

XXIX. LAWS AND ORDINANCES

Compiled from the Writings of Bahá'u'lláh, Abdu'l

Original English



XXIX. LAWS AND ORDINANCES

A. Introduction

1. Obedience to the Laws of Bahá'u'lláh Will Impose Hardships and Tests in Individual Cases

"Obedience to the Laws of Bahá'u'lláh will necessarily impose hardships in individual cases. No one should expect, upon becoming a Bahá'í, that his faith will not be tested, and to our finite understanding of such matters these tests may occasionally seem unbearable. But we are aware of the assurance which Bahá'u'lláh Himself has given the believers that they will never be called upon to meet a test greater than their capacity to endure."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, September 7, 1965)

1. Certain Laws Are Universally and Vitally Applicable at the Present Time

"...he feels it is his duty to explain that the Laws revealed by Bahá'u'lláh in the Aqdas are, whenever practicable and not in direct conflict with the Civil Law of the land, absolutely binding on every believer or Bahá'í institution whether in the East or in the West. Certain laws, such as fasting, obligatory prayers, the consent of parents before marriage, avoidance of alcoholic drinks, monogamy, should be regarded by all believers as universally and vitally applicable at the present time. Others have been formulated in anticipation of a state of society destined to emerge from the chaotic conditions that prevail to-day. When the Aqdas is published this matter will be further explained and elucidated. What has not been formulated in the Aqdas, in addition to matters of detail and of secondary importance arising out of the applications of the Laws already formulated by Bahá'u'lláh, will have to be enacted by the Universal House of Justice. This body can supplement but never invalidate or modify in the least degree what has already been formulated by Bahá'u'lláh. Nor has the Guardian any right whatsoever to lessen the binding effect much less to abrogate the provisions of so fundamental and sacred a Book."

(From a letter written on behalf of Shoghi Effendi to the National Spiritual Assembly of the United States and Canada, August 11, 1935)

1. Laws Governing Physical and Spiritual Lives



ORIGINAL

"Just as there are laws governing our physical lives, requiring that we must supply our bodies with certain foods, maintain them within a certain range of temperatures, and so forth, if we wish to avoid physical disabilities, so also there are laws governing our spiritual lives. These laws are revealed to mankind in each age by the Manifestation of God, and obedience to them is of vital importance if each human being, and mankind in general, is to develop properly and harmoniously. Moreover, these various aspects are interdependent. If an individual violates the spiritual laws for his [pg 343] own development, he will cause injury not only to himself but to the society in which he lives. Similarly, the condition of society has a direct effect on the individuals who must live within it."

(From a letter of the Universal House of Justice to an individual believer; excerpts to all National Spiritual Assemblies, February 6, 1973: Messages from the Universal House of Justice, 1968-1973, pp. 105-106)

1. It is Difficult to Follow the Laws of Bahá'u'lláh

"As you point out, it is particularly difficult to follow the laws of Bahá'u'lláh in present-day society whose accepted practice is so at variance with the standards of the Faith. However, there are certain laws that are so fundamental to the healthy functioning of human society that they must be upheld whatever the circumstances. Realising the degree of human frailty, Bahá'u'lláh has provided that other laws are to be applied only gradually, but these too, once they are applied, must be followed, or else society will not be reformed but will sink into an ever worsening condition. 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."

(Ibid., p. 106)

1. Punishments Decided by the House of Justice

"You express surprise at the Guardian's reference to 'the necessary punishment from society'. In the Kitab-i-Aqdas Bahá'u'lláh prohibits sexual immorality and in the Annex to that Book states that the various degrees of sexual offences and the punishments for them are to be decided by the Universal House of Justice. In this connection it should be realised that there is 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."

(Ibid., p. 110)

1. Laws Should Be Obeyed But Not Through Fear of Punishment

"It is a vital and urgent duty of the Assemblies, both National and Local, not only to apply the Laws of Bahá'u'lláh 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 re-oriented in the Way of God."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, October 11, 1965: United States Supplement to Bahá'í News, No. 97, March 1966, p. 3)

1. We Must Obey Ordinances, Even Though at First We See No Need for Them

"It is often difficult for us to do things because they are so very different from what we are used to, not because the thing itself is particularly difficult. With you, and indeed most Bahá'ís, who are now, as adults, accepting this glorious Faith, no doubt some of the ordinances, like fasting and daily prayer, are hard to understand and obey at first. But we must always think that these things are given to all men for a thousand years to come. For Bahá'í children who see these things practiced in [pg 344] the home, they will be as natural and necessary a thing as going to church on Sunday was to the more pious generation of Christians. Bahá'u'lláh would not have given us these things if they would not greatly benefit us, and, like children who are sensible enough to realize their father is wise and does what is good for them, we must accept to obey these ordinances even though at first we may not see any need for them. As we obey them we will gradually come to see in ourselves the benefits they confer."

(From a letter written on behalf of Shoghi Effendi to an individual believer, March 16, 1949)

1. One Cannot Continue Drinking As a Bahá'í — Should Be Made Aware Gradually

"People should not be encouraged to enter the Cause on false pretenses. They cannot continue drinking as Bahá'ís and they should be made to realize this gradually after they become believers, or rather registered members of the community. We cannot expect people to be fully aware and instructed believers before they are enrolled, but certain essentials they must have accepted sooner or later and be willing to make the effort to live up to."

(From a letter written on behalf of Shoghi Effendi to an individual believer, June 16, 1948)

1. Unfair to Require New Applicants for Membership to First Accept All Laws of the Faith

"The Guardian fully shares your view that it would be most unwise, and unfair to those who apply for membership in the Community to require that they should at first accept all the laws of the Faith. Such a requirement would be impossible to carry out as there are many laws in the 'Aqdas' with which even the well-confirmed and long-standing believers are not yet familiar. As you rightly point out the process of becoming a Bahá'í is an evolutionary one, and requires considerable time, and sustained effort on the part of the new believer. Such questions as the withdrawal from Church membership and that of abstention from alcoholic liquors should not be thrust upon the newcomer, but explained to him gradually, so that he himself may be convinced of the truth underlying these ordinances of the Cause."

(From a letter written on behalf of Shoghi Effendi to an individual believer, February 17, 1938)

1. Difference Between Advice (Exhortation, Counsel) and a Binding Command

"Now, as regards your questions as to in what way can one determine whether a particular passage from the Master's Writings is in the nature of an exhortation, or is a positively binding statement. Just as in the Writings of Bahá'u'lláh, the text of the Tablet itself shows whether it is an exhortation, a counsel or advice, or whether it constitutes a positive and binding command. Obviously, there might be found certain passages that are doubtful, and these should be referred to the Guardian¹ for interpretation and clarification."

(From a letter written on behalf of Shoghi Effendi to an individual believer, March 14, 1939) [pg 345]

B. Abortion

1. Abortion Merely to Prevent the Birth of an Unwanted Child is Strictly Forbidden in the Cause

"Abortion merely to prevent the birth of an unwanted child is strictly forbidden in the Cause. There may, however, be instances in which an abortion would be justified by medical reasons, and legislation on this matter has been left to the Universal House of Justice. At the present time, however, the House of Justice does not intend to legislate on this very delicate issue, and therefore it is left to the consciences of those concerned who must carefully weigh the medical advice in the light of the general guidance given in the teachings."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of Ireland, March 16, 1983)

1. Surgical Operation and Abortion — The Soul Appears at Conception

"Abortion and surgical operations for the purpose of preventing the birth of unwanted children are forbidden in the Cause unless there are circumstances which justify such actions on medical grounds, in which case the decision, at present, is left to the consciences of those concerned who must carefully weigh the medical advice in the light of the general guidance given in the Teachings. Beyond this nothing has been found in the Writings concerning specific methods or procedures to be used in family planning. It should be pointed out, however, that the Teachings state that the soul appears at conception, and that therefore it would be improper to use such a method, the effect of which would be to produce an abortion after conception has taken place."

(From a letter written on behalf of the Universal House of Justice to an individual believer, May 23, 1975)

C. Adultery

1. Faith Recognizes Sex Impulse But Condemns Its Illegitimate Expression

1. (Now the Universal House of Justice)

"The Bahá'í Faith recognizes the value of the sex impulse, but condemns its illegitimate and improper expressions such as free love, companionate marriage and others, all of which it considers positively harmful to man and to the society in which he lives. 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. The Bahá'ís do not believe in the suppression of the sex impulse but in its regulation and control."

(From a letter written on behalf of Shoghi Effendi to an individual believer, September 5, 1938: Messages from the Universal House of Justice, 1968-1973, p. 108)

1. Sex Relationships Outside of Marriage Not Permissible

"With reference to the question you have asked concerning the Bahá'í attitude towards the problem of sex and its relation to marriage."

"The Bahá'í Teachings on this matter, which is of such vital concern and about which there is such a wide divergency of views, are very clear and emphatic. Briefly stated the Bahá'í conception of sex is based on the belief that chastity should be strictly practised by both sexes, not only because it is in itself highly commendable [pg 346] ethically, but also due to its being the only way to a happy and successful marital life. Sex relationships of any form outside marriage are not permissible therefore, and whoso violates this rule will not only be responsible to God, but will incur the necessary punishment from society."

(Ibid., p. 107)

1. Sexual Intercourse Permissible Only Between Man and Wife

"The Bahá'í teaching on sexual intercourse is very clear. It is permissible only between a man and the woman who is his wife...."

(From a letter of the Universal House of Justice to all National Spiritual Assemblies, February 6, 1973; excerpt from a letter in response to questions from an individual believer: Ibid.)

1. Adultery Retards Progress of the Soul

"...Every other word of Bahá'u'lláh's and Abdu'l-Bahá's Writings is a preachment on moral and ethical conduct; all else is the form, the chalice, into which the pure spirit must be poured; without the spirit and the action which must demonstrate it, it is a lifeless form."

"When we realize that Bahá'u'lláh says adultery retards the progress of the soul in the afterlife — so grievous is it — and that drinking destroys the mind, and not to so much as approach it, we see how clear are our teachings on these subjects."

(From a letter written on behalf of the Guardian to an individual believer, September 30, 1949: Living the Life, pp. 15-16, World Centre, November 1972)



D. Birth Control

1. Question of Birth Control Not Specifically Answered in Writings

"As to the problem of birth control, neither Bahá'u'lláh nor Abdu'l-Bahá has revealed anything direct or explicit regarding this question. But the Bahá'í Teachings, when carefully studied imply that such current conceptions like birth control, if not necessarily wrong and immoral in principle, have nevertheless to be discarded as constituting a real danger to the very foundations of our social life. For Bahá'u'lláh explicitly reveals in His Book of Laws that the very purpose of marriage is the procreation of children who, when grown up, will be able to know God and to recognize and observe His Commandments and Laws as revealed through His Messengers. Marriage is thus, according to the Bahá'í Teachings, primarily a social and moral act. It has a purpose which transcends the immediate personal needs and interests of the parties...."

(From a letter written on behalf of Shoghi Effendi to an individual believer, October 14, 1935)

1. Population Explosion, No Reference in Writings: Time of Appearance of Human Soul, etc.

"In a letter written on behalf of the Guardian to an individual he has further pointed out that the 'chief and sacred purpose' of marriage is 'the perpetuation of the human race ... and its elevation to the true station destined for it by God.' In another letter written on his behalf it is stated: '...the fundamental purpose of marriage is to bring other souls into this world, to serve God and love Him.'"

"We have not discovered any specific reference in the texts to the problem of [pg 347] population explosion in its relation to birth control. This question, of course, is a matter which is currently a subject of concern and speculation by many. A study of our teachings, however, indicates that in the future there will no doubt be a general improvement of standards of life and of health, but there will also be the full exploitation of unused and as yet unsuspected resources of the planet along with the control and tapping of its sources of raw material, with a great increase in productivity."

"You have raised the point about the time of the appearance of the human soul. You are quite right in your deduction in this regard, as our teachings clearly confirm that the soul of man comes into being at conception."

"As to your desire and that of your husband to avoid any action which would permanently prevent you from bearing children, the only text we have so far found on that subject is in a letter to an individual believer from the beloved Guardian. The question asked was whether after a few children it would be permissible to have a surgical operation on the wife to prevent further conception. His reply was that such an act was unacceptable and unworthy, and those who commit the act were responsible before God."

"When the Guardian was asked whether the exercise of birth control constitutes a sin in a case where the number of children would prevent the father from fulfilling his obligation to educate

his children, he stated that it is the duty of Bahá'ís to uphold moderation in all things, and avoid illegal methods."

(From a letter of the Universal House of Justice to an individual believer, July 31, 1970)

1. When Exercised to Prevent Procreation of Any Children

"Another believer, having read this letter, asked the beloved Guardian whether all birth control methods for any purpose were absolutely prohibited by Bahá'í Teachings. The secretary to the beloved Guardian wrote on his behalf on 4th February, 1937, as follows:

'The Guardian has ... given his careful consideration to your question regarding the Bahá'í view of birth control.'

'...there is no reference whatsoever in the Writings on this subject. The utmost we can say is by way of reference from what Bahá'u'lláh has revealed regarding the nature, purpose and character of marriage.'

'We, as Bahá'ís, are not therefore in a position either to condemn the practice of birth control or to confirm it.'

'Birth control, however, when exercised in order to deliberately prevent the procreation of any children is against the spirit of the Law of Bahá'u'lláh, which defines the primary purpose of marriage to be the rearing of children and their spiritual training in the Cause. The Universal House of Justice will have to consider this issue and give its verdict upon it.'"

"The Universal House of Justice feels that the time has not yet arrived for legislation on this matter, and that these instructions provide sufficient guidance for the friends for the time being."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the British Isles, July 13, 1967)

1. Husband and Wife to Decide How Many Children to Have

"There is nothing in the Sacred Writings specifically on the subjects of birth control, abortion or sterilization, but Bahá'u'lláh did state that the primary purpose [pg 348] of marriage was the procreation of children, and it is to this primary purpose that the beloved Guardian alludes in many of the letters which are quoted in the compilation. This does not imply that a couple are obliged to have as many children as they can; the Guardian's secretary clearly stated on his behalf, in answer to an enquiry, that it was for the husband and wife to decide how many children they would have. A decision to have no children at all would vitiate the primary purpose of marriage unless, of course, there were some medical reason why such a decision would be required."

"You and your husband, therefore, should have no feeling that you are obliged to add to your already large family. This is a matter entirely for you to decide, and there are many methods of preventing conception, including self-discipline and restraint, to which you can have recourse.

Sterilization, however, would be a more far-reaching action than any of these, with implications and results beyond those necessary for the immediate purpose of limiting the size of your family, and is not permissible in Bahá'í law except in rare instances where it is necessary for a medical reason."

(From a letter written on behalf of the Universal House of Justice to an individual believer, January 28, 1977)

1. Vasectomy to Avoid Having Unwanted Children Not Permitted if It Results in Permanent Sterility

"Directly to your question about having a vasectomy, in general it is not permissible to have a surgical operation for the purpose of avoiding having unwanted children if such an operation could result in permanent sterility. While circumstances might exist in which sterilization would be justified, this does not appear to be the case with you."

(From a letter of the Universal House of Justice to an individual believer, May 30, 1974)

1. Tubal Ligation

"The Universal House of Justice has received your letter of April 29 asking about tubal ligation and has noted that you are familiar with general Bahá'í principles on the subject. However, it has directed us to say that under normal circumstances it is not permissible to have a surgical operation for the purpose of not having more children if such an operation could result in permanent sterility."

(From a letter written on behalf of the Universal House of Justice to an individual believer, May 28, 1978)

1. Should Take into Consideration Availability, Reliability and Reversibility of Operation

"It is clear that to have a surgical operation merely to avoid unwanted children is not acceptable. However, as in the case of abortion, circumstances might exist in which such an operation would be justified. Individual believers called upon to make such a decision must be guided by the Bahá'í principles involved, the best professional advice available to them, and their own consciences. In arriving at a decision the parties must also take into consideration the availability, reliability and reversibility of all contraceptive methods."

(From a letter written on behalf of the Universal House of Justice to an individual believer, October 25, 1971) [pg 349]

1. No Reference in Writings Regarding Contraception to Prevent Transmission of Undesirable Traits

"With regard to your question whether it would be permissible for a believer to limit the number of his children by the use of contraceptive methods, in order to prevent the transmission through inheritance of undesirable family traits and tendencies; this, the Guardian wishes me to

inform you, is a question to which there is no specific reference in the Teachings, and should therefore be explained and decided upon by the future International House of Justice."

(From a letter written on behalf of Shoghi Effendi to an individual believer, November 2, 1938)

1. In-Vitro Fertilization and Surrogate Mothers²

"The queries you raise about donors of eggs or sperm in cases of infertility and the state of the souls of frozen embryos relate to the broader question of the Bahá'í attitude toward recent advances in medical science which increase the probability of conception in cases of infertility."

"The Bahá'í view is very balanced. While appreciating the value of the new medical techniques which enable previously childless couples to enjoy the blessings of a family, the teachings define such limits as are necessary to preserve the dignity of the individual and the sanctity of marriage."

"...While artificial insemination is a very different process from in-vitro fertilization, the principle enunciated by the Guardian is the same, namely, that to be acceptable to Bahá'ís the egg cell of the wife should be fertilized by the sperm of the husband in the procedure."

"The spiritual and social implications involved in the use of surrogate mothers to provide for the gestation of the embryo, even when the embryo results from the fertilization of the husband's sperm and the wife's egg cell which is later implanted into the womb of the third party, are too far-reaching for such a procedure to be permissible to Bahá'ís."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, October 25, 1984)

1. Individuals Must Decide Hazards of Contraceptive Agents at Present: Permanent Sterilization

"As to birth control methods, the House of Justice does not wish to comment on the effectiveness or possible hazards of present-day contraceptive agents, and leaves it to individuals to decide what course of action they will take in light of the teachings and the best medical advice available...."

(From a letter written on behalf of the Universal House of Justice to an individual believer, March 4, 1981: From a compilation entitled, Birth Control and Related Subjects, p. 3)

1. Letter to a Physician Specializing in Obstetrics and Gynecology

"Since you are a physician specializing in obstetrics and gynecology, your professional decisions in this field are frequent and difficult ones. In each individual case your physician's judgement and your Bahá'í conscience should guide you to the correct decision whenever permanent sterilization of a patient is contemplated. Of the four [pg 350] categories you have listed, only the first, grave sickness of the mother, clearly falls within Bahá'í permissibility. In the second category, only grave genetic defects, but obviously not all genetic defects could be considered

2. (See also: No. 973)

to be valid cause for intervention. As for lack of social and financial means, and anticipation of supernumerary children where individual maternal request is decisive, neither can be acceptable as reasons for permanent sterilization."

"What can now be considered to be a form of family fertility control for some patients are those methods of intervention which are reversible and therefore do not necessarily bring about permanent sterility. Where such methods have been employed, the wish by patients to have additional children, for whatever reason, can be realized through a corrective operation."

