

May 25-31, 2020

## Mosiah 29–Alma 4

“THEY WERE STEADFAST AND IMMOVABLE”

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**Summary:** *Mosiah proposes that judges be chosen in place of a king—Unrighteous kings lead their people into sin—Alma the younger is chosen chief judge by the voice of the people—He is also the high priest over the Church—Alma the elder and Mosiah die. [About 92–91 B.C.]*

*Alma: Nehor teaches false doctrines, establishes a church, introduces priestcraft, and slays Gideon—He is executed for his crimes—Priestcrafts and persecutions spread among the people—The priests support themselves, the people care for the poor, and the Church prospers. [About 91—90 B.C.]*

*Amlici seeks to be king and is rejected by the voice of the people—His followers make him king—The Amlicites make war on the Nephites and are defeated—The Lamanites and Amlicites join forces and are defeated—Alma slays Amlici. [87 B.C.]*

*The Amlicites had marked themselves according to the prophetic word—The Lamanites had been cursed for their rebellion—Men bring their own curses upon themselves—The Nephites defeat another Lamanite army. [87 B.C.]*

*Alma baptizes thousands of converts—Iniquity enters the Church, and the Church’s progress is hindered—Nephiab is appointed chief judge—Alma, as high priest, devotes himself to the ministry. [Between 86 and 83 B.C.]*

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### Supplemental Jewish and Holy Land Insights

#### What has been the optimal system of government?

The underlying message in these

chapters is about government. The model of government in the Book of Mormon parallels the desired governmental system in modern times. In ancient times it seems that there is a pattern of the people of Israel going from Judges to Kings. This parallels a path of secularism that draws away from God (that is because they forgot that kings were to be models of The King of Kings). In this section of The Book of Mormon, the people went from Kings to Judges. Jewish thought on government and a view of the efforts of the modern Jewish state to bring biblical theocracy together with democracy gives some supplemental information as comparison. Nowadays, the religious Jews, Bahais and Latter-day Saints anticipate an eventual theocracy. This is in stark contrast to the secularism and materialism so prevalent in modern society. “In biblical times in the ancient Near East, the monarch was accepted as the sole ruler, with complete

authority over his subjects. The status of kings varied from emperor to vassal as the kingdoms varied in size from a tribe like Midian to a vast empire such as Egypt. But the idea common to all was that the direct relationship between the king and the deity was part of the natural order.” ([Encyclopedia Judaica Jr.](#))

#### How did “Kingship” fit in God’s plan?

“Kingship in Israel was established later in the history of the nation and it developed with important differences from neighboring states. Early efforts to establish a monarchy were resisted as a contradiction of the direct rule of God over His people. This attitude existed even when Saul was made Israel’s first king, but it did not last. The king came to replace the judge and the prophet as the national leader, yet he was guided by them in his strong but not absolute rule in military, as well as political, matters.” “The primary feature of the coronation was the anointing of the king’s head with oil by a priest or prophet, the sign of the divine covenant --- that is, he had been chosen as God’s anointed. From its inception, the

monarchy was in principle hereditary. In the northern kingdom of Israel there were many rebellions and frequent changes of dynasty. In the southern kingdom of Judea the monarchy remained in the house of David. The ideal king was seen as a king of justice. Prophecies of the future declare that in the 'end of days' the kingdom of the Jews will be returned to a descendant of the House of David."

(Encyclopedia Judaica Jr.)

### **What did Jews do to keep their own society structure?**

"Within the non-Jewish world of the Diaspora, the Jews always constituted a distinct religious grouping, and as a consequence they were invariably treated by the non-Jewish rulers of the countries in which they lived in accordance with the rights and obligations deemed appropriate for their group status. It was this type of corporate structuring of society that made possible the expulsions, en masse, of whole communities of Jews from specific territories. But this same social structuring also had positive results in the preservation of Jewish life in the Diaspora, for it allowed the Jews an extraordinary measure of freedom to live within their own circles in accordance with their own laws and religious requirements." "Under this system, the Jews who lived in the culturally alien and politically sovereign countries of the Christian and Muslim worlds managed to conduct their lives for hundreds of years almost as if they were living in their own land. They attained an advanced degree of legal, cultural and social self-sufficiency, and they set up their own communal structures that resembled the institutions of a sovereign state. This type of legal and cultural autonomy attained by the Jewish communities of the Diaspora prior to modern times has been aptly

named by historians 'Jewish Autonomy' or Jewish Self-government."

