The Evolution of Khojā identity in South Asia: A literature review

Amir Ali Parpia

Today, the term Ismāʿīlism is used to collectively refer to some three million followers of the fourth Āgā Khān Karim al-Husayni, who, generally, regard themselves to be a part of a frontier-less brotherhood (Asani 2011: 120). According to Steinberg (2011: 6) 'the connections forged by membership in the global Ismāʿīlī community span oceans, cross borders, [and] enter the realm of intimacy'. However, the idea of a global Ismāʿīlī community is a rather recent construct and up until the end of the nineteenth century various communities, that today refer to themselves as Ismāʿīlīs, had little or no contact with the Ismāʿīlī leadership and did not consider themselves to be a part of a Shīʿī Ismāʿīlī Muslim community. One of those communities were the Khojās from South Asia. The Khojā *jamāʿat* (community) was a trading caste group that, by the eighteenth century, had settled in various areas of Western India including Sindh, Kutch and Kathiawar. Community traditions suggest that the Khojās were originally part of the trading casts known as Lohanas and Bhatias and upon their joining the Satpanth tradition, *pīr*[1] (preacher/missionary) Ṣadr al-Dīn gave them the Persian title 'khwāja' (which most likely got corrupted into Khojā) (Asani 2011: 95, 98). By the nineteenth century, the Khojās had become active traders across the Indian Ocean—from Rangoon to Bombay, Karachi, Muscat, Mogadishu, Zanzibar and Dar-es-Salaam—and had spread to various locations across the Indian Ocean. However, towards the end of the nineteenth century, despite these migrations, Western India, particularly Bombay, continued to be a major centre for the Khojā *jamāʿat*.

In his introduction of the Khojās of Bombay, Masselos (1978: 97) says:

> The Khojās of Bombay are particularly well known… The strong personalities and the flamboyance of their religious leader, the Āgā Khān, as well as their success in the worlds of finance, trade and politics in Western

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[1] The terms *Pīr* and *Sayyid* (used later in this essay) are honorific titles that were bestowed upon the Nizārī Ismāʿīlī preachers in South Asia.

India during the nineteenth and twentieth centuries have attracted considerable attention. They are today […] a tightly knit group […] this was, however, not always so […].

Today, Khojās broadly associate themselves with two different religious identities: Shīʿī Ithnāʿashʿarism and Nizārī Ismāʿīlism; the latter being in the majority and also being the focus of this essay. In the beginning of the eighteenth century, the Khojās were essentially a trading caste that did not necessarily identify with any specific religious community. Their transformation from being a trading caste to becoming a part of the global Shīʿī Ismāʿīli Muslim community was a result of a long drawn out process. This process of identity transformation has been the subject of various scholarships.

The purpose of this essay is to provide an overview of the studies on the Khojās, particularly focusing on the transformation in their identity. The essay will primarily focus on the Khojās of Bombay, who have been the subject of various scholarships; including Asani (2011), Purohit (2012), Shodhan (1999, 2001 & 2010), Masselos (1978) etc. The essay will commence with a brief discussion on some methodological concerns with regards to approaching the study of Khojās in South Asia. It will then endeavour to review various literatures available on the Khojās commencing with a discussion on Khojās in pre-colonial spaces and going up to the beginning of the twentieth century when the Ismāʿīlī Imāms, the Āgā Khāns, had firmly established their authority over the *jamāʿat*.

APPROACHING THE HISTORY OF KHOJĀS IN SOUTH ASIA

The need to locate the Khojās within the broader framework of Satpanthī daʿwa (preaching/mission)

While most scholarship on the Khojā Ismāʿīlīs tends to provide a brief introduction of the *jamāʿat's* history, there are hardly any studies that are exclusively dedicated to the study of Khojās in pre-colonial spaces.[2] One way of

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[2] This is probably because pre-colonial South Asia comprised a variety of groups/communities that possessed an eclectic set of religious beliefs and practices, that

addressing this predicament is through the study of the Satpanthī tradition, since it is widely believed that the Khojās were a part of it (Asani 2011: 97). The Satpanthī-Khojā connection is evident in various aspects of the Khojā beliefs and practices. For example, the Khojās attach a great amount of reverence to *pīr* Ṣadr al-Din, who is widely accepted to be a Satpanthī *dāʿī* (preacher). According to Nanji (1978: 72–7), a *ginān*[3] entitled Jannatpuri, attributed to Syed Imām Shāh, a latter Satpanthī *dāʿī*, states that it was Ṣadr al-Din who 'converted' members of the Lohanas to Satpanth, gave them the title Khwāja and founded the first *jamāʿatkhāna* (Khojā communal spaces). Furthermore, the *ginān Dasa Avatara*, which was historically a key aspect of the Khojā belief and practices, is also attributed to Ṣadr al-Din.