(From a letter written on behalf of the Universal House of Justice to an individual believer, April 18, 1982: Ibid.)



E. Alcohol, Drugs and Tobacco

1. Alcohol

1. Both Light and Strong Drinks Prohibited Unless Prescribed by a Doctor

"Regarding the use of liquor: According to the text of the Book of Aqdas, both light and strong drinks are prohibited. The reason for this prohibition is that alcohol leadeth the mind astray and causeth the weakening of the body. If alcohol were beneficial, it would have been brought into the world by the divine creation and not by the effort of man. Whatever is beneficial for man existeth in creation. Now it hath been proved and is established medically and scientifically that liquor is harmful."

"As to the meaning of that which is written in the Tablets: 'I have chosen for thee whatsoever is in the heaven and the earth', this signifieth those things which are in accordance with the divine purpose and not the things which are harmful. For instance, one of the existing things is poison. Can we say that poison must be used as it hath been created by God? Nevertheless, intoxicating liquor, if prescribed by a physician for the patient and if its use is absolutely necessary, then it is permissible."

"In brief, I hope that thou mayest become inebriated with the wine of the love of God, find eternal bliss and receive inexhaustible joy and happiness. All wine hath depression as an after effect, except the wine of the Love of God."

(From a Tablet of Abdu'l-Bahá to an individual believer, translated from the Persian: Prohibition of Intoxicating Drinks, A Compilation, April 1979)

1. In the Kitab-i-Aqdas It is Forbidden to Take Anything that Deranges the Mind

"With regard to your first question on alcohol and drinking, Bahá'u'lláh, fully aware of the great misery that it brings about, prohibits it as He expressly states that everything that takes away the mind, or in other words makes one drunk, is forbidden."

(From a letter written on behalf of Shoghi Effendi to an individual believer, February 15, 1926:Ibid.)
[pg 351]

1. Drinking Forbidden, No Excuse to Touch It Even in Plum Pudding

"Under no circumstances should Bahá'ís drink. It is so unambiguously forbidden in the Tablets of Bahá'u'lláh that there is no excuse for them even touching it in the form of a toast, or in a burning plum pudding; in fact, in any way."

(From a letter written on behalf of the Guardian to an individual believer, March 3, 1957: Cited in a letter from the Universal House of Justice to the National Spiritual Assembly of Ecuador, December 21, 1972)

1. Cake Flavours and Extracts

"You ask whether it is permissible for the friends to use cake flavours, such as vanilla, lemon and rum flavoured extracts, as such flavours have a certain percentage of alcohol in them, and whether Bahá'ís may work in factories manufacturing such extracts."

"We have found no texts prohibiting the friends from using flavoured extracts in their food. This may be a matter for later legislation by the Universal House of Justice but for the time being the friends should be left free to do as they choose. The same principle applies to those who are employed in factories manufacturing such extracts."

(From a letter of the Universal House of Justice to an individual believer, April 7, 1974)

1. Strictly Prohibited Foods Flavoured with Alcoholic Liquors

"With reference to your question whether those foods which have been flavoured with alcoholic liquors such as brandy, rum, etc., should be classified under the same category as the intoxicating drinks, and consequently be avoided by believers, the Guardian wishes all the friends to know that such foods, or beverages, are strictly prohibited."

(From a letter written on behalf of the Guardian to an individual believer, January 9, 1939)

1. Alcohol for Home Remedies, No Instruction Allowing Its Use

"Although it is clear from the teachings that the use of alcohol is permitted if it is prescribed by a physician for treatment purposes, we have not been able to find any instructions which permit its use in the preparation of home remedies for common illnesses."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Ecuador, December 21, 1973)

1. The Serving of Alcoholic Drinks by Bahá'ís and Bahá'í Institutions

"In response to questions raised on the permissibility of serving alcoholic drinks in a number of different circumstances, the Universal House of Justice has formulated the following guidelines."

"The fact that Bahá'ís themselves must not drink alcohol is abundantly clear and needs no comment here. With regard to the serving of alcohol to non-Bahá'ís:

1. No Bahá'í institution should serve alcohol to non-Bahá'ís under any circumstances.
1. If an individual Bahá'í is entertaining an individual guest or a small group of guests as an official representative of the Bahá'í community, he should not serve alcohol in his own home, but must use his discretion whether or not to do so if the entertaining is taking place in a restaurant. [pg 352]
1. No Bahá'í should serve alcohol at any function or reception given by him, such as a wedding reception or a party to which a number of people are invited.
1. When a Bahá'í is privately entertaining an individual non-Bahá'í or a small group of guests in his own home, he must himself judge whether or not to serve alcohol. This will depend to a great degree on the customs of the country in which he is living, the individuals concerned, and the host's relationship to his guests. Obviously it is better for the Bahá'í not to serve alcohol if possible, but against this he must weigh the probable reaction of the guest in the circumstances which prevail and in the particular situation. In some countries there would be no problem in failing to provide alcohol to a guest; in others it would be regarded as extremely peculiar and anti-social and would immediately raise a barrier to further contact. It is not desirable to make a major issue of the matter.
1. When such private entertaining of an individual or small group of non-Bahá'ís is taking place in a restaurant the same general principles as in point 4 above apply, except that in such a public place a failure to provide alcoholic drinks would be less easily understood than in a private home, and the Bahá'í must use his discretion accordingly.
1. Alcohol must not be served in a restaurant or other business which is wholly owned by Bahá'ís.
1. If a Bahá'í is employed by others in a job which involves the serving of alcohol, he is not obliged to change that employment. This is a matter left to each individual to decide in the light of his own conscience. Obviously such kinds of employment vary widely from bartending to serving in a grocery in which wine is retailed. If the job requires a great deal of involvement with the serving of alcohol it is better for the Bahá'í to obtain other employment if he can."

(Guidelines prepared by the Universal House of Justice, The Serving of Alcoholic Drinks by Bahá'ís and Bahá'í Institutions, attached to a letter written on behalf of the Universal House of Justice to an individual believer, January 31, 1982)

1. **A Business Partnership Between a Bahá'í and Non-Bahá'ís**

"Since no explicit text or instruction of the beloved Guardian has been found on such a situation, i.e., the sale of alcoholic beverages by a business in which a Bahá'í is a partner with non-Bahá'ís, the House of Justice feels that no hard and fast rules should be drawn at the present time. This is a matter which needs to be decided in each case in the light of the spirit of the teachings and

the circumstances of the case and, unless the situation is endangering the good name of the Faith, it should be left to the conscience of the believer concerned who should, of course, make every effort to dissociate himself from such an activity."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of India, October 10, 1983)

1. Assembly's Role Toward Those Who Continue to Drink

"As to those believers who continue to drink, they should be lovingly exhorted, then firmly warned and eventually deprived of their voting rights. The number of times a person is exhorted and warned is a matter left to the discretion of each Local Spiritual Assembly, in consultation with the National Spiritual Assembly. The policy you adopt should not be one of removing the administrative rights of the believers in a bureaucratic and automatic way, as this would be unwise and unjust. Your Assembly [pg 353] as well as all Local Spiritual Assemblies should courageously and continuously remind the friends of their obligation in this respect, handle firmly all flagrant cases, and use such cases in a way that, by force of example, they exert their influence upon the other believers. It must be made clear to the Local Assemblies that they should be willing to cooperate with the believers affected by such drinking habits, when any such believer promises gradually and systematically to reduce his drinking with the objective in mind of entirely abandoning this habit."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of South and West Africa, November 12, 1965)

1. Alcoholism and Alcoholics Anonymous

"With regard to the problem of alcoholism, which is indeed a terrible scourge to mankind, it must never become a source of disunity among believers. Bahá'u'lláh's principle, in case of sickness, is to consult the best physician you can, follow his advice, and pray. If, therefore, you have consulted Alcoholics Anonymous, this should be your procedure. If, however, you are not satisfied with them, you are entirely free to consult someone else. But the same principle would apply. Do what the doctor (or expert) says, and pray."

(From a letter of the Universal House of Justice, July 14, 1963)

1. Bahá'í Advertising Agent Should Use Wisdom in Avoiding the Promotion of Intoxicating Drinks

"The House of Justice ... points out that, as far as advertising is concerned, the Bahá'í must use wisdom in deciding what is allowable and what is not. For example, while the issuing of an advertisement specifically for wines would seem to be inadmissible, there would be no objection to a Bahá'í advertising agent's issuing an advertisement listing the prices of goods on sale at a supermarket even if wines and spirits are included on it. It is, thus, a matter of emphasis and wisdom. Primarily the House of Justice wishes the decision in such matters to be left to the judgement of the individual concerned, but where there is any doubt, or where the National Spiritual Assembly feels that the good name of the Faith is being injured, the Assembly should, of course, be consulted and could decide in specific instances."

"In view of the requirements of his conscience in light of Bahá'í law, a Bahá'í advertising agent might be well advised to include a clause in any contract he signs in which difficulties of this nature might arise, protecting his right to demur."

(From a letter written on behalf of the Universal House of Justice to an individual believer, December 20, 1977: Prohibition of Intoxicating Drinks)

1. **The Right of the Non-Bahá'í Parent — The Serving of Champagne**

"The future christening of the child should present no problem, for the Bahá'í parent should have no objection to the baptism of his child if the Catholic mother wishes it. Similarly, the use of champagne upon that occasion is a matter which she is free to undertake, but of course the Bahá'ís would not partake of alcoholic beverages."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, December 7, 1977: Ibid.) [pg 354]

1. **Drugs**

1. **Hallucinogens, a Form of Intoxication**

"Concerning the so-called 'spiritual' virtues of the hallucinogens ... spiritual stimulation should come from turning one's heart to Bahá'u'lláh, and not through physical means such as drugs and agents."

"From the description given in your letter it appears that hallucinogenic agents are a form of intoxicant. As the friends, including the youth, are required strictly to abstain from all forms of intoxicants, and are further expected conscientiously to obey the civil law of their country, it is obvious that they should refrain from using these drugs."

"A very great responsibility for the future peace and well-being of the world is borne by the youth of today. Let the Bahá'í youth by the power of the Cause they espouse be the shining example for their companions."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, April 15, 1965: National Bahá'í Review, No. 3, March 1968)

1. **The Use of Marijuana, LSD and Other Psychedelic Products**

"In reply to your request of October 24, 1967 that we issue a statement concerning 'the use of marijuana, LSD and other psychedelic products', we have already informed the National Spiritual Assembly of the United States that Bahá'ís should not use hallucinogenic agents, including LSD, peyote and similar substances, except when prescribed for medical treatment. Neither should they become involved in experiments with such substances."

"Although we have found no direct reference to marijuana in the Bahá'í writings, since this substance is derived from what is considered to be a milder form of cannabis, the species used

to produce hashish, we can share with you a translation from the Persian of a Tablet of Abdu'l-Bahá on hashish:

'Regarding hashish, you had pointed out that some Persians have become habituated to its use. Gracious God! This is the worst of all intoxicants, and its prohibition is explicitly revealed. Its use causeth the disintegration of thought and the complete torpor of the soul. How could anyone seek this fruit of the infernal tree, and by partaking of it, be led to exemplify the qualities of a monster? How could one use this forbidden drug, and thus deprive himself of the blessings of the All-Merciful?...

'Alcohol consumeth the mind and causeth man to commit acts of absurdity, but ... this wicked hashish extinguisheth the mind, freezeth the spirit, petrifieth the soul, wasteth the body and leaveth man frustrated and lost.'

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the Hawaiian Islands, November 11, 1967)

1. Peyote

"Anyone involved in the use of peyote should be told that in the Bahá'í Faith spiritual stimulation comes from turning one's heart to Bahá'u'lláh and not through any physical means. They should therefore be encouraged to give up the use of peyote."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, November 9, 1963: Alaska Bahá'í News, May 1972, p. 4) [pg 355]

1. Opium Destroys the Conscience, the Mind and the Perceptions

"As to opium, it is foul and accursed. God protect us from the punishment He inflicteth on the user. According to the explicit Text of the Most Holy Book, it is forbidden, and its use is utterly condemned. Reason showeth that smoking opium is a kind of insanity, and experience attesteth that the user is completely cut off from the human kingdom. May God protect all against the perpetration of an act so hideous as this, an act which layeth in ruins the very foundation of what it is to be human, and which causeth the user to be dispossessed for ever and ever. For opium fasteneth on the soul, so that the user's conscience dieth, his mind is blotted away, his perceptions are eroded. It turneth the living into the dead. It quencheth the natural heat. No greater harm can be conceived than that which opium inflicteth. Fortunate are they who never even speak the name of it; then think how wretched is the user."

(Abdu'l-Bahá: Selections from the Writings of Abdu'l-Bahá, Wilmette, 1982, pp. 148-149)

1. Dealing in Heroin and Other Narcotics Forbidden

"Dealing in heroin or other similar drugs which are forbidden in the Faith should certainly not be undertaken by Bahá'ís except in the context of the legitimate handling of such drugs that doctors and similar professionals may be called upon to undertake in the course of their duties. Furthermore, dealing in narcotics is in many countries a crime and on this basis also would be forbidden to Bahá'ís."

(From a letter of the Universal House of Justice cited in a compilation on alcohol and drugs sent to an individual believer by the International Teaching Centre, October 17, 1978)

1. The Renouncing of Tobacco, Alcohol and Opium — Purity and Sanctity Should Distinguish the People of Baha

"O ye, God's loved ones! Experience hath shown how greatly the renouncing of smoking, of intoxicating drink, and of opium, conduceth to health and vigour, to the expansion and keenness of the mind and to bodily strength. There is today a people³ who strictly avoid tobacco, intoxicating liquor and opium. This people is far and away superior to the others, for strength and physical courage, for health, beauty and comeliness. A single one of their men can stand up to ten men of another tribe. This hath proved true of the entire people: that is, member for member, each individual of this community is in every respect superior to the individuals of other communities."

"Make ye then a mighty effort, that the purity and sanctity which, above all else, are cherished by Abdu'l-Bahá, shall distinguish the people of Baha; that in every kind of excellence the people of God shall surpass all other human beings; that both outwardly and inwardly they shall prove superior to the rest; that for purity, immaculacy, refinement, and the preservation of health, they shall be leaders in the vanguard of those who know. And that by their freedom from enslavement, their knowledge, their self-control, they shall be first among the pure, the free and the wise."

(Abdu'l-Bahá: Selections from the Writings of Abdu'l-Bahá, p. 150)

1. Tobacco

1. Smoking is Discouraged, But Not Forbidden

"Regarding your questions: Concerning smoking: It is not forbidden in the Bahá'í [pg 356] teachings and no one can enforce its prohibition. It is strongly discouraged as a habit which is not very clean or very healthy. But it is a matter left entirely to the conscience of the individual and not of major importance, whereas the use of alcohol is definitely forbidden and thus not left optional to the conscience of the believer."

(From a letter written on behalf of Shoghi Effendi to an individual believer, April 19, 1941)

1. Smoking Has Nothing to Do with Firmness in the Covenant

"Smoking has nothing to do with firmness in the Covenant. Bahá'ís are advised not to smoke for reasons of health and hygiene, not because of any spiritual reasons. We naturally cherish every hint and advice from Abdu'l-Bahá regarding our conduct, but as He has not forbidden this, we must leave each person free to decide for himself."

(From a letter written on behalf of Shoghi Effendi to an individual believer, August 9, 1944)

1. To New Bahá'ís, We Should Not Stress Giving Up Smoking

3. (Possibly Abdu'l-Bahá was referring to the Sikhs)

"He feels that we should not lay stress to new Bahá'ís on the necessity of giving up smoking, especially as this is purely optional, and many of the Bahá'ís still do smoke. There are many things in the Teachings that require a stiff effort on the part of a new believer, and we should not add to the hurdles at the very beginning, so to speak."

(From a letter written on behalf of Shoghi Effendi to an individual believer, December 4, 1954)

1. Smoking by Degrees Injurious

"...I wish to say that, in the sight of God, the smoking of tobacco is a thing which is blamed and condemned, very unclean, and of which the result is by degrees injurious. Besides it is a cause of expense and of loss of time and it is a harmful habit...."

(Abdu'l-Bahá: Bahá'í World Faith, p. 335)

1. Guidelines for Individuals and Assemblies About Tobacco Smoking

"Many believers feeling the same concern expressed by Dr. ... wrote to the beloved Guardian about it. In answer to such letters the Guardian's secretary replied on his behalf that Bahá'ís had no right to prevent anyone from smoking; that Bahá'ís were free to smoke but it was preferable for them not to do so; and that an issue should not be made of this matter. 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."

"Believers have also raised the question about smoking during Bahá'í meetings. It is entirely within the authority of Local and National Spiritual Assemblies to prohibit smoking in meetings held under their auspices. An Assembly may well feel that it does not wish to raise an additional barrier to seekers by prohibiting smoking at public meetings in a society where it is the accepted practice to smoke. On the other hand, it might be wise for the Assembly to caution the Bahá'ís to restrain their smoking at teaching meetings and firesides in case it is offensive to some seekers. In the case of Nineteen Day Feasts or meetings of Assemblies or committees, it is not right [pg 357] that friends who find smoking offensive should be made to endure it in Bahá'í meetings which they are required or expected to attend. If certain individuals feel that they must smoke, then arrangements, such as a break in the meeting, could be made for their convenience. It would, of course, be entirely inappropriate to smoke during the devotional part of a Feast, or at any other devotional gathering."

"It is to be hoped that the widespread publicity being given to the evil effects of smoking, both on smokers and on those who have to breathe smoke-laden air, will help to convince everyone of the wisdom of Abdu'l-Bahá in strongly discouraging Bahá'ís from smoking. However, Bahá'ís must be careful not to go beyond the Teachings in this matter and try to enforce as a law a matter in which Bahá'u'lláh has deemed it wise to allow freedom of decision."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, March 4, 1974)

F. Crime, Criminals and Prisoners

1. Believers Charged with Criminal Offences⁴

"...regarding believers who have been charged with criminal offences, suspected to have committed such offences, or convicted by the court. The principle to bear in mind is that each case falling in any of the aforementioned categories should be considered separately on its own merits. No hard and fast rule should be applied."

"...it should be realized that the application of Bahá'í sanctions is not an automatic action in response to a verdict of the court."

(From a letter of the Universal House of Justice to a National Spiritual Assembly, May 3, 1967: Extracts Concerning Crime, Criminals, Prisoners and Related Subjects, A Compilation)

1. Bahá'í Institutions Cannot Enforce Criminal Laws at Present — Such Cases Are Handled in Civil Court

"...you cite violations of the criminal laws of the state. These cases are handled in the civil courts, and may or may not be subject to Bahá'í administrative action depending upon the nature of the offence and its effect on the Faith. Generally speaking the development of the Administrative Order has not progressed to the point where Bahá'í institutions enforce criminal laws."

