

**FEDERAL COURT**

**BETWEEN:**

**HIS HIGHNESS PRINCE KARIM AGA KHAN**

**Plaintiff**

**and**

**NAGIB TAJDIN, ALNAZ JIWA, JOHN DOE and DOE CO. and all other persons or  
entities unknown to the plaintiff who are reproducing, publishing, promoting and/or  
authorizing the reproduction and promotion of the Infringing Materials**

**Defendants**

**RESPONDING AFFIDAVIT OF NAGIB TAJDIN**

**I, Nagib Tajdin, of the City of Nairobi, Kenya, MAKE OATH AS FOLLOWS:**

- 1. I am one of the defendants in this action and as such have personal knowledge of the matters to which I hereinafter dispose to, except where otherwise stated to be based on information and belief, and where so stated I verily believe the same to be true.**
- 2. I am relying on my affidavits sworn in support of my motion for summary judgement to oppose the motion brought by the plaintiff, and as such I will not repeat issues covered by me in my previous affidavits.**
- 3. In reviewing the affidavits of Shafik Sachedina (hereinafter "Sachedina") and Aziz Bhaloo (hereinafter "Bhaloo"), I am quite surprised and shocked that both of them have completely distorted, the purpose and the discussions we had during the meeting relayed by both of them in 1998.**
- 4. I am also surprised and shocked in the manner Bhaloo has distorted the ceremony of Mehmani, and so casually discarded the importance and significance of the ceremony.**
- 5. Mehmani is an integral and a vital part of the Imam and His Murid (disciple) relationship which has been a part of our religion from the time of our Beloved Prophet Mohammed. Accordingly, I will give an overview of this important ceremony in order to understand the evidence given by Karim Alibhay (hereinafter "Alibhay") where he relates the presentation of his Mehmani to the Imam in 1992.**

6. Historically, in the Ismaili community, the disciple of the Imam presents an offering either by travelling to the Imam wherever the Imam might be residing, or presents himself before the Imam when He visits their city. Many disciples present their Mehmani to the Imam without asking any questions, or seeking any specific Guidance, and are simply seeking the Imam's Blessings. In that event the Imam gives his Blessings to the disciple, and his family.
7. Occasionally, the Imam initiates, on His own behalf, a conversation with a particular disciple, and may ask questions, or simply offer Guidance relating to any matter that pleases the Imam, such as employment, health, education, family matters, religious matters, etc. Sometimes the Imam might even encourage a disciple to ask questions of the Imam.
8. Occasionally, a disciple will pose a question to the Imam, or seek some specific Guidance from the Imam, or simply deliver to the Imam a petition which could include a letter or report.
9. The presentation of the Mehmani by the disciple is a unique occasion in the disciple's life, and will be cherished by him and his family for a life time. Not everyone gets the same amount of time or attention from the Imam. Significantly, the Mehmani ceremony is never conducted by the Imam as a factory assembly line, as Bhaloo seems to suggest in his affidavit.
10. The responses given by the Imam to the disciple may be detailed or very short and precise, and are accepted by the disciple as final and binding, and are never questioned or challenged by the disciple. Often those who can not get this chance of a Mehmani will seek guidance by sending letters and messages or gifts through others who are able to present their Mehmani.
11. As stated in my affidavit of June 17, 2010, I sent the first Farman book through my friends Karim and Elina Alibhai for presenting to the Imam during their Mehmani as they had supported me by helping me in transcribing and proof-reading these Farmans which I published. I was keenly watching the Mehmani by Alibhay as he presented himself before the Imam.

12. I had asked Alibhay to seek Guidance from the Imam when presenting the Farman book. I clearly saw Alibhay speaking and subsequently the Imam conversing with Alibhay, and I also saw the Imam place His hand on the Farman book three times when He was speaking to Alibhay.
13. Any Guidance or words pronounced by the Imam during Mehmani are considered to be a binding Farman for that disciple, or for the disciples on whose behalf Guidance is sought or given. Regardless of the number of seconds or the number of sentences, the Mehmani changes the life and destiny of the disciples, and is cherished for a life time.
14. I have stated in my affidavit sworn on June 17, 2010, that a video recording was made of the Mehmani ceremony in Montreal, but I am confident that neither Sachedina nor Bhaloo will produce a copy of the Mehmani to the court for review as it will definitely be contrary to Bhaloo's evidence. However, most, if not all, Ismailis would reject the evidence given by Bhaloo as self serving evidence which does not portray the events in its true light.
15. In 1992, the Montreal Mehmani ceremony was restricted to Ismailis residing in Quebec, Maritimes, and Ottawa, and the total number of the Jamats was no more than about 2,000 to 2,500, or approximately 500 families. About 1,500 Ismailis also came for the visit of the Imam from abroad but were not eligible for presenting a Mehmani to their Imam.
16. However, the organizers of the Imam's visits had decided to permit about 20% of the Jamats for Mehmani, and as such only about 100 to 150 Mehmanis were presented to the Imam during the visit to Montreal in 1992. The councils have list of the numbers, and the names of the people who had presented the Mehmani. The facts deposed to by Bhaloo as to the number of Mehmanis presented to the Imam is not correct. The discrepancy in the evidence can be conclusively resolved if Bhaloo and the leaders provide a copy of the video to the court to verify, not only how many Mehmani's were presented to the Imam, but also to verify and confirm the distinct and deliberate conversation the Imam had with Alibhay, and the attention the Imam gave to the Farman book and the placing of His hand on the book.
17. The Imam, when visiting Canadian Jamats for the first time, speaking about Mehmanis said:

"If spiritual children are presenting Mehmanis, the Imam is accepting Mehmanis, if they have a particular problem which they seek advice on, for a very short time, I like to be able to hear them properly." The Imam further said: "When each spiritual child presents a Mehmani then I want to have the possibility to listen to that spiritual child." [Toronto, November 20, 1978].

