

# Defining a "Minority" for the Purpose of Resolving a Tie for Ninth Place in a Bahá'í Election

by the Universal House of Justice

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From a letter and a Memorandum Written by the Universal House of Justice

- 1 ...it is within your discretion to define who should be considered a minority in ... with regard to breaking a tie vote in a Bahá'í election, subject to the provision that pioneers from other lands should not be regarded as constituting a minority for this purpose. However, you should consider carefully whether it is wise or necessary to issue a general directive to the friends on this subject. Should you decide to do so, you are advised to examine whether your proposed definition is too narrow in the light of the Guardian's statements in "Advent of Divine justice". In all cases of doubt, or when the issue is unclear or likely to provoke disputation, the tie should be broken by a revote.

(13 September 1988)

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- 2 We feel that Counsellor ... acted correctly in advising that another vote should be taken in cases where there is doubt as to the minority status of any individual, as it avoids wrangling and fractiousness and emphasizes the dignity and justice of the electoral process.

(1 September 1991 to the International Teaching Centre)

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### From Letters Written on Behalf of the Universal House of Justice<sup>1</sup>

<sup>1</sup> Extracts taken from letters written to National Spiritual Assemblies unless otherwise specified.

- 3 The definition of minority is at the discretion of your Assembly, since the differentiation for election purposes of what the Guardian called the "various races, faiths or nationalities" in any country is to be made by its National Spiritual Assembly. It is clear that pioneers from other lands should not be regarded as belonging to a minority in a situation involving a tie vote. If, however, there is any doubt at all as to whether a minority is involved in a tie vote, the matter should be resolved by further balloting.

(26 September 1988)

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- 4 As you know, in accordance with instruction of the beloved Guardian, if the ninth place is tied in a Bahá'í election and if one of the persons tied is unquestionably a member of a minority, that person should be given priority; this is a sign of respect for such individuals who are usually downtrodden members of society. Whenever there is any doubt in the definition of a minority, another balloting should be called for immediately to break the tie. To avoid unnecessary controversies, it would be better not to define minorities within minority groups.<sup>2</sup>

<sup>2</sup> The Assembly was apparently dividing its "minority" group into further subgroups in case the tie was between believers belonging to the same minority group.

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- 5 The House of Justice has asked us to explain that it is not always possible for a National Spiritual Assembly to define exactly what constitutes a minority for its area of jurisdiction as a whole. This principle is one which needs to be applied by the friends in each separate situation in light of the conditions there and, in applying it, the believers should recall the reason behind the principle. In "The Advent of Divine

Justice" (page 35 ff.), Shoghi Effendi explained in the following passage, in which we have highlighted certain portions which bear particularly upon the problem facing your Assembly.

To discriminate against any race, on the ground of its being socially backward, politically immature, and numerically in a minority, is a flagrant violation of the spirit that animates the Faith of Bahá'u'lláh. The consciousness of any division or cleavage in its ranks is alien to its very purpose, principles, and ideals. Once its members have fully recognized the claim of its Author, and, by identifying themselves with its Administrative Order, accepted unreservedly the principles and laws embodied in its teachings, every differentiation of class, creed, or color must automatically be obliterated, and never be allowed, under any pretext, and however great the pressure of events or of public opinion, to reassert itself. If any discrimination is at all to be tolerated, it should be a discrimination not against, but rather in favor of the minority, be it racial or otherwise. Unlike the nations and peoples of the earth, be they of the East or of the West, democratic or authoritarian, communist or capitalist, whether belonging to the Old World or the New, who either ignore, trample upon, or extirpate, the racial, religious, or political minorities within the sphere of their jurisdiction, **every organized community enlisted under the banner of Bahá'u'lláh should feel it to be its first and inescapable obligation to nurture, encourage, and safeguard every minority belonging to any faith, race, class, or nation within it.** So great and vital is this principle that in such circumstances, as when an equal number of ballots have been cast in an election, or where the qualifications for any office are balanced as between the various races, faiths or nationalities within the community, priority should unhesitatingly be accorded the party representing the minority, **and this for no other reason except to stimulate and encourage it, and afford it an opportunity to further the interests of the community.** In the light of this principle, and bearing in mind the extreme desirability of having the minority elements participate and share responsibility in the conduct of Bahá'í activity, it should be the duty of every Bahá'í

community so to arrange its affairs that in cases where individuals belonging to the divers minority elements within it **are already qualified and fulfill the necessary requirements**, Bahá'í representative institutions, be they Assemblies, conventions, conferences, or committees, may have represented on them as many of these divers elements, racial or otherwise, as possible. **The adoption of such a course, and faithful adherence to it, would not only be a source of inspiration and encouragement to those elements that are numerically small and inadequately represented, but would demonstrate to the world at large the universality and representative character of the Faith of Bahá'u'lláh, and the freedom of His followers from the taint of those prejudices which have already wrought such havoc in the domestic affairs, as well as the foreign relationships, of the nations.**

As can be seen from the above statement, the principle of giving preference to representatives of minorities applies over a wide range. It is to be borne in mind by individual believers when casting their ballots, it is to be considered by Assemblies when appointing committees or calling upon individual friends to assume responsibilities in conferences and other activities, and it is to be recognized by the tellers in an election when a member of a minority is involved in a tie-vote with another believer. Since the purpose of giving such preference is to “nurture, encourage, and safeguard” the minorities whose representatives are generally subject to being despised or discriminated against, to give expression to “the extreme desirability of having minority elements participate and share responsibility in the conduct of Bahá'í activity” and to “demonstrate to the world at large the universality, and representative character” of the Faith and the freedom of its followers from the “taint” of prejudice, it should be comparatively easy for the believers present when a tie vote is declared to see immediately whether one of the tied persons is a member of such a minority. If there is any doubt on the matter, the solution is to have a re-vote.

