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## TRUE BELIEVER OR DEVIL'S ADVOCATE

Scott C. Dunn's article on spirit writing was fascinating and challenging. However, I do feel that there are major weaknesses in his argument that "There is not anything in the scriptural writings of Joseph Smith that has not been matched by those outside the Mormon tradition." The first thing to notice is that of the approximately 13 cited cases of automatic writing, only one (Pearl Curran) has any evidence at all in its favor. I would like to discuss the evidence Dunn cited for Curran, as well as his comments on evidence for the Book of Mormon.

The first evidence given in favor of Curran is that Curran used Anglo-Saxon words 90% of the time. Yet Dunn himself points out that we would have to go back to the 13th century to find a comparable percentage of Anglo-Saxon words. As Patience Worth was supposed to have lived in the 17th century, the linguistic mismatch is about 400 years. Dunn's own evidence contradicts the assertion that Patience Worth is an authentic 17th century person. It could be argued that an individual's word usage need not fit into a specific time period, which would undermine my objection, but this would simultaneously undermine the argument for Patience Worth as well. Either way this evidence does not support a miraculous origin for Curran's writings.

It may be admitted that Curran's writings and philological feats are rather amazing. Yet in several respects the evidence for the Book of Mormon as a testable miracle goes far beyond that cited by Dunn for Curran. For example, no person has yet tested the wordprints of Curran to see if they match with the wordprints of Patience Worth. Such a study ought to be done. It might tell us something about the Book of Mormon and would certainly tell us something about this case of automatic writing. But until such a study is done I see little hard linguistic evidence (such as we already have for the Book of Mormon) to support a theory of separate authorship for Patience Worth.

Dunn also claims that Curran

produced writings which included words and knowledge which Curran was unlikely to have known. Yet the specific cases seemed very weak to me, especially in light of Dunn's discussion of the amazing ability of automatic writers to remember in detail and use information which they had never been consciously exposed to. How can anyone say, for example, that at some point in Curran's life she wasn't exposed (even unconsciously) to a few archaic English words? With automatic writing any knowledge which is already known to society makes suspect a "miracle" at best.

The same criticism may be applied to Curran's knowledge of the ancient Holy Land or of 17th century English society. If the information is available to scholars and English newspapers, why is it assumed to be impossible for Curran to have ever been exposed to it? Particularly curious is one critic's assertion that all the reading Curran could have done would have been inadequate to write such a true-to-life account of the Holy Land. I must wonder how the critic obtained the knowledge necessary to make such a judgment.

It is important to note that the evidence for the Book of Mormon outshines the evidence for Patience Worth on precisely this point. The most impressive evidence for the Book of Mormon centers on things which no person in 1830 knew about, not just on things which Joseph Smith would have been unlikely to have known. Examples include an accurate description of Arabian geography, the use of proper names which clearly belong to languages which were untranslated and untranslatable in 1830, accurate depictions of Judaic and nomadic life and customs in the desert which were unknown in 1830, and other linguistic and cultural aspects which have been vindicated by texts and archaeological discoveries made long after the Book of Mormon was published. Dunn does not cite equivalent evidence for the case of Patience Worth.

Another point along this line is existence of literary forms such as Egyptian colophon and the Hebrew chiasmus in the Book of Mormon which were unknown to

any person in 1830. Dunn might argue that Joseph Smith's unconscious mind recognized chiasmus in the Bible and then reproduced it in the Book of Mormon. Such speculation would seem weak, however, in view of the fact that there is no example of automatic writing which uses such unknown literary devices. It would also be difficult to account for the appearance of the colophon, given that Egyptian was not translatable in 1830.

In sum it seems to me that while automatic writers have done some amazing feats, none of these feats are any more amazing or miraculous than the more spectacular acts of hypnotized people. The Book of Mormon, however, ventures into evidential territory where no channelled text has ever gone.

Dunn also makes several criticisms of the Book of Mormon itself. His first point concerns a psychologist in 1917 who concludes that Patience Worth must be genuine because he was able to find some (unenumerated in Dunn's article) "linguistic similarities" between Curran's writings and some poems from Dorset, who yet asserts that the Book of Mormon must be false because he sees similar ideas and events in 19th century New England. The use of such a blatant double standard to judge the two sets of writings makes the bias of this psychologist very clear. The tactic of asserting that there are parallels to 19th century America and then dismissing the Book of Mormon would be funny if it weren't such a tiresomely common fallacy among Book of Mormon critics. If we are to fairly judge the Book of Mormon then we must place it in its claimed cultural and historical territory and examine possible 19th century parallels (and everything else in the book) in that light. Particular attention should be paid to the knowledge which has been gained since the publication of the text. This is precisely what has been done in the case of the Book of Mormon (Hugh Nibley, *An Approach to the Book of Mormon*), but few Book of Mormon critics seem willing to confront this sort of study. (No such comparable body of evidence exists in the case of Patience Worth. Dunn optimistically claims that "there

are simply more people examining the Book of Mormon," but optimism is not a substitute for evidence.)

