

Comments on the Questions and Answers Section of the *Kitáb-i-Aqdas*

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Abstract:

Encouraged by the annulment of the Bab's interdiction of questioning the One Whom God will make manifest (*Aqdas*, para. 126), the first readers of the *Kitáb-i-Aqdas* forwarded numerous queries regarding the contents of the Book of Laws to its Author. To avoid confusion and repetition, Zaynu'l Muqarrabin, an erudite member of the Akka community with formal training and practice in Islamic jurisprudence, was commissioned to gather and to collate such questions which, when presented to Baha'u'llah, elicited a total of 107 responses, four of which appear to be unsolicited responses with no identifiable question.

The answers thus provided by Baha'u'llah are highly significant as they elucidate and expand on the laws of the *Aqdas* and, in certain instances, contain new information which cannot be otherwise derived from the text of the *Aqdas*. These answers were also effectively used by Baha'u'llah to draw attention to the cardinal importance of the institution of the House of Justice, and it is actually in the Questions and Answers section that Baha'u'llah explicitly empowers the House of Justice to enact subsidiary laws, a principle which was to be fully developed in later years by Abdu'l-Baha. As obvious as the significance of this section may be, the full import of this unique legal exercise perhaps will only reveal itself in the course of future efforts to fully implement the Baha'i system of laws.

On another level, the questions contained here provide a fascinating glimpse into the thinking of the early believers. A sense of urgency is conveyed in these questions as we observe these believers endeavoring to define an independent religious identity based on laws governing daily observances and personal status. A review of the questions shows that a large majority of the queries presented to Baha'u'llah were of a legalistic nature seeking clarification on technical matters related to the application of the laws of personal status and of prayer. The most frequently asked questions concerned: prayer and ablutions (22 questions); marriage and divorce (22); inheritance (15); and Huququ'llah (11).

It is interesting to note that none of the questions pertain directly to the framework of the Covenant or the institutional aspects of Baha'u'llah's world order, with the possible exception of Question 99, which addresses the principle of consultation. Two questions regarding the House of Justice deal with the technical question of "missing heirs" Similarly, there are no questions of an ethical nature, although three of the unsolicited responses (Responses 104-106) would come under such a category.

The questions forwarded by the early believers may be best viewed in perspective of the believers' struggle to pull away from the orbit of the Shari'ah legal system, a process jolted into motion by Tahirih's bold and dramatic defiance of Islamic law at Badashat. In the mind of many of the early believers, further progress in this direction was predicted on the revelation of a code of laws and, to this end, they frequently pleaded their case with Baha'u'llah, as witnessed by Himself (*Aqdas*, para. 98). What they eventually received was, of course, no "mere code of laws" but rather the "choice wine" proffered through the "might and power" of the Manifestation of God, and this was accompanied by the often repeated counsel to follow "fact and prudence" in observing the laws. In any case, the legal foundations of the Faith now stood revealed and henceforth there would be mounting

tension between the Baha'i community and the Shari'ah establishment, culminating in the cases brought before the Islamic courts of Egypt in 1925, the outcome of which Shoghi Effendi has hailed as "the first Charter of the emancipation of the Cause of Baha'u'llah from the fetters of Islamic orthodoxy."