar Imam, Dr. A.W. Ansari, all from Jawaharlal Nehru University, Dr. Mujib Rizvi, Ghulam Rabbani Taban and many others of Jamia Millia, Delhi, Dr. Aquil Ahmed, Dr. Rashid Hasan Khan of Delhi University and many others.

I then approached the teachers of Aligarh Muslim University. I had no personal contacts with anyone there. However, I was confident of my cause. To my great surprise I found that most of the teachers of the A.M.U. were aware of the cause for which we were fighting. It was in this university that Dr. Zakir Husain had tried to project the image of Dr. Tahir Saifuddin, the then chief pontiff of the Bohra community, by making him the Chancellor. He was the father of present high priest and he did not enjoy much popularity there. Most of the teachers were, by and large, sympathetic to our cause, and welcomed me enthusiastically. I was gratified to know that most of these teachers knew me at least by name and, therefore, I did not encounter any resistance worth the name against our mission. On the contrary I found ready response to my mission; I also discovered that most of the teachers and students were highly critical of the ways of the Bohra high priest.

Dr. Mahmudul Haque of the department of Islamic studies and Dr. Maqbool Ahmed of West Asian studies readily extended their support to our cause. Prof. Irfan Habib the well-known historian and the then Head of the Department of History, Aligarh

Muslim University, unhesitatingly signed the statement which was drafted and signed by the Muslim intelligentsia of Delhi. Dr. R.R. Sherwani and 38 other teachers of the University followed suit and thus in a couple of hours I got 40 signatures from Aligarh University. Similarly, I rallied round the educated Muslims in Patna, Calcutta, Bangalore, Hyderabad and other places without much difficulty. In fact I found that they were generally not happy with the stand the Muslim leaders and *'ulama* had taken on this issue. They did not think that the probe into the allegations of harassment and persecution of the reformist Bohras by the Nathwani Commission would, in any way, amount to interference into the religious affairs of the minority community. From Bombay too, many well-known writers like K.A. Abbas, Qurratul Ain Hyder, Aziz Qaisi, Akhtarul Iman, Ismat Chughtai, Rahi Masum Raza and also Mulk Raj Anand and Sardar Jafri lent support to our movement. The vigilance machinery of the high priest is so alert that all those Muslim intellectuals who had signed in our support received threatening letters within a week's time. It speaks volumes for the efficiency of this semi-fascist machinery which found out the addresses of these persons spread all over the country.

With the Muslim intellectuals rallying round us our case was strengthened and the impression that the Muslims in general were opposed to the inquiry, created by a few decrepit and opportunist Muslim leaders, lost ground. Now some Urdu papers of Calcutta, Hyderabad, Delhi, Bangalore and other places started writing in our favour. As a result of this the priesthood felt frustrated and in sheer desperation started physical violence. I was thus violently assaulted at the venue of the press conference in Calcutta on 8 November 1977, and was not allowed to carry on the proceedings. They also did not allow me to address a meeting of prominent Muslims of Calcutta at the premises of the Muslim Institute. Then in December 1977, I was similarly assaulted at Hyderabad outside the hotel on Abids Road where I was staying along with another Bohra supporter from Hyderabad. I had to seek police protection as the high priest's hirelings followed me everywhere. The same day the member of the inquiry commission from Hyderabad Dr. Alam Khundmiri was also assaulted in broad daylight.

Similarly, the Bohra priesthood, when it came to know that I was invited to deliver a lecture on *Islam and Humanism*, by Bangalore University on 26 November 1977, brought pressure on the Governor of Karnataka through some local Muslim leaders branding me as "anti-Islam" and got it cancelled. It was most unfortunate that the Governor, though the text of my lecture was already with the university, cancelled the lecture without even going through it and finding out whether it really had an anti-Islam slant or not.

When the high priest failed to prevent functioning of the inquiry commission despite all methods, fair and foul, he decided to provoke the entire community to start an agitation against it. A cry of "holy war" (*jehad*) went up in the air. Orders were issued by the high priest to all the 'amilis to organize an agitation in their respective towns and cities. Thousands of rupees were collected in each town from the Bohras under the threat of boycott to finance the agitation. Local papers were paid to bring out special supplements denouncing the Nathwani Commission. A few followers of the high priest issued a statement that they would undertake a fast unto death if the Commission did not stop functioning. That no one ever undertook such a fast shows that such a statement must have been issued under pressure of social boycott. However, relay fasts were undertaken in a number of towns and cities in public places. Due to lack of contact with the reformists quite a few people really did not know what it was all about. But the educated Bohras who read newspapers were aware of the problem and while under pressure of social boycott they opposed the Commission outwardly, in their heart of hearts they wished for its success. A large number of Bohras either anonymously or through other means kept making anxious enquiries about the functioning of the Commission.

At many stages the priesthood spread false rumours that the Commission has been disbanded and compelled people to celebrate victory. On such occasions people from far would try to contact us to find out the truth as they were anxious that the Commission should complete the enquiry and submit its report thus exposing the despicable methods used by the priesthood to stifle the voice of conscience. When the Commission invited complaints we were not sure how many Bohras would venture

to come forward in such an atmosphere of terror. The Commission had made it clear that those who did not want to disclose their identity should say so in the complaint and such persons would be examined in camera and their names would be treated in strict secrecy. This announcement had its effect and the response was beyond all expectation. The Commission had to get the forms printed twice and many more people submitted their grievances on plain paper without any printed proforma. In fact it became a problem for the Commission to sort out these cases. It clearly indicates that the community—specially the educated section—is feeling suffocated in the strictly conforming atmosphere sought to be imposed by the priests and are keen to be liberated from its oppressiveness but are not ready to pay the necessary price.

However, this should not make us oblivious of certain facts. A small but determined section of the community is with the high priest. Like other rulers, the priesthood has shrewdly cultivated this section. The methods are the same old ones employed by other rulers. A few people are given titles by way of special recognition and, like in any other society, there are quite a few who desire this kind of recognition and are even ready to barter their conscience for it. Some of them do so for secular positions in municipalities, state assemblies or parliament. It should not be a great surprise to note that even some known reformists did so for certain personal advantages, political or otherwise. After all the high priest holds formidable money-power which is, more often than not, converted into political power. Such people often came to the forefront to oppose the Nathwani Commission and created more complications for us. But they lacked the moral conviction and consequently any real support from the community, and therefore despite an apparent hue and cry, could not be very effective in forestalling the Commission.

In every town and city while this opportunist section was busy organizing protests against the Commission, an equally determined but silent section, furtively of course, was sabotaging the protest by supplying the press and other non-Bohra sections of the population with the facts of the situation, in many cases without our knowledge or permission. In fact it was this moral and invisible support which kept our movement going,

though we were desperately short of human and material resources. It was for this reason that although the high priest tried his best with all his superior resources, he could not deter us from going ahead with our mission. To oppose the Nathwani Commission the priesthood even organized protests in many foreign countries, at times using dangerous slogans. For example, in California, U.S.A., they raised slogans like "Islam in danger in India." Reporting about this demonstration *Bilalian News* from the United States in its issue of 28 July 1977 writes: "Citing religious harassment in their homeland of India, a group of Muslim demonstrators protested before the Indian Consulate General's office in Chicago recently to make their plight known. . . .

"The protesters, members of the Dawoodi Bohra Muslim Community, headquartered in India, declared that in recent months there has been increased harassment of Muslims in India, resulting in numerous injuries and deaths. 'Islam is spreading in India and there are those who don't want to see it spread,' charged Salman Rashid, president of the Chicago-area Dawoodi Bohra Community. Islam is in danger now in India'." Thus, after emphasizing the alleged "danger to Islam" in India Mr. Rashid, according to *Bilalian News* concluded that "we seek support of the U.S. Government and its people to help establish true democracy in India." Mr. Rashid perhaps may not know the implications of what he was talking about but the priesthood who provoked him to do so for their own ends certainly did. This mixture of falsehood and half-truths was deliberately concocted by the priestly family to mislead the Negro Muslims of the U.S.A. who are quite militant. Outside India too the Bohra priesthood was cleverly trying to convert this problem into a problem of the Muslim minority in India, which is far from true. This is something which the Muslims did not do abroad even after the catastrophic riots in Ahmedabad and Bhivandi in the last decade.

The reformist Bohras, too, demonstrated in favour of the Commission in the U.K. and other countries of Asia and Africa. They urged the government of India and the members of the Commission that the inquiry must go on in the interest of suffering humanity. A large number of the Bohras settled in

Leicester came to participate in the demonstration in London. These Bohras came to the U.K. from Uganda and became the targets of the high priest's wrath for their reformist convictions. They submitted a long memorandum to the Indian High Commissioner in London along with the copies of several documents. The copy of the memorandum was sent to the Nathwani Commission also. I would like to quote a few excerpts from it here:

Your Excellency,

We represent the progressive section of the Dawoodi Bohra community in U.K. Our membership is chiefly composed of immigrants from East Africa and India, the majority being from Uganda.

The differences of opinion with our priest class and their oppression of our group date back to the year 1967, until that year the various Jamats (communities) in East Africa worked under a constitution which was negotiated with and blessed by our late Dai, Syedna Taher Saifuddin (A.Q.). The constitution had helped the jammats accumulate great wealth, which was used for the benefit of the needy of the community.

...An attempt was made by our present Dai Syedna Mohammad Burhanuddin Sahab to introduce a new constitution in 1967. His motive for imposing the new constitution was to take over complete control of the management, the various boards of trustees and the finances and the property which various East African jamaats had acquired, and which amounted to millions of pounds. This attempt did receive partial success in Tanzania, but was vigorously opposed in Kenya and Uganda.

...The constitution referred to in the above resolution was the one which our late Dai had bestowed and blessed on East African jamaats after 4 years of negotiations. To imply that the late Dai was ignorant of his faith was totally unacceptable to the Dawoodi Bohoras of Uganda and was one of the reasons for strong resentment towards the new constitution. . . . While the old constitution had given free and democratic authority over all its affairs to the duly elected boards of managers and trustees, the new one is in complete

contrast. The old constitution had also recognized a born Eohora as a Bohora without any requirement other than the given (giving) of mīsaq (oath of allegiance) at puberty.

The memorandum then goes on to describe various cases of persecution like holding up marriages, burial ceremonies of the dead, social boycott and so on. All the cases have been meticulously documented. The memorandum narrates an interesting incident worth quoting here.

During his stay in Uganda in 1967 Dr. Yusuf Najmuddin, the brother of our Dai, and his special representative, had approached the then Indian High Commissioner in Uganda and had told tales of how we were harassing him. After several interviews the High Commissioner was convinced that the truth was the reverse and he arranged for an official of the High Commission to accompany us to the residence of the Dai's representative in Kampala. A concealed tape recording was made of the discussions and the tape together with a lot of other documentary evidence was handed over to the High Commissioner for onward transmission to Delhi. Regrettably, in inspite of the High Commissioner's sympathies and concrete evidence of unfair conduct by the Dai's representative no steps were taken by the then Indian Government. We are not in a position to produce copies of the evidence then submitted as most of our documents have been lost to us during our expulsion from Uganda. However we are sure Delhi will have the records.

The above memorandum ends with an earnest appeal to the government of India: "We end in the hope that the Government of India will institute an Inquiry to investigate the activities of our Dai and would bring a stop to the sufferings perpetuated for a mere desire of power and lust for money, neither of which become the faith of the Dawoodi Bohras, Islam at large or the image of Indian priesthood abroad and in India. In the alternative, that the Government of India should give its official blessing to the Nathwani Commission and should give effect to the findings of that Commission." The memorandum has been jointly signed by F.H. Kapasi, President of the Dawoodi Bohra Jamaat Corporation,

Birmingham and N. T. Vanat, President of the Dawoodi Bohra Welfare Society, Leicester.

Similar memoranda were received from many other countries like Ceylon, Yaman, Pakistan, Kuwait, etc. The oppressed Bohras of all these countries have pleaded with the Commission and the Government of India to inquire into the causes of their persecution by the Bohra high priest and take suitable measures to bring an end to their painful plight. We are not quoting here from these memoranda for considerations of space. In fact, the Nathwani Commission's records would provide, to those who are interested, a wealth of information on how religion and money can combine to become a formidable power.

The official memorandum submitted by the Central Board of Dawoodi Bohra community runs into 19 closely-typed pages and gives a brief history of the reform movement and several instances of harassment of those Bohras who showed the slightest inclination towards it. After placing before the commission the horrendous facts about the persecution and suffocating regimentation, the memorandum requests the honourable members of the inquiry commission to recommend the following measures, if their findings so convince them, to the Government of India: (1) Enactment of a suitable Act by the Central Government preventing imposition of social boycott by one member of the community against another member (a draft bill is also enclosed for the commission's consideration). (2) Suitable amendment in the Protection of Civil Rights Act, 1955 so that its provisions are made applicable to every citizen of our country irrespective of his religion, caste or creed. (3) Suitable amendment in the Constitution of India so that while seeking to protect the fundamental rights of an individual the fundamental rights of a large number of people are not infringed upon as has happened due to the Supreme Court ruling in the Excommunication case. (4) Re-enactment of the Bombay Prevention of Excommunication Act suitably amended in the light of the Supreme Court ruling so that a religious head, while exercising his right to excommunicate a person, is not able to do so on grounds other than religious. (5) Suitable amendment in the Public Trust Act so that no single person, however revered he may be, is accepted as the Sole trustee nor should such sole trustee be given power to appoint his son or brother as his sole successor in the

Trust. All the public trusts must have a Board of Trustees and the beneficiaries must have some sort of a say, directly or indirectly, in the management of such public trusts.

