

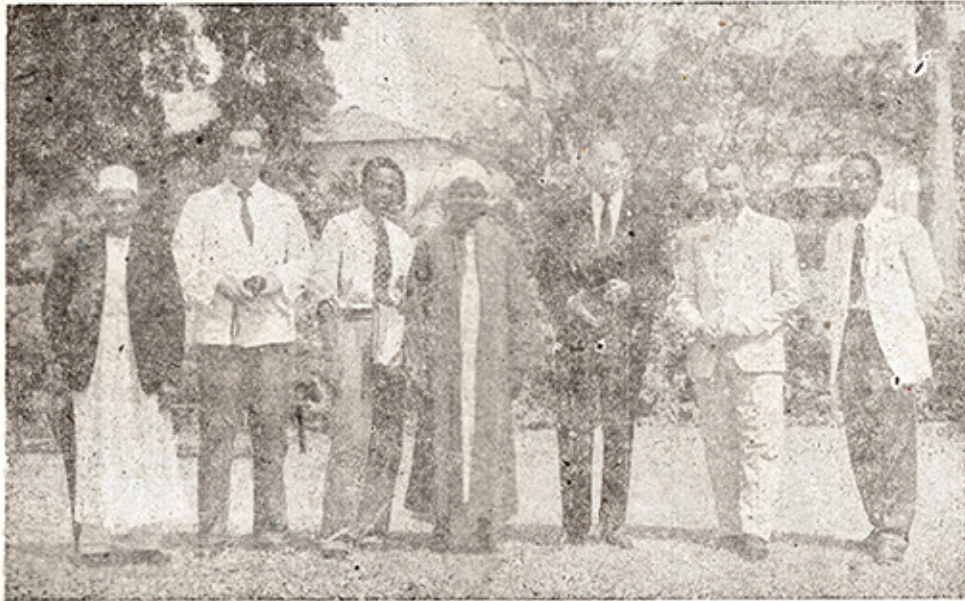
Parizand

new medium for old wisdom

July 1971

VOL. V.I. No. 9

Price 50 Paise



(From left to right) Hon. Ali Sheriff, Rutti A. Bulsara, Secretary-General of the Nationalist Party, Abdulla Amour, Secretary, Zanzibar and Pemba People's Party, Ameri Tajo, President ZPPP, Dag Hammarskjold, late Secretary-General of the United Nations Organisation, Sheikh Ali Muhsin, leader of NP, Amani Thani, youth leader of NP.

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VOL. VII No. 9

JULY 1971

CONTENTS

	Page
Editorial	2
Correspondence	3
Adal Insaf — Bulsara's Trial Judgment	8
Dastur Meherji Rana in the Court of Shah Akbar by Farda—	14
Iran League News	15
The Dussiam — Stutem } Gool K. S. Shavaksha	17
Vengheus }	18
Assessment of Vendidad	20
Gujarati Section	—

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EDITORIAL

Parsiana wishes all its subscribers, advertisers, contributors, Parsi community and readers A HAPPY NEW YEAR.

Within a few days of June issue July 1971 issue is at your door. We are racing for time and God willing may end with all arrears of issues by the Parsi New Year. We thank you for exercising patience with us not giving you our reading matter in time. If you are enjoying our magazine and admiring our sincere efforts at correction of Parsi Panchayat episode of Godrej Press and Industrial Institute join hands with us, give us a hand, give us more subscribers, get us more advertisements. Duty is never an isolated action for anybody — it is always a joint presentation of a common voice clamouring against prevailing evils. To be or not to be in the thick of the battle is a choice between the timid-hearted shirking duty and the bold plunging into enterprise for the trial of an issue. That fire is within us all intact for all times. The timid fear the vision of what next after a subversion of evil. To them evil is some art of tolerance. Let them stay put where evil puts them. With such men "the spirit is willing but the flesh is weak." They dare not move out of their cage. To the bold their spirit is their dynamic force. "All that happens in the world history rests on something spiritual. If the spiritual is strong it creates history. If it is weak it suffers history". (Dr. Albert Schweitzer). My community members, old and young, men and women, boys and girls from colleges, offices, services, from hearths and homes lift up your spirit, look up for healthy change. We need one.

We need to change a decade of decay to every three-yearly total re-election of Panchayat. We want to eliminate sickening favouritism. We want voice from us and action from Trustees. Age is no consideration. Let the old folks be at home in the Committee Room with "hearing-aid" to their ears to register the call to duty and respond to it. That is the programme for implimentation of "natural justice". Give it your blessings and plunge yourselves into it. AMEN.

Parsiana July 1971

630, Kharegat Road,
DADAR, Bombay 14 (D.D.)

7-5-71.

P. R. E. Cassed,
Advocate,
Rangoon, Aden, Nairobi,
& Bombay High Court.
Commissioner for Oaths
Kenya — East Africa

HEAVEN'S LIGHT MY GREAT DELIGHT !

My dear and respected Doctor Saheb,

I am duly in receipt of your April number together with Godrej Press Supplement. The chaos and irregularities by way of corruption, briberies, nepotism, frauds, pugrees and various other mischiefs and rogueries have been continuous and rampant in the management (or mismanagement) of the Bombay Parsee Punchayet, and were often and repeatedly, exposed by the late Mr. Burjorji Framjee Bharucha, who was an honest and straightforward soldier to properly fight on behalf of the community.

Since his sad demise there is no one to fight the cunning and I am now extremely glad to find in your goodself and Mr. Rutti Bulsara, the same spirit as that of the late Mr. Burjorji Bharucha to fight the evils prevailing rampantly in the Bombay Parsee Punchayet.

I would therefore appeal to you both valiant volunteers to take up the cudgel to revolutionize the whole scheme, by dragging all the Trustees to the High Court of Bombay, compelling them to admit and confess all their weaknesses and nefarious failures, and thus to have all of them dismissed from their responsible posts and make them repent for their jobberies and DADAGIRI and deliberate

waste of Punchayet funds in the wild goose chase.

While in Nairobi I came to know of Rutti Bulsara's public and political activities and I have great regard and respect for him. My dear Doctor Saheb I very warmly and heartily congratulate you for your bold and straightforward statement in your PARSIANA, and I would strongly recommend Mr. Rutti Bulsara to stand by and back you up.