18. Throughout Ismaili history, when the Imams gave Their Farmans, and it was up to the Jamats to record, recollect, write down and circulate Farmans. There are known books from many previous Imams such as: "Najul Bhalaga" and "Khutbat al Bhayan", which are the Farmans made by our very First Imam Hazrat Ali; "Umul Kitab" are Farmans of the fifth Imam Bakir, etc.
19. I have many ancient manuscripts where the scribe says that "I wrote this down as the Imam spoke" and many a times there is a full description of the context, place, and date, even how the Imam was dressed and what gesture he made while making a Farman. Often when a disciple heard the Imam make a Farman, the disciple wrote it down and copies were circulated among Ismailis.
20. I have in my possession an Ismaili manuscript of Farmans dated 1826 on which is written in the opening lines: "From Kutch [India] Jamat to Zanzibar Jamat". All Ismaili Khojki Manuscripts containing Farmans starts with the word "Allah Tojo Adhar" meaning "With the Support of God" and finish with the words "Mowla Bhul Chuck Maf kare" meaning "May the Imam forgive any (of my) errors and omissions."
21. Since the time of Hazrat Ali, our First Imam, Farmans have never been edited, the only difference one might find are due to the shortcomings of the scribe, not of the Imam.
22. The Imam has told us that: "For hundreds of years, My spiritual children have been guided by the Rope of Imamatus. You have looked to the Imam of the Age for advice and help in all matters and through your Imam's immense love and affection for His spiritual children, His Noor [Light] has indicated to you where and in which direction you must turn, so as to obtain spiritual and worldly satisfaction. [Karachi, Pakistan 13 December 1964].

23. As noted above, the evidence given by Bhaloo is significantly in error, and I trust that if he produces a copy of the video of the Mehmani presented by Alibhay, it will conclusively support the evidence given by Alibhay.
24. On or around November 15, 1998, Sachedina and Bhaloo visited Montreal to attend a program for the Focus fundraising campaign. Focus is a humanitarian organization, and Sachedina was the head of Focus and, therefore, chief guest at the event. Bhaloo was President of the Aga Khan National Council in Canada. My brother, Mohamed Tajdin, was the Chair for the Focus fundraising and therefore the organizer of the event. Before the event, Sachedina and Bhaloo were invited, along with other leaders, for dinner with our family at my brother's home.
25. When I discovered that Sachedina was coming to Montreal, and that my brother was the host, I asked my brother to arrange a meeting with him. We all met in a hotel suite around 4:15 p.m. that day, being November 15, 1998. Both of them were very friendly. Bhaloo introduced Mohamed and myself to Sachedina as people from a "good and dedicated family" and who "always contribute (financially) to all Imamate projects", and also stated that Tajdin family is always amongst the "major donors".
26. I will begin by categorically stating that Bhaloo and Sachedina did not come to meet me to tell me that the Imam has asked me to stop distributing Farmans, or that he asked me on his own behalf to stop publishing or distributing Farmans. Without any doubt whatsoever. Furthermore, I have never informed them that I would stop publishing or distributing Farmans (except once early this year 2010 which I have explained in my previous affidavit of May 7).
27. I had two concerns which I raised with Sachedina: one was for timely and wide distribution of the Farmans; the other was on the "accurate versions" of Farmans to be distributed and/or read in our Jamatkhanas. I informed Sachedina that more than 100 discrepancies were contained in two Farmans made by the Imam in London during His August 1994 visit, between the tape (actual words spoken) version and the version distributed for reading to the

Jamats. At that time, Sachedina was the President of the UK Aga Khan Council.

28. In the presence of Bhaloo, Sachedina replied to me that the Imam thought in French and spoke in English, therefore, Farmans contained errors and were edited, and further stated: "we would fail the Imam if we would not do this".
29. I expressed my disagreement in strongest terms to both of them, and said that Farmans cannot be edited because they originated from the "Noor" and that was a fundamental tenet of Ismaili faith. He responded by saying that since he commenced working in Aiglemont in 1997, the Farmans were no longer edited. I immediately corrected him by pointing to him that the Farmans made by the Imam in Lisbon in 1998, were in fact edited by him. He then looked embarrassed, and remarked that Farmans had to be edited to correct errors of language that the Imam makes. We agreed to disagree on the issue of editing.
30. Bhaloo intervened in our conversation at that point to remind me of the "last sentence" spoken by the Imam during the Mehmani in 1992. Before I could answer, he told us that the Imam had said to work together, and said that his (Bhaloo's) interpretation was that the Imam was pointing to us (me and the Institutions) working together, and that this would be a good time to start.
31. I said we had already published the Red, Green and Blue book [referring to the first three Farman books published by me]. Sachedina asked, "Red, Green and Blue?" I replied to him that I could send him a copy of the three books, along with the copies of the other books published by me. At this point, Bhaloo again intervened and said that he had extra copies of the Red, Green and Blue Farman books, and that he would send them to Sachedina.
32. Sachedina then asked me what else I was working on. I responded that I was about to publish another volume of a Farman book, slated to be distributed in December. We were speaking in a mix of Katchi (an Indian dialect) and English, and he said to me in Katchi: "Sathe Karje" - let's do it together, to which I responded, why not? I would prefer to do so, as the circulation would be much wider if the institutions distributed the Farman books in Jamatkhanas.