The Commission had now sufficient material before it to start its investigations. The Commission announced that it will hold its first sittings in Bombay on 30 April and 1 May 1978. The high priest's machinery started working at a feverish pitch once again. He had decided not to allow the commission to have its sittings. In fact the high priest was shrewd enough not to seek legal remedy for the alleged interference of the commission into the religious affairs of the community as he knew he had no case as the commission was going to investigate the cases of persecution and harassment in the name of religion.

He issued a firman to the Bohras throughout India to come to Bombay for preventing the commission from holding its sitting and called it a holy *jehad*. Hundreds of Bohras were brought to Bombay from various states. The priesthood also tried to bring pressure specially on the Muslim members of the commission through local Muslim leaders in Aurangabad and Hyderabad not to attend the meeting at Bombay. It even tried to mislead the one by saying that the other was not attending and had resigned from the commission. But both the Muslim members remained firm and attended the meeting. Dr. Aloo Dastur—the only woman on the Commission—found her house surrounded by Bohra women brought there at the instance of the high priest on the day she had to attend the meeting of the Commission at Nathwani's house. The women threatened her with dire consequences if she stepped out of her apartment. She summoned the police at last and had to be escorted to Nathwani's house.

Nathwani's house was not safe either. Nathwani was to arrive from Delhi by the night flight on 29 April. Not knowing this a crowd of fanatics thinking that he was already in Bombay attacked his house the same evening. The door of his apartment in Bakhtawar building just opposite the residence of the then Home Minister and Deputy Chief Minister, Nasik Rao Tidpude, was damaged. Fortunately when the crowd was trying to damage the door Nathwani's son was at home and he summoned the police. Before the crowd could ransack his house the police arrived and took 29 persons into custody.

The situation was tense. On the morning of 30 April, when the

commission was to begin its inquiry by examining the witnesses summoned for the purpose, a crowd of 200,000 Bohras was expected to attack the premises. The police had clamped Section 144 in the area. To get around the ban on assembly the priesthood tried an ingenious method. Normally the ban does not apply to marriage and funeral processions and religious congregations. The orthodox Bohras were, therefore, ordered by the priesthood to wear *namaz* (prayer) clothes (a long *kurta* and a *lungi*) and carry a copy of the Holy Koran and a rosary in their hands. The police, however, did not allow them to proceed beyond the sands of Chowpatty.

Violence could erupt any time. Nathwani, accompanied by Moin Shakir—a member of the Commission—went to see Tidpude, the Home Minister, to seek adequate protection. It seemed the high priest's men had already met the Home Minister and the Chief Minister, Vasant Dada Patil and taken them into confidence. The Home Minister seemed quite hostile to the idea of holding such a meeting in Bombay and he is reported to have told Nathwani that it is a Janata Party commission and that it were better if he held the meeting in Delhi and not create a law and order problem for the Maharashtra Government in Bombay. Tidpude maintained that it would be difficult for him to control the situation. Nathwani thereupon told him that the Commission had nothing to do with the Janata Party (this woeful ignorance on the part of Tidpude who was holding the Home portfolio was really surprising), neither did it intend to interfere with any religious matter. Nathwani told Tidpude that he would go ahead with the enquiry even if the Government of Maharashtra did not give him protection at the risk of his life. Tidpude had received instructions from the centre also to make security arrangements and, therefore, he could not disown his responsibility.

Nathwani met the Chief Minister also. The Chief Minister, too, remonstrated with him that the Commission was interfering with religious matters of the minority community. Nathwani assured him that it was not so (only a couple of months ago Patil himself had spoken in the seminar against social boycott that it was an unIslamic practice and that he would soon introduce a bill against it. Only within a few days after this speech the high priest's representative had met him and taken him into "confidence"). Nathwani also informed the Chief Minister that there

were two Muslim members on the Commission and he need not have apprehensions on that account. The Chief Minister thereupon told Nathwani that these two Muslim members were Muslims only in name as one of them had claimed that he could write books better than the Holy Koran.

This clearly shows that the high priest had been quite successful in moulding the Chief Minister's mind and influencing him by false allegations against the Muslim members of the commission and that the Chief Minister had readily accepted the high priest's version. Religion (in whatever form) and money, both play very important roles in Indian politics. It is a sorry commentary on our thoroughly opportunist political leadership which allows anything to happen in the name of religion, even the most heinous crimes. Later, Patil went a step further and speaking at a function organized by the high priest he said, "I have not seen God but if compassion, humanism and spiritual love were the virtues of a godly man I have met him in Dr. Syedna." Patil spoke these words after knowing fully well that there were serious allegations of in human persecution of the reformist Bohras against the Syedna.

Provoked by these remarks of the Chief Minister, Mulkraj Anand, Ali Sardar Jafri, K.A. Abbas and Kamleshwar wrote to him: "We expect this spiritual love and compassion to be extended to the reformist Bohras who, according to many reports, are being persecuted. Social reforms are a necessity in modern times for all communities and religions."

The commission held its sitting under the shadow of heavy police bandobust. Hundreds of policemen were trying to stop the menacing crowd of about 15,000 Bohras at Chowpatty. The persons summoned to appear before the Commission, despite heavy bandobust, found it extremely difficult to reach the venue of the meeting. They had to be escorted there with elaborate precautions lest they should be caught and murderously attacked. With great difficulty, of the 18 persons summoned, 14 could manage to reach. They were all examined by the Commission. The reformist leaders including myself were asked by the police not to take any risk and to hide ourselves till the tension diffused. We, therefore, could not appear before the Commission and went into hiding.

The police was struggling with the mob at the Chowpatty. At about 11 o'clock some 40 slogan-shouting Bohras suddenly appeared near Nathwani's residence from the seaside (the police had

not kept its men on the sea-front) and tried to rush into Bakhtawar building. Fortunately the police was alert and apprehended them before they could rush into Nathwani's house. Then at about 2:30 P.M. the crowd at Chowpatty tried to break the police cordon by throwing stones at the police. Some 14 police officials and several constables were injured. The police then made a *lathi* charge in which several hundred Bohras suffered injuries. It is worth noting here that except for two local Muslim leaders (both of them hardly have any influence over the Muslims even in Bombay) no Muslims participated in the demonstration thus giving a lie to the high priest's claim that the Muslims in general were opposed to the inquiry and that it was a problem of the minority community as a whole. The crowd of Bohras also, considering their population and the efforts made by the priesthood (a shrill cry for *jehad* had gone up) was not as much as expected. More than 50 per cent of those present had come under the threat of social boycott and not because they were really opposed to the inquiry commission.

The priesthood had earlier told the community that the Commission was disbanded and now its sitting took place with full publicity and amid violence. So the priesthood now started making fresh attempts to stop its functioning. They brought pressure on the Janata Party President Chandra Shekhar who is reported to have tried to dissuade Nathwani from holding the inquiry on the grounds that it would be politically risky to alienate the Bohra high priest. However, Nathwani remained firm and declined Chandra Shekhar's request. The high priest then decided to make one more attempt to persuade J.P. to ban the Commission. J.P., it seems, almost yielded to this pressure but Nathwani and Tarkunde, when they met J.P. on 6 June 1978, took a firm stand and informed him that they had already received more than 3,000 complaints and that they were inquiring into these complaints. However, they assured J.P. that they would not invite fresh complaints. Also, in view of his poor health, they requested J.P. not to worry about this problem.

The commission announced that its next sitting would be held at Ahmedabad on 24 June 1978. The priestly establishment, after the sitting in Bombay, had carried on propaganda among the Bohras to the effect that the Nathwani Commission was not allowed to hold sittings in Bombay and neither should they allow it to

function in future. *Fath-e-Mubin* (victory) celebrations were also ordered on this basis. Now again they had to ask the Bohras to come to Ahmedabad to prevent the meeting of the Commission. But out of fear no Bohra could dare ask the high priest how it was that the Commission was holding its sitting again whereas they were being told that it had been disbanded? However, this time, despite great efforts the priesthood could not bring more than 5,000 people to oppose the meeting.

The Chief Minister of Gujrat, Babubhai Patel, took an admirable stand. The high priest sent a deputation consisting of a prominent lawyer and others to Ahmedabad to urge the Chief Minister to ban the meeting of the Commission. The Chief Minister told the deputation that he had already obtained legal opinion and that he was not in a position to ban the meeting of any committee or commission which was being held to examine some witnesses or documents. Any private body is free to hold such inquiries. However, if they felt that their fundamental rights as guaranteed by the constitution were being affected (the deputationists had argued on those lines) they were free to obtain a court injunction. His government would abide by the court order. The deputationists then told the Chief Minister that the government of Maharashtra had banned the meeting (it was a blatant lie) and that he should follow the same course. Patel asked the deputationists to show the gazette order and told them that even if the government of Maharashtra did so he was not obliged to follow their example as he would like to exercise his own judgement.

The deputationists then threatened the Chief Minister that in case the meeting was held there would be demonstrations. The Chief Minister asked them how many people they intended to bring for the demonstration? They said around 10,000. The Chief Minister told them they could bring 1,500. It was their constitutional right to demonstrate. But he told them to remember that the demonstration had to be peaceful. If anyone took the law in his hands and tried to create a disturbance the police would deal with the situation firmly. However, despite this firm warning the demonstration turned out to be violent, as the crowd tried to break through the police cordon to reach the venue of the Commission's meeting. The police made a lathi charge and burst tear gas shells and a number of persons were injured. The Chief Minister invited the members of the Commission for tea before their meeting began.

The Commission in its Ahmedabad sitting examined about 14 witnesses from all over Gujarat.

The Commission held its next sitting at Delhi on 22 October 1978. This meeting was specially held to examine the witnesses from Udaipur. The people of Udaipur, as described at the beginning of this chapter, had suffered a great deal. They were the targets of murderous attacks by the followers of the high priest. At the Delhi sitting, in all 13 witnesses were examined including three women. In fact many more had gone from Udaipur but all of them could not be examined. The Commission is reported to have gathered enough material and convincing evidence of the persecution of the dissenters and conscientious objectors from the Bohra community. The report of the commission was published within one year i.e., in 1979. It established convincingly that there was large scale violation of democratic rights in the Bohra community at the hands of the Bohra priesthood.

Notes

¹The Sessions Court, Godhra, has delivered judgement in the above case convicting more than 50 persons, three of whom have been sentenced to more than six years of R.I.

8

DEVELOPMENT IN THE REFORM MOVEMENT SINCE 1980

The Nathwani Commission completed its inquiry and published its report in 1979 which had tremendous impact on the public mind. The report received tremendous publicity through the media. Almost all the major dailies wrote editorials on the findings. The report established beyond any doubt that there was tremendous repression in the Bohra community and the priesthood resorted to heavy repression in order to maintain its grip over the community. It was also established through this inquiry that the priesthood collects large sums of money through coercive methods and refuses to account for these monies though ostensibly it is collected for religious and charitable purposes. The Nathwani Commission report thus became a valuable document for the reform movement.

However, even after the publication of the report the repression continued. Fresh incidents continued to come to light from different places. It should also be noted that the priesthood could not challenge the contents of the report in any court. All the incidents reported were well documented. Had the veracity of the report in doubt, the priesthood could easily file a contempt case in the court. It did not because it knew that it would be further exposed in the court of law. Also, there was another reason for being rather indifferent to the report. The priesthood knew very well that the Government is hardly going to take any step against him on the basis of this report. More so because the Janta Government fell by the time the report was published. The priesthood was somewhat afraid of Morarji Desai as it was he who had been instrumental in passing the Prevention of Ex-Communication Act in 1948 and had

he survived in power he would perhaps have taken serious notice of the Nathwani Commission Report. However, it was not to be so in the world of politics and before he could have the report studied his Government fell and Chowdhry Charan Singh became Prime Minister who hailed from Western U.P. and had no knowledge of the Bohra community from Western India. Moreover, his Government had no stability and was soon to be replaced by Mrs. Indira Gandhi after a mid-term election in 1980.

And with Mrs. Gandhi the Bohra high priest had a good rapport. Moreover she had opposed appointment of Nathwani Commission in a statement issued in Indore in 1977. Thus she was hardly expected to take notice of the report of the Commission she had herself opposed. However, despite this we met her in Delhi in 1980. Our deputation was joined by other eminent citizens of Delhi and human rights activists like Gobinda Mukhoty, Prof. Munis Raza, Prof. M.S. Agwani and Mr. Meena, an M.P. from Rajasthan. We told her all about the atrocities and requested her to take action. After listening to us patiently she said that how, in a democracy, she could persuade a religious head not to do this or that. She also hinted at earlier incident when more than 70 Bohra brides had met her from Udaipur in early seventies complaining that the Bohra high priest was refusing to solemnise their marriages and that she should intervene. She had deputed Saleh Abdul Kader, an M.P. from Bombay to request the high priest to solemnise the marriages but the high priest's brother Yusuf Najmuddin had totally refused.

We, however, requested her at least to warn the high priest not to indulge in coercive practices and if, he does not comply, she could pass the law against social boycott as being demanded by the reformists. We also requested her to get a law passed on the lines of Ajmer Dargah Sharif Act to control the finances of the high priest as her father's Government had earlier passed the law in 1954 to control the finances of the Ajmer Dargah Sharif in its own interest. She kept quiet for some time and then reflectively asked have you drafted any bill? We told her that we have already submitted the draft bill to her alongwith the memorandum. She took out the memorandum again and saw the draft bill. She then asked Mr. Meena, the Congress M.P. from Rajasthan, to move an official bill. Mr. Meena did move it as a private member's bill but it was never taken up.

It is this indifference by the Government which emboldens the high priest to go on coercing his own followers without any let or hindrance. Thus the main contribution of the Nathwani Commission report was to bring awareness among the people. It could have hardly restrained the high priest from doing what he was doing. But this hardly disappointed the reformists as their main objective in getting the Commission appointed was to increase public awareness and this objective was immensely fulfilled through its report. Even the orthodox Bohras were also impressed by its findings and in many cases their opinion of the priesthood changed though, for obvious reasons, they could not come out openly against the priesthood. Here it is also important to acknowledge the role played by Mr. Noman Contractor, a senior reformist leader, in the successful functioning of the Commission.

