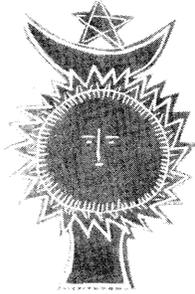


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READERS FORUM

THE BEST TWO YEARS OF A TYPICAL LIFE

IN HER INTERVIEW (SUNSTONE 11:3), Bobbie Birleffi offers three reasons for regarding her documentary about the missionary program as balanced. None of them is compelling. First, she compares the film's emphasis on bad missionary experiences to the recent extensive media coverage of the Iran Contra affair: Just as the newsworthiness of Reagan's role in the Iran-Contra matter justified an amount of press attention that was out of proportion to the amount of time Reagan spent carrying out that role, so the newsworthiness of negative LDS missionary experiences justifies Birleffi's giving such experiences an amount of attention in her film that is out of proportion to their actual frequency among LDS missions. This analogy doesn't work. The issue with respect to Birleffi's film is whether it falsely gives the impression that the few negative missionary experiences it examines are representative of more than a tiny fraction of all missionary experiences. But with respect to Reagan's role in the Iran-Contra affair there is no analogous question about the *representativeness* of the coverage given to it by the press. That is to say, whereas the press have not suggested that the Iran Contra affair is representative of some larger class of Reagan administration misdeeds, Birleffi's film gives, but does not support, the impression that a large percentage of LDS missions are unpleasant in the manner discussed by Scott Miller.

Second, Birleffi argues that "the film more than adequately represents those who felt satisfied with their mission" because it includes over twenty-two people who speak favorably about the missionary experience and the Church, including active missionaries, a mission president and other Church authorities. However, Birleffi evades the question of whether those twenty-two people are as capable of representing their favorable view of missionary work as are their counterparts of representing their unfavorable view. One of the reasons Birleffi chose Helen Weeks as a spokesperson for the latter group is that she was "dynamic and powerful" and her voice was "believable." Birleffi apparently made no effort to seek out similarly dynamic, powerful, and believable spokespersons for the positive side of missionary life, but rather left those choices to the Church and to chance. And when the interviewers suggest that most of the missionaries who make positive statements in the film

aren't nearly as articulate as their negative counterparts, and that many of them seem "almost brainwashed," Birleffi responds with the non sequitur that "if a viewer sees a missionary that way . . . , that is their opinion; others may not seem him the same."

Finally, Birleffi defends her film on the grounds that "if you ask a non-Mormon audience if this documentary suggests the mission program is bad, they won't necessarily agree." If this is, as it seems to be, an argument that the film is balanced, it is unpersuasive. It presupposes that if non-Mormons don't think the film makes the missionary program look bad, then the film must be balanced. But this is clearly false. It is entirely possible that the film could leave non-Mormons thinking that the missionary program is not "bad," but that the film is nevertheless unbalanced because it gives the impression that the missionary program produces difficulties of the kind portrayed in the film much more often than it actually does.

Brian Poll
Palo Alto, California

THROUGH A GLASNOST DARKLY

SUNSTONE STIMULATED a conversation at the recent *Glasnost* conference in Telluride, Colorado. The occasion was a party at the home of John Naisbitt (*Megatrends*) and Patricia Aburdene —(*Reinventing The Corporation*), co-hosts for the "Telluride Ideas Festival."

I had just met M. Scott Peck (author of *The Road Less Traveled*, *People of the Lie*, and *The Different Drum*) and his wife Lily. The subject of the Mormon church came up after I had introduced myself to Naisbitt as coming from the same background as he. He acknowledged fond memories of Mormonism until age 19, when "they" tried to send him on a mission.

Lily Peck commented that her husband has several dozen copies of the Book of Mormon in his library but doesn't know what to do with them. He would pass them on, she said, but they are all inscribed. He has a similar number of books from other religious institutions, such as The Unification Church.

During our chat, Peck referred the his four states of spiritual growth in *The Different Drum*: Stage I: Chaotic, anti social; Stage II: Formal, institutional; Stage III: Skeptic, individual; Stage IV: Mystic, communal.

He thought that the Mormon church was a

classic example of Stage II. I agreed. Then he asked me if I had heard of SUNSTONE. I answered that I did know both SUNSTONE and *Dialogue*, some of whose founders were friends of mine. Peck observed that SUNSTONE was a good representation of Stage III. He smiled when I acknowledge how helpful to me was his comment that the greatest challenge facing the Church was how to facilitate the conversion of its members from Stage II to Stage IV without losing them indefinitely to Stage III.

The next morning at the conference I wept involuntarily in response to the openness (*glasnost*) of both American and Soviet guests. On reflection, I realized that this was my first recollection, in all my experience in the Soviet-American interface over more than 30 years, of feeling *no hidden agenda* from the Soviets. I was simply astonished to *believe* each of them (who, equally rare, were at the conference as individuals—not as a delegation) when they said they wanted to tell the truth about their society in order to transform and heal its dark and destructive past. “We are tired of hating,” they said, and the entire audience of 250 applauded and cried in agreement.

And so the inevitable questions arise. Can we as Mormons understand and appreciate that there is an historic reformation going on “over there” beyond our influence? Can we learn

more about it? More importantly, if it continues to check out, can we—would we—embrace it? For example, how would we fold it between the covers of SUNSTONE?

Eugene Kovalenko
Long Beach, CA

THE STAKES OF THE MORMON WAGER

I AM RESPONDING to Karl Sandberg's article, “Pascal's Wager on the Mormon Roulette Wheel” (SUNSTONE 11:1).

While I agree with Sandberg's letter that we must all make choices, some of which may have “eternal” consequences, I disagree that Pascal's wager is “applicable whenever a decision is unavoidable, the consequences momentous, and the basis for decision uncertain.”

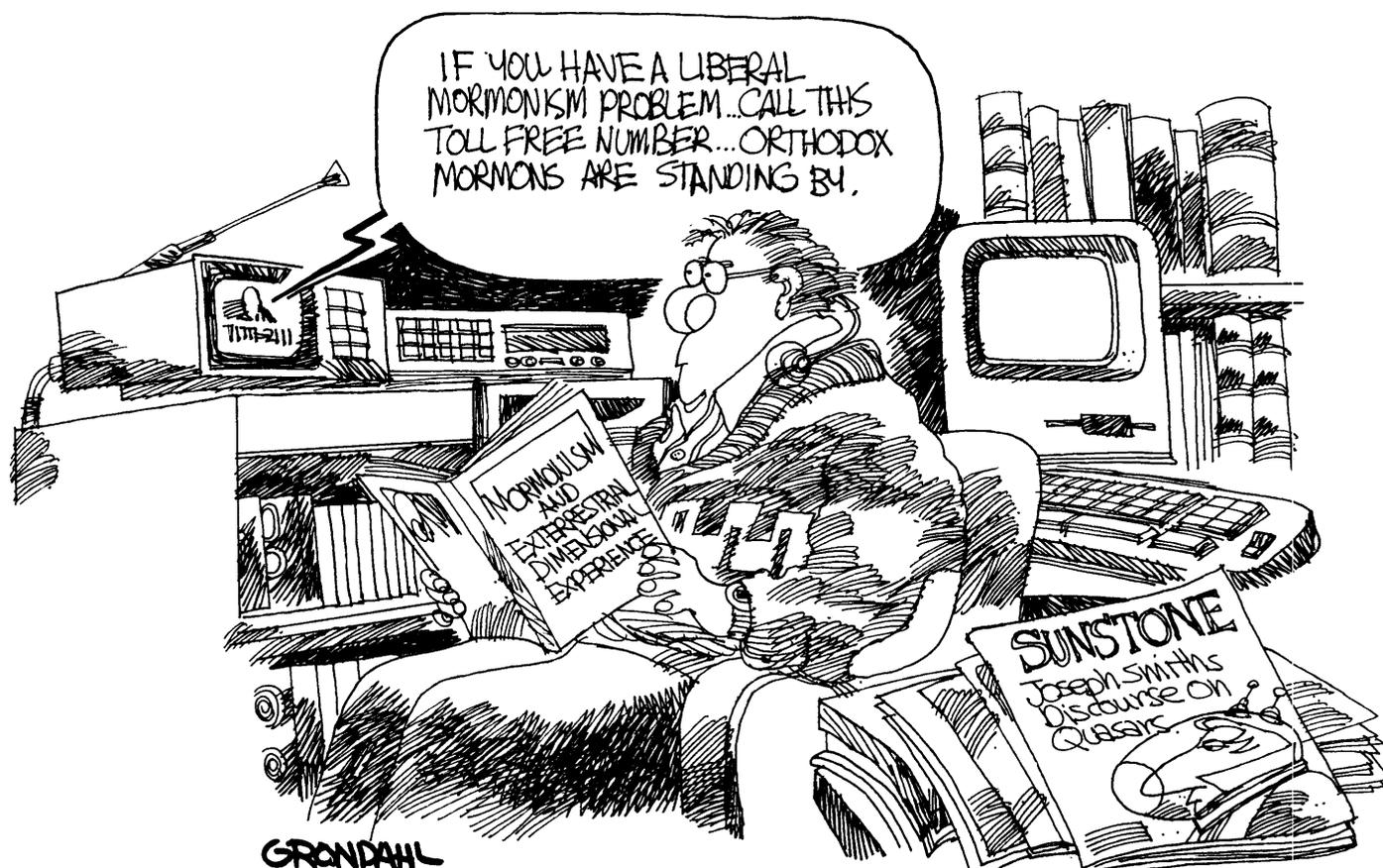
If my choice is whether I should be a Catholic or a Mormon, of what value is the wager? How can I say that by choosing to be a Mormon, I will gain eternal life, but by choosing to be a Catholic, I will lose it? The decision is unavoidable (I cannot be both), the consequences are momentous (according to both belief systems), and the basis for a decision is

uncertain (unless you happen to be a Mormon or a Catholic). But of what value is the wager metaphor in reaching a decision?

What is the real wager? Is it between denying God and living a Catholic life as Pascal thought? Or is it denying all other belief systems and living a Mormon life, as Sandberg suggests? Or is it something else entirely? Certainly Sandberg is correct when he characterizes his wager as the “Mormon roulette wheel.” Sandberg would have me believe that life is a roulette game where I must find the right number (Mormonism) from all of the other numbers (religions) that are on the roulette wheel and win my bet by living my life as if Mormonism were true? What Sandberg does not address is why I should place my bet on Mormonism rather than the Koran, or the teaching of Buddha, or the Upanishads, or any other belief system.

I frequently see people in long lines buying lottery tickets in the hope that they will win several million dollars. It seems to me that my odds of winning the lottery are much better than winning Sandberg's wager on his Mormon roulette wheel. And all I lose is money.