(Encyclopedia Judaica Jr.)

### **What became the common structure of Jewish communities world-wide?**

"The extent of autonomy achieved by the Jewish communities (called *kehillot*) varied from place to place, but certain features were common to all." "**First**, they all enjoyed the rights of being ruled and judged in accordance with the *halakhah*. Any dispute among Jews was always settled within a Jewish court of law, and anyone who dared turn to a non-Jewish court for legal redress was regarded almost as a traitor. At times, even disputes between Jews and non-Jews were settled within Jewish courts of law, and in Spain in the 12th and 13th centuries, the power of Jewish internal policing reached its peak when Jewish courts of law were empowered to impose even capital punishment." "**Second**, all the *kehillot* established their own governing bodies to oversee and coordinate communal affairs. Such governing institutions generally combined a quasi-democratic form of popular representation with an effective aristocratic leadership comprising the scholars and the wealthier members of the community." "**Third**, the assessment and collection of taxes imposed by local and national rulers was almost always given to the Jewish communities themselves to determine and carry out. Taxes would be assessed against the community as a whole, and amongst themselves, the Jews would determine how to distribute the tax burden." "**Fourth**, *kehillot* were generally given legal status, particularly in Europe, by the awarding of a 'charter of settlement' or a '*privilegium*,' by the local ruler or king. The charters would enumerate the rights to be enjoyed

by the Jews settled within the specified territory, and they would also generally include a listing of the taxes and other monetary obligations to be borne by the community. The charters also generally established the Jews of the territory as 'the property' of the dignitary granting the charter, and would thus define the legal status of the Jews in relationship to other, conflicting, bodies such as the Church, which also claimed 'ownership' of the Jewish Corporate grouping." **"Fifth,** Jewish self-government was generally limited to the smaller territorial units of towns and urban centers, and only in rare situations were trans-communal bodies set up to oversee the interests of several *kehillot* existing within a larger territorial unit. In Poland, in the 16th and 17th centuries, however, an effective trans-communal organization was set up, called the Council of Four Lands, which dealt with the Polish kings as a representative government of all the Jews of Poland." (Encyclopedia Judaica Jr.)

### **What changed the common structure of Jewish communities?**

"All these features of Jewish Self-government eventually disappeared with the emergence of the modern nation-state and the Emancipation of European Jewry. The Jews began to be treated as equal citizens under the laws of the countries in which they lived, and in consequence they had to give up the institutional elements of the legal autonomy which they had enjoyed in the Middle Ages. However, many of the services previously performed by the *kehillot* continued to be carried out on a voluntary basis. Thus, even today, there are Jewish courts of law in the Diaspora to which one may turn for arbitration of disputes, although such courts no longer have the power to enforce their decisions legally, and there are numerous communal bodies and

organizations that deal with matters of concern to the Jews living in their communities." (Encyclopedia Judaica Jr.)

### **How do Latter-day Saints view the role of a Judge?**

Both in the Bible and in The Book of Mormon the term "judge" has an ecclesiastical connection. They were the leading elders of the people. Latter-day Saints have "Leading Elders" who are the "Judges of Israel." "Now the confessed offender is not left without hope, for he can obtain forgiveness by following the course outlined, and by forsaking sins comparable to that committed, as well as all other sin, and living before the Church and the Lord in such manner as to win approbation of both. The offender who has brought stigma and affront to the ward, the stake or the mission should seek the forgiveness of those he has thus offended. That may be had at times through the presiding authorities of the various divisions of the Church. At other times it may be appropriate and quite necessary to make amends for public offenses and seek forgiveness before organizations of the people. The judges of Israel will determine this matter. (Conf. Rep., Apr., 1954, pp. 10-13.)" (Bruce R. McConkie, *Doctrinal New Testament Commentary, Vol.3, p.278*)

