continued from page 5

enjoined to share everything in our families and on the other to keep many things separate, as men's and women's and children's roles are sharply divided.

A metaphor often used in Church teachings about families is that of an interlocking chain extending from Adam down to us and beyond into the eternities. This metaphor provides Mormons a sense of ultimate identity, awareness of place in humanity and in the universe, and the security that eventually everyone will be joined into one whole. But the eternal chain can become more than metaphor. People may feel literally welded to each other rather than simply connected. Each link may feel fused in an immovable position rather than simply joined.

An example of our togetherness/separateness paradox is a little-mentioned yet often-felt problem many Mormons encounter when entering early and even later adulthood. We need to grow up and assume our own identity, yet we are aware of still being a child in the eternal chain to our parents. One of the biggest developmental issues for us all is deciding the type and quality of connection to the generation preceding us, whether we are in our twenties, forties, or sixties. The emphasis in the Church on obedience and loyalty to parents may delay this crucial restructuring our our relationship to them. Often we enter a struggle that deteriorates into severance of ties or controlled tolerance.

The emphasis on parenting in the Church is enormous. In my mind it should be complemented with time and effort spent finding ways to remain sons and daughters to our parents but no longer children—and/or ways of unparenting our adult offspring, forming adult-adult linkages with them rather than adult-child bonds. Several years ago a mother explained to me that as each of her children were born she envisioned what they might have been like hours before as adult spirits who were willingly taking on child bodies to learn the lessons of mortality. She said that she often tried to picture how her children might be as adults in order to curtail her inclinations to keep them as children. An idea that I have heard often in sacrament meeting or Relief Society is that children are not our property; they are only entrusted into our keeping while they are growing to become adults with their own families. Such ideas should help parents let go.

Most of us leave home physically. After a time we synthesize and incorporate parental views with new ways of being from the outside world. But, as returning missionaries often discover, our new ways slip away as we return home. We easily return to our well-known dance. No one is to be faulted or credited; it simply is the way things are. But, as an unremembered source shared with me, "We never become fully mature until we cease being a child around our parents." Until we find alternate ways to move in and around each other, we remain bound in the past.

A clear description of one aspect of this dilemma, whether or not to work out of the home as a wife and mother, was shared by a student of mine:

> My biggest problem in being an independent adult is not with my husband or society, but with my mother. I have always thought of her as attractive, intelligent, complex, and passionately devoted to her family. In my growing up years I saw myself as a small, imprinted duckling spending hours imitating my mother and following her around.
>
> Today mother and I have a hard time seeing eye to eye. We have fundamentally conflicting lifestyles because I consider myself independent, but my mother does not see herself that way. For example, I take my daughter to a day care nursery when necessary, yet I was never taken as a child. I think that my mother, like other noncareer women, does not like working mothers very much. To my face she will praise my efficiency and my stimulating mind, but behind my back she accuses me of materialism, unwomanliness, and calls my children "poor little things." I admit doing the same thing to her. To other working women I confide that I would go mad if I had to stay at home all day.
>
> So we are constantly at odds. I am tired of feeling compelled to justify my lifestyle endlessly. Men never have this problem with their work. Ultimately I feel that my mother and I are going to have to admit that neither of us is right or wrong. We must acknowledge that our set of circumstances are different, that we cannot afford to lose each other forever over our differing philosophies. We have had some real battles over the subject. Although we have said, "I am sorry," "forgive me," and "You must live your own life," it isn't quite enough. I feel that if only we and all other women like us could find the strength to say, "Don't be threatened by me; we have our womanhood in common and I love you, no matter what," things would be much better.
>
> However, it is a lot more difficult than it sounds. One of the reasons is because I see all of the things I can never be in my mother's eyes. My mother gave me the best gifts she could give: She was always to discipline. No wonder she is alarmed when she sees my small daughter march off to nursery school, where people will take care of her but cannot really love her. My daughter seems to be adjusting beautifully to my working, but the jury will be out for many years to come.
>
> And in my face my mother reads the accomplishments that somehow she will never attain: a college degree, graduate school, an interesting job, and early financial security. For years she has told herself that a woman could not have a successful career and raise a child; yet her daughter is doing it without much trouble.
>
> Each of us represents a threat to the other, each of us can make the other feel terribly guilty simply by being. Still I struggle to make peace with the world's dearest mother, trying to find a bridge across the problem, and trying to let her know that I still love her.

