

Slaves in Free India

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I am a citizen of free India but do you know that I and many of my Community members are not free to:—

- * publish a newspaper, magazine or book?
- * read a newspaper, or book which has earned the displeasure of the vested interest of the community?
- * open a co-operative bank or a store or associate with any co-operative activity which has earned the displeasure of the vested interest of the community?
- * create a public charitable trust out of my own hard earned funds?
- * start a charitable dispensary, hospital or a nursing or convalescence home or avail of the benefit of an existing charitable dispensary or hospital if such organisations have earned the displeasure of the vested interest?
- * start a school or college or send my children to such school or college which has earned the displeasure of the vested interest?
- * engage a solicitor, lawyer, doctor or chartered accountant who has earned the displeasure of the vested interest?
- * bury the dead body of any member of my family in the Municipal burial grounds whose possession has been usurped by the vested interest?
- * vote for a candidate of my choice or party?
- * form a union, association, society, mandal or associate with any such organisations which has earned the displeasure of the vested interest?

I am not free to do the above mentioned and many other things,

BECAUSE I refuse to seek permission (called Raza) to do the above mentioned things and because I refuse to tender unconditional apology (called Mafi) for things which I have not done.

BECAUSE I am not prepared to pay the PRICE demanded from me by the vested interest.

BECAUSE I do not believe in obscurantist ideology.

BECAUSE I believe in human dignity and freedom of conscience.

BECAUSE I believe that humanity is the best form of worship.

I can be permitted provided I have contacts whose palms are greased to do all the above if I beg for the PERMISSION and the PARDON from the head of the vested interest by paying the price, down the line.

AND WHAT PRICE:

If I am a known progressive or a non-conformist, then I must:
apologise in writing for having held progressive views;
apologise for having associated with the progressive forces;
agree to publicly denounce my colleagues and relatives who believe
in the progressive ideology;
resign from the progressive movement;
solemnly declare that I shall never go near the progressive forces;
AND is this the end of it?

NO.

The vested interests claim to reserve their right to pardon me after having dragged me to the above referred humiliation.

A small section of the community have refused to bow down to such tyrannical humiliation.

Thousands could not withstand socio-economic ruination of their family and business and so have bowed down.

If I am a suspected progressive then, after heavily greasing the palms of the junior and middle level hierarchy, my humiliation and apology, only when it is backed up with a FAT PURSE, will be accepted and pardon granted to me for a probationary period of six months. After six months the rigmarole will be repeated until their intelligence department has given a clean chit for me.

AND THE PRICE one has to pay to defy the dictates of the vested interest?

Imposition of SOCIAL BOYCOTT not only against me as a defier but, as a deterrent, against my entire family, my brothers, sisters, mother, father, uncles, even distant relatives AND business and social friends too.

AND that too without giving me or them an opportunity to be heard. Once social boycott has been imposed, then not only I but my family, relatives, even distant relatives, business and social friends get totally isolated and mentally tortured by shock treatments worse than what has happened during the 19 months of emergency, with the result that many of my active colleagues have collapsed and many of my sincere sympathisers fear to speak to me even on telephone.

Social boycott is a two edged weapon. If it is used judiciously by Panchayats or such democratic bodies then it can become a valuable instrument to transform a society. It can also be misused by power—money hungry people to strengthen and preserve their vested interest. The great social reformer, late Dr. Babasaheb Ambedkar, advocated imposing social boycott upon certain group of people who, due to force of age old habits, were not prepared to give up certain obnoxious

customs and rituals. On the other hand social boycott is imposed upon Bohras by the communities' vested interest in an unbelievably barbarous manner to protect their power and money bags.

My mother-in-law died. She, a very aged lady, had never participated in the progressive movement. Her dead body was not permitted to be buried because she happened to be my mother-in-law and I am a boycotted person. When Police tried to intervene, they stoned the coffin, one of the most dreadful things a civilised society would ever do to a dead body.