Approaching the Satpanth tradition—a component of Nizārī Ismāʿīlī da'wa versus an Ismāʿīlī inspired Indic movement

Various scholarships on the Satpanth tradition have viewed this tradition as an extension of the Nizārī Ismāʿīlī *da'wa* in Iran. This connection between the Imāms living in the west, in Alamūt, Iran, and the *pīrs* in South Asia is the cornerstone of Nanji's (1978) thesis. The Nizārī-Satpanthī relationship is exemplified in a couplet from the *pīr* Ṣadr al-Din's *ginān* '*Ejī Dhan dhan ajano dadalore*' which refers to Alamūt as the residence of the Imāms (Virani 2007: 42):

> *Eji Aalmot gaddh paattann, delam desh ji;*
> *tiyaa avtariyaa Shaah maankhaa vesji. – het no*
>
> Alamut, the capital of the land of Daylam.
> There the Imām has manifested in human garb

This connection between the Satpanthī *da'wa* (mission) and the central Nizārī Ismāʿīlī leadership in Iran has had a significant influence on the way in which the Satpanth tradition has been conceptualised by various scholars, as, in several cases, there has been a tendency to view the spread of the

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could not necessarily be classified in accordance with our modern watertight categories of Islam, Hindusim, Sikhism etc.; and Khojās were merely one of those groups (Khan 2004).

[3] The term *ginān* is derived from a Sanskrit word meaning 'gnosis'. The *ginān*s are hymn-like poems which, according to the Nizārī Ismāʿīlī beliefs, were composed by various Nizārī Ismāʿīlī preachers (*pīrs* and *sayyids*) in various Indic languages to propagate their Satpanth teachings. For further information on the *ginān* tradition see Asani (2002).

Satpanth solely through the lens of the broader history of Ismāʿīlīs. For example, Ivanow (1948: 22) argues that the *ginān* tradition had 'tactfully' constructed a 'bridge between Ismailism and Hinduism which permitted the new ideas to enter that entirely different world of Hindu mentality' and Daftary (1990: 484) suggests that the *pīrs* 'expounded, within a Hindu framework, the doctrine of the Imāmate'. Madelung (1986: 257) remarks that 'they [the *gināns*] include hymns, religious and moral exhortation, and legendary history of the *pīrs* and their miracles, but contain no creed or theology. Islamic and Hindu beliefs, especially popular Tantric ones, are freely mixed. While idol worship is rejected, Hindu mythology is accepted.' Finally, Valliani (2011: 95) proposes that the Khojās used to have a 'flabby identity' and 'were ignorant of their origin and identity'.

These views are an interesting reflection of the way in which these scholars have approached the history of the Satpanth tradition. The use of the words Hinduism, Ismailism, Islamic etc. in these statements clearly presuppose the existence of clearly defined religious identities and communities in the region in which the Satpanthī *daʿwa* activities were being carried out. Furthermore, these views seem to work off a pre-conceived benchmark of pure/original/authentic Islām or Ismāʿīlism[4] and these benchmarks are being used to measure the purity or the orthodoxy of any other tradition that falls within the category of 'Ismāʿīlism'. Contrary to this approach, a number of modern studies—the likes of Nanji (1978), Khan (2004 & 1997) Purohit (2012), Shodhan (1999, 2001 & 2010), Masselos (1978) and Asani (2011)—on the Satpanthīs, particularly the Satpanthī Khojās, tends to view the tradition through what can broadly be called the Indic lens, locating the Satpanth, and its various branches, within the broader milieu of South Asia. Within this category of scholarship, colonisation and the advent of the British Raj is often portrayed, to varying degrees, as a point of rupture or an end of an era: a point in time that transformed the Khojās from being, simultaneously, 'a Vaishnav *panth*, a Sufi order, a trader's guild and a caste'

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[4] This view of the existence of a 'pure Ismāʿīlīsm' is evident in the way in which Ivanow (1948), Daftary (1990) and Madelung (1986) have approached Ismāʿīlī history. It can be argued that this vision of a 'pure Ismāʿīlīsm' is grounded in the community's Arabo-Persian history. For a brief analysis of the same see Kassam (1995: 27–74).

