

THE UNIVERSAL HOUSE OF JUSTICE

DEPARTMENT OF THE SECRETARIAT

7 May 1980

The National Spiritual Assembly of the Bahá'ís of Germany

Dear Bahá'í Friends,

The Universal House of Justice has received your letter of 14 April 1980 enclosing the copy of that part of page 15 of the issue of the *Hannoversche Allgemeine Zeitung* for 14 March 1980, on which the letter from Francesco Ficicchia was published.

The House of Justice feels that the best course is to ignore this disgraceful attack on the Faith, rather than to make any rebuttal. Your Assembly should, however, be prepared to answer any enquiries that you may receive as a result of this article, whether from Bahá'ís or non-Bahá'ís. To assist you in this, we enclose extracts from a letter written on behalf of the Universal House of Justice, which touch on matters raised by Mr. Ficicchia. You are also, no doubt, aware that a Russian translation of the *Kitáb-i-Aqdas* by A. G. Tumansky was published in 1899. A translation of the complete text into English, made by two former Presbyterian missionaries in Iran, was published by The Royal Asiatic Society in 1961; it is accompanied by highly prejudiced and misleading footnotes and introduction, and the inadequacy of the translation itself is immediately apparent to anyone who compares passages with those that Shoghi Effendi translated. The existence of these two published translations, however, demonstrates the falsity of Ficicchia's statement that no complete translation exists. A far clearer understanding of the contents of the Most Holy Book, however, than given by either translation, is presented in the *Synopsis and Codification of the Kitáb-i-Aqdas* which gives not only the laws of the *Aqdas* themselves, but also includes the elucidations given by Bahá'u'lláh Himself in the "Questions and Answers," and contains many explanatory annotations provided by the House of Justice.

With loving Bahá'í greetings,

Department of the Secretariat

27 May 1980

Extracts from a reply written on behalf of the Universal House of Justice to questions about the *Kitáb-i-Aqdas*

The institution of the Covenant has a direct bearing on the implementation of the laws of the *Kitáb-i-Aqdas*. This Book is the repository of the basic laws for the Dispensation to be implemented gradually in accordance with the guidance given by God through those infallible Institutions which lie at the heart of the Covenant. Indeed, one of those Institutions, the Universal House of Justice, has been given by Bahá'u'lláh the task not only of applying the laws but of supplementing them and of making laws on all matters not explicitly covered in the Sacred Text. An English translation of the *Kitáb-i-Aqdas* was made by Dr. Earl E. Elder and Dr. William McE. Miller, two men who were Presbyterian missionaries in Persia and have long been strongly antagonistic to the Faith. A great many of the statements that they make about its history are based on the assertions of Covenant-breakers or opponents of the Faith—rather like a history of Christianity based primarily on statements by enemies of Jesus Christ. Dr. Miller, for example, places great reliance on a document called the "Nuqṭatu'l-Káf," which is, in fact, spurious, as is fully demonstrated by the Hand of the Cause Ḥasan Balyúzí in his book *Edward Granville Browne and the Bahá'í Faith*.

The reasons for the delay in the translation of the Kitáb-i-Aqdas are given in the introduction to the Synopsis and Codification. The Kitáb-i-Aqdas itself is the kernel of a vast structure of Bahá'í law that will have to come into being in the years and centuries ahead as the unity of mankind is established and develops. Thus to properly understand the contents of that Book one should also read many other Tablets of Bahá'u'lláh relating to them, as well as the interpretations of 'Abdu'l-Bahá and the Guardian, and realize that great areas of detail have been left by Bahá'u'lláh for the Universal House of Justice to fill in and to vary in accordance with the needs of a developing society. For example:

1. The law of divorce in the Aqdas seems to apply only to a husband divorcing his wife, and not vice versa. 'Abdu'l-Bahá and the Guardian have made it quite clear that the principle enunciated by Bahá'u'lláh in the "Kitáb-i-Aqdas" applies equally to men and women, and the law has always been implemented in this way. Such elucidations are one of the specific functions intended by Bahá'u'lláh for the authoritative Interpreter.
2. The Kitáb-i-Aqdas appears to allow bigamy. This is explained in Note 17 on page 59 of the Synopsis and Codification: "The text of the Kitáb-i-Aqdas upholds monogamy, but as it appears also to permit bigamy, the Guardian was asked for a clarification, and in reply his secretary wrote on his behalf: 'Regarding Bahá'í marriage: in the light of the Master's Tablet interpreting the provision in the Aqdas on the subject of the plurality of wives, it becomes evident that monogamy alone is permissible, since, as 'Abdu'l-Bahá states, bigamy is conditioned upon justice and as justice is impossible, it follows that bigamy is not permissible, and monogamy alone should be practiced.'"