My uncle, an aged person, working in my factory incognito due to fear that if they come to know that he is working with me, his family at his native place will be persecuted. When he thought his end was coming nearer, he chose to go to his native place and died there. The local agent of the vested interest called Amil had no knowledge that he was working in my factory and that he was my uncle. Two days after his burial, the local Amil was pulled up by Bombay headquarters and ordered to socially boycott the wife and children of the deceased for having concealed the fact. Their pleadings had no effect. Their request for pardon was rejected because their pleadings did not carry a money bag. The local Amil is taking revenge by mentally and physically torturing them even upto this moment.

If I want to live peacefully and in harmony with others in my society, then I must give up human dignity and freedom. I must agree to be treated myself as a slave.

Then, why don't you leave such a society, someone said the other day.

Vested interests will celebrate on a grand scale if I on my own leave the community. By leaving the society I may preserve my human dignity and freedom but what about thousands and lakhs who continue to suffer? Do I abandon them? Do I leave them to be treated as slaves? Do I throw them to the blood-thirsty wolves? Is that the solution? I ask.

If you do not like the set-up of our society, then why don't you leave us; why don't you join another community?; you cannot continue to be a member of our society and agitate against our set-up, a spokesman of the vested interest conveyed this message to me through a mutual friend.

I say, I have my birth-right to remain in my society and create public opinion for reforms.

We do not recognise anybody's birth-right. Ours is a 'closed door' 'secret' society. When you reached the age of puberty (15 years), you have given us your Misak, (Oath of Allegiance), by which you have

totally surrendered yourself and all your then existing and future possession to us. We are the masters of your soul, body and all that you will ever possess during your lifetime. By virtue of this Misak you have surrendered yourself to us—and we claim our right on you by virtue of the said Misak. Therefore, all our orders given to you, directly or indirectly, must be obeyed with no questions asked. We are your masters, and slaves have no rights whatsoever, the spokesman of the vested interest vehemently re-affirmed.

I was a minor when I am supposed to have given you the Misak. I was not even consulted—my father must have done it as part of the custom; he would not have even dreamt that you are one day going to invoke the dreadful articles of the Misak. It never used to happen before—never, never, had the head of the community invoked the articles of the Misak to create a situation of the master and the slaves. The Misak, in the bygone days, was only a ritual. It has never been acted upon nor translated in the language known to common Bohras. It is written in Arabic which not even 0.1% of the Bohras know to read or write. While taking the Misak from a minor, you do not even tell him anything about its consequences. You just read out the text in an unknown language and ask him to confirm that he agrees to what has been read out to him. You do not even give a copy of the Misak to him. The Misak, I say, must be modified, if it cannot be scrapped;

BECAUSE

it empowers the vested interest to become my master and I his slave; it empowers the vested interest to burn/loot my property, if they so wish; treat my wife as illegitimate and my children from such wedlock as illegal ('Haram'), if they so desire; order me to make war with anyone they will designate; surrender myself in toto to them, including my wife and children;

I refuse to abide by such humiliating Misak taken from me when I was a minor. It has no sanction in Koran. It is not one of the basic principles of Islam. Misak has been forced upon the Bohra society by virtue of custom and as a ritual. It converts a man into a slave. If Misak cannot be scrapped, then it must be modified to ensure that it does not encroach upon human dignity and freedom. There is no practice of taking such Misak (Oath of Allegiance) in any other sect of Islam. Even the State does not possess the right to burn/loot my property or declare my wife as illegitimate or to treat itself as master of my soul, body and all possessions. How can, then, the head of the community be allowed to possess such monstrous powers and barbarously exercise them for preserving their feudalistic set-up?

But Misak is part of our religion—says the spokesman of the head priest—and if you do not believe in Misak, then you have no right to remain in the community.