The resolution of any paradox involves conceptualizing the two sides of the dilemma in an entirely new manner so that they no longer oppose each other but become complementary. A new balance may be struck between separateness and togetherness if we see each as necessary for the other rather than opposing the other. The intimacy between parents and young children based on physical and emotional dependence is no longer appropriate. A more mature intimacy based on a balanced give and take of sharing and caring between autonomous adults should emerge. Individuality (ability to be separate) is now required for adult intimacy. In order to fully enjoy the comfort of closeness and mutual sustenance with our parents, we need to have a great enough sense of self that we know how to set boundaries, to handle the world in our individual ways.

The idea that we should be complete individuals in order to be fully intimate might be used to untie a difficult knot which exists for many adults: the gospel injunction "Honor thy father and thy mother." As children it was clear that honoring meant respecting and obeying our parents. As adults of any age it may make sense to discriminate between respect and obey. We can fully honor our parents by respecting their choices for their lives, by trusting they are making the best choice for themselves based on their own principles, and by being empathetic to their joys and pains (even those involving us). But we are no longer required to obey them. We need to grow beyond obeying a person and follow laws and principles that are true for everyone. We should become individuals who follow our own inner voices for growth and fulfillment.

If we can give up the need to be alike from generation to generation (or even in the same generation with siblings, spouses, and friends), we can fully appreciate what there is to enjoy without becoming inordinately troubled about what we do not agree with in another person. Disagreements about how we organize our time, how we spend our money, how often we go to Church,

how we commemorate the Sabbath, whether we figure tithing on the gross or the net, how we raise our children, or how we believe or disbelieve in different gospel principles will cease to occupy so much of our time that we lose the joy of communal feasts, shared blessings, common struggles, and mutual observance of each other's individual creativity, growth, and adjustment to his or her unique circumstances in life.

Law of the Land

CALLISTER'S DECISION

Jay Bybee

The amendment provision of the United States Constitution, Article V, states the following:

> The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution. . . which . . . shall be voted to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States. . . .

In the 194 years since the Constitution was ratified there have been only a handful of changes made: if the Bill of Rights can be considered part of the original document, then perhaps only the fourteenth amendment has significantly altered the Constitution. The proposed Equal Rights Amendment (ERA) would change the Constitution in the tradition of the fourteenth amendment.

It is somehow ironic that with such a significant amendment pending, one which has been so fiercely contested, we should find ourselves uncertain about how the Constitution may be amended. Yet clearly, the process for amending the Constitution is confusing, with no clear consensus and no definitive answers.

Congress originally set the deadline for ratification of the ERA by the states as March 22, 1979. Between 1972 and 1978, only 35 of the necessary 38 states had ratified ERA, so in 1978 Congress voted to extend the deadline for ratification to June 30, 1982. Since 1978 no state has ratified ERA, but one, South Dakota, has voted to rescind its prior ratification; four states—Idaho, Tennessee, Nebraska, and Kentucky—had previously voted to rescind their approval.

In May 1979, legislators from three states—Idaho, Washington, and Arizona—filed suit in Idaho federal district court, asking the court to declare the recissions valid and Congress's extension null and void. In a decision titled *Idaho v. Freeman*,[1] issued December 23, 1981, Judge Marion Callister rendered a lengthy opinion on the rights and limitations the Constitution places on the states and Congress when amending that document (See SUNSTONE Volume Seven, Number One for a discussion of the controversy surrounding Judge Callister, who is a Mormon). The two questions presented to Callister were: (1) may a state, having ratified a proposed amendment, rescind its ratification before the amendment has been approved by three quarters of the states; and (2) may Congress, having allowed seven years for the states to ratify a proposed amendment, extend the time for ratification? Callister answered the first question in the affirmative and second in the negative.

