

## Book Review

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*The Parsis of India – Preservation of Identity in Bombay City* by Jesse S. Palsetia, Brill's Indological library, Volume 17, Brill, Leiden, 2001, 368+ pages. ISBN: 90 04 121145.

This is the *first* full-scale attempt at depicting how the Parsis tried to maintain their identity in Bombay, despite their microscopic existence, from the seventeenth century to the early twentieth century, and how they tried to preserve their common identity while integrating culturally into the Indian masses – today a mere 70,000 or so against the one billion population of India. Each chapter provides the Parsis' response to safeguarding their common identity at a given historical moment, as they transitioned from an isolated group to a community with a pluralistic vision. The book may also prove useful to the Parsis settled abroad in large numbers for perpetuating their identity on their own in the absence of any legal resources possible for it even as the Zeitgeist makes it so hard for them to retain their genetical inheritance.

### Introduction

The book consists of six major chapters, an introduction and an epilogue. The introduction describes the advent of the Parsis to India from Persia.

### The Pattern of Parsi Settlements

The author admits it is difficult to characterize the ancient religion of the Parsis, but describes it as an original attempt at unifying the preexisting Iranian dualistic tendencies within an ethical framework, making it both "revolutionary in its conceptualization and innovative in its observance." Humanity was created by Ahura Mazda as a vital force in his design for the struggle between good and evil. He granted free will to mankind so it can freely choose to be good or evil, good ultimately triumphing over evil by mankind making the right choice.

After reviewing all the accounts of the Parsis' migration to India, the author finds them quite questionable. He sees the possibility of more than one migration, which I for one see as the only way to explain the spread of Parsis far away from Sanjan with their own priestly clans. The first *known* Dakhma (tower of silence) in India was built of brick in Bharuch some time before 1300, and a second one in 1309. A stone Dakhma was erected in 1531 in Navsari which by then became the main religious center, though the majority of Parsis lived in and around Surat. As Surat became the entry port for Europeans, it greatly boosted Parsis' commercial enterprises there. Later on Bombay became the major center of their religious, social, and cultural life. Throughout their stay in India, Parsis showed remarkable ability to adapt themselves to the social and cultural norms of their setting.

Parsis strictly followed endogamy to safeguard their identity, and the caste system in India virtually ensured its uniform application among them, thereby fostering their sense of self-identity. Priests enjoyed authority up to the early nineteenth century. When Parsis found out about the existence of their coreligionists in Iran, they started a dialogue with them, inviting their opinions on several religious and ritual matters from 1478 to the late 1700's, composing them under the title of *Rivayats*, meaning traditions or proper usages. The author sees this development as highlighting the growing influence of laity, but this is hardly tenable as the laity was then not very literate, and most of the queries pertain to very complex priestly matters, which is the main reason they were preserved so assiduously to this day by the priests. Just because the priests depended upon the laity for their expensive funding, and included some queries from the laity also, it is not enough to assume "the growing influence of the Behdins or laity before the advent of modernity. Most of the Rivayat materials pertain to such complicated ritualistic details that even present-day priests would not be cognizant of them all. Moreover, Parsi priests often outright rejected some of the Iranian advice as unacceptable. Not only the initial initiative for the *Rivayats*, therefore, had to come from the priests but also their compilation and continuance for three centuries owed much to the priests. Their "termination" was not, as Palsetia remarks, due to "the refusal of the lay leadership" to accept priestly authority, for which he provides no evidence, but rather due to the forthright admission by the Irani priests that religious persecution and massacre of 20,000 Zoroastrians outside of Kerman alone by Afghans had so destabilized them that they were unable to guide the Parsis any more. Until then priests were included on the Board of Bombay Parsi Panchayet (BPP) and had their own independent associations in Navsari, Surat, etc. The rise of the laity due to their economic clout came a little later in 1787 when the British recognized the internal authority of the Bombay Panchayet over Parsis. It extended its influence over the whole community in Western India where they were then mostly concentrated, notes the author. However, there were instances of local associations not following its dictats, and religious authority to this day is exercised by priestly organizations, there being no other organizations serving this purpose in the Parsis' entire history in India.

While colonialism reshaped Parsi self-perceptions, the author rightly cautions against "the danger too often ly(ing) in viewing colonialism as the only object, and seeing change as in large measure driven by, or limited to colonialism." He cites Tanya M. Luhrmann's, *The Good Parsi*, (Cambridge, Mass.: Harvard University Press, 1996) as an illustration of such a danger. (Her book is so distortive of the facts that I am working on countering it.) The Parsis vehemently opposed the English missionaries' efforts for converting them to Christianity. They were also in conflict with British legal culture, and had to devise a legal code that took care of their own traditions as well as that of the British law. However, the Parsis' proverbial skill at adapting to their environment led to a thorough adoption of westernization, which, however, created tensions of its own regarding the Parsi identity, often leading to disagreement over the nature of identity and how to safeguard it. By the 1850's the Bombay Panchayet had no

longer any authority over internal government which began to be exercised by the British legal system and in its wake emerged many competing centers of authority with the resultant tensions and stalemate about the role of their central authority. The Parsis thus had to resort to the British legal system to resolve the question of who could be called a Parsi, only to find that it did not provide them any answer to this day but instead started them on a long journey in its quest which Palsetia describes better than anyone I know.