### **What qualifies the "Judges of Israel" both in ancient and modern times?**

"Whenever God has called and authorized men to perform a work in any age or dispensation, it has been done by revelations, and not by mere impressions, or some undefinable, internal feelings, which leave the mind in uncertainty and doubt. Noah was called by the word of the Lord to be a preacher of righteousness, and to build an ark. Abraham, Lot, Isaac, Jacob and Joseph, were called by revelation to perform a great variety of

duties. Moses and Aaron were called to the priest's office by the word of the great Jehovah. Seventy elders of Israel were called by revelation to assist Moses. Joshua was appointed by the word of the Lord through Moses to be his successor in leading Israel. The successors of Aaron were appointed to the priesthood by revelation. The Judges of Israel were called by visions, by angels and by the inspiration of the Spirit. Samuel was called by the voice of the Lord. And finally, all their officers, wise men and prophets, down to the days of Malachi, were called by new revelation.” (Orson Pratt *Divine Authenticity of BofM, No. 2 (1850), p.17*)

“Because of the experience of the aged, old age and wisdom are sometimes regarded as going together. Thus, throughout the Bible and Talmud, the word ‘elder’ means judge, leader, or sage. On the other hand, the Book of Job also stresses that there are young men who are wiser than old men.” “The *shofet*, or judge, had to meet strict qualifications, besides just knowing the law. Among these qualifications were piety, wisdom, humility, gentility and human understanding. When Moses set up the first courts, he looked for ‘able men such as fear God, men of truth, hating unjust gain’ (Exodus 18:21) and ‘wise men, and understanding and full of knowledge’ (Deuteronomy 1:13). They were charged to ‘hear the causes between your brethren and judge righteously between a man and his brother and the stranger,’ not to be partial in judgment but to ‘hear the small and the great alike, fear no man, for judgment is God’s’ (Deuteronomy 1:16--17). A judge was forbidden to accept any gift from a person being tried; no matter how disinterested he considered his own judgments, since ‘bribes blind the eyes of the righteous . . .”

(Encyclopedia Judaica Jr.)

### What other consideration are there in choosing judges for monetary issues?

“Even though the court for trying monetary cases consisted of the simple (*hediyot*) judges, a single expert (*mumheh*) judge, renowned for his judicial capability, was sufficient. In the Talmud there are regulations about mistakes made by the court; under which circumstances the judges are required to reimburse a person wrongly made liable. For monetary cases the judges were chosen by the parties involved; each side choosing one and those two together choosing the third. But judges were also appointed by the communities. In the State of Israel, the rabbinical court judges (*dayyanim*, the word *shofet* is used for secular court judges) are appointed by a special committee presided over by the chief rabbis which includes representatives of the Ministry of Justice.”

(Encyclopedia Judaica Jr.)

### Who are the Latter-day Saint judges?

The Latter-day Saints have an ecclesiastical legal system that includes “Judges in Israel.” They are the Branch Presidents, Bishops and the Stake Presidents. The modern Hebrew word for president is “nasi.” “In biblical use, *nasi* refers to a person of importance, a leader, a tribal ruler or a king. Under the Roman occupation of Erez Israel toward the end of the period of the second Temple, when there was no independent Jewish leadership, the term *nasi* was used by Jewish rulers to show their authority while not claiming kingship.” “The title is best known for its reference to the presiding judge of the Sanhedrin (high court) although some sources claim the term was first applied to Judah ha-Nasi who was head of the Sanhedrin toward the end of the second century. The *nasi* presided over court sessions . . .”

(Encyclopedia Judaica Jr.)

### How is justice described?

“Justice is the fair administration of the law. It means that a judge must not show special favor to a litigant or a defendant for any reason at all, and that nobody --- not even the king --- is above the rule of the law. This concept of even-handedness is, in the Jewish view, absolutely essential for the existence and progress of society. The Bible quite clearly states “Justice, justice shall you pursue, that you may thrive and occupy the land that the Lord your God is giving you” (**Deuteronomy 16:20**). The prophets castigated Israelite society for its lack of justice and described most of the troubles the Jews suffered as divine punishment for the rampant injustice.” (**Encyclopedia Judaica Jr.**) The underlying considerations in establishing the modern State of Israel and its legal system go back to ancient times and the biblical system while embracing the principles of democracy. Israel is the only democracy in the Middle East. That probably justifies the government of the United States of America to be as protective and supportive of Israel as it is.