Defendents in the suit, the head of the General Services Administration and the National Organization of Women (NOW),[2] bypassed the Ninth Circuit Court of Appeals and asked the Supreme Court to review the decision on an expedited basis. Significantly, the Supreme Court took the extraordinary step of staying the decision[3] and will probably not hear the appeal, if at all, until after the June 30 deadline for ratification. If the amendment is not ratified by then, the Supreme Court may vacate the appeal as moot.

While Judge Callister's opinion is ambitious, it is also flawed in some areas. To understand these weaknesses, a brief summary of the decision is necessary.

Before the district court could even consider the validity of Idaho's recission or Congress's extension, it had to resolve a threshold issue: was the case before the court justiciable—that is, did the case present issues which are appropriate for a court to resolve? Article III of the Constitution limits the courts to deciding "cases [and] controversies," which means that the claim must involve definite and concrete issues advanced by parties that have adverse interests. It has long been held that the courts do not give advisory opinions. In order to avoid deciding purely academic questions, the Supreme Court has set down a number of tests which must be met before a court decides that there is a case or controversy.

The three major tests which the court in *Idaho v. Freeman* had to deal with were "standing," "ripeness," and the "political question" doctrine. These are threshold[3] questions roughly corresponding to who, when, and what. Briefly, "standing" questions whether the parties before the court are the appropriate parties to litigate the matter; do the parties have "a personal stake in the outcome of the controversy."[4] For example, the Supreme Court has held that a party, asserting standing by being a taxpayer, did not have standing to challenge Bible reading in the classroom: there simply was insufficient expenditure of public funds to affect a significant interest of a taxpayer.[5] "Ripeness" deals with whether the controversy has developed to such a point that the issues are clear and deciding the case will resolve the matter. For example, in one case the Supreme Court was asked to strike down a state law prohibiting the use of contraceptives. The Supreme Court dismissed the suit as not ripe for adjudication when it was shown that in eighty years on the books, the statute had never been enforced.[6] The "political question" doctrine prevents courts from hearing cases involving issues which, under the Constitution, should be dealt with by the legislative or the executive branches. For example the Supreme Court has often refused to decide questions involving foreign relations because the matter usually requires political and not judicial judgment.[7]

Standing

Judge Callister had little trouble finding that the Idaho, Arizona, and Washington legislators had standing to sue. The Idaho legislators claimed the right to sue because their vote would not be vindicated unless Idaho's recission were recognized. The Arizona and Washington legislators claimed standing to sue because they

said their states' ratifications were conditioned on ERA passing within seven years; they contended that Congress ignored the conditional ratification by wrongfully extending the ratification deadline. The court found that the right of legislators to sue to vindicate their vote has been upheld.[8] Since a favorable decision would remedy the wrong alleged by the legislators, Judge Callister held that the legislators had standing to sue.

Ripeness

Ripeness presented a more formidable challenge to the suit than did standing. The defendants claimed that until three quarters of the state legislatures approved the amendment the controversy would not be ripe. Until it appeared that the amendment would become law, the legislators would have no cause for complaint. Judge Callister found, however, that there was a history of cases dealing with amending the Constitution and many of these were dealt with by the courts before ratification of a proposed amendment by three quarters of the states.[9]

Political Question

The most difficult of the three preliminary issues, and perhaps even as important as the questions of recission and extensions, was the contention that this suit was not appropriate for judicial resolution. A "political question" arises when (1) the subject of the issue presented has been committed by the text of the Constitution to either the legislative or the executive branch or (2) the nature of the issue is such that there is a lack of judicially manageable standards for resolving the issue.[10] Unlike a decision that a party did not have standing or that the case was not ripe for adjudication, a decision that the subject matter of this suit constituted a "political question" would permanently deprive the courts of jurisdiction to hear the suit; a plaintiff with standing may be brought into a suit or a case may become ripe, but a "political question" will remain a political question and must be left to the legislature or the executive for resolution.