II

The reformists decided to hold their third all world Dawoodi Bohra conference in Bombay to challenge the lion in its own den. It was a great challenge indeed. It required great deal of efforts and organizational skills to hold such a conference in the Bohra priesthood's own head quarters. All the reformists put their energies and skills together to meet this challenge. The conference was to be held in February, 1981. The greatest difficulty was to get accomodation for the delegates and the hall for the conference. The Bohra priesthood always brought pressure and got the hall booking cancelled and if the booking was not cancelled, it threatened to stone and smash the hall. No management was prepared to take such risks. However, the reformists succeeded in persuading the management of Sunderbai Hall to lend the hall and assured them that they will be responsible for any damages.

The conference took place in 1981 amid violence. The priesthood brought more than 10,000 of its followers to oppose it. They also approached the Chief Minister of Maharashtra Mr. A.R. Antulay alongwith some Muslim leaders to ban the conference. However, he took the firm stand that in a democracy everyone had right to hold conferences peacefully and others also had right to oppose it in a democratic and peaceful manner. However, the followers of the Bohra priesthood tried to break the conference. A violent mob shouting slogans was handled with great difficulty by the Bombay

police. Even then many delegates were attacked and injured. It was inaugural function which was held in Sunderbai hall. For next two days the conference was held at Islam Gymkhana. The Gymkhana too was surrounded by violent mob and the police had very tough time handling it. The priesthood also used rida clad women and made them sleep on the ground so that the buses carrying the delegates could not move. More than 40 policemen were injured. The conference had to be called off in the morning itself on the third day. Also, large number of delegates had come from Udaipur in buses. These buses were hijacked at gun points by the goondas of the priesthood. Nevertheless despite maximum efforts by the priesthood to break the conference it was held with all enthusiasm. Many reformists were severely injured but they were even prepared to lay down their lives for the noble cause.

III

Faced with the failure to stop the conference the priesthood was greatly embarrassed. To overcome this embarrassment the priesthood tried to launch what can be described as "counter-reformation" movement. The Bohra high priest issued a firman in the early eighties that every Bohra man should keep beard and wear cap and every Bohra woman should wear rida (veil) and cover whole body by an over-all garment. By this time the Islamic revolution had taken place in Iran and Khomeni had already made it compulsory for Iranian women to wear *chador*. The Bohra high priest in all probability tried to imitate Khomeni. As the entire Islamic world was in the grip of what the media described as "fundamentalist movement" or what could more accurately be described as movement of Islamic Reassertion, the Bohra high priest too, tried to win more respectability in such environment of religious fervour by issuing such injunctions.

Whatever the reason the Bohras suffered a great deal because of these injunctions. Now they were prevented even from entering the Bohra mosques if the men were found without beard and women without rida. It had never happened before. Not only that they were prevented from attending even private functions like marriages and birth day parties. The members of Shabab and *Bunayyat* (women's organisation) would be posted near marriage halls to keep a watch on all entrants. This resulted in number of

incidents where violent quarrels broke out. But by and large the Bohras put up with such insults and humiliations and suffered all this in silence for fear of social boycott. This was the hanging sword over them. The Bohra priesthood also issued an injunction that women should not work outside home and began to pressurise them to give up their employment. This injunction was enforced much more rigorously in East Africa. But fortunately once the Bohra women resisted it as it was question of their livelihood it fell through. But out of fear a large number of women took to rida. It was a great regression as most of the Bohra women had given up purdah long ago as pointed out earlier. In many cases even highly educated women took to purdah. A strict vigil is kept and women are coerced into conforming to the norms.

Similarly the Bohra men were compelled to grow beard and wear cap. Some of them working in Government offices, or those in professions, also had to observe the Syedna's *firman*. The men would also not be allowed to enter a mosque or a mausoleum or any other religious place without beard and cap. Though most of the men complied there were cases of defiance too. The defiance took place in several cities like Indore, Bhopal, Calcutta, Madras, Hyderabad, Aurangabad, Neemuch etc. Many of them fought with courage and determination but were mostly isolated in the community. Nevertheless these struggles were quite important for the reformists. In many cases those men who did not keep beard were not allowed to join funeral processions of their near relatives and friends. In some cases where they did join, the local priest would not allow his own relatives to offer him consolation (*ta'ziyyat*). And those who offered consolation would be penalised or socially boycotted. Thus it would be seen that the Bohra priesthood further tightened its grip over the community in the post-Nathwani period. All this was repeatedly brought to the notice of the government but nothing could stir it except its own interest. The reformist Bohras and their supporters and sympathisers had to fend for themselves.

IV

The fourth All World Dawoodi Bohra conference took place in Pune in February, 1983. This conference too was opposed by the Bohra priesthood but not as massively as the Bombay conference was in 1981. However, this time another trick was played. They

pasted hundreds of posters in Pune and Bombay in the name of the reformist organization. The Central Board of Dawoodi Bohra Community saying that this conference is being organised to "reform Islam" and that leading lights of the RSS and other Hindu leaders have agreed to participate in the conference. This was a clever ploy to create tension, and possible violence between the reformist Bohras and Muslims so that the conference was disrupted. However, the Bohra priesthood did not succeed in its design. The reformists were quite alert and immediately issued the statement condemning the posters.

Since the priesthood tried to involve the RSS with the reformists, it would be in order to make reformists' position quite clear. The Bohra reformists are great supporters of secular democracy. They are against sectarianism, and follow the injunctions of the holy Quran, in respecting all religions and consider tolerance and liberalism as great virtues. They and their leaders have always fought communalism. In Pune conference too, a session was arranged on communal harmony and had invited prominent secular intellectuals and leaders to discuss ways and means to promote it. It is the considered view of the reformists that they cannot win their battle for social reforms in isolation and that they will have to join hands with all secular, liberal and progressive forces in the society to strengthen secular and democratic forces and their chances of success lay only through this course. Also, for them, it is not only a question of tactics or strategy but a matter of conviction and commitment. They have always joined hands with the liberal and secular forces in the society. As pointed out in an earlier chapter, they launched their movement in Bombay by convening a conference in Cama Hall in 1973 by inviting all secular and liberal reformists from different religious communities and shared their convictions with them.

Though there was not much visible opposition to the Pune conference as in Bombay, nevertheless it had to be held under heavy police *bandobust*. Some minor skirmishes also took place. Besides the Bohra reformists, the conference was attended by a large number of non-Bohra intellectuals and social activists from amongst Hindus and Muslims. Notable among those who addressed the conference were S.M. Joshi, Baba Adhav, Kuldip Nayar, Dr. Mohommad Hasan, the then vice chancellor of Pune University, Prof. Agarwal and others. Dr. Zainab and Taner Poonawala

played active role in organising the conference. It gave the reformist Bohras a new resolve to carry on their struggle. It also showed that the Bohra priesthood's capacity to mobilise Bohras to oppose the reformists was going down. Though this was true there was no place for complacency at all. It would be fatal for the reform movement to under rate Syedna's capacity. Thus the reformists were required to make cautious and well-calculated moves. Which they certainly did. And this has been the secret of their survival despite heavy odds.

V

Priesthood's Campaign against Mercantile Bank

Immediately after the Pune Conference, Noman Contractor, an important leader of the Reform Movement died. It was a great loss to the movement. Mr. Contractor was ailing for a long time and died due to failure of his lungs. The priesthood distributed sweet on his death and spread malicious rumours about the way he died. However, the priesthood was also worried about the success of the conference in Pune and wanted to counter it in some way or the other.

It was then that the priesthood thought of launching a movement against the Bombay Mercantile Cooperative Bank. The priesthood was trying to take over the bank for quite sometime but failed. It was very rich source of funding. However, the priesthood could not influence the directors to admit high priest's control over the bank. This was simply not possible as per the Reserve Bank rules. The Board of Directors had to run the Bank as per rules and regulations laid down by the highest bank in the country. Having thus failed to establish its control over the Bank the Syedna tried to destroy it. This is well known pattern of the priesthood's behaviour that either it controls an institution (Bohra institution) or destroys it. It is for this reason that there is no autonomous institution left in the community. All institutions are under strict control of the priesthood.

Thus the priesthood launched a campaign to destroy the Mercantile Bank. It issued an injunction to all the Bohras that as interest is *haram* in Islam they should close down their accounts in the Mercantile Bank. Not only that some of Syedna's henchmen began to picket the bank. The Bohras who entered the premises of

the Bank were forced, under threat of Social boycott, to close down their account in Mercantile Bank. Many did but many others resisted. The picketing became a nuisance for the bank and it had to obtain an injunction from the Bombay High Court to keep those picketing at a certain distance from the Bank. The Syedna's argument for withdrawing account from the Bomay Mercantile Bank (BMC) was strange: interest (*riba*) was haram in Islam and hence no Bohra should maintain any account with BMC. But no Bohra dare ask him that if interest is prohibited in Islam it is prohibited for all the Banks, why then this campaign against BMC alone?

Though the other Bohras could not ask this question, the reformists did and it proved highly embarrassing for the priesthood. This question was raised through *the Bohra Chronicle* (the mouthpiece of the reformists) and other papers. The Syedna then issued a general injunction against interest and began persecuting those Bohras who continued to maintain bank accounts. However, even then those who banked with the BMC became special target of persecution. Those serving with the BMC were forced to resign their jobs failing which marriages and burials in their families will not be permitted. Even high bank officials were not spared. An Assistant General Manager of the Bank had to postpone marriage of his son because of this. Again some employees resigned and many did not. Those who resigned were not given any alternate jobs. They had to fend for themselves. Many of them had to resort to petty hawking on the streets.

When the general directive came against interest many Bohra families were affected. Many families survived on fixed deposit interest. Many of the families withdrew their deposits under threat of social boycott and subsequently faced difficult financial problems. No one, least of all the priesthood, came to their rescue. Similarly many businessmen and industrialists who had borrowed from banks were made to return bank loans even if it meant winding up their business or industry. Again many did under threat of social boycott. Similar campaign was launched in other countries too like the USA, UK, Pakistan etc. In the U.K. and USA many Bohras were compelled to give up their houses taken on hire purchase as it involved payment of interest. Instead they had to pay exorbitant rent for their houses. The dress code, the wearing of rida, prohibition of interest and all that was resorted to, to counter the activities of

the reformists but it was shown as if the Syedna was greatly concerned about following the Islamic teachings. There was also an element of hypocrisy in the campaign for interest. The reformists received some documents from the harassed Bohras which clearly showed that the companies in which the members of the priestly family were directors, were indulging in interest-bearing transactions. These documents were published by the Bohra Chronicle.

The earlier da'is, as pointed out in a previous chapter, had given interest on loans and the father of the present high priest had confessed during a cross-examination in the Chandabhai Gulla Case that the previous da'is had given and taken interest as indicated in the Isma'ili book of jurisprudence *Da'aim al-Islam*. The grand father of the present priest had taken loan on interest from his 'amil who prosecuted him for non-payment. All these facts must have been very well known to the present high priest (feigning ignorance would be even worse) and he suddenly banned interest causing so much trouble to so many Bohra families. It is clear that he was not doing it as it was religious requirement but to serve his own personal and family interests. Had it been in keeping with the requirement of religion, he would not have used coercion. He could have used persuasion. It is the Quranic injunction that "Call to the way of the Lord with wisdom and goodly exhortation, and argue with them in the best manner". (16:125).

Thus it is clear from the above Quranic verse that a religious head has to use wisdom and goodly exhortation for calling the people to the way of the Lord. It would be much more so in a secular state like India. If he honestly thought that taking and giving interest is sin he should have given thought to the Indian situation and devised proper strategy to enable the community to switch over to interest-free system. First he should have made adequate funds available for interest-free loan (*qarz-e-hasana*) and having given such an alternative he could have gradually persuaded his followers to switch over to interest-free system. He also should not have coerced those working with banks to resign their jobs. It created immense problems for the people. Many, who held well paid jobs, were rendered, jobless. Even in Islamic countries interest-based banking has not been completely abolished except in Iran. Even in a country like Saudi Arabia interest-based banking has not been completely abolished for various reasons.

How could it then be done for a small Islamic community in a non-Islamic country like India. Even Muslim 'ulama have not issued any such *fatwa* asking Muslims in India to stop all transactions with the interest-based banks. This clearly shows the real motives of the Syedna. They were far from being Islamic.

The Syedna was not content with only this. He now made it obligatory for all Bohras - male as well as female - to possess identity cards with photographs which were issued in three colours-green, yellow and red. Only those who possessed green card could freely enter Bohra religious places and could be entitled to all other benefits. Those who possessed yellow one belonged to the suspicious category and are treated with caution and are kept under watch. Those possessing red card is treated as an outcaste and may at best be admitted only to the mosque, all other benefits being denied to her/him. The green cards are issued to those who comply with all the high priest's *firman*s (wearing rida, keeping beard, putting on cap, shunning interest, not serving with any bank) and also pay all the taxes regularly without default. Thus to possess green card became a matter of great prestige and pride. Many Bohras vied with each other to obtain green card. Those who complied with some of the *firman*s and did not pay all the taxes slapped by the priesthood, or were rather irregular in their payments were given yellow cards. And those who defied several of high priest's injunctions and grumbled about payment of taxes to the priesthood were fated to receive red cards reducing them to be pariah in the community.

Possession of these cards, as pointed out above, was made obligatory and those possessing no cards (reformists) were not allowed to enter any religious place, mosques or mausoleums or jamatkhanas. Those who had not grown beards, or those women who did not wear rida and those who had not cleared up their dues faced great deal of humiliation when they went to any religious or social functions or to any place of religious significance. The Tewatia Commission of which we will speak little later, received maximum complaints about these identity cards. This also shows how the high priest is determined to retain his coercive hold over the community. Despite years of reformist campaign there is no let up in the oppressive acts of the priesthood.

