



BYU LAW





Professor Brett G. Scharffs

Director, International Center for Law and Religion Studies

“Religious Liberty as an Article of Faith”





The Doctrine of Religious Freedom

Religious liberty is central to the doctrine and history of the Church of Jesus Christ of Latter-day Saints.



lieve that he will yet reveal many great and important things pertaining to the kingdom of God.

We believe in the literal gathering of Israel and in the restoration of the Ten Tribes. That Zion will be built upon this continent. That Christ will reign personally upon the earth, and that the earth will be renewed and receive its paradisaic glory.

We claim the privilege of worshipping Almighty God according to the dictates of our conscience, and allow all men the same privilege let them worship how, where, or what they may.

We believe in being subject to kings, presidents, rulers, and magistrates, in obeying, honoring and sustaining the law.

We believe in being honest, true, chaste, benevolent, virtuous, and in doing good to all men; indeed we may say that we follow the admonition of Paul "we believe all things we hope all things," we have endured many things and hope to be able to endure all things. If there is any thing virtuous, lovely, or of good report or praise worthy we seek after these things. Respectfully &c.

JOSEPH SMITH.

TIMES AND SEASONS.

CITY OF NAUVOO,

TUESDAY, MARCH, 15, 1842.

TO SUBSCRIBERS.

This paper commences my editorial career, I alone stand responsible for it, and shall do for all papers having my signature henceforward. I am not responsible for the publication, or arrangement of the former paper; the matter did not come under my supervision.

JOSEPH SMITH.

HONOR AMONG THIEVES.

We extract the following from the 'New York Tribune.'

"The Paymaster of the Missouri Militia, called out to put down the Mormons, some two years since, was supplied with money some time since and started for Western Missouri, but has not yet arrived there. It is feared that he has taken the 'Saline slope.'"

We are not surprised that persons who could wantonly, barbarously, and without the shadow of law, drive fifteen thousand men, women and

children from their homes, should have among them a man who was so lost to every sense of justice, as to run away with the wages for this infamous deed: it is not very difficult for men who can blow out the brains of children; who can shoot down, and hew to pieces our ancient veterans, who fought in the defence of our country, and delivered it from the oppressor's grasp; who could deliberately, and in cold blood, murder men, and rob them of their boots, watches, &c. and whilst they were yet weltering in their blood and grappling with death, and then proceed to rob their widowed houses. Men who can deliberately do this, and steal near all the horses, cattle, sheep, hogs, and property of a whole community, and drive them from their homes en-masse, in an inclement season of the year, will not find many qualms of conscience in stealing the pay of his brother thieves, and taking the 'saline slope.'

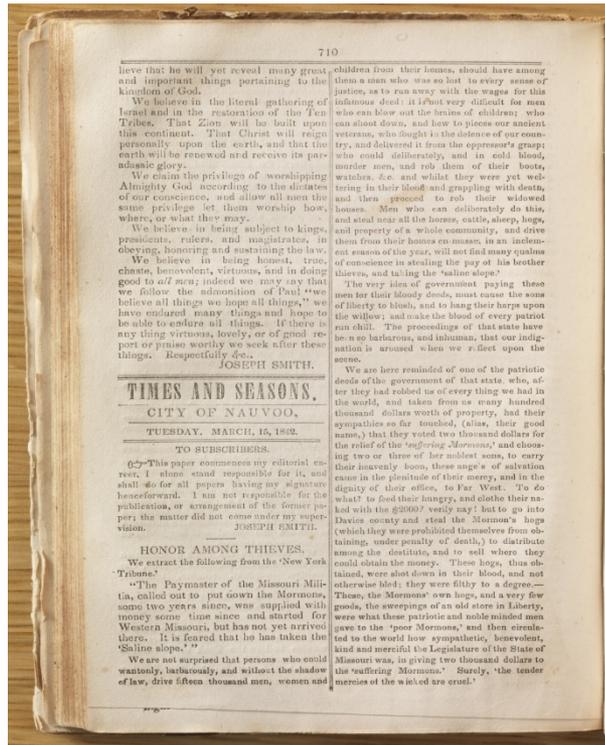
The very idea of government paying these men for their bloody deeds, must cause the sons of liberty to blush, and to hang their harps upon the willow; and make the blood of every patriot run chill. The proceedings of that state have been so barbarous, and inhuman, that our indignation is aroused when we reflect upon the scene.