Walter L. Williamson
Convent Station, New Jersey



FINDING CHRISTMAS AT THE CENTER OF HISTORY

By Daniel Rector

MY FIRST CRISIS of faith was caused by Santa Claus. I can remember walking out of opening exercises in the Fairfax Ward Junior Sunday School at Christmas time with the devastating thought that if Santa Claus isn't real, then maybe the baby Jesus isn't either. The crisis passed soon enough when I became convinced that my parents were very serious about religion. And, like a Lamanite stripling warrior, once I had no doubt that my parents believed, that was enough for me.

My trouble with Santa Claus shows that my child-like faith was dangerously bound up in a child's understanding. Since then I've discovered a process that Bible scholars call "deconstruction and reconstruction" which allows understanding to change without jeopardizing the fundamentals of faith. This process is illustrated by my recent re-examination of the New Testament Christmas stories using the best source available, Raymond Brown's *The Birth of The Messiah*. Brown is a Catholic priest and a believer in many of the supernatural elements of the Bible. Using the same critical methods that have caused him to affirm the historicity of the synoptic gospels generally, Brown presents evidence for the conclusion of many mainline Bible scholars that the infancy narratives in Matthew and Luke are figurative and theological rather than historical in nature.

The consensus among these scholars is that the nativity traditions developed late and were added to the existing text of the gospels because they portrayed in historical terms what the Christian community was coming to understand through revelation: that Jesus was divine from his mother's womb. If the newer, more theologically developed infancy stories were tacked in front of an older, more historical Gospel collection, it would explain why the common knowledge of the baby's divinity in these chapters disappears later on. The cut and paste theory also explains a complete lack of corroboration, even in the subsequent chapters

of Matthew and Luke for the annunciations, the virgin conception, or the birth at Bethlehem.

Inconsistencies between the accounts also argue against their historicity. Brown's analysis reveals irreconcilable conflicts: where the family comes from, why they are in Bethlehem, and how they get to Nazareth afterwards.

Portions of the stories can be understood as reworked Old Testament themes: Herod is Pharaoh, slaughtering the innocents, and The Magi are Balaam who saw a star rise out of Jacob. Joseph has dreams and goes to Egypt like his namesake patriarch, and John the Baptist's parents quote verbatim from Abraham and Sarah. These allusions illustrate the evangelists' message that Jesus embodied the literal fulfillment of Israel's hopes throughout history.

The major events of Christ's ministry are foreshadowed similarly. The miracles and signs, the heavenly declarations, the joyful acceptance by the lowly and contrite, the violent rejection by the proud and powerful, the Messiah's humiliation and his final victory are dramatized to convey the significance of Christ's birth for all that would follow. The meaning is clear: Christmas is the center of all history.

Viewing the accounts figuratively does not necessarily deny them a factual basis. Those points common to both Matthew and Luke such as the virgin birth may be part of a single original tradition which evolved into two very different stories. From this perspective, a shortage of historical constraints would have worked in the authors' favor, permitting them to freely express their theology in the characters of the story. After all, Matthew and Luke were not biographers but prophets; testators of a truth not fully revealed in history.

This brings me back to Junior Sunday School, but with a difference. "Finding out" about the manger, the wise men and the star has not precipitated a crisis of faith similar to what I encountered because of Santa Claus.

Since then I've learned to differentiate between the foundations of my faith anchored in religious experience, and the sometimes inaccurate assumptions and interpretations surrounding them.

Much of what I assume to be revealed truth is in reality my own interpretation. This fact becomes painfully clear when the weight of evidence makes a belief no longer tenable. At that point my challenge is to deconstruct and reconstruct rather than abandon the belief. This involves separating revelation from interpretation, changing the interpretation based on the new information, and then joining the two again to form a new synthesis—a stronger testimony built on new revelation as well as new evidence. If a synthesis is not forthcoming, I suspend judgement, shelving momentous conclusions until I have enough information to reconcile the evidence with my experience.

As it applies to the infancy narratives, the process of deconstruction and reconstruction has shown that my faith rests on much firmer foundations than the ones supporting the manger in Bethlehem. I had assumed that the historicity of the infancy stories was necessary to the doctrine of Jesus' divinity. Now I'm convinced that my faith in Jesus Christ rests on my own experiences with him rather than on historical evidence. This appears to also have been the case with the first Christians who, if we credit Brown, were trusting in Christ's divinity a generation before the nativity stories.

This brings me to a new synthesis of faith and understanding about the infancy narratives. I see that they are an effect rather than the cause of Christian faith in Jesus as Lord—outgrowths of the redemptive experience which is the true bedrock of Christianity. They are also a testimony to the truth that all God's works in history, past and future, and all the hopes and dreams of God's people converge at the coming of his son into the world.

My study of the New Testament Christmas stories forces me to rely more on my own religious experience rather than external evidence. However, I've found that my testimony is more reliable after weathering the challenge. The process has also focused my attention on the message of the stories rather than on the mere sequence of events. More than ever I am moved by the irony of God's condescension in coming to the world as a king born in a stable. And I see that we can no more avoid a decision for or against Christ than could Herod or the shepherds. The power of these stories is not in their evidence, but in the crucial centrality and the universal implications of Christ's advent which they so dramatically and compellingly portray.

TURNING THE TIME OVER TO . . .

Richard L. Bushman

TREASURE-SEEKING THEN AND NOW

LAST AUGUST I attended the BYU conference on the Mark Hofmann documents where I had an opportunity to reflect on what the documents meant to me. After searching my thoughts and testing my feelings, I came to the conclusion that they meant very little. They did not mean much when they first came out, and their fall from historical authenticity had little effect on me later. That may sound like a strange confession from one who was writing on the early life of Joseph Smith at the very moment the “Salamander” and 1825 Joseph Smith letters came to light, with their presumably earth-shaking revelations about Joseph Smith’s money-digging. Yet it is true.

I first heard of the letter from Marvin Hill when I was correcting the page proofs of *Joseph Smith and the Beginnings of Mormonism*. Marvin did not have the letters in his possession, but he knew enough of the contents to think they were relevant to my study. Like the good friend he has always been, he took the trouble to phone me the news. His message put me in a difficult spot. I could not cite the letters because they were not yet deposited, and their very existence was still a rumor. On the other hand, to disregard them altogether put my book in danger of instant obsolescence after it was published. Somehow or other I had to alter my text to take the supposed contents of the letters into account without actually referring to the letters themselves.

Interestingly, I could make those alterations in a very few words, which I proceeded to do even though the book was in page proofs at the time. Not all readers thought I succeeded; Marvin Hill among other reviewers commented that the timing of the book’s publication was

unfortunate because the letters were not included. Now I am enjoying what I hope will be the last laugh in this connection, though with all the reverses in recent years one can never be sure. The main point is that the information in the letters could be so easily accommodated because I had already come to the conclusion that there was likely money-digging in the Smith family and had included it in my version of the story. There had always been evidence of it in the hostile affidavits from the Smith’s neighbors, evidence which Mormons dismissed as hopelessly biased. But when I got into the sources, I found evidence from friendly contemporaries as well, Martin Harris, Joseph Knight, Oliver Cowdery, and Lucy Mack Smith. All of these witnesses persuaded me treasure-seeking and vernacular magic were part of the Smith family tradition, and that the hostile witnesses, including the 1826 trial record, had to be taken seriously.

I had been prepared for this change in my own thinking by events in the world of scholarship. The Hofmann letters had less impact on my perspective than the work of Keith Thomas and Jon Butler.¹ With the help of other scholars, the two of them had actually worked a minor revolution in the understanding of religious history. Thomas especially had shown what a large part magical practices had played in the religious lives of Christians up until around 1700. The clergy had done their best to purge magic from the lives of the European populace, but with limited success. Not just the poor and ignorant but people at all levels had believed in magic and practiced its rituals, without sensing any contradiction with their Christian belief. Christianity and magic were blended into a kind of general faith in supernatural powers. That scholarship helped me understand Joseph Smith, because the sources

made it clear that not just the Smith family but many people in the neighborhood were invoking spells and rituals to find buried treasure while still claiming to be believing Christians. Although Thomas had marked 1700 as the era when magic declined in England, Butler had shown it persisted long after in America. Palmyra, I decided, had simply inherited this culture.

This realization transformed my thinking about the Prophet. Before this time, I had been aware of the evidence of treasure-seeking without taking it seriously. It seemed so entirely incongruous with everything I knew of Joseph, like asking me to believe that my grandmother was a lifelong member of the Mafia. Whatever the evidence, it was too farfetched to be believable. Thomas and Butler helped me to see that treasure-seeking and deep religious belief had not seemed contradictory in early America; so why should they seem contradictory in Joseph Smith? From that time on, the question for me was simply a matter of evidence. If we could actually show that Joseph Smith, Sr., or one of the Smith brothers went looking for buried treasure with the aid of hazel wands we should believe it; that fact did not contradict the family’s belief in divine revelation or Joseph’s latter divine calling. Treasure-seeking was simply a part of their culture, as baseball is a part of ours.

Historians of all persuasions now seem to have adopted a point of view much like this. The question that remains in dispute is whether or not the Smiths shed their involvement in magic after Joseph retrieved the plates of the Book of Mormon. I am one who believes that treasure-seeking lost importance in their lives. There is quite a bit of evidence that they were putting it behind them after 1826. In the South Bainbridge trial of 1826, W. D. Purple, no friend of the Smith family or the Mormons, recorded lengthy testimony about Joseph’s seerstones and money-digging, but the one statement that impressed him more than any other came from Joseph Smith, Sr. Father Smith said that

“both he and his son were mortified that this wonderful power which God had so miraculously given him should be used only in search of filthy lucre.

. . . His constant prayer to his Heavenly Father was to manifest His will concerning this marvelous power. He trusted that the Son of Righteousness would some day illumine the heart of the boy, and enable him to see His will concerning him.”²

The statement shows Father Smith looking away from crass money-digging toward some

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more exalted use of Joseph's power. Smith treasure-seeking did not end right away; but from that time on, the Prophet and his family were caught up more and more in translation, the organization of the Church, the building up of the Kingdom, and all the events that fill thousands of pages of the public record. Treasure-seeking slid into the background. To claim that through the remainder of their lives they were still fundamentally magicians seems like an outlandish distortion of the historical facts.