### Where does the term, “Court House” originate?

“The Hebrew word for court is *bet din* (plural: *battei din*), which literally means ‘house of judgment’; in rabbinic literature it is the term for a Jewish court of law. We find *battei din* which handle the legal problems of the Israelites from the times of Moses. The rule of the law is an important principle of Judaism. The Torah stresses that justice must not be meted out by the parties themselves but must be administered by impartial judges. Indeed, it was Moses who first organized courts on the advice of his father-in-law, Jethro. Upon Israel's entry into their land, they

were obligated to establish courts in every town. According to the Talmud, towns with less than 120 inhabitants had to have courts consisting of three judges while larger towns had to have courts consisting of 23 judges. The court of three judges exercised jurisdiction over cases involving fines, divorce, conversion, and absolution from vows. The court of 23 judges exercised jurisdiction over cases including those involving capital punishment.”

(**Encyclopedia Judaica Jr.**)

### What are the positives and negatives of democracy?

“Democracy is a way of resolving differences of opinion according to the principles of direct representation and majority rule. Whether or not this is the best method of reaching decisions, has traditionally been a difficult issue for Jews. On the one hand, Jewish life is based on *halakhah* (law) and much of this law is explicit and not subject to the manipulation of the majority. On the other hand, the law has been given to man, and often requires his interpretation. Since interpretations often vary, Jews have had to find a way of resolving these differences of opinion.” “Jewish scholars have traditionally argued in favor of majority rule as the best method for resolving these conflicts. In the Talmud, the biblical phrase *aharei rabbim lehattot* (‘to follow a multitude’) was converted into a decisive rule: ‘Where there is a controversy between an individual and the many, the *halakhah* follows the many.’ The halakhic opinion that has prevailed is that the law is decided in accordance with the view expressed by a majority of the scholars, and this is so even if in a particular matter a heavenly voice should declare that the law is according to the



minority opinion. The individual holding the minority view may continue to express his opinion, but it is not binding on the community.” (Encyclopedia Judaica Jr.)

### **How does a society judge without heavenly spiritual guidance?**

“Many Jewish authorities have, however, argued that a minority opinion is to be preferred over a majority opinion if the scholars holding the minority view possess the greater wisdom. These authorities have argued that often a single individual of outstanding scholarship might better understand an issue of law than a whole group of less learned people. But this principle would then create the problem of how to decide which scholars are more learned than others, and Judaism has generally rejected this point of view. For example, the *Shulhan Arukh*, the authoritative code of Jewish law, states that the determination of *halakhah* is generally made by application of the principle of majority rule.” “As regards the election of public office holders, most scholars have argued for majority rule as well, and have rejected the idea that only the wealthy or learned members of a community be allowed to participate in voting, thus ‘it makes no difference whether this majority is composed of rich or poor, of scholars or the common people.’ In recent times, halakhic scholars continue to believe that every vote carries equal weight.

Throughout history, Jewish community and religious leaders were elected by a vote of the community.”

(Encyclopedia Judaica Jr.)

### **What are the reasons there were more monarchies than democracies in Biblical Israel?**

“From the political point of view, the people of Israel have more often been ruled by monarchies than by democratic forms of government. The Book of Deuteronomy makes provision for the people of Israel to have a king, but insists that the king must rule by law and ‘that his heart be not lifted up above his brethren.’ In biblical times, the Israelites believed that their government had to derive from God. Thus, when Moses accepted the advice of his father-in-law Jethro to appoint leaders, he first obtained God’s permission and then, with God’s authority, appointed judges. Later, the people rejected the advice of the prophet Samuel and insisted on having a king --- this led to the reign of Saul, followed by that of David. In spite of this, Jewish law still states that decisions are to be made and conflicts to be resolved according to the principle of majority rule.”

(Encyclopedia Judaica Jr.)

### **When will theocracy replace democracy?**

“Israel is a democratic country. Its governing legislative body is the Knesset (parliament), whose 120 members are elected by a system of direct proportional representation. The right to vote is extended to all Israelis of 18 or older.”

(Encyclopedia Judaica Jr.) For the religious Jews, the varied opinions of the Jewish society, as noted above, lead to one conclusion. Eventually, the Lord, the King of Kings must rule. The conflicts posed by

enemies, usually driven by dictatorial mentalities, challenge the prophetic future of modern Israel just as Amlici, the Lamanites and others challenged the people of Nephi and their prophets, judges and leaders. The Book of Mormon presents an account of success over enemies based on following the Lord's

counsel through his appointed leaders. Their rule gives us a model for our anticipated rule by the King of Kings. It will be a rule of love with equality, justice and mercy. The will of the people will be tied to their will to obey the higher laws of heaven, a theocracy.