Likewise Dunn claims that "the Book of Mormon incorporates theological concepts . . . common in Joseph Smith's environment." Again, I personally have yet to see a single supposed 19th century idea in the Book of Mormon which does not fit into the context of an ancient Semitic society which had been given knowledge of Christ. Every such charge I have seen has been based on a very shallow understanding of what the Book of Mormon actually says on the subject or the cultural background of the Book of Mormon peoples. One outstanding example of this is the old charge that the Book of Mormon reflects 19th century New England politics. When Richard L. Bushman did his penetrating study of this subject, "The Book of Mormon and the American Revolution," (Eugene England, *Book of Mormon Authorship: New Light on Ancient Origins*), it became apparent that the politics of the Book of Mormon fit very well into ancient Hebrew society and very poorly into 19th century American society.

Dunn restates another common criticism of the Book of Mormon when he says that "the book capitalizes and expands on theories of the origin of the American Indian which were circulating in the 1820s but which have been rejected by anthropologists and ethnologists today." Again we see the too common tactic of drawing a superficial parallel and letting the matter rest there. Dunn seems unaware that a vocal minority of anthropologists and ethnologists (such as Thor Heyerdahl, James Bailey and others) have been very strongly advocating the probability of Semitic and Egyptian influence on New World civilization. While a detailed summary of the New World evidence for the Book of Mormon is inappropriate here, anyone who wishes to dismiss Book of Mormon claims should first deal with, for example, Prof. John Sorenson's "An Evaluation of the Smithsonian Institution's Statement Regarding the Book of Mormon," and his *An Ancient American Setting for the Book of Mormon*.

Dunn also restates the old criticism that many of the biblical quo-

tations in the Book of Mormon "occur in settings hundreds of years before the Biblical manuscripts were composed." I assume he is referring to the "Isaiah Problem," which is the theory of some scholars that part of Isaiah was written after the Babylonian captivity. Again Dunn uses the tactic of invoking the authority of scholarship without recognizing that scholarly opinion is by no means unanimous on this idea. Many competent Bible scholars do not accept it. Dunn also does not deal with the Adams and Rencher wordprint study of Isaiah in Hebrew (*BYU Studies* Aut. 1974, "A Computer Analysis of the Isaiah Authorship Problem"), which establishes the linguistic unity of the quoted portions of Isaiah. In view of Dunn's willingness to accept far weaker linguistic evidence for Patience Worth, his unwillingness to discuss such evidence when it supports the Book of Mormon is puzzling.

Finally, I am nonplussed by the apparent naivete of the question, "On what basis do we designate a book [the Book of Mormon] as scripture?" As Bro. Dunn has an LDS background he should know the answer to this one. His string of questions here makes me wonder if his article was not written from a devil's advocate point of view and does not represent his own private conclusions at all. Of course I don't know the thoughts of Scott Dunn's heart. But I do know how I would answer this question as a scientist (Ph.D. candidate in physics) and as a believing Mormon.

As a scientist I am naturally fascinated by the empirical evidence concerning the Book of Mormon which has come to light in the last 30 years or so. My study of this evidence and critical appraisals of it has been a satisfying learning experience. It has increased my appreciation for the Book of Mormon and has deepened my understanding of it. My study has gladdened my heart and perhaps even deepened my faith.

But in the end I do not believe in the Book of Mormon as a sacred text because of the empirical and intellectual arguments of great LDS scholars such as Hugh Nibley, John Sorenson, John Welch and others, impressive as they are to me. Had these scholars never

done their studies, and even if the case for Patience Worth were convincing, I would still have a deep belief that the Book of Mormon is true and of God. Ultimately this knowledge comes by the testimony of the Spirit to the deepest parts of the soul or it does not come at all. This testimony is empirical and even intellectual in a way, but only in a personal manner which can never be debated by scholars in learned journals.

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### CONSCIENTIOUS REFLECTION

D. Michael Quinn's excellent survey of official LDS attitudes toward conscientious objection (SUNSTONE, vol. 10 no. 3) did not mention two addresses given by Elder Hartman Rector, Jr., of the First Quorum of Seventy, at the height of the Vietnam controversy.