On the other hand, there is evidence here and there of a continuing interest in treasure-seeking and perhaps a fascination with the ancient lore of magic, as Michael Quinn has recently argued.³ All of that evidence will have to be weighed and entered into the story. But what intrigues me still more is that nowhere, so far as I can see, did the revelations ever repudiate treasure-seeking. Joseph had no reason to believe that it was all superstitious hogwash, as we are inclined to think today. At one point Moroni warned Joseph that the money-diggers were evil men and to avoid them; he did not say Joseph or his family had been grievously misled in believing in such foolishness. There was opportunity to do that when Oliver came to help Joseph. The revelation given at that time, in its original version, spoke of Oliver's gift of working with the rod, presumably something in the vein of a water-witching rod. The instruction to Oliver was not to abandon the practice; rather he was told to use his gifts for righteous and higher purposes, namely to assist the Prophet in the work of restoration. The revelations did not bluntly deny the validity or value of working with the rod; they redirected Oliver's efforts toward the Kingdom.

These facts bring us beyond history to theology. They compel us to ask why treasure-seeking was not exposed and forbidden by God. Is it because there is actual validity in magical practice which our post-Enlightenment minds cannot comprehend? Perhaps we are the ones who are narrow and blind, not the treasure-seekers. That may be true, but there is an even larger issue here in my opinion.

What would happen if the Lord were to forbid and deny every cultural practice that is inconsistent with his divine order? What if every aspect of our lives that is unworthy of a perfect celestial existence was condemned? When we look at the lives we lead, what parts would suffer? Consider academic learning, or professional ambition, or artistic creativity. We foster and encourage all of these, at Brigham

Young University for one place, but everywhere else in the Church besides. The lives of most adult male Mormons in the United States are deeply regulated by their desire to advance themselves in their work, to improve and to make more money. And yet this ambition, along with learning and art, has often been the subject of warning, in the scriptures and from contemporary prophets. President David O. McKay told us that success in life may deflect us from that which is most important, our families. The Book of Mormon is an extended tract against the evil power of riches to canker our souls and make us forget God. Learning, we know, can lead us to deny God and be lifted up in worldly pride. The arts can become an artificial religion that substitutes beauty created in great prideful acts of exhibitionism for humble submission to God's power. Virtually all of the cultural values we prize most highly can become the enemies of religion and are based at least partially on false assumptions about the innermost realities of the universe.

Why do not the revelations repudiate these, along with Joseph Smith's treasure-seeking? Surely the contradictions in Joseph's culture are no more extreme than in our own. Should we not be stripped of worldly culture just as we wish the Lord had repudiated the magic in his? The answer, I believe, goes to the heart of our understanding of life. What would happen to us if we were stripped of every trace of worldly culture? What would remain? I think to purge us now of everything that was not celestial would cripple if not destroy our personalities, as amputating a leg or cutting out our lungs would cripple our bodies. Our personalities could not survive the trauma. Instead, as the scriptures say, we are expected to grow from grace to grace, line by line. The idea is not to rip away all error instantly, but to redirect and purify as Oliver was told to redirect his gift. To do otherwise would deny the very purpose of earth life. We did not come here to live in a celestial culture. We lived that life before we came. We are here to live amidst error, evil, suffering, and corruption in a terrestrial world. The central purpose of our lives is to discover truth and goodness in the midst of confusion and evil, and live by what we discover. We are not to abandon this world but to transform it. We are here to reform worldly culture, inch by inch, into godly culture. That struggle is why we came. We are on earth to make our ambition, our learning, our art serve God.

From that perspective Joseph Smith's treasure-seeking can be looked on as a great success. Whether or not magical powers truly exist, the belief in magic which Joseph inherited from his New England forebears was not

pure godliness; if not repudiated, magic had to be changed. Joseph made that change in his life. From the place where he entered history as a poor New England farmboy caught up in treasure-seeking and a hundred other worldly things, he went on to become a prophet and revelator who used all of his gifts to advance God's kingdom. Far from condemning him for his failure to cast off his culture more decisively, we should look to ourselves, and ask if we are as effectively redirecting our lives and our culture to godly purposes. Are we doing as well as he did in turning our treasure-seeking into service to our Heavenly Father's children?

NOTES

1. Keith Thomas, *Religion and the Decline of Magic* (New York: Scribner's, 1971); Jon Butler, "Magic, Astrology, and the Early American Religious Heritage," *American Historical Review*, 84 (April 1979), 317-346. See also Herbert Leventhal, *In the Shadow of the Enlightenment: Occultism and Renaissance Science in Eighteenth-Century America* (New York: New York University Press, 1976); Alan Taylor, "The Early Republic's Supernatural Economy: Treasure Seeking in the American Northeast, 1780-1830," *American Quarterly*, 38 (Spring 1986), 6-34.

2. The trial record can be most conveniently consulted in Francis W. Kirkham, *A New Witness for Christ in America: The Book of Mormon* (Independence, Mo.: Press of Zion's Printing and Publishing Company, 1951), 2:366.

3. D. Michael Quinn, *Early Mormonism and the Magic World View* (Salt Lake City: Signature Books, 1987).



THOMAS THE APOSTLE
John 20:28-29

No blessing for Thomas;
He only knew
Past all confusion
The word was true.

Lord, greatly doubting,
Skeptic or worse,
I ask no blessing
Upon my head.

Surer than blessing,
Living or dead
Grant me, Savior,
Thomas's curse.

LOUISA MCDONALD

MURMUR AND YOU SHALL RECEIVE

By Dorice W. Elliott

THE 1987 RELIEF SOCIETY curriculum included a lesson (based on a General Conference address by President Gordon B. Hinckley) on section 25 of the Doctrine and Covenants, the revelation addressed to Emma Smith. I had occasion to hear this lesson taught in two different Relief Societies. In both lessons, the teachers drew attention to Emma's "murmuring"—one was apologetic, the other accusatory. But although Emma is counseled in the revelation *not* to murmur, apparently it was her murmuring which occasioned the revelation in the first place. Fitzhugh Dodson, writing about the discipline of children, calls this kind of situation "The Law of the Soggy Potato Chip"—when children (and grown-up children, I might add) cannot get attention for positive behavior, they usually succeed with negative behavior (they would rather have a soggy potato chip than no potato chip at all).

God, however, is certainly as aware of human nature as any child psychologist, and it seems unlikely that he would fall into the common parental trap of rewarding negative behavior. For Emma is definitely rewarded: she is given the title "Elect Lady," is given counsel and comfort, and is given a special assignment. Thus, her "murmuring," or, as I take it, her questioning about her role in her husband's work and her insistence on having a place in it, must be in some sense approved by the Lord. It seems to me, in fact, that when God says to Emma "Murmur not," he is actually comforting and commiserating rather than chastising. For one of the basic rules governing God's interactions with mortals is "ask and it shall be given." By murmuring, Emma asked, and something was given.

The phrase "ask and ye shall receive" is

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repeated nine times in the Doctrine and Covenants (not to mention the New Testament, where it also appears several times), and it is used with slight variations many more times than that. Virtually every revelation that Joseph Smith received, from the First Vision on, came in answer to a question. The famous verse that started it all, the one we all memorized in Primary, states it most clearly:

If any of you lack wisdom, let him ask of God, that giveth to all men [and women] liberally, and upbraideth not; and it shall be given him [her]" (James 1:5).

"Any of you," says this famous scripture, not just those ordained to be prophets. This principle has been born out in subsequent Church history. Every one of the Church auxiliaries, for example, began because someone had an idea and *asked* about it. As far as I know, none of the major Church programs came because God sent down commands; someone on this side of the veil asked him first. The most recent, powerful example of this is the historic revelation giving blacks the priesthood—which came, President Spencer W. Kimball told us, after days of praying and *asking*:

... we have pleaded long and earnestly in behalf of these, our faithful brethren, spending many hours in the upper room of the temple supplicating the Lord for divine guidance.

He has heard our prayers, and by revelation *has confirmed* that the long-promised day has come . . ." (Church News, 17 June 1978, emphasis added).

When we speak of a prophet's role in the Church, we tend to focus on his position as receiver of God's word; but surely, given the clear scriptural messages I have cited above, receiving is only half the job. Asking the right questions, in fact, may be what distinguishes a good serviceable prophet from a truly great

one—a Jarom from a Nephi, shall we say. And in our own day, who knows what God would approve or answer if he were only asked; perhaps he is sitting up there anxiously *waiting* to be asked. Personally, I also have the sense that the reason President Kimball began his earnest pleading was that so many Church members were united with him in asking and praying about the issue of the blacks and the priesthood. The prophet is the mouthpiece of the Lord, but he is also the mouthpiece of the people.

We all have the right—no, the responsibility ("Ask and ye shall receive" is phrased as a command)—to ask questions. God "upbraideth not" for asking questions. Perhaps the catch is in the succeeding verse of the James passage, "But let him ask in faith, nothing wavering." But I read that as a warning to us that we must accept whatever answers come, even if they aren't what we anticipated. And sometimes God may not let us do what we want to do, or change what we might like to change. What good parent always says yes? But it never hurts to ask—and ask, and ask, and ask. The phrase "pleading before the Lord" is often used in scripture. Asking in faith, as I read it, doesn't limit what questions may be asked, or how many times they are asked. It is the questioner who receives, not the passive waiter.

So, just like Eve, who also refused to passively accept her place and has been condemned for it ever since, despite the fact that she performed the most important human role in the creating of this world, we ought to *thank* Emma for murmuring, not apologize or accuse. Okay, maybe she could have done it in a less complaining voice. But if she had remained silent, had asked no questions, we would have no revelations to women instead of one. If others keep asking, who knows? There might yet be more than one.



Politics, Religion and Morality in the Court of Last Resort

THE MORMON POLYGAMY CASES

By Randall D. Guynn and Gene C. Schaerr

One nineteenth-century commentator defended the intense American antagonism toward Mormon polygamy by asserting: Polygamy . . . tend[s] to destroy the purity of the marriage relation, to disturb the peace of families, to degrade woman and to debase man. Few crimes are more pernicious to the best interests of society and receive more general or more deserved punishment. . . . To call their advocacy a tenet of religion is to offend the common sense of mankind.¹

These are not the words of an impassioned newspaper columnist or politician. This passage was written in 1890 by Supreme Court Justice Stephen Field in his unanimous opinion for the Court in the case of *Davis v. Beason*.² Both Justice Field's opinion and similar statements by other Justices suggest that the Court believed not only that the Constitution *permitted* Congress to suppress polygamy, but also that the "correct" social policy *required* Congress to do so.³

Although most Church members have heard about the case of *Reynolds v. United States*,⁴ few realize that during the late 1800s a total of twelve Mormon polygamy cases reached the Supreme Court within a fifteen-year period.⁵ The Court decided in favor of the Mormons in only three of these twelve cases,⁶ and handed down a total of sixteen opinions on the constitutionality or interpretation of the laws and judicial doctrines that were created to eliminate polygamy among the Mormons.