(From a letter of the Universal House of Justice to a National Spiritual Assembly, May 7, 1974: Ibid.)

1. Rehabilitation of Criminals Left to Experts in that Field

"...Bahá'u'lláh has given us the general moral and social principles to guide our lives, but their application to the rehabilitation of criminals is left to the experts in that field to develop in the same way that economics is left to economists."

(From a letter written on behalf of the Universal House of Justice, September 3, 1974: Ibid.)

1. Administrative Action in Cases Involving Disobedience to Civil Law

"We have your letter ... asking about administrative action in cases involving disobedience to civil law." [pg 358]

"...We think it is not possible to make a categorical statement applying to all cases. Each case should be decided on its own merits."

(From a letter of the Universal House of Justice to a National Spiritual Assembly, December 7, 1969: Ibid.)

⁴. See also: No. 187

1. **Penalty for Arson — Laws for a More Evolved Society**

"As regards the question you raised about the penalty for arson in the Aqdas, the penalty for arson is burning or life imprisonment; in other words the same penalty as for first degree murder."

"We must not question this, but studying the Bahá'í Faith and its Teachings in their entirety, realize that the law of God for this Day is a healing for the nations, and that, at a future period when a purely Bahá'í society exists and these laws can be enforced, humanity may have reached a much higher point of evolution than at present, and the mere threat of them may be sufficient in most cases to protect the Community and protect the law from being broken."

(From a letter written on behalf of Shoghi Effendi to an individual believer, February 15, 1957)

1. **Capital Punishment and the Criminally Insane**

"The question of whether capital punishment should be inflicted on the criminally insane is one for the Universal House of Justice to decide. Such people, however, not being responsible for their actions, will not suffer any spiritual effect from acts committed while mentally deranged."

(From a letter written on behalf of Shoghi Effendi to an individual believer, August 25, 1939)

1. **Suicide is Forbidden in the Cause⁵**

"Suicide is forbidden in the Cause. God Who is the Author of all life can alone take it away, and dispose of it in the way He deems best. Whoever commits suicide endangers his soul, and will suffer spiritually as a result in the other Worlds Beyond."

(Ibid.)



G. Gambling

1. **The Sale or Purchasing of Lottery Tickets**

"In reviewing your Minutes for 15 March 1967, we note Item 25-8 in which the Treasurer suggests a lottery as a means of disposing of a Persian carpet which has been given to you by one of the believers. We do not feel this is an appropriate way in which to raise funds...."

"As far as individuals are concerned, we have carefully studied the Writings of Abdu'l-Bahá and Shoghi Effendi on this point and it is apparent that such subsidiary matters are not recorded in the Holy Texts. The Universal House of Justice is not prepared to decide at this time whether the purchase of lottery tickets should be permitted or prohibited."

⁵. See also: Nos. 674-678

(From a letter of the Universal House of Justice to a National Spiritual Assembly, July 4, 1967: Extracts Concerning Gambling, Lotteries and Raffles, a compilation of the Universal House of Justice)

1. Horse Racing, Betting and Raffles

"Although we have not found any text which forbids the owning of race horses, [pg 359] horse racing as a means of winning the prize money and betting at race courses, we quote the translation of a Tablet of Abdu'l-Bahá on horse racing: 'Betting on horse racing is a pernicious disease. It hath been seen in Europe what distress this hath caused. Thousands have become afflicted and distraught. The friends of God must engage in work which is lawful and attracteth blessings, so that God's aid and bounty may always surround them.'" (Translated from the Persian)

"We do not feel ... that it is appropriate for funds for the Faith to be raised through raffles."

(From a letter of the Universal House of Justice to a National Spiritual Assembly, June 20, 1972: Ibid.)

1. Betting on Football Games, Bingo and the Like

"Although we may have written to you previously commenting on the question as to whether lotteries and betting, such as betting on football games, bingo, etc., are included under the prohibition of gambling, we repeat that this is a matter that is to be considered in detail by the Universal House of Justice. In the meantime, your National Assembly should not make an issue of these matters and should leave it to the consciences of the individual friends who are to decide for themselves in each case."

(From a letter of the Universal House of Justice to a National Spiritual Assembly, September 27, 1972: Ibid.)

1. Bingo and Other Games of Chance for the Fund

"As to participation in Bingo games by a Local Spiritual Assembly with the intention of contributing to the Fund, we do not feel it is appropriate for funds for the Faith to be raised through games of chance or raffles."

(From a letter of the Universal House of Justice to a National Spiritual Assembly, January 29, 1973: Ibid.)

H. Chastity and Sex Education

1. Sex Education Requires Wisdom and Good Judgment on the Part of Parents

"The House of Justice points out that sex education, especially education concerning the physiological aspects of sex, is a delicate matter, requiring wisdom and good judgment on the part of parents who can impart information to their children and answer their questions in

accordance with the stage of development of each child and the degree of his or her understanding. It is, moreover, a subject that needs to be placed in its proper context of the spiritual and emotional development of individuals, the nature of the family and the purpose of human life...."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, September 25, 1981)

1. Bahá'í Youth Should Stand Out Against the Laxity and Depravity of a Permissive Society

"...the Cause of God will derive immense benefit when it is observed that the Bahá'ís, and particularly Bahá'í youth, stand out against the laxity and depravity [pg 360] of the permissive society, that the exalted standards of conduct which they strive to uphold are firmly rooted in spiritual principles, giving them confidence, self-respect and true happiness. On the other hand only the greatest harm can be done to the Cause if its followers are simply engulfed by the current tide."

(From a letter written on behalf of the Universal House of Justice to an individual believer, November 23, 1983)

1. The Individual Believer in Accordance with His Prayerful Understanding of the Writings Should Determine His Course of Conduct

"It is neither possible nor desirable for the Universal House of Justice to set forth a set of rules covering every situation. Rather it is the task of the individual believer to determine, according to his own prayerful understanding of the Writings, precisely what his course of conduct should be in relation to situations which he encounters in his daily life. If he is to fulfill his true mission in life as a follower of the Blessed Perfection, he will pattern his life according to the Teachings. The believer cannot attain this objective merely by living according to a set of rigid regulations. When his life is oriented towards service to Bahá'u'lláh, and when every conscious act is performed within this frame of reference, he will not fail to achieve the true purpose of his life."

"Therefore, every believer must continually study the sacred Writings and the instructions of the beloved Guardian, striving always to attain a new and better understanding of their import to him and to his society. He should pray fervently for Divine Guidance, wisdom and strength to do what is pleasing to God, and to serve Him at all times and to the best of his ability."

(From a letter of the Universal House of Justice to an individual believer, October 17, 1968: National Bahá'í Review, No. 47, November 1971, p. 3)

1. Bahá'ís Should Not Hesitate to Seek Advice from Assemblies When They Feel the Need and Must Learn Through Study and Prayer to Obtain a Clearer Vision of Their Mission

"There is no need to dwell at length on the implications of spotless chastity and the integrity of the sacred marital bond set forth in our teachings, as these have been clearly outlined and amply elaborated in our scriptures and in the writings of our beloved Guardian. Such matters as

the age of marriage or the manner of meeting economic commitments are left to the individual to decide for himself. The friends, however, should not hesitate to seek the advice of their Local Spiritual Assemblies in all such matters if they feel the need."

"As the suffering and unrest afflicting humanity increase, and moral restraints are one by one abolished, the Bahá'ís must learn to obtain, through study and prayer, a clearer vision of their mission, earnestly seek to purge their lives of the influences of laxity and promiscuity characterizing modern society, and insure that the fair name and integrity of the Faith they serve and love so dearly remain unstained and unsullied."

(From a letter of the Universal House of Justice to two believers, May 22, 1966)

1. **One Must Learn to Control Animal Impulses, Not Be a Slave to Them**

"In considering the effect of obedience to the laws on individual lives, one must remember that the purpose of this life is to prepare the soul for the next. Here one [pg 361] must learn to control and direct one's animal impulses, not to be a slave to them. Life in this world is a succession of tests and achievements, of falling short and of making new spiritual advances. Sometimes the course may seem very hard, but one can witness, again and again, that the soul who steadfastly obeys the law of Bahá'u'lláh, however hard it may seem, grows spiritually, while the one who compromises with the law for the sake of his own apparent happiness is seen to have been following a chimera: he does not attain the happiness he sought, he retards his spiritual advance and often brings new problems upon himself."

(From a letter of the Universal House of Justice to an individual believer, excerpts from a letter to all National Spiritual Assemblies, February 6, 1973)

1. **Kissing in Modern Society is Detrimental to Morals⁶**

"What Bahá'u'lláh means by chastity certainly does not include the kissing that goes on in modern society. It is detrimental to the morals of young people, and often leads them to go too far, or arouses appetites which they cannot perhaps at the time satisfy legitimately through marriage, and the suppression of which is a strain on them."

"The Bahá'í standard is very high, more particularly when compared with the thoroughly rotten morals of the present world. But this standard of ours will produce healthier, happier, nobler people, and induce stabler marriages."

(From a letter written on behalf of the Guardian to an individual believer, October 19, 1947)

1. **Bahá'ís Must Set the Example and Lead the Way to a True Human Standard of Life**

"The world today is submerged, amongst other things, in an over-exaggeration of the importance of physical love, and a dearth of spiritual values. In as far as possible the believers should try to realize this and rise above the level of their fellow-men who are, typical of all decadent periods in history, placing so much over-emphasis on the purely physical side of

⁶. See also: No. 1438

mating. Outside of their normal, legitimate married life they should seek to establish bonds of comradeship and love which are eternal and founded on the spiritual life of man, not on his physical life. This is one of the many fields in which it is incumbent on the Bahá'ís to set the example and lead the way to a true human standard of life, when the soul of man is exalted and his body but the tool for his enlightened spirit. Needless to say this does not preclude the living of a perfectly normal sex life in its legitimate channel of marriage."

(From a letter written on behalf of Shoghi Effendi to an individual believer, September 28, 1941: Messages from the Universal House of Justice, 1968-1973, pp. 108-109)

1. Chastity Implies Before Marriage Absolutely Chaste, After Marriage Absolutely Faithful to One's Chosen Companion

"The question you raise as to the place in one's life that a deep bond of love with someone we meet other than our husband or wife can have is easily defined in view of the teachings. Chastity implies both before and after marriage an unsullied, chaste sex life. Before marriage absolutely chaste, after marriage absolutely faithful to one's chosen companion. Faithful in all sexual acts, faithful in word and in deed."

(Ibid.)

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1. Bahá'í Youth Should Study the Teachings on Chastity for Guidance in Deciding which Intimacies Are Permissible and which Are Not

"We have received your letter of 19th June 1973 and can sympathize with the problems that Bahá'í youth face when trying to live up to the Bahá'í standards of behaviour. It is, perhaps, natural that in the bewildering amoral environment in which Bahá'í youth are growing up they feel the need for specific instructions on which intimacies are permissible and which are not. However, we feel it would be most unwise for any Bahá'í institution to issue detailed instructions about this."

"The Bahá'í youth should study the teachings on chastity and, with these in mind, should avoid any behaviour which would arouse passions which would tempt them to violate them. In deciding what acts are permissible to them in the light of these considerations the youth must use their own judgement, following the guidance of their consciences and the advice of their parents."

"If Bahá'í youth combine such personal purity with an attitude of uncensorious forbearance towards others they will find that those who may have criticized or even mocked them will come, in time, to respect them. They will, moreover, be laying a firm foundation for future married happiness."

(From a letter of the Universal House of Justice to a Local Spiritual Assembly, July 9, 1973)

1. Youth Should Be Taught Self-Control

"...The Bahá'í youth should, on the one hand, be taught the lesson of self-control which, when exercised, undoubtedly has a salutary effect on the development of character and of personality in general, and on the other should be advised, nay even encouraged, to contract marriage while still young and in full possession of their physical vigour. Economic factors, no doubt, are often a serious hindrance to early marriage but in most cases are only an excuse, and as such should not be over stressed."

(From a letter written on behalf of the Guardian to an individual believer, December 13, 1940: Messages from the Universal House of Justice, 1968-1973, p. 109)

1. Chastity Should Be Strictly Practiced by Both Sexes

"The Bahá'í teaching on sexual intercourse is very clear. It is permissible only between a man and the woman who is his wife. In this connection we share with you extracts from four letters⁷ written on behalf of the Guardian which throw light on various aspects of the matter...."

(From a letter of the Universal House of Justice to all National Spiritual Assemblies, February 6, 1973)

1. Chastity is One of the Most Challenging Concepts in This Permissive Age

"As to chastity, this is one of the most challenging concepts to get across in this very permissive age, but Bahá'ís must make the utmost effort to uphold Bahá'í standards, no matter how difficult they may seem at first. Such efforts will be made easier if the youth will understand that the laws and standards of the Faith are meant to free them from untold spiritual and moral difficulties in the same way that a proper appreciation of the laws of nature enables one to live in harmony with [pg 363] the forces of the planet. You may wish also to seek the advice of the Education Committee on teaching chastity to young Bahá'ís."

(From a letter written on behalf of the Universal House of Justice to an individual believer, January 14, 1985)

1. Children Out of Wedlock

"...in reply to your letter of 8 April 1981 requesting guidance on how to deal with problems involving Bahá'í women who have had children out of wedlock."

"Normally administrative rights should not be suspended because of the birth of a child out of wedlock. The questions to be considered are whether the party is guilty of blatant and flagrant immorality, whether such conduct is harming the Faith, and whether the believer has refused or neglected to improve her conduct despite repeated warnings."

"If you find that the girls in question are responding to the exhortations of the Assembly and have corrected their behaviour, you should consider the matter closed and restore their administrative rights. Your Assembly should, of course, provide for the proper deepening of the friends, and in a loving and patient manner attempt to instill in them a respect for Bahá'í Laws."

⁷. (Please refer to Nos. 1156 and 1157 for two of these extracts.)

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, May 6, 1981)

1. In Sexual Morality People Often Stumble and Fall Short of the Ideal — The Spiritual Assembly Should Act as a Loving Father Rather Than a Judge

"The Universal House of Justice has received your letter of 15 May 1986 asking whether administrative sanctions should be imposed on unmarried couples in which one or both are Bahá'ís and who have had children out of wedlock. We have been asked to convey the following guidance."

"As you readily understand, Bahá'ís are exhorted to lead a chaste and holy life, and, according to Bahá'í Law, sexual intercourse is permissible only between a man and the woman who is his wife. In sexual morality, as in other realms of behaviour, people often stumble and fall short of the ideal. It is the task of Spiritual Assemblies to ensure that the friends are deepened in their understanding of the teachings, and are exhorted to apply them in their lives. In caring for its community, a Spiritual Assembly should act as a loving father rather than as a stern judge in such matters. Nevertheless, if a believer's behaviour is blatantly and flagrantly immoral and, therefore, is harmful to the good name of the Faith, the Assembly must counsel him (or her), urge him to reform his conduct, warn him of the consequences if he does not mend his ways and, ultimately, if the believer persists in misbehaviour, the Assembly must deprive him of his administrative rights. This deprivation remains in force until such time as the believer repents of his actions and is able to satisfy the Spiritual Assembly that he has rectified his behaviour."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, June 5, 1986)

1. The Institutions Should Adopt Such Programs as Will Deepen the Believers in Their Understanding as to How to Attain to the High Standards of Spotless Chastity Inculcated by Bahá'u'lláh

"...Bahá'ís in their deep love for Bahá'u'lláh should be eager to apply every [pg 364] spiritual precept in their own lives while at the same time exercising patience, forbearance and forgiveness in respect to the shortcomings of others. It is for the Institutions of the Faith to adopt such programmes as will deepen the believers in their understanding of the teachings so that they will unhesitatingly and eagerly follow Him."

"There is no doubt that the standard of spotless chastity inculcated by Bahá'u'lláh in His teachings can be attained by the friends only when they stand forth firmly and courageously as uncompromising adherents of the Bahá'í way of life, fully conscious that they represent teachings which are the very antithesis of the corrosive forces which are so tragically destroying the fabric of man's moral values. The present trend in modern society and its conflict with our challenging principles of moral conduct, far from influencing the believers to compromise their resolve to adhere undeviatingly to the standards of purity and chastity set forth for them by their Faith, must stimulate them to discharge their sacred obligations with determination and thus combat the evil forces undermining the foundations of individual morality."

(From a letter of the Universal House of Justice to two individual believers, May 22, 1966)

1. **Masturbation**

"We have found in the Holy Writings no explicit references to masturbation, but there are a number of principles and teachings which can guide a Bahá'í to the correct attitude towards it. In a letter to an individual believer, written by the Guardian's secretary on his behalf, it is pointed out that:

'The Bahá'í Faith recognizes the value of the sex impulse, but condemns its illegitimate and improper expressions such as free love, companionate marriage and others, all of which it considers positively harmful to man and to the society in which he lives. The proper use of the sex instinct is the natural right of every individual, and it is precisely for this very purpose that the institution of marriage has been established. The Bahá'ís do not believe in the suppression of the sex impulse but in its regulation and control.'

"In response to another letter enquiring if there were any legitimate way in which a person could express the sex instinct if, for some reason, he were unable to marry or if outer circumstances such as economic factors were to cause him to delay marriage, the Guardian's secretary wrote on his behalf:

'Concerning your question whether there are any legitimate forms of expression of the sex instinct outside of marriage: According to the Bahá'í Teachings no sexual act can be considered lawful unless performed between lawfully married persons. Outside of marital life there can be no lawful or healthy use of the sex impulse. The Bahá'í youth should, on the one hand, be taught the lesson of self-control which, when exercised, undoubtedly has a salutary effect on the development of character and of personality in general, and on the other should be advised, nay even encouraged, to contract marriage while still young and in full possession of their physical vigour. Economic factors, no doubt, are often a serious hindrance to early marriage but in most cases are only an excuse, and as such should not be over stressed.'

"In another letter on the Guardian's behalf, also to an individual believer, the secretary writes:

'Amongst the many other evils afflicting society in this spiritual low water mark in history is the question of immorality, and over-emphasis of sex...' [pg 365]

"This indicates how the whole matter of sex and the problems related to it have assumed far too great an importance in the thinking of present-day society."

"Masturbation is clearly not a proper use of the sex instinct, as this is understood in the Faith. Moreover it involves, as you have pointed out, mental fantasies, while Bahá'u'lláh, in the Kitab-i-Aqdas, has exhorted us not to indulge our passions and in one of His well-known Tablets Abdu'l-Bahá encourages us to keep our 'secret thoughts pure'. Of course many wayward thoughts come involuntarily to the mind and these are merely a result of weakness and are not blameworthy unless they become fixed or even worse, are expressed in improper acts. In 'The Advent of Divine Justice', when describing the moral standards that Bahá'ís must uphold both individually and in their community life, the Guardian wrote:

"Such a chaste and holy life, with its implications of modesty, purity, temperance, decency, and clean-mindedness, involves no less than the exercise of moderation in all that pertains to dress, language, amusements, and all artistic and literary avocations. It demands daily vigilance in the control of one's carnal desires and corrupt inclinations."

