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The Case of Paanchi

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CHAPTER ELEVEN

THE CASE OF PAANCHI



Just as the trial of Korihor raised a difficult legal question about the point at which speech became conduct that was actionable under the law of Mosiah, the trial of Paanchi concerned a similar question that also presented difficulties under ancient law: At what point does conspiracy or incitement to commit treason become punishable? This complex legal question raised several interrelated issues. Was it illegal under Nephite law to criticize the chief judge or, worse, to talk about overthrowing the government? Or did a person have to call for—or worse yet, actually commit—some specific overt action before the inciter could be tried and convicted of treasonous conspiracy? In other words, could a person be punished according to the law for expressing mere intent? Where was the line between intending to commit a crime (which was presumably not actionable) and actually planning with others to commit a crime (which was overtly demonstrable and more likely criminal)?

In all societies, the crimes of conspiracy and incitement are difficult to define and even harder to enforce. Given the serious difficulties that the Nephites experienced as a result of the secret combinations of the Gadianton robbers in the fifty years preceding the appearance of Christ, this legal concept likely became a key point in Nephite law during the years covered by the book of Helaman and the first few chapters of 3 Nephi. Perhaps for this reason, among others, the writers and abridgers of the book of Helaman positioned the case of Paanchi at the very outset of that book. As the leading motif of the book of Helaman, this legal issue confronts readers over and over during this period of Nephite history.

Out of the sedition of Paanchi grew the principal Nephite precedent that legally defined conspiracy. The brief but intriguing account of this case, which occurred in the fortieth year of the reign of the judges (51 BC), is found in Helaman 1:7–8. This case arose out of civil strife resulting from the selection of a successor to the Nephite chief judgeship

(transition points in Nephite politics, when power was passed from one ruler to another, often gave rise to rebellion or turmoil).¹ Three of the sons of Pahoran were contenders for the office, each having his own popular constituency (Helaman 1:4). When Pahoran was appointed, Pacumeni accepted the result but Paanchi did not. Paanchi incited a rebellion, which led to his apprehension, trial, and execution by the people: “But behold, Paanchi, and that part of the people that were desirous that he should be their governor, was exceeding wrath; therefore he was about to flatter away those people to rise up in rebellion against their brethren. And it came to pass as he was about to do this, behold, he was taken, and was tried according to the voice of the people, and condemned unto death; for he had raised up in rebellion and sought to destroy the liberty of the people” (vv. 7–8).

The record of these events is relatively brief. The Nephites were evidently careful to give as little press as possible to their political opponents in order to keep the ways of seditious conspirators out of the public eye. Indeed, when Alma passed the Jaredite records on to his son Helaman twenty years earlier, he commanded him to “retain all their oaths, and their covenants, and their agreements in their secret abominations; yea, and all their signs and their wonders ye shall keep from this people, that they know them not, lest peradventure they should fall into darkness also and be destroyed” (Alma 37:27). The book of Helaman, written by Alma’s grandson, was true to this commission. Never is anything said about the words or contents of these seditious oaths and covenants.

The headnote for the book of Helaman makes it clear that the dominant organizing purpose behind this book is to tell about the “wars and contentions, and . . . dissensions . . . and the wickedness and abominations of the Nephites” and to contrast that state of affairs with the “conversion . . . and righteousness of the Lamanites.” Along the way, the prophetic powers of Nephi, the son of Helaman, and also of Samuel the Lamanite are spotlighted (Helaman 10, 13–15). Thus the tone for the entire book is set by openly and unapologetically recounting the embarrassing jockeying for power that occurred at the highest levels of Nephite government and society. Twice, in what can only be seen as an understatement, these

1. Compare the strife that ensued shortly after Alma the Younger became chief judge (Alma 2), the instability that followed his departure in Alma 45 (even though at that time he was not the chief judge), and the turmoil that arose when Nephi became the chief judge (Helaman 4). The causes of war in the Book of Mormon are discussed in my introduction to *Warfare in the Book of Mormon*, ed. Stephen D. Ricks and William J. Hamblin (Salt Lake City: Deseret Book and FARMS, 1990), 6–16. “Warring parties consistently picked opportune moments to strike” (p. 16).

affairs are called “serious”: “In the commencement of the fortieth year of the reign of the judges over the people of Nephi, there began to be a serious difficulty among the people of the Nephites. . . . There began to be a serious contention concerning who should have the judgment-seat” (1:1, 2). The seriousness of these matters is underscored by the book of Helaman’s bleak final verses: “Satan did stir them up to do iniquity continually; yea, he did go about spreading rumors and contentions upon all the face of the land. . . . Satan did get great hold upon the hearts of the people upon all the face of the land. . . . And thus ended the book of Helaman, according to the record of Helaman and his sons,” Nephi and Lehi (16:22, 23, 25).