33. Sachedina then asked me to give him the draft of the next book (but did not ask for copies of the previous Red, Green and Blue Farman books, nor then recently published 4-Farmans books of the Precious Guidance series). I agreed to do so and later I sent him a copy of those Farmans. I did so in the expectation of publishing the next Farman book in a spirit of collaboration as I wanted to have it distributed widely in the Jamatkhanas.
34. Sachedina then told me that he would discuss the publication of the next Farman book, jointly with me, with the Imam in his meeting scheduled for December 8, 1998. When he informed me of his forthcoming meeting with the Imam, I asked him to take a gift from our family for the Imam. He asked me what I wanted to send, and I responded, "a set of a thousand years old Fatimid coins, from the time of five different Imams-Caliphs." Sachedina agreed to do so, and asked that I give him the gift after the Focus event.
35. I repeat again: there was at no time any conversation about stopping publication or recalling any Farman books at that meeting, or at the meeting we again had later at night, nor at the dinner at home. The only concern Sachedina expressed to me then about the distribution of the Farmans was whether I was distributing the Farmans on the web. I informed him that the Farmans were not on the web and were being distributed to Ismailis only, and that under no circumstances would any general public be given access to the Farmans. He did not express any further concerns about this matter.
36. I state categorically that I did not stop distributing Farmans at the time, nor did I agree to stop distributing Farmans at that time. The only thing that changed at the time is that the Farman book I was planning on publishing and distributing in December of that year was postponed as we were planning to publish it together. I preferred to do so in order to have it widely distributed. It is my firm belief that stopping the printing and distribution of Farmans without explicit and authentic instructions from the Imam Himself would be a breach of my oath of allegiance to follow the Farman of the Imam, and would be a disobedience of his instruction to continue and to succeed in the work.
37. Since we had to attend dinner at my brother's home, we left at 5:15 p.m. to go for dinner at

my brother's home. Our meeting lasted for 60 minutes. Sachedina proposed to continue the conversation later after the Focus event.

38. When we arrived at Mohamed's house for dinner, Sachedina and Bhaloo met my family and the guests in a festive mood. At some point during the dinner my family gathered around Sachedina, and he said looking to my father and mother, who stood together, that the Imam had told him to convey a special message: he said that the Imam had asked him to meet each person of the "Tajdin family" and to convey His message that He was very happy with Tajdin family's service to the Jamat and the Imam.
39. After dinner we all went to the Jamatkhana which was at walking distance, just around the corner, from my brother's house. We later attended the fundraising event which was attended to by a large number of Ismailis.
40. After the event, Sachedina and Bhaloo were taken to the Hotel by Zainul Sherrif, and they were in the Lobby of the hotel when Mohamed and I arrived again to meet them as previously arranged. Sachedina told Mr. Sherrif that we had a meeting, and Mr. Sherrif left with a surprised look on his face. It was around midnight when we entered again the same room where we had met earlier that day.
41. I took with me the coins that I wished to present as a Gift to the Imam. Sachedina looked over the coins, while Bhaloo read the accompanying small four pages printout describing each of the five Fatimid coins. Sachedina remarked that it was a good gift, and also read the printout.
42. The discussion on that second meeting was around the subject of working together. I said that I would be happy to work with the institutions as I had already done that in the past for many years. I cited as example my first publication titled "A Bibliography of Ismailism" in the early 1980s' and told them I had offered it first to the Institute of Ismaili Studies [IIS] in London but they declined, and I published it therefore through Caravan Books in Delmar, New York.



43. The book was sponsored by the Humanities Research Council of Canada. Prince Sadruddin Aga Khan, the Imam's uncle, wrote to me on April 16, 1986, that this Bibliography will be an essential reference for anyone willing to inform himself on Ismailism. Dr. Paul Walker from McGill University wrote "Here at least is a serious attempt to bring all this scattered material into one complete listing". Attached hereto as Exhibit "A" is a copy of this letter.
44. At that time, I also mentioned to them that since 1980, I had actively participated in the translation and preparation of the French version of the current Ismaili Constitution under the translation committee of the Aga Khan Council in Quebec. I added that I had organized the Library in the new Jamatkhana and published for the Ismailia Association three issues of Al-Risalah, a community magazine, during the term of my appointment. I briefly mentioned that I was active in [religious] teacher training also.
45. Our discussion revolved around the assistance I could offer the institutions, and discussed how I could help in preservation and cataloguing of manuscripts, and about my helping the Institute of Ismaili studies ["IIS"] with their web site.
46. Sachedina then asked me to notify him of when I could visit the IIS in London to discuss further these issues with their staff. As it was quite late, Sachedina mentioned he had to take the flight at 7:00 a.m. the next morning and we left on a friendly note.
47. On 2nd January 1999, Sachedina phoned to inform me that the Imam had approved the publication of the next Farman book and had asked that the book should have a white cover. Sachedina's only comment to me was that it was not decided if the Imam's crest should be printed on the cover.
48. Around February of 1999, I visited the IIS in London, UK, for two days of meetings with the web designer, the librarian and a few other scholars. I also had lunch-meetings on both days with Mr. Shiraz Kabani who was at that time, to my recollection, Head of Operations at the IIS. In one of the meetings, Dr. Azim Nanji mentioned that the Imam had asked in December about cataloguing the Ismaili Khojki manuscripts, and He was eager to see the catalogue. I offered to help in the endeavour, as I had already organized in 1990s' two

conferences for saving the Ismaili Manuscripts in Khojki language, and as a result, I had the contacts of various sources who could also offer their assistance. Mr. Nanji was quite pleased about my expertise and knowledge on Ismaili manuscripts.