I know certain law to revolutionize the scheme of any public institution wherein deliberate irregularities prevail. Once before I had a good mind to put the matter into the court for changing the whole scheme through a lawyer friend of mine, who stopped me for a better time which I am sure has now really come.

If the matter comes to an urgent push I do not at all mind to join you in spite of my old age weakness. I am now 91 years of age and cannot tolerate any injustice or irregularity and would be only too pleased to support your CAUSE.

Would you kindly mind visiting me at about 11 a.m. any day to discuss the subject freely and frankly with you both. It shall be a great pleasure for me to welcome both of you.

Trusting to be excused for trespassing upon your most valuable time and thanking you in anticipation of your kind compliance and favourable reply at an early date.

Most sincerely, respectfully,
fraternally & affectionately yours,

Sd/- P. R. E. Cassed,

Advocate of Rangoon, Aden, Nairobi
and Bombay High Court. Commissioner
for Oaths — Kenya, East Africa.

Editor's Notes: I visited this charming old gentleman and look upon this visit as instructive and encouraging. I was struck by the clarity of his mind and facility in quoting and explaining to me sections of the Civil Procedure Code and their legal implications. His eagerness to see our archaic election pattern changed or modified to be effective in having some restraint imposed upon Trustees was sincere and open minded. He blamed the community for being so listless in their own matters and blamed the practising members of the legal profession for their intellectual and social insensitivity resulting in this stupor.

Flat No. 4.
77D, Park Street
Calcutta-16.
9-7-71..

Dear Dr. Warden,

Thank you very much for sending me the Parsiana of the May issue. I was glad to read that my letter was published.

Had I been in Bombay I would have joined in the Morcha of going over to the office of the Panchayet.

However you have all my good wishes and may you win your battle.

Yours Sincerely,
(Miss.) Serosh Ardeshir. Lal.

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Parsiana July 1971

DHANJISHAH H. JOSHI

Tel. 263820

JIJI HOUSE, RAVELIN STREET,
FORT, BOMBAY 1.

6th July, 1971

Shri Pestonji B. Warden

378, Grant Road

BOMBAY-7.

My dear Mr. Pestonji,

In your issue of Parsiana of May 1971
you have printed in big type :

**"JOIN THE MORCHA TO
PARSI PANCHAYAT
AS YOUR SACRED DUTY
TO THE COMMUNITY TO
ARREST EVIL AT SOURCE."**

I do not know whether this is a stunt or
you are really serious about it.

In case you are serious about taking a
morcha to Parsi Panchayat I will give you
500 strong Zoroastrians both ladies and
gentlemen to accompany you at the time
of taking the morcha to Parsi Panchayat.

You should be prepared for the following:

- a) To stand in rain and sun.
- b) To be subjected to lathi charge by
the police.
- c) To be arrested by the police.
- d) To be prosecuted by the Magistrate
and finally
- e) To be acquitted honourably.

If you are prepared to undergo all the
above hardships then think of taking the
morcha.

There should be no selfish aim. There
should be total non-violence. There
should not be any axe to grind.

Before taking out the morcha a notice
should be served upon the Trustees to
comply with several requisitions of the
morcha which shall be called the Forward
Zoroastrian Block.

If the Trustees fail to give satisfactory
reply to the requisition then the Forward
Block shall intimate to the Trustees that
we are demanding that before we do any-
thing the Trustees, all of them, including
Lady Jehangir should resign. We should
also keep amongst us certain persons to

act as Ad-Hoc Trustees. As you know
according to the mentality in India the
following percentage is as under: 1%
honest strong minded persons, 49% co-
wards who run away at the nick of time.
50% are persons who desert us if bribed
by the Trustees. Keeping these facts in
mind if you want to take a morcha I'll be
with you with 500 persons out of my
followers.

You are at liberty to publish this letter
in your next issue.

Yours sincerely,
Dhanjisha H. Joshi

Reply to Dhanjisha Joshi

Mr. Joshi! The undertone of your offer
is that of cynicism from your lack of faith
in those whom you wish to amass. Violence
is implied in the preparations you hold
out — rain, sun, lathi charge, arrest,
honourable acquittal, etc. You talk of
non-violence and hope to unseat the
Trustees.

Now! Your idea of all trustees resign-
ing for ad hoc new bunch has my fullest
approval. They are out-dated, out-mod-
ed and out-living their period of efficiency
and even respectability. Looking upon
community members as scums and propi-
tiating stooges has become their set habit.

Mr. Joshi! Your statistical appraisal of
your own 500 strong is deplorable with
49% cowards and 50% corruptible by
bribery. That leaves you only five com-
panions-in-arms. No. Thank you.

I have full knowledge and experience of
your volunteers in the past and would
prefer to collect my own, who would put
their dignity higher than their mission at a
given time and place, to return in decorum
again and again till the mission is fulfilled.
My knowledge is that on two previous
occasions you used public gatherings to
serve your own end, which was different
from the purpose of the meetings. Sta-
tistically your volunteers cannot be trust-
ed but I trust you understand me. Thanks
now till I understand you.

P. B. W.

Parsiana July 1971



DR. IAN MCINTOSH

ON MR. RUTTI A. BULSARA

36, Sylvester Road,
East Finchley,
London, N. 2.
England.
22-5-71.

To the Editor of Parsiana,

As one grows older nothing passes quicker than time. It seems but yesterday since Rutti Bulsara and I were engaged in a struggle for freedom for Zanzibar — that seven years should have passed since then seems impossible. I know Bulsara very well as, indeed, I ought to after 12 years association in Zanzibar.

To Rutti I owe everything. But for him I wouldn't have been in Zanzibar on the day it was declared a Peoples Republic and that would have been a great disappointment to me.

Of Rutti's life since he left Zanzibar I have nothing to say — you know more about that than I do. But of his Zanzibar days, I doubt if there is anyone better qualified to enlighten you on them than

myself.

On our very first meeting, I left his office saying to myself: "Here is a man of very great integrity." That first meeting wasn't easy; I was a European, he didn't know me and who could blame him if his first thoughts were that I had some motive. I had brought him a pro-Zanzibari article to publish and I think what convinced him that I really was pro-African was that I put my real name to my article. As I brought him more articles on the subject of independence, the more our friendship grew and the subjects I brought him for publication very soon dispelled any doubts he may have harboured about me. Very soon he was telling me: "You can't put your name to that, it will bring a storm down upon you!"