This is an authoritative interpretation, and as an interpretation states what is intended by the original text, it is correct to say that the Kitáb-i-Aqdas prohibits plurality of wives. This method of establishing monogamy as the law of the Faith is one example of the process referred to in the introduction to the Synopsis and Codification whereby there is a progressive disclosure of the full meaning of the laws of the Faith as the Dispensation unfolds.

3. The punishments prescribed for theft, murder and arson are given only in barest outline. It is explained in Note 42 on page 64 of the Synopsis and Codification that these punishments are intended for a future condition of society and will have to be supplemented and applied by the Universal House of Justice. The punishment for theft, for example, says that for the third offense a mark must be placed on the thief's forehead (nothing is said about branding), so that people will be warned of his proclivities. All details of how the mark is to be applied, how long it must be worn, on what conditions it may be removed, as well as the seriousness of various degrees of theft have been left by Bahá'u'lláh for the Universal House of Justice to decide when the law has to be applied. Similarly, merely the fundamental principles of the punishments for murder and arson are given in the Kitáb-i-Aqdas. Willful murder is to be punished either by capital punishment or life imprisonment. Such matters as degrees of offense and whether any extenuating circumstances are to be taken into account, and which of the two prescribed punishments is to be the norm are left to the Universal House of Justice to decide in light of prevailing conditions when the law is in operation. Arson, as you yourself can see from the newspapers, is becoming an increasingly frequent offense—scarcely a day passes without some building being burned or blown up, often causing agonizing death to innocent people. Bahá'u'lláh prescribes that a person who burns a house intentionally is to be burned or imprisoned for life, but again, the application of these punishments, the method of carrying them out and the fixing of degrees of offense are left to the Universal House of Justice. Obviously there is a tremendous difference in the degree of the offense

of a person who burns down an empty warehouse from that of one who sets fire to a school full of children.

From the above examples it should be clear why a translation of the Kitáb-i-Aqdas made without proper comprehensive footnotes referring to other Tablets of Bahá'u'lláh which elucidate His laws as well as to interpretations made by 'Abdu'l-Bahá and the Guardian, can give a very misleading impression—quite apart from the problem of achieving a beauty of style in the English which can approach that of the original, an aspect in which the Elder-Miller translation falls woefully short.

Although there is no explicit reference to the Guardianship in the Kitáb-i-Aqdas, the Synopsis and Codification lists “Anticipation of the Institution of the Guardianship.” On page 214 of *God Passes By*, when summarizing the contents of the Aqdas, Shoghi Effendi states that in it Bahá'u'lláh “anticipates by implication the institution of Guardianship,” and again, on page 147 of *The World Order of Bahá'u'lláh* the Guardian refers to “the verses of the Kitáb-i-Aqdas the implications of which clearly anticipate the institution of the Guardianship.” One such implication is in the matter of Ḥuqúqu'lláh (The Right of God), which is ordained in the Kitáb-i-Aqdas without provision being made for who is to receive it; in His Will and Testament 'Abdu'l-Bahá fills this gap by stating “It is to be offered through the Guardian of the Cause of God ...” Other implications of this institution can be seen in the terms in which 'Abdu'l-Bahá is appointed as the Successor of Bahá'u'lláh and the Interpreter of His Teachings. The faithful are enjoined to turn their faces towards the one whom “God hath purposed” and who “hath branched from this Ancient Root” and are bidden to refer whatsoever they do not understand in the Bahá'í writings to him who “hath branched from this mighty Stock.” Yet another can be seen in the provision of the Aqdas concerning the disposition of international endowments—a passage which not only refers this matter to the Aghṣán (male descendants of Bahá'u'lláh) but also provides for what should happen should the line of Aghṣán end before the coming into being of the Universal House of Justice. Thus the “Anticipation of the Institution of the Guardianship” is correctly included in the Synopsis and Codification of the Kitáb-i-Aqdas.