## 1. Parsi Identity and the Urban Setting

*The first chapter* deals with the advent of the Parsis from various parts of Gujarat to Bombay, necessitating the establishment of a Dakhma there as early as in 1675. Parsis who made their fortune in Bombay encouraged and helped others to migrate to Bombay. As the Parsis grew wealthy, they carried out innumerable charities, not only for the Parsis, but also for other communities. The author quotes Maria Graham's mention of the extent of Parsi generosity in her journal in 1809 – one Parsi alone feeding 5000 people for three months during a famine, and adds that such examples were multiplied as their wealth increased. The Parsi charity extended to many other parts of India as well as Europe. However, space does not permit their inclusion here, though Palsetia's list itself is by no means exhaustive. Parsi charities became "an expression of social and political power" of Parsi elites. "The prolific Parsi charity towards British causes was a symbol of the affinity on many levels – social, cultural, and political – between the two communities. At the same time ... the extension of charity to the British and others, was an expression of the community of values the Parsis had created in support of the improvement of the social condition and civic life." Palsetia maintains that the social and political affinity Parsis formed with Europeans was at first a result of the economic potential both saw in each other. Parsi merchants also got involved with American firms. However, the East India Company's monopoly prohibited Indians from trading directly with Europe, and so the Parsis engaged in the trade between India and China. "The greatest Parsi profits were made in trade with China," Jamsetjee Jeejeebhoy making the most money from it, as well as donating more for various communal as well as cosmopolitan philanthropies than any of his contemporaries. However, by 1855 his commercial empire had practically ended. But his personal prestige and fame were never greater, and he remained the *de facto* head of the Parsis and a respected representative of *all* the citizens of Bombay.

The Parsis were well situated to be the first to start various industries in India, including construction of railways. Eight Indians were made hereditary baronets during the British rule, three being Parsis. By 1946, 63 Parsis were knighted by the British. Palsetia is in the right company when he attributes Parsis' philanthropy to their religious tenet to advance the welfare of the world in whichever way they can. Their quest for prosperity and preeminence is seen by Palsetia as an integral part of their quest for maintaining identity, and of their efforts for ensuring their economic, social, and political relevance and viability as a (microscopic) community at any given time.

## 2. Parsi Identity and the Institution: The Parsi Panchayat in Bombay

*The second chapter* describes the rise and decline of the Parsi Panchayat's authority and powers. Initially only the prominent merchants were the leaders of the Panchayat which proved instrumental in defining and shaping Parsi identity in Bombay. The first known Panchayat included five well-known leaders of the community and was formed around 1725. It was the first time that an Anjuman did not have a priestly representative. Its authority was tacit and implied. Even though it was self-constituted, it did try to obtain the community's approval by holding the meetings of the entire community (Samast Anjuman) to decide on important issues. One of the earliest such meetings was held in 1749. The Panchayat was largely based on the model of the caste Panchayats which adjudicated disputes among its members in India, and reflects the degree of the Parsis' assimilation into Indian culture. It was also the British policy to encourage the establishment of such communal organizations in Bombay in order to induce Indians to migrate there. The first Bombay Parsi Panchayat (BPP) most likely came into being between 1725 and 1733. The earliest recorded communication of BPP with the British took place in 1778, and that was regarding the permission for meting out physical punishment to its non-complying members, to which the Governor of Bombay responded by specifying the extent and severity of such inflictions.

After obtaining the consent of the majority of the Bombay Parsis in 1777, the BPP prohibited Behdin (lay) females marrying into priestly families. When the priests challenged this ruling, the matter ended up with the government, which reinforced the authority of the BPP to make such ordinances, but commented that the Parsis had little knowledge of their customs and religion. The government seized this opportunity to impose its own authority over the BPP by decreeing that a new BPP of twelve trustees be selected by the governor himself from a list of twenty-four names from laity and clergy submitted to him by the Parsis. The new BPP, consisting of six laymen and six priests, was inaugurated on January 1, 1787, but its elite status did not change. British intervention inadvertently tied the BPP to the Parsis' search for preservation of their identity. The challenge by priests thus led to the new institution in 1787, but by 1830 priests were allowed to marry lay women, and laymen were allowed to marry into priestly families. The new BPP established such judicious control over the social, political, and religious affairs of the community that it came to be respected by the Parsis all over India. But the reputation of the BPP got compromised later on by nepotism and class interests, and so in 1818 a new BPP was selected at a public meeting. It succeeded in its tasks as long as the community was willing to abide by its rulings and saw the need for them. Eventually the very factors that led to its rise contributed to its decline: The Parsis increasingly ceased to see it as an effective body and other alternatives were sought to safeguard Parsi identity. By 1836 the community seems to have lost its trust in BPP because of the trustees' inappropriate conduct, favoritism for certain litigants, nepotism, class mentality and preferences, tardiness in making important decisions, as also the ineffectual performance by some of its hereditary heads. When the failure of the BPP to do justice to a young woman aban-

done by her eighty-year old husband was highlighted in courts by an Englishman in 1830, it galvanized many Parsis into action. Many respectable trustees resigned in disgust when their wise counsel did not prevail. They warned of potential danger due to a failed BPP in view of the non-existence of any clear-cut Parsi custom under the English law. A British court in 1811 had already accepted as tradition the right of an illegitimate son of a Parsi to inherit his father's entire estate, which heralded the British inclination to submit the Parsis to the English law in absence of any clear-cut customs among them. With the passage of the Parsi laws in 1865 the BPP lost its legal authority for communal and religious obligations, and was reduced to the status of a charitable institution.

### **3. The challenge to Parsi Identity: Conversion by Rev. John Wilson**

*The third chapter* describes the challenge to Parsi identity caused by the conversion of Parsi youth to Christianity by British missionaries in 1839, which shattered the very assumptions Parsis had about the British rule. When restrictions on missionary activities were removed in 1813, Reverend John Wilson began to engage Indians in debate about their religious beliefs, hoping to prove the superiority of Christianity. He decried Zoroastrianism's claim to being a monotheistic, divine revelation, ethical, and capable of offering salvation. He questioned the authenticity and accuracy of the scriptures of the Parsis, and impugned both the character of their prophet and their value system. The conversion of a Parsi teenager, Dhanjibhai Nauroji, in the wake of missionary harangues was perceived by the Parsis as a veritable threat to the entire community, and took their case to the courts, maintaining that the customs and traditions of the Parsis were for Parsis alone to determine. However, the British had subjected the Parsis to English law since 1824 in the absence of any clear-cut Parsi laws and customs. The Parsis based their appeal on religious tolerance, which under the British law applies to both parties in the court, and so they lost their appeal in the court. They sent a petition, calling it an "Anti-Conversion Memorial" to the government, asking for redress in law for conversion, for disallowing further missionary work in India, for legally setting twenty-one as the age one can exercise one's religious rights, and for allowing parents to disinherit children who decide to convert. The government claimed to follow a policy of strict religious neutrality, and refused to act upon the petition, which led Parsis to rethink their heretofore good relations with the British. They developed ties with other communities, and urged parents not to send children to mission schools. Parsis saw the need to start their own schools, the first one opening up in 1849.