Judge Callister began by stating that the text of Article V did not mention either recission or extension and concluded that it was appropriate for the judiciary as the branch responsible for interpreting the Constitution to make further inquiry. The defendants, the head of the General Services Administration and NOW, argued that Congress was granted exclusive control over the amending process. The court, however, found that the power over the process was not entrusted exclusively to the Congress but was given to both Congress and the states; the two comprised a joint amending body. Each body had its function: Congress first proposes an amendment and then the states may accept or reject the proposal; either one may exercise an absolute veto and once Congress proposes an amendment it does not have further power over the states—including the power to compel a state to vote on the amendment. The court also found that Congress was best suited to tally the votes of the states and to decide "Whether or not the expressions of consent are sufficiently contemporaneous in time with each other and with the proposal of the amendment."[11]

Having found that the text of the Constitution did not unequivocably commit a decision on recission or extension to Congress, Judge Callister proceeded to find that since the political process often gives different answers in different situations, the lack of standards by which to decide the issues meant that the judiciary should set down the standards. While the court noted that it might be argued that Congress had decided the extension question by its act of extension, Callister stated that "it would be impossible for this court to find a clear decision by the political branch on the question of the effect of a recission to which it would be appropriate to defer."[12] Despite Congress's action in extending the ratification date and an earlier statement of the Supreme Court that "the question of the efficacy of ratifications by state legislatures, in the light of previous rejection or attempted withdrawal, should be regarded as a political question pertaining to the political departments, with the ultimate authority in the Congress in the exercise of its control over the promulgation of the adoption of the amendment,"[13] Callister concluded that it was appropriate for the court to decide both the question of recission and the question of extension.

Recission

The court listed three ways it could view a state's recission of its vote to ratify. First a state's initial decision—whether it is to ratify or to reject—is valid and final. Second, only the act of ratification will be honored, so that a previous rejection or a subsequent attempt to rescind would be void. Third, a state's last action—whether it be rejection, ratification, or recission—would be valid. After examining each view in lights of its logic and precedent, Judge Callister reasoned that the purpose for state ratification was to obtain a contemporaneous expression of the will of the people on the proposed amendment. Furthermore, during the ratification of the twelfth, fifteenth, and nineteenth amendments, states rescinded their votes and Congress waited until a sufficient number of other states had ratified before declaring the amendment part of the Constitution. The court concluded: "Until the technical three fourths has been reached, a recission of a prior ratification is clearly a proper exercise of a state's power granted by the Article V phrase 'when ratified' especially when the act would give a truer picture of local sentiment regarding the proposed amendment.[14]

Extension

On the issue of extension, Judge Callister asked two questions. First, did Congress have the power to extend a time limit once it had established one, and second, if it had the power, did it require a two-thirds majority to do so? The court resolved both of these against the defendants.

The Supreme Court had earlier declared that Congress had the power to either set a time limit for ratification or to hold the time limit open.[15] Judge Callister stated that once Congress chose to include a time limit and sent the proposed amendment to the states "that determination of a time period becomes an integral part of the proposed mode of ratification. . . . Once the proposal is made, Congress is not at liberty to change it."[16]

Even if it could be said that Congress has the power to extend the time limit, Callister held that Congress's vote to extend must be a two thirds majority. The words "the Congress, whenever two thirds of both Houses shall deem it necessary," Callister concluded, imply that any action taken by Congress on a proposed amendment must be done by a two thirds majority in both houses.