To that I replied that we would never win freedom without storms, and it was time that we started raising a few. We did! Finally the Colonial Authorities charged me with criminal libel and after a 4 day trial I was acquitted—or rather I was bound over to keep the peace for a year but as I had never been charged with breaking the peace it is hard to see the relevance of that sentence!

In the meantime, Rutti, too had been charged with various 'crimes' which should never have been brought against him and he wasn't so lucky as I had been in spite of the charges being less serious.

When these measures failed to deter us, the authorities finally and unjustly closed down Rutti's press, but only for a period. In the meantime I accompanied Rutti round the remoter parts of the Island where he made speeches to the people. As this is not a strong point of mine I merely went with Rutti to "show myself" as it were; for many had read my articles who had never seen me, it seemed a good idea that they should.

Unfortunately, I have lost the copies of the articles I wrote and back copies of ADAL INSAF which would have been

of real interest to you. After a long search, I found this copy of ADAL INSAF and by good fortune it is one which proves beyond all doubt that Mr. Rutti **Bulsara is a man of principle and integrity and is not the type of man to put what is expedient before what he believes to be right:**

The enclosed article is written proof that although Mr. Bulsara might have political ambitions; he won't go to any lengths to achieve them. He won't do what he believes is not in the best interest of the country merely for personal gratification.

You in India want a man who will put the best interest of India before everything else, one who cannot be bribed or corrupted to depart from his policy,—rather than change the policy we would sleep on the pavement with those we want to see given a fair deal.

And as I have no ties here, If I could earn a living in India I would come there and support Rutti as I have done in the past.

Ian McIntosh

This issue contains Mr. Rutti A. Bulsara's trial judgment. Prominent noticeable factor therein is the remark of the presiding judge that light sentence is passed on him because in his opinion barring the political views, Bulsara was a man of character.

In our April 1971 issue we had promised to print the photograph of Mr. Bulsara in the company of the Late Mr. Dag Hammarskjöld, the then Secretary-General of the United Nations Organisation. In this issue we fulfil the promise on cover page.

DAILY
ADALINSAF

Vol. II No. 222 Zanzibar, Friday, 5th April, 1962. Price 10 cts

**HER BRITANNIC MAJESTY'S
HIS HIGHNESS THE SULTAN'S COURT FOR ZANZIBAR**

In The Resident Magistrate's Court
Holden at Zanzibar

Criminal Case No. 829 of 1959
THE CROWN.....PROSECUTOR

versus

RUTTI A. BULSARA.....ACCUSED.
TARGET — ACTING ATTORNEY
GENERAL
FRASER MURRAY FOR ACCUSED.

JUDGEMENT

The accused was charged in three counts. The first count alleges that Rutti A. Bulsara on or about the 11th day of May 1959 in the Urban District of Zanzibar printed a seditious publication to wit issue No. 9 of the publication Vanguard dated the 11th of May 1959 which contained the following seditious words to wit—

“But, and it is a big BUT, the Zanzibar Government are deliberately formenting racial hatred in Zanzibar, where practically none exists, and they do this for no better purpose than to extend their tenure of office by that old gag of ‘Divide and Rule’.”

Contrary to section 51 (1) (e) of the Penal Decree. The second count alleges that he published the said seditious publi-

cation contrary to section 51 (1) (e) of the Penal Decree. The 3rd count alleges that on the 13th day of May 1959 at the premises of Mazda & Co. 171 Portugese St., in the Urban District of Zanzibar he had in his possession without lawful excuse 212 copies of the said seditious publication contrary to section 51 (2) of the Penal Decree.

2. At the trial the accused admitted that he published and printed the publication in question and that he had 212 copies of it in his possession. He denied that the publication was seditious. He stated that he reasonably believed that the facts stated were true and that he intended to show that Government was fundamentally in error in its approach to racial matters, that government was misled or mistaken in its measures, to point out matters tending to produce ill feeling with a view to their removal.

3. The accused is the editor of the publication Vanguard, which is the organ of the Zanzibar Nationalist Party. He is also publicity secretary of the party. Vanguard is published fortnightly and according to the accused circulates widely round the island. It appears from No. 1 Volume 1 (that is the first issue dated 19th January 1959) that the publication is a handout which is issued free of charge.

4. Publication, printing and possession being admitted the issue in dispute is

whether Vanguard, issue No. 9 dated 11th May 1959 is a seditious publication. Seditious publication is defined in section 55 of the Penal Decree as meaning a publication having a seditious intention. In section 54 a seditious intension is defined as an intention (inter alia)

(1) to bring into hatred or contempt or to excite disaffection against..... the government of the Protectorate by law established; or

(iv) to raise discontent or disaffection amongst Her Majesty's subjects or inhabitants of the Protectorate; or

(v) to promote feelings of ill-will and hostility between different classes of the population of the Protectorate.

But an act, speech or publication is not seditious by reason only that it intends :—

(a) to show that Her Majesty or His Highness the Sultan has been misled or mistaken in any of his measures;

or

(b) to point out errors or defects in the Government or Constitution of the Protectorate as by law established or in legislation or in the administration of justice with a view to the remedying of such errors or defects;

or

(c) to persuade Her Majesty's subjects or inhabitants of the Protectorate to attempt to procure by lawful means the alteration of any matter in the Protectorate as by law established;

or

(d) to point out, with a view to their removal, any matters which are producing or have a tendency to produce feelings of

ill-will and enmity between different classes of the population of the Protectorate; if in the case of a speech or publication the facts stated are true or the speaker or publisher reasonably believes them to be true. Section 54 (2) provides: "In determining whether the intention with which any act was done, any words were spoken, or any document was published, was or was not seditious, every person shall be deemed to intend the consequences which would naturally follow from his conduct at the time and under the circumstances in which he so conducted himself".

5. As regards the burden of proof in this case I was referred to section 105 of the Evidence Decree as amended by Decree No. 17 of 1939. Th section refers to the placing of a burden of proof on an accused person. I consider that this phrase means, following general principles of law, that the accused is merely to adduce evidence in support of certain matters in an attempt to cast reasonable doubt. He is not required to prove any matter either according to a criminal or a civil standard.