Parsis again had a brush with the British authorities in 1832 when they protested against the government attempts at capturing and putting to death stray dogs in Bombay. They organized a strike on June 6 and 7, 1832 which resulted in hardships to European residents. The Parsis took to the streets to protest against this policy, and even created disturbances at police offices. Such readiness for protecting their identity and traditions, despite their otherwise good relations with the British, reveals the extent to which they were concerned about their

identity. (The author may not be aware of what J. J. Modi mentions in his biography of K. R. Cama – about Cama himself being on the verge of becoming a Christian when his family promptly sent him away to China along with Dadabhai Navroji on a business trip. Modi also mentions Cama’s son wanting to be Christian. Ironically enough, the mission where conversion of Parsi youth took place was located just next to where K. R. Cama Oriental Institute stands today.) Further conversions took place, but the Parsis found no choice under the English law but to face it as the negative aspect of the British rule. Parsis even came to reconcile with Dr. Wilson, and B. M. Malabari even wrote a poem ‘Wilson Virah’ in his memory. Palsatia concludes this chapter by quoting the words of “one-time outcast” Dhanjibhai, which will not fail to provide an insight into the Parsi identity:

I was born a Parsi and I am still a Parsi of the Parsis. – Whatever touches them touches me. Their joy and sorrow are mine. I love them, and *if need be, I am ready to lay down my life for them.* – I am proud to belong to a race which stands foremost by reason of many high qualities among the races of the East.

Palsatia’s treatment of the conversion episode is thorough and well-researched from the historical perspective chosen by him. A review of this historical topic as an inter-religious critique has been published, among others, by Michael Stausberg in Germany, in which he tries to show that Wilson had only limited ability or willingness to understand the inner logic of a religious system that was strange to him.<sup>1</sup>

#### **4. Parsi Identity and Social Reform: The Impact of Modernity**

*Chapter four* describes the Parsis’ efforts for starting various educational institutions both in and out of Bombay, and how it led to the divisions within the community between the traditionalists and the newly educated class that advocated social and religious reforms. Both British and Indians cooperated in establishing educational societies and institutions. The Parsi merchant-princes took the lead in collaborating with other communities, and started a secular exchange with the British. Six schools for girls’ education were started by inter-communal cooperation in 1849, but the Parsis decided to manage their own schools for girls to avoid funding problems, which continued to plague them for quite a while. However, so strong was the community’s opposition at first to female education that many wealthy Parsis educated their own daughters in their homes. Whereas just twenty years earlier the Panchayat enforced strict restrictions on women in so many ways, the education of women was now held by the Parsis as a highly desirable goal. As Palsatia remarks: “Indeed, reformist Parsi attitudes paralleled contemporary radical British attitudes on gender and progress, if not their entire agenda.” It did not take long before the reformists’ efforts produced India’s first professional women. Education of Parsi girls owed much to the efforts of personal sacrifices of reformers

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1 “John Wilson und der Zoroastrismus in Indien: Eine Fallstudie zur interreligösen Kritik”. In: *Zeitschrift für Religionswissenschaft* 5 (1997): 87-114.

who often funded it themselves, observes Palsetia, but it owed as much to the precepts of their prehistoric prophet about gender equality (Yasna 53.5, 54.1, 51.22, etc.) and Free Will (Yasna 31.11, 30, 45, etc.) which, unlike his Hindu and Jewish contemporaries, empowered women to be initiated into the religion on the same basis as men. Palsetia gives special recognition to Manockjee Cursetjee, who, like his cousin Meherbai who was the first Parsi to send her daughter, Dosabai to an English school, which led to demands for her excommunication by the Parsis. He gave his daughters freedom of social interactions, and they even accompanied him to Europe in 1862. Unlike most Parsis his goal for educating women was not just to make them better mothers and wives, but to prepare them for self-instruction and build their moral character as a whole. He started the first English school for girls in his own house in 1859, and started Alexandria School in 1863, which his granddaughters, Ms. B. J. M. Cursetjee and Ms. Amy Rustomjee ran until the 1970's. The Parsi newspaper Chabok (meaning "whip") "mercilessly attacked (him) for his Anglophilism" and he was often an object of satire in Parsi parodies. (Even though I had read all I could about him, it was only after reading Palsetia's details about his Anglophilia that I came to understand why his granddaughters always spoke with each other in English even at home, besides with my wife and me.) So welcome were the winds of westernization to Parsis, that no opposition from traditionalists or press could derail it, but in its wake it brought tension and discord over Parsi identity, more so when the educated Parsis began to reinterpret Parsi religion, and reject all that did not seem rational to the modern mind. While the Panchayat resorted to force and disciplinary actions to protect Parsi identity, the reformists appealed to the power of rational, critical thinking. Palsetia rightly maintains that the modern understanding of Zoroastrianism depends upon the available sources and yet he asserts: "Religious observance before Zarathushtra was expressed in traditional forms, though under Zarathus(h)tra<sup>2</sup> the meaning had changed," a view hotly debated by Parsi reformists and non-Parsi scholars alike to this day. Zarathushtra had no choice but to explain his faith in the language and practices familiar to his audience, and that precludes any possibility of doing away entirely with the terminologies in vogue then. Palsetia is on uncertain grounds when he states: "As a priest, Zarathus(h)tra carried out the Yasna ... and ritual offerings, specifically of plants (hauma), and debatably animals" (p. 161). Except for the Gathas, the Yasna ritual consists of Younger Avesta, and Zarathushtra seems to have decried the use of the intoxicating plant Haoma (Vedic Soma) and ritual sacrifice of animals. Palsetia rightly maintains that Zarathushtra made "unique personal and ethical connection ... with ritual observance," but what religious ceremonies and observances the prophet instituted obviously in the Gathic language of his times cannot possibly be the ones in vogue today, many scholars even claiming that many of the observances denounced by the prophet eventually crept back in his fold. This is typical of the problem faced by students of history like Palsetia when they touch upon religion as ancient and historically complicated as

