



EXPLORING A BAHÁ'Í LEGAL IMAGINATION

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- Legal imagination:
 - *the meanings we ascribe to law in our lives*
 - *the ways in which we envision law being practiced*
 - *the roles, responsibility, and power we place on law in our lives*

- Think about how we think about Baha'i law

1. What are predominant ways we think about law?
2. What are signposts for thinking about Baha'i law?
3. What are the implications of different ways of thinking about Baha'i law?

Thinking about law

- Common frames
 - *rules; order; enforcement; formality; public; systems; specialized; external; fear*
- Individual frames
 - *plural; contextually-bound*
- Historic frames
 - *divine commandment; morality; reason and logic; utilitarian; politics and power*
- Islamic frames
 - *diverse and plural; individual interpretation and instance law; internationalist and textualist; imitation; rule-oriented; clerical power and ruler power; salvation through blind obedience*

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. All these were enforced.

Signposts

■ Textual signposts

- *Think not that We have revealed unto you a mere code of laws.*
- *Observe my Commandments, for the love of My beauty*
- *Apprehend; Insight*
- *Genuine ignorance of a law is acceptable as an excuse for not adhering to it*
- *In observing them one must exercise tact and wisdom*
- *Evolutionary and organic in conception*
- *According to their informing spirit and not the letter of the law*
- *Observable tendency to deal with whole areas of legislative concern by reference to a single representative example*
- *Utmost economy of diction*

■ Practice signposts

- *Divinely purposed delay*
- *Revelation, dissemination, and publication*
- *Contextual application of laws*
- *Translation over a century later*
- *Individual conscience*
- *Pattern of legislating*
- *Intended for a future state of society*
- *Role of unity in application*

Implications

■ Individual

- *Cultivating love and knowledge*
- *Rejecting fear-based, guilt-based, power-based frames*
- *Sincere striving; Inner motives*
- *Being free of judgement or preoccupation with others*
- *Relating to law as a practice – integrated into broader spiritual journey and growth*

■ Social

- *Diffuse and epistemic view of social change*
- *Recognizing law as an expression, not the primary driver, of equality/unity/justice*
- *Influencing social discourses by continually revitalizing internal discourses*

Questions to consider

- How do you imagine law?
- How do Baha'i communities imagine law?
- How should we continue to evolve our legal imaginations?
- What would be indications of how those imaginations are evolving in constructive directions?