(Devji 1987 in Asani 2011: 97) to being a fraternity of brothers and sisters with their Imām, the Āgā Khān, as their spiritual father (Asani 2011: 120).

THE KHOJĀS IN PRE-COLONIAL SPACES

A survey of primary sources

As discussed, the paucity of academic scholarship on the Khojās in pre-colonial spaces necessitates locating the study of their historical origins within the framework of the spread of Satpanthī Ismāʿīlism. In this regard, the work of Nanji is extremely useful, since he is one of the few scholars whose work is entirely dedicated to the study of the Satpanth tradition and provides a detailed narrative of the tradition in pre-colonial times. In his works, Nanji lists a variety of primary sources that could be crucial in our study of the Satpanth tradition. The first of these sources is the *ginān* literature. The *ginān*s are a key aspect of the Satpanthī tradition in South Asia and have been a key feature of the Khojā devotional life. While certain scholars, such as Ivanow (1948), have expressed their doubts over the use of the *ginān*s as a source of understanding the history of the Satpanth, it can be argued that 'the *ginān*s constitute an important source for the history of the Nizari Isma'ili *da'wa* because some of them contain testimony about the lives and activities of the various *dā'īs* involved in the work of conversion' (Nanji 1978: 22–3). Another important source could be the various Khojā ritual prayers, particularly the *du'ā* and *Ghaṭ pāṭ du'ā*. Both these ritual prayers have been, and continue to be, recited by various Satpanthī groups in South Asia. While it is difficult to deduce the historical origins of these *du'ā*s or to ascertain whether they have changed over time, they provide key insights into the Satpanthī beliefs and practices. For example, in the past, these *du'ā*s consisted 'the recitation of the names of the Imāms to whom these communities gave allegiance' and the names of the *pīr*s who had 'alleged to have worked for the respective Imāms' (Nanji 1978: 24–5). Another crucial text that gives various insights into the Satpanth tradition, and its connections with the Nizārī centres in Iran and Central Asia, is the text called *Pandiyāt-i-Jawānmardī* (the counsels of chivalry). According to popular Khojā community traditions, the *Pandiyāt* was sent by the Ismāʿīlī Imām for the purpose of religious guidance and, therefore, was

given the honorific title of *pīr*. The *Pandiyāt* text contained the religious admonitions of the Nizārī Imām Mustanṣir bi'llah (II). The text was originally written in Persian and was later translated into Indic scripts and languages (Daftary 2004: 468–9; Nanji 1978: 27).

Besides, there are various other material sources that could provide various fragments of information on the Satpanth tradition. Various Khojā manuscripts include lists and genealogies (*shajra*) that provide information on key figures within the Satpanth tradition. These include the *Shajra* (genealogy) of *pīr* Shams, *Shajras* available with the *mutawallīs* (caretakers/overseers) of the shrines associated with various Satpanthī *pīrs* and *sayyids* and other gene-alogy charts available within the community (Nanji 1978: 25–6). Physical spaces, such as *dargahs* (tombs), graves etc., are another possible source of information. These sources are largely ignored by Nanji (1978: 29), but are used by Khan (1997), whose work on Ramdev *pīr* makes use of various such sources in order to infer how the Satpanthī tradition may have influenced various other socio-religious currents in South Asia.

The spread of Satpanth

According to Nanji's narrative, Satpanthī *da'wa* in South Asia was initiated from the Ismā'īlī centre of *da'wa* in Iran[5], sometime in the eleventh century CE. Most of the prominent Nizārī Ismā'īlī *pīrs/sayyids,* who played a key role in the *da'wa* in South Asia, continued to maintain links with, revere to and obtain guidance from the central leadership in Iran (Nanji 1978: 94). This Satpanthī-Nizārī Ismā'īlī connection forms the cornerstone of Nanji's histori-cal narrative and he makes use of various primary sources to support his as-sertion. While most other scholars tend to agree with Nanji's assertion, Khan (2003), in her discussion on the connection between Ramdev pīr and the Nizārī Ismā'īlī *da'wa* in Rajasthan, argues that there may have been certain instances when some quasi-Ismā'īlī groups/movements may have been ac-tive in the South Asia, however, they may not have had an active connec-tion with other Satpanthī groups or the centre of Nizārī Ismā'īlī *da'wa* in Iran.

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[5] From 1090 CE to 1256 CE the Nizārī Ismā'īlīs ruled over various castles in Persia, close to the Caspian Sea. For a majority of this period, the Ismā'īlī Imāms also resided in this region (Daftary 1990: 301).