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2 It is not clear why Palsetia prefers to spell the proper Avestan name Zarathushtra as Zarathustra in such a singularly scholarly treatise.

Zoroastrianism.

Palsetia's elaborate efforts at explaining how the Parsis' admiration and emulation of the West shaped their response to their religious views, is quite interesting and insightful. The reformist movement had profound influence on the community per Palsetia, but it has not been ascertained how much western education and the sheer advent of modernity had to do with the Parsis' recognition of the need for changes. For instance, would the Reformist movement have succeeded if it was initiated just a century or so earlier? Evidently the *Zeitgeist* filled the winds of its sail boat. What Palsetia perceives entirely as a tension or conflict between the orthodox and the reformists is also to a great extent an inevitable struggle between the old and the new ideology experienced by a community at the vanguard of change at the time. Even those Parsis who had hardly much to do with the reform movement must have felt the need to keep up with the times, as they are often wont to say. This is as much true today as then, especially for the Parsis who have settled abroad. As Palsetia explains at length, the advent of Parsi press and theater afforded both orthodox and reformists ready opportunity to articulate and expand their agenda. Despite it all, the two readily came together to protect Parsi identity and interests without any hesitation, as when the British failed to protect Parsis and their fire-temples and residences during riots against them by Muslims, displayed a negative bias towards Indians or Parsis. They also united so enthusiastically in order to assist the Zoroastrians in Iran who were suffering adversely from religious persecution for centuries. However, reformist agenda (or modernity) made the unanimity of religious views and practices impossible, and "the plurality of thought contributed to heterodoxy of religious thought within a conservative religious tradition." Today, it is a common joke among the Parsis that there are as many forms of Zoroastrianism as there are Zoroastrians.

## **5. Parsi Identity and the Parsi Laws and Law Court Decisions**

*The fifth chapter* provides a comprehensive review of the need for a code of laws for maintaining Parsi identity, and how the Parsis finally succeeded in enacting it, albeit not without encountering serious disagreements between the reformists and traditionalists. Unlike the Hindus and Muslims, the Parsis did not possess any well-defined code of religious laws and social customs. While a strong BPP was able to adjudicate disputes, its powers masked this lacuna, and later when it lost its powers, absence of a unified code resulted in serious consequences to the Parsi identity. Whereas an illegitimate son was entitled to maintenance for life only per Parsi usage, a British judge awarded one the entire estate of his father who died without a will. The British tended to apply English civil law to urban Parsis, but not to the Parsis in Gujarat. In 1828, Harry Borradaile urged Parsis to define their laws, as its absence had the potential of interminable litigations. In 1835 when a Parsi resorted to the English law of primogeniture to qualify as the sole inheritor of his intestate father's immovable property, the Parsis' protest led to Act IX of 1837, whereby a third of property went to the widow and the remainder was divided equally among the children. Palsetia painstakingly explains how



this Act substituted one English legal custom for another. It rewarded a second wife over the usual Parsi custom of recognizing the rights of the wife and children of the first marriage. Insofar as the English courts became an alternative for resolving disputes among the Bombay Parsis, it diminished the BPP's authority to do the same. So some Parsis tried in vain to form a reconstituted BPP. When a Parsi remarried without divorcing his wife of three years, she sued him under the English Ecclesiastical law, which he contested as not applicable to a Parsi, but in 1843 Justice Perry adjudged otherwise. However, on appeal the Privy Council held that this law was exclusively meant for Christian litigants and reversed the earlier judgment. The Parsis found that "remarriages are without authority; the ties of family are relaxed; morality is infringed; successions are become uncertain; and the female sex amongst us is denied the certain protection and recognition which it enjoys amongst other communities." There were at least twenty-six cases of bigamy among Parsis between 1860 and 1861 alone. In 1861 even the Bombay Times, not so friendly to the Parsi causes, noted the contradiction in the English law which "is drifting Parsee society into anarchy." On May 12, 1861, it commented on "the Punchayet's obsolescence and obstructionism" to the cause of reform: "The present Parsee Punchayet has fallen so much into universal contempt, that the Parsees are no longer able to restrain their feelings." Finally in 1855 Parsis formed the Parsi Law Association representing various sections of the society. Even the other communities welcomed the move. However, the Parsi organizations outside of Bombay opposed the claims of widows and daughters to get inheritance and to make a will, as well as the right of married women to acquire property, and insisted on provisions for adoption. The Bombay Parsis successfully pleaded to the government that the customs of these Mofussil Parsis were essentially Hindu customs, and were contrary to the spirit of Zoroastrianism, as well as of modern times. The only alternative the Mofussils had was to accept the application of the English law, which evidently they were not averse to, and so they ultimately reconciled themselves to accepting the new code, which was accepted by the government as the basis for the Parsi Marriage and Divorce Act, Act XV of 1865, modeled on the English Divorce Act of 1858, after excluding clauses inappropriate to the Parsis, e.g. restitution of conjugal rights. By defining a Parsi marriage, the Act *ipso facto* defined a Parsi. The marriage was to consist of two ethnic Parsis at least 21 in age, solemnized by at least one priest in the presence of at least two Parsi witnesses, parental consent being obligatory when the party to the marriage is under 21. However, the British members of the Law Commission differed with the Parsis over recognizing infant marriages, as well as over declaring a marriage void when one party converted to another religion. While the government of Bombay preferred to remain silent on the first issue, it supported the second provision, claiming the need to be sensitive to Indians' religious beliefs. Reformists and traditionalists both concurred in defining a Parsi marriages as between two ethnic Parsis. While reviewing the Parsi laws, the Legislative Council of India chose to be silent on the infant marriages, but denied any matrimonial obligations if the husband is not over sixteen and the wife not over fourteen when filing a suit. But it did not approve the provision for voiding marriages, as other forms of recourse were available for it, including divorce. The original draft had envisioned

