

Exemption from Military Duty

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Alma 27:24 "We will guard them from their enemies with our armies, on condition that they will give us a portion of their substance to assist us that we may maintain our armies."

The only Book of Mormon group given an exemption from military service was the famous people of Ammon. In repenting of their previous shedding of blood, they had sworn an oath that they would never again take up arms (see Alma 24:11-13). After they arrived in Zarahemla, they were granted an extraordinary exemption from active military duty if they would help to sustain the Nephite armies with provisions (see Alma 27:23-24). Surprisingly, the grant of this exceptional privilege was consistent with ancient Israelite law.

Normally one duty of ancient peoples was to take up arms in defense of their tribe or nation: "Among nomads there is no distinction between the army and the people: every able-bodied man can join in a raid and must be prepared to defend the tribe's property and rights against an enemy. . . . This was probably true of Israel also."¹ Saul called "all Israel" to take up arms against the Ammonites and the Amalekites (see 1 Samuel 11:1-11; 15:4). Threats and curses were pronounced upon anyone who would not join in the battle. Once, Saul sent messengers to marshal the troops; he symbolically cut a yoke of oxen into pieces in view of the people and proclaimed, "Whosoever cometh not forth after Saul and after Samuel, so shall it be done unto his oxen" (1 Samuel 11:7). Yaqim-Addu, governor of Sagaratum, executed a criminal in prison and paraded his head among the villages as a warning of what would happen if the men did not assemble quickly for battle.²

The same basic duty to serve in the army existed in Nephite law and society. Indeed, Moroni had power to punish any person in the land of Zarahemla who would not "defend [his] country" (Alma 51:15; Alma 46:35). Like Saul and Yaqim-Addu, he symbolically portrayed the brutal fate of those who would not fight (see Alma 46:21-22). Under extreme and desperate circumstances, this duty fell even upon old men, women, and children (see Mosiah 10:9; Alma 54:12).

Why, then, were the able-bodied Ammonites granted exemption? There may be several reasons. Unquestionably, their reason for not fighting was righteous and bona fide. But beyond that, it may have been justified by four specific provisions in the law of Moses, especially as they were interpreted in traditional Jewish law.

1. The absolute duty to go to war applied only in fighting against an *enemy*. Deuteronomy 20:1-2, instructing the Israelite leader to speak to his troops in a holy tongue when they go up to battle against an enemy, was interpreted in the Talmud as not applying in a conflict against other Israelites: "Against your enemies' but not against your brethren, not Judah against Simeon nor Simeon against Benjamin."³ (The Talmud was a text later than the departure of Lehi from Jerusalem, but it often reflected older material. It was not translated into English until after the Book of Mormon was in print.) A similar feeling may be reflected in the Ammonite reluctance to "take up arms against their *brethren*" (Alma 24:6, 18; 27:23; italics added).

2. The laws of Deuteronomy afforded humanitarian exemptions for those who had recently married, built a new house, planted a new vineyard, or were "fearful or fainthearted" (Deuteronomy 20:5-9; 24:5). Since everyone

going into battle was likely “fearful and fainthearted,” the exemption undoubtedly had a narrow meaning in actual practice, otherwise nearly everyone would be exempt. Indeed, as the Talmud explains, this “alludes to one who is afraid *because of the transgressions he had committed*.”⁴ If a soldier would cower in the face of enemy battle because of his previous sins (fearing that his sins prevented God from defending him or that he might die a sinner), he was deemed unfit for battle. Certainly the Nephites would have recognized that the profound fears of the Ammonites rendered them unsuitable for military duty under such a rule.

3. The rabbis limited the exemption for the “fearful and fainthearted” to “voluntary” exploits of the king; in a “compulsory war” of national defense, even the fainthearted were obligated to go into battle. A similar distinction may have contributed to the Ammonites’ feeling, several years later, that they could no longer claim their exemption in the face of the extreme “compulsory” war that threatened the Nephites’ entire existence. Moved by compassion and no longer afraid, they were willing to take up arms (see Alma 53:13). Only Helaman’s fear that they might lose their souls if they were to violate their oath stopped them. Instead, they sent their sons into battle (see Alma 53:15-17).

4. The men who remained at home, however, continued to support the war behind the lines. Their exemption was granted only on the condition that they would contribute substance to maintain the army. This arrangement is especially noteworthy, since the Talmud likewise holds that those who are exempted from military service under the law of Moses are “*only released from actual fighting, but not from serving in the rear*: ‘They must furnish water and food and repair the roads.’”⁵

The exemption granted to the Ammonites was logical, religiously motivated, and consistent with the spirit of ancient Israelite law, which placed a high civic obligation on all citizens to contribute, as appropriate, to the defense of their country, their God, their religion, and their people.

Based on research by John W. Welch, June 1989. This topic is discussed further in John W. Welch, “Law and War in the Book of Mormon,” in Stephen Ricks and William Hamblin, eds., Warfare in the Book of Mormon (Salt Lake City: Deseret Book and F.A.R.M.S., 1990), 62-65 and 85-86.

Footnotes

1. Roland de Vaux, *Ancient Israel*, 2 vols. (New York: McGraw Hill, 1965), 1:214.

2. From the royal archive in Mari, II, 48:15-20; cited in Victor H. Matthews, “Legal Aspects of Military Service in Ancient Mesopotamia,” *Military Law Review* 94 (1981): 143.

3. Babylonian Talmud, *Sotah* VIII, 1, 42a.

4. *Ibid.*, VIII, 3, 44a; italics added.

5. *Ibid.*, VIII, 2, 43a; italics added.