Both Nanji (1978: 50–8) and Daftary (1990: 478–80) suggest that the first Nizārī *pīr* sent to Western India was one *pīr* Satgur Nūr. A legendary figure, *pīr* Satgur Nūr was supposedly based in Patan, located in modern day Gujarat. The dates of the arrival of this *pīr* vary widely from the days of the Fatimid caliph-Imām al-Mustanṣir to the middle of the twelfth century. After *pīr* Satgur-Nūr, no other *pīrs* were sent to India until *pīr* Shams' arrival in the fourteenth century CE. *Pīr* Shams was followed by a steady line of *pīrs* which included the likes of *pīr* Ṣadr al-Dīn, *pīr* Ḥasan Kabīr al-Dīn, *pīr* Tāj al-Dīn etc.

At the dawn of British India

For Masselos (1978), Shodhan (1999), Purohit (2012), Asani (2011) etc., the basic sources of information on the Khojās of South Asia comprise various British colonial documents, such as Government Gazetteers, ethnological works undertaken by the British and various case proceedings held under British courts. A key theme that cuts across a variety of these primary sources is that the Khojās were an endogamous caste group that possessed a multifaceted religious identity and revered the Āgā Khān as a holy man. However, the issue of the connection between the Khojās and the Āgā Khān or the Ismāʿīlī Imāms in general, is a contentious one. As discussed, Nanji's hypothesis is largely based on the assumption that the Khojās were a part of Nizārī Ismāʿīlī *daʿwa*. He provides various examples to support this assertion; for example, he argues that some Khojkī script (a script used by the Khojās) inscriptions were found on the graves of certain followers of these Imāms in Iran, which suggests that, occasionally, the Khojās used to visit their Imāms in Iran (Nanji 1978: 29). Purohit (2012: 22) takes a slightly tangential position on this issue, arguing that the Āgā Khān was revered by the Khojās but he was not the 'official Imām' of the Ismāʿīlīs. It is difficult to ascertain her definition of the phrase 'official Imām', especially since Purohit herself rightly claims that the idea of Ismāʿīlism being a unified religious tradition was a later construct. It can be argued that Purohit's views are largely driven by the manner in which the Khojās reacted to the ʿĀgā Khān's assertion of his authority within the community. On the other hand, Asani (2011) takes a more nuanced position on this issue. While his hypothesis is based on the idea that the doctrine of the Imāmate was a key aspect of the

Satpanthī teachings he also suggests that it is important to understand the changes in the power dynamics of the Khojās after the arrival of the Āgā Khān in South Asia; since there is a significant difference between an Imām who is visible, present and able to exercise his authority versus an Imām who, though living, exercises his authority from a distance (Asani 2011: 105–6).

Irrespective of the differences that various scholars have on the relationship between the Khojās and the Ismāʿīlī Imāms, there seems to be a consensus on various aspects of the Khojā's caste organisation, their beliefs and their practices. Up until the first half of the nineteenth century, the Khojās of Western India were essentially a mercantile caste, comprising merchants from Kutch, Kathiawar and Sindh. The Khojās were a small community and it has been estimated that by the end of 1847 Bombay was home to some 600 Khojā houses and families and this number increased to 1400 by 1866 (Masselos 1978: 99; Purohit 2012: 23). The various Khojā communities in Western India were a well-structured and autonomously functioning *jamāʿat*. Wherever the Khojās lived, they collectively owned their own places of congregation, the *jamāʿatkhānas* (literally translated as the house of the *jamāʿat*)*,* and appointed their own leaders, the *mukhis* (usually the treasurer) and the *kamadias* (usually the accountant). The *mukhis* and the *kamadias* usually served in an honorary capacity and were selected through an election. Often these positions were occupied by some of the wealthiest members of the *jamāʿat.* The Khojās had four meetings each month held at their local *jamāʿatkhānas* to which all adult male members of the community were summoned. These meetings were usually held to arbitrate and decide on various civil disputes, such as cases relating to marriage, divorce etc. These decisions were based on a not so strict framework of Khojā customs and traditions. Furthermore, the Khojās also collected certain contributions from their members. These contributions were used to take care of various communal expenses and for making various capital purchases, such as the purchase of various cooking utensils (valued at Rs. 20,000 in 1851) and a Khojā burial ground in Bombay (Masselos 1978: 100–3; Asani 2011: 97–8).