"Your problem, therefore, is one against which you should continue to struggle, with determination and with the aid of prayer. You should remember, however, that it is only one of the many temptations and faults that a human being must strive to overcome during his lifetime, and you should not increase the difficulty you have by over-emphasising its importance. We suggest you try to see it within the whole spectrum of the qualities that a Bahá'í must develop in his character. Be vigilant against temptation, but do not allow it to claim too great a share of your attention. You should concentrate, rather, on the virtues that you should develop, the services you should strive to render, and, above all, on God and His attributes, and devote your energies to living a full Bahá'í life in all its many aspects."

(From a letter of the Universal House of Justice to an individual believer, a copy of which was sent to the compiler with a letter dated March 8, 1981)

I. Homosexuality⁸

1. Acts of Immorality

"Amongst the many other evils afflicting society in this spiritual low water mark in history, is the question of immorality, and over-emphasis of sex. Homosexuality, according to the Writings of Bahá'u'lláh, is spiritually condemned. This does not mean that people so afflicted must not be helped and advised and sympathized with. It does mean that we do not believe that it is a permissible way of life; which, alas, is all too often the accepted attitude nowadays."

"We must struggle against the evils in society by spiritual means, and medical and social ones as well. We must be tolerant but uncompromising, understanding but immovable in our point of view."

"The thing people need to meet this type of trouble, as well as every other type, is greater spiritual understanding and stability; and of course we Bahá'ís believe that ultimately this can only be given to mankind through the Teachings of the Manifestation of God for this Day."

(From a letter written on behalf of the Guardian to an individual believer, May 21, 1954) [pg 366]

1. Homosexuality and Transsexuality

"A number of sexual problems such as homosexuality and transsexuality can well have medical aspects, and in such cases recourse should certainly be had to the best medical assistance. But it is clear from the teaching of Bahá'u'lláh that homosexuality is not a condition to which a person should be reconciled, but is a distortion of his or her nature which should be controlled and overcome. This may require a hard struggle, but so also can be the struggle of a heterosexual person to control his or her desires. The exercise of self-control in this, as in so very many other

⁸. See also: Nos. 185, 1221-1230

aspects of life, has a beneficial effect on the progress of the soul. It should, moreover, be borne in mind that although to be married is highly desirable, and Bahá'u'lláh has strongly recommended it, it is not the central purpose of life. If a person has to wait a considerable period before finding a spouse, or if ultimately, he or she must remain single, it does not mean that he or she is thereby unable to fulfil his or her life's purpose."

(From a letter of the Universal House of Justice to an individual believer, January 12, 1973: cited in Messages from The Universal House of Justice, 1968-1973, p. 110-111)

1. Through Advice, Help of Doctors, and Prayer, Can Overcome This Handicap

"No matter how devoted and fine the love may be between people of the same sex, to let it find expression in sexual acts is wrong. To say that it is ideal is no excuse. Immorality of every sort is really forbidden by Bahá'u'lláh, and homosexual relationships he looks upon as such, besides being against nature."

"To be afflicted this way is a great burden to a conscientious soul. But through the advice and help of doctors, through a strong and determined effort, and through prayer, a soul can overcome this handicap."

"God judges each soul on its own merits. The Guardian cannot tell you what the attitude of God would be towards a person who lives a good life in most ways, but not in this way. All he can tell you is that it is forbidden by Bahá'u'lláh, and that one so afflicted should struggle and struggle again to overcome it. We must be hopeful of God's Mercy but not impose upon it."

(From a letter written on behalf of the Guardian to an individual believer, March 26, 1950)

1. Bahá'í Law Protects and Strengthens Marriage

"...We shrink, for very shame, from treating of the subject of boys. Fear ye the Merciful, O peoples of the world! Commit not that which is forbidden you in Our Holy Tablet, and be not of those who rove distractedly in the wilderness of their desires."

(Bahá'u'lláh: The Kitab-i-Aqdas, K 107, p. 58)

"The word translated here as 'boys' has, in this context, in the Arabic original, the implication of paederasty. Shoghi Effendi has interpreted this reference as a prohibition on all homosexual relations."

"The Bahá'í teachings on sexual morality centre on marriage and the family as the bedrock of the whole structure of human society and are designed to protect and strengthen that divine institution. Bahá'í law thus restricts permissible sexual intercourse to that between a man and the woman to whom he is married."

(The Universal House of Justice: The Kitab-i-Aqdas: N 134, p. 223) [pg 367]

1. The Question Should Not Be if a Practicing Homosexual Can Be a Bahá'í, But as Such Can He Overcome His Problem Through the Teachings

"Bahá'í teachings on sexual morality centre on marriage and the family as the bedrock of the whole structure of human society and are designed to protect and strengthen that divine institution. Thus Bahá'í law restricts permissible sexual intercourse to that between a man and the woman to whom he is married."

"Thus, it should not be so much a matter of whether a practicing homosexual can be a Bahá'í as whether, having become a Bahá'í, the homosexual can overcome his problem through knowledge of the teachings and reliance on Bahá'u'lláh."

(From a letter of the Universal House of Justice to an individual believer, March 14, 1973)

1. Recognizing the Divine Origin of the Sex Impulse in Man, Religion Teaches It Must Be Controlled

"...Any act or activity by a believer which is contrary to our teachings will surely be harmful to the spiritual future of the individual concerned, and may give non-Bahá'ís a wrong impression of the principles of our Faith. Whereas consider how important it is for a believer to reflect in his actions the redeeming features of the Cause he has embraced. Shoghi Effendi has pointed out:

'Not by the force of numbers, not by the mere exposition of a set of new and noble principles, not by an organized campaign of teaching — no matter how worldwide and elaborate in its character — not even by the staunchness of our faith or the exaltation of our enthusiasm, can we ultimately hope to vindicate in the eyes of a critical and sceptical age the supreme claim of the Abha Revelation. One thing and only one thing will unfailingly and alone secure the undoubted triumph of this sacred Cause, namely, the extent to which our own inner life and private character mirror forth in their manifold aspects the splendour of those eternal principles proclaimed by Bahá'u'lláh.'

"While recognizing the divine origin and force of the sex impulse in man, religion teaches that it must be controlled, and Bahá'u'lláh's law confines its expression to the marriage relationship. The unmarried homosexual is therefore in the same position as anyone else who does not marry. The Law of God requires them to practise chastity."

"Even though you feel that the conflict between sensuality and spirituality is more than you can bear, your affirmation — 'I do know I am a Bahá'í' is a positive factor in the battle you must wage. Every believer needs to remember that an essential characteristic of this physical world is that we are constantly faced with trials, tribulations, hardships and sufferings and that by overcoming them we achieve our moral and spiritual development; that we must seek to accomplish in the future what we may have failed to do in the past; that this is the way God tests His servants and we should look upon every failure or shortcoming as an opportunity to try again and to acquire a fuller consciousness of the Divine Will and purpose."

(From a letter written on behalf of the Universal House of Justice to an individual believer, January 9, 1977)

1. We Are Assured of the Guidance of God When We Make an Effort to Obey Him

"Certainly the problem confronting you is a difficult one. However, its solution lies within your power, for Bahá'u'lláh has assured us that God 'will never deal unjustly [pg 368] with anyone, neither will He task a soul beyond its power'.⁹ And again, 'Whosoever he hath fulfilled the conditions implied in the verse: "Whoso maketh efforts for Us," he shall enjoy the blessings conferred by the words: "In Our Way shall We assuredly guide him."' You can be confident that with the help of doctors, by prayer and meditation, by self-abnegation and by giving as much time as possible to serving the Cause in your community you can eventually succeed in overcoming your problem."

(Ibid.)

1. One Must Make an Effort to Resist Wayward Impulses When They Arise by Turning to the Sacred Writings to Divert One's Thoughts

"The House of Justice comments that while there is little in Bahá'í literature that specifically points to the causes of homosexuality itself, there is much that concerns the nature of man, his inner life and growth, and the way to a true Bahá'í life. If you are sincerely intent on overcoming your problem, you must yourself determine to resist wayward impulses each time they arise and the House of Justice feels that there is no better way than to turn to the Writings to divert our thoughts into spiritual channels, perhaps to concentrate on what we may do to help others along the way to discovering the Bahá'í Faith. The more we occupy ourselves with teaching the Cause and serving our fellow-man in this way, the stronger we become in resisting that which is abhorrent to our spiritual selves."

"Man's physical existence on this earth is a period during which the moral exercise of his free will is tried and tested in order to prepare his soul for the other worlds of God, and we must welcome affliction and tribulations as opportunities for improvement in our eternal selves. The House of Justice points out that homosexuals are not the only segment of human society labouring at this daily task — every human being is beset by such inner promptings as pride, greed, selfishness, lustful heterosexual or homosexual desires, to name a few which must be overcome, and overcome them we must if we are to fulfil the purpose of our human existence."

(From a letter written on behalf of the Universal House of Justice to an individual believer, July 16, 1980)

1. A Homosexual Relationship Subverts the Purpose of Human Life

"There should be real incentive for you to courageously face the problems inherent in the situation you describe in your letter, and to firmly resolve to change your way of life. But you must desire to do so. Both you and your Bahá'í friend must first recognize that a homosexual relationship subverts the purpose of human life and that determined effort to overcome the wayward tendencies which promote this practice which, like other sexual vices, is so abhorrent; the Creator of all mankind will help you both to return to a path that leads to true happiness."

⁹. (Bahá'u'lláh: Gleanings from the Writings of Bahá'u'lláh, p. 106, 1982 U.S. edition)

(From a letter written on behalf of the Universal House of Justice to an individual believer, August 23, 1982)

1. Homosexuality, Immorality and Adultery Are Forbidden in the Faith

"The question of how to deal with homosexuals is a very difficult one. Homosexuality is forbidden in the Bahá'í Faith by Bahá'u'lláh; so, for that matter, are immorality and adultery. If one is going to start imposing heavy sanctions on people who are the victims of this abnormality, however repulsive it may be to [pg 369] others, then it is only fair to impose equally heavy sanctions on any Bahá'ís who step beyond the moral limits defined by Bahá'u'lláh. Obviously at the present time this would create an impossible and ridiculous situation."

"He feels, therefore, that, through loving advice, through repeated warnings, any friends who are flagrantly immoral should be assisted, and, if possible, restrained. If their activities overstep all bounds and become a matter of public scandal, then the Assembly can consider depriving them of their voting rights. However, he does not advise this course of action, and feels it should only be resorted to in very flagrant cases."

(From a letter written on behalf of the Guardian to the National Spiritual Assembly of the United States, August 20, 1955)



J. Laws of Marriage

1. Parental Consent

1. Knowledge of Character Responsibility of Two Parties and Parents

"Bahá'í law places the responsibility for ascertaining knowledge of the character of those entering into the marriage contract on the two parties involved, and on the parents, who must give consent to the marriage."

"The obligation of the Spiritual Assembly is to ascertain that all requirements of civil and Bahá'í law have been complied with, and, having done so, the Assembly may neither refuse to perform the marriage ceremony nor delay it."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, March 30, 1967)

1. Must Become Thoroughly Acquainted with Characters of Each Other

"Bahá'í marriage is the commitment of the two parties one to the other, and their mutual attachment of mind and heart. Each must, however, exercise the utmost care to become thoroughly acquainted with the character of the other, that the binding covenant between them may be a tie that will endure forever. Their purpose must be this: to become loving

companions and comrades and at one with each other for time and eternity...."

"The true marriage of Bahá'ís is this, that husband and wife should be united both physically and spiritually, that they may ever improve the spiritual life of each other, and may enjoy everlasting unity throughout all the worlds of God. This is Bahá'í marriage."

(Ibid.)

1. Law Requiring Parental Consent Should Encourage Young People to Consider Marriage Seriously

"Bahá'u'lláh definitely says that the consent of the parents should be obtained before the marriage is sanctioned and that undoubtedly has great wisdom. It will at least detain young people from marrying without considering the subject thoroughly. It is in conformity with this teaching of the Cause that Shoghi Effendi cabled that the consent of your parents should be obtained."

"I personally believe that if you retain your love as a pure and close friendship and continue your studies until you bring them to a close then you will be in a better position to judge and perhaps your parents would be given time to give the subject [pg 370] better consideration. Time can always provide things and settle disputes that temporary endeavour and heated discussion cannot help."

(From a letter written on behalf of Shoghi Effendi to an individual believer, May 29, 1929)

1. Consent Required of Parents for Adults, for Second Marriages, for Bahá'ís or Non-Bahá'ís

"About the consent of parents for marriage: This is required before and also after the man or woman is twenty-one years of age. It is also required in the event of a second marriage, after the dissolution of the first whether through death or through divorce."

"The parental consent is also a binding obligation irrespective of whether the parents are Bahá'ís or not, whether they are friendly or opposed to the Cause. In the event of the death of both parents, the consent of a guardian is not required."

(From a letter written on behalf of Shoghi Effendi to an individual believer, October 10, 1936)

1. The Law of Parental Consent is to Strengthen Family Relationships

"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. We Bahá'ís must realize that in present-day society the exact opposite process is taking place: young people care less and less

for their parents' wishes, divorce is considered a natural right, and obtained on the flimsiest and most unwarrantable and shabby pretexts. People separated from each other, especially if one of them has had full custody of the children, are only too willing to belittle the importance of the partner in marriage also responsible as a parent for bringing those children into this world. The Bahá'ís must, through rigid adherence to the Bahá'í laws and teachings, combat these corrosive forces which are so rapidly destroying home life and the beauty of family relationships, and tearing down the moral structure of society."

(From a letter written on behalf of Shoghi Effendi to the National Spiritual Assembly of the United States and Canada, October 25, 1947)

1. Consent of Parents Law of Great Importance Affecting the Foundation of Human Society

"In many cases of breach of marriage laws the believers apparently look upon the law requiring consent of parents before marriage as a mere administrative regulation, and do not seem to realize that this is a law of great importance affecting the very foundations of human society. Moreover they seem not to appreciate that in the Bahá'í Faith the spiritual and administrative aspects are complementary and that the social laws of the Faith are as binding as the purely spiritual ones."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, August 29, 1965: Canadian Bahá'í News, No. 265, February 1973, p. 11)

1. Consent of All Living Parents Places a Grave Responsibility on Each Parent

"It is perfectly true that Bahá'u'lláh's statement that the consent of all living parents [pg 371] is required for marriage places a grave responsibility on each parent. When the parents are Bahá'ís they should, of course, act objectively in withholding or granting their approval. They cannot evade this responsibility by merely acquiescing in their child's wish, nor should they be swayed by prejudice; but, whether they be Bahá'í or non-Bahá'í, the parents' decision is binding, whatever the reason that may have motivated it. Children must recognize and understand that this act of consenting is the duty of a parent. They must have respect in their hearts for those who have given them life, and whose good pleasure they must at all times strive to win."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, February 1, 1968)

1. Parents May Seek Advice of Spiritual Assembly, But Decision Rests with the Parents

"In reply to your letter of 9 March, 1979 requesting comment on an item in the Minutes of a Local Spiritual Assembly concerning parental consent to marriage, the Universal House of Justice directs us to say that while parents may seek advice of an Assembly about whether they should consent to the marriage of their children and the Assembly may give such advice, the decision rests with the parents and the Assembly cannot assume that responsibility."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of the United States, April 5, 1979)

1. The Opposition of Family Members Other Than Parents Does Not Affect Validity of the Marriage

"In this connection, the Guardian feels the necessity of bringing to your attention the fact that the validity of a Bahá'í marriage is conditioned upon the consent of the two parties and their parents only. So that in case the other members of your family show any dislike or opposition to your sister's union with Mr. ..., their objection does under no circumstances invalidate it. Your parents' approval would be sufficient even though all the rest of your family may violently oppose it."

(From a letter written on behalf of Shoghi Effendi to a Bahá'í couple, March 31, 1937)

1. Marriage to Non-Bahá'í, Consent of Parents of Both Parties Required

"Regarding the question whether it is necessary to obtain the consent of the parents of a non-Bahá'í participant in a marriage with a Bahá'í: As Bahá'u'lláh has stated that the consent of the parents of both parties is required in order to promote unity and avoid friction, and as the Aqdas does not specify any exceptions to this rule, the Guardian feels that under all circumstances the consent of the parents of both parties is required."

(From a letter written on behalf of the Guardian to the National Spiritual Assembly of the United States and Canada, August 12, 1941)

1. The Child May Ask Parents to Reconsider — May Request Assistance of Assembly

"It is clear from your letter that you understand the basic requirement that parental consent is necessary to having a Bahá'í marriage and that parents may give or withhold consent for their own reasons. If in a given case the parents at first withhold consent, there is no harm in the child's asking his parents to reconsider, [pg 372] bearing in mind that he has to abide by their decision. The child, on the other hand, may not wish to pursue the matter; it is left entirely to his own judgement of the circumstances whether to request reconsideration or not."

"There have been instances when parties have appealed to Bahá'í institutions (local and national) to assist them in removing any misunderstanding that may have stood in the way of a positive decision on the part of their parents. But there are no hard and fast rules in these matters. Each case is dealt with according to the prevailing circumstances at the time."

(From a letter written on behalf of the Universal House of Justice to an individual believer, October 28, 1984)

1. Consent of Parents Often Withheld for Reasons of Bigotry

"...the Bahá'í law requiring consent of parents to marriage. All too often nowadays such consent is withheld by non-Bahá'í parents for reasons of bigotry or racial prejudice; yet we have seen

again and again the profound effect on those very parents of the firmness of the children in the Bahá'í law, to the extent that not only is the consent ultimately given in many cases, but the character of the parents can be affected and their relationship with their child greatly strengthened."

"Thus, by upholding Bahá'í law in the face of all difficulties we not only strengthen our own characters but influence those around us."

(From a letter of the Universal House of Justice to an individual believer; copies to all National Spiritual Assemblies, February 6, 1973: Messages from the Universal House of Justice, 1968-1973, pp. 106-107)

1. If Parents Are Alive, Consent Must Be Obtained

"Regarding your question of applying the sanction of suspension of voting rights to people who marry without the consent of parents, this should be done from now on. The law of the Aqdas is explicit and not open to any ambiguity at all. As long as the parents are alive, the consent must be obtained; it is not conditioned on their relationship to their children. If the whereabouts of the parents is not known legally, in other words, if they are legally dead, then it is not necessary for the children to obtain their consent, obviously. It is not a question of the child not knowing the present whereabouts of its parents, it is a question of a legal thing — if the parents are alive, they must be asked."