We are here reminded of one of the patriotic deeds of the government of that state, who, after they had robbed us of every thing we had in the world, and taken from us many hundred thousand dollars worth of property, had their sympathies so far touched, (alias, their good name,) that they voted two thousand dollars for the relief of the 'suffering Mormons,' and choosing two or three of her noblest sons, to carry their heavenly boon, these angels of salvation came in the plenitude of their mercy, and in the dignity of their office, to Far West. To do what? to feed their hungry, and clothe their naked with the \$2000? verily nay! but to go into Davies county and steal the Mormon's hogs (which they were prohibited themselves from obtaining, under penalty of death,) to distribute among the destitute, and to sell where they could obtain the money. These hogs, thus obtained, were shot down in their blood, and not otherwise bled; they were filthy to a degree.— These, the Mormons' own hogs, and a very few goods, the sweepings of an old store in Liberty, were what these patriotic and noble minded men gave to the 'poor Mormons,' and then circulated to the world how sympathetic, benevolent, kind and merciful the Legislature of the State of Missouri was, in giving two thousand dollars to the 'suffering Mormons.' Surely, 'the tender mercies of the wicked are cruel.'

Wentworth Letter

John Wentworth, editor of the *Chicago Democrat*, requested a "sketch of the rise, progress, persecution, and faith of the Latter-day Saints."

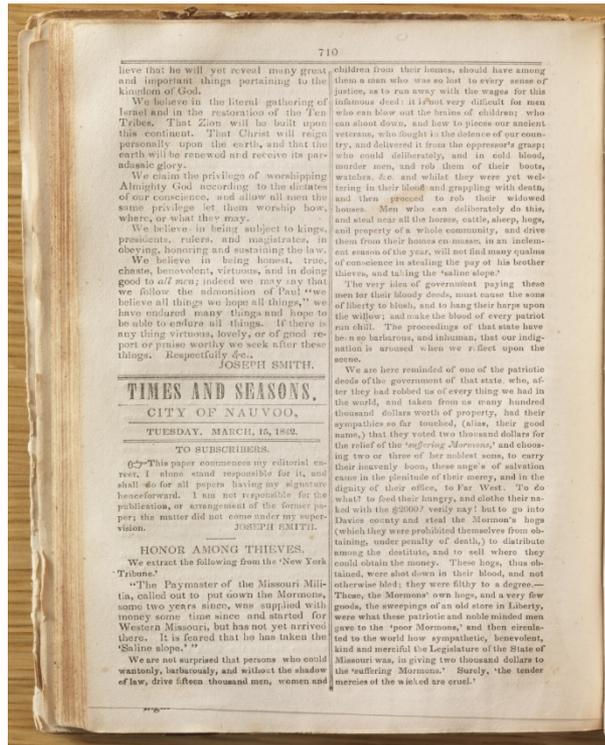
Eleventh Article of Faith



We claim the privilege of worshiping Almighty God according to the dictates of our own conscience, and allow all men the same privilege, let them worship how, where, or what they may.



Twelfth Article of Faith

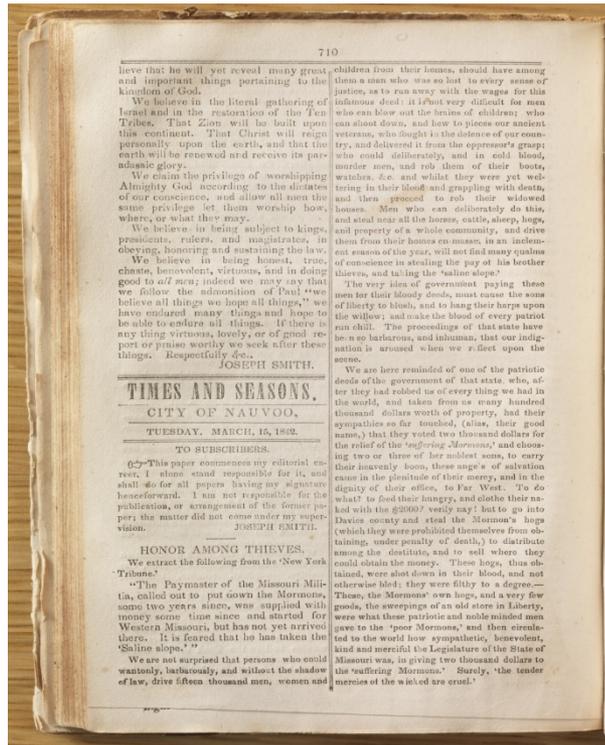


We believe in being subject to kings, presidents, rulers and magistrates, in obeying, honoring, and sustaining the law.

1. Obeying
2. Honoring
3. Sustaining the Law



Eleventh Article of Faith



We claim the privilege of worshipping Almighty God according to the dictates of our own conscience, and allow all men the same privilege, let them worship how, where, or what they may.

- 1. Freedom to Worship**
- 2. Moral Agency**
- 3. Reciprocity and Mutual Respect**



Eleventh Article of Faith

1. Freedom to Worship

We claim the privilege of worshipping Almighty God...

- **Rather than beginning with a declaration, “We believe....,” there is an assertion of a privilege or right.**



Eleventh Article of Faith

1. Freedom to Worship



“It is a love of liberty which inspires my soul – civil and religious liberty to the whole of the human race. Love of liberty was diffused into my soul by my grandfathers while they dangled me on their knees.”

