

THE UNIVERSAL HOUSE OF JUSTICE

28 April 1974

[To an individual]

Dear Bahá'í Friend,

The various questions you set forth in your letter of 18 February were noted, and we offer you the following comments.

The Laws of the Kitáb-i-Aqdas, and indeed all the Teachings of the Faith, form a coherent whole; therefore in order to understand their implications they must be considered in their own context. For example, in the case of intestacy, as you have noted, the eldest son receives preferential treatment in certain respects but, as 'Abdu'l-Bahá has explained in one of His Tablets, he should take into consideration the needs of the other heirs.

Furthermore it should be remembered that, as Shoghi Effendi has explained (see *The World Order of Bahá'u'lláh*, page 148), Bahá'u'lláh has deliberately left gaps in the body of His legislative ordinances, to be filled in due course by the Universal House of Justice.

You should, therefore, when studying the *Synopsis and Codification of the Laws and Ordinances of the Kitáb-i-Aqdas*, bear these factors in mind, and always remember Bahá'u'lláh's exhortation to "Weigh not the Book of God with such standards and sciences as are current amongst you, for the Book itself is the unerring balance established amongst men. In this most perfect balance whatsoever the peoples and kindreds of the earth possess must be weighed, while the measure of its weight should be tested according to its own standard, did ye but know it."

The equality of men and women, as 'Abdu'l-Bahá has often explained, is a fundamental principle of Bahá'u'lláh; therefore the Laws of the Aqdas should be studied in the light of this. Equality between men and women does not, indeed physiologically it cannot, mean identity of function. In some things women excel men, in others men are better than women, while in very many things the difference in sex is of no effect at all. The differences are most apparent in family life. The capacity for motherhood has many far-reaching effects. For example, because of this, daughters receive preference in education over sons. Again, for physiological reasons, women are granted exemptions from fasting that are not applied to men.

It is apparent from the Guardian's writings that where Bahá'u'lláh has expressed a law as between a man and a woman it applies, mutatis mutandis, between a woman and a man unless the context should make this impossible. For example, the text of the Kitáb-i-Aqdas forbids a man to marry his father's wife (i.e., his stepmother), and the Guardian has indicated that likewise a woman is forbidden to marry her stepfather. In the case you cite, however, that of a wife who is found by her husband not to have been a virgin, the dissolution of the marriage can be demanded only "If the marriage has been conditioned on virginity"; presumably, therefore, if the wife wishes to exercise such a right in respect to the husband, she would have to include a condition as to his virginity in the marriage contract, and this would seem to be one of those matters on which the Universal House of Justice will have to legislate in due course.

Although the Universal House of Justice has to apply and supplement the laws of the Aqdas, it has no right at all to change any law that Bahá'u'lláh has specifically revealed. As clearly stated by the Guardian, the provisions of the Kitáb-i-Aqdas "remain inviolate" during the entire Dispensation....

With loving Bahá'í greetings,

[signed: The Universal House of Justice]

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