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Three of the decisions that went against the Mormons have since proven particularly significant. The first of these, *Reynolds v. United States*, upheld the Morrill Act, which made polygamy a criminal offense in any U.S. territory.⁷ The second case, *Davis v. Beason*, held that all Mormons could be denied access to the political process simply because of their association with an organization that advocated polygamy.⁸ The last case, *Late Corporation of The Church of Jesus Christ of Latter-day Saints v. United States*, held that the federal government could dissolve the Church as a legal entity and confiscate all of its property because it advocated conduct that had been declared illegal.⁹

This essay examines both the significance and constitutional legitimacy of these three cases. They are significant in at least two respects: First, they played an important, though perhaps unappreciated, role in the development of American constitutional law. Second, they were an important factor in the decision to issue the Manifesto, which officially terminated polygamy. Indeed, these three cases in combination presented the Church with a stark choice between its continued existence and its desire to comply with what it saw as an important tenet of its faith.

In assessing the constitutional legitimacy of these decisions, our standard is not whether a case was "rightly" or "wrongly" decided in some ultimate sense, but whether the outcome was adequately supported by reasoning based on legal principles of the time, and whether the decision is still a reliable precedent today. Under this standard, each of the cases is lacking to some degree. The decision in *Reynolds v. United States* was supported by adequate, albeit questionable, reasoning, but the legal paradigm it created to justify its result is now only the skeleton of its former self. *Davis* and *Late Corporation* appear to lack both adequate justification and reliable precedential value.

THE LEGAL LANDSCAPE

To appreciate the significance of *Reynolds*, *Davis* and *Late Corporation* in the development of American constitutional law, it is important to understand the constitutional doctrine of "enumerated powers" and how the constitutional rights of individuals have come to limit government power.

The doctrine of enumerated powers teaches that the federal

government has no power other than that which is affirmatively granted to it by the Constitution.¹⁰ Before the Civil War, the enumerated powers doctrine significantly limited the power of the federal government over the territories as well as the states. For example, President Thomas Jefferson initially sought a constitutional amendment to empower him to purchase the Louisiana Territory—apparently because he had doubts as to whether the federal government had been granted the power to acquire territory.¹¹ The Supreme Court later decided in *American Insurance Co. v. Cantor* that the federal government did have the implied power to acquire territory, but left open the question whether it had the power to legislate in the territories once acquired.¹²

This question was answered—at least temporarily—by the infamous decision in *Dred Scott v. Sanford*,¹³ which invalidated a federal law banning slavery in federal territories. In so doing, the Supreme Court held that the federal government had no general power to legislate in territories acquired after the adoption of the Constitution in 1789. The Court announced that the Constitution's so-called Property Clause, which grants Congress the power to "make all needful Rules and Regulations respecting the Territory . . . belonging to the United States,"¹⁴ applied only to the territory acquired prior to that date.

The Mormon polygamy cases overruled this narrow reading of the Property Clause and "discovered" a general federal power to regulate activities in all territories. The irony of this discovery was that the Mormons had been driven from their homes by mob violence in Missouri in part because of President Martin Van Buren's extremely narrow view of the scope of federal power. A champion of the enumerated powers doctrine and the related doctrine of states's rights, President Van Buren had rejected an application by the Prophet Joseph Smith and others for federal relief despite substantial evidence that Missouri governor Lilburn Boggs was encouraging the mob violence, saying, "Gentlemen, your cause is just, but I can do nothing for you."¹⁵

While the doctrine of enumerated powers has become a rather insignificant limitation in modern times on the exercise of federal power, the individual rights guaranteed by the Constitution—which function like a hand of trump cards protecting certain individual actions against government interference—have

become increasingly important. The modern analytical tool for resolving a conflict between the exercise of government power and the assertion of an individual right is known as "means-ends scrutiny." That analysis requires a court to determine whether the means a legislature has selected to accomplish a legitimate goal are sufficiently related to that goal. Ordinarily, the Court demands nothing more than a slight relationship between the means and the goal. If a statute implicates individual rights protected by the Constitution, however, the government must demonstrate a very strong (or "compelling") interest in its goal and show a close fit between the means and the goal; that is, the means must be "narrowly tailored" to accomplishing the goal. This kind of careful means-ends analysis is called "heightened scrutiny."

The Mormon polygamy cases, which for the first time brought

into sharp focus the inherent conflict between government power and individual rights, arose at a crossroads in the development of American constitutional law. They were decided after the enumerated powers doctrine had lost much of its force, but before the constitutional guarantees of individual liberty had begun their modern expansion under the "heightened scrutiny" approach.



REYNOLDS v. UNITED STATES

The first in our trilogy of important polygamy cases is the 1879 case of *Reynolds v. United States*.¹⁶ In 1862, Congress passed the Morrill Act, which made it a crime for anyone living in a territory to engage in polygamy.¹⁷ The Act went unenforced for over a decade because the federal government was preoccupied with the Civil War and Reconstruction and, perhaps, because the local courts in Utah were controlled by Mormons. In 1874, however, at the urging of President Ulysses S. Grant, Congress passed the Poland Act, which transferred jurisdiction over most important cases in Utah to the federally-controlled territorial courts.¹⁸

Because both the Church and the federal authorities were eager to learn whether the Morrill Act was constitutional, they informally agreed to a test case. The man selected for this assignment was George Reynolds, who was then the personal secretary to Brigham Young and who later became a member of

the First Council of the Seventy.¹⁹ Reynolds was indicted in October 1874 and convicted soon after. The Utah Territorial Supreme Court threw out this first conviction because of a flaw in the indictment, but Reynolds was promptly retried, convicted, sentenced to two years at hard labor, and fined five hundred dollars. After the territorial courts upheld this second conviction, Reynolds appealed to the U.S. Supreme Court.

In addition to raising the usual battery of procedural objections, Reynolds, implicitly relying on the narrow interpretation of the Property Clause articulated in *Dred Scott*, argued that Congress had exceeded its power to regulate in the territories. He also contended that the First Amendment's Free Exercise Clause, which states that "Congress shall make no law . . . prohibiting the free exercise [of religion],"²⁰ protected the practice of polygamy as long as it was religiously motivated.

Without even mentioning the Property Clause precedent established by *Dred Scott*, the Supreme Court, through Chief Justice Morrison Waite, simply assumed that the Property Clause granted Congress sufficient power to define and punish criminal conduct in all the territories.²¹ Turning to the Free Exercise argument, the Court acknowledged that Reynolds sincerely believed polygamy to be a religious duty, but held that the Free Exercise Clause provided no protection against punishment. The Court framed the question as "whether religious belief can be accepted as a justification of an overt act made criminal by the law of the land," and concluded that it could not.²²

The Court gave several reasons for rejecting Reynolds's free exercise argument. First, the Court relied upon some writings of Thomas Jefferson, including his famous 1802 letter to the Danbury Baptist Association. Discussing the meaning of the Free Exercise Clause, the letter stated in part that man has "no natural right in opposition to his social duties."²³ From this the Court inferred that "Congress was deprived of all legislative power over mere opinion, but was left free to reach actions which were in violation of social duties or subversive of good order."²⁴ This is the belief/action distinction for which *Reynolds* is most often cited today.

Second, the Court described the historical animosity toward polygamy in Europe and America and argued that this history rebutted the notion that the First Amendment was "intended to prohibit legislation in respect to this most important feature of

social life."²⁵

Third, relying upon the work of a contemporary sociologist, Professor Leiber, the Court asserted that polygamy tends to promote despotism and threatens the freedom of those around it, while monogamy inhibits such evils. But the Court did concede—perhaps because of evidence that democratic values flourished in Utah—that "an exceptional colony of polygamists under an exceptional leadership may sometimes exist for a time without appearing to disturb the social condition of the people who surround it."²⁶

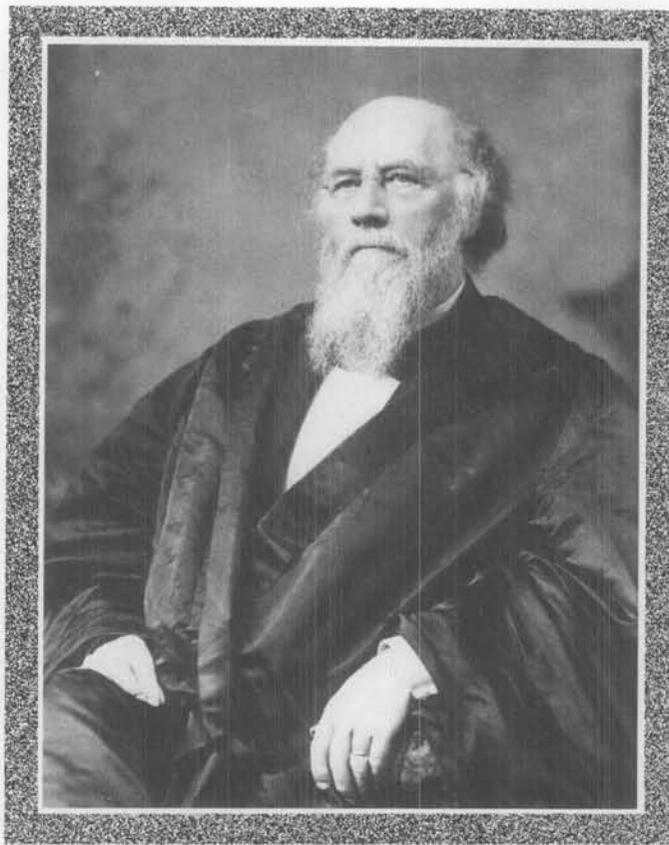
Finally, the Court suggested that protecting any religiously motivated conduct would invariably send the Court down a slippery slope leading to protection of such malignant conduct as

religiously motivated human sacrifice or "suttee," the Hindu custom by which a widow commits suicide on her husband's funeral pyre. To Chief Justice Waite, recognition of a religious excuse for any conduct would "make the professed doctrines of religious belief superior to the law of the land, and in effect . . . permit every citizen to become a law unto himself."²⁷ "Government," stated Waite, "could exist only in name under such circumstances."²⁸

We think a strong argument can be made that the *Reynolds* analysis of the Free Exercise Clause was incorrect under the legal principles of the time. The choice of the words "free exercise of religion" is itself an indication that the clause includes more than belief alone. Read literally, the language could be understood to provide complete immunity against governmental interference with any religiously

motivated conduct. The Court need not have taken such an absolutist position, however, to conclude that polygamy was protected against an outright ban enforced by criminal penalties. It would have been sufficient to hold that the Free Exercise Clause prevents the government from suppressing religiously motivated conduct unless the conduct clearly causes serious physical harm to the persons involved or serious physical or economic harm to third parties.

