

Six Lessons on Bahá'í Law: A Deepening Course for Bahá'ís

By Bahá'u'lláh, 'Abdu'l-Bahá, Shoghi Effendi

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Based on a course given at the Hawaiian Bahá'í Summer School 1965 and 1973,
and published by
The National Spiritual Assembly of the Bahá'ís of the Hawaiian Islands

First printing 1974
Revised edition 1975
Revised edition 1976
Revised edition 2000

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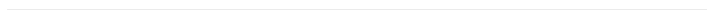
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PURPOSE OF THIS COURSE

“The teaching of the Administration is ... an indispensable feature of every Bahá'í Summer School and its special significance can be better understood if we realize the great need of every believer today for a more adequate understanding of the social principles and laws of the Faith.”

(Written on behalf of Shoghi Effendi, *Centers of Bahá'í Learning*, p.8)

It is a vital and urgent duty of the Assemblies, both national and local, not only to apply the Laws of Bahá'í with justice and firmness, but to increase the believers' understanding of and devotion to these Laws. In this way they will obey them not through fear of punishment but out of love for Bahá'u'lláh and because their whole lives have been transformed and reoriented in the Way of God.

(Universal House of Justice, *Lights of Guidance*, p. 343)

The youthful Bahá'í community of the United States is seeking its moral birthright as the laws of Bahá'u'lláh replace the usual Judeo-Christian background of the members.... full understanding of the meaning and implications of the laws surrounding marriage and the family is imperative.... Local spiritual assemblies will grow to new maturity as they become true educators of the Bahá'í community, as they help to solve the personal problems of their members, and as they with justice ... protect and validate the Bahá'í law.

(NSA of the US, Annual Reports 1963-64, p. 7)

Bahá'í Works Cited

- ADJ Shoghi Effendi: *Advent of Divine Justice*
- BN *Bahá'í News*
- BNE J.E. Esslemont: *Bahá'u'lláh and the New Era*
- BWF Compilation: *Bahá'í World Faith*
- CBL Shoghi Effendi: *Centers of Bahá'í Learning*
- DB Nabil-i-A'zam: *Dawn-Breakers*
- DG Shoghi Effendi: *Directives of the Guardian*
- DND Shoghi Effendi: *Dawn of a New Day*

- ESW Bahá'u'lláh: *Epistle to the Son of the Wolf*
FB Shoghi Effendi: *Faith of Bahá'u'lláh, The*
GPB Shoghi Effendi: *God Passes By*
GWB Bahá'u'lláh: *Gleaning from the Writings of Bahá'u'lláh*
KA Bahá'u'lláh: *Kitáb-i-Aqdas*
KI Bahá'u'lláh: *Kitáb-i-Íqán*
LOG Compilation: *Lights of Guidance*
LOP *Light of the Pacific*
MA Shoghi Effendi: *Messages to America*
MBW Shoghi Effendi: *Messages to the Bahá'í World*
MUHJ Universal House of Justice: *Messages from Universal House of Justice*
NBR Shoghi Effendi: *National Bahá'í Review*
P&M Bahá'u'lláh: *Prayers and Meditations*
PBA Shoghi Effendi: *Principles of Bahá'í Administration*
PDC Shoghi Effendi: *The Promised Day is Come*
PUP 'Abdu'l-Bahá: *Promulgation of Universal Peace*
SAQ 'Abdu'l-Bahá: *Some Answered Questions*
SDC 'Abdu'l-Bahá: *Secret of Divine Civilisation*
SW *Star of the West*
SWAB 'Abdu'l-Bahá: *Selections from the Writings of 'Abdu'l-Bahá*
TAB 'Abdu'l-Bahá: *Tablets of 'Abdu'l-Bahá*
TB Bahá'u'lláh: *Tablets of Bahá'u'lláh*
W&T 'Abdu'l-Bahá: *Will and Testament*
WOB Shoghi Effendi: *World Order of Bahá'u'lláh*
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LESSON I
THE BAHÁ'Í FAITH HAS PRINCIPLES AND LAWS

Principle: a fundamental truth or statement providing a general guide to action; a goal; a guideline.

Law: a rule of conduct which is prescribed and recognized as binding and enforced by the controlling authority.

... revolutionizing principles, world-shaping laws and ordinances....
Shoghi Effendi, *God Passes By*, p.220

Bahá'u'lláh ... revealed the laws and principles that must govern the operation of that Order....

Shoghi Effendi, *GPB*, p.325

... He has brought the laws and principles needed to enable all men to live in harmony together in a great, united world.

Written on behalf of Shoghi Effendi, *Lights of Guidance*, p. 570

... mighty laws, unique principles

Shoghi Effendi, *The Promised Day is Come*, p. 6

...enforce the laws, and apply the principles....

Shoghi Effendi, *World Order of Bahá'u'lláh*, p. 66

... 'Abdu'l-Bahá expounded ... those basic and distinguishing principles of His Father's Faith, which together with the laws and ordinances revealed in the *Kitáb-i-Aqdas* constitute the bedrock of God's latest Revelation to mankind.

Shoghi Effendi, *GPB*, p.28

These directing and regulating principles of Bahá'í belief the upholders of the Cause of Bahá'u'lláh feel bound, as their Administrative Order expands and consolidates itself, to assert and vigilantly apply. The exigencies of a slowly crystallizing Faith impose

upon them a duty which they cannot shirk, a responsibility they cannot evade.

Nor are they unmindful of the imperative necessity of upholding and of executing the laws, as distinguished from the principles, ordained by Bahá'u'lláh, both of which constitute the warp and woof of the institutions upon which the structure of His World Order must ultimately rest. To demonstrate their usefulness and efficacy, to carry out and apply them, to safeguard their integrity, to grasp their implications and to facilitate their propagation Bahá'í communities in the East, and recently in the West, are displaying the utmost effort and are willing, if necessary, to make whatever sacrifices may be demanded. The day may not be far distant when in certain countries of the East, in which religious communities exercise jurisdiction in matters of personal status, Bahá'í Assemblies may be called upon to assume the duties and responsibilities devolving upon officially constituted Bahá'í courts. They will be empowered, in such matters as marriage, divorce, and inheritance, to execute and apply, within their respective jurisdictions, and with the sanction of civil authorities, such laws and ordinances as have been expressly provided in their Most Holy Book.

Shoghi Effendi, WOB, pp.199-200

...the intelligent application and the faithful execution of the principles and laws He revealed.

Shoghi Effendi, *Bahá'í Administration*, p.186

How Many Principles?

All the divine principles announced by the tongue of the Prophets of the past are to be found in the words of Bahá'u'lláh; but in addition to these, He has revealed certain new teachings which are not found in any of the sacred Books of former times.

[Here He described twelve new principles.]

The teachings of Bahá'u'lláh are boundless and illimitable. You have asked me what new principles have been revealed by Him. I have mentioned a few only. There are many others but time does not permit their mention tonight.

'Abdu'l-Bahá, *Promulgation of Universal Peace*, 2nd ed., pp. 453-457

Kinds of Principles

...the spiritual and administrative principles of the Faith....

Shoghi Effendi, *Message to America*, pp. 44-45

... faithful to both the spiritual and the administrative principles inculcated by their Faith.

Shoghi Effendi, *Light of Divine Guidance* Vol.1, p. 186

To dissociate the administrative principles of the Cause from the purely spiritual and humanitarian teachings would be ... mutilation ... disintegration ... extinction of the Faith itself.

Shoghi Effendi, *WOB*, p. 5

Some Spiritual Principles

... [the] principle of separation and distinction....

Bahá'u'lláh, *Gleanings from the Writings of Bahá'u'lláh*, p. 71

... one of the greatest and most fundamental principles of the Cause of God is to shun and avoid entirely the Covenant-breakers....

'Abdu'l-Bahá, *Will and Testament*, p. 20

... the fundamental principle which constitutes the bedrock of Bahá'í belief, the principle that religious truth is not absolute but relative, that Divine Revelation is orderly, continuous and progressive and not spasmodic and final.

Shoghi Effendi, *WOB*, p. 115

...in accordance with the principle of progressive revelation every Manifestation of God must needs vouchsafe to the peoples of His day a measure of divine guidance ampler than any which a preceding and less receptive age could have received or appreciated.

Shoghi Effendi, *WOB*, p. 102

That the Báb ... should be regarded ... as One invested with the undivided authority assumed by each of the independent Prophets of the past, seemed to me yet another basic principle [to elucidate]....

Shoghi Effendi, WOB, p. 131

Nothing short of the spirit of a true Bahá'í can hope to reconcile the principles of mercy and justice, of freedom and submission, of the sanctity of the right of the individual and of self-surrender, of vigilance, discretion and prudence on the one hand, and fellowship, candor and courage on the other.

Shoghi Effendi, BA, pp. 63-64

A chaste and holy life must be made the controlling principle in the behavior and conduct of all Bahá'ís.

Shoghi Effendi: *The Advent of Divine Justice*, p. 29

... the principle of loyalty to their Faith....

Shoghi Effendi, BA, p. 162

... the principle of unqualified and wholehearted loyalty to the revealed Word.

Written on behalf of Shoghi Effendi, DND, p. 61

... the broad principle that the followers of Bahá'ís will, under no circumstances, suffer themselves to be involved ... in matters that would entail the slightest departure from the fundamental verities and ideals of their Faith.

Shoghi Effendi, WOB, p. 66

... the principle of “moderation in all things”....

Shoghi Effendi, GPB, p. 218

... the principle of non-violence....

Shoghi Effendi, GPB, p. 132

... the principle of kingship is eulogised....

Shoghi Effendi, PDC, p.71

... the hereditary principle and the law of primogeniture ... upheld by the Prophets of the past....

Shoghi Effendi, WOB, p. 147

... the principle governing the observance of Bahá'í holidays,....

Written on behalf of Shoghi Effendi, DND, p. 52

As regards the Bahá'í principle of obedience to just governments, what is meant here by just is recognized and well-established authority.

Written on behalf of Shoghi Effendi, NBR #7, p. 2

The cardinal principle which we must follow is obedience to the Government prevailing in any land in which we reside.

Written on behalf of Shoghi Effendi, Bahá'í News #241, p. 14

... and this principle ... involves the non-participation by the adherents of the Faith ... in any form of activity that might be interpreted ... as an interference in the political affairs of any particular government.

Shoghi Effendi, WOB p. 64

... the general principle ... that no Bahá'í can accept full membership in any non-Bahá'í ecclesiastical organization.

Written on behalf of Shoghi Effendi, LOG, p. 425

The general principle in regard to the marriage of a Bahá'í to a non-Bahá'í is as follows: If a Bahá'í marries a non-Bahá'í who wishes to have the religious ceremony of

his own sect carried out, it must be quite clear that, first, the Bahá'í partner is understood to be a Bahá'í by religion, and not to accept the religion of the other party to the marriage through having his or her religious ceremony; and second, the ceremony must be of a nature which does not commit the Bahá'í to any declaration of faith in a religion other than his own.

Written on behalf of Shoghi Effendi, DG pp. 44-45

Shoghi Effendi has laid down a principle that the Bahá'ís should not attribute much importance to talks, reported to have been given by the Master, if these have not in one form or other obtained His sanction.

Bahá'u'lláh has made it clear enough that only those things that have been revealed in the form of Tablets have a binding power over the friends.

This being a basic principle of the Faith....

Written on behalf of Shoghi Effendi, LOG, pp. 439-440

The general principle should be that any object used by Him [‘Abdu’l-Bahá] in person should be preserved for posterity....

Written on behalf of Shoghi Effendi, LOG, p. 487

Our debts ... should be considered as sacred and take precedence over any other thing (i.e. payment of debts comes before contributions to the Cause) for upon this principle does the foundation of our economic life rest.

Written on behalf of Shoghi Effendi, *Principles of Bahá'í Administration*, p. 20

... the principle of private ownership....

Written on behalf of Shoghi Effendi, LOG, p. 550

...the spiritual principle of the unfettered freedom of the voter....

Shoghi Effendi, BA, p. 136

... the principle of the undoubted right of the individual to self-expression, his freedom to declare his conscience and set forth his views.

Shoghi Effendi, BA, p. 63

Some Administrative Principles

... the basic principles ... which must guide the administration ...

Shoghi Effendi, BA, p. 78

... the principles underlying the worldwide administration of the Cause, ...

Shoghi Effendi, BA, p. 92

... deepen their understanding of the ... administrative principles underlying its new world order, ...

Shoghi Effendi, DND, p.122

... justice ... the ruling principle in human society....

Shoghi Effendi, GPB, p. 282

... twin ... principles of Divine justice and order....

Shoghi Effendi, ADJ, p. 16

Its world-unifying principles.... The principle of unification....

Shoghi Effendi, WOB, p. 73

... the oneness of the whole body of nations will be made the ruling principle of international life.

Shoghi Effendi, WOB, p. 193

The principle of collective security....

Shoghi Effendi, GPB, p. 217

... the principle of federalism....

'Abdu'l-Bahá, quoted in WOB, p. 37

(...each province will be independent in itself, but there will be federal union protecting the interests of the various independent states.)

'Abdu'l-Bahá, PUP, 2nd ed., p. 167

... the central principle ... has been to make the Bahá'í National Assemblies as independent as possible in the conduct of such affairs as fall within their province....

Shoghi Effendi, BA, p. 85

... the bedrock of the Bahá'í administrative order is the principle of unity in diversity ... Differences which are not fundamental and contrary to the basic teachings of the Cause should be maintained, while the underlying unity of the administrative order should be at any cost preserved and ensured.

Written on behalf of Shoghi Effendi, DND, p. 48

... the two cardinal principles of Bahá'í Administration, namely, the supreme ... authority of the NSA ... and the untrammelled freedom of the Convention delegates....

Written on behalf of Shoghi Effendi, *Compilation: National Spiritual Assembly*, p. 25

... the principle of complete and immediate obedience to the Assemblies, both local and national.

Written on behalf of Shoghi Effendi, DND, p. 61

... the principle which places ultimate authority and responsibility in the hands of the National Spiritual Assembly.

Written on behalf of Shoghi Effendi, LOG, p. 172

... the principle of authority invested in our elected bodies....

Written on behalf of Shoghi Effendi, *Compilation: Local Spiritual Assemblies*, p. 26

... the principle that local activities should always be subordinated to the national interests, needs and requirements of the Faith....

Written on behalf of Shoghi Effendi, BN #84, p. 13

... this important administrative principle of frank and open consultation....

Written on behalf of Shoghi Effendi, LSA, p. 18

... the principle of majority rule.

Written on behalf of Shoghi Effendi, LOG, p. 55

... the principle of plurality ... whereby those candidates that have obtained the highest number of votes, irrespective of the fact whether they command an absolute majority of the votes cast or not, are automatically and definitely elected.

Shoghi Effendi, BA, p. 136

The principle of proportional representation governing the election of Convention delegates....

Written on behalf of Shoghi Effendi, BN #114, p. 1

('The number of these representatives should be in proportion to the number of inhabitants of that country.')

'Abdu'l-Bahá, LOG, p. 320

... the principle ... requiring the believers ... to elect a certain number of delegates who ... elect their national representatives ... to elect ... God's Universal House of Justice...the principle of a three stage election....

Shoghi Effendi, BA, pp. 84-85

... a new basis for election ... This new principle will enable all Bahá'ís ... to participate

in the election of delegates . . . The unit will ... be regarded as the State or Province, rather than the locality in which the believers reside.

Written on behalf of Shoghi Effendi, BN #164, p. 2

... one of the fundamental principles of our administrative order which is freedom of choice – freedom of electors to elect anyone they please to local or national bodies, and freedom of the members of these bodies to appoint any Bahá'í who seems best qualified for the work to function on committees.

Written on behalf of Shoghi Effendi, LOG, p. 154

... a unique principle in the administration of the Cause, governing the relations that should be maintained between the central administrative body and its assisting organs of executive and legislative action.

Shoghi Effendi, BA, p. 141

... an axiom and guiding principle of Bahá'í administration that in the conduct of every specific Bahá'í activity ... only those who have already identified themselves with the Faith ... should be invited to join and collaborate

Shoghi Effendi, BA, p. 182

... the general principle that non-believers are not, whether directly or indirectly, expected to contribute to the support of institutions that are of a strictly Bahá'í character.

Shoghi Effendi, *Bahá'í Funds*, p. 15

...the general principle that only those who reside within the city limits of any given locality have the right to either vote or be elected as member of the Assembly,

Written on behalf of Shoghi Effendi, *Directives of the Guardian*, p. 51

The general principle ... is that a request for excuse from School sessions on Bahá'í Holy Days is desirable.

Written on behalf of Shoghi Effendi, *Compilation: Bahá'í Education*, p. 308

The general principle of contribution by the friends is unchanged, namely, that everyone is free to contribute to whatever funds they wish, and to the degree their conscience and feeling of sacrifice moves them.

Written on behalf of Shoghi Effendi, *Compilation: Funds*, p. 543

... the cardinal principle that all contributions to the Fund are to be purely and strictly voluntary in character.

