

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**THE NATIONAL SPIRITUAL ASSEMBLY)
OF THE BAHÁ'ÍS OF THE UNITED STATES)
OF AMERICA UNDER THE HEREDITARY)
GUARDIANSHIP, INC.)**

Counter-Defendant,)

Civil Action No. 64 C 1878

v.)

The Honorable Amy J. St Eve

**THE NATIONAL SPIRITUAL ASSEMBLY)
OF THE BAHÁ'ÍS OF THE UNITED STATES)
OF AMERICA, INC.)**

Counterclaimant.)

**DECLARATION UNDER PENALTY OF PERJURY
OF RESPONDENT, JOEL BRAY MARANGELLA, IN SUPPORT OF
ORTHODOX BAHÁ'Í FAITH RESPONDENTS' RESPONSE TO
MOTION FOR RULE TO SHOW CAUSE**

Joel Bray Marangella, hereby declares, under penalty of perjury under the laws of the United States of America, as follows:

1. I have personal knowledge of the facts set forth herein, and I make this Declaration in support of the Orthodox Bahá'í Faith Respondents' Response to the Counterclaimant's Motion for Rule to Show Cause.
2. I was born in the United States and I am a citizen of the United States. I am presently a permanent resident of the town of Duncraig in Western Australia, a suburb north of the city of Perth.

3. I declared my belief in Bahá'u'lláh (the Founder of the Bahá'í religion and the Manifestation of God for this day) and my intentions of becoming a Baha'i at the age of 15 and was formally enrolled in the Bahá'í Faith in 1939 at the age of 21. The word "Bahá'í" identifies one who is a follower of Bahá'u'lláh.
4. Coincident with my enrollment in the Bahá'í Faith, I accepted Shoghi Effendi as the first Guardian of the Bahá'í Faith, appointed by 'Abdu'l-Bahá, the Son of Bahá'u'lláh, in His Will and Testament and Who had further provided for an unbroken line of future Guardians that would be appointed successively "in is own life-time" by his predecessor in Office.
5. During the Spring of 1950, I departed the United States in fulfillment of my desire to respond to Shoghi Effendi's call for pioneers to teach the Faith in European countries and established my residence in France.
6. On or about April, 1954, I was appointed by the Hands of the Cause of God ("Hands") in Europe as an Auxiliary Board Member to assist the Hands in the performance of their duties in Europe.
7. The Hands are an Institution of the Faith to serve under the direction of the Guardian. The Hands are appointed by the Guardian for the purpose of propagating and protecting the Bahá'í Faith. The Hands have no authority except as given them from time to time in carrying out tasks on behalf of the Guardian. Under the first Guardian's ministry, some Hands served directly with Shoghi Effendi in Haifa, Israel, and other Hands assisted the Guardian in various countries around the world.

8. On or about April 21, 1958, I was elected to the first National Spiritual Assembly of the Bahá'ís of France ("French NSA"), and was elected its Chairman. I served in this capacity until the French NSA was dissolved by the Hands in 1960 after the French NSA had voted to accept Charles Mason Remey ("Mason Remey") as the second Guardian of the Faith, and I was then expelled from the organization that had been established by the Hands. I never served as an officer or director in the NSA of the United States.
9. After this expulsion, I remained a Bahá'í loyal to the second Guardian, and continued to reside in France until 1968 when I moved to Germany.
10. Those Bahá'ís, including myself, who had accepted Mason Remey as the rightfully appointed successor to Shoghi Effendi as the second Guardian of the Faith, had done so, on the basis of his appointment by Shoghi Effendi as the President of the embryonic Universal House of Justice created by him in a Proclamation, under date of January 9, 1951, (and titled by him, in its first stage of development, as the International Bahá'í Council) the presidency of which, according to the explicit provisions of the Will and Testament of `Abdu'l-Bahá, the author of the Bahá'í Administrative Order, may only be held by the Guardian of the Faith, and whereby 'Abdu'l-Bahá had thus identified Guardianship and Presidency of the Universal House of Justice as synonymous terms.
11. Mason Remey appointed me to be the third Guardian in a letter addressed to me on December 5, 1961. On September 21, 1964, from Mason Remey's residence in Florence, Italy, he appointed me to be President of the Second International Baha'í Council (IBC). My accession to the Guardianship occurred in October, 1965, when Mason Remey (at the age of 91), from Italy, instructed me to activate the Second IBC as a functioning body

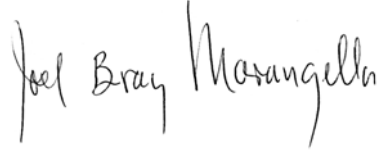
(published at the time in our newsletter, “Glad Tidings”) and later further confirmed when he publicly announced that I should take over the affairs of the Faith. He had thereby, in these actions, abdicated the Guardianship. Mason Remey later continued to act as if he were Guardian, asking me on October 18, 1966, to return all of the records of the Second IBC, and even appointing someone else as the third Guardian, Donald Harvey, apparently forgetting that I had already become the third Guardian. These actions by Mason Remey were inconsistent with my accession to the Guardianship and prevented a number of Remey's supporters from accepting me as the third Guardian, even after Mason Remey's death at the age of 100, on February 4, 1974.

12. On November 12, 1969, I considered that the time had come to issue a Proclamation to the Bahá'í world that I was the third Guardian of the Faith, duly appointed by Mason Remey. This was issued from Germany where I had moved and taken up residence in 1968.
13. I continuously resided in Germany from 1968 to 1973, at which time I retired and moved to Switzerland.
14. I lived in Switzerland until November 19, 1980, at which time I changed my permanent residence to Western Australia, from which I direct the world-wide affairs of the Orthodox Bahá'í Faith.
15. At no time whatsoever was I a member of the organization that remained loyal to Mason Remey in the United States.

16. At no time whatsoever was I a member, director, officer, agent, servant, employee, attorney or participant with the National Spiritual Assembly of the Bahá'ís of the United States of America under the Hereditary Guardianship (“Remey NSA”).
17. Although I was already the third Guardian on the date of the Judgment that was entered on June 28, 1966 against the Remey NSA, I had nothing to do with the above-captioned lawsuit or the parties to it, but Remey continued to direct the lawsuit as the Remey NSA remained an organization loyal and obedient to Mason Remey, having failed to recognize my Guardianship although some individuals who were once in that organization later accepted my Guardianship by declaring their belief and by then enrolling in a completely separate organization from the Remey NSA, following the issuance of my 1969 proclamation.
18. I have maintained a continuous uninterrupted residence in Europe since June of 1950, until my relocation to Australia in 1980, with the single exception of a 4-month period in the summer of 1954 when I was in the United States and not involved in Bahá'í activity.
19. The website at <http://www.bahai-guardian.com/> is maintained on my behalf by my son, Joel J. Marangella, also a resident in Australia since 1981. I am the owner of the domain and I am solely responsible for its content.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 29 December, 2006 at Duncraig, Western Australia.



Joel Bray Marangella

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