Misak cannot be and is not part of our religion. It was introduced during the dark ages when there was a need to protect our sect from political enemies. Such situation has ceased to exist for centuries. Our sect in secular and democratic countries, such as India, is well protected from political enemies AND our sect no more possess any kingdom or land to rule as was the case when Misak was introduced. There is no need in modern times to keep our society a closed-door or secret society. In any case liberal interpretation of all customs and rituals is a necessity of the modern times. No one has a right to become master of my body, soul and possession—by virtue of Misak or otherwise. Bohra is a Shia sect of Islam and the Shia school of theologicians have never supported the practice of Misak—not even Aga Khan, who heads Shia Ismaili sect and from which we, the Shia Ismaili—Tyebias have branched out on the question of succession of political power and huge wealth.

You have no right nor are you qualified to interpret tenets and customs of our religion—they say.

If that be so, then as Dai-ul-Mutlaq (religious head of the sect) the Syedna is under obligation to publicly guide me; to publicly interpret and justify existence of Misak in the modern times instead of unleashing tyrannical measures to brow-beat me. I am prepared to consider his guidance and interpretations with an open mind.

You are talking non-sense. The Dai is under no obligation whatsoever to justify his actions. He is, as has been claimed by his predecessor—his late father—the **SOLE REPRESENTATIVE OF GOD** on this earth and **IS NOT ANSWERABLE TO ANY LAW OF THE LAND**—they say.

Even Prophet Mohamed (Peace be on Him) has not advanced such claims—I say and then the same usual dead silence on their part.

Yes, in certain cases we have been too hard towards progressives. But we have to discipline them because they demand public scrutiny of the annual accounts of the charity boxes. The head of the community is the Sole Trustee. No one has the right to question him. He is not accountable for the funds to the people or to any law of the land says the spokesman of the vested interest.

As per the custom, the community willingly hands over to the head of our community between Rs. 10 crores to Rs. 12 crores per year, to be used for the social welfare of the people. Prior to 1910, the management of these huge annual charitable funds were decentralised—Local Elders and Jamat (Panchayat) were meeting the local public needs out of these collections and the balance was credited with the headquarters. After 1910, power-and money-hungry family members of the head of the community who now total 188, none of whom hold any religious

post in the hierarchy, began destroying the decentralised management and ultimately got the head of the community accepted by Government authorities as the Sole Trustee. We the progressives say that the concept of Sole Trustee for such huge public funds is out of tune, howsoever revered the Sole Trustee be; that the Sole Trustee has to depend upon his agents, mostly his family members to bring to the headquarters the huge funds and precious jewellery offered by devotees all throughout the country and abroad and it is not in public interest to let such huge public funds handled by people belonging to the vested interest and who vehemently refuse to be answerable to the public.

People give large amounts to the Dai as a Trustee and with a belief that such donations will be used for social welfare of the people as was the case prior to 1910. Dai also levies various taxes. These funds must be managed on democratic principles and peoples' and tax payers' representatives must have a say in the management of such funds. Such funds belong to the people—for the people, in a broader sense such funds belong to the Nation. It cannot become sole property of one person or his family. The Government of India have enacted special Acts to manage funds and administration of Ajmer Dargah Shariff; Tirupathi Devasthanam by appointing a Board of Management and an Administrator. After enactment of the above Act, the weaker sections of the society have been immensely benefitted out of the judicious management of these funds. If our religious head adamantly keeps on refusing to democratise management of public funds, then why should the Government of India not enact special Act for Bohra charities?

The tyrannical atrocities to which progressives are subjected to under the guise of maintaining discipline is nothing but a last ditch fight to preserve the autocratic set-up of the vested interest and we are not going to be bowed down until the management of Bohra public charitable funds are democratised.

But all taxes levied by us are voluntary—there is no compulsion—they say. I have documentary evidence to show that people have been informed that should they not pay the taxes as due and demanded, then the same shall be recovered **WITH PENALTY AND INTEREST** by withholding permission for burial of a dead body or for solemnisation of marriage, etc. etc. Is this what you say 'voluntary'?

