

2005 Order 13

BASIC PRINCIPLES OF THE TEMPORAL LAW

ADOPTED BY THE ORDER OF BISHOPS.

CONFERENCE—1917.

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Basic Principles which cannot be violated in the interpretation of the law of the church.

First. No interpretation is correct that does not harmonize every text with every other text on any given topic and the interpretation of the law governing any topic must necessarily harmonize with every other topic. D. & C. 126: 10; 120: 6.

Second. The law of God should never be so interpreted as to cause us to violate it. D. & C. 125: 14; 42: 1; 42: 16; 101: 2; 41: 2; 85: 8, etc.

Third. No exegesis can be correct that requires us to violate the constitutional laws of the land either directly or indirectly. D. & C. 102: 7; 122: 12; 95: 2; 128, etc.

Fourth. The free agency of all mankind must remain inviolate, hence no rendition of the laws of God or man will be correct that teaches us to violate this inalienable right. D. & C. 36: 7; I. T. Gen. 3: 4.

Fifth. A necessary corollary deducted from the principles of "free agency" is that of "economic independence." No man is truly free that is so situated economically that any other person or persons can dictate to him just what he shall or shall not do, under the power of coercion, which generally comes when one man is dependent economically on another.

Sixth. All the above principles must be taken with the modification put upon all law by the Master, namely: "And unto every law there are certain bounds also and conditions." D. & C. 85: 9.

That there might be no misunderstanding of the terms herein used, we give the following:

DEFINITIONS OF TERMS.

Stewardship—A man's business.

Inheritance—A man's home.

(These may or may not be identical.)

Wealth—That which a man has or owns in Real Estate or Personal Property.

The word "**Rich**" is used by the writer to include any and all who have more than their needs and just wants.

The word "**Poor**" includes any and all who have not enough for their needs and just wants.

Surplus as defined by the Joint Council of April 17, 1909, to-wit: "That part of a man's possessions, whether of moneys or properties, of which he has no present or immediate need.

The word "**need**" being determined by the man's position, sphere of action, his business, and his dependencies."

The word **tithe**, when used as a noun, means a tenth. There can be no surplus until the "tithe" is paid.

Offering—Any amount paid not as tithe or surplus.

Special Offering—Any amount paid not as a tithe or surplus, for a special object.

THE LAW OF TEMPORALITIES

as found in our church books deals specifically as well as generally with the two great divisions of wealth—

1. The creation of wealth.

11. The Distribution of Wealth.

- | | | | | |
|---------------|---|--|---|---|
| I. Producers | } | (s) Of commodities | { | (a) By agriculture
(b) By mining
(c) By manufacturing
(d) Etc. |
| | | (t) Of service—Middlemen—Storehouse | | |
| II. Consumers | } | (u) Worthy who can pay 70 : 2 "heirs according to the laws of the kingdom."
(v) Worthy who cannot pay 44 : 3.
(w) Unworthy—87 : 6 ; 85 : 38 ; 118 : 4 ; 42 : 12 ; 75 : 5 ; 68 : 4 ; 101 : 12 ; 81 : 5 ; 56 : 5 ; 38 : 5. | | |

PRODUCERS AND CONSUMERS

The question of questions asked by all students of economical problems is, "How can the producer and consumer be brought together so as to minimize, if not entirely eliminate waste and at the same time produce equality between these two great classes?"

The Law of Temporalities advocated by the church was given specifically as a solution to these problems. D. & C. 79: 1, 2, 3 and 4. We quote paragraph 4: "Now this commandment I give unto my servants, for their **benefit** while they remain, for a manifestation of my blessings upon their heads, and for a reward of their diligence, and for their security **for food and for raiment, for an inheritance; for houses and for lands, in whatsoever circumstances I, the Lord, shall place them; and whithersoever I, the Lord, shall send them,** for they have been faithful over many things, and have done well inasmuch as they have not sinned. Behold, I, the Lord, am merciful, and will bless them, and they shall enter into the joy of these things." See also 38: 5.

It remains for us to apply the same.

This Law of Temporalities is briefly couched under the terms known as:

STEWARDSHIPS AND INHERITANCES.

Similarities and Differences.

- | | | | | | |
|--------------------------------------|---|------------------------|--|---|--------------|
| A. Creation of | { | By purchase
By gift | (To whom
(Conditions | } | How Decided. |
| B. In amount | | | | | |
| C. In manner of Holding Title | | | Individual
Collective
Church | | |
| D. In Control by Bishopric | | | Absolute
Supervisory
Advisory | | |
| E. Power to Transfer | | | Prerogative of Steward
Prerogative of Bishopric | | |
| F. Fund Applicable to Create | | | Tithe
Surplus
Offering
Special Offering | | |
| G. Returns from | | | Where deposited
Used for what purposes | | |

CREATION OF

(A) By Purchase.