VI

Aussault on the Author in Egypt

In 1984 I, alongwith Najma Hibtullah (then M.P. and now also Deputy Chairperson of Rajya Sabha) and Syed Sibte Razi (then M.P. and later Education Minister of U.P.) were invited by the Government of Egypt to attend the Conference of the Palestinians taking place on *Yaum al-Ard* in March 1984. We went to Cairo in the third week of March but the conference could not take place as Yasser Arafat could not come. The Government of Egypt, however, requested us to stay over as its guests for a week. Myself and Sibte Razi went to see the old mosques of Cairo and also went to see the mosque of al-Hakim on repairing which the Bohra priesthood had spent a huge sum. We saw several Bohras inside the mosque. The maghrib prayer was just over. When we were returning and crossing the courtyard of the mosque, these Bohras - about forty of them - came running and assaulted me. Sibte Razi rushed to inform the Indian embassy so as to arrange for the police force and these 40 Bohras continued to fist and kick me for over 45 minutes until the police arrived and lathi-charged the hooligans. Their intention was to kill me through mob-violence but did not succeed. The Bohras beating me up were mentioning about the *Illustrated Weekly* article which they thought had done great damage to the high priest's reputation. They were mentioning the article repeatedly.

I was badly injured and my both eyes were badly damaged. I was brought to India and rushed to Nanavati Hospital straight from the air port. I had to be hospitalised for about 10 days but I remained bed-ridden for couple of months as there was severe pain all over the body. My both eyes had to be operated and artificial lenses had to be implanted in them. Due to injury on my retina I could not read and write for about an year. Thanks to the techniques of implant and by grace of God I could regain my eyesight. That was the most severe and last assault on me. There has been no attempt ever since on my life thanks to the media campaign.

VII

The next conference was due in February, 1985. This time the

Central Executive Committee decided to hold the conference in the heart of Gujrat i.e. in Ahmedabad. We did not have many open supporters in that city. But Tyebi Zamindar's family was influential and politically well connected. In him we had highly motivated and committed reformist. He, his wife and children had suffered a lot in Ahmedabad. They were repeatedly insulted and humiliated by the orthodox Bohras of that city. Tyebi Zamindar took full responsibility for the conference. The priesthood tried its best to get the hall cancelled but did not succeed. Mr. Solanki was then the Chief Minister of Gujrat. His Government also extended full cooperation to the reformists for holding the conference. The Commissioner of Police, Ahmedabad, issued strict warning to the orthodox Bohras not to take law into their hands. The conference was held for the first time without heavy police security and without any violent incident. Thereafter no conference or reformist function was disturbed by the priesthood or the orthodox Bohras. Thus the Ahmedabad conference was a turning point in this respect. The inaugural function of the conference was addressed, among others, by the noted Congress leader Jhinabhai Darji, Shri Babubhai Patel, the ex-chief minister of Gujrat and Mr. Patwari, ex-Governor of Tamil Nadu. Thus the Ahmedabad conference was one of the most peaceful and successful of the conferences.

The Bomb Incident

The Bohra priesthood was repeatedly exposed by the press for its oppressive and exploitative practices. It has always been a considerable embarrassment for the Bohra priests. However, to overcome this they always have some or the other trick up their sleeves. The success of the Ahmedabad conference and other following events had caused considerable embarrassment to the priesthood. Also, because of the stiff attitude of the authorities it could not even mobilise the Bohras to oppose the conference. It was matter of great concern to them that the conference could be held in peaceful manner. Even otherwise after every successful event involving the reformists, the priesthood did something sensational or the other to divert the attention of the Bohras.

This time absolutely new trick was tried. A not very powerful bomb was planted opposite Raudat Tahera, the mausoleum of the father of the present high priest, situated in Bhindi Bazar, Bohra

Mohalla, Bombay, on 23 January, 1986. The high priest came to offer his prayers in the mosque adjacent to the mausoleum. But suddenly he left the mosque and went over to the Saifee masjid nearby. The bomb exploded after he left. This made the episode suspicious. Those close to the high priest claimed that the Syedna had a premonition and he left the place. He knew that there was a bomb. But if so why did he not clearly say that and inform the police. That could have saved the damage done by explosion of the bomb. A car and a motorcycle were damaged and a person was injured. But there was no answer to this inconvenient question.

The spokesperson of the high priest blamed it on the reformists and demanded an inquiry. It was also demanded that the reformist leader Asghar Ali Engineer be arrested for 'conspiring to plant the bomb.' However, this demand was not pressed for reasons best known to them. Then they began to say that enemies of the Syedna have planted the bomb. The reformists also demanded a thorough inquiry into the whole incident. The conspiracy of the priesthood was obvious. They wanted to make the high priest appear a martyr. This was corroborated by big processions which were taken out in Bombay and several other cities and inviting local political celebrities to join to "celebrate miraculous escape the Syedna had. In Surat the Chief Minister of Gujrat Amar Sinh Chowdhri joined the procession donning a Bohra cap and praying for the longevity of the high priest. These procession - an image building exercise - betrayed the real purpose behind planting a bomb. Due to continuous exposure in the press it had become necessary to try some such gimmick. It is resorted to from time to time.

After this exercise they indulged in another one too. The priesthood decided to go for Moharram va'z (sermons) to be held in Indore. They erected a huge pandal by demolishing the pucca hall in Saifee nagar colony the Bohras from where were suspected to be reformists. In fact partly Indore was chosen to teach these Saifee Nagar "reformists" a lesson by demolishing their hall which was built at the cost of Rs. 5 lakhs. The Saifee Nagar Bohras were not obeying all the injunctions of the high priest. They had not grown beard, usually went bare-headed and what was worse, did not pay what was demanded of them. Thus, it was time, the priesthood thought, to teach them a lesson. They demolished their

hall. The struggle is still going on in In-Indore of which we will talk little more later.

It is unfortunate that the Congress Government of M.P. went out of way to placate the high priest. It sent the state plane alongwith a minister to bring him to Indore and he was received at the airport by the Chief Minister of M.P. Shri Motilal Vohra and Arjun Singh, the then Vice President of Congress (I). A pandal was erected at the airport in Indore for the reception and all these political dignitaries participated. The Syedna then announced donation of Rs. 21 lakhs for the Chief Minister's fund. *Indian Express* carried an article "Secularism is for Sale : Price is Rs.21 lakh." It is these vote-chasing politicians who weaken secularism in the name of secularism. There was no need, absolutely not, for Arjun Singh and Motilal Vohra to receive the high priest at the airport, and a high priest who is highly controversial, who inculcates parochialism and religious fundamentalism in the minds of his followers which is totally against the spirit of tolerance and secularism. But that is how our politicians are made.

After Indore sermons, the priesthood decided to hold sermons in Moharrum in 1988 in Bombay. This time even more people were gathered at Bombay and closed circuit T.V.s were installed on the road and also few loud speakers were put up, one facing the Sunni mosque known as the Handiwali Masjid. On 10th of Moharrum, the high priest pronounced *lanat* (curses) on the first three Caliphs who succeeded the Prophet and he did so fully knowing that closed circuit T.Vs have been installed and loud speakers put up and that would be a direct provocation to the Sunni Muslims on the street in the Bhindi Bazar area. Not only this he compelled all the Bohras present in the mosque to pronounce the curses which they did after great hesitation. The Urdu papers carried this news in banner head lines and then the Muslim leaders held a meeting on 28th August in the Alma Latifi Hall in protest and they unanimously asked the high priest to tender public apology. However, the high priest refused and the Sunni Muslims took out a procession after the Friday prayer on 2nd September, 1988 resulting in the sectarian riots in which two Bohras were stabbed to death and their shops and godowns worth several crores looted and gutted.

The situation was getting out of hand and the high priest was still hesitating to tender apology. The Muslims were also not in a

mood to accept apology privately expressed. They insisted on public apology. Ultimately the high priest had to appear on T.V. alongwith the Chief Minister Mr. Sharad Pawar and tender apology for having pronounced curses on three Caliphs. It was a moment of great humiliation for the high priest when he had to tender apology as drafted by the Sunni Muslim leaders. He payed for his fatal mistake. It was nothing but sheer arrogance for power which made him do that. He thought he was invincible but soon realised his utter fragility.

Later on one Mohommad Yusuf filed a case against the high priest for hurting his religious sentiment. The matter went upto high court but the high priest approached the Chief Minister and got the case withdrawn under the pretext of likely deterioration of law and order if the case went on and if the high priest was found guilty and punished.

The Central Board also decided to hold its next conference in Indore which was due in February, 1987. We did not have open reformists in Indore to support us. There was only one family of Kalimuddin Bandukwala but he too did not have strong social image necessary to undertake such a responsibility. However, many sympathisers from amongst the Bohras helped us and many eminent non-Bohras, Hindus and Muslims, came to our rescue. A reception Committee of these prominent persons from different walks of life was set up and they did everything possible to make the conference successful. The conference was addressed by many eminent people like Khwaja Ahmad Abbas, Maulana Ishaque Sambhli, Krishna Kant (now Governor of Andhra Pradesh), Prof. Qamar Rais, noted Urdu poet Hasan Naim, former education minister of M.P. and noted social activist Mr. Om Prakash Rawal and others. The conference was well covered in the local and national press and became a memorable event.

The high priest was not allowing the reformist Bohras in general and those from Udaipur, in particular, to visit the Galiakot shrine ever since the unfortunate incidents there in 1973 when the reformist women from Galiakot were beaten up and molested by the hooligans engaged by the Bohra priesthood on which we have thrown detailed light in an earlier chapter. No reformist from Udaipur in particular could visit the shrine thereafter. It was, therefore, decided, in the Indore conference to visit Galiakot shrine on 1st March, 1987 as it was on the first March that the

women were assaulted in Galiakot near the shrine. This resolution was passed with great enthusiasm and accordingly many reformists from all over India converged in Udaipur on that day.

Galiakot Struggle

However, the Hardeo Joshi Government in Rajasthan was openly pro-high priest. The district administration was instructed not to allow the reformists to proceed to Udaipur and the bus owners in Udaipur were called by the RTO and warned not to lend their buses to the reformists to go to Galiakot. We met the Collector and submitted a memorandum but he expressed his helplessness. We then met the Chief Minister in Jaipur and also the Home Minister but nothing concrete came out of it. After waiting for few days it was decided that I and four others should sit on indefinite fast. Accordingly Dr. Zainab Banu, Dr. Ashfaq, Asghar Sheopurwala and Tyebi Zamindar sat on the fast which began on 7th March, 1987. On the fourth day the district administration sent its representative to me saying that we will now be allowed to proceed to Udaipur and that we should break our fast. The buses were lined up and more than 1500 men, women and children came to take their seats in the buses. However, as soon as we broke our fast a CID inspector came to me and said that we cannot proceed to Galiakot as large number of people have collected there to oppose our entry. The buses were again made to go away and our people were grossly disappointed. Thus the district administration, under the instructions from the Chief Minister Hardeo Joshi played fraud with us. Peeved by this open deceit, five eminent citizens of Udaipur - representing different political parties except the Congress - sat on indefinite fast.

Again on the fourth day the administration relaxed and convinced us that now we will definitely be allowed to proceed and that all arrangements were made. The Zonal Commissioner Mr. Metha himself spoke to me and also spoke to the Chief Minister in my presence and informed him that all the arrangements were made and the C.M. gave his O.K. The fast was broken and we all - about 2000 persons - proceeded in buses towards Galiakot. On the way we were welcomed at several places. However, the enthusiasm was not to last long. The administration had played, under instructions from Hardeo Joshi, the Chief Minister, yet under fraud on us. The

armed police was posted 50 kms. from Galiakot to stop us. What an anti-climax it was. The brave reformist women of Udaipur who had played courageous role - sat for 10 days across the road in front of the Collectorate demanding their right to visit Galiakot shrine, even gheraoed the Collector and S.P. for more than twelve hours - did not loose hope even then. When I questioned them about the anti-climax and the fraud played by the Rajasthan Government they replied "we were not going to Galiakot simply for kissing a stone but to assert our constitutional right."

I must mention here the key-role played in this struggle by Ghulam Husain Manager. In fact the whole reformist movement in Udaipur owes a great deal to his devotion and commitment and selfless service. But for him and his devoted work, the movement would have suffered set-back in Udaipur. In Galiakot struggle too, his was very important role in terms of organisation. I should also mention the dynamic role played by Abid Ali Adeeb, Gen. Secretary of the Bohra Youth Association, Udaipur and a poet and a writer. Besides Ghulam Husain and Adeeb several students and youth also played seminal role in organising the struggle. The Galiakot struggle again enlivened the movement in Udaipur. This movement, like other several movements, show clearly how ruling politicians in general (though there are always some exceptions to the rule) collude with religious heads and other vested interests to defeat the people's struggle.

VIII

The Struggle in Aurangabad, Hyderabad, Indore and other Places

There was great deal of discontent in Aurangabad and Hyderabad too. In fact struggle in Aurangabad and Hyderabad was going on for quite some time. However, initially the Aurangabad Bohras led by Mr. Zulfeqar Husain maintained that theirs was fight against the local Amil of Aurangabad who was a tyrant. We made some efforts to contact them but did not succeed. Similarly in Hyderabad too, the Bohras struggling for reforms, were not prepared to establish contacts with the Central Organization of the reformists. And it was a right strategy. Had they established contact with us at that stage they would not have been able to

broaden its base. Zulfeqar Husain is a leading personality of Aurangabad. He is not only respected by the Bohras of Aurangabad but also by non-Bohras because of his public work irrespective of religion, caste and creed. He ably led the reform movement in Aurangabad and at an appropriate time not only established contact with the central body of the reformists but joined it officially. Some 30 families of Aurangabad thus joined the reformist group. Similarly in Hyderabad the reformist group after years of their own separate struggle joined the central body. These forty families from Hyderabad who joined the reformists, are amongst the educated elite and most of them are eminent professionals, like doctors, engineers, professors, leading businessmen and others. Dr. Yusuf Arastu, is a leading ophthalmologist, Prof. Akhtar Husain is a retired principal of an engineering college, Mr. Ifukhar Husain is a businessman. Their women are also well educated.