a Panchayet of twelve to be elected every five years to grant divorce and adjudicate other issues. However, on the opposition from the reformers, the legislative Council established special Parsi matrimonial courts.

Now the attention turned to the dormant question of Parsis' religious identity, which came to the forefront when a French lady converted to Zoroastrianism and married R. D. Tata, and Sir Dinshaw Petit *et al* filed a suit against the Parsi Panchayet claiming the right of all Zoroastrians to the use and benefit of Panchayet properties and funds, as well as challenging the validity of their appointment. Much has been written about this suit, but Palsetia's in-depth treatment stands out as one of the best references on the subject, in addition to linking it so well with the Parsi identity, and the consequences the court ruling had for it. As someone researching and writing about conversion in Zoroastrianism, I found this chapter very informative, insightful, and even-handed, which is not always the case. The two judges in this case, Davar, a Parsi, and Beaman, an Englishman, ruled in favor of the defendants from their own distinct perspective, and mostly though not totally, agreed with each other, which left certain conversion issues ambiguous, and eventually resulted in further litigations. Davar defined Parsi as Parsi by birth and ethnicity, but as Palsetia points out, by implication a Parsi can be a Parsi even when professing another faith. Davar's acknowledgment that children born of Parsi fathers and non-Parsi mothers are Parsi, without however sanctioning the practice, contradicted the resolution of the Anjuman meeting of 1905, which laid down only children of both parents being Parsi as Parsi. If Davar was guided by social and moral considerations as Palsetia points out, his ruling left some room for accepting the children of Parsi mothers by non-Parsi men, especially since 1950 when the constitution of India prohibited gender discrimination. The two judges arrived at a similar ruling from differing perspectives on the same facts. "For Beaman history provided an explanation of the Parsis' situation, to Davar history provided as much a validation." While Davar took into consideration the traditions, rituals, and the sensibilities of the Parsis in arriving at his judgment, Beaman found them to be of no concern to the court, and even derided the "jealous bigotry" of the "most orthodox, the most bigoted champions of the Defendants' case" (who) are prepared to overlook immorality, bastardy – anything but alienage. The reformists therefore bemoaned the fact that the secondary issues of customs and legal procedures hijacked the real religious issue at the core of this case. These judgments led to intense debates over reforms, purity of race, intermarriages, and the problems stemming from a rampant westernization. The reformers alleged that Davar preferred to base his judgment on legalism rather than on the true principles of Zoroastrianism, since Beaman expressly and vehemently regarded the Parsis' rejection of converts as "an opportunist gloss upon sound religious doctrine," and therefore challenged the moral authority of the legal opinions. They tried to counter the orthodox views by emphasizing the evangelical, ethical, and universalist teachings of Zoroaster over the ritualistic and dogmatic religion practiced by the orthodox. Dastur M. N. Dhalla's (1875-1956) writings and lectures represented this trend remarkably well, and are typical of Parsis' conscious or uncon-

scious attempts at looking to the West for religious reforms. However, the reasons Palsetia gives for saying "Dhalla was conservative in his religious outlook" (p. 256) are rather unconvincing. Moreover, Dhalla, as a high priest was so dependent on his predominantly orthodox congregation, that he could not afford to be radical publicly like D. M. Madan and other reformists. Nevertheless, in 1910 he started a Zoroastrian Conference to bring about religious and social reforms among Parsis. Along with P. A. Wadia (who remained socially active even when I met him circa 1954), Dhalla formed the Iranian Association in 1912 for opposing the influence of the orthodox and theosophists, which itself ended up being opposed by the latter.

Parsis resorted to the Western ideas to buttress their theses, by selecting the ones that best suited their own stand on various issues including conversion. "Accusations of ignorance, inaccuracy, and bias, and ill-conceived intentions as guiding the agenda of Parsis both reformers and orthodox," observes Palsetia, "were employed by the Parsis against one another." The orthodox viewpoint, best described as Social Darwinist, still dominates the thinking of many Parsis. Adoption of Western concepts, hitherto not part of the Parsi belief, by the orthodox led to "the espousal of pseudo-scientific, anti-rationalist, and sensationalist philosophies. A strong anti-intellectualism and even contempt for scholarship is often present in orthodox works.... Whereas nineteenth century Parsi orthodox thinking shared a suspicion for academic learning that attacked tradition, twentieth century orthodox remarks reflect a cynicism with 'objective' knowledge in general," which, however, "can better be appreciated in light of the belief in the efficacy of more metaphysical forms of knowledge." (pp. 261-2). Traditional Parsis enthusiastically embraced Theosophy's claims to attain mystical, supraconscious, and spiritual knowledge and experiences not otherwise available to the senses. As regards conversion, they held that the philologists lacked spiritual experience and understanding, and therefore misunderstood its enjoinder in Zoroastrianism, which to them "meant preaching the doctrine of morality to the world, though not incorporating the people to whom the moral doctrine is preached into the Zoroastrian fold. By turning the debate over conversion into a debate about the spiritual powers of the debaters, the Parsi Theosophists evinced more conviction than rationalist argument.... This anti-rationalist viewpoint, however, earned (them) the strong invective of their critics.... Theosophy's appeal among Parsis rested on the unabashed confidence in and innovative reinterpretations of traditional religious beliefs ... (which) earned them the criticism of their opponents." (pp. 263-5). Such ideological debates became a permanent phenomenon among the Parsis. However, the division on ideological grounds did not lead to division in religious practices. Palsetia only briefly mentions the emergence of Ilme-Khshnoom as "a unique Parsi version of Theosophy" in 1907. His summing it up in one brief paragraph may seem inadequate, as it has more followers today, if not since 1907, than Theosophy among the Parsis of India.

