

INTERPRETER

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Introduction, Volume 6

The Modest But Important End of Apologetics

Daniel C. Peterson

I first became involved in apologetics because I wanted to defend the truth of beliefs that are important to me and to defend the character of leaders for whom I have great respect, even veneration, against attack. I'm offended by falsehoods, prejudice, and injustice. I wanted to help faltering members who were sometimes besieged by intellectual challenges for which they had no adequate response. I also desired to assist interested observers to see sufficient plausibility in the Gospel's claims that they would be able to make its truth a matter of sincere and receptive prayer. My hope was to clear away obstacles that might obscure their recognition of truth. These continue to be my motivations, and I expect that others who are engaged in apologetics feel much the same way.

Recently, though, I've read a book by an Anglican minister in Canada who believes that "apologetics is a very serious threat to Christian faith."¹ "I am against apologetics," writes Myron Penner in *The End of Apologetics: Christian Witness in a Postmodern Context*, "because its modern forms undercut the very gospel it wishes to protect."²

Plainly, Dr. Penner's volume is a sharp challenge to the legitimacy of Christian apologetics in general, and, as such, it merits attention from reflective Latter-day Saint apologists.

1 Myron Bradley Penner, *The End of Apologetics: Christian Witness in a Postmodern Context* (Grand Rapids: Baker Academic, 2013), 76 (emphasis deleted).

2 Penner, *The End of Apologetics*, 73.

The Interpreter Foundation and this, its journal, are, in part though not entirely, apologetic enterprises. Thus, it seems clear to me that the book deserves some consideration in these pages. Perhaps, too, since I've been publicly associated with Mormon apologetics over the past nearly twenty-five years, it's worthwhile for me to put on record something of my own personal reaction to Dr. Penner's book.

As might be expected from a self-described postmodernist, Penner tells several stories—"narratives," if you prefer—in his book. I'll consider two of them here. The first comes from his days as an undergraduate student:

One of the popular forms of modern apologetic discourse is the academic debate. My initiation into apologetic debates happened during my first year at university. A Christian apologist, who was touring university campuses, was invited by my university's chapter of Inter-Varsity Christian Fellowship (IVCF) to debate the resident atheist in our philosophy department. This particular atheist professor had banished belief in God as a rational thought from countless freshmen philosophy students' minds and had planted seeds of doubt in the hearts of many a fervent member of our IVCF group...

So a good number of us were elated to learn that an expert in Christian apologetics was coming who would definitively prove to everyone at our university that belief in God is rationally superior to atheism—and that we Christians are not as naïve and asinine as we are often made out to be.³

3 Penner, *The End of Apologetics*, 47-48.

The latter goal, of proving “that we Christians are not as naïve and asinine as we are often made out to be,” strikes me as entirely legitimate, since the conviction that Christians hold their beliefs out of naïve asininity would probably deter an outsider from giving the claims and attractions of Christianity serious consideration. In this regard, apologetics serves a defensive function.

I’m reminded of a comment from the great English apologist C. S. Lewis: “Good philosophy,” he said, “must exist, if for no other reason, because bad philosophy needs to be answered.”⁴ And I also think of Lewis’s good friend, the Oxford theologian and New Testament scholar Austin Farrer. At least until last year, a statement of Rev. Farrer’s, much beloved of Elder Neal A. Maxwell, served as something of an unofficial motto for the Foundation for Ancient Research and Mormon Studies and then for its successor organization, the Neal A. Maxwell Institute for Religious Scholarship:

Though argument does not create conviction, the lack of it destroys belief. What seems to be proved may not be embraced; but what no one shows the ability to defend is quickly abandoned. Rational argument does not create belief, but it maintains a climate in which belief may flourish.⁵

Challenges need to be answered. If they are not, they can block sincere seekers from finding the truth. I’m somewhat less urgently concerned, I confess, about demonstrating that one belief is superior to another, though sometimes that, too, is important, and it can often be valuable and helpful. I’m interested in defense, but I have little interest in offense and

4 C. S. Lewis, “Learning in War-Time,” in *The Weight of Glory and Other Addresses* (New York: HarperCollins, 2001), 58.

5 Austin Farrer, “Grete Clerk,” in Jocelyn Gibb, ed., *Light on C. S. Lewis* (New York: Harcourt and Brace, 1965), 26.

rarely if ever engage in it. I have no desire to attack other worldviews, let alone other religious faiths; I'm far more inclined to proclaim and advocate my own.

But back to Dr. Penner's story:

To make the conclusion unambiguous, the audience would be polled to determine the winner... In the end, the Christian apologist was the winner with about 80 percent of the popular vote. The result was decisive, we felt, and it was regarded as a triumph for the cause of Christ. I remember being a little uneasy, though, as I looked around the room and noted that about 80 percent of the people in the room were people I knew from IVCF (or their guests).⁶

Implicit in Penner's uneasy reminiscence is the suspicion that, very possibly, the whole effort was in vain, pointless: Those who went into the debate as convinced Christians left as convinced Christians, while those who rejected Christianity before the program presumably still rejected it after the lights of the room were turned off.

Nevertheless, I don't think the conclusion follows, from Dr. Penner's impression that few if any changed teams as a result of the debate, that the exchange was without value.

First of all, it may well be the case that some of the attendees who were associated with the Inter-Varsity Christian Fellowship had been wavering in their convictions as a result of intellectual concerns raised by that atheist professor, but that they left the debate that evening with their faith strengthened. They may not actually have changed their votes, but the conviction behind their votes may have been more firm, less troubled. From the standpoint of Christian commitment, this would be no small thing.

6 Penner, *The End of Apologetics*, 48

Second, the two occurrences of the word “about” in Dr. Penner’s story (“about 80 percent”) are not insignificant. In political campaigns, what happens to the undecided middle is often of crucial importance. While the “base” of each rival candidate may be firm, so that virtually nothing would be able to change their allegiance and their vote, a small shift in the inclinations of the less firmly committed voters in the center can make or break a candidacy. More significantly still, even the conversion of a single person is, or should be, of great value to believing Christians, as it undoubtedly is to God himself:

Remember the worth of souls is great in the sight of God;... And if it so be that you should labor all your days in crying repentance unto this people, and bring, save it be one soul unto me, how great shall be your joy with him in the kingdom of my Father! (Doctrine and Covenants 18:10, 15)

According to data presented by the Latter-day Saint social scientist Gary Lawrence in his important 2008 study *How Americans View Mormonism*, five percent of Americans say they would be willing to seriously investigate the Church.⁷ On one level, this seems very bad news. Only five percent? That means that fully 95% apparently *wouldn’t* be willing to seriously consider the claims of Mormonism. We could certainly wish the facts otherwise, but we shouldn’t overlook the good news: Five percent of Americans—which translates, given current figures, into something on the order of sixteen million people—would be willing, or so they say, to give real attention to the question of whether Mormonism is true if those claims were presented to them in an adequate manner. In other words, “the field is white already to harvest” (Doctrine and Covenants 4:4).

7 Gary C. Lawrence, *How Americans View Mormonism: Seven Steps to Improve Our Image* (Orange, CA: The Parameter Foundation, 2008), 97.

My own father joined the Church of Jesus Christ of Latter-day Saints, relatively late in his life, partly because of his exposure to apologetic arguments. (I baptized him when he was nearly sixty years old, on the night that I was set apart as a missionary.) He had married a semi-active member of the Church, my mother, and had long been supportive of ward activities even though he rarely attended worship services. Years after his baptism, he explained to me that one of the factors leading to his becoming a Latter-day Saint was picking up a volume—I don't recall which it was—by Hugh Nibley. As he read, he found himself asking the question “Could this stuff actually be *true*?”

Apologetics was far and away not the only thing contributing to his conversion. Years and years of experience with Latter-day Saint friends, discussions with his wife and his two sons, and admiration for the general values of Mormonism also played important roles, and my imminent departure for two years in Switzerland plainly forced the issue. But Hugh Nibley's apologetic writing was an important catalyst, and I can say with absolute confidence that apologetics proved its value to our family, at least, and made a profound difference for the good.

The second story from Dr. Penner's book that I wish to consider here comes from later in his life:

John is a self-described atheist-Roman Catholic. He earned a PhD in philosophy at an Ivy League university and is a philosophy professor at a small, prestigious college in the United States. We met several years ago at a research center, and I noticed a deep spiritual hunger in him. John was fascinated by my faith and confided in me that although he felt he no longer had faith, he nevertheless experienced this as a profound loss. John confessed that he desperately wished he could believe

in God again and had even spent time in two different monasteries hoping to reignite his faith or find some deeper spiritual reality in which he could believe.

During our second week at the center, John and I were joined by two graduate students from a nearby seminary who had come to research for their master's theses. Our new friends informed John and me that they had just completed a modular course on Christian apologetics with one of the leading contemporary apologists. Jokingly, they related how the apologist described himself as "the hired gun" who rode into town to shoot down the bad guys (atheists) and their arguments and make the streets safe again for Christians.

It did not take our budding apologists long to clue into the fact that John was not a professing Christian. And despite John's protestations that he was not interested in arguing about faith, what he did or did not believe, or how far his beliefs were or were not justified, our two apologists went to work. They took aim and started to shoot holes in the reasonableness of John's beliefs with their shiny, new apologetic six-guns.

John objected to this treatment. What bothered him, he said, was the impersonal way both he and his beliefs were being treated—as if they were abstract entities (like propositions) instead of reflections of spiritual realities with which he personally struggled. John told the apologists he found what they were doing offensive. Undaunted, our defenders of the faith assumed the apologetic right-of-way and continued with their inquisition in the name of unloading their

responsibility for John's errors into God's hands—informing John at one point that it was necessary so that his “blood would not be on their heads” (actually citing Ezekiel 3:18). Needless to say, this did not make a positive impression and did nothing to *show* John the truth of Christianity.⁸

Few of us have much difficulty, I expect, in grasping part of the point of this story. These two clueless Christian apologists should have been more sensitive to John as a person. They shouldn't have been so manifestly at ease with offending him in the name of Jesus. Such ham-fistedness is wrong on every level—and, of course, is ineffective. Nobody had appointed them as inquisitors. It's very difficult and perhaps altogether impossible to entirely avoid giving offense—some people, indeed, seem oddly eager to take it—but these two aggressive evangelists pretty obviously didn't care, and there's no justification for such an attitude.

Apologetic arguments, says Oxford University's Benno van den Toren, “when used as a ‘battering ram’... will only force people to barricade their door stronger, notwithstanding its cracks and even because of its cracks, as long as they feel that they have no valid escape.”⁹ As the old saying goes, “A man convinced against his will is of the same opinion still.”¹⁰

But Myron Penner is making a deeper point, I think, than merely the obvious one that we should be nice.

8 Penner, *The End of Apologetics*, 77-78 (emphasis in the original).

9 Benno van den Toren, “Challenges and Possibilities of Inter-religious and Cross-cultural Apologetic Persuasion,” *Evangelical Quarterly* 82/1 (2010): 50-51.

10 This statement has been ascribed to various writers, including Benjamin Franklin and Mary Wollstonecraft Shelley, but may go back to Samuel Butler's seventeenth-century poem *Hudibras*, which reads, in part, as follows: “He that complies against his will/ Is of his own opinion still/ Which he may adhere to, yet disown,/ For reasons to himself best known” (III.iii.547-550).

I'm quite familiar with the kind of Christian apologist who had trained these two. And, in fact, although I don't know who he is, there's a reasonable chance that I've met the very person in question or at least read some of his writing. I'm guessing that he's an Evangelical Protestant. (And, obviously and unsurprisingly, he's male. Christian apologetics is overwhelmingly dominated by men. We could speculate as to why this is so, and some critics of apologetics will have obvious answers that fit their agenda, but such speculation is beyond the scope of this little essay.)

I've noticed, with such apologists, what sometimes strikes me as astounding overconfidence in the power of reasoned argument and evidence to effect conversion. The presumption seems to be that, if you will simply attend to the evidence and the logic that is being set before you, you will, if your intellectual and moral faculties are properly functioning, necessarily recognize the truth of Christianity.

I reject that presumption. The Evangelical apologist Paul Feinberg observes that "a demonstrably sound argument is coercive in the sense that anyone who wants to retain rationality must accept the argument."¹¹ But I don't believe that any such arguments *exist*—*demonstration* is to be understood here as a technical philosophical term—for basic questions such as the existence of God. I don't believe that God *seeks* our coerced acquiescence, in *any* form. What Latter-day Saints call the "veil of mortality" is essential to the divine plan.

(Curiously, some critics of The Church of Jesus Christ of Latter-day Saints seem to make an analogous but mostly opposed assumption: To them, the facts disproving the claims

11 Paul D. Feinberg, "Cumulative Case Apologetics," in Steven B. Cowan, ed., *Five Views on Apologetics* (Grand Rapids: Zondervan, 2000), 248. As I read him, Feinberg likewise denies the existence of such arguments, though he believes (as I do) that a good cumulative case can be made in support of the plausibility of the existence of God, etc.

of Mormonism are so undeniably obvious that failure to accept their force and to act accordingly can only be the result of stupidity, ignorance, or intellectual dishonesty. I reject this assumption, as well.)

“Rational coercion,” Dr. Penner says,

attempts to leverage others into a position in which they do not wish to be and to accept beliefs they do not see as contributing to their own interests as persons. They are forced to acknowledge priorities and values that are not their own.... And so, when I try to coerce or force unbelievers to accept my Christian witness through cleverly devised apologetic arguments and brilliantly devised pieces of rhetoric, I often compel them to believe me *despite* themselves.¹²

As Dr. Penner expresses the view that his postmodern perspective seeks to replace, given

the modern epistemological paradigm, that human beings are essentially epistemological entities—“things that think”—whose most basic need is to accept the right propositions, then it is easy and perhaps even natural to assume that the best thing I can do for an unbeliever is to reason with them [*sic*] militantly in such a way as to win the argument and force my conclusion. It is “true,” after all, and I am right! My focus will be on *what* I argue about—the conclusions and propositions, the facts and the evidence to support them, and whether my opponent and I believe them—not *how* I engage another *person*. And, in the end, it will be difficult to escape the conclusion that my primary objective in an apologetic encounter is winning the argument. I may further believe people with beliefs

12 Penner, *The End of Apologetics*, 145 (emphasis in the original).

different than mine are morally suspect, since there might not be another explanation for why they refuse to accept my rational conclusions.¹³

By contrast, Dr. Penner believes in a distinctly limited but still important role for reason: “Human beings,” he writes, “are not adequate, in and of ourselves, to discover the most important truths about ourselves, others, God, or the world we inhabit.”¹⁴ Therefore, “faith is not a matter of settling all the issues first, or rationally justifying all our beliefs before we accept them.”¹⁵ “Reason’s function,” he says, “is not to ground our truths but to explain them. Reason depends on a (logically) prior Truth to situate it.”¹⁶

I suspect that Latter-day Saints will be inclined to agree with Penner on this point. We don’t believe that faith or a “testimony” comes principally or even at all by means of syllogistic reasoning from a starting point in indisputable axioms. Rather, it comes by revelation, as taught in Moroni 10:4-5 at the close of the Book of Mormon.

With that in mind, Penner says, “we will need to shift from an epistemological approach to something like a hermeneutical one,” with hermeneutics being defined as the discipline of textual interpretation.¹⁷ (The text, or revelation, is already given before hermeneutics comes into play.) “Hermeneutics... does not focus on abstract philosophical problems or on establishing an epistemological ground zero from which to launch an absolutely certain body of knowledge or to guarantee the rationality of belief.”¹⁸

Indeed, Penner contends,

13 Penner, *The End of Apologetics*, 143.

14 Penner, *The End of Apologetics*, 67.

15 Penner, *The End of Apologetics*, 73.

16 Penner, *The End of Apologetics*, 170.

17 Penner, *The End of Apologetics*, 67.

18 Penner, *The End of Apologetics*, 70.

The Judeo-Christian tradition is... hermeneutical in the philosophical sense. It has its origins in *revelation* — with an event expressed in language (text) that is interpreted within the tradition and not by means of rational “first principles” (Greek philosophy). Ours is the God who *speaks* and *reveals*. The first moment of critical reflection in this tradition then is to wait and listen— to *hear* from God. Subsequently, the Judeo-Christian “logos” (word, reason) is one that always exhausts human reason and always comes to us from the outside.¹⁹

“The revelation is proclaimed,” Penner continues, “and it is ours to *understand* and *interpret*, but not to justify or rationalize directly in the sense of establishing its legitimacy.”²⁰ “If,” he says, “the modern epistemological paradigm is focused on the question, ‘Is it (belief about the world/reality) true and justified?’ the hermeneutical paradigm I want to replace it with puts at the center of its inquiry the question, ‘Is it *intelligible* and *meaningful*?’”²¹

Now, I happen to believe that those are very important questions. Furthermore, as it turns out, many if not by far most of the articles that have appeared and will appear in *Interpreter* focus less on demonstrating Latter-day Saint scriptures to be true than on attempting to plumb their depths, to exhibit their richness, to demonstrate them to be both “intelligible” and extraordinarily “meaningful.” (Viewed through Dr. Penner’s lens, *Interpreter* seems a very appropriate name for this journal.)

Christianity isn’t merely a set of propositions or a system of doctrines, Penner correctly insists. It’s a way of life.²² “The

19 Penner, *The End of Apologetics*, 70.

20 Penner, *The End of Apologetics*, 71-72. I’ve corrected the punctuation slightly for clarity.

21 Penner, *The End of Apologetics*, 67.

22 Penner, *The End of Apologetics*, 68.

reason I accept Christian faith,” Penner writes, “is it enables me to interpret my life fruitfully and the world meaningfully through the practices, categories, and language of Christian faith, so that I have a more authentic understanding of myself and a sense of wholeness to my life.”²³

Still, it seems to me that the actual truth of the scriptures and the legitimacy of Mormon doctrine are worth defending when they’re under attack. Mormonism, like Christianity more generally, isn’t merely a matter of propositions and intellectual assent, but such propositions and assent are an essential part of it. I cannot imagine the restored Gospel providing full satisfaction to the soul under a conviction that its central claims are, in fact, false. This is where I part ways with Dr. Penner’s postmodernism because I don’t believe that modernism in his sense is entirely dead. (And I’m not sure that it should be.) Most people—certainly those outside of the postmodern academy—still need to believe that the fundamental claims upon which they construct their lives are true, and truth claims sometimes need to be defended, not merely asserted.

Recently I saw a quotation circulating online that is attributed to the late Hugh B. Brown, who served as an apostle in the Church of Jesus Christ of Latter-day Saints from April 1958 until his death at the end of 1975, and in the Church’s First Presidency from 1961 until the death of President David O McKay in 1970. His was a beloved voice of my own youth. “We don’t need to ‘defend’ the gospel in a military sense,” he’s quoted as saying. “Rather, we should do with religion as we do with music, not defend it but simply render it. It needs no defense.”

As nearly as I can determine, here is how his actual statement reads, in its original context:

23 Penner, *The End of Apologetics*, 76.

There are altogether too many people in the world who are willing to accept as true whatever is printed in a book or delivered from a pulpit. Their faith never goes below the surface soil of authority. I plead with everyone I meet that they may drive their faith down through that soil and get hold of the solid truth, that they may be able to withstand the winds and storms of indecision and of doubt, of opposition and persecution. Then, and only then, will we be able to defend our religion successfully. When I speak of defending our religion, I do not mean such defense as an army makes on a battlefield but the defense of a clean and upright and virtuous life lived in harmony with an intelligent belief and understanding of the gospel. As Mormons, we should do with religion as we do with music, not defend it but simply render it. It needs no defense. The living of religion is, after all, the greatest sermon, and if all of us would live it, we would create a symphony which would be appreciated by all.²⁴

The quotation seems to be seen, by at least some of those who have hailed it, as validating a denial of the value or even of the religious appropriateness of apologetics. A defense of one's religious beliefs, on this view, is only necessary where religion isn't being lived or "rendered." Indeed, engagement in apologetics could be seen in this light as ipso facto evidence that the apologist isn't living his or her religion but has put some secular, idolatrous substitute in its place.

I suspect that Dr. Penner would agree with such a reading, but I cannot. Let me grant, up front, that quietly living our faith, acting it out in love and service, is and will always be the best way of advocating it.

24 Edwin B. Firmage, *An Abundant Life: The Memoirs of Hugh B. Brown* (Salt Lake City: Signature Books, 1988), 135-136.

Ye are the salt of the earth: but if the salt have lost his savour, wherewith shall it be salted? it is thenceforth good for nothing, but to be cast out, and to be trodden under foot of men.

Ye are the light of the world. A city that is set on an hill cannot be hid.

Neither do men light a candle, and put it under a bush-el, but on a candlestick; and it giveth light unto all that are in the house.

Let your light so shine before men, that they may see your good works, and glorify your Father which is in heaven. (Matthew 5:13-16)

“I would like to distinguish between theology and religion,” President Brown also said.

Religion is my preference. Someone has said, “I hate botany, but I love flowers.” I would say that I do not care for theology, but I love religion.... The Mormon church has a religion aside from its theology.... The Church of Jesus Christ of Latter-day Saints has this practical view of religion: that religion should help us here and now.... So the religion of the Latter-day Saints is not just theory from a book or taught in church.²⁵

But President Brown plainly wasn’t saying that there is no propositional or intellectual content to Mormonism, or that such content is unimportant. His insistence, above, on getting past superficial understanding and driving down to the bedrock of truth, and on “intelligent belief and understanding,” should make that clear enough. Nor was he denouncing defense of the Church, as such. “I should like to see everyone prepared to defend the religion of his or her parents,” he said, “not because

25 Firmage, *The Abundant Life*, 136-137.

it was the religion of our fathers and mothers but because they have found it to be the true religion.”²⁶ Indeed, he himself provides a very simple example, from his days as a Canadian army officer, of his own defense of the Church on the matter of plural marriage.²⁷ And one of his best known personal stories is in a very definite apologetic vein: “The Profile of a Prophet.”²⁸

And how could it be otherwise? There is, in most normal people’s lives, no area in which it’s considered a virtue to offer no reasons for one’s beliefs and behavior, and a violation of the spirit of religion to do so. If missionaries are told, as I was more than once in Switzerland, that the Bible never mentions baptism for the dead, it would be rather strange to refuse to point to 1 Corinthians 15:29. In view of the most recent attempt to explain the Book of Mormon away by means of the wearisomely-familiar theory of the Spalding Manuscript, was it inappropriate and somehow unchristian for the editors of the late *FARMS Review* to commission responses?²⁹ If you’re asked why you’ve chosen restaurant A over restaurant B, or invited to justify your decision to pursue this marketing plan rather than that one, or requested to explain your preference for one candidate instead of another or your enthusiasm for Shakespeare’s *Hamlet*, should you virtuously decline to give any reasons? But even a simple justification or defense is, in the strictest sense of the word, an apologetic.

But how, in Penner’s view, should such defense be conducted (assuming that, against his apparent wishes, we’re determined still to engage in such defense)? “A hermeneutical

26 Firmage, *The Abundant Life*, 135.

27 Firmage, *The Abundant Life*, 136.

28 Hugh B. Brown, *Eternal Quest* (Salt Lake City: Bookcraft, 1956), 127-135.

29 See, for example, G. Bruce Schaalje, Matthew Roper, and Paul J. Fields, “Examining a Misapplication of Nearest Shrunken Centroid Classification to Investigate Book of Mormon Authorship,” *FARMS Review* (23/1): 87-111; Matthew Roper and Paul J. Fields, “The Historical Case against Sidney Rigdon’s Authorship of the Book of Mormon,” *FARMS Review* (23/1): 113-125.

approach,” he writes, “is better construed in terms of the metaphors of conversation and dialogue, as opposed to the epistemological model of trial and debate.”³⁰ Or, as Austin Farrer puts it, “Religion is more like response to a friend than it is like obedience to an expert.”³¹

We don’t, and almost certainly can’t, act or make our most fundamental, life-orientational decisions on the basis of pure reason or purely intellectual considerations. (“Thou believest that there is one God,” says James 2:19, “thou doest well: the devils also believe, and tremble.”)

Faith is a matter that involves the whole soul, not merely the intellect, and whether or not we believe in the first place depends upon the response of our entire souls. Prophets don’t argue that their message is rationally justifiable or that it represents clever analysis or that it should be accepted because they hold special secular credentials. They invite their audience to accept it because it comes from God.³²

The contexts in which we accept beliefs (or have faith) vary widely and are utterly personal, and they rarely fall entirely, or even largely, under our direct, conscious, rational control.³³ Thus, “Joan N.,” commenting on Amazon.com with regard to Dr. Penner’s book, asks

Do we really come to faith as a result of rational persuasion (modern apologetics)? Or do we come to faith in the context of living life? Do we witness because we hold rationally proven beliefs or because we have heard God speak?

She is precisely right. And yet, although humans aren’t purely rational logic machines, reason is one of our principal

30 Penner, *The End of Apologetics*, 68; compare 83.

31 Austin Farrer, Ann Loades, and Robert MacSwain, *The Truth-seeking Heart: Austin Farrer and His Writings* (Norwich: Canterbury Press, 2006), 183.

32 Penner, *The End of Apologetics*, 82-86.

33 See Penner, *The End of Apologetics*, 78-79.

gifts—and a healthy faith clashes with reason only when that’s absolutely necessary. Thus, I have fundamental reservations about the overall position argued by Myron Penner in *The End of Apologetics*.

“Christians should be against apologetics,” writes Dr. Penner,

at least of the modern variety. I am against the apologetic culture of experts that is funded by the modern secular condition, with its assumption that genius is the highest authority for belief and the reasonability of a belief—and my ability to demonstrate it — is the only thing that makes something worthy of my acceptance. I am also against the notion that our task as Christians is to demonstrate the intellectual superiority of Christian belief—as if we are Christians by dint of our genius. And finally, I am against the apologetic mind-set that sets “us” against “them” and then proceeds to try to win the marketing and merchandising race so that “our” superiority is thereby unquestioned.³⁴

I agree wholeheartedly with Myron Penner on these points. But I don’t agree that apologetics as a whole is entirely illegitimate. I cannot see that his reasons here entail its total rejection.

Apologetics, properly done, can help. I know this, among many other things, from the personal experience of my father and my family.

But apologetics is limited, both in appeal and in scope. Most people aren’t interested in it or in the issues with which it deals, and many (for those or other reasons) don’t need it. We should be modest about what apologetics can do. Our arguments, no matter how learned and no matter how sound, can’t force belief. We can’t reason people into faith. Reasoned

34 Penner, *The End of Apologetics*, 72.

argument can nourish and protect a seed and can even prepare the soil for the sowing of a seed, but it can't cause a seed to germinate where none has been planted.

Faith isn't purely intellectual and, for many people, it's not an intellectual matter at all. Moreover, it's ultimately a gift. (See, for example, 1 Corinthians 12:8-9). But sound apologetic arguments can perhaps help clear away objections that interfere with faith in both believers and unbelievers. They can persuade investigators or wavering members of the Church to regard the claims of Mormonism as what William James called a "live option" rather than a dead one—in other words, to give faith serious consideration. This is a relatively humble role—a modest "end" or *telos*—but it can, for at least some, be vital.

And, even more broadly, faithful scholarship can explain the value and richness that believers see in the Gospel, the depth and insight that are to be found in the scriptures, the meaning that a life of discipleship confers. This journal, *Interpreter*, was established slightly more than a year ago to further those aims. I'm grateful for all who have contributed to its launch and who have made its continued flourishing possible.

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ADAM MILLER'S NEW HERMENEUTIC?

Robert F. Smith

Review of Adam S. Miller (Collin College, McKinney, TX). Rube Goldberg Machines: Essays in Mormon Theology. Foreword by Richard Lyman Bushman. Draper, UT: Greg Kofford Books, 2012. 162 pp., with bibliography and indexes. \$18.95. Paperback and e-book formats.

Whatever else spirit may be, we experience spirit as an interpenetrating weave of thoughts, ideas, judgments, feelings, passions, desires, and aversions. Though rooted in the body, this weave of spirit involves a dimension of looped awareness and reflexivity that is finer and harder to discern than those that belong to the body itself. (p. 42)

Crazy Wisdom

This book is not a novel. It is not the Mormon version of Robert M. Pirsig's *Zen and the Art of Motorcycle Maintenance*—which may have been a variation on John Steinbeck's *Travels with Charley*—but one can nevertheless find an echo of the careful wordsmith in each.

In this disparate collection of essays (some previously published), Adam Miller at times virtually sings Walt Whitman's body electric, though mostly eschewing the scat element of his recent interpretation of the Four Noble Truths of Buddhism.¹

1. Adam S. Miller, "Sitting, Full of ****," *Speculative Non-Buddhism*, 28 July 2012, online at <http://speculativenonbuddhism.com>. In his book, Miller

At other times, he is the virtual alter ego of Baba Ram Dass (Richard Alpert)² or of George Carlin³ through his equally wry and liquid observations on the human comedy. He even seems to follow both George Handley and Jerzy Kosinski on “Being There.” As Handley said, “The body is the cup in which to drink the world.”⁴ Miller allows us to accompany him, as it were, on his voyage of discovery in *Das fliegende Boot*, even invoking Wallace Stegner along with Handley:

If the body is a river, then the soul is a watershed. Like a shirt pulled off over your head, this thesis leaves the soul inside-out and exposed. You thought your soul was a kernel of atomic interiority, your most secret part—but as you stand there, shirt in hand, everyone can see your navel. (p. 50)

Through it all, Miller laughs uproariously and with happy self-deprecation at the entire theological enterprise, even if he at times adopts a moralistic pose and comes up with some darn good scriptural interpretations—maybe even a new hermeneutic. This is a guy you would do well to have lunch with—if you enjoy earnest quips with your burger and fries (animal style) or with your egg foo yung (with mushroom sauce). You pick up the tab. It would be worth it! “The more ordinary the stuff, the

actually cites Philip Kapleau, *The Three Pillars of Zen* (New York: Doubleday, 1989), and Chögyam Trungpa Rinpoche, *Cutting Through Spiritual Materialism* (Boston: Shambhala, 2002), two brilliant exponents of Buddhism. He also recognizes the “sacred syllable OM” as a “subtext” of theology (Miller, *Rube Goldberg Machines*, 1).

2. Ram Dass, *Be Here Now* (San Cristobal, NM: Lama Foundation, 1971; repr., Santa Fe, NM: Hanuman Foundation, 1977), especially section 2, which is a free-form collection of metaphysical, spiritual, and religious aphorisms.

3. George Carlin, *When Will Jesus Bring the Pork Chops?* (New York: Hyperion, 2005).

4. Miller, *Rube Goldberg Machines*, 52, citing George B. Handley, *Home Waters: A Year of Recompenses on the Provo River* (Salt Lake City: University of Utah Press, 2010), 38; see Jerzy Kosinski, *Being There* (New York: Harcourt Brace Jovanovich, 1970–71; repr., New York: Grove Press, 1999), a biting satire on American media culture—which, not incidentally, was plagiarized from a Polish novel of the 1920s, *The Career of Nikodem Dyzma* by Tadeusz Dolega-Mostowicz.

more material the objects, the sturdier their composition, the better for theology. You can't build a working machine if you rely too much on supernatural ephemera" (p. xiv).

Miller likes to "get down" and deal with the nitty gritty, even if there is a useless, Rube Goldberg quality to the odd and often intangible results. As a Bengali monk (Swami Chetanananda of Saint Louis) once explained it to me, "A path is not a home," suggesting that the journey which never ends contains within itself the meaning for which we desperately seek, but which we seldom find. Miller does not sit at home. Yet neither does he simply take the path. He *hits the road!* "Good theologians need two skills above all others: they must be shameless packrats and they must be imaginative tinkerers" (p. xiv).

Miller thinks outside the box. If you are seeking a paradigm shift, he just might have one for you—as long as you are willing to engage his sometimes unorthodox ways of finding an untrodden path to verisimilitude. Miller can, however, be as serious as well as a laughing bodhisattva, which one can discern in his 2005 interview of Gregory Baum.⁵ As Miller himself says, "non-sequential thinking . . . is a kind of attention that foregrounds an awareness of the present moment as unconditionally present" (p. 9).

For he does take issue with the "explicit valorization of grace" as part of "a strongly sequential . . . theology" enunciated, for example, by Stephen Robinson, because it fails to see that "grace is the unconditional fullness of the present moment."⁶

If we do not find some way to lay down the burden that is our pride and vanity, then our names will not be found in the Lamb's book of life. If we do not choose

5. Adam S. Miller, "An Interview with Gregory Baum: 'Faith, Community, & Liberation,'" *Journal of Philosophy & Scripture* 2/2 (2005): 23–30, online at <http://www.philosophyandscripture.org/Issue2-2/Baum/Baum.pdf>.

6. Miller, *Rube Goldberg Machines*, 8–9, citing Stephen E. Robinson, *Believing Christ: The Parable of the Bicycle and Other Good News* (Salt Lake City: Deseret Book, 1992), 30–34.

to wear out our lives in the service of God and in the service of others, then our names will not be found elsewhere. (p. 45)

The root of every sin: the vanity of pride. (p. 113, citing Ezra Taft Benson)

Anachrony

His musings on the historicity of the Book of Mormon are particularly pointed and focus on the anachronism of it, even leading him to revel in the anachronicity of messianism itself:

The brute material incongruity of an object's continuing subsistence stares back at us in a way that calls into question the hegemony of the present moment. . . . While the universal historian, bent on progress and causally myopic, is only able to look *through* objects, the collector [Mormon] is able to look *at* them and stay with them. (p. 31)

What has always mattered most is that *there is* such a book. Joseph had transcendent visions and midnight visits from angels, but his experiences also produced this brute material thing and its sheer material incongruity is, of itself, incontrovertible. (p. 32)

Nothing is more disconcerting to the historically attuned reader than to find Hebrew prophets predicting with great precision the details of Jesus' life and ministry—except, perhaps, the ways that the Book of Mormon so profoundly and unabashedly employs the theological vocabulary and addresses the religious aporias of nineteenth century rural America. (pp. 33–34)⁷

7. Miller, *Rube Goldberg Machines*, 33–34, citing Charles Harrell, “*This Is My Doctrine*”: *The Development of Mormon Theology* (Salt Lake City: Kofford Books, 2012).

Miller is not the first to have commented upon the disconcertingly strong and anachronistic “pre-advent Christian message” of the Book of Mormon, which “is manifest both in terms of the details it gives about future events in the life of Christ and in terms of the highly developed Christian vocabulary its sermons use.”⁸ His appeal to the “anachrony” of messianism to explain this problem, however, misses two important points: (1) Jewish scholars have already noted the strongly messianic interpretation of the Suffering Servant of Second Isaiah at Qumran,⁹ and (2) the “highly developed” Christian terminology we are all familiar with is largely derived from a 1611 King James Version of the Bible, which was in turn dependent upon the previous translations of Tyndale and Wycliffe.¹⁰ The KJV translation committees, heavily dependent upon this already extant tradition, also employed very different languages: Hebrew for the Old Testament, and Greek for the New Testament. No attempt was made to correlate the parallel, equivalent terms used in both testaments. So the very different English terminology of the two testaments has now been given absolute status by those who know nothing of the languages and of the entirely Jewish tradition from which all New Testament terms were derived. This has led those who do not know any better to speak loosely of the “Christianizing of the Old Testament,”¹¹ which is utter nonsense.

8. Miller, *Rube Goldberg Machines*, 21.

9. Israel Knohl, *The Messiah before Jesus: The Suffering Servant of the Dead Sea Scrolls* (Berkeley: University of California Press, 2000); Michael O. Wise, *The First Messiah: Investigating the Savior Before Christ* (San Francisco: HarperOne, 1999); cf. Claude G. Montefiore, *Rabbinic Literature and Gospel Teachings* (New York: Macmillan, 1930; repr., New York: Ktav, 1970); Claude G. Montefiore, “What a Jew Thinks about Jesus,” *Hibbert Journal* 33/4 (1935): 511–20.

10. Brian Moynahan, *God’s Bestseller: William Tyndale, Thomas More, and the Writing of the English Bible—A Story of Martyrdom and Betrayal* (New York: St. Martin’s Press, 2003); Jon Nielson and Royal Skousen, “How Much of the King James Bible Is William Tyndale’s? An Estimation Based on Sampling,” *Reformation* 3 (1998): 49–74.

11. Melodie Moench Charles, “The Mormon Christianizing of the Old Testament,” *Sunstone* 5/6 (1980): 35–39, with a response from Lowell Bennion on p. 40; reprinted in *The Word of God: Essays on Mormon Scripture*, ed. Dan

Pure Testimony

Aside from that short trek some distance off the true path, Miller seeks to put first things first (the Atonement) and to puncture some of our most closely held assumptions about the nature of a testimony and of Moroni's promise (Moroni 10:3–5): “Who would be more horrified by the idea of people having a testimony of the Book of Mormon than Mormon?” (p. 65).

Channeling the constant *talib* within him, Miller completely eschews any “testimony grounded in signs” since it “is the perpetual temptation of religion” to “want ‘a form of godliness’ while ‘denying the power thereof’ (2 Tim. 3:5).”¹² Thus, real testimonies do not describe the world as it is, but rather cause us “to surrender [*islam*] our lives to the impossible possibilities [God] offers.”¹³ “Testimonies are essential because they reveal, in light of the Atonement, how things *can* be” (p. 68). And, despite the anachrony, Miller does have a powerful testimony:

Mormonism has . . . been marrow to my bones, joy to my heart, light to my eyes, music to my ears, and life to my whole being. Thus lit up, I woke to find Jesus leaning over me, smiling wide, with the Book of Mormon snapped like smelling salts beneath my nose. (p. 126, citing Parley P. Pratt)

Egoistic Search for Novelty

Miller understands quite well that “life is all nickels and dimes,”¹⁴ that there is not much novelty in “enduring to the

Vogel (Salt Lake City: Signature Books, 1990), 131–42, but with the Bennion response removed. Reviewed by Kevin Christensen in *FARMS Review* 16/2 (2004): 59–90, online at <http://maxwellinstitute.byu.edu/publications/review/?vol=16&num=2&id=547>.

12. Miller, *Rube Goldberg Machines*, 65.

13. Miller, *Rube Goldberg Machines*, 71.

14. Miller, *Rube Goldberg Machines*, 122.

end,” and that “shucked bare of hope for something else, [one] is able to invert the nihilism of life’s repetition into compassion only after its rough-edged iteration has worn his heart smooth.”¹⁵ “Novelty is a red herring: the last refuge of that dream that is your ego (pp. 121, 124). Moreover, “Writing is an ascetic discipline. It pares us down” (p. 99).

This is merely the barest of hints as to the deep value of Miller’s meditations. Had he known that this fine and provocative collection would be forthcoming, Eugene England would have waited around a bit longer. . . . As it is, Gene will be waiting (along with Brother Joseph) to give Miller a big hug on the other side.

הנה מזה טוב ומה נעים שבת אחים גם יחד

“How nice it is to sit together with brothers!”

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15. Miller, *Rube Goldberg Machines*, 123.

A NOTE ON FAMILY STRUCTURE IN MOSIAH 2:5

Stephen D. Ricks

MOSIAH 2:5 provides the reader of the Book of Mormon with new insights about Israelite-Nephite family structure. In a passage set during what John A. Tvedtnes has persuasively argued is the Feast of Tabernacles,¹ we read: “And it came to pass that when they came up to the temple, they pitched their tents round about, every man according to his family, consisting of his wife, and his sons, and his daughters, and their sons and their daughters, from the eldest down to the youngest.”

The word “family” (understood in Modern English as a nuclear, two-generational arrangement—parents and children) is used here as a multigenerational structure—parents, children, grandchildren—and may be the equivalent of the biblical Hebrew word *bet-av/bet-ab*, “(extended) family.” But as Francis Andersen observes, “Since the scope of *bet-ab* is nowhere defined, its limits and typical size are not known.”² Still, Andersen notes that “the commonly accepted opinion is that it was an extended family, composed of all living persons, except married females, descended from a person still living, including the female slaves.”³ The “(extended) family” (*bet-av*) is

1 John A. Tvedtnes, “King Benjamin and the Feast of Tabernacles,” in *By Study and Also by Faith*, ed. John M. Lundquist and Stephen D. Ricks (Salt Lake City: Deseret Book and FARMS, 1988), 2:197-237.

2 Francis Andersen, “Israelite Kinship Terminology and Social Structure,” *The Bible Translator* 20/1 (January 1969), 36-37.

3 Andersen, “Israelite Kinship Terminology,” 29-34.

thus multigenerational and includes all the living descendants of parents, possibly to the third or fourth generation.⁴

Whereas the modern Hebrew word *mishpachah* is translated in modern English as “family” and understood as a nuclear (two-generation) family, the biblical Hebrew *mishpachah* is to be understood as a multigenerational (possibly six-generation) family group, a “clan” or “phratry” that is even larger than the *bet-av* and was a subgroup of the tribe (Heb. *shebet*).⁵ The possessive adjective “their” in the phrase “their sons and their daughters” in Mosiah 2:5 may as easily refer to the sons and daughters of the sons and not of the offspring of the daughters since “a married woman joined her husband’s *bet-ab*.”⁶

To recapitulate, the idea of a nuclear, two-generation family is modern (in both English and Hebrew); the Israelite-Nephite family is multi-generational and indicated in Hebrew by *bet-av*, while the biblical Hebrew *mishpachah* is a six-generation “clan” or “phratry” and a subunit of the tribe (*shebet*).

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4 Cf. Karl Elliger, “Das Gesetz Leviticus 18,” *Zeitschrift für die alttestamentliche Wissenschaft* 67 (1955): 9; cf. Helmer Ringgren, “abh,” in ed. Johannes Botterweck and Helmer Ringgren, *Theological Dictionary of the Old Testament*, tr. John T. Willis (Grand Rapids, MI: Eerdmans, 1975), 1:9.

5 Andersen, “Israelite Kinship Terminology,” 29-34; cf. Hans-Jürgen Zobel, “mispahah,” in ed. Johannes Botterweck, Helmer Ringgren, and Heinz-Josef Fabry, *Theological Dictionary of the Old Testament*, tr. David Green (Grand Rapids, MI: Eerdmans, 1998), 9:80-83; and Zobel, “sebet,” in *Theological Dictionary of the Old Testament*, tr. Douglas Stott, 14:306-8.

6 Andersen, “Israelite Kinship Terminology,” 37.

MULTIPLE REFORMATIONS AND A DEEPLY DIVIDED HOUSE

Louis C. Midgley

Review of Diarmaid MacCulloch. *The Reformation*. New York: Viking Penguin, 2004. xxvii + 832 pp. with appendix of texts and index. \$35.95 (hardcover). \$22.00 (paperback).

IN this fine book, Diarmaid MacCulloch provides a learned, clear, richly detailed, and even encyclopedic account of “many different Reformations” (p. xix), not merely a story of what happened when Martin Luther (1483–1546) complained about indulgences and other manifestations of corruption in the Latin portion of Catholic Christianity. MacCulloch deftly uncovers signs of what Paul Tillich liked to describe as a Catholic substance and a Protestant principle at work in Western (Latin) Christianity. The conflicting forces representing these competing principles tore Europe apart during what is often called early modern European history. MacCulloch describes in rich detail what was at work in both Protestantism, in all its enormous diversity, and in the Roman Catholic Church, with its *magisterium* (official teaching office). His complex, subtle, multilayered account challenges the overly simple, naive notions of heroic reformers like Luther, Zwingli, and Calvin doing battle with demonic forces centered in Rome.

MacCulloch demonstrates that the Latin—as opposed to the Greek (or Orthodox)—version of the Catholic faith was profoundly riven by differences and hence ripe for reform or at least revival prior to Luther’s fateful actions at Wittenberg in 1517. This portion of the book sets the stage and fleshes

out MacCulloch's insistence on "multiple Reformations" (p. xix), though this is not apparent in the title of his book. *The Reformation* was initially published in England in 2003 under the title *Reformation: Europe's House Divided, 1490–1700*, which is a somewhat better title than the one used in the book's American release.

The complicated network of stories MacCulloch tells are enlightening, challenging, and also depressing since he sets out evidence of moral laxity and sheer depravity often masked by pious platitudes. He describes the endeavors of both individuals and movements seeking at first to recreate (or preserve) an "authentic Catholic Christianity" in Western Europe. His clear account embraces the factional, political, and ecclesiastical as well as the more strictly personal and theological/ideological elements found in "both Protestantism and the religious movements commonly known as Tridentine Catholicism, the Catholic Reformation or Counter-Reformation: the revitalized part of the old Church which remained loyal to the Pope" (p. xix). He sets out the subtle complexities of these events. He also introduces various popes, scholars, churchmen, and important regal figures such as Henry VIII (1491–1547), Philipp of Hesse (1504–1567), and of course, Martin Luther, Huldreich Zwingli (1484–1531), and John Calvin (1505–1564), who were all leagued with a swarm of quarreling theologians, scholars, and churchmen. Instead of merely psychological or strictly economic explanations, MacCulloch focuses on ideas. The result is a remarkably detailed, complex history that is initially chronological, especially in the first two parts, entitled "A Common Culture" (pp. 3–313) and "Europe Divided: 1570–1619" (pp. 317–545). In the final part, "Patterns of Life" (pp. 549–708), chronology is less prominent.

In addition to recounting the power-seeking and sometimes divisive and demonic side of the Protestant Reformation, MacCulloch illuminates the Catholic response to the rise of

Protestantism and corrects stereotypes. He also effectively demythologizes various reformations that began in the wake of humanism, the Hussite controversy, and the terrifying march of the Ottoman Empire into Europe. Islam was a distant Other even during the Crusades, but now it seemed on the doorstep. Despite the victory on Malta of the Knights of St. John against an enormous Ottoman invasion fleet and powerful army (see p. 54), Latin Europe was terrified by Islam at arms. To some the Turkish threat seemed a curse brought on by ecclesiastical corruption and lack of proper fidelity to God. Others may have seen the Ottoman threat as a sign of the end times and hence were anxious for whatever changes might take place. These sorts of contexts are part of the larger story, just as are movable type, printing presses, and increasing literacy, all of which made direct access to the Bible possible for people other than clergy and especially beyond the control of even the Protestant clergy.

Once the questioning began, the field was open to alternative interpretations. This yielded quarrels over such matters as infant baptism and transubstantiation. The passions and piety of both Catholics and Protestants were such that they were armed and eager to do battle over such issues. Internecine quarreling among Protestants is still the norm, except that supposed heretics are no longer imprisoned or killed. The grim details about these struggles reveal human beings at their worst. The urge to reform or conserve yielded constant examples of human depravity and brutality, such as the cruel Thirty Years' War, which ravaged German-speaking lands between 1618 and 1648.

Previous Protestant accounts of the Reformation tended to picture it as a complex and momentous event in the history of Christian piety that returned the corrupt and inept church to the more pristine theology of St. Augustine (354–430). The magisterial reformers were seen as challenging a monolithic

and corrupt Roman Catholicism over such crucial issues as faith and works, the sale of indulgences, the soundness of veneration and praying to Mary and departed saints, the authority and the role of the priests, the understanding of the Eucharist, and the use of the Bible as the primary if not entirely exclusive source in matters of faith. In his wide-ranging, richly layered study, MacCulloch challenges or qualifies older interpretations by arguing, for example, that Catholic Christianity was less centralized until it had to combat Protestants and also that there were many reformations, including the Roman Catholic Counter-Reformation. He describes, in addition to the Protestant reformers, a host of large and small reform movements in central, northern, and southern Europe. He also examines the role of hereditary privilege and power regarding those caught in the political squabbles in virtually all of these church reform efforts. His is also a compelling account of broad cultural currents forming the background and contour of the massive upheavals that for more than two tumultuous centuries tore Europe apart. The Reformation moved swiftly to what MacCulloch calls the Atlantic Isles (Great Britain or the United Kingdom) and then to America and elsewhere. The results of this initial spread of the Protestant Reformation eventually dwindled and then rapidly declined, especially in Europe, but also increasingly flourished in parts of the world not dominated by some version of Islam.

MacCulloch argues that these events were an outgrowth of movable type and vernacular Bibles and, with the help of less-than-honorably motivated kings and princes, resulted in the survival of something Luther accidentally began and then could not control. The subsequent spread of Protestantism involved political intrigue and intolerance on a massive scale. Fear and hatred were bonded to a lust for persecution of those with differing opinions. When there was a place of refuge like Rhode Island, where Roger Williams was located (see pp. 537–

42 for details), tolerance was embraced as a virtue. The long and depressing story of intolerance in the name of God should be of special interest to Latter-day Saints.

Though raised as an earnest Anglican, MacCulloch is no longer a believer, a fact evident in his rather cynical approach to matters of faith. This shift in his sentiments, he claims, makes him unbiased and thus better able to tell the truth about a history that both fascinates and disgusts him (see his carefully worded statement on p. xxv). From my perspective, he does not sufficiently appreciate that one cannot approach the past without a network of formal and informal prior understandings, assumptions, and preferences. All historians unavoidably tell a story informed and shaped by their own hopes, fears, and biases; there are no neutral historians or neutral histories. MacCulloch's own ideological preferences and passions are hinted at in his excellent introduction (pp. xix–xxv). Replacing MacCulloch's previous Anglican affections is a cynical approach to his subject matter (see p. xxv). Even so, his book is remarkably comprehensive, nicely written, and in some ways encyclopedic.

I highly recommend *The Reformation* to Latter-day Saint and other readers interested, as I think they should be, in the momentous addition to Christianity accidentally begun by Luther in 1517.

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PROTESTANT ECCLESIASTICAL ANARCHY AND DOGMATIC DIVERSITY

Louis C. Midgley

Review of Mark A. Noll. *Protestantism: A Very Short Introduction*, New York: Oxford University Press, 2011. xvi + 161 pp., with bibliography of further reading, glossary, index. \$11.95 (paperback).

MARK Noll's *Protestantism* is a brief, interesting, and useful account of a religious movement that began with the remonstrance of a contentious German monk who, much like others in the Latin Catholic Church before and after him, called for reform. On 31 October 1517 in the small town of Wittenberg in Saxony, Martin Luther (1483–1546) certainly did not plan on founding a new church. His was merely a “local protest” (p. 10). Among other things, Luther complained about the sale of indulgences, which were believed to ease the pain of those presumably undergoing a necessary postmortem purging. This tiny event eventually led to a radical division of Western (Latin) Christianity into Protestantism and the Roman Catholic Church.

In describing what he considers “Protestant and Protestant-like churches” (p. 89), Noll asserts that “the Church of Jesus Christ of Latter-day Saints (or Mormons) represented an American creation further from traditional Protestant norms” than the Alexander Campbell/Burton Stone movement that eventually yielded the Disciples of Christ and other sects (p. 62). “The Book of Mormon that its prophet, Joseph Smith, promulgated as an extension of biblical revelation became the

foundation of first a new civilization in the western American desert of Utah and then the stimulus for a new church that has spread around the world” (p. 62). First a civilization and only then a church? Could Noll, one wonders, be unaware that the Saints, beginning with Joseph Smith, have never seen their faith as Protestant but rather as a divinely revealed replacement for all flawed Christianities, including those generated by the Protestant Reformation?

Enormous diversity is the dominant theme of this fine, richly illustrated introduction to Protestant religiosity. Noll begins his story with the word “diversity” (p. 2 heading) to explain the current Protestant movement and uses the word often (pp. 115, 125, 133, 136, 139). Diversity takes a strange form when he describes the stunning recent emergence of Christian faiths in sub-Saharan Africa. Noll describes African Christian leaders as deeply involved in “healing and prophetic gifts” (p. 98) that are not limited to the bland “sign-gifts” (p. 91) commonly found in holiness and pentecostal forms of Christian piety. For example, we learn that “while in prison” in Liberia in 1910, William Wadé Harris was “visited by the Angel Gabriel” in what was “later described alternatively as a vision and a palpable revelation” (p. 99). Harris’s fervent preaching, according to Noll, drew thousands who were organized “locally around the twelve apostles he regularly appointed” (p. 99). Harris “tolerated polygamy,” much to the annoyance of missionary-led Catholic and traditional Protestant congregations who benefitted considerably from his evangelism (p. 101).

Noll elsewhere indirectly stresses the theme of diversity (e.g., pp. 5–6, 9, 21, 37–39, 43, 63, 89, 95–102). For example, although the “magisterial reformers”¹ were concerned about salvation right from the beginning, the “ever-present internal

¹The term refers to the mainline Protestant reformers such as Luther, Zwingli, and Calvin who, in contrast to the “radical reformers,” allied themselves with

conflicts” within the movement generated “an immense range of variations among Protestants in fleshing out this general picture of salvation” (p. 5). Despite this great variety of beliefs and practices, Noll assures his readers, “it is still possible to speak, in admittedly very general terms, about a common Protestant history” (p. 6). Today’s “sheer multiplicity of Protestant and Protestant-like denominations”—more than 38,000, we are told—makes it “challenging to write a coherent history,” Noll concedes (p. 9).

Some of the distinctive terminology generated rather accidentally by Luther’s actions is explained. For example, it was Landgraf Philipp of Hesse (a secular/political figure who adopted Luther’s teachings and organized like-minded German princes) who used the word “protest” in 1529 at an imperial diet in Speyer, Germany (p. 19), thus giving us the labels “Protestant” and “Protestantism.” Luther’s side of the Reformation took the name “evangelical” (p. 19), while John Calvin’s side became known as “reformed.” (Current use of the label “evangelical” has nothing to do with the name of Lutheran churches.)

Noll refers to two dynamic processes—the tendency of Protestants to “change inherited doctrines in accord with intellectual norms from the Enlightenment” (p. 43) and “Protestant disunity” (p. 21)—that fragmented the Protestant world (p. 58). He employs the word “fragmentation” to describe the anarchy of this diverse, ever-shifting movement. The stark dependence of Protestant ecclesiastical authorities on princes, kings, and other civil authorities is also noted. Noll emphasizes that because Protestant leaders tend to be self-selected (p. 7), Protestantism lacks anything approaching a “magisterium” (authorized teaching authority) and for a very long time was intolerant of competing opinion and the common use of the

secular authority (princes, city councils, magistrates) in pursuit of a reformed Christendom.

sword and fire not only in war but also in beheading and burning heretics at the stake (pp. 1, 3, 33), an ugly side of the Reformation. The profound impact of the acids of modernity on Protestant beliefs and piety is also treated (pp. 65–66, 57, 125). Noll tells the story of the famous Azusa Street revival in 1906 in Los Angeles (pp. 90–91, 133) that, at least in part, led to the dramatic rise of the Pentecostal movement in America and the subsequent stunning growth in that variety of the Protestant movement, especially in the so-called Global South (Southern Hemisphere). The best estimates indicate that some six hundred million people are involved in the Pentecostal/Charismatic movement today. Perhaps even more stunning is the emergence of an essentially indigenous Protestant-style faith in China, now numbering somewhere between eighty to one hundred million adherents.

The recent rise of megachurches (congregations entirely independent of denominational supervision) and parachurch organizations receives mention as well as the rather distressing story of the rapid decline of Protestantism in Europe (p. 8), in contrast to the dramatic rise of Protestant-style religiosity in such places as Latin America, Africa, and China.

For those seeking to better understand American Protestant theology, Noll provides a fine account of the emergence of the Fundamentalist response to Protestant liberalism, which had gained a major foothold in the once-dominant mainline denominations (pp. 112–13). He argues that “divisive strife as much as unifying tranquility has marked the 20th-century history of American Protestantism” with “fundamentalists generating publicity” by objecting to Christian teaching modified by fashionable new moral sentiments and “modern learning” (p. 112). Noll unfortunately neglects to explain the 1942 creation of the National Association of Evangelicals and how shortly afterward Billy Graham, with his wealthy friends

and sympathetic followers, marginalized fundamentalism by setting evangelicalism in its place.

Noll correctly maintains that Protestantism is “overlaid with a multitude of doctrinal differences, differing musical forms, differing political attitudes, and huge differences in wealth and kinds of social power” (p. 136). With the Bible providing a shared “point of convergence,” the movement’s “multiple traditions for interpreting that text, multiple authorities proclaiming the text, and multiple contexts in which the text is appropriated create a loose field of experiences and truth claims rather than anything coherent” (p. 136).

Protestantism is a fine, broadly instructive book that will benefit many, including Latter-day Saints seeking to better understand a movement that has generated much of the sectarian opposition to their faith.

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PETER'S TEARS

Steven L. Olsen

Abstract: Peter's denial of Christ is one of only about two dozen events reported in all four gospels. Three of the accounts conclude by Peter's weeping. This paper examines the antecedents, possible motivations, and long-term consequences of this crisis in Peter's life as recorded in the scriptural text and considers its application for all disciples of the Savior.

OF the hundreds of individual incidents reported in the four gospels, Peter's denial of Christ is one of only about two dozen included in all four gospels and the one event by which Peter is perhaps best known by the Christian world generally. Three of the gospel writers conclude their accounts of this tragedy with Peter's weeping; Matthew and Luke add that on this occasion Peter wept "bitterly."¹ A review of this crisis in Peter's life sheds light on what caused this "rock" (Mark 3:16) to shed tears so freely and poignantly at the end of the Savior's mortal life. Peter's experience also provides insight into our own human struggles to "come unto Christ, and be perfected in him" (Moroni 10:32).

The immediate series of events that culminates in Peter's weeping begins at the Mount of Olives, where Jesus and the apostles retire after the Last Supper. In this sacred refuge, Christ informs his most trusted and loyal disciples, "All ye shall be

¹ Matthew 26:69-75; Mark 14:66-72; Luke 22:55-62; John 18:15-18, 25-27. LDS Bible Dictionary, s.v. "Gospels, Harmony of."

offended because of me this night,” prefiguring his crucifixion. He also prophesies of his eventual resurrection, promising that he will “go before” his apostles into Galilee. In response, Peter insists that while others might abandon the Master, he would not. Christ counters with the famous prophecy and mild rebuke, “Verily I say unto thee, that this night, before the cock crow, thou shalt deny me thrice.” Peter persists in his declaration of loyalty, now joined by the other apostles, to which Christ simply, and knowingly, demurs (Matthew 26:31-35).

Following this exchange, the Savior and his apostles walk to the Garden of Gethsemane, where Christ’s atoning sacrifice begins. His suffering continues throughout the night, during which he endures a series of judicial proceedings and public humiliations culminating with his crucifixion on Golgotha. It is during his trial at the palace of Caiaphas, the high priest, that Christ’s earlier forebodings come to pass regarding Peter and the other disciples.

Accompanying Caiaphas in this act of judgment are the scribes and elders, “and all the council,” the formal juridical authority of the Jews at Jerusalem. Matthew’s account of the trial has a singular concern: to challenge the validity of the council’s proceedings. He indicts the council on the legitimacy of the witnesses they call to testify against Jesus. Specifically, Matthew states that the council “sought false witnesses against Jesus, to put him to death; but found none: yea, though many false witnesses came, yet found they none.” There is biting double irony in this observation: not only does the council fail to find any *true* witnesses against the Savior, they cannot, at least initially, find any *false* ones either. This absurdity is so astounding that Matthew repeats the fact in order to underscore the trial’s illegitimacy. Finally, however, “two false witnesses” come forward and provide a statement which Caiaphas uses to condemn Jesus. This judgment prompts the council to sentence Jesus to death. Imposition of the sentence begins with

his receiving public scorn by way of spitting and flogging and culminates in his crucifixion, a horrible and humiliating form of death reserved for the worst criminals (Matthew 26:57-68).

During the trial, which Peter watches from a distance, he is approached three times regarding his acquaintance with Jesus: (1) by a “damsel” as he “sat without in the palace,” (2) by a “maid” after he retreats to the porch of the palace, and (3) by a group “that stood by,” who claim that Peter’s speech betrays his likely acquaintance with Jesus. Peter denies all three accusations, each more emphatically than the previous. According to Matthew, “immediately” after Peter’s third and most adamant denial “the cock crew.” Matthew’s account concludes: “And Peter remembered the word of Jesus, which said unto him, before the cock crow, thou shalt deny me thrice. And he went out and wept bitterly” (Matthew 26:69-75).

Passionate weeping of this kind often has multiple causes, and frequently the biblical narrative can be understood simultaneously on more than one level. So, it should be no surprise that there could have been a number of reasons for Peter’s bitter tears.

The most immediate reason for Peter’s weeping may have resulted from his denial of Christ, not once but three times. It should be noted that Peter did not deny Christ’s divinity, only his acquaintance with him. Being “offended because of” his master was completely inconsistent with Peter’s customary character. Throughout Christ’s ministry, Peter had been one of his most loyal and intimate followers, receiving and bearing witness of his divinity on numerous occasions and being present for most of his teachings, miracles, and acts of service. Hence his sorrow may have been motivated partly by the profound disappointment he felt for his uncharacteristic behavior on this occasion.

A related reason for Peter’s tears may have been regret for having earlier contradicted his Lord. Christ’s statement to

Peter, “Thou shalt deny me,” came because Peter had objected to Christ’s observation that he and the other disciples would “be offended because of” him during his trial and its immediate aftermath. Though impetuous, Peter was not in the habit of contradicting his Master. He loved Jesus as few other mortals and was ever the loyal disciple. On this occasion, however, he expresses his loyalty in a way that reveals a degree of disrespect for Christ’s prophetic powers. Peter’s grief likely included total contrition for this excess.

A third possible reason for Peter’s tears is the realization that he had inadvertently fulfilled Christ’s prophecy that his disciples would soon “be offended because of” him. In order to avoid his accusers during the trial at Caiaphas’s palace, Peter gradually retreats from Jesus’s company and eventually flees the scene altogether. Earlier that night, Christ had two other occasions to chasten Peter for his lapses in courage and character. In the Garden of Gethsemane, Christ entrusts Peter, James, and John to watch with him during his suffering. Instead of keeping watch, they fall asleep, not once but twice, “for their eyes were heavy” (Matthew 26:37-44). Next, upon Christ’s arrest Peter attacks and “smote off [the] ear” of a servant of Caiaphas who had accompanied the arresting party. While healing the injury, Christ reminds Peter and the other disciples that the Son of God is in full control of the situation and that nothing would be done contrary to the will of His Father (Matthew 26:47-56). Thus on three successive occasions within a few hours of one another at the time of the Savior’s greatest need, Peter occasions a rebuke from his Master, whom he loves more than life itself. In all cases, Peter comes up short, consistently disappointing his Master. Realizing his persistent weakness may have added bitterness to Peter’s tears.

A fourth motivation for his sorrow could have come from the dilemma that Peter faces by accompanying Jesus to Caiaphas’s palace. When Peter is repeatedly accused of being

Christ's disciple, he perjures himself with the resulting denials. In actual fact, he was one of Jesus's earliest and most loyal, ardent, and intimate disciples. During the Savior's three-year ministry, Peter is hardly ever far from his side. He knows him and can testify of his divinity as well as any other mortal (Matthew 16:13-19). But had Peter not perjured himself in casual conversation during Jesus's trial, he would likely have been brought before the council as a true witness. Then his testimony would have had not just mortal but eternal consequences. To the council's pointed inquiry, Peter would have had either to deny Christ's divine son-ship and messianic ministry, thereby perhaps committing the unpardonable sin, or to provide the council with reliable evidence to condemn Jesus in accordance with Jewish law. For Peter, these two options are completely untenable, so he may have knowingly chosen the least of the evils and declared simply, "I do not know the man" (Matthew 26:72, 74). The bitterness of his tears during the aftermath may have expressed (1) justifiable anger at Caiaphas and the council for condemning an innocent man, (2) frustration at his inability to rescue his Lord from unjust and illegal proceedings and the certainty of an ignominious death, and (3) the realization that he would now be without the constant companionship of his beloved Lord for the rest of his mortal life.

Peter has several reasons to weep bitterly at the conclusion of Christ's trial, but all of them reflect a total commitment to the Son of God, to whom he had pledged complete loyalty, in spite of his human weakness and imperfection.

Peter learns much from these poignant experiences because throughout the rest of his ministry he never has to re-learn the lessons. For example, he likely realizes that his most admirable human qualities are no match for Christ's divine qualities. Gifts of the Spirit like prophecy are far more powerful for eternal purposes than human virtues like loyalty and courage.

So, while Peter's character may have been worthy of emulation, the Savior's spiritual capacities are of far greater value.

Peter also recognizes that his weakness in watching over, accompanying, and caring for his Lord in his hour of torment needs to be transformed into a virtue. Following his resurrection Jesus will no longer be constantly in their midst. Hence Peter and the other apostles will have to nurture the Saints as the Savior had done. Despite their human shortcomings, he and the other apostles have been ordained to the ministry. As they minister tirelessly to meet the needs of others and to establish the Kingdom of God, they are also expected to overcome the weaknesses that formerly limited their service. Doing so is not possible without considerable effort on their part as well as the blessings of their priesthood ordination and the influence of the Comforter, whom Christ promises to send in his absence (John 14:16, 26; 15:26; 16:7).

Peter also comes to understand that Christ would not be present to compensate for his unbridled passions (Alma 38:12). Thus Peter must overcome his human excesses or suffer their inevitable consequences. In relation to his attack on Caiaphas's servant, for example, Peter comes to understand that force is not the way to minister the gospel, establish the Kingdom of God, or change lives for the better. At the very time that Peter sorrows for his persistent imperfections, Christ is providing the way through the atonement for him and the rest of mankind to overcome their natural inclinations and the temptations of the flesh.

Most importantly, Peter learns that his relationship with the Savior is the most important thing in his life and that this relationship – established by revelation, nurtured by spiritual experiences, confirmed by priesthood ordination, and preserved by covenant – transcends all of Peter's human weaknesses and failings. As Jesus promised, he does "go before" his disciples and helps them accomplish everything that he charged

them to do, including overcoming the world. To be sure, Peter's shortcomings are a factor in the success of this undertaking, but neither Peter nor Christ intends to define their relationship in terms of them. These men have more important things to do than simply manage Peter's weaknesses. They both know that Peter's imperfections will be overcome in the course of magnifying his divine commission.

Peter's subsequent ministry is as exemplary as that of any other disciple of Christ. He is among the first to bear personal witness of Christ's resurrection (Luke 24:12, 34; John 20:2-10). He embraces Christ's repeated charge, "feed my sheep" (John 21:15-17). He bears the first public witness of Christ's divine ministry and performs the first public miracle by the power of his apostolic authority (Acts 2:14-27; 3:1-7). He successfully challenges the "men of Israel" to accept Christ as their savior and to be baptized (Acts 3:12-26). He testifies of Christ before Caiaphas, other Jewish leaders, and their families and respectfully declines their stern injunction to be silent about Jesus's divinity (Acts 4:5-21). He purifies the Church of those who attempt to pervert its revealed practices (Acts 5:1-11). He is twice miraculously freed by an angel from unjust imprisonment (Acts 5:17-23; 12:1-11). He preaches the gospel and testifies of Christ throughout the Holy Land (Acts 5:14-25). He heals Aeneas and raises Dorcas from the dead (Acts 9:32-43). And he introduces the gospel to the Gentiles in accordance with a divine vision (Acts 10:9-48). On none of these occasions does Peter exhibit the kinds of human weakness that characterized his behavior on the day that Christ died. This is not to say that he never again makes a mistake; but these experiences reveal the transforming capacity of the gospel of Jesus Christ, the Holy Spirit, priesthood blessings, and righteous influences for all those who desire to achieve their divine potential. As Peter comes unto Christ he discovers his weakness (Ether 12:27). Through Peter's persistence and the grace of God, his

weakness is transformed until he exemplifies the qualities of a true witness and disciple of the Savior.

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WRITTEN TO THE LAMANITES: UNDERSTANDING THE BOOK OF MORMON THROUGH NATIVE CULTURE AND RELIGION

Gary P. Gillum

Abstract: Latter-day Saints have always been encouraged to seek the truth wherever it can be found. With the Book of Mormon being written especially to the Lamanites, we can assume that the more we know about Lamanite and Native American culture, the more we can understand, appreciate and gain insights as we read that inspired scripture. In this article the writer has compared examples from Native American culture and history to what we read in the Book of Mormon and experience as members of The Church of Jesus Christ of Latter-day Saints. Most importantly, as we read through the eyes of a Native American, we can appreciate the divinity and authenticity of the Book of Mormon, since Joseph Smith could not have known Native American culture and history in the way it is described herein.

THE BOOK OF MORMON
AN ACCOUNT WRITTEN BY
THE HAND OF MORMON
UPON PLATES

TAKEN FROM THE PLATES OF NEPHI

Wherefore, it is an abridgment of the record of the people of Nephi, and also of the Lamanites—***Written to the Lamanites***, who are a remnant of the house of Israel; and also to Jew and Gentile—

Ever since my conversion in 1969 I have been intrigued by the title page of *The Book of Mormon*. While it proclaims to be a record both of the Nephites and the Lamanites, why was it written specifically for the Lamanites? The question as to why the Nephites were not included in the readership of this great scripture cannot be answered here, unless the Nephites are included under the rubrics “Jew” or “Gentile.” My purpose here is to show that a greater knowledge of the culture, history and religion of the Lamanites can be very fruitful for readers of the *Book of Mormon* as they seek to further their knowledge, wisdom and understanding of what they are reading.

Elder Dallin H. Oaks spoke of the restoration of religious knowledge and many other truths that were lost in the Apostasy, which occurred both in the eastern and western hemispheres. In my mind I have read between the lines of his talk and have projected some of his thoughts more directly to Native American history, culture and religion than what he intended. I have also assumed that “American Indians” are included as part of the Lamanites. Here are his thoughts from the April 1994 General Conference:

On some matters the general knowledge of mankind regresses as some important truths are distorted or ignored and eventually forgotten. For example, the American Indians were in many respects more successful at living in harmony with nature than our modern society ... We would be wiser if we could restore the knowledge of some important things that have been distorted, ignored, or forgotten. This also applies to religious knowledge. It explains the need for the gospel restoration we proclaim.¹

1 Dallin H. Oaks, “Apostasy and Restoration,” *Ensign* (May 1995), 84. Obviously there have been exceptions to the rule. It has recently been shown, for example, that the ancient Anasazi had so severely deforested the land that they had to move on to other areas of the southwest. In defense of our own

I would like to illuminate some of those distorted, ignored and forgotten "truths" as well as give further insights. As a "missionary of the mind" (my favorite definition for librarian), I will simply open some doors to possible studies of Native history and culture regarding the Book of Mormon and Mormonism, leaving the deeper explorations behind those doors to historians, theologians, anthropologists and other specialists. These experts, in turn, need to take heed of an important challenge issued by historian Roger Launius, in *Dialogue*:

Many "New Mormon Historians" have for too long approached their studies backwards. The focus has too often been on how the religious institution has affected society ... when it seems more appropriate that it should be on how society has affected Mormonism.²

There are many ... racial and ethnic groups that require concerted study in Mormon history. One of the most important of these has been Mormon relations with native Americans.³

Before I open some doors, however, we need to agree on some semantic, ethnic, and historiographic difficulties, most of which we can agree on just by accepting a more pluralistic and tolerant view.

1) Our understanding of the Lamanites, and therefore the Native Americans, all too often comes simply by reading the Book of Mormon. Let's try the reverse: after all, the Book

culture, on the other hand, major portions of the northeastern United States have recently been reforested to an extent greater than that of 200 years ago. (see Bill McKibben, "An Explosion of Green," *Atlantic Monthly*, Apr. 1995, 61.)

2 Roger D. Launius, "The 'New Social History' and the 'New Mormon History': Reflections on Recent Trends," *Dialogue: A Journal of Mormon Thought* 27:1 (Spring 1994), 114.

3 Launius, "New Social," 116.

of Mormon unambiguously states on the title page that it was “Written to the Lamanites.” Moroni and other editors primarily had the Lamanites in mind, followed by the Jews and Gentiles. Technically, then, Native Americans should be able to understand the Book of Mormon much more easily than those of us of European stock.

2) Who are the Lamanites? Dark-skinned people? Polynesians? Brazilians? This issue has been discussed elsewhere. For the sake of simplicity in this paper, I am defining Lamanites as native or indigenous peoples whose understanding of life is based more on oral tradition, tribal rituals, nature, family, and revelation rather than on written records, sophistication, machines, society, and Western-style logic. (If you want to imagine a specific nation or tribe, like the Sioux or the Navajo, my task would be even easier.) Technically, however, we don’t precisely know who the Lamanites of the Book of Mormon are today.

3) Even though we usually identify ourselves with the Nephites, they are not necessarily our forebears. Nephites were much closer to the Lamanites in their culture than they would be to Europeans and Americans today. They are simply our spiritual forebears—and some people would argue with that. I will show, for instance, how the Lamanites are just as much our spiritual forebears as the Nephites.

4) The distinction of historical and primal is a difficult one because it is based on our concept of time. Historical religions, including all of the respected world religions like Buddhism, Christianity, Hinduism and Islam, are merely in their infancy, compared to the “religion” of primal peoples. (Note that I prefer to use the term “primal,” not primitive. “Primitive” is a 19th century prejudice that “later means better.” As the religious historian Huston Smith indicates, that view holds

true for technology but not for religion.⁴ “Primitive” is all too often a judgmental and derogatory term like “myth”: terms we use for beliefs and religions outside of our own to make ours seem more valid or truthful. Hugh Nibley would insist that it is also true for language.)

5) Historians and anthropologists often speak of East and West and the differences between the two: the ionian monism of Classical civilization versus the dionysian dualism of Near Eastern civilization. But where do the primal cultures fit? We simply do not take their culture or cosmology seriously enough, and therefore dismiss them as not having anything important to contribute to life. I maintain that there is much we can learn⁵ from primal cultures, and I agree with the thoughts of John Collier, one time United States Commissioner of Indian Affairs:

They had what the world has lost: the ancient, lost reverence and passion for human personality joined with the ancient, lost reverence and passion for the earth and its web of life. Since before the Stone Age they have tended that passion as a central, sacred fire. It should be our long hope to renew it in us all.⁵

As an example of this alternative perspective, or *Weltanschauung*, one of the most captivating and engaging conversations I have ever had was with Lorenzo Teasyat, a medicine man I met in 1989 in Dinébetó Wash, a tiny Navajo village (population 27) southeast of Tuba City, Navajo Nation. As I talked to this man who had had very little Western formal education, I felt like I was being taught by a more advanced extra-terrestrial being (or Abrahamic figure) who had access to much more than books, laboratories, and the principles of Greek astronomy. I was amazed by his expert knowledge of

4 Huston Smith, *The Illustrated World's Religions* (San Francisco: Harper, 1994), 232.

5 John Collier, in Smith, *Illustrated*, 243.

“astronomy,” the Sacred Four principles and religion, which to the Native Americans is “medicine.”⁶

6) Finally, we need to briefly look at the dualism of the natural and supernatural, or even to what some Asian religions refer to as Yin and Yang. To primal peoples there is no distinction between the two. To them, every *thing* and every *place* is holy or sacred. There are no miracles or magic, for with God, or the Great Spirit, “all things are possible” and life in all its totality is therefore their religion. It is the “mantic” point-of-view, or vertical tradition that Hugh Nibley and H. Curtis Wright spoke so often about. All members of a given tribe or nation share in the holy at all times by their attitude of spirit and by proper preparation: for example, by fasting, prayer, dancing, the sacrifice of self, and the vision quest. Much has been written about Joseph Smith’s money digging and magic. From the primal worldview this could have been a sacred activity helped along by the “Stone people,” what we commonly refer to as rocks, boulders, and stones. (Before we make light of this comment, remember that the cosmologist Orson Pratt stated that all things have intelligence or spirit in them. Primal peoples even insist that stones “speak” through the process of what we would call revelation, which further suggests our own tradition of seer stones and Urim and Thummim.) Please keep in mind that I respect the sensitivity Native peoples have for their sacred rituals. We will be on the holy ground of another culture.

If I have now instilled in you a separate worldview than what you are used to—at least temporarily—I will proceed to some examples in the Book of Mormon.

The Sacred Four. My study of the Sacred Four has been a career-long amalgamation of multi-disciplinary research which

6 For further reading, see Nancy C. Maryboy and David Begay, *Sharing the Skies: Navajo Astronomy* (Tucson: Rio Nuevo, 2010).

has included not only history and religion but anthropology, cosmology, and the physics of the earth itself. I continue to be amazed by what I discover. The Book of Mormon speaks of the four cardinal directions, as do native peoples.⁷ But rather than being simply an abstraction, native cultures symbolize the “Sacred Four” in what they call the “Medicine Wheel.”

The Circle expresses the sense of wholeness, of harmony, unity and mutual interdependence that is at the heart of Native civilization. Within the Circle, the points of the spiritual compass indicate the four sacred directions of God’s creation. These directions represent the eternal balance of the harmony and goodness of the world. They can be illustrated by different colors, animals, etc.⁸

Black Elk gives a further example in the book *Black Elk Speaks*, which for Native Americans is a very spiritual document ranking in the same category as the Book of Mormon:

These four ribbons hanging here on the stem [of the sacred pipe] are the four quarters of the universe. The black one is for the west where the thunder beings live to send us rain; the white one for the north, whence comes the great white cleansing wind; the red one for the east, whence springs the light and where the morning star lives to give men wisdom; the yellow for

7 The land is divided into four quarters: Mosiah 27:6; Alma 43:26; 52:10; 56:1; 58:30 (LDS). The earth is divided into four quadrants: 1 Nephi 19:16; 22:25; 2 Nephi 10:8; 21:12; 3 Nephi 5:24; 5:26; 16:5; Ether 13:11. For additional information, see Diane E. Wirth and Steven L. Olsen, “Four Quarters,” in *Reexploring the Book of Mormon*, ed. John W. Welch (Salt Lake City: Deseret Book and FARMS, 1992), 145-147. See also D&C 33:6; 45:46.

8 *SourceBook for Earth’s Community of Religions*, ed. Joel Beversluis (Grand Rapids: Council for a Parliament of the World’s Religions & The SourceBook Project, 1995), 30.

the south, whence comes the summer and the power
to grow.⁹

Peta Yuha Mani, medicine man, in *Vision Quest*, reinforces
Black Elk's vision:

To the traditional Lakota, every day is sacred to him.
He looks at the world on this creation and knows that
they are all interrelated. The trees and the grasses, the
animal world, the flowing stream and the mountains.
Everything he's related to, and he respects it.¹⁰

For scriptorians who are familiar with the apocryphal
Gospel of Philip, a decidedly Gnostic-Jewish work, the words of
Black Elk take on a resemblance which I think is much more
than coincidental, no matter what its provenance:

A harvest is gathered into the barn only as a result
of the natural action of water, earth, wind, and light.
God's farming likewise has four elements—faith, hope,
love, and knowledge. Faith is our earth, that in which
we take root. Hope is the water through which we are
nourished. Love is the wind through which we grow.
Knowledge then is the light through which we ripen.¹¹

The Great Spirit. Ammon (in Alma 18) exemplifies
the ideal missionary who not only listens to the Spirit but is
knowledgeable and tolerant of the beliefs of another, King
Lamoni. Together King Lamoni and Ammon speak of the
Great Spirit, who is God. Today the same expression is used

9 John G. Neihardt, *Black Elk Speaks* (Lincoln: University of Nebraska Press, 1993), 2.

10 Don Doll, *Vision Quest: Men, Women and Sacred Sites of the Sioux Nation* (New York: Crown, 1994), 24.

11 Robinson, *The Nag Hammadi Library in English*. (New York: Harper & Row, 1977), 147. Nearly every culture of the past, and some present, have similar notions; e.g., the Mayans.

by Native Americans in many areas of the North and South American continents. And for those of us who are confused by theological discussions in the Book of Mormon and John chapter 14 about the Father and the Son, know that native peoples refer to their Great Spirit as Grandfather and Father, who are one in purpose and who created all things. (And speaking of John and Creation, the first chapter of the book of John is as close to a Lamanite scripture as I have ever seen. “In the beginning was the word,” for example, is good Native “doctrine,” as spoken language is a creative act in every sense of the word.)

Rituals. Rituals and rites of passage lead to repentance, or a change of heart and mind. Native peoples practice many rituals which seem very “pagan” to us, unless we carefully consider their very different worldview, which perhaps is not so different after all:

The goal of life for most Native Americans is to reach old age with wisdom and understanding, understanding of the connections possible between male and female, man and his fellowman, man and nature, and, finally, man and the cosmos—a cosmos with a divine center ... Ideally, the end of all our changing is to come to a stage in development where we can say, “I have created something divine out of the experiences of my life. I Am.”¹²

In fact, during the many years I have been studying and researching Native American religions, I have been convinced that one of the major weaknesses of Judeo-Christian religions today is the lack of rites of passage which help young people to

12 Suzanne E. Lundquist, “Native American Rites of Passage: Implications for Latter-day Saints,” in *By Study and Also By Faith: Essays in Honor of Hugh W. Nibley*, vol. 1, ed. John M. Lundquist and Stephen D. Ricks (Provo: FARMS, 1990), 453-54.

face themselves and the world in a more meaningful way. The only ritual which I know of which even comes close to a Native American rite of passage is the Mormon missionary experience, a real “vision quest” for the young 18- or 19-year old who is facing the world and its problems on his own for the first time. Moreover, our society may seem very progressive in 2013, but we seem to have acquired an ignorance of the importance of a true, extended family. Otherwise we would treat our seniors in a much more “sacred” manner. While my wife and I served in the California Anaheim Mission in 2009 and 2010 we had the opportunity to contrast our own Western European culture with the “Lamanite” culture of Southern California. We were often called upon to attend baptisms of Spanish-speaking peoples. As in the Book of Mormon, we saw that they were overtly more family-oriented than the stereotypical “impatient procrastinators” among the fast-paced, money-focused, and freeway-driven society of Orange County.

Visions and Vision Quests. If a Mormon mission is a rite of passage as well as a “vision quest,” what are we to make of Moses’s, Abraham’s, Nephi’s, Enos’s or Joseph Smith’s “visions”? I can answer that best in the words of the Savior: “He who believes in me will also do the works that I do; and greater works than these will he do” (John 14:12). Again, attitude of spirit and proper preparation makes it possible for any of us to share in the divine possibilities this cosmos holds in store for us (we sometimes call them “mysteries”). And doesn’t the passage in John ring true of primal peoples’ need to emulate heroic archetypes, of which Jesus Christ is the greatest? As you listen to Black Elk’s vision, then, think of Moses, Joseph Smith and others:

I was standing on the highest mountain of them all,
and round about beneath me was the whole hoop of
the world. And while I stood there I saw more than I

can tell and I understood more than I saw; for I was seeing in a sacred manner the shapes of all things in the spirit, and the shape of all shapes as they must live together like one being.¹³

Next, compare the mature responsibilities of a very young Mormon or the aftermath of Joseph Smith's "First Vision" with that of Black Elk:

As I lay there thinking about the wonderful place where I had been and all that I had seen, I was very sad; for it seemed to me that everybody ought to know about it, but I was afraid to tell, because I knew that nobody would believe me, little as I was, for I was only nine years old. Also, as I lay there thinking of my vision, I could see it all again and feel the meaning with a part of me like a strange power glowing in my body; but when the part of me that talks would try to make words for the meaning, it would be like fog and get away from me.¹⁴

In yet another vision Black Elk was instructed by twelve men *and twelve women* as to how he should teach his nation. Many women in the world would probably envy those women who are part of a matrilineal or matriarchal society, such as the Navajo nation. A student employee of mine wrote her thesis on Native American Medicine Women. These Medicine Women are usually grandmothers and enjoy a respected station in many tribes.

Lehi's vision of the tree of life is not only the controlling vision in the Book of Mormon¹⁵ but an example for all readers

13 Neihardt, *Black Elk*, 43.

14 Neihardt, *Black Elk*, 48-49.

15 Bruce W. Jorgensen, "The Dark Way to the Tree: Typological Unity in the Book of Mormon," *Literature of Belief*, ed. Neal E. Lambert (Provo: Brigham Young University Religious Studies Center, 1981), 217-231.

of the Book of Mormon, especially for the Lamanites. Aren't we told by Luke in Acts – and in the Old Testament book of Joel, which Peter quotes – that “your young men shall see visions, and your old men shall dream dreams”? (Acts 2:17).

Nephi and His Brothers. *The Sons of the Wind: The Sacred Stories of the Lakota* is essentially an archetypal story of Nephi and his brothers: different names, different culture, different tests. But the personalities of Nephi, Sam, Laman and Lemuel are all there. If we were to consider both stories archetypal, then we could transpose some of the typologies and know a little bit more about the elusive Sam and his personality! I will give you an example of one insightful passage:

Yata said, “We will go on our journey, and where the shadows at midday are the longest, I will fix my direction. We will call it the first direction. Let us hurry on our way.”

“We will not depart until we see a bird alight on this rock, and then I will tell you when to start on the journey,” said Eya.

How dare you challenge the command of your older brother!” said Yata. “I say we will go without delay.”

“My brother, it is the will of the Great Spirit, Skan, that I shall have the birthright of the first-born son,” replied Eya. “I did not wish it to be so, but all must obey his will. I would gladly give it back to you, if Skan will permit...

“I command you to obey me and come without delay,” said Yata....

Yata rushed forward in a rage as if to punish his brothers, but immediately Wazi appeared before him, and he stepped back and sat down.”¹⁶

The argument continues for at least another page before an answer comes from the Spirits:

They saw a swallow sitting on the rock. It spoke, saying, “The Sacred Beings have heard you and have directed Wakinyan, the Winged One, to decide for you. I am his messenger and this is the message he sends you. Skan has told his will to Wazi and no one can undo it. Wazi has dealt justly with you. It is the will of the Spirits that you obey Eya.”

Yata grasped a stone to throw at the swallow, but he became like ice and could not move. Wazi said, “Because you are mean and ill-tempered, you shall always be like ice. When you come, things that breathe shall fly from you and all that grows from the ground shall be as if dead.” Then Wazi vanished. Yata moved, but everything near him was cold.”¹⁷

Opposition in all things. Black Elk taught that “the world is happier after the terror of the storm.”¹⁸ Nephi tells us, “For it must needs be, that there is an opposition in all things” (2 Nephi 2:11). With their closeness to the Earth, Native Americans feel that balance and harmony is always shifting, and their rituals help maintain the balance and perspective as well as provide a reminder that repentance is always essential.¹⁹

16 D.M. Dooling, ed., *The Sons of the Wind: The Sacred Stories of the Lakota* (San Francisco: Harper, 1992); 74.

17 Dooling, *Sons*, 75.

18 Neihardt, *Black Elk*, 188.

19 Leslie Marmon Silko, *Ceremony* (NY: Penguin Books, 1977).

Other Comparisons Outside of the Book of Mormon

The Spirit World. Black Elk claims that Crazy Horse dreamed and went into the world where there is nothing but the spirits of all things. That is the real world that is behind this one, and everything we see here is something like a shadow from that world.²⁰ Appropriately, the Kachina dolls of the Hopi tribe represent this spirit world and those who dwell in it.

Place Names. Throughout the Book of Mormon special places are named after members of Lehi's family. A reader need only read "the Valley of Lemuel" to recall what happened as Lehi and his family sojourned in that place. In Arizona the Western Apache tribe attaches important historical events to otherwise ordinary places, for example, "Juniper Tree Stands Alone." Smoothness, resilience and steadiness of mind (the processes of change or repentance) can be learned from the wisdom of stories recounted from places.²¹

The Temple. In the wonderful novel *Ceremony*, a medicine man teaches Native American rituals to a young man who had served his time in the military in the Pacific Theater of World War II:

At one time, the ceremonies as they had been performed were enough for the way the world was then. But after the white people came, elements in the world began to shift; and it became necessary to create new ceremonies. I have made changes in the rituals. The people mistrust this greatly, but only this growth keeps the ceremonies strong.²²

20 Neihardt, *Black Elk*, 260.

21 See Keith H. Basso, *Wisdom Sits in Places: Landscape and Language Among the Western Apache* (Albuquerque: University of New Mexico Press, 1996).

22 Silko, *Ceremony*, 126.

One of the basic tenets of our belief is that of continuing revelation. The world is changing for us, too, and these changes always bring growth, repentance, and spiritual insight. In 1989, in the same village of Dinébetó as mentioned earlier, my wife and I were invited to participate in a sacred wedding ceremony for our Indian Placement “daughter” of several years. The intriguing parallels with my own experiences of sacred marriage did not escape my notice. First of all, the ceremony did not take place out-of-doors, in a sweat lodge, or in someone’s hogan. Rather, a large teepee was constructed, with its 32-foot support beams reaching skyward, as if it were the Navajo version of a temple. Secondly, my wife was honored as a *pro tem* mother with the lending of an exquisite squash blossom necklace to wear in the teepee, instead of special clothing. Finally, in a teepee filled mostly with Navajos, she was essentially asked to “bear her testimony” and give advice to the newlyweds.

Covenants. Our sacred ordinances often consist of covenants we make with deity. While they are not often spoken of by other religious groups, some Native American tribes consider covenants extremely important, whether made with the Great Spirit, with Mother Earth, or with each other. This became very evident with the Hopi tribe in their important publication to the world.²³ This exhaustive tome of 577 pages contains many thoughts, prophecies and insights that would gladden the hearts of many Latter-day Saints and show again how the Lamanites and Nephites (in this case, the Hopi) are our spiritual ancestors. It also gives credence that Hugh Nibley was onto something very important when he often visited the Hopis and was accepted by them because of his similar beliefs. In the October General Conference of 2012, Elder Larry Echo Hawk (from the Pawnee tribe) spoke for all of the remnants

23 Thomas E. Mails and Dan Evehema, *Hotevilla: Hopi Shrine of the Covenant, Microcosm of the World* (New York: Marlowe & Co. and the Touch of the Earth Foundation, 1995).

of the House of Israel when he quoted Nephi: “And at that day shall the remnant of our seed know that they are of the house of Israel, and that they are the covenant people of the Lord; and then shall they know and come to the knowledge of their forefathers, and also to the knowledge of the gospel of their Redeemer, which was ministered unto their fathers by him; wherefore, they shall come to the knowledge of their Redeemer and the very points of his doctrine, that they may know how to come unto him and be saved” (1 Nephi 15:14).

Priesthood. My closing example has to do with the priesthood and is another moving example from the life of Black Elk:

Many I cured with the power that came through me. Of course it was not I who cured. It was the power from the outer world, and visions and ceremonies had only made me like a hole through which the power could come to the two-leggeds. If I thought that I was doing it myself, the hole would close up and no power would come through. Then everything I could do would be foolish.²⁴

Conclusion

I hope that these brief glimpses behind some opened doors have excited your hearts and minds to the possibilities of studies that need to be made concerning Mormonism and the effects Native American culture has made on it. If I were to make any conclusions, it would be these four:

1) Native American religion and culture, along with many obvious typologies from the Middle East, authenticate the Book of Mormon in a major way. Joseph Smith could not have known most of these Native American teachings. So far the only major gulf I see between what Native Americans teach and the Book of Mormon is a belief in Jesus Christ. While they do believe in

24 Neihardt, *Black Elk*, 204-205.

Father and Grandfather, there is no explicit talk of an atonement for sin. Perhaps the Sun Dance ceremony is a partial answer to this lacuna, for in the Sun Dance a young male volunteer sacrifices himself to pain and suffering tied by two ropes to a tree so that the tribe may be blessed. (Two ropes are anchored in the pectoral muscles of his chest, and he dances around the tree until the stakes and ropes are literally torn from his flesh.) In addition, the young man undergoing this rite of passage, in which the whole tribe is involved, begins to understand the pain both of childbirth and of Mother Earth, causing a major increase in empathy.

2) Julian Burger, in his book, *The Gaia Atlas of First Peoples: A Future for the Indigenous World*, insists that:

By understanding how they organize their societies, the wider society may learn to recognize that they are not at some primitive stage of development, but are thoughtful and skillful partners of the natural world, who can help all people reflect on the way humanity treats the environment and our fellow creatures.²⁵

I don't think anyone reading this would doubt that Native Americans could survive a major calamity much more easily than those of us of European stock could, simply because of their closer attachment to creation. We can learn much from them concerning survivorship.

3) First and foremost we are all Citizens of Earth. Therefore, race, religion, ethnicity, gender, age, social status, worldview and every other principle which may separate us from one another is secondary in importance. Huston Smith concludes his wonderful book, *The Illustrated History of the World's Religions*, with the following optimistic observation about the unity of religion in the world:

25 Julian Burger, *The Gaia Atlas of First Peoples: A Future for the Indigenous World* (New York: Doubleday, 1990), 15.

Things are more integrated than they seem, they are better than they seem, and they are more mysterious than they seem.²⁶

4) Finally, in the words of my friend and colleague at BYU, Dr. Roger Keller:

For me the study of world religions has deepened the tapestry of my own faith, moving me beyond superficial commandments to the profundity of the theology that is inherent in the religious experience found in The Church of Jesus Christ of Latter-day Saints.²⁷

I, too, have studied many of the religions of the world, and while I recognize many strengths and weaknesses in each one, the greatest strength of the Mormon belief system is that it opens so many doors and windows and stairways to the truths of life and living, both here and in the hereafter. The door I have tried to open to Native American culture is only one of many possible doors. As we empathize with and try to walk in the moccasins of the Lamanite culture, our own personal faith, beliefs and traditions can become all the richer and more meaningful.

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26 Smith, *Illustrated*, 248.

27 Roger R. Keller, "Loss of Self: The Only Way to Truth," *The Seventh Alice Louise Reynolds Lecture*, March 8, 1995, (Provo: Brigham Young University), 6.

TOWARD A MORMON JURISPRUDENCE

John W. Welch

Preface: The following article was published in the Regent University Law Review in the first number of its 2008-2009 volume, pages 79-103. The article is reprinted here by permission without any substantive modifications. Because law reviews are not easily available on the Web or elsewhere to most readers, I am pleased to give wider exposure to this first foray into the idea of a Mormon jurisprudence. Regent University is an Evangelical Christian institution.

This article grew mainly out of a talk that was delivered on February 14, 2004, to the first national meeting of the student chapters of the J. Reuben Clark Law Society, held at Harvard Law School. Four years later, on February 13, 2008, Scott Adams, a third-year member of the law review at Regent University Law School contacted me and said that he was hoping to “put something together on Mormonism and the law,” to see if the law review might publish it. Scott rightly indicated that, according to his research, “no one has ever attempted to tackle the ambitious project of considering Mormonism, in general, and analyzing its potential implications on law (for example, how might an LDS judge see the law, as opposed to a Catholic).” Scott was thinking about writing a paper himself on natural law from an LDS perspective. I responded by suggesting that he contact Cole Durham, Francis Beckwith, and Nate Oman; and I offered to send him a copy of my Harvard speech, expressing interest in publishing that paper as a companion piece with his.

As it would soon turn out, the editor-in-chief and board of the Regent law review were very eager to publish my piece, especially if it could appear with another article presenting an

“opposing viewpoint.” They suggested a member of their faculty, and after brief deliberations, all was agreed. In the end, however, no opposing or additional articles were forthcoming, and so this article was published on its own. I thank Scott and his fellow students for their help in checking and enriching the footnotes. They also had hopes that this publication would build good relationships between Evangelicals and future LDS students, which I too hope has occurred.

This essay tries to identify what a “Mormon” jurisprudence would, and would not, look like. Beyond its immediate relevance to legal thought, this article might have broader applications in helping LDS scholars in other disciplines to think about, for example, what a Mormon theory of literary criticism might look like, or what would be distinctive about a Mormon approach to political theory or to any other discipline. I believe that any such Mormon academic approach (1) would be solidly rooted in all LDS scripture, (2) would be inclusivistic, privileging fullness and openness over closure and completeness, and (3) would be fundamentally pluralistic and not reductionistic.

Obviously, this piece is just a beginning. There is much more to be done here. I have continued to work along these lines for the past decade and have published other things growing out of this paper, for example, a talk about rights and duties given at Stanford Law School, published in the Clark Memorandum (Fall, 2010), 26, http://www.jrcls.org/publications/clark_memo/issues/cmF10.pdf, and my Maeser lecture at Brigham Young University, available at <http://byustudies.byu.edu/PDFLibrary/50.3WelchThy-08f4ba7e-d3a2-444f-bc8c-0ce842c12fc4.pdf>.

I would hope next to articulate the specific implications of these ideas with respect to legal attitudes toward statutory construction, judicial activism, the spirit and letter of the law, justice and mercy, equality and freedom, pacifism and justifiable use of force, corrections and forms of punishment, degrees of fiduciary duties, types of contracts, the foundations of family

law, the principles of constitutional law, and many other topics. This development would utilize historical, scriptural, logical, ethical, and other analyses.

Naturally, this article is neither complete nor comprehensive in scope. How could it truly exemplify my theory if it were otherwise? This was all I could cover in a brief presentation even to a group of bright law students gathered on a Valentine's Day at Harvard. And I probably already had included enough here to bewilder most Baptist readers of the Regent University Law Review who were just then hearing for the first time about Mitt Romney and wondered how a Mormon might approach the law as the president of the United States.

That question, of course, is still up for grabs; and Latter-day Saints are more interested in political and legal issues than ever before. So I hope that readers may find this article still to be stimulating and, as reader Sid Unrau has commented, "well worth reading, contemplating, and building upon, ... a valuable start for those who wish to further the subject."



Introduction

Many lawyers and law students are interested in the intersection of their religious faith and values with their responsibilities and duties in the legal profession. The mere fact that many people intuitively sense a connection between law and religion is *prima facie* evidence that these domains are at least relevant to each other, if not fundamentally linked.

In this article, I hope to make a pioneering contribution to the intellectual progress of my own religious tradition, Mormonism. Recent political events have amplified the fact that to many Americans, Mormonism is still seen today as a bizarre religion, or worse, a "cult with a heretical understanding

of Scripture and doctrine.”¹ This article does not seek to answer such criticisms² or to explain Mormon tenets,³ as is readily available elsewhere. Instead, this article explores a broad jurisprudential perspective of the relatively young religion that is very rich in potential and now emerging more often on national and international scenes. This article raises the following questions: What would a Mormon jurisprudence look like? How would one recognize a Mormon jurisprudence? What would distinguish it from other jurisprudential approaches? My comments will necessarily be brief and introductory. I will strive to say something without saying too little or too much.

1 Nancy Gibbs, “The Religion Test: Is It Sheer Bigotry to Say You Won’t Vote for Someone Because He’s a Jew? A Muslim? What About a Mormon?,” *TIME* (May 21, 2007), 41. For additional discussion, see also “Mormonism and American Politics,” the Conference at Princeton University Center for the Study of Religion (Nov. 9–10, 2007), <http://www.princeton.edu/~csrelig/mormonism&politics>.

2 See generally Craig L. Blomberg and Stephen E. Robinson, *How Wide The Divide? A Mormon and an Evangelical in Conversation* (1997); Robert L. Millet, *A Different Jesus? The Christ of the Latter-day Saints* (2005); Robert L. Millet and Gerald R. McDermott, *Claiming Christ: A Mormon-Evangelical Debate* (2007); David L. Paulsen and Donald W. Mussers, eds., *Mormonism in Dialogue with Contemporary Christian Theologies* (2007) (offering models of interfaith conversation, through a collection of eleven extended theological exchanges between leading Protestant and Latter-day Saint scholars, including a foreword by Martin E. Marty); Francis J. Beckwith et al., eds., *The New Mormon Challenge* (2002); Stephen E. Robinson, “LDS Doctrine Compared with Other Christian Doctrines,” in Daniel H. Ludlow, ed., *Encyclopedia Of Mormonism* (1992), 399; Jan Shipp, “Is Mormonism Christian? Reflections on a Complicated Question,” *BYU Studies* (1993), 33:3, 438.

3 See generally Richard Lyman Bushman, *Mormonism: A Very Short Introduction* (2008); Douglas J. Davies, *An Introduction to Mormonism* (2003); *Encyclopedia of Mormonism* (containing clear, non-polemical definitions and explanations of hundreds of Latter-day Saint doctrines, practices, and beliefs); John W. Welch, ed., *The Worlds of Joseph Smith, A Bicentennial Conference at the Library of Congress* (2006) (a compilation of essays related to the life and teachings of Joseph Smith).

Much remains to be said and done along this line of inquiry, though a start has been made.⁴

In outlining the basics of a Mormon jurisprudence, I am entering into a broader conversation that has been ongoing for some time. Catholics and Protestants are respected for wrestling to understand jurisprudence in terms of the premises and beliefs of their respective faiths; serious Jewish, Buddhist, and Islamic contributions are also welcomed.⁵ Rigorous Mormon efforts should be no less regarded and may have much to offer in today's world.

1. What a Mormon Jurisprudence Is Not

Consider first what a Mormon jurisprudence is not. For one thing, it would need to be more than a jurisprudence that just happens to be composed by a Mormon. Just because a song is written by a Mormon, a Baptist, or a Jew, does not necessarily make it a Mormon, Baptist, or Jewish song. And while Mormons may well have the greater interest in and access to Mormon ideas than do others, a Mormon jurisprudence could be developed or articulated by a member of another faith. I have benefited from my long-standing membership in the Jewish Law Association and from my associations with biblical

4 In 2001, a first-ever conference was held at Brigham Young University entitled "Latter-day Saint Perspectives on Law," *BYU Law Review* (2003), 3:829. The papers presented at that conference stimulated reflection on the basic question: "What is a Latter-day Saint perspective on the law?" Many answers to that question are possible. In offering exploratory thoughts on this subject, the views expressed there and here are personal and should not necessarily be attributed to The Church of Jesus Christ of Latter-day Saints, any other Mormon group, Brigham Young University, or anyone else. See also Nathan B. Oman, "Jurisprudence and the Problem of Church Doctrine," *Element: The Journal of the Society for Mormon Philosophy and Theology* (Fall 2006), vol. 1, 16–17 (describing the basis of the emerging discussion of a Mormon jurisprudence).

5 For example, the *Journal of Law and Religion* has published numerous articles on Christian, Islamic, Jewish, Buddhist, and even Bahá'í religious perspectives on the law. See *Journal of Law and Religion*, Subject Index 1-20, 1, available at <http://law.hamline.edu/files/Subject%20Index%20Vol.1-20.pdf>.

scholars of many faiths in the Society of Biblical Literature as I attempt to explain elements of Jewish jurisprudence or Biblical law to my law students at Brigham Young University. I would hope that scholars of other faiths might find Mormon thought worthy of study in a similar outsider fashion. The works of non-Mormon scholars such as Jan Shipps,⁶ Douglas Davies,⁷ and a number of others⁸ show this is possible. It might even help to articulate a better Mormon jurisprudence if it were coauthored by Mary Ann Glendon or some other sympathetic collaborator.⁹

At the same time, it is doubtful that any Mormon jurisprudence will ever receive an official stamp of approval from the leadership of the Church of Jesus Christ of Latter-day Saints or any other church in the Mormon tradition. Whether one sees jurisprudence as a branch of philosophy and ethics, social science, psychology, or anthropology, an official Latter-day Saint jurisprudence would no sooner exist than any officially sanctioned approach to philosophy, economics, or any other academic discipline. Latter-day Saint scripture, doctrine, ideas, and assumptions, of course, will and should influence any Mormon thinker who engages the mind with the perennially perplexing problems of jurisprudence, but one should not expect any Latter-day Saint leader to speak

6 See Jan Shipps, *Mormonism: The Story of a New Religious Tradition* (1985) (explaining the chronology and development of the Mormon tradition).

7 See Douglas J. Davies, *The Mormon Culture Of Salvation* (2000) (presenting a new interpretation of the origins of Mormonism and offering insight into how Mormons work towards their own salvation).

8 See, e.g., *Mormonism in Dialogue*.

9 See, e.g., Mary Ann Glendon, "Catholic Thought and Dilemmas of Human Rights," in Robert E. Sullivan, ed., *Higher Learning & Catholic Traditions* 113, 113–14 (2001) (elaborating on her previous writing about rights concepts).

*ex cathedra*¹⁰ or to issue a *nihil obstat*¹¹ regarding approaches and solutions to jurisprudential issues and topics.

Thus, using the word “Mormon” (instead of “Latter-day Saint”) is preferable in this situation. The term “Mormon” is best used in reference to cultural phenomena, such as the Mormon Tabernacle Choir, the Mormon Trail, Mormon history, or big fat Mormon weddings.¹² The term “Latter-day Saint” is better reserved for official doctrines, policies, or programs of the Church of Jesus Christ of Latter-day Saints.¹³

When one goes looking for a Mormon jurisprudence, one is looking for more than a description of Mormon historical experiences with the law (Joseph Smith’s numerous appearances in court,¹⁴ anti-

10 Donald Attwater, ed., *A Catholic Dictionary* (3d ed., 1961), 181, (an official pastoral utterance of the most solemn kind).

11 Attwater, *Catholic Dictionary*, 343 (nothing hinders it from being printed, certifying a work is not contrary to faith or good morals).

12 See Donald K. Jarvis, Mormonism, Mormons, in *Encyclopedia of Mormonism*, 941–42. This is how the term “Mormon” is used in editing the *Encyclopedia of Mormonism*, although that editorial policy was never made explicit. Attwater, *Catholic Dictionary*.

13 See Jarvis, “Mormonism.” This is how the term “Latter-day Saint” is used in editing the *Encyclopedia of Mormonism*, although that editorial policy was never made explicit.

14 For various reasons, between 1819 and 1844, Joseph Smith had numerous court appearances in New York, Ohio, Missouri, and Illinois, either as a witness, a defendant, a party to a business transaction, or a judge. See, e.g., Richard L. Bushman, *Joseph Smith: Rough Stone Rolling* passim (2005) (describing the life of Joseph Smith from birth to death, detailing his numerous encounters with the law); David W. Grua, “Joseph Smith and the 1834 D.P. Hurlbut Case,” *BYU Studies* (2005) 44:1, 33–34 (describing Joseph Smith’s first legal experience in Ohio); Gordon A. Madsen, “Joseph Smith and the Missouri Court of Inquiry,” *BYU Studies* (2004) 43:4, 93, 95–96 (detailing the events surrounding Joseph Smith’s legal trouble in Missouri); Gordon A. Madsen, “Joseph Smith’s 1826 Trial: The Legal Setting,” *BYU Studies* (Spring 1990) 30:2, 91 (describing the charges against Joseph Smith in South Bainbridge, NY); Dallin H. Oaks, “The Suppression of the Nauvoo Expositor,” *Utah Law Review* (1965), vol. 9, 862 (examining the legal basis for the charges brought against Joseph Smith and others in Nauvoo, Illinois); Nathaniel Hinckley Wadsworth, “Copyright Laws and the 1830 Book of Mormon,” *BYU Studies*, (2006) 45:3, 77, 91 (describing the legal dispute over the copyright to the Book of Mormon); Jeffrey N. Walker, “Mormon Land Rights in Caldwell and Daviess Counties and the Mormon Conflict of 1838: New Findings and

polygamy legislation,¹⁵ J. Reuben Clark's service in the State Department,¹⁶ comments on the Equal Rights Amendment,¹⁷ abortion, same-sex marriage,¹⁸ or the United Nations Doha Declaration on the Family);¹⁹ and more than an articulation of what Joseph Smith meant when he said that the Constitution of the United States was an inspired document.²⁰ Although these legal topics are typical discussion topics,²¹ jurisprudence

New Understandings," *BYU Studies* (2008) 47:1, 4, 46–47 (explaining the events surrounding Joseph Smith's settlement in Missouri). See generally Edwin B. Firmage and Richard C. Mangrum, *Zion in the Courts* (1988) (describing Joseph Smith's legal encounters throughout his lifetime); Joseph I. Bentley, "Legal Trials of Joseph Smith," in *Encyclopedia of Mormonism*, 1346–48 (providing a summary of Joseph Smith's interactions with the courts).

15 See, e.g., Ray Jay Davis, "AntiPolygamy Legislation," *Encyclopedia of Mormonism*, 52; Ray Jay Davis, "The Polygamous Prelude," *American Jurisprudence Legal History* (1962) 6:1; Richard D. Poll, "The Legislative Antipolygamy Campaign," *BYU Studies* (Fall 1986) 26:4, 107.

16 See generally Frank W. Fox, *J. Reuben Clark: The Public Years* (1980).

17 See generally Rex E. Lee, *A Lawyer Looks at the Equal Rights Amendment* (1980).

18 See generally Lynn D. Wardle, "Multiply and Replenish: Considering Same-Sex Marriage in Light of State Interests in Marital Procreation," *Harvard Judicial Law and Public Policy* (2001) 24:771 (discussing and advocating a global interest in the protection of traditional marriage).

19 See, e.g., Richard G. Wilkins, "The Principles of the Proclamation," *BYU Studies* (2005) 44:3, 5, 8, 16–19; cf. Richard G. Wilkins, "Protecting the Family and Marriage in a Global Society," *Encounters: Judicial Inter-Cultural Perspectives* (2000), 6:223, 224–26 (discussing the effect of the 1996 United Nations proposals and policy initiatives that impacted the international definition of the family, women's rights, and child welfare).

20 Doctrine and Covenants 98:7, 101:77, 101:80; Joseph Fielding Smith, ed., *Teachings of the Prophet Joseph Smith*, 1976, 147; Rex E. Lee, "The Constitution and the Restoration," *BYU Speeches, 1990–91*, 1:1, 17–18. See generally Panel Discussion, "What Is the Proper Role of the Latter-day Saint with Respect to the Constitution?" *BYU Studies* (1962) 4:2, 151 (a compilation of discussions on Mormonism and the United States Constitution).

21 See, e.g., James B. Allen, "J. Reuben Clark, Jr.: American Sovereignty and International Organization," *BYU Studies* (1973) 13:3, 347; Christopher L. Blakesley, "Terrorism and the Constitution," *BYU Studies* (1987) 27:3, 197; Panel Discussion. Additional Mormon legal scholarship can be found in the BYU Studies online archives, <http://byustudies.byu.edu/>.

goes beyond the historical and political domain, probing into questions of theory and meaning.

In the Western tradition, jurisprudence typically asks: What is truth? What is law? How does law differ from custom or manners? What is justice? What are rights? It produces books like Ronald Dworkin's, *Taking Rights Seriously*.²² Western tradition asks: What constitutes an actionable offense? What is causation? What is intention? What is legitimate? Why do bad things happen to good people? When and why do we punish? What do we mean by equality?

A Mormon jurisprudence would, of course, offer its answers to such questions. But at the same time, a Mormon jurisprudence would not just begin or end with the questions that Western jurisprudence has preferred to ask. We should not expect every tradition to ask the same questions. In addition to the questions typically posed by Western tradition, a Mormon jurisprudence would be more inclined to ask: What is goodness? What is love? How does law differ from covenants or principles? What is mercy? What are duties? It might produce a book titled *Taking Duties Seriously*. What constitutes repentance and restitution? What is responsibility? What is free agency? What is authority? It questions why bad things happen at all.²³ When and how do we offer assistance? What do we mean by equanimity and harmony? In sum, Mormon jurisprudence asks overlooked questions, advancing these often underrepresented topics.

In exploring and answering such questions, a Mormon jurisprudence would not be an American jurisprudence or a British jurisprudence. Mormonism is both a worldwide and an eternally-oriented movement. Thus, Mormons must begin

22 See generally Ronald Dworkin, *Taking Rights Seriously* (1977).

23 See, e.g., David L. Paulsen, "Joseph Smith and the Problem of Evil," *BYU Studies* (2000), 39:1, 53; John Sutton Welch, "Why Bad Things Happen at All: A Search for Clarity Among the Problems of Evil," *BYU Studies* (2003), 42:2, 75.

thinking in terms of “Mormon jurisprudences”—members of the Latter-day Saint Church, as jurists in various countries and cultures, must work to understand and utilize principles of the gospel within the context of their own legal system. The number of Latter-day Saints in South and Central America now rivals those in North America, and those Latin countries follow a jurisprudence much more closely tied to the civil law tradition, which, as Harvard Law Professor Mary Ann Glendon (“Professor Glendon”) has noted, places emphasis on “equality and fraternity (or, as we would say today, solidarity)”; whereas Anglo-American thinkers place “greater emphasis on individual liberty and property.”²⁴ Dallin H. Oaks, now a high ranking Latter-day Saint church official and previously a law professor, university president, and member of the Utah Supreme Court, was surprised to learn that the concept of a fiduciary is quite foreign to Mormons coming out of civil law backgrounds; this situation means that different presumptions might apply when explaining to these people doctrinal concepts such as stewardship, to say nothing of the practical assumptions involved in training them to handle funds as fiduciaries.²⁵ Local differences aside, a Mormon jurisprudence must also begin thinking in terms that transcend and unify Mormon jurisprudential thought across all cultures. Will that be in a universal, catholic (little ‘c’) sense, or in a worldwide, umbrella or tabernacle sense? One would suspect the latter.

Various approaches to law are taken in different cultures, reflecting to a large extent the received views of those cultures on the ultimate characteristics and values of the human condition and civilization.²⁶ Accordingly, a Mormon jurisprudence

24 Mary Ann Glendon, “The Forgotten Crucible: The Latin American Influence on the Universal Human Rights Idea,” *Harvard Human Rights Journal* (2003), vol. 16, pp. 27, 32.

25 Comment to the author in an informal conversation.

26 Surya Prakash Sinha, *Jurisprudence: Legal Philosophy in a Nutshell* (1993), 7–8.

would not be independent of Latter-day Saint ideals and values. The insights of comparative anthropology may be helpful. In ancient Greece, individualism, rationality, debate, the city-state, public opinion, creativity, choice, and adventure predominated. These values have heavily influenced Western jurisprudence,²⁷ although not always beneficially. Professor Glendon rightly said, the extreme form of “hyper-individualism” sends the message that rights are absolute “without responsibilities, ... in radical isolation from other individuals, freedom from the past, and recklessness toward the future.”²⁸ In ancient Israel, a different set of legal norms and concepts arose in the Jewish tradition because such values as collective responsibility, law (*torah*, “teaching,” or “instruction”), holiness, purification, belonging to God, brotherhood, redemption, remembrance, and wisdom were of the essence.²⁹ In China, however, concepts of decorum, self-control, relationships, interdependence, ceremony, mediation, persuasion, conciliation, conscience, and harmony with nature’s events have traditionally prevailed.³⁰ In India, concepts of caste, purity, cosmic order, dharma, conformity, allotment, and the performance of inherent duties have shaped thinking about social order.³¹ In Japan, honor, rules of behavior, prestige, courage, endurance, and loyalty are preeminent.³² In all cultures, whether in Africa or in Islam, other arrays of values shape and give distinctive textures to jurisprudence and law in each of these societies. Thus, it is fair to begin asking what factors will emerge at the crux or

27 Sinha, *Jurisprudence*, 21–22; Huntington Cairns, *Legal Philosophy from Plato to Hegel* (2d printing, 1949), 24–30, 50–51.

28 Mary Ann Glendon, “What’s Wrong with ‘Rights’?” *BYU Today* (July 1990), 23, 54 (defining “hyper-individualism” as envisioning “the possessor of rights as a person alone against the world”).

29 See Ze’ev W. Falk, *Hebrew Law in Biblical Times* (2d. ed. 2001), 1–16. See generally Joel S. Kaminsky, *Corporate Responsibility in the Hebrew Bible* (1995).

30 Sinha, *Jurisprudence*, 24, 31, 33–36.

31 Sinha, *Jurisprudence*, 37, 46–49.

32 Sinha, *Jurisprudence*, 49–51, 53.

bedrock of a Mormon jurisprudence. By studying comparative jurisprudence, we may well learn how to recognize those still implicit contours of a Mormon jurisprudence.

Finally, it is worth clarifying that a jurisprudence is not the same thing as an ideology, but it is not easy to sustain the distinction between the two. Jurisprudence asks how we think, not what we think. In this regard, this Article turns attention to three fundamental features that would significantly shape any Mormon jurisprudence. First, such a jurisprudence would be rooted in Mormon scripture. Second, such a jurisprudence would be inclusive, though not eclectic. And third, such a jurisprudence would be fundamentally pluralistic, though not polycentric.

2. Rooted in Mormon Scripture

Whatever else one may say, a Mormon jurisprudence must be based solidly in scripture; and, indeed, Latter-day Saint scriptures are filled with seminal statements about the nature and operation of law, both divine and human, spiritual and temporal. Studying scripture will be the closest ally of Mormon jurisprudence, and not just a casual level of scripture study, or a selective proof-text approach of pulling out one's favorite passage as an aphoristic touchstone. Flimsy readings will not bear the needed weight in order to function as part of a jurisprudence.

A primary issue then becomes, "And what is scripture?"³³ The premises of a Mormon jurisprudence must be based in the first instance in all Latter-day Saint canonical works, namely the Old and New Testaments, the Book of Mormon, the Doctrine and Covenants, and the Pearl of Great Price.³⁴

33 See W. D. Davies and Truman G. Madsen, "Scriptures," *Encyclopedia of Mormonism*, 1277.

34 Clyde J. Williams, "Standard Works," *Encyclopedia of Mormonism*, 1415–16. Mormon belief holds that the Book of Mormon is a translation of an ancient

Elaborations may be found in intentional, relevant statements by high-ranking Latter-day Saint church leaders, but these may be less universally applicable than the canonical revelations. As is done in Jewish law, which recognizes levels of authority between Torah, Mishnah, Gemara, midrash, responsa, and so on,³⁵ a Mormon jurisprudence will eventually need to articulate its own “rules of recognition” among its various kinds of scriptural statements. And indeed, inconveniently, Mormons do not believe in a monolithic concept of scripture.³⁶

No scripture is for personal interpretation³⁷ and yet neither is it self-interpreting. A Mormon jurisprudence will need to extract from the body of scripture “correct principles” that will appropriately govern human life.³⁸ Unique rules of Mormon interpretation may in time be developed. Rules of statutory

document written as a witness of the divinity and the atonement of Jesus Christ by former prophets and Christian disciples living on the American continent between 600 B.C. and A.D. 421. Introduction to The Book of Mormon: Another Testament of Jesus Christ (Joseph Smith, trans., The Church of Jesus Christ of Latter-day Saints, 1989) (1830). The Doctrine and Covenants is a compilation of 138 separate revelations received by Mormonism’s founder, Joseph Smith, and, in a few cases, by other Mormon leaders. Introduction to the Doctrine and Covenants. The Pearl of Great Price is comprised of other texts translated or written by Joseph Smith. Introduction to the Pearl of Great Price (Joseph Smith, trans., 1981).

35 See George Horowitz, *The Spirit of Jewish Law* (1953), 15–17, 31. See generally Jacob Neusner, *Invitation to the Talmud* (rev. ed. 1984).

36 See Cheryl B. Preston, “The Canon, Lawmakers and the Right to Interpret in the Church of Jesus Christ of Latter-day Saints,” *Daimon: Annuario Diritto Comparato Delle Religioni* (Dec. 2006), vol. 6, 115, 121–22; John W. Welch and David J. Whittaker, “Mormonism’s Open Canon: Some Historical Perspectives on Its Religious Limits and Potentials,” *Preliminary Report for the Foundation for Ancient Research and Mormon Studies* (1987), 4–6 (presented at the annual meeting of the American Academy of Religion and the Society of Biblical Literature in Atlanta, Georgia, Nov. 1986).

37 2 Peter 1:20.

38 John Taylor, “The Organization of the Church,” *Millennial Star*, Nov. 15, 1851, 337, 339 (quoting Joseph Smith).

construction exist in the American legal tradition,³⁹ and the Jewish tradition has rules for analyzing and resolving halachic disputes.⁴⁰ How will Mormons go about the task of finding, revealing, distilling, articulating, understanding, or applying correct principles? How should that process differ from the procedures followed in other jurisprudences? These questions remain open because the sources of jurisprudential wisdom in each and all of the scriptures are copious and variegated. But what is clear is that Mormon scripture will play a preeminent role in that process. If an idea cannot be located and substantiated within the purview of scripture, the idea may still be true, but it probably should not be counted as particularly or bindingly Mormon.

In this process, the scriptures must be carefully and broadly studied. A passage's original intent is important, but so is its reception, history, and its use as canon within Mormon communities. In his article on viewing criminal sanctions through Latter-day Saint thought, Martin Gardner, a Latter-day Saint law professor at the University of Nebraska College of Law, leans heavily on The Doctrine and Covenants Section 42, which tells Mormon leaders that if one of their members commits a crime "he or she shall be delivered up unto the law of the land."⁴¹ But this still leaves us wondering, what does that scripture tell us about what kinds of punishment the state should impose?

Marguerite Driessen, another Latter-day Saint legal educator, responded to Professor Gardner invoking the Pauline

39 See Ruggero J. Aldisert, *The Judicial Process* (2d ed. 1996), 193, 205–08; Benjamin N. Cardozo, *The Nature of the Judicial Process* (1921) 9, 14–18, as reprinted in Philip Shuchman, *Cohen and Cohen's Readings in Jurisprudence and Legal Philosophy* (1979) 245, 246–47.

40 Horowitz, *Spirit of Jewish Law*, 8–17, 745–46.

41 Martin R. Gardner, "Viewing the Criminal Sanction Through Latter-day Saint Thought," *BYU Law Review* (2003), 861, 872 (quoting Doctrine and Covenants 42:79).

mantra, “by the law no flesh is justified.”⁴² But the words and meanings of the Greek word *nomos*, like the English word “law,” are legion and often misleading, so I and most New Testament scholars are still puzzling over what Paul meant.⁴³

Likewise, one must wonder: What was the Book of Mormon prophet Nephi’s intent when he said that “all are alike unto God”?⁴⁴ His pronouncement sounds like the beginnings of a jurisprudence of critical race theory,⁴⁵ but how revolutionary and transformational is Mormonism?⁴⁶ Indeed, Joseph Smith said that Mormonism will revolutionize the world but by making all men friends.⁴⁷

Does Lehi, another Book of Mormon prophet, agree with Plato’s *Philebus* that pleasure is the purpose of life and basis of a jurisprudence when he says, “[M]en are, that they might have joy”?⁴⁸ Not likely. But what did Lehi mean?

What is the scriptural content of the doctrine of agency? Latter-day Saint Michael Young, former dean and professor of comparative law and jurisprudence at George Washington University Law School, rightly detects the centrality of free will

42 Marguerite A. Driessen, “Response, Not for the Sake of Punishment Alone: Comments on Viewing the Criminal Sanction Through Latter-day Saint Thought,” *BYU Law Review* (2003), 941, 954 (quoting 2 Nephi 2:5).

43 See, e.g., A. Andrew Das, *Paul, the Law, and the Covenant* (2001); Hans Hübner, *Law in Paul’s Thought* (1984); Veronica Koperski, *What Are They Saying About Paul and the Law?* (2001); Frank Thielman, *A Contextual Approach: Paul and the Law* (1994).

44 2 Nephi 26:33.

45 See Sinha, *Jurisprudence*, 341: “[Critical race theory] analyzes the relationship of law and racial subordination in the United States.”

46 See generally Dwight N. Hopkins and Eugene England, “A Dialogue on Black Theology,” *Mormonism in Dialogue*, 341; Dwight N. Hopkins et al., “A Dialogue on Womanist Theology,” *Mormonism in Dialogue*, 303; Rosemary Radford Ruether and Camille Williams, “A Dialogue on Feminist Theology,” *Mormonism in Dialogue*, 251.

47 Joseph Fielding Smith, *Teachings of Joseph Smith*, 316, 366.

48 2 Nephi 2:25.

as a philosophical principle in a Mormon jurisprudence.⁴⁹ But one must still ask, how free are we really, given the inevitability of most consequences?⁵⁰

Perhaps most directly pertinent to the law, legal cases in the scriptures need to be carefully analyzed: What rules of law and holdings emerge from the scriptural account of the trial and execution of Naboth;⁵¹ of the action of Boaz on behalf of Ruth;⁵² from the trial of Jeremiah at the temple;⁵³ or in the Book of Mormon, the case of Sherem against Jacob;⁵⁴ or the trials of Abinadi, Nehor, or Korihor?⁵⁵ The same could be asked of the trials of Jesus, Paul, and others.⁵⁶ Why are there so many legal cases in the scriptures, and what would a Mormon jurisprudence draw from them?

Equally difficult to understand—historically, linguistically, literarily, comparatively, collectively, and practically—are the various and often conflicting or changing bodies of rules or legal codes in the scriptures. What is one to make today of Jehovah’s rules of judicial ethics found at the end of the Code of Covenant in Exodus 23,⁵⁷ or the concept of social justice found

49 Michael K. Young, “Legal Scholarship and Membership in the Church of Jesus Christ of Latter-day Saints: Have They Buried Both an Honest Man and a Law Professor in the Same Grave?” *BYU Law Review* (2003), 1069, 1093–94.

50 See C. Terry Warner, “Agency,” *Encyclopedia of Mormonism*, 26–27.

51 1 Kings 21:1–14.

52 Ruth 4:1–13.

53 Jeremiah 26:8–24. This is discussed in John W. Welch, “The Trial of Jeremiah: A Legal Legacy from Lehi’s Jerusalem,” *Glimpses of Lehi’s Jerusalem* (2004), 337.

54 Jacob 7:1–20.

55 Mosiah 12–17; Alma 1:10–15, 30:20–56. See generally John W. Welch, *The Legal Cases in the Book of Mormon* (2008) (providing detailed discussions of each legal case in the Old Testament and Book of Mormon).

56 See generally John W. Welch, “Latter-day Saint Reflections on the Trial and Death of Jesus,” *Clark Memorandum* (Fall 2000), 2; John W. Welch, “Miracles, Maleficium, and Maiestas in the Trial of Jesus,” in James H. Charlesworth, ed., *Jesus and Archaeology* (2006), 349.

57 Exodus 23; see also John W. Welch, “Jehovah’s Code of Civil Justice,” *Clark Memorandum* (Spring 2005), 12. For a more detailed discussion, see *The*

in the laws of Deuteronomy,⁵⁸ or the legal elements concerning divorce and perjury in the Sermon on the Mount,⁵⁹ or the statement published as The Doctrine and Covenants Section 134 on government?⁶⁰ One must look carefully at these issues, not only to determine what the word “kill” or “false witness” actually meant in Hebrew in the Ten Commandments, but also what the implications of those meanings are. Does one cheer (can one cheer, should one cheer) when it becomes clear that Section 134 of the The Doctrine and Covenants reflects Madisonian constructions of revolution, natural law, and freedom of conscience?⁶¹

The scriptures are filled with laws, teachings, statutes, ordinances, commandments, and testimonies, in all their varieties. Legal topics in the scriptures often appear or are assumed in prophetic texts, revelations, ethical admonitions, speeches, sermons, proverbs, parables, psalms, histories, and narratives.⁶² In many ways, the Mormon scriptural package is

Legal Cases in the Book of Mormon, 55, 57–76

58 See generally Léon Epsztein, *Social Justice in the Ancient Near East and the People of the Bible* (1986); Moshe Weinfeld, *Social Justice in Ancient Israel and in the Ancient Near East* (1995), 154, 154–55.

59 See Bernard S. Jackson, “‘Holier than Thou’? Marriage and Divorce in the Scrolls, the New Testament and Early Rabbinic Sources,” *Essays on Halakhah in the New Testament* (2008), no. 16, 167, 169–70 (Jewish and Christian Perspectives Series); John W. Welch, *Illuminating the Sermon at the Temple and Sermon on the Mount* (1999), 67, 69–70.

60 Rodney K. Smith, “James Madison, John Witherspoon, and Oliver Cowdery: The First Amendment and the 134th Section of the Doctrine and Covenants,” *BYU Law Review* (2003), 891, 929–33.

61 Frederick Mark Gedicks, “The ‘Embarrassing’ Section 134,” *BYU Law Review* (2003), 959, 959–60.

62 See generally James K. Bruckner, *Implied Law in the Abraham Narrative: A Literary and Theological Analysis* (2001); David Daube, *Studies in Biblical Law* (2004); Falk, *Old Testament Law*, (1985), 29; Raymond Westbrook, “Biblical Law,” *An Introduction to the History and Sources of Jewish Law* (1996), 1. For several thousand references to books and articles about legal topics in the Bible, see John W. Welch, *Biblical Law Cumulative Bibliography* (2005), Brigham Young University Press & Eisenbrauns CD-ROM.

endless. Exactly what do these texts say? And not say? Is there a scriptural position on tolerance? On struggle and resistance? On analogical reasoning? On legal analysis? On collective intention? On social choice? On human dignity? On the boundaries of democratic pluralism? Unpacking it all remains a daunting task. But herein lies an important recognition of the next main observation concerning the open-endedness of a Mormon jurisprudence.

3. Not Random or Eclectic, But Inclusive

In 1931, the German mathematician Gödel proved an important hypothesis known as the incompleteness theorem.⁶³ He demonstrated that any system can be either complete or consistent, but not both.⁶⁴ Applying his theorem to systems of thought, it has been noted that systematic theologies and strictly rational philosophies may well achieve a satisfying sense of internal consistency, but they do so at the expense of completeness. The standard objections to Aquinas' naturalism, Kant's idealism, or Hart's positivism is that they exclude too much of the picture of life,⁶⁵ saying more and more about less and less, until they say virtually everything about nothing. Abstractions may be clean and clear, but they are also just that, extractions of selected parts from an unmanageable and

63 Ernest Nagel and James R. Newman, *Gödel's Proof*, 94–95 (1964), New York University Press.

64 Nagel and Newman, *Gödel's Proof*. Gödel's work as a young mathematician at the University of Vienna successfully proved the "axiomatic" approach to mathematical thought as unsound, pp. 3–5. The original proofs of Gödel attacked the ancient Greek approach to mathematics, which accepts as true certain unproven axioms and then derives from those axioms all other propositions as theorems, pp. 4–5. This approach was successfully used in geometry and, in Gödel's time, was being applied to other forms of mathematics. Gödel's proof showed this approach unsound and his theories have since been extended beyond mathematics to other disciplines, including philosophy and systematic theology, pp. 6–7.

65 See, e.g., Sinha, *Jurisprudence*, 202–04.

perhaps naturally inconsistent whole. And the answer is not, with critical legal studies,⁶⁶ or perhaps legal polycentrism,⁶⁷ to say less and less about more and more, until one is left to say nothing about everything.

Mormon thought, in contrast, privileges fullness, abundance, completeness, and all that the Father has, even if that means that Mormon thought, like Mormon life, appears to be overloaded, inconsistent, in many ways rationally unprovable and torn by competing values and obligations that pull, stretch, and expand in many ways. This may produce episodes of cognitive dissonance, ethical quandaries, confusion, mystery, and unknowability, but Mormonism boldly recognizes that there must be an opposition in all things,⁶⁸ including rationality and irrationality, as paradoxical as that may seem.⁶⁹

Faced with a choice, a Mormon jurisprudence will always prefer fullness over mere coherence, choosing to circumscribe all truth into one great whole. For this very reason, Joseph Smith objected to the limiting effects of denominational creeds, rational and consistent though they may be: "I want to come up into the presence of God, and learn all things; but the creeds set up stakes, and say, 'Hitherto shalt thou come, and no further'"⁷⁰

66 Sinha, *Jurisprudence*, 297, 307–14 (defining the major tenants of Critical Legal Studies); Lewis A. Kornhauser, "The Great Image of Authority," *Stanford Law Review* (1984), vol. 36, 349, 364–71.

67 Sinha, *Jurisprudence*, 347–49. See generally Arend Soeteman, ed., *Pluralism and Law* (2001) (containing a series of articles addressing the problems and issues posed to the law in a global community); Warwick Tie, *Legal Pluralism: Toward a Multicultural Conception of Law* (1999).

68 2 Nephi 2:11.

69 See David L. Paulsen, "Harmonization of Paradox," in *Encyclopedia of Mormonism*, 402–03. See generally Terry L. Givens, *People of Paradox: A History of Mormon Culture* (2007).

70 Smith, *Teachings of Joseph Smith*, 327. For a developmental analysis of the Christian creeds from a Latter-day Saint perspective, see John W. Welch, "'All Their Creeds Were an Abomination': A Brief Look at Creeds as Part of the

A logical result of this inclusivism can be found in one of the basic impulses of Mormonism—gathering.⁷¹ Joseph Smith and Brigham Young, the first two Presidents of the Latter-day Saints Church, gathered people from various places to Kirtland and Nauvoo, to Utah and Zion. But the principle of gathering embraces not only gathering groups of people but also bodies of truth. Brigham Young once said:

It is our duty and calling, as ministers of the same salvation and Gospel, to gather every item of truth and reject every error. Whether a truth be found with professed infidels, or with the Universalists, or the Church of Rome, or the Methodists, the Church of England, the Presbyterians, the Baptists, the Quakers, the Shakers, or any other of the various and numerous different sects and parties, all of whom have more or less truth, it is the business of the Elders of this Church (Jesus, their Elder Brother, being at their head) to gather up all the truths in the world pertaining to life and salvation, to the Gospel we preach, to mechanism of every kind, to the sciences, and to philosophy, wherever it may be found in every nation, kindred, tongue, and people and bring it to Zion.⁷²

Some people will say that a Mormon jurisprudence is eclectic. But there is a difference between being eclectic and being open or willing to be inclusive. A Mormon “rule of inclusion” may need to be developed. It will fall back, at a

Apostasy,” *Prelude to the Restoration: From Apostasy to the Restored Church* (2004), Sperry Symposium Series No. 33:228.

71 Ronald D. Dennis, “Gathering,” *Encyclopedia of Mormonism*, 536.

72 Brigham Young, *Discourses of Brigham Young*, 382. For a balanced, scholarly discussion of the history and meanings of the idea that Jesus Christ is a brother to all mankind, who all with him have God as their Father as stated in Matthew 6:9 and 7:21, see Corbin Volluz, “Jesus Christ as Elder Brother,” *BYU Studies* (2006), 45:2, 41.

minimum, onto the Mormon concept of scripture, which is both open and canonical, transcendent and immanent.

As a Mormon jurisprudence reads various theories of law, it will find useful elements in each that are true and can be supported by scripture:

Divine Law Theory. Divine law theory will certainly be a primary part of this mix.⁷³ God is a lawgiver in the Bible. Furthermore, the Doctrine and Covenants 88:42 expansively affirms, “[God] hath given a law unto all things,”⁷⁴ and Section 130:20 fundamentally speaks of a law “irrevocably decreed in heaven before the foundations of this world.”⁷⁵ Moreover, Joseph Smith clearly asserted, God “was the first Author of law.”⁷⁶

Natural Law Theory. Natural law theory will have its solid truths to offer and is therefore an essential part of a Mormon jurisprudence.⁷⁷ Law naturally exists to some extent independent even of God, for in Alma’s *reductio ad absurdum*, if God somehow were to be unjust, “God would cease to be God.”⁷⁸

73 See generally Carl S. Hawkins & Douglas H. Parker, “Divine and Eternal Law,” *Encyclopedia of Mormonism*, 808, 809–10. The article explains traditional divine law theory and places it in current Mormon thought, primarily by comparing and applying it to Mormon scripture.

74 Doctrine and Covenants 88:42.

75 Doctrine and Covenants 130:20.

76 Smith, *Teachings of Joseph Smith*, 56.

77 See W. Cole Durham, Jr., “Kantian Justice: The Dynamic Tension of Natural and Positive Law,” 32, 59 (senior thesis, Harvard University, 1972. On file with Brigham Young University) for a brief discussion of the relationship between natural law and positive law. See also Francis J. Beckwith, Paper Presentation at the Princeton University Center for the Study of Religion Conference: “Mormonism and American Politics” (Nov. 10, 2007), http://fora.tv/2007/11/10/Politics_and_Religious_Identity (commencing at minute 51:30), relying on Doctrine and Covenants 130:20–21, 134:1–5; Smith, *Teachings of Joseph Smith*, 181 (“Every principle proceeding from God is eternal . . .”), to refute Damon Linker, “The Big Test: Taking Mormonism Seriously,” *New Republic*, Jan. 1–15, 2007, 18–19 (asserting Mormonism does not have the resources to deal with moral law).

78 Alma 42:13.

God is also bound when people do what he says.⁷⁹ Law is necessary, Lehi argued: “[I]f ... there is no law ... there is no God.”⁸⁰ And in some sense, law or its effects are immutable or fixed: “And again, verily I say unto you, he hath given a law unto all things, by which they move in their times and their seasons; [a]nd their courses are fixed, even the courses of the heavens and the earth, which comprehend the earth and all the planets.”⁸¹

Legal Idealism. Idealist views of law seem enticing, for God is a God of order.⁸² He invites us to come and reason together with him.⁸³ But he reminds us that his thoughts are not our thoughts.⁸⁴ Still, law strives for ideal harmony, and “[t]he law of the Lord is [ideally] perfect.”⁸⁵

Legal Positivism. Positivist formulations abound in Mormon scripture and rhetoric. On one hand, God’s sovereign commands are coupled with explicit sanctions (as epitomizes the positivist jurisprudence of John Austin)⁸⁶ and on the other hand, with rewards upon which that blessing is predicated.⁸⁷ In the Book of Mormon, Lehi even goes as far to say that where there is no law, there is no punishment.⁸⁸

Sociology. Sociological theories of jurisprudence look to the instrumental values of law in furthering the purposes of life, in promoting the inner order of human associations, or

79 Doctrine and Covenants 82:10 (“I, the Lord, am bound when ye do what I say; but when ye do not what I say, ye have no promise.”).

80 2 Nephi 2:13.

81 Doctrine and Covenants 88:42–43.

82 See Doctrine and Covenants 88:119 (stating that the Lord’s house is “a house of order”).

83 Isaiah 1:18.

84 Isaiah 55:8.

85 Psalms 19:7.

86 See John Austin, *The Province of Jurisprudence Determined and the Uses of the Study of Jurisprudence* (1954), 157–59. For examples of commandments or laws coupled with punishments, see Alma 30:10; Deuteronomy 22:22; Genesis 9:6.

87 Doctrine and Covenants 130:21.

88 2 Nephi 2:13.

strengthening the conditions of social solidarity.⁸⁹ Similarly, the intellectual generativeness of Mormon scriptures on social order, the plan of salvation, the purpose of life, community, Zion, and the relativity of revelations in different dispensations and languages all invite sociological insights into a Mormon jurisprudence.

Pragmatism. Pragmatic views of law are prescriptive (as in the jurisprudence of John Chipman Gray⁹⁰); so are the scriptural “be ye therefore” and the rules of conduct prescribed for members of the church throughout scripture.⁹¹

Legal Realism. Even legal realism may have a place in a Mormon jurisprudence. Realist views are predictive, or at least attempt to predict future judicial outcomes based on past experience (as in the work of Oliver Wendell Holmes and Karl Llewellyn⁹²). Likewise, the prophecies about how the final judgment will proceed and what the consequences of human choices will be are also predictive.⁹³

Psychology and Phenomenology. Psychological and phenomenological constructs of law⁹⁴ seem consonant with the scriptural injunctions to find and do justice, not in or with law books and past precedents, but “in the fear of the Lord, faithfully, and with a perfect heart.”⁹⁵

And so it goes: Wherever truth may be found, it will be embraced and utilized by a Mormon jurisprudence.

89 Sinha, *Jurisprudence*, 223–45.

90 See generally John Chipman Gray, *The Nature and Sources of the Law* (1921), Macmillan.

91 See, e.g., Doctrine and Covenants 105:41; Exodus 22:31; Luke 6:36; Matthew 5:48; 3 Nephi 12:48.

92 Oliver W. Holmes, Jr., *The Common Law* (1887), reprinted in Jeffrey A. Brauch, *Is Higher Law Common Law?: Readings on the Influence of Christian Thought in Anglo-American Law* (1999), 79, 79–80; Karl Llewellyn, “Some Realism About Realism,” 47 *Harvard Law Review* (1931), 47:1222, as reprinted in Brauch, 80, 82, 85.

93 Alma 12:13–18; Mosiah 3:24–27.

94 Sinha, *Jurisprudence*, 284–95.

95 2 Chronicles 19:9; see also Doctrine and Covenants 97:21.

Jurisprudential conflict usually stems from different answers to the following question: Where do we look for truth? Various theories provide answers such as universality,⁹⁶ consistency,⁹⁷ rationality,⁹⁸ stateability,⁹⁹ as well as enforceability, predictability, or measurability. Others say, look to experience; but to whose experience do we look? Again, various answers range from looking to the experience of the courts,¹⁰⁰ of officials,¹⁰¹ of legislators,¹⁰² of ordinary citizens, or of social scientists.¹⁰³ A Mormon jurisprudence would not exclude a priori any of these answers and would include others as well, which leads to one final main point.

4. Fundamentally Pluralistic

As one may readily discern from the foregoing discussion of the Latter-day Saint concept of open canon and from the

96 See Cairns, *Legal Philosophy*, 118–20 (discussing Aristotle’s concept of universal justice).

97 See Aldisert, *Judicial Process*, 313–414 (discussing examples of observing precedent when making decisions in law).

98 Aldisert, *Judicial Process*, 428–46 (explaining the use of logic in the law); see also Morris R. Cohen, “The Place of Logic in the Law,” *Harvard Law Review* (1916), 29:622, 630–38, reprinted in *Cohen and Cohen’s Readings in Jurisprudence and Legal Philosophy*, at 412–18.

99 See Aldisert, *Judicial Process*, 604–75 (justifying judicial decision-making in judicial opinions).

100 Aldisert, *Judicial Process*, 527–28.

101 Aldisert, *Judicial Process*, 121–80.

102 See William Robert Bishin, “The Law Finders: An Essay in Statutory Interpretation,” *Southern California Law Review* (1965), 38:1, 2–3, 13–17, as reprinted in *Cohen and Cohen’s Readings in Jurisprudence and Legal Philosophy*, 340–46; Julius Cohen, “Towards Realism in Legispudence,” 59 *Yale Law Journal* (1950), 59:886, 886–97, as reprinted in *Cohen and Cohen’s*, 346–53; Sir Henry Maine, *Early History of Institutions* (3d. ed. 1880), as reprinted in *Cohen and Cohen’s*, 339–40.

103 Alvin K. Klevorick, “Law and Economic Theory: An Economist’s View,” 65 *American Economy Review* (1975), 65:237, as reprinted in *Cohen and Cohen’s Readings in Jurisprudence and Legal Philosophy*, 882–91; Laurence H. Tribe, *Philosophy and Public Affairs* (Fall 1972), 66, as reprinted in *Cohen and Cohen’s*, 839–40.

strong Latter-day Saint preference for fullness, the main philosophical assumptions that will drive the engine of a Mormon jurisprudence are all distinguished by a strong inclination, not necessarily toward pluralism, but toward pluralistic manifolds.

Over the years, I have spoken with many scholars of various faiths. These discussions have made me keenly aware that words and phrases, concepts and presuppositions, all of which seem perfectly obvious and intuitively valid to me, may mean something completely different, or perhaps even nothing at all, to a person of another persuasion. Frequently, this results in frustration, misrepresentation, or abandonment of the topic.

As I sat listening to intellectual ships passing in the night, it dawned on me why so many points of disjunction exist between Mormonism and traditional Christian orthodoxy. The common element present in Evangelical objections against Mormon thought is this: Evangelicals, including such notables as C. S. Lewis, are monists, where Mormons are pluralists. Over and over again, Mormon doctrine relishes multiplicity. Many words found in traditional Christianity are principally understood in the singular; whereas, the same words in Mormon doctrine are understood predominantly as plurals:¹⁰⁴ priesthoods and priesthood offices;¹⁰⁵ kingdoms, powers, and principalities;¹⁰⁶ intelligences, two creations, and worlds without number;¹⁰⁷ hosts of heaven; messengers;¹⁰⁸ continuing

104 Mormons typically rely on the King James version of the Bible published by The Church of the Latter-day Saints. All English translations of the Bible, including the New International Version, sometimes singularize words, even though the ancient Hebrew or Greek might have used a plural. I do not mean to imply that Evangelicals do not rely on the King James version, rather I simply wish to draw attention to the different doctrinal implication of the singular and the plural.

105 Ephesians 4:11; Hebrews 7.

106 Titus 3:1.

107 Compare Hebrews 1:2, 11:3 (New International Version), with Hebrews 1:2, 11:3 (King James, The Church of Jesus Christ of Latter-day Saints).

108 Amos 3:7.

revelations and gifts of the spirit;¹⁰⁹ scriptures, dispensations, covenants, ordinances, two Jerusalems, and two deaths; heavens;¹¹⁰ degrees of glory;¹¹¹ many “mansions”;¹¹² eternal lives; and even, in certain senses, saviours,¹¹³ and gods.¹¹⁴ It is second nature for Latter-day Saints to think, comfortably, in terms of manifold pluralities. In contrast, it is first nature for Evangelicals to think, readily, in terms of singularity: one kingdom, one scripture, one priesthood of all believers, one saving act, and one sanctifying human response of faith to God’s singular grace.¹¹⁵

The debate over whether truth, reality, being, and matter are ultimately one or many has a very long and sagacious history. Greek philosophy traces its earliest origins to the debate over whether essence is ultimately one or many. Parmenides, Heraclitus, Thales, Anaximander, Democritus, and others argued over whether matter is one or many, and if many, how many.¹¹⁶ Medieval alchemists subscribed to the view that matter

109 1 Corinthians 12:4–11.

110 Matthew 5:3, 10:10, 6:9. Although “heaven” is used in the singular in both the New International version and the King James version as published by The Church of Jesus Christ of Latter-day Saints, Mormon doctrines rely on the original Greek, *ouranos*, which is often referred to in the plural, *ouranoi*. *New Bible Dictionary* (1982), 465–66.

111 1 Corinthians 15:40–42.

112 John 14:2. The original Greek word is *monai*. *New Bible Dictionary*, 735.

113 Compare Obadiah 1:21 (New International Version) (translated as “deliverers”), with Obadiah 1:21 (King James, The Church of Jesus Christ of Latter-day Saints) (translated as “saviours”).

114 Psalms 82:6.

115 This should come as no surprise, since Evangelicalism is firmly rooted in Protestantism and its general affirmation of the five “*solas*”: *sola scriptura* (scripture alone), *solus Christus* (Christ alone), *sola gratia* (grace alone), *sola fide* (faith alone), and *sola Deo gloria* (glory to God only).

116 See generally *The Cambridge Dictionary of Philosophy*, Robert Audi, ed. (1995), 624–25. Cf. Daniel W. Graham, *Explaining the Cosmos: The Ionian Tradition of Scientific Philosophy* (2006), 186, 220–23. (positing a new practice of cosmology, which, according to the standard interpretation of Anaxagoras’ and Empedocles’ later Ionian philosophy, is best termed *Eleatic pluralism*).

was essentially homogenous, so one form of matter could be transmuted into another.¹¹⁷ Newtonian science, Bohr's atomic theory, and now high energy nuclear physics, have offered views on ultimate valences of matter.¹¹⁸ Scientific models, of course, do not control theology, but they do provide points of reference in understanding the nature of existence, or better said, of existences. Mormon thought would come down on the side of the pluralists in several important ways:

Epistemology. A Mormon jurisprudence will draw on multiple sources of knowledge. Logic, reason, and rationalism are sources of knowledge, judgment, and wisdom, but they are not exclusive sources. Revelation, inspiration, spirituality, and emotion are among sources of knowledge that all have important places at the Mormon jurisprudential roundtable. None of these places necessarily hold the right to trump the input of any of the other places, although in matters of reason, the rules of reason trump, and in matters of revelation, gifts of the spirit would hold sway. As I have written elsewhere, both are necessary: just as it takes two hands to play a violin, it takes both mind and spirit to approach truth.¹¹⁹ One must "seek learning, even by study and also by faith."¹²⁰ Thus, I am dubious of compartmentalization.¹²¹

117 See E. J. Holmyard, *Alchemy* (1957), 15–16, Dover.

118 See John L. Brooke, *The Refiner's Fire: The Making of Mormon Cosmology 1644-1844* (1994), 27, 95, 106. See generally William J. Hamblin et al., Book Review, *BYU Studies* (1994-95), 34:4, 167. Quantum String Theory has recently jumped into this debate, postulating that the universe is made of only one kind of thing—"strings" that vibrate at different frequencies to become the different particles we observe. Brian Greene, *The Elegant Universe: Superstrings, Hidden Dimensions, and the Quest for the Ultimate Theory* (2003), 15–17.

119 John W. Welch, *Nurturing Faith Through the Book of Mormon: The Twenty-Fourth Annual Sidney B. Sperry Symposium* (1995), 149, 149–86, as reprinted in *Echoes and Evidences of the Book of Mormon*, Donald W. Parry et al., eds. (2002), 17, 26.

120 Doctrine and Covenants 88:118.

121 Cf. Young, *Legal Scholarship*, 1069–95 (arguing that compartmentalization of faith and scholarship stems, inter alia, from the historical separation of

Cosmology. A Mormon jurisprudence presumes a complex layering of multiple worlds or kingdoms, which necessarily entails multiple laws. Especially important and interesting is the revelation in the Doctrine and Covenants which reads as follows:

All kingdoms have a law given; [a]nd there are many kingdoms; for there is no space in the [*sic*] which there is no kingdom; and there is no kingdom in which there is no space, either a greater or a lesser kingdom. And unto every kingdom is given a law; and unto every law there are certain bounds also and conditions. All beings who abide not in those conditions are not justified.¹²²

What one finds here is a very profound and important approach to law, which can be called, with apologies to Einstein, a general theory of *legal* relativity. Natural law cannot be universalized specifically because all creation is not in fact one homogenous universe, but a multiverse. Every kingdom has a law, yet it is a natural law, at least in the sense that it is consistent with the nature of the matter within that kingdom. A Mormon jurisprudence would recognize that many laws pertinent to this world are quite possibly irrelevant in the setting of another kingdom. Do laws against murder have anything to do with another world of immortal beings?

This point could be multiplied many times over. Metaphysically, Mormon thought uses time and eternity perspectives and realizes that justice may still be just, even if it is delayed. This diachronic factor solves a classic paradox of justice and mercy, of God being both just and merciful,

religion and academia, the tendency of man to compartmentalize competing demands, and the inevitability of bias; but that Latter-day Saint scholars should make a courageous effort to juxtapose vocation and faith).

122 Doctrine and Covenants 88:36–39.

for, as the prophet Alma explains, mercy resides in the fact that God stays his hand during a probationary time allowing people to choose to repent and accept the benefits of the grace and atonement of Jesus Christ.¹²³ Of course, only a God who exists and acts in time can do this, allowing such a stay in the execution of the demands of justice.¹²⁴

A binary world is presumed in the opposites that constituted the Creation (dark and light, wet and dry, male and female), with both sides of these pairs of opposites being not only descriptive of the nature of this world, but also necessary to permit choice. As Lehi famously stated, “For it must needs be, that there is an opposition in all things.”¹²⁵ A Mormon metaphysics, therefore, would address and include such concepts as causation, determinism, fate, freedom, influence, addiction, and relinquishment of freedom, accepting as fundamental the axiom that human nature is changeable, both for better or worse:

And again, verily I say unto you, that which is governed by law is also preserved by law and perfected and sanctified by the same. That which breaketh a law, and abideth not by law, but seeketh to become a law unto itself, and willeth to abide in sin, and altogether abideth in sin, cannot be sanctified by law, neither by mercy, justice, nor judgment. Therefore, they must remain filthy still.¹²⁶

A Mormon jurisprudence would work from a basic understanding of human nature that recognizes the seed of

123 See Alma 42:4.

124 See generally David L. Paulsen, “The Doctrine of Divine Embodiment: Restoration, Judeo-Christian, and Philosophical Perspectives”, *BYU Studies* (1996), 35:4, 7, 8 (arguing for a rational acceptance of the divine embodiment of an infinite God).

125 2 Nephi 2:11.

126 Doctrine and Covenants 88:34–35.

divinity and therefore of eternal value in every human being, however faint it may sometimes seem.¹²⁷ The jurisprudence of Thomas Hobbes begins with the premise that human nature is evil and needs to be contained and controlled by benevolent ruling forces.¹²⁸ While recognizing that evil forces influence and shape human decisions and that the natural or mortal element in man stands in a state of enmity toward the immortal or divine, a Mormon jurisprudence still assumes that humanity is in essence beneficent and that most of the people most of the time will prefer to choose good over evil.¹²⁹

A Mormon jurisprudence would pluralistically place equal weight on rights and duties. In the United States, people speak often, and sometimes loudly, in behalf of rights: civil rights, human rights, legal rights, the right to bear arms, the right to assemble, the right to counsel. Less frequently, if at all, do people speak of duties. While I am a strong supporter of the Bill of (individual) Rights, I wonder if one should not begin to promote the idea of a “Bill of Communitarian Duties.” I suspect that the twentieth century will go down in jurisprudential history as the century of personal rights (equal rights, voting rights, civil rights, etc.). I hope that the twenty-first century will become a century of legally recognizing and strengthening civic duties.

Ultimately, duty analysis turns on how people view other people. If other people are optional and all relationships are voluntary, duties are spineless. A Mormon jurisprudence, however, rejects the prevailing view of radical individualism and operates upon the fundamental assumption that all

127 See generally Truman G. Madsen, “The Latter-day Saint View of Human Nature,” *On Human Nature: The Jerusalem Center Symposium* (2004), Truman G. Madsen et al., eds., 95. (exploring the Latter-day Saint view of human nature in a collection containing nine different religious traditions’ views on the same).

128 Thomas Hobbes, *Leviathan*, Edwin Curley, ed. (1994), 74–78, 84–85, Hackett Publishing.

129 Mosiah 29:26.

human beings are children of God, irrevocably brothers and sisters. In this view, other people are not optional.¹³⁰ Indeed, through the atonement of Jesus Christ, every human being may become fully exalted and receive all that he and his Father have. Moreover, these involuntary relationships may be sanctified by volitional, holy, and eternal covenantal bonds. This potent Latter-day Saint view supports not just ordinary but indeed robust views of communitarian social justice.

An ethics of merit and responsibility goes hand in hand with this Mormon self-perception, for no one will get to a state of justice by getting there alone. Permissiveness is not a blessing if it encourages self-destruction, and we mourn each loss as a loss of part of ourselves.

A pluralistic Mormon jurisprudence would reject the idea that all law can be reduced to economics.¹³¹ In fact, one cannot buy anything and everything in this world for money. This irreducibility transforms a jurist's approach to damages, equity, remedies, fairness, justice, and punishment. A Mormon jurisprudence will likewise make room for multiple theories of punishment, not just the one right theory or approach (as seems to be the premise in the exchange between Martin Gardner and Steven Huefner¹³²). Individual circumstances and needs

130 See Smith, *Teachings of Joseph Smith*, 159; see also Doctrine and Covenants 132:15–19.

131 But see C. Edwin Baker, "The Ideology of the Economic Analysis of Law," *Philosophy and Public Affairs* (Autumn 1975), 3, reprinted in *Cohen and Cohen's Readings in Jurisprudence and Legal Philosophy*, 870; Thomas C. Heller, "The Importance of Normative Decision-Making: The Limitations of Legal Economics as a Basis for a Liberal Jurisprudence—as Illustrated by the Regulation of Vacation Home Development," *Wisconsin Law Review* (1976), 385, 468–73, as reprinted in *Cohen and Cohen's*, 891, 893; Klevorick, *Law and Economics*, 883–85, 890–91; Richard A. Posner, "Observation, The Economic Approach to Law," 53 *Texas Law Review* (1975), 757, 759–78, as reprinted in *Cohen and Cohen's*, 853; Laurence H. Tribe, "Policy Science: Analysis or Ideology," *Philosophy and Public Affairs* (Fall 1972), 66, reprinted in *Cohen and Cohen's*, 836.

132 Compare Gardner, *Viewing Criminal Sanction*, 861–62, 889 (arguing that a retributivist view of punishment best serves the Latter-day Saints Church

will call for the use of an arsenal of various punishments. A Mormon jurisprudence might even favor a talionic approach to punishment, on some occasions having the punishment match the crime. The scriptures are full of examples of talionic justice, especially in cases involving divine or natural justice.¹³³ As I have suggested elsewhere, under a Mormon jurisprudence, if a person litters the highway he or she would be sent out to clean up roadways.¹³⁴ If a person lies under oath, that person should not be allowed to hold positions of trust, such as service on a board or as a trustee. We might punish those who commit perjury by having the IRS audit their tax returns,¹³⁵ a fitting penalty; since tax returns are filed under penalty of perjury, if one has lied on the witness stand, “the government might want to presume that such a person would also have likely lied on his or her tax returns.”

5. Concluding Comments

In conclusion, I come back to a few things I passed over quickly at the beginning of this Article. While one may agree with Dean Michael Young that the task of articulating a Mormon jurisprudence may be much more difficult and perhaps even riskier than people might have assumed, I do not think that people should be hesitant or reluctant in trying. Offering a Mormon approach need not be a “conversation stopper.” Members of all faiths should be engaged in the ongoing process of understanding jurisprudence. Indeed, anyone who asserts a

doctrine), with Steven F. Huefner, “Reservations About Retribution in Secular Society,” *BYU Law Review* (2003), 973, 973–74, 988, 992. (disagreeing with Gardner that a retributivist view justifies punishment and instead arguing that Latter-day Saints Church doctrine strongly supports a utilitarian justification).

133 Bernard S. Jackson, *Studies in the Semiotics of Biblical Law* (2000), 271–97.

134 John W. Welch, “Biblical Law in America: Historical Perspectives and Potentials for Reform,” *BYU Law Review* (2002), 611, 641.

135 Welch, “Biblical Law,” 611, 641.

right or advances a worldview bears the duty to articulate the implications of their exercise of that right or of adopting that worldview.

Mormonism, of course, is a young tradition, little more than 175 years old. Think where Christianity was when it was only 175 years old. No Mormon Thomas Aquinas has appeared yet. Latter-day Saints still have much homework to do, and in this they will need the help of many intellectual friends. However, Mormonism is extraordinarily rich in potential. It is deeply devoted to both truth and goodness. How rich is the idea that people should become eventually like God (an idea not unique to Mormonism, as reflected in 1 John 3:2). Whatever a person's view of God's true character or characteristics might be, how much better the world would be if that person would strive to the extent possible in this present mortal experience to be like God.

The jurisprudential potential of Mormonism remains to be actualized. I mentioned several passages, such as the words of Alma, the founding Nephite chief justice, in Alma 42, regarding justice and mercy. A Latter-day Saint might see his words as jurisprudential matter unorganized and awaiting organization, and others may see these ideas as Wittgensteinian¹³⁶ notations; filled with choice kernels that in the Lord's time may blossom, containing nuggets that still need to be mined, and arrayed with loose gems that still need to be set.

Most of all, one may see in Mormon jurisprudence a potential to be pluralistic without degenerating back into chaos. In the post-modern world, Mormonism offers a logical alternative to the two prevailing paradigms—relativism and absolutism.

136 For a resource detailing the intricacies of Wittgenstein's philosophical contribution to logic and language, see generally *Deepening Our Understanding of Wittgenstein*, Michael Kober, ed. (2006).

Post-modernism is heavily entrenched in relativism, despite the fact that relativism has its own philosophical problems.¹³⁷ Following Nietzsche and others, the relentless search for rationally-based truth has been basically eliminated. Things are now “true” inasmuch as they correspond to their systems (for example, Wittgenstein’s language games¹³⁸)—but there is no single system that dominates all other systems.

Based on this, what is true for one person can be false for another. Despite this entrenched relativism, however, few actually believe it when taken to its logical conclusion. For example, the New Testament states that Christ died on the cross. The *Qur’an* is equally emphatic that he did not. Few believe that the two statements can both be true, and hence people are absolutist in at least some weak sense of the word. But how is one to determine which of the two, or if both, are false?

The Enlightenment has failed in several important respects—unaided rationality cannot lead to ultimate truth. This failure has called into question whether there is ultimate truth.¹³⁹ But what replaced the mindset of the Enlightenment—namely, post-modernism—has plenty of problems of its own. This again is another one of the places where the Mormon worldview, and hence a Mormon jurisprudence, allows people to have their cake and eat it too. There is ultimate truth—in the Latter-day Saints view—in statements such as God exists; Jesus is the Christ, the Son of the living God; God speaks through prophets; the Bible contains the word of God; and so on. Though

137 I use “relativism” here as the various philosophical systems that deny ultimate truth. Any such system will necessarily have problems, like the fact that the sentence “all truth is relative” makes itself relative.

138 Ludwig Wittgenstein, *Philosophical Investigations* (1969), 5e, Macmillan 3d ed.

139 The argument runs something like this: Rationality cannot lead to ultimate truth, therefore there is no ultimate truth. This is obviously fallacious. Many post-moderns have thrown out the baby with the bath water.

the ultimate goal, for Mormons and all other Christians, however, is to have every member of the human race hear and accept all ultimate truths, the emphasis for Latter-day Saints is not on immediately arriving at that truth and changing one's life instantaneously. The Latter-day Saints scriptures are replete with statements that those who continually seek after more light and knowledge are those who grow line upon line,¹⁴⁰ will increase in light and holiness,¹⁴¹ and will eventually enter into the rest of God. Those who continually seek further light and knowledge will not be blamed.

This allows a Mormon jurisprudence to create a mediating position between relativism and absolutism. Two mutually contradictory facts are not true in the sense that they both represent reality, but depending on the individual circumstances of each human being, what is helpful in the development of one person's spirituality might not be helpful to another's. Ultimately, of course, the judgment of how well we have done is left to God.

An analogy from Romans is useful: Paul compares in Romans 12 the church of Christ to a body.¹⁴² Extending that analogy, the human race itself is a body, and not all have the same office. Though Latter-day Saints believe they have the fullness of the gospel, they do not equate that fullness with all truth, as was mentioned above by Brigham Young.¹⁴³ The Latter-day Saint Church teaches that the great thinkers and religious leaders of the world—Muhammad, Zarathustra, Lao Tzu, Socrates, and others—were sent by God to bring further light and knowledge to their respective peoples inasmuch as those people were ready to receive.¹⁴⁴ Consequently, Latter-day

140 2 Nephi 28:30.

141 Doctrine and Covenants 82:14.

142 Romans 12:4–5.

143 See *Discourses of Brigham Young*, 382.

144 See generally Cardell Jacobson, "Official Declaration—2," *Encyclopedia of Mormonism*, 423–24 (discussing the revelation to President Spencer W.

Saints hope to learn much from the teachings of such great men.

This emphasis on doing the best one can, spiritually and intellectually, with what one has been given allows the Latter-day Saint to emphasize aspects of both the Enlightenment worldview, namely that there is ultimate truth, and the post-modern worldview, namely that what is “true” for one person might not be “true” for another, with the disclaimer that one must always be moving towards the ultimate truth inasmuch as it is revealed to him or her. Mormon thought is pluralistic without degenerating into chaos.

A pluralistic theology or jurisprudence should uniquely appeal to and serve the needs and interests of the ever-increasingly complex world in which various cultures, ideologies, interest groups, cultures, ethnicities, modalities, and religions abound. Indeed, it should serve the needs of all God’s children, in every nation, kindred, tongue, and people. Is it too much to think that a Mormon jurisprudence might serve those ends even better than the other options that have been put on the jurisprudential table thus far?

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Kimball, Official Declaration—2, which made it possible for all worthy males—including black males—to hold the priesthood).

MISUNDERSTANDING MORMONISM IN *THE MORMONIZING OF AMERICA*

Craig L. Foster

The Mormonizing of America by Stephen Mansfield has been touted as a solid, impartial look at Mormon history and doctrine. Unfortunately, on closer examination, the book is seriously lacking both in substance and impartiality. This article discusses the book's numerous problems.

Review of Stephen Mansfield. *The Mormonizing of America: How the Mormon Religion Became a Dominant Force in Politics, Entertainment, and Pop Culture*. Brentwood, TN: Worthy Publishing, 2012. 264 pp. \$22.99.

Stephen Mansfield's *The Mormonizing of America* was published in 2012 at the height of the so-called "Mormon Moment," which coincided with Mitt Romney's presidential campaign. The book was generally well received by reviewers in publications like *US News and World Report* and *The Washington Post*. A number of reviews on Internet blogs were especially laudatory. On the "America Done Right" blog, for example, the reviewer stated how, after reading the book, he had "come away with a better understanding of the history of the Mormon religion and a healthy respect for their beliefs thanks to an honest author." The reviewer ended by advising,

"If you are interested in learning about the Mormon religion then this is the book for you."¹

Among some of the Christian blogs and publications, the reviews were particularly positive. One review explained, "Although Mansfield is writing from a Christian perspective, he is very respectful towards LDS beliefs, writing from an impartial stance and leaving the evidence to speak for itself."² Another Christian blogspot enthusiastically proclaimed, "*The Mormonizing of America* is a book I'd recommend as a primer on Mormon history and, more so, as a means of understanding why Mormonism has gained such popularity in recent days."³

Even among some people studying Mormon history and doctrine there was praise. One historian wrote regarding critiques of *The Mormonizing of America*, "The book has received high marks for its objectivity and balance. Selecting quotes out of context from the author of the book to argue for anti-Mormon bias is inexcusable."⁴

In spite of the numerous accolades and applause for *The Mormonizing of America*, not all readers nor reviewers were impressed. Doug Gibson of the Ogden Standard-Examiner

1 "Book Review: *The Mormonizing of America* by Stephen Mansfield," America Done Right: Ideas for a Better United States of America (n.d.), <http://americadoneright.wordpress.com/2012/08/20/book-review-the-mormonizing-of-america-by-stephen-mansfield/>, accessed 9 January 2013.

2 "Review: *The Mormonizing of America* by Stephen Mansfield," Iola's Christian Reads (28 July 2012), <http://christianreads.blogspot.com/2012/07/review-mormonizing-of-america-by.html>, accessed 9 January 2013.

3 Tim Challies, "The Mormonizing of America," Challies: Informing the Reforming (1 August 2012), <http://www.challies.com/book-reviews/the-mormonizing-of-america>, accessed 9 January 2013. Challies's opinion is not without bias. In his review he describes Joseph Smith as "a polygamous, philandering, ego-centric, irrational confidence trickster." He continues, "Brigham Young was no better, another polygamous sociopath who presided over a reign of terror in Utah."

4 Copy of a page of comments sent to the author on 4 January 2013 and presently in the author's possession. The name of the historian has been withheld as a common courtesy.

described the book as “a soft-sell piece of ‘Bible-bookstore’ anti-Mormonism, in which the author tries to tone down his righteous indignation using a ‘I-have-a-lot-of-Mormon-friends-I-admire’ maneuver.” Gibson ended his review by predicting the book “is too simple a work to find much of an audience beyond bookstores of the types that have sections devoted to anti-Mormonism books.”⁵

Gibson’s prediction was partly true. While it certainly was carried in Christian bookstores across the country, it became more popular than expected and certainly more popular than deserved. This review takes an in-depth look at Stephen Mansfield’s *The Mormonizing of America* and discusses what Mansfield got right and what he got wrong.

Stephen Lee Mansfield, a Georgia native, was born in 1958. The son of a United States military officer, Mansfield lived at military posts around the United States but spent most of his early years in Germany. After a conversion experience, Mansfield attended a Christian college where he earned a bachelor’s degree in history and philosophy. He spent twenty years as a pastor of a Texas church. While in Texas he also completed two master’s degrees, hosted a radio show, and became a popular speaker. In 1991 he moved to Tennessee, where he pastored a 4,000 member church.⁶

In 1995, Mansfield released his first book, *Never Give In: The Extraordinary Character of Winston Churchill*. This was followed by biographies of Booker T. Washington and George Whitefield, as well as other publications. *The Faith of George W. Bush* (2003) was highly acclaimed as was Mansfield’s *The Faith of the American Soldier* (2005). He later wrote *The Faith of*

5 Doug Gibson, “Book on ‘Mormonizing’ of America is Bible-bookstore anti-Mormonism fodder,” Standard-Examiner Blogs (21 May 2012), <http://blogs.standard.net/the-political-surf/2012/05/21/book-on-mormonizing-of-america-is-bible-bookstore-anti-mormonism-fodder>, accessed 16 June 2013.

6 “Mansfield Memo – Long Bio,” The Mansfield Group, www.MansfieldGroup.com, accessed 16 June 2013.

Barack Obama (2009), which received mostly positive reviews. He also wrote *Pope Benedict XVI: His Life and Mission* (2005) and *The Search for God and Guinness* (2009).⁷

In 2002 Mansfield's first wife filed for divorce. That was the same year he resigned as pastor of Nashville's Belmont Church and quit the ministry. In 2007 he remarried, and he and his wife continue to reside in Tennessee to the present. Mansfield continues to undertake numerous writing projects as well as speaking and teaching engagements, including conducting a seminar on Mormonism.⁸

That Stephen Mansfield would teach a course on Mormonism is ironic given his apparent lack of understanding when it comes to Mormon doctrine and history. It is difficult for almost any historian and scholar to write on a subject that is basically foreign to them. Christians writing about Islam or Judaism, or Catholics writing about Southern Baptists, for example, must understand and discuss doctrines, practices, and worldview different from their own without adding judgment or terminology that would taint their work. While Mansfield claimed to have done that for *The Mormonizing of America*, he was not successful.

Examples of this basic lack of understanding range from the silly to the substantial, manifested when almost immediately into the book Mansfield recounts how some Brigham Young University students had joked about the amount of candy consumed on campus by explaining that M&Ms are Mormons' drug of choice. He then writes, "And there we stood, a member of the Mormon priesthood and a decidedly non-Mormon

7 "Mansfield Memo – Long Bio," The Mansfield Group, www.MansfieldGroup.com, accessed 16 June 2013.

8 Bob Smietana, "Stephen Mansfield finds career in God, politics," *The Tennessean* (6 January 2013), <http://www.tennessean.com/article/2013106/NEWS06/301060095>, accessed 8 January 2013 and "Stephen's Seminar on Mormonism," The Mansfield Group, <http://mansfieldgroup.com/2012/07/01/new-seminar-on-mormonism>, accessed 9 January 2013.

guest, laughing about what would have been too painful to discuss not too many years ago.”⁹ It is difficult to figure out what had been so painful, Mormons talking to non-Mormons or Mormons eating M&Ms. Either scenario being portrayed as painful is strange, to say the least.

Mansfield doesn't even get the name of the present LDS church president correct, referring to him as President Robert S. Monson.¹⁰ He also announces that “some Saints carry mental images of Smith or Young or Monson (current LDS president) or even Glenn Beck or one of the Marriotts that inspire them as a framed photo of Vince Lombardi might someone else.”¹¹ Such a declaration is obviously impossible to either prove or disprove. The reality is that if most Mormons were asked what mental image they carried with them to seek inspiration, they would probably say they think of the Savior. Many would not have a mental picture—rather they would think of a favorite hymn or scripture that strengthens and inspires them. Fewer would suggest a mental image of Joseph Smith or Thomas S. Monson, the current LDS president. It would be a very few, if any, Latter-day Saints who would mention either Beck or the Marriotts, especially since most members of the church do not know nor care what any of these men actually look like and would certainly not hold them up as spiritual exemplars to follow devotedly.

9Stephen Mansfield, *The Mormonizing of America: How the Mormon Religion Became a Dominant Force in Politics, Entertainment, and Pop Culture* (Brentwood, TN: Worthy Publishing, 2012), xvi.

10 Mansfield, 81. Throughout *The Mormonizing of America*, little vignettes are included with made-up names that are, according to Mansfield, changed. In other words, whole undocumented conversations take place in which the reader is left to depend upon the author's word these conversations really took place and he somehow was able to get whole conversations verbatim. The fact he couldn't even get Thomas S. Monson's name correct calls into the question the veracity of all of the so-called conversations.

11 Mansfield, 213.

The book contains an embarrassing number of factual errors.¹² Some are just plain silly. For instance, there are nonsensical mistakes like calling the belief in continuing revelation “progressive revelation”¹³ and describing David O. McKay as the “First President” rather than the president and prophet in the First Presidency.¹⁴ Mansfield states that the 1835 edition of the Doctrine and Covenants “had 138 recorded revelations in its pages.”¹⁵ Not only were there not 138 revelations in the 1835 edition, the 138th section of the LDS Doctrine and Covenants was a vision that was not received until 1918 and not added to the Doctrine and Covenants until 1981. Later he explains that “women are now allowed to go on missions”¹⁶ as if that was a recent policy change. How difficult would it have been to perform just a little research and find out that the first Mormon sister missionaries were Inez Smith and Lucy Jane “Jennie” Brimhall, who were set apart in 1898 to serve a mission to England?¹⁷

However, there are more serious doctrinal and historical problems. Among the doctrinal problems are when Mansfield states that men “assume [the] priesthood at the age of fourteen” and then several pages later he has an unnamed person say that a young man becomes “a priest at twelve years old.”¹⁸ In reality, a young man, if worthy, is ordained to the Aaronic Priesthood, as a deacon at age twelve. Most young men become priests at the age of sixteen.

12 For example, there were basic errors like incorrectly explaining on page 159 how temple garments are worn and how to properly dispose of old temple garments.

13 Mansfield, 161 and 180.

14 Mansfield, 27.

15 Mansfield, 178.

16 Mansfield, 160.

17 Diane L. Mangum, “The First Sister Missionaries,” *Ensign* (July 1980), <http://www.lds.org/ensign/1980/07/the-first-sister-missionaries>, accessed 16 June 2013.

18 Mansfield, 159 and 164.

On another topic, he makes a faux pas by stating, “During this ‘premortality,’ families were already formed and destinies determined.”¹⁹ Determining destinies is not Mormon doctrine. That is predestination as taught by Calvinists and others in mainstream Christianity. Mormons outspokenly reject “the belief in predestination—that God predetermines the salvation or the damnation of every individual. The gospel teaches that genuine human freedom and genuine responsibility—individual agency in both thought and action—are crucial in both the development and the outcome of a person’s life.”²⁰ Latter-day Saints do believe in what they call foreordination. Foreordination is the belief in “the premortal selection of individuals to come forth in mortality at specified times, under certain conditions, and to fulfill predesignated responsibilities.”²¹ But such foreordained roles depend upon whether or not the person makes the right choices and remains worthy.

Mansfield also errs when he describes Jesus Christ as the creator of the plan for spirits to come to Earth and live in mortality as a way of learning and testing.²² Latter-day Saints actually believe Jesus Christ championed God the Father’s plan that Lucifer had rejected. Mansfield also misquotes the famous Lorenzo Snow couplet regarding the progression of man. *The Mormonizing of America* gives the couplet as follows: “As man is, God was; as God is, man may become.”²³

19 Mansfield, 158. He then explains, “The ignoble spirits of preexistence are non-Mormons on earth” (which is incorrect).

20 Richard D. Draper, “Predestination,” in Daniel H. Ludlow, ed., et al., *The Encyclopedia of Mormonism* (New York: Macmillan, 1992), <http://eom.byu.edu/index.php/Predestination>, accessed 25 June 2013.

21 Brent L. Top, “Foreordination,” in Daniel H. Ludlow, ed., et al., *The Encyclopedia of Mormonism* (New York: Macmillan, 1992), <http://eom.byu.edu/index.php/Foreordination>, accessed 25 June 2013.

22 Mansfield, 158.

23 Mansfield, 159.

Mansfield describes Mormon history and its potential problems as “the soft underbelly of the Church.”²⁴ Whether or not that is actually the case, Mansfield appears to not have been able to even find the animal let alone discover the so-called “underbelly,” given the historical mistakes he makes. For example, he explains that Joseph Smith was tarred and feathered in 1842 rather than 1832²⁵ and that Joseph gave the full Masonic call when he was killed at the jail at Carthage rather than a partial call of “Oh Lord my God ...” as quoted by numerous sources.²⁶ At least three times Mansfield refers to Oliver Cowdery as Oliver Crowder.²⁷ He even gets the name wrong of Joseph Fielding Smith, tenth president of the LDS church, by calling him Joseph Field Smith.²⁸

Not only is Stephen Mansfield wrong about aspects of Mormon history, he is also wrong about some Mormon historians and even wrong about non-Mormon history. He makes a simple, avoidable historical error of referring to Christopher Columbus as an admiral when Columbus arrived in the Americas in 1492.²⁹ While Columbus had been promised an admiralship, it was based on the success of his initial voyage. Therefore, Christopher Columbus was not an admiral when he discovered the Americas.

In one of the incorrect and misleading moments in the book, Mansfield refers to Richard Lyman Bushman as “one of [our] own sainted historians.”³⁰ What exactly is meant by that is unknown other than it insinuates there must be other

24 Mansfield, 254.

25 Mansfield, 211.

26 Mansfield, 110. According to “The Third, or Master Mason’s Degree,” [sacred-texts.com](http://www.sacred-texts.com/mas/morgan/morg12.htm), <http://www.sacred-texts.com/mas/morgan/morg12.htm>, accessed 27 June 2013, the full Masonic call for help is “Oh Lord my God, is there no help for the widow’s son?”

27 Mansfield, 69–70.

28 Mansfield, 254.

29 Mansfield, 143.

30 Mansfield, 99.

“sainted historians” but their names are not given. While this reviewer has a great amount of respect for Richard Bushman and his work, the sad reality is that most of the members of the Church have neither heard of nor read his works. To suggest Bushman is held up on some kind of pedestal by the majority of the Church membership is not only incorrect, it is deceitful.

But the Bushman canonization for sainthood pales in comparison to how Mansfield handles Fawn Brodie. He inaccurately describes Fawn Brodie as a professor at the time of her excommunication. Fawn Brodie did not even begin teaching at a university level until 1967, when she was hired as a part-time lecturer at the University of California, Los Angeles.³¹ She did not become a full professor until 1971. That was a full twenty-five years after Fawn Brodie was excommunicated by the LDS church. Even more troubling than his misidentification of Brodie’s credentials is Mansfield’s mangled description of her biographies of Thomas Jefferson and Richard M. Nixon as being “celebrated.”³²

Contrary to being celebrated, Brodie’s biography of Thomas Jefferson was, by far, her most controversial and most criticized. Despite the book’s popularity among the general reading public, *Thomas Jefferson: An Intimate History* received harsh criticism among Jeffersonian and early Republic historians for what they claimed to be “speculations about Jefferson’s private life” and

31 Newell G. Bringhurst, *Fawn McKay Brodie: A Biographer’s Life* (Norman: University of Oklahoma Press, 1999), 181. Bringhurst explains that Brodie was initially hired only as a part-time lecturer rather than the entry-rank of instructor or assistant professor because “she did not possess a doctoral degree in history. In fact, she had not earned any degree in history. Both her bachelor’s and her master’s were in English.” In fact, according to Bringhurst (on p. 205), Brodie did not become a full professor of history until December 1971, and only after initial opposition by fellow faculty members who were concerned about her lack of history degrees as well as all of her work being in biography rather than traditional historical research.

32 Mansfield, 125.

groping for “extremely subtle evidence.”³³ The Richard Nixon biography was even more problematic and has been described by Brodie biographer, Newell G. Bringhurst, as Brodie’s least successful book.³⁴

Why Mansfield would make such glaring mistakes is at first puzzling until the above references are read in context. Before calling Richard Bushman a “sainted historian” Mansfield uses another made-up conversation that is supposedly based on a real discussion to demonstrate that “Joseph Smith’s entire religion was rooted in hatred of his father.”³⁵ After obtaining sainthood, Bushman is then quoted, “If there was any childhood dynamic at work in Joseph Jr.’s life, it was the desire to redeem his flawed, loving father.”³⁶

In discussing why the gold plates had to be a fabrication on the part of Joseph Smith, Mansfield introduces Fawn Brodie, who “thought that Smith invented the whole tale,” as an “eminent historian,” “gifted scholar,” and “celebrated for her biographies.” Then, to make sure to bring home her qualifications for believing Smith was a fraud, he identifies her as “Professor Brodie” at the time of her excommunication,³⁷ stating that “she considered the act [of excommunication] a gift

33 Bringhurst, 185 and 216–19; and telephone interview of Craig L. Foster with Newell G. Bringhurst, 16 June 2013. During the phone interview, Newell Bringhurst commented that the criticism for *Thomas Jefferson: An Intimate History* was extensive with a number of prominent historians lining up against her, particularly over the suggestion that Jefferson had an affair with his slave, Sally Hemmings. It should be noted that Brodie was proven partially correct when Hemmings descendants did test positive for Jefferson DNA. Unfortunately, that does not prove Thomas Jefferson was the father, only that a male Jefferson was the father.

34 Bringhurst, 261–64. This in spite of positive reviews by some Nixonian scholars. Brodie’s biography was published nine months after her death in January 1981.

35 Mansfield, 97.

36 Mansfield, 99.

37 Mansfield, 127.

of liberation.”³⁸ In fact, later in the book, he again mentions Brodie in a supposed dialogue between two non-Mormons. In the course of the conversation that Mansfield, like some kind of fly on the wall, is able to copy verbatim, the man says that *Thomas Jefferson: An Intimate Biography* is his favorite book, that he also has read *No Man Knows My History* and that Joseph Smith is “a total liar.” His wife then says about Fawn Brodie, “What I’m saying is that here she is, this huge historian from UCLA, and she writes all of these big biographies. And the one on Smith gets her booted from the Mormon Church, right?”³⁹

Such purposeful and accidental twisting of historical facts shows up in other parts of the book. During his discussion about Anne Wilde, a Fundamentalist Mormon, he quotes Wilde saying that her parents never knew that she was a Fundamentalist because “it would have been too much for them.” He further quotes her saying that all of the wives of her husband, Ogden Kraut, are dead and that she is “actually quite lonely.”⁴⁰ Anne Wilde sent a letter to Stephen Mansfield taking him to task for his mistakes. She wrote, “I realize that authors take liberties in their writings, but there are certain statements you made about me that are absolutely incorrect and will reflect badly upon me when friends, family members, and acquaintances read it.”⁴¹ Wilde suggested a number of changes to the section discussing her and her experience with plural marriage. At one point, she emphatically stated, “I was NOT and am NOT lonely.” She also wrote, “**Most Important:** Please make the distinction that I am no longer a member of the LDS

38 Mansfield, 127.

39 Mansfield, 164.

40 Mansfield, 4.

41 Anne Wilde to Stephen [Mansfield], 7 July 2012; copy in author’s possession.

church; I'm an independent Fundamentalist Mormon who lived plural marriage separate from the mainstream church."⁴²

Mansfield claims Joseph Smith received a revelation "that told a fourteen-year-old girl she should marry him."⁴³ This no doubt is a reference to Smith's plural marriage to Helen Mar Kimball. Smith actually did not claim any revelation demanding Helen Mar Kimball marry him. Instead, her father, Heber C. Kimball, offered his daughter as a wife to Smith.⁴⁴ Mansfield also claims that Joseph's wife Emma Smith "threw several women out of her house and cursed them for overfamiliarity with her husband. She didn't know the women were her husband's other wives."⁴⁵ This, of course, is absolutely incorrect, as Emma Smith witnessed the marriages of Joseph Smith to Emily and Eliza Partridge.⁴⁶

To portray Joseph Smith's plural marriages this way, however, falls more in line with how Stephen Mansfield views Joseph Smith. From plural marriages to accusations of occult practices,⁴⁷ Mansfield focuses on what he feels would be the most negative. He announces that Joseph Smith "made part of

42 Anne Wilde to Stephen [Mansfield], 7 July 2012; copy in author's possession. [Emphasis in original.] Regarding her requested corrections and changes, she wrote, "They may not seem important to you, but they are VERY important to me." For his part, Mansfield responded with an e-mail dated 8 July 2012 in which he stated, "I will be happy to make those changes. I certainly did not mean to distort anything about your story." Copy of e-mail in author's possession.

43 Mansfield, 48.

44 Brian C. Hales, *Joseph Smith's Polygamy*, vol. 2 (Salt Lake City: Greg Kofford Books, 2013), 24 and 28. It appears Mansfield attempted to emphasize the young age of Helen Mar Kimball, being age fourteen. For more information on the common age of marriage during Joseph Smith's lifetime, see Craig L. Foster, David Keller, and Gregory L. Smith, "The Age of Joseph Smith's Plural Wives in Social and Demographic Context," in Newell G. Bringhurst and Craig L. Foster, eds., *The Persistence of Polygamy: Joseph Smith and the Origins of Mormon Polygamy* (Independence, MO: John Whitmer Books, 2010), 152–83.

45 Mansfield, 48–49.

46 Hales, 2:48–49.

47 Mansfield, 47.

his living through occult practices.”⁴⁸ Later, while discussing the coming forth of the Book of Mormon, Mansfield makes reference to “the doctrines of the hat and seer stone.”⁴⁹ He continues to make references to the Smiths and the occult. For example, he comments that even after Smith’s divine visions Smith continued to make “a living in the occult.” Instead of quoting directly from the readily accessible D. Michael Quinn’s *Early Mormonism and the Magic World View* about how the Smith family owned “magical charms, divining rods, amulets, a ceremonial dagger inscribed with astrological symbols of Scorpio and seals of Mars, and parchments marked with occult signs,”⁵⁰ he quotes Quinn by way of *Occult America: White House Séances, Ouija Circles, Masons, and the Secret Mystic History of Our Nation*. Could it be that the title of the other book sounds even more potentially sinister than Quinn’s book and, therefore, casts an even darker blot on Joseph Smith’s character? It would not be surprising if that were Mansfield’s goal, as his contempt for Joseph Smith is very obvious.

Regarding Smith’s revelations and prophetic claims, Mansfield writes that “Joseph Smith concocted revelations whenever he needed them.”⁵¹ He continues, “Smith’s revelations seem to be self-serving, a product of his need and will.”⁵² At another point he describes Smith as a “misguided mystic” who “lost all restraint.”⁵³ Smith’s revelations and religion, according to Mansfield, “started to get petty” and then “got strange.” From there, “it left being strange and became destructive.”⁵⁴

48 Mansfield, 120.

49 Mansfield, 134.

50 Mansfield, 109. Mansfield did not quote directly from Quinn’s *Early Mormonism and the Magic World View*. Instead, he cited Quinn as quoted in Mitch Horowitz, *Occult America: White House Séances, Ouija Circles, Masons, and the Secret Mystic History of Our Nation* (New York: Bantam Books, 2009), 23

51 Mansfield, 131.

52 Mansfield, 132.

53 Mansfield, 176.

54 Mansfield, 192, 193.

Admittedly, it is impossible for a historian to be completely neutral. As the British essayist and theorist Sir Isaiah Berlin, wrote, “The case against the notion of historical objectivity is like the case against international law, or international morality; that it does not exist.”⁵⁵ Nevertheless, those writing history are encouraged to recognize and admit their biases, and then do their best to hold those biases in check in order to produce a good history. Unfortunately, Mansfield appears not only to have resisted any restraint in his negative portrayal of Joseph Smith and aspects of Mormonism but he seems to have fled from scholarly objectivity like Joseph of the Old Testament fled from Potiphar’s wife.

Although once in awhile the book actually has some interesting insight, most of it seems to be a series of attacks under a thin guise of supposed scholarship. For example, while it is not expected a non-Mormon like Stephen Mansfield would believe in the authenticity of the Book of Mormon, is it too much to at least expect a modicum of respect for what approximately fifteen million people view as sacred scripture?

Mansfield makes it clear he believes the Book of Mormon to be nothing more than a cheap nineteenth-century knockoff of the Bible. After complaining that “more than 27,000 words in Smith’s writing came straight from the Bible” and the phrase “and it came to pass” was used “more than 2,000 times,” he writes, it made “the book sound like the King James Bible’s little brother.”⁵⁶ He continues, “This should come as no surprise. The Book of Mormon’s plundering of the Bible is flagrant. Poor Isaiah took particular abuse.”⁵⁷

Further on Mansfield writes, “The most searing indictment of the Book of Mormon is the way the story it tells seems to

55 “Quotes about History,” History News Network (26 December 2005), <http://hnn.us/articles/1328.html>, accessed 28 June 2013.

56 Mansfield, 142.

57 Mansfield, 142

grow organically from the soil of the United States in the early 1800s. Settlers from the East come west by ship to escape an evil system. They settle in a New World and must battle for survival against a darker-skinned enemy. One expects the *Mayflower* and Squanto to be mentioned by name.”⁵⁸ Unfortunately, in his enthusiasm to complain about the Book of Mormon, Mansfield seems not to have realized that the Book of Mormon never did say which direction the ship sailed. In fact, given where they were supposed to have sailed from, probably Lehi’s little band sailed east rather than west.

However, with the help of the supposed off-the-cuff but still verbatim recorded anonymous conversations peppered throughout the book Mansfield was able to more fully reveal his contempt for the Book of Mormon. In the course of a conversation two college roommates are supposed to have had about Mormons, one states that the Book of Mormon might have been “written by a demon.”⁵⁹ Later, one of the roommates says, “And there’s this voice. I mean if you get past all the ‘yeas’ and the ‘verilys’ and the ‘and-it-came-to-passes,’ there’s this personality speaking that is bloated and haughty and—I don’t know, maybe ‘domineering’ is the word. It’s irritating. Freaky.”⁶⁰ Mansfield didn’t stop there regarding the Book of Mormon. “And it starts to get gross how arrogant it is. I mean there are pages and pages where you haven’t got a clue what’s going on for all the high and holy rambling but you’re still running up against the voice.”⁶¹

These undocumented conversations are used to attack not just the Book of Mormon. In another conversation one person exclaim, “Their religion is a joke. Between the underwear and the no drinking and Proposition 8 and now their priests that

58 Mansfield, 144.

59 Mansfield, 136.

60 Mansfield, 137 [emphasis in original].

61 Mansfield, 138.

are twelve. It's hard to take seriously."⁶² Another conversation the ever-vigilant Stephen Mansfield is able to capture is one that supposedly took place between two non-Mormon businessmen. In the course of the conversation, one says about a proposed wine and cigar bar, "We should never have tried to put this thing anywhere near LDS land... They just aren't going to let a wine and cigar bar anywhere near their holy ground. Even near their city!" The other one answers, "No. And they'll fight you most anywhere in the state."⁶³ In the course of the conversation, one of the men says, "It's a Mormon Taliban around here."⁶⁴ The conversation then includes a laundry list of real and perceived problems in Utah. These negative aspects of life in Utah include the high number of porn subscribers, the highest rate of arrest of people who "have sex in the woods," the climbing rate of sexually transmitted diseases, and the high use of Prozac, ending with the comment, "This state's a loony bin."⁶⁵

The references to Taliban and Utah's being a "loony bin" are part of an underlying theme of how strange Mormonism and Mormons are. At the very beginning, Stephen Mansfield portrays "secular America," viewing the so-called "Mormon Moment" as "yet another occasion for the passing parade of oddities that Mormons have long supplied."⁶⁶ Near the end of the book, he discusses the meaning of the word "cult." To Evangelical and Christian conservatives, the word almost

62 Mansfield, 164.

63 Mansfield, 13. Such statements are not only inflammatory, but also completely inaccurate. According to Visit Salt Lake, at http://www.visitsaltlake.com/restaurants/nightlife/?listsearch_submit=1&listingGetAll=0&subcatID=2209®ionID=109&listing_keyword=Keywords...&submit=#searchBr, downtown Salt Lake City alone had thirty-four bars and lounges.

64 Mansfield, 13.

65 Mansfield, 14.

66 Mansfield, 1.

always means “an organization built upon a perversion or significant revision of traditional Christian doctrine.”⁶⁷

In case the readers were questioning if Mormonism fit into that category, Mansfield does not want to leave them wondering long, as the very next sentence states, “This is exactly what Smith, Young, and company intended and it is, by their own confession, what the LDS is.”⁶⁸ This assertion is given without any documentation or explanation.

Further isolating Mormonism from the rest of Christianity and following in the footsteps of so many other writers, Mansfield compares Joseph Smith to Muhammad and Mormonism to Islam. He then explains that Islam is so successful partially through the power of the sword and partially through the simplicity of its system. In this matter of simplicity, “Islam is to religion what McDonald’s is to food: easily remembered, easily consumed, easily replicated.”⁶⁹ Like Muhammad, according to Mansfield, Joseph Smith popularized and simplified religion. “Though Mormonism appears complex to the outsider, it was actually an attempt to be something like the McDonald’s of American religion.”

After various attacks on the character of Joseph Smith, Brigham Young, and other early Church leaders as well as mockery of Latter-day Saint history and doctrines, Mansfield seems to offer an olive leaf. He refers to “the Mormon people, the true heroes of the Mormon tale.”⁷⁰ He then explains:

This is what their experience produced, often despite their leaders and despite doctrinal oddities. They became a people. Even if their Prophet was a liar and their doctrines proved mere fantasies, on earth and

67 Mansfield, 238.

68 Mansfield, 238

69 Mansfield, 60.

70 Mansfield, 197.

in this life they became a people who, in striving to progress and achieve, became exceptional.⁷¹

While the backhanded compliment is lovely, it is, nevertheless, a backhanded compliment and exemplifies pretty much the whole message and tone of the book. Throughout the book, Mansfield repeatedly attacks the character of Joseph Smith, the authenticity of the Book of Mormon, and the foundations of Church. He naturally brings up real and perceived problems in Mormon history and doctrine. That, of course, would be expected in a book of this nature. That is what would be expected in a scholarly book.

Unfortunately, this book is far from a scholarly look at the LDS church and its members. There were numerous examples of poor research and analysis.⁷² Even worse is Mansfield's barely

71 Mansfield, 198.

72 A number of examples of silly, almost ridiculous mistakes have already been given in this review. These mistakes represented two things. The first was that Stephen Mansfield did a very poor job of research. The second point was that the editorial staff at Worthy Publishing did not do their job when it came to editing this book. On p. 29 of *Mormonizing of America*, Mansfield writes, "The LDS Church capitalized on it all. It sent volunteers, missionaries, and publicists scurrying to every venue. It hosted grand events for the world press. It made sure that every visitor received a brochure offering an LDS guided tour of the city." He uses "Mormon Church's Public Relations Effort amid Olympics Games Sparks Debates," *The Salt Lake Tribune* (19 March 2001), <http://business.highbeam.com/3563/article-1G1-71876499/mormon-church-public-relations-effort-amid-olympics> as his source. Why would he use an article that was almost a year before the actual Olympics? Would it not have been better to use post-Olympics analysis? Simply Googling Mormon Church and 2002 Olympics brings up a number of articles. Near the top was the article by Peggy Fletcher Stack, "Remembering the 'Mormon' Olympics that weren't," *The Salt Lake Tribune* (17 February 2012), <http://www.sltrib.com/sltrib/lifestyle/53520793-80/church-mormon-games-lds.html.csp>, accessed 3 July 2013, which states in part, "What most participants and observers found instead during those 17 memorable days was an absence of Mormon missionaries. . . . Plus, Mormon leaders sent out the edict that there would be no proselytizing, no pamphleteering, no handing out copies of the Book of Mormon away from, say, Temple Square. LDS volunteers were trained in how not to share their faith." Much earlier than Stack's article was Larry R. Gerlach's in-depth article titled "The 'Mormon Games' Religion,

concealed disdain evident throughout the book. There are a number of non-Mormon scholars who obviously do not believe Joseph Smith's claims of visions, revelations, and translation of the Book of Mormon. Nevertheless, scholars like Jan Shipp, Lawrence Foster, and Sarah Barringer Gordon, to name a few, have been able to produce outstanding scholarly work that attempts to be both neutral and informative.

Their publications have not included language such as "those two handsome missionaries just back from the field. What miracles they've seen! Heavenly Father has proven himself once again."⁷³ "The next day of destiny came on September 21, 1823."⁷⁴ "Or, perhaps Cowdery could see nothing in the stones because Smith was a fraud manipulating even his own wife into believing he was hearing from God."⁷⁵ "It is hard to escape the conclusion that Joseph Smith concocted revelations whenever he needed them."⁷⁶ And, "their version of their history is like something out of Disney anyway."⁷⁷

And finally one of the more egregious examples of a negative, biased tone is the following:

It is a pious sentiment but it will seem to most outsiders like an excuse: Mormons make dramatic statements about history but then claim God does not intend for the facts that support those statements to be proven. It is frustrating, intellectually unsatisfying, and perhaps even duplicitous, but it is consistent with what every Mormon repeatedly affirms—"I have received the

Media, Cultural Politics, and the Salt Lake Winter Olympics," *Olympia* 11 (2002): 1–52, in which he describes the efforts of the LDS church to downplay the so-called Mo-lympics and have an understated presence at the games.

73 Mansfield, 80.

74 Mansfield, 104.

75 Mansfield, 123.

76 Mansfield, 131.

77 Mansfield, 164.

witness of the Spirit, and I bear testimony that the Book of Mormon is true.”⁷⁸

In conclusion, Stephen Mansfield’s *The Mormonizing of America* is a poor excuse of a scholarly work and cannot be recommended for anyone who appreciates decent scholarship.

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78 Mansfield, 156.

“ENDLESS FORMS MOST BEAUTIFUL”: THE USES AND ABUSES OF EVOLUTIONARY BIOLOGY IN SIX WORKS

Gregory L. Smith

Review of:

- Michael Dowd. *Thank God for Evolution*. New York: W. W. Norton, 2004. 336 pp., with index. \$13.95.
- Karl W. Giberson. *Saving Darwin: How to be a Christian and Believe in Evolution*. New York: HarperCollins, 2008. 239 pp., with index. \$9.98.
- Daniel J. Fairbanks. *Relics of Eden: The Powerful Evidence of Evolution in Human DNA*. Amherst, NY: Prometheus Books, 2007. 281 pp., with index. \$15.86.
- Howard C. Stutz. “Let the Earth Bring Forth”, *Evolution and Scripture*. Draper, UT: Greg Kofford Books, 2010. 130 pp., with index. \$15.95
- David C. Stove. *Darwinian Fairytales: Selfish Genes, Errors of Heredity, and Other Fables of Evolution*. New York: Encounter Books, 1995. 345 pp., with index. \$18.95
- William A. Dembski. *The End of Christianity: Finding a Good God in an Evil World*. Nashville, TN: B&H Publishing Group, 2009. 229 pp., with index. \$22.99

The position of the Church on the origin of man was published by the First Presidency in 1909 and stated again by a different First Presidency in 1925:

The Church of Jesus Christ of Latter-day Saints, basing its belief on divine revelation, ancient and modern, declares man to be the direct and lineal offspring of Deity.... Man is the child of God, formed in the divine image and endowed with divine attributes...

The scriptures tell why man was created, but they do not tell how, though the Lord has promised that he will tell that when he comes again (D&C 101:32–33). In 1931, when there was intense discussion on the issue of organic evolution, the First Presidency of the Church, then consisting of Presidents Heber J. Grant, Anthony W. Ivins, and Charles W. Nibley, addressed all of the General Authorities of the Church on the matter and concluded,

Upon the fundamental doctrines of the Church we are all agreed. Our mission is to bear the message of the restored gospel to the world. Leave geology, biology, archaeology, and anthropology, no one of which has to do with the salvation of the souls of mankind, to scientific research, while we magnify our calling in the realm of the Church.... Upon one thing we should all be able to agree, namely, that Presidents Joseph F. Smith, John R. Winder, and Anthon H. Lund were right when they said: “Adam is the primal parent of our race.”

—First Presidency Minutes, April 7, 1931¹

Introduction

For many, evolutionary biology ranks with politics and religion as a subject best not debated in polite company. This sentiment is not without some justification, since in all except the absolute basics and fundamentals of the faith (about which there can be no compromise), it is vitally important that

¹ Cited in William E. Evenson, “Evolution,” *Encyclopedia of Mormonism*, Vol. 1, (Macmillan Publishing Company, 1992), 478.

our convictions or intellectual life not alienate us from others—or alienate others from us. Our reticence to discuss a matter on which opinions have differed widely has had some occasional side effects. For example, Mormon scholarship can be affected as some Latter-day Saints invoke biological concepts in a muddled way, bringing confusion, not clarity.² And of greater concern is the worldly and secular philosophy, polemic, and propaganda that invoke evo-bio while going far beyond what science can tell us. Prominent examples include the militant atheism and philosophical materialism of people like Richard Dawkins and Sam Harris. Such philosophical claims often intersect with vital gospel truths and invoke evo-bio, such as whether free will/moral agency is an illusion. I think these conceptual extensions of and parasitism upon evo-bio are of far more significance and a far greater intellectual and spiritual threat to me and mine than biological Darwinism.

The reader is entitled to know with what presuppositions I approach these reviews. First, I do not believe that anyone has this all figured out—theories and models will change, and where once we thought we saw the whole picture, I suspect we will eventually find that there is much more going on. Second, I think evolutionary biology is very poorly understood among most Church members (at least in North America). This is not surprising, since evo-bio is poorly understood among North Americans generally,³ and LDS members are no exception

2 For example, see my lengthy review of a misguided and misinformed use of DNA and evo-bio concepts in Book of Mormon studies: “Often in Error, Seldom in Doubt: Rod Meldrum and Book of Mormon DNA (A review of *Rediscovering the Book of Mormon Remnant through DNA* by Rod L. Meldrum),” *FARMS Review* 22/1 (2010): 17–161. See also Michael F. Whiting, “Lamarck, Giraffes, and the Sermon on the Mount (A review of *Using the Book of Mormon to Combat Falsehoods in Organic Evolution* by Clark A. Peterson),” *FARMS Review of Books* 5/1 (1993): 209–222.

3 For example, a 2004 Gallup poll found that one third of those surveyed felt that evolution was one of many possible scientific theories and that it was not supported by evidence, while another third felt they did not know enough to

to that general rule. We have in addition some LDS leaders who have expressed decidedly anti-evolution ideas that might discourage some members from learning more. As a result of all these factors, nearly all critiques of evo-bio or appeals to creation science that one hears from LDS members are deeply flawed because the writers of these critiques either misunderstand or misrepresent the evo-bio position.⁴ Rarely, I think, is this inaccuracy intentional. However, its pervasive presence undercuts the many good things which such critiques hope to accomplish. Even if evo-bio were to be a complete fiction from beginning to end, those who oppose it based on limited understanding will lack credibility with those they hope to convince. Latter-day Saint youth who are indoctrinated into a poorly-reasoned critique of evo-bio (even if the field merits critique and denunciation in the strongest terms) will not be well-served when they learn in college that such critiques are built upon sand. Critics of evo-bio must first understand what evidence is invoked in its support and what concepts make it convincing to the vast majority of thinkers in the field. Evidence must be confronted and reanalyzed thoroughly and with rigorous honesty.

In short, I think there is truth and value to be found in evo-bio work, but I do not think that all the questions are adequately answered. If the theory itself is no threat to Mormonism, I do see at least spiritual dangers and sophistry in some of its

have an informed opinion. (Frank Newport, "Gallup Poll: Third of Americans say evidence has supported Darwin's evolution theory," (Princeton, NJ: Gallup Organization, 19 November 2004), <http://www.gallup.com/poll/14107/Third-Americans-Say-Evidence-Has-Supported-Darwins-Evolution-Theory.aspx>).

4 Critiques of evo-bio made on theological or scriptural grounds, I leave to one side as a separate issue. Even these can be somewhat derailed, however, if their arguments get the science wrong. I provide an example below of such a failure in my review of Stove's attempt to rebut Darwinism on philosophical grounds, *Darwinian Fairytales*. Those who seek to do the same thing on religious grounds can profit from studying how the secular Stove goes wrong, and thereby weakens what is, at base, a legitimate argument.

applications. I've written this essay because I'm interested in how Latter-day Saints, and Christians generally, integrate biology with theology.

Thank God For Evolution [Michael Dowd]

Reverend Michael Dowd is former pastor of three United Church of Christ congregations. He has worked for many years in environmental causes. His book is praised by many, including "Eugene" C. Scott of the National Center for Science Education, the vice-director of the Vatican Observatory, liberal theologian and humanist Bishop John Shelby Spong, and five Nobel Prize winners.⁵

It is with some trepidation that I align myself against these and other worthies. I do not exaggerate, however, when I say that this is the worst book I have ever read on religion and science—possibly only equalled in its flaws by Whitcomb and Morris's influential but maddening *The Genesis Flood*.⁶

After a long history of pastoring and marriage to his wife, Connie, Dowd encountered a course on "The New Catholic Mysticism" taught by Albert LaChance, who "began by telling the scientific story of the Universe in a way that I had never heard it told before—as a sacred epic. Less than an hour into the evening, I began to weep. I knew I would spend the rest of my life sharing this perspective as great news." (2) It is telling that his wife—who does not believe in God—is able to embrace his current mission with equal vigor.

Dowd is certainly not modest in his goals. He tells Christians that "whether you consider yourself conservative, moderate,

5 Scott's first name is, in fact, "Eugenie," and she has been head of the NSCE (a prominent lobby group for biology teachers that resists efforts to introduce creation science in public school classrooms) since 1987. While many endorsements are on the dust-jacket and first few pages, a complete collection is online at <http://www.thankgodforevolution.com/book>.

6 John C. Whitcomb and Henry M. Morris, *The Genesis Flood: The Biblical Record and Its Scientific Implications* (Philadelphia: Presbyterian & Reformed Publishing, 1961).

or liberal, my promise to you is that the sacred evolutionary perspective offered here will enrich your faith and inspire you in ways the believers in the past could only dream of.” Other religions are assured that “it will be easy to apply most of what you find here to your own life and faith.” Agnostics, humanists, atheists, and freethinkers “will find nothing here that you cannot wholeheartedly embrace as being grounded in a rationally sound, mainstream scientific understanding of the Universe. I also promise that the vision of ‘evolutionary spirituality’ presented here will benefit you and your loved ones without you needing to believe in everything otherworldly.” (xxii) This desire to pitch a broad tent is admirable, but to do so Rev. Dowd has essentially tossed everything that matters about Christianity except some benign bromides about wholeness and living authentically. (The science in Dowd’s book is accurate, if very broadly sketched—readers will learn little or nothing new about how science works, or why evolutionary biology or a host of other disciplines make the claims they do.)

I confess that as I read, I kept imaging Dowd as a sort of Tony Robbins: half populist preacher on tour and half motivational speaker. I picture Dowd dashing about the stage, capped teeth gleaming, wireless microphone strapped to his head, pumping up the crowd about the glories of evolution—or “The Great Story,” as he calls it (24). The book has that type of feel to it.

Dowd’s whole project smacks less of Christianity than it does of New Age spirituality and self-help seminars. “We are in the early stages of one of the most far-reaching transformations into which human consciousness has ever ascended. Today’s conflict between science and religion is the catalyst by which both will mature in healthy ways.” (12) You can almost hear the opening bars of “The Age of Aquarius.”

I apologize for being slightly silly about the book but, though evidently composed with earnest seriousness, it is an

awfully silly book. There's no doubt Reverend Dowd believes what he says. But his declarations (and they are declared, not argued) are either trite or patently false, depending upon how they are understood.

For example, Dowd rhapsodizes about the interconnectedness of all things and our unity with the cosmos. Fair enough, evolution would certainly argue for that. He then writes:

The good news here is that while it is possible to *feel* alienated from the Universe.... the fact is that it is impossible ever to be alienated—no matter what. You *are* part of the Universe. Achieving enlightenment, freedom, salvation, and empowerment is as easy (and as challenging) as developing a habit of trusting what's real and growing in humility, authenticity, responsibility, and service to the Whole—that is, growing in evolutionary integrity (60-61).

If we define “the Universe” as everything that is, then it is trivially true that we (being part of all that is) are part of the Universe. On the other hand, we are also “part of humanity” or “part of a family,” and we might well feel alienated from these groups. And isn't alienation really more about how we perceive things? If we feel hated or ignored and thus feel alienated or act alienated, *that* is the problem—that's what alienation *is* and reassuring us that we're in fact part of the whole by a type of logical deduction from set theory rings rather hollow.

There is a lot that rings hollow in Dowd's project. It is easy for the worried well who feel vaguely unfulfilled in the affluent West's suburbia to talk about how we can be enlightened or saved by being more authentic or responsible—but I wonder what this fairly vacuous declaration would say to someone in Dachau or the Killing Fields of Cambodia, suffering a civil war and famine in Africa, or with a debilitating terminal illness.

Dowd ventures straight into issues of death with his bubbly good cheer:

Perhaps there is no more alluring portal for discovering the benefits of evolutionary spirituality than death understood in an inspiring new way. Thanks to the sciences... we can now not only accept but celebrate that:

- Death is natural and generative at every level of reality
- Death is no less sacred than life (94).

Dowd goes on to argue that all life requires some death (from the “death” of stars to create heavy elements to the “death” of continents separated by continental drift, to animals that require the death of something for food or the death of some cells for embryo development). This strikes me as too clever by half, and it trades on the equivocation introduced by the metaphor of “death.” Stars may be said to “die,” and a supercontinent that breaks up may be “dead,” but these are analogies—they are not the same thing as the death of a living organism, much less of a thinking, feeling human with connections to others who grieve the loss. (Unless, of course, one sees humans as no more consequential than balls of fusing hydrogen or hunks of planetary crust—but that view has its own problems.) “An evolutionary understanding of death in no way diminishes the grief we suffer when a loved one dies, ...if we acknowledge that *there is something profoundly right with death* with the fact that we grow old and that we must die, it will be easier to clean up unfinished business before it is too late” (97, italics in original). One problem, however, is that not everyone grows old and dies. Some people suffer horribly and die young. Even evolution itself requires an enormous amount of suffering and death to achieve its purposes. Virtually everyone leaves some unfinished business, and often the unfinished business

remains so because the person who died was not willing to be reconciled with the survivors, no matter how much the latter might have wished it. Is our business with those we love ever “finished”? Can we say, “It is enough?” The celebration of death as something “profoundly right” strikes me as making a virtue of necessity, almost a type of Stoicism. It certainly isn’t Christian in any meaningful sense.

Dowd tries to make it Christian by saying that this “mirrors the core message of the early Christian scriptures: on the other side of Good Friday is Easter Sunday.” “Death,” claims Dowd, “never has the final word, that it virtually always contains the seeds of new life.” (100) I think of this as “The Circle of Life” theology. It is not calculated to bring much comfort; it strikes me as little more than the standard atheist’s whistling past the graveyard. If I told bereaved parents that their newborn daughter had just been killed, could we expect them to derive any comfort whatever from the idea that their baby was dead but that she would be eaten by bacteria and worms—and therefore new life has come from death, and there is something profoundly right about this? The idea is repugnant.

Of course, Christian scriptures do tell us that death is not the end, but that is because of personal continuity after death and eventual resurrection and renewal. Evolution (or any science) certainly cannot promise this, and the universe revealed by science alone may eventually run out of any life (even the metaphoric “life” of stars and tectonic plates) as everything sinks into a heat death of maximum entropy, Bertrand Russell’s “extinction in the vast death of the solar system.”⁷ All Dowd can urge on us is “a profound faith, a radical trust, that whatever awaits us and our loved ones in the beyond, *if anything*, is just perfect.” (100, emphasis added) The “if anything” does not exactly fill me with hope. If there is nothing, how can this be

7 Bertrand Russell, “A Free Man’s Religion,” in his *Mysticism and Logic, and other essays* (New York, Longmans, Green and Co., 1918.), 46–57.

said to be “perfect”? If the vast majority of humanity suffers in hell for eternity, that is also not good news. And so on.

This highlights a fundamental problem with the book—Dowd’s message is not Christian in any conventional way, save perhaps for some of the ethics. But there is certainly no hint that Jesus is Lord or that He is risen indeed. “The core teachings of Christianity will remain foundational” (76), he tells us (save, it would seem, for that aspect which featured so prominently in early Christian confessions of faith, “how that Christ died for our sins... was buried... and... rose again the third day” [1 Cor. 15:3–4]). “Of necessity,” Dowd admits, “this evolutionary effort will also mean that some of the teachings will be translated almost beyond recognition” (76). Indeed! Small wonder that atheists, skeptics, and humanists can embrace this project: it is “Christian” only in the sense that Christian imagery can be seen as a type of dim shadow or allegory of the evolutionary worldview. I had difficulty finishing the book—perhaps it gets really good in the last few pages, but I doubt it.

Saving Darwin: How to be a Christian and Believe in Evolution [Karl W. Giberson]

Giberson’s book is everything that Dowd’s is not—learned, measured, and a joy to read. Latter-day Saint readers will probably find it more useful for its history than its theological suggestions. That is, Giberson is a worthy guide to the sorts of questions we should be asking, though some of his answers are not as applicable to Latter-day Saints as to other Christians.

Giberson began life as a young-earth, fundamentalist creationist who entered college with a firm determination to learn everything he could about this worldview so he could better defend it. He gives a moving and nuanced description of how wrenching he found it to be compelled by the evidence to alter his perspective (1–16). Of all the books I’ve read on this subject, I think Giberson best treats young-earth fundamentalists,

dyed-in-the-wool evolutionists, and everyone in between with real sympathy and insight. He does not disparage his younger self or treat these ideas as something childish that he had to grow out of. Those of a more traditionalist, creationist bent will likely identify with his experience. Those inclined to an evolutionary viewpoint would also do well to study Giberson's account, especially when he points out how difficult it was to find anyone to help support his shattered fundamentalism in a way that would let him retain anything of value from the Bible:

Further complicating my struggles, the religion scholars I consulted were quite accepting of evolution. An Old Testament scholar with a Ph.D. from Boston University assured me that "Genesis was never intended to be read literally." He and his colleagues had made their peace with evolution, apparently as toddlers, and had been at peace about this ever since. They were surprisingly disinterested in the struggles of those who, like me, were trying to hold on to some version of their childhood faith, while portions of its foundations were slowly removed, like the pieces of a Jenga tower that may or may not come crashing down as once extracts the tiny logs.

Acid is an appropriate metaphor for the erosion of my fundamentalism, as I slowly lost my confidence in the Genesis story of creation and the scientific creationism that placed this ancient story within the framework of modern science... [It] dissolved Adam and Eve; it ate through the Garden of Eden; it destroyed the historicity of the events of creation week. It etched holes in those parts of Christianity connected to these stories—the fall, "Christ as second Adam," the origins of sin, and nearly everything else that I counted sacred (9–10).

Giberson spends several chapters discussing the history of creationism within Christianity. Despite its huge role in many American denominations, creationism is of relatively recent date. Most interesting for Latter-day Saint readers, I think, is the story of how the introduction of young-earth “creation science” to mainstream creedal Christianity has parallels in its rise to prominence in our own history. Despite the later popular histories that portray Darwin and religion as immediately and irrevocably locked in combat, most Christians adapted quite quickly to the new perspective if they were aware of it at all. The trend to secularization among Christians had far more to do with intellectual currents within religion than it did with an assault from science (44–58).

However, one religious leader in America threw down the gauntlet—Ellen White. White had been a member of the Millerite sect. Miller had prophesied Christ’s second coming in either 1843 or 1844. Following Christ’s non-appearance—“The Great Disappointment”—some followers went on to form the Adventist movement. White began having visions, and in 1863 the Seventh-day Adventists were formed with her as a key leader:

In 1864, five years after the publication of *On the Origin of Species*, White wrote that God had given her a vision of the actual creation: “I was then carried back to the creation and was shown that the first week, in which God performed the work of creation in six days and rested on the seventh day, was just like every other week.” These and other prophetic writings by White rooted the Adventist movement firmly in the soil of young-earth creationism (58).

Thus, for much of the nineteenth century, young-earth creationism was mainly the province of Adventist groups, who were marginal to mainstream Christianity. (LDS readers can

likely readily appreciate how well a self-proclaimed prophet—and a female one at that—was received in nineteenth-century America.)

Meanwhile, mainstream Christian denominations were preoccupied with internal conflict over the modernizing, liberalizing trends fostered by some leaders and scholars. This eventually led to the publication of *The Fundamentals*, a four-volume set of essays that sought to “identify the essential core ideas of Christianity—the fundamentals—and rally Christians to protect those beliefs and keep them from being swept away by the rising tide of modernism” (60). While evolution was mentioned in about a quarter of the essays, young-earth creationism was conspicuously absent. (This absence is clear to Latter-day Saints, who have the benefit of hindsight; the absence would not have been remarkable at that time precisely because young-earth views were neither widespread nor terribly vocal.) Moreover, the authors of *The Fundamentals* were not at all united on what “good Christians” ought to think about evolution—a sharp contrast to most labeled evangelicals or Fundamentalists today. Meanwhile, the Adventist views of Ellen White continued in relative obscurity, though the Adventist university at Loma Linda began to propagate them (123). The obscurity would come to an end with George McCready Price:

White’s interpretation of the flood became widely known outside Adventist circles through the writings of George McCready Price (1870–1963)... A self-taught geologist with little education beyond high school, Price was a gifted writer, amateur scientist, and tireless crusader in the cause of anti-evolution. His *The New Geology*, published in 1923, was catapulted into relevance by William Jennings Bryan, who wielded its anti-evolutionary arguments in his crusade against

Darwinism.... Lay readers, unfamiliar with geology, often find Price's argument[s] convincing. William Jennings Bryan certainly did. But informed readers are appalled (124, 126).

Price, then, was the vehicle for Ellen White's revelatory views. Regrettably, Price's scientific arguments were not plausible when he wrote, much less today:

Despite Price's emergence as "the principal scientific authority of the Fundamentalists," he had little formal scientific training, virtually no publications in peer-reviewed journals, and no credentials of any sort beyond an introductory education to which he kept adding.... In the final analysis Price's ideas served little purpose beyond providing an "authority" for fundamentalists to invoke against evolution. Bryan and other leading anti-evolutionists certainly looked to Price as an authority. And for decades he was the scientific authority (128–29).

One reader who found Price's arguments compelling was LDS apostle (and later Church president) Joseph Fielding Smith. During discussions among the apostles about the evolution issue in the 1930s, Elder Smith referred frequently to Price's work.⁸ Elder James E. Talmage wrote of how he used the science of the day to "show up James [sic] McCready Price in all his unenviable colors."⁹ Arguments against Price did not, however, persuade Elder Smith, and he would appeal to the Adventist's book when he wrote his own: *Man, His Origin and Destiny* (1954).¹⁰

8 Jeffrey E. Keller, "Discussion Continued: The Sequel to the Roberts/Smith/Talmage Affair," *Dialogue: A Journal of Mormon Thought* 15/1 (Spring 1982): 83.

9 James Talmage to Sterling Talmage, 21 May 1931; cited in Keller, "Discussion Continued," 83.

10 Elder Smith would acknowledge permission to reprint extracts from Price's *The New Geology*. He also recommended *The Phantom of Organic Evolution* and *The Geological Hoax*, also by Price, as being "of great benefit to any who are

(Elder Talmage's son, Sterling, was a Harvard-trained geologist whose riposte about Price's *The New Geology* is worth quoting: "All of Price's arguments, in principle at least, were advanced and refuted from fifty to a hundred years ago. They are not 'New.' His ideas certainly are not 'Geology.' *With these two corrections*, the title remains the best part of the book.")¹¹

How, then, would Price influence the wider scope of American Christianity, especially given his "disreputable" links to Adventism? Price's book and his "public image was that of a geological clown, a strange one-man scientific community combing the planet for evidences to support the bizarre visions of a nineteenth-century prophetess." John Whitcomb and Henry Morris—an Old Testament scholar and a PhD hydrological engineer, respectively—set out to reclaim Christianity from the errors into which they believed it had fallen:

In Whitcomb's early draft of *The Genesis Flood*, Morris had noted with caution that the geology was "merely a survey of George McCready Price's arguments." Mindful that Price's book had flopped, Morris worried that a recycling might not fare much better. Whitcomb agreed, and they set out to recast Price's work in a way that retained its strengths but hid its origins. When *The Genesis Flood* was finally published, there were but four references to Price in the index and nothing of substance in the text itself. Morris, forever gracious, was concerned about this move and apologized to Price when he asked him to review some of the chapters that drew heavily on his work. Price was not upset, but some of his supporters felt Whitcomb and Morris

confused by the hypothesis of organic evolution" (*Man, His Origin and Destiny* [Salt Lake City, Utah: Deseret Book Co., 1954], xv).

11 Sterling Talmage to James E. Talmage, 9 February 1931, italics in original; cited in Keller, "Discussion Continued," 83.

were disingenuous and unprofessional in concealing their debts to Price (133).

Thus did Ellen White's views come to have an enormous influence on American Christianity and church-state jurisprudence in the twentieth century. For example, Price and those who drew on his work succeeded in convincing half of Americans that the earth was only a few thousand years old (121, 142).

Giberson goes on to review such events as the Scopes trial, the battle over creation science in the public schools, and the Intelligent Design movement. He treats legislative battles, and the concept of culture war. He also points out the real dangers of scientists imposing a scientific sheen upon pronouncements that are really philosophical or religious, and thus beyond both their expertise and hence science. He then reviews the basic categories of evidence upon which evolution rests.

Giberson seems to hope, through his review of history, to demonstrate that young-earth creationism is neither necessary to Christianity nor of ancient date. Latter-day Saints will find this interesting, but the underlying argument may be less compelling because of LDS views regarding the primacy of modern prophets and the many doctrinal errors that they believe have been propagated in other Christian churches.

Giberson concludes with an account of his experience as a teacher. Here, I think his humility and his sense that these questions are both weighty and difficult are apparent:

Today as I was leaving class a thoughtful student approached me and wanted to know if I was going to "come clean" about evolution and let the students know what I believed. I had been lecturing on Darwin, trying to get the students inside the great scientist's head as he wrestled with the observations that eventually led him to the theory of evolution. This student, like me, was

raised to believe that Darwin was evil and evolution was a lie. But, also like me at his age, he was having second thoughts as he was becoming better informed (or brainwashed by his professor, depending on your perspective).

When I teach Darwin, I avoid taking a position, partly so students can feel free to reject evolution if that is their choice. More important, though, I want the students to wrestle, as Darwin did and I did when I was their age, with the implications of cruelty in nature and bad design. They need to confront, on their terms, the mass of data that can't be reconciled with the Genesis creation accounts. If I lay my position out too clearly, some students will make their decision based on what they think of me, rather than the issues at stake.

Many college students, and most Americans for that matter, have little interest in evolution as science. Their concern is that science not crowd out their religious beliefs. At some level they fear Daniel Dennett's "universal acid" may actually have the power to dissolve their beliefs. And they don't want to find out if that is true.

Their fear is understandable. Almost everyone who talks about evolution insists that we must make a choice between evolution or creation, materialism or God, naturalism or supernaturalism (215).

I share Giberson's conviction that these types of stark choices are almost always unnecessary, but that the way in which some teach these matters may predispose young people to believe they must make such a choice. If we rely on the badly

dated and flawed “science” of Price, Morris, and Whitcomb, the decision will almost inevitably be for modern science, which the student will then mistakenly decide means that the gospel must be false. Whatever the ultimate truth or falsity of various elements of evo-bio theories, our students deserve better. Price et al. granted the scientists more power and made them more of a threat than they were or are. (As is often remarked, there is irony in their decision to apply Enlightenment views of science and knowledge to the Bible in an effort to combat the excesses of the Enlightenment.)

While Giberson’s book may not point the way to an easy resolution, it helps us understand the debates more clearly. And it models an approach to teaching and discussing evo-bio that people on either side of the issue would do well to emulate.

Relics of Eden [Daniel J. Fairbanks]

I was worried about this book simply because of the publisher—Prometheus Books.¹² I had seen enough other offerings from Prometheus—founded by atheist philosopher and strident secular humanist Paul Kurtz—to expect that a diatribe against religion or “superstition” might be ahead of me.¹³ I was pleasantly surprised, and then thrilled to find nothing of the sort. The author, Daniel J. Fairbanks, is a Latter-day Saint and obviously a gifted teacher.

12 For more background on Prometheus Books and examples of its publications, see Louis C. Midgley, “Atheist Piety: A Religion of Dogmatic Dubiety,” *Interpreter: A Journal of Mormon Scripture* 1, (2012): 111-143.

13 On LDS matters, for example, see Ernest H. Taves, *Trouble Enough: Joseph Smith and the Book of Mormon* (Buffalo, N.Y.: Prometheus Books, 1984). Kenneth H. Godfrey would write of this work that “at least once a decade, it seems, someone publishes a book about the Latter-day Saints without taking the necessary ‘trouble’ to adequately research the subject... Ernest H. Taves, a Massachusetts-based psychiatrist with both Mormon and Mennonite roots, would be a strong candidate for the [Mormon History Association’s “Worst Book”] award this year.” (“Not Enough Trouble,” *Dialogue: A Journal of Mormon Thought* 19/3 (Fall 1986): 139.)

His book sets out to detail and explore the evidence for evolution as it applies to human beings, especially the genetic evidence. As a science, the analysis of the genetic code has been possible for only about half a century, and the oceans of data in which we are now drowning have been available in only the last few decades. Even those undispensed to accept any form of evolution should read this book carefully—it gives an excellent introduction to the type and scope of evidence with which students will be confronted.

The book requires no previous genetics experience or background, and it is by far the most accessible treatment of genetics for the non-expert that I have ever read. Fairbanks is to be congratulated on both his clarity and creativity. This book will equip the reader to navigate the less-clear presentations found in other works.

After a tour through the genetic evidence, Fairbanks ranges more broadly. In the last two chapters, he addresses issues of faith and belief. The penultimate chapter describes his difficulties with and objections to Intelligent Design theory, which dovetail nicely with the genetic data he explores in the first eight chapters. In the final chapter, Fairbanks bemoans the tendency of some scientists and religionists to create a science-religion conflict where there is none. But he does not stoop to the caricature of the believer that I had feared from Prometheus Books. He lays out the risks frankly, however, and I suspect that he has seen such difficulties in Latter-day Saint youth. I share his concerns, for the same reasons:

I am dismayed over how often the authors of antievolution books misrepresent science. I can understand how a minister or a parent with little scientific training could oppose evolution on religious grounds. But many authors of antievolution literature are well educated in the sciences, and the claims they

make in their books are, for the most part, unsupported by scientific evidence.... I suspect that most of them truly believe they are engaged in a noble cause. Once they accept the evolution-creation dichotomy as real, they seem willing to paint an extremely selective picture of science, even misrepresent it...

The irony here is that such an effort may do more to harm faith than to promote it. Especially vulnerable are college and university students. Several surveys show that a significant proportion of students enter their college years accepting the dichotomy. Although not well informed about evolution, they already reject it. A general biology course is a standard requirement at colleges and universities, and professors who teach such courses typically present abundant evidence of evolution along with the analytical skills students need to understand the evidence. Any preconceived notions that the scientific approach is weak or wrongheaded get shattered. Students quickly acquire information and discard the unsupported claims of creationists and intelligent design advocates. Recalling the propaganda about a dichotomy, they may end up questioning their faith (167–68).

I would add that the typically poor or superficial exposure to evolution in US high schools means that most students will confront this difficulty suddenly and with full force in college or university. They and their parents will not have had the opportunity to work out the implications in a “friendly” environment and at a more leisurely pace.

If only because of the above concerns, Fairbanks’s book should be read so that opponents of evolution appreciate the data they are up against. But there are far better reasons to read

it. He does not offer a reconciliation of Genesis with modern science but shows us some of the depth and range of data that any reconciliation must address.

“Let the Earth Bring Forth”: Evolution and Scripture
[Howard C. Stutz]

This is a delightful book by a Latter-day Saint, Howard Stutz. The late Dr. Stutz was a plant biologist and emeritus professor of genetics at BYU. My chief complaint with this work is simply that it is too brief (Stutz himself refers to it as an “essay”). He brings a lifetime of learning to his work, and he has the obvious love for his subject that characterizes all great teachers. He reviews major lines of evidence for evo-bio, including embryology, mutation, speciation, the fossil record, biogeography, comparative anatomy, biochemistry, and genetics.

The leitmotif for this volume is found in the title: “Let the Earth Bring forth”—Stutz here invokes the recurrent phrase from Genesis that describes the earth’s obedience to God’s commands. In his view, Abraham 4:11, which speaks of the earth being “prepared” to “bring forth,” provides an excellent theological framework to accommodate natural processes such as those described by evolutionary biology:

Being properly prepared, there could be no alternative to these processes. Operating within the framework of these conditions, with these laws, the Earth *would* bring forth. The numerous intricacies involved in the creation process were not the product of chance. God established them as the most probable and the most predictable of all alternatives (79, italics in original).

What I most enjoyed about Stutz’s treatment is his focus on the neglected half of biology—the plants. Evolutionary texts and polemics are quick to focus on the more flashy organisms: vertebrates get pride of place, and oceans of ink sufficient to

drown a lungfish have been spilled over the vertebrate eye, the giraffe's neck, and tropical isles' finches. Practical bench research and lab work in genetics focuses on bacteria, yeast, fruit flies, or on the delicate tracery of *C. elegans*, a worm whose every cell is known and numbered, and whose name always seems to me to deserve the italics that adorn every species' Latin name.

In all this, the plants are often forgotten or, worse, taken for granted. And yet, plant biology is fascinating in its own right. Plants are almost like alien life-forms, accustomed as we sometimes are to the biochemistry and lifestyles of animals (especially mammals, for obvious if parochial reasons). Plants are also far more tolerant of mutation, and their adaptation and speciation is easy to observe directly within human life spans, both in the lab and in the wild. They are also often easier to breed and study than large vertebrates. It is, after all, from Mendel's pea plants that we scented the first bloom of the genetics revolution.

Stutz's work is a good introduction to evo-bio, but those who have read quite a bit in the field will, if they are like me, find great satisfaction in hearing some of the same melodies in a different key. Evo-bio texts and popular science books often present a common set of examples, a sort of "Greatest Hits" that any self-respecting author feels almost obliged to cover—for good reason, because they are arresting, well-studied, and useful for illustrating broader principles and themes. (Less flattering reasons also suggest themselves, such as the human tendency to copy what has gone before rather than expend more effort to find novel examples. On occasion, errors have been perpetuated by generations of textbook authors.) Stutz's work is something of a revelation in that it finds many examples in the plant world that throw a new light on common evo-bio themes usually described in animals or single-celled organisms. Only a specialist would have encountered them.

Stutz's book is a wonderful reminder of the nearly inexhaustible richness of the natural world, much of which goes unnoticed every day. He need not venture to Africa or New Guinea for his examples. They are all around us, including in the plants of Western North America upon which Stutz focused much of his professional attention. It would have been fascinating to walk around the desert with him, and I regret that I will never have the chance.

Darwinian Fairytales: Selfish Genes, Errors of Heredity, and Other Fables of Evolution [David Stove]

This is a book that I dearly wanted to like but couldn't. Its approach is something I appreciate—an examination of scientific or cognitive overreach. Where better to find such things than in evolutionary biology? Sadly, the book is marred by misstatements and misunderstandings about scientific matters, and this undercuts its plausibility. It demonstrates, I suspect, the perils of increasing academic specialization. Stove is a philosopher, and it is no small thing to master a completely separate discipline, especially one as complicated and rapidly changing as evo-bio. But that is what is required here, and he has too many lapses.

Stove's goal is blunt—to rebut both Darwin and modern Darwinism: "My object is to show that Darwinism is not true: not true, at any rate, of our species. If it is true, or near enough true, of sponges, snakes, flies, or whatever, I do not mind that. What I do mind is, its being supposed to be true of man" (xiv). Stove goes on to say that he is not a Christian and is, in fact, not religious at all. His objections are based on how he sees the evidence (or lack thereof).

It is important here to realize (which I did not, until I had read the entire book and then returned to it) that when Stove says "Darwinism" or "neo-Darwinism," he is not so much talking about evo-bio *per se*. Rather, he is more concerned with

the philosophical extrapolation or claims made with Darwin as a buttress. He is not clear about this, however, and I'm not certain that it is always clear in his own mind that this is the core of his project. As a result, he veers from talking about the philosophical problems and unwarranted leaps made by people such as Richard Dawkins—about whose less scientific ideas he is generally on point—to questioning the biological evidence itself, which he often gets wrong, frequently embarrassingly so. But the clue to his real preoccupations does appear early, though the water is muddied by his unnecessary attacks upon the biology:

In 1859, [Darwinism] was the best explanation of evolution available, and hence, indirectly, the best available explanation of the many facts which evolution in turn explains: the adaptation of organisms, their distribution, their affiliations with other species existing or extinct, and so on. *It is still the best explanation available of all those things.* That is under-praising it, however, because the best available explanation of something need not be a good one. But the Darwinian explanation of evolution is a very good one as far as it goes, and it has turned out to go an extremely long way. Its explanatory power, even in 1859, was visibly very great, but it has turned out to be far greater than anyone then could have realized....

Even the best available explanation need not be equally good at all points. For some of the matters it is meant to explain, a certain theory might be a good approximation or even be the complete and exact truth and at the same time glaringly incomplete or even obviously false with respect to some of the other things it is meant to explain. That is, I believe, the

way matters actually stand with neo-Darwinism. In particular, I believe that neo-Darwinism, though a very good approximation of truth and completeness for many of the simplest organisms, is an extremely poor approximation in the case of our own species. Or rather, to tell the truth, I think that it is, at least in the hands of some of its most confident and influential advocates, a ridiculous slander on human beings (33, *italics in original*).

This might all seem like a sane and reasonable approach to the question: to grant the good and even embrace it, but throw out the nonsense and overreach. Yet it is hard to credit Stove's argument completely when he surrounds it with such blunders as claiming that the whole idea of natural selection makes no sense when applied to humans:

In a "continual free fight," any man who had on his mind, not only his own survival, but that of a wife and child, would be no match for a man not so encumbered. [Such a] man, if he wanted to maximize his own chances of survival, and had even half a brain, would simply eat his wife and child before some other man did. It is first class protein after all (7).

Clever as the phrasing is, this is just nonsense. Darwinism does not argue simply that "those who survive will prosper." The key claim is that "those who survive *and succeed in leaving more of their DNA behind than others* will have descendants who prosper" in the long run. A male who did nothing but eat his mate and offspring would be a speedy loser in the evolution sweepstakes—it does not matter if he lives for centuries; if his strategy is to consume mate and offspring as soon as possible, then he leaves no progeny behind, and his DNA will perish with him. This seems such an obvious point that one wonders if Stove realizes the argument's unfairness, but he uses it anyway.

Stove also makes what I think is a mistake in tactics, and that is a preoccupation with Darwin himself. While Darwin is certainly foundational to evolution by natural selection, the field has moved forward enormously. (Darwin knew nothing of genes or heredity, for example.) Stove seems to treat Darwin more as one would treat an important founder of a philosophical school. So if you want to rebut the Young Hegelians, you spend some of your fire on Hegel. (And this is perhaps not surprising if he does perceive his target, “evolution,” as more of a worldview or philosophy than an empirical science.) But if Stove is attacking evo-bio as science, the focus on Darwin is somewhat misdirected. It doesn’t really matter if Darwin got something right or wrong—what matters is the current state of the art. Yet Stove spends a lot of time fencing with Darwin.

However, he is often outmatched. For example, Darwin’s insight that organisms would tend to reproduce until they had exceeded the available resources (e.g., food, oxygen, living space) was likely influenced by Malthus’s essay on the supposed inevitability of human famine, given that humans (like other organisms) reproduce geometrically, while food supplies can only increase linearly. At some point, argued Malthus, population will outstrip food supplies, and then only famine or war or disease can prune it back. Stove regards this claim (which most would regard as self-evident, once pointed out) as absurd:

If a population is to be always as numerous as its food supply allows, or nearly so, reproduction would always have to begin as early as possible. In nearly all species of animals, all the earliest opportunities for mating are opportunities for the young to mate with a sibling or with one of their parents. You would expect, therefore, if the Malthus-Darwin principle were true, to find throughout the animal world a distinct bias towards

incestuous reproduction, at least during early adulthood (38).

Once again, this is just silly, and it's hard to think that Stove cannot see why. If organisms adopted an incestuous mating strategy, everyone knows what would quickly happen—the fitness of the offspring drop as genetic errors accumulate. (All—or nearly all—human cultures have strong incest taboos, for example.¹⁴) While it might be a very good thing for a generation or two of organisms to mate incestuously (and some animals do so at least some of the time), on average this is not as effective a strategy in the long term. (The whole advantage of sexual reproduction—which is costly for the individual organism—is the overwhelming benefits which genetic variety and reshuffling bring to the species as a whole.) Again, what matters in Darwinism is not the individual, but how successfully the individual passes on DNA to offspring that can likewise compete effectively. (The best DNA in the world is useless if your offspring is sterile, for example. Ask mules without fertility clinic access how well that works out.) Stove takes a very blunted “short term” view, whereas anyone who has studied, say, the Hapsburg monarchy¹⁵ or any royal family in Europe can see that in-breeding is not typically the best approach for long-term (or even medium-term) biologic success. (It is, on the other hand, a wonderful strategy for conserving *economic* success within a lineage—hence its appeal to the imperial courts of Europe.)

14 William D. Gairdner, *The Book of Absolutes: A Critique of Relativism and a Defence of Universals* (Montreal & Kingston: McGill-Queen's University Press, 2008), 310, 318–319, 326.

15 Gonzalo Alvarez, Francisco C. Ceballos, and Celsa Quinteiro, “The Role of Inbreeding in the Extinction of a European Royal Dynasty,” *PLoS ONE* 4/4 (2009): 1–4, <http://www.plosone.org/article/info:doi/10.1371/journal.pone.0005174>.

Confused about these basic matters, Stove then concludes as follows: “Hence I am unable to suggest what a struggle or competition for life among [animals of the same species] could possibly be a struggle or competition for, except food” (56). He may be unable but should not be. Animals compete among themselves for many things: food, water, hunting or living territory (e.g., space on a coral reef, nesting sites for birds), and mates. They also compete in matters of strength, speed, or other means of evading predators—like a movie teenager pursued by zombies, a doe chased by a lion need only be faster than her neighbor. Plants likewise compete for nutrients, water, access to sunlight, and adequate growing space. Some alter soil chemistry to prevent other plants from growing near them; others produce toxins to render themselves less appealing to those who would eat them—plants with better toxins will be less likely to be eaten than their less-obnoxious fellows. Bacteria that produce enzymes to degrade penicillin outlast those sister bugs that do not, and so on.

At any rate, this confusion about competition leads Stove to deprecate “the Malthus-Darwin principle of population: that population always presses on the supply on food, and tends to increase beyond it. And this principle *does* require child mortality to be terrifically high, in our species and in every other” (92, *italics in original*). He gives too little credit to the idea that child mortality has historically been high (the introduction of practices such as birth spacing, hormonal birth control, or abortion are *cultural* factors with a long history—they too would be expected to alter purely Darwinian mechanisms, just as the invention of eyeglasses means that near-sightedness will no longer be a trait subject to much selection). While acknowledging high rates of child mortality, he insists that it would have had to be on the order of 80% according to Darwin, though he provides no citation for this claim (92). But Stove also ignores that Darwinian mechanisms play out of

vastly longer periods of time—in a hypothetical example, he claims that “the Malthus-Darwin principle tells us that this ecological niche will be filled this year” (92), but the principle says nothing of the sort. Animals with small litter sizes and long generation times (such as humans) will not expand that rapidly even under ideal conditions, much less after a setback.

Nor, as Stove claims, does Darwin’s hypothesis claim that there can be no “declining or stationary numbers: all populations must always increase in numbers” (105). A population of animals could achieve a type of dynamic balance between births and death due to predation and other competition—no organisms exist in isolation, after all, save under lab conditions. Or a disease might strike that decimates a population, even though there are ample resources (a human example would be the New World’s population implosion due to Old World diseases—as many as 95% may have perished, but not because food supplies were exhausted).¹⁶ I suspect the Darwinist rejoinder would be that all organisms *eventually* outstrip the resources available to them if nothing else checks their reproduction. Such checks could be predation, or other environmental constraints besides food (this is where Stove’s inability to imagine anything besides food being a locus of competition leads him astray), or social behavior (such as human birth control).

But even this is not the whole of Stove’s error, since there are examples of humans doing exactly what he claims humans cannot and do not do: reproducing beyond what food supplies can support. Any time there is a famine, the demand for food exceeds supply. As human populations have grown, the only option has been to find a new source of food and other resources (e.g., emigration, switching emphasis to fishing over farming), or to find ways to increase the productivity of current sources

16 Jared M. Diamond, *Guns, Germs, and Steel: The Fates of Human Societies* (New York: W.W. Norton & Co., 1997), 211.

(e.g., England's innovation in crop rotation prior to industrialization, the twentieth century's "green revolution"). William Bernstein describes a fairly Malthusian scenario played out over half a millennium:

If, as historians have suggested, crop yields quadrupled in the years between AD 1000 and 1500, that represented a growth rate of just 0.28% per year over the period. Between these two dates, population increases forced poor-quality marginal land into cultivation, canceling out most, if not all, of the increase in agricultural productivity that occurred in that half-millennium. *Thus, the standard of living of purely agricultural societies remained relatively static.*¹⁷

Thus, for humans, these limits are not reached quickly, but they can be reached. This is most easily seen on smaller scales, such as on Pacific islands, where resources and populations are both smaller and are isolated from resource import or population export.¹⁸

17 William J. Bernstein, *The Birth of Plenty: How the Prosperity of the Modern World Was Created* (New York: McGraw-Hill, 2004), 47, italics in original. Bernstein also points out that the shift from hunter-gatherer to agriculture causes a human population boom—how are we to understand this, save as a case where the resources available (through farming, which produces more calories per square mile than hunter-gathering) have increased, allowing more children to be born and survive to reproductive age?

18 See, for example, Jared Diamond's discussion of Easter Island, where 66 square miles held perhaps as many as 15,000–30,000 people (*Collapse: How Societies Choose to Fail or Succeed* [New York: Viking, 2005]). At potentially over 450 people per square mile, Easter Island demanded intensive agriculture, leading one archaeologist to exclaim, "I have never been to a Polynesian island where people were so desperate, as they were on Easter, that they piled small stones together in a circle to plant a few lousy small taro and protect them against the wind! On the Cook Islands, where they have irrigated taro, people will never stoop to that effort!" (92). The population eventually decimated every single tree on the island; a total of twenty-one plant species vanished (104); the six native sea-birds are also no more. These losses decreased the islanders' ability to deep sea fish (they lacked the trees to build sea-worthy canoes), causing severe

Stove has much more of value to say when he turns to the hyper-Darwinism of people such as Richard Dawkins or E. O. Wilson. “As for those sociobiologists who by implication deny the very existence of human altruism,” he writes, “my reason for disagreeing with them is simply that I am not a lunatic” (96). (Sociobiology does not, however, deny altruism—it argues instead that natural selection can produce altruistic behavior in self-interested organisms, especially social ones.¹⁹) Stove is on somewhat firmer philosophical ground when he critiques Dawkins’ claims about altruism:

I do not believe that humans are the helpless puppets of their genes, and cannot even take that proposition seriously. Why? Because I have heard far too many stories like that one before, and because it is obvious what is wrong with all of them.

“Our stars rule us,” says the astrologer. “Man is what he eats,” said Feuerbach. “We are what our infantile sexual experiences made us,” says the Freudian. “The individual counts for nothing, his class situation for everything,” says the Marxist. “We are what our socio-economic circumstances make us,” says the social worker. “We are what Almighty God created us,” says the Christian theologian. There is simply no end of this kind of stuff.

What is wrong with all such theories is this: That they deny, at least by implication, that human intentions,

resource strains. By the 1700s, there were 70% fewer homes constructed (strongly suggesting a population crash), and the islanders were reduced to cannibalism to survive (140). If this is not Malthusian, nothing is.

19 See, for example, Steven Pinker, *The Blank Slate: The Modern Denial of Human Nature* (New York: Viking Penguin, 2003), 241-269.

decisions, and efforts are among the causal agencies which are at work in the world. This denial is so obviously false that no rational person, who paused to consider it coolly and in itself, would ever entertain it for one minute...

The falsity of all these theories of human helplessness is so very obvious, in fact, that the puppetry theorists themselves cannot help admitting it, and thus are never able to adhere consistently to their puppetry theories. Feuerbach, though he said that man is what he eats, was also obliged to admit that meals do not eat meals. The Calvinistic theologian, after saying that the omnipotent Creator is everything and his creatures nothing, will often then go on to reproach himself and other creatures with disobeying this Creator. The Freudian therapist believes in the overpowering influence of infantile sexual experiences, but he makes an excellent living by encouraging his patients to believe that, with his help, this overpowering influence can be itself overpowered. And so on.

In this inevitable and tiresomely familiar way, Dawkins contradicts his puppetry theory. Thus, for example, writing in the full flood of conviction of human helplessness, he says that “we are... robot-vehicles blindly programmed to preserve the selfish molecules known as genes,” etc., etc. But at the same time, of course, he knows as well as the rest of us do, that there are often other causes at work, in us or around us, which are perfectly capable of counteracting genetic influences. In fact, he sometimes says so himself, and he even says that “we have the power to *defy* the selfish genes of our birth.” As you see, he is just like those writers

of serial stories in boys' magazines, who used to say, in order to extricate their hero from some impossible situation, "With one bound, Jack was free!" Well, it just goes to show that even the most rigid theologian of the Calvinist-Augustinian school has got to have a Pelagian blow-out *occasionally* and deviate toward common sense for a while.

Here is another specimen of Dawkins contradicting his own theory. He says, "let us try to teach generosity and altruism" but also says that "altruism [is] something that has no place in nature, something that never existed before in the whole history of the world." Well, I wonder where we are, if not "in nature"? And... who are Dawkins's "us," the ones who are to teach altruism? Principally parents, no doubt. Well, parents are not what Dawkins implies they are, just some shoddy temporary dwellings rigged up by genes. But neither are they creatures from beyond, "sidereal messengers," or sons and daughters of God sent down on a mission of redemption and reformation. Parents are just some more people, and hence, if you believe Dawkins, are selfish. Where are they, on his theory, to get any of the altruism which he wants then to impart to their children? And as for altruism having "never existed before": one longs to learn, before *when*? Before *Homo sapiens*? Before the eighteenth-century Enlightenment? Before the British Labour Government of 1945? Dawkins should not have omitted to tell us at least the approximate date of an event so interesting, and (apparently) so recent, as the nativity of altruism (183–185, italics in original).

Now this is the stuff of philosophy, and Stove's analysis (of which I've included only a small sample here) is more nuanced and cogent (though still not without flaws and missteps) than his critique of the biology. His style is infectious, and his wit sharp. He is concerned about matters of far more significance than mechanisms of speciation—he's defending the idea of human free will and (we would say) moral agency. It is evolution's apparent threat to values and doctrines of this sort that rightly troubles many believers. The worldview urged by many neo- or ultra-Darwinians (you will note I do not say, "by many evolutionary biologists," since such metaphysical or philosophical claims go beyond biology, though they may invoke biology for support) is false and inadequate and ought to be withstood.

Yet Stove's tendency to sneak in jabs—which are dead wrong—at the biology undercuts his effectiveness. His is, in this sense, a cautionary tale; even those convinced that evo-bio is fatally flawed must be careful, exceedingly careful, to get their science right. (We recall that this was George McCready Price's chief failing.) Stove could, I am persuaded, have written a convincing, even important book. His unfamiliarity with material beyond his discipline means that he did not. And so his valid critiques are too easy to miss or dismiss because he undermines his own credibility.

The End of Christianity: Finding a Good God in an Evil World [William A. Dembski]

Dembski is no stranger to the creation-evolution wars. A "research professor of philosophy at Southwestern Baptist Theological Seminary in Fort Worth, Texas," he is also "a senior fellow with [the] Discovery Institute" (dust-jacket). The Discovery Institute has been the primary force behind the "Intelligent Design" movement. But the work here reviewed is not concerned with that. Rather, Dembski sets out to create

a justification for human and natural evil—a theodicy—and reconcile three claims of creedal Christianity:

1. God by wisdom created the world out of nothing
2. God exercises particular providence in the world.
3. All evil in the world ultimately traces back to human sin (8).

Given that LDS thought rejects points #1 and #3, it is not surprising that I find Dembski's offering unsatisfying. His work is worth examining to see why he takes these stances, and what implications follow.

Part I - Evil

Creatio Ex Nihilo—Creation Out of Nothing

Dembski does not like “open theism,” which he says consists of “a pared-down view of divine wisdom, knowledge, and power. We thus get a god who means well but can't quite overcome the evil in the world, a god who is good but in other ways deficient.... Evolving gods constrained by natural laws are much the rage these days” (8). Open theism, says Dembski, means that “strict uncertainty about the future means that God cannot guarantee his promises because the autonomy of the world can always overrule God. Of course, we could try to get around this by saying that God can step in when things get out of hand, but that defeats the point of openness theology, which is to limit God and thereby absolve him of evil” (20). I am no expert on open theism, but it seems to me that Dembski here ignores its great driving force: the necessity of human free will, or what the Saints know as moral agency.²⁰ I think most open theists would also reject the contention that any uncertainty about the future means God cannot guarantee his

20 LDS philosopher Blake T. Ostler has explored some of the ideas inherent in open theism in a specifically LDS context. See, for example, *The Problems of Theism and the Love of God*, Exploring Mormon Thought series, Vol. 2, (Salt Lake City, Utah: Greg Kofford Books, 2006), 409–429.

promises—God would, in an open theism, be fully capable of responding to any eventuality in a manner that would bring to pass his purposes. The point is not to simply absolve God of evil, or “limit” him, but rather to argue that the creedal view of God’s omnipotence vitiates true human free will. Open theists strive (however imperfectly) to balance God’s power and foreknowledge with genuine human moral freedom. In a *creatio ex nihilo* framework, this is difficult, and I do not think Dembski succeeds in doing so. He lays the problem out starkly:

Since everything is created by God [*ex nihilo*, from nothing], a will that turns against God is one of his creations. But a good God presumably created a good will. How, then, could a good will turn against God? I’m not sure that any final answer can be given to this question. Invoking freedom of the will is little help here. Certainly, freedom of the will contains within it the logical possibility of a will turning against God. But why should a good will created by a good God exercise its freedom in that way...? (27)

This question haunts Dembski’s theodicy, as it must. He does not here mention an even graver problem—if a created entity (call her Lilith) does choose to use the will given her by God to rebel against him or choose evil, God could have created Lilith without such a tendency or inclination to ultimately make such a choice. Or he could have created her with a character that might rebel but also respond to offers of reconciliation and salvation. This makes God directly responsible for every evil act, since he is the final cause of the beings that commit such acts and those beings’ proclivities. Dembski is right that no final answer can be given—he cannot even produce a good provisional one. All he offers is the possibility that Lilith’s sin may arise because she might reflect upon her “creaturehood” and “realize that [she] is not God... This may seem unfair [to

her].... The question then naturally arises, Has God the Creator denied to the creature some freedom that might benefit it?" (27)

But this solves nothing—God could have created a will uninterested in such questions, or one inclined toward sufficient trust to decide that such worries were of no moment. "Turning back to God cannot be coerced" (28), according to Dembski. But what does it mean to have a contingent, created will that is not coerced? Lilith will still respond to God's entreaties or hints based upon her character and nature, which are ultimately entirely dependent upon God's previous creative act. To turn back is no credit to her, any more than turning away was ultimately her moral responsibility but instead is due to God's *ex nihilo* creative decision. At any rate, these issues are mentioned and dispensed in only two pages (27–28). Dembski's failure—and, I am convinced, conventional theism's incapacity—to answer this problem is fatal.

All Evil Derives from Human Sin

Dembski moves quickly to a second kind of evil—what philosophers call "natural" evil. These are not the evil acts of moral agents, like humans or devils, but the "bad things" that happen in nature. Animals are hunted and die in pain; terrible diseases ravage us; children are born deformed or handicapped; natural disasters kill thousands or millions.

Here, Dembski has an even more serious problem. A God who creates *ex nihilo* bears complete and ultimate responsibility for the natural world. Dembski has specifically denounced those who might make a "god" (the lack of capital is his) that is in any way constrained by natural law. He also wants nothing to do with a natural world that works "on its own" outside of God's absolute foreknowledge. And one cannot even directly blame the contingent "free" wills of humans for these evils—it is not immediately obvious that we cause earthquakes, plagues, or the pain a deer feels when a lion attacks it in the same way we murder or create concentration camps.

For Dembski, there is a stark choice: “If you’re going to blame evil on something besides God, you’ve got two choices: conscious rebellion of creatures (as in humans or the devil disobeying God) or autonomy of the world (as in the world doing its thing and God, though wringing his hands, unable to make a difference)” (9). He opts for the first—to absolve God, all natural evil *is* due to human sin. The alternative, in traditional creedal Christianity, is unacceptable.

Now this might seem a huge burden to lay upon us. But Dembski assures us that “humanity, in becoming captive to evil, gave its consent. Humans are complicit in the evil from which God is striving to deliver us” (44). Really? We all gave our consent to every evil? How about my newborn son? Did he? Did I? Did I approve the Indian tsunami, guinea worms, and chimpanzees that kill infant chimps? And if I *did* somehow accede to all the evil in the world, if God created me, isn’t he responsible for making me inclined to do so? This seems rather like a forced contract because God is the ultimate determiner of whether I will be disposed to sign on the dotted line. And for Dembski, Adam and Eve (or some representative group of earlier humans) were the ones that spoiled it all in the first place. Am I to be made responsible for their choices? And if so, could I not in justice complain that if God had only made Adam and Eve of a more responsible disposition, none of this would have happened?

Dembski also rejects the idea that God might *permit* natural evils, or even create them, because his purposes for humanity require them:

According to Whorton’s Perfect Purpose Paradigm, God creates a world of suffering not in response to human sin but to accomplish some future end... But this, again, makes human suffering a means to an end. And even if this end is lofty, we are still being used.

Used is used, and there is no way to make this palatable, much less compatible with human dignity (79).

Given Dembski's presuppositions, he is right. After all, a God who is omnipotent and omniscient can create both beings and circumstances in any way he likes. Why need he waste time with a world full of suffering and evil to accomplish any purpose when he could have had that purpose realized from the moment of his *ex nihilo* creation? Remember, Dembski will not tolerate a God bound by any natural laws, so the sky really is the limit.

These sorts of problems go on and on. But Dembski addresses none of them.

Part II – Young Earth and Old Earth

Having defined the problem, Dembski then lays out his solution. He reviews the reasons which creedal Christians might have for accepting either an old earth or a young one (52–91). Dembski agrees that traditional Christian readings assumed a young earth, and that this produces fewer problems for scriptural literalism, adding that he “would adopt it in a heartbeat except that nature seems to present such strong evidence against it” (55). He faults the young earth position for ad hoc reasoning and special pleading: “Is there any solid evidence for nuclear decay’s acceleration that does not depend on the need to establish a young earth?” (57) “When young-earth creationists question the constancy of nature,...typically it is not because they have independent evidence to question it but because their belief in a young earth requires that nature behave inconstantly” (60). “The inference that [catastrophic plate tectonics] is a real phenomenon comes less from the evidence of science than from the presupposition of a young earth” (61).

To those (such as young-earth creationist Kurt Wise) who insist that the Bible must trump all these issues, Dembski replies, “Why should Wise’s particular interpretation of Scripture occupy such a privileged place? Although the truth of Scripture is inviolable, our interpretations of it are not” (75). That our interpretation of scripture is not entitled to the same respect as scripture itself is certainly true, and it also applies with at least equal force to Dembski’s view about the source of evil and *ex nihilo* creation, since these depend on the hellenized post-biblical creeds.²¹ But he does not seem to realize that his own interpretation is as contingent as Wise’s—but given how axiomatic most of Christian theology regards the creeds, this oversight is not surprising.

At any rate, though Dembski briefly reviews possible problems with an old-earth model (78–81), his sympathies obviously lie there and not with the young earth. But he will attempt to reconcile both approaches. The heart of his solution requires the effects of the Fall to travel backwards in time:

If humans, through their sin, are responsible for all corruption in the world, the world’s corruption must postdate human sin. Causes after all, precede their effects. Or do they?

21 Blake T. Ostler, “Out of Nothing: A History of Creation *ex Nihilo* in Early Christian Thought (review of Review of Paul Copan and William Lane Craig, “Craftsman or Creator? An Examination of the Mormon Doctrine of Creation and a Defense of *Creatio ex nihilo*,” in *The New Mormon Challenge: Responding to the Latest Defenses of a Fast-Growing Movement*, edited by Beckwith, Mosser, and Owen),” *FARMS Review* 17/2 (2005): 253–320, <http://maxwellinstitute.byu.edu/publications/review/?vol=17&num=2&id=590>; Stephen D. Ricks, “Ancient Views of Creation and the Doctrine of Creation *ex Nihilo*,” in *Revelation, Reason, and Faith: Essays in Honor of Truman G. Madsen*, edited by Donald W. Parry, Daniel C. Peterson, and Stephen D. Ricks, (Provo, UT: FARMS, 2002), <http://maxwellinstitute.byu.edu/publications/books/?bookid=100&chapid=1113>.

I will argue that we should understand the corrupting effects of the Fall also retroactively (In other words, the consequences of the Fall can also act backward into the past). Accordingly, the Fall could take place after the natural evils for which it is responsible...

Such “backward causation” may seem counterintuitive, though science-fiction readers will recognize in it familiar paradoxes connected with time travel. The point to note is that what is impossible for science and paradoxical for science fiction can be standard operating procedure for the Christian God (50–51).

Dembski points out that Christ’s atonement is an example of an event whose effects apply both before and after it happened. This is the best that can be said for the idea, but I do not think the analogy holds, at least as Dembski describes it. I will indicate why below.

Part III – Divine Creation and Action

Dembski then shifts to a discussion of creation. He veers first into information theory and error correction, and applies this allegorically to the Nicene Trinity. “None of the preceding analogies between information theory and the God-world relation is, I submit, strained. Quite the contrary, they match up precisely and capture the essence of Christian metaphysics” (88). I would not have said “strained” so much as “pointless.” Surely analogies to the Trinity can be (and have been) found everywhere. What the existence of an analogy proves, however, is not clear. He goes on to argue that:

Information, like God, is nonmaterial and eternal. To be sure, information can be realized in objects that are in material and temporal. Moreover, when those objects disintegrate, the information in them will be

lost—from those objects, that is. But the same information can always be recovered (certainly by God) and then realized in other objects (93).

LDS readers will disagree, obviously, with the claim that God is immaterial. But I think most scientists would also dispute the claim that information is necessarily nonmaterial. Paul J. Steinhardt, the Albert Einstein Professor of Science at Princeton, wrote:

One of the sacred principles of physics is that information is never lost. It can be scrambled, encrypted, dissipated, and shredded, but never lost. This tenet underlies the second law of thermodynamics and a concept called unitarity, an essential component of unified theories of particles and forces. Discovering a counterexample or new ways to preserve information could be a real game changer.²²

Physics is the study of the material, not the immaterial—and Steinhardt argues that this information cannot be destroyed, even in a physical sense.²³ But Dembski is claiming that information is nonmaterial. Even if we provisionally grant that his claim is congruent with current science, what does it

22 Paul J. Steinhardt, “Black Holes: The Ultimate Game Changer?” in *This Will Change Everything: Ideas That Will Shape the Future*, edited by John Brockman (New York: Harper Perennial, 2009), 308.

23 An enormous debate among theoretical physicists about whether information that fell into a black hole was lost constituted what one participant called “the black hole war.” See Leonard Susskind, *The Black Hole War: My Battle with Stephen Hawking To Make the World Safe for Quantum Mechanics* (New York: Back Bay Books/Little, Brown, and Co., 2008). Curiously, Susskind gets in a tangential dig at Joseph Smith (“God ordered Joseph to marry and impregnate as many young girls as possible”) and Mormonism, which he uses as a type of symbol for Stephen Hawking’s “powerful charismatic influence over many physicists” (279–81). Susskind’s grasp of LDS history (or even Joseph Smith’s practice of polygamy) is tenuous. See Brian C. Hales, *Joseph Smith’s Polygamy: History* (Salt Lake City, Greg Kofford Books, 2013), 1:277–302.

mean for information to be immaterial and eternal? (And if God is the only self-existent being, and creates everything *ex nihilo*, how can information be eternal? Can eternal things have a beginning? Did God “contain” all information from all eternity? Are, then, the world and all information in it merely an emanation or instantiation of God? Is some type of pantheism right after all? I doubt Dembski would agree—such ideas are heterodox if not heretical to creedal and LDS Christianity—but his claim seems to leave the door open for them, at least to my inexpert eye.) If information is not somehow stored (e.g., in a computer, in a brain, in a text, in nature), how can it be said to “exist” immaterially? In what does this existence consist? This sounds like some type of Platonism, where an ideal form of (say) Fermat’s Last Theorem exists somewhere perfect and immaterial, from all eternity to all eternity.

In Dembski’s theology, God knows everything in fine detail. (This is possible, in his opinion, perhaps because God created everything *ex nihilo*.) So no information can be said to be destroyed even when one destroys the objects in which information is realized. That much is clear, and it follows from his dogmatic premises. This claim seems, however, to be circular or merely a matter of definitions—God knows everything, God is immaterial, therefore all knowledge (which God must, by definition, possess) is immaterial and eternal. There may be great truths here, but Dembski did not make them clear enough for me to grasp, or even be sure whether I agree with them or not. And the claim that information is immaterial and thus not dependent upon any material realization strikes me as a fairly unscientific one—it is not an assertion (and Dembski only asserts it, he does not argue for it) at which many or most scientists would simply nod, I suspect.

Reviewers of Dembski’s work in Intelligent Design have not been kind to his efforts to invoke the same types of ideas. “Dembski’s idiosyncratic concepts of *complexity*

and *information* are misleading, and his so-called Law of Conservation of Information is fatally flawed,” writes one, warning that his “standard of scholarship is abysmally low, and... is best regarded as pseudoscientific rhetoric aimed at an unwary public which may mistake Dembski’s mathematical mumbo jumbo for academic erudition.”²⁴

This was, I must say, how I felt as I encountered these sections of his book—I felt as if I was being bamboozled but did not know exactly how. It is not clear to me how the appeals to information theory or Trinitarian signal processing add to Dembski’s argument. My reaction was a bemused “What? Where did that come from?” I cannot but wonder if Dembski isn’t just “dressing things up” to appear more scientific; he has been charged in the past with needlessly including pointless and arcane mathematical notation.²⁵ Perhaps this is a philosophical or theological version of the same tactic. Or perhaps he has found a favorite hammer, and now everything (even a rivet or screw) looks like a nail. At any rate, after reading the reviews of his other works that mention the same concepts, my gut reaction to these sections made more sense. Readers better informed than I am will have to judge Dembski’s use of information theory—all I know of it, I learned from him,²⁶ and I obviously do not know enough.

24 Richard Wein, “Not a Free Lunch But a Box of Chocolates: A critique of William Dembski’s book *No Free Lunch*,” 23 April 2002, <http://www.talkorigins.org/design/faqs/nfl/>.

25 “All these piles of mathematical notations are irrelevant to his thesis. They serve no useful role except for impressing readers with the alleged sophistication of Dembski’s discourse.” (Mark Perakh, “A Free Lunch in a Mousetrap,” 27 February 2002, updated 5 January 2003, http://www.talkreason.org/articles/dem_nfl.cfm.)

26 In this, I exaggerate slightly. By pure serendipity, after reading Dembski I stumbled onto a description of the classic paper on signal processing which Dembski cites, Shannon’s work of 1948: see John McCormick, “Error-Correcting Codes: Mistakes That Fix Themselves,” in *Nine Algorithms That Changed the Future: The Ingenious Ideas That Drive Today’s Computers* (Princeton, NJ, and Oxford, England: Princeton University Press, 2012), 60–79.

Dembski seems to want his immaterial information to allow God to affect reality in a manner that is undetected:

Thermodynamic limitations [to the flow of information] do apply if we are dealing with embodied information sources that need to output energy to transmit information. But nothing prevents God, who is immaterial from enlisting (seemingly) random processes and imparting to them information. If divine action takes this form, the problem of “moving the particles” simply does not arise. Indeterminism means that God can substantively affect the structure and dynamics of the physical world by imparting information and yet without imparting energy (117).

Here again, the same problems haunt me. Even if God is immaterial, how does he affect material things without energy? Since he ultimately intends for his immaterial actions to affect the material world (by the information he imparts to “random” physical things or processes), mustn’t it ultimately somehow come down to some thermodynamic change? If his information makes the physical world *do* something that it wouldn’t have done otherwise, does labeling the information and process an “immaterial” cause mean we can hand-wave away the fact that a physical, material effect has occurred? Can such effects truly have no thermodynamic consequences? I do not know the answers to these questions—but they are the questions that I took just enough thermodynamics to know need to be answered.

And if we assume that thermodynamics must apply (as Dembski seems to—else why go to all the trouble?), I do

This account is much more accessible than Dembski’s, but it only deepened my confusion regarding these ideas’ appearance in Dembski’s theodicy. If I am the prototype for the kind of reader Dembski’s wanted to reach with his argument, he failed in this case.

not think he has solved his problem. Why not rather simply conclude that God can violate the laws of thermodynamics? Since we are dealing in miracles, why not simply assert that God (who can do anything in Dembski's world, not being limited even by time, space, or natural law) can create energy out of nothing? After all, he created everything that exists *ex nihilo*, so what's a small bit of fluctuating quantum vacuum or picovolts of potential difference between friends? If nothing is too hard for God, can he not dispense with entropy as he likes? Dembski posits a God that is maximally omnipotent—that is, utterly unconstrained—and then falls back on a rather strange tale of immaterial things affecting material things so as not to violate the laws of thermodynamics. Joseph Smith's contrary assertion that “there is no such thing as immaterial matter; [a]ll spirit is matter, but it is more fine or pure, and can only be discerned by purer eyes” seems even more sane than usual when compared with this alternative (D&C 131:7).

Enter the Mormons

Hearing an LDS perspective was the last thing I expected at this juncture. Yet, to my delight, Dembski quoted Stephen R. Covey with approval:

In *The Seven Habits of Highly Effective People*, leadership expert Stephen Covey offers an insight into creation that is at once obvious and profound: “*All things are created twice*. There's a mental or first creation and a physical or second creation to all things.” (107, italics in original)

Dembski then employs this idea to argue that the first (“mental,” presumably immaterial) creation is perfect, since it comes from God. The second creation is then fouled up by “the creation's” rebellion—the Fall (108). (Even this is not entirely self-consistent—the creation of man as set out in Genesis predated the Fall; therefore, at least part of the physical creation

must have been imperfect, since man can hardly sabotage his own creation before it happens, unless he is allowed the time paradox powers that Dembski grants God. Once again, we are back at the first difficulty which Dembski has never really answered—how do we absolve God from the fact that his *ex nihilo* created beings spoiled God's perfect plan? And can God's creation of man be said to be perfect, given the outcome that followed inexorably from it?)

Dembski evinces no awareness that Covey was a Latter-day Saint or that his perspective on the creation draws from LDS scripture—Moses 3:5–7 as well as similar ideas in Abraham 4–5, which are cited by the Saints to flesh out their understanding of Genesis. The scenario outlined in the Pearl of Great Price is not as clear-cut as the brief gloss attributed to Covey implies—though I expect Covey did not intend it to be a full exegesis of an LDS text. In the first place, the first creation is said to be “spiritual”—but “spirit” in LDS doctrine is clearly not “immaterial” nor is it necessarily simply “planning.” (In addition, from an LDS perspective, even Dembski's category of “mind” is not immaterial.) There is planning in Abraham 4 compared to the subsequent chapter, but this planning phase need not necessarily be equated with the spiritual creation, though that is certainly a plausible and popular reading.

Some Uniquely Mormon Questions

This raises another point worth pondering in an LDS context, though I do not presume to answer it—how does the spiritual creation relate to the second presumably physical creation? Does creating “spiritually” speak only of the mental, theoretical preparation? (This is how Dembski and Covey seem to see it.) Or does it rather refer to the actual creation of spirits that will only later receive physical bodies during the second creation? Assuming (perhaps very dubiously and unwisely) that causality and temporality function in God's world the same way they function in ours, is there a direct cause-and-effect

relationship between the spiritual creation and the present physical world, or does the first merely lay out a set of plans and principles that will be set in motion or allowed to unroll during the second? (See Stutz's work, discussed above, for an approach that seems to partake of this perspective.)

If there is a causal relationship between the first and second creations in LDS thought, in which direction does the effect run? Does God foreknow the outcome of the physical, temporal creation and pattern the first after it? (More, perhaps, of Dembski's time-travel?) The more straightforward option is for cause and effect to run from first to second. If so, this creates obvious difficulties for a neat reconciliation with evo-bio, since contingency and chance play a role in evolution as currently understood, which is hard to square with a spiritual creation that is a done deal. For this to work, we might have to do as Dembski suggests with immaterial information—perhaps the material spirit creation of Mormonism somehow affects, controls, or parallels the material “natural” world, despite what appears to be a nondeterministic, even chaotic temporal process of evolution. Or does the scriptural account of the spiritual creation truly mean (as many have concluded) that evo-bio is completely (or mainly) false, a case of barking up the wrong tree of life? And if this is so, why does the evidence appear to match the evolutionary model with all its waste, inefficiency, death, and dependence upon contingency? But on the other hand, are we so confident we could distinguish God's intervention from contingency or “chance”? If I toss a hundred coins, I expect fifty to come up heads, within statistical margins of error. But could I then determine that God had influenced the thirty-seventh coin toss to *make* it come up heads, while leaving the other results to random natural law? I don't see how.

Finally, for completeness, can we rule out the possibility that the processes may, in some way we do not fathom, have a mutual influence, with feedback loops running from the spiritual to

the physical, and back again? Are causality and temporality fundamentally different in God's world? Is spiritual creation an ongoing process linked with the continued development and ramification of life on earth? I have not Dembski's boldness and do not essay an answer. But at least I can cling to the questions and keep looking.

Part IV –Retroactive Effects of the Fall

Dembski is now prepared for his reading of Genesis. He sees Genesis 1 as God's original plan for creation. "God's immediate response to the Fall is," according to Dembski, "not to create anew but to control the damage" (145). We are again left to wonder why God did not "control" the damage by creating humans who did not foul up the first plan. How could an all-powerful and all-wise God get it wrong in the beginning of his creative endeavors?

"The challenge God faces," Dembski says, "is to make humans realize the full extent of their sin so that, in the fullness of time, we can fully embrace the redemption of Christ" (145). To describe an omnipotent God as "challenged" seems odd. Doing so raises some questions: Why did God not simply create humans who would choose to avoid evil? Why make a world in which there is even the possibility of evil and hence a Fall? Why did God apparently need human beings at all, or need human beings who could and would sin? He is bound by no laws or constraints, save those he wills. Why did God not simply create humans able to experience the crushing, drowning sense of the depth of their estrangement from him upon their Fall? Why was a Fall necessary? Even if we grant that he could somehow create a moral agent *ex nihilo* who was genuinely free, why could he not at least slip in an adequate warning system in the event the worst happens? Or why can God simply not plant the perspective of the full extent of their sin into the fallen humans as needed?

Instead, Dembski decides that God must use the created world to bring this needed understanding home to us. Thus,

God does not merely allow personal evils (i.e., the disordering of our souls and sins we commit as a result) to run their course *subsequent to* the Fall. In addition, God allows natural evils (e.g., death, predation, parasitism, disease, drought, floods, famines, earthquakes, and hurricanes) to run their course *prior to* the Fall. Thus, God himself wills the disordering of creation, *making it defective on purpose*. God wills the disorder of creation not merely as a matter of justice (to bring judgment against human sin as required by God's holiness) but, even more significantly, as a matter of redemption (to bring humanity to its sense by making us realize the gravity of sin) (145).

There is much to digest in this extraordinary passage—it is incredible, in the formal sense of the word. In the first place, it is difficult to see how disordering all creation (because the God who created everything out of nothing and fixed it so that the first human prototype fell and became totally depraved) is a manifestation of divine love and justice—at least as that justice applies to the rest of creation. Dembski says that God, from his perspective, quite rightly inflicts the consequences of mankind's sin upon all creation because mankind is the “covenant head... in creation” (147). As covenant head, then, humanity's actions in effect speak for all and thereby condemn all of creation to corruption. Omitted from this argument is a consideration of why humanity is the covenant head: because God said so. “God, having placed humanity in this position, holds creation accountable for what its covenant head does” (147). Did the rest of creation “vote” for humanity to take this role? Was there informed consent? Dembski says that God

placed us there, but God then holds creation (not himself) accountable for the covenant head's actions.

We here encounter all the problems with the notion of *ex nihilo* humans, writ large. *Ex nihilo* bunny rabbits, bugs, birds, birches, and the rest are created from nothing and then become totally corrupt because a group of two-legged eventual reprobates will not only be at the head, and hence in charge, but will represent them all before the Creator. (Recall that God knows with absolute foreknowledge that the Fall is assured, since he caused everything out of nothing and also has absolute knowledge of everything that will ever happen in that which he has created out of nothing.) Did the plants, rabbits, and company have any choice about the matter? If they did have any choice, can this choice be said to be truly free, when their wills (if they have any), nature, and predispositions will be every bit as much a product of divine fiat as ours? All of creation obeys God, save mankind—and so, because of the Fall, all of creation must retroactively suffer?

This is no trivial problem. On the subject of animal experimentation, one wit dryly observed that he would rather that a rabbit get polio twice than he get it once. I can sympathize—I am no animal rights sentimentalist who thinks that there is no difference between the suffering of a human child and that of a monkey, a rabbit, a rat, or a frog. There is a difference—morally, if nothing else. And yet I do not and cannot regard the suffering of the rabbit with polio as of no consequence at all. There can be no question that the natural world at present (and if evo-bio is believed, the deep past as well) is full of enormous suffering on an enormous scale. Darwin himself gave a poignant and perceptive articulation of the problem:

I cannot see, as plainly as others do evidence of design and beneficence on all sides of us. There seems to be too

much misery in the world. I cannot persuade myself that a beneficent and omnipotent God would have designedly created the *Ichneumonidae* with the express intention of their feeding within the living bodies of caterpillars, or that a cat should play with mice (from Giberson, 35; partially in Dembski, 149).

Giberson (reviewed above) explains Darwin's distaste for the *Ichneumonidae* (a species of parasitic wasp that feeds on caterpillars):

The mother wasp inserts a paralyzing chemical into the nervous system of the caterpillar and then places her eggs inside the still-living host, where they hatch and then gradually devour the paralyzed caterpillar from the inside. The hatched baby wasps emerge with pre-programmed instincts to consume the internal organs of the caterpillar in a sequence that keeps their caterpillar host alive as long as possible (Giberson, 34).

As the product of a natural process, the above exerts a kind of morbid fascination, even admiration, at its complexity and elegance. But as a manifestation of God's power or loving kindness, it fails. *Ichneumonidae*—and a thousand other equally terrible examples—are part of the “problem of evil” that Dembski has set out to solve, and his solution here seems to me to do nothing for it. Even if we grant that humans deserve everything that the Fall brought to them, we cannot say that rabbits and even the poor *Ichneumonidae*'s caterpillar deserved the suffering they got because of the legal fiction that a covenant head dropped the ball, especially if that covenant head could not have done otherwise and was also not chosen freely by its ultimate victims. So in this matter, Dembski has made matters much worse—God appears guilty of copious divine overkill, a petty legalism, and a distinct lack of foresight in choosing the

earth's covenant head. Even on a bad day, the dolphins might well have done better. They could hardly have done worse. And God would have known it, infallibly. At the very least, why did he not advise the rest of creation a little better in whatever smoke-filled room covenant leaders were chosen?

But there is a second problem with Dembski's account: God inflicts this punishment forward and backward in time. It is hard to think of anything better calculated to hide what God is attempting to force through our thick skulls. It would be one thing for humans to be in an idyllic world and then be forced out of it by sin. (Even such an account is difficult for most to credit when there is no evidence of it outside of scripture. Fallen corrupted beings might be expected to respond better to, say, the sudden appearance of predation in the fossil record around 4000 BC. Not being given such "proofs," only revelation will do.) It would be even better had we all started childhood in a paradise that lacked daily drive-by feedings by *Ichneumonidae* toughs. Our sin and subsequent expulsion might then make the point more clearly.

But instead of this, Dembski claims that God foresees human sin and so inflicts natural evils (upon caterpillars, rabbits, and all the rest of non-sinning creation) *before the sin is committed*. This sort of thing may seem plausible and natural to Dembski's atemporal, time-hopping God: but it makes absolutely no intuitive sense to those not indoctrinated in some form of sectarian creedal Christianity. We live in a temporal world, a world where time rules, a world where cause-and-effect seems to hold near absolute sway. Furthermore, Dembski claims that we are not easily able to understand what we have done—and yet he has God choose an approach that is hardly likely to teach us what we desperately need to know. How would we regard a parent who takes a sledgehammer to his son's bicycle (and his sibling's bikes, and all the bikes in the neighborhood, and decades later to his son's *children's*

bikes) because he knows that his son tomorrow will throw a rock through the kitchen window? When confronted with the sledgehammer, punctured inner tubes and bent handlebars, the parent calmly assures us that it was fully just and hence all for the best, since (a) he arranged his son's election as head of the children's tree-house club, and so all must suffer for his son's crime; and (b) after the son will throw the rock tomorrow, the bicycles that he finds smashed today will have made him understand how horribly he was going to have behaved. (The scheme is so convoluted that I despair of proper verb tense to describe it.) What could be more counterproductive? Even if Dembski is correct, we clearly hadn't got the message until he finally puzzled it out.

In all this, however, I think Dembski does have a few ideas that are potentially useful—he suggests that since the fallen world must exist before humans, the Garden of Eden represents a type of “segregated area,” where the effects of the Fall are not felt, and Adam and Eve are driven out *into* the fallen world (whose existence pre-dates their own) after they sin (151, 154). This has obvious affinities to some LDS teachings about the Fall. Unusually for one opposed, in general, to *evo-bio*, Dembski even suggests that human bodies could have been the result of evolutionary processes prior to their introduction into the Garden; they become “humans”—rather than simply animals—only when God “breathes into them the breath of life” when they are placed in the Garden [152–155]. He seems, however, to prefer a “special creation” model for humans, which will resonate with many LDS readers like me.²⁷

27 This is not to say I doubt the evidence—and substantial evidence it is—upon which secular theories about the human body's origins are based (a small chunk of that evidence is reviewed in Fairbanks, above, for instance). I understand why that stance is accepted in the scientific world (including by most academically trained and believing LDS scientists), and I do not see another viable theory, given the current state of the scientific evidence. I find some of my own ambivalence expressed well by Elder Boyd K. Packer, “The Law and

With some modification, Dembski's basic model of creation could absolve God of some natural evils. In this reading, God allows natural processes to unfold with a minimum of interference. Thus the devious but ingenious devices of the *Ichneumonidae*, the Black Death, and HIV are not crafted by a divine designer. They are, instead, the unfortunate outcomes of natural processes which are permitted to unfold. God might intervene to prevent any "game-ending" developments—for example, a plague too virulent, or a predator with which no other organism could cope. Dembski thinks, however, that attempts to see natural evil wholly as subversions (by Satan or evolution in a fallen world) of good things originally created by God is a non-starter, since "invoking God's permissive will can never fully eliminate divine responsibility for natural evil (at least not if one's conception of God is classical and thus includes omnipotence as one of his attributes)" (150). And so we have come back to the dilemma of classical theism, which Dembski has still not solved, or even really articulated fully—God is ultimately to blame for all this, because he is the only source for *everything*.

Advantages of LDS Understandings

The Latter-day Saint understanding of divine and human things has a number of advantages over conventional theism in confronting such questions, of which I will briefly mention five.

The first is overwhelming: God does not create everything, including mankind, *ex nihilo*. Our nature and our moral agency (or free will) are not the product of his or any other being's absolute creative power. We simply are what we are, both good and evil, and reap the effects wrought by use of our moral agency.

the Light," in *Jacob through Words of Mormon: To Learn with Joy: Papers from the Fourth Annual Book of Mormon Symposium*, edited by Monte S. Nyman and Charles D. Tate, (Religious Studies Center, Brigham Young University, distributed by Bookcraft, 1990), 21. In deference to his request on p. 1, I have not reproduced his actual text here.

God could not create or alter our ability or tendency or moral temptation to sin. This is a philosophical advantage that cannot be overstated—I do not think that any other theism can offer so compelling an argument for both God’s beneficence and power and our own genuine moral autonomy. Joseph Smith almost casually hit this issue out of the park without even seeming to understand how many leagues lay between him and the fence. This doctrine is, to me, one of the great miracles—though often underappreciated—of the Restoration.

The second advantage is nearly as great: as pre-existent beings, God had our consent and support for our choice to experience mortal earth life. He did not place us in these circumstances for his own inscrutable purposes. We cannot claim that we are being used, even with the best of intent. Rather, we agreed and covenanted to come, with joy. Although we know little of how God interacts with the rest of his spirit and physical creation, their preexistence suggests to me that their involvement and consent (to the degree of which they were capable) was sought—which casts quite a different light on the suffering that we and they endure.

A third advantage involves the LDS understanding of the requirements of mortal life—we understand that the purposes for which we came to earth cannot be accomplished in any other setting. Mortal life requires a telestial world in which cause-and-effect is typically brutally indifferent to our hopes or needs. Tragedy must be frequent and unavoidable. Moral and experiential opposites must be available. Sickness and death must come to all. Thus God did not corrupt the world as punishment for a covenant head that let him down (though he presumably knew that this would happen, and set circumstances that would permit it). Instead, he created an environment that was the only way to meet his children’s (and other creations’?) needs. God is maximally powerful, but even he cannot create a morally perfect being by simple decree—mortal life in a

telestial state is essential, perhaps even logically necessary. Even he cannot do logically impossible things, like make round triangles, or *ex nihilo* saints.

The fourth advantage ties into the third: LDS doctrine ought not, it seems to me, lead us to expect that we can prove God's existence from the material world. For moral agency to be effective in a telestial mortal experience, we must be genuinely free to believe in or disbelieve in God's existence, his commandments, and host of other ideas. A physical world that one cannot plausibly explain save by divine action would create an intellectually compulsive case for God's existence. It is just such a case that young-earth creationists hope to establish. But I think that LDS doctrine does not anticipate that this ought to happen, which is partly why I do not find it unexpected that humans exhibit evidence of common descent. (This factor also suggests that such evidence may not be completely probative, since it must appear that we have a plausible origin that does not *require* God if we are to be free to choose faith or doubt. On the other hand, I do not think God deliberately deceives us either, and so that evidence must mean something.) I have said more about this advantage elsewhere, and will not belabor it here.²⁸

A final advantage of the LDS framework is compelling to me, though others may not find it so. I like the idea of evo-bio mechanisms at least playing some role in the development of creatures that impact us so terribly. I prefer to think that HIV was not concocted in God's laboratory. I do not like the idea of him crafting the *Yersinia pestis* that would wipe out at least a third of Europe. The malaria parasite and its mosquito vector were not his *magnum opus*. I do not think he had it in for the

28 "Often in Error, Seldom in Doubt," 150–161. For an additional view that contradicts the idea that God deliberately planted evidence in the material world in order to obfuscate evidence for how creation took place, see, e.g., the article by LDS scientist David H. Bailey, "Is God a Great Deceiver?" 1 June 2013, <http://www.sciencemeetsreligion.org/theology/deceiver.php>.

Ichneumonidae's dinner. I prefer, rather, to see these as "biologic tsunamis"—natural disasters which telestial natural processes make inevitable in some form. God regrets the suffering they cause, but will (by agreement with us and creation) not prevent them because of the necessities of the telestial state. (God did, however, enter into mortality to suffer all their effects with us and for us [Mosiah 13:28; Alma 7:11–13].)

I am confident that God rejoiced with us when we wiped smallpox from the planet—I do not think he sighed and reached into his bioweapon toolbox for a new horror because we had thwarted a heretofore useful goad. I think the telestial world is trouble enough without his help or encouragement to it. Perhaps it is only the physician in me. But to borrow from Joseph Smith, this personal belief "tastes good" to me. Once again, if I am right then the doctrines of pre-mortal consent and the fact that such an environment is indispensable further remove any moral taint from God's policy of non-interference.

Concluding Thoughts on Dembski

But lacking the perspectives of the restored gospel, and trapped in the straightjacket of classical creedal theism and creedal Christianity, for all Dembski's brilliance and creativity he seems to me to advance not a step in his goal to create a workable theodicy for natural evil. It is said that Pierre Teilhard de Chardin, the Catholic priest and biologist, was asked what he thought of people who did not believe in God. He reportedly replied that they must not have heard of God in the correct way.²⁹ In the same spirit, I cannot blame anyone for whom theism is unconvincing morally, emotionally, or intellectually. Dembski is but the latest example of how little there is in most creeds that would appeal to my own hypothetical agnostic self. And I sympathize with those who do not feel to share my own theistic brand. Like Joseph the Prophet, "If I had not experienced what

29 Ronald Rolheiser, *The Holy Longing: The Search for a Christian Spirituality* (New York: Doubleday, 1999), ix.

I have I should not have [believed] it myself.”³⁰ But we often forget the riches that are strewn with such great profusion about our feet from the Restoration. We do not claim to have all the answers—but we are vouchsafed far more satisfying responses to the questions that truly matter.

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Smith has a particular research interest in Latter-day Saint plural marriage and has been published in the FARMS Review and elsewhere on this and other topics. He was an associate editor of the Mormon Studies Review from 2011-2012. With twelve years of classical piano training, he is a lifelong audiophile and owns far too many MP3 files. He lives happily with his one indulgent wife, four extraordinary children, and three cats.

30 “Conference Minutes,” *Times and Seasons* 5/15 (15 August 1844): 617.

STRETCHING TO FIND THE NEGATIVE: GARY BERGERA'S REVIEW OF JOSEPH SMITH'S POLYGAMY: HISTORY AND THEOLOGY

Brian C. Hales

Abstract: At an author-meets-critic Sunstone Symposium on August 2, 2013, Gary Bergera devoted over 90% of his fifteen-minute review to criticize my 1500+ page, three-volume, Joseph Smith's Polygamy: History and Theology. This article responds to several of the disagreements outlined by Bergera that on closer inspection appear as straw men. Also addressed are the tired arguments buoyed by carefully selected documentation he advanced supporting that (1) John C. Bennett learned of polygamy from Joseph Smith, (2) the Fanny Alger-Joseph Smith relationship was adultery, and (3) the Prophet practiced sexual polyandry. This article attempts to provide greater balance by including new evidences published for the first time in the three volumes but ignored by Bergera. These new documents and observations empower readers to expand their understanding beyond the timeworn reconstructions referenced in Bergera's critical review.

During a spirited exchange at an author-meets-critic session during the 2013 Sunstone Symposium, Gary Bergera served as one of three reviewers of my three volumes, *Joseph Smith's Polygamy: History and Theology*. He was diplomatic and kind in his delivery, but his comments were overwhelmingly critical.¹ I might compare his review to my own comments

¹ Approximately 223 words (of the total of 3348) or 6.7% of the review were positive.

delivered at a similar author-meets-critics session at the John Whitmer Historical Association meeting in Independence, Missouri, in 2009. There I critiqued *Nauvoo Polygamy*: “...but we called it celestial marriage” authored by George D. Smith of the Smith-Pettit Foundation (Gary Bergera’s employer). While I believe on that occasion I was more balanced in my review, I did portray *Nauvoo Polygamy* as being flawed in many ways, especially regarding its scanty use of the historical evidences in reconstructing the story of Joseph Smith’s polygamy. Somewhat ironically, I find Gary’s review of my volumes to share the same weakness of the George D. Smith book—he fails to deal with all of the available evidences in his counterarguments. In doing so, he leaves himself vulnerable to a more expanded review that may reveal his interpretations to be problematic.

This response will touch upon only some of Bergera’s concerns, but similar weaknesses in virtually all his criticisms can be identified. As a writer seeking to know how to strengthen a possible second edition, Bergera’s critique provided few useful suggestions.

Use of Late Recollections

In his comments during the Sunstone session, Gary Bergera criticized at length my use of *late recollections* as primary sources of information. These are documents written by and recorded from Nauvoo polygamists but sometimes many decades after the described event occurred. Gary eloquently outlined the weaknesses inherent in such reminiscences by quoting several notable historians. In fact, Gary and I agree that when people remember events and conversations many years afterward, inaccuracies can creep into the accounts, and in extreme situations entirely erroneous details may be related. These observations are pertinent to any historical reconstruction.

In my response I noted that Bergera seemed to promote a double standard. I reviewed his own articles dealing with Joseph Smith and plural marriage, including “Identifying the Earliest Mormon Polygamists, 1841-44,” published in *Dialogue: A Journal of Mormon Thought* in 2005. There he quotes numerous late recollections, which are the same documents found in my trilogy.² I observed that all authors to date have employed later reminiscences because those are essentially the only sources available. Demanding that such sources be filtered or eliminated from historical reconstructions regarding Joseph Smith’s polygamy would compromise (and greatly shorten) the works of other accomplished authors like Todd Compton and Larry Foster, not to mention Gary Bergera’s own useful articles.

Gary is undoubtedly aware that there are only two known documents providing contemporaneous teachings from Joseph Smith regarding plural marriage, the Revelation on Celestial and Plural Marriage (now LDS D&C 132) and a few entries in the journal of William Clayton. Joseph dictated two other documents in conjunction with the expansion of polygamy, but neither mentions plural marriage. The first is a letter from Joseph to Nancy Rigdon written in the spring of 1842 and first published by John C. Bennett on August 19, 1842, and the second is a letter Joseph Smith received on behalf of Newel K. Whitney on July 27, 1842.³ However, beyond these documents,

2 See for example, Gary James Bergera, “Identifying the Earliest Mormon Polygamists, 1841-44,” *Dialogue: A Journal of Mormon Thought* 38/ 3 (Fall 2005): 4 n.7, 5 n.8, 6 n.10, n.12, 7 n.14, 8 n.15-16, 9 n.18, 9 n.20, 10 n.21, 11 n.24, etc.

3 John C. Bennett, “Sixth letter from John C. Bennett,” *Sangamo Journal* (Springfield, Illinois), August 19, 1842; rpt., John C. Bennett, *The History of the Saints: Or an Exposé of Joe Smith and Mormonism* (Boston: Leland & Whiting, 1842), 243-44. The revelation for Newel K. Whitney, July 27, 1842, holograph in LDS Church History Library, is quoted in H. Michael Marquardt, ed., *The Joseph Smith Revelations: Text and Commentary* (Salt Lake City: Signature Books, 1999), 315-16.

no firsthand accounts from Joseph Smith are available.⁴ In summary, criticizing my sources without criticizing other authors (and himself) who have used these same sources seems a little inconsistent.

What Was the Purpose of Plural Marriage?

A second concern in Gary Bergera's review deals with the reasons Joseph Smith recounted for the need for plural marriage. The Prophet gave three justifications, one of them much more important than the other two. Regardless, in the Sunstone session and elsewhere, Bergera has insisted upon emphasizing the explanation dealing with sexual reproduction: "multiply and replenish the earth."⁵

4 Four dissenters recorded contemporary accounts. Oliver Olney and William Law left journal entries for the Nauvoo period. Olney began his diary shortly after being cut off from the Church in 1842. (See Oliver Olney Papers, Beineke Library, Yale University; microfilm at LDS Church History Library, MS 8829, item 8.) He also published *The Absurdities of Mormonism Portrayed: A Brief Sketch* (Hancock, Ill., 1913). In 1843, William Law was called as a counselor in the First Presidency on January 19, 1841, (D&C 124:126) and was personally familiar with the revelation on celestial marriage (now D&C 132). However, he did not begin his journal until January 1, 1844, just weeks before his own excommunication. (See Lyndon W. Cook, *William Law: Biographical Essay – Nauvoo Diary – Correspondence – Interview* [Orem, Utah: Grandin Book, 1994], 37.) Although its references to plural marriage are limited, the *Nauvoo Expositor* printed June 7, 1844, provided a few additional details. John C. Bennett published his *History of the Saints* in November of 1842, which was based on six letters published earlier that year in the Sangamo Journal. Lastly, Joseph H. Jackson printed: *A Narrative of the Adventures and Experiences of Joseph H. Jackson in Nauvoo, Exposing the Depths of Mormon Villainy* (rpt. Morrison, Ill., 1960) just weeks after the martyrdom. Much of his material came from letters Jackson wrote to the *New York Herald*, September 5 and 7, 1844, and to the *Weekly Herald* (New York City), September 7, 1844. Of these four authors, only Law was personally taught plural marriage by Joseph Smith. The usefulness of their documents is limited by anti-Mormon biases, a lack of specificity in the reports, internal contradictions, and the advancement of obvious untruths.

5 See, for example, Gary James Bergera, "Vox Joseph Vox Dei: Regarding Some of the Moral and Ethical Aspects of Joseph Smith's Practice of Plural Marriage," *The John Whitmer Historical Association Journal* 31/1 (Spring/Summer 2011): 42.

The first reason mentioned by the Prophet is the need to restore Old Testament polygamy as a part of the “restitution of all things” prophesied in Acts 3:21. The necessity to restore this ancient marital order was apparently the only justification given in Kirtland, Ohio, in the mid-1830s when Joseph married Fanny Alger. Benjamin F. Johnson recalled in 1903: “In 1835 at Kirtland I learned from my Sisters Husband, Lyman R. Shirman,⁶ who was close to the Prophet, and Received it from him. That the ancient order of plural marriage was again to be practiced by the Church.”⁷ A few years later in 1841, Joseph Smith even attempted to broach the topic publicly. Helen Mar Kimball remembered: “He [Joseph] astonished his hearers by preaching on the restoration of all things, and said that as it was anciently with Abraham, Isaac and Jacob, so it would be again, etc.”⁸ This need for a restoration is mentioned in section 132: “I am the Lord thy God.... I have conferred upon you the keys and power of the priesthood, wherein I restore all things” (v. 40; see also 45).

It might be argued that this was the only reason Joseph Smith ever needed to give. He simply had to say, “Old Testament patriarchs practiced polygamy and I’m restoring it.” There was

6 Sherman was a close friend and devout follower of Joseph Smith. He was called as an apostle but died before learning of the appointment. See Lyndon W. Cook, “Lyman Sherman—Man of God, Would-Be Apostle,” *BYU Studies* 19/1 (Fall 1978): 121-24.

7 Dean R. Zimmerman, *I Knew the Prophets: An Analysis of the Letter of Benjamin F. Johnson to George F. Gibbs* (MA Thesis, Brigham Young University, 1967), 37-38; Joseph H. Jackson referred to three Nauvoo women who served as intermediaries as “Mothers in Israel.” Joseph H. Jackson, *A Narrative of the Adventures and Experiences of Joseph H. Jackson*, 13.

8 Helen Mar Whitney, *Plural Marriage as Taught by the Prophet Joseph: A Reply to Joseph Smith [III]*, Editor of the *Lamoni Iowa “Herald,”* (Salt Lake City: Juvenile Instructor, 1882), 11; see also Jeni Broberg Holzapfel and Richard Neitzel Holzapfel, eds., *A Woman’s View: Helen Mar Whitney’s Reminiscences of Early Church History* (Provo, UT: Religious Studies Center, BYU, 1997), 142-43. See also Joseph A. Kelting, “Affidavit,” March 1, 1894, images 11-16a; see also Kelting, “Statement,” *Juvenile Instructor* 29 (May 1, 1894): 289-90.

no need for a complicated and detailed theology of celestial and eternal marriage. Authors like Fawn Brodie who affirm that such was needed to assuage Joseph's conscience simply do not understand the evidences.⁹

The second reason given by Joseph Smith was that through plural marriage additional devout families would be created to receive noble pre-mortal spirits who would be born into them. Nauvoo Latter-day Saint Charles Lambert quoted the Prophet discussing "thousands of spirits that have been waiting to come forth in this day and generation. Their proper channel is through the priesthood, a way has to be provided."¹⁰ Helen Mar Kimball agreed that Joseph taught of "thousands of spirits, yet unborn, who were anxiously waiting for the privilege of coming down to take tabernacles of flesh."¹¹ These recollections from the 1880s could have been influenced by later teachings. However, this rationale is also explicated in the revelation on celestial marriage: "they [plural wives] are given unto him [their husband] to multiply and replenish the earth" (D&C 132:63).

It is true that "multiply and replenish the earth" is one of the three reasons. The presence of sexual relations in plural marriages is required to fulfill this purpose of reproduction. Several writers have selectively emphasized this while completely ignoring the most important justification. One author went as far as to write: "Celestial marriage was all about sex and children."¹² Bergera similarly instructed the Sunstone

9 See Fawn M. Brodie, *No Man Knows My History: The Life of Joseph Smith, the Mormon Prophet*, 2nd rev. ed. (New York: Vintage, 1971), 297.

10 Charles Lambert, "Autobiography," 1883, quoted in Daniel W. Bachman, "The Authorship of the Manuscript of Doctrine and Covenants Section 132," 43 n. 44.

11 Helen Mar Kimball Whitney, *Why We Practice Plural Marriage* (Salt Lake City: Juvenile Instructor, 1884), 7.

12 George D. Smith, "Persuading Men and Women to Join in Celestial Marriage," *The John Whitmer Historical Association Journal* 30 (2010): 161.

crowd: “The intent of Smith’s doctrine is clear: to reproduce and provide bodies for children.” This statement inadequately explains Joseph Smith’s teachings and constitutes an unjustified endorsement that libido was driving him to establish plural marriage. It also implies that any plural marriage that was without sexuality, such as Joseph Smith’s sealing to Ruth Vose Sayers, which was “for eternity” only (see below), could not fulfill the primary goal of plural marriage in his theological teachings. This is not true.

Joseph Smith clearly described the third reason in the July 12 revelation on eternal and plural marriage (now D&C 132):

Therefore, if a man marry him a wife in the world, and he marry her not by me nor by my word, and he covenant with her so long as he is in the world and she with him, their covenant and marriage are not of force when they are dead, and when they are out of the world; therefore, they are not bound by any law when they are out of the world.

Therefore, when they are out of the world they neither marry nor are given in marriage; but are appointed angels in heaven, which angels are ministering servants, to minister for those who are worthy of a far more, and an exceeding, and an eternal weight of glory.

For these angels did not abide my law; therefore, they cannot be enlarged, but remain separately and singly, without exaltation, in their saved condition, to all eternity; and from henceforth are not gods, but are angels of God forever and ever (D&C 132:15-17).¹³

13 See discussion in Samuel Brown, “The Early Mormon Chain of Belonging,” *Dialogue* 44/ 1 (Spring 2011), 28.

Verses 61-63 also specify that a plurality of husbands is adultery and a plurality of wives is acceptable and occurs “for their [the plural wives’] exaltation in the eternal worlds.” The Prophet also explained: “Those who keep no eternal Law in this life or make no eternal contract are single & alone in the eternal world” (see also D&C 131:1-4).¹⁴

Whereas the first two reasons, the need for a “restitution of all things” and “to multiply and replenish the earth,” are significant, the third reason is vastly more important because it deals with *eternity*. As described, worthy women without a sealed husband would live “separately and singly, without exaltation, in their saved condition, to all eternity” (D&C 132:16), which is damnation in the context of D&C 132 (see vv. 4 and 6). The eternal significance of the principle of a plurality of wives is that all worthy women are able to be sealed to an eternal husband prior to the final judgment.

Accordingly, I discouraged Gary from describing the primary purpose of Joseph Smith’s polygamy as sexual because there is essentially no historical evidence to support his statement. To do so is to miss the most important explanation, which deals with the eternal benefits of the ordinance.

Contradictions?

Bergera also outlined a series of “contradictions” that he identified in my books. In one example, he referred to two references to the space accommodations in the Homestead, the first domicile the Smith’s inhabited in Nauvoo. In Volume 1, I wrote that they “may not have been as cramped as described.”¹⁵

14 Andrew F. Ehat, and Lyndon W. Cook, eds. *The Words of Joseph Smith: The Contemporary Accounts of the Nauvoo Discourses of the Prophet Joseph Smith* (Provo, Utah: Brigham Young University Religious Studies Center, 1980); Franklin D. Richards reporting. 16 July 1843, 232. See also Lorenzo Snow, “Discourse,” *Millennial Star* 61/ 35 (May 8, 1899): 547-48.

15 Brian C. Hales *Joseph Smith’s Polygamy: History and Theology*, 3 vols. (Salt Lake City: Greg Kofford Books), 1:550 n17.

Later, Bergera observed that I assessed that the living space “would have been very crowded.”¹⁶ This alleged contradiction is remarkable for two reasons. First, he ignored my comment in the footnote about a conversation I had with Community of Christ historian Lach Mackay wherein he suggested that perhaps the west addition to the Homestead may have been added during Joseph Smith’s lifetime. Most historians to date have believed that the home was composed of a kitchen with a small outbuilding, the living room, and a small upstairs during Joseph Smith’s day. Without the annex, the family with boarders would have been especially cramped. Even with the addition, accommodations would have been tight. The second important observation regarding Bergera’s “contradiction” is that he apparently had to scrutinize the text in great detail, even examining minutia, in order to discover and expose an apparent incongruity.

Another “contradiction” identified by Bergera involves my statement that “there is no known evidence that Joseph Smith taught that all men and women, irrespective of the time and place they existed, must practice plural marriage in order to be exalted.”¹⁷ Bergera provided several quotes from the volumes wherein I acknowledge that between the 1840s and 1890, the practice of plural marriage was a commandment to the Latter-day Saints, implying a contradiction.¹⁸ This “contradiction” appears to be based upon a straw man argument. Nowhere in my text do I declare that polygamy is God’s commandment to all of His followers regardless of when they are born or where they live on earth. Nor does it appear that such a declaration has ever been made by Church leaders. There is no question that obedience to the principle of plural marriage was required in order to be a devout Latter-day Saint between the 1840s and

16 Hales, *Joseph Smith’s Polygamy*, 2:90.

17 Hales, *Joseph Smith’s Polygamy*, 3:192.

18 Hales, *Joseph Smith’s Polygamy*, 3:7, 3:218.

1890. However, no Church leader during those decades taught that all of God's followers in all places and times were similarly commanded and that the monogamist generations in the Book of Mormon and New Testament will be eternally condemned for their lack of polygamous unions.

John C. Bennett: A Polygamy Insider?

Bergera also observed that 40% of the pages of volumes 1-2 deal with three topics, John C. Bennett, Fanny Alger, and polyandry. He disagreed with my interpretations regarding whether John C. Bennett was a polygamy insider, whether Fanny Alger was a plural wife of Joseph Smith, and whether the Prophet practiced sexual polyandry. Supporting his explanations, Bergera quotes a few selected evidences. However, his arguments would have been much stronger if he could have invalidated the historical documentation I present in my books that supports my new interpretation and contradicts his views.

For example, regarding John C. Bennett, Bergera observed that Cyrus Wheelock learned about plural marriage from Joseph Smith in 1841. Regarding Wheelock, Bergera affirmed: "Hales does not allow Bennett, who for a time was demonstrably closer to Smith than Wheelock, the same opportunity." In other words, Wheelock was a polygamy insider, but he was geographically more separated from Joseph than Bennett. Therefore, from an interpretation perspective, Bennett deserves the "same opportunity." This argument may seem persuasive until we consider three historical observations.

First, research shows that individuals much closer to Joseph Smith did not learn about plural marriage until almost a year after Bennett left Nauvoo. By his own recollection, William Law, second counselor in the First Presidency, was introduced to the secret polygamy teachings in mid-1843. Sidney Rigdon, first counselor in the First Presidency, never learned about plural marriage from the Prophet. Hyrum Smith, Joseph's brother,

Associate Church President, and Church Patriarch, didn't learn about celestial marriage until May 1843.¹⁹ Similarly, Emma Smith was taught in the spring of 1843. These observations support that if Joseph Smith could have kept William Law, Sidney Rigdon, Hyrum Smith, and Emma Smith in the dark until 1843, he could have easily kept Bennett out of the loop through June 1842.

Second, Bennett admitted in an October 1843 letter that he did not learn about eternal marriage the entire time he was in Nauvoo.²⁰ In other words, we are to believe that Bennett knew about plural marriage proposals to Sarah Pratt and Nancy Rigdon and the other polygamy related interactions with Joseph Smith that he reported.²¹ However, no one bothered to tell him the marriages were for eternity. We do not have any record of Joseph teaching plural marriage except within the context that they could be eternal. In addition, there is good evidence he taught eternal marriage before he taught plural marriage.²²

Third, an examination of the topics discussed in *The History of the Saints* written by Bennett and published in October 1842 fails to identify any teachings similar to those privately taught at that time by Joseph Smith or those written in July 1843 as the revelation on celestial and plural marriage (now D&C 132). If

19 George D. Smith, ed., *An Intimate Chronicle: The Journals of William Clayton* (Salt Lake City: Signature Books, 1995), 106; see also Andrew F. Ehat, "Joseph Smith's Introduction of Temple Ordinances and the Mormon Succession Question." (M.A. thesis, Brigham Young University, 1982), 56-60.

20 John C. Bennett, "Letter from General Bennett," dated October 28, 1843, *Hawk Eye* (Burlington, Iowa, December 7, 1843), 1.

21 Bennett portrays himself as assisting Nancy from being "ensnared by the *Cyprian Saints*... taken in the net of the chambered *Sisters of Charity*... [and avoiding] the poisoned arrows of the *Consecratees of the Cloister*..." (Bennett, *The History of the Saints*, 241.) Bennett's description of polygamy in Nauvoo is unsupported by any other source and contradicted by all other available evidence, suggesting he was fictionalizing his assertions.

22 Parley P. Pratt, Jr., ed., *Autobiography of Parley Parker Pratt, One of the Twelve Apostles of the Church of Jesus Christ of Latter-day Saints* (Salt Lake City: Deseret Book Co., 1976), 297-98 (1985 edition, 259-60).

Bennett had learned anything from Joseph Smith, it is strange that he did not exploit it in his writings, instead choosing to fabricate details that even the most ardent disbeliever could not accept, like polygamous women divided into echelons of Cyprian Saints, Chambered Sisters, and Consecratees of the Cloister.²³

In summary, Bergera's claim that because Cyrus Wheelock was a polygamy insider in 1841, Bennett should be afforded the "same opportunity" is a weak argument, without any credible supporting historical documentation. In contrast, the contradictory observations and evidences that Bergera fails to take into account seem to be more convincing.

Fanny Alger and Joseph Smith: Plural Marriage or Adultery?

In an interesting defense of the position that Joseph Smith committed adultery with Fanny Alger in 1835, Gary Bergera affirmed: "The more contemporary the account of Smith and Alger, the more Smith's involvement is interpreted as an extramarital affair. However, Hales tends to privilege later statements, which support the idea of a marriage (1:151), over earlier statements, which he dismisses as unreliable, the product of ignorance or misunderstanding or of animosity towards Smith."

This statement is problematic and misleading. I reproduce all nineteen known accounts dealing with this relationship. None are dismissed.²⁴ Furthermore, I classify them as to

23 Bennett, *The History of the Saints*, 220-25. Lawrence Foster suggested one possible parallel between Bennett's descriptions of polygamy in Nauvoo and Joseph Smith's teachings on plural marriage: "Thus, 'wives and concubines' could well correspond to Bennett's two upper levels of plural wives." (Lawrence Foster, *Religion and Sexuality: The Shakers, the Mormons, and the Oneida Community* [New York: Oxford University Press, 1981], 173.) There is no evidence of women being designated as concubines or of concubines being married in Nauvoo. Nor is there any form of official sanction of concubinage in the Church before or after Joseph Smith's death.

24 See Hales, *Joseph Smith's Polygamy*, 2:369-378.

whether they support adultery or plural marriage but ultimately allow the reader to make the final judgment.²⁵

The earliest known account referring to the Joseph-Fanny relationship is from 1838, at least two years after the relationship ended. Three additional references are identified that were composed prior to the end of 1842 for a total of four “more contemporary accounts.” The problem is that none of the four accounts discuss whether a plural marriage ceremony was performed.

Of the four, two are ambiguous regarding details of the association. The two remaining include the 1838 narrative from Oliver Cowdery, who labeled the relationship a “dirty, nasty, filthy scrape”²⁶ and a reference from John C. Bennett’s *History of the Saints* quoting Fanny Brewer, who recalled that in 1837 there were rumors in Kirtland, Ohio, of sexual impropriety between the Prophet and a servant girl.²⁷ It is clear that both of these accounts reflect the belief that the relationship was not a

25 See Hales, *Joseph Smith’s Polygamy*, 1:125, table 5.1.

26 Oliver Cowdery, Letter to Joseph Smith, January 21, 1838; copied into a letter of Oliver Cowdery to Warren A. Cowdery for the same date, Oliver Cowdery Letterbook, 80, original at Huntington Library. In “Letters of Oliver Cowdery,” 80–83. In *New Mormon Studies: A Comprehensive Resource Library*; emphasis mine. It is not known if Joseph ever received the original letter.

27 Fanny Brewer, quoted in Bennett, *The History of the Saints*, 85–86; emphasis mine. It is doubtful that Brewer had firsthand knowledge of the event, since Fanny Alger was not an orphan but a housemaid in the Smith home. In 1889, dissident Benjamin Winchester wrote a reminiscence about “Primitive Mormonism” that was published in the *Salt Lake Tribune*: “[In 1835] there was a good deal of scandal prevalent among a number of Saints concerning Joseph’s licentious conduct, this more especially among the women. Joseph’s name was then connected with scandalous relations with two or three families.” Winchester, “Primitive Mormonism—Personal Narrative of It,” 2. Winchester was present in Kirtland during the 1835–37 period, but he was born August 6, 1817; thus his youth would have likely prevented him from becoming a confidante of Joseph Smith regarding his first plural marriage. Furthermore, Winchester’s recollection of scandal “with two or three families” is unsubstantiated by any other witness. It appears Winchester was repeating rumors he had heard rather than recording firsthand recollections.

valid plural marriage. This could be due to one of three reasons. First, Cowdery and/or Brewer may have known that a plural marriage ceremony was performed, but they did not think it was valid. Second, they may not have known that a ceremony was performed. Third, no ceremony occurred. Bergera affirms that Cowdery's and Brewer's statements support adultery, but they could also support that a formal plural marriage was performed but that Cowdery and Brewer were either unaware or did not think it legitimate. Regardless, it is impossible to prove something did not happen (see 1:162, 377, 408, 446; 3:66).

Importantly, there is evidence that a plural ceremony did occur. Mosiah Hancock left a record detailing how his father, Levi Hancock, united Fanny Alger to Joseph Smith as a plural wife.²⁸ Regarding that narrative, Todd Compton wrote: "I accept it as generally reliable, providing accurate information about his own life, his family's life, and Mormonism in Kirtland, Nauvoo and Salt Lake City."²⁹ Surprisingly, Bergera fails to mention a new document discovered by Don Bradley in the Andrew Jenson Papers at the Church History Library. Jenson interviewed Eliza R. Snow in 1886 and wrote in his notes that she was "well acquainted" with Fanny Alger and knew about the aftermath of the discovery of the relationship.³⁰ Then Eliza listed Fanny as a plural wife of Joseph Smith, writing Fanny's name in her own hand.

28 Levi Ward Hancock Autobiography with additions in 1896 by Mosiah Hancock, 63, CHL; cited portion written by Mosiah (Ms 570, microfilm). See also Todd Compton, *In Sacred Loneliness: The Plural Wives of Joseph Smith* (Salt Lake City: Signature Books, 1997), 32. We are indebted to Compton who discovered that both published versions of the journal (*The Mosiah Hancock Journal*, Salt Lake City: Pioneer Press, n.d., 74 pp and *The Levi Hancock Journal*, n.p., n.d. 58 pp) are incomplete having had all references to the Fanny Alger marriage removed. See also Todd Compton, "Fanny Alger Smith Custer Mormonism's First Plural Wife?" *Journal of Mormon History*, 22/1 (Spring 1996) 1:175 n3.

29 Todd Compton, *In Sacred Loneliness*, 29.

30 Andrew Jenson Papers [ca. 1871-1942], MS 17956; CHL, Box 49, Folder 16, documents 1 and 2.

In summary, by not including evidences that contradict his position, Bergera reports that the relationship between Joseph Smith and Fanny Alger was an “extramarital affair.” However, “more contemporaneous” documents referenced by Bergera fail to address the primary question of whether or not a plural marriage ceremony was performed. Recently discovered documents first published in Joseph Smith’s *Polygamy: History and Theology* provide a newly identified recollection from an eyewitness that Fanny Alger was indeed a plural wife of Joseph Smith.

Sexual Polyandry: Was it Part of Joseph Smith’s Plural Marriages?

In his presentation, Bergera continued to promote the position that Joseph Smith practiced sexual polyandry and is critical of my treatment of the topic: “[Hales] suggests that the lack of any surviving record regarding sexual activity involving Smith and his polyandrous wives is likely evidence of no sexual activity (see chaps. 11-16). He does not seem to entertain seriously the alternate interpretation that Smith married already-married women to conceal the paternity of possible plural children and that his married wives had compelling reason to avoid mention of legally adulterous sexual activity. This, to my mind, at least, is an equally plausible explanation.” Of course Bergera is entitled to his own views, but to assert sexual polyandry occurred to hide a child’s paternity (should pregnancy have resulted) is a remarkable oversimplification of an alleged behavior that is inherently very complex and would have been shocking to Nauvooans in the 1840s.

For Gary and other proponents of the position that Joseph Smith practiced sexual polyandry, the overriding question that helps delineate the problem with their interpretations is whether such relations were part of Joseph Smith’s marriage theology or were they in contradiction to that theology. In

other words, do proponents of sexual polyandry believe that Joseph taught his followers that it was morally acceptable? Or did Joseph Smith teach that such behavior would have been grossly immoral?

If sexual polyandry was adultery, where are the expressed concerns or criticisms from skeptical participants and others who may have been more cynical? Is it possible to believe that Joseph was so authoritative and charismatic and that participants were so gullible that no one complained of his blatant hypocrisy? (And no one did.) Also, why didn't John C. Bennett or William Law capitalize on such alleged relations? The first charge of sexual polyandry I have found by any person was published in 1850.

If Joseph Smith taught that sexual polyandry was a correct principle, where are the documents recording those teachings either written contemporaneously or in later recollections? Where are the defenses of the behavior from participants and from the other believers who knew of those plural sealings and would have felt compelled to defend the practice if it occurred? Where are the later apologetic explanations from LDS leaders like Orson Pratt or Joseph F. Smith? Why was sexual polyandry a non-issue throughout the nineteenth century? (A review of the historical record during the nineteenth century reads as if sexual polyandry didn't exist.)

Polyandry was Universally Condemned

Another important question is why the three references to sexual polyandry in section 132 (vv. 41-42, 61-63) label it "adultery," in two cases stating that the woman involved "would be destroyed" (41, 63). Also, why have all other Church leaders and members continually condemned the practice? When asked in 1852, "What do you think of a woman having more husbands than one?" Brigham Young answered, "This

is not known to the law.”³¹ Five years later Heber C. Kimball taught, “There has been a doctrine taught that a man can act as Proxy for another when absent—it has been practiced and it is known—& its damnable.”³² The following year Orson Pratt instructed: “God has strictly forbidden, in this Bible, plurality of husbands, and proclaimed against it in his law.”³³ Pratt further explained:

“Can a woman have more than one husband at the same time? No: Such a principle was never sanctioned by scripture. The object of marriage is to multiply the species, according to the command of God. A woman with one husband can fulfill this command, with greater facilities, than if she had a plurality; indeed, this would, in all probability, frustrate the great design of marriage, and prevent her from raising up a family. As a plurality of husbands, would not facilitate the increase of posterity, such a principle never was tolerated in scripture.”³⁴

Belinda Marden Pratt wrote in 1854: “Why not a plurality of husbands³⁵ as well as a plurality of wives?’ To which I reply: 1st God has never commanded or sanctioned a plurality of husbands...” On October 8, 1869, Apostle George A. Smith taught that “a plurality of *husbands* is wrong.”³⁶ His wife, Bathsheba Smith, was asked in 1892 if it would “be a violation of the laws of the church for one woman to have two husbands

31 Brigham Young, *Journal of Discourses*, 1:361, August 1, 1852.

32 *Minutes of the Apostles of The Church of Jesus Christ of Latter-day Saints, 1835-1893* (Salt Lake City: Privately Published [Smith-Pettit Foundation], 2010), 160; see also 157.

33 Orson Pratt, *Journal of Discourses*, 18:55-56, July 11, 1875.

34 Orson Pratt, “Celestial Marriage,” *The Seer*, 1/4 (April 1853): 60.

35 Belinda Marden Pratt, “Defense of Polygamy: By a Lady of Utah, in a Letter to Her Sister in New Hampshire,” *Millennial Star*, 16 (July 29, 1854): 471.

36 George Albert Smith, *Journal of Discourses*, 13:41, October 8, 1869, emphasis in original.

living at the same time....” She replied: “I think it would.”³⁷ All of these individuals were involved with Nauvoo polygamy, and several were undoubtedly aware of Joseph Smith’s sealings to legally married women. First Presidency Counselor Joseph F. Smith wrote in 1889: “Polyandry is wrong, physiologically, morally, and from a scriptural point of order. It is nowhere sanctioned in the Bible, nor by the law of God or nature and has not affinity with ‘Mormon’ plural marriage.”³⁸ Elder Joseph Fielding Smith wrote in 1905: “Polygamy, in the sense of plurality of husbands and of wives never was practiced in the Church of Jesus Christ of Latter-day Saints in Utah or elsewhere.”³⁹

The New and Everlasting Covenant of Marriage Supersedes All Other Marriage Covenants

An important revelation that all authors who declare Joseph Smith practiced sexual polyandry overlook is that D&C 22:1 states that the new and everlasting covenant causes all old covenants to be “done away.” Hence from a religious standpoint, the legal covenant of a civilly married woman is “done away” as soon as she enters into the new and everlasting covenant of marriage (see D&C 132:4). She would not have two husbands with whom she could experience sexual relations, at least according to Joseph Smith’s revelations. Going back to her legal husband would be adultery because in the eyes of the Church, that marriage ended with the sealing.

37 Bathsheba Smith, deposition, Temple Lot transcript, respondent’s testimony (part 3), page 347, question 1142.

38 Joseph F. Smith to Zenos H. Gurley, June 19, 1889, CHL. Richard E. Turley, Jr. *Selected Collections from the Archives of The Church of Jesus Christ of Latter-day Saints*, (Provo, Utah: BYU Press), vol. 1, DVD #29.

39 Joseph Fielding Smith, *Blood Atonement and the Origin of Plural Marriage* (Salt Lake City: Deseret News, 1905), 48.

“Eternity Only” Sealings Did Occur

Joseph was sealed to 14 women with legal husbands. Studying polyandry is complicated because the 14 sealings were not of the same type or duration. Contrary to the assertions of several authors, “eternity only” sealings were performed in Nauvoo. That is, a woman like Ruth Vose Sayers, whose husband was a non-member, was allowed to be sealed to another man for eternity only, with no marriage on earth. Sayers was sealed to Joseph Smith for “eternity only” as documented in Andrew Jenson’s handwriting in his notes found in the Church History Library.

While there the strongest affection sprang up between the Prophet Joseph and Mr. Sayers. The latter not attaching much importance to the theory of a future life insisted that his wife Ruth/ should be sealed to the Prophet for eternity, as he himself should only claim

her in this life. She was/ accordingly sealed to the Prophet in Emma Smith’s presence and thus were became numbered among the Prophets plural wives.

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Of the 14 civilly married women, I believe 11 of the unions were of this type: “eternity only” sealings. The 3 remaining women were sealed for “time and eternity,” which probably included sexual relations with Joseph. Two (Sarah Ann Whitney and Sylvia Sessions) were already physically separated from their legal husbands, so no change in marital dynamics between them and their civil husbands was required. Information regarding Joseph’s relationship with the third

woman, Mary Heron, is so limited that anyone giving details is simply speculating.

Why Were Women Eternally Sealed to Joseph Instead of the Legal Husbands?

The question arises as to why women would be sealed to Joseph Smith instead of their legal spouses? In several cases, the husbands were ineligible because they were not active Mormons. However, some of the women were married to devout Latter-day Saints. Evidence indicates that in each case, the woman made the decision. Lucy Walker remembered the Prophet's counsel: "A woman would have her choice, this was a privilege that could not be denied her."⁴⁰ The lack of clarifying documents creates an incomplete picture that seems strange in several respects. However, nothing currently available supports that Joseph behaved hypocritically or committed transgression. None of the participants, the men or women who knew the details of what was going on ever complained about Joseph Smith allowing these sealings.

No Evidence that Joseph Smith Forced Any Woman to Marry Him

Stories that Joseph Smith forced women to marry him are sometimes repeated in antagonistic literature, but they are not supported by available historical evidences. One popular anti-Mormon narrative recounts how Joseph Smith met a woman and gave her 24 hours to comply or she would be cut off forever.⁴¹

40 Lucy Walker Kimball, "A Brief Biographical Sketch of the Life and Labors of Lucy Walker Kimball Smith," CHL; quoted in Lyman Omer Littlefield, *Reminiscences of Latter-day Saints: Giving an Account of Much Individual Suffering Endured for Religious Conscience* (Logan, Utah: Utah Journal Co, 1888), 46.

41 See for example George D. Smith, "The Forgotten Story of Nauvoo Celestial Marriage," *Journal of Mormon History*, 36/4 (Fall 2010):157. By selectively quoting Lucy Walker's account, George D. Smith makes it appear as if Joseph introduced plural marriage and then immediately gave her a twenty-four

The story is folklore, but it is based upon the introduction of the previously unmarried Lucy Walker to plural marriage.

Joseph introduced the principle to Lucy in 1842. She did not accept, but she agonized for many months as he patiently waited. She related: "I was tempted and tortured beyond endurance until life was not desirable. Oh that the grave would kindly receive me, that I might find rest.... Oh, let this bitter cup pass. And thus I prayed in the agony of my soul. The Prophet discerned my sorrow. He saw how unhappy I was...."⁴² Finally, on April 30, 1843, Joseph saw her anguish and spoke to her, pushing her to resolution: "I have no flattering words to offer. It is a command of God to you. I will give you until tomorrow to decide this matter. If you reject this message the gate will be closed forever against you." How did Lucy respond to this challenge? Not as cynical writers have portrayed Nauvoo polygamists in their narratives, as gullible dupes who lacked the fortitude to reject the charismatic Joseph. Instead, she responded as skeptics would today:

This aroused every drop of Scotch in my veins. For a few moments I stood fearless before him, and looked him in the eye.... I had been speechless, but at last found utterance and said: "Although you are a prophet of God you could not induce me to take a step of so great importance, unless I knew that God approved my course. I would rather die. I have tried to pray but received no comfort, no light," and emphatically forbid him speaking again to me on this subject. Every feeling of my soul revolted against it.⁴³

hour ultimatum to participate, when in reality many months passed between the two events.

42 Littlefield, *Reminiscences of Latter-day Saints*, 46; see also testimony in Andrew Jenson, "Plural Marriage," *Historical Record* 6 (July 1887):229-30.

43 Littlefield, *Reminiscences of Latter-day Saints*, 46-48; see also testimony in Jenson, "Plural Marriage":229-30.

Lucy called his bluff. She had the same questions that observers voice today. Then she demanded a divine manifestation from the same source Joseph said he had received the commandment to practice plural marriage:

Said I, "The same God who has sent this message is the Being I have worshipped from my early childhood and He must manifest His will to me." He walked across the room, returned and stood before me with the most beautiful expression of countenance, and said: "God Almighty bless you. You shall have a manifestation of the will of God concerning you; a testimony that you can never deny. I will tell you what it shall be. It shall be that joy and peace that you never knew."⁴⁴

She related how Joseph's promise was fulfilled shortly thereafter:

One night after supper I went out into the orchard and I kneeled down and prayed to God for information. After praying I arose and walked around the orchard and kneeled again and repeated this during the night. Finally as I was praying the last time, an angel of the Lord appeared to me and told me that the principle was of God and for me to accept it.⁴⁵

Another common behavior attributed to Joseph Smith, but is not documentable, involves John C. Bennett's claim that Joseph would destroy the reputation of any woman who turned him down.⁴⁶ We know of five women who refused the

44 Littlefield, *Reminiscences of Latter-day Saints*, 46-48; see also testimony in Jenson, "Plural Marriage": 229-30.

45 Untitled typed sheet "The following was given by Judge D. H. Morris of St. George, Utah..." copy in Vesta P. Crawford Collection, Marriott Library, University of Utah, MS 125, bx 1, fd 5.

46 See for example Bennett, *The History of the Saints*, 231 (Sarah Pratt) and 253 (Widow Fuller).

Prophet's plural proposals.⁴⁷ After each one he exerted no force and told no one. The only reason we know of those proposals is because each woman (or one of her relatives) related it later. Sarah Kimball was one of the five women – her husband being a nonmember. She later related:

I asked him to teach it to some one else. He looked at me reprovingly and said, "Will you tell me who to teach it to? God required me to teach it to you, and leave you with the responsibility of believing or disbelieving." He said, "I will not cease to pray for you, and if you will seek unto God in prayer, you will not be led into temptation."⁴⁸

It is true that Sarah Pratt and Nancy Rigdon accused Joseph Smith of impropriety, and he aggressively defended himself against their allegations. However, his interactions with the five other women indicate that if Pratt and Rigdon had remained silent, he too would have quietly left them "with the responsibility of believing or disbelieving."

In summary, to simply state Joseph may have practiced sexual polyandry to hide paternity fails to address the multiple complexities of the marital processes as discussed above and in my chapters (11-16) in Volume 1. Furthermore, multiple observations and evidences support that such relations did not occur and would have been considered to be adultery by the Prophet. Polyandrous wives chose Joseph as their eternal

47 Besides Sarah Granger Kimball, included are Ester Johnson (Benjamin F. Johnson, *My Life's Review*, Mesa: 21st Century Printing, n.d., 85.), Lydia Moon (Smith, ed. *An Intimate Chronicle*, 120.), Cordelia C. Morley (Autobiography, holograph, HBLL, BYU, 4.) and Rachel R. Ivins Grant (quoted in Ronald W. Walker, "Rachel R. Grant: The Continuing Legacy of the Feminine Ideal," in *Supporting Saints: Life Stories of Nineteenth-Century Mormons*, Donald Q. Cannon, and David J. Whittaker, eds. [Provo, UT: Brigham Young University Religious Studies Center, 1985], 22.)

48 Andrew Jenson, "Plural Marriage," *Historical Record*, 232.

husbands for reasons that are unclear, but there is no credible evidence that he forced any woman to marry him polyandrously or otherwise.

Conclusion

Gary Bergera is entitled to his opinion of *Joseph Smith's Polygamy: History and Theology*. When requested to review it in a session at Sunstone, he was asked to share that opinion. However, reviewers will often seek a balance in presenting both positive and negative aspects no matter how hard they may have to look for those qualities in the texts. It is interesting that Gary failed to mention several important new contributions the three volumes provide to their readers. Specifically they:

1. Contain documents from the Andrew Jenson papers published for the first time anywhere, including high resolution reprints of several originals (black and white). Regardless of whether a researcher agrees with the content of the Andrew Jenson papers, they are very significant to the study of Joseph Smith's polygamy.
2. Contain a complete list of all known documents supporting plural sealings of Joseph Smith to 35 wives, including Todd Compton's "possible wives" and the additional wives listed by George D. Smith (Appendix B).
3. Contain a collection of all 22 known accounts of the angel and the sword appearing to Joseph Smith (Volume 1, Chapter 8).
4. Contain all known narratives supporting sexual relations in 12 of the plural marriages with ambiguous evidence in three more (Appendix E).
5. Contain transcripts of the 19 accounts dealing with Fanny Alger—all that have been found to date (Appendix D).

6. Contain a chart showing all the plural wives listed by all known contemporaries of Joseph Smith, as well as lists from all known compilers (Volume 2, Chapter 33).
7. Contain the most complete set of extractions from the 1892 Temple Lot case published to date.
8. Contain an in-depth discussion of why Joseph Smith established plural marriage, presenting virtually all available theories, including anti-Mormon and apologetic sources. It is the first publication ever to address this topic in a complete volume (Volume 3).
9. Include a useful and complete bibliography. The bibliography in Volume 2 has more than 1300 entries, with repositories and manuscript numbers identified when applicable.
10. Include a detailed index with sub-entries rather than a computer generated generic version.

Other reviewers have noted positives regarding the volumes. Cheryl Bruno referred to the three books as “clearly the single greatest guide to available resources on the practice of polygamy in Joseph Smith’s Nauvoo”⁴⁹ and Larry Foster wrote that the volumes are a “path-breaking and indispensable... study [that] provides the most comprehensive documentation and assessment yet available of the extant evidence on the topic.” Todd Compton considered the three volumes a “landmark in the historiography of Mormon polygamy.”⁵⁰

Observers comfortable with Gary Bergera’s description of Joseph Smith as a womanizer, who had an extramarital affair with Fanny Alger and who practiced sexual polyandry, may believe that additional discussions on his polygamous activities

49 Cheryl L. Bruno, “First Thoughts on Joseph Smith’s Polygamy by Brian Hales,” *Worlds Without End: A Mormon Studies Roundtable*, March 4, 2013, at <http://www.withoutend.org/thoughts-joseph-smiths-polygamy-brian-hales/> (accessed August 2, 2013).

50 Hales, *Joseph Smith’s Polygamy*, dust jacket.

are like beating a dead horse. Nevertheless, the reality is that my three volumes provide new evidences and new observations that cannot be swept under the rug or ignored. It is hoped that reviewers, even those who disagree with my interpretations, will acknowledge these additional pieces of the plural marriage puzzle and upgrade their previous reconstructions to include them.

Brian C. Hales, is the author of six books dealing with polygamy, most recently the three-volume, Joseph Smith's Polygamy: History and Theology (Greg Kofford Books, 2013). His Modern Polygamy and Mormon Fundamentalism: The Generations after the Manifesto received the "Best Book of 2007 Award" from the John Whitmer Historical Association. He has presented at numerous meetings and symposia and published articles in The Journal of Mormon History, Mormon Historical Studies, and Dialogue as well as contributing chapters to The Persistence of Polygamy series. Brian works as an anesthesiologist at the Davis Hospital and Medical Center in Layton, Utah, and has served as the President of the Utah Medical Association.

