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Government by the Voice of the People: A Witness and a Warning

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Byron R. Merrill

Chapter 29 of the book of Mosiah furnishes insight into and prophetic warning from a pivotal transition in Nephite experience—a transition from kingship to government by the voice of the people. It briefly outlines the meaning, purpose, and consequences of a people’s answering for their own sins—both moral and political. In so doing, Mosiah 29 speaks from the dust to the people of the latter days, helping us understand how this change in Nephite affairs affected their later history. More significantly, it bears witness of the love of Jesus Christ for his people and of his concern for and involvement in their earthly affairs. In conjunction with this witness it also issues a stern warning about the fragility of freedom by the “voice of the people,” speaks of the need for constant vigilance to preserve this freedom, and foreshadows the certain destruction which will follow its iniquitous misuse. While the message of Mosiah 29 is pertinent to all who receive this sacred volume, it has special relevance to those people who inhabitant the “mighty nation among the Gentiles” which the prophet Nephi foretold would be established by the Lord “upon the face of this land” (1 Nephi 22:7).

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The Tradition of Kingship Among the Nephites

The family of Lehi was accustomed to the tradition of kingship from their heritage at Jerusalem. However, from the time the colony first wandered into the wilderness to the time Nephi and his followers separated themselves from Laman and Lemuel, they followed Lehi under a patriarchal order, even though some, like Laman and Lemuel, followed reluctantly.

The reign of kings among the Nephites began when Nephi was asked by his people to be their king, and he agreed to do those things for them which were in his power to do (2 Nephi 5:18). He thereupon became known as “a king or a protector” (2 Nephi 6:2), and those who reigned after his death “were called by the people, second Nephi, third Nephi, and so forth, according to the reigns of the kings” (Jacob 1:11).

The only four kings over the main body of Nephites of whom we have any particular knowledge are Nephi, at the very beginning of the monarchy, and Mosiah I, Benjamin, and Mosiah II, the last three kings before the reign of the judges ended the tradition of kingship among the Nephites. These men were prophets as well as civic leaders, largely providing for their own needs instead of burdening the people, and thus serving God by serving his children (2 Nephi 5:14–18; Mosiah 2:12–14; 6:7; 29:14, 40). That other men of similar spiritual stature served as kings during the period between the reigns of Nephi and Mosiah I, a span of over 200 years, is indicated by Jarom’s comment: “Our kings and our leaders were mighty men in the faith of the Lord” (Jarom 1:7). With that heritage, it is easy to understand why the two contemporaries Mosiah II and Alma both counseled that if it were possible to always have just men as kings, it would be well to have a king (Mosiah 23:8; 29:13).

Mosiah Sets Forth His Proposal

In Mosiah 29, king Mosiah II proposes that the people replace their monarchy with a system of judges installed “by

the voice of the people” (v 26). He makes this proposal after an initial inquiry among his people showed that they wanted his son Aaron, then serving a mission among the Lamanites, to succeed him as king (Mosiah 29:2). What followed must have been an intense period of struggle for Mosiah as he wrestled, first with what direction to proceed, and then, once the charted course had been revealed to him (Hel 4:22), with how to present it to his people. Mormon records only a part of the proclamation Mosiah sent among his people (Mosiah 29:33), but it is enough to indicate that Mosiah used all his powers of reason and persuasion to convince them that the government needed the change which he proposed. His introduction to the proposal places the people on an equal standing with him: “Behold, O ye my people, or my brethren, for I esteem you as such, I desire that ye should consider the cause which ye are called to consider” (Mosiah 29:5). Here is no hint of condescending royalty, but more the tone of the Lord’s offer to Isaiah, “Come now, and let us reason together” (Isa 1:18).

Mosiah explains that Aaron had declined the honor of being king, but warns them that if they were to choose someone else, Aaron might change his mind, return, and foment rebellion and bloodshed (Mosiah 29:7), thereby causing himself and the people to commit sin (vv 8–9). After consenting to continue his reign for the remainder of his days, Mosiah suggests that the people appoint judges to judge the people according to the laws of God. He then comments on the perfection of God’s judgments as opposed to those of human beings (vv 11–13), and he extols his father, Benjamin, as the epitome of a righteous king, declaring that if the people could always have such righteous kings “it would be expedient that ye should always have kings to rule over you” (v 13). In a display of humility, Mosiah, who in the role of seer had translated the Jaredite record, refers to his father as a great king and says that he has done his best to follow his example. All of this was said with the understanding that no righteous prince awaited to take his place.