We had also earlier hinted at the struggle in Indore. In Indore too the reformist group - though not open - consists of very well-educated persons, both women and men. They have been struggling against the local 'amil and jamaat. Theirs have been a long drawn struggle and have had great impact, specially on the people of M.P. Recently 14 leading families from amongst these struggling Bohras were put under social boycott. They have been under great pressure to 'apologize' to the high priest but they have resisted. They maintain they have done nothing wrong and while they are prepared to meet the high priest and explain to him what they are fighting for, they would not tender any apology without any fault on their part. This group too is carrying on its struggle in its own way in Indore and does not identify itself with the reformists. It must be said that the women in this group have played a very significant role and but for their heroic support it would not have been possible for this group to sustain itself. Such local struggles can also greatly strengthen the objectives of the reform movement. The priesthood has let loose a reign of terror in Indore and tried to stop marriages and burials but has still not succeeded in bringing the group to its knees.

Similarly underground movements for reform are going on in Madras and Calcutta. The group of young educated Bohras in both these cities have done commendable work. The group in Calcutta is particularly highly committed and have fought many a battle

with the local 'amil and jamaat. They have also established good contacts with the print media which help their campaign for reforms. In Calcutta and Madras there is a sizeable population of well-to-do Bohra businessmen and the priesthood collects lakhs of rupees every year by way of taxes from these two plum cities. Thus stakes are very high as far as the priesthood is concerned. The unrest spread in these cities particularly because of hiking the amount of taxes several times and also for forcing Bohra businessmen to stop all interest banking transactions. What the young educated Bohras of Calcutta have done is worth emulating by all other youth in the community. They have indeed done the reformists quite proud.

Similarly in Patna Mr. Shabbir Husain Madraswala, a leading industrialist, has come out openly in support of the reform movement. Not only through his material and intellectual resources, has he infused a new life into the movement. He also has written a series of articles on different aspects of the movement which were published by leading national dailies including *The Time of India*, *Indian Express*, *The Hindu*, *The Telegraph* and *The Statesman*. These articles shook the priesthood and they lost no time in declaring baraath (social boycott) against him. Ever since he joined the reform movement, he has been helping it financially and intellectually. His articles were greatly appreciated in the reformist world, in and outside India. He has also applied the modern management techniques to accelerate the pace of the movement. He has surely infused a new spirit into the movement. He has also taken responsibility to coordinate the activities of various centres.

The Struggle in Neemuch

Neemuch is a cantonment town in M.P., not very far from Udaipur. It has a sizeable population of Bohras. There too the struggle has been going on for last several years. The main point of dispute there was taking out of *Ta'ziyas* in the month of Moharram. The Bohras of Neemuch had been taking out *Ta'ziyas* for last several decades. The local 'amil, at the instance of the high priest, tried to stop the tradition of *Ta'ziyas* which was resisted by the Bohras of Neemuch. A struggle ensued and despite en masse support for *Ta'ziyas*, the local 'amil remained obstinate. Hyderali Daidki and Sirajbhai, the two stalwarts from Neemuch, provided

the leadership. Naturally they and their supporters were put under baraat. Some of them apologised under pressure of social boycott but ten families have remained firm and refused to budge. Muzaffar Husain and his wife both hail from Neemuch but live in Bombay, also participated in the movement in Neemuch and rendered valuable service.

Ali Husain Lashkarwala and Keekabhai from Ujjain have filed legal suits against the local priest and members of jammāt and are fighting in their own way. Alihusain has joined the reformist organization openly and has been fighting all alone in that town in M.P. Mr. Rasool Engineer, an old reformist has also been fighting a legal battle all alone in Lathi. Despite very scanty resources he has not given up. He has maintained high spirit despite heavy odds. Husain Taili is fighting legal battle from Amreli. Mr. Fakhruddin Talajawala and his wife from Bhavanagar, Gujrat, also have shown uncommon determination. Though all alone, they have kept the banner of revolt against exploitation in the name of religion, aloft. Needless to say, they have suffered a lot in the process. No other Bohra from Bhavnagar openly supported them.

In Bombay Mr. A.H. Nazim played an exemplary role in the reform movement since early seventies. His involvement increased a great deal after the 1981 conference in Bombay. He left his job and began to work full time for the movement alongwith me. I too resigned my job after the Bombay conference and involved myself fully in the movement. Mr. Nazim was a devoted soul. Very few people have the commitment he had towards the movement. He too faced many odds but never gave up hope. Unfortunately he died of cancer two years ago. It is very difficult to replace him.

Mr. Saifuddin Insaf, a production engineer in Godrej, is also an old soldier of the reform movement. He has been an old colleague of Mr. Noman Contractor. He too never swerved from his commitment. He spends most of his spare time on the objectives of the reform movement. He is a talented poet and a playwright too. He composed several poems on the reform movement and has written some plays also. One can be justly proud of such colleagues. Among women Mariyam Contractor and Husaina Blockage have played a leading role on the reformist front. Ms. Massoma Ranalvi, a young lawyer, has also begun to take interest alongwith the young reformist Bohras from Bombay. Unfortunately very few Bohras have responded positively to the reform movement from

this *Prima urbs in Indis*. There are several reasons for this, mainly among them is the fast pace of life, lack of time for other activities and pre-occupation with ones own work. Despite this some devoted persons like Mr. Mansoor Jani give great deal of their time for the movement. Mr. Jani is very active on the legal front and devotes almost all his time for this purpose. It has given a new impetus to the movement in Bombay.

Tevatia Commission

We would like to throw some light on the Tevatia Commission here. The seventh conference was held in Udaipur in February, 1979 and the 8th Conference took place in Bombay in February, 1991. It must be mentioned here that both the conferences took place quite peacefully. The Bombay conference in 1981 had taken place in the midst of violent opposition and several persons had been injured. But not even five persons gathered to oppose the conference in 1991. It was a great contrast and probably showed that the priesthood is no longer able to generate fanaticism among his followers. It was in Bombay conference that the Indian People's Human Rights Commission announced that it agrees to hold an inquiry into violations of human rights of the Bohras in the post-Nathwani Commission Period i.e. from 1980 to 1990. Later on the Citizens for Democracy which had earlier appointed the Nathwani Commission, also agreed to join in. Both jointly approached Justice Tevatia, retired Chief Justice of Calcutta High Court, to head the inquiry and he was good enough to agree. And Shri Kuldip Nayer, a noted journalist and a former High Commissioner of India to U.K., joined on behalf of the CFD. The inquiry commission was thus constituted.

The Tevatia Commission, unlike the Nathwani Commission, could hold its sittings peacefully in Udaipur and Bombay and could examine in all 175 witnesses undisturbed. Thus whatever violations of human rights of the reformist Bohras and their sympathisers took place from 1980 to 1990 have been inquired into and their findings would soon be made public in the form of a report.

Here I would also like to mention about the Masjid case in Udaipur which is to say the least, historic as far as the reform movement is concerned. As usual. the high priest and his

representatives claimed, in this suit, that the high priest being the sole trustee, the mosques made waqf, could only be managed by him and his representative. It being so the masjids in Udaipur should be under his management and control. It must be mentioned here that earlier the high priest had taken the stand that since these mosques are under the control of reformists who pray without *raza* (permission) from the Da'i, there is no *ruh* (soul) left in them and hence his followers should not pray there.

Now the high priest changed his stand and claimed possession of these mosques. He prayed for a temporary injunction pending the substantive suit. The district court in Udaipur granted injunction for possession of the mosques but the Rajasthan High Court negated it but allowed the orthodox Bohras to pray in one of the mosques behind their own Imam. The Syedna again went into appeal, filing a new suit under his own name and the case again came for hearing before the Rajasthan High Court for temporary injunction before Justice N.K. Jain. N.K. Jain refused to grant any such injunction. Not only that he also refused to entertain their claim that *raza* (permission) for all the activities the Dawoodis undertake is necessary. There is no enough scriptural and other evidence to show that *raza* is an integral part of the Isma'ili-Must'alian - Tayyebi religion. And if *raza* is not the central dogma there is no question of mosques being retained under his control. There is no need to obtain his *raza* for offering prayers in the mosque. This was a great blow for the Bohra high priest. Of course, the substantive case is still pending.

The credit for fighting this case goes to Mr. Ghulam Husain Manager who persevered with great consistency for a long time. His colleagues Mohommad Husain Haidri, Yahya Ali Vakil, Saifuddin Taj, Abid Ali Adeeb and others also worked with great devotion and sense of commitment and credit goes to them also for winning the case.

Struggle in the Foreign Countries

Besides India, the reform movement has struck roots in several other countries like U.K., USA, Canada, Kenya, Pakistan, Mauritius, Thailand etc. In the U.K. Mr. Fazal Kapasi, a businessman, has given a lead. Mr. Kapasi settled in U.K. after being expelled alongwith other Asians from Uganda by Idi Amin. Mr. Kapasi was

fighting against the Bohra priesthood in Uganda too. He organised highly successful conference in Leicester, U.K. in August 1986 in which a large number of reformist Bohras participated from all over U.K. and also from USA, Canada, France Sweden and Kenya. It was first conference of its kind and helped revitalise the movement in U.K. Mr. Luqmani, another veteran from the U.K. has provided a religious lead to the reformists in that country.

Mr. Husain Hamdani who was also expelled from Uganda alongwith others, settled down in Canada and is leading the reform movement there. Now there are more than 100 reformist families in that country also. In the USA there are some reformist families but unfortunately there is no distinguished leader worth the name in that country though quite a few committed reformists live there also. There are few reformists in Sweden and France too.

In Pakistan though there are quite a few sympathisers of the reform movement but only one family worked openly for the movement. Mr. Ibrahim Maoaiyyedi, who belonged to the illustrious family of Syedna Maoaiyyed who is buried in Ujjain, gave a determined fight to the Bohra priesthood. He filed a case against the Syedna in the Karachi High Court. However, unfortunately, he died before the long drawn legal battle could come to an end. As it was a defamation case, it ended with his death. In Thailand there are only about five families with the reformists. Zueb Kaziji, a leading businessman is most prominent among them. Mr. A.T. Hassanally, a noted health activist from Bangkok, is another determined fighter for reforms. Zueb Kaiji and others have consistently supported the reformist cause.

In Mauritius there are about 25 reformist families. Currim Currimji, the second biggest industrialist of Mauritius, is the leader of the reformists and has brought great prestige to the reform movement there through his wise and mature leadership. His support to the reform movement in India also has been valuable. In Kenya reformist Bohras are mainly in Nairobi and Mombasa. There are about 200 reformists in Nairobi and about 100 in Mombasa. The Patwa family played very important role in the reform movement in Kenya and other East African countries. Saifuddin Patwa who led the struggle died a few years ago. His brothers are still active on the reform front. In Nairobi Fidahusain Adam Ali is the president of the reformist group now and has

given valuable services to the movement. He commands great respect of the reformists in Nairobi. In Mombasa Mr. Saifuddin Anjarwala, a leading advocate, is in command. He is quite influential and public spirited man. Because of his position he has brought prestige and respect to the movement. The East African and Kenyan reformists' services to the reform movement can never be forgotten.

The reformist struggle thus goes on with commitment and determination throughout the world.

AN ANALYTICAL REVIEW OF THE REFORM MOVEMENT

The history of the reform movement, as we have seen in Chapter 6 dates back to the beginning of our century. The question then arises: Why, over all these years, have the reformists not been able to muster support from the community? There is no simple answer to this question as the problem itself is quite complicated. I shall attempt to analyze this problem in order to search for an answer.

We shall have to keep a few important features of this community in mind before we proceed to throw more light on the problem. The Bohras, from the very beginning, have been a petty business community. After the Jafferite schism in the fourteenth century, the Dawoodis, as historical records shows, mostly belonged to this category. Sociologically speaking, a petty business community is more tradition-bound and change-resistant than the community of rich and big businessmen. So also, a petty business community is generally more scrupulous, honest, ethical and moralistic than that of big businessmen. The Bohras, by and large, continue to be a community of petty businessmen even today. Hardly a few Bohra families, even after the progress India has made in the field of industry and business since independence, can be said to belong to the middle-business group. No Bohra family, at least in India, has reached a top position in business or industry. In fact only a few families can qualify for the middle or small-scale industrial group.

The industrial entrepreneurial class, as any student of political economy would agree, is far more dynamic and progressive in its outlook than a class of businessmen. And, it is important to note, industrial entrepreneurship is not the forte of the Bohras. Like the

would agree, is far more dynamic and progressive in its outlook than a class of businessmen. And, it is important to note, industrial entrepreneurship is not the forte of the Bohras. Like the Bohras, their *dā'īs* too, till the beginning of the twentieth century, lived an unostentatious and inconspicuous life. Consequently their moral rectitude was much higher than their counterparts today. In fact their simplicity and piety was considered to be worthy of emulation. The Bohras, as a small business community, followed much higher moral norms and were generally known for their honesty, integrity and peace.