Elder Rector spoke to BYU students about war and military service on two occasions. In 1969, Elder Rector said that, "War is so great an evil that to engage in it without a clear necessity is a crime of the blackest hue," and emphasized in strong terms that only defensive battles are morally justifiable. In a 1970 address, Elder Rector said, "War is an instrument in the hands of the Lord in this time." Comparing Vietnam to Japan and Korea—where Mormon missionaries followed closely behind American soldiers—he said, "These nations must be redeemed by blood. In the economy of God, that's what it takes. In Vietnam, as in Japan and Korea, after the soldiers leave the missionaries will come in . . . and we'll go into other nations the same way." Elder Rector emphasized the appropriateness of military service, saying, "I feel it is our sacred honor and duty we are upholding when we serve the 'Stars and Stripes'."

On the other hand, Elder Rector did not condemn conscientious objection. He said, "The Church recognizes your legal right to be a conscientious objector, but you can't use the Church as your justification. . . . [and] we do not recommend it." He said, "I see nothing wrong with it [being a conscientious objector], but I'm

glad everybody doesn't try it. I feel very strongly that service in the military is service to the Lord, but you may be able to serve in some other way." Elder Rector emphasized that conscientious objection must be an individual choice. "We're not trying to tell you what to do," he told his student audience, "you are a free agent."

Of those who "served the Lord" in Vietnam, some returned home bragging about how many "gooks" they had killed; others came home disillusioned and even bitter about military service and even about their religious faith; many more returned home with their spiritual tranquility permanently shattered.

We may again face the possibility that young LDS men will be called upon, in the name of duty to God and country, to machine-gun teenagers, women, and children in some remote jungle before returning home to mother, apple-pie and Monday Night Football. We must prepare now for the effort to dissuade them from so doing.

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### LAW AND THE IMMORAL MAJORITY

Mark S. Lee ("Legislating Morality: *Reynolds vs. United States*," SUNSTONE vol. 10 no. 4) argues that *Reynolds* was rightly decided, and that a modern reversal of that decision case and its reasoning would be a blow to those who now espouse Mormon standards of morality. I found the argument provocative, but nevertheless wrong.

The premise of Mr. Lee's defense of *Reynolds* is that the burden of proof as to alleged social harm from nonconformist behavior is misallocated under current law: Government should not be required to prove the social harm of nonconformist practices, but instead the adherents of such practices should be required to prove absence of social harm. This turns the First Amendment on its head. The Bill of Rights was not enacted to entrench "traditional values" with which the majority is comfortable, but rather is designed to provide protection to nonconformist minorities. Whether majorities ever need protection from government in a

properly functioning democracy is an open question; certainly, however, they need far less protection than minorities.

The issue is clarified if one moves away from moral judgments (such as the evil of pornography) with which Mormon culture is generally sympathetic. It is worth remembering that the majority of Americans have at various times countenanced (and in some respects still countenance) racial and religious bigotry and persecution, sexual discrimination, scientific superstition, alcohol abuse, obsessive devotion to career, neglect of family and exploitation of the poor and disadvantaged, none of which seem at first glance to be a value that Mormons would have a particular interest in adding to the body of moral judgments underlying the law. It is not difficult to imagine an American future in which the traditional American family includes two working parents, no religious beliefs, and children (if any) that are cared for at a state-run day care center. Should the majority ever attempt to mandate the conformance of all the people with such a lifestyle (on the theory that failure to conform is less productive and threatens the "traditional way of life"), would Mr. Lee feel comfortable proving that Mormon deviations from the norm are socially harmless? I, for one, would prefer to take my chances with the burden of proof on the government.

Moreover, whether it is constitutional or not, legislation of the morality espoused by Mr. Lee would be futile in any event. Mr. Lee believes he refutes the argument that government cannot legislate morality by repeating the truism that all law reflects moral judgments. This misses the point. No one will dispute that laws against "murder, theft, assault or rape" reflect moral judgments about the wrongness of such actions. These are the easy cases because there is overwhelming agreement among the members of society that such actions are morally wrong. Nevertheless, government cannot enforce a law if the moral judgment underlying that law is not subscribed to by the majority (perhaps the overwhelming majority) of citizens.

Could government enforce, if it were so inclined, a ban on alcoholic beverages? (Evidence of social harm is abundant here.) Marijuana? Extramarital sex? History demonstrates that the moral judgments underlying such laws were not enforceable because too many citizens disagreed with such judgments. Sadly, prostitution, pornography and similar activities flourish in our society, not because the government artificially is denied the tools or the evidence to eradicate such activities, but because too many of the people who elect and control government approve of such behavior (or, at least, do not disapprove). As Pogo Possum once said, "We have met the enemy and he is us."