Although Mormon interjected a few of his own comments in his abridgment of the book of Helaman (see, most notably, his editorial anticipation in Helaman 3:12–14 that the problems of conspiracy and secret combinations would eventually prove to be “the overthrow, yea, almost the entire destruction of the people of Nephi”), Helaman and his sons recognized the seriousness of the legal and political problem of how to punish conspiracy right from the first appearance of sedition instigated by Paanchi. His incitement to rebellion threatened the fragile existence of the Nephite reign of judges to the core. If a legal system is to operate openly, in the public sphere and by the voice of the people, nothing destroys the trust and confidence of the people in that system more than secret manipulations and covert dealings to subvert or obstruct justice.

The Crime of Inciting to Rebellion

Interestingly, Paanchi’s crime was merely that of being *about to* incite a rebellion. The text says twice that he was “about to” set his plan into action: “He was *about* to flatter away those people to rise up in rebellion; . . . as he was *about* to do this . . .” (Helaman 1:7–8; emphasis added). Apparently he was apprehended and stopped just after he went beyond some critical point of preparation to set his plan into action. He had laid specific plans to call the people to rebellion. He may have been in a public place, just about to call the people to revolt. Thus it seems evident that Nephite law recognized the imminent incitement of rebellion as a completed crime; at least this point of law was clearly established by Paanchi’s arrest, conviction, and execution, if for some reason it had not been quite so clear before. If there had been any doubt about this point of law under the law reform of Mosiah, there is every reason to believe that the Nephites had learned from the awful civil war started by Amlici in the fifth year of the reign of the judges forty-five years earlier (Alma 2:1), and also from the extensive bloodshed that followed the vicious defection of Amalickiah a

generation before Paanchi (Alma 46–51), that a stronger stand needed to be taken more quickly to quell incipient rebellions before they generated a head of steam.

Other instances from early antiquity can be cited in which it was considered a capital offense to plan and actually prepare to incite a rebellion or to be on the brink of setting a plan of rebellion into action. The oldest sources indicate that staging a rebellion was itself a capital offense, even if the plot never got off the ground. The earliest case of this nature comes from an Egyptian account of a trial in 1164 BC concerning a conspiracy and plotted rebellion. The Judicial Papyrus of Turin records the trial and execution of one Pai-bak-kamen. Like Paanchi, he was the leader of a group whom he incited, calling them to “gather people and stir up enemies to make rebellion against their lord”; many others who had colluded with him, and some who were only remotely implicated, were also executed, mutilated, or left to commit suicide.²

Reflecting similar precautions, some very early ancient Near Eastern treaties required vassals to prevent conspiracies against the overlord. A third-century BC treaty between the cities of Ebla and Abarsal placed heavy legal burdens on the rulers of Abarsal, including the obligation “to denounce any conspiracy against the ruler of Ebla.”³ Disloyalty to or conspiring against a king could always land the perpetrators in serious trouble.

During the early Israelite monarchy, conspiracy was severely punished. The case of the priest Ahimelech, who had unwittingly given bread and a sword to David, shows that King Saul could treat even such incidental conduct as treasonous. Saul executed Ahimelech and all of the members of his family, together with eighty-five priests (1 Samuel 22:13–18) on the ground that they had “conspired against [the king]” (v. 8), even though (as one must presume) most of those executed people themselves had taken no specific action against Saul.

Another pre-exilic Israelite case of conspiracy is described in 2 Chronicles 33, where servants of King Amon, the son of Manasseh, “conspired against him, and slew him in his own house” (v. 24). Here, too, all people who were in any way part of the conspiracy were killed. “The people of the land slew all them that had conspired against king Amon” (v. 25), even

2. John A. Wilson, trans., “Results of a Trial for Conspiracy,” in *Ancient Near Eastern Texts Relating to the Old Testament*, ed. James B. Pritchard, 3rd ed. (Princeton: Princeton University Press, 1969), 214–16.