Most scholars seem to agree that the pre-colonial Khojā religious identity was eclectic in nature and it is difficult to clearly classify their religious affiliations into any of our modern day constructs of Hinduism, Islām,

Shī'ism, Sunnism etc. Masselos argues (1978: 99) that the Khojās possessed 'a unique blend of Hindu and Muslim, as well as Shia and Sunni, customs and beliefs', while Bernard Lewis classifies them as 'Hindus under a light Muslim veneer' (Asani 2002: 6). Indeed, the Khojās *jamā'at*, or at least a section of it, did not believe that they were part of any clearly defined religious group. This phenomenon is exemplified in the case of Hubib-Ebrahim's, an elite Khojā businessman, testimony in an inheritance case in 1847. Ebrahim, elaborating on his religious identity, declared to the British Judge that, 'Some say we (the Khojās) are Soonees (Sunnis), some Sheas (Shī'ī). Our religion is a separate religion, Āgā Khān is esteemed as a great man amongst us' (Asani 2011: 103). However, while today the Khojās may seem like an anomaly, in pre-colonial South Asia they were one of the several communities that had beliefs and practices of varied origins.

Much like other Satpanthī communities, the Khojās grounded their doctrine of Imāmate within the notion of *Dasa Avatara* and did not follow the Muslim laws of inheritance and in most cases did not require their women to observe the *pardah* (veiling). On the other hand, their burials and marriages were performed by Sunni *mullahs* (clerics) and they also participated in the traditional Shī'ī practice of the commemoration of the martyrdom of Imām Ḥusayn. They venerated their Imām in Iran, sent him tithes and, if possible, tried to make a pilgrimage to Iran in order to obtain his *didār* and his blessings (Asani 2011: 101).

THE PROCESS OF IDENTITY TRANSFORMATION

Āgā Khān's arrival in Jambu-dvīpa[6]

There seems to be a general consensus among scholars on the Khojās of Bombay, including Asani (2011), Masselos (1978), Purohit (2012) and Shodhan (1999, 2001 & 2010), that the arrival of the Āgā Khān in Bombay and his consequent assertion of authority within the community was one of the key triggers of the process of transformation of Khojā identity. Purohit (2012: 22) argues that once the Āgā Khān arrived in Bombay he used different tactics to persuade 'various groups that had some remote or distant

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[6] The term *Jambu-dvīpa* is used in various *gināns* to refer to the Indian subcontinent (Nanji 1978: 113).

connection to Ismāʿīlī history that he was the true Imām to whom they should devote themselves and pay tithe. The primary community that was the target of this campaign was the Khojās.' Purohit's assertions are largely formed on the basis of her initial argument that the Āgā Khān was not the 'official Imām' of the Ismāʿīlīs. On the other hand, Asani (2011) views the Āgā Khān's assertion of his authority as an extension of the idea of the doctrine of the Imāmate that had already existed within the Khojā belief system. These distinct frameworks of viewing the initiatives undertaken by the Āgā Khān have a significant bearing on the way in which one analyses the events that followed the arrival of the Āgā Khān in South Asia and the overall process of the transformation of Khojā identity.

The Āgā Khān's arrival in South Asia and his consequent assertion of authority resulted in various internal conflicts within the community. However, the first instance of these conflicts was witnessed a few decades before the Āgā Khān's arrival in South Asia. In 1828–29, the Āgā Khān sent his representatives, one Mirza Abdul Qasim and the Āgā Khān's grandmother Marie Bibi, to enforce his claims in relation to regular financial contributions from the Khojās of Bombay. However, these representatives were not successful in their mission. Some of the major opponents of the Āgā Khān's financial claims were the *jamāʿat's* wealthiest members, including Hubib Ibrahim and Datoobhoy Soomar. After some negotiations and a short period for which these dissenting members, referred to as the *Barbhai* (twelve brothers), were excommunicated, a compromise was reached in 1835, according to which the *Barbhai* paid some arrears and agreed to pay the Imām's dues in the future (Masselos 1978: 103–5). The landscape of the Khojā *jamāʿat* underwent further changes when the Āgā Khān arrived in Bombay, since now he was able to be involved himself, more directly, in the affairs of the community. There are several accounts of the manner in which the Āgā Khān started asserting his authority within the community. For example, he would attend the Bombay *jamāʿatkhāna* on special religious occasions and would give *durbar/dārbār* (audience) to his *jamāʿat* every Saturday. On each of these occasions, a large number of his followers would turn up to receive his blessings (Daftary 1990: 513). Furthermore, the Āgā Khān also tried to assert his authority over communal property and to make sure that communal dues were paid by all members of the community.