A suit was filed in the court of lower Burma on March 31, 1915 by four plaintiffs seeking to prevent a fifteen year old girl, Bella, from entering the Rangoon fire-temple after her Navjote. Bella was the daughter of a Parsi widow who died when Bella was three months old, and her

father, a Goanese Christian, died before she was born. She was raised and adopted by Shapurji Cowasji, whose brother Merwanji was one of the four plaintiffs. Some Rangoon Parsis urged the BPP and Bombay Parsis to use their influence in preventing Bella from entering the fire-temple, which they did successfully. The defendants sought to challenge Davar's decision in 1908 by questioning the credibility of the plaintiff's witnesses, consistency, and reliability of Parsi customs, historical validity of Parsi beliefs, and the static nature of Parsi identity. They characterized Davar's judgment as the validation for orthodox sensibilities, and a successful attempt by an outspoken orthodox section of the community to convince an orthodox Parsi judge of their orthodox views. (By 1915, Davar's very vocal espousal of orthodox causes was quite well known, especially when he became a BPP trustee.) They maintained that even in 1915 a sizable segment of the community opposed the orthodox stand. They argued that Davar and Beaman mistook what were exceptions and inconsistencies in the definition of a Parsi as the evolution of the Parsis' social norm in India. Davar had grudgingly regarded the children of a Parsi father and non-Parsi mother as Parsi, even as he noted that the Parsis had disapproved it in the past, and he personally preferred that such situations had never arisen. It is inevitable, therefore, that Parsi women would also eventually make a similar claim for acceptance. This was the first case that challenged the disparity in the treatment of the claims of Parsi men and women for acceptance by the community. The defense apparently tried to negate the very basis of Davar's judgment.

The decision of the Court focused mainly on Bella being a Zoroastrian or not, and her Navjote being valid or not. It did not consider the question of Bella as a Parsi, as it readily adopted the findings of Davar and Beaman that Zoroastrianism advocated proselytising. The court therefore ruled in Bella's favor, and found that she was properly confirmed in the Zoroastrian religion, and therefore entered the fire-temple properly: "Really she was as much a Zoroastrian as if she had been the actual, instead of being only the adopted child of Mr. S. Cowasji." The court ruling also established the right of an individual Parsi priest to initiate an individual into the Zoroastrian faith. The plaintiffs appealed to the Chief Court of Burma which concurred with the judgment of the Court of Lower Burma and dismissed the case of the plaintiffs' who appealed to the Judicial Committee of the Privy Council. On October 22, 1925, this Committee ruled in favor of the plaintiffs, but observed that nothing compelled the trustees of the temple to prevent Bella from entering the temple if it will not hurt others who are legally entitled to the services offered by the temple. Illustrations of this form of 'public accommodation' were offered from the history of British institutions. In view of the fact that plaintiffs did not practice 'public accommodation', they were judged to have failed in the greater part of their suit, and therefore did not warrant either a declaration against Bella's use of the temple, or a claim of compensation for damage as a result of Bella entering the temple. The judgment thus left it to the Parsis to resolve the issue of conversion and acceptance. Even as it recognized the prevalent tradition for the exclusive use of the Parsi religious institutions by Parsis only, it allowed them the choice not to exercise such exclusivity, and not to object to

the presence of Zoroastrians not regarded as Parsis if they want to worship there. In the absence of any central religious or social authority, the Parsis sought the intervention of the courts to settle the thorny issue of acceptance and conversion, even though it is not predominantly the preserve of the law and the courts, only to find the issue thrown back to them for resolution.

## **6. Parsi Identity and Political Nationalism**

The Parsis had benefited greatly under the colonial rule by the nineteenth century. Their economic, social, and political condition had greatly improved under the British rule. The merchant-princes, the Shetias, of all communities had forged amiable ties with the British, who regarded them as community leaders. By the later part of the nineteenth century, however, educated Parsis such as Dadabhai Naoroji, Pherozeshah Mehta, and Dinshah Wacha replaced the Shetias' role as the community leaders. Although loyal to the British rule, they insisted on greater independence for Indians in public affairs, which often meant competing for the positions hitherto solely occupied by and reserved for the British. They saw self-government as the only way for Indians to progress and prosper. However, the rise of Parsis within the Indian nationalist movement posed problems for their sense of identity for various reasons. Parsis appreciated the rule of law during the Raj which established law and order throughout the country and accorded unprecedented protection to the minorities. As a minority they feared the politics of agitation and inundation by the power of majorities. They admired Gandhi's principles and actions for helping the downtrodden, and his efforts to improve the lot of Indians in South Africa, but they were by then used to constitutional change and gradual evolution of self-rule, instead of rushing illiterate masses towards sudden independence, thereby risking chaos and anarchy. Their upper class mentality perceived non-cooperation as disrespect for law. They lost faith in Gandhi's non-violent movement when it turned violent, and when "numerous assaults (were) made on Parsi ladies and gentlemen" obviously for not going along with Gandhi's Satyagrah movement. Gandhi's life was saved in South Africa by a Parsi, and he expressed his admiration for their "self-sacrifice and bravery as exhibiting the prestige of all Indians." Gandhi regarded Parsis as typical of moderate Indians who had to be recruited in the nationalist movement for its success. "The Parsis' caution, compactness, and solidarity as a community, and their insistence on abundant proof of the stability and morality of any movement before committing to it, appealed to Gandhi." (p. 309). All the same, Gandhi's goals collided substantially with the practices, philosophy, and policies of the Parsis already in vogue long before Gandhi appeared on the scene. Gandhi saw the economic salvation of Indians in small-scale cottage industries whereas the Parsis had already tried to secure the economic emancipation and progress of India through rapid industrialization, scientific, and technological education, capital accumulation, adoption of western economic institutions, modernization, banking, etc. in order to ultimately achieve self-sufficiency and avoid dependence on western nations – a goal that finally the Indian gov-