3. Jerrold Cooper, “International Law in the Third Millennium,” in *A History of Ancient Near Eastern Law*, ed. Raymond Westbrook (Leiden: Brill, 2003), 1:245, 247.

though some of those victims probably had not done more than given their encouragement or acquiescence to the perpetrators. The assassination of Amon, which occurred in Jerusalem in 640 BC, would have been well known to the prophet Lehi, who was an Israelite youth at that time. Following the assassination and these executions, “the people of the land” selected Josiah as the new king of Judah (v. 25).

Following these old Israelite rules, the first-century AD school of Shammai imposed criminal “liability for [mere] incitement” (i.e., where there was instruction or encouragement but no active help by the inciter). Shammai drew authority for his view from the pre-exilic prophet Haggai: “If [someone] says to his agent, Go forth and slay a soul, . . . [the] sender is liable, for [Haggai] said, ‘Thou hast slain him with the sword of the children of Ammon.’”⁴ Shammai particularly accepted the idea that a person could be held criminally liable for incitement to murder.⁵

From the time of the founding of Rome, Roman law also aggressively suppressed treason and seditious speech. Under the laws of the Twelve Tables, anyone “who shall have roused up a public enemy . . . must suffer capital punishment.”⁶ The common Roman crime of *maiestas* (which encompassed high treason, sedition, or attacking a magistrate) condemned all types of treasonous conversations or libelous speech, including “spreading slanderous stories in the army with a seditious intent,” and the potential penalty for any form of *maiestas* was death.⁷ For example, the infamous conspiracy of Cataline was detected by Cicero in 63 BC when he intercepted a written oath given by Cataline’s co-conspirators enlisting a group of Gauls to join Cataline’s army to attack Rome. Denied a trial, the conspirators were strangled by vote of the Senate while they were held in prison at Rome. Although the Senators felt fully justified in executing the conspirators, Cicero and the leaders of the Senate would pay a high political price a few years later because they had not given these conspirators,

4. Bernard S. Jackson, “Liability for Mere Intention in Early Jewish Law,” *Hebrew Union College Annual* 42 (1971): 197–225, reprinted in and cited here from Bernard S. Jackson, *Essays in Jewish and Comparative Legal History* (Leiden: Brill, 1975), 202–34, quotation on p. 231 (emphasis in original).

5. Jackson, “Liability for Mere Intention,” 225n109. Also, on plotting a murder, see Douglas MacDowell, “Unintentional Homicide in the *Hippolytos*,” *Rheinisches Museum für Philologie* 111, no. 2 (1968): 156–58.

6. Table IX.5, reproduced in E. H. Warmington, ed., *Remains of Old Latin*, vol. 3, *Lucilius, The Twelve Tables* (Cambridge, MA: Harvard University Press, 1979), 497.

7. Robert Samuel Rogers, *Criminal Trials and Criminal Legislation under Tiberius* (Middletown, CT: American Philological Association, 1935), 79–99, quotation on p. 91.

who were Roman citizens, a trial and an opportunity to appeal any adverse verdict, as legal procedure normally would have required.⁸

Roman jurisprudence, however, soon adopted a different policy, one requiring that the inciter must have given some form of help or advice along with the incitement before he could be tried and punished: “If one aided another by giving him both advice and active help, one came within the principle [of culpability for incitement], which was applied in cases of theft, *iniuria* [defamation], treason, and procuring.”⁹ Some Roman jurists argued that a special case was presented by “inciting a dispossession by a force of armed men,” holding that this was a crime even without “active help” being rendered by the inciter; but the prevailing opinion in Roman law went against this position.¹⁰ Under this view, liability was not imposed for a simple expression of intent, but only for “an actual instruction to someone else to carry out one’s intention.”¹¹

During the first century AD, the old Israelite view also gave way to the eventually prevailing view in Jewish law, represented by the rabbinic school of Hillel, that opposed the school of Shammai. Like the emerging consensus in Roman law, the opinion of Hillel and his followers went against the idea that a person could be punished merely for intending or planning to commit a crime. Thus Josephus at this time comments: “Merely to plan a thing without actually doing it is not deserving of punishment.”¹² This dictum is consistent with a proposition that generally prevails even today in Jewish law: that a person cannot be punished in human courts for thoughts alone.¹³ Thus it has been observed that the “concept of incitement is lacking in Jewish Law.”¹⁴

With this background in mind, one can see that Paanchi’s case presented its own share of legal difficulties. Under the approach of the old, commonsense Israelite law, Paanchi, as an inciter to rebellion, would have been summarily executed. Just about the same time as Roman and Jewish law on this point was changing in the Old World, similar legal pressures were apparently also being felt in Nephite legal history, even if not quite so potently. In particular, under the law inaugurated by King Mosiah, it

8. Frank Richard Cowell, *Cicero and the Roman Republic*, 2nd ed. (New York: Pelican, 1956), 233–34.

9. Jackson, “Liability for Mere Intention,” 232.

10. Jackson, “Liability for Mere Intention,” 232–33.

11. Jackson, “Liability for Mere Intention,” 230.

12. Josephus, *Antiquities of the Jews*, 12:358 (author’s translation).

13. Jackson, “Liability for Mere Intention,” 212–13; compare Alma 1:17: “The law could have no power on any man for his belief.”