It must needs be necessary, that ye save all the money that ye can, and that ye obtain all that ye can in righteousness, that

in time ye may be enabled to purchase lands for an inheritance, even the city. The place is not yet to be revealed, but after your brethren come from the east, there are to be certain men appointed, and to them it shall be given to know the place, or to them it shall be revealed; and they shall be appointed to purchase the lands, and to make a commencement, to lay the foundation of the city; and then ye shall begin to be gathered with your families, every man according to his family, according to his circumstances, and as is appointed to him by the presidency and the bishop of the church, according to the laws and commandments, which ye have received, and which ye shall hereafter receive." D. & C. 48: 2.

"And let that which belongeth to this people not be taken and given unto that of another church; wherefore, if another church would receive money of this church, let them pay unto this church again, according as they shall agree; and this shall be done through the bishop or the agent, which shall be appointed by the voice of the church." D. & C. 51: 3.

(Again, verily I say unto you, I will show unto you wisdom in me concerning all the churches, inasmuch as they are willing to be guided in a right and proper way for their salvation, that the work of the gathering together of my Saints may continue, that I may build them up unto my name upon holy places; for the time of harvest is come, and my word must needs be fulfilled. * * * But let all things be prepared before you; and in order that all things be prepared before you, observe the commandments which I have given concerning these things, which saith, or teacheth, to purchase all the lands by money, which can be purchased for money, in the region round about the land which I have appointed to be the land of Zion, for the beginning of the gathering of my saints; all the land which can be purchased in Jackson county, and the counties round about, and leave the residue in mine hand." D. & C. 98: 9.

"Let all the churches gather together all their moneys; let these things be done in their time, be not in haste; and observe to have all things prepared before you. And let honorable men be appointed even wise men, and send them to purchase these lands; and every church in the eastern countries when they are built up, if they will hearken unto this counsel, they may buy lands and gather together upon them, and in this way they may establish Zion. There is even now already in store a sufficient, yea, abundance to redeem Zion, and establish her waste places, no more to be thrown down, were the churches, who call themselves after my name, willing to hearken to my voice." D. C. 98: 10.

"Now, behold, I say unto you, my friends, in this way you may find favor in the eyes of the people, until the army of Israel becomes

very great ; and I will soften the hearts of the people, as I did the heart of Pharaoh, from time to time, until my servant Baurak Ale and Baneemy, whom I have appointed, shall have time to gather up the strength of my house, and to have sent wise men, to fulfil that which I have commanded concerning the purchasing of all the lands in Jackson county, that can be purchased, and in the adjoining counties round about ; for it is my will that these lands should be purchased, and after they are purchased that my saints should possess them according to the laws of consecration which I have given ; and after these lands are purchased, I will hold the armies of Israel guiltless in taking possession of their own lands, which they have previously purchased with their money, and of throwing down the towers of mine enemies, that may be upon them, and scattering their watchmen, and avenging me of mine enemies, unto the third and fourth generation of them that hate me." D. & C. 102 : 8. See also 51 ; 57 : 2, 3 & 6 ; 72 : 3 ; 42 : 14 ; 101 : 13 ; 58 : 7, 11.

"Having been instrumental in the hands of our heavenly Father in laying a foundation for the gathering of Zion, we would say, Let all those who appreciate the blessings of the gospel and realize the importance of obeying the commandments of Heaven, who have been blessed of Heaven with the possession of this world's goods, first prepare for the general gathering. Let them dispose of their effects as fast as circumstances will possibly admit, without making too great sacrifices and remove to our city and county—establish and build up manufactories in the city, purchase and cultivate farms in the county. This will secure our permanent inheritance, and prepare the way for the gathering of the poor. This is agreeable to the order of Heaven, and the only principle on which the gathering can be effected. Let the rich, then, and all who can assist in establishing this place, make every preparation to come on without delay, and strengthen our hands, and assist in promoting the happiness of the saints. This cannot be too forcibly impressed on the minds of all ; and the elders are hereby instructed to proclaim this word in all places where the saints reside, in their public administrations, for this is according to the instructions we have received from the Lord." Church History, Vol. II, Page 502. See also Church History, Vol 2, Pages 84-5.

The principle emphasized in the above quotations is that everybody, either collectively or individually should **pay for what he gets**. An equivalent should be given. D. & C. 42 : 19.

This is the law for properly acquiring either a Stewardship or an Inheritance.

(A) **Creation of by Gift.**—This condition should obtain only when the parties are worthy and cannot pay. Such as a missionary or any other person without means who is giving all of

his time, etc., and cannot take the time to acquire means with which to make a purchase. In such cases either one of two things must obtain. The church must give the parties a home or let them free to earn it.

