



DĀVAR, 'ALĪ-AKBAR

DĀVAR, 'ALĪ-AKBAR (b. Tehran, 1302/1885, d. Tehran, 21 Bahman 1315 Š./10 February 1937), journalist, politician, statesman, and founder of the modern Persian judicial system, as well as of several state enterprises in the time of Rezā Shah (1304-20 Š./1925-41). He was the son of Kalb-'Alī Khan Kāzen Kāwat, a government employee, and was educated at the *Dār al-fonūn*, from which he received his diploma in humanities in 1327/1909 (Āqelī, pp. 12-13). With the help of the Persian Democratic party (Ferqā-ye demokrāt-e Īrān), he began his career at the Ministry of justice (Wezārat-e 'adliya), where he was appointed to the district court (Şadīq, p. 265). In 1328/1910, at the age of twenty-five years, he became district attorney for Tehran. In this period he also wrote political articles for the radical newspaper *Şarq*, which was edited by Sayyed Żiā'-al-Dīn Ṭabātabā'ī (Āqelī, p. 16). In 1329/1911 Ḥājj Ebrāhīm Panāhī, a merchant in Tabrīz, provided financing for him to study in Switzerland while serving as guardian for Panāhī's minor child. In 1920 Dāvar received a law degree from the Université de Genève and became a doctoral candidate. After the announcement of the [Anglo-Persian Agreement of 1919](#) he joined with other Persian intellectuals abroad in opposing it and wrote several newspaper articles (Afšār, pp. 454-74). Nevertheless, when the news of Żiā'-al-Dīn's [coup d'état of 1299 Š./1921](#) reached him in Switzerland Dāvar abandoned work on his doctoral thesis in law and returned to Persia to enter politics. He first became director of public education and then director-general of the Ministry of education (Wezārat-e ma'āref; Şadīq, p. 268).

In the elections of 1301 Š./1922 Dāvar became representative for Varāmīn to



the Fourth Majles. During this period he briefly published the newspaper *Mard-e āzād*, for which he wrote radical editorials read mostly by the Persian intelligentsia (K̄vāja Nūrī, p. 10); organized 330 young intellectuals in the Radical party (Ḥezb-e rādikāl; 'Āqelī, p. 33); and formed a group in the Majles to support the minister of war, Reżā Khan (Bahār, II, p. 91). In the elections for the Fifth Majles in 1303 Š./1924 he became deputy from Lār. Five other members of the Radical party were also elected. Dāvar rose to prominence in the Majles and joined with 'Abd-al-Ḥosayn Teymūrtāš, and Fīrūz Mīrzā Fīrūz (Noşrat-al-Dawla) to lead support for Reżā Khan. On 25 Bahman 1303 Š./14 February 1925 Dāvar presented a bill to appoint Reżā Khan commander-in-chief of the army. On 9 Ābān 1304 Š./31 October 1925 he also introduced legislation to depose the Qajar dynasty and entrust the state to Reżā Khan, pending the convening of a constituent assembly (Majles-e mo'assesān) to amend certain articles in the Addendum to the [Constitution](#). Eighty of eighty-five deputies in the Majles had cosigned the bill. In this historic session of the Majles it was Dāvar who gave detailed replies to questions raised by Sayyed Ḥasan Modarres and Dr. Moḥammad Moşaddeq (Amīr Ṭahmāsbī, pp. 248-67; 'Āqelī, pp. 71-85; Makkī, p. 337). He was then put in charge of organizing the constituent assembly and became spokesman for the Committee to amend the constitutional law (Komīsīūn-e moṭāle'a), which paved the way for transfer of kingship to Reżā Khan and his descendants (Şadīq, 1352 Š./1973b, pp. 303-05; Amīr Ṭahmāsbī, pp. 427, 507, 615-17).

Under Reżā Shah Dāvar became head of the Ministry of public utilities and trade (Wezārat-e fawā'ed-e 'amma wa tejārat) in the cabinet of Moḥammad-'Alī Forūgī (28 Āḍar 1304 Š./19 December 1925). In this position he oversaw preparations for constructing the Persian railroad. He founded a school of business, the Madrasa-ye tejārat, in Tehran and laid the foundations for a Persian [chamber of commerce](#). In 1305 Š./1926 he was again elected representative from Lār to the Sixth Majles ('Āqelī, p. 91), and in February 1927 he was appointed minister of justice in the cabinet of Ḥasan Mostawfī.

The judicial system established in 1324/1906-07 by Mīrzā Ḥasan Khan Moşīr-al-Dawla had evolved gradually, but it still suffered from organizational deficiencies, particularly the proliferation of religious and secular jurisdictions and absence of a uniform legal code, most notably in civil and criminal areas. In 1306 Š./1927 the government decided to revoke capitulations (q.v.) to foreign powers, which had permitted their citizens to be tried in special courts, and to bring the entire judiciary under Persian control; in



exchange the foreign powers insisted that the government take measures to centralize and modernize the Persian judicial system (Komīsiūn-e mellī, p. 993). Dāvar seized this opportunity, and on 27 Bahman 1305 Š./17 February 1927 he was granted discretion by the Majles to compile a new legal code on the basis of reformed principles and to select a body of qualified judges. Dāvar appointed committees of experts to formulate new legislation; in a very short period 120 separate legal bills were ratified by the judiciary committee of the Majles. The most important was the [civil code](#), and in addition there were the basic judicial law, the criminal code, the commercial code, and the code for religious courts (Şadiq, 1352 Š./1973a, p. 126). On 5 Ordībehešt 1306 Š./25 April 1927 the new legal system was inaugurated in the presence of Reżā Shah, who at the same time officially terminated the capitulations (Şafā, I, p. 56).

In the seven years that he served as minister of justice Dāvar founded new courts throughout Persia and selected suitable judges, both from among those already serving and from among qualified religious jurists (*mojtaheds*) and government employees. It was also he who organized the recording of documents and properties in appropriate registries (see [DAFTAR-E ASNĀD-E RASMĪ](#)). Other achievements included combining the ministerial schools of law and political science into the Higher school of law and political science (Madrasa-ye ‘ālī-e ḥōqūq wa ‘olūm-e sīāsī) under the supervision of the Ministry of education, in 1306 Š./1927, and organizing courses in jurisprudence in the Ministry of justice. Dāvar also formulated rules and regulations for the office of defense attorney (‘Āqelī, pp. 188-89).

The most important criticism of Dāvar’s performance as minister of justice was that he retained for himself power to intervene in the judgments of the courts and to remove disobedient judges; this power was embodied in an amendment weakening Article 82 of the Constitutional law, which had established an independent judiciary. The amendment was ratified by the Majles judiciary committee on 26 Mordād 1310 Š./17 August 1931 (Afšār, pp. 363-71; for some cases under the amendment, see Kasrawī, pp. 256-57, 272, 288-90, 305-40).

In 1311 Š./1932 the Persian government unilaterally abrogated the oil treaty with the British (see [ANGLO-PERSIAN OIL COMPANY](#)), who filed a complaint with the Permanent Court of International Justice. The Persian government denied the jurisdiction of the court over its internal affairs, and the British appealed to the Council of the League of Nations. In February Dāvar headed a delegation to Geneva to respond to the complaint; the defense was successful,



and the court found in favor of Persia, denying the court jurisdiction (Fāteḥ, p. 292; 'Āqelī, pp. 207-41).

In September Dāvar was appointed minister of finance in the cabinet of Moḥammad-'Alī Forūḡī. During the next five years he strove to strengthen the Persian economy, founding or enlarging numerous state enterprises and monopolies. He instituted barter transactions with Germany and the Soviet Union, exporting agricultural products in exchange for industrial goods. In order to promote and standardize exports and to streamline the distribution system, he also centralized the management of state companies (Wakīlī, pp. 32-98). Forūḡī's government resigned in 1314 Š./1935, and Dāvar expected to be named prime minister; instead the shah appointed Maḥmūd Jam, reappointing Dāvar as minister of finance. Dāvar considered this choice a sign of the shah's disfavor and feared for his life. Fear and the increasing pressures of work, especially the problem of ensuring sufficient grain for Tehran in the drought year 1315 Š./1936, contributed to his suicide from an overdose of opium in February 1937 (Taḡīzāda, pp. 220-22).