Having already mentioned the idea of choosing judges, Mosiah then states that since “all men are not just it is not expedient that ye should have a king or kings to rule over you” (v 16). (Many of the people were probably surprised, thinking Mosiah had only suggested judges as a way of removing some of his own burden, not of replacing him entirely. But he now left no doubt about the breadth of his proposal.) He then reminds them of the wickedness of king Noah, a history with which the people were painfully conversant. He further mentions that a wicked king causes iniquity and great destruction (v 17), carefully attributing bondage both to wickedness and to a wicked king. Mosiah then states, succinctly and prophetically, the long-term significance of his proposed change:

Now it is not common that the voice of the people desireth anything contrary to that which is right; but it is common for the lesser part of the people to desire that which is not right; therefore this shall ye observe and make it your law—to do your business by the voice of the people. And if the time comes that the voice of the people doth choose iniquity, then is the time that the judgments of God will come upon you; yea, then is the time he will visit you with great destruction even as he has hitherto visited this land. (vv 26–27)

Following that powerful warning, he briefly outlines the proposed mechanics of a system in which lower judges would be judged of higher judges, and unrighteous higher judges would be judged by a committee of lower judges, the whole being administered “according to the voice of the people” (vv 28–29). Only then does Mosiah speak in his full authority as prophet-king, declaring:

I command you to do these things in the fear of the Lord; and I command you . . . that ye have no king; that if these people commit sins and iniquities they shall be answered upon their own heads. For behold I say unto you, the sins of many people have been caused by the iniquities of their kings; therefore their iniquities are answered upon the heads of their kings. (vv 30–31)

In other words, if people are not free from the arbitrary force of others, they are not fully responsible for their own actions. Thus, when a wicked king uses coercion or compulsion to force

his subjects to commit sin, “their iniquities are answered upon the heads of their kings” (v 31).

Mosiah declares that the opposite of this principle is also true: a righteous king, because of his position, feels a burden of responsibility for all his people’s iniquities (v 33). This burden clearly weighed heavily on Mosiah, as it had on his father, Benjamin (Mosiah 2:28, 34). The last recorded words from Mosiah’s proclamation express his desires for his people, phrased almost like a prayer: “I desire that this land be a land of liberty, and every man may enjoy his rights and privileges alike, so long as the Lord sees fit that we may live and inherit the land” (v 32).

The Significance of the Plan

Mosiah’s proposed title, *judge*, is the same one used to denote the leaders of ancient Israel who preceded the reign of king Saul. The Old Testament judges probably held general administrative and management responsibilities rather than functioning in an exclusively judicial capacity (*Theological Dictionary of the Old Testament* 3:190). These judges were often “deliverers” or “saviors” who were chosen to deliver Israel from oppressors, often militarily (*Judges* 25; Webb 15–16; Kent 85–87). Speaking of that era, the end of the book of Judges states, “In those days there was no king in Israel: every man did that which was right in his own eyes” (21:25). This verse does not signify that people could do whatever they wished without consequence. Instead, it implies that each individual made personal choices and accepted the consequences rather than being compelled to act according to the desires of a monarch.

Likewise, Mosiah’s desire that the Americas should be a land of liberty does not suggest freedom from law. On the contrary, he proposed to codify the strict laws which they had received from their fathers as the standard by which all would be judged in the future, specifically indicating that these laws

were given by “the hand of the Lord” (Mosiah 29:25). The novelty of Mosiah’s proposal was that those laws should be administered in the future by leaders chosen by the people.

Mosiah’s proposal closely resembles Moses’ plan for the governing of Israel as recorded in the book of Deuteronomy:

How can I myself alone bear your cumbrance, and your burden, and your strife? Take you wise men, and understanding, and known among your tribes, and I will make them rulers over you. . . . And I charged your judges at that time, saying, Hear the causes between your brethren, and judge righteously between every man and his brother. (Deut 1:12–13, 16)

In ancient Israel, the judges’ responsibility seemed to be to uphold the law and to judge individual matters by the standard of the established law (de Vaux 1:150–52). In codifying the laws of God, Mosiah was fully aware that for society to exist at all there must be order based on law. The history of civilization is a continual balancing act between anarchy (freedom taken to its extreme) and tyranny (order taken to its extreme), with the pendulum swinging back and forth at different times. Freedom by law to act out one’s choices requires enormous self-restraint, for without self-discipline freedom is so readily abused that external controls must be imposed to maintain order and prevent chaos. The Irish political theorist Edmund Burke said it well:

Men are qualified for civil liberty in exact proportion to their disposition to put moral chains upon their own appetites. . . . Society cannot exist, unless a controlling power upon will and appetite be placed somewhere; and the less of it there is within, the more there must be without. It is ordained in the eternal constitution of things, that men of intemperate minds cannot be free. Their passions forge their fetters. (4:51–52)

In effect, Mosiah declares that the laws of God which maintain stability and continuity in society must be obeyed, but, beyond that, the people are free to believe and do whatever they wish, to become whatever they have the potential to become. The laws will not abridge freedom of conscience, but they will, with a firm hand, punish those acts which, if

continued and expanded, would prove the sure destruction of society.

Mosiah also indicates that since the law is the ultimate standard, all people must stand on equal footing before the law, with no preference for birth, wealth, or position. He desires that “every man may enjoy his rights and privileges alike” (Mosiah 29:32) and that “every man might bear his part” (Mosiah 29:34) of the burden of governing. At a later time, when Alma confronts Korihor, the anti-Christ, Mormon refers to this fundamental right of equality before the law in a discussion differentiating between punishment for criminal acts, which the law imposed, and punishment for belief, which the law forbade: “Now there was no law against a man’s belief; for it was strictly contrary to the commands of God that there should be a law which should bring men on to unequal grounds. For thus saith the scripture: Choose ye this day, whom ye will serve” (Alma 30:7–8).

