

How the Parsi Community has Reacted Sharply Against Any Mixing of Blood and Genes.

*No Distinction between children of Parsi Fathers by
non - Parsi Mothers and of Parsi Mothers
by non - Parsi Fathers.*

The advocacy of conversion did not and does not arise from an alleged anxiety for the survival of the community. It is merely an attempt to justify the marriages of Parsi men and women outside the community. In 1903, a rich Parsi gentleman brought a French wife and some learned Parsi scholars exerted themselves to find out passages from the Scriptures in support of conversion. The Juddin marriages then led to the question of Juddin Navjote's of the children, and this in turn raised the million dollar question, who is a Parsi Zoroastrian? A lot of confusion was and is tried to be deliberately created on this question. And then is brought forward, the question of 'survival'.

There are thus three props on which the Juddin champions base their arguments:

1. that our Scriptures advocate conversion of an alien to the Zoroastrian Religion;
2. that Justice Davar's and Justice Beaman's judgments lay down some legal definition of a Parsi, which is binding on the Parsis and constitutes the law of the land; and

3. that if we do not accept as Parsi Zoroastrians the children of Parsi fathers and non-Parsi mothers or of Parsi mothers and non-Parsi fathers, our 'population' will be reduced to zero.

Each of these three props is hollow and even decayed from its interior.

The Scriptures are turned and twisted beyond any reasonable limit; it sounds like Satan quoting Bible for justifying the sins of his followers. (See Dini Avaz Vol. 1, Nos. 5 & 6).

The judgments of Davar J. and Beaman J. do **not** lay down any legal definition of a Parsi or do not set out the alleged binding law that a child of a Parsi father and non-Parsi mother is a Parsi and should be accepted as a Parsi.

And putting forth the fear-ghost of dwindling population is just a hoax and an eye-wash or much better a brain-wash. **Any group of humans can preserve its identity and individuality only by remaining unmixed by marriage with other groups. Once the import and export of blood and genes begin, the group's existence is in danger.** This is a fact, historical and scientific both. It applies with greater intensity to we

Parsi Zoroastrians because we have in our Religion certain spiritual disciplines and 'Yoga's' and institutions, which would crumble if the import-export is not checked; and along with them shall crumble this enlightened race of the Parsis.

The Community is aware of this danger. And that is why it has vehemently opposed, any attempt at any mixing of blood and genes-whether through Parsi fathers or Pari mothers.

I shall today place before my intelligent readers a short history of how the community has done this since last 75 years.

It all started, I repeat, from a rich Parsi youth's attempt in 1902-3 to justify his marriage with a French wife. He started correspondence with the Trustees of the Parsi Panchayat. The community offered a spontaneous and strong resistance. Meetings were called, speeches were delivered, arguments were thrown, articles were written. In August 1903 a public meeting of Parsis was called; a committee of 196 was appointed to go into the question of conversion. That crowd-committee appointed a sub-committee of 35 and that crowd was further reduced by a sub-sub-committee of 11. These eleven were scholars of religion, who gave their report that Zoroastrian Religion enjoined and encouraged conversion. I have discussed the merits (or rather demerits) of this report in the previous issues of Dini Avaz (Volume 1, Nos. 5 & 6).

The report of the eleven had its journey upwards through the sub-committee of 35 and committee of 196, and ultimately landed in another public meeting held on 16th April 1905. **That meeting rejected the scholars' report.**

Whatever the scriptures might be saying, we do not want to mix ourselves up with other communities because we want to survive as a race of Zoroastrians with all its inherent genetic characteristics and with all its spiritual and religious institutions and practices. That was the sound thinking which prompted that meeting to pass three Resolutions. I gave the texts of two Resolutions (Vol 1, No. 6 of Dini Avaz). The first Resolution torpedoed the report of the learned eleven. The second one resolved to boycott those Mobeds and Priests who performed any Juddin Navjote (whether of a child by Parsi father or Parsi mother). And the third Resolution in terms declared that there was no custom of admitting the children of Parsi father and non-Parsi mother into the Religion and no such child would be admitted or accepted as Parsi.

The rich youth and his satellites then knocked the door of the law. The famous case was filed in the Bombay High Court, where the only question was whether the French wife was entitled to the benefit of Parsi Trusts, 'Agiaries' and 'Dokhma's'. I use Justice Beamon's own emphatic words regarding this:

"And this clearly invites a precise statement of the real question we have to answer. That question is not whether the Zoroastrian Religion permits conversion but whether when these Trusts were founded, the Founders contemplated and intended that the Converts should be admitted to participate in them." (1908) 11 Bom. L.R. 85, at 150) (emphasis by His Lordship himself).

This question, both the Judges

answered in an emphatic negative. The judgment do not lay down any law further than this. There are, of course, reference to the children of Parsi fathers by non-Parsi mothers in the judgments; but as pointed out to our community n times (where n tends to infinity) these constituted obiter dictum and did not lay down any law. I also repeat that Justice Davar in terms referred to the third Resolution of the meeting of 16-4-1905 which said that a child of a Parsi father and non-Parsi mother would not be admitted to the race and religion.