That is to say, he is not required to prove any matter in accordance with the criminal standard of beyond reasonable doubt or in accordance with the civil standard of the balance of probabilities. (See R. V. Carr-Braint (1943) 2 All B. R. page 156).

Turning to the present case I direct myself that the overall burden is on the Crown to prove the guilt of the accused beyond reasonable doubt. If the Crown fails in this burden or if the accused succeeds by adducing in raising a reasonable doubt that the facts stated in the publication are true or that he reasonably believed them to be true and that the publication had any one of the intentions set out in section 54 (1) (a) (b) (c) or (d) then he is entitled to be acquitted.

6. In determining what is a seditious publication I quote from Abdulla Suleiman el Harthi and others V. R. (1955) 22 E. A. C. A. at page 410 when the Court of Appeal said: "We think that, as in the case of the Gold Coast legislation which fell to be considered in Wallou-Johnson V. R. (1940 A.V. page 231) the provisions of the Zanzibar Penal Decree relevant to sedition must be considered as a complete local code." Also I quote the Court of Appeal in R. V. Martin G. Luima (1949) 16 E.A.C.A. Page 129 "If the words are seditious by reason of their expression of a seditious intention as defined in the section, the seditious intention on appears without any extrinsic evidence". This statement of law was approved by the East African Court of Appeal in the Case of Abdulla Suleman el Harthi.

7. I agree with Fraser Murray's contention quoting from the Indian Case of Emperor vs. Bal Gangadhar Tilak (1916) 19 Bombay Law Reporter that the issue No. 9 of Vanguard must be read as a whole in a fair, free and liberal spirit.

8. As regards illustrating what is a seditious intention I can best quote from the Indian Law of Crimes of Ratanlal 9th Edition 1921 at page 248 :

"The essence of crime of sedition consists in the intention with which the language is used. But this intention must be judged primarily by the language used. Intention for this purpose is really no more than meaning. When a man is charged in respect of anything he has written or said, the meaning what he said or wrote must be taken to be his meaning, and that meaning is what his language would be understood to mean by the people to whom it is addressed. The intention of a speaker, writer or publisher may be inferred from the particular speech, article or letter, or it may be proved from that speech, article or letter considered in conjunction with what such

speaker, writer or publisher had said, written or published on another or other occasion". And again at page 250 quoting from a charge to a jury :

"You can form a pretty accurate notion of what a man is driving at, or what he wants to convey from a perusal of the writing, and can generally tell whether the writing is inspired by goodwill or is meant to create illwill. It is not very difficult to distinguish between the language of hostility and language of loyalty and goodwill or of criticism and comment. You must ask your selves having read the article, whether the writer or publisher is trying to stir up the feelings of his readers against the government or is trying to do something altogether different."

9. The accused has given the reason which prompted him to believe that the facts stated were true. I will try to enumerate the main ones and to summarize, as fairly as I can, what he states to be his political motives. Government employs an unnecessary large number of expatriate civil servants, mainly Europeans, at high salary and on privileged conditions of service. The country cannot afford this unnecessary extravagance and the people of the Protectorate get the impression that Government is pursuing a racial policy which is harmful to the country and unnecessarily brings Europeans in Zanzibar into dislike. The accused criticised government's handling of the 1957 Elections saying that government encouraged and supported candidates who helped racialist views and who opposed the Zanzibar Nationalist Party on racialist platform.

He says that expatriates rigged the Election and quotes the official report of the supervisor of Elections printed by the government printer, 1958. Various legislative decrees also came under criticism for fostering racial discrimination. They

include the Land Alienation Decree 1939 (No. 9 of 1939), regulation 34 of the Immigration Control Regulation 1954, Widows and Orphans Pension Decrees which differentiate between Europeans and Asians (including Arabs) but does not apply to Africans. The accused says that he is aware that government does not intend to give immediate self-government.

By pursuing a policy which is harmful to the country government wishes to extend its term of office. Various aspects of government policy divide the people on grounds of race and so makes it easier to continue the present form of government.

Government's policy of dividing the people delays self-government in Zanzibar. He has never had any other objective in his publications than to seek to remedy these matters and to maintain racial harmony. In spite of numerous representations by the party elsewhere over a long period government vacillates and does little to remedy these matters. He did not specifically mention these and such-like matters in the publications since they are well-known to government and the people of Zanzibar. People in reading Vanguard No. 9 dated 11th May, 1959 would understand to what he was referring.

10. Sheikh Ali Mussin gave evidence on similar lines in support of the principles and policies of the party of which he is leader. He added to the instances of racial discriminations by mentioning that government deliberately encourages co-operative societies on racial lines. He also mentioned that he considered that the registrations of births and deaths according to races is morally wrong, inaccurate and unscientific, as was also the 1958 census which required people to mention their racial origins. Sheikh Ali Mussin considered that it is the accumulated effect of all these kinds of matters which give him and others of similar minds the

impression that government is pursuing a policy calculated to bring about racial friction. There is a real fear that racial hatred will come. That is why the party is pointing it out to the government the dangers so that government may supply a remedy in time.

11. Mr. Nightingale, the acting chief-secretary, stated that it was the policy of the government to promote racial harmony and see that there is peaceful progress to political advance. He admitted that the Zanzibar Nationalist Party has had differences of opinion with the government over these racial questions. He admitted that in the laws of Zanzibar distinctions existed on grounds of race, but considered that there were usually good and sound reasons for the retention of those distinctions. He agreed that other persons might think that it is necessary to remove any forms of racial discriminations and that these persons might mistakenly, but in good faith, accuse government of pursuing a policy of racial discriminations.

12. The importance of this case centres round the freedom of every individual in Zanzibar to express his personal opinion on any and every matter provided he keeps within the limits allowed by the law.

13. The Crown takes exception to this publication on the ground that it falsely accuses the government of deliberately fomenting racial hatred in Zanzibar. In considering whether the accused reasonably believes the facts stated in the publication to be true the objective standard has been taken. The accused is to be judged, according to the standards of belief of the ordinary reasonable man. The matters put forward in his defence as affording basis for his beliefs are matters of opinion.