Believing that Mr. Lee intended to prescribe what the law should be (as opposed to describing what the law now is), I have not focused on the flaws of Mr. Lee's constitutional analysis under current law. There have, however, been several developments in constitutional law since 1878 which severely undercut the continuing vitality of *Reynolds*. Currently, when government action intrudes upon a so-called "fundamental" right such as the free exercise of religion or the right to marry, it is not enough for the government to assert in defense of the intruding law that it protects or promotes a vague and diffuse governmental interest such as "public morality"; the government instead must show that the law corrects a specific harm to an interest that is relatively high on the social hierarchy of values and that it does so in the least intrusive manner. See, e.g., *Loving vs. Virginia*, 388 U.S. (1967); *Murdock vs. Pennsylvania*, 319 U.S. 296 (1943); *Cantwell vs. Connecticut*, 310 U.S. 296 (1940). Moreover, even laws that do not single out minority groups for discrimination may be found unconstitutional if there is evidence that the law does in fact harm such groups and that the government passed the law with an intent to discriminate. *Personnel Administration vs. Feeney*, 442 U.S. 256 (1979); *Village of Arlington Heights vs. Metro Housing Development Corp.*, 449 U.S. 252 (1978); *Yick Wo vs. Hopkins*, 118 U.S. 356 (1886). In view of the violence and persecution against the

Mormons preceding passage of the antibigamy and disenfranchisement laws, as well as the relatively loose morals that generally prevailed on the American frontier, one can credibly argue that Congress was not so concerned with protecting "public morality" as it was with continuing to persecute a disfavored religious minority. If evidence of discriminatory intent could be adduced, current constitutional law would dictate that *Reynolds* be decided differently.

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### WITHOUT WINDOWS OF HEAVEN

I want to comment on Robert Bohn's article on tithing (9:1), which was very interesting. I was, however, disappointed that he failed to suggest answers to some of the questions he raised such as whether we should pay tithing on gross, net or taxable income. Maybe, he just didn't have the energy to suggest answers, knowing they are difficult.

For myself, I am sick and tired of sacrament meetings and stake conferences where a wealthy Church leader preaches tithing as if it were a guaranteed program to riches. My personal experience in paying tithing is that it does not make me richer; it makes me poorer, at least financially. After all, it is a sacrifice! I pay tithing knowing that in doing it I sacrifice material goods that my neighbors are not sacrificing. But I do it because of my love, however weak or faltering, for the Lord and his Church.

So I would like just once to hear tithing taught without all of the "Windows of Heaven" and "Fire Insurance" get-rich promises. I suspect that for the average Latter-day Saint who is struggling financially, tithing has to be an act of deep devotion and religious sacrifice. I would like to see our rhetoric match that devotion.

Also, I have become aware of a widening gap between the way the middle class and the upper middle class in the Church pay tithing. The former, who don't have tax lawyers or accountants, tend to pay tithing on their gross salaries or wages, which ends up to be something like 15 to 20% of disposable income. (That is a real sac-

rifice!) The latter, who exert great efforts sometimes to decrease taxable income to avoid paying Uncle Sam, tend to pay tithing on their taxable income. Yet, their taxable income, by its very nature, cannot be a true representation of their income. In my ward, we even had a rather well-to-do and successful corporate manager get up in testimony meeting and say that after his tax accountant had done his taxes he found out that he had paid too much tithing based on his taxable income. Of course, this distressed him until he later received a huge bonus. His testimony was that he attributed the bonus to his overpayment of tithing as a reward for his righteousness.

Yet, how many wage-earners are paying tithing on true income, not taxable income, and not receiving bonuses or other financial windfalls. They just continue to struggle. (Do I dare ask: Is it possible the Lord seems to bless the rich more than the middle class? But I don't want to be cynical because that would make me hypocritical; I do want to write this letter in the spirit of love and faith.)

Maybe, the Church needs a little—gasp!—class consciousness—at least something to make us more sensitive to the differences between the way the different social and economic classes in the Church are paying tithing so that we can attempt to equalize them. After all, this Church was founded on the principle that material equality among the believers is a prerequisite for the spiritual greatness we must achieve before the Savior can return. (See D&C 78:5-6; 82:17-19.) In researching this topic, I have discovered that many of the well-to-do Mormons in my area pay much less tithing than would a wage earner who paid 10% tithing on gross income if his wages equaled the national average of about \$26,000 a year. Frankly, I hope we do not let our inequitable taxing system which has created a two-tiered taxing for the middle class and one for the upper middle class and upper class—push us into a similar two-tiered tithing system.

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