Imagining Baha’i Law

Dr. Roshan Danesh
October 16, 2016
The life of the law has not been logic. It has been experience.

- Oliver Wendell Holmes, Jr. -
You can’t really change the heart without telling a story.
- Martha C. Nussbaum -
Blessed those who peruse it! Blessed those who apprehend it! Blessed those who meditate upon it! Blessed those who ponder its meaning! So vast is its range that it hath encompassed all men ere their recognition of it.

- Baha'u'llah –

(Kitab-i-Aqdas, p. 17)
In the religion of Islám, similarly, not every ordinance was explicitly revealed; nay not a tenth part of a tenth part was included in the Text; although all matters of major importance were specifically referred to, there were undoubtedly thousands of laws which were unspecified. These were devised by the divines of a later age according to the laws of Islamic jurisprudence, and individual divines made conflicting deductions from the original revealed ordinances.

- Abdu'l-Baha –

(Kitab-i-Aqdas, p. 5)
Leaders of religion, in every age, have hindered their people from attaining the shores of eternal salvation, inasmuch as they held the reins of authority in their mighty grasp. Some for the lust of leadership, others through want of knowledge and understanding, have been the cause of the deprivation of the people. By their sanction and authority, every Prophet of God hath drunk from the chalice of sacrifice.

- Baha’u’llah –

(Kitab-i-Iqan, p. 15)
O People of Persia! Open your eyes! Pay heed! Release yourselves from this blind following of the bigots, this senseless imitation which is the principal reason why men fall away into paths of ignorance and degradation. See the true state of things. Rise up; seize hold of such means as will bring you life and happiness and greatness and glory among all the nations of the world.

- Abdu’l-Baha –
(Secret of Divine Civilization, 104)

Read ye the Tablets that ye may know what hath been purposed in the Books of God, the All-Glorious, the Ever-Bounteous

- Baha’u’llah –
(Kitab-i-Aqdas, para 36)
Think not that We have revealed unto you a mere code of laws.
- Baha’u’llah –
(Kitab-i-Aqdas, paragraph 5)

Those matters of major importance which constitute the foundation of the Law of God are explicitly recorded in the Text, but subsidiary laws are left to the House of Justice. The wisdom of this is that the times never remain the same, for change is a necessary quality and an essential attribute of this world, and of time and place. Therefore the House of Justice will take action accordingly...
- Abdu’l-Baha –
(Kitab-i-Aqdas, p. 5)
إنه من جعف وصف الله الغني عبده
ثم تعلم حكم الله وعلم ما يقتضه
ومع الله في دار الدنيا وما دلل
قُلْ رَبَّنَا أَتَمَّ الصَّالِحَانَ الْعَفَّانَ
Unique and stupendous as was this Proclamation, it proved to be but a prelude to a still mightier revelation of the creative power of its Author, and to what may well rank as the most signal act of His ministry—the promulgation of the Kitáb-i-Aqdas. Alluded to in the Kitáb-i-Íqán, the principal repository of that Law which the Prophet Isaiah had anticipated, and which the writer of the Apocalypse had described as the “new heaven” and the “new earth”, as “the Tabernacle of God”, as the “Holy City”, as the “Bride”, the “New Jerusalem coming down from God”, this “Most Holy Book”, whose provisions must remain inviolate for no less than a thousand years, and whose system will embrace the entire planet, may well be regarded as the brightest emanation of the mind of Bahá’u’lláh, as the Mother Book of His Dispensation, and the Charter of His New World Order.

- Shoghi Effendi

(Kitab-i-Aqdas, p. 13)
Our world has entered the dark heart of an age of fundamental change beyond anything in all of its tumultuous history. Its peoples, of whatever race, nation, or religion, are being challenged to subordinate all lesser loyalties and limiting identities to their oneness as citizens of a single planetary homeland. In Bahá’u’lláh’s words: “The well-being of mankind, its peace and security, are unattainable unless and until its unity is firmly established.” May the publication of this translation of the Kitáb-i-Aqdas lend a fresh impulse to the realization of this universal vision, opening vistas of a worldwide regeneration.

- Universal House of Justice –
(Kitáb-i-Aqdas, p. 12)
Various petitions have come before Our throne from the believers, concerning laws from God, the Lord of the seen and the unseen, the Lord of all worlds. We have, in consequence, revealed this Holy Tablet and arrayed it with the mantle of His Law that haply the people may keep the commandments of their Lord. Similar requests had been made of Us over several previous years but We had, in Our wisdom, withheld Our Pen until, in recent days, letters arrived from a number of the friends, and We have therefore responded, through the power of truth, with that which shall quicken the hearts of men.

- Baha’u’llah –

(Kitab-i-Aqdas, paragraph 98)
[T]here is . . . Divine wisdom in a gradual, rather than immediate, application of all the laws.

- Universal House of Justice –
(Letter of January 2, 1998)
in observing [the laws] one must exercise tact and wisdom. . . . Since most people are feeble and far-removed from the purpose of God, therefore one must observe tact and prudence under all conditions, so that nothing might happen that could cause disturbance and dissension or raise clamour among the heedless.

- Baha’u’llah –

(Kitab-i-Aqdas, p. 6)
The number of laws binding on Bahá’ís is not increased by the publication of this translation. When it is deemed timely, the Bahá’í community will be advised which additional laws are binding upon believers, and any guidance or supplementary legislation necessary for their application will be provided.