49. I then met Sachedina on the third day (a Saturday) to brief him about the various meetings I had at the IIS, and promised to send him a report with my recommendations. We discussed several issues at that time, and he concluded our meeting by saying that our only area of disagreement was on the issue of editing Farmans.
50. Shortly after, I sent my report to Mr. Kabani of the IIS with copy to Sachedina, and also mentioned the names of 4 experts who had agreed to give six months of their time as volunteer without remuneration to assist them in cataloguing the Khojki Manuscripts. The report was not acted upon and regrettably, the collection has not yet been catalogued up to this date.
51. I met Sachedina periodically over the next few years, and asked him about the progress of the printing of the Farman book, but he kept saying he was working on it. One such meeting was at the Hilton Dorval in Montreal in 2000, again in the presence of Bhaloo, which is described in my Affidavit of 7th May 2010. Although Sachedina continued making promises of working the publication issue over the years, I became convinced that Sachedina would not come through with his promise of publishing the Farman book, and I commenced preparing for the publication of the next Farman book.
52. During all these years from 1998 to 2009, I continued to circulate to Ismailis, the Farmans as soon as they were made, on a regular basis by email and on printouts. I never stopped this. In fact, Sachedina knows that I did not stop distributing Farman books. As an example, I was on a plane ride after the Imam's visit to Syria in 2001, and we were transcribing the Farmans, made the previous day, in the plane ride home, at which time Sachedina's wife was sitting behind us and was reading the Farmans over the shoulders as we were typing them in a laptop computer. Sachedina, who was sitting in the First Class, came to visit his wife and also saw us transcribing the Farmans.

53. Sachedina and his assistants have placed personnel to follow us closely whenever we attend at places, all over the world, where the Imam visits, constantly harassing us because we have continued to distribute Farmans.
54. His evidence that I stopped distributing Farmans is plainly wrong. I did not stop distributing Farmans. Not only Sachedina but most other institutional and religious leaders, local and international, know of my activities of distributing Farman books, and know that we have never ceased distributing them contrary to Sachedina's evidence. Many of these institutional and religious leaders have also bought multiple copies of the Farman books distributed by me over the years. As noted earlier, Bhaloo had extra copies of his own from which he offered to send a copy of each to Sachedina.
55. I also note that Sachedina has not produced any specific facts, but has simply given his conclusions in his claim, reply, and evidence, as has Bhaloo. I am not at all surprised about it.
56. Furthermore, Sachedina has no authority either from an administrative perspective, or from a spiritual perspective to reverse the Imam's consent and Blessings given to us in the matter of Farmans. My allegiance remained and remains, and will always remain to the Imam-of-The-Time.
57. Circulating immediately any Farman made by the Imam is the duty of every Ismaili. It is a tradition that dates back Centuries. For instance, the Imam made a Farman to Ismaili Leaders at the Intercontinental, in Karachi on March 17, 1983. Immediately upon getting the content of the Farman, Vazir Sherali Alidina (a senior Ismaili given the title of Vazir) typed some quotes and put it in the post office to my address requesting me to forward to his "dear friend Kamaria Fateh." Attached hereto as Exhibit "B" is a copy of this correspondence.
58. One of the reasons I delayed the publishing of the next Farman book was that I had decided to incorporate all the previous Farmans printed in the various books into a consolidated one, along with the Farmans to be made by the Imam during His Golden Jubilee celebrations as I wanted this publication to be offered as Nazrana [Special Gift] to the Imam at the end of

his Golden Jubilee.

59. I commenced distributing the Golden Edition Farman book on December 13, 2009, the birthday of the Imam.
60. On or around January 1, 2010, I received an email from Sachedina asking me to call him. He mentioned he was in Zanzibar leaving for Dar-es-Salaam at around 4 p.m. I phoned him immediately, and he asked me, "You have published another Farman Book?" I proudly replied "yes!". He sternly told me that I should not have done it as he was going to do it. He insisted that I cease distributing the Golden Edition, and when I would not accede to his requests, he then ordered me to stop the distribution of the Golden Edition. Naturally, I refused to do so. His was very angry, rude and disrespectful to me at the time, and emphatically told me that he would get me to cease the distribution of the Golden Edition.
61. However, and most important to me was that Sachedina did not tell me that the Imam wanted the Golden Edition not to be distributed. Even the first announcement made by LIF to the Jamats after my discussion with Sachedina, not surprisingly, did not mention that the Imam did not want the Golden Edition to be distributed. I emphasize that other than Sachedina's own self-serving statements, there is absolutely no credible evidence anywhere that suggests that the Imam is seeking to prohibit His spiritual children from disseminating His Farmans to other Ismailis, as has been our tradition for centuries.
62. Upon publishing the Golden Edition, I considered as complete my project concerning the present Imam's Farmans. However, since the Imam's instructions to us were to "continue the work", I needed guidance in this regard, as I wished to embark on the translation and publication of the Farmans of the previous Imams as special project for Diamond Jubilee. Accordingly, I wrote a letter to the Imam on January 4, 2010, offering as my special gift to the Imam a copy of the Golden Edition for each and every Jamatkhana across the world. Keeping in mind the Imam's instructions given at Mehmani in 1992, that we may work together on other projects, my intention in writing the letter to the Imam was to seek Guidance from Him concerning printing about 1,000 pages of Farmans of previous Imams

(from Manuscripts) as a Diamond Jubilee Nazarana from us.