14. Jackson, “Liability for Mere Intention,” 232.

had become clear that a person could not be punished for his thoughts or beliefs alone (Alma 1:17; 30:7). That principle would seem to make it impossible for a judge in Zarahemla to convict a person merely on the basis of belief or intent alone. At least this question (and related ones) may well have arisen in some minds: Had the law of Mosiah modified in any way the old law regarding conspiracy or incitement? How much aid, help, or action needed to be involved in the case before the inciter could be executed? Did an actual rebellion need to begin, or was it enough (as in Paanchi's case) for the accused to have been on the very cusp of calling for armed rebellion?

Paanchi's case resolved this legal uncertainty by reaching a decision that was consistent with the older, more traditional Israelite conduct. Paanchi was apprehended and executed as he was "about to" incite the people to rebellion. We are left to wonder, How much had he actually done up to the point of his arrest? Had he talked to many people beforehand? Had he given specific instructions to others to carry out his orders? Had they formed a pact to go forward with the rebellion? Had Paanchi given help and aid to the insurgents? If he had done any of these things, the holding of the case does not seem to turn on those factors. Rather, it appears that the people ruled that Paanchi had gone far enough—even if only slightly—beyond mere intent and thus could be convicted. The historical report of the case concludes that Paanchi's incitement was legally tantamount to completed rebellion. The verdict was not just that he was "about to" commit rebellion but (going beyond the stated facts) that he, actually, for legal purposes, "*had raised up* in rebellion and sought to destroy the liberty of the people" (Helaman 1:8; emphasis added).

The Voice of the People

Significantly, the report of this case goes out of its way to emphasize that Paanchi was tried "according to the voice of the people" (Helaman 1:8).¹⁵ Why should this have been the case when the trial of Paanchi took place during the reign of the judges? Had not Pahoran, the newly installed governor and chief judge, the right and the duty to judge all such cases? (Mosiah 29:25).

First, as argued above, it may well have been that the law of conspiracy was not clearly settled under Nephite law at the time when this case arose. Seeing the possible conflict between legal action on conspiracy and the rights afforded people to believe and to think what they wanted, the

15. See Pietro Bovati, *Re-Establishing Justice: Legal Terms, Concepts and Procedures in the Hebrew Bible* (Sheffield, England: JSOT Press, 1994), 228–30.

chief judge Pahoran may have determined that this case needed to be submitted to the people for their determination. King Mosiah had made “it [their] law—to do [their] business by the voice of the people” (Mosiah 29:26). By turning the case of Paanchi over to the ultimate legal authority still vested in the people, Pahoran would have insulated himself from the inevitable charges that could easily have been brought against him if he had proceeded against Paanchi on shaky judicial grounds. For example, certain factions in the society might have claimed that he had acted out of self-interest or that he lacked jurisdiction in the matter.

Second, Paanchi’s case created problems because of its political timing and the nature of the case. Since Pahoran’s very appointment was the cause of the rebellion, there may have been some potential argument that no chief judge had yet been definitively and authoritatively installed; and accordingly, in the case of such a contested appointment, jurisdiction and legal authority would have reverted back to the voice of the people in their basic political groups. Legitimizing the political superstructure of judges and chief judges in the land of Zarahemla was the voice of the people (Mosiah 29:26). Their voices were “cast in” and heard “in bodies” that were assembled throughout the land (v. 39). Those collective bodies may have reflected the kinship or lineage-group organization of this society that began in Lehi’s day (Jacob 1:13) and that remained down to the end of Nephite civilization (Mormon 1:8)—even when the central government collapsed (3 Nephi 7:1–4)—and from which governing officials in Zarahemla ultimately derived their authority.