The Meaning of Freedom

Although the promised land was a land of liberty for the people of Nephi under the reign of the righteous kings, this liberty depended more on the people’s obedience to the commandments of God than on the presence or absence of kings (2 Nephi 1:7). It is difficult to envision a people more free than those in the days of Benjamin and Mosiah. They were free to believe, worship, and act as they pleased, restrained only by the laws of justice and mercy which had been revealed “by the hand of the Lord” (Mosiah 29:25). As defined by Elder Dallin H. Oaks, “Free agency . . . means an exercise of the will, the power to choose; . . . freedom [means] the power and privilege to carry out [one’s] choices” (38). The transition from kings to judges did not increase anyone’s free agency, but it did give everyone an increased freedom to act, accompanied by an equal weight of responsibility. Government by the voice of the people gives the people the greatest possible latitude to act out

those choices which their God-given free agency allows them to make. Not only did each Nephite have the moral duty to keep the commandments of God, but each now also assumed the additional responsibility of preserving the laws of God. The Lord holds individuals under such governments “accountable for their acts in relation to them, both in making laws and administering them, for the good and safety of society” (D&C 134:1).

People often express a desire for someone to protect and care for them, as if they were unable to care for themselves. Satan cleverly persuades them to relinquish responsibility for their lives—their innate right to exercise their agency within a free environment—to someone else, in exchange for anticipated security. Those who are thus accustomed to submissive security are often hesitant to leap into the arena of civic freedom, where they determine their future by their own choices. If they alone are responsible for their future, whom can they blame for life’s frustrations? Thus Mosiah wrote at length to explain carefully to the people what they should do, and then to convince them that they really could do it. His people understood and accepted this shift of responsibility, and “therefore they relinquished their desire for a king, and became exceedingly anxious that every man should have an equal chance throughout all the land; yea, and every man expressed a willingness to answer for his own sins” (Mosiah 29:38). Clearly, the spirit of freedom was brooding over the Nephites.

Nephite History Under the Reign of the Judges

The new government had been in place only four years when a man named Amlici sought to reestablish a monarchy and have himself appointed king. The issue was put to a vote because “according to their law . . . such things must be established by the voice of the people” (Alma 2:3). Therefore, the “people assembled themselves together throughout all the land,

every man according to his mind, . . . in separate bodies, . . . to cast in their voices concerning the matter; and they were laid before the judges. . . . And the voice of the people came against Amlici, that he was not made king over the people” (Alma 2:5–7).

Even though nothing in the text of Mosiah 29 delegates a specific power to the people to change the law, the impression that they could alter the law is confirmed by this experience with Amlici. Further proof of such an ability is shown later when the kingmen desired “that a few particular points of the law should be altered” (Alma 51:2, 5, 15). To change minor details of the law, as when Nephiah enacted “laws according to the laws which had been given” (Alma 4:16), would have no lasting effect. But altering the principles upon which the law was based would damage the law, and the law of God could only be damaged if the voice of the people chose iniquity.

In the case of Amlici, the people gathered to cast in their voices to make a decision. In other instances it seems that the voice of the people was also used to sustain a decision already made. In the first verse of the book of Alma, Mormon says that Mosiah “had established laws, and they were acknowledged by the people; therefore they were obliged to abide by the laws which he had made” (Alma 1:1). This acknowledgment sounds much like ratification. Later the trend toward succession in the judgeship by inheritance became common. When Nephiah, the second chief judge, died, his son Pahoran “was appointed to fill the judgment-seat, in the stead of his father” (Alma 50:39). While such an appointment may signify an open election, it is also possible that Pahoran was appointed by a select group or by revelation to Nephiah or the prophet, and that the decision was then submitted to the people in the form of a referendum for approval. Such an action by the voice of the people would be the equivalent of a sustaining voice more than of an electing voice.

Today, although men are called to positions in the priesthood “by prophecy, and by the laying on of hands” (AofF 5),

the revelations direct that “all things shall be done by common consent in the church” (D&C 26:2). The Lord commanded Joseph Smith “that certain men . . . shall be appointed by the voice of the church” (D&C 38:34). Appointments in the Church require neither politicking among candidates nor an initial election. Instead they require members to sustain those chosen by revelation. By analogy, although the phrase “voice of the people” implies a voting process, as when the people “cast in their voices” to choose their original judges (Mosiah 29:39) or when there was a controversy over which of Pahoran’s sons should succeed him (Hel 1:1–5), it seems probable that certain judgeships, particularly the office of chief judge, were filled by appointment, and perhaps by revelation, after the manner of kingship, and that such action was then sustained or ratified by the voice of the people.