ernment has adopted, though belatedly. The Parsis (for whom wine is an essential offering in their religious rites) could not agree with Gandhi's insistence on total prohibition – again a policy that has significantly failed in India, and has been reversed, though not before the Parsis lost out on their long-established liquor business. And yet many Parsis joined the nationalist movement, and when independence came, they enthusiastically supported it, and did whatever they could to make it a success.

Palsetia has done a creditable job of detailing the life and work of Naoroji, Mehta, and Wacha, which every Zoroastrian would be proud to read. Here too he shows how they tried to broaden the horizon of the Parsis' sense of identity but not letting themselves be constrained by the limitations of any one identity, and how the orthodox found it hard to expand the horizon of their Parsi identity, which prompted the editors of non-Parsi newspapers to comment that the Parsis were acting against their own self-interest by not joining the nationalist movement. Palsetia's depiction of the dilemma generated by the nationalist movement in the Parsi community is pulsating with honesty, even-handedness, and realism, but he should have explored the issue in much greater detail, and not left out the part played by Madame Bhikhaji Cama in this regard. Moreover, his remark that J. N. Tata did not contribute significantly to the cause of independence and congress party is rather an anathema when his whole life was devoted to that cause, and he helped his friend Dadabhai Naoroji significantly for this cause as well as the Congress Party without much ado and publicity, as pointed out by Sir Pheroza Shah Mehta at a Bombay meeting to mourn his death, as revealed by Dr. Homai Mody in her book on Mehta.

### **Epilogue: The Devastating Impact of the Non-resolution of Parsi Identity on the Present-Day Parsis and on Their Future.**

The Parsis' response to modernity and its attendant plurality/multiplicity of outlook and thought is governed by the process of assimilation and adaptation to their environment, especially outside of India. While the ever-increasing awareness of individual rights and gender equality in modern India have often led the Parsis to adopt a progressive attitude, the recent rise of conservatism and fundamentalism have tended to contain and compromise it. Whereas Parsi women marrying out have formed their own association to assert and protect their rights, priests and high priests, "particularly orthodox priests, have taken a *greater* (italics mine) role" in asserting their opinion in "interminable debates" over conversion, observes Palsetia. However, this is hardly any different than what priests have done throughout the modern times except that priests have far fewer orthodox laymen aligned with them nowadays, so much so that they had to rescind their dictats when the laity found the priests overzealous or out-of-touch with the times.

The Parsis are not yet through discussing, and much less resolving, the issue of conversion/acceptance. They were very agitated when Dastur Framroze A. Bode, a liberal

high priest in Bombay performed the Navjote of seventy-seven children in Bansda in 1942 in Gujarat state. They were born out of wedlock of Parsi fathers and non-Parsi mothers. Bode's action was censured by many priestly and moffusil associations (but even the intervention of eminent Parsis did not lead to the resolution of the problem.)

"The most serious community dispute, perhaps since the Parsi Panchayat Case" arose when Roxan Darshan Shah, a twenty-five-year-old Parsi lady married to a Jain died in a car accident, and her body was refused consignment to the Tower of Silence in Bombay, even though she was married under an Act which recognizes marriage between individuals of different religions, on the grounds that she had undergone a Hindu wedding ceremony. Dastur Kotwal contended that according to the Parsi tradition, a woman marrying out *IPSO FACTO* belongs to the religion of her husband, and the community and its priesthood had the right to preserve its identity and traditions regardless of governmental legislations. His views albeit represented the traditional views and understanding of the orthodox Parsis so far, but did not take into account the leaning towards liberalism that had been slowly but surely taking place in the community. (Even his learned predecessor, Dastur K. S. Dabu is known to have privately advised that Parsi women marrying out can retain and practice the religion according to the first-hand evidence I have had.) Moreover, such cases had already occurred in the past, and an alternative method of consignment to the Tower of Silence, called Chothra, was instituted as early as in 1918. A furious and protracted controversy over the issue erupted in Parsi as well as non-Parsi press. The arguments on both sides were quite reminiscent of the debate over acceptance in the past. (The temperate Parsis were never or hardly ever known to march in protest against any issue, but the orthodox even organized a march from Kotwal's fire-temple to the offices of the liberal newspaper, Bombay Samachar, which criticized Kotwal as fanatical and obscurantist.) "The extent to which progressive Parsi opinion had come to reflect the changes in modern life," comments Palsetia, "the shock over the Roxan episode was clear proof of it. Indeed, the belief on the part of the editor of the Samachar that "no sensible Parsi subscribes to such anachronistic, anti-religious, and idiotic ideas," as those expressed by Dastur Kotwal and the orthodox, reflected the extent to which 'reformism' had given way to a general progressive attitude among many Parsis in the late twentieth century." (p. 323) Finally on April 9, 1991, the BPP resolved that the remains of a Parsi lady who had married out could be consigned to its Tower of Silence "specifically earmarked for the purpose" (chothra?) if her family confirms by an affidavit that she practiced Zoroastrianism until the last. The reformists complained of discrimination against women as no such affidavit was ever required for Parsi men who married out, a sure sign that the acceptance issue won't go away quietly.