Joseph Smith



Eleventh Article of Faith

1. Freedom to Worship



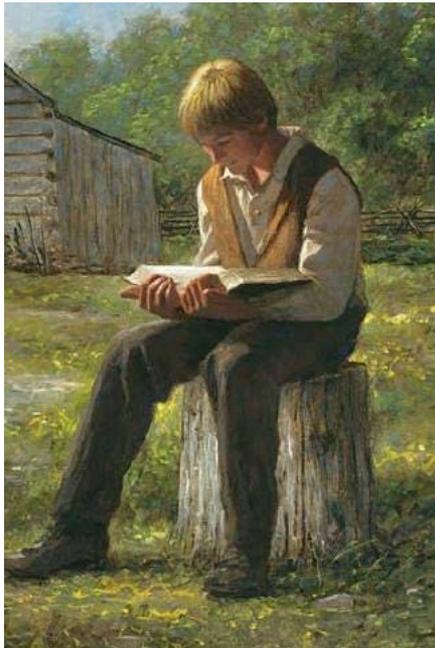
“[T]here was in the place where we lived an unusual excitement on the subject of religion. . . . Indeed, the whole district of country seemed affected by it,”

Joseph Smith



Eleventh Article of Faith

1. Freedom to Worship



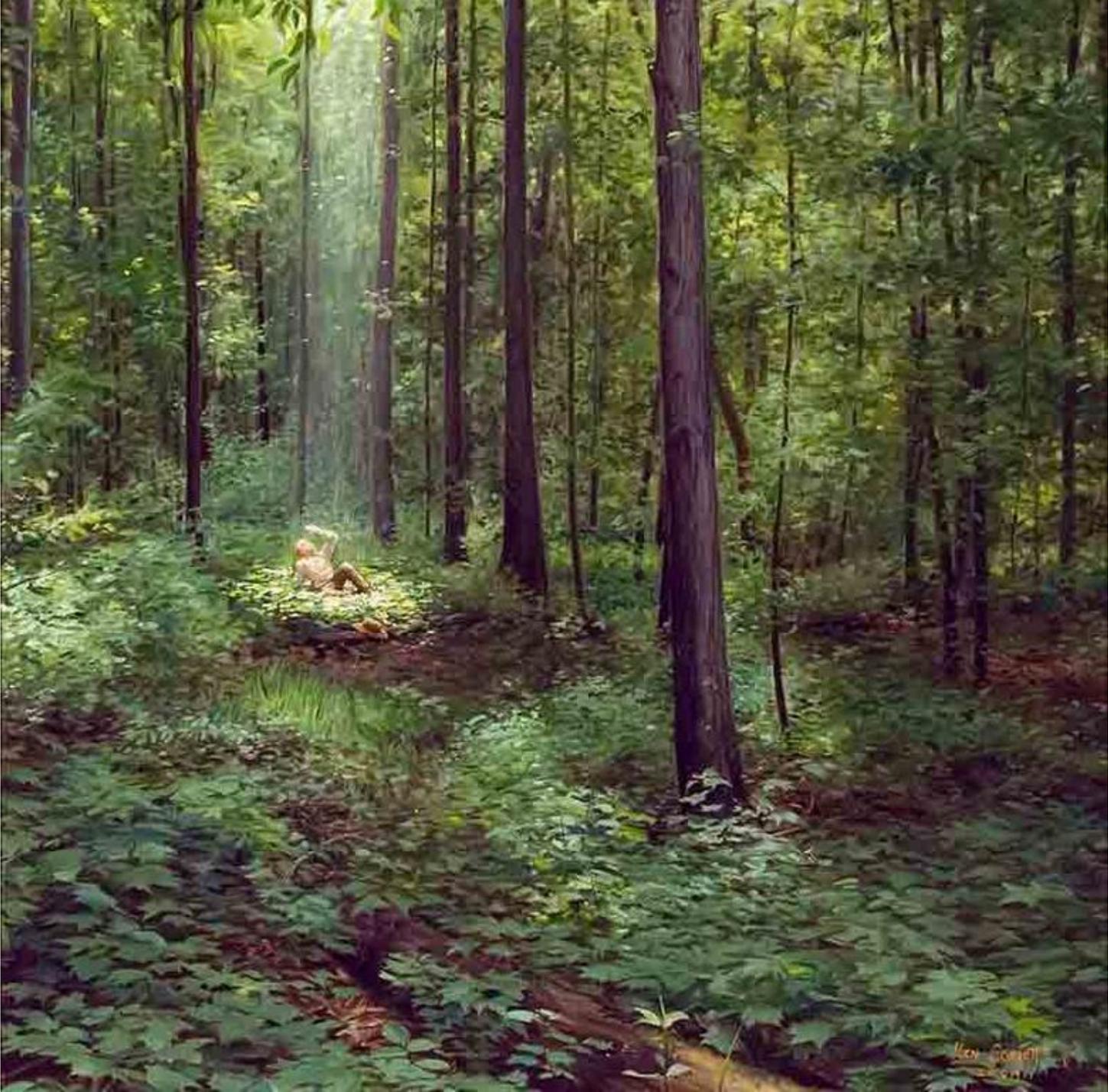
“If any of you lack wisdom, let him ask of God, that giveth to all men liberally, and upbraideth not; and it shall be given him.”