(From a letter written on behalf of the Guardian to the National Spiritual Assembly of Canada, June 26, 1956: Bahá'í News, No. 335, January 1959, p. 2)

1. Circumstances Under which Parental Consent for Bahá'í Marriage Not Required

"In reply to your letter about the problem of ... who is unable to locate the natural father of her fiancé we are glad to offer you the following guidance:"

"The only circumstances under which parental consent for Bahá'í marriage is not required are the following:

1. If the parent is dead.
1. If the parent has absented himself to the degree that he can be adjudged legally dead.
1. If the parent is certified insane and therefore legally incompetent to give consent." [pg 373]
1. If the parent is a Covenant-breaker.
1. It is possible under Bahá'í Law, in certain very rare cases, to recognize that a state of disownment exists. All such cases should be referred to the Universal House of Justice."

"The problem therefore is reduced to the simple question of whether your National Assembly accepts that Miss ...'s father-in-law elect cannot be traced and therefore may, to your satisfaction,

be presumed to be legally dead. You should of course ascertain that Miss ... has made every effort possible to trace her fiance's father."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Alaska, May 30, 1971)

1. Withdrawal from the Faith in Order to Evade Law of Bahá'u'lláh is Not Possible for True Believer

"The responsibilities laid upon parents as they give consideration to the question of consent to marriage of their children is directed to their conscience and therefore it is not possible to apply sanctions. On the other hand, the Bahá'í law requiring children to obtain the consent of their parents to marriage is subject to sanction, and as you know these are matters set forth in the Kitab-i-Aqdas and in the instructions of the beloved Guardian."

"At some time or other, every law of Bahá'u'lláh may impose a test upon the faith of a believer and the question is whether the believer will meet the test or not. As you are aware, withdrawal from the Faith in order to evade a law of Bahá'u'lláh is not possible to a true believer."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, August 22, 1968)

1. Parents Give Consent to Marriage, Not to a Bahá'í Religious Ceremony

"1. Your understanding about withdrawal of consent by one or more of the parents prior to a Bahá'í marriage is correct; namely, if such withdrawal occurs, the marriage cannot take place."

"2. The principle of the Bahá'í law requiring parental consent to marriage is that the parents consent to the marriage of the man to the woman concerned. It does not require that they consent to the performance of any particular ceremony. Obviously, where the parents are Bahá'ís, it is taken for granted that the marriage of a Bahá'í couple will be by the performance of the Bahá'í ceremony. In some cases, however, it would be difficult for non-Bahá'í parents to give consent to the participation of their son or daughter in a Bahá'í religious ceremony, and in these cases the distinction of principle is important. In other words, if the non-Bahá'í parents consent to the marriage of the couple, the Bahá'í ceremony can be held unless they expressly object to the holding of the Bahá'í ceremony, in which case the marriage cannot take place."

(From a letter written on behalf of the Universal House of Justice to an individual believer, July 23, 1984)

1. Every Reasonable Avenue of Search Must Be Exhausted to Find Parent — The Responsible Assembly Must Be Satisfied This Has Been Done

"The Universal House of Justice has received your letter of 8 May 1986 presenting Miss ..., problem of consent to her marriage by her putative father. We are asked to convey its response."
[pg 374]

"It seems clear that Miss ... has a slender connection with her genetic father. Nevertheless, despite his long absence and his lack of any relationship with either mother or daughter, Miss ... is obligated to make every effort, however discreetly carried out, to ascertain his whereabouts, including such steps as contacting persons, firms or agencies, and even advertising in newspapers if necessary. The Local or National Assembly accepts that Miss ...'s father-in-law elect cannot be traced and the National Assembly may offer its assistance to the couple, if needed. When the Assembly is satisfied that every reasonable avenue of search has been exhausted without discovering the missing parent, the Assembly may permit the marriage to take place."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, June 2, 1986)

1. One May Ask Others to Approach Parent on His or Her Behalf

"If the father has been certified mentally incompetent, then no consent is required. Otherwise his consent must be obtained."

"If the young lady is concerned about approaching her father directly she may ask others to do this on her behalf. We suggest also that the Local Assembly be asked to assist."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, August 18, 1968)

1. Marriages Are Supposed to Promote Unity and Harmony — Alienated Parent and Child Might Be Brought Together

"He feels that marriage is primarily a thing that the two young people must decide upon. If the young Bahá'í girl you mentioned desires to marry the son of the Hindu ... and her parents consent, and his parents consent, then there is nothing to prevent the union, as long as Bahá'í laws are followed."

"The Guardian suggests that the young man himself seek out his father, and explain to him that he wishes to marry a Bahá'í girl according to civil law, and then with a brief Bahá'í ceremony following it for her sake, and ask his father's permission and blessing. Marriages are supposed, as Bahá'u'lláh says, Himself, to promote unity and harmony in the world, and not dissension and alienation."

"It would be a wonderful opportunity if this marriage could bring the father and son, alienated from each other, together, at least in a moment of friendly and filial contact. In order to live up to the Bahá'í laws for the new age we are entering upon, we have to make sacrifices. If the Bahá'ís themselves will not sacrifice for their Faith, who will? It may often be difficult, but the results will be seen in a more rapid spread of the Cause and a greater unity amongst the Community itself."

(From a letter written on behalf of Shoghi Effendi to an individual believer, March 12, 1953)

1. Summary of Requirements for Adopted Children in Respect to Consent

"Regarding the matter of adopted children, the consent of all natural parents must be obtained wherever this is legally possible but no effort should be made to trace the natural parents if this contravenes the provision of the adoption certificate or the laws of the country. If there is no such legal bar to approaching the natural parents and if it is legally established that the man in question is the father, the child must obtain his consent if he is alive. If the presumed father has disappeared to the [pg 375] degree that he can be presumed legally dead then his consent is not required. Furthermore, if the assumed natural father denies that he is the father of the child the following principles apply: if his name appears on the birth certificate of the child and if the law of the country presumes that the name on the birth certificate is that of the father, then he should be considered as the father for the purpose of obtaining consent. If the name of the father given on the birth certificate is not a conclusive presumption of parenthood and if the man in question has always denied that he is the father of the child, the child is not required to seek the consent of this man unless it has been legally established that he is the father notwithstanding his denial."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, October 24, 1965)

1. Adopted Children and the Special Significance of Their Relationship with the Natural Parents

"We acknowledge receipt of your letter of November 13, 1973 expressing concern that the provision of the Bahá'í marriage law requiring consent of living natural parents creates a double standard in your family because you have adopted children as well as your own."

"We appreciate your concern and are in sympathy with your worthy aspiration to attain unity in your family group. However, the unity of your family need not be imperilled because your adopted children when ready for marriage must obtain consent of their natural parents. Just as love for one person need not reduce the love one bears to another, so unity with the adoptive parents need not destroy nor reduce the unity a child may have with its natural parents, or vice versa. The characters and attitudes of the individuals concerned will have an effect upon this."

"You also state that unless there is a broader concept of the meaning of 'natural parent', you feel the law creates disharmony. Perhaps the following extract from a letter written on behalf of the beloved Guardian by his secretary was quoted to you by your National Spiritual Assembly, but we draw your attention to that portion we have underlined because it refers to the special significance of the relationship between children and their natural parents."

'Bahá'u'lláh has clearly stated the consent of all living parents is required for a Bahá'í marriage.... 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.'

"In short, love for the foster parents and unity with their home should not exclude love for a child's natural parents, although it is likely a child will become very much more a part of the home in which he lives and grows up."

"Of course, wherever the law of the land or the Agreement of Adoption prohibits future contact between an adopted child and its natural parents, the Bahá'í law does not require the child to seek the consent of those parents to its marriage. However, children may very well wish to obtain the consent of their foster parents although not obliged to do so."

(From a letter of the Universal House of Justice to an individual believer, December 11, 1973)

1. Uniform Adoption Law

"We have your letter of 23 July informing us of the Uniform Adoption Law [pg 376] which makes it the practice to withhold the names of natural parents from the adoptive parents and the child, and asking for advice as to what is required under the laws of Bahá'í marriage regarding consent of the natural parents."

"In cases where the Uniform Adoption Law prevents the disclosure of the names of the natural parents, the child is under no obligation to seek their consent to marriage, but in those cases where it is possible for the child to know his natural parents, consent must be obtained provided there is nothing in the law or in the adoption contract which prevents him from doing so."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Australia, August 7, 1966: Bahá'í Bulletin of Australia; No. 145, September 1966, p. 2)

1. Duty of Assembly to Ascertain if Consent is Freely Given. It is Desirable to Have Signed Consent, is Not Requirement Under Law

"In the Bahá'í Faith it is the right of each individual to choose without duress his future partner in marriage and the freedom of the parents in exercising their right to give or refuse consent is unconditional. While it is desirable to have a signed consent from each parent it is not a requirement under Bahá'í Law. The responsible Spiritual Assembly must satisfy itself that consents are freely given but it should not insist upon a signed document. Reliable evidence of oral consents is quite sufficient; some parents freely give their consents orally while refusing to write their consents."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of Guyana, April 11, 1978)

1. If Parents Do Not Name Future Spouse in Letter of Consent

"Basically, Bahá'í Law pertaining to marriage requires that the parties intending to marry must obtain consent of all living natural parents. Further, the responsibility of the parents in giving their consent is unrestricted and unconditioned, but in discharging this duty they are responsible for their decision to God. Should the parents in their letter of consent, as you indicated, not name a specific future spouse, the House of Justice states that it could be

accepted and it would be permissible to perform a Bahá'í marriage ceremony on the basis of such a letter."

(From a letter written on behalf of the Universal House of Justice to an individual believer, October 9, 1975)

1. Bahá'í Engagement

1. First You Must Select One

"As for the question regarding marriage under the Law of God: First thou must choose one who is pleasing to thee, and then the matter is subject to the consent of father and mother. Before thou makest thy choice, they have no right to interfere."

(Abdu'l-Bahá: Selections from the Writings of Abdu'l-Bahá, p. 118)

1. Period of Engagement and Announcement of Engagement

"The Laws of the Kitab-i-Aqdas regarding the period of engagement have not been made applicable to believers in the West, and therefore there is no requirement that the parties to a marriage obtain consent of the parents before announcing their engagement. However, there is no objection to informing the believers that it would [pg 377] be wise for them to do so in order to avoid later embarrassment if consents are withheld."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Australia, January 17, 1971: Australian Bahá'í Bulletin, February 1971, No. 198)

1. If Both Parties Are Persian Engagement Should Not Exceed 95 Days

"...the Universal House of Justice instructs us to say that according to its ruling, the law of the Kitab-i-Aqdas that the lapse of time between engagement and marriage should not exceed ninety-five days, is binding on Persian believers wherever they reside, if both parties are Persian. This law is not applicable, however, if one of the parties is a western believer."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, October 31, 1977)

1. The Ninety-Five Days Should Commence When the Two Parties Have Been Betrothed

"In principle, according to the decisive text of Abdu'l-Bahá, the period of ninety-five days should commence only when the two parties have been betrothed, and the marriage is agreed. Therefore, the breaking of an engagement, although possible, should rarely occur. The Assemblies should, when the reason for breaking or extending the fixed period of engagement is valid, render every assistance to the parties involved to remove their difficulties and facilitate their observance of the ordinance of the Book."

"However, if the revoking, extending, or renewing of engagement in the judgement of the Assembly is an intentional disregard of the law of the Book, then the National Spiritual Assembly should, in each case, carefully consult and carry out whatever action they may decide..."

(Translated from a letter of the Universal House of Justice to a National Spiritual Assembly, June 29, 1971)

1. The Breaking of an Engagement Does Not Violate Bahá'í Law

"...the breaking of an engagement, though not always desirable, does not violate Bahá'í marriage law."

(From a letter of the Universal House of Justice to a National Spiritual Assembly, November 11, 1969)

1. It is Unlawful to Announce a Marriage Earlier Than 95 Days Before Wedding

"...it is unlawful to announce a marriage earlier than ninety-five days before the wedding."

(Bahá'u'lláh: The Kitab-i-Aqdas, Questions and Answers, Q 43, p. 120)

1. It is Unlawful to Become Engaged to a Girl Before She Attains Maturity¹⁰

"It is unlawful to become engaged to a girl before she reaches the age of maturity."

(Bahá'u'lláh, The Kitab-i-Aqdas, p. 150) [pg 378]

1. Bahá'í Marriage

1. The Bahá'í Teachings Raise Marriage to the Status of a Divine Institution; However, There is a Small Section of Humanity Who Should Not Marry...

"The Bahá'í Teachings do not only encourage marital life, considering it the natural and normal way of existence for every sane, healthy and socially-conscious and responsible person, but raise marriage to the status of a divine institution, its chief and sacred purpose being the perpetuation of the human race — which is the very flower of the entire creation — and its elevation to the true station destined for it by God."

"That there should be, however, certain individuals who by reason of some serious deficiency, physical or mental, would be incapacitated to contract marriage and enjoy the blessings of an enduring and successful marital life is only too evident, but these constitute only a very small section of humanity, and are therefore merely an exception, and their condition cannot possibly invalidate what an all-wise and loving Providence has decreed to be the normal way to a fruitful and constructive social existence."

"The exact conditions and circumstances under which such incapacitated individuals should be advised or even prevented perhaps from entering into any sort of marital existence have not

¹⁰. See also: No. 516

been specified in the Bahá'í Writings, but will have to be defined later on by the Universal House of Justice. In the meantime, those believers who consider themselves as falling into the above category would do well, before taking any final decision themselves, to consult medical experts, who are both conscientious and competent, and to abide by their recommendation."

"This is what the Guardian would advise you to do, and he will pray that you may be guided in reaching the right decision in this assuredly delicate and indeed most vital matter confronting you at present. Whether your illness is the result of any inherent constitutional weakness and inherited predisposition is a question which you should refer to experts in the medical field, though even expert physicians themselves may in very few cases find it exceedingly hard, if not altogether impossible, to give a final and decisive answer."

(From a letter written on behalf of Shoghi Effendi to an individual believer, April 15, 1939)

1. The Institution of Marriage as Conceived and Established by Bahá'u'lláh Constitutes the Foundation of Social Life

"It must be first clearly emphasized that the institution of marriage as conceived and established by Bahá'u'lláh is extremely simple though of a vital social importance, constituting as it does the very foundation of social life. Compared to matrimonial conceptions and forms current amongst existing religions, the Bahá'í conception of marriage is practically void of all ceremonies. There is no officiating priesthood. The two contracting parties simply appear before the Spiritual Assembly and express their desire to be united with the bonds of marriage. There is a short formula which they have to pronounce before the members, and a marriage certificate which they both have to sign. In the Cause we do not have what is commonly called the 'Aqid'. The appearance of the two parties before the Assembly has only an administrative importance. It carries with it no spiritual or sacramental obligation of significance. I mean only the mere act of appearing before the Assembly, not marriage itself, which is of course essentially a spiritual and moral act of union."

(From a letter written on behalf of the Guardian to the National Spiritual Assembly of India, July 6, 1935) [pg 379]

1. The Physical Aspect of Marital Union is Subordinate to the Moral and Spiritual Purposes and Functions

"The Institution of marriage as established by Bahá'u'lláh, while giving due importance to the physical aspect of marital union, considers it as subordinate to the moral and spiritual purposes and functions with which it has been invested by an all-wise and loving Providence. Only when these different values are given each their due importance, and only on the basis of the subordination of the physical to the moral, and the carnal to the spiritual, can such excesses and laxity in marital relations as our decadent age is so sadly witnessing be avoided, and family life be restored to its original purity, and fulfil the true function for which it has been instituted by God."

(From a letter written on behalf of Shoghi Effendi to an individual believer, May 8, 1939: Family Life, pp. 18-19)

1. Marriage Between Two Bahá'ís Can Be a Potent Force in the Lives of Others

"He hastens to wish you both every happiness in your forthcoming marriage, and he hopes that it will not only be a blessing to you both, but to the Faith as well."

"A marriage between two souls, alive to the Message of God in this day, dedicated to the service of His Cause, working for the good of humanity, can be a potent force in the lives of others and an example and inspiration to other Bahá'ís, as well as to non-believers."

(From a letter written on behalf of the Guardian to an individual believer, August 4, 1943)

1. Bahá'í Union Must Be a True Relationship that Will Endure

"When, therefore, the people of Baha undertake to marry, the union must be a true relationship, a spiritual coming together as well as a physical one, so that throughout every phase of life, and in all the worlds of God, their union will endure; for this real oneness is a gleaming out of the love of God."

(Abdu'l-Bahá, Selections from the Writings of Abdu'l-Bahá, p. 117)

1. Moral Duty to Marry But Marriage is Not an Obligation

"...Of course, under normal circumstances, every person should consider it his moral duty to marry. And this is what Bahá'u'lláh has encouraged the believers to do. But marriage is by no means an obligation. In the last resort it is for the individual to decide whether he wishes to lead a family life or live in a state of celibacy."

(From a letter of the Guardian to an individual believer, May 3, 1936; cited by the Universal House of Justice in a letter to an individual believer, February 6, 1973: Messages from the Universal House of Justice, 1968-1973, pp. 109-110)

1. Bahá'u'lláh Has Urged Marriage as the Natural and Rightful Way of Life

"He realizes your desire to get married is quite a natural one, and he will pray that God will assist you to find a suitable companion with whom you can be truly happy and united in the service of the Faith. Bahá'u'lláh has urged marriage upon all people as the natural and rightful way of life. He has also, however, placed strong [pg 380] emphasis on its spiritual nature, which, while in no way precluding a normal physical life, is the most essential aspect of marriage. That two people should live their lives in love and harmony is of far greater importance than that they should be consumed with passion for each other. The one is a great rock of strength on which to lean in time of need; the other a purely temporary thing which may at any time die out."

(From a letter written on behalf of the Guardian to Mr. John Stearns, January 20, 1943 — the first pioneer to Ecuador)

1. The Bahá'í Faith Does Not Contemplate Any Form of "Trial Marriage"

"Concerning the three definitions of 'companionate marriage' which you give in your letter: the first, which is defined as living together without being married, on either a trial or immoral basis, is obviously unacceptable in Bahá'í teachings and is, moreover, an offence which, if persisted in, could call for deprivation of voting rights. The second and third, namely (2) a marriage where the couple agree ahead of time that they will not have children, ever, and (3) a marriage in which the couple would not have children until they are sure that they wish to stay married, divorce by mutual consent being envisaged before children are born, are private situations which would be undetectable by anyone who has not been confided in by either the husband or the wife. Thus, unlike the first type of 'companionate marriage' they do not constitute blatant immorality and no question of the removal of voting rights would arise. Nevertheless they are also both contrary to the spirit of Bahá'í law. The Bahá'í Teachings do not contemplate any form of 'trial marriage'. A couple should study each other's character and spend time getting to know each other before they decide to marry, and when they do marry it should be with the intention of establishing an eternal bond. They should realize, moreover, that the primary purpose of marriage is the procreation of children. A couple who are physically incapable of having children may, of course, marry, since the procreation of children is not the only purpose of marriage. However, it would be contrary to the spirit of the Teachings for a couple to decide voluntarily never to have any children."

