

the Father's plan but they were also responsible for their choice. The Creation, the Fall, mortality, the Atonement, the Resurrection, and the Final Judgment were contemplated and explained in the council (*TPJS*, p. 220, 348–50; *MD*, pp. 163–64; see also *FIRST ESTATE*). The plan anticipated mistakes from inexperience and sin and provided remedies. Many spirits were foreordained to specific roles and missions during their mortal experience, conditional upon their willingness and faithfulness in the premortal sphere and their promised continued faithfulness upon the earth. The Prophet Joseph Smith explained, "Every man who has a calling to minister to the inhabitants of the world was ordained to that very purpose in the Grand Council of heaven before this world was. I suppose I was ordained to this very office in that Grand Council" (*TPJS*, p. 365; cf. 1 Pet. 1:20; Jer. 1:5; Abr. 3:22–23).

Although spoken of as a single council, there may have been multiple meetings where the gospel was taught and appointments were made. Jesus and the prophets were foreordained in the council. A redeemer was to perform a twofold mission in redeeming mankind from the physical and spiritual deaths brought about by the *FALL OF ADAM* and also in providing redemption, upon repentance, for sins committed by individuals. At a certain point in the council, the Father asked, "Whom shall I send [as the Redeemer]?" Jesus Christ, known then as the great *I AM* and as Jehovah, answered, "Here am I, send me," and agreed to follow the Father's plan (Moses 4:1–4; Abr. 3:27). As a counter-measure, Lucifer offered himself and an amendment to the Father's plan of saving mankind that would not respect their *AGENCY*. The substitute proposal was also designed to exalt Lucifer above the throne of God. The Father's response was, "I will send the first" (meaning Jehovah). Lucifer rebelled and became Satan, or "the devil." A division developed among the spirits, and no spirits were neutral (*DS* 1:65–66). There was *WAR IN HEAVEN* (Rev. 12:7–8), and the third of the hosts who followed Lucifer were cast out (Rev. 12:4; *D&C* 29:36). These rebellious spirits, along with Lucifer, were thrust down to the earth without physical bodies (Rev. 12:9; cf. Isa. 14:12–17). The Prophet Joseph Smith explained: "The contention in heaven was—Jesus said there would be certain souls that would not be saved; and the devil said he could save them all, and laid his plans before the grand council, who gave their vote in favor of Jesus

Christ. So the devil rose up in rebellion against God, and was cast down, with all who put up their heads for him" (*TPJS*, p. 357). Heavenly Father and the faithful spirits in heaven wept over them (*D&C* 76:25–29). Satan and his followers are still at war with those spirits who have been born into mortality (Rev. 12:9; cf. "War in Heaven," p. 788).

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COURTS

See: Disciplinary Procedures

COURTS, ECCLESIASTICAL, NINETEENTH-CENTURY

In the nineteenth century, the LDS court system functioned in adjudicating virtually all kinds of legal disputes among Church members. Since the late 1800s, however, the Church courts, now entitled disciplinary councils, have not been used for the arbitration of private disputes.

The scriptural basis for Church courts originated in the early 1830s. At first, elders conducted trials for determining membership status. In 1831, a bishop, designated as a "judge in Israel" (*D&C* 58:17), and his counselors were authorized to function as a bishop's court. In 1834, *Doctrine and Covenants* 102 established the *HIGH COUNCIL* court and its procedures for hearing original cases and appeals from bishop's courts. The high council court consists of a *STAKE PRESIDENT*, his two counselors, and the twelve members of the stake high council. The *FIRST PRESIDENCY* court is the highest available for considering appeals from high council courts (*D&C* 102:27).

The roles of these courts have varied. In the 1830s, years marked by rapid expansion in Church membership and extensive migration to escape persecution in Ohio and Missouri, Church courts usually provided members an easy, appropriate,

and friendly forum for settling non-Church related disputes. Then for several years prior to the NAUVOO CHARTER, and again in the westward migration until 1850, Church courts pronounced, enforced, and adjudicated a full range of civil and criminal ordinances. Thereafter, until the passage of the Poland Act (1874), Church courts continued to handle civil disputes even though alternative courts were available through the federal territorial government (judges appointed by the president of the United States) and through the county probate judges (appointed by the territorial legislature). Probate judges were almost always Mormon PRIESTHOOD leaders, including local stake presidents and bishops, and the probate courts had broad powers over all criminal and civil court matters in addition to normal probate functions. During this period, however, Church courts handled most disputes between members of the Church. Latter-day Saints turned to the county probate courts mostly in criminal actions, in actions against non-Mormons, and when it was important to obtain a formal court decree.

With passage in 1874 of the Poland Act and with the Supreme Court decision in *Reynolds v. United States* (1879), the federal assault on Mormon polygamy intensified, and the Church courts provided the only forum to assist wives and children in settling disputes with their polygamous husbands and fathers. Government courts could offer little assistance because polygamous marriages were outside the law.

In the nineteenth century members used Church courts in private disputes largely because of the principle of exclusive jurisdiction widely enforced by the Church. Applying this principle, leaders used sermons and scripture to encourage members to avoid the civil courts; they also imposed disfellowshipment or excommunication on members who sued another member in the civil courts. Thus non-Mormons initiated most of the cases in the civil courts of the UTAH TERRITORY even though the population was overwhelmingly Mormon.

After Utah acquired statehood in 1896, a regular state court system was instituted. Thereafter the Church court system ceased to consider temporal disputes.

Historically, at all times, many Church court cases have involved sexual offenses. In the early Utah decades land disputes were adjudicated by Church courts because the bishops had allocated

land holdings to members according to their needs and abilities to put the land into productive use. In deciding contract matters, the main objective was reconciliation of brothers and sisters in the gospel. In such cases, Church courts gave weight to the likely outcome of a similar dispute in civil court. However, they never felt strictly bound by common law precedents; they used inspiration, custom, scripture, and ecclesiastical instructions to reach equitable solutions with reconciliation and benefit to the entire community as the guiding objectives.

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COVENANT ISRAEL, LATTER-DAY

God established a COVENANT with ABRAHAM, reaffirming it with Isaac and Jacob and then with the children of Israel. In the LDS view, this covenant has been renewed repeatedly and then breached, largely because God's people, after receiving his COMMANDMENTS and promises, have fallen into APOSTASY and disbelief. Today, as prophesied anciently, this covenant has been restored through the Prophet Joseph SMITH and is included in the NEW AND EVERLASTING COVENANT of the gospel (D&C 22:1; cf. Jer. 31:31–34; 32:36–40).

The term "Covenant Israel" refers to ancient Israel, to the New Testament era, and to modern times. Anciently God stated, "I will establish my covenant between me and thee [Abraham] and thy seed after thee . . . for an everlasting covenant, to be a God unto thee, and to thy seed" (Gen. 17:7). Yet this covenant was conditional. Those who would be "his people" had to prove themselves through obedience and faithful commitment to the laws and ORDINANCES of the covenant (cf. Abr. 2:6–11). Later, Jehovah said through Moses, "If ye will obey my voice indeed, and keep my covenant, then ye shall be a peculiar treasure unto me above