

Bahá'u'lláh's Marriage Law

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“And when He desired to manifest grace and beneficence to men, and to set the world in order, He revealed observances and created laws; among them He established the law of marriage, made it as a fortress for well-being and salvation, and enjoined it upon us in that which was sent down out of the heaven of sanctity in His Most Holy Book.”

Bahá'u'lláh, *Bahá'í Prayers*, p. 103

Among the laws Bahá'u'lláh has revealed for the well-being and happiness of humankind is that of marriage. The purpose of this great law is:

“to strengthen the social fabric, to knit closer the ties of the home, to place a certain gratitude and respect in the hearts of children for those who have given them life and sent their souls out on the eternal journey towards their Creator.”

From a letter written on behalf of Shoghi Effendi to the National Spiritual Assembly of the United States, 25 October 1947

Bahá'u'lláh's Marriage Law enjoins upon believers certain specific requirements. Each and every couple marrying under Bahá'í law must ensure that these requirements are met to enjoy the spiritual benefit of obedience to Bahá'u'lláh's law. It is also important to remember that Bahá'ís who intentionally disregard the marriage law are subject to the possible loss of their administrative rights.

A Bahá'í wedding cannot take place until the Local Spiritual Assembly in whose jurisdiction the wedding will be held has verified that all requirements of both Bahá'í and civil law have been met. The following overview of Bahá'í marriage law is offered to ensure that the friends are aware of the requirements.

The first condition is that the couple must freely choose each other as marriage partners

Who must consent to a Bahá'í marriage?

According to Bahá'u'lláh's Marriage Law, except under very specific circumstances which must be considered by the National Spiritual Assembly on a case by case basis, all living natural parents of the intended marriage partners, whether Bahá'ís or not, must freely give their consent to the marriage.

“The validity of a Bahá'í marriage is dependent upon the free and full consent of all four parents. The freedom of the parents in the exercise of this right is unrestricted and unconditioned. They may refuse their consent on any ground, and they are responsible for their decision to God alone.”

From a letter written on behalf of Shoghi Effendi to an individual believer, 19 March 1938

Under certain circumstances, the need for parental consent is not required. These circumstances include:

- If the child was adopted in Canada. For cases of adoption in other countries, please consult with the authorizing Assembly.
- If the parent has absented himself to a degree that he can be deemed legally dead. In such cases, full details of the matter should be forwarded by the authorizing Assembly to the National Assembly for guidance.
- If the parent is assessed as legally incompetent to give consent.

Any questions regarding the requirement for parental consent under special circumstances should be directed to the authorizing Assembly for guidance.

Under certain extraordinary circumstances, the Universal House of Justice has decided that the requirement for parental consent may be waived by the National Spiritual Assembly on a case by case basis. Questions about the particular circumstances of this process should be addressed to the Local Spiritual Assembly, which should in turn raise the question with the National Assembly.

Who authorizes a Bahá'í wedding ceremony?

The Local Spiritual Assembly in the locality where the marriage ceremony is taking place authorizes the marriage. Without the authorization of the appropriate Local Assembly, a Bahá'í marriage is not recognized as valid under Bahá'í law, even if the vow is recited. If there is no Spiritual Assembly in the locality where the wedding is to take place, the couple may seek authorization from a nearby Spiritual Assembly.

Who may have a Bahá'í marriage ceremony?

Anyone, whether a Bahá'í or not, is permitted to have a Bahá'í marriage ceremony provided that they fulfill all of the requirements of Bahá'u'lláh's marriage law.

For a Bahá'í to have a Bahá'í marriage ceremony, (s)he must be in good standing; in other words, (s)he must have her/his administrative rights. To marry under Bahá'í law, both individuals must be free to marry.

In cases where one of the couple is not a Bahá'í, a valid civil marriage license is sufficient evidence that the person is free to marry, except in the province of Quebec, where no civil marriage license is required. Spiritual Assemblies authorizing a marriage in the province of Quebec are responsible to determine that a civil divorce has been obtained in the case of a previously married person who is not a Bahá'í and who wishes to re-marry.

In the case of a Bahá'í who has previously been married, (s)he is required to present to the authorizing Assembly a copy of the letter from the National Spiritual Assembly advising her/him that her/his Bahá'í divorce has been finalized. Should a copy of this letter from the National Spiritual Assembly be unavailable, the authorizing Assembly must investigate the matter directly with the Department of the Secretariat of the National Assembly.

“Even though a Bahá’í has obtained a civil divorce, under Bahá’í law he cannot be regarded as divorced unless he has also obtained a Bahá’í divorce, therefore he is not free to marry. Should he attempt to marry and in the process violate the Bahá’í law governing marriage, he is, of course, subject to sanction.”

From a letter of the Universal House of Justice to the National Spiritual Assembly of Canada, 13 February 1975

To whom does the 95 day engagement period apply?

According to the Kitáb-i-Aqdas, the period of engagement prior to the wedding should be no more than 95 days. However, the laws regarding the 95 day period of engagement have not yet been made applicable to non-Persian believers. These laws are binding on Persian believers, wherever they reside, if both parties to the marriage are Persian. This law is not applicable, however, if one of the parties is not a Persian believer.