(From a letter written on behalf of the Universal House of Justice to an individual believer, November 3, 1982)

1. Regarding Couples Living Together Without Being Married

"When considering cases of couples who are living together without being married it is important to distinguish those who started this association after becoming Bahá'ís from those who were in this condition already at the time of accepting the Faith. The House of Justice is sure that your Assembly is aware that it is not permissible for Bahá'ís to enter into such an immoral relationship and that any believers who do so must be counselled by the Assembly and warned to correct their conduct, either by separating or by having a Bahá'í marriage ceremony in accordance with the provisions of Bahá'í law. If, after repeated warnings, the believers concerned do not conform to Bahá'í law, the Assembly has no choice but to deprive them of their voting rights."

"The situation of those who were living in such a relationship when they accepted the Faith is less clear-cut, and the House of Justice has instructed us to send your Assembly the following summary of the applicable principles which was prepared [pg 381] in response to a similar question by another National Spiritual Assembly.

1. In general, marriages entered into by parties prior to their enrolment in the Faith are recognized as valid under Bahá'í law, and in such cases an additional Bahá'í marriage ceremony is not permitted. This applies whether the marriage was established under civil or religious law or under tribal custom.
1. A couple living together merely as man and mistress when either or both become Bahá'í are not married in the eyes of Bahá'í law, and must either have a Bahá'í marriage in accordance with the provisions of Bahá'í law, or cease living together. In other words, the

Assembly must deal with the situation as it would in any other case of immoral behaviour, explaining the requirements of the law, giving repeated warnings, and ultimately, if the offender does not comply, he must forfeit his voting rights.

1. Because of unusual conditions in certain countries and certain cases it sometimes happens that a person will become a Bahá'í when he or she is living in a situation which does not clearly fit within either of the above definitions. Such a case occurs, for example, where a couple have established firm ties of union and are living together in such a way that they appear to be married and are accepted as such by those around them; the union has stood the test of time and there may even be children, and yet, in fact, the couple are not actually married in any of the ways defined above. The principle followed here is that we do not pry into people's lives and insist on their undoing those ties they have established before becoming believers, but the union is accepted as a marriage in the eyes of Bahá'í law. The Guardian upheld this principle in situations which arise in some Catholic countries where, because of the relationship between church and state divorce is impossible, and one or both of the parties may still be legally married to someone else. Where it is possible for such a couple to regularize their position in civil law by having a civil marriage ceremony, they may certainly do so, but it is neither necessary nor permissible for them to have a Bahá'í marriage ceremony, since, in the eyes of Bahá'í law, they are already united in marriage."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of Panama, September 7, 1981)

1. The Basic Difference Between the Two Categories of Relationships

"The basic difference between the two categories of relationships is that common law marriage is considered by the parties concerned as a solemn contract with the sole intention of establishing a family but which, because of legal complications, cannot be duly registered, whereas in companionate marriage and the like the parties concerned initiate and maintain their relationship either on a trial basis or on other immoral grounds, both of which are condemned in our Teachings."

"We feel that by applying these principles in each of the cases you cite in your letter, with wisdom, kindness and love you will be able gradually to educate the friends in the fundamentals of our Teachings and enable them to overcome their moral difficulties."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Paraguay, November 21, 1967)

1. Faith Accepts in Certain Cases Unions which Are "Immoral But Accepted" by Society in which the People Live

"As you will see, the Bahá'í Faith accepts as man and wife couples who, prior to [pg 382] becoming Bahá'ís, have had a valid marriage ceremony, whether this be civil, religious or by tribal custom, even if this has resulted in a polygamous union. Furthermore, the Faith accepts in certain cases unions which are 'immoral but accepted' by the society in which the people live. In

all these cases, because the union is accepted by the Faith, there is no question of a couple's having a Bahá'í wedding ceremony subsequently because, as the Guardian says, 'Bahá'í marriage is something you perform when you are going to be united for the first time, not long after the union takes place'. If, however, such a couple would like to have a meeting of their friends at which Bahá'í prayers and readings are said on behalf of their marriage now that they are Bahá'ís, there is no objection to their doing so, although it must be understood that this does not constitute a Bahá'í marriage ceremony."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Peru, June 23, 1969)

1. Legalizing Existing Situation Does Not Require Bahá'í Marriage

"The matter of regularising a situation in civil law is quite separate and largely depends upon the requirements of the law. If a couple whose union is recognized by the Faith but is not valid in civil law wish to have a civil marriage, they may most certainly do so. This is purely a rectification of the civil position and does not require the holding of a Bahá'í marriage ceremony."

(Ibid.)

1. Difference Between Companionate Marriage and Common Law Marriage

"We have reviewed your letter of October 25 asking questions concerning the application of Bahá'í marriage laws in your community."

"The problem you describe in your letter is more or less common to the other territories in Latin America, and during the lifetime of the Guardian similar problems were presented to him by National Assemblies operating at the time in Latin America. The replies given by the Guardian indicate that distinction should be made between companionate marriage and flagrant immorality on the one hand, and common law marriage contracted because of the present relationship of law and the church in those areas on the other. Whilst the first type of relationship is immoral and therefore cannot be tolerated, the second type of relationship, if contracted before a person has become a Bahá'í, may be accepted by the institutions of the Faith without requiring the person to undo such ties."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Paraguay, November 21, 1967)

1. Companionate Marriage and Flagrantly Immoral Relationships

"Regarding companionate marriage and flagrant immorality, we quote below two passages from letters written on behalf of the Guardian:

'The Guardian has instructed me to say that companionate marriage, where there is no legal or religious marriage, is an immoral relationship and we cannot accept as believers those who are openly behaving in this way.' (To the NSA of Argentina, Bolivia, Chile, Paraguay and Uruguay, dated September 26, 1957)

'As regards flagrantly immoral relationships, such as a man living with a [pg 383] mistress, this should be brought to his attention in a loving manner, and he should be urged to either marry the woman if he is free to do so, or to give up this conduct, so detrimental to the Faith and to his own spiritual progress.'" (To the NSA of Central America, dated February 9, 1957)

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Paraguay, November 21, 1967)

1. Violation of Marriage Law, Ascertain if Bahá'í Informed of Requirements

"...For the present, your Assembly should follow the guidance already given by the beloved Guardian, keeping in mind that suspension of voting rights is not an automatic procedure."

"In all marriage cases, including those you list, your Assembly must first ascertain if the Bahá'í in question was informed of the requirements for Bahá'í marriage, and of his own responsibilities in connection therewith. In cases involving disregard of Bahá'í laws other than that of marriage, you should be slow to impose this severe sanction."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Canada, April 14, 1965)

1. Incorrect Information Given by Assembly

"Similarly, you should take into account a believer's good intention if he acted in accordance with incorrect advice or instruction given to him by his Local Spiritual Assembly or another Bahá'í institution."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, October 11, 1965)

1. Bahá'ís Ignorant of Law in a Different Category Altogether

"At the present stage in the development of the Bahá'í Community, Bahá'ís who failed to have a Bahá'í marriage through ignorance of the law are in a different category altogether from those who wittingly broke the law. The latter must have a Bahá'í ceremony in order to regain their voting rights; but the former should be treated in the same manner as those Bahá'ís who married before they entered the Faith and those Bahá'ís who married without a Bahá'í ceremony before the law was applied: they should be considered married and not be required to have a Bahá'í ceremony."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, January 20, 1966)

1. Be Patient and Forbearing in Application of Laws to Indigenous People: Must Not Pry into People's Personal Lives

"There are, however, as you will see from the 21 November letter to Paraguay, situations which are not accepted by the Bahá'í Faith, and when people who are living in such immoral situations become Bahá'ís they must rectify their condition or be subject to loss of their voting rights. We wish to emphasize, however, that although all immorality is condemned in the Teachings, it is only flagrant immorality that is now sanctionable. You should not pry into people's affairs, and only in cases of flagrant immorality should you consider imposing sanctions, and then only after you have patiently explained to the believers concerned the Bahá'í laws involved and given them ample time to comply. Particularly in the application [pg 384] of these laws to indigenous people should you be patient and forbearing. The emphasis should be on education rather than on rigid enforcement of the law immediately."

"When someone who is already a Bahá'í knowingly violates Bahá'í marriage law he is subject to loss of his voting rights. Apart from the cases mentioned in paragraph four above, believers wishing to be married must have a Bahá'í ceremony, and this is true even if only one of the parties is a Bahá'í...."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Peru, June 23, 1969)

1. Bigamy Not Permitted

"The situation facing you is admittedly difficult and delicate, but no less grave and indeed vital are the responsibilities which it entails and which, as a faithful and loyal believer, you should conscientiously and thoroughly assume. The Guardian, therefore, while fully alive to the special circumstances of your case, and however profound his sympathy may be for you in this challenging issue with which you are so sadly faced, cannot, in view of the emphatic injunctions contained in the Teachings, either sanction your demand to contract a second marriage while your first wife is still alive and is united with you in the sacred bonds of matrimony, or even suggest or approve that you divorce her just in order to be permitted to marry a new one."

"For the Bahá'í Teachings do not only preclude the possibility of bigamy, but also, while permitting divorce, consider it a reprehensible act, which should be resorted to only in exceptional circumstances, and when grave issues are involved, transcending such ... considerations as physical attraction or sexual compatibility and harmony. The Institution of marriage, as established by Bahá'u'lláh, while giving due importance to the physical aspect of marital union, considers it as subordinate to the moral and spiritual purposes and functions with which it has been invested by an all-wise and loving Providence. Only when these different values are given each their due importance, and only on the basis of the subordination of the physical to the moral, and the carnal to the spiritual, can such excesses and laxity in marital relations as our decadent age is so sadly witnessing be avoided, and family life be restored to its original purity, and fulfil the true function for which it has been instituted by God."

(From a letter written on behalf of the Guardian to a believer who, having married his first wife out of compassion, now wished permission to marry a woman with whom he had fallen in love, saying that his wife was agreeable to his taking this second wife, May 8, 1939: Extracts from the Bahá'í Teachings Discouraging Divorce, pp. 4-5)

1. Summary of Bahá'í Requirements Concerning Marriages with Followers of Other Religions

"In your letter of 1st July 1979 you requested the Universal House of Justice to provide you with a statement on the Bahá'í requirements concerning marriages with followers of other Faiths. The House of Justice has instructed us to send you the following summary.

1. When a Bahá'í is marrying a non-Bahá'í, and the non-Bahá'í wishes to have the ceremony of his (or her) own religion, the Bahá'í party may take part in it under the following conditions: [pg 385]
 1. 1 That all concerned, including the officiating priest, know that he is a Bahá'í.
 1. 2 That he does not, by having the ceremony, renounce his faith.
 1. 3 That he does not undertake any vow to act contrary to Bahá'í principles (such as to bring up the children in another Faith).
 1. 4 That the ceremony be held on the same day as the Bahá'í ceremony, either before or after it.
1. If a civil ceremony is required by law in addition to the two religious ceremonies, all three ceremonies must be held on the same day.
1. If a Bahá'í has the marriage ceremony of another religion and, in so doing, violates any of the above requirements, he is liable to loss of his voting rights.
1. If voting rights are removed and the offender requests reinstatement, they may be restored if the Assembly is satisfied that the believer is repentant, subject to the following conditions:
 1. 1 If the Bahá'í dissimulated his faith or undertook a vow contrary to Bahá'í principles in order to have the ceremony of another religion, and if the holding of the ceremony was dependent upon such an act, he must dissolve the marriage. His voting rights may then be restored, but, if he still wishes to be married to the same woman, he can be so only if they marry in accordance with the requirements of Bahá'í law.
 1. 2 If the Bahá'í dissimulated his faith or undertook a vow contrary to Bahá'í principles, and the holding of the marriage ceremony of the other faith was not dependent upon such an act, it is not necessary to dissolve the marriage, but the Bahá'í must do whatever is necessary to officially inform the appropriate authorities that he was a Bahá'í at the time of his marriage, and to withdraw the vow. Following the taking of these steps the Bahá'í's voting rights may be restored on condition that a Bahá'í marriage ceremony be held immediately after their restoration.
 1. 3 If the Bahá'í neither dissimulated his faith nor undertook any vow contrary to Bahá'í principles, and his only offence was failure to have the Bahá'í ceremony on the same day as the ceremony of the other religion (or the civil ceremony), his voting rights may be

restored on condition that a Bahá'í marriage ceremony be held immediately after their restoration.

1. The holding of a Bahá'í marriage ceremony, which would permit the restoration of voting rights is subject to the same requirements as any other Bahá'í marriage, and if a Bahá'í has had a civil ceremony of another religion without a Bahá'í ceremony and without obtaining consent of parents, the Assembly, before granting the Bahá'í ceremony, must be satisfied that the consent of the parents is freely given.
1. If a Bahá'í has a civil marriage or the marriage of another religion, and the Assembly is satisfied that this was because he (or she) was genuinely ignorant of Bahá'í law on the subject, the Assembly may excuse the fault. In such a case the person is recognized as married in the same way as if he had been married before accepting the Faith. It is thus neither necessary nor possible for him to have a Bahá'í ceremony."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of Greece, July 15, 1980) [pg 386]

1. **Mixed Marriages (i.e., Bahá'í and Non-Bahá'í)**

"With reference to your question regarding mixed marriages, that is to say between Bahá'ís and non-Bahá'ís, in all such cases the believer must insist that the Bahá'í ceremony should, as far as he is concerned, be performed in its entirety, but should also give full freedom to the other contracting party to carry out the non-Bahá'í rite or ceremony be it Muslim, Christian or otherwise, provided the latter does not invalidate the Bahá'í marriage act. This is the general principle which your N.S.A. should explain to the friends."

(From a letter written on behalf of Shoghi Effendi to the National Spiritual Assembly of Iraq, April 16, 1936)

1. **Roman Catholic Marriage Requirements with Non-Catholics**

"We wish to advise you also of a recent instruction by Pope Paul VI, which liberalizes the Roman Catholic attitude to marriage with non-Catholics. It is now permissible for Catholics to enter into 'mixed marriages' and the requirement to bring up children in the Roman Catholic religion need not be enforced. The National Assembly of Italy reports a recent marriage between a Bahá'í and a Catholic in which the officiating priest for the Catholic ceremony required no written undertaking but declared that the couple should promise to bring up their children religiously. Of course, this liberalism on the part of the Roman Catholic Church in no way affects the Bahá'í laws of marriage, including the obligation to make clear to all concerned that one is a Bahá'í and to abstain from undertaking a vow contrary to the principles of the Faith. You may find, in the case of a Bahá'í marrying a Catholic, less difficulty than formerly if a Catholic priest of the newer liberal persuasion can be found."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Ecuador, January 9, 1967)

1. In Reality No Individual Performs the Marriage Ceremony and if for Any Reason Non-Bahá'í Refuses to Recite Verse, Bahá'í Cannot Marry that Person

"When a Bahá'í marriage ceremony takes place, there is no individual, strictly speaking, who 'performs' it — no Bahá'í equivalent to a minister of the Church. The couple themselves perform the ceremony by each saying, in the presence of at least two witnesses, the prescribed verse 'We will all, verily, abide by the Will of God.' This ceremony is performed under the authority of a Spiritual Assembly which has the responsibility for ensuring that the various requirements of Bahá'í law, such as obtaining the consent of the parents, are met, to whom the witnesses must be acceptable, and which issues the marriage certificate."

"The sincerity with which the sacred verse is spoken is a matter for the consciences of those who utter it. According to the explicit text of the Kitab-i-Aqdas, both the bride and groom must, in the presence of witnesses, recite the prescribed verse; this is an essential requirement of the marriage ceremony. Thus if a Bahá'í is marrying a non-Bahá'í and this person for any reason refuses to utter this verse, then the Bahá'í cannot marry that person."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of Norway, May 23, 1985)

1. Marriage of Bahá'í to Atheist

"The laws conditioning Bahá'í marriage are found in the 'Synopsis and Codification of the Kitab-i-Aqdas' under C., Laws of Personal Status, beginning on [pg 387] Page 39 of that publication. No Bahá'í marriage can be valid without the recitation of the prescribed verse by both parties."

(From a letter written on behalf of the Universal House of Justice in answer to a letter from the National Spiritual Assembly of Ecuador regarding an atheist who agreed to the Bahá'í ceremony but since he did not believe in God did not wish to repeat the marriage verse using the name of God. Letter dated December 19, 1974)

1. Marriage by Proxy

"In reply to your letter of October 19th asking whether a young believer in your jurisdiction may be married by proxy; we do not approve of the proposed proxy marriage."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, October 26, 1967)

1. Hindu Ceremony is Possible for Bahá'í, Provided...

"As regards marriage between a Bahá'í and a Hindu, having a Hindu ceremony is possible only if the people concerned, including the officiating priest, are aware that the Bahá'í remains a Bahá'í although taking part in the Hindu marriage ceremony in deference to his or her Hindu partner."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of India, May 4, 1970: 19-Day Feast Circular of India, February 2, 1971, p. 7)

1. Inter-Racial Marriage

"In regard to your question concerning the nature and character of Bahá'í marriage. As you have rightfully stated, such a marriage is conditioned upon the full approval of all four parents. Also your statement to the effect that the principle of the oneness of mankind prevents any true Bahá'í from regarding race itself as a bar to union is in complete accord with the Teachings of the Faith on this point. For both Bahá'u'lláh and Abdu'l-Bahá never disapproved of the idea of inter-racial marriage, nor discouraged it. The Bahá'í Teachings, indeed, by their very nature transcend all limitations imposed by race, and as such can and should never be identified with any particular school of racial philosophy."

(From a letter of the Guardian to the National Spiritual Assembly of the United States and Canada, January 27, 1935: Bahá'í News, No. 90, p. 1, March 1935)

1. **Marriage Between Relatives**

"The Universal House of Justice has instructed us to acknowledge your letter of 15 December 1980 in which you ask what prohibitions, in addition to the one on marrying one's step-mother, there may be restricting marriage between relatives, and to say that the House of Justice has not as yet seen fit to make regulations on the subject of marriage with one's kindred. For the present, therefore, decisions are left to the consciences of the individual Bahá'ís who must, of course, obey the civil law. Consideration must also be given to the prevailing customs and traditions in each country so that any action in this respect will not reflect upon the Faith in an adverse way."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, January 15, 1981)

- **Marriage Ceremony for Two Non-Bahá'ís**

"There is no objection to performing a Bahá'í marriage for two non-Bahá'ís, if they [pg 388] desire to have our simple ceremony. This, on the contrary, is yet another way of demonstrating our liberality."

