

THE UNIVERSAL HOUSE OF JUSTICE
DEPARTMENT OF THE SECRETARIAT

23 February 2000

[To an individual]

Dear Bahá'í Friend,

The Universal House of Justice received your emailed letter of 6 February 2000 and appreciates your suggestion for a procedure to be followed when Bahá'í laws are applied. You provide a very interesting perspective and the House of Justice has asked us to send you the following comments.

The way in which the House of Justice currently takes such actions is largely dictated by the nature of the law in each case and on the condition of the Bahá'í community at the time. The method adopted may not be suitable for publication in a special legal bulletin or for the specification of the sacred Texts on which the law rests.

The fundamental aspects of the laws of obligatory prayer and fasting have long been known to the believers and applied by them in varying degrees depending upon their awareness of their importance. The details which remained to be applied universally were quite secondary in relation to the vital spiritual significance of the laws themselves. It was with this in mind that the announcement made by the House of Justice did not go into such matters as the verses of the Kitáb-i-Aqdas and the Questions and Answers in which these details can be found. It wishes the friends to register in their understanding the basic concepts of these laws and the importance of observing them. Then, as individuals study the Texts, they will undoubtedly have questions which can be answered as they arise. In due course the House of Justice will provide National Spiritual Assemblies with references which they can use in replying to such questions.

You will note that the course followed in the universal application of the law of Ḥuqúqu'lláh was different to the above. In that case the House of Justice circulated a compilation of the texts concerning Ḥuqúqu'lláh and a codification of the law for the believers to study and then, because a date of application was necessary, announced a specific date from which the law would be applied to all believers. Since that time, although the Deputies and Representatives of the Trustee of Ḥuqúqu'lláh have been actively pursuing the education of the friends in this law, they have been instructed not to attempt to give detailed answers to questions of computation, since this is something which the House of Justice has preferred to leave to the discretion of the individual believers as they themselves study the texts of the law and strive to apply it.

This approach to the application of laws into a community's life is clearly very different from the one you outline as being the norm in civil society, but the House of Justice feels that you will understand, at least in the case of these laws of conscience, why special approaches are desirable in order not to obscure the essentials of the laws by paying too much attention to detail in the initial stages.

There is, moreover, an aspect of Bahá'í law at the present time which differs from most civil laws, namely, that genuine ignorance of a law is acceptable as an excuse for not adhering to it. This makes possible the education of the Bahá'ís as laws are applied and also allows new believers time to accustom themselves to the principles and laws of the Faith. It is an important factor in the evolution of Bahá'í communities, institutions and individuals, whether observance is solely a matter of personal conscience, as in the case of the laws of prayer and fasting, or is enforceable by the institutions of the Cause as are the laws of marriage.

Undoubtedly, as the structure of Bahá'í law evolves, the Universal House of Justice will have to consider some general form or procedure for formalizing the application of laws and this may well include publication in a specified bulletin, as you indicate is the procedure in relation to civil law in certain countries.

With loving Bahá'í greetings,

Department of the Secretariat