James 1:5,

KJV









“I soon found, however, that my telling the story had excited a great deal of prejudice Against me among professors of religion, and was the cause of great persecution, which Continued to increase; and though I was an obscure boy, only between fourteen and Fifteen years of age, and my circumstances in life such as to make a boy of no consequence in the world, yet men of high standing would take notice sufficient to excite the public mind against me, and create a bitter persecution...”

Joseph Smith



“I don’t blame any one for not believing my history. If I had not experienced what I have, I could not have believed it myself...I had seen a vision; I knew it, and I knew that God knew it, and I could not deny it, neither dared I do it; at least I knew that by so doing I would offend God, and come under condemnation.”

...

Joseph Smith



Conclusion

1. Freedom to Worship

A climate and context of religious freedom enabled Joseph to make his inquiry.





Eleventh Article of Faith:

2. Moral Agency, Autonomy, Accountability

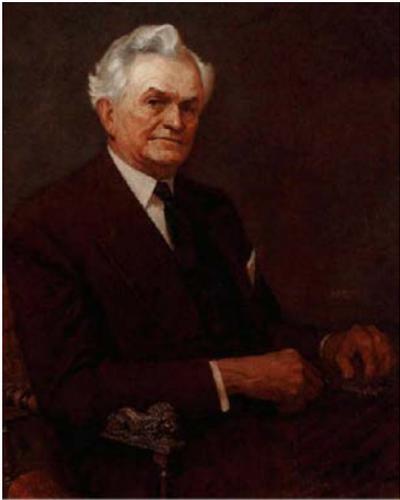
We claim the privilege of worshiping Almighty God according to the dictates of our own conscience...

“All persons are entitled to their agency, for God has so ordained it. He has constituted mankind moral agents, and given them power to choose good or evil. . . . Since the God of Heaven has left these things optional with every individual, we do not wish to deprive them of it.”

Joseph Smith

Eleventh Article of Faith:

2. Moral Agency, Autonomy, Accountability



“Thus man was endowed with the greatest blessing that can be given to mortal beings—the gift of free agency. Without this divine power to choose, humanity cannot progress...Freedom of speech, freedom of action within boundaries that do not infringe upon the liberty of others are man’s inherent right—divine gifts essential to human dignity and happiness.”

David O. McKay (Ninth Church President)







Eleventh Article of Faith:

2. Moral Agency, Autonomy, Accountability



“Freedom of worship is one of the basic doctrines of the gospel. Indeed, in one manner of speaking it is the most basic of all doctrines, even taking precedence over the nature and kind of being that God is, or the atoning sacrifice of the Son of God, or the vesting of priesthood and keys and saving power in the one true church. But this we mean that if there were no freedom of worship, there would be no God, no redemption, and no salvation in the kingdom of God.”

-- Elder Bruce R. McConkie



Eleventh Article of Faith:

2. Moral Agency, Autonomy, Accountability



“Men are free according to the flesh; and all things are given them which are expedient unto man. And they are free to choose liberty and eternal life, through the great Mediator of all men, or to choose captivity and death, according to the captivity and power of the devil.”

2 Nephi 2:27



BYU LAW

Eleventh Article of Faith:

2. Moral Agency, Autonomy, Accountability



“In relation to the power over the minds of mankind which I am said to hold, I would say, It is in the consequence of the power of truth in the doctrines which I have been an instrument in the hands of God of presenting unto them, and not because of any compulsion on my part.”

Joseph Smith



Conclusion

2. Moral Agency, Autonomy and Accountability



No one is compelled to believe in the Gospel of Jesus Christ. He may worship idols, animals, birds or reptiles, if he so desires, without interfering with the freedom to worship allowed to others.”

Joseph Fielding Smith



Eleventh Article of Faith:

3. Reciprocity and Mutual Respect

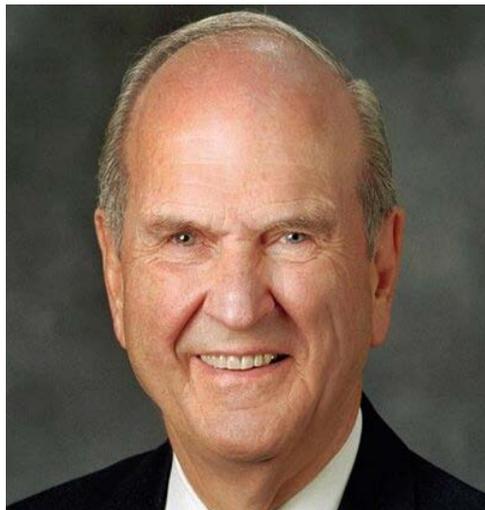
We claim the privilege of worshipping Almighty God according to the dictates of our own conscience, and allow all men the same privilege, let them worship how, where, or what they may