That government was prepared to consider, and if convinced, to give effect to the Zanzibar Nationalist Party's point of view

is shown by the setting up of the committee to consider amendments of the Immigration Control Decree. Sheikh Ali Mussin is entitled to express his view (provided that he does not over-step the law) that government was forced to set up the committee because affairs in the Protectorate had reached a boiling point and that it was part of a system of checks and balances, which is the art of administration. It is not a view with which every one would agree. The holding of the Round Table Conference is also indicative of government's interest in racial harmony.

The amendment of the Penal Decree in 1949 (by which trial by jury was abolished) is too remote for present purposes, but the amendment of the Prisons Decree by decree No. 9 of 1958 to delate matters of racial discriminations is in point. As regards the view that expatriates rigged the elections a reading of pages 2 to 5 of the Report shows, among other things, the anxiety and care of the Supervisor of Elections that the elections should be fairly and impartially conducted notwithstanding the inexperience of voters and the parties and that everyone entitled to a vote should have a free vote.

14. I find that the matters put forward by the defence, whether taken singly or collectively, afford no reasonable grounds for the accused to believe that Government was deliberately fomenting racial hatred in Zanzibar. The article read as a whole is a malicious and untrue attack on the government. The Vanguard is issued free and has a wide circulation. Directed to the minds of its readers its effect is calculated and must bring into hatred or contempt or to excite disaffection against the legal government of this Protectorate within section 54 (1) of the Penal Decree.

It also offends against (iv) and (v). There is nothing in the publication either expressing, or implying in a mode which the

ordinary reader would understand, any lawful criticism of the government within the meaning of the intents defined in paragraphs (a) (b) or (d) of the section. I am not impressed by the accused's statement that it was unnecessary to express the grounds of his belief in the publication since they are already well-known to the government and to the people of Zanzibar.

The reader will understand the plain meaning of words used. He would not conjecture that the accused was referring to certain unexpressed beliefs which should have the effect of toning down the meaning of language used.

I find you guilty on counts 1, 2, and 3.
(Sd) G. J. Horsfall
12.6.1959

Target refers Court's attention to section 51A (1) of Penal Decree No. 2 of 1952.

Fraser Murray addresses:

This is a single offence.

No warnings were given by government. Most unusual course. This is a political offence. Accused is advancing his views and rightly or wrongly seeking to advance welfare of his country.

The accused is of unblemished character

In Abdullah's case all accused, except one, were bound over.

Libels were infinitely more serious.

Appropriate penalty would be a binding over of the accused under section 31 and 32 of the Penal Code.

Section 51A (1). As no warning was given penalty should be imposed for a token period on a first offence.

Attorney General states that apart from section 51A (1) he would not have opposed Mr. Fraser Murray's suggestion of a binding over.

(Sd) G. J. Horsfall
12.6.1959

SENTENCE

From what I have seen of you in the trial I have formed the impression that you are an earnest man but inclined to hold begotten views. By that I mean that you hold certain views irrespective of reason and that you attach disproportionate weight to them. Until experience teaches you balance and tolerance, a willingness to see the point of view of the other fellow, including government, and to realize that he has good motives and difficulties also you are an undesirable person to control a printing press with its power to influence men's minds. Under section 51 (A) of the Penal Decree I order the Linotype machine on which issue No. 9 of Vanguard was printed to be confiscated for one year.

2. I attach importance to Mr. Fraser Murray's submission in litigation. Though the offences are serious as must be any malicious attacks on legal government, I bear in mind that this is a first offence, and that you are of hitherto good character and are of some importance in the party. I hope that the course which I

am now about to adopt will not be misunderstood as false leniency, but lead you to take a more generous and broader view of the government and that you will try to better understand its policies. It is only by the give and take politics and all pulling together that the common good can be attained. In this way racial harmony will be imposed and when the day comes for self-government handing-over will be accomplished with the minimum of friction.

Under section 31 of the Penal Decree I order that the accused be bound over to keep the peace and to be of good behaviour in his own recognizances the sum of Shs. 2000/- for a period of two years and two surities of the like amount. Imprisonment in default.

As the country has been put to considerable expense over this trial it is right that you should pay something into the public exchequer.

Under section 163 of the Criminal Procedure Decree I order you to pay Shs. 500/- towards the cost of the prosecution. I order distress in default. The accused informed of Right of Appeal.

(Sd) G. J. Horsfall
12.6.1959

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Parsiana July 1971

DASTUR MEHERJI RANA IN THE COURT OF SHAH AKBAR

by FARDA

In explaining the real meaning of the word Dastur, Late Mr. P. B. Vachha had narrated in June 1971 issue of Parsiana an incident of Dastur Meherji Rana having invested Akbar Badshah a Sudreh and quoted the popular lines:

"Meherji Rana bara shiana,
Poora vrand Sahebka;
Akbar Badshah Sudreh pehnaya,
Dekho tamasha mazhabka!"

Around 1895 A.D. Mr. Rustomji Peshotanji Karkaria had pronounced his opinion that such incident could not have occurred with Dastur Meherji Rana because the Dastur who was invited to the Court of Akbar was one Dastur Ardeshir of Kerman. Further, in the time of Akbar, Navsari was an insignificant spot in Gujarat, Zoroastrians there were mostly illiterate and the knowledge of religious lore was at its lowest. It is unlikely that under such circumstances Akbar could have invited in his Court a Dastur from Navsari for religious discourses then going on in his

Court during 1576 A. D. to 1579 A. D. Mr. Karkaria further stated that barring such ditties composed and sung popularly, the incident had no confirmatory records.

In 1901 A.D. Samsh-ul-Ulema, Eryad Jivanji Jamshedji Modi delivered a lecture in Royal Asiatic Society in Bombay in which he refuted the conclusion of Mr. Karkaria. Later, he published a booklet on the subject in which it is stated that Dastur Ardeshir came to India from Kerman in 1592 A.D. to assist in completing a dictionary called Farhang-i-Jehangiri. But Akbar had accepted eulogies on Sun-worship and Fire-worship, as interpreted by the then visiting Dastur during discussions and Akbar had fixed 14 jashans, had introduced Zoroastrian calendar with Roj-Maha and had stamped coins with Zoroastrian Maha, long before arrival of Dastur Ardeshir.