Before the end of the first decade of the new system, Amulek declared to the inhabitants of Ammonihah that “the foundation of the destruction of this people is beginning to be laid by the unrighteousness of your lawyers and judges” (Alma 10:27). Note that the cause of threatened collapse is not some evil outside force but the wickedness of the people’s own leaders. Amulek’s reminding them of Mosiah’s prophecy that destruction would result if the people chose iniquity (Alma 10:19; Mosiah 29:27) is a divinely pointed rebuke against the wickedness being committed by the people of Ammonihah, as evidenced by the Lord’s earlier command to Alma to return to that city because “they do study at this time that they may destroy the liberty of thy people” (Alma 8:17).

The Nephites and their system of judges moved through a period of continued prophetic warnings, including Captain Moroni’s dramatic defense of liberty (Alma 46:12), to a time of seeming peace and prosperity, of which Mormon says, “They had altered and trampled under their feet the law of Mosiah, or that which the Lord commanded him to give unto the people” (Hel 4:22). A few verses later, Mormon records, “For as their laws and their governments were established by

the voice of the people, and they who chose evil were more numerous than they who chose good, therefore they were ripening for destruction, for the laws had become corrupted” (Hel 5:2).

The assumption of power by those who chose evil led to the rapid degeneration and final corruption of the government, as described in Helaman and 3 Nephi. When the majority chose good, the rights of the minority were protected (Alma 30:7–12); however, when those who chose evil became the majority and gained control of the government, they persecuted the minority. The leaders did “turn their backs upon the poor and the meek, and the humble followers of God” (Hel 6:39). Thus Mormon concluded, “They were in an awful state, and ripening for an everlasting destruction” (Hel 6:40).

Shocked into a realization of the desperateness of their situation by the encounter with the Gadianton robbers (3 Nephi 2:11–6:5), the people humbled themselves, returned to the fundamentals of righteous government, and “formed their laws according to equity and justice” (3 Nephi 6:4). But with amazing rapidity rampant selfishness returned, resulting in “a great inequality in all the land” (3 Nephi 6:14). As pride and wickedness reached their apogee, the people “set at defiance the law and the rights of their country” (3 Nephi 6:30), and thereby “did destroy the government of the land” (3 Nephi 7:2). The result was chaos. The prophets and saints were cast out from among the people and slain (3 Nephi 7:14; 9:10–11). (Unfortunately, the righteous have never fared well in situations of anarchy, then or now.) When fierce destruction came upon the divided Nephites in AD 34, the Lord said that the people of king Jacob had been destroyed “because of their sins and their wickedness, which was above all the wickedness of the whole earth, because of their secret murders and combinations; for it was they that did destroy the peace of my people and the government of the land” (3 Nephi 9:9).

There is no specific mention of the system of government after the marvelous visit of the risen Christ to the Nephites. But

the people lived the law of consecration (3 Nephi 26:19; 4 Nephi 1:2–3), and Mormon recorded that “every man did deal justly one with another,” and “they were all made free” (4 Nephi 1:2–3). Since, as Paul said, “Where the spirit of the Lord is, there is liberty” (2 Cor 3:17), the people presumably enjoyed the blessings of great freedom as they willingly obeyed the laws of their heavenly King.

While little is known about Nephite government toward the end of Nephite history, Mormon’s statement that “the people of Nephi appointed me that I should be their leader” (Mormon 2:1) implies that some form of government by the voice of the people continued after the breakup of the Zion society. Sadly, that voice chose iniquity, which iniquity resulted in the tragic end of Nephite civilization in graphic fulfillment of Mosiah’s prophecy (see Mosiah 29:27).

The Reasons for the Change

If this great experiment with freedom was to culminate in such an awful collapse, why did Mosiah recommend it? If this promised land was a land of liberty even under the Nephite kings, why did Mosiah propose such a radical change? The answers lie in realizing that the pinnacle of freedom comes only when the responsibility for societal and moral decisions is placed squarely on the shoulders of each individual. This responsibility includes not only making individual decisions, but also acting collectively for the good of society as a whole. This shift in responsibility was the ultimate test for the Nephites—with all power placed on the individual, they had to prove that they could be selfless, that they could subdue selfish desires for the common good.

Mosiah did not make his decision because he had read about the approach in a history book, because he was following the advice of his legal counselors, or because of pressure from the judicial arm of his cabinet; neither was it because he thought the idea was one worthy of experimentation, or even

because he had exhausted all other approaches. Instead, he proposed what he did as any inspired prophet would: after much personal struggle, prayer, and fasting, he proposed a plan revealed to him by Almighty God (Hel 4:22). Thus, his proposal began by explaining, then suggesting, warning, encouraging, and finally commanding.

In our day, the Lord has said that the Constitution of the United States of America was created by “wise men whom I raised up unto this very purpose” (D&C 101:80). After the Constitutional Convention, those men stood in awe of what they had accomplished and called it a miracle. The historian Catherine Bowen wrote: “Miracles do not occur at random, nor was it the author of this book who said there was a miracle at Philadelphia in the year 1787. George Washington said it, and James Madison. They used the word in writing to their friends: Washington to Lafayette, Madison to Thomas Jefferson” (ix). The feelings of these men are easily understood by those who have completed some major accomplishment under the powerful influence of the Holy Ghost.