1. Doctrine
2. Commitment that has arisen from a history of persecution and hardship



Eleventh Article of Faith:

3. Reciprocity and Mutual Respect



“I marvel at the inspiration of the Prophet Joseph Smith when he penned the eleventh article of faith...That noble expression of religious tolerance is particularly poignant in light of the Prophet's personal persecution. Joseph Smith endured incessant persecution and finally heartless martyrdom—at the hands of the intolerant. His brutal fate stands as a stark reminder that we must never be guilty of any sin sown by the seed of intolerance.”

Elder Russell M. Nelson



BYU LAW



Peter Whitmer Farm House







Henry L. Chittenden



Head Quarters of the Militia
City of Jefferson
Oct 27 1838

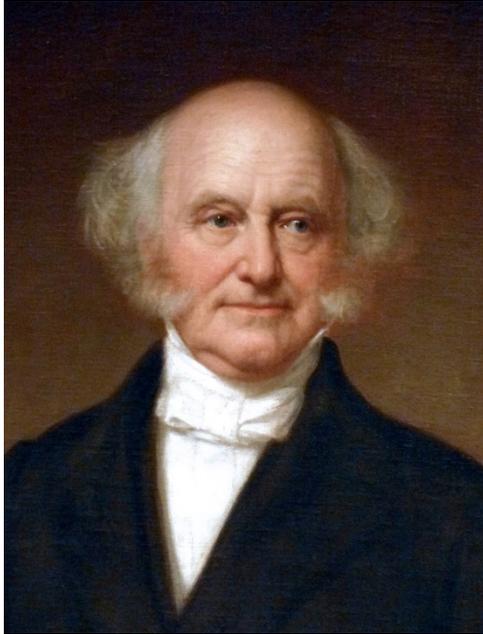
50
I recd the order of this morning to you
directing you to raise 400 mounted men to be
raised within your division I have received by
Amos Newcomb of Ray & With. to Mr. Newcomb
one of my best information of the most appal-
-ling character which entirely changes the face
of things and places the Mormons in the attitude
of an open and avowed defiance of the laws
and of having made war upon the people of
this State your orders are therefore to hasten your
operations with all possible speed The Mormons
must be treated as enemies and must be re-
-terminated or driven from the State if necessary
for the public peace their outrages are beyond
all description If you can increase your force
you are authorized to do so to any extent you
may consider necessary I have just issued
orders to Major Genl Willock of Marion Co to
raise 500 men and to march them to the
Northern part of Daviess and then unite with
Genl Doniphan of Clay who has been ordered
with 500 men to proceed to the same point for
the purpose of intercepting the retreat of the
Mormons to the North they have been directed
to communicate with you by express you can
also communicate with them if you find it ne-
cessary Instead therefore of proceeding as at
first directed to unite with the Citizens of Illinois
in their homes you will proceed immediately
to Rutledge and there operate against the
53
Mormons Brig Genl Parks of Ray has been
ordered to have four hundred of his Brigade



Governor Lilburn Boggs'
Extermination Order
October 27, 1838

Eleventh Article of Faith:

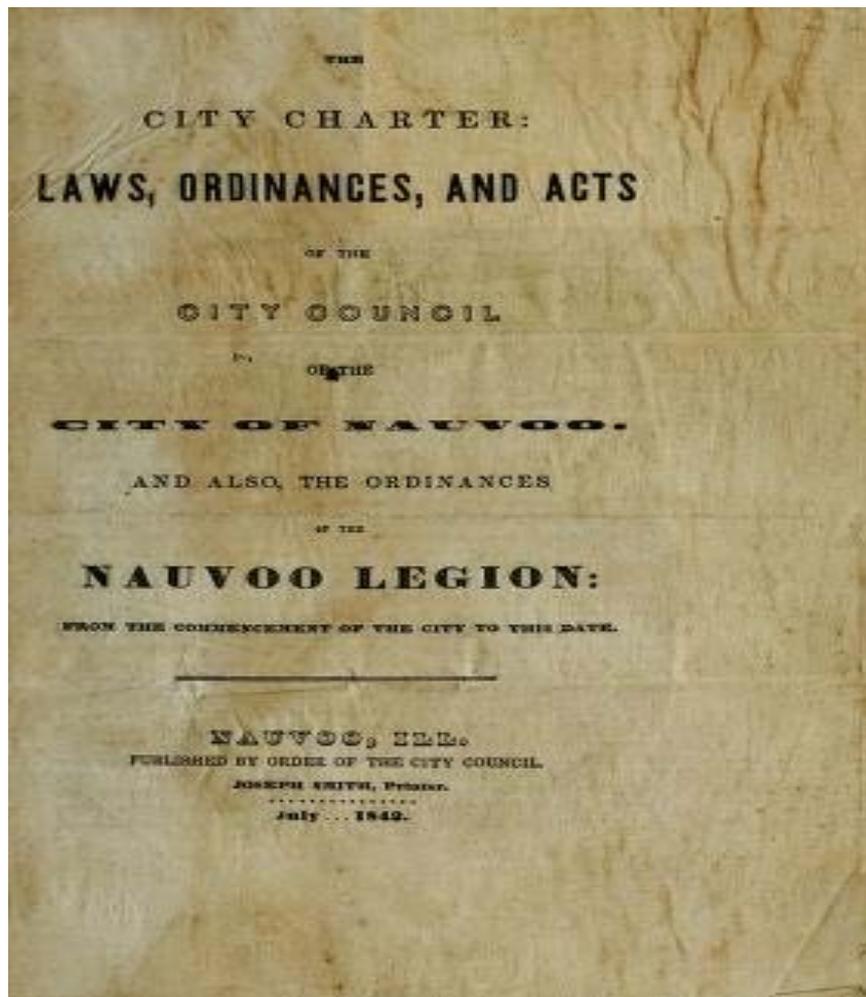
3. Reciprocity and Mutual Respect



“Your cause is just, but I can do nothing for you. . . . If I take up with you I shall lose the vote of Missouri.”

President Martin Van Buren





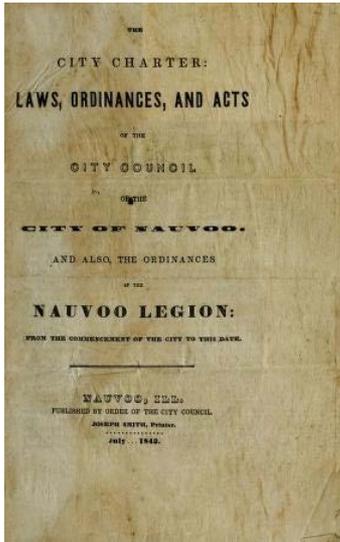
Nauvoo City Charter

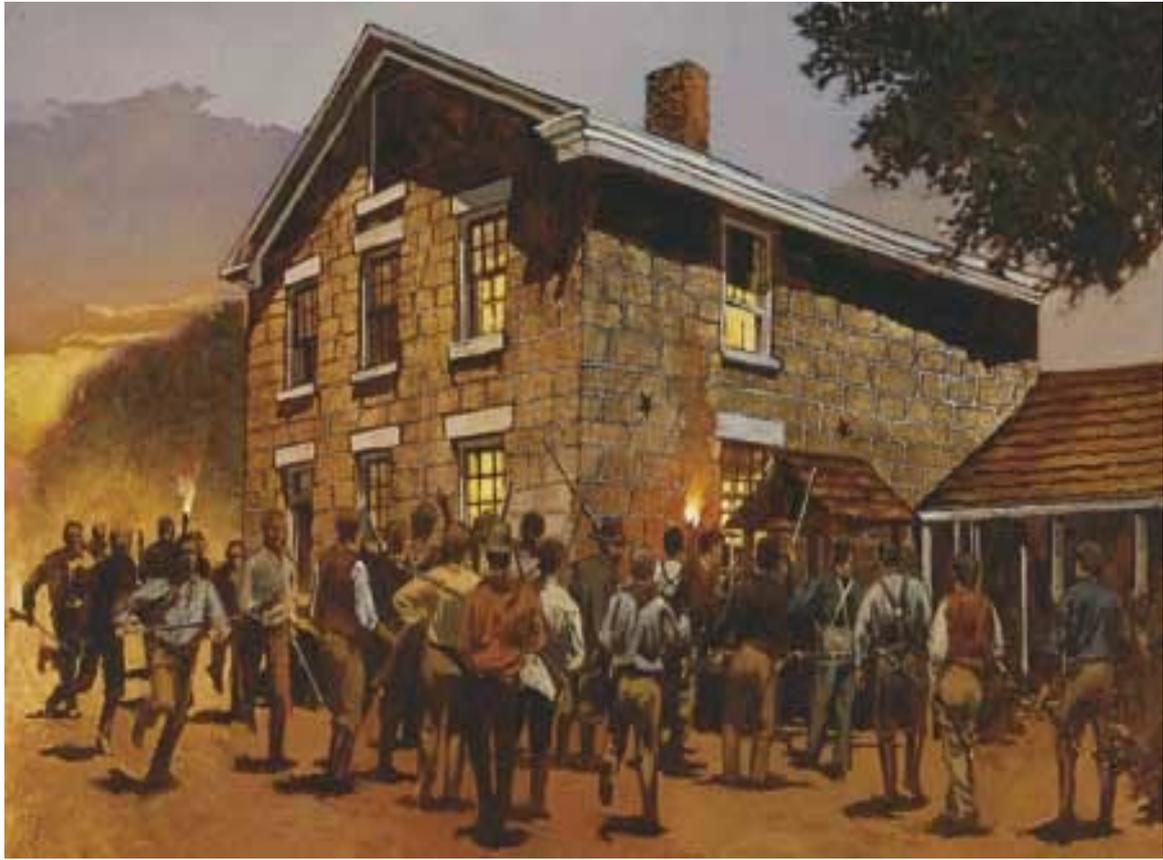


Eleventh Article of Faith:

3. Reciprocity and Mutual Respect

“Be it ordained by the City Council of the City of Nauvoo, that in order to guarantee the constitutional right of free discussion upon all subjects, the citizens of this city, may from time to time peaceably assemble themselves together for all peaceable or lawful purposes whatever; and should any person be guilty of disturbing or interrupting any such meeting or assemblage, he shall . . . be considered a disturber of the public peace, and fined in any sum not exceeding five hundred dollars, or imprisoned not exceeding six months, or both”







Gary S. Hopkinson © 2000

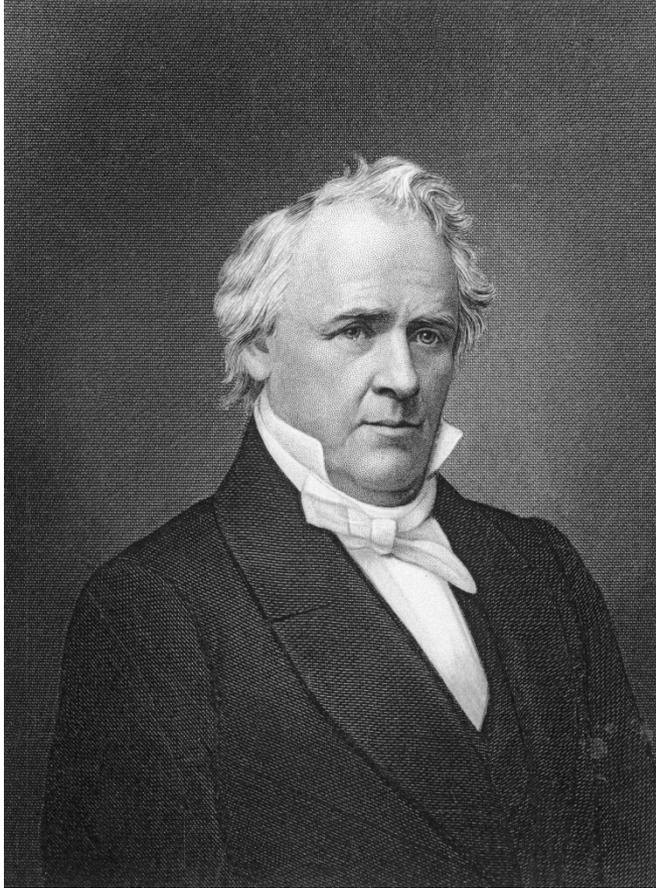




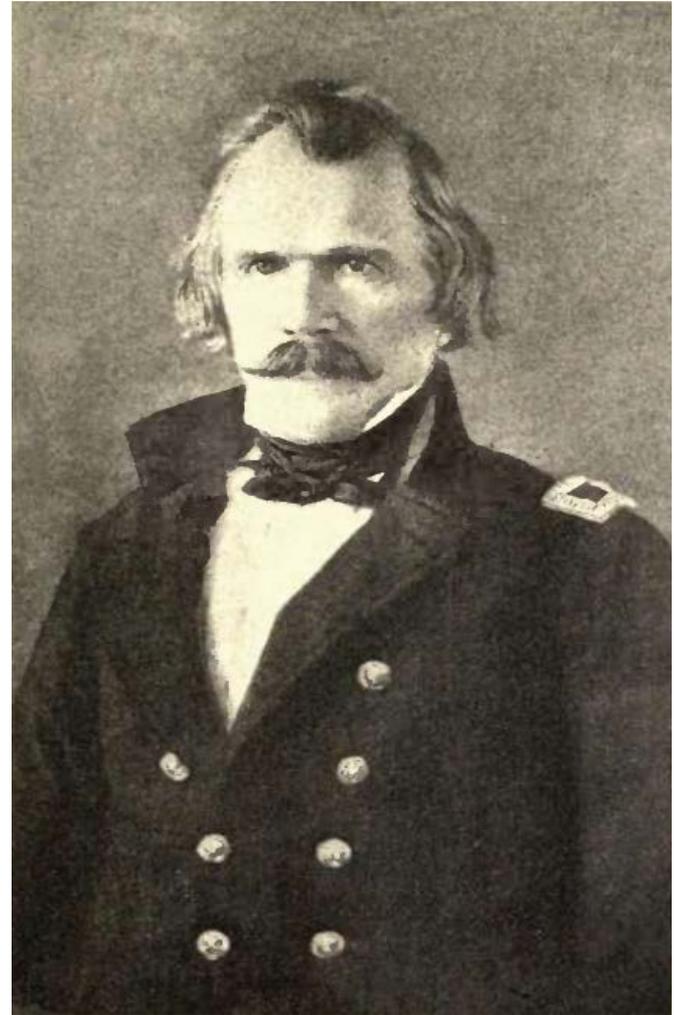








President Martin Van Buren



General Albert Johnston





The People Accept the Manifesto!