Apart from taxes, people pay, as a mark of respect, large sums of moneys as nazrana to the Dai and his family members. These moneys are not charitable moneys—how can you ask account for such offering—they say.

Well this is a debatable point—it can be discussed when there is a round table conference to sort out all such things.

Vested interest are now creating a situation by which people have to pay taxes to remain in the community. Membership of the community is no more based on the birth of a person in the community—it is now sought to be converted on the lines of a CLUB, where one can apply for membership and if his application is accepted then he is admitted as a member and no explanation is given for rejecting an application. Identification cards which are to be renewed every year are given to registered members and only such persons who hold valid registration cards are allowed to enter mosques, musafir khanas, darghas and such other public places. If no tax is paid, the card is not renewed. Although, the community's set-up is sought to be converted on the lines of a club, there is no written constitution, no bye-laws, no election of office bearers, no annual general meetings, no publication of accounts—nothing whatsoever. I ask—if you are converting the set-up on the lines of a club, then there has to be a written constitution—it must be a registered body—it must be made accountable to members.

But by holding and propagating such views, you are violating the principles of our religion—they say.

If that be so, then why don't you ex-communicate me?

And there is dead silence to my suggestion to ex-communicate me,
BECAUSE ex-communication is justiciable;

BECAUSE while ex-communicating a person, the principle of natural justice is to be applied.

This is an internal matter of our community and therefore others have no right to interfere, a spokesman of the vested interest said the other day.

When humanity is suffering, when man is treated as a slave, when human values are destroyed, should it be allowed to be treated as an internal matter?

Haven't I got a right to remain in my community and strive to free it from feudals and obscurantists? Haven't I got a right to seek help from the people of this great country against such a set-up? Haven't the people a right to help a suffering humanity?

Shri Morarji Desai, while piloting the Bill to prevent ex-communication, has said in 1949 in the then Bombay Assembly that the set up of the Bohra community is a 'State within a State', the powers of the vested interest as 'Monstrous' and the Misak as a document which turns a person into a slave. It was only the Bohra head priest who fought a furious legal battle and got the Act annulled at the Supreme Court by a majority judgement on a very narrow technical ground.

Chief Justice Sinha giving his dissenting judgement has held that even on religious grounds ex-communication CANNOT BE PERMITTED

AS IT INVOLVES SOCIAL CONSEQUENCE AND INTERFERENCE WITH THE RIGHT TO FREEDOM OF OPINION AND FREEDOM TO ACT ACCORDING TO ONE'S OWN CONSCIOUSNESS.

The result is that even in 1977 the 'State within a State' exists and 'Monstrous' power continues to be exercised by a small group of people who are on the top echelons of the vested interest.

Despite what the Bohra progressives say, there has been by and large no protest from the community. Why should we worry as long as the faithful, the believers are with us—they say.

You have terrorised people into silence; all honest and constructive critics have been condemned by you as Kafirs; those who dissent, even slightly, you ask them to get out from the community or impose social boycott upon them; the freedom of people has been destroyed; people have no alternative but to publicly keep quite; your Gobbels type propaganda seeks to not only hide the truth but twist the facts to suit your tyrannical set-up. People around you tell you only such things which pleases you. Silence of the people is projected by your propagandists as an approval to your feudalistic set-up and slavery of men, women and children. It has been completely forgotten that a constructive opposition—a voice of dissent—serves as a bridge between you and the followers—instead the bridge has been mercilessly demolished. Since past few decades there has been a wide gulf between the ruler and the ruled. And such situation cannot be allowed to last long—I say.

Is it too much to expect from the intelligentsia and freedom-lovers of this great country to ponder over the Bohra problem and offer their helping hand, so that 10 lakhs Bohras are able to enjoy their elementary democratic rights and live with dignity and freedom?

Is it too much to expect from the Government to urgently enact an Act prohibiting imposition of social boycott by one member of a community towards another member of the same community?

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