No such proof was offered in *Reynolds*. The government failed to present evidence that polygamy caused any physical harm to the spouses, any physical or psychological harm to the children, or any physical or economic harm to other people. Indeed, polygamy is clearly distinguishable from human sacrifice and suttee because it does not pose a physical threat to the partici-



pants, much less involve a termination of human life. Furthermore, the Court recognized that Utah polygamy was not antagonistic to democratic freedom. And finally, the historical animosity toward polygamy in Europe and America was beside the point: The Free Exercise Clause was designed to protect against the very repression of religious diversity that had been common in Europe and colonial America. In any event, as Justice Murphy pointed out in 1946, the institution of polygamy has substantial and respectable roots in the Judeo-Christian tradition.²⁹

Thomas Jefferson's statements cited by the Court in support of the belief/action distinction are not necessarily inconsistent with this analysis. That the government should be free to reach actions that are "in violation of social duties or subversive of good order" does not necessarily mean that it can reach practices—like polygamy—that have at most a diffuse and intangible moral effect on society. Jefferson was a strong advocate of individual freedom in purely moral matters. In any event, his interpretation of the Free Exercise Clause has inconclusive value as legislative history since he did not directly participate in the drafting and adoption of the First Amendment and, indeed, wrote his famous letter many years after the amendment was proposed and ratified.

That being said, it is nonetheless difficult to argue that *Reynolds* was obviously incorrect and insupportable under the legal principles of the time. Since the phrase "free exercise [of religion]" is not free from ambiguity, and since there had been no decisions construing it, the Court was not acting unreasonably in turning to Thomas Jefferson's writings for guidance on the subject. In addition, the Court's authority to strike down an act of Congress as unconstitutional is typically exercised with considerable circumspection.

But has *Reynolds* stood the test of time in the sense of being regarded as reliable precedent? On one hand, the Court's conclusion that religiously motivated conduct is not protected at all is no longer followed. Beginning with its 1963 decision in *Sherbert v. Verner*,³⁰ the Court has analyzed free exercise claims under the following test: the government may never interfere with religious belief, and even religiously motivated actions are protected unless the government satisfies the requirements of heightened scrutiny (i.e., shows that its regulation is justified by a "compelling interest" and is "narrowly tailored" to serve that interest).³¹ Thus, the belief/action distinction survives, but by no means in the

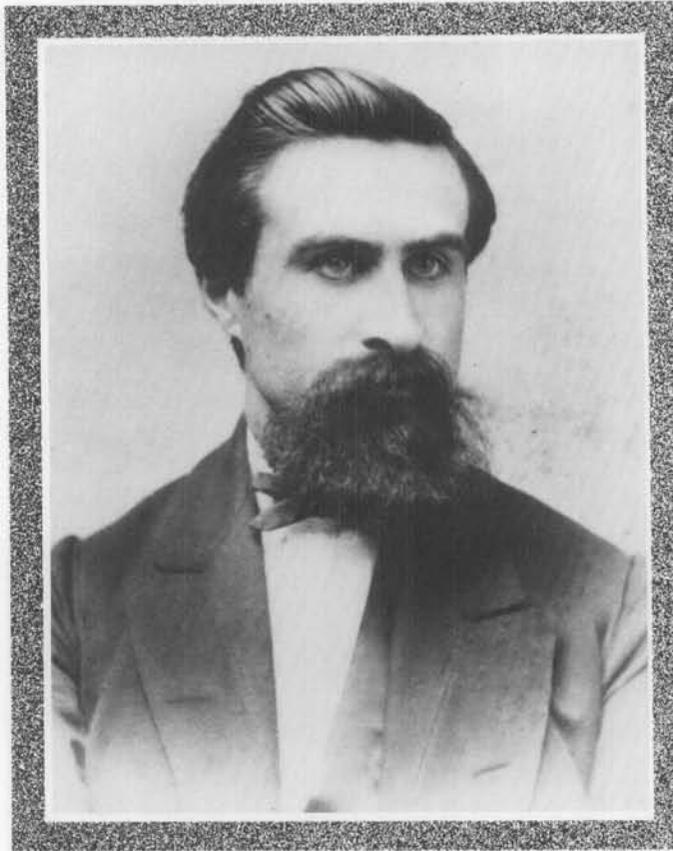
same form in which *Reynolds* articulated it.

On the other hand, the precise holding of *Reynolds*—that the government may constitutionally prohibit religiously motivated polygamy—was specifically reaffirmed in the 1946 case of *Cleveland v. United States*.³² In that case, a Mormon "fundamentalist" challenged his conviction for transporting his plural wife across state lines for "immoral" sexual purposes. The opinion affirming the conviction, written by Justice William O. Douglas, said that polygamy was the moral equivalent of or even worse than casual, nonmarital sex. Later, Douglas recanted and recommended overruling *Reynolds* in his 1972 dissent in *Wisconsin v. Yoder*.³³ Recently, the Supreme Court denied review of a case involving the dismissal of a Utah police officer based on his illegal status as a polygamist.³⁴ Both of these actions reflect the Court's general reluctance to revisit—much less repudiate—a specific holding despite general legal developments that undermine it.

But even if *Reynolds* had never been decided, the decision likely would come out the same way today. Even under its present mode of analyzing free exercise claims, the Court probably would decide by a narrow margin that the government's interest in prohibiting polygamy is sufficiently "compelling" to justify the imposition of reasonable criminal penalties.³⁵ The likely justification would be a belief that polygamy is psychologically harmful to the women or children involved, and that it might add to the nation's welfare and other public assistance burdens. It would be difficult for the government to prove such diffuse, intangible and speculative harm. Nevertheless, we think a major-

ity of the Court would be reluctant to decide the issue otherwise, unless it found polygamy to be protected by the so called constitutional "right to privacy," which has been held to protect such practices as abortion and contraception.

The primary significance of *Reynolds* in the development of our constitutional law is that it introduced the belief/action distinction, which retains some limited vitality. And although *Reynolds* adopted an unduly narrow interpretation of the Free Exercise Clause, it ironically sowed the seeds of the Court's later expansion of the Establishment Clause, which prohibits Congress from making a law "respecting an establishment of religion."³⁶ *Reynolds* did this by canonizing another of Jefferson's statements, also in the 1802 letter, that the Establishment Clause erected a "wall of separation" between church and state. This metaphor has



been used to invalidate numerous state laws that are thought by many to fall far short of what the Framers had in mind when they spoke of an "establishment" of religion.

DAVIS v. BEASON

Another important Mormon polygamy case, *Davis v. Beason*,³⁷ upheld an Idaho territorial law denying the right to vote to all Mormons. The case began in 1889 when Samuel Davis was convicted of the crime of conspiring to register to vote when ineligible to do so. Idaho had passed a law that denied the right to vote and to hold public office to polygamists, advocates of polygamy, and any member of an organization that taught or practiced polygamy, as well as to convicted felons and mental incompetents.³⁸ A companion provision required voters to take an oath stating that they were not disqualified from voting for any of these reasons.³⁹ The indictment charged Davis with conspiring to register to vote when he was ineligible because of his membership in the Mormon church.⁴⁰ The indictment did not charge Davis with practicing or advocating polygamy, and he specifically denied ever having done so. After his conviction, Davis sought review in the Supreme Court.

In a lucid brief, Davis argued that Idaho's law violated the Free Exercise Clause because it denied him the right to vote for no legitimate reason: mere belief in polygamy was protected even under *Reynolds*, mere membership in the Mormon church was not a crime, and he had never committed or advocated polygamy. He also argued that the principle of equal protection applied to the territories and that Idaho's law violated that principle because it singled out a class of citizens for punishment. Davis further contended that the statute violated the Religious Test Clause of the Constitution, which prohibits a religious test as a qualification of public office, because, as he put it, "holding office and selecting persons to hold office are inseparable parts of our system . . . and when a religious test is forbidden to be applied to the one, it is equally forbidden to be applied to the other."⁴¹ Finally, he argued that Section 8 of the federal Edmunds Act,⁴² which in 1882 had disenfranchised polygamists, preempted the Idaho law.

The Court rejected these arguments in a unanimous opinion written by Justice Field. After observing that Idaho had the power

to prescribe reasonable voter qualifications, the Court looked at the challenged law as a whole, rather than at the part specifically challenged by Davis, and tersely concluded that the law was "not open to any constitutional or legal objection."⁴³ The Court was equally brief in holding that the companion provision requiring the oath was "not open to any valid legal objection to which our attention has been called."⁴⁴ The only argument raised in the briefs that the Court bothered to address and reject was the relatively weak contention that the Idaho law had been preempted by the Edmunds Act.⁴⁵

The real reason for the Court's unanimous decision against Davis seems to have been its extreme distaste for polygamy. The Court asserted that polygamy has terrible effects on society and

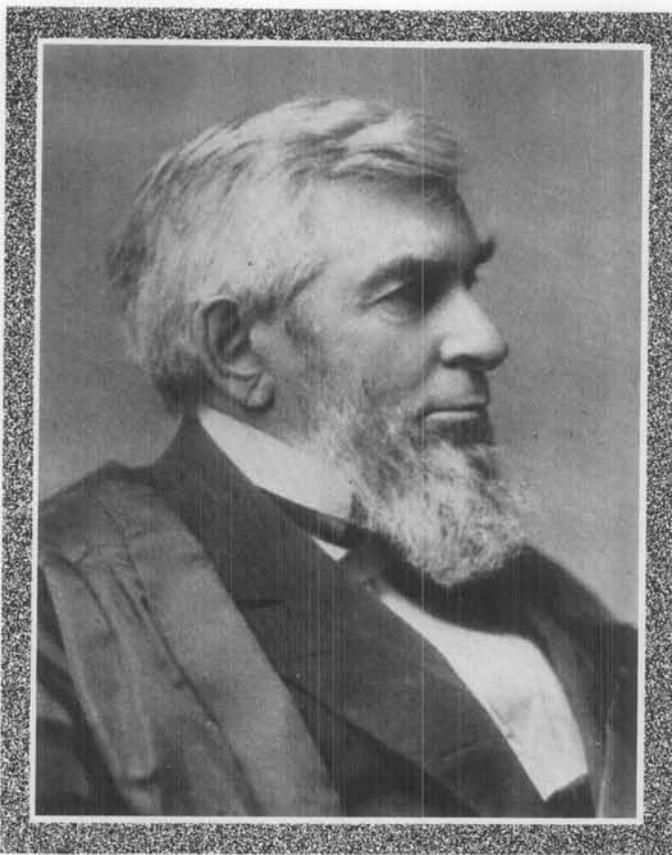
deserves to be punished, even if it is motivated by religious belief. Besides, said the Court, to call the advocacy of polygamy "a tenet of religion is to offend the common sense of mankind."⁴⁶

In what is now a somewhat anachronistic example, the Court explained that the Constitution no more protected religiously motivated polygamy than nonmarital sexual intercourse, since both are universally condemned by the "Christian world."⁴⁷ Finally, the Court reiterated a point first made in the 1885 case of *Murphy v. Ramsey*,⁴⁸ namely that polygamists may be excluded from the political process to prevent them from impeding the attainment of an ideal society. In a style reminiscent of Jane Austen, the Court said:

"Certainly no legislation can be supposed more wholesome and necessary in the

founding of a free, self-governing commonwealth . . . than that which seeks to establish it on the basis of the idea of the family, as consisting in and springing from the union for life of one man and one woman in the holy estate of matrimony; the sure foundation of all that is stable and noble in our civilization; the best guaranty of that reverent morality which is the source of all beneficent progress in social and political improvement."⁴⁹

In our view, *Davis* was incorrect and insupportable. The Court was too red-faced in its condemnation of polygamy to provide cool-headed reasons for its answer to the specific questions before it. Even accepting the debatable proposition that both convicted and unconvicted polygamists could be excluded from the political process, the Court provided no justification for the



extension of that exclusion to persons who merely associated with polygamists. The modern equivalent of *Davis* would be a decision upholding the disenfranchisement of all Catholics in New Mexico because some of the priests in that state have illegally harbored undocumented aliens as part of the "sanctuary movement."