In corroboration of Dastur Meherji Rana's visit references were pointed out from notes on Anquetil du Perron. Facsimiles of documents of gifts of land and other things to Meherji Rana family are re-produced in Madam Menant's book on Parsis. All these facts confirm the traditional story about Dastur Meherji Rana.

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IRAN—INDIA TRADE.

The economic interests of Iran and India demand that the two countries should remain in cordial relations with each other. It was reported that India had agreed to buy from Iran 1,000,000 tonnes of liquid ammonia over seven years from 1972. India will also import from the same year 54 million dollars worth of phosphoric acid. India is also importing sulphur at the rate of 100,000 tonnes from Iran. On the other hand Iran is to import from India 492 railway wagons.

A WARNING.

The Foreign Secretary, Mr. T. N. Kaul for India paid a visit to Teheran to make the Iranian Government know of the feeling of tension felt in India against Iran giving any aid to Pakistan in the acute struggle that is going on in East Bengal. The atrocities committed by the Pakistan army in Bangla Desh have aroused keen resentment in India. The influx of refugees from East Bengal into India has strained the economic resources of India very much. There exists a tie between Pakistan and Iran under the Central Treaty Organization to render help to each other. Turkey is the third member of the Organization which was mainly brought into being against communism. It is hoped that the two nations will continue to have good relations in future.

FLASH FLOODS.

Torrential rains caused by flash floods killed 17 people in Lajijan a village near Tabriz, capital of the northern province of Azarbaijan in Iran. The floods caused havoc in the village destroying houses and carrying away farmland, crops and live-

stock. The Red Lion and Sun Society, the Red Cross of Iran, rushed rescue squad and other help to the people in distress. In Tabriz also the flood later caused damage washing away homes and shops. The traffic was held-up for a long period.

WAR AGAINST NARCOTICS.

Iran is continuing the war against narcotics. A law was passed to award death penalty to any person dealing in narcotics. Four persons were convicted of dealing in narcotics in Mashhad in eastern Iran and sentenced to death, at the hands of a military squad. It is reported that during the last two years 84 persons were awarded the death penalty.

GUERRILLAS IN IRAN.

It is a matter of deep concern for the people of Iran that some misguided youths in Ghilan are attempting to act as guerillas in Iran to undermine the Government of H. J. M. the Shahenshah Aryameher who is so actively working for the advancement of the country. General Ziauddin the chief of the military tribunal who tried the political prisoners was assassinated, on April 7th last. These misguided youths are attempting to raise their voice against the present regime in Iran and want to have things their own way. But the majority of the people are behind the present rule. It is also feared that these guerillas must be getting help from foreign countries especially China, which is showing some interest in the Persian Gulf area. These guerillas are in a hopeless minority and they are being dealt with a stern hand. Their efforts will all be in vain.

CYRUS THE GREAT

CELEBRATIONS.

The Committee appointed in Bombay for the Celebration of the 2500th anniversary of Cyrus the Great is organizing functions for the occasion. Parties intending to visit Iran on the occasion are to be given all facilities for the purpose. A circular issued by H. E. the Council General of Iran in Bombay and freely circulated shows that the Government of different countries in Europe and Asia have formed their own national committees to celebrate the occasion. This is quite fitting as the French historian Count Gobinau clearly stated that without Cyrus the Europe of today would never have existed. Executive Committees are set up in the Soviet Union, Czechoslovakia, Poland and Bulgaria to hold celebrations to coincide with the celebrations in Iran. The number of countries joining the momentous event is increasing day by day. The world international body like the UNESCO is also arranging extensive programmes to celebrate the event. A resolution was also passed by the 16th Session of the general assembly of the World Congress of Orientalists, held in Canberra in January, 1971 for participation throughout the world.

THE PROGRAMME IN IRAN.

The Iranian Government on the orders of H. I. M. the Shahenshah, Aryameher, is preparing a very elaborate programme for the celebration of the 2500th anniversary of Cyrus the Great. The festivities are now assuming an international character with all civilized countries of the world taking part in it. It was felt that the heritage left by Cyrus belonged not only to Iran, but the whole world had benefited from it. He had enriched the world in thought, religion, art, science, literature and other trends in life. It is resolved that

the emblem of the celebrations will feature the **Cyrus cylinder**. It is regarded as the symbol of an empire based on principles of morality, tolerance, and good understanding between peoples. The celebrations will be inaugurated by Their Imperial Majesties on October 11th and will end on October 14. The distinguished guests will arrive at Shiraz on October 13 and 14 and will be welcomed at Persepolis by Their Imperial Majesties. There will be a parade of the units of the Imperial Army in costumes of different periods in Persian history from the Achaemenid time up to to-day. The costumes of the infantry, cavalry, and other units of each period have been prepared under the supervision of scholars and specialists.

A FRESH ORDER.

Iran has placed an order worth Rs. 40 lakhs for fabrication, galvanising, and supply of 1,600 tonnes of micro-wave towers with an Indian firm of Jaipur. The order in supplying towers of the integrated national television network in Iran. The towers will be installed throughout Iran in cities, deserts and high mountains to form a complete and vital communication system for relaying telecommunication and television throughout the country. On the firm carrying out the order satisfactorily it is likely to get a further order for the supply of 2,600 tonnes valued at Rs. 75 lakhs.

IRAN AND THE PERSIAN GULF.

Iran has very rightly claimed a dominant position in the Persian Gulf area. Her differences with the kingdom of Bahrain were settled through the intervention of the United Nations. Iran is now claiming three small islands in the Persian Gulf which should quite fairly be under her rule. There is likely to be a dispute in the area when the British withdraw their power from it. Let us hope the dispute will be settled amicably.

THE DUSSIAM-STUTEM

THE TEN COMMANDMENTS

What are the Ten Laws or Commandments in Zoroastrian religion and where are they mentioned?

The Ten Laws are called "DUSSIUM STUTEM" (in Gatha I — Ahunavaiti — Yasna 28:9). They are called Laws of Vibration in the Pehlvi books — laws taught by master to pupil by word of mouth or eye to eye.