63. I did not write to the Imam seeking "authorization" for the distribution of the Golden Edition as suggested by Sachedina. I was seeking acceptance by the Imam of my donation of the Golden Edition to all Jamatkhanas across the world, and blessings and guidance for the publication of the Farmans of the previous Imams as my Diamond Jubilee offering. The letter was written in the respect of the rules binding the Imam and His follower, and a request for audience was also humbly made.
64. Sachedina called me again on 5th January 2010, asking why I had not contacted him after his return to London. My response to him was that I did not want to discuss the issue with him, and informed him that I had written to the Imam. He wanted to know the content of the letter and the date I had sent it. I refused to share the letter with him telling him it was a sealed letter for the Imam. He also informed me that he was upset at Alnaz for reasons I did not fully comprehend.
65. Sachedina called again a couple of days later telling me that he could not find the letter that I had sent to the Imam. I then informed him that I sent my letter through the Aga Khan Council in Nairobi, on or about January 4, 2010. On or about January 16, 2010, an announcement was circulated in Jamatkhanas to the effect that the Golden Edition was not authorized. Again, no mention was made that the Imam has prohibited the publication or distribution of the Golden Edition.
66. On January 24, 2010, I received a letter purportedly to be from my Imam, which I believe is not signed by the Imam. On 17 February 2010, I told Sachedina that the letter was not signed by the Imam, and that it was confirmed by two handwriting experts that the signature was not of the Imam. Sachedina told me in no uncertain terms that if I made this public, that he would destroy my reputation. I had no doubt that he had a lot of influence and would destroy my reputation in the community as he indeed successfully did with the announcements in Jamatkhanas all around the world.
67. It is my firm belief that stopping the printing and distribution of Farmans without explicit and

authentic instructions from the Imam Himself would be a breach of the instructions given by my Imam to us to "continue" and to "succeed" in what we are doing. As well, my oath of allegiance is to follow the Farman of the Imam, and it would be an act of disobedience on my part to ignore His instruction to "continue" and to "succeed" in this work.

68. After our experts confirmed that the letter dated January 24, 2010, was not signed by the Imam, I emailed to Mrs Parkes, the secretary (who had emailed me the letter) at Aga Khan's Secretariat telling her that the letter dated January 24, 2010, from the Imam contained a forged signature. A second two pages letter was emailed to me dated February 18, 2010, which contained two handwritten sentences and a signature. Surprisingly, she did not write back to tell me that the letter was indeed signed by the Imam, or how or who gave her the letter to email to me.
69. The February 18, 2010, letter was very unusual in many ways. First and foremost it contained sentences uttered by Sachedina in our conversation of the 17th February 2010 [the previous day!] The letterhead and the second page were hard pages not soft page as a normal letterhead is, and one page was greyish in colour and another whitish with a slightly different shade. This, along with other things in the letter made me suspicious of its authenticity. Our expert has now confirmed to my co-defendant that the Imam has not placed the writing on that paper but that it has been lifted from another letter(s).
70. I was alarmed that anyone would dare forge our Imam's signature, so I wrote to the Imam's brother, Prince Amyn Aga Khan, in French, our common language. One of my main reasons to write in French is that Sachedina does not know French. Two weeks later, I received a reply by an email purporting to be from the Prince Amyn. In my letter to Prince Amyn, I wrote that I would give my life upon one word of the Imam. My letter was written in French, and did not contain my email address but contained my phone number.
71. The email purporting to be from Prince Amyn is not signed, and is written in English when I had written to Him in French. It did not come from his email address. However, the email purporting to be from Prince Amyn's seems actually written by Sachedina and not by Prince

Amyn. This is a forgery by Sachedina. The reason I can say this with confidence is that I write my name as Nagib, and this is how I spelt it when I wrote to Prince Amyn.

72. The reply email purporting to be from Prince Amyn has spelt my name as "Naguib". The only person who spells my name as "Naguib" is Sachedina. Just to be sure, I did a search in my outlook mailbox which contains thousands of emails received in the past many years. No one else spells my name as "Naguib" other than Sachedina, and I cannot imagine nor believe that Prince Amyn, who is a well educated person, would make such an error. It would also be very unusual for Prince Amyn, whose first language is French, to reply to someone in English when He was addressed in French.
73. Furthermore, the letters purportedly written by the Imam, dated January 24, 2010, and February 18, 2010, also contained factual errors, as did the LIF announcements, and I also do not believe that our Imam would make such errors in His correspondence.
74. When the Imam came to Toronto in May of 2010, I let the plaintiff's counsel know that I have flown all the way to Toronto from Kenya to make myself available for a 5 minutes meeting with my Imam to receive His instructions in person, not to discuss settlement or dispute in any way. Plaintiff's counsel stated to me that he has been instructed by the Imam to continue the litigation unless we agree in advance that we have breached His Copyright.
75. It is my belief that the Imam is not the real plaintiff and will not appear for examinations in this litigation as He had given us consent to publish and distribute His Farmans in 1992, and that He has never revoked that consent.
76. The only reason, I believe, why my attempt to resolve the issue in 5 minutes with the named Plaintiff has been thwarted is because the lawsuit is not initiated by the plaintiff, and therefore we can see the multiple forgeries of the Imam's signatures in this file.
77. My belief is that any reasonable person will understand that a plaintiff which can resolve without delays, or cost, and to his own satisfaction, litigation in a 5 minutes meeting, with the defendant, held at time and place of his choice, will never waste time, money, reputation

and peace in his community to go in a lengthy lawsuit battle against one of His most obedient follower.

