

## **Selected Extracts on the Exhumation and Reburial of Mortal Remains From Letters Written on Behalf of the Universal House of Justice**

### **General Principles**

... it is preferable not to disturb the remains of the deceased once they have been interred. However, when circumstances demand, it is permitted in Bahá'í law to exhume and reinter mortal remains. This is usually done only out of absolute necessity in circumstances beyond one's control, such as when required by law. It appears that this is not the case in the present situation, which is understood to involve a family's desire to relocate the remains of the mother from their resting place of nearly three decades in an alcove in a public cemetery to a grave in the grounds of a private cemetery. In instances such as this one, the House of Justice feels that it would be best not to exhume and relocate the remains in the manner suggested.

(From a letter dated 23 September 2012 to a National Spiritual Assembly) [1]

As the beloved Guardian's secretary wrote on his behalf, "The spirit has no more connection with the body after it departs, but, as the body was once the temple of the spirit, we Bahá'ís are taught that it must be treated with respect." These words show why, in principle, it is preferable not to disturb the remains of the deceased once they have been interred. However, when circumstances demand or if it is required by civil law, it is permitted in Bahá'í law to exhume and reinter mortal remains, keeping in mind that the friends should do everything possible to ensure that the remains are not removed more than one hour's journey from the place of death, and that the spirit of Bahá'u'lláh's law for burial to take place near the place of death is observed.

(From a letter dated 5 February 2014 to an individual believer) [2]

The House of Justice advises that the place of death may be taken to be the city or town in which the believer passed away, and therefore the hour's journey may be calculated from the city limits to the place of burial.

(From a letter dated 24 February 1985 to a National Spiritual Assembly) [3]

### **Layering of Graves and the Use of Vaults and Smaller Caskets**

Bahá'í law does not rule out transferring the mortal remains into a smaller casket for reburial, so long as this is undertaken in a way which shows respect for the body.

(From a letter dated 29 February 1996 to a National Spiritual Assembly) [4]

... an underground chamber or vault could be one solution. Another possibility you may wish to consider is the layering of several coffins at different depths in the same grave.

(From a letter dated 11 August 1997 to a National Spiritual Assembly) [5]

Although the Guardian has stated that “It is better and more appropriate to assign a grave to every dead person”, the House of Justice has advised that this statement expresses a preference and is not given as a binding ruling. Moreover, the House of Justice has not legislated upon the question of what exactly constitutes a “grave”, nor does it wish to legislate at this time on the question of the placement of coffins in niches, or in vaults one over the other as might be found in a type of mausoleum. Thus this matter is left to the decision of the Assembly.

(From a letter dated 28 April 2003 to a National Spiritual Assembly) [6]

... there is no prohibition in Bahá'í law to burial in several levels of graves, nor against the use of vaults above the level of the ground, as is the practice in some countries where, for example, the land is solid rock.

(From a letter dated 29 July 1986 to an individual believer) [7]

As a first step, your Assembly will wish to determine whether any means exist for the burial of the bodies of the deceased in the affected locality, or nearby place, in a manner permissible by civil law, which could include burial above ground. For example, in response to one National Spiritual Assembly in whose country the land available for cemeteries was very scarce, the House of Justice suggested that the Assembly might be able to acquire a small piece of land in each location where a cemetery is needed, on which a mausoleum consisting of many single burial vaults could be built. It was pointed out that there would be no objection to the vaults' being on top of one another and that a small but attractive garden could be made around the building, in front of it, or even inside it. It may be helpful, moreover, to bear in mind that the one-hour limit for travel may be calculated from the city limits to the place of burial and that there is no restriction on the type of transport that can be used.

(From a letter dated 15 June 2008 to a National Spiritual Assembly) [8]

### **Common Graves**

If it is optional, it would be more appropriate for the remains to be reburied in a separate grave, and not in a common grave.

(From a message dated 10 January 1999 to a National Spiritual Assembly) [9]

... if a common crypt is the only option, it would be preferable, if allowed, to place the mortal remains into a smaller casket within the crypt.

(From a letter dated 20 June 2006 to a National Spiritual Assembly) [10]

### **In Countries Where Land is Scarce or Expensive or Where Graves are Leased for a Limited Period**

In reply to your letter of December 11, 1978 asking about transfer of the mortal remains of believers from their original graves, the Universal House of Justice instructs us to say that in Bahá'í law it is permitted to exhume and reinter mortal remains. The House of Justice feels, however, that every effort should be made to comply with the law of Bahá'u'lláh requiring the body to be buried not more than one hour's journey from the place of death.

As to the problem you foresee by the practice in ... of leasing graves on a thirty year or so basis, the House of Justice suggests that although there is no objection in principle to the

transferring of remains when original graves are destroyed or otherwise disturbed, it might be wise to investigate the possibility of obtaining small plots of land as permanent Bahá'í cemeteries, or extending the leases of Bahá'í graves when the cemetery itself is not to be destroyed. In other words, if you can make arrangements not to disturb the remains once they have been interred it would be better, but if this does not prove possible, then you should do everything possible to ensure that the remains are not removed more than one hour's journey from the place of death, and that the spirit of Bahá'u'lláh's law for burial to take place near the place of death is observed.

(From a letter dated 11 January 1979 to a National Spiritual Assembly)

[11]

... the House of Justice has asked us to explain that, as the beloved Guardian's secretary wrote on his behalf, "The spirit has no more connection with the body after it departs, but, as the body was once the temple of the spirit, we Bahá'ís are taught that it must be treated with respect." These words show why Bahá'ís do not view with equanimity the prospect of the disinterment of the remains of the dead, or the obliteration of graves only a few years after burial, and why Bahá'í communities in countries where such actions are the custom attempt to obtain their own cemeteries where the physical dust of the dead will continue to be treated with respect and will be left to decompose gradually into its constituent elements.

In densely populated countries where land is very expensive, possibilities are very limited, but the Spiritual Assembly has a responsibility to investigate the matter and to ascertain what, if anything, can be done to protect the graves of Bahá'ís from desecration.

(From a letter dated 3 June 1979 to a National Spiritual Assembly)

[12]

In response to one National Spiritual Assembly, in whose country the land available for cemeteries was very scarce, the House of Justice suggested that it might be able to acquire a small piece of land, in each location where a cemetery is needed, on which a mausoleum consisting of many single burial vaults could be built. It was pointed out that there would be no objection to the vaults' being on top of one another, and that a small but attractive garden could be made around the building, in front of it, or even inside it.

(From a letter dated 16 February 2004 to a National Spiritual Assembly)

[13]

### **Burial on Private Property**

The Universal House of Justice has received your letter dated 19 June 2014 ... requesting guidance in connection with disinterring your mother's remains and burying them on private property. It is understood from your letter that, in the area where your late mother is currently buried, the burial plot may only be used for an initial period of seven years; after that, for each additional seven-year period, not exceeding a total of twenty-one years, the payment of a fee will be required. In light of this, you ask what should be done with the remains of your mother when the plot is no longer available and whether you may remove them at the end of the first seven years and reinter them on a property you own. We have been asked to provide the following in response.

...

As to whether your mother's remains may be reburied on your property, there would be no objection to using privately owned property for this purpose provided that you are able to

comply with the requirements referred to above and your country's laws do not prohibit this. Concerning whether your mother's remains may be removed and reinterred now or at some time in the future, the decision is yours to make.

(From a letter dated 19 August 2014 to an individual believer)

**[14]**