In addition to being incorrect, *Davis* is also an unreliable precedent. Although the modern Court relied in part on *Davis* in the 1974 case of *Richardson v. Ramirez*,³⁰ which held that states may deny the right to vote to former convicted felons, the Court has never come close to reaffirming *Davis*'s broader holding that a person may be denied the right to vote merely for associating with polygamists or other "bad actors." That holding has become a forgotten skiff on a sea of legal doctrine.

We believe that if the Court faced *Davis* for the first time today, it would unanimously invalidate the Idaho law. The Court would review the statute with "heightened scrutiny" because it implicates free exercise interests and the now "fundamental" right to vote. The Court would probably conclude that the government has a "compelling interest" in suppressing polygamy, but it would strike down the statute for failing to be "narrowly tailored" to that goal because it harmed Mormons who did not practice polygamy.

Even with *Davis* on the books, moreover, we think that a similar law would be struck down today and that *Davis* would be overruled. But because the Idaho law in *Davis* has been repealed in relevant part and no similar law has been enacted since *Davis*, the case has had little significance other than keeping alive the narrower principle that convicted felons may be denied the right to vote.

THE LATE CORPORATION CASE

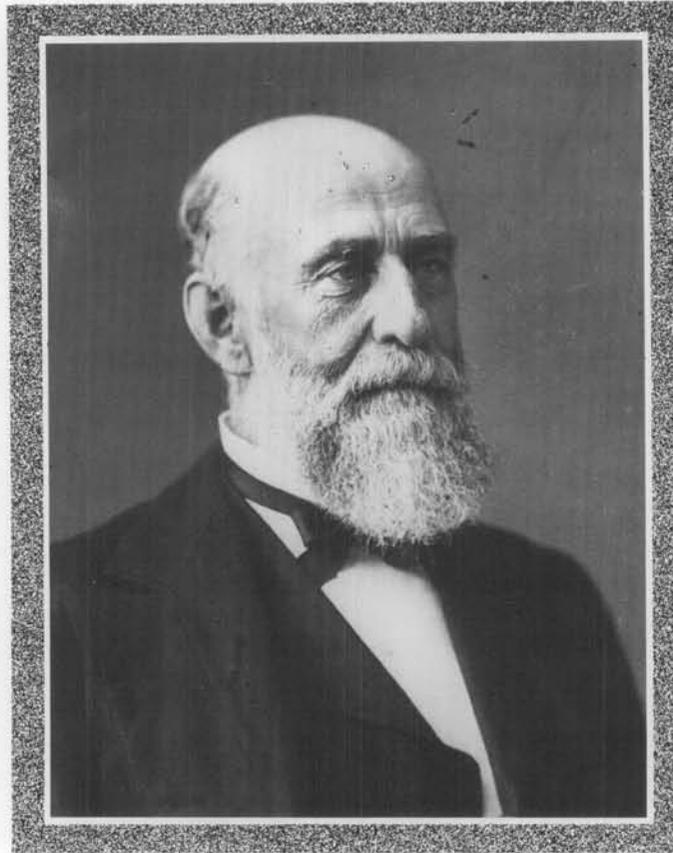
The complex case of *Late Corporation of the Church of Jesus Christ of Latter-day Saints v. United States*³¹ began back in 1862 with the passage of the Morrill Act.³² This act not only made polygamy illegal, but also made it unlawful for any religious institution in a federal territory to hold real estate worth more than \$50,000 and required that any excess be forfeited to the government. This provision had perhaps been designed to force hierarchical religions, like the Mormon church, to be more decentralized like the dominant Protestant churches of the day.

The Act's property limitation lay dormant until 1887, when Congress decided to revive it by enacting the Edmunds-Tucker Act.³³ That legislation directed the attorney general to enforce the \$50,000 ceiling of the Morrill Act by instituting forfeiture proceedings and also directed the secretary of the interior to use the proceeds for the benefit of public schools in Utah. But another section of the Edmunds-Tucker Act contained the real kicker: it annulled the Church's corporate charter and declared the corporation dissolved. Although the Act did not specify what would then become of the Church's property other than the land and buildings forfeited under the \$50,000 ceiling, it directed the attorney general to institute proceedings in the territorial supreme court to wind up the corporation's affairs. (The Act did exempt

from seizure any property used for worship or for housing clergy.)

The Church had previously transferred almost all of the property used by local congregations—such as meeting-houses—to corporations formed within the local stakes. That left property worth about three million dollars, including Temple Square, the Tithing Office, the Guardo House (where the president of the Church lived), the Historian's Office, the Church Farm, certain coal properties, stocks, bonds, livestock, cash and other items of personal property. After the Edmunds-Tucker Act was passed by Congress, but before it became law,³⁴ President John Taylor also transferred much of the Church's remaining personal property, including stocks, bonds, and cash, to the local stake corporations.

The attorney general lost no time in carrying out his mandate to institute the required legal proceedings. His subordinates filed suit in the territorial district court seeking the forfeiture of all of the Church's real estate except Temple Square. While this case was pending, the government filed a second suit in the territorial supreme court seeking the appointment of a receiver to take possession of all of the corporation's property, including Temple Square. The second suit also sought a decree stating that the Church's corporate charter was annulled and the corporation dissolved. In response, the territorial supreme court appointed a receiver, upheld the constitutionality of the Edmunds-Tucker Act, and declared that the Act had effectively dissolved the corporation. It then ruled that since the corporation had no legal successor, all its former property would "escheat" to the federal government, or in other words,



become the federal government's property.

On appeal to the U.S. Supreme Court, the Church challenged both the dissolution of the corporation and the escheatment of its property. It argued, first, that the dissolution was an unconstitutional impairment of contract under the 1819 case of *Dartmouth College v. Woodward*, which had relied in part on the Contract Clause of the Constitution to hold that a state may not alter the charter of a charitable corporation unless the power to do so was reserved in the original document.⁵⁵ The Church then cited the *Sinking-Fund Cases* for the proposition that the Due Process Clause of the Fifth Amendment made this principle applicable to the federal government.⁵⁶ Second, the Church contended that the Edmunds-Tucker Act was an unconstitutional "act of judicial legislation," because the dissolution of a corporation and escheatment of its property is normally a matter for the judiciary, not for the legislature. Finally, the Church argued that if the corporation had properly been dissolved, its property should return to the individual members of the Church (who had donated it) under the doctrine of "equitable reversion," and not escheat to the federal government.⁵⁷ Surprisingly, the Church did not challenge the law on free exercise grounds.

The Supreme Court rejected the Church's arguments. Justice Joseph Bradley's opinion first established that the Property Clause granted Congress general and sweeping power to legislate in the territories. In an unmistakable though unacknowledged reference to the otherwise discredited *Dred Scott* decision the Court said that "it would be absurd to hold that the United States has power to acquire territory, and no power to govern it when acquired."⁵⁸ In the Court's words, such a proposition was "so elementary" and "self-evident" as to require "no argument" to support it.⁵⁹ The fact that this proposition, although almost certainly correct, had not seemed so elementary or self-evident to Chief Justice Roger Taney in the *Dred Scott* decision did not seem to trouble Justice Bradley enough to warrant even a comment, despite the fact that this aspect of *Dred Scott* had survived the Civil War Amendments.⁶⁰

The Court also brushed aside the Church's arguments against the constitutionality of the corporation's dissolution: "It is too plain for argument that this charter, or enactment, was subject to revocation and repeal by Congress whenever it should see fit to

exercise its power for that purpose."⁶¹

The Court next turned to the escheatment of the Church's property to the government. Relying largely on ancient decisions from Spain and Rome, the Court held, in essence, that since the Church was such a bad actor, and since the Court could think of no way to ensure that the corporation's assets would be used for the benefit of those who had donated them without also being used to promote polygamy, it had no choice but to let the government use the assets for a charitable purpose of the government's own choosing.⁶²

The Court's diatribe against the Church is particularly revealing: It called polygamy a "barbarous practice,"⁶³ a characterization reminiscent of the Republican charge before the Civil War that polygamy, along with slavery, was one of the "twin relics of barbarism." Speaking of the Church's missionary activities abroad, the Court said, "The existence of such a propaganda is a blot on our civilization."⁶⁴ It then described the attempts by Congress to get the Mormons to give up polygamy, stating:

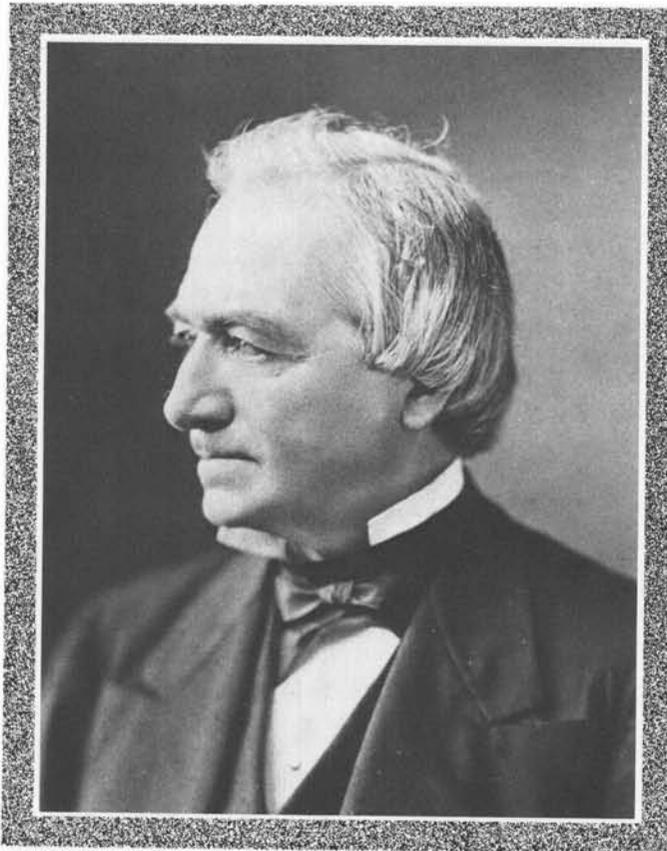
"The tale is one of patience on the part of the American government and people, and of contempt of authority and resistance to law on the part of the Mormons. Whatever persecutions they may have suffered in the early part of their history, in Missouri and Illinois, they have no excuse for their persistent defiance of law under the government of the United States."⁶⁵