Shoghi Effendi, BA, p. 101

... the principle ... that Bahá'í funds should not be invested in building up a place that has dear associations for a number of the friends, but is not going to really serve a large group of believers.

Written on behalf of Shoghi Effendi, *Messages to Canada*, p. 28

... the principle that every civil community should have its own independent Assembly.

Written on behalf of Shoghi Effendi, DG, p. 51

... the principle ... that personalities should not be made centers around which the community may revolve but that they should be subordinated under all conditions and however great their merits to the properly constituted Assemblies.

Shoghi Effendi, PBA, p. 58

The principle he has laid down has invariably been that the friends must establish a Spiritual Assembly on a firm and enduring basis with a nucleus of about fifteen Bahá'ís in the Community, so that the Assembly would be maintained, and then the other believers are free above the number of fifteen to disperse and teach elsewhere.

Written on behalf of Shoghi Effendi, DND, pp. 191-192

... every organised community ... should ... nurture, encourage, and safeguard every minority belonging to any faith, race, class or nation within it. So great and vital is

this principle ...

Shoghi Effendi, ADJ, p. 35

Any dissolved Assembly cannot be reconstituted until the time of election in April. This is the general principle which must be followed....

Written on behalf of Shoghi Effendi, LOG, p. 7

The general principle is that the National Spiritual Assembly to which a country has been allotted is responsible for the progress of the Faith there, and the unfoldment of its administrative institutions, regardless of whether the territory in question is the possession of a nation other than that which the National Assembly in question represents.

Written on behalf of Shoghi Effendi, BN #283, pp. 1-2

... the general principle is that the NSA of America should strive to prepare and train all groups in Central and South America to attain the status of an Assembly, and, once formed, to endeavour to consolidate their position. (1938)

Written on behalf of Shoghi Effendi, BN #119, p. 4

The basic principle ... that the NSA cannot be required to reveal to any outsider all the details concerning its work.

Written on behalf of Shoghi Effendi, *Letters from the Guardian to Australia and New Zealand*, p. 9

Secondary Principles

... the supreme body in the United States and Canada, whose privilege and function is to lay down, amend and abrogate the administrative principles of the Faith with the approval of the Guardian, is not the Convention, ... but the NSA.

Written on behalf of Shoghi Effendi, NSA, p. 23

As to the principle according to which the area of the jurisdiction of a Local Assembly is to be determined, he feels this to be the function of the National Spiritual Assembly;

whatever principle they uphold should be fairly applied to all localities without any distinction whatever.

Written on behalf of Shoghi Effendi, LOG, p. 5

The primary consideration is the spirit that has to permeate our economic life, and this will gradually crystallize itself into definite institutions and principles that will help to bring about the ideal condition foretold by Bahá'u'lláh.

Written on behalf of Shoghi Effendi, DG, p.20

The Bahá'í Faith Opposes Wrong Principles

(Quotations from Shoghi Effendi)

... the principle of a four-stage election ... at variance with ... the Master's Tablet.

BA, p. 84

... the principle of ... absolute majority ... that requires that each elected member must secure a majority of the votes cast. ... serious disadvantage of restricting the freedom of the elector who ... [should] vote for none but those whom prayer and reflection have inspired him to uphold.

BA, p. 136

Regarding the non-appointment of Assembly members to membership on national committees, the Guardian firmly believes that no such principle should be recognized.

Written on behalf of Shoghi Effendi, DG, p. 13

Kinds of Law

All matters of State should be referred to the House of Justice, but acts of worship must be observed according to that which God hath revealed in His Book.

Bahá'u'lláh, *Kitáb-i-Aqdas* (Other Sections), p. 91

The Universal Principles which are the foundation of the Religion of God are laid down; but the making of specific laws which are the subdivisions and ramifications is apportioned to the House of Justice.

'Abdu'l-Bahá, *Star of the West*, Vol. VI, p. 68

... Bahá'ís have practical laws upon moral, ethical, civil and governmental questions.

'Abdu'l-Bahá, *SW*, Vol. III, No. 8, p. 5

Some of these prohibitions were absolute, and binding upon all, and whoso transgressed the given law was abhorred of God and anathematized by the believers. Such, for example, were things categorically forbidden, the perpetration of which was accounted a most grievous sin, among them actions so loathsome that it is shameful even to speak their name

But there are other forbidden things which do not cause immediate harm, and the injurious effects of which are only gradually produced: such acts are also repugnant to the Lord, and blameworthy in His sight, and repellent. The absolute unlawfulness of these, however, hath not been expressly set forth in the Text, but their avoidance is necessary to purity, cleanliness, the preservation of health, and freedom from addiction.

'Abdu'l-Bahá, *Selections from the Writings of 'Abdu'l-Bahá*, p. 155

Why do we Need Law?

Say: True liberty¹ consisteth in man's submission unto My commandments, little as ye know it. Were men to observe that which We have sent down unto them from the Heaven of Revelation, they would, of a certainty, attain unto perfect liberty.

Bahá'u'lláh, *KA*, pp. 63-64; *GWB.*, p. 336.

¹ Liberty: See also "Individual Rights" in Lesson 5.

Freedom ... is not a bad thing if considered in view of the interpretation that Bahá'u'lláh gives in the *Aqdas*. The freedom that He commends is a freedom which is a fruit and result of law and proper administration. The other kind of freedom which is in defiance of law He considers to be animal, and far from being of any good to man.

He says, "True freedom is in obedience to My law."

Written on behalf of Shoghi Effendi, BN #46, p. 9

The Laws of God are not impositions of will, or of power, or pleasure, but the resolutions of truth, reason and justice.

'Abdu'l-Bahá, *Paris Talks*, p. 154

The primary purpose, the basic objective, in laying down powerful laws and setting up great principles and institutions dealing with every aspect of civilisation, is human happiness....

'Abdu'l-Bahá, *Secret of Divine Civilisation*, p. 60

The Law must reign, and not the individual, thus will the world become a place of beauty, and true brotherhood will be realized.

'Abdu'l-Bahá, PT, p. 132

It is impossible for a country to live easily without laws.... laws are the cause of life.

'Abdu'l-Bahá, S of W, Vol. VII, p. 84

There is no doubt that the purpose of a divine law is the education of the human race, the training of humanity.

'Abdu'l-Bahá, PUP, 2nd ed., p. 411

Every imperfect soul is self-centred and thinketh only of his own good.

'Abdu'l-Bahá, SWAB, p. 73

As to the meaning of the quotation, "My fears are for Him Who will be sent down unto you after Me," this refers to the Manifestation who is to come after a thousand or more years, who like all previous Messengers of God will be subjected to persecutions, but will eventually triumph over them. For men of ill-will have been and will always continue to be in this world, unless mankind reaches a state of complete and absolute

perfection—a condition which is not only improbable but actually impossible to attain.

Written on behalf of Shoghi Effendi, LOG, p. 475

... each of the 'Ulamá' has been handing down decrees as he saw fit, based on his arbitrary interpretation and personal opinion. For example, two men will go to law, and one of the 'Ulamá' will find for the plaintiff and another for the defendant. It may even happen that in one and the same case two conflicting decisions will be handed down by the same Mujtahid, on the grounds that he was inspired first in one direction and then in the other. There can be no doubt that this state of affairs has confused every important issue and must jeopardize the very foundations of society....

Since the primary means for securing the peace and tranquillity of the people, and the most effective agency for the advancement of high and low alike, is this all-important matter, it is incumbent on those learned members of the great consultative assembly who are thoroughly versed in the Divine law to evolve a single, direct and definite procedure for the settlement of litigations. This instrument should then be published throughout the country ... and its provisions should be strictly adhered to. This all-important question requires the most urgent attention.

'Abdu'l-Bahá, SDC, pp. 37-38

The Bahá'í Cause covers all economic and social questions under the heading and ruling of its laws. The essence of the Bahá'í spirit is that, in order to establish a better social order and economic condition, there must be allegiance to the laws and principles of government. ... Without legislative administration, rights and demands fail, and the welfare of the commonwealth cannot be realized. Today the method of demand is the strike and resort to force, which is manifestly wrong and destructive of human foundations. Rightful privilege and demand must be set forth in laws and regulations.

'Abdu'l-Bahá, PUP, 2nd ed., p. 238

For legal standards, political and economic theories are solely designed to safeguard the interests of humanity as a whole, and not humanity to be crucified for the preservation of the integrity of any particular law or doctrine.

Shoghi Effendi, WOB, p. 42

It is forgotten that the nobility and dignity of law are due to the place of law in securing the order involved in the realization on human happiness. Then the law instead of being a servant of the good is put arbitrarily above it, as if man was made for law, not law for man....

Peace and tranquility are not merely absence of open friction and disorder. They mean specific, easily-known, and generally recognized principles which determine the province and limits of the legitimate activity of every person.

John Dewey, *Ethics*, 1st ed., pp. 415, 455 Henry Holt & Co.

The word “jungle” is a common synonym for lawlessness. The opposite of the lawless jungle is the highly developed community in which men live and work and conduct their complex affairs in an orderly, smooth and harmonious way, with the maximum of individual liberty, according to LAW.

Jack Last, *Every Day Law Made Simple*, p. 169¹

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America's Mission regarding Law

Bind ye the broken with the hands of justice, and crush the oppressor who flourisheth with the rod of the commandments of your Lord, the Ordainer, the All-Wise.

Bahá'u'lláh, KA, p. 52

May this American Democracy be the first nation ... to unfurl the standard of the Most Great Peace.

'Abdu'l-Bahá, quoted in ADJ, p. 72
Ed: also PUP, newer translation, p. 36

The continent of America is, in the eyes of the one true God, the land wherein the splendours of His light shall be revealed, where the mysteries of His Faith shall be unveiled, where the righteous will abide, and the free assemble.

'Abdu'l-Bahá, ADJ, p. 5

Already, the community of the believers of the North American continent ... recognized as the torchbearer of that light, the repository of those mysteries, the exponent of that righteousness and the sanctuary of that freedom. To what other light can these above quoted words possibly allude, if not to the light of the glory of the Golden Age of the Faith of splendours? What mysteries could 'Abdu'l-Bahá have contemplated except the mysteries of that embryonic World Order now evolving within the matrix of His Administration? What righteousness if not the righteousness whose reign that Age and that Order can alone establish? What freedom but the freedom which the proclamation of His sovereignty in the fullness of time must bestow?

Shoghi Effendi, ADJ, pp. 5-6

The community ... in the American continent—the spiritual descendants of the dawn-breakers of an heroic Age, who by their death proclaimed the birth of that Faith—must, in turn, usher in, not by their death but through living sacrifice, that promised World Order, the shell ordained to enshrine that priceless jewel, the world civilisation, of which the Faith itself is the sole begetter.

Shoghi Effendi, ADJ, p. 7

... cradle of the World Order of civilisation ... torchbearers of an as yet unborn world civilisation.

Shoghi Effendi, Citadel of Faith, p. 111

... this new world order ... not only to adopt it unreservedly, but to unveil its merit to the world.

Shoghi Effendi, BA, p. 62

... that divine civilisation which the almighty Law of Bahá'u'lláh is designed to establish upon earth.

Shoghi Effendi, WOB, p. 152

... the Most Great Peace whose sun ... must needs arise as the direct consequence of the enforcement of the laws of the Dispensation of Bahá'u'lláh.

Shoghi Effendi, CF, p. 36

Why America?

How often have the Prophets of God ... chosen to appear, and deliver their Message in countries and amidst peoples and races, at a time when they were either fast declining, or had already touched the lowest depths of moral and spiritual degradation.

To a lesser degree this principle must of necessity apply to the country which has vindicated its right to be regarded as the cradle of the World Order of Bahá'u'lláh. ... It is precisely by reason of the patent evils which ... materialism has engendered within it that the Author of their Faith and the Center of His Covenant have singled it out to become the standard-bearer of the New World Order envisaged in their writings. It is by such means as this that Enter can best demonstrate to a heedless generation His almighty power to raise up from the very midst of a people ... notorious for its political corruption, lawlessness and laxity ... men and women who ... will ... exemplify ... virtues ... that will fit them for the preponderating share they will have in calling into being that World Order and that World Civilisation.... Theirs will be the duty and privilege ... as the champion-builders of that New World Order ... to inculcate, demonstrate, and apply those twin and sorely-needed principles of Divine Justice and order ... principles to which the political corruption and the moral license ... [of] the society to which they belong, offer so sad and striking a contrast.

Shoghi Effendi, ADJ, pp. 17, 19-20

... the increasing evidences of selfishness, of suspicion, of fear and of fraud; the spread of terrorism, of lawlessness, of drunkenness and of crime....

Shoghi Effendi, WOB, p. 187

... the scribes and Pharisees ... said ... how is it that he eateth and drinketh with publicans and sinners?

When Jesus heard it, he saith unto them, They that are whole have no need of the physician, but they that are sick; I came not to call the righteous, but sinners to repentance.

Gospel according to Mark 2:17

Following Bahá'í Law

In all these journeys the traveler must stray not the breadth of a hair from the 'Law,' for this is indeed the secret of the 'Path' and the fruit of the Tree of "Truth"; and in all these stages he must cling to the robe of obedience to the commandments, and hold fast to the cord of shunning all forbidden things, that he may be nourished from the cup of the Law and informed of the mysteries of Truth.

Bahá'u'lláh, *Seven Valleys and Four Valleys*, pp. 39-40

All over the world the Guardian is constantly encouraging and enjoining the believers to learn to function according to Bahá'í laws and principles; members of Spiritual Assemblies must learn to face their responsibilities; individuals must learn to turn to them and abide by their decisions. When we realize that all marriages, divorces, disposal of inheritance, etc., are now handled in Egypt and Persia solely through the Assemblies and that the believers abide by their decisions, we see that in Western countries the friends still have a long way to go—the sooner they start the better for themselves and for the Faith.

Written on behalf of Shoghi Effendi, 1944, LOG, p. 43

The Guardian is constantly encouraging the friends and the Assemblies to fulfil their respective duties; the friends should learn to refer to and lean on their Assemblies, and the Assemblies should assume the responsibility of making decisions and carrying them out.

Written on behalf of Shoghi Effendi, L of P #76, p. 4

If the Bahá'ís would follow the Bahá'í laws in voting, in electing, in serving, and in abiding by assembly decisions, all this waste of strength through criticising others could be diverted into cooperation and achieving the Plan. Keep on trying to point this out to them!

Written on behalf of Shoghi Effendi, *Arohanui (Letters to New Zealand)*, p. 53; LOG, p. 92

The Bahá'ís must, in view of the conditions of the world today, stand forth firmly and courageously as followers of Bahá'u'lláh, obeying His Laws and seeking to build His World Order. Through compromise we will never be able to establish our Faith or win

others' hearts to it.

Written on behalf of Shoghi Effendi, *Living the Life*, p. 26

The Guardian feels very strongly that everywhere, throughout the entire Bahá'í world, the believers have got to master and follow the principles of their divinely laid down Administrative Order.... The Bahá'ís have got to learn to live up to the laws of Bahá'u'lláh which are infinitely higher, more exacting and more perfect than those the world is at present familiar with.

Written on behalf of Shoghi Effendi, DND, p. 129

... the Bahá'ís will be called upon to demonstrate to their fellowmen the perfection of Bahá'u'lláh's laws and World Order in such a manner that bewildered humanity will turn to them as their only refuge.

Written on behalf of Shoghi Effendi, DND, p. 181

He urges you all to exert your utmost in helping the believers to mature spiritually, and to unitedly work to consolidate the community in the laws of the Faith and the administration of its institutions.

Written on behalf of Shoghi Effendi, BN #222, p. 1

Such a rectitude of conduct ... must reveal itself in the uncompromising adherence of all, whether young or old, to the clearly enunciated and fundamental principles laid down by 'Abdu'l-Bahá in His addresses, and to the laws and ordinances revealed by Bahá'u'lláh in His Holy Book.

Shoghi Effendi, ADJ, p. 26-27

... In this case¹, as also in that of suffering believers, the Assemblies, whether local or national, should act tactfully, patiently and in a friendly and kindly spirit. Knowing how painful and dangerous it is for such believers to repudiate their former allegiances and friendships, they should try to gradually persuade them of the wisdom and necessity of such an action, and instead of thrusting upon them a new principle, to make them accept it inwardly and out of pure conviction and desire. Too severe and immediate action in such cases is not only fruitless but actually harmful. It alienates

people instead of winning them to the Cause.

Written on behalf of Shoghi Effendi, LOG, p. 162

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- ¹ A special case involving an aged believer, afflicted with illness, for whom severance of church relations might have been too great a shock.

The degree to which you serve and assist the Cause there will lighten his load and help him, you may be sure, for much of his correspondence and time is taken up in attending to details which, if the friends studied the Teachings and administration, and followed their precepts and laws, would never arise or need to be referred to him!

Written on behalf of Shoghi Effendi, BN #224, p. 3

'Abdu'l-Bahá, as you will remember, often referred to the American believers as children, but they have certainly grown up at last, and are assuming their full share of Bahá'í responsibility, which lightens the Guardian's heavy load and makes his work easier.

Written on behalf of Shoghi Effendi, BN #236, p. 4

It is the challenging task of the Bahá'ís to obey the law of God in their own lives, and gradually to win the rest of mankind to its acceptance.

Universal House of Justice, *Messages*, p.106

All Mankind Subject to Law of Bahá'u'lláh

The summons and the message which We gave were never intended to reach or to benefit one land or one people only. Mankind in its entirety must firmly adhere to whatsoever hath been revealed and vouchsafed unto it. Then and only then will it attain unto true liberty.

Bahá'u'lláh, *Gleanings from the Writings of Bahá'u'lláh*, p. 96

And oft as Our verses are rehearsed unto them, they persist in proud disdain, and in their gross violation of His law, and know it not.

Bahá'u'lláh, *GWB*, p. 43

... None shall be secure this Day from the decree of God.

Bahá'u'lláh, *GWB*, p. 41

Say: It behooveth you, O Ministers of State, to keep the precepts of God, and to forsake your own laws and regulations, and to be of them who are guided aright ... if ye transgress the commandment of God, not one jot or one tittle of your works shall be acceptable in His sight.

Bahá'u'lláh, *GWB*, p. 123

Law in Prophecy

And it shall come to pass in the last days, that the mountain of the Lord's house shall be established in the top of the mountains, and shall be exalted above the hills; and all the nations shall flow unto it. And many people shall go and say, "Come ye, and let us go up to the mountain of the Lord, to the house of the God of Jacob; and he will teach us of his ways, and we will walk in his paths; for out of Zion shall go forth the law, and the word of the Lord from Jerusalem."

And He shall judge among the nations, and shall rebuke many people, and they shall beat their swords into plowshares, and their spears into pruninghooks. Nation shall not lift up sword against nation, neither shall they learn war any more.

Isaiah, 2:2-4

For unto us a child is born, unto us a son is given; and the government shall be upon his shoulder ... Of the increase of his government and peace there shall be no end, upon the throne of David, and upon his kingdom, to order it, and to establish it with judgment and with justice from henceforth, even forever. The zeal of the Lord of hosts will perform this.

Isaiah, 9:6-7

And there shall come forth a rod out of the stem of Jesse ... with righteousness shall he judge the poor, and reprove with equity for the meek of the earth; and he shall smite the earth with the rod of his mouth, and with the breath of his lips shall he slay the wicked....

The wolf also shall dwell with the lamb, and the leopard shall lie down with the kid, and the calf and the young lion and the fatling together; and a little child shall lead them.... And the sucking child shall play on the hole of the asp, and the weaned child shall put his hand on the cockatrice's¹ den. They shall not hurt nor destroy in all my holy mountain....

Isaiah, 11:1-8.

¹ Cockatrice : - (in Scriptures) a venomous serpent which cannot now be identified.

Think not that I am come to destroy the law, or the prophets; I am not come to destroy, but to fulfil. For verily I say unto you, Till heaven and earth pass, one jot or one tittle shall in no wise pass from the law, till all be fulfilled.

Whosoever therefore shall break one of these least commandments, and shall teach men so, he shall be called the least in the kingdom of heaven; but whosoever shall do and teach them, the same shall be called great in the kingdom of heaven.

Jesus, Matthew 5: 17-19

Thy kingdom come. Thy will be done in earth, as it is in heaven.

Jesus, Matthew 6:10

LESSON II JUSTICE AND MERCY

Know that to do justice is to give to everyone according to his deserts. For example, when a workman labours from morning until evening, justice requires that he shall be paid his wages; but when he has done no work and taken no trouble, he is given a gift, this is bounty.

'Abdu'l-Bahá, SAQ, p. 266

... bounty is giving without desert, and justice is giving what is deserved...

'Abdu'l-Bahá, SAQ, p. 232

... judged with justice, meaning ... to receive that which they deserve.

'Abdu'l-Bahá, SAQ, p. 59

The just act is the due act; justice is fulfillment of obligation.... This passes over into fairness, equity, impartiality, honesty in all one's dealings with others ... Since Aristotle's time ... this has been divided into (i) the distributive ... and (ii) the corrective.

... charity was doing good in ways not obligatory or strictly exacted. Hence it was a source of peculiar merit in the doer.

John Dewey, *Ethics*, 1st Ed., pp. 414, 416

Love is the standard which must govern the conduct of one believer towards another. The administrative order does not change this, but unfortunately sometimes the friends confuse the two, and try to be a whole spiritual assembly to each other, with the discipline and justice and impartiality that body must show, instead of being forgiving, loving, and patient to each other as individuals.

Written on behalf of Shoghi Effendi, LOG, p. 404

The greatest need it seems everywhere inside the Cause is to impress upon the friends the need for love among them. There is a tendency to mix up the functions of the Administration and try to apply it in individual relationships, which is abortive,

because the Assembly is a nascent House of Justice and is supposed to administer, according to the Teachings, the affairs of the community. But individuals toward each other are governed by love, unity, forgiveness and a sin-covering eye. Once the friends grasp this they will get along much better, but they keep playing Spiritual Assembly to each other and expect the Assembly to behave like an individual.

Written on behalf of Shoghi Effendi, LOG, p. 77

... it should be realized that there is a distinction drawn in the Faith between the attitudes which should characterize individuals in their relationship to other people, namely, loving forgiveness, forbearance, and concern with one's own sins, not the sins of others, and those attitudes which should be shown by the Spiritual Assemblies, whose duty is to administer the law of God with justice.

Universal House of Justice, *Messages from the Universal House of Justice*, p. 110

It is a common notion that justice is harsh or hard in its workings, and that it requires to be supplemented, if not replaced, by mercy. Taken literally this would mean that justice is not just in its workings. The truth contained is that what is frequently regarded as justice is not justice, but an imperfect substitute for it.

John Dewey, *Ethics*, 1st edn., p. 415

Mercy

But the lack of capacity and merit in the Day of Judgment does not prevent one from bounty and generosity, for it is the day of grace and not justice, and to give every one his due is justice. Consequently, do not look upon thy capacity, nay, rather, look upon the infinite grace of the Bounty of Abhá whose grace is comprehending and whose bounty is perfect.

'Abdu'l-Bahá, TAB, Vol. II, p. 243

Love your enemies, bless them that curse you, do good to them that hate you, and pray for them which despitefully use you, and persecute you.

Jesus Christ, Sermon on the Mount, Matthew 5:44

If some one commits an error and wrong toward you, you must instantly forgive him.

'Abdu'l-Bahá, PUP, 2nd ed., p. 453

Limitations on Mercy

If a person commit a crime¹ against you, you have not the right to forgive him.

'Abdu'l-Bahá, *Paris Talks*, p. 154

¹ crime

a: an act ... that is forbidden ... by a public law of a sovereign state and that makes the offender liable to punishment by that law in a proceeding brought against him by the state ... an offense against public law (as a misdemeanour, felony ...) providing a penalty ...

b: an offense against the social order ... that is dealt with by community action rather than by an individual...

Merriam-Webster unabridged, 1971

If the community and the inheritors of the murdered one were to forgive and return good for evil, the cruel would be continually ill-treating others, and assassinations would continually occur. Vicious people, like wolves, would destroy the sheep of God.

...

So if, at present, the law of pardon were practiced in all countries, in a short time the world would be disordered, and the foundations of human life would crumble. For example, if the governments of Europe had not withstood the notorious Attila, he would not have left a single living man.

'Abdu'l-Bahá, SAQ, pp. 269-270

The canopy of existence resteth upon the pole of justice, and not of forgiveness, and the life of mankind dependeth on justice and not on forgiveness.

'Abdu'l-Bahá, quoted in ADJ, p. 28

The foundation of the Kingdom of God is laid upon justice, fairness, mercy, sympathy and kindness to every soul. Then strive ye with heart and soul to practice love and kindness to the world of humanity at large, except to those souls who are selfish and insincere. It is not advisable to show kindness to a person who is a tyrant, a traitor or a thief because kindness encourages him to become worse and does not awaken him. The more kindness you show to a liar the more he is apt to lie, for he thinks that you

know not, while you do know, but extreme kindness keeps you from revealing your knowledge.

'Abdu'l-Bahá, BWF, pp. 412-413

One day the Báb asked that some honey be purchased for Him. The price at which it had been bought seemed to Him exorbitant. He refused it and said: "Honey of a superior quality could no doubt have been purchased at a lower price. I who am your example have been a merchant by profession. It behoves you in all your transactions to follow in My way. You must neither defraud your neighbour nor allow him to defraud you. Such was the way of your Master. The shrewdest and ablest of men were unable to deceive Him, nor did He on His part choose to act ungenerously towards the meanest and most helpless of creatures." He insisted that the attendant who had made that purchase should return and bring back to Him a honey superior in quality and cheaper in price.

Nabil-i-A'zam, *Dawn-Breakers*, p. 303

In this, the cycle of Almighty God, violence and force, constraint and oppression, are one and all condemned. It is, however, mandatory that the use of opium be prevented by any means whatsoever, that perchance the human race may be delivered from this most powerful of plagues.

'Abdu'l-Bahá, cited in *Kitáb-i-Aqdas*, Notes, p. 239

From the texts you already have available it is clear that Bahá'u'lláh has stated that it is preferable to be killed in the path of God's good-pleasure than to kill, and that organized religious attack against Bahá'ís should never turn into any kind of warfare, as this is strictly prohibited in our Writings. A hitherto untranslated Tablet from 'Abdu'l-Bahá, however, points out that in the case of attack by robbers and highwaymen, a Bahá'í should not surrender himself, but should try, as far as circumstances permit, to defend himself, and later on lodge a complaint with the government authorities. In a letter written on behalf of the Guardian, he also indicates that in an emergency when there is no legal force at hand to appeal to, a Bahá'í is justified in defending his life. In another letter the Guardian has further pointed out that the assault of an irresponsible assailant upon a Bahá'í should be resisted by the Bahá'í, who would be justified, under such circumstances, in protecting his life.

Universal House of Justice, *Messages from the Universal House of Justice 1968-1973*, p. 26

Asking for further questions, the problem of contributing for the care of Bahá'ís who may be sick or infirm was presented; in view of the fact that there are many demands at times and the friends are able to do but little, generally speaking.

'Abdu'l-Bahá: "The Friends must strive and show efforts and assist. Whosoever is a believer and assured, firm in the Cause, there is no doubt that he will contribute towards the assistance of the poor. This is an evidence of the faith. But if a person comes in contact with another who is in the utmost need, and he sees that he can help, and if he fails, this is an evidence of the weakness of his faith. If his faith is firm and strong, it is impossible for him not to assist. There is no greater trial than the test of riches. Whosoever you see that he is helping and assisting the poor ones according to his ability, know of a certainty that his faith is strong. Continue according to your ability, not beyond your power, and tell him to content himself with it. Not that he may receive your assistance and not look out for himself. He is not able to work, that is why he needs assistance; if he were able to work it is not allowable to assist him. Lazy people should not be assisted; otherwise everybody would leave his work and expect others to support him. There would be no end to it."

S of W, Vol. III, No. 11, p. 5

... idle people who lack the desire to work can have no place in the new World Order.

Written on behalf of Shoghi Effendi, LOG, p. 624

... one must be very considerate towards animals and show greater kindness to them than to man ... The harmful animals, such as the bloodthirsty wolf, the poisonous snake and other injurious animals are excepted, because mercy towards these is cruelty to man and other animals. For instance, if you show kindness to a wolf this becomes tyranny to the sheep, for it may destroy an entire flock of sheep. If you give the opportunity to a mad dog, it may be the cause of the destruction of a thousand animals and men. Therefore, sympathy to the ferocious animal is cruelty to the peaceful animal, so they should be done away with.

'Abdu'l-Bahá, BWF, p. 374

Beware lest, through compassion, ye neglect to carry out the statutes of the religion of God,....

Bahá'u'lláh, KA, p. 36

In this Book He ... cautions them not to be indulgent in carrying out His statutes.

Shoghi Effendi, GPB, pp. 214-215

If any of the European pioneers are really in need of relief parcels for their personal use, there is certainly no objection to sending them some. However, he certainly would not send relief for those whom they are teaching or contacting, as this would seem in the nature of either a reward or an enticement for those attracted to the Faith.

Written on behalf of Shoghi Effendi, BN #202, p. 2

When teaching among the masses, the friends should be careful not to emphasize the charitable and humanitarian aspects of the Faith as a means to win recruits. Experience has shown that when facilities such as schools, dispensaries, hospitals, or even clothes and food are offered to the people being taught, many complications arise. The prime motive should always be the response of man to God's message, and the recognition of His Messenger.

Universal House of Justice, W of G, p. 32

Neither did we eat any man's bread for naught; but wrought with labour and travail night and day, that we might not be chargeable to any of you.

Not because we have not the power, but to make ourselves an example unto you to follow us. For even when we were with you, this we commanded you, that if any would not work; neither should he eat.

For we hear that there are some which walk among you disorderly, working not at all, but are busybodies.

Now them that are such we command and exhort by your Lord Jesus Christ, that with quietness they work, and eat their own bread.

St. Paul, Thessalonians 3:8-12

Justice: Purpose

The purpose of justice is the appearance of unity among men.

Bahá'u'lláh, *Words of Paradise*, quoted in ADJ, p. 28
Ed: TB, p. 67

That which traineth the world is Justice,....

Bahá'u'lláh, *The Glad Tidings*, quoted in ADJ, p. 28
Ed: TB, p. 27

Justice must be Based on Facts

The best beloved of all things in My sight is justice;.... By its aid thou shalt see with thine own eyes and not through the eyes of others, and shalt know of thine own knowledge and not through the knowledge of thy neighbour.

Bahá'u'lláh, *Hidden Words*, Arabic, No. 2

They must inquire into matters as fully as possible in order that they may be informed of the real facts....

Bahá'u'lláh, *Tablet of Tarázát*, BNE, p. 155

If any bad man come unto you with news, clear up the matter at once, lest through ignorance ye harm others, and be speedily constrained to repent of what ye have done.

Muhammad, 49:6, quoted by the Báb in *Dawn-Breakers*, p. 150

How, then, didst thou pronounce thy verdict against Me, when thou hadst not heard My testimony from Mine own lips?....

...

He accused Us, in his letter to thee, and thou didst believe him and followed in his way, without seeking any proof or trustworthy evidence from him. Thou didst ask for no explanation, nor didst thou attempt either to investigate or ascertain the matter, that the truth might be distinguished from falsehood in thy sight, and that thou mightest be clear in thy discernment.

Bahá'u'lláh, *Tablet to Minister of Sháh*, GWB. 225-229

What does it mean to investigate reality? It means that man must forget all hearsay and examine truth himself, for he does not know whether statements he hears are in accordance with reality or not.

'Abdu'l-Bahá, PUP, 2nd ed., p. 62

If a man were to declare, "There is a lamp in the next room which gives no light," one hearer might be satisfied with his report, but a wiser man goes into the room to judge for himself, and behold, when he finds the light shining brilliantly in the lamp, he knows the truth!

Again, a man proclaims: "There lies a garden in which there are trees with broken branches bearing no fruit, and the leaves thereof are faded and yellow! In that garden, also, there are flowering plants with no blooms, and rose bushes withered and dying—go not into that garden!" A just man, hearing this account of the garden, would not be content without seeing for himself whether it be true or not. He, therefore, enters the garden, and behold, he finds it well tilled....

'Abdu'l-Bahá, *Paris Talks*, pp. 103-104

We ... should stress the necessity ... of learning more about one another through direct, personal experience rather than through the reports and opinions of our friends.

Shoghi Effendi, P of BA, p. 47

Justice: Reward and Punishment

That which traineth the world is Justice, for it is upheld by two pillars, reward and punishment.

Bahá'u'lláh, *The Glad-Tidings*, quoted in ADJ, p. 28
Ed: TB, p. 27

The first heralded the promise of reward, while the second voiced the ominous warning of punishment. The promise gave rise to hope and the warning begat fear. Thus the basis of world order hath been firmly established upon these twin principles.

Bahá'u'lláh, *Tablets of Bahá'u'lláh*, p. 66

In the conduct of life, man is actuated by two main motives : “The Hope of Reward” and “The Fear of Punishment.”

This hope and this fear must consequently be greatly taken into account by those in authority who have important posts under Government. Their business in life is to consult together for the framing of laws, and to provide for their just administration.

The tent of the order of the world is raised and established on the two pillars of “Reward and Punishment.”

'Abdu'l-Bahá, *Paris Talks*, p. 157

The people of Bahá must not refuse to discharge the due reward of anyone, and must respect possessors of talent, ... One must speak with justice and recognize the worth of benefits.

Bahá'u'lláh, *Tablet of glad tidings*, BWF, p. 170; BNE, p. 143

... the labourer is worthy of his hire.

Jesus Christ, Luke 10:7

Great indeed is the claim of scientists and craftsmen on the peoples of the world.

Bahá'u'lláh: *Tablets of Bahá'u'lláh revealed after the Kitáb-i-Aqdas*, p. 52, cited in *Lights of Guidance*, p. 555

Shall they who have knowledge and they who have it not, be treated alike?

Muhammad, 39:12, quoted by 'Abdu'l-Bahá, SDC, p. 2

The Master has definitely stated that wages should be unequal, simply because that men are unequal in their ability and hence should receive wages that would correspond to their varying capacities and resources.

Written on behalf of Shoghi Effendi, LOG, p. 551

Say ye to the righteous, that it shall be well with him; for they shall eat the fruit of their doing.

Woe unto the wicked! It shall be ill with him for the reward of his hands shall be

given him.

Isaiah, 3:10-11

Taste ye what your hands have wrought!

Bahá'u'lláh, ADJ, p. 81; PDC, p. 3

... I have pledged Myself not to forgive any man's injustice.

Bahá'u'lláh, *Hidden Words*, Persian #64

... the day when the Balance of Justice shall be set, the day when unto everyone shall be rendered his due,....

Bahá'u'lláh, *GWB*, p. 251; PDC, p. 23

The Most Great Justice

This Most Great Justice is indeed the Justice upon which the structure of the Most Great Peace can alone, and must eventually, rest, while the Most Great Peace will, in turn usher in that Most Great, that World Civilization which shall remain forever associated with Him Who beareth the Most Great Name.

Shoghi Effendi, PDC, pp. 5-6

... "Spiritual Assemblies" ... solemnly pledged to follow, under all conditions, the dictates of the "Most Great Justice" that can alone usher in the reign of the "Most Great Peace" which Bahá'u'lláh has proclaimed and must ultimately establish;....

Shoghi Effendi, GPB, p. 331

Know verily that the essence of justice and the source thereof are both embodied in the ordinances prescribed by Him Who is the Manifestation of the Self of God amongst men, if ye be of them that recognize this truth. He doth verily incarnate the highest, the infallible standard of justice unto all creation.

Bahá'u'lláh, *GWB*, p. 175

If justice could descend from heaven and take a pencil in its hand to write down the law with such definiteness, precision and detail that its application should become a work of mechanical routine, nothing more perfect could be conceived for the administration of justice, and the kingdom of justice would be complete upon earth.

Jhering, quoted by Jerome Frank, *Law and the Modern Mind*, p. 233¹

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Justice by Individuals

Be fair to yourselves and to others, that the evidences of justice may be revealed, through your deeds, among Our faithful servants.

Bahá'u'lláh, *GWB*, p. 278, and cited in *ADJ*, p. 25

We entreat God—exalted and glorified be He—to aid all men to be just and fair-minded...

Bahá'u'lláh, *ESW*, p. 35

Be fair in thy judgment.... Be unjust to no man....

Bahá'u'lláh, *ESW*, p. 93

Blessed is ... the just man who secures the right of a wronged one from the oppressor.

Bahá'u'lláh, *Words of Paradise*, *BWF*, p. 183

Justice is not limited, it is a universal quality. Its operation must be carried out in all classes, from the highest to the lowest. Justice must be sacred, and the rights of all the people must be considered....

...

Each man has been placed in a post of honour, which he must not desert. A humble workman who commits an injustice is as much to blame as a renowned tyrant. Thus we all have our choice between justice and injustice.

'Abdu'l-Bahá, *Paris Talks*, pp. 159-160

Justice is not limited, it is a universal quality ... be unjust towards you, show justice towards them....

'Abdu'l-Bahá, W&T, p. 14

The second attribute of perfection is justice and impartiality. This means to have no regard for one's own personal benefits and selfish advantages, and to carry out the laws of God without the slightest concern for anything else. It means to see one's self as only one of the servants of God, the All-Possessing, and except for aspiring to spiritual distinction, never attempting to be singled out from the others. It means to consider the welfare of the community as one's own. It means, in brief, to regard humanity as a single individual, and one's own self as a member of that corporeal form, and to know of a certainty that if pain or injury afflicts any member of that body, it must inevitably result in suffering for all the rest.

'Abdu'l-Bahá, SDC, p. 39

It must be demonstrated in the impartiality of every defender of the Faith against its enemies, in his fair-mindedness in recognizing any merits that enemy may possess, and in his honesty in discharging any obligations he may have towards him....

So great and transcendental is this principle of Divine justice, ... that Bahá'u'lláh Himself subordinates His personal inclination and wish to the all-compelling force of its demands and implications. "God is My witness!" He thus explains, "were it not contrary to the Law of God, I would have kissed the hand of My would-be murderer, and would cause him to inherit My earthly goods. I am restrained, however, by the binding Law laid down in the Book...."

Shoghi Effendi, ADJ, p. 27; GWB XVIII, p. 102

Equality

All men are equal before the law, which must reign absolutely.

... prince, peer and peasant alike have equal rights to just treatment, there must be no favour shown to individuals. A judge must be no "respector of persons," but must administer the law with strict impartiality in every case brought before him.

'Abdu'l-Bahá, *Paris Talks*, p. 154

There shall be an equality of rights and prerogatives for all mankind.

'Abdu'l-Bahá, PUP, 2nd ed., p. 318

... its basis is ... equality in rights among all people....

'Abdu'l-Bahá, S of W, Vol. XII, p. 27

... insuring the integrity of the members of society and their equality before the law.

'Abdu'l-Bahá, SDC, p. 14

Bahá'u'lláh teaches that an equal standard of human rights must be recognized and adopted. In the estimation of God, all men are equal. There is no distinction or preference for any soul, in the realm of His justice and equity.

'Abdu'l-Bahá, PUP, 2nd ed., p. 182; ADJ, p. 37

Equity

(From OF *equite*; L *aequitas*, equality, from L *aequus*, equal.) The quality of being equal or fair; impartiality.

Oxford English Dictionary

In the broad sense in which this term is sometimes used, it signifies natural justice.

Bouvier's Law Dictionary

In a restricted sense, the word denotes equal and impartial justice as between two persons whose rights or claims are in conflict; justice, that is, as ascertained by natural reason or ethical insight but independent of the formulated body of law.

Black's Law Dictionary

Justice and equity are twin Guardians that watch over men.

Bahá'u'lláh, ESW, p. 13

Equity is rarely to be found, and justice hath ceased to exist.

Bahá'u'lláh, ESW, p. 131

Tell, O 'Alí, the loved ones of God that equity is the most fundamental among human virtues. The evaluation of all things must needs depend upon it...

...

Say: Observe equity in your judgment, ye men of understanding heart! He that is unjust in his judgment is destitute of the characteristics that distinguish man's station.

Bahá'u'lláh, GWB, pp. 203-204

... a new World Order ... equitable in principle....

Shoghi Effendi, WOB, p. 34

LESSON III LAWS FOR THE INDIVIDUAL

In this Book [*Kitáb-i-Aqdas*] He ...

- prescribes the obligatory prayers;
- designates the time and period of fasting; ...
- fixes the Qiblih;
- institutes the Ḥuqúqu'lláh (Right of God);
- formulates the law of inheritance; ...
- prescribes monogamy; ...
- stresses the importance of marriage and lays down its essential conditions;
- imposes the obligation of engaging in some trade or profession, exalting such occupation to the rank of worship;
- emphasizes the necessity of providing the means for the education of children; and
- lays upon every person the duty of writing a testament and of strict obedience to one's government.

Shoghi Effendi, *God Passes By*, p. 214)

Prohibitions

In this Book [*Kitáb-i-Aqdas*] He ... prohibits

- congregational prayer except for the dead;
- institution of the priesthood; ...
- slavery,
- asceticism,¹
- mendicancy,²
- monasticism,
- penance,³
- the use of pulpits and the kissing of hands [of clergy]; ...
- cruelty to animals,
- idleness and sloth,⁴

- backbiting⁵ and calumny;⁶
- gambling, ...
- the use of opium, wine and other intoxicating drinks;
- murder,
- arson,⁷
- adultery,
- theft,
- fanaticism,
- sedition,⁸

Shoghi Effendi, GPB, pp. 214-215)

1 self-torture and severe abstinence from pleasures and comfort.

2 begging.

3 a sacrament of the Catholic Church involving confession, penalty and absolution by a priest; any voluntary suffering or punishment.

4 laziness.

5 To speak evil of one absent; to maliciously give a false report of one absent.

6 a false statement made to injure someone's reputation.

7 intentionally setting fire to property.

8 creating discontent or commotion against the government; resistance to lawful authority.

... excluded by ... Bahá'u'lláh's writings...

- the sacrament of baptism, of communion,
- of confession of sins,
- of asceticism,
- of priestly domination,
- of elaborate ceremonials,
- of holy war, and
- of polygamy.

Shoghi Effendi, *World Order of Bahá'u'lláh*, p. 22)

... requires total abstinence from

- all alcoholic drinks,
- from opium, and from similar habit-forming drugs.
- It condemns the prostitution¹ of art and of literature,
- the practices of nudism
- and of companionate marriage,²
- infidelity in marital relationships, and

- all manner of promiscuity, of easy familiarity,
- and of sexual vices³

Shoghi Effendi, *Advent of Divine Justice*, p. 30)

¹ to put to an unworthy or base use.

² an association of a man with a woman in cohabitation by mutual consent without the bonds of matrimony
Funk & Wagnall's Dictionary, 1957. : "... where there is no legal or religious marriage"
(Shoghi Effendi, LOG, p. 382)

³ (L. from vi, to twist) corruption, fault, defect, evil, crime, immorality.

Prayer

... in every Dispensation the law concerning prayer hath been emphasized and universally enforced.

Bahá'u'lláh, *Kitáb-i-Íqán*, p. 36

Fasting

We have commanded you to pray and fast from the beginning of maturity; this is ordained by God,.... He hath exempted from this those who are weak from illness or age,....

Bahá'u'lláh, *Kitáb-i-Aqdas*, pp. 22-23

In truth, I say that obligatory prayer and fasting occupy an exalted station in the sight of God.

Bahá'u'lláh, KA, Questions and Answers, p. 134

As regards fasting, it constitutes, together with the obligatory prayers, the two pillars that sustain the revealed Law of God. They act as stimulants to the soul, strengthen, revive and purify it, and thus insure its steady development.

Shoghi Effendi: *Directives of the Guardian*, p. 27

The Qiblih

(Definition from Bahá'í Glossary): Point of Adoration; prayer-direction ... the Most Holy Tomb of Bahá'u'lláh at Bahjí is “the Heart and Qiblih of the Bahá'í world.”

see also Shoghi Effendi, GPB, pp. 110, 277

Whoso wisheth to pray, let him ... stand up, and facing the Qiblih (Point of Adoration, i.e. Bahjí, 'Akká), let him say...

Bahá'u'lláh, *Prayers and Meditations*, pp. 314-315

There is no special physical significance in the remains of the Prophets or relics of Their Persons. But there is a profound spiritual significance in the sense that Their dust was the physical mirror of the greatness of God. In other words we know God through His Prophets, Who have bodies; these bodies – Their very dust – are precious through association. It is natural for people to be touched by a lock of hair or some token of one they loved; how much more should we treasure and feel moved by a relic of the Beloved of God?

Written on behalf of Shoghi Effendi, LOG, p. 508

The embellishment of the Ḥaram-i-Aqdas,¹ the outer Sanctuary of Bahá'u'lláh's Sepulcher ... has been greatly enhanced through the laying out ... of formal gardens...

Shoghi Effendi, *Messages to the Bahá'í World*, p. 64

¹ Most holy environs – *Bahá'í Glossary*, p. 18

A Fund has been inaugurated in anticipation of the adoption of preliminary measures for the ultimate construction of Bahá'u'lláh's Sepulcher in the heart of the Ḥaram-i-Aqdas recently established in the plain of 'Akká.

Shoghi Effendi, MBW, p. 78

The Ḥuqúqu'lláh

In the *Kitáb-i-Aqdas* it is further written by Him that those who have a certain amount of income must give one-fifth of it to God the Creator of heaven and earth.

'Abdu'l-Bahá, PUP, 2nd ed., p. 217

O friends of 'Abdu'l-Bahá! The Lord, as a sign of His infinite bounties, hath graciously favored His servants by providing for a fixed money offering (Ḥuqúq), to be dutifully presented unto Him, though He, the True One and His servants have been at all times independent of all created things, and God verily is the All-Possessing, exalted above the need of any gift from His Creatures. This fixed money offering, however, causeth the people to become firm and steadfast and draweth Divine increase upon them. It is to be offered through the guardian of the Cause of God, that it may be expended for the diffusion of the Fragrances of God and the exaltation of His word, for benevolent pursuits and for the common weal.

'Abdu'l-Bahá, *Will and Testament*, p. 15

... participation of individual believers, through contributions directly transmitted to the Holy Land are imperative and beyond the scope of the jurisdiction of National and local Assemblies.

Shoghi Effendi, MBW, p. 14

The paying of the Ḥuqúq is a spiritual obligation; the friends must not be obliged by the Assemblies to pay it, but they should be encouraged to fulfill this spiritual obligation laid upon them in the Aqdas.

Written on behalf of Shoghi Effendi, DND, p. 118

... the Universal House of Justice ... must, in the absence of the Guardian, receive and disburse the Ḥuqúqu'lláh in accordance with the following statement of 'Abdu'l-Bahá: "Disposition of the Ḥuqúq, wholly or partly, is permissible, but this should be done by permission of the authority in the Cause to whom all must turn."

Universal House of Justice, *Wellspring of Guidance*, p. 91

Inheritance

... a Bahá'í is free to bequeath his property to any person, irrespective of religion, provided however, he leaves a will, specifying his wishes.

Written on behalf of Shoghi Effendi, KA, Notes, p. 184

To divide the inheritance as it is prescribed by Bahá'u'lláh we have to divide it into 2,520 shares. But we can also divide it into 42 shares. Then every one of the beneficiaries will take so many of these shares. These numbers form like a highest denominator for the different fractions which represent the shares of the different individuals that will benefit in case of intestacy. In case of the non-existence of one class of inheritors, the Aqdas mentions how it should be divided. As general rule, a part goes to the House of Justice, a part to the children.

Written on behalf of Shoghi Effendi, DG, p. 39

Education

Schools must first train the children in the principles of religion, so that the Promise and the Threat recorded in the Books of God may prevent them from the things forbidden and adorn them with the mantle of the commandments; but this in such a measure that it may not injure the children by resulting in ignorant fanaticism and bigotry.

Bahá'u'lláh, *Tablets of Bahá'u'lláh*, p. 68

... in this new cycle, education and training are recorded in the Book of God as obligatory and not voluntary. That is, it is enjoined upon the father and mother, as a duty, to strive with all effort to train the daughter and the son,....

'Abdu'l-Bahá, *Selections from the Writings of 'Abdu'l-Bahá*, p. 134

Therefore, the beloved of God and the maid-servants of the Merciful must train their children with life and heart and teach them in the school of virtue and perfection. They must not be lax in this matter; they must not be inefficient.

'Abdu'l-Bahá, TAB, Vol. III, p. 579

In fact Bahá'í education, just like any other system of education is based on the assumption that there are certain natural deficiencies in every child, no matter how gifted, which his educators, whether his parents, schoolmasters, or his spiritual guides and preceptors should endeavor to remedy. Discipline of some sort, whether physical,

moral or intellectual, is indeed indispensable, and no training can be said to be complete and fruitful if it disregards this element. The child when born is far from being perfect. It is not only helpless, but actually is imperfect, and even is naturally inclined towards evil. He should be trained, his natural inclinations harmonized, adjusted and controlled, and if necessary suppressed or regulated so as to insure his healthy physical and moral development. Bahá'í parents cannot simply adopt an attitude of nonresistance towards their children, particularly those who are unruly and violent by nature. It is not even sufficient that they should pray on their behalf. Rather they should endeavor to inculcate, gently and patiently, into their youthful minds such principles of moral conduct and initiate them into the principles and teachings of the Cause with such tactful and loving care as would enable them to become "true sons of God" and develop into loyal and intelligent citizens of His Kingdom. This is the high purpose which Bahá'u'lláh Himself has clearly defined as the chief goal of every education.

Written on behalf of Shoghi Effendi, *Bahá'í Education: A Compilation*, pp. 65-66

Pilgrimage

It was during those same days [1868] that Bahá'u'lláh instructed Nabíl to recite on His behalf the two newly revealed Tablets of the Pilgrimage, and to perform, in His stead, the rites prescribed in them, when visiting the Báb's House in Shíráz and the Most Great House in Baghdád – an act that marks the inception of one of the holiest observances, which, in a later period, the *Kitáb-i-Aqdas* was to formally establish.

Shoghi Effendi, GPB, pp. 176-177

When thou art departed out of the court of My presence, O Muḥammad, direct thy steps towards My House (Baghdád House), and visit it on behalf of thy Lord. When thou reachest its door, stand thou before it and say: Whither is the Ancient Beauty gone, O most great House of God, He through Whom God hath made thee the cynosure of an adoring world ... Blessed be the man that directeth his steps toward thee, and visiteth thee.

Bahá'u'lláh, GWB, pp. 111-114

Obligation to Work

It is incumbent upon each one of you to engage in some occupation – such as a craft, a trade or the like. We have exalted your engagement in such work to the rank of worship of the one true God... Waste not your hours in idleness and sloth, but occupy yourselves with what will profit you and others.

Bahá'u'lláh, *Kitáb-i-Aqdas*, p. 30

... ye must give forth goodly and wondrous fruits, that ye yourselves and others may profit therefrom. Thus it is incumbent on every one to engage in crafts and professions,....

Bahá'u'lláh, *Persian Hidden Words*, #80

The best of men are they that earn a livelihood by their calling and spend upon themselves and upon their kindred.

Bahá'u'lláh, *Persian Hidden Words*, #82

Please God, the poor may exert themselves and strive to earn the means of livelihood. This is a duty which, in this most great Revelation, hath been prescribed unto every one,....

Bahá'u'lláh, *Gleanings*, p. 202

True reliance is for the servant to pursue his profession and calling in this world....

Bahá'u'lláh, *Words of Wisdom*, BWF, p. 141

With reference to Bahá'u'lláh's command concerning the engagement of the believers in some sort of profession: the Teachings are most emphatic on this matter, particularly the statement in the *Aqdas* to this effect which makes it quite clear that idle people who lack the desire to work can have no place in the new World Order. As a corollary of this principle, Bahá'u'lláh further states that mendacity should not only be discouraged but entirely wiped out from the face of society. It is the duty of those who are in charge of the organization of society to give every individual the opportunity of acquiring the necessary talent in some kind of profession, and also the means of utilizing such a talent, both for its own sake and for the sake of earning the means of his livelihood. Every individual, no matter how handicapped and limited he may be, is under the

obligation of engaging in some work or profession, for work, especially when performed in the spirit of service, is according to Bahá'u'lláh a form of worship. It has not only a utilitarian purpose, but has a value in itself, because it draws us nearer to God, and enables us to better grasp His purpose for us in this world. It is obvious, therefore, that the inheritance of wealth cannot make anyone immune from daily work.

Shoghi Effendi, *Aqdas*, Notes, p. 192

Mendicancy

The most despised of men in the sight of God are they who sit and beg.

Bahá'u'lláh, *Kitáb-i-Aqdas*, p. 30

The basest of men are they that yield no fruit on earth. Such men are verily counted as among the dead, nay better are the dead in the sight of God than those idle and worthless souls.

Bahá'u'lláh, *Persian Hidden Words*, #81

He who ... is looking at the hand of the people to give him something, know ye that I am quit of such a one.

'Abdu'l-Bahá, *S of W*, Vol. IV, p. 255

... if he were able to work it is not allowable to assist him. Lazy people should not be assisted; otherwise everybody would leave his work and expect others to support him. There would be no end to it.

'Abdu'l-Bahá, *S of W*, Vol. III, No. 11, p. 5

Theft and Entering without Permission

Take heed that ye enter no house in the absence of its owner, except with his permission.

Bahá'u'lláh, *Kitáb-i-Aqdas*, p. 72

... no man should enter the house of his friend save at his friend's pleasure, nor lay hands upon his treasures....

Bahá'u'lláh, *Persian Hidden Words*, #43

... that which maketh My heart and My pen to lament. They that spread disorder in the land, and lay hands on the property of others, and enter a house without leave of its owner....

Bahá'u'lláh, *ESW*, p. 23

Some have regarded it as lawful to infringe on the integrity of the substance of their neighbor, and have made light of the injunction of God as prescribed in His Book. Evil fall upon them, and the chastisement of God, the All-Powerful, the Almighty, afflict them! ... They who dwell within the tabernacle of God, and are established upon the seats of everlasting glory, will refuse, though they be dying of hunger, to stretch their hands and seize unlawfully the property of their neighbor, however vile and worthless he may be.

Bahá'u'lláh, *GWB*, pp. 297-299

Confession

Confession of sins and transgressions before human beings is not permissible, as it hath never been nor will ever be conducive to divine forgiveness. Moreover such confession before people results in one's humiliation and abasement, and God – exalted be His glory – wisheth not the humiliation of His servants.

Bahá'u'lláh, *Tablets of Bahá'u'lláh*, p. 24

We are forbidden to confess to any person, as do the Catholics to their priests, our sins and shortcomings, or to do so in public as some religious sects do. However, if we spontaneously desire to acknowledge we have been wrong in something, or that we have some fault of character, and ask another person's forgiveness or pardon, we are quite free to do so.

Written on behalf of Shoghi Effendi, *Aqdas*, Notes, p. 194

LESSON IV LAWS FOR SOCIETY

Bahá'u'lláh ... has ... clearly and specifically laid down a set of Laws, established definite institutions, and provided for the essentials of a Divine Economy.

Shoghi Effendi, *World Order of Bahá'u'lláh*, p. 19

Consultation

The heaven of divine wisdom is illumined and shining with two orbs, consultation and kindness.

Bahá'u'lláh, Tablet of Ishráqát, *Bahá'í World Faith*, p. 198
Ed: TB, p. 126

Consultation He established as one of the fundamental principles of His Faith; describes it as “the lamp of guidance,” as “the bestower of understanding,” and as one of the two “luminaries” of the “heaven of Divine Wisdom.”

Shoghi Effendi, *God Passes By*, p. 218

The principle of consultation, which constitutes one of the basic laws of the Administration, should be applied to all Bahá'í activities which affect the collective interests of the Faith, for it is through cooperation and continual exchange of thoughts and views that the Cause can best safeguard and foster its interests... Individual initiative, personal ability and resourcefulness, though indispensable, are, unless supported and enriched by the collective experiences and wisdom of the group, utterly incapable of achieving such a tremendous task.

Written on behalf of Shoghi Effendi, *Consultation*, p. 15

... it is the duty of the NSA to devise ways and means which would enable them to obtain valuable suggestions, not only from the total number of the elected delegates, but from as large a body of their fellow-workers as is humanly possible.

Written on behalf of Shoghi Effendi, *NSA*, p. 24

Theirs [NSA members] is the duty ... to invite discussion, provide information, ventilate grievances, welcome advice from even the most humble and insignificant members of the Bahá'í family.

Shoghi Effendi, *Bahá'í Administration*, pp. 143-144

... oftentimes, the most lowly, untutored and inexperienced among the friends will, by the sheer inspiring force of selfless and ardent devotion, contribute a distinct and memorable share to a highly involved discussion in any given Assembly.

Shoghi Effendi, BA, p. 79

... Bahá'u'lláh has expressly laid down the law of consultation and never indicated that anything else superseded it.

Written on behalf of Shoghi Effendi, *Consultation*, p. 18

Consultation with Experts

No doubt, the power of prayer is very great, yet consultation with experts is enjoined by Bahá'u'lláh.

Written on behalf of Shoghi Effendi, *Lights of Guidance*, p. 54

... he sees no objection to using the advice and services of non-Bahá'í experts, or agencies, as long as the purity of the Teachings and the dignity of the Faith are maintained.

Written on behalf of Shoghi Effendi, *Principles of Bahá'í Administration*, p. 60

As regards the whole question of the Temple and ... the best seating arrangement.... All minor details regarding this matter are left to the discretion of your Assembly to decide after receiving the advice of experts.... What provision for keeping the cold out, and what entrances you wish to make constant use of, are matters for your Assembly to decide after receiving expert advice.... Any modifications ... [of] Bourgeois's designs ... should only be made by an experienced architect and decorator, and not be left to the discrimination of mere laymen. The use of all nine or only a certain number of entrances is left to you to decide in consultation with your advisers. He urges you, at

all times, to receive the very best technical advice...

Written on behalf of Shoghi Effendi, Bahá'í News #188, p. 2

After consultation with experts it became apparent that the bowl seating arrangement could not be included within the financial limitation definitely set, and a seating arrangement prepared by Mr. Clarence Ullrich was adopted.

NSA of US, BN #198, p. 1

... the National Spiritual Assembly, aided by ... the expert advice of a management consultant, brought under close scrutiny its various institutional operations.... A certified public accountant was appointed as controller to streamline the operations of the Treasury.

A series of new advertisements for use by Bahá'í communities and groups in their local newspapers ... were researched and designed by a professional company....

NSA of US, *National Bahá'í Review* #18, pp. 5, 20

The Guardian knows nothing about your kind of healing,.... But he can lay down for your guidance certain broad principles:... In His Most Holy Book (the Aqdas) Bahá'u'lláh says to consult the best physicians, in other words, doctors who have studied a scientific system of medicine; He never gave us to believe He, Himself, would heal us through “healers” but rather through prayer and the assistance of medicine and approved treatments.

Now as long as your healing is in no opposition to these principles, as long as you do not try to take the place of a regular doctor in trying to heal others, but only give them your kind of help through constructive suggestion – or whatever it may be – and do not associate this help with being a channel of the direct grace of Bahá'u'lláh, the Guardian sees no harm in your continuing your assistance to others. But you must conscientiously decide whether, in view of the above, you are really justified in continuing.

Written on behalf of Shoghi Effendi, LOG, p. 278

As Bahá'u'lláh has urged us to avail ourselves of the help of good physicians. Bahá'ís are certainly not only free to turn to psychiatry for assistance but should, when

available, do so. This does not mean psychiatrists are always wise or always right; it means we are free to avail ourselves of the best medicine has to offer us.

Written on behalf of Shoghi Effendi, *Unfolding Destiny*, p. 248

Nineteen Day Feast

The Nineteen Day Feast was inaugurated by the Báb and ratified by Bahá'u'lláh in His Holy Book, the Aqdas, so that people may gather together and outwardly show fellowship and love, that the divine mysteries may be disclosed.

'Abdu'l-Bahá, *Bahá'í Meetings – The Nineteen Day Feast*, p. 21

Concerning the nature of the Nineteen Day Feast. In the Aqdas, Bahá'u'lláh clearly revealed the spiritual and social character of this institution. Its administrative significance, however, has been stressed by the Guardian in direct response to the growing needs of the Bahá'í community in this formative period of the Bahá'í era for better training in the principles and practice of Bahá'í administration.

Written on behalf of Shoghi Effendi, *Bahá'í Meetings – The Nineteen Day Feast*, pp. 25-26

The chief opportunity which the friends have for discussion on administrative questions is during the Nineteen Day Feasts....

Shoghi Effendi, DND, p. 201

Shoghi Effendi firmly believes that consultation must be maintained between the NSA and the entire body of the believers, and that such a consultation, when the Convention is not in session, can best be maintained through the agency of the local assemblies, one of whose essential functions is to act as intermediaries between the local communities and their national representatives. The main purpose of the Nineteen Day Feast is to enable individual believers to offer any suggestion to the local assembly which in its turn will pass it to the NSA.

Written on behalf of Shoghi Effendi, NSA, p. 26

The Mashriqu'l-Adhkár

Some material things have spiritual effect, and the Mashriqu'l-Adhkár is a thing that will have great effect upon the spirits of the people.

'Abdu'l-Bahá, BN #208 insert

Temples are the symbols of the divine uniting force so that when the people gather there in the House of God they may recall the fact that the law was revealed for them and that the law is to unite them.

'Abdu'l-Bahá, *Promulgation of Universal Peace*, p. 65

... the central Edifice of the Mashriqu'l-Adhkár ... a House solely designed and entirely dedicated to the worship of God in accordance with the few, yet definitely prescribed principles established by Bahá'u'lláh in the *Kitáb-i-Aqdas*.

Shoghi Effendi, BA, p. 184

Institutions must Obey and Enforce Bahá'í Laws and Principles

It is incumbent upon the men of God's House of Justice to fix their gaze by day and by night upon that which hath shone forth from the Pen of Glory ...

Bahá'u'lláh, *Tablets of Bahá'u'lláh*, p. 125

Its rulings shall be in accordance with the commands and teachings of Bahá'u'lláh....

'Abdu'l-Bahá, PUP, p. 455

This Administrative Order ... functions in strict accordance with the interpretations of the authorised Interpreters of its holy scriptures.

Shoghi Effendi, *The Faith of Bahá'u'lláh*, p. 13

It should be understood by the friends that before legislating upon any matter the Universal House of Justice studies carefully and exhaustively both the Sacred Texts and the writings of Shoghi Effendi on the subject. The interpretations written by the beloved Guardian ... are equally as binding as the Text itself.

Universal House of Justice, *Wellspring of Guidance*, p. 52

... a visible Order, which would ... wholly identify itself with His principles, and function in conformity with His laws.

Shoghi Effendi, WOB, p. 19

... operating solely in direct conformity with the laws and principles of Bahá'u'lláh.

Shoghi Effendi, *Advent of Divine Justice*, p. 15

... enable these newly-fledged groups and Assemblies to function in strict accordance with both the spiritual and administrative principles of the Faith ...

Shoghi Effendi, *Messages to America*, p. 44-45

... in conformity with the spiritual and administrative principles governing the life and activities of every established Bahá'í community throughout the world. No departure from these cardinal and clearly enunciated principles, ... common to all Bahá'í communities, can under any circumstances be tolerated.

Shoghi Effendi, ADJ, p. 63

... the Assembly is a nascent House of Justice and is supposed to administer, according to the Teachings, the affairs of the community.

Written on behalf of Shoghi Effendi, LOG, p. 77

... "Spiritual Assemblies" ... solemnly pledged to follow, under all conditions, the dictates of the "Most Great Justice"....

Shoghi Effendi, GPB, p. 331

[Bahá'u'lláh] ... made justice the only basis and the permanent foundation of His Most Great Peace.

Shoghi Effendi, ADJ, p. 29

Deal with them with undeviating justice.... Such is the path which the kings ... have trodden, they that acted equitably towards their subjects, and walked in the ways of undeviating justice.

Bahá'u'lláh, *Gleanings from the Writings of Bahá'u'lláh*, p. 235, 237

Blessed is he that entereth the assembly for the sake of God, and judgeth between men with pure justice.

Bahá'u'lláh, *The Promised Day is Come*, p. 36

Judge ye between them according to the precepts prescribed by God in His most holy and exalted Tablet, a Tablet wherein He hath assigned to each and every thing its settled measure, in which He hath given, with distinctness, an explanation of all things, ...

Bahá'u'lláh, *GWB*, p. 252

... the Laws revealed by Bahá'u'lláh in the *Aqdas* are, whenever practicable and not in direct conflict with the Civil Laws of the land, absolutely binding on every believer or Bahá'í institution whether in the East or in the West.

Shoghi Effendi, *Kitáb-i-Aqdas*, p. 6

... the whole machinery of assemblies, of committees and conventions ... will rise or fall according to their capacity to further the interests, to coordinate the activities, to apply the principles, to embody the ideals and execute the purpose of the Bahá'í Faith.

Shoghi Effendi, *WOB*, p. 9

Blessed is the ... trustee who performs what he is commanded on the part of the Pre-existent Commander.

Bahá'u'lláh, *Words of Paradise*, *BWF*, p. 183

If a governor realises his responsibility and fears to defy the divine law, his judgments will be just. Above all, if he believes that the consequences of his actions will follow him beyond his earthly life, and that "as he sows so must he reap," such a man will

surely avoid injustice and tyranny...

When a ruler knows that his judgments will be weighed in a balance by the Divine Judge ... then will he surely act with justice and equity.

'Abdu'l-Bahá, PT, p. 158

... it would be preferable if the election of ... members of consultative assemblies ... should be dependent on the will and choice of the people. For elected representatives will on this account be somewhat inclined to exercise justice, lest their reputation suffer and they fall into disfavour with the public.

'Abdu'l-Bahá, SDC, p. 24

These Schools, being independent and official Bahá'í institutions, could not very well ignore, much less violate, the express provisions and laws of the Aqdas.... Institutions that are entirely managed by Bahá'ís are, for reasons that are only too obvious, under the obligation of enforcing all the laws and ordinances of the Faith.

Written on behalf of Shoghi Effendi, BN #97, p. 1

Punishment

The Third *Ishráq* commands the executing of the penal laws, for this is the primary means for the maintenance of the world.

Bahá'u'lláh, Tablet of *Ishráq*, BWF, p. 198

In formulating the principles and laws a part hath been devoted to penalties which form an effective instrument for the security and protection of men. However, dread of the penalties maketh people desist only outwardly from committing vile and contemptible deeds, while that which guardeth and restraineth man both outwardly and inwardly hath been and still is the fear of God.

Bahá'u'lláh, TB, p. 93

The object of punishment is not vengeance, but the prevention of crime.... the law must punish ... in order to prevent a repetition of that same crime by others, as the pain of

the individual is unimportant beside the general welfare of the people.

'Abdu'l-Bahá, PT, p. 154

The communities must punish the oppressor, the murderer, the malefactor, so as to warn and restrain others from committing like crimes....

... the community ... imprisons or punishes ... merely for the protection and security of others. It is not for the purpose of taking vengeance upon the murderer, but for the purpose of inflicting a punishment by which the community will be protected. If the community and the inheritors of the murdered one were to forgive and return good for evil, the cruel would be continually ill-treating others, and assassinations would continually occur.... its purpose is by punishment to protect others, so that no atrocious actions may be committed.

... Some people are like bloodthirsty wolves; if they see no punishment forthcoming, they will kill men merely for pleasure and diversion.

'Abdu'l-Bahá, SAQ, pp. 268-270

As to the question regarding the soul of a murderer, and what his punishment would be, the answer given was that the murderer must expiate his crime: that is, if they put the murderer to death, his death is his atonement for his crime, and following the death, God in His justice will impose no second penalty upon him, for divine justice would not allow this.

'Abdu'l-Bahá, *Selections from Writings of 'Abdu'l-Bahá*, pp. 187-188

Bahá'u'lláh ... [said, of an evil doer who professed devotion to Him,] ... to an official who ... had hesitated to inflict upon that criminal the punishment he deserved: "Tell him, no one in this world can claim any relationship to Me except those who, in all their deeds and in their conduct, follow My example, in such wise that all the peoples of the earth would be powerless to prevent them from doing and saying that which is meet and seemly." "This brother of Mine, this Mírzá Músá, who is from the same mother and father as Myself, and who from his earliest childhood has kept Me company, should he perpetrate an act contrary to the interests of either the state or religion, and his guilt be established in your sight, I would be pleased and appreciate your action were you to bind his hands and cast him into the river to drown, and refuse to consider the intercession of any one on his behalf."

Shoghi Effendi, GPB, p. 133

In this Book (*Kitáb-i-Aqdas*) ... He ... cautions them not to be indulgent in carrying out His statutes....

Shoghi Effendi, GPB, pp. 214-215

Beware lest, through compassion, ye neglect to carry out the statutes of the religion of God;....

Bahá'u'lláh, KA, p 36

Should any one among you take up arms against another, rise ye all against him, for this is naught but manifest justice.

Bahá'u'lláh, WOB, p. 40

The fundamental principle underlying this solemn Pact should be so fixed that if any government later violate any one of its provisions, all the governments on earth should arise to reduce it to utter submission, nay the human race as a whole should resolve, with every power at its disposal, to destroy that government.

'Abdu'l-Bahá, SDC, p. 65

... a single code of international law ... shall have as its sanction the instant and coercive intervention of the combined forces of the federated units....

Shoghi Effendi, WOB, p. 41

... a system in which Force is made the servant of Justice....

Shoghi Effendi, WOB, p. 204

A small force for the purposes of internal security, the correction of criminal and disorderly elements and the prevention of local disturbances, would be required....

'Abdu'l-Bahá, SDC, p. 65

In Persia ... the determination of its members to ... enforce its laws and ordinances, penalize those who would transgress them ... adhering to the fundamental spiritual principles, precepts and laws revealed by Bahá'u'lláh....

Shoghi Effendi, GPB, p. 362

[If] they feel forced to deprive a person from his vote it should be only to safeguard the rest and not merely to inflict punishment.

Written on behalf of Shoghi Effendi, LOG, p. 61

... the imposition of sanctions by Bahá'í elective Assemblies, now assuming the duties and functions of religious courts, on recalcitrant members of the community by denying them the right to vote and of membership in these Assemblies and their communities....

Shoghi Effendi, 1944, GPB, p. 371

Matters of Personal Status

[Accomplished in Egypt in 1929:] ... the codification and publication of the fundamental laws of the *Kitáb-i-Aqdas* regarding matters of personal status, such as marriage, divorce, inheritance and burial, and the presentation of these laws to the Egyptian Cabinet; the issuance of marriage and divorce certificates by the Egyptian National Spiritual Assembly; the assumption of that Assembly of all the duties and responsibilities connected with the conduct of Bahá'í marriages and divorces, as well as with the burial of the dead ... a petition addressed ... to the Egyptian Prime Minister, the Minister of the Interior and the Minister of Justice ... requesting them to recognize their Assembly as a body qualified to exercise the functions of an independent court and empowered to apply, in all matters affecting their personal status, the laws and ordinances revealed by the Author of their Faith....

Shoghi Effendi, GPB, p. 367

The enforcement of the Bahá'í marriage and divorce laws has become mandatory upon the National Spiritual Assembly. Therefore, full understanding of the meaning and implications of the laws surrounding marriage and the family is imperative....

NSA of the US, Annual Reports, 1963-64, p. 7

Marriage

It hath been laid down in the Bayán that marriage is dependent upon the consent of both parties. Desiring to establish love, unity and harmony amidst Our servants, We have conditioned it, once the couple's wish is known, upon the permission of their parents, lest enmity and rancour should arise amongst them.

Bahá'u'lláh, KA, p. 42

As to the question of marriage, according to the law of God: First you must select one, and then it depends on the consent of the father and mother. Before your selection they have no right of interference.

'Abdu'l-Bahá, *Japan Will Turn Ablaze*, p. 23
Ed: TAB, Vol. III, p. 563

The Bahá'í betrothal is the perfect agreement and entire consent of both parties. They must show forth the utmost attention and become informed of one another's character. The firm covenant between them must become an eternal binding, and their intentions must be everlasting affinity, friendship, unity and life.

The marriage of Bahá'ís means that both man and woman must become spiritually and physically united, so that they may have eternal unity throughout all the divine worlds and improve the spiritual life of each other. This is Bahá'í matrimony.

Among the majority of the people marriage consists of physical relationship and this union and relationship is temporary for at the end physical separation is destined and ordained. But the marriage of the people of Bahá must consist of both physical and spiritual relationship. When relationship, union and concord exist between the two from a physical and spiritual standpoint, that is the real union, therefore everlasting. But if the union is merely from the physical point of view, unquestionably it is temporal and at the end separation is inevitable.

Consequently when the people of Bahá desire to enter the sacred union of marriage, eternal connection and ideal relationship, spiritual and physical association of thoughts and conceptions of life must exist between them, so that in all the grades of existence and all the worlds of God this union may continue forever and ever for this real union is a splendour of the light of the love of God.

... Undoubtedly that union and relationship is eternal.

'Abdu'l-Bahá, BWF, pp. 372-373

[‘Abdu’l-Bahá’s] mother, the saintly Navváb ... whom Bahá’u’lláh in His Tablet, has destined to be “His consort in every one of His worlds.”

Shoghi Effendi, GPB, p. 348

Bahá’u’lláh has clearly stated the consent of all living parents is required for a Bahá’í marriage. This applies whether the parents are Bahá’ís or non-Bahá’ís, divorced for years, or not. This great law He has laid down to strengthen the social fabric, to knit closer the ties of the home, to place a certain gratitude and respect in the hearts of children for those who have given them life and sent their souls out on the eternal journey towards their Creator.... The Bahá’í must, through rigid adherence to the Bahá’í laws and teachings, combat those corrosive forces which are so rapidly destroying home life and the beauty of family relationships, and tearing down the moral structure of society.

Written on behalf of Shoghi Effendi, cited in *Divorce*, p. 13

With reference to the permission granted by the Marriage License Bureau of the City of Chicago to the Chicago Assembly to perform Bahá’í marriages, the Guardian considers this indeed as an historic achievement, and trusts that it will open the way for the accordance of a similar recognition to other local Bahá’í Assemblies throughout the States.... The marriage certificate, copies of which in Arabic and Persian are published in the Bahá’í World,¹ and which bears the signatures of both parties and of their parents, should be translated and adopted by the American friends. This is indeed a tremendous step forward in the ultimate adoption and enforcement of the laws of Bahá’u’lláh in the West.

Written on behalf of Shoghi Effendi, Dec. 1939, BN #133, p. 2

1 *Bahá’í World*, Vol. X, pp. 381-383, Persian, Egyptian, and Iraqi marriage certificates. *Bahá’í World*, Vol. XI, p. 306, marriage certificate of India. *Bahá’í World*, Vol. X, pp. 384-385, Bahá’í divorce certificates used by National Spiritual Assemblies of Persia, Egypt and Sudan.

In the world community the Plan involves: ... Wide extension of recognition by civil authorities of Bahá’í marriage certificates....

Universal House of Justice, *Wellspring of Guidance*, pp. 24-25

Divorce

They must strictly refrain from divorce unless something ariseth which compelleth them to separate because of their aversion for each other, in that case with the knowledge of the Spiritual Assembly they may decide to separate. They must then be patient and wait one complete year. If during this year, harmony is not re-established between them, then their divorce may be realised....

In short, the foundation of the Kingdom of God is based upon harmony and love, oneness, relationship and union, not upon differences, especially between husband and wife. If one of these two becomes the cause of divorce, that one will unquestionably fall into great difficulties, will become the victim of formidable calamities and experience deep remorse.

'Abdu'l-Bahá, LOG, p. 393

... the one-year separation between husband and wife as an indispensable condition of divorce....

Shoghi Effendi, GPB, p. 373

The local Assembly, as the Guardian has stated, can act as a board of arbitration if the couple disagrees about the terms and conditions of divorce, and when it so acts the couple are to abide by its decision.

NSA of the US, Annual Reports, 1955-56, p. 27

LESSON V JURISDICTION

Definition

Jurisdiction:

1. the legal power or authority to hear and decide cases; the power of executing the laws and administering justice.
2. the power or right of exercising authority.
3. the limit within which power may be exercised.
4. the territorial range of authority.

Webster's New Twentieth Century Dictionary

The Administrative Order

The laws that govern its operation and limit its functions are those which have been expressly ordained in the *Kitab-i-Aqdas*.

Shoghi Effendi, *World Order of Bahá'u'lláh*, p. 156

... the institutions of the Guardianship and of the Universal House of Justice.... each operates within a clearly defined sphere of jurisdiction.... Each exercises, within the limitations imposed upon it, its powers, its authority, its rights and prerogatives.

Shoghi Effendi, *WOB*, pp. 147-148

There is a profound difference between the interpretations of the Guardian and the elucidations of the House of Justice in exercise of its function to “deliberate upon all problems which have caused difference, questions that are obscure, and matters that are not expressly recorded in the Book.” The Guardian reveals what the Scripture means; his interpretation is a statement of truth which cannot be varied.

Universal House of Justice, *Wellspring of Guidance*, p. 52

Guardianship

He is the expounder of the words of God....

'Abdu'l-Bahá, *Will and Testament*, p. 11

The interpretation of the Guardian, functioning within his own sphere, is ... authoritative and binding.... He interprets what has been specifically revealed....

Shoghi Effendi, *WOB*, p. 150

The infallibility of the Guardian is confined to matters which are related strictly to the Cause and interpretation of the teachings; he is not an infallible authority on other subjects, such as economics, science, etc. When he feels that a certain thing is essential for the protection of the Cause, even if it is something that affects a person personally, he must be obeyed, but when he gives advice, such as that he gave you in a previous letter about your future, it is not binding; you are free to follow it or not as you please.

Written on behalf of Shoghi Effendi, *Directives of the Guardian*. pp. 34-35

Future Guardians cannot “abrogate” the interpretations of former Guardians, as this would imply not only lack of guidance but mistakes in making them; however, they can elaborate and elucidate former interpretations, and can certainly abrogate some former ruling laid down as a temporary necessity by a former Guardian.

Written on behalf of Shoghi Effendi, *Bahá'í News #197*, p. 6

Hands of the Cause

... one of the cardinal and pivotal institutions ordained by Bahá'u'lláh ... who have been invested by the unerring Pen of the Center of His Covenant with the dual function of guarding over the security, and of insuring the propagation, of His Father's Faith.

Shoghi Effendi, *Messages to the Bahá'í World*, p. 127

... the Hands of the Cause of God must be ever watchful and so soon as they find anyone beginning to oppose and protest against the guardian of the Cause of God cast him out from the congregation of the people of Bahá....

'Abdu'l-Bahá, *W&T*, p. 12

The authority of expulsion and reinstatement will be exercised by the Hands of the Cause of God, subject in each instance to the approval of the Universal House of Justice.

Universal House of Justice, *Lights of Guidance*, p. 189

Authority for the expulsion and reinstatement of Covenant-breakers remains with the Hands of the Cause of God.

Universal House of Justice, LOG, p. 189

Baytu'l-'Adl-i-A'zam (Supreme House of Justice)

At whatever time all the beloved of God in each country appoint their delegates, and these in turn elect their representatives, and these representatives elect a body, that body shall be regarded as the Supreme Baytu'l-'Adl (Universal House of Justice).

'Abdu'l-Bahá, cited in *Bahá'í Administration*, p. 84

... the Universal House of Justice has been invested with the function of legislating on matters not expressly revealed in the teachings... whose exclusive right and prerogative is to pronounce upon and deliver the final judgment on such laws and ordinances as Bahá'u'lláh has not expressly revealed... Neither the Guardian of the Faith nor any institution apart from the International House of Justice can ever usurp this vital and essential power or encroach upon that sacred right.

Shoghi Effendi, WOB, p. 150-153

All matters of State should be referred to the House of Justice, but acts of worship must be observed according to that which God hath revealed in His Book.

Bahá'u'lláh, *Kitáb-i-Aqdas*, Other Sections, p. 91

... the institution of the Guardianship ... the necessary guidance to define the sphere of the legislative action of its elected representatives...

Shoghi Effendi, WOB, p. 148

Secondary House of Justice (National Spiritual Assembly)

... in all countries a secondary House of Justice must be instituted, and these secondary Houses of Justice must elect the members of the Universal one.

'Abdu'l-Bahá, W&T, p. 14

It is very evident that in the future ... each province will be independent in itself, but there will be federal union protecting the interests of the various independent states.

'Abdu'l-Bahá, *Promulgation of Universal Peace*, 2nd ed., p. 167

... the central principle guiding for the present the administration of the Cause has been to make the Bahá'í National Spiritual Assemblies as independent as possible in the conduct of such affairs as fall within their province.

Shoghi Effendi, BA, p. 85

... as envisaged by Bahá'í ... a world commonwealth ... in which the autonomy of its state members ... definitely and completely safeguarded.

Shoghi Effendi, WOB, p. 203

... National Assemblies ... constitute the electoral bodies in the formation of the International House of Justice, and are empowered to direct, unify, coordinate and stimulate the activities of individuals as well as local Assemblies within their jurisdiction.

Shoghi Effendi, *God Passes By*, p. 332

This National Spiritual Assembly ... obviously assumes grave responsibilities, for it has to exercise full authority over all the local Assemblies in its province, and will have to direct the activities of the friends, guard vigilantly the Cause of God, and control and supervise the affairs of the Movement in general.

Shoghi Effendi, BA, p. 39

There can be no conflict of authority, no duality under any form or circumstances in any sphere of Bahá'í jurisdiction whether local, national or international. The National Assembly, however, although the sole interpreter of its Declaration of Trust and By-Laws, is directly and morally responsible if it allows any body or institution within its jurisdiction to abuse its privileges or to decline in the exercise of its rights and prerogatives.

Shoghi Effendi, NSA, p. 12

Local Spiritual Assembly

... local councils.... Designated as "Spiritual Assemblies"... annually and directly elected ... charged with the responsibility of promoting at all times the best interests of the communities within their jurisdiction, of familiarising them with their plans and activities and of inviting them to offer any recommendations they might wish to make...

Shoghi Effendi, GPB, pp. 330-331

Article VII, Section 2. The general powers and duties of a local Spiritual Assembly shall be as set forth in the writings of Bahá'u'lláh, 'Abdu'l-Bahá and Shoghi Effendi.

By-Laws of the NSA of the US

To it all local matters pertaining to the Cause must be directly and immediately referred for full consultation and decision.

Shoghi Effendi, BA, p. 37

... all Bahá'ís should be encouraged to turn to their Assembly for the solution of their various problems, thus enabling the Spiritual Assembly to fulfil one of its most important functions, ...

Written on behalf of Shoghi Effendi, *Unfolding Destiny*, p. 145

In all such matters as you mention in your letter, Shoghi Effendi wishes the friends to take the Assemblies into their confidence and discuss it with them. Being on the spot they can judge better and take into consideration all the different aspects of the

problem. We should always trust the Assemblies and go to them for advice.

Written on behalf of Shoghi Effendi, *Principles of Bahá'í Administration*, 4th ed., p. 20

These bodies have the sacred obligation to help, advise, protect and guide the believers in every way within their power when appealed to – indeed they were established just for the purpose of keeping order and unity and obedience to the law of God amongst the believers.

Written on behalf of Shoghi Effendi, LSA, p. 16

In all such matters, the friends should first approach the Local, then the National Assembly and only in case they can obtain no satisfaction should they approach the Guardian on these matters. This way many difficulties will be avoided.

Written on behalf of Shoghi Effendi, DG, p. 25

Regarding consultation: Any person can refer a matter to the Assembly for consultation whether the other person wishes to or not. In matters which affect the Cause the Assembly should, if it deems it necessary, intervene even if both sides don't want it to, because the whole purpose of the Assemblies is to protect the Faith, the Communities, and the individual Bahá'í as well.

Written on behalf of Shoghi Effendi, PBA, 4th ed., p. 58

The Guardian wishes to emphasize the importance of avoiding reference to civil courts of cases of dispute between believers, even in non-Bahá'í issues. It is the Assembly's function to endeavour to settle amicably such disputes, both in order to safeguard the fair name and prestige of the Cause, and to acquire the necessary experience for the extension of its functions in the future.

Written on behalf of Shoghi Effendi, PBA, 4th ed., pp. 28-29

When a difficulty occurs between two individuals with reference to private rights, it is necessary for a third to settle the question: this is the part of Government....

'Abdu'l-Bahá, *Some Answered Questions*, p. 276

... Bahá'í elective Assemblies, now assuming the duties and functions of religious courts.

Shoghi Effendi, GPB, p. 371

The Guardian is constantly encouraging the friends and the Assemblies to fulfil their respective duties; the friends should learn to refer to, and lean on, their Assemblies, and the Assemblies should assume the responsibility of making decisions and carrying them out.

Written on behalf of Shoghi Effendi, *Light of the Pacific*, #76, p. 4

The local friends should understand the importance of the law of consultation and realize that it is to the local Assembly that they must turn.... and seek its advice and guidance in the solution of personal problems and adjudication of disputes, should they arise among the members of the community.

Universal House of Justice, US Supplement to BN, May 1966

The best criterion whereby you can measure the spiritual attainment of an Assembly is the extent its members feel themselves responsible for the welfare of the group.

Written on behalf of Shoghi Effendi, LOG, p. 61

Geographical Jurisdiction

As to the principle according to which the area of the jurisdiction of a Local Assembly is to be determined, he feels this to be the function of the National Spiritual Assembly; whatever principle they uphold should be fairly applied to all localities without any distinction whatever.

Written on behalf of Shoghi Effendi, LOG, p. 5

He wishes me to stress the fact that from now on any group that is formed must belong to one civil community, as otherwise endless confusion and misunderstanding would ensue. The limits of each civil community must be clearly recognized, and no overlapping should be allowed under any circumstances.

Written on behalf of Shoghi Effendi, BN #132, p. 4

May I remind you regarding the situation in San Francisco that no two independent recognised centers can possibly be recognized in the same city, and that the center which bears my name should act in all matters only with the full consent and approval of the San Francisco Spiritual Assembly.

Shoghi Effendi, BA, p. 96

Naturally, wherever there is already an Assembly qualified by State law to perform a Bahá'í marriage, it is very improper for the officers of another Assembly to go into the area of jurisdiction of that Assembly and perform a marriage. However, the qualified officers of an Assembly can perform a marriage anywhere within the State, as long as it is not in the area of jurisdiction of another similarly qualified Assembly.

Written on behalf of Shoghi Effendi, Bulletin on Marriage, NSA of US, 1952, p. 3

Bahá'ís are subject to the jurisdiction of the Spiritual Assembly in whose area they are, even though their stay is temporary. Thus, in the case you cite, the two believers are subject to the jurisdiction of the Local Assembly in the locality where their conduct came into question. The case does not have to be referred to their “home” Assembly. However, it may be advisable for the Assembly assuming jurisdiction to contact the “home” Assemblies and work in close collaboration with them.

Universal House of Justice, LOP, #90, p. 1

Individual Rights

(Definition:) Right in the narrow sense.... signifies one's affirmative claim against another, as distinguished from “privilege,” one's freedom from the right or claim of another....

Another use of the term “right” ... is to denote that one person is not subject to the power of another person.... the idea sought to be conveyed is of the exemption of the person concerned from a legal power on the part of the persons composing the government to alter his legal relations in a certain way. In such cases the real concept is one of exemption from legal power, i.e. “immunity.”

Walter Wheeler Cook, in his Introduction to *Fundamental Legal Conceptions*, by Wesley Newcomb Hohler, pp. 6-8¹

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... in this human world there is no greater blessing than liberty.² You do not know. I, who for forty years have been a prisoner, do know. I do know the value and blessing of liberty. For you have been and are now living in freedom and you have no fear of anybody. Is there a greater blessing than this?

'Abdu'l-Bahá, PUP, 2nd ed., p. 52

² Liberty: See also, "Why Do We Need Law?" in Lesson 1.

Would the setting up of just legislation, in accord with the Divine laws which guarantee the happiness of society and protect the rights of all mankind and are an impregnable proof against assault – would such laws, insuring the integrity of the members of society and their equality before the law, inhibit their prosperity and success?

'Abdu'l-Bahá: *Secret of Divine Civilization*, p. 14

... the free exercise of the individual's rights, and the security of his person and property, his dignity and good name, [must be] assured.

'Abdu'l-Bahá, SDC, p. 115

The general rights of mankind must be guarded and preserved.

'Abdu'l-Bahá, *Paris Talks*, p. 154

... the communities must protect the rights of man.

'Abdu'l-Bahá, SAQ, p. 271

Justice must be sacred, and the rights of all the people must be considered.

'Abdu'l-Bahá, PT, p. 159

Then comes the station of those just kings ... whose name as powerful champions of the

people's rights has echoed through creation.

'Abdu'l-Bahá, SDC, p. 20

... a world commonwealth ... in which the autonomy of its state members and the personal freedom and initiative of the individuals that compose them are definitely and completely safeguarded.

Shoghi Effendi, *World Order of Bahá'u'lláh*, p. 203

Power and initiative are primarily vested in the entire body of the believers acting through their local representatives.

Shoghi Effendi, NSA, p. 27

We should ... lay no unnecessary restrictions that would fetter individual initiative and enterprise.

Shoghi Effendi, *Bahá'í Funds*, p. 15

Among the powers and duties with which the Universal House of Justice has been invested are: ... to safeguard the personal rights, freedom and initiative of individuals; and to give attention to the preservation of human honour.

Universal House of Justice, *Constitution*, p. 5

Just as in the world of politics there is need for free thought, likewise in the world of religion there should be the right of unrestricted individual belief. Consider what a vast difference exists between modern democracy and the old forms of despotism. Under an autocratic government the opinions of men are not free, and development is stifled, whereas in democracy, because thought and speech are not restricted, the greatest progress is witnessed. It is likewise true in the world of religion. When freedom of conscience, liberty of thought and right of speech prevail – that is to say, when every man according to his own idealization may give expression to his beliefs – development and growth are inevitable.

'Abdu'l-Bahá. PUP, 2nd ed., p. 197

Let us also remember that at the very root of the Cause lies the principle of the undoubted right of the individual to self-expression, his freedom to declare his conscience and set forth his views.

Shoghi Effendi, BA, p. 63

As regards the statement of our own views and explanations of the teachings: Shoghi Effendi believes that we should not restrict the liberty of the individual to express his own views so long as he makes it clear that these views are his own. In fact, such explanations are often helpful and are conducive to a better understanding of the teachings. God has given man a rational power to be used and not killed.

Written on behalf of Shoghi Effendi, BN #68, p. 3

We all have a right to our opinions, we are bound to think differently....

Written on behalf of Shoghi Effendi, LSA, p. 27

Now with reference to your last dear letter in which you had asked whether the believers have the right to openly express their criticism of any Assembly action or policy; it is not only the right, but the vital responsibility of every loyal and intelligent member of the Community to offer fully and frankly, but with due respect and consideration to the authority of the Assembly, any suggestion, recommendation or criticism he conscientiously feels he should in order to improve and remedy certain existing conditions or trends in his local Community, and it is the duty of the Assembly also to give careful consideration to any such views submitted to them by any one of the believers. The best occasion chosen for this purpose is the Nineteen Day Feast, which, besides its social and spiritual aspects, fulfills various administrative needs and requirements of the Community, chief among them being the need for open and constructive criticism and deliberation regarding the state of affairs within the local Bahá'í Community.

Written on behalf of Shoghi Effendi, *Bahá'í Meetings*, pp. 27-28

According to the teachings of Bahá'u'lláh the family, being a human unit, must be educated according to the rules of sanctity. All the virtues must be taught the family. The integrity of the family bond must be constantly considered, and the rights of the individual members must not be transgressed. The rights of the son, the father, the

mother – none of them must be transgressed, none of them must be arbitrary. Just as the son has certain obligations to his father, the father, likewise, has certain obligations to his son. The mother, the sister and other members of the household have their certain prerogatives. All these rights and prerogatives must be conserved,...

'Abdu'l-Bahá, PUP, p. 168

The choice of clothing and the cut of the beard and its dressing are left to the discretion of men. But beware, O people, lest ye make yourselves the playthings of the ignorant.

Bahá'u'lláh, *Tablets of Bahá'u'lláh*, p. 23

Regarding Bahá'í women using facial make-up: individuals are entirely free to do as they please in such purely personal matters. As Bahá'ís are enjoined to use moderation in all things, and to seek the Golden mean, the NSA can, if it deems it necessary or advisable, counsel the believers to use moderation in this respect also.

Written on behalf of Shoghi Effendi, *Dawn of a New Day*, p. 193

The standard inculcated by Bahá'u'lláh, seeks, under no circumstances, to deny any one the legitimate right and privilege to derive the fullest advantage and benefit from the manifold joys, beauties, and pleasures with which the world has been so plentifully enriched by an All-Loving Creator.

Shoghi Effendi, *Advent Divine Justice*, p. 33

The proper use of the sex instinct is the natural right of every individual, and it is precisely for this purpose that the institution of marriage has been established.

Written on behalf of Shoghi Effendi, LOG, p. 345

... that God-given right of every elector to vote only in favor of those who he is conscientiously convinced are the most worthy candidates.

Shoghi Effendi, BA, p. 136

... contributions ... are of a purely voluntary character ... no coercion or solicitation of funds is to be tolerated in the Cause....

Shoghi Effendi, WOB, p. 9

... voluntary sharing of one's property with others ... should not be introduced by coercion so that it becomes a law and man is compelled to follow it.

'Abdu'l-Bahá, *Bahá'í World Faith*, p. 288

If a capitalist is forced to give up a portion of his income and possessions, there will be no love in his heart, no permanent benefit in his action.

'Abdu'l-Bahá, *Star of the West*, Vol. III, #8, p. 6

Regarding the publication of Bahá'í periodicals in America, there is no doubt whatsoever that every individual Bahá'í is free to inaugurate and conduct any magazine of his own provided that nothing is published therein which in the estimation of the National Assembly tends in the least to become detrimental or injurious to the highest interests of the Cause. Within these limits, and these limits only, private initiative should in no wise be discouraged and is indeed highly praiseworthy.

Shoghi Effendi, BA, p. 76

In connection with the selection of particular photographs of 'Abdu'l-Bahá for circulation among the friends, the Guardian strongly feels that no definite ruling should be laid down establishing the superiority or distinction of any particular photograph. The friends should be left quite free to use their individual independent judgment in this matter.

Written on behalf of Shoghi Effendi, LOG, p. 487

... the Guardian's secretary replied on his behalf that Bahá'ís had no right to prevent anyone from smoking; ... The use of tobacco, in common with other personal practices, should be subject to considerations of courtesy. The Bahá'í in his daily life, whether smoker or non-smoker, should always be conscious of the rights of those about him and avoid doing anything which would give offense.

Universal House of Justice, LOG, p. 356

... the believers, while anxious to observe all prescribed Bahá'í Feasts and Anniversaries, should also take into consideration the rights and interests of their non-Bahá'í partners and associates, and not to force these to stop working when they are under no moral or religious obligation to do so.

Written on behalf of Shoghi Effendi, BN #97, p. 1

In our collective haste to establish one of the fundamental principles of Bahá'í administration, the authority of Spiritual Assemblies, another important principle, the rights of the individual believer, seems here and there to be occasionally overlooked.

To correct this overemphasis upon authority at the expense of rights, the National Spiritual Assembly reminds the American believers that the Guardian has more than once definitely upheld an area of individual rights which the authority vested in Spiritual Assemblies cannot invade.

... For example, a Spiritual Assembly has no authority over any individual believer's private property, neither his income nor his home or business establishment. Neither can an Assembly hope to exercise any useful authority over the efforts of individual believers to spread the Teachings by employing the opportunities which arise in the course of daily life.... each and every believer is free to arrange informal gatherings in his own home, for the promotion of the Cause, without formal approval or action by the Spiritual Assembly.

... the Spiritual Assembly itself is in duty bound to uphold and protect the rights of individual believers just as it is in duty bound to uphold and protect any other organic 1st teaching or principle.

NSA of US and Canada, BN #81, pp. 4-5

The National Spiritual Assembly has asked us to respond.... to your inquiries as you have enumerated them: 1. A Bahá'í who has been accused of wrongdoing has a right to know what he is accused of. 2. He has a right to know what evidence has been presented against him.

Written on behalf of NSA of US to an individual

Asking for Rights

The day is approaching when God will have raised up a people ... who will demand the

restitution of Our rights from them that, without a tittle of evidence, have treated Us with manifest injustice.

Bahá'u'lláh, *Gleanings from the Writings of Bahá'u'lláh*, pp. 129-130

When ... the people ... do not meet with justice and secure their rights ... they can take their case to higher courts and describe the deviation of the local administration from the spiritual law.... and in this way justice will be done.

'Abdu'l-Bahá, SDC, p. 18

... whenever there is any infringement of Bahá'í rights, or lapse in the proper procedure, the friends should take the matter up with the Assembly concerned, and if not satisfied, then with the NSA. This is both their privilege and their duty.

Written on behalf of Shoghi Effendi, NSA, p. 55

LESSON VI RELATION TO CIVIL LAW

Obedience to Government

In every country where any of this people reside, they must behave towards the government of that country with loyalty, honesty and truthfulness.

Bahá'u'lláh, *Tablets of Bahá'u'lláh*, pp. 22-23

O people: Spread not disorder in the land, and shed not the blood of any one, and consume not the substance of others wrongfully, neither follow every accursed prattler.

Bahá'u'lláh, *Epistle to the Son of the Wolf*, p. 25

We must obey and be the well-wishers of the governments of the land, regard disloyalty to a just king as disloyalty to God Himself and wishing evil to the government a transgression of the Cause of God.

'Abdu'l-Bahá, *Will and Testament*, p. 8

Fighting, and the employment of force, even for the right cause, will not bring good results. The oppressed who have right on their side must not take that right by force; the evil would continue. Hearts must be changed.

'Abdu'l-Bahá, *'Abdu'l-Bahá in London*, p. 92

As regards the Bahá'í principle of obedience to just governments, what is meant here by just is recognized and well-established authority.

Written on behalf of Shoghi Effendi, *National Bahá'í Review* #7, p. 2

What the Master's statement really means is obedience to a duly constituted government, whatever that government may be in form. We are not the ones, as individual Bahá'ís to judge our government as just or unjust – for each believer would be sure to hold a different viewpoint, and within our own Bahá'í fold a hotbed of dissension would spring up and destroy our unity. We must build up our Bahá'í system, and leave the faulty systems of the world to go their way. We cannot change

them through our becoming involved in them; on the contrary, they will destroy us.

Written on behalf of Shoghi Effendi, *Lights of Guidance*, p. 350

The cardinal principle which we must follow is obedience to the Government prevailing in any land in which we reside....

We must obey in all cases except where a spiritual principle is involved, such as denying our Faith. For these spiritual principles we must be willing to die. What we Bahá'ís must face is the fact that society is disintegrating so rapidly that moral issues which were clear a half century ago are now hopelessly confused and what is more, thoroughly mixed up with battling political interests. That is why the Bahá'ís must turn all their forces into the channel of building up the Bahá'í Cause and its Administration. They can neither change nor help the world in any other way at present. If they become involved in the issues the Governments of the world are struggling over they will be lost. But if they build up the Bahá'í pattern they can offer it as a remedy when all else has failed.

Written on behalf of Shoghi Effendi, *Wellspring of Guidance*, p. 135 (Also LOG, p. 446)

The situation, as it stands at present, is highly disconcerting. The friends, however, faithful to the injunctions of the Master regarding obedience to government in all administrative matters as distinguished from those affecting their conscience and loyalty to the Cause strictly adhere to the laws and orders of the government. Their sole hope is the assurance that in due time all these restrictions are bound to disappear.

Written on behalf of Shoghi Effendi, *Dawn of a New Day*, p. 52

We Bahá'ís are indeed most blessed in that we know that, however dark the days immediately ahead of the human race, the future is blessed and glorious. It is for this future that the believers must labour day and night, heedless of the state of the world and the dangers threatening.

Written on behalf of Shoghi Effendi, *DND*, p. 97-98

With reference to the absolute pacifists, or conscientious objectors to war; their attitude, judged from the Bahá'í standpoint, is quite anti-social and due to its exaltation of the individual conscience leads inevitably to disorder and chaos in society. Extreme pacifists are thus very close to the anarchists, in the sense that both of

these groups lay an undue emphasis on the rights and merits of the individual. The Bahá'í conception of social life is essentially based on the subordination of the individual will to that of society. It neither suppresses the individual nor does it exalt him to the point of making him an anti-social creature, a menace to society. As in everything, it follows the "golden mean." The only way that society can function is for the minority to follow the will of the majority.

The other main objection to the conscientious objectors is that their method of establishing peace is too negative. Non-cooperation is too passive a philosophy to become an effective way for social reconstruction. Their refusal to bear arms can never establish peace. There should first be a spiritual revitalization which nothing except the Cause of God can effectively bring to every man's heart.

Written on behalf of Shoghi Effendi, *Unfolding Destiny*, pp. 436-437

But while this principle of equality [of man and woman] is true, it is likewise true that woman must prove her capacity and aptitude, must show forth the evidences of equality. She must become proficient in the arts and sciences and prove by her accomplishments that her abilities and powers have merely been latent. Demonstrations of force such as are now [1912] taking place in England are neither becoming nor effective in the cause of womanhood and equality. Woman must especially devote her energies and abilities toward the industrial and agricultural sciences, seeking to assist mankind in that which is most needful. By this means she will demonstrate capability and insure recognition of equality in the social and economic equation.