78. I repeat again, that without any doubt whatsoever, Sachedina and Bhaloo did not say to me in 1998 that the Imam wanted me to stop distributing Farmans, nor did I agree to stop distributing Farmans. Indeed after that visit, I continued distributing Farmans as always.
79. Sachedina says that I did not publish a Farman Book from 1998 to 2009. He says that the reason I did not publish Farman earlier is because I was told to stop and I stopped. That is a complete untrue statement. It is not possible, nor efficient, to keep publishing Farman books unless there are enough Farmans to fill a Farman Book.
80. My intention was to have the institutions publish and distribute the Farman books in order that the widest possible distribution of the Farman books can be achieved, as that would be the only way to make the books available to the worldwide Jamats. Sachedina, kept me at bay for years while I thought he was seriously working at publishing the Farmans. Then, as Golden Jubilee of our Imam was slated to be celebrated between the years 2007 to 2008, I felt that we might as well wait and include Golden Jubilee Farmans as the Imam was expected to travel almost worldwide to celebrate His Jubilee with the worldwide Jamats. We decided that the previous Farmans published also be included in one volume to enable an index of all Farmans to make it convenient for the Jamats.
81. Furthermore, the volunteers who are involved in helping in this project have their own lives, family lives and responsibilities, their businesses, and/or employment, and can only devote so much time to such a massive project (which the institutions have not been able to undertake), which took time to complete.
82. However, as noted earlier, Farmans were being distributed as they were made by the Imam, and I never stopped distributing the Farmans. The sad part I feel is that Sachedina, Bhaloo, and all other institutional leaders know that we have never ceased distributing but can make inaccurate statements without any restrain.



83. I also note that the evidence given by Sachedina and Bhaloo state that they have not been able to verify the accuracy of the Farmans transcribed by us, or even the accuracy of the quotations given by us in the pleadings and evidence given by us to date. That itself, in my opinion, is a dereliction of their duties as leaders.
84. They have massive institutional means, yet it seems that Sachedina, Bhaloo pretend they had no inclination, nor determination to verify the accuracy of these Farmans for over 18 years that we have been distributing these Farmans. It is my belief that they have verified the Farmans published by us, but has not been able to show any inaccuracy in the Farmans books.
85. I also believe that actually most of the Ismaili institutional leaders have confidence in me, and in the volunteers who work with me, in that they firmly believe that we have the best interests for our Imam and our Jamats at heart, and that we are not at all interested in harming our Imam or our Jamats by publishing inaccurate Farmans. That is also why, I believe, they are not questioning the accuracy of the transcription of the Farmans.
86. I completely reject the evidence of Sachedina given by him in his affidavit at paragraph 14. That is a complete fabrication. If the Imam really wants to stop me, it would take Him literally one direct one-minute meeting to tell me to stop, and I would immediately stop. That is, if He wished me to stop.
87. If Bhaloo were telling the truth about his observation on the Mehmani ceremonies in Montreal in 1992, whereby he seems to suggest or imply that the Imam had only a few seconds with each family and did not give us the consent, as evidence given by Alibhay, then Bhaloo would have produced the video of that day in question, and prove me and Alibhay wrong.
88. I also note that both Bhaloo and Sachedina, none of which attended the ceremony, have ignored to mention or produce the video of that day in question, as it would prove them

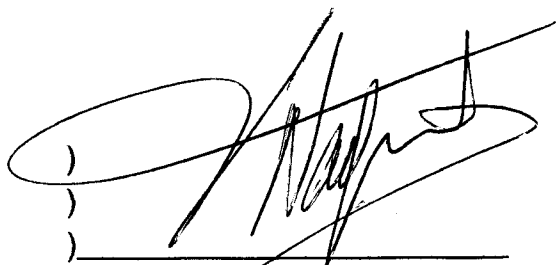
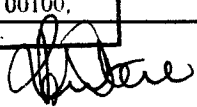
wrong, completely wrong. They have also both of them omitted to mention that the 1998 meeting was attended by my brother Mohamed who was the Focus Chair in Quebec at that time.

89. We have produced expert's reports to support that the Imam did not sign the letter of January 24, 2010, the letter of February 17, 2010, the Affirmation of May 12, 2010, and I have mentioned the errors and discrepancies in their story of Prince Ameen's unsigned email. The only response given by Sachedina is that they have no way of knowing if the expert was given authentic signatures to review. Not surprisingly, Sachedina or his lawyer, Mr. Gray to date has not asked me, or my co-defendant Alnaz Jiwa, to show them the signatures given to the expert to determine if indeed authentic signatures were reviewed by the expert. Furthermore, the expert has shown the signatures he relied on in his report and to date neither Mr. Gray nor Sachedina has stated that the signatures relied on by the expert are not authentic.
90. I also note that Sachedina at paragraph 40 of his affidavit refers to other correspondence, but has not given any Farmans, or any authentic credible evidence to support his assertions.
91. Sachedina states at paragraph 14 of his affidavit, that after he started working with the Imam in 1996, the Imam expressed "his concerns to me over the unauthorised release of his Farmans by some individuals without his consent". I reject this evidence as self serving statement to support his own view, to achieve what he is seeking to achieve, because had the Imam really been concerned about these activities, when He amended the Ismaili Constitution in 1998 at Lisbon, he would have inserted articles in the Constitution to prohibit such activity. Not to mention that I have published another half a dozen Farman books between 1996 and 1998 which I would have never have done if the Imam would have been "concerned."
92. I reaffirm my allegiance, absolutely and without condition, that all that I have, my life, my family, my wealth, all is at the feet of my Imam, and will be given up by me without any hesitation whatsoever if my Imam so desires.

93. I am making this affidavit in opposing the Plaintiff's motion for Judgment and for no other purpose.

SWORN at the City of Nairobi  
in the City of Nairobi, Kenya  
this 14<sup>th</sup> day of July, 2010

P. WANGECHI WAITERE  
ADVOCATE  
COMMISSIONER FOR OATHS  
P. O. Box 7704 - 00100,  
NAIROBI.



)  
)  
)  
) Nagib Tajdin

## **EXHIBIT A**

In opposition of the Plaintiff's motion for Judgment



Château de Bellerive  
1245 Collonge Bellerive

Genève, le 16 avril 1986

*Mon cher Nagib,*

J'ai bien reçu votre aimable lettre du 1er avril et vous remercie infiniment de m'avoir fait parvenir un exemplaire de votre "Bibliographie de l'Ismaélisme", qui vient d'être publiée aux Etats-Unis.

Je suis très touché de votre attention et puis vous assurer que cet excellent ouvrage trouvera une place privilégiée dans ma bibliothèque personnelle.

Vous avez accompli un travail remarquable et je tiens à vous en féliciter chaleureusement. En effet, cette Bibliographie constituera une référence essentielle pour toute personne désireuse de se documenter sur l'Ismaélisme, et il ne fait aucun doute que vous avez ainsi contribué à améliorer grandement la connaissance de cet aspect de l'Islam.

*Acceptez ma fidèle estime et mon affection.*

*/adnuddin'*

Monsieur Nagib Tajdin  
8460 Mountain Sight  
Montreal (Quebec) H4P 2B9

This is the exhibit marked "A"  
referred to in the Annexed Affidavit/Declaration  
of NAGIB TAJDIN  
Sworn/Declared before me this 14th  
day of July 20 1986 at Nainboc

*[Signature]*  
Commissioner for Oaths

## History of Judaism: Modern North America

**HOLY DAYS: THE WORLD OF A HASIDIC FAMILY.** By Lis Harris. New York: Summit Books, 1985. Pp. 266. \$18.95.

Most of this book originally appeared in serialized form in *The New Yorker*, for which the author is a staff writer. Defining herself as a secular Jew, but nonetheless curious about her religious and cultural heritage, Harris became acquainted with a religious Jewish family residing in Crown Heights, NY, adherents of the Lubavitcher Hasidic sect. The "Konigsberg" family served as Harris' window to a community whose lives revolve around strict observance of Jewish law and devotion to their leader, the *rebbe*. Harris' fascination and attraction to the closely-knit community are tempered by her observations of its almost militant rejection of the outside world. This is one of the best popular accounts of the evolution of Hasidism, as well as an accessible sociological study. It offers a unique perspective on often misunderstood aspects of Hasidic life, as well as a personal odyssey that takes on spiritual proportions.

Anne Arenstein, 7405 Laurel Oak Lane  
Cincinnati, OH 45237

**THE CHANGING WORLD OF REFORM JUDAISM: THE PITTSBURGH PLATFORM IN RETROSPECT.** Edited by Walter Jacob. Pittsburgh: Rodef Shalom Press, 1985. Pp. xi + 123. N.p.

A valuable resource for an enhanced understanding of American Reform Judaism's development, this volume includes seven essays given at a symposium sponsored by the Central Conference of American Rabbis to celebrate the centennial of the Pittsburgh Platform. Thus we have several analyses of a single text from a religious community—and a very valuable reprinting of the text itself. The volume provides a positive perspective which unabashedly attempts to place the 1885 Reform document within a historical process; thus all of the essays are friendly, yet none are defensive or apologetic about the role of the Platform in American Jewish history. Jacob's essay concludes, "The most attractive element of the Pittsburgh Platform is its optimism" (38). The same can be said of the essays in this volume. This may be its most serious shortcoming as well; there is no attempt to present a critical-reflective view of the Platform. All in all, the value of the Pittsburgh Platform as a historical text from an American religious community establishes the value of this book as well.

Joseph A. Edelheit, Emanuel Congregation  
Chicago, IL 60660

## Islam

**A BIBLIOGRAPHY OF ISMAILISM.** Compiled and edited by Nagib Tajdin. Delmar, NY: Caravan Books, 1985. Pp. 180. N.p.

Western literature, by both the genuinely scholarly and the merely curious, about the Ismailis and the various manifestations of the religious movement that lies behind their special identity (Fatimids, Assassins, Khojas, Bohras, Druze, and others) has grown steadily for well over a century and a half. Here at least is a first serious attempt to bring all this scattered material into one complete listing (in all over 1450 titles) which both the specialist and the interested amateur will find a handy reference. Although inevitably a few items are missing and some technical flaws mar an entry here or there, this is a welcome new aid for future studies of this complex and obscure subject.