To go back to the history, even after the court case the community went on resisting any attempt to bring in the Juddin question. The most noteworthy step in this direction was a meeting of all the Parsi Priests held in 1914 which resolved that no Navjote of a child of Parsi father by non-Parsi mother would be performed by any Priest.

The next important event was the publication of "Zoroastrian Theology" by Dr. Dhalla and "Zoroastrianism Ancient and Modern" by Phiroze Masani. (See Vol. 1, No. 5 of Dini Avaz) Dr. Dhalla's book was to become Juddin advocates' bible. But Justice Davar encouraged Phiroze Masani to write his book as a thumping answer. Phiroze refuted each and every argument of Dr. Dhalla on conversion and ornamented his book by giving a list of 45 inconsistencies of Dr. Dhalla spread in his book!

The next important historical step was the drafting of the definition of a Parsi in the Parsi Marriage and Divorce Act, 1936. The Juddin champions were trying to thrust a definition accepting children of Parsi father and non-Parsi mother. But due to the exertions of

Mr. Manekji Davar, Mr. Faredoon Dadachanji, Mr. Mancherji Khareghat and Mr. Homi Seervai the Juddin advocates' attempt failed and the definition that ultimately found its way in the Act is "**A Parsi means a Parsi Zoroastrian.**"

Then came the noisy chapter of **Bansda Navjote in 1942**. A few Parsis in Bansda State had kept Adivasi mistresses and their progeny had multiplied. One Mr. Faramji Bode and Mr. Barjorji Bharucha arranged to have 'Navjot's of this progeny; they were 'children' from the age of 7 to 70! There was an uproar in the community. Jame-Jamshed took the lead. The files of 'Jame' for the year 1942-43-44 provide an excellent account of how the community reacted sharply to Bode-Bharucha act. These files also show that the community did not make any distinction between children of Parsi father by an alien wife and Parsi mother by alien husband. In fact, **Bansda progeny was all the work of Parsi fathers!**

In August 1944, the Parsi Priests had a public meeting where the Bansda act was condemned and its leader the priest Mr. F. Bode was boycotted.

In 1945 some of the Bansda Navjotees filed a suit in the Bombay High Court against the trustees of an Agiary, claiming that they were Parsis and were entitled to enter the Agiary. They brought Dr. Dhalla, the Juddin champion, as their expert and powerful witness. But in cross-examination by counsel Mr. Manekshah, Dr. Dhalla admitted that he himself would never perform such a Navjote, because a large part of the Parsi community was against it! Bansda Navjotee plaintiffs were promptly advised by their coun-

sel Mr. Setalvad to withdraw the case.

When this case was pending, the Parsi Panchayat had received a requisition signed by 24,000 Parsis voicing strong protest against the Bansda Navjotes. Again on 16-3-1945 there was a Samast Anjuman Meeting condemning these Navjotes. All along the stand of the community was: no mixing of blood whatsoever, no distinction between children of a Parsi father by non-Parsi mother and of Parsi mother by non-Parsi father.

The next step was an alleged **declaration by 14 'Dastoor's in 1949** where one of the paragraphs stated that they had to accept the definition of a Parsi as laid down by the law. This was another attempt to thrust Justice Davar's obiter as law, and meant that the community should accept children of Parsi fathers by non-Parsi mothers. But the community reacted sharply again. The two head priests who belonged to hereditary Priesthoods of Navsari and Udwarda not only did not join in this declaration of 14 'Dastoor's', but opposed it strongly. One of them Dastoorji Mirza presided over a public meeting held on 9-10-1949 for recording the **strong protest of the community**. Here again the community confirmed that Justice Davar's judgment did not lay that law and that no mixing of blood and genes should be allowed whether by a Parsi father or mother.

In 1963 one more such confirmation was asserted by the community. A movement was launched by some Parsis to induce Parsi Panchayat to call a Samast Anjuman meeting to give tributes to the late Barjorji Bharucha (of Bansda fame). Such meetings are called only for those prominent deceased

Parsis who had rendered exceptional service to the community. A requisition was sent to the Trustees of Parsi Panchayat to call such a meeting for Mr. Bharucha. Parsis, however, had not forgotten the Bansda Navjotes done under his leadership. The late Mr. Jehangirji Chiniwalla and his weekly 'Parsi Avaz' took up a counter-movement. A counter requisition with thousands of signatures was sent to the Parsi Panchaya reminding them that calling such meeting would mean ratification of the great ill deed by Bode Bharucha and Company. Trustees honoured the counter requisition. No meeting was called for Mr. Bharucha. On 30-11-1963 a public meeting was held to protest against the then intended meeting for Mr. Bharucha where again the community confirmed its previous stand on the Juddin question. (Before this meeting was held, the Trustees had resolved not to go in for the mourning meeting for Mr. Bharucha).

Once again the community expressed its views in another public meeting held on 1-4-1970 under the leadership of Mr. Maneck Mistry.

It is thus as clear as the sun (except to a few self-centred owls) that **the community is against any mixing of the blood and genes by any kind of Juddin marriage or Juddin Navjote and it does not accept any distinction between the children of a Parsi father and non-Parsi mother and of a Parsi mother and non-Parsi father. There is no law that makes such distinction.** The community has adopted this consistent stand since Parsis came here in this land of Bharata and has expressed the stand most emphatically and effectively

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