The beginning of the 95 day engagement period is the day on which the parental consents have been obtained.

Any request for an extension of the engagement period beyond 95 days should be brought to the authorizing Assembly and can only occur with the approval of the National Spiritual Assembly. Should the authorizing Assembly decide that circumstances may warrant an extension of the 95 day engagement period, all relevant details of the matter should be forwarded by the authorizing Assembly to the National Assembly.

When is a dowry applicable?

According to the Kitáb-i-Aqdas, marriage is conditioned on payment of a dowry. However the laws regarding the dowry have not yet been made applicable to believers who are not Persian. These laws are binding on Persian believers, wherever they reside, if both members of the couple are Persian. When a non-Persian believer is involved, the laws applicable only to Persians are not binding, but the couple is free to follow such laws as they wish.

Guidance regarding calculation of the dowry can be found in the Kitáb-i-Aqdas.

“As you know, there is no ritual, according to the Aqdas, and the Guardian is very anxious that none should be introduced at present and no general forms accepted. He believes this ceremony should be as simple as possible, the parties using the words ordained by Bahá’u’lláh, and excerpts from the Writings and Prayers being read if desired. There should be no commingling of the old forms with the new and simple one of Bahá’u’lláh”

From a letter written on behalf of Shoghi Effendi to an individual believer, 13 March 1944

What is a Bahá'í wedding ceremony?

The couple themselves perform the marriage ceremony by each saying, in the presence of at least two witnesses, the verse prescribed in the Kitáb-i- Aqdas, “We will all, verily, abide by the Will of God.”

Who may act as a witness to the marriage?

The marriage ceremony must be witnessed by two trustworthy individuals, approved by the authorizing Assembly, whose testimony is deemed acceptable. It is not necessary that the witnesses be Bahá'ís. An Assembly may not accept as witnesses anyone under the age legislated by the province or territory as the age of majority.

“The witnesses can be any two trustworthy people whose testimony is acceptable to the Spiritual Assembly under whose jurisdiction the marriage is performed. This fact makes it possible for a lone pioneer in a remote post to have a Bahá'í marriage.”

From a letter of the Universal House of Justice to a National Spiritual Assembly, 8 August 1969

Do I need to have any ceremony in addition to the Bahá'í ceremony? What if I wish to have another ceremony?

In all provinces, the Bahá'í marriage ceremony is legally recognized. It is not necessary, therefore, to have an additional civil ceremony. The territories do not recognize Bahá'í marriage and, therefore, couples marrying in the territories are required to have both a Bahá'í marriage ceremony and a civil ceremony.

When two Bahá'ís marry, they must not be married by the religious ceremony of another faith.

An additional ceremony is permitted, as, for example, in the case of a Bahá'í marrying someone of another faith and ceremonies from both religions are performed, provided that:

- The Bahá'í ceremony must be carried out before or after the non-Bahá'í one, on the same day. The 24-hour period within which the ceremonies must be held begins at 12:01 a.m. of the day in which the first ceremony is held and concludes at midnight of that same day.
- Equal respect must be accorded to both ceremonies. In other words, the Bahá'í ceremony, which is basically so simple, should not be regarded as a mere formal adjunct to the ceremony of the other religion.
- The two ceremonies must be clearly distinct. In other words, they should not be commingled into one combined ceremony.
- The Bahá'í participating in the non-Bahá'í religious ceremony does not make a declaration of Faith in the other religion.

What if I am marrying a Bahá'í from another country?

In cases of marriage in Canada to a Bahá'í from another country, the intended spouse should arrange for their National Spiritual Assembly to send confirmation of his or her Bahá'í status, as well as his or her marital status, to our National Spiritual Assembly. This information will then be provided to the Local Spiritual Assembly authorizing the marriage.

What if I am getting married outside of Canada?

As civil marriage requirements differ from country to country, couples planning to marry in a country other than Canada are advised to contact the National Spiritual Assembly in the country where the wedding is to take place for guidance as to how best to proceed. These National Assemblies should be given as much notice as possible in order for them to assist the authorizing Local Assembly in facilitating the couple's plans. The Records Department at the National Centre can provide information on how best to contact any National Spiritual Assembly.

Canadian Bahá'ís planning to marry outside of Canada should contact the Records Department for international Bahá'í credentials, which they will be required to present to the Bahá'í institution authorizing their marriage.

Once a marriage has taken place outside of Canada, the couple must provide both Bahá'í and civil marriage certificates (where applicable) to the Records Department at the National Centre.

What if I wish to marry in Iran?

Kindly contact the Department of the Secretariat of the National Spiritual Assembly at secretariat@bahai.ca for the most recent guidance regarding marriage in Iran.

“When, therefore, the people of Bahá undertake to marry, the union must be a true relationship, a spiritual coming together as well as a physical one, so that throughout every phase of life, and in all the worlds of God, their union will endure; for this real oneness is a gleaming out of the love of God.”

‘Abdu’l-Bahá, Selections from the Writings of ‘Abdu’l-Bahá, p. 117