Callister's Decision

If there is one thing which is clearly consistent in the opinions of the Supreme Court on the amending process, it is that the Court's decisions have been restrained and very deferential to Congress. While Callister has probably reached correct results on some of the issues before him, I believe the opinion is neither restrained nor deferential; if judicial decisions are only as strong as the

reasoning behind them, then this opinion has some serious flaws.

Judge Callister is probably correct on the standing and ripeness issues. There is good precedent for permitting legislators the right to sue to vindicate their vote. There is also precedent for the district court to have concluded that the issues were ripe for resolution. But there is one question that Judge Callister might have addressed: Even if the court could technically take jurisdiction, why should the court have decided the issues at this time? What harm would have been done in putting the case in abeyance until 38 states had ratified? Callister pointed out how careful Congress had been during the passage of the twelfth, fifteenth, and nineteenth amendments to wait until there were a sufficient number of states to cover the rescinding states' votes before declaring the amendment valid: it appears that Congress itself did not wish to have to decide whether states can rescind after ratifying. Yet this court did not wait, though nothing compelled the judge to decide the case at this time.

Callister's decision on the political question doctrine seems confusing and, at times, disingenuous. Although he is probably correct in concluding that since it is the judiciary's responsibility to interpret the Constutition, some decision must be made with respect to Article V, he decides too much and fails to persuasively distinguish the few things the Supreme Court has said that appear to run counter to his conclusion. For example, Callister's justification for deciding the recission and extension issues is that these questions should not be answered in different ways for different amendments. Unfortunately, he then ignores the one way the Supreme Court has treated the question of recission. During the time the fourteenth amendment was under consideration, two states, New Jersey and Ohio, had rescinded their ratification. By the time Congress certified that the amendment had been ratified by three quarters of the states (28), 30 states had ratified. Judge Callister interpreted this to mean that the votes of New Jersey and Ohio were not needed. However, the Congressional declaration read that "three fourths *and more*" had acted. The Supreme Court later said of the procedure:

> Thus the political departments of the Government dealt with the effect. . . of attempted withdrawal and determined that [it was] ineffectual in the presence of an actual ratification . . . .
>
> We think that in accordance with this historic precedent the question of the efficacy of ratification by state legislatures, in the light of previous rejection or attempted withdrawal, should be regarded as a political question pertaining to the political department, with the ultimate authority in Congress in the exercise of its control over the promulgation of the adoption of the amendment.

Judge Callister cited the example and quoted this passage but dismissed it by saying "it is impossible to find. . . . a clear endorsement" and said that the Supreme Court's statement was "dicta and [of] no precedential value."[18]

The inconsistency here is that even if the example is ambiguous and the Supreme Court's statement is dicta (a statement in an opinion which is not necessary to decide the case), this still constitutes the only guidance on the point. On the one hand, Judge Callister laments that there are no standards and on the other hand he ignores the few clues that have been given. From the Supreme Court's opinion it would seem that Congress had decided that recission would not count, that it was the political question best left to Congress. Judge Callister did not adequately explain why the present situation warrants less judicial deference than the Supreme Court had shown in similar matters on previous occasions.

Judge Callister's decision on the recission question also goes against precendent. The approach advocated by Callister—that a state's final expression, whether rejection, ratification, or recission, is valid—is a logical position but it lacks any support in the legislative histories of other amendments or in the few pronouncements by the Supreme Court. It is appealing to say that the last expression of a state reveals the consensus of its people; unfortunately the weight of the precedent seems to support the position that Congress should decide the question and that it has decided that recission is not effective.

On the question of extension, Judge Callister's opinion is plausible. Article V does seem to indicate, by negative implications, that, having set down a time for ratification in the proposal sent to the states, Congress has done its part and must wait for the ratifying votes of the states. At the very least, it seems to me that Judge Callister is correct in holding that "Congress" as used in Article V means two thirds of both houses and that the extension of ERA was therefore invalid. Of these last two issues, recission and extension, the court's reasoning on extension seems clearly the stronger.