What has not found a place in this work, but is also highly desirable, is a similar effort to catalog the many secondary studies on Is-

mailism in non-European languages such as Arabic, Persian, and Urdu.

Paul E. Walker, McGill University  
Montreal, Quebec H3A 1Y1

**THE IMPACT OF THE CRUSADES ON THE NEAR EAST.** Edited by Norman P. Zacour and Harry W. Hazard. *A History of the Crusades, 5.* Edited by Kenneth M. Setton. Madison: University of Wisconsin Press, 1985. Pp. xxii + 599 + 13 maps. \$40.00.

More than thirty years have passed since Vol. 1 of this huge collaborative work appeared; one more volume, *The Impact of the Crusades on Europe*, is in the works. Moreover, of the eight authors of the ten articles in the present volume, three have died. It is not surprising, then, that the content seems dated. This is true especially of the two articles that should be central: "Arab Culture in the Twelfth Century" and "The Impact of the Crusades on Moslem Lands," both of which are routine statements of conventional views. The other articles deal with political, social, ecclesiastical, and agricultural conditions of the Crusader states, that is to say, with European implants in Islamic territories. Three articles on population, Venice, and late European missions are somewhat extraneous to the stated topic. Clearly the last word on the effects of the Crusaders has yet to be written. Until that comes, students of the Crusader will remain indebted to the editors, participating scholars, and especially to the University of Wisconsin Press for seeing this belated progress report through to the end.

Donald P. Little, McGill University  
Montreal, Quebec H3A 1Y1

**THE PEN AND THE FAITH: EIGHT MODERN MUSLIM WRITERS AND THE QUR'AN.** By Kenneth Cragg. London: George Allen & Unwin, 1985. Pp. 181. \$16.00.

Cragg believes that in this age of technology, man's dominion on earth necessitates a view of God that is less transcendental than the traditional understanding of Islam allows. Hence, Sayyid Quṭb is found by him to be too rigid in upholding God's unquestionable authority and Faḡlur Raḡmān, though different, is found espousing a line of thought leading to a similar position. Cragg lauds the fictional work of Kāmil Ḥusayn and Najīb Maḡfūz for attempts to portray God's engagement in the human predicament. He thinks well of 'Alī Shār'atī who makes social justice the measure of God's presence with men, and also of Mawlānā Abū-l-Kalām 'Azād who considers human suffering and patience a sign of an ongoing divine-human partnership. Cragg finds Mamado Dia and Hasan 'Askari most open to the idea of Muslim-Christian dialogue because, though preserving cultural difference, they maintain common human grounds for interaction between men of all faiths and God. Cragg's conclusion is that some contemporary Muslims are becoming more aware of the theological implications of modernity.

Issa J. Boullata, Institute of Islamic Studies, McGill University  
Montreal, Quebec H3A 1Y1

**WOMEN AND THE FAMILY IN THE MIDDLE EAST: NEW VOICES OF CHANGE.** Edited by Elizabeth Warnock Fernea. Austin: University of Texas Press, 1985. Pp. 356. N.p.

Ferne's anthology of studies, stories, reminiscences, and interviews is a useful addition to the growing literature on women in the Middle East (here defined to include North Africa). Her book permits the women (and occasionally the men) of the area to speak for themselves, and it is free, for the most part, of extraneous value-judgements and prescriptions. Inevitably, its structure is somewhat loose, and the quality of the pieces included varies widely: for example, Shireen Mahdavi's jejune piece on the women of Shi'i Iran

## **EXHIBIT B**

In opposition of the Plaintiff's motion for Judgment

Private.  
To  
My very dear friend  
Kamari Fatch  
for Sherif Ali  
B

HOTEL INTERCONTINENTAL KARACHI.  
17th March, 1983.

EXHIBIT B

Hazir Imam gave blessings and expressed his gratitude to about twenty <sup>seven</sup> two former leaders <sup>in Pakistan</sup> whom he had called for audience, for giving leadership to Jamat during his time. Their wives/husbands were also invited.

"You spiritual children are my former leaders ~~Imam~~ but you should remember that when the Imam chose you as leaders, you continue to be leaders. It does not matter that at present you are not Councillors etc. Your leadership continues because (i) most of the present leaders are your children; (ii) they are your acquaintances; and (iii) it is you who recommended their names to the Imam for appointment. Your leadership, therefore, continues through them.

What we have been able to do during the last 25 years, which is a long period, was through your efforts. I give by way of an example how we have been able to eliminate conditions which prevailed in localities like Patel Bura and Kalri. That was because of your work. When I say my Jamats today I had a feeling that there were no signs of those conditions now. In the next few years there will be no trace of those conditions. Even my family members do not know what those conditions were because they had not seen the same. You laid the foundations of those projects which were prepared during the last 25 years and are showing results now.

I suggest that all of you now move with me to the adjacent room for tea where my family members will be able to meet and talk to you who have been the pillars of my Jamats during the last 25 years. Blessings to you and your family.

THIS IS THE TRUE AND CORRECT COPY OF THE AFFIDAVIT / Declaration  
of N. AGIB TASDIN  
Sworn / Declared before me this 14th  
day of July 20 10 at Nairobi