This had come at a time when, according to Masselos' (1978: 106–7) account the Khojā elite, on the back of their new-found wealth, had begun to take control of the community's affairs. Thus, the Āgā Khān's assertion of authority further complicated the evolving power dynamics of the community. It is because of these circumstances that Asani (2011: 105–6), and to some extent Masselos (1978) and Purohit (2012: 33–4), suggest that the internal strife within the Khojā *jamāʿat* was essentially a struggle for power and authority.

The court battles

This internal strife within the community resulted in the creation of two main groups: the Khojā elites (also referred to as the *Barbhai*) and the Āgā Khān's party, comprising his immediate family and his supporters within the *jamāʿat* (Purohit 2012: 33–4). The tension within the community soon resulted in a major dispute, leading to multiple court battles between the *Barbhai* and the Āgā Khān or groups that were supported by either of the two parties. Two major court cases took place before the crown took over the judicial affairs of Bombay (c. 1860). It is these court battles that have been the subject of various studies on the Khojās. In this regard Shodhan's (1999) study is of particular importance since she presents the contrast between the legal systems in place before and after the crown took over the judicial affairs of Bombay (c. 1860). Furthermore, Shodhan (1999) also identifies the effects that these changes in the judicial system had on the outcome of the various court cases fought between the Khojā *shetias* (elite) and the Āgā Khān's party.

The first case, tried by Justice Perry in 1848, was fought over the inheritance rights of women. In this case the Āgā Khān championed the rights of a daughter's right to inherit property in accordance with the Sharia law, while the *Barbhai* supported the claim that the wife should be allowed to inherit property from her deceased husband in accordance with Khojā customs. The second dispute was between the Āgā Khān and his supporters and several Khojās over the *jamāʿatkhāna* property. This dispute resulted in multiple cases, the first of which was also tried by Justice Perry before the 1860s (Shodhan 1999: 141–5). In both these cases the judge ruled against the position taken by the Āgā Khān. The court's decision was based on the

principle that the ancient usages and laws of the people took precedence over any other form of law, including the Mohammedan law. The judge argued that the laws relating to the application of Mohammedan law erroneously believed that 'the population of India might be classified under the great heads of Mohammedan and Gentoo […]' (Perry 1853: 123–4 cited in Shodhan 1999: 142–3).

While the pre-1862 British judiciary of Bombay recognised the inherent customary diversity within Muslims and Hindus, the British Raj did not necessarily recognise the same. After the establishment of the Raj, in 1857, the British decided to apply a uniform set of policies, including legal practices, across their entire territory. This is exemplified in the adoption of the Bengal model[7] all over the British Raj. The effective implementation of the Bengal style judicial system did not only require that the terms Hindu and Muslim be clearly defined but also compelled the populace to categorise itself within one of these two categories. According to Shodhan (1999) and Purohit (2012), the implementation of the Bengal model had a significant effect on all the Khojā disputes that came up after 1862 and it was this system that helped the Āgā Khān become the 'official' Imām of the Ismāʿīlīs.

In 1866, another dispute over the *jamāʿat's* property came up to the British courts. This time, the courts applied the Bengal model and classified the Khojās as a Muslim group and termed the disputed property as being trust properties held by a religious community for charitable purposes. The court was now tasked with ascertaining what kind of Muslims the Khojās were. Purohit (2012: 43) provides a detailed account of the arguments provided by both the parties in this case:

> The plaintiffs' (the Reform Party comprising the *Barbhai/*the Khojā elite) case centred on the contention that the 'Agā Khān had unjustly asserted his authority over the Khojās and the Ismāʿīlī Islām was inherently he-

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[7] The Bengal model refers to the judicial system that came about as a result of the judicial reforms instituted by Warren Hastings in 1772 in Bengal, which resulted in the creation of district courts that decided all personal law and custom cases according to Sharia law for Muslims and Dharmashastras for the Hindus (Ahmad 1967: 14). These reforms, which eventually provided a template for judicial reforms for the entire region, assumed that there existed two distinct and uniform categories, namely Hindus and Muslims, under which all local laws could be classified (Khan 2004: 73; Shodhan 1999: 146).

retecial; these arguments relied on the assumption that the Khojās were and always had been Sunni.