If the Lord could orchestrate the miracle of the Constitution in preparation for the glorious latter-day restoration so that Israel may be gathered and a people prepared for the second coming of the Savior, can there be any doubt that the same God of Heaven could direct the prophet-king Mosiah to establish a government by the voice of the people among this special branch of the house of Israel, broken off and separated from its brethren (1 Nephi 15:12), so that the full responsibility of freedom could be borne individually and equally by all the people, to prepare them for the first coming of the Savior? Each man and woman would thus be accountable to make choices and then see the consequences of those choices fulfilled—to be swallowed up in the depths of the earth in the city of Moronihah, to be burned in the great city Zarahemla, or to kneel with tear-stained cheeks midst joy inexpressible at Bountiful. Mosiah was God’s prophet; this political change was God’s will.

Parallels to America's Constitutional Government

Just as the Lord approved this change in Nephite affairs, he likewise placed his approval on the United States Constitution by revealing that he had suffered it to be established and that it “should be maintained for the rights and protection of all flesh, according to just and holy principles” (D&C 101:77). Why should the Constitution merit such approval? The Lord declared he established it to assure “that every man may act . . . according to the moral agency which I have given unto him” (D&C 101:78). President Ezra Taft Benson has indicated that the Constitution’s genius lies in basic, eternal principles: (1) free agency is God-given; (2) the proper role of government is to secure the rights and freedoms of individuals; (3) basic human rights are God-given; (4) people are superior to the governments they form; and, therefore, (5) governments should have only limited powers (*The Constitution: A Heavenly Banner* 1–10).

The system of judges adopted by the Nephites was based on these same eternal principles, even though the mechanics of their system were substantially different. In his article “The Book of Mormon and the American Revolution,” Richard L. Bushman demonstrates that the system of Nephite judges closely follows the ancient governmental traditions of the Israelites, while the American founders instead chose the path of revolution and the creation of a new governmental form. He also shows that constitutional separation of powers and checks and balances as known today were non-existent among the Nephites (189–211). While these differences clearly refute the claim that Joseph Smith authored the Book of Mormon from the perspective of American political traditions, they do not negate the similarity of underlying principles of freedom and morality which permeate the two systems.

Much like the Nephites, the American colonists sought to pattern a society after Moses’ directive to “take . . . wise men,

and understanding, . . . and . . . make them rulers over you” (Deut 1:13). On 31 May 1638, Thomas Hooker gave a sermon from the pulpit of the First Church of Hartford based on Deuteronomy 1:13. He indicated that the choice of public magistrates belongs to the people by God’s allowance and must be exercised by the people according to His will. Eight months later this idea became the basis of the Fundamental Orders of Connecticut, a major forerunner to the Constitution (Levy 68–69). Just as Mosiah drew on inspiration and the writings of ancient Israel, so did America’s Founding Fathers. A bicentennial study on the origins and nature of American political thought examined the public political writings of the Founders from 1760 to 1805. The intent of the research was to find which European political theorists were most often quoted by the Founders in order to gauge their relative influence on early American thought. Surprisingly, the most frequently cited book during the founding era was the book of Deuteronomy (Lutz 192). This study showed that 34% of all the quotations cited by the Founders were from the Bible. Can anyone doubt that such familiarity with the scriptures had a profound impact on the drafting and implementation of the Constitution?

Reference has already been made to the miracle at Philadelphia. It was followed by a second miracle, that of ratification (Nelson 60–63). In the attempt to sway public opinion toward ratification, Alexander Hamilton, John Jay, and James Madison wrote numerous persuasive essays, later known as *The Federalist Papers*. Among the many arguments proffered are several references to the guiding hand of Providence. In Federalist Paper 37, James Madison wrote:

The real wonder is that so many difficulties should have been surmounted, and surmounted with a unanimity almost as unprecedented as it must have been unexpected. It is impossible for any man of candor to reflect on this circumstance without partaking of the astonishment. It is impossible for the man of pious reflection not to perceive in it a finger of that Almighty hand which has been so frequently and signally extended to our relief in the critical stages of the revolution. (230–31)

Just as Mosiah desired that “inequality should be no more” (Mosiah 29:32), the Constitution safeguards the same rights and immunities to all, regardless of social standing or economic strata. It “guarantees to all . . . equal, coherent, and inalienable rights,” said the Prophet Joseph Smith. “Hence we say, that the constitution of the United States is a glorious standard; it is founded in the wisdom of God” (*Teachings of the Prophet Joseph Smith* 147). Note the use of the word *standard*. The Constitution is a standard to civil law much as Nephi foresaw that the Book of Mormon would be a standard to the house of Israel (see 2 Nephi 29:2). Both are standards by which ideas and actions may be measured.