However, after the onset of the First World War, a slight shift took place in the economic status of a few Bohra families. They made easy money, but their social and religious outlook did not change, as it so often happens, with the same rapidity. Spread over the centuries, their conservatism had much deeper roots, and could not be so easily shaken. Many of these businessmen, who made an easy fortune during the war, were not even literate. These persons now needed social recognition. They poured money into the Syedna's coffers to win recognition, thus enhancing his power. His predecessors in the office, more often than not, had lived in debt. The situation turned decisively in favour of the pontiff. Now he was powerfully equipped to deal effectively with dissidents, if any. As we have seen earlier, a serious situation had developed after the demise of the forty-sixth *da'i* who was suspected of having been poisoned. His successor Abdul Qader Najmuddin was not unanimously accepted as the next pontiff and he had to manoeuvre the situation in his favour by liberal distribution of religious titles etc.

As the forty-seventh pontiff was not very strong in terms of material resources, he adopted a policy of appeasement rather than harassment of his opponents. However, in the second decade of the twentieth century, the situation was quite different. Firstly, the nature of challenge was no longer religious as in the case of the forty-seventh *da'i*; now the challenge was secular in nature as the new dissidents were clamouring for western education. Secondly, the position of the high priest was far stronger in terms of material resources for the reasons indicated above. Thus the fifty-first *da'i* met the challenge from the new dissidents by following the policy of harassment and persecution. In the twentieth century the opportunities for trade grew as the feudal shackles loosened

and the mercantile communities became more and more prosperous. The *da'i* resorted to more and more institutionalization and, having established a firm hold over the community, he devised various ingenious means of extracting his share in the increasing prosperity of the community. This gave him more power to harass his opponents. Thus it became a vicious circle which has still not been effectively broken.

We have also to bear another important aspect of this problem in mind which has been taken full advantage of by the last two reigning *da'is* for their own ends. The Ismā'ilis, as we have seen in the first chapter, were a highly organized community with intense loyalty to the *Imām*. Of course, in the conditions prevailing then, it was a necessity. The Ismā'ilis claimed caliphate and they were pitted against the most powerful empire of the time, the Abbasids. Naturally to meet this extraordinary situation they organized a powerful underground movement with a tightly-knit organization and loyalty to the leader. This practical necessity found expression in the religious domain in the form of an elaborate hierarchical organization and secretive philosophy. This high degree of institutionalization survives today among the Ismā'ili sects, most of all among the Daudis. This kind of tightly-knit organization puts the commanding leader at a great advantage.

The Ismā'ilis, moreover, except for a few hundred years in Egypt when their *Imāms* belonging to the Fatimid dynasty ruled there, always led the existence of a persecuted minority in the Islamic world. This made them much more inward-looking and security-conscious and, what is important to note, their tightly-knit organization stood them in good stead in such adverse circumstances. In India too, very few Muslim rulers of Gujarat and Delhi showed religious tolerance towards them. These Sunni rulers, more often than not, treated the Bohras in particular and the Ismā'ilis in general as a heretic sect and subjected them to cruel persecution. Naturally, in such circumstances, they survived by conserving their energies and strengthening their organization. It was because of this policy of persecution that the Bohras—strange though it may seem—welcomed the British Raj as, they felt, it liberated them from the persecution to which they had been subjected for centuries of the Muslim rule.

This persecution throughout the centuries made them paranoid and they dreaded any movement away from the centre.

Thus, excepting a few schismatic movements, centrifugal tendencies of a serious nature never found much support in the community. The whole psychological make-up of the community discouraged such tendencies. There has been substantial change in the situation since the advent of the British rule. The Bohras received a greater sense of security from powers external to the community, and it was only after this that the centrifugal tendencies could develop. What Cohn says about the Thakurs is equally applicable to the Daudis:

With the coming of the British . . . the basis of the solidarity of the group was cut away; they no longer had to cooperate from fear of outside subjugation. . . . This change led to increased feuding, competition for position and attempts to ruin (one's) fellows. . . . The courts provided an excellent battleground in which to carry out a fight. (Quoted by Theodore Wright Jr. from Cohn 1959 : 93; cf. Wright 1966a)

A number of law suits, as we have seen in an earlier chapter, were filed in the British courts and were fought with tenacity. This situation more or less continues in independent India except at times of communal riots. However, it can be said that the Bohras, like other Indian Muslims, live with a sense of insecurity and hence do not hesitate to search for a common identity with them. This slightly complicates the matter for the reformists. But despite all these developments for a common Bohra, the historical continuity of the highly centralized organization continues to be a matter of sincere concern. This attitude of the common Bohras is both the community's strength as well as weakness. Strength, because it enables the community to survive in the most adverse circumstances and this has been historically tested; weakness, because such an inward-looking attitude and strong centripetal tendencies can be exploited by certain unscrupulous leaders, religious and political, and this has been the community's experience in the last 50 years.

The religious leadership is shrewdly making use of these feelings for its own ends. Till very recently, the Bohras looked upon the Sunni Muslims as their persecutors and had every reason to emotionally segregate themselves from them and the religious leadership fully supported them (the fifty-first *da'i* Syedna Tahir

tical parties with the exception of the communist and socialist parties has also been regrettable. Even the progressive leaders like Rajni Patel have nothing much to commend themselves in this respect. These leaders' sole aim is to retain power and chalk out strategies for that purpose. They are just not interested in any meaningful social change. On the contrary, it suits their interest to impede it (despite high-sounding slogans to the contrary) by striking political alliances with the most obscurantist forces in the society. I must emphasize that ballot-box-oriented politics in a backward country like India riddled with caste and communal interests can and does, more likely than not, become a powerful instrument in the hands of the vested interests. I am not decrying democracy; far from it. Neither do I support the view that what our country needs is a benevolent dictatorship. In my opinion such a view is nothing more than an illusion entertained by those who do not understand the role of class interests and view political developments in isolation from these class forces. All I am saying is that the democratic safeguards for religious minorities and others (which are a must for a truly democratic society) provided for in our constitution can and are being misused by unscrupulous leaders for their own ends and the ballot-box-oriented politics is useful to them. I can also venture an hypothesis here which is based on the general observation that the more backward the community, the greater is the danger of such misuse and that the perceived degree of insecurity is inversely proportional to the size of the community and that this perceived sense of insecurity is more amenable to exploitation by a dishonest leadership. These democratic safeguards can best serve the interests of the minority communities only when correctly interpreted and applied by a basically honest, dynamic and forward-looking leadership which is capable of leading the community rather than wishing to dominate it. This is regrettably lacking in our country due to the selfishness of the leaders concerned.

Let us turn our attention to the Bohra community itself. The reform movement, as we have seen, started in the early twentieth century and the pivotal question was, at that time, dissemination of western education within the community. The priesthood sought to impede the efforts of the advocates of secular education by imposing various sanctions against them. This in turn

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raised the issues of democratic freedom and individual rights. The priesthood claimed—and enforced this claim in the most ruthless manner—that its actions were unquestionable and that individuals did not enjoy any rights as such as far as the Dawoodi Bohra religion was concerned.

The question of democratic rights and democratization of the community's set-up now came to the forefront and individuals' rights acquired great significance. The Bohra community, as already discussed, is a petty business community and strongly attached to its closely-knit and hierarchical organization. Thus the demands for democratization of the community's set-up and individual rights did not have much psychological appeal to the common Bohras. It was, on the contrary, much easier for the priestly class to project the reformist movement as centrifugal and disruptionist. The talk of democratization appealed to only a small circle of the educated elite. Thus for decades the reform movement remained elite-oriented and could not transcend this limit. It is yet to fully overcome this limitation, though the process has certainly started.

The fact that the Bohra priesthood doggedly resisted the spread of secular education in the community for quite a long time has resulted in stunting the intellectual growth of this community. The Bohras have a very narrow intellectual base. Whatever few intellectuals community has, have to strictly conform to the rigid discipline imposed by the priesthood. They are not allowed to freely express their opinions about matters pertaining to the community under pain of social boycott. Strict conformism (as bad as it could be under any totalitarian regime) has hampered intellectual creativity. There are more than half a million Bohras all over the world and quite a few of them are economically well off, but one would hardly find any writer, scientist, artist or litterateur of national or international repute whereas numerically much smaller communities like the Parsis or Suleimani Bohras have produced quite a few writers, scientists and intellectuals of international repute. This fact is enough to challenge the priestly claim that the rigid discipline imposed by it is in the interest of the community. Strict intellectual conformism always serves the interests of authoritarian rulers. The Bohra community is a case in point.

The limited circle of the Bohra intellectuals have to function

under still more trying conditions due to lack of education among the Bohra women in general. By and large, the Bohra women are way behind in the field of education in spite of the fact that among Muslim communities their's is economically a little ahead. The Bohra priesthood, moreover, has a special interest in keeping the women away from this field. To add to this is the fact that in India women of one community hardly have intercourse with women of another community. This phenomenon is more pro among the Bohra women because of their lack of education (comparatively speaking) and employment. Very few Bohra women take up jobs, even in cities like Bombay, due to social strictures and in smaller places it is rarer still. (Sociologically speaking such strictures are quite rigid in India among the petty business communities.)

The weapon of social boycott for these reasons becomes very effective. Whenever a boycott is declared against any person, his wife, sisters or mother cannot stay with him or maintain any contact with him; if they do, they face the same fate. Thus these women, even if they choose to stay with the boycotted man, feel terribly isolated and ultimately compel him to fall in line and apologize to the high priest. The reformists have, because of this peculiar problem, lost many a veteran fighter. Very few women show such extraordinary courage as to stand by their husbands or brothers or sons when they are socially boycotted by the priesthood. The high priest has fully exploited this situation to his advantage in order to disrupt the reformist movement. The movement in Udaipur, as we have seen earlier, could be sustained because the priesthood committed the blunder of assaulting their womenfolk publicly and thus antagonizing them against itself for good. The support of the women for the movement thus proved very valuable in Udaipur. It is also important to note that the percentage of education is quite high both among men as well as women in that city. Many of the Bohra women in Udaipur are teachers or doctors and are in other government services.

There is yet another factor which impedes the growth of the reformist movement among the Bohras. It is the religiously accepted role of the ordained priest on occasions like marriage and death. There is no concept of priesthood in Islam as any layman can perform a *nikah* or burial ceremony. However, it is

only among the Ismā'īlīs that a concept of priesthood comparable in its hierarchical structure, to that of catholic church has developed. The occasions of marriage or death are fully exploited by the priesthood to force even the most recalcitrant to give in. The community is still not prepared, for understandable reasons, to break out of this un-Islamic practice. If this happens many Bohras would feel emboldened not to conform to the injunctions issued by the high priest.

Lastly, the economic factor also plays its part in perpetuating the dominance of the priesthood. In India as yet, due to backwardness, even modern professionals like doctors, lawyers, architects, engineers etc., depend on the members of their own caste or community for their clientele. A non-conforming member would, in the event of social boycott, lose his clients who are his fellow-religionists. The priesthood has, in this manner, brought many professionals to their knees. There are numerous such instances. Hardly anyone would stand by his or her convictions in such circumstances. Even business partnerships suffer on this basis. A reformist Bohra would lose his job if he were working with any other Bohra firm and or a reformist employer would lose his Bohra employees. Even the products from a factory of a reformist Bohra are not allowed by the priesthood to be consumed by other members of the community.

For reasons listed above, the reform movement has suffered considerably and could not find wider acceptance despite sympathetic attitudes towards it. However, conditions are changing very fast. The reform movement is gathering, though gradually of course, more and more momentum. A greater degree of industrialization, the spread of education, diversification of commercial enterprises, better job opportunities in government and semi-government organizations, increased political awareness etc., are some of the factors helping the process of change. The priesthood, of late, has been caught in a real dilemma: as the magnitude of the challenge to its authority increases, the priesthood resorts to a higher degree of regimentation in order to maintain its hold over the community and a higher degree of regimentation results in further alienating the community from it. The priesthood feels, perhaps rightly so, that any liberalization would result in eroding its authority over the community. But an increased degree of regimentation is proving equally

disastrous for it. It really does not know how to get out of this situation, which needs very delicate handling. But the high priest and his family are too arrogant to do the needful.

The media has also played its role in widening the base of the reform movement. Previously, a large number of people were not aware of the real issues involved, but now, thanks to newspapers and magazines, a large number of people have come to know the truth about our movement. The vehmence with which the priesthood opposed the Nathwani Commission and the repressive measures which it used to force the Bohras to oppose the Commission has exposed its (priesthood's) vulnerability. As a result, opposition to the priesthood has increased. Moreover, the priesthood, in the last few years, have started extracting money much more ruthlessly, not sparing even the poorest. This ruthless exaction has affected the entire community and even those who, till yesterday, were opposed to the reformists, are re-thinking their position. At least the signs of a crack have appeared in the monolith. Now the movement is no longer confined to a small educated elite and is in the process of becoming broad-based and this is the reformists' real strength.

But, and I wish to say this with due emphasis, specially to my reformist brethren, this does not mean that success is near at hand or that the ripened fruit will directly fall in our hands. We are faced with a powerful, resourceful and very shrewd adversary. We will have to chalk out our strategy, weighing all the pros and cons, and always keep an open mind about it, so as to change the strategy whenever circumstances demand. Moreover, the widespread resentment against the exploitative and repressive priestly set-up has not been channelized into an organized opposition. Still, there are powerful impediments in the way. The reformist leaders will have to display much more imagination and organizational capability to direct the movement on right lines especially as they are desperately short of resources. It is not an easy task. But I am sure the present leadership is capable of meeting the challenge.