THE VOTE UNANIMOUS

President Cannon Gives the Reasons For Its Issuance.

PRESIDENT CANNON SPEAKS.

It Is Thought the Senate Will Instigate Him to His Action in Issuing It.

Monday was a big day here in the attendance at the tabernacle, and the church for whatever was as great as had there been for three the usual times. The seats were all filled. The one big feature of the observance, of course, was the presentation of the official manifesto, in regard to prohibition, and which is as follows:

WASHINGTON, July 1, 1893.

When the question of prohibition was first put to the people, some three years ago, the result was a sweeping vote in favor of the prohibition of the sale of intoxicating liquors for beverage purposes. It is a fact that the people of this country have shown their opposition to the sale of such liquors for beverage purposes.

It is a fact that the people of this country have shown their opposition to the sale of such liquors for beverage purposes. It is a fact that the people of this country have shown their opposition to the sale of such liquors for beverage purposes.

The following is the text of the manifesto as presented by President Cannon.

We are living in peculiar times. The work of God is being revealed in various directions. However, there was no one thing. It had been the lot of the United States the beginning to connect with civilization and commerce. They had had to pass through many trials and tribulations, and they had had to pass through many trials and tribulations. They had had to pass through many trials and tribulations. They had had to pass through many trials and tribulations.

Many things in this world had come to pass. The American people had shown their opposition to the sale of such liquors for beverage purposes. They had shown their opposition to the sale of such liquors for beverage purposes. They had shown their opposition to the sale of such liquors for beverage purposes.

The American people had shown their opposition to the sale of such liquors for beverage purposes. They had shown their opposition to the sale of such liquors for beverage purposes. They had shown their opposition to the sale of such liquors for beverage purposes. They had shown their opposition to the sale of such liquors for beverage purposes.

The American people had shown their opposition to the sale of such liquors for beverage purposes. They had shown their opposition to the sale of such liquors for beverage purposes. They had shown their opposition to the sale of such liquors for beverage purposes. They had shown their opposition to the sale of such liquors for beverage purposes.



The Paradox of Religious Freedom: Truth, Tolerance, and Love



“The Saints can testify whether I am willing to lay down my life for my brethren. If it has been demonstrated that I have been willing to die for a “Mormon.” I am bold to declare before Heaven that I am just as ready to die in defending the rights of a Presbyterian, a Baptist, or a good man of any other denomination; for the same principle which would trample upon the rights of the Latter-day Saints would trample upon the rights of the Roman Catholics, or of any other denomination who may be unpopular and too weak to defend themselves. It is a love of liberty which inspires my soul – civil and religious liberty to the whole of the human race.”

Joseph Smith





Dan Jones Awakens Wales, by Clark Kelley Price, © Clark Kelley Price





Twelfth Article of Faith

We believe in being subject to kings, presidents, rulers, and magistrates, in obeying, honoring, and sustaining the law.

1. Balance to Eleventh Article of Faith
2. Commitment to Respecting and Being Subject to Secular Authority





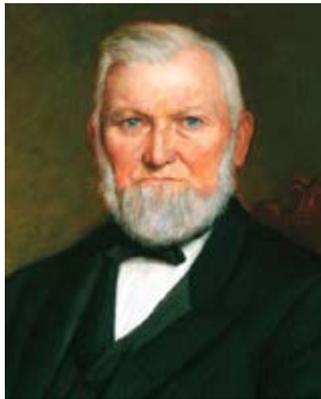
Painting of the Mormon
Battalion by George M. Ottinger



Mormon Battalion Visitors' Center, San Diego, California

“We believe that all mankind, men and women . . . have certain rights, and that God has created all men with an agency. . . . They have a right to enjoy their religion. They have a right to worship God according to the dictates of their own consciences. ‘But,’ says one, ‘do you mean that in empires where the emperor holds the rights and destinies of his subjects in his hands?’ Yes. I mean there is no emperor who breathes the breath of life who has the right to deprive one of his subjects of the freedom of his religion. I will tell you why. No emperor or king, no president, no ruler of any nation under the heavens has ever given his subjects life. Their life has come from God, and God has granted them their agency and the right to worship him according to the light and knowledge they have.”

Wilford Woodruff





President Gordon B. Hinckley



BYU LAW





Professor Brett G. Scharffs

Director, International Center for Law and Religion Studies

“Religious Liberty as an Article of Faith”





BYU LAW