Similar to Mosiah’s warning that only righteous choices could preserve liberty were the warnings of statesmen like John Adams and Daniel Webster. Adams said: “Our constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other” (Howe 185). Webster predicted:

If we, and our posterity, shall be true to the Christian religion, if we and they shall live always in the fear of God, and shall respect his commandments, . . . we may have the highest hopes of the future fortunes of our country; . . . we may be sure of one thing . . . our country . . . will go on prospering and to prosper. But, if we and our posterity reject religious instruction and authority, violate the rules of eternal justice, trifle with the injunctions of morality, and recklessly destroy the political constitution, which holds us together, no man can tell, how sudden a catastrophe may overwhelm us, that shall bury all our glory in profound obscurity. (47)

As the French historian Alexis de Tocqueville summarized in 1831, “America is great because she is good, and if America ever ceases to be good, America will cease to be great” (qtd in Benson, *God, Family, Country* 360).

Mormon Included Mosiah 29 As a Witness and a Warning

To read Mosiah 29 and its unfolding history as simply a change in Nephite government is interesting; to see in it the parallels between the reign of the judges and the American experience is fascinating. But to search it to discover why Mormon included it in his work and what its message is for these latter days is nothing less than compelling. It is imperative, as Nephi counseled, that we “liken all scriptures unto us, that it might be for our profit and learning” (1 Nephi 19:23).

The parallels in the history and development of these two systems are many. Both peoples initially acknowledged the hand of the Lord in granting them freedom, rejoiced in their liberty, and, by ratification, agreed to be bound by their new laws. Both were greatly blessed materially and spiritually. Both nations were successful in defending themselves against enemy invasion. The church of Christ was established and headquartered among both groups, and from there its truth spread to other lands and peoples, preparing them for the coming of the Savior. Unfortunately, both turned selfish. The love of liberty gave way to a desire for material security; wealth, power, and pride became their chief objects of veneration. The Nephite system collapsed into anarchy and chaos. The final verdict on the American experiment has yet to be rendered.

What has happened? The Founding Fathers’ basic idea of sovereignty of the people was that people had the power to rule themselves because God had given them inalienable rights. This idea reflects Mosiah’s belief that because God gives people both rights and law, people should bear personal responsibility for their choices and actions. Today the idea of sovereignty of the people appears to mean only that the majority will is supreme. Since the existence of God is largely ignored or denied, and since rights must have some source, people increasingly believe that government is the supreme

grantor of rights. The unfortunate corollary of such an assumption is that if government can grant rights it can also withdraw them, meaning they are no longer inalienable. The concept of a divinely set standard is totally foreign to today's legal thinking; belief in fixed moral principles went out of favor simultaneously with belief in the existence of God. If people believe there is no God and there are no absolutes, then they begin to believe that they can choose their actions, and that they can also determine what the consequences of those actions will be. Morality becomes relative; it can be altered to fit the desires of the majority. Thus, in a democracy the will of the majority becomes supreme; it knows no external bounds or eternal laws. The result is that whoever can get the most votes is in control, regardless of what the rest of earth or heaven may think.

The Book of Mormon states that these worldly philosophies are false. It bears witness that there is a God, that God has given his children inherent rights, and that the consequences of mortal acts are based upon eternal, God-given laws. In both Mosiah's day and the era of the founding of the American republic, the people humbly and gratefully accepted the opportunity for self-government. Today, having discarded the idea of divine law and the spirit of moral restraint, many people view that same privilege as a mandatory right and use and abuse it with arrogance and impunity.

With such a small portion of the U.S. populace voting in the latter part of the 20th century, some have surmised that only a minority is currently formulating policy and making law in this nation. But since so many acquiesce to those policies and laws by their silence, the voice of the people truly is speaking. Thus, through the complacency and apathy of the majority, even a minority with unrighteous desires and designs can become the "voice of the people" choosing iniquity, with the sure consequences that such choices forebode.

While Nephi issued a prophetic promise of liberty and of absence of kings among the Gentiles in America (2 Nephi 10:10–14), the Book of Mormon is replete with prophecies that

wickedness will bring bondage. But if bondage to a king is not possible, what kind of bondage is meant? If current trends continue, is it not possible that the moral segment of society could be subjected to persecution by a wicked majority? For “when the wicked rule the people mourn” (D&C 98:9). Richard Bushman has commented: “To be subject to a sovereign people which is corrupt and vicious is a more terrible situation than to be subject to a corrupt monarch. The recourse under a corrupt monarch is revolution, but what is the recourse under a corrupt democracy? A people cannot revolt against itself” (“Virtue and the Constitution” 37).

Why America Is in Peril

What is happening to the Constitution to render it seemingly ineffective in preserving those rights and freedoms it was established to protect? Why has the Supreme Court not stopped this assault against inalienable rights? The inspired Constitution provided for orderly change through amendment and for interpretation through judicial review. But while changes in constitutional structure and mechanics are periodically needed, changes in underlying constitutional principles destroy the very foundations of our system of government. Rather than reading into the Constitution only those terms, guarantees, and safeguards of fundamental principles of freedom which were written by the Framers, or those that can be clearly inferred from its language and history, many modern Supreme Court judges seem to consider themselves empowered to interpret the Constitution in a revisionary manner to reflect prevailing moral opinion. In the words of Judge Robert H. Bork:

The values a revisionist judge enforces do not, of course, come from the law. If they did, he would not be revising. The question, then, is where such a judge finds the values he implements. . . . There is . . . strong reason to suspect that the judge absorbs those values he writes into law from the social class or elite with which he identifies. (*The Tempting of America* 16)

Can neither the president nor the Congress stop the courts from essentially creating constitutional law out of current morality? Perhaps they could, but neither the president nor the Congress is likely to try, for they are even more sensitive to the voice of the people than the courts are, and the loudest voices today refuse to be bound by what they see as an outdated and inadequate document. While people pay lip service to the Constitution, they demand that it be construed in a manner which is totally foreign to the Framers' desire to preserve liberty.