Similarly, ancient Near Eastern courts of law and judicial assemblies derived their authority from popular sources. Democracy was not, in this sense, a later creation of the Greeks or Americans.¹⁶ Thorkild Jacobsen gives an account from one Old Babylonian letter of a man who, like Paanchi, was arrested for “seditious utterances” and was placed before the popular assembly, rather than before the king, where he was tried and convicted. Jacobsen concludes: “The judiciary organization here outlined is democratic in essence. . . . These judiciary institutions represent a last stronghold, a stubborn survival, of ideas rooted in earlier ages.”¹⁷ Similarly, popular judicial institutions were deeply rooted in Nephite society,

16. Thorkild Jacobsen, “Primitive Democracy in Ancient Mesopotamia,” in *Toward the Image of Tammuz and Other Essays on Mesopotamian History and Culture*, ed. William L. Moran (Cambridge, MA: Harvard University Press, 1970), 157–72; see also G. d’Ercole, “The Juridical Structure of Israel from the Time of Her Origin to the Period of Hadrian,” in *Populus Dei: Studi in onore de Card. Alfredo Ottaviani per il cinquantesimo di sacerdozio 18 marzo 1966*, ed. I. Israel (Rome: Comunio, 1969), 389–461.

17. See Jacobsen, “Primitive Democracy in Ancient Mesopotamia,” 161–62.

and thus from this case we see that even during the reign of judges the Nephites continued to look to the voice of the people in difficult cases of first impression. Pahoran was wise to refer this case back to the people, thus avoiding the political fallout that Cicero and the Roman senators encountered by executing the five Catalinian conspirators without following the normal rules of public law.

The Aftermath

In spite of the involvement of the public in this proceeding, the execution of Paanchi evoked a powerful objection among his followers. They enlisted Kishkumen to kill the chief judge Pahoran (Helaman 1:9). One may assume that Pahoran had been instrumental in seeking for justice in the case against Paanchi before the people. If the Nephite law on conspiracy was even somewhat vague before this trial, it becomes even more understandable why Paanchi's followers would have been so incensed by the holding in Paanchi's case. This verdict had serious political ramifications and clearly eliminated Paanchi as a contender for office and power in the Nephite government.

The aftermath of Paanchi's execution, however, was unfortunate. Kishkumen approached the judgment seat in disguise and murdered Pahoran. With Paanchi and Pahoran both dead, their brother Pacumeni was appointed chief judge and governor by the voice of the people "to reign in the stead of" Pahoran, "according to his right" (Helaman 1:13).¹⁸ Kishkumen and his confederates then "entered into a covenant, yea swearing by their everlasting Maker, that they would tell no man that Kishkumen had murdered Pahoran" (v. 11). Because Kishkumen and his band of covenanters then intermingled with the population, they could not be easily identified and prosecuted, although "as many as were found" were summarily "condemned unto death" (Helaman 1:12). Apparently, these oath-swearing conspirators—like robbers or outlaws who had placed themselves outside the law and therefore were not entitled to its protections (compare the summary execution of the robber Zemnah in 3 Nephi 4:28)—were held incontestably guilty upon arrest. Once again, the law that required more than mere intent must have been satisfied by the element of the conspirator's oath. Further legal support justifying the execution of those who had sworn an oath of treason could well have been drawn from the long-standing biblical provision "Thou shalt not . . . curse the

18. It is unclear whose right is being spoken of here, either Pacumeni standing as the legal representative of his murdered brother's right to rule or Pacumeni's own right to assume office since he had been appointed by the voice of the people.

ruler of thy people” (Exodus 22:28; compare Mosiah 17:12 in the trial of Abinadi). After the precedent set by the case of Paanchi, no further legal question existed under Nephite law concerning the culpability of these oath-swearing covenanters as guilty co-conspirators, although apparently very few of them could actually be apprehended and executed.

As the Nephite government struggled in its campaign against these terrorists at home, matters grew worse because of external pressures. Within a single year, surely sensing a moment of weakness in the shaky leadership of the Nephite government, a Lamanite army invaded Zarahemla, and amidst the violence Pacumeni was killed by Coriantumr (Helaman 1:21). Coriantumr was none other than “a descendant of Zarahemla” (v. 15). As a descendant of the Mulekite king of the land of Zarahemla, Coriantumr could plausibly stake a legal claim to kingship, and he had little trouble being appointed leader of a Lamanite army to invade the land of Zarahemla (vv. 16–17).

Meanwhile, with Pacumeni now dead, another “contention” arose among the Nephites “concerning who should fill the judgment-seat” because there was no one from Pahoran’s family who could do so (Helaman 2:1). The populace turned back to the family of Alma for leadership, and Helaman, the son of Helaman and the grandson of Alma the Younger, was appointed “by the voice of the people” to serve as the new chief judge (v. 2).