It is a sign of success that many young people are coming forward to work for the movement. With tact and imagination their youthful vigour can help channelize the widespread resentment in the community. The reformist leaders have rightly decided to organize an underground movement in those towns

and cities which have a considerable population of Bohras. The time is not yet ripe for an open confrontation. If the underground movement is tactfully directed the scattered resentment can showball into a formidable opposition forcing the priesthood to concede the reformists' demands and confining itself strictly to the religious sphere. In Madhya Pradesh the underground movement has gathered momentum with Indore as its centre. The Bohra youth in Indore are conducting the movement in the right way and have registered great success. The movement there continued to be conducted with great caution and Indore has become another centre of revolt. It is also necessary for the reformists' to propagate their cause among the Bohra women who have so far been the bastion of support for the priesthood. If the Bohra women can properly understand the reformist cause and stand by it, the priesthood in no time would loose the battle. It has been observed that wherever the female members of a family have stood by their male members, the family has withstood social pressures. However, this requires sustained and patient efforts on the part of the reformists. But there are no short cuts as far as movements for social change are concerned and certainly not when social practices are projected as an integral part of religion by the shrewd priesthood which seeks to dominate rather than provide a meaningful leadership to the community.

If my reformist friends would bear in mind the strength and weaknesses of the movement pointed out above—though my analytical review may not be faultless—and devise their course of action accordingly and work with dedication, I have no doubt that success will be ours.

10

THE WRETCHED OF THE BOHRA COMMUNITY

The Bohra community at present is passing through a period of turmoil. Many members of this community, especially those who have taken part in the rebellion against the authoritarian Bohra priesthood, are undergoing intense suffering and mental torture. Hundreds of families have been separated with little or remote chances of reuniting, at least in the foreseeable future. Even those who have not taken part directly in the movement but are suspected of harbouring sympathy for it have not been spared by the tyrants in priestly robes.

Frantz Fanon, in his well-known book *The Wretched of the Earth*, has described how the western colonizers humiliated, insulted, and tortured—both physically and mentally—the people of the colonial world, permanently affecting their psyche. In a Preface to the above book Jean Paul Sartre, addressing the western audience says: “Our victims know us by their scars and by their chains, and it is this that makes their evidence irrefutable. It is enough that they show us what we have made of them for us to realize what we have made of ourselves. But is it of any use? Yes, for Europe is at ‘Death’s door’.” Metaphorically speaking the Bohra priesthood is a colonizer and the Bohras a colonized people. The priesthood humiliates, insults and tortures them and treats them as slaves, like the western colonizers treated their Asian and African people. The Bohras bear permanent scars like the ones Sartre refers to in his Preface. These Bohra victims know their priesthood by their scars and by their chains. This evidence of

psychological injury is irrefutable proof of their estrangement from the tyrannical priesthood.

Of course, for the colonized people it was a political fight. With the proper leadership and strategy they overthrew the political hegemony of the West, but such a direct struggle against religious authorities is not possible, and, even if waged, has very limited chances of success. So also is it with the process of social change. It is extremely difficult to break age-old social traditions which have been elevated to a religious status. These struggles assume a very tortuous course and call for intense suffering and heroic sacrifices. There are instances of people having been driven to commit suicide. Some have become mentally unhinged as a result of suffering.

Here we will describe certain cases to show how the Bohra priesthood has persecuted and terrorized people into submission. The story of this persecution and harassment is very long and painful. It started when some Bohras came forward to work for the cause of secular education in the beginning of the twentieth century. The priesthood opposed the idea of secular education and tried to obstruct their efforts. This brought forth the question of individual rights and the then chief pontiff of the Bohras who denied these individual rights, took it as a challenge to his authority and in order to meet this challenge started persecuting all those who defied his orders. Many fell in line and those who did not were excommunicated. Excommunication or social boycott works with disastrous efficiency in this small and well-knit community. The excommunicated person is totally isolated even from his own family and if the family chooses to stand by him/her the family suffers the same fate within the community. The list of those who have suffered such a fate is very long. We will choose only a few instances to illustrate the cruelties and the measures taken by the priesthood to harass and persecute those who stand to assert their human rights.

Case I

The family of Sir Adamji Peerbhoy was excommunicated in 1917 after Shri Ibrahim Adamji Pheerbhoy became party to a suit filed by the then Solicitor General of Bombay province in the Bombay High Court against the then Bohra high priest Sayedna Tahir Saifuddin. The above suit was filed to compel the Bohra

chief to account for the money collected from the cash box kept at Chandabhai Seth Mausoleum. This family after its excommunication had to suffer a great deal of humiliation. We cannot go into all the details of this family's sufferings here. I will describe only one incident to show what malice the Bohra high priest bore towards this family. When Amatalla Bai, the wife of one of the brothers of Ibrahim Bhai Adamji died the high priest refused permission to bury her. When all efforts to obtain permission for burial failed she was buried at Charni Road, Bombay in a private plot belonging to the Adamjee family. The priesthood sent some of its followers in the dead of the night immediately after burial to exhume the body of Amatalla Bai. The body was not only exhumed, its shroud was removed and thrown naked on the footpath opposite the Charni Road Station. The body was again buried, and police vigilance was kept for several days. This was way back in the late thirties.

Case II

Mulla Abbas Aurangabadi was a brave fighter against the tyrannical authority of the Bohra high priest. His family was also put under social boycott. Mulla Abbas was a gifted orator and was a scholar of *Ismā'īlī* theology. He used to deliver sermons expounding the religious doctrines of the *Ismā'īlī* faith and because of his oratory, he was able to attract a large number of people. In his sermons he used to criticize the irreligious ways of the high priest and his family. So the high priest bore a grudge against him. Mulla Aurangabadi also published a paper in Urdu dedicated to the cause of the reforms in the Bohra community. The high priest's followers threw acid at him as a result of which the left side of his face along with his left eye, was burnt. After this incident Mulla Abbas Aurangabadi left India and settled in Pakistan. But he continued his crusade for reforms from Karachi. However, the high priest did not spare him in Pakistan either. On 24 June 1966 while sitting in his house in Karachi a few persons rushed in, poured kerosene over Aurangabadi and set him ablaze. Before his family could arrive the culprits escaped and Mulla Shahib was burnt alive. In his dying declaration he identified some of these culprits and accused the Bohra priesthood of complicity in the crime. A Muslim friend of Mulla Aurangabadi who had known the details of this incident offered to testify before the

Nadhwani Commission. The commission took note of this incident though the witness could not come for deposition.

Case III

Sheikh Ahmed Ali, Sheikh Hasan Ali, Sheikh Sajjad Husain and Sheikh Ali Ahmed were the four eminent teachers in the Jamia Saifiya (Bohra Seminary) at Surat. Needless to say, this seminary also, like other institutions belonging to the community is fully controlled by the priestly family. The above-named four teachers were suspected of sympathizing with those challenging the authority of the priestly family. They were also suspected of entertaining the belief that the forty-seventh *Dā'ī* was not duly appointed and hence the present *Dā'ī* who happens to be fifty-second in the line of succession, also does not fulfil the religious qualification of the *Nass*. The story of the persecution of these four teachers is horrendous. The narration of some of these incidents is based on personal interviews with Sheikh Ahmed Ali, one of the victims of priestly fury, and whatever he wrote in his personal diary. The Bohra priesthood incited the students of the seminary to attack these four teachers. They were kicked, hit, and spat upon. Some students and teachers went to the extent of opening their mouths and spitting into them. When they came out of the seminary building they were covered with blood and spit. However, this was not to be the end of their agony. They were dismissed from service and confined within the four walls of their houses, which happened to be in the Bohra Muhalla. They could not come out of their houses although they had done no wrong. They were being meted out this inhuman treatment on mere suspicion of not being loyal to the high priest. What is worse is that the high priest pardoned them several times but their agony did not end because the high priest's followers continued to terrorize them. There was nothing more these unfortunate teachers could do except tender apologies and appeal for mercy. But these pleas for mercy did not move the tyrants and the poor teachers continued to live in terror. Once they were called to Bombay and it was said that they would be finally pardoned. The high priest asked them to come to the Saifee mosque where he was to deliver a sermon. These people were to be pardoned that day in the mosque. As soon as they came near the entrance of the mosque some priests in white robes asked them to put their shoes on

their heads and appeal for mercy. The frenzied mob was abusing and insulting them and they were also beaten and spat upon. The high priest pardoned them in this humiliating condition. Even this pardon was no different from the previous ones. They continued to suffer intense humiliation as before. One of these teachers, Sheikh Sajjad Husain was killed by a frenzied mob of fanatic followers of the Bohra high priest in 1975. Another teacher, Sheikh Ahmed Ali was taken to Udaipur by the members of the Bohra youth after the revolt against the high priest there. He is now living in Udaipur. Two other teachers, namely Sheikh Hasan Ali and Sheikh Ali Ahmed both of whom are now dead had to move out of the Bohra Muhalla and are staying with their sons. I have met them and heard from them the hair-raising story of their humiliation and torture. What I have described is only the tip of the iceberg.

Case IV

A new wave of terror was unleashed by the high priest after the revolt of Udaipur. Shashi Bhusan's speech came as a god-send to the Bohra priesthood. Those who did not participate in the protest march against Bhusan's alleged remarks were subjected to various forms of harassment and persecution. Professor Muhammad Hussain who teaches economics in the Christian College, Indore became one of its victims. Hussain, on the day the protest march was organized by the Bohras in Indore, had invigilation duty in his college and so could not participate in the protest march. The local priest of Indore called a meeting of all the Bohras in one of the Bohra mosques to condemn Professor Hussain and declared social boycott against him. Professor Hussain happens to be a popular social worker and was connected with a number of charitable and other organizations belonging to the community. His sincere services were appreciated by one and all. The local *amil* asked all his friends to curse Professor Hussain and strongly condemn him for keeping away from the protest march. Out of fear they complied. Then his own father was asked to curse and condemn him in the public meeting. When he hesitated he was sternly warned that all his daughters will be divorced if he did not comply. Thus terrorized, the poor father had no option but to comply. Not only that, he was told to ask his son Professor Hussain to leave his house that very night along

with his wife failing which his daughters would face the prospect of divorce. Professor Hussain, in order not to put his parents and sisters in such a situation left his own house along with his wife and children. There was no question of any other Bohra giving him refuge. At last one of his students—a Punjabi Hindu, took him into his house. When I met Professor Hussain in Indore he was staying at his student's house. He stayed there for one year when his parents decided to join him whatever the consequences. The whole family is now facing total boycott and is reported to have changed their religion. No Bohra is allowed to talk to him or his family.

Case V

A Bohra widow from Chanda has a son who stays with a Bohra reformist family in Malegaon (Maharashtra). The mother was asked not to maintain any relations with her son. However, she used to write letters to him. Some agents of the priesthood bribed the postman and caught these letters. She was humiliated and asked to apologize for not “obeying” the orders of the high priest. She wrote a last letter to her son and got it delivered to him through a person of mutual confidence because she was afraid that if posted, the letter would be caught. She has poured out her agony in this letter to her son. This letter was brought to us by a relative of this widow's son from Malegaon.

Case VI

We were given two original letters exchanged between a couple by some of our sympathizers. These letters tell a heart-rending story. The husband and wife who have exchanged these letters loved each other intensely. But because the wife's family was sympathetic to the reform movement the priesthood brought pressure on the husband who was under its obligation, to divorce his wife. The husband had no option but to comply. In this last letter which he has sent to his wife on the eve of divorce he has expressed his intense feelings of love towards her and has pleaded with her to meet him at a secret place suggested by him. I do not know whether they met, but I know for certain that they were divorced.

Case VII

This incident relates to Dr. Khadija from Baroda (Gujarat). Dr Khadija used to teach in the Medical College Baroda and was married to one Fakhuruddin Barodawala. Their's was a love marriage. They had been living together for the last 10 years and had two children. Dr. Khadija belonged to Udaipur where her brother Ibrahim Ali Engineer (who is Chief Engineer in Zinc India Ltd., a Government of India undertaking) and her aged mother were connected with the Bohra Youth Association. The priesthood brought pressure on Dr. Khadija in Baroda to sever relations with her mother and brothers and to curse them in the presence of the local priest. Dr. Khadija refused to oblige and took a firm stand. The local priest thereupon asked her husband Fakhruddin Barodawala either to persuade his wife to comply with his orders or to divorce her. When Mr. Barodawala protested and pointed out that he loved his wife and his two children the priest told him that it was a sin to love a wife who does not comply with the wishes of the high priest and that his children in such an eventuality would be considered illegitimate. The husband, however, remained firm for a few months and faced social boycott. But the priesthood now declared an all out war against his family and started harassing Mr. Barodawala's parents, other brothers, and sisters. One of his sisters was harassed in as far away as Calcutta. The parents and sisters of Mr. Barodawala were thus harassed by the priesthood who in turn started harassing and humiliating Dr. Khadija. Her husband looked on helplessly. Dr. Khadija besides being highly qualified, is a woman with self-respect. She could not stand insults and humiliation for long and left her husband's house along with her children. The happily married couple was thus separated, and later divorced.

Case VIII

A young couple was drowned at Aksa beach, Malad, Bombay in 1976 leaving behind a four-year-old daughter. Their bodies were found two days later in a highly decomposed state. The parents of the couple happened to be sympathizers of the reform movement. For this reason the Bohra high priest refused to give permission for burying the dead bodies of the drowned couple in the Bohra cemetery under his control. When the bodies were

taken to the cemetery at Kurla it was found to be surrounded by a large number of the high priest's henchmen. These henchmen refused to open the gates of the cemetery, despite repeated pleas from the mourners. The tragedy with which the couple had met was so heartbreaking that everyone in the funeral procession was weeping. But the high priest's followers were unmoved and would not let us enter the cemetery to bury the bodies. They even indulged in throwing stones at the coffin to force us to retreat. A number of such incidents have taken place in which the high priest's followers stoned dead bodies and mourners in order to prevent them from entering into the Bohra cemetery. Each time the police has had to either resort to lathi charge or firing. Even the worst enemies would not behave in such an inhuman way on such a tragic occasion but the Bohra high priest does so unabashedly in order to maintain a tight control over the community.