Why has this happened? The love of freedom and morality which once preserved individual liberty has given way to selfishness and complacency, with an accompanying erosion of liberty. Elder Dean L. Larsen has said, "We live in a time when . . . freedom and self-accountability are being bartered for regulation, regimentation, and programmed security" (3). The irony in this barter is that the government's very ability to provide such security is totally dependent on the preservation of individual freedom. Thus every reduction in freedom diminishes security.

The erosion of freedom today mirrors the disintegration of personal morality. Loud voices cry for more freedom in America. But what do they mean by freedom? It was Cain, encompassed with chains as he was, who coined the phrase "I am free" (Moses 5:33). Morris L. West commented:

Without the Faith, one is free, and that is a pleasant feeling at first. There are no questions of conscience, no constraints, except the constraints of custom, convention and the law, and these are flexible enough for most purposes. It is only later that the terror comes. One is free—but free in chaos, in an unexplained and unexplainable world. One is free in a desert, from which there is no retreat but inward, toward the hollow core of oneself. (Qtd in Maxwell 4)

Today, those who yell "I am free!" are often bound by the fetters of passion, the chains of greed and the bonds of iniquity. They are at the forefront of those wanting to alter the Constitution to meet their immediate personal desires. On the one hand

they want no moral restraints, and on the other hand they demand that government plan and provide for its citizens so that they are freed from personal responsibility. Their “freedom” is but another brand of slavery.

Knowing of the Lord’s deep involvement in creating the Nephite system of judges (Mosiah 29) and of his anger at those who sought to destroy the liberty of his people (3 Nephi 9:9) should increase our understanding of how he feels about our actions and responsibilities toward government. Hyrum Smith once said that “to vote for wicked men . . . would be sin” (*History of the Church* 6:22). When the issues are so critical, some ask, “Why doesn’t the Church tell us how to vote?” Harold B. Lee once said: “When people ask me whom to vote for, I tell them to read Mosiah 29 and section 134 of the Doctrine and Covenants, to pray about it, and then they will know whom to vote for in any given election. It is just as simple as that” (*Ye Are the Light of the World* 36). In other words, the Church and the scriptures will provide correct principles, but the Holy Ghost will dictate specific practices.

Freedom’s Hope Is a Return to Righteousness

It is not too late for America, not yet. Her only hope of preservation as a nation is a return to a sense of humility and gratitude for her blessings, a return to the faith and virtue so visible in her beginnings. This will require a return to the fundamental principles of freedom and responsibility espoused by the Founding Fathers. While we may currently blame government for being unimaginably shortsighted, this shortsightedness is only a reflection of the populace that elected it. People in a free society always get the government they deserve. Therefore, convincing government to take a long-range view of America’s problems, to address those problems with determination and frugality, and then to persevere in such a course is not impossible, but it will require a concerned, united, and self-sacrificing public. It requires a people willing to

address the future with faith and hope, a people who have regained a vision of the future by looking back to their roots and committing to follow the example of their pilgrim forefathers, of whom one historian wrote: “They were absolutely unprepared for the conditions they actually found and brought really nothing except good constitutions, loyalty to each other, good sense, patience, forbearance, and devotion to a high religious ideal. They lacked everything but virtue” (Usher 75).

We who are members of The Church of Jesus Christ of Latter-day Saints have a unique understanding of the current dilemma, and therefore we have a special responsibility. In the words of President Harold B. Lee, “We alone know by revelation as to how the Constitution came into being, and we, alone, know by revelation the destiny of this nation” (“Faith—An Effective Weapon Against Wickedness” 912–13). To the best of our God-given ability, we must preserve the freedom we now enjoy and prevent its further erosion. Through courage and righteous determination we must seek to regain those freedoms intended for us by the Founding Fathers and the God who inspired them, that the grim fulfillment of Mosiah’s ominous warning will not be reenacted in our day. President Brigham Young prophesied of our responsibility and our blessing:

I expect to see the day when the Elders of Israel will protect and sustain civil and religious liberty and every constitutional right bequeathed to us by our fathers, and spread these rights abroad in connection with the Gospel for the salvation of all nations. I shall see this whether I live or die. (*Journal of Discourses* 11:262–63)