The issues presented to the district court were very difficult ones because there has never been a strong consensus between the Congress and the courts. And from the Supreme Court's unusual step in staying the district court's decision, it is apparent that, if possible, even the high court does not wish to decide these issues. It seems to me that the major flaw in Judge Callister's decision is that, in an effort to vindicate the apparent rights of the states, the district court expropriated authority reserved to Congress. While some will undoubtedly suggest that this was necessary in this case to reach the desired results, the ramifications will extend to matters far beyond Judge Callister's control. Callister's decision, if upheld, would be binding upon all future attempts to amend the Constitution when questions of ratification or extension arise. With proposals currently before Congress to define life, to prohibit abortions, and to prohibit forced busing, the parties favoring Callister's decision under these circumstances may find themselves wishing for greater flexibility.[10] As an example of judicial overreaching, I believe Callister's decision can only encourage and justify further intervention by the federal judiciary into matters which are better left to other branches of government.

Footnotes

1. No. 79-1097 (D. Idaho Dec. 23, 1981).

2. The Administrator of the General Services Administration has responsibility for receiving the certified votes from the states. NOW intervened in the suit, becoming a defendant-intervenor.

3. Carmen v. Idaho, 50 U.S.L.W. 3591 (Jan. 26, 1982). The Supreme Court has taken the case up on appeal and on writ of certiorari.

4. Flast v. Cohen, 392 U.S. 83, 99 (1968).

5. Doremus v. Bd. of Educ., 342 U.S. 429 ((1952).

6. Poe v. Ullman, 367 U.S. 497 (1961).

7. *E.g.*, First National City Bank v. Banco Nacional de Cuba, 406 U.S. 759 (1972); Banco Nacional de Cuba v. Sabbatino, 376 U.S. 398 (1964).

8. Coleman v. Miller, 307 U.S. 433 (1939); Kennedy v. Sampson, 511 F.2d 430 (D.C. Cir. 1974).

9. *E.g.*, Coleman v. Miller, 307 U.S. 433 (1939); Chandler v. Wise, 307 U.S. 474 (1939). Both of these cases dealt with the unsuccessful ratification of the Child Labor Amendment.

10. Baker v. Carr, 369 U.S. 186, 217 (1962).

11. Idaho v. Freeman, No. 79-1097, slip op. at 36.

12. *Id.* at 48.

13. Coleman v. Miller, 307 U.S. at 450.

14. Idaho v. Freeman, No. 79-1097, slip op. at 62.

15. Dillon v. Gloss, 256 U.S. 368 (1921).

16. Idaho v. Freeman, No. 79-1097, slip op. at 67.

17. *Id.* at 52.

18. *Id.* at 47.

19. Ironically, in a 1974 case involving a vote on ERA in the Illinois legislature, NOW argued that the issues presented to the federal court were justiciable and that the court should order the legislature to certify Illinois' ratification. Phyllis Schlafly's law firm filed an amicus brief opposing NOW's suit: Dyer v. Blair, 390 F. Supp. 1291 (N.D. Ill. 1975 (three judge court). This side-swapping only demonstrates how much we want judicial restraint—as long as someone else's ox is being gored.

Scriptural Commentary

AN OLD TESTAMENT POTPOURRI

Steve Christensen

Preadamites

"Don't begrudge the existence of creatures that looked like men long ago or deny them a place in God's affection or even a right to exaltation, for our scriptures allow them such. Don't be overly concerned with just when and where they might have lived, for their world is not our world. They have all gone away; they have all left the house on the hill long before our people ever appeared. God assigned them a proper time and season as well as their proper sphere (and) predesignated the earth and other earths for multi-purpose occupancy."

From Hugh Nibley, "Before Adam" p. 24, *Of All Things, A Nibley Quote Book*, Gary P. Gillum, ed. p. 41 (Signature Books 1982).

Location and Return of the Ten Tribes

". . .all Israel, the Lamanites and the Ten Tribes included, shall be gathered if and when they believe the Book of Mormon. The Ten Tribes shall return after they accept the Book of Mormon; then they shall come to Ephraim to receive their blessings, the blessings of the house of the Lord, the blessings that make them heirs of the covenant God made with their father Abraham.