- Universal House of Justice – (Kitab-i-Aqdas, p. 7)
<table>
<thead>
<tr>
<th>Will of God</th>
<th>Binding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Direct from God</td>
<td>Inherent</td>
</tr>
<tr>
<td>Rule/Body of Rules</td>
<td>Human nature</td>
</tr>
<tr>
<td>Essential</td>
<td>Intrinsic</td>
</tr>
</tbody>
</table>
1. The recital each day of one of the Obligatory Prayers with pure-hearted devotion.

2. The regular reading of the Sacred Scriptures, specifically at least each morning and evening, with reverence, attention and thought.

3. Prayerful meditation on the Teachings, so that we may understand them more deeply, fulfill them more faithfully, and convey them more accurately to others.

4. Striving every day to bring our behavior more into accordance with the high standards that are set forth in the Teachings.

5. Teaching the Cause of God.

6. Selfless service in the work of the Cause and in the carrying on of our trade or profession.

- Universal House of Justice –

(Letter of September 1, 1983)
The man who lives the life according to the teachings of Bahá’u’lláh is already a Bahá’í,” while “a man may call himself a Bahá’í for fifty years and if he does not live the life he is not a Bahá’í.

- Abdu’l-Baha – 

(Baha’u’llah and the New Era, p. 71)
Every word is endowed with a spirit, therefore the speaker or expounder should carefully deliver his words at the appropriate time and place, for the impression which each word maketh is clearly evident and perceptible.

- Baha’u’llah -

a style at once original, chaste and vigorous,

- Shoghi Effendi -

Neither to overstate nor understate, neither to expand the description of events nor reduce their importance.

- Baha’u’llah -
**Hudud**

- Traditional – crimes in Qur’an
- Literal – limits/boundaries
- “observe every ordinance” (1)
- “They whom God hath endued with insight will readily recognize that the precepts laid down by God constitute the highest means for the maintenance of order in the world and the security of its peoples”

**Amr/Avamir**

- Commandments
- “Observe My commandments, for the love of My beauty”
The Arabic of the Kitáb-i-Áqdas is marked by intense concentration and terseness of expression. It is a characteristic of this style that if a connotation is obvious it should not be explicitly stated. This presents a problem for a reader whose cultural, religious and literary background is entirely different from that of Arabic. A literal translation of a passage which is clear in the Arabic could be obscure in English. It therefore becomes necessary to include in the English translation of such passages that element of the Arabic sentence which is obviously implicit in the original. At the same time, it is vital to avoid extrapolating this process to the point where it would add unjustifiably to the original or limit its meaning. Striking the right balance between beauty and clarity of expression on the one hand, and literalness on the other, is one of the major issues with which the translators have had to grapple and which has caused repeated reconsideration of the rendering of certain passages. Another major issue is the legal implication of certain Arabic terms which have a range of meanings different from those of similar terms in English.

- Universal House of Justice – (Kitáb-i-Áqdas, p. 10)
• There is “a certain fluidity and imprecision inherent in the very language” of the Kitab-i-Aqdas.

• There is an “observable tendency to deal with whole areas of legislative concern by reference to a single representative example or illustrative instance”.

• Laws of Kitab-i-Aqdas must be understood according to their informing spirit, and not according to the letter of the law.

• The Kitab-i-Aqdas has an “elliptical” model, and laws must be “integrally within the Bahá’í system as a whole.

- Research Department – (Memorandum, August 14, 1996)
The kissing of hands hath been forbidden in the Book. This practice is prohibited by God, the Lord of glory and command. To none is it permitted to seek absolution from another soul; let repentance be between yourselves and God. He, verily, is the Pardoner, the Bounteous, the Gracious, the One Who absolveth the repentant.
- Baha’u’llah -

Thus, although in paragraph 34 Bahá’u’lláh appears to restrict Himself to prohibiting the kissing of hands, the fact that it is not so much the action in itself about which He is concerned, as the condition of self-abasement that it represents, is demonstrated by His having elsewhere in His Writings expanded the prohibition to cover the display all such forms of obsequious reverence and undue veneration towards one’s fellow mortals.
- Research Department –
(Memorandum, August 14, 1996)
• Paragraphs 1 – 5 express arc of descent and ascent at metaphysical level
• Paragraphs 6 – 18 shift to dynamics of ascent in the physical world – the fundamental architecture of our ascent (prayer, fasting, repetition of Greatest Name)
• Paragraph 19 shift to social laws and obligations – ascent at the collective level. Reflects the antithesis of principle of unity at all levels of human (our mind, our interpersonal relationships, our community). Reflects Baha'u'llah's original prohibition of the "removal of the sword", and the core of all previous dispensations.
For the inner reality of man is a demarcation line between the shadow and
the light, a place where the two seas meet; it is the lowest point on the arc
of descent, and therefore is it capable of gaining all the grades above. With
education it can achieve all excellence; devoid of education it will stay on,
at the lowest point of imperfection.

- Abdu’l-Baha –
(Selections from the Writings of Abdu’l-Baha, p. 130)

Praise be to God Who hath ever caused His Names and Attributes to
penetrate the degrees of existence; Who hath made the effects of those
Names and Attributes to shine resplendent and their signs to be firmly
established in both the hidden and manifest worlds. By them He hath
made the holy realities that are informed by His grace and are the
recipients of His outpourings to be the sole revealers of all that pertaineth
unto Him, and hath caused them to move through the firmament of
perfection in arcs of descent and ascent.

- Abdu’l-Baha –
(Tablet of the Universe, provisional translation)
Paragraphs 1-19 a complete unit

A vahid

A complete description of structure of reality

Arc of ascent and descent

Remaining paragraphs are 171 = the two holy numbers multiplied – 9 X 19

171 paragraphs are unpacking of aspects of the terse, concise words in first 19.