Later on another furor arose over Kotwal's objection to the performance of religious rites for the well-known business magnate, J. R. D. Tata, whom he did not regard as a Parsi as his mother was French, even though she had undergone Navjote ceremony (which J. R. D. himself had undergone, his father even having had very likely undergone Navar ceremony to attain priesthood and even though the two orthodox high-priests who always sided with Kotw-

al and issued joint dictats as a trio disagreed with his contention.) Tata being so famous and respected, rather adored, in India, no wonder the controversy over his basic death rites got publicity all over India, once again inducing the Parsis to indulge in soul-searching about the crisis in their identity and traditional thinking in a fast-changing world that threatens their very existence. Palsetia believes that “the independent actions of the Zoroastrian communities outside India will perhaps have the greatest influence on Parsi tradition in the years to come.” (p. 127). Although the Parsis followed the British wherever they established British territories such as Hong Kong, Ceylon, Burma, Aden, and Africa, as also to England, it was mostly from the 1960’s that they migrated to Canada, U.S.A., England, and Australia in large numbers. Palsetia provides a succinct but salient review of the progress they have made in organizing themselves for their survival and their response to the acceptance issue as exemplified by the Peterson Navjote on March 5, 1983. Palsetia may be right in stating that what the overseas Parsis do may have a great impact on the Parsis in India, for even Kotwal, along with other four very orthodox high priests, unhesitatingly endorsed the Navjote of Neville Wadia (1911-96), which was performed in Bombay on September 24, 1994, though not without stirring up the whole community once again. Wadia’s father had converted to Christianity after the community disapproved of his marriage to an English lady, though apparently this incident did not make any difference in his generosity and unconditional love for his community. (Neville himself married the daughter of M. A. Jinnah, the founder of Pakistan, by his Parsi wife, Ratti Patit, and their only son, Nasli also reportedly had his Navjote performed, apparently without the objections from the five high priests.) The ‘Zarathushtrian Assembly’ was founded in California in 1990 (which I was invited to address) mostly by non-Zoroastrians either interested in converting themselves or others into Zoroastrianism. Palsetia thoughtfully exhorts, “The sincere desire on the part of such potential converts confronts Zoroastrians and the Parsi community with as potent a need to revisit the issue of conversion in contemporary times as in 1903.” He details the efforts of the North American Zoroastrians towards becoming “more accommodating, inclusive, and relevant in contemporary life” and hopes “presures” from them on their co-religionists in India might inspire them to be more accommodating to the needs of the times and Zeitgeist, failing which the two will go their separate ways and break the millennial tradition of Parsis always being *ONE* community worldwide. The claim of so many Central Asians to be Zoroastrian, though “nominal at best” confers to the Parsis “a sense of both wonderment and dread” for properly evaluating their claim as well as accommodating and adjusting to these new cultures and their unique demands. Palsetia laments the decline in the Parsi population and sees no hope for reversing the trend. Nevertheless, he concludes on a very optimistic note: “History reflects that while the unforeseen course of events ultimately determines the destiny of peoples and nations, it has always remained within the Parsis’ ability, when they are so united, to reshape their circumstances and influence events to their benefit.” However much one would wish for such an optimistic outlook and sanguine scenario, unfortunately various developments within both India and overseas Parsi community do not warrant optimism. The Parsi census is dwindling away so fast in In-



dia that even census officials have become very concerned about it and an overwhelming number of young Parsis, both in India and overseas, are marrying out and are letting their non-Zoroastrian spouses raise their children in their fold to avoid non-acceptance by the Parsis or due to lack of facilities to induct them into Zoroastrianism as they are spread so far and wide. Despite a magnificent attempt for survival by North American Zoroastrians who may now comprise 20-30% of the total Zoroastrian community worldwide, the odds are unfortunately against them for making it to the next century in the melting pot of America for various reasons, such as being spread over vast distances, easy assimilation in the American culture, no central facility to train and ordain priests, no erudite high priest to guide the future generations, no means or willingness to maintain even one priest full-time but total dependence on voluntary priests, no unanimity among both priests and laity regarding even the presence of non-Zoroastrian spouses during religious ceremonies, even in the main centers of North America and England, no central or local library worth the name, and no strong yearning on the part of the average Zoroastrian, young or old, to know and study his/her religion and history, no means and perhaps no chance to compete with the vigorous and unceasing efforts of major churches to gain new converts, many a Zoroastrian having already been lost to it, no donations or funds essential for basic survival needs such as permanent maintenance of fire-temples, resting places, etc., though the Punchayet or welfare mentality is not quite absent even in North America, no unanimity about what Zoroastrianism is and is not but rather conflicting versions of it, no wealthy benefactors such as Tata, Wadia, Petit, or Jeejeebhoy, no readiness to contribute for the religious causes even as a very well-to-do upper-middle class, though most churches in North America are solely and fully supported by it, no united religious authority speaking with one voice, no members of the new generation familiar with Avesta, Pahlavi, and religious lore, no central social service organization, no possibility by far and large for the present generation to outdo or even match the achievements of the present generation born in India or elsewhere, no possibility of the third generation remaining Zoroastrian as the second generation itself is mostly marrying out, no unanimity yet about the critical issue of acceptance/conversion, though most have become liberal after their children married out or because they fear so.

The situation in India is hardly any different. The Editorial Viewpoint in *Parsiana* (September 2004, pp. 2-4) reports that the all-India figure of Zoroastrians is only 69,601 and exhorts Parsis to prepare for their decline: "who will worship in (our fire-temples)? Who will serve them? Who will clean, repair, and protect them? The traditional reply that "God looks after his own and why should we worry" results in anarchy.... Let Parsis and Zoroastrians be remembered long after they have gone, as people with foresight and vision, who fully repaid the debt of gratitude they owed this country that not only gave them shelter but (also) let them prosper."

Nothing written in this review of this book should distract the reader from reading it and admiring it as a laborious, painstaking, well-researched, balanced, timely, eye-opening, and

the best and only book on this important subject by a Parsi, when most Parsis are interested in everything else but Parseeism. Let Palsetia's labor of love inspire Parsis to preserve their identity and heritage even at this late stage! Amen!