"*But*, says one, *are they not in a body somewhere in the land of the north?* Answer: They are not; they are scattered in all nations. The north countries of their habitation are all the countries north of their Palestinian home, north of Assyria from whence they escaped, north of the prophets who attempted to describe their habitat. And for that matter, they shall also come from the south and the east and the west and the ends of the earth. Such is the prophetic word.

"*But*, says another, *did not Jesus visit them after he ministered among the Nephites?* Answer: Of course he did, in one or many places as suited his purposes. He assembled them together then in exactly the same way he gathered the Nephites in the land Bountiful so that they could hear his voice and feel the prints of the nails in his hands and in his feet. Of this there can be no question. And we suppose that he also called twelve apostles and established his kingdom among them even as he did in Jerusalem and in the Americas. Why should he deal any differently with one branch of Israel than with another?

"Query: *What happened to the Ten Tribes after the visit of the Savior to them near the end of the thirty-fourth year following his birth?* Answer: The same thing that happened to the Nephites. There was righteousness for a season, and then there was apostasy and wickedness. Be it remembered that darkness was destined to cover the earth—all of it—before the day of the restoration, and that the restored gospel was to go to every nation and kindred and tongue and people upon the face of the whole earth, including the Ten Tribes of Israel.

"*But*, says yet another, *what about their scriptures—will they not bring them when they return?* Answer: Yes, they will bring the Book of Mormon and the Bible, both of which were written to them and must be received by them before they gather. And further, as we devotedly hope, they will also have other records that will give an account of the ministry of the resurrected Lord among them—records that will come forth in a marvelous manner, at the direction of the president of the Church of Jesus Christ of Latter-day Saints, who is a revelator and a translator and who holds the keys of the kingdom of God on earth as pertaining to all men, the Ten Tribes included.

"*And finally* says yet another, *will they not come with their prophets and seers?* Answer: There is no other way they or any people can be gathered. Of course they will be led by their prophets, prophets who are subject to and receive instructions from, and prophets who report their labors to the one man on earth who holds and exercises all of the keys of the kingdom in their fulness. . . ."

From Bruce R. McConkie, *The Millennial Messiah* (Deseret Book 1982), p. 216-217.

The Forbidden Fruit of the Fall

". . .This so-called 'forbidden fruit' is described in early Jewish and early Christian literature as either having been the fig, the nut, the wheat, the date or, most commonly, the grape out of which alcohol could be made. (For the fig, nut and wheat see Ginzburg, V. 98. For the date see Enoch 24:4, 25:5. For the grape, alcohol, see Enoch 32:4, Talmud Sanhedrin: 99a; Midrash Rabba Bereshith: 15:7; bin Gorion, I, 87. Wine is therefore the fruit of the fall of mankind but also the fruit of the redemption, sacrament ordinance. As so often, the same substance brings about two different conditions, dependent on how it is used.) However, we are also told that it is not revealed which fruit it was, lest men become prejudiced and look down upon the tree and its fruit which brought about our present condition. (See Midrash Rabba Bereshith: 15:7.) One text refers to the fruit having had a wonderful fragrance which was very appealing and enticed Eve to partake. (See Zohar, Bereshith, 36a.) The fruit of the tree of life is almost exclusively rendered as the olive, of which the oil becomes a symbol of health and vigor and healing. (For instance, II Enoch 8:7, 22:8, 66:2; 5. Ezra 2:12; Gospel of Nicodemus, 18: Clement, Recognitions, I, 45; Origin, Contra Celsum 6:27; Vitae Adae, 24-39; Apocalypse of Moses, 9-12.)

From Marcus Von Welinitz, *Christ and the Patriarchs, New Light from Apocryphal Literature and Tradition* (Horizon Publishers 1981), p. 19.