Nine steps are mentioned in the Ardebesht Yesht verses 1 and 2. The Ninth step leads to the Divine Intelligence which is called BOAD VERESHTÉ, and then men understand what is SPENTE. (The Tenth Law) which is all the Emanations in one.

(The Nine Laws can also be :

- (1) Yetha Ahu Vairyo
- (2) Ashem Vohu
- (3) Yenghe Hatanm
- (4) Airyema Issio and the
- (5 to 9) FIVE Gathas + Manthre Spente
- (10) The Divine Word

This BOAD VERESHTÉ gives the idea of HUMETE, HUKHETE and HUPERESHTÉ to Man. That is, man conceives the idea of the Goodness through a divine flash.

When man has attained the Ten Laws of Wisdom, he starts to think MAZDAT thoughts. Yet sometimes one thought of doubt SHYTUN comes to him and pulls him to earth. The 33 virtues and 33 aspects of knowledge are in the MAZDAT — knowledge. The one word DUSS AN-DARZ is like a pill or tablet which means

all the Ten Laws of Perfection, in one the Ten Commandments of Invocation — AVISHTÉ — ONGHEHO — 10 Lords i.e. God with his 6 Emanations and SROASH, DAMA and HEOM. (The DASMEY STUTANM of the AHUNAVAITI GATHA Yasna 28:9)

Man has to go through 9 stages of disciplined thought called the 9 Envelopes or Verena or Clothing of which 7 can be followed by Man's Mind. The last two are beyond man's reasoning powers and are worked by faith and lead to Intuition, Telepathy and Illumination or Realization.

This Disciplined Path is the path which leads to AHUNAVAIRYIA, the Law or Command or Wish of the Lord. If one lives according to the Dictates of the One, is, if one lives so that one forgives everyone without hate the path is clear (Kemna Mazda). This love gives such power that — Righteousness ASHEM, is his — Happiness is his; because he gives only happiness to others: OOST AHMAI YEMAI VACHI KEEMAI CHIT. — Once a man gives happiness to others he is loved by all. So by this prayer, the Divine Discipline is revealed to man. This light, is the illumination which comes to man in a "flash of knowledge." Man calls it by different names: Inspiration, Intuition, Illumination or Realisation.

This flash makes a man one with the Great Creator, but it can be only through the mind that this can happen; yet the word "devotion" is applied to this concentration because it is only through devout prayers man can be saved. (Yasna 28-10 See Zoroastrian Credo)

VENGHEUS

Why is the word "VENGHEUS" used so many times in our prayers. What does it mean? It is also used very often in the Gathas — Why?

VENGHEUS means "consciousness" — "awareness". The first time it is used is in the Yeth Ahu Vairyio prayer (AHU-NAVAIRYIA 'VENGHEUS "DEZDA" MANENGHO' — The Blessed knowledge of being conscious in body and mind." —

God's ultimate gift of the universal lies in this 'consciousness' of man's own being. In a flash of that knowledge Man "understood" all things. He perceived that all things are encompassed in "Consciousness" and he overcame fear and loneliness and became a "conscious" soul. DEZDA is the "blessing" of the consciousness. When the mind and body of man "understands" he becomes a thinking, breathing soul. He is able to look into the eye of his Creator manfully and thank Him for the dignity of life. The blessing is now become the fulfillment. The VENGHEUS DEZDA MANENGHO—Fulfills itself at the end of the Gathas by the deep "understanding" (Airyema Yas 54) of Life's "Fulfillment"; VENGHEUS "RAFEDRAI" MANENGHO.

"Consciousness" gives man the faculty to differentiate between himself and an animal. It makes him aware of the gift of life and gives him the idea of discipline; how to cultivate the mind and have social consciousness, enabling one to "love" as a parent, brother, spouse and child, and to live and love within a community and expand it to love one's country. To protect and learn how to be protected by a Divine gift called love the DREGOBIO

DATATVASTAREM of the Yetha Ahu Vairyio prayer, is the vital fact of vengheus.

It is well known that a disciplined man attains knowledge quicker than an undisciplined one. This is true in all fields of life. If one is trained properly for the job the work is done faster and better.

This path of Learning was called the "PATHYO" ASHEHEY! Everyone who wished to become a soldier of Sroash had to go through this discipline. Religions which came later had the same strict discipline for the priests. Disciplined persons naturally had disciplined children and so the following generations became better than the older ones. Superior lineage becoming superior in succession as it descended is the "BUNOK PASBANI".

Those who followed all the rules learned to read the inner meaning of the words and rituals had the key to the best selfless work "VAHISTA" on this "PATH OF ASHA for that they had to follow the Ahunavairyia's rules. AHU'S purity comes to those who are pure, and is passed on by the wise. Those who utter the VENGHEUS Confess that all good gifts of life have their origin in God. Those who pray, give away their body's gift, their kingdom to God, i.e. God rules their bodies; then do they give themselves in service to their brother men."

"For greater love hath no man than he that gives of himself into the service of Truth". (Speigel-Bleek).

To reach this Path there were 3 steps. HU-METE, HU-KHETE HU-VERESH

TE. Knowledge makes the mind fight Ignorance, ('DRAVO'); Arrogance, ('TARAMAITI'); and chaos: ('AKA'). Ignorance leads to DUSH-MATE, DUSHU-KHETE, DUSHVERESHTI. Once these were conquered man gets true Wisdom—BOAD Vereshte,

In Gatha 30 Verse 2: This path of Truth is explained thus that man possessing "GEÜSHAISH VAHISHTTA" that is, the 3rd ear, can listen to and understand the music of the spheres and the word of God, 'AHUNAVAR'. These men get the "SACHA MANANGHA" or the Eternal true Consciousness" which makes man get illumined. These men are the great teachers—the men of the Yenghe Hatanm. Zarathushtra speaks here as the Great Teacher: "Listen to me with your mind's ear", that is, listen to me with real "understanding", which shall give true divine

intuition which can be attained only through deep "understanding". This 'True Reasoning', which is the 'Path of Faith with Understanding', is called "AVENTA SOOCHA MANANGHA" the Illumined Mind. Then is the Divine Music fully heard and the Divine Wisdom fully revealed. Man learns to understand perfectly the working of nature "PARA MAZE YAONGHO".