“The word of the Lord, in addition to the law which has been given, making known the duty of the bishop which has been ordained unto the church in this part of the vineyard, which is verily this: to keep the Lord’s storehouse; to receive the funds of the church in this part of the vineyard; to take an account of the elders as before has been commanded; and to administer to their wants, who shall pay for that which they receive, inasmuch as they have wherewith to pay, that this also may be consecrated to the good of the church, to the poor and needy; and he who hath not wherewith to pay, an account shall be taken and handed over to the bishop of Zion, who shall pay the debt out of that which the Lord shall put into his hands; and the labors of the faithful who labor in spiritual things, in administering the gospel and the things of the kingdom unto the church, and unto the world, shall answer the debt unto the bishop in Zion; thus it cometh out of the church, for according to the law every man that cometh up to Zion must lay all things before the bishop in Zion. D. & C. 72:3.

This rule will apply to the worthy unfortunate who are helpless on account of physical or mental infirmities. All such should receive their inheritance by **gift**.

How Decided. (1) By Bishop. “Hearken unto me, saith the Lord your God, and I will speak unto my servant Edward Partridge and give unto him directions; for it must needs be that he receive directions how to organize this people, for it must needs be that they are organized according to my laws—if otherwise they will be cut off; wherefore let my servant Edward Partridge, and those whom he has chosen, in whom I am well pleased, appoint unto this people their portion, every man equal according to their families, according to their circumstances, and their wants and needs; and let my servant, Edward Partridge, when he shall appoint a man his portion, give unto him a writing that shall secure unto him his portion, that he shall hold it, even this right and this inheritance in the church, until he transgresses and is not accounted worthy by the voice of the church, according to the laws and covenants of the church; to belong to the church; and if he shall transgress, and is not accounted worthy to belong to the church, he shall not have power to claim that portion which he has consecrated unto the bishop for the poor and needy of my church; therefore he shall not retain the gift but shall only have claim on that portion that is deeded unto him. And thus all things shall be made sure according to the laws of the land.” D. & C. 51:1; 57:6.

(42:9) "Every man shall be made accountable unto me, a steward over his own property," refers to parties who have property enough of their own and do not have to apply to the Order of Enoch for an inheritance or stewardship. As to what extent the Order of Enoch should help the Bishopric in all such cases is indicated in Doctrine and Covenants, section 81. "**To manage the affairs of the poor, and all things pertaining** to the Bishopric, both in the land of Zion and in the land of Shinehah, etc." is worthy of careful consideration.

Section 101:1-2 gives the Order of Enoch power to appoint stewardships out of property belonging to the order. Section 57:3 "Let my servant Edward Partridge stand in the office which I have appointed him, to divide the Saints their inheritance, even as I have commanded, and also those whom he has appointed to assist him."

IN AMOUNT.

Section 51:1 says the bishop should "Appoint unto this people their portion, every man equal according to their families, according to their circumstances and their wants and needs." As we understand this statement, the word "their portion" includes enough for both inheritances and stewardships. "This shall be an example unto my servant Edward Partridge, in all other places, in all the churches." Paragraph 5 gives its scope. The closing statement to this revelation also confirms this idea: "And whoso is found a faithful, a just and a wise steward shall enter into the joy of the Lord," etc.

"Every man according to his wants and his needs." D. C. 81:4.

(1) "It is wisdom in me that my servant Martin Harris, should be an example unto the church, in laying his moneys before the bishop of the church. And also this is a **law unto every man that cometh unto this land to receive an inheritance.** And he shall do with his moneys according as the law directs." D. & C. 58:7.

(2) "Impart a portion of the property: yea, even parts of thy lands, and **all save the support of thy family.**" D. & C. 18:5.

(3) "That every man may be amply supplied and receive according to his wants." D. C. 42:10.

(4) "Inasmuch as is sufficient for himself and family." D. C. 42:8.

(B) Note.

The primary object of inheritance and stewardship is to make a man independent economically (II Cor. 8:13), so that he can always have the right of free choice—a free agent. D. C. 36:7; 90:5). Any rendition of the law contrary to these principles is incorrect.

To be economically free, or "amply supplied," or have "sufficient for himself and family" or "all save the support of the family," contemplates an inheritance that will fully answer to the above description, also a stewardship answering to the same description.

Stewardships are given so that the steward should not be depending on the Order of Enoch for help. (The help a steward receives from this order is the exception not the rule) but be a contributor to the Order of Enoch. To be a successful contributor the steward should so manage his stewardship that his credit will be good. If the steward needs to retain a reserve fund or a working capital, he should have it. The law does not contemplate that the steward is under the necessity of going to the Order of Enoch for aid every time he is short of funds, only in extraordinary emergencies.

The law of the land recognizes the necessity of having a reserve fund and in certain cases require such to be retained. The amount then is that which a man needs and his just wants, (Sec. 81 : 4) a flexible term and necessarily so.

THE MANNER OF HOLDING TITLE.

The Title To Inheritances are to be in the name of the inheritor or private person, and not in the name of the Church.— D. C. 51 : 1. The inheritance being a man's home, every man should own it in fee simple. It may or may not be owned individually or collectively.

The Title To Stewardships may be held by the Church or it may not. It also may be held either individually or collectively. In general this matter has to be interpreted with full consideration to the laws of the state or country where such stewardships are held.

In Iowa all stewardships run for profit may be held individually or collectively but must not be under the control of the church or any benevolent association.

The church, the Order of Enoch and all such organizations must be governed by the laws of the state called "non pecuniary laws," hence are not allowed to engage in business for profit. Pecuniary business must be owned and controlled by individuals or by a corporation or by a co-operative company. In such cases the title can not be lodged in the church.

The church can hold title to any property or business which is not used primarily for profit such as publishing houses, colleges, etc.

IN CONTROL BY BISHOPRIC :

The Bishopric has absolute control over all property in which the title is vested in the Presiding Bishopric. All such properties being held primarily for and as a means towards religious

propaganda. In case of local church buildings, policy would require a concerted action with the local congregation in handling said local property.

Supervisory Control is held by the Presiding Bishopric over all stewardships not run primarily for profit such as a college, homes, etc, when the titles to such stewardships are lodged in the church.

Advisory Control may be had over all stewardships whose title is held by individual or corporation.

Inheritances. The Bishopric has no control over inheritances, but may act as an advisor.

POWER TO TRANSFER

The power to transfer inheritances belongs to the title holder, that is, the individual or corporation.

The power to transfer the stewardships belongs to the title holder also. As stated above, the laws of the land must be recognized. In stewardships in which the title is held by the steward, the steward has the prerogative to transfer. When title is held by the church, the Bishopric has this right.

The "**Tithe**" is primarily used to support the priesthood. "And behold, I have given the children of Levi all the tenth in Israel for an inheritance, for their service of the tabernacle of the congregation."—Num. 18 : 22. See also Deut. 12 : 17-19 ; Lev. 27 : 30-33. Sec. 106. "And after that those who have thus been tithed, shall pay one tenth of all their interest annually ; and this shall be a standing law unto them forever, for my holy priesthood, saith the Lord."

Surplus. Sec. 42 : 8. "If thou lovest me, thou shalt serve me and keep all my commandments, and behold, thou wilt remember the **poor** and consecrate of **thy properties** for **their support**, that which thou hast to impart unto them, with a covenant and a deed which can not be broken; and inasmuch as you impart of your substance unto the poor, ye will do it unto me," etc. This refers to surplus or offerings or special offerings. Sec. 42 : 19.

The "tithe" is God's and a man cannot impart that which does not belong to him. The poor primarily should be kept out of the surplus or offering fund. (D. C. 83 : 23—poor taken care of "by humbling the rich and the proud." This implies, as we understand it requiring those who have more than their needs and just wants to give of their surplus. They cannot give their tithe, that is God's they simply pay their debt when they pay their "tithe." (See also D. C. 42 : 11). 102 : 2—"Do not impart of their substance as becometh saints, to the poor and afflicted among them." "Their substance" does not include "the tithe" for "the tithe is the Lord's." D. C. 56 : 5—"laying hold upon other men's goods, etc." Sec.

101 : 12. Read this paragraph with the thought that what they cast into the treasury was surplus and not "the tithe." The tithe does not go into the common treasury of the Order of Enoch—the Bishopric retains this to supply the priesthood.

Offering: What a person may give when he has no tithing or surplus to pay. The offering may be given without any stipulation as to how to be used. If so, the Bishopric may apply it to any use they see fit.

Special Offering: An offering given with stipulation as to how it shall be applied, such as college offering, children's home offering, etc. All such offerings are to be applied as the giver requests.

RETURNS FROM

(1) **Where Deposited:** With the Bishops either general or local 72 : 3. "To receive the funds of the church in this part of the vineyard." 58 : 7. "It is wisdom in me that my servant Martin Harris should be an example unto the church, in laying his moneys before the bishop of the church, and also, this is a law unto every man that cometh unto this land, etc." Sec. 42 : 8, 9. All funds for the use of the church comes to the Bishopric, either general or local. See also Section 83 : 18 ; 42 : 10.

(2) **Used For What Purpose?** The purpose used depends on the kind of fund that comes into the hands of the bishops. Briefly :

The **Tithe** for priesthood primarily, though it may be used to aid the poor, etc.

The **Surplus** to be used for the poor and keeping the storehouse. It may be used for priesthood.—D. C. 82 : 2 ; 42 : 8, 9, 10.

Offerings, for any use designated by the bishop and in harmony with the law.

Special Offerings. To be used for the special thing for which it was offered.