Case IX

Sometimes people have been driven to commit suicides because of social boycott and its disastrous consequences. Here is an instance. A girl from Poona was married to a boy from the same city. However, the boy's mother was not treating her daughter-in-law well and because of repeated humiliations she decided to separate from her husband. She went back to live with her parents and her parents reconciled themselves to their daughter's fate. They were trying to obtain a divorce. However, the girl's husband approached the local Bohra priest Noman Bhai Saheb and sought his help (allegedly for a consideration) to coerce his wife to rejoin him. The *amil* called her at his house and ordered her to go back to her husband's house. The girl tried to explain that she was unwilling to go back because while her mother-in-law maltreated her, her husband stood by his mother, but the priest would not hear her pleas and persisted in his demand that she go back to her husband's house. When the girl refused he threatened her and her family with social boycott. The girl desperately pleaded with the priest not to compel her to go back under the threat of social boycott. She also pleaded with the priest that her family was not to be blamed for this and hence not to punish it by declaring social boycott against them. But the high priest ignored her requests. Then the girl said that she would rather commit suicide than live with

her husband. Even then the priest was not moved. The girl, in order to save her family from the curse of social boycott went back to her husband's house and consumed bug poison to end her mental agony. Thus she sacrificed her life to save her family from the humiliation of social boycott. In her dying declaration she put the blame squarely on the priest. This news was carried in headlines by the local dailies in Poona and the situation became so tense that the priest had to flee from there.

Case X

In Udaipur, on 18 January 1975 when a large number of the supporters of the Bohra Youth were busy listening to religious sermons inside the Moiyad Pura mosque, about 400 followers of the Bohra high priest stormed into the mosque armed with knives, cycle chains and lathis, and attacked them. A large number of men, women and children were injured in this bloody attack. The walls of the mosque were splattered with blood. The blood stains on the walls of the mosque were visible even after six months when I visited it. These blood-thirsty followers of the high priest made women and young girls special targets of their attack, molested many of them and hurled them down from the first floor gallery of the mosque. Later, one person succumbed to his injuries. The Sayyedna's followers even did not hesitate to launch such a savage attack inside the mosque which all Muslims consider as a holy place meant only for prayers. The attack was launched when the innocent people were busy listening to a sermon.

Case XI

In Udaipur, an old man who happened to be the follower of the Bora Youth (i.e., the reform party), died. His son did not belong to the party. He was not only not allowed to take part in the funeral procession of his father but was compelled to marry on the same day in order to express his joy "at the demise of his father." He dared not defy the high priest's authority.

Case XII

Akbar Makaty from Jamnagar (Saurashtra, Gujarat) had been sympathetic to the reform movement about 20 years ago but due to social pressure he had apologized and had broken all connections with it. His ailing wife died on 10 July 1977. Makaty

approached the local priest for permission to bury her dead body. The local priest refused to give permission on the grounds that he had taken part in the reform movement 20 years ago and that he might be having sympathy with it even today. Makaty tried to convince the high priest that it was not so, but the priest decided not to give permission for the burial and the body remained unburied for more than 24 hours. When it started decomposing Makaty in desperation requested the Hindus and the Muslims to come to his rescue. Under pressure from the non-Bohra public, the priest gave permission for burial but on condition that her husband as well as her sons should not join the funeral rites. Seeing no other way left and in order not to show disrespect to the dead body, the husband and sons agreed. The priest was so heartless that he ordered her dead body to be carried on a hand cart and buried without any religious rites. The local papers from Jamnagar strongly criticized the priest's inhuman behaviour.

The few cases mentioned above have been selected from myriads of similar other cases. It has not been possible to give details of all these cases here. Thousands of Bohra families are suffering only because they have chosen to listen to the voice of their conscience. Such suffering families can be found not only in India but in countries like Ceylon, Pakistan, East Africa, the countries of the Middle East, U.K., Yemen, etc. There are hundreds of mothers and sisters and wives who cannot meet and talk with their sons, brothers and husbands just because they are on one or the other side of this invisible "fence." They are helpless victims of the high priest's government. Yes, it is a government, although without a territory of its own and without authority having been vested by the usual political means. But it is as tyrannical as any authoritarian government can be. The reformists are fighting against this totalitarian priestly set up so that the Bohras all over the world also enjoy the life of a normal human being vested with democratic rights and personal dignity. Though their struggle appears to be hopeless in view of an opportunist stand taken by politicians, they continue to fight, driven forward by their convictions.

APPENDIX I

RECOMMENDATIONS OF THE NATHWANI COMMISSION

Our enquiry has shown that there is large-scale infringement of civil liberties and human rights of reformist Bohras at the hands of the priestly class and that those who fail to obey the orders of the Syedna and his Amils, even in purely secular matters, are subjected to Baraat resulting in complete social boycott, mental torture and frequent physical assaults. The Misaq (the oath of unquestioning obedience to the Head Priest) which every Bohra is required to give before he or she attains the age of majority, is used as the main instrument for keeping the entire community under the subjugation of the Syedna and his nominees. On the threat of Baraat (social boycott) and the resulting grave disabilities, Bohras are prevented from reading periodicals which are censored by the Syedna (such as the Bombay Samachar, the Blitz and the Bohra Bulletin); from establishing charitable institutions like orphanages, dispensaries, libraries, etc. without the prior permission of the Syedna except by submitting to such conditions as he may impose; from contesting elections to municipal and legislative bodies without securing beforehand the blessings of the Syedna; and above all, from having any social contact with a person subjected to Baraat, even if the person is one's husband, wife, brother, sister, father or son. The weapon of Baraat has been used to compel a husband to divorce his wife, a son to disown his father, a mother or refuse to see her son, and a brother or sister to desist from attending the marriage of his or her sister or brother.

An ex-communicated member becomes virtually an untouchable in the community, and besides being isolated from his friends and nearest relatives, is unable to attend and offer prayers at the Bohra mosque. Even death does not release him from the taboo, for his dead body is not allowed to be buried at the community's common burial ground. Bohra Jamats in India and abroad are not allowed to frame their own rules and regulations, but are subjected to authoritarian constitutions granting absolute power to the Syedna and his nominees. Millions of rupees are collected every year from Bohras in India and abroad as customary taxes and Nazaranas by the Syedna and his nominees, but the Syedna is not accountable for them to any one. The Syedna also claims to be the owner of all the Bohra mosques and the sole trustees of all Bohra trusts, and where the account of any of these trusts are audited, the work is done by a firm composed of some members of the Bohra Community who are also bound by the Misaq given by them to Syedna.

For obvious reasons, it is almost impossible to improve this situation by organising a reform movement from within the Bohra community. Any person who fails to obey implicitly the orders of the Syedna and his Amils commits a breach of his Misaq and is liable to be subjected to Baraat of social boycott. The consequence is that although a large number of Bohras resent the disabilities imposed upon them by the priestly class, they are unwilling to give any public expression to their resentment. We thus found that although a systematic public campaign was organised in the Bohra community to condemn our Commission and to put a stop to its enquiry, quite a few of the campaigners wanted us to carry on the work.

While the majority of dissenters are thus unwilling to express their opposition to priestly domination, those who have the courage to do so are unable to carry on a reform movement from within the community. Although they are willing to accept the religious, as distinguished from the secular authority of the Syedna as an essential part of their faith, Baraat is proclaimed against them, and being thus deprived of social contact with other Bohra brothers and sisters, their movement has only a peripheral impact on the community.

The situation therefore calls for the authority of the State to be invoked for passing suitable legislation to relieve the hard-

ships of the community, without encroaching on the fundamental rights which it enjoys as a religious denomination. Under Articles 25 and 26 of the Constitution, members of the community have the right to freely profess, practice and propagate their religion, to establish and maintain institutions for religious purposes, and to manage their own affairs in matters of religion. These rights, however, do not prevent the state from making any law (a) regulating or restricting any economic financial, political or secular activity, which may be associated with religious practice, or (b) providing for social welfare and reform.

We will indicate in this chapter the types of enactments which are required for regulating the economic and secular activities of the Bohra priesthood and for providing social reform in the community. Before doing so, however, it is necessary to emphasise that such legislation is not likely to be passed and implemented unless it receives the active support of all progressive sections of the Indian people, including those belonging to the minority communities. We appeal in particular to Indian Muslims to peruse this report, see the ghastly picture of persecution which it presents, and decide whether legislation is not necessary to regulate the secular activities of the Bohra priesthood and to introduce social reform in the Bohra community.

We recommend the following types of legislation in order to mitigate the evils described in the earlier chapters.

I. Baraat or social boycott should be made illegal and penalised as an offence.

The full facts about the Baraat and its consequences were obviously not placed before the Supreme Court when it decided the case Saifuddin Saheb Vs. State of Bombay (AIR 1962 S.C. 853). Baraat among the Bohras is not proclaimed for religious apostasy, nor does it merely imply exclusion from communal worship and use of communal property. Baraat is proclaimed for non-conformity in secular matters and it implies complete social boycott, isolation from close relatives and friends, loss of business and employment, and virtual imposition of untouchability. Contrary to the view expressed by the majority of the Supreme Court in the above case, abolition of Baraat is undoubtedly a matter of urgent social reform.

We are, however, of the view that in drafting a law for the abolition of social boycott, the defect which induced the

majority in the Supreme Court to declare the Bombay Prevention of Ex-Communications Act, 1949, to be invalid, should be avoided. It is also desirable that a law against the imposition of social boycott should be of general application and should not be confined to the custom of Baraat in the Bohra community. As a model of such a law, we recommend Bill No. 67 of 1977 which has been introduced in the Lok Sabha (House of the People) by Dr. V. R. Pandit, M.P. and is circulated for eliciting public opinion. A copy of the Bill is annexed to this Report at Appendix "H".

II. We have seriously considered the question whether the abolition of Misaq should be recommended as a measure of necessary social reform. There can be no doubt that in so far as the Misaq involves an undertaking to accept the guidance of the Syedna in religious matters, it represents an essential feature of Bohra faith and calls for no interference. But we have seen in Chapter IV that the Misaq is so far-reaching as to involve unconditional surrender to the Syedna in secular as well as religious matters and that it amounts to a virtual charter of slavery. We have also seen in subsequent chapters that it is the breach of Misaq in secular matters which is made the basis of all-sided persecution of dissenting Bohras. We therefore recommend that the Syedna should in the first place be requested to limit the Misaq to obedience of his directions in religious matters. If he refuses to do so, the giving of Misaq in its present form should be prohibited by law.

III. It is essential that all the trusts where the Syedna claims to be the sole trustee, and the receipt and expenditure of all the customary taxes and nazranas, should be regulated by suitable legislation. Acts like the Wakf Act of 1954 and the Durgah Khwaja Saheb Act of 1955 show that such legislation is constitutionally valid. Since many of the trusts receive income from different parts of India and abroad, and since the customary taxes and Nazaranas are also collected in India and other parts of the world, legislation for the regulation of such trusts and income should be the responsibility of Parliament rather than of any State Legislature. "Trust and Trustees" is a topic in the Concurrent list of the Indian Constitution (Schedule VII, List III Item 10).

In respect of such trusts and incomes we recommend legislation as mentioned below:

- (a) The Syedna claims to be the sole trustee, if not the sole owner, of all Bohra mosques. (We have seen a copy of a judgment of the Madras State Wakf Board dated 1-7-1962, where a claim made by the Secretary of a Bohra mosque that the mosque properties were not Wakf properties but were the personal properties of the Syedna, was rejected.) It is necessary to have a law to regulate the management of the Mosque properties. The law should provide for a Board of Trustees with the Syedna as its Chairman. It should be necessary to keep regular accounts and the same should be open to inspection by members of the community.
- (b) A similar law is necessary for the management of all the trusts of which the Syedna or his family members are the trustees. The law should provide a scheme for the appointment of trustees, an independent Secretary and the necessary staff. The Government should have the right to designate a Chartered Accountant to audit the trusts' accounts, which should be open to inspection by members of the community.
- (c) In many charitable trusts set up by individual Bohras, the settler was pressurised to make the Syedna or his nominee the sole trustee. A provision should be included in the enactment visualised by (b) above to enable the District Judge of the district where the office of such a trust is located to frame a suitable scheme for the management of the trust under a more representative Board of Trustees.
- (d) Most of the customary payments made by Bohras to the Syedna or his Amils and described in Chapter XII of this Report are impressed with obligations in the nature of a trust. A separate law is necessary for the accounting of the amounts received and their expenditure for the welfare of the community. The law should provide for a scheme of management by a Board of Trustees who would represent the interests of the entire community, and for

getting the accounts audited by an independent firm of auditors designated by the Government. The accounts should be open to inspection by members of the community.

On the basis of the available material, we are not able to say whether the amounts collected as Nazaranas and Salams described in chapter XII are also trust properties. This will depend on the purpose for which the payments are made. It appears, however, that if the amounts do not partake of the nature of trust property, it would be personal income and would be liable to income tax. Since the amounts are customary payments made on certain occasions, they are not receipts of a casual and non-recurring nature so as to be exempt from income tax assessment.

IV. We have referred in this Report to the ways in which the Syedna or his nominees influence the elections to municipal and legislative bodies. We have pointed out that such practice, apart from constituting a corrupt practice when done with the consent of a candidate or his election agent, is by itself an offence of "undue influence" under section 171-C of the Indian Penal Code and is punishable under section 171-F of the Code. We hope that this clarification will result in the discontinuance of such electoral interference by religious heads. In any case, the present law is sufficient to meet the situation and additional legislation is not called for.

V. We have seen in an earlier chapter how Bohra Jamats in India and abroad were compelled to accept authoritarian constitutions under which autocratic powers were granted to the Syedna and his nominees. Pressure for the acceptance of such constitutions could be exercised because of the force of Misaq and the fear of Baraat. If Baraat is made illegal and if the misaq is either improved or prohibited, the aggrieved Jamats will be free to make such alterations in their constitutions as they may desire. No additional legislation appears to be necessary for this purpose.

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