(From a letter written on behalf of Shoghi Effendi to the National Spiritual Assembly of the United States and Canada, October 25, 1947: Bahá'í News, No. 202, December 1947, p. 2)

1. **The "So-Called" Marriage Tablet**

"With regard to your question concerning the so-called Marriage Tablet printed on page 47 of the supplement of the British Prayer Book, this is not a Tablet, but a talk ascribed to the Master by Mirza Ahmad Sohrab. It was given some time in December, 1918 about Sohrab's marriage. It cannot be regarded as Bahá'í scripture as 'nothing can be considered as scripture for which we do not have an original text,' as the beloved Guardian pointed out. The friends may use this talk, but it is not to be considered as scripture."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of South and West Africa, January 18, 1971: Bahá'í Journal of the United Kingdom, No. 218, August 1973, p. 2)

1. Wedding Plans Should Be Left Entirely in the Hands of the Bride and Groom

"An Assembly has the overriding duty to protect the good name of the Faith in relation to any activity of the friends, but it should always exercise great care not to restrict the individual's freedom of action unnecessarily. Normally the size of the wedding celebration, the place in which it is to be held and who is to be invited are all left entirely to the discretion of the bride and groom and an Assembly should interpose an objection only if it is quite certain that the Cause will really be injured if it does not do so.

"In the case of any Bahá'í wedding, delayed or otherwise, the date on the certificate must be the date the ceremony is performed."

(From a letter of the Universal House of Justice to a National Spiritual Assembly, January 20, 1966)

1. Believers Should Not Attend Weddings of Bahá'ís Marrying Contrary to Bahá'í Law

"Further to your letter of 5 September 1974, the Universal House of Justice has now had an opportunity to consider your question about believers attending weddings of Bahá'ís who are marrying contrary to Bahá'í law, and we have been asked to convey to you the following."

"If it is known beforehand that a believer is violating such laws, it would be inappropriate for the friends to attend the ceremony. This is out of respect for Bahá'í law. However, if without realizing the situation believers find themselves in attendance at a ceremony in the course of which it is apparent that such a violation is occurring, they should not make an issue of it."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of New Zealand, November 11, 1974: Australian Bahá'í Bulletin, No. 243, September 1975, p. 4)

1. The Compulsory Part of a Bahá'í Wedding is the Pledge of Marriage in the Presence of Two Assembly Witnesses

"When the consent of the parents is obtained, the only other requirement for the ceremony is the recitation by both parties in the presence of two witnesses of the ^{pg 389} specifically revealed verse: 'We will all, verily, abide by the Will of God.' The following quotations from letters written by the Guardian's secretary indicate the desirability of the Bahá'í marriage ceremony being simple:

'There is no ritual, according to the Aqdas, and the Guardian is very anxious that none should be introduced at present and no general form accepted. He believes the ceremony should be as simple as possible....'

'The only compulsory part of a Bahá'í wedding is the pledge of marriage, the phrase to be spoken separately by the Bride and Bridegroom in turn, in the presence of Assembly witnesses.'"

(From a letter written on behalf of the Universal House of Justice to an individual believer, July 23, 1984)

1. When a Bahá'í Marries a Non-Bahá'í Both Ceremonies Can Be Held in the Place of Worship of Another Religion, if Requested, and Provided that...

"In response to your email of 6 February 1986 we have been instructed by the Universal House of Justice to send you the following clarifications:

— When two Bahá'ís are marrying, the wedding ceremony should not be held in the place of worship of another religion, nor should the forms of the marriage of other religions be added to the simple Bahá'í ceremony.

— When a Bahá'í is marrying a non-Bahá'í, and the religious wedding ceremony of the non-Bahá'í partner is to be held in addition to the Bahá'í ceremony, both ceremonies may, if requested, be held in the place of worship of the other religion provided that:

— Equal respect is accorded to both ceremonies. In other words, the Bahá'í ceremony, which is basically so simple, should not be regarded as a mere formal adjunct to the ceremony of the other religion.

— The two ceremonies are clearly distinct. In other words, they should not be commingled into one combined ceremony."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of the United States, February 26, 1986)

1. Witnesses Can Be Any Two Trustworthy People Acceptable to Assembly: Makes Possible for Lone Pioneer to Have Bahá'í Marriage in a Remote Post

"...The only requirement, however, is that the bride and groom, before two witnesses, must state 'We will all, verily, abide by the Will of God.' These two witnesses may be chosen by the couple or by the Spiritual Assembly, but must in any case be acceptable to the Assembly; they may be its chairman and secretary, or two other members of the Assembly, or two other people, Bahá'í or non-Bahá'í, or any combination of these. The Assembly may decide that all marriage certificates it issues are to be signed by the chairman and secretary, but that is a different matter and has nothing to do with the actual ceremony or the witnesses."

"...you state that the two witnesses at the marriage must be Bahá'ís. Although this is the usual practice, it is not essential. The witnesses can be any two trustworthy people whose testimony is acceptable to the Spiritual Assembly under whose jurisdiction the marriage is performed. This fact makes it possible for a lone pioneer in a remote post to have a Bahá'í marriage."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Switzerland, August 8, 1969) [pg 390]

1. Two Essential Obligations Regarding Education of Children

"In all cases of marriage of Bahá'ís to followers of other religions the Bahá'í has two essential obligations as regards the children:

a. He must not educate or assume a vow to educate the children of the marriage in a religion other than his own.

b. He must do whatever he can to provide for the training of the children in the Bahá'í teachings.

"...Bearing in mind the obligation of the Bahá'í parent to offer his child a Bahá'í education, there is no objection to the attendance of the child of a Bahá'í parent, or even a Bahá'í child, at a parochial school if circumstances require."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, May 10, 1966)

1. Bahá'í Ceremony Should Be as Simple as Possible, No Rituals

"Regarding the question you raise in your letter about the Bahá'í marriage. As you know there is no ritual, according to the Aqdas, and the Guardian is very anxious that none should be introduced at present and no general forms accepted. He believes this ceremony should be as simple as possible, the parties using the words ordained by Bahá'u'lláh, and excerpts from the writings and prayers being read if desired. There should be no commingling of the old forms with the new and simple one of Bahá'u'lláh, and Bahá'ís should not be married in the Church or any other acknowledged place of worship of the followers of other Faiths...."

(From a letter written on behalf of the Guardian to an individual believer, March 13, 1944)

1. Meaning of Consummation of Marriage

"The Universal House of Justice has instructed us to give the following answer to your letter of 24 June in which you ask questions about the principle that the Bahá'í and other wedding ceremony must take place on the same day.

i. In a letter written on behalf of the beloved Guardian he pointed out that this requirement is because of a provision in Bahá'í law that marriage must be consummated within twenty-four hours of the ceremony.

ii. Both ceremonies must precede the consummation of the marriage, and both the ceremonies and the consummation must take place within the same 24-hour period. As the House of Justice does not wish to go beyond this at this time we are asked to tell you that it is within the discretion of your Assembly to fix the time at which the 24-hour period is to begin."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, dated 31 July 1979)

"The consummation of marriage by a couple is, as you aptly state, an intimate and private matter outside the scrutiny of others. While consummation normally implies a sexual relationship, the Bahá'í law requiring consummation to take place within twenty-four hours of the ceremony can be considered as fulfilled if the couple has commenced cohabitation with the intention of setting up the family relationship."

(From a letter written on behalf of the Universal House of Justice to an individual believer, dated 28 July, 1978) [pg 391]

1. Consummation of Marriage Must Take Place Within Twenty-Four Hours of Bahá'í Marriage Ceremony

"As to cases involving another ceremony in addition to the Bahá'í one, the friends should bear in mind that according to Bahá'í law the consummation of the marriage must take place within twenty-four hours of the Bahá'í marriage ceremony. If other marriage ceremonies are to be held in addition to the Bahá'í one, all the ceremonies must precede consummation of the marriage and, together with the consummation, fall within one twenty-four hour period. Naturally any requirements of civil law as to the order in which the ceremonies should be held must be observed."

(From the Universal House of Justice to the International Teaching Centre, February 17, 1976)

1. Reporting Bahá'í Marriage: Individual Only Acts for Assembly

"...In reporting Bahá'í marriages it is much better to mention that the ceremony was performed by the Assembly, as this is the proper thing to do, and an individual only acts for the Assembly on this occasion. As a funeral is not a legal ceremony more latitude can be allowed, especially as the family of the deceased may want some particular Bahá'í friend to officiate."

(From a letter written on behalf of the Guardian to the National Spiritual Assembly of the United States and Canada, July 20, 1946: Bahá'í News, No. 188, p. 3, October 1946)



K. Divorce

1. Attitude of Present-Day Society Towards Divorce

"The Universal House of Justice has noted with increasing concern that the undisciplined attitude of present-day society towards divorce is reflected in some parts of the Bahá'í World Community. Our Teachings on this subject are clear and in direct contrast to the loose and casual attitude of the 'permissive society' and it is vital that the Bahá'í Community practise these Teachings."

(From a letter written on behalf of the Universal House of Justice to all National Spiritual Assemblies, January 18, 1980)

1. There Are No Grounds for Divorce in the Faith — Divorce Should Only Be Considered if There is a Strong "Aversion" to One's Partner

"Concerning the definition of the term 'aversion' in relation to Bahá'í divorce law, the Universal House of Justice points out that there are no specific 'grounds' for Bahá'í divorce such as there are in some codes of civil law. Bahá'í law permits divorce but, as both Bahá'u'lláh and Abdu'l-Bahá have made very clear, divorce is abhorred. Thus, from the point of view of the individual

believer he should do all he can to refrain from divorce. Bahá'ís should be profoundly aware of the sanctity of marriage and should strive to make their marriages an eternal bond of unity and harmony. This requires effort and sacrifice and wisdom and self-abnegation. A Bahá'í should consider the possibility of divorce only if the situation is intolerable and he or she has a strong aversion to being married to the other partner. This is the standard held up to the individual. It is not a law, but an exhortation. It is a goal to which we should strive."

(From a letter written on behalf of the Universal House of Justice to an individual believer, November 3, 1982) [pg 392]

1. Youth Should Be So Deepened in the Teachings that the Thought of Divorce Will Be Abhorrent to Them

"From the point of view of the Spiritual Assembly, however, the matter is somewhat different. The Spiritual Assembly should always be concerned that the believers in its community are being deepened in their understanding of the Bahá'í concept of marriage, especially the young people, so that the very thought of divorce will be abhorrent to them. When an application for divorce is made to a Spiritual Assembly, its first thought and action should be to reconcile the couple and to ensure that they know the Bahá'í teachings on the matter. God willing, the Assembly will be successful and no year of waiting need be started. However, if the Assembly finds that it is unable to persuade the party concerned to withdraw the application for divorce, it must conclude that, from its point of view, there appears to be an irreconcilable antipathy, and it has no alternative to setting the date for the beginning of the year of waiting. During the year the couple have the responsibility of attempting to reconcile their difference, and the Assembly has the duty to help them and encourage them. But if the year of waiting comes to an end without reconciliation the Bahá'í divorce must be granted as at the date of the granting of the civil divorce if this has not already taken place."

(Ibid.)

1. The Party Who is the Cause of Divorce Will Become Victim of Formidable Calamities

"It can be seen, therefore, that 'aversion' is not a specific legal term that needs to be defined. Indeed a number of other terms are used in describing the situation that can lead to divorce in Bahá'í law, such as 'antipathy', 'resentment', 'estrangement', 'impossibility of establishing harmony' and 'irreconcilability'. The texts, however, point out that divorce is strongly condemned, and should be viewed as 'a last resort' when 'rare and urgent circumstances' exist, and that the partner who is the 'cause of divorce' will 'unquestionably' become the 'victim of formidable calamities'."

(Ibid.)

1. The Friends Must Strictly Refrain from Divorce

"Formerly in Persia divorce was very easily obtained. Among the people of the past Dispensation a trifling matter would cause divorce. However, as the light of the Kingdom shone forth, souls were quickened by the spirit of Bahá'u'lláh, then they totally eschewed divorce. In Persia now

divorce doth not take place among the friends, unless a compelling reason existeth which maketh harmony impossible. Under such rare circumstances some cases of divorce take place."

"Now the friends in America must live and conduct themselves in this way. 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 realized. It should not happen that upon the occurrence of a slight friction of displeasure between husband and wife, the husband would think of union with some other woman or, God forbid, the wife also think of another husband. This is contrary to the standard of heavenly value and true chastity. The friends of God must so live and conduct themselves, and evince such excellence of character and conduct, as to make others astonished. The love [pg 393] between husband and wife should not be purely physical, nay rather it must be spiritual and heavenly. These two souls should be considered as one soul. How difficult it would be to divide a single soul! Nay, great would be the difficulty!"

"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 become 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: Extracts from the Bahá'í Teachings Discouraging Divorce: A Compilation prepared by the Research Department of the Universal House of Justice, January 1980)

1. Divorce is Conditional Upon the Approval and Permission of the Spiritual Assembly

"Regarding divorce, the Guardian stated that it is discouraged, deprecated and against the good pleasure of God. The Assembly must circulate among the friends whatever has been revealed from the Pen of Abdu'l-Bahá in this connection so that all may be fully reminded. Divorce is conditional upon the approval and permission of the Spiritual Assembly. The members of the Assembly must in such matters independently and carefully study and investigate each case. If there should be valid grounds for divorce and it is found that reconciliation is utterly impossible, that antipathy is intense and its removal is not possible, then the Assembly may approve the divorce."

(From a letter written on behalf of the Guardian to the National Spiritual Assembly of Iran, July 7, 1938 — translated from the Persian: Ibid., p. 3)

1. Should Think of Future of Children

"He was very sorry to hear that you and your husband are still so unhappy together. It is always a source of sorrow in life when married people cannot get on well together, but the Guardian feels that you and your husband, in contemplating divorce, should think of the future of your children and how this major step on your part will influence their lives and happiness."

"If you feel the need of advice and consultation he suggests you consult your Local Assembly; your fellow Bahá'ís will surely do all they can to counsel and help you, protect your interests and those of the Cause."

(From a letter written on behalf of the Guardian to an individual believer, November 16, 1945: Extracts from the Bahá'í Teachings Discouraging Divorce, p. 4)

1. Divorce Concerns Children's Entire Future and Their Attitude Towards Marriage

"There is no doubt about it that the believers in America, probably unconsciously influenced by the extremely lax morals prevalent and the flippant attitude towards divorce which seems to be increasingly prevailing, do not take divorce seriously enough and do not seem to grasp the fact that although Bahá'u'lláh has permitted it, He has only permitted it as a last resort and strongly condemns it."

"The presence of children, as a factor in divorce, cannot be ignored, for surely it places an even greater weight of moral responsibility on the man and wife in considering such a step. Divorce under such circumstances no longer just concerns them and their desires and feelings but also concerns the children's entire future and [pg 394] their own attitude towards marriage."

(From a letter written on behalf of the Guardian to an individual believer, December 19, 1947: Ibid., p. 5)

1. One May Discover He Has Not Purchased Either Freedom or Happiness

"He was very sorry to hear that you are contemplating separation from your husband. As you no doubt know, Bahá'u'lláh considers the marriage bond very sacred; and only under very exceptional and unbearable circumstances is divorce advisable for Bahá'ís."

"The Guardian does not tell you that you must not divorce your husband; but he does urge you to consider prayerfully, not only because you are a believer and anxious to obey the laws of God, but also for the sake of the happiness of your children, whether it is not possible for you to rise above the limitations you have felt in your marriage hitherto, and make a go of it together."

"We often feel that our happiness lies in a certain direction; and yet, if we have to pay too heavy a price for it in the end we may discover that we have not really purchased either freedom or happiness, but just some new situation of frustration and disillusion."

(From a letter written on behalf of the Guardian to an individual believer, April 5, 1951: Extracts from the Bahá'í Teachings Discouraging Divorce, pp. 5-6)

1. Cannot Use the Cause or Service to It as Reason for Divorce

"Shoghi Effendi wishes me to add this note in connection with your marriage; he does not feel that any believer, under any circumstances whatsoever, can ever use the Cause or service to it as a reason for abandoning their marriage; divorce, as we know, is very strongly condemned by Bahá'u'lláh, and only grounds of extreme gravity justify it."

(From a letter written on behalf of the Guardian to an individual believer, April 7, 1947: Ibid., p. 4)

1. Every Effort Should Be Made to Salvage Marriage — In Case of Pioneers, It is Even More Important

"He has been very sorry to hear that your marriage seems to have failed utterly. I need not tell you as a Bahá'í that every effort should be made by any Bahá'í to salvage their marriage for the sake of God, rather than for their own sake. In the case of pioneers, it is even more important, because they are before the public eye. However, in such matters it is neither befitting nor right that the Guardian should bring pressure on individuals. He can only appeal to you and ... to try again; but if you cannot rise to this test, that is naturally a personal matter."

(From a letter written on behalf of the Guardian to an individual believer, January 13, 1956: Ibid., p. 6)

1. Bahá'í Family Should Be Preserved

"Wherever there is a Bahá'í family, those concerned should by all means do all they can to preserve it, because divorce is strongly condemned in the Teachings, whereas harmony, unity and love are held up as the highest ideals in human relationships. This must always apply to the Bahá'ís, whether they are serving in the pioneering field or not."

(From a letter written on behalf of the Guardian to the National Spiritual Assembly of Central America, November 9, 1956: Ibid., p. 6) [pg 395]

1. One Year of Waiting Whether Bahá'í When Married or Not

"As regards Bahá'í divorce as mentioned in your letter of June 12th: Bahá'ís (whether one party or both are believers) should follow the Bahá'í law of divorce, i.e., one year of waiting, and not neglect this divinely given law. Whether they were Bahá'ís when married or not has nothing to do with it."

(From a letter written on behalf of the Guardian to the National Spiritual Assembly of the British Isles, June 12, 1952)

1. If Divorce is Illegal Within a Country, Bahá'ís Are Bound by Law of the Country

"In answer to the question raised in your letter of June 5 as regards divorce: The Guardian says that if within a country divorce, because of affiliation of church and State in this matter, is considered illegal, the Bahá'ís must be bound by this law. At the present time they must under no circumstances raise such matters with any Government in question. This means that it is not right for a believer to get a divorce outside of, say Colombia, and then remarry outside and return there, where his divorce would be illegal."

(From a letter written on behalf of the Guardian to the National Spiritual Assembly of South America, July 11, 1951)

1. If One Party is Mentally Ill

"We have reviewed your letter of January 21, 1964 requesting instructions as to how to handle Bahá'í divorce when one of the parties is mentally ill."

"Far from being required to live together during the year of patience, the parties are in fact prohibited from doing so."