Conversely, according to Masselos (1978: 110–2) and Purohit (2012: 45–9), the party of Āgā Khān argued that the Khojās were Shīʿīs and any Sunni elements within their religious practices were a result of *taqiyya* (concealment), which was not needed any more since the British guaranteed them greater religious freedom. Furthermore, the Āgā Khān's party also argued in favour of his authority over the property and contributions of the community. It is worth noting that the judicial reforms, instituted as a result of the British Raj, had already started affecting the Khojā identity. The community had significantly moved away from the position that the Khojā religion was a separate religion and it was neither Sunni nor Shīʿī.[8] Now, both parties to the case were 'forced to define themselves with reference to the Qur'ān and the categories of Shia and Sunni as defined in the wider imperial context' and it was up to the courts to decide their true religious identity (Shodhan 2010: 171). In order to arrive at a decision, the court analysed a variety of evidences and expert witnesses. The list of experts included various European texts on Islām and Ismāʿīlī history, for instance Sale's *Preliminary Discourse to the Koran*, DeSacy's *Expose de la Religion des Druzes*, Von Hammer's *History of the Assassins* etc. Besides consulting these orientalist works the court also called upon various members of the community, however, they did not admit the testimonies of these witnesses as evidence, instead, the court looked for clear markers of the individual's religious identity, i.e. Shīʿī or Sunni, in their dressing, rituals etc.

A key piece of evidence in this regard was the *ginān* literature. According to Shodhan (2010: 171), because of the 'pressure to define Khojās in terms of Arabic Islām […] the *ginān* literature presented a very difficult "problem" as it did not fit into the orientalist categories of Islamic literature'. As a result, initially, both parties tried to ignore the *ginān* literature, particularly the *ginān Dasa Avatara*, which, as discussed, was an important part of the Khojā beliefs. The *ginān Dasa Avatara* has been the centrepiece of various studies on the Āgā Khān case and has been extensively discussed by Sho-

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[8] As discussed above, during the first legal battle, Hubib Ebrahim, who was part of the Barbhai, group had testified in the court that the Khojās were neither Shīʿī nor Sunni and that theirs was a separate religion (Shodhan 2001: 101 cited Asani 2011: 103).

dhan (2010) and Purohit (2012), among others. Shodhan (2010: 171–2) argues that at the beginning of the court proceedings the existence of this *ginān* was consistently denied. However, half way through the court battle the *ginān* was properly referred to by one Mukhī Allahrukhia Soomar. After this, the Āgā Khān's party argued that the *ginān Dasa Avatara* and other such *gināns* were tools used by the missionaries sent by the Imām to convert Hindus into Shīʿī Muslims. After listening to both sides of the argument Justice Arnould finally decided in favour of the party of the Āgā Khān. His views on the religious identity of the Khojās are particularly interesting. Arnould defined the Khojās as 'a sect of people whose ancestors were Hindus in origin, which was converted to and has throughout abided in the faith of the Shia Imami Ismailis, and which has always been and still is bound by ties of spiritual allegiance to the hereditary Imami of the Ismailis' (Masselos 1978: 112).

This decision went a long way towards establishing the Āgā Khān's authority and clearly defining the religious identity of the Khojās. However, Justice Arnould's ruling did not result in an end to these internal disputes and the Āgā Khān I's grandson, Sulṭān Muḥammad Shāh, Āgā Khān III, had to wage another legal battle, referred to as the Ḥājī Bībī Case, in order to establish his authority over the community. The Ḥājī Bībī Case has been part of various works on the personality and the Imāmate of Āgā Khān III. This case was fought between Āgā Khān III, and a group of dissenters from within the Āgā Khān's family. In summary, the allegations were that the Khojās were in reality a Shīʿī Ithnāʿashʿarī community and that the voluntary offerings made by the Khojās was made to him not in the capacity of the Imām, but in the capacity of a *Sayyid* (descendent of Prophet Muhammed), a distinction they shared with the Āgā Khān. The fact that the dissenters had declared themselves and the Khojā community at large to be Shias instead of Sunnis, ensured that the dissenters had a stronger footing as compared to the Āgā Khān case. The Khojās had a strong Ithnāʿashʿarī flavour in their rites, as evidenced by their mourning of the death of Imām Ḥusayn. Furthermore, the Āgā Khān II and subsequently his wife had both been buried at Kerbala, giving further credence to the allegations that the third Āgā Khān had in fact invented a new religion. However, Justice Russell came out with a detailed judgment in favour of the Āgā Khān, exonerating him of all

the charges and reasserting his right and authority over the community's contributions.