Dāvar was a capable, ambitious, and courageous statesman, devoted to his work. As a politician, he was machiavellian, believing that the end justifies the means (Afšār, pp. 457-59; Golšā'īān, pp. 611-22). Aside from his judicial and economic reforms, his legacy included his influence on a group of capable administrators of the next generation, including 'Alī Amīnī, 'Abbāsqolī Golšā'īān, Aḥmad Matīn Daftari, and Allāhyār Šāleḥ.

BIBLIOGRAPHY

M. Afšār Yazdī, *Sīāsat-e Orūpā dar Īrān*, tr. Zīā'-al-Dīn Dehšīrī, Tehran, 1357 Š./1978, pp. 454-74.

'A. Amīr Ṭahmāsbī, *Tārīḡ-e šāhanšāhī-e a'lāḥazrat Rezā Šāh Pahlavī*, Tehran, 1305 Š./1926.

B. 'Āqelī, *Dāvar wa 'adlīya*, Tehran, 1369 Š./1990.



- M.-T. Bahār, *Tārīk-e moqtašar-e aḥzāb-e siāsī-e Irān* II, Tehran, 1363 Š./1984.
- Bāmdād, *Rejal*, II, pp. 427-29.
- “Fa“āliyathā-ye siāsī-e ‘Alī-Akbar Dāvar dar Orūpā,” *Āyanda* 5, 1358 Š./1979, pp. 305-13.
- M. Fāteḥ, *Panjāh sāl naft-e Irān*, Tehran, 1335 Š./1956.
- Fīrūz Mīrzā Fīrūz, *Majmū‘a-ye mokātabāt, asnād, kāṭerāt wa ātār-e Fīrūz Mīrzā Fīrūz (Nošrat-al-Dawla)*, ed. M. Etteḥādīya (Nežām Māfi) and S. Sa‘dvandīān, 2 vols., Tehran, 1369-70 Š./1990-91, index, s.v.
- Dāvar. ‘A. Golšā‘īān, “Yāddāsthā-ī čand rāje‘ be marḥūm-e Dāvar,” in Q. Ġanī, *Yāddāsthā-ye Doktor Qāsem Ġanī*, ed. S. Ġanī, XI, London, 1984, pp. 607-52.
- M. Hedāyat, *Kāṭerāt wa kaṭarāt*, Tehran, 1329 Š./1950.
- E. K̄vāja Nūrī, *Bāzīgarān-e ‘ašr-e ṭelā‘ī. Dāvar*, Tehran, 1357 Š./1978.
- A. Kasrawī, *Zendagānī-e man, dah sāl dar ‘adliya, čerā az ‘adliyabīrūn āmadam*, Piedmont, Calif., 1990.
- Komīsīūn-e mellī-e Yūnesko (UNESCO), *Irānšahr* II, Tehran, 1347 Š./1968, p. 997.
- Ḥ. Makkī, *Tārīk-e bīst sāla-ye Irān* III, Tehran, 1357 Š./1978.
- R. Pahlavī, *Safar-nāma-ye Kūzestān*, Tehran, 2535=1355 Š./1976.
- ‘Ī. Šradīq, “Alī-Akbar Dāvar,” in ‘Ī. Šadīq, *Čehel goftār*, Tehran, 1352 Š./1973a, pp. 119-29; repr. *Rāhnemā-ye ketāb* 16, 1352 Š./1973, pp. 745-53.
- Idem, *Yādgār-e ‘omr* I, Tehran, 1352 Š./1973b. [Š. Šafā, ed.], *Gāh-nāma-ye panjāh sāl šāhanšāhī-e Pahlavī*, 5 vols., Paris, n.d. (1364 Š./1985?).
- Š.-Ḥ. Taqīzāda, *Zendagī-e ṭūfānī. Kāṭerāt-e Sayyed Ḥasan Taqīzāda*, ed. ‘Ī. Afšār, Tehran, 1367 Š./1988, pp. 216-49.
- ‘A. Wakīlī, *Dāvar wa šerkat-e markazī*, Tehran, 1343 Š./1964.