I would like you to run through the Gathas, checking up on this word "VEN-GHEUS" ... MANENGHO.

It becomes the Good Mind, — Consciousness, called, Love or Vahoo Mano or Behman. But in the Gathas it means the progress of Man's mind along the right path towards God, in "utter consciousness", till it reaches "fulfillment", in Yasna 54.)Aireyema Isshio).

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ASSESSMENT OF VENDIDAD

by
P. B. Warden

Vendidad is a much maligned section of our religious writings for the reason that on superficial examination it falls short of expectations on bases of more recent general knowledge on things around. It is more of a book on hygiene and public health rather than a book on religious philosophy.

The book on religious philosophy is Gathas to supply spiritual and moral needs of life. Gatha are Gathic, Gita or Songs, or Music of the Universe singing the praises of things worthy of man's noble heritage. Vendidad is a reminder that for life of a higher order the body needs rules of cleanliness in person and in the surroundings. It is a book to keep the hippie away from door. Vi-daivo-dat is a compilation of a special order of laws which are in opposition to the daiva or evil spirit which lurk around man in the form of dirt and filth with the intent of mischief or damage. This is a matter-of-fact book of daily chores for clean living which became an obsession with the Zoroastrians and rose high in estimate setting aside even Gathas in importance. The Gathas are concerned with inner sensitivity which needs efforts to arouse it. Vendidad is concerned with outer sensuous experiences with ready at hand knowledge about them. Both these together make a clean man of a Zoroastrian who understands in the former the principles of ethical self-elevation and in the latter the laws of a clean world in which he has his being. The Gathas give the concept of God and Vendidad inculcates the concept of cleanliness as next to Godliness. Hippie is thus kept out of our door.

The ideology of ancient Vendidad and of modern Hygiene and Public Health is identical but the weapons of attack on the same old dirt and filth have changed

vastly beyond recognition. This has brought Vendidad into disrepute by many writers. They disclaim any rational bases for ancient practices because the methods and the weapons of cleaning processes have changed. Does that really warrant a separation of Vendidad from Science of Public Health? In the present times science has become an obsession of an idea based upon things seen as science without understanding the unseen side of science itself. Results achieved by science are accepted as science itself. This is the pitfall. Science is no entity and exists nowhere. It does not exist in any shape or form nor as a formless mass. It is only an idea of a system of thought applicable universally in greater or smaller measures to the concrete as well as to abstract problems. Science could thereby reduce the guess-work part of a problem by surveying things in terms of cause and effect. So long as any object or subject satisfies that criterion it is scientific in outlook whether that method yields fruits or remains barren. All it is required to do is to produce a simplified and intelligible picture of the problem treated, by a succession of improved or improvised explanations. Einstein therefore says that "the scientific thought is a development of pre-scientific thought". Vendidad looked at from this angle is a scientific thought or scientific thought in the making.

Zoroastrians have attached much significance to health and cleanliness as a way to good life. Right from the Peshodadian period King Jamshid maintained his country free from disease and death. Dr. Thraetona (King Faridun) specialised in healing by mantras and incorporated Afsoon-i-Shah Faridun in his total therapeutic armamentarium, with admirable success. The language of Afsoon is delightful, rhythmic and catchy. In one of

my previous articles I ascribed these good traits to the language of Faridun. Dasturji Khurshid Daboo corrected me and showed the anachronism between the old Avesta language of the time of Faridun and the recent Persian language of Afsoon now available. I stand corrected for the muddle but hold on to the idea that the present available version fully deserves all compliments and I fully believe in its therapeutic efficacy and recommend it to my readers.

Afsoon is based upon the world of vibrations for its effectiveness, as our math-ravani is.

Vendidad is a later message after the time of Zarathushtra and the only one of 21 Nusks that has survived intact. It has partly acquired certain degree of reverence as an Act of Providence in sparing ancient wisdom from destruction. Whether we know it or not, anything about logic, we all unconsciously attempt to talk logically and/or rationally. It is this hidden element which builds up the scientific make-up of our constructions. This under-structure of scientific attitude defies des-

truction even when over-whelmed by super-structures of progressive innovations. The latter function as substitution products leaving the base unshaken. We may now read chapters after chapters in Vendidad on the fundamental elements—fire, air, water, earth and its way of treating them for preservation from pollution as a double purpose of saving the elements and protecting all life around each of them. Likewise chapters on life, death and disposal of the dead and the life beyond all have bases of rationality. All things not provable are not irrational. We have to read all things with assumptions of underlying basic truth, nor is assumption a bad sort of thinking. It is a preliminary to highest ultima of rationality.

If Aab-i-Zar is now useless as an anti-septic it is wrong to assume that it was useless in the remote past. In many parts of the world its use was common as an antiseptic. If it was replaced by something else from time to time it did not shake the basic truth that antiseptics cannot be dispensed with. It is recognition of this inevitability that makes the essence of any ceremony. We worship the inevitable and acknowledge it.

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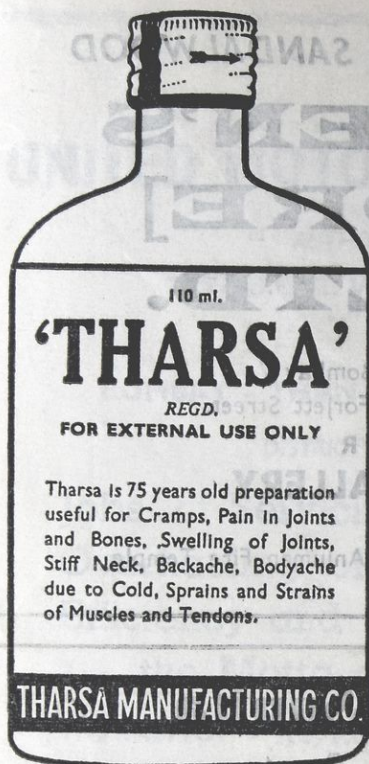
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DIESEL VEHICLES**



DO YOU DREAM IN COLOUR?

If you live in a world of dreams dotted with greens and golds; if you see yourself in patterns of startling beauty; if you want to stop the world for a bold, dramatic moment, come to us.

See our designs. Feel our flowing textures. And discover, that beautiful colours don't belong only in dreams.

BOMBAY DYEING

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