The parallels between the Nephite reign of the judges and the latter-day American experience suggest that Mormon included his record of the reign of the judges as a witness of what had happened with an earlier experiment with government by the voice of the people on this “land which is choice above all other lands” (2 Nephi 1:5). He also included it as a sober warning to his readers that the American experience will terminate in an equally calamitous breakdown into chaos and

tragedy unless we heed the lessons taught by the Book of Mormon. These lessons revolve around one fundamental truth: the inhabitants of this land must love and “serve the God of the land, who is Jesus Christ” or prepare to be swept off when they reach the fulness of iniquity (Ether 2:9–12). The ultimate result of the freedom with which we have been blessed is that the ends we obtain will be the ones we have freely chosen. The Savior promises:

I hold forth and deign to give unto you greater riches, even a land of promise, a land flowing with milk and honey, upon which there shall be no curse when the Lord cometh; And I will give it unto you for the land of your inheritance, if you seek it with all your hearts. And this shall be my covenant with you, ye shall have it for the land of your inheritance, and for the inheritance of your children forever, while the earth shall stand, and ye shall possess it again in eternity, no more to pass away. But, verily I say unto you that in time ye shall have no king nor ruler, for I will be your king and watch over you. Wherefore, hear my voice and follow me, and you shall be a free people, and ye shall have no laws but my laws when I come, for I am your lawgiver, and what can stay my hand? (D&C 38:18–22)

Let us seek this blessing with all our hearts. May we each exercise the faith and the courage to choose Him and Him alone.

BIBLIOGRAPHY

- Benson, Ezra Taft. *The Constitution: A Heavenly Banner*. Salt Lake City: Deseret Book, 1986.
- . *God, Family, Country: Our Three Great Loyalties*. Salt Lake City: Deseret Book, 1974.
- Bork, Robert H. *The Tempting of America: The Political Seduction of the Law*. New York: Free Press, 1990.
- Bowen, Catherine Drinker. *Miracle at Philadelphia*. Boston: Little, 1966.
- Burke, Edmund. *The Works of Edmund Burke*. 12 vols. Boston: Little, 1901.

- Bushman, Richard L. "The Book of Mormon and the American Revolution." *Book of Mormon Authorship*. Ed. Noel B. Reynolds, assoc. ed. Charles D. Tate, Jr. Salt Lake City: Bookcraft, 1979. 189–211.
- . "Virtue and the Constitution." *By the Hands of Wise Men*. Ed. Ray C. Hillam. Provo, UT: Brigham Young Univ, 1979. 29–38.
- de Vaux, Roland. *Ancient Israel*. 2 vols. New York: McGraw, 1961.
- Hamilton, Alexander, James Madison, and John Jay. *The Federalist Papers*. Ed. Clinton Rossiter. New York: Mentor-Nal, 1961.
- History of the Church*. 7 vols. Salt Lake City: Deseret Book, 1965.
- Howe, John R., Jr. *The Changing Political Thought of John Adams*. Princeton: Princeton Univ, 1966.
- Journal of Discourses*. 26 vols. 1854–86.
- Judges*. Trans. Robert G. Boling. The Anchor Bible, vol 6. 44 vols. Garden City, NY: Doubleday, 1975.
- Kent, Dan G. *Joshua, Judges, Ruth*. Layman's Bible Book Commentary, vol 4. 24 vols. Nashville: Broadmen, 1980.
- Larsen, Dean L. *Free to Act*. Salt Lake City: Bookcraft, 1989.
- Lee, Harold B. "Faith—An Effective Weapon Against Wickedness in Men and Nations." *Improvement Era* (Dec 1952) 55:912–13; also in *Conference Report* (Oct 1952) 16–19.
- . *Ye Are the Light of the World*. Salt Lake City: Deseret Book, 1974.
- Levy, Babette May. *Preaching in the First Half Century of New England History*. Studies in Church History, vol 6. Ed. Matthew Spinka and Robert Hastings Nichols. New York: Russell, 1945.
- Lutz, Donald S. "The Relative Influence of European Writers on Late Eighteenth-Century American Political Thought." *American Political Science Review* (Mar 1984) 78:189–97.
- Maxwell, Neal A. "The Simplicity of the Gospel." *Brigham Young University Speeches of the Year*. Provo, UT, 4 May 1969.

- Nelson, William O. *The Charter of Liberty*. Salt Lake City: Deseret Book, 1987.
- Oaks, Dallin H. "Free Agency and Freedom." *1987–1988 Devotional and Fireside Speeches*. Provo: Brigham Young Univ, 1988. 37–47.
- Teachings of the Prophet Joseph Smith*. Comp. Joseph Fielding Smith. Salt Lake City: Deseret Book, 1976.
- Theological Dictionary of the Old Testament*. 5 vols. Trans. John T. Willis, Geoffrey W. Bromiley, and David E. Greene. Ed. G. Johannes Botterweck and Helmer Ringgren. Grand Rapids, MI: Eerdmans, 1978.
- Usher, Roland G. *The Pilgrims and Their History*. Williamstown, MA: Corner, 1977.
- Webb, Barry G. *The Book of the Judges: An Integrated Reading*. Journal for the Study of the Old Testament Supplement Series, no. 46. Ed. David J. A. Clines and Philip R. Davies. Sheffield, England: JSOT, 1987.
- Webster, Daniel. *Webster's Historical Society Address*. New York: Press of the Historical Society, 1852.