'Abdu'l-Bahá, *Promulgation of Universal Peace*, p. 283

Regarding the solution of the racial problem ... while the friends should faithfully and courageously uphold this Bahá'í principle of the essential unity of all human races, yet in the methods they adopt for its application and further realization on the social plane they should act with tact, wisdom and moderation. These two attitudes are by no means exclusive. Bahá'ís do not believe that the spread of the Cause and its principles and teachings can be effected by means of radical and violent methods. While they are loyal to all those teachings, yet they believe in the necessity of resorting to peaceful and friendly means for the realization of their aims.

Written on behalf of Shoghi Effendi, *LOG*, p. 534

Regarding the whole manner of teaching the Faith in the South: The Guardian feels that, although the greatest consideration should be shown the feelings of white people in the South whom we are teaching, under no circumstances should we discriminate in their favor, consider them more valuable to the Cause than their Negro fellow-southerners, or single them out to be taught the Message first. To pursue such a policy, however necessary and even desirable it may superficially seem, would be to compromise the true spirit of our Faith, which permits us to make no such distinctions in offering its tenets to the world.

This does not mean that we should go against the laws of the state, pursue a radical course which will stir up trouble, and cause misunderstanding. On the contrary, the Guardian feels that, where no other course is open, the two races should be taught separately until they are fully conscious of the implications of being a Bahá'í, and then be confirmed and admitted to voting membership... Even in places where the two races can meet together in the South, he feels it would be, in certain cases, preferable to teach them separately until they are fully confirmed and then bring them together.

Written on behalf of Shoghi Effendi, *Directives of the Guardian*, p. 77

From Bahá'í News #266, April, 1953:

Greenville, S.C., Group Wins Right to Hold Non-Segregated Meetings

What a joy it is to report this headline from the Greenville News, Greenville, S.C.: "No Effort Will Be Made to Stop Bahá'í Meetings," "Inter-Racial Sessions Not Contrary to City Law."

Behind this headline is an appearance before the entire City governmental body by Dr. Roy Williams, chairman of the local Bahá'í Group. After presenting to the Mayor, City manager, City attorney, and the members of the City Council a pamphlet on the Faith, Dr. Williams answered questions.

The Greenville News article states, "He explained that the Bahá'í Faith movement is a religious organization that must have non-segregated meetings each 19 days. He said the group did not wish to violate any city or state laws relating to segregation and asked Council for a ruling.

"Several aldermen expressed the opinion that the group, as a religious organization, could not be interfered with in the process of its meetings and activities because of the guarantee of freedom of worship."

Thus a goal toward which the local group had been working for ten years was

achieved.

BN #266, p. 8

Legal Standing: Incorporation

It is surely very important to give to the Local Spiritual Assemblies some legal standing, for as the Cause progresses and its adherents increase, they will be confronted with duties they cannot even imagine at present. Not only will they have to make contracts for acquiring halls for their meeting place, but also they will be obliged to create new institutions to care for their sick, poor and aged people....

For such duties that will naturally devolve upon the Local Spiritual Assemblies there will be an increasing need for a legal standing. They will have to be considered as a legal person with the power of making binding contracts.

In small centers where the friends are still few, the taking of such steps is rather premature and may add to the complexity of Bahá'í administration.

Written on behalf of Shoghi Effendi, *Principles of Bahá'í Administration*, p. 48

He feels that during the coming year every effort should be made by Assemblies that have a well-grounded, if small, community, to incorporate.

He was particularly happy to hear of the incorporation of the Tokyo Spiritual Assembly. Indeed the initiative shown throughout the Pacific area in this respect and many others is truly challenging and stimulating; and the American Bahá'ís, the parents of so many of these other communities, should take heed and follow the lead of their exuberant offspring.

... The friends are not being forced to do anything, either by the Guardian or by the National Spiritual Assembly. However, the condition that the world is in is bringing many issues to a head.

Written on behalf of Shoghi Effendi, BN #307, pp. 1-2

The purpose of the By-Laws is to clarify and strengthen the administrative legal functions of a Bahá'í community.

Written on behalf of Shoghi Effendi, LOG, p. 64

House of Justice (Baytu'l-'Adl) Temporarily Named "Spiritual Assembly"

The signature of that meeting should be the Spiritual Gathering (House of Spirituality) and the wisdom therein is that hereafter the government should not infer from the term "House of Justice" that a court is signified, that it is connected with political affairs, or that at any time it will interfere with governmental affairs.

Hereafter, enemies will be many. They would use this subject as a cause for disturbing the mind of the government and confusing the thoughts of the public. The intention was to make known that by the term Spiritual Gathering (House of Spirituality), that Gathering has not the least connection with material matters, and that its whole aim and consultation is confined to matters connected with spiritual affairs.

'Abdu'l-Bahá (circa 1903), *Bahá'í World Faith*, p. 406
Ed: TAB, Volume I, p. 6

For reasons which are not difficult to discover, it has been found advisable to bestow upon the elected representatives of Bahá'í communities throughout the world the temporary appellation of Spiritual Assemblies, a term which, as the position and aims of the Bahá'í Faith are better understood and more fully recognized, will gradually be superseded by the permanent and more appropriate designation of House of Justice. Not only will the present-day Spiritual Assemblies be styled differently in the future, but they will be enabled also to add to their present functions those powers, duties, and prerogatives necessitated by the recognition of the Faith of Bahá'u'lláh not merely as one of the recognized religious systems of the world, but as the State Religion of an independent and Sovereign Power.

Shoghi Effendi, 1929, *World Order of Bahá'u'lláh*, pp. 6-7

Definition of "Spiritual" in Legal Terminology

Spiritual courts. In English law. The ecclesiastical courts, or courts Christian.

Black's Law Dictionary

Use of "spiritual Court" in Law Literature

On the twelfth day of 1965 a New York Times headline made it official that courts

spiritual are also burdened by an affliction well known to courts temporal. It said:

Pope Paul Exhorts Matrimonial Courts to Reduce Delay

The dispatch reported that the Pontiff, in opening the judicial year of the Sacred Roman Rota, warned that “culpable delay” in the tribunals dispensing of justice is “in itself an act of injustice.” The court members, he urged, must strive to avoid delays in handling matrimonial cases.

If the pace of justice lags in the Sacred Rota in Rome, it is a fair surmise that it also limps at times in the courts of Islám and Israel and everywhere else. It is also a fair guess that the spiritual courts, like their secular opposites, are not encountering lagging justice for the first time in their history.

Maurice Rosenberg, *The Courts, The Public and The Law Explosion*, Court Congestion, p. 30¹

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Settlement of Disputes

The art and science of dispute determination, while an ancient one, persists as an emergent problem in contemporary society.... The fact is that all means of dispute determination are in process of evolution and development. All are sorely needed. The most striking progress, however, has unquestionably been made in arbitration. This progress is largely due to the fact that it promises speed and low costs.

Arbitration as a means of resolving disputes, has been in use in America since colonial times. As we know it, it is a procedure whereby the parties, by a prior agreement, place their dispute before an impartial person who, on the basis of evidence and arguments presented by the parties, renders a final and binding determination. Since arbitration involves dispute determination, it is in the nature of the judicial process. It differs from mediation or conciliation through which the parties reach an agreement with the aid of a third person. In arbitration, the dispute is referred for adjudication, not for settlement by compromise.

Associate Justice Charles D. Breitel, *An Outline of Arbitration Procedure*, pp. 3. 5

Mediation and Conciliation

In the mediation of labour disputes, the (Conciliation) Service exercises no powers or authority over the decisions of the parties. The negotiations for settlement of the issues are conducted entirely on a voluntary basis.

State conciliators are neutral public servants who remain impartial on the issues and do not seek to impress their will or judgment upon the parties.

They are not one of the bargaining parties and have no authority to direct or determine any particular course of action.

On the other hand, by their training and knowledge, State Conciliators, through acceptable methods, bring into the negotiations experienced viewpoints, new information, and new approaches in resolving issues.

The chief responsibility of State Conciliators is to help the parties to reconcile their differences.

Thomas J. Nicolopoulos, Supervisor, California State Conciliation Service

Arbitration

... He wrote Epistles to all the kings and rulers of nations, summoning them to arbitration ...

'Abdu'l-Bahá, PUP, p. 27

... in the Book of Aqdas, Bahá'u'lláh commanded people to establish universal peace and summoned all the nations to the divine banquet of international arbitration, so that the questions of boundaries, of national honour and property and of vital interests between nations might be decided by an arbitral court of justice.... If any quarrel arise between two nations it must be adjudicated by this international court and be arbitrated and decided upon like the judgment rendered by the judge between two individuals.

'Abdu'l-Bahá, cited in *Bahá'u'lláh and the New Era*, p. 168

Bahá'u'lláh declared the Most Great Peace and international arbitration.... He wrote ... that the happiness and glory of humanity can be assured only through disarmament and arbitration.

'Abdu'l-Bahá, PUP, p. 120

The most momentous question of this day is international peace and arbitration....

'Abdu'l-Bahá, PUP, p. 134

Universal peace will be established among the nations of the world by international agreement.... An arbitral court of justice shall be established by which international disputes are to be settled.

'Abdu'l-Bahá, PUP, p. 317

All disputes of an international character shall be submitted to this Court, its work being to arrange by arbitration everything which otherwise would be a cause of war.

'Abdu'l-Bahá, *Paris Talks*, p. 155

The tenth ray [of light] is the organization of the arbitral court of justice, or parliament of man before the members of which all the international intergovernmental problems are arbitrated.

'Abdu'l-Bahá, *Star of the West*, Vol. 13, p. 260

Should differences arise, they shall be amicably and conclusively settled by the Supreme Tribunal, that shall include members from all the governments and peoples of the world.

'Abdu'l-Bahá, *Will and Testament*, p. 13

It is necessary that the nations and governments organize an international tribunal to which all their disputes and differences shall be referred. The decision of that tribunal shall be final. Individual controversy will be adjudged by a local tribunal.

'Abdu'l-Bahá, PUP, p. 301

If a number of imaginary or real difficulties have arisen between Austria and Serbia, if they are really disinterested and are anxious to keep the balance of the Powers and not disturb the peace of Europe, why do they not go before the Court of Arbitration? The impartial members of that Court of Arbitral Justice will look into the nature of the claims of each party, and after mature investigation decide which one is in the right.

Were they ready to refer all their differences to such a Court, this war would have been obviated. The Universal Court of Arbitration is the only body that shall resolve all the disagreements and contentions that arise between the nations of the world before which all their quarrels may be arbitrated.

'Abdu'l-Bahá, *SW*, Vol. V, p. 165

Touching the point raised in the secretary's letter regarding the nature and scope of the Universal Court of Arbitration, this and other similar matters will have to be explained and elucidated by the Universal House of Justice....

Shoghi Effendi, *Bahá'í Administration*, p. 47

He was furthermore highly elated to learn that the prestige, the integrity and ability of the local Bahá'í Assemblies in that province (Iṣfahán) had of late stood so high that non-Bahá'ís, exasperated by the corruption and incompetence of their own judges, had more than once freely submitted cases of dispute to the judgment of the elected representatives of the Bahá'í community in their locality.

Shoghi Effendi, 1929, *BA*, p. 172

Among the powers and duties with which the Universal House of Justice has been invested are:.... To adjudicate disputes falling within its purview; ... to provide for the arbitration and settlement of disputes arising between peoples....

Universal House of Justice, *Constitution*, pp. 5-6

The local Assembly, as the Guardian has stated, can act as a board of arbitration if the couple disagrees about the terms and conditions of divorce, and when it so acts the couple are to abide by its decision.

NSA of US, Annual Reports, 1955—56, p. 27

In a land which has for years so savagely persecuted the Faith, a man who for forty years has been known throughout Persia as a Mírzá, has been made the sole arbitrator in a case of dispute which involves, on the one hand, the Zillu's-Sulṭán, the tyrannical son of the Sháh and a sworn enemy of the Cause, and, on the other, Mírzá Fath-'Alí Khán, the Şáhib-i-Díván. It has been publicly announced that whatsoever be the

verdict of this Mírzá, the same should be unreservedly accepted by both parties and should be unhesitatingly enforced.

Nabil-i-A'zam, *Dawn-Breakers*, p. 155

Quotations from Alexander Lindey, *Separation Agreements*:¹

Arbitration is the adjudication of a controversy by an impartial person, or by a board of impartial persons, whose decision is called an award and is final and binding. Unlike a dispute taken to court, arbitration is entered into voluntarily; the parties themselves define the issue, select the arbitrator or arbitrators, and prescribe the rules to be followed. Almost any dispute that can be litigated can be settled by arbitration if the two sides so desire. (29-9)

The jurisdiction of arbitrators derives from and is restricted by the submission agreement; and the award must be co-extensive therewith. If the arbitrators act within the limits imposed by the submission agreement, the merits of their award are not open to court review; nor does any faulty reasoning on their part, if disclosed, vitiate the award.

Arbitrators act in a quasi-judicial capacity, and must be impartial, so as to render a faithful, honest and disinterested award. (29-12)

The conclusiveness of awards is based upon the principle that the parties having chosen judges of their own and agreed to abide by their decision, they are bound by their agreement and compelled to perform the award.

The award of an arbitrator cannot be set aside for mere errors of judgment, either as to the law or as to facts. If he keeps within his jurisdiction and is not guilty of fraud, corruption or other misconduct affecting his award, it is unassailable, operates as a final and conclusive judgment and however disappointing it may be, the parties must abide by it. (29-17)

Under New York law, an award will be vacated by the court only (a) where it was procured by corruption, fraud or other improper means; or (b) where there was evident partiality on the part of the arbitrators; or (c) where they were guilty of misconduct prejudicial to a party, such as refusing to postpone the hearing upon sufficient cause shown, or refusing to hear evidence material to the controversy; or (d) where they exceeded their powers or failed to render a final and definite award; or (e) where there was no valid submission or contract. (29-18)

Practical Suggestions

1. The essential purpose of a separation agreement is to prevent the airing of marital troubles in court. Unless there are persuasive considerations to the contrary, provision should be made for arbitration.
2. The advantages of arbitration are (a) the privacy of the hearings, which precludes notoriety; (b) the possibility of securing arbitrators professionally qualified to deal with the controversy (where the husband is to pay the wife a certain percentage of his income, and there is a dispute as to his books and records, an accountant on the board of arbitrators will be most helpful); (c) informality of procedure, which permits the parties to unburden themselves in a way impossible in court; (d) speedy disposition, which our courts with their congested calendars cannot even remotely match; and (e) savings in expenses.
3. The disadvantages of arbitration are (a) that arbitrators are not bound by principles of substantive law or the rules of evidence; (b) that the parties may, in their testimony, wander far afield and rake up old grievances that they could not air in court; (c) that there is no right of appeal; (d) that the average person who serves as arbitrator has had neither training nor experience in strict impartiality; and (e) that such person may be a busy man, viewing arbitration as an encroachment on his time, and hence likely to arrive at a snap judgment....

...

7. An arbitration clause has a useful function that is sometimes overlooked. Occasionally parties about to enter into a separation agreement, while seeing eye to eye on most of the provisions, find it impossible to meet on some terms that are not immediately applicable, but may come into play at some future time. In such a case a simple expedient is not to try to resolve the problem immediately but to leave it to arbitration when it actually arises. This does not necessarily mean that a clash is being postponed. It may well be that when the question does present itself, perhaps years after the execution of the agreement, there has been a complete change of temper and attitude of the parties....
8. Where the separation agreement is the culmination of a protracted campaign of mutual harassment between the parties, or where one party has shown a persistent tendency to goad and pester the other about details, an arbitration clause may turn out to be a weapon of continued spite, and thus defeat the whole purpose of the agreement, which is to restore peace and sanity between the parties.
9. ... experience has shown that the mere incorporation of an arbitration clause in an agreement has a salutary psychological effect, in that it impels the parties to adjust their differences between themselves where they otherwise might not. Moreover, an

arbitration clause as to the custody (as well as related problems) stands so long as neither party challenges it. As a practical matter, it is rarely challenged, and arbitration proceeds without a hitch. And if that happens, surely no principle of sound social policy is contravened. A doctor serving as an arbitrator will presumably render at least as wise a decision as a judge might in a dispute between ex-spouses as to the kind of medical treatment their child should have. There was a time when the mere suggestion that alimony be fixed by arbitration instead of by decree would have drawn thunder and lightning from the bench; today support is arbitrable in New York. (29-1 to 4)

Where a subsequent divorce is a possibility, the separation agreement serves a double purpose. Not only does it settle custody, support and property rights, but it furnishes a practical and socially desirable simplification of the divorce procedure. The sole issues that remain to be litigated are jurisdiction and the existence of good grounds for divorce; and there is no occasion for the kind of embittered court battle as to alimony and custody that causes notoriety, expense and psychological damage. (31-1)

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