Thus the case of Paanchi and the deaths of Pahoran and Pacumeni served to establish the continuing legal right of the people to regulate their important judicial affairs “by the voice of the people.” This case, which stands as a prologue to the book of Helaman, establishes the clear illegality of the very kinds of secret activities that continuously plagued the Nephites throughout the book of Helaman and into the first parts of 3 Nephi. In addition, recounting these catastrophic dissensions also shows that the Nephite leaders from the house of Alma were the only rulers during this era who could sustain their positions as governors, that they did not usurp the chief judgeship wrongfully, and that, indeed, they had not even sought that office.

The record of Helaman and his sons gives no hint that anyone in Zarahemla ever challenged the right of Helaman to rule. Nevertheless, dissidents in the Book of Mormon were always quick to challenge the rights of rulers to rule, a timeworn practice that began with Laman and Lemuel (1 Nephi 16:37) and continued down through the centuries (Mosiah 10:15). Undercurrents of dissent undoubtedly continued to fester in Zarahemla. But unlike the “robbers” who within about twenty-five years would gain “sole management of the government” by secret murders

and combinations (Helaman 6:38–39), Helaman and his successors took charge openly, legally, and by the voice of the people.

In the face of immediate risks of assassination, Helaman magnanimously took this position of leadership because “there was no one to fill the judgment-seat,” and he held that position until his son Nephi eventually delivered that political office to Cezoram twenty years later (Helaman 5:1). All of this legal clarification and political reshuffling, leading to the demise of the house of Pahoran, began with the verdict reached in the case of Paanchi. That righteous judgment, which reasserted traditional values, was certainly justifiable enough (especially from the point of view of Pahoran and his sympathizers). The judgment of the people reaffirmed the traditional, broad definition of the crime of incitement or conspiracy with intent to commit treason. The swiftness of this judicial decision explains not only why the immediate reaction of some people in this society was so violent, but also why the Nephite legal system continued to encounter so many difficulties in the ensuing decades in trying to seize and prosecute those who formed seditious, oath-swearing secret combinations.

Socially and politically, the trial of Paanchi left in its wake feelings of alienation and hostility on the part of some people in the land of Zarahemla. Conditions very similar to these have given rise to the phenomenon of “social banditry”¹⁹ in several other times and places in world history. Typically included among those conditions are the disruptions caused by prolonged wars, famines, economic inequality, administrative inefficiencies, sharp social divisions, and political marginalization of minorities.²⁰ The main factor listed by social scientists regarding the conditions that have consistently produced social banditry in many traditional pretechnical societies, however, is a sense of indignity and injustice: “Social banditry emerges from circumstances and incidents in which what is dictated by the state or the local rulers is felt to be unjust or intolerable.”²¹ Thus the outcomes and repercussions of the trial of Paanchi, which must

19. For a good summary of several sources on social banditry, see Richard A. Horsley, “Josephus and the Bandits,” *Journal for the Study of Judaism* 10 (1979): 42–52. See also Eric Hobsbawm, *Primitive Rebels: Studies in Archaic Forms of Social Movement in the Nineteenth and Twentieth Centuries* (1959; reprint, New York: Norton, 1965); *Bandits* (New York: Delacorte, 1969); Anton Blok, “The Peasant and the Brigand: Social Banditry Reconsidered,” *Comparative Studies in Society and History* 14, no. 4 (1972): 494–503; Ramsay MacMullen, *Enemies of the Roman Order* (Cambridge, MA: Harvard University Press, 1966), 192–241, 255–68; and John W. Welch, “Legal and Social Perspectives on Robbers in First-Century Judea,” in *Masada and the World of the New Testament*, ed. John F. Hall and John W. Welch (Provo, UT: BYU Studies, 1997), 141–53.

20. Horsley, “Josephus and the Bandits,” 43–45.

21. Horsley, “Josephus and the Bandits,” 43. See also John W. Welch, “Legal and Social Perspectives on Robbers in First-Century Judea,” *BYU Studies* 36, no. 3 (1997): 141–53; reprinted

have been perceived as unjust in the minds of Paanchi's followers and others who would have felt threatened by the precedent set by this case, surely contributed to other conditions that were plentiful in Nephite society in the middle of the first century BC that incubated the rise of the militant Gadianton robbers and the other bands of social brigands that became such a sore curse among the Nephites for the next seventy-five years.