The House of Justice hopes that these remarks make it clear that the application of this highly important principle calls for awareness, good judgement and lack of the prejudice on the part of the believers rather than factual elucidation or subsidiary rulings.

(22 September 1991)

- 6 In response to your question as to whether the term minority could refer to a minority in relation to the membership of the National Spiritual Assembly, it is an established principle that the background, minority or otherwise, of members already elected to an institution does not constitute a basis for determining whether tied candidates represent a minority.

Concerning your other questions, the House of Justice recognizes the difficulties involved in the definition of minority groups but feels that it is not desirable to seek to define such minorities in advance of the occurrence of the problem, i.e., of a tie vote for ninth place for either the National or a Local Spiritual Assembly. For this reason, we have not responded specifically to your other questions. When such a tie occurs, the minority is either obvious or ambiguous. In all cases of doubt, or when the issue is unclear or likely to provoke disputation, the tie should simply be broken by a revote.

(30 March 1992)

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- 7 As you are well aware, the purpose of the Bahá'í Faith is the creation of a world community in which all the diverse elements of humanity would participate fully without discrimination or inhibition. Diversity will be a source of strength and enrichment to the global civilization which is to come into being through the operation of the World Order of Bahá'u'lláh, and the talents and abilities of all people will be cherished and utilized.

In labouring to bring this new world into being, we must recognize that there are many minority elements in present-day society which have been suppressed and discouraged, often over a period of many centuries, with their views and their welfare ignored. No country in the world can legitimately claim to be free from a heritage of discrimination against some minority within its midst. Through their acceptance of the claim of Bahá'u'lláh, and their participation in Bahá'í community life, the members of these minority groups will, in due course, be able to assume their rightful place as full participants in the process of building the World Order. However, psychological attitudes induced by generations of discrimination and discouragement are not easily overcome, and can only be eradicated through sustained effort and the passage of time.

The statements of Shoghi Effendi in "The Advent of Divine Justice" should be examined in this light. He calls for a degree of remedial action, the purpose of which is "to nurture, encourage, and safeguard every minority" within the Bahá'í community, and to "be a source of inspiration and encouragement". His prescription, which includes priority to the individual from a minority background in the case of a

tie in balloting, and the inclusion of believers which are part of a minority on Bahá'í administrative bodies when they "are already qualified and fulfill the necessary requirements", is far removed from the artificial assignment of quotas which characterizes the contemporary approach to the treatment of minorities in the world around us. The Bahá'í approach preserves and fosters the dignity and self-respect of the minority elements, and encourages them to aspire to that level of development which would render them capable of performing distinguished services in the Bahá'í administrative order.

In applying this principle, the Universal House of Justice has assigned to the National Spiritual Assembly the function of determining what constitutes a minority in its area of jurisdiction, while indicating that, in cases of doubt when a tie vote occurs, a re-vote should be held. The House of Justice has also stated that pioneers from other countries should not be regarded as constituting a minority for purposes of Bahá'í elections. In response to a question from the International Teaching Centre in 1978, the Universal House of Justice stated that Persians, Americans and citizens of other nations living in Australia, like foreign pioneers, are not regarded as belonging to a minority in a situation involving a tie vote.

(13 May 1992 to an individual)

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- 8 As you know, it is not always possible for a National Assembly to define exactly what constitutes a minority in its area of jurisdiction as a whole, and it is not desirable to make any general pronouncements on the matter. Rather, the principle should be applied in the light of each specific situation.

However, the criteria is the numerical representation of the various backgrounds within the Bahá'í community holding the election, rather than within the population of the country at large. Exceptions to this principle are any foreign Bahá'í pioneers residing in your country, who do not qualify as minorities in this regard. The background, minority or otherwise, of the members already elected to an institution does not constitute a basis for determining whether one of the tie candidates represents a minority.

(20 December 1992)

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- 9 In cases where an election results in a tie-vote between persons, one of whom is a member of a minority, it is clearly set forth in the writings of Shoghi Effendi that the latter is to be unhesitatingly given priority without there being a re-vote to break the tie. What is not clearly defined is "minority", and the House of Justice has left to

National Spiritual Assemblies to determine what constitutes a minority for its area of jurisdiction as a whole, bearing in mind the sex of a believer should not be a consideration in breaking ties, nor should pioneers from other lands be seen as members of minority for election purposes. In the case of a tie between believers native to the country, if either belongs to a minority group, that one should be accorded the election. The overriding principle is that, in all cases where there is any doubt as to whether a person involved belongs to a minority, there should be a re-vote.

(19 March 1995)

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- 10 The question as to who is a minority in determining how to break a tie vote is compounded by the plethora of groups considered to be minorities in the United States. Where it is obvious who falls into the category of a minority, it is not difficult to apply the Bahá'í procedure of breaking ties by choosing the minority. Where there is doubt, the friends should vote to break the tie and thus avoid arguments over the matter. While previous religious affiliation is one of the categories that may be regarded as constituting a minority for breaking a tie vote in Bahá'í elections, it is within the discretion of the National Spiritual Assembly to define a specific "minority" group in the area under its jurisdiction.

(1 March 1999 to an individual)

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