"The Bahá'í divorce must be handled either by the Local Assembly or by the National Assembly, but either may handle it at the discretion of your Assembly."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Colombia, February 23, 1964)

1. Bahá'ís Who Intend to Divorce Must Consult with Local or National Assembly

"However, it is necessary that Bahá'ís who intend to divorce be aware that they must consult with their Local or National Assembly, that basically a year of waiting must ensue before divorce can be effected, and that the Assembly has certain responsibilities toward the couple concerned about which they will be informed through consultation with the Assembly."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, April 16, 1967)

1. The Believers Should Know that Although Divorce is Permitted in Bahá'í Law, It is Condemned

"It is, of course, important for the friends to realise that although divorce is permitted in Bahá'í law, it is nevertheless condemned, and great efforts should be made to avoid it. It is always the hope that, during the year of patience, affection between the couple will recur and that divorce will not be necessary. Therefore, although normal social relationships between each of the partners and [pg 396] members of both sexes is permissible, it is quite contrary to the spirit of the teachings for either party to be courting a new partner during the year of waiting. This should be made clear to the couple and they should be exhorted to conduct themselves as Bahá'ís. However, this is not an area in which the Assembly should resort to sanctions if either or both of the pair disregard this principle. Naturally, if one of the parties conducts himself or herself in a way that is blatantly or flagrantly immoral the matter should be handled as any other similar case would be, but from your cables we understand that this is not the situation in the case at present before you."

(From a letter written by the Universal House of Justice to a National Spiritual Assembly, February 15, 1973)

1. The Assembly Should Determine that Irreconcilable Antipathy Exists Before Setting the Date of the Beginning of the Year of Waiting

"Regarding the case of the married couple who have separated and wish to set the date of the beginning of the year of waiting retroactively, we are directed to say that the conclusions expressed in the fourth paragraph of your letter are correct; that is, that the Local Assembly should determine, before setting the date of the beginning of the year of waiting, that

irreconcilable antipathy exists. While a Local or National Assembly may request the advice of the Continental Board of Counsellors and their Board members, and should be grateful for their assistance, it is the Assembly's responsibility to conduct its own investigation and come to a decision. Assemblies are, of course, discouraged from probing unnecessarily into details of personal lives and the examination of a divorce problem should not go beyond what is necessary to ascertain whether or not such antipathy does, indeed, exist."

"When a Spiritual Assembly receives an application for Bahá'í divorce its first duty is to try to reconcile the couple. If this is not possible, and the couple separates, further efforts at reconciliation should be made during the ensuing year."

"While there are circumstances in which the date of waiting may be fixed retroactively, the situation you describe of the husband leaving for the purpose of finding work cannot be accepted as one of them."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, May 30, 1983)

1. Procedure for an Assembly When Application for Divorce is Received

"The procedure, briefly, is that when a Spiritual Assembly receives an application for divorce its first duty is to try to reconcile the couple. When it determines that this is not possible, it should then set the date of the beginning of the year of waiting. That could be the date on which the Assembly reaches the decision, unless the couple are still living together, in which case it must be postponed until they separate. If the couple had already separated some time before, the Assembly may back-date the beginning of the year; however, the earliest date on which it can be set is the date on which the couple last separated with the intention of obtaining a divorce."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of the Netherlands, September 11, 1986)

1. The Setting of the Date of the Beginning of the Year of Patience is Not Automatic

"...The setting of the date of the beginning of the year of patience is not automatic. [pg 397]

The Assembly must first determine whether grounds for a Bahá'í divorce exist and should make every effort to reconcile the parties. If the aversion existing between the parties is found to be irreconcilable then the Assembly may set the date for the beginning of the year of waiting..."

(From a letter written by the Universal House of Justice to a National Spiritual Assembly, September 7, 1970)

1. Beginning of the Year of Patience Normally Commences When Parties Notify Assembly of their Separation with Intent to Divorce

"Thus the date of the beginning of the year of patience normally commences when one of the parties notifies the Assembly that they have separated with the intention of divorce. However,

the Assembly may establish the beginning of the year of patience on a prior date provided it is satisfied such prior date reflects the actual date of separation and there is good reason for so doing."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, August 26, 1965)

1. Duties of Assembly or Committee on Divorce Procedures

"In the opening paragraphs of your letter you speak of your Committee adjudicating upon divorce settlements, and the House of Justice feels that the use of the word 'adjudicate' may lie at the root of some of the problems that the committee is facing. In a country like the United Kingdom, where divorce is subject to the civil law, the function of the Assembly (or its committee) in dealing with a divorce case is not primarily a matter of adjudication. Its first duty is to try to reconcile the couple. If it finds that it is unable to do this, it then sets the beginning of the year of waiting and continues, as circumstances permit and wisdom dictates, throughout the running of the year, its attempts at reconciliation."

"One of the duties of the committee is to see that the requirements of Bahá'í law governing the year of waiting are not violated — that is to say, that the two parties live apart and that proper provisions are made for the financial support of the wife and children. As you will see from the enclosures, this is a matter that needs to be considered for each case on its own merits. If the matter can be amicably arranged between the parties, well and good. If not, the basic principle of Bahá'í law is that the husband is responsible for the support of his wife and children so long as they are married; that is until the granting of the divorce. In a particular case, however, it may have been the wife who was the bread-winner of the family, or both the husband and wife may have been earning income. The Assembly should not ignore such specific situations and change them merely because a year of waiting is running. The application of these principles should not be in the form of an adjudication which the Assembly will require the couple to accept, but as a basis for an arrangement which the couple will amicably agree to and present to the court for endorsement. If the Assembly is unable to get the couple to agree, it should leave the matter to the civil court."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of the United Kingdom, February 24, 1983)

1. Dating During the Year of Patience

"It is always the hope that, during the year of patience, affection between the couple [pg 398] will recur and that divorce will not be necessary. Therefore, although normal social relationships between each of the partners and members of both sexes are permissible, it is quite contrary to the spirit of the teachings for either party to be courting a new partner during the year of waiting. This should be made clear to the couple if necessary and they should be exhorted to conduct themselves as Bahá'ís. However, this is not an area in which the Assembly should resort to sanctions if either or both of the pair disregard this principle. Naturally, if one of the parties conducts himself or herself in a way that is blatantly or flagrantly immoral the matter should be handled as any other similar case would be."

1. Summary — Relating to the Fixing of the Date of Separation

1. The first task of the National Spiritual Assembly is to attempt to reconcile the couple, but if it finds that this is not possible and that an irreconcilable antipathy exists, it must register the beginning of the year of waiting. The Assembly may meet with the couple together or separately in its attempts to reconcile them. If there are compelling reasons for doing so, the Assembly may set a date retroactively for the beginning of the year of waiting, but this date can in no case be earlier than the last day the couple separated with the intention of having a divorce.
1. Attempts at reconciliation should continue during the year of waiting. Divorce, though permitted in the Bahá'í Faith, is abhorred and it is the hope that during the year of waiting the couple may become reconciled and divorce avoided.
1. With this in mind, it is more within the spirit of Bahá'í law for Bahá'ís to postpone the initiation of civil proceedings, (if the law of the country requires a civil divorce) until the end of the year of waiting. However, if such postponement gives rise to inequity or to a legal prejudice against the possibility of a civil divorce, it is, of course, permissible for the civil proceedings to be initiated during the year of waiting.
1. In most countries a civil divorce is required and, where this is so, the Bahá'í divorce does not become effective until the civil divorce has been granted. If the year of waiting has run its course when the civil divorce is granted, the Bahá'í divorce becomes automatically effective on that date. If the couple become reconciled before the granting of the civil divorce, even if the year of waiting has already elapsed, they have merely to inform the Spiritual Assembly and resume their marital status.
1. In case the civil divorce is actually granted before the end of the year of waiting and the couple become reconciled within that time between the granting of the civil divorce and the end of the year of waiting, they are, of course, still married in the eyes of the Bahá'í law and need only a civil marriage to restore the marriage bond.
1. The parties to a divorce must live apart in separate residences during the year of waiting. Any cohabitation of the parties stops the running of the year of waiting. If thereafter a divorce is desired a new date for the beginning of a new year of waiting must be set by the Assembly.
1. It is the responsibility of the husband to provide support for his wife and children during the year of waiting. [pg 399]
1. It is the responsibility of the Assembly to assist the divorced couple to arrive at an amicable settlement of their financial affairs and arrangement for the custody and support of the children rather than let these matters be a subject of litigation in the civil courts. If the Assembly is unable to bring the couple to an agreement on such matters then their only recourse is to the civil court.

"These are some of the general guidelines your Assembly should have in mind in divorce cases...."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, June 20, 1977)

1. It is Not Possible to Shorten the Period of Waiting

"It is not possible to shorten the period of waiting as this is a provision of the Kitab-i-Aqdas. However, a National Spiritual Assembly may, if circumstances justify it, backdate the beginning of the year provided that this is not earlier than the date the parties last separated with the intention of obtaining a divorce. It is not clear in the case you have cited whether the parties lived together during the period between June 1975 and the date you set for the beginning of the year of waiting on January 15th. If the parties were separated during this period and living in separate residences, then you could consider backdating the beginning of the year of waiting."

(From a letter written on behalf of the Universal House of Justice to a National Assembly, July 18, 1976)

1. The Assembly is Obligated to Consider Application for a Year of Waiting

"An Assembly is obliged to consider an application for a year of waiting from either party to a marriage, whether the other party wants the divorce or not. In this specific case you should therefore follow the usual procedure."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, July 28, 1985)

1. During Period of Legal Separation Dating in the Spirit of Courtship is Outside Bounds of Propriety

"The Universal House of Justice has instructed us to transmit its reply to your letter of 8 October concerning dating during the time of legal separation of one party."

"While the Bahá'í woman should not be forbidden to have occasional meetings in the spirit of friendship with a man legally separated from his wife, dating in the spirit of courtship is outside the bounds of Bahá'í propriety, even where the interpersonal relationship of the couple is not blatant or flagrant, casting reflections upon the strict morality required of Bahá'ís. The Bahá'í should be advised to break off the acquaintanceship should it appear to progress beyond friendship, for the non-Bahá'í man is, as you correctly state, still married; the legal separation may carry with it the hope and prospect of restoration of his marriage, a possibility which should not be obstructed by involvement with another woman. In cases such as this one, counsel rather than sanctions are called for, should the involvement of the Bahá'í woman require intervention."

(From a letter written on behalf of the Universal House of Justice to a National Spiritual Assembly, December 6, 1981) [pg 400]

1. Parties May Withdraw Their Application for Divorce at Any Time During the Year of Waiting

"It is not within the discretion of the parties to a Bahá'í divorce to extend the year of waiting and ask for the Bahá'í divorce 'at whatever time they feel so inclined.' If there has been no reconciliation of the parties in the meantime, the Bahá'í divorce becomes final at the end of the year of waiting unless the granting of the civil divorce is delayed beyond that time."

"The parties may, however, withdraw their application for Bahá'í divorce at any time during the year of waiting. Should they later desire to apply for divorce, a new year of waiting would have to be commenced."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of the United States, November 4, 1974)

1. Assembly Should Not Interfere into Marital Affairs Until Believers Bring Their Problems to the Assembly

"...There should be no intervention into the marital affairs of individuals in a Bahá'í community unless and until the parties themselves bring a problem to the Assembly. Prior to that it is not the business of the Assembly to counsel the parties. These are but two or three instances illustrating that the commentary should not be added to the quotations."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, March 22, 1968)

1. There is No Law to Remove Voting Rights for Obtaining Civil Divorce Before the Year of Waiting Terminates

"...There is no Bahá'í law requiring the removal of voting rights for obtaining a civil divorce before the end of the year of waiting. It is, of course, preferred that civil divorce action be not instituted or completed before the end of the year unless there are special circumstances justifying such action. If a Bahá'í should marry another prior to the end of the year of waiting however, voting rights should be suspended as, under Bahá'í law, he is still regarded as married whether or not the civil divorce has been granted. On the other hand, if a non-Bahá'í partner, having obtained a civil divorce, marries during the year of waiting, the Bahá'í partner is released from the need to wait further."

(From a letter of the Universal House of Justice to a National Spiritual Assembly, August 20, 1974)

1. Annulment or Divorce

"...a divorce or annulment is called for only when the Bahá'í partner has denied his faith."

"When reinstatement calls for a divorce or annulment of an improperly contracted marriage, no year of waiting is necessary because Bahá'í divorce is not involved. The purpose of the year of waiting is to attempt the saving of a marital relationship which was originally accepted as valid in the eyes of Bahá'ís, and is now in jeopardy. A delayed Bahá'í marriage, conducted for reasons

of fulfilment of Bahá'í law and in the full spirit of the Bahá'í ceremony, should not be viewed as a mockery but as the confirmation of a union contracted outside Bahá'í law."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of the United States, January 27, 1969) [pg 401]

1. Refund of Marriage Expenses

"Concerning ... divorce: He has no right to demand from his wife a refund of the marriage expenses he incurred. In the Aqdas it is quite clear that the husband must not only give the dowry but must support his wife until the time when the divorce is completed. In view of this she is not required to repay expenses of the marriage, etc."

(From a letter written on behalf of Shoghi Effendi to the National Spiritual Assembly of India: Dawn of a New Day, p. 118)

1. Not Wise to Announce New Marriage Plans Before Divorce is Final

"It is not within the spirit of Bahá'í law for one to become involved in the announcement of new marriage plans while he or she is still legally married to another. There is no objection to urging the friends not to go so far as to seek consent of parents before the divorce becomes final in all respects, but no sanctions should be applied to enforce such exhortation."

(From a letter of the Universal House of Justice to the National Spiritual Assembly of Australia, January 17, 1971: Australian Bahá'í Bulletin, No. 198, February 1971, p. 8)

1. Guidance Regarding Financial Support in Divorce Cases

"The Universal House of Justice has received your letter of 9 December 1982 requesting guidance on the responsibility of Bahá'í Spiritual Assemblies in the matter of financial support in divorce cases. It has instructed us to send you the following reply."

"In some cases, usually those of Iranian believers whose marriage is not recognized in civil law and who, therefore, do not need and cannot have a civil divorce, the divorce must be entirely adjudicated by the Spiritual Assembly. We enclose a summary of points written on behalf of the House of Justice in answer to questions on this matter, which should be of assistance should such a case occur in Canada."

"In general, however, a Bahá'í couple in Canada who are obtaining a divorce must, in addition to the Bahá'í divorce, obtain a civil divorce, and the civil divorce decree will usually cover all such matters as division of property, provision of support and custody of children. The function of the Spiritual Assembly in such ancillary aspects of the divorce is thus advisory rather than judicatory. In order to prevent, if possible, a public dispute between Bahá'ís in front of the law courts, the Assembly should attempt to bring the couple to an amicable arrangement about all such questions, which can then be submitted to the court for its endorsement. If the efforts of the Assembly are of no avail, then the matter must be left to the civil court to decide."

"Once the divorce decree with its related provisions has been handed down by the court, it is the obligation of both parties, as good Bahá'ís, to obey it and, if either is lax in so doing, the Assembly should advise him or her about his or her duties and press for their fulfilment. The wronged party, however, should at the same time be left free to apply to the civil authorities for the enforcement of the decision. Unfortunately such enforcement is notoriously difficult, especially when the parties subsequently reside in different countries. It is here that the action of the Spiritual Assembly, reinforcing the decision of the civil courts, can often be of help. Except in circumstances of unusual gravity or cases where the responsible party fails to obey [pg 402] a court decision to provide support for the children, an Assembly should not contemplate imposing sanctions for lack of compliance in these matters. Actual enforcement should normally be left to the action of the civil courts."

"The House of Justice believes that the above should provide all the guidance you require in your collaboration with the National Spiritual Assembly of ... over the divorce of ... and In the case of ... and ... you state that there is unlikely to be a civil judgement covering the question of financial support of the wife by the husband following the divorce. The House of Justice states that there is no general requirement in Bahá'í law for a husband to continue to support his former wife beyond the ending of the year of waiting and the granting of the divorce. Therefore, in the absence of a ruling by the civil court or of an agreement between the couple registered with the Spiritual Assembly, there is nothing further for your Assembly to do in this case."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of Canada, January 13, 1983)

1. It is Preferable that Couple Should Amicably Agree on the Custody of the Children — The Husband is Obligated to Support Wife and Children Until Divorce is Granted and He Has Continuing Obligation to Support His Children

"The following points are summarized from guidance of the Universal House of Justice given to Spiritual Assemblies and individual believers so that they may arrive at decisions in accordance with the spirit of Bahá'í Law either in coming to an amicable agreement to present to the civil courts, or in making a decision when no civil divorce decree is involved.

1. The decisions in each case must be made in light of the particular conditions of that case. The guidelines given below are general in nature and should be applied as far as possible unless there are compelling reasons to the contrary.
1. Custody of Children
 1. It is preferable that the couple amicably agree on the custody of the children and submit their agreement to the Assembly for endorsement. Normally in the case of very young children custody is given to the mother unless there are compelling reasons which make this inadvisable.
 2. Regardless of which parent is given custody, the children should be so educated that they may develop a proper Bahá'í attitude towards, and due regard for, both parents. Fair

and practical arrangements should be made to protect the rights of the parent not having custody to associate with the children and spend time with them.

1. 3 Usually custody arrangements continue until the child comes of age unless, of course, new circumstances transpire during this period which call for a review of the arrangements.
1. Financial Support
1. 1 The husband is obligated to support the wife and children until the granting of the Bahá'í divorce. This normally takes place at the end of the year of waiting unless it has to be postponed pending the granting of a civil divorce. [pg 403]
1. 2 Following the granting of the divorce the father continues to be under the obligation of providing the necessary funds for the support of the children, but he has no continuing obligation to support his former wife."

(The Universal House of Justice: Considerations Affecting Custody of Children and Provision of Financial Support in Cases Not Adjudicated in Civil Law, a summary, January 5, 1983)

1. **Wife Support During Year of Patience and After Divorce — Assembly Should Encourage Husband to Honor His Responsibilities in Paying Required Support Money**

"The House of Justice wrote to another National Spiritual Assembly on 5 April 1970 as follows:

'The only provision in Bahá'í law regarding the support of the wife is that which makes the husband responsible for her support during the year of waiting. This does not mean, however, that further support is prohibited; all such matters will require legislation in the future. At the present time it is the responsibility of the Assembly to arrange an amicable and just financial settlement between the couple, and any such arrangement must, obviously, take into consideration the financial situation of both parties and their relative responsibilities.'

"While it is obvious that the Assembly should encourage the husband to honour his Bahá'í responsibilities in paying the required support money, matters of support may be covered by the civil courts when a civil divorce is applied for and, in such a case, the wife would, of course, be able to invoke whatever civil remedy is available. In any case, at the present time National Spiritual Assemblies should not normally apply sanctions in cases of failure to comply with support requirements."

(From a letter written on behalf of the Universal House of Justice to the National Spiritual Assembly of Canada, February 6, 1978)

1. **No Husband Should Batter His Wife**

"It is clear from Bahá'í teachings that no husband should batter his wife. As to divorce, while it is permitted by Bahá'u'lláh, it is heavily discouraged and the greatest efforts must be made to avoid it. In Bahá'í society the only grounds for divorce are an irreconcilable antipathy between the parties."

(From a letter written on behalf of the Universal House of Justice to an individual believer,
October 27, 1986) [pg 404]