Unlike Āgā Khān I, who had just arrived in British India and spent most of his time in India towards establishing close ties with the Raj's political establishment and his followers, Āgā Khān III was a major public figure. Ruthven (1997: 381) provides various examples from the Āgā Khān's life, such as his first *farmān* (directive) and the legends surrounding his meeting with Queen Victoria, to justify his larger than life stature among his followers and within the social and political milieu of British India in general. Besides this, according to Purohit (2012: 111), the Āgā Khān was also a 'pan-Muslim leader' whose 'discussions about Islām were informed by secular values of the colonial public sphere, such as Western education, participation in political life, and the privatisation of religion' and who 'followed in the footsteps of famous nineteenth century Muslim reformists—most notably Syed Ahmad Khān'. However, while his secularist ideas blended into various aspects of his role as the Imām, particularly the social reforms instituted by him within the community, there were still 'significant inconsistencies (between his public persona and his role as the Imām) […] which can be seen in the content of his *farmān* and the changes he made to the *gināns*' (Purohit 2012: 119). Asani (2011: 107) argues that various religious reforms instituted by the Āgā Khān were a response to the changing socio-political milieu of South Asia and the changes in the religious identity of the Khojās after the various legal battles. Nonetheless, it is generally accepted that these changes were aimed at clearly defining the religious identity of the Khojās and consolidating the Āgā Khān's authority within the community.

Asani (2011), Ruthven (1997), Purohit (2012) provide detailed accounts of various aspects of the changes instituted by the Āgā Khān. According to Asani (2011: 110) 'To execute their ambitious programme of reforms, the 'Agā Khāns used two important instruments: constitutions and *farmāns* (directives).' The various constitutions acted as the quasi-charters of membership of the community and they were to be signed by all members of the Khojā *jamā'at*. According to Daftary (1998: 198), the first of these documents, which was promulgated and signed in 1861, was circulated by Āgā Khān I. This document was a pledge of loyalty from the members of the Khojā community towards the Āgā Khān himself and the Nizārī religion.

Though this document was not entitled 'constitution', it can, however, be viewed as a prototype for the various Ismāʿīlī constitutions that were issued later. The first of these formal constitutions was introduced by the Āgā Khān III in the year 1905. This constitution, and all subsequent constitutions, included the Khojās and other indigenous Satpanthī groups within the broader category of Ismāʿīlīs. Furthermore, it clearly stated that the Āgā Khān was the leader of this religious community. According to Ruthven (1997: 382–90), the Āgā Khān also issued various *farmāns*, which played a key role in the creation of the Khojā identity. Owing to the increasing emphasis on the transcendental stature of the Imāms, the *farmāns* soon became the most important source of guidance for the community, since they represented the direct instructions of the Imām of the time. The Āgā Khān III's extensive use of the *farmāns* further strengthened his initiatives towards the centralisation of authority within the community, since they allowed him to simultaneously undercut 'the authority of local charismatic leaders and local traditions' and move the community towards a coherent and uniform global identity (Ruthven 1997: 385). The *farmāns* and the constitution were used as tools to not only consolidate the authority of the Imām within the community but to also reframe or make changes in the beliefs, rituals and practices of the Khojās and other Ismāʿīlī communities.

CONCLUSION

> [The Khojās'] transformation, beginning in the late nineteenth century, seems to demonstrate the paradox of absolute freedom being paired with absolute authority. (Devji 2014: 54–5)

Devji's views on the transformation/re-articulation of the Khojā identity perfectly encapsulate the phenomenon. The article endeavours to provide an overview of the various works on the Khojās' identity transformation towards the end of nineteenth century and the beginning of the twentieth century. A key aspect that cuts across various studies is the idea that the advent of the British Raj and the accompanying changes in the socio-political milieu of South Asia had a significant effect on this process of their transformation. In pre-colonial South Asia, the Khojās *jamāʿat* were essentially a closed trading caste that did not necessarily associate themselves

with any fixed religious ideology. However, towards the end of the nineteenth century and the earlier part of the twentieth century the Khojās, responding to various internal and external stimuli, undertook various changes within their communal structure, their beliefs and practices, and their worldview. In large parts, this process of transformation was led by the Āgā Khāns, who, after various struggles, assumed the community's leadership. In their role as the leaders of the community, the Āgā Khāns endeavoured to establish their authority over the community while also working towards giving the community a distinct Shīʿī Ismāʿīlī Muslim identity.

Amir Ali Parpia has a Masters in International Relations and is currently a student at the Graduate Program in Islamic Studies and Humanities at the Institute of Ismaili Studies in London. The author's main area of interest is the modern History of Muslim communities in South Asia. Within this discipline, the author is primarily interested in studying issues of identity and community formation in Colonial and Contemporary South Asian societies, with a particular focus on the Khoja Ismailis of Southern Pakistan. He can be reached at aparpia@iis.ac.uk

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