And although the issue had not been raised by the parties, the Court rejected for the third time the Church's free exercise claim:

"One pretence for this obstinate course is, that their belief in the practice of polygamy . . . is a religious belief, and, therefore, under the protection of the constitutional guaranty of religious freedom. This is altogether a sophistical plea. No doubt the Thugs of India imagined that their belief in the right of assassination was a religious belief; but their thinking so did not make it so."⁶⁶

The Court repeated the suttee and human sacrifice examples it had used in *Reynolds* and concluded that "the State has a perfect right to prohibit polygamy."⁶⁷

Chief Justice Melville Fuller, joined by Justices Field and Lamar, dissented, primarily on the basis of the enumerated



powers doctrine.⁶⁸ While acknowledging that the Property Clause authorized Congress to define and penalize criminal conduct in the territories, they contended that it did not grant Congress sufficient power to seize property. Like the Church, they also argued that the Edmunds-Tucker Act was impermissible "judicial legislation."⁶⁹ They further contended that the Act contravened "specific limitations in the Constitution,"⁷⁰ although they did not indicate whether they meant the Free Exercise Clause, the Due Process Clause of the Fifth Amendment, or some other provision.

The Court's decision, like *Davis*, seems illegitimate. In addition to making intemperate and even angry remarks about polygamy and the behavior of the Mormons, the Court failed to address either of the Church's two principal arguments. Although it was perhaps not entirely clear that the federal government was constitutionally forbidden to interfere with contractual obligations to the same extent as the states, the Church's argument on this point was supported by respectable precedent and deserved at least a response. In fact, the Court made several statements before and after *Late Corporation* suggesting that the restrictions on Congress arising under the Due Process Clause of the Fifth Amendment were essentially the same as the restrictions on states arising under the Contract Clause.⁷¹ The judicial legislation and equitable reversion arguments also deserved answers.

Late Corporation retains limited vitality today. It is still the primary authority for the proposition that the federal government enjoys complete power to regulate in the territories.⁷² And it is authority for the so-called *parens patriae* and *cy pres* doctrines, which together allow the government to take control of property devoted to a charitable use that has been made illegal and, if the property has no identifiable owner, to devote it to a similar but legal use.⁷³ Beyond this, the case has virtually no precedential value. There is little possibility that the case would come out the same way today even if the Court adhered to its holding in *Reynolds* that the Constitution does not protect religiously-motivated polygamy.

The primary reason is a line of Supreme Court precedent decided since *Late Corporation* holding that religious institutions, like individuals, enjoy significant protection under the Free Exercise Clause.⁷⁴ Specifically, no government can intervene in such an institution's decisionmaking process or hinder it in

carrying out its religious mission unless the government satisfies the stringent requirements of heightened scrutiny. If this modern body of law (which any competent lawyer would rely upon in a similar case today) had existed and been applied in 1890, the relevant portion of the Edmunds-Tucker Act would probably have been struck down on the ground that depriving the Church of the right to operate as a corporation—especially so suddenly—made it virtually impossible for the Church to carry out its religious mission and was not "narrowly tailored" because it interfered with a wide range of Church activities besides the promotion of polygamy.

The dissolution and seizure might well be struck down today under any of several additional legal doctrines.⁷⁵ Those actions could well be found to violate due process, inasmuch as the Edmunds-Tucker Act deprived the Church of its very existence without a proper judicial finding of wrongdoing or liability. They also might be held to violate the Takings Clause of the Fifth Amendment because the Act indirectly took property from the members of the Church and used it for a public purpose without compensation. And they might be struck down under the constitutional principle of equal protection, since the law discriminated against a single church and was not narrowly tailored to Congress's anti-polygamy policy. The Morrill Act's \$50,000 ceiling on real estate holdings could also be struck down as a violation of equal protection since it discriminated against religious organizations, particularly hierarchical denominations.



CONCLUSION

In reviewing these cases, it is reasonable to ask whether the Supreme Court had its thumb on the scales of justice. Our analysis suggests a reluctant yes, at least in the case of *Davis* and *Late Corporation*. Although *Reynolds* was not obviously wrong and probably would even come out the same way today, *Davis* and *Late Corporation* seem clearly incorrect in light of modern legal principles. And we think they would have been perceived as incorrect by dispassionate, informed observers at the time. Parts of the analyses in *Reynolds* and in *Late Corporation* have survived the test of time and still play some role in the Court's jurisprudence—for example, in eliminating *Dred Scott's* Property Clause precedent. But none of the decisions is still seen as wholly reliable

precedent, and *Davis* and *Late Corporation* would certainly be decided differently today.

What seems to have happened during this period is that as time went on the Court got more and more angry with the Mormons (and perhaps weary of deciding polygamy cases). The Justices faced a significant backlog in their caseload during the 1880s and were not relieved of this burden until some time after the creation of federal courts of appeal in 1891.⁷⁶ *Reynolds*, which was decided more than a decade earlier, seemed much more temperate and evenhanded than *Davis* or *Late Corporation*. Although the Mormons won some cases in between, the Court seems to have run out of time (as evidenced by its failure to give any justification for many of its conclusions) and patience (as evidenced by its vitriolic denunciation of the Mormons) by the time *Davis* and *Late Corporation* came along.

That is not to say, of course, that the Justices who sat on those cases simply wanted to destroy the Church. Unlike the mobs in Missouri and Illinois, their goal seems only to have been to suppress polygamy. Moreover, at least some of them were not willing to suppress polygamy at any price, as illustrated by the other cases the Mormons won and the fact that three Justices dissented in *Late Corporation*.

Quite aside from their significance in the development of the Court's constitutional jurisprudence, these three decisions had an incalculable significance to the Church. The message of *Reynolds* was that Church members who practiced polygamy could well spend the rest of their lives in jail. *Late Corporation* told Church leaders that Congress had the power to seize all of the Church's property—probably including temples and chapels—if it wanted to. And *Davis* delivered the *coup de grace*: Congress, the territories, and the states could deny the right to vote and to hold public office to *all* members of the Church, thereby making the Church powerless to seek redress through the political process. Indeed, between the announcement of *Davis* in February 1890 and *Late Corporation* in May 1890, bills were introduced in both houses of Congress that would have denied all Mormons the right to vote and to hold public office in Utah.⁷⁷

The combined effect was powerful. Four months after *Late Corporation* came down, President Wilford Woodruff issued the famous Manifesto, which signaled the end of Mormon polygamy. It indicated that the opinions of the Supreme Court had played an important role in the decision to abandon that practice. After rebutting certain charges leveled against the Church, President Woodruff said:

Inasmuch as laws have been enacted by Congress forbidding plural marriages, which laws have been pronounced constitutional by the court of last resort, I hereby declare my intention to submit to those laws, and to use my influence with the members of the Church over which I preside to have them do likewise.⁷⁸

Assuring the members of the Church that he was not leading them astray and that he had not simply given in to political pressure, President Woodruff said that the Lord had commanded him to direct the Church to submit to the anti-polygamy laws to avoid having the Church's other important objectives thwarted.

He said that the Lord had shown him in a vision that if polygamy were not abandoned the federal government would imprison Church leaders at all levels and confiscate all of the Church's property, including the temples, thereby preventing the gospel from being proclaimed and important ordinances from being performed.⁷⁹

Fortunately, that ominous vision was averted. The Church's property as well as the civil rights of its members were eventually restored.⁸⁰ But the political and jurisprudential legacy of the polygamy episode remained: Congress had attempted to force the Church to choose between its very existence and a religious practice, and the Supreme Court had found no constitutional obstacle to that effort.

NOTES

1. *Davis v. Beason*, 133 U.S. 333, 341-42 (1890).
2. 133 U.S. 333 (1890).
3. For example, Chief Justice Waite referred to his opinion in *Reynolds v. United States* as his "sermon on the religion of polygamy." B. Trimble, *Chief Justice Waite: Defender of the Public Interest* 244 n.18 (1938).
4. 98 U.S. (8 Otto) 145 (1879).
5. They are *Reynolds v. United States*, 98 U.S. (8 Otto) 145 (1879); *Miles v. United States*, 103 U.S. (13 Otto) 304 (1881); *Clawson v. United States*, 113 U.S. 143 (1885), *on merits*, 114 U.S. 477 (1885); *Murphy v. Ramsey*, 114 U.S. 15 (1885); *Canron v. United States*, 116 U.S. 55 (1885), *vacated*, 118 U.S. 355 (1886); *Snow v. United States*, 118 U.S. 346 (1886), *on habeas corpus sub nom. In re Snow*, 120 U.S. 274 (1887); *In re Nielsen*, 131 U.S. 176 (1889); *Davis v. Beason*, 133 U.S. 333 (1890); *Late Corporation of the Church of Jesus Christ of Latter-day Saints v. United States*, 136 U.S. 1 (1890), *modified*, 140 U.S. 665 (1890), *after remand*, 150 U.S. 145 (1893); *Bassett v. United States*, 137 U.S. 496 (1890); *Cope v. Cope*, 137 U.S. 682 (1891); *Chapman v. Handley*, 151 U.S. 443 (1894).
6. See *Miles v. United States*, 103 U.S. (13 Otto) 304 (1881); *In re Snow*, 120 U.S. 274 (1887); *In re Nielsen*, 131 U.S. 176 (1889).
7. 98 U.S. (8 Otto) 145 (1879).
8. 133 U.S. 333 (1890).
9. 136 U.S. 1 (1890).
10. See L. Tribe, *American Constitutional Law* sec. 5-2, at 225 (1978).
11. See D. Currie, *The Constitution in the Supreme Court* 120 n.202 (1985).
12. 26 U.S. (1 Pet.) 511, 517 n.*, 542-43 (1828). See D. Currie, *supra* note 11, at 268 n.243.
13. 60 U.S. (19 How.) 393, 432-46 (1857). See generally William H. Rehnquist, *The Supreme Court: How It Was, How It Is* 133-47 (1987). It is noteworthy that George Ticknor Curtis, who argued for Dred Scott before the Supreme Court, see C. Swisher, *History of the Supreme Court of the United States* (Oliver Wendell Holmes Devise Series, vol. 5) 613-14 (1974), later argued for Lorenzo Snow and Mormon polygamists generally. See, e.g., *In re Snow*, 120 U.S. 274 (1887).
14. U.S. Const. art IV, sec. 3.
15. See 2 B.H. Roberts, *Comprehensive History of the Church* 183 (1965) (hereinafter cited as "HC").
16. 98 U.S. (8 Otto) 145 (1879).
17. Ch. 126, 12 Stat. 501 (1862).
18. Ch. 469, 18 Stat. 253 (1874).
19. 6 HC 193.
20. U.S. Const. amend. 1.
21. The Court did not address Reynolds's argument that the Property Clause did not grant Congress power to interfere with the social or domestic life of the inhabitants of a territory. Compare 98 U.S. at 152 with *id.* at 162.
22. *Id.* at 162.
23. *Id.* at 164.
24. *Id.*
25. *Id.* at 165.
26. *Id.* at 166 (emphasis added).
27. *Id.* at 167.
28. *Id.*
29. *Cleveland v. United States*, 329 U.S. 14, 25 27 (1946) (Murphy, J., dissenting).
30. 374 U.S. 398 (1963).
31. In addition, the Court has held under the Free Speech Clause of the First Amendment that the government may not compel secular conduct that would offend religious

belief. See *Wooley v. Maynard*, 430 U.S. 705 (1977); *West Virginia State Board of Education v. Barnette*, 319 U.S. 624 (1943), overruling *Minersville School District v. Gobitis*, 310 U.S. 586 (1940) (free exercise case).

32. 329 U.S. 14 (1946).

33. 406 U.S. 205 (1972) (Douglas, J., dissenting). The editors of the Harvard Law Review have also recently argued that *Reynolds* should be overruled. See *Developments in the Law: Religion and the State*, 100 Harv. L. Rev. 1606, 1736 (1987).

34. *Potter v. Murray City*, 760 F.2d 1065 (10th Cir.), cert. denied, 106 S. Ct. 145 (1985).

35. The Court might strike down a disproportionate penalty as cruel and unusual punishment. See *Solem v. Helm*, 463 U.S. 277, 284 (1983).

36. U.S. Const. amend. 1.

37. 133 U.S. 333 (1890).

38. Rev. Stats. Idaho sec. 501 (1887).

39. Rev. Stats. Idaho sec. 504 (1887).

40. Transcript of Record, 20 *Supreme Court of the United States: Transcripts of Record*, No. 1261, at 18,608-09 (1889).

41. Brief for Appellant at 52, 19 *Supreme Court of the United States: Transcripts of Records and File Copies of Briefs*, No. 1261 (1889).

42. Ch. 47, 22 Stat. 30 (1882).

43. 133 U.S. at 347.

44. *Id.*

45. See *id.* at 347-48.

46. *Id.* at 342.

47. *Id.* at 343.

48. 114 U.S. 15 (1885).

49. 133 U.S. at 344-45, quoting *Murphy v. Ramsey*, 114 U.S. 15, 45 (1885).

50. 418 U.S. 24 (1974).

51. 136 U.S. 1 (1890).

52. Ch. 126, 12 Stat. 501 (1862).

53. Ch. 397, 24 Stat. 635 (1887).

54. The act was passed on 19 February 1887 and became law on 3 March 1887 pursuant to article I, section 7 of the U.S. Constitution, after President Grover Cleveland failed to sign or veto it.

55. 17 U.S. (4 Wheat.) 518 (1819); U.S. Const. art. I, sec. 10.

56. 99 U.S. (9 Otto) 700, 718-19 (1879); U.S. Const. amend. 5.

57. The corporate charter at issue had been granted by the legislature of Deseret in 1851 and ratified by the Utah territorial legislature in 1851 and 1855 without congressional objection. We have been unable to determine the legal form of the Church as originally organized in New York in 1830. Since current New York law requires six incorporators for the formation of a religious corporation, see N.Y. Religious Corporations Law sec. 192 (1952) (derived from N.Y. Religious Corporations Law of 1895, ch. 723, sec. 82), we think that the Church may have been originally formed as a corporation since it had six initial members. But the governing statutes in 1830 did not address the issue, and we have been unable thus far to ascertain what the common law of New York required in 1830. In addition, we have been unable to locate a copy of the certificate of incorporation that should have been filed with the state or county governments if the Church were formed as a corporation in 1830.

58. 136 U.S. at 42.

59. *Id.* at 43.

60. U.S. Const. amends. 13, 14, 15.

61. 136 U.S. at 45.

62. *Id.* at 50-66.

63. *Id.* at 49.

64. *Id.*

65. *Id.*

66. *Id.*

67. *Id.* at 50.

68. *Id.* at 66-68 (Fuller, C.J., dissenting).

69. *Id.* at 68. Cf. *Kedroff v. St. Nicholas Cathedral*, 344 U.S. 94, 121 (1952) (Frankfurter, J., concurring).

70. *Id.*

71. See *Sinking-Fund Cases*, 99 U.S. (9 Otto) 700, 718-19 (1879); *Canada Southern Railway v. Gebhard*, 109 U.S. 527, 542-43 (1883) (Harlan, J., dissenting); *United States v. Union Pacific Railway*, 160 U.S. 1, 33-34 (1895); *Gold Clause Cases*, 294 U.S. 240, 380 (1934) (McReynolds, J., dissenting). But see *Legal Tender Cases*, 79 U.S. (12 Wall.) 457, 547-54 (1871), overruling *Hepburn v. Griswold*, 75 U.S. (8 Wall.) 603, 623 (1870); *Mitchell v. Clark*, 110 U.S. 633, 643 (1883); *Gold Clause Cases*, 294 U.S. 240 (1934). The modern view is that the Due Process Clause of the Fifth Amendment places no meaningful restriction on the federal government's power to impair the obligation of contracts. See *Pension Benefit Guaranty Corp. v. R.A. Gray & Co.*, 467 U.S. 717, 729-33 (1984).

72. See, e.g., *Inter-Island Co. v. Hawaii*, 305 U.S. 306, 314 (1938); *Cincinnati Soap Co. v. United States*, 301 U.S. 308, 317 (1937). Cf. *Garcia v. San Antonio Metropolitan Transit*

Authority, 469 U.S. 528 (1985), overruling *National League of Cities v. Usery*, 426 U.S. 833 (1976).

73. See, e.g., *Alfred L. Snapp & Son, Inc. v. Puerto Rico*, 458 U.S. 592, 600 (1982).

74. See, e.g., *Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter-day Saints v. Amos*, 55 U.S.L.W. 5005, 5009 (1987) (Brennan, J., concurring in the judgment).

75. Had the case arisen between 1905 and 1937, the dissolution and seizure portion of the statute may have been struck down as a violation of the now repudiated doctrine of substantive due process. See *Lochner v. New York*, 198 U.S. 45 (1905).

76. William H. Rehnquist, *The Supreme Court: How It Was, How It Is* 268 (1987).

77. See S. 3480, 51st Cong., 1st Sess. (1890); H.R. 9265, 51st Cong., 1st Sess. (1890). See also H. Rep. No. 1811, 51st Cong., 1st Sess. (1890).

78. *Doctrine and Covenants: Official Declaration-1* (1979 ed.).

79. Wilford Woodruff, *Cache Stake Conference*, Logan, Utah, 1 November 1891, reprinted in *Doctrine & Covenants*, appendix (1979 ed.).

80. See *United States v. Late Corporation of The Church of Jesus Christ of Latter-day Saints*, 150 U.S. 145 (1893).

AUTUMN

On the coolness of the nights an edge,
The crickets have begun to sing a different sound,
On the highest slopes the fluttering aspen leaves have turned.
Shoulders slump, feet shuffle more than step.

Seed has been cast,
Has grown to what it will,
Full or half or stunted in entangling grass,
No matter. The growing time is done.
Hands tremble. Small, familiar ways become estranged.
Eyes will sometimes look away without
looking.

A voice expected full comes thin.
Morning ice will form transparent on the ponds,
Geese will fly, the earth wind down.
Sadness and anticipation enter in.

KARL C. SANDBERG

Third Place Winner in the 1986 D. K. Brown Fiction Contest

YOU— A MISSIONARY STORY

By Paris Anderson

THE ENGLISH-SPEAKERS THOUGHT YOU WERE BOTH cops – narcotics agents. If they were legal, the Spanish speakers thought you were CIA. If they were illegal, they thought you were Immigration and avoided you at all costs. Which, you thought, was great, because if you couldn't find them, you didn't have to teach them.

They had good reason to think you were narcs. The way you dressed—dark suits, white shirts, ties, ugly shoes—the plain car you drove, your haircut and the fact that there were always two of you together, were all signs of government agents. Another reason they thought you were narcs was that you told them you were.

When you were first asked, a week after you arrived in L.A., you responded truthfully. Two black girls, each about ten, walked up to you in a 7-Eleven and asked, "Are you narcs?"

You laughed and said, "No, we're Mormon missionaries."

Then your companion, who was just crazy enough to go on a mission and remain true to himself, taught you to play along. After two months as Larry's junior, you went to a house near the USC campus one Thursday evening to teach the Plan of Salvation to a family named González. As you pulled the projector and a film from the trunk, a little black boy walked up and asked, "Are you cops?"

Without any hesitation you answered, "We sure are. Do you want to see our rocket launcher?" The boy got excited and said he would. You pulled the screen from the trunk and set it up part way so it looked like a launching tube sitting on a tripod.

The whites of the boy's eyes grew, and he asked you to shoot it. You tried to think of an excuse for not firing, but could only say, "Uh . . . uh . . ."

Larry quickly came to your rescue. He said in a stern voice, "We can't right now. We've got an appointment in that house. We're going to shoot down some airplanes with the family there."

The boy's jaw dropped in awe, then he ran off. When he was at a safe distance Larry smiled, and you softly chuckled. You

packed the screen as if to store it, picked up the film, then followed Larry carrying the projector to the house. Sister González greeted you warmly at the first knock.

The meeting went very well. Sister González seemed quite touched when you suggested she might be able to live in heaven with her boy who died in infancy. You couldn't understand Spanish very well, but you saw in their faces that the two girls, young women really, were genuinely interested by what you said. They spoke English well, but spoke only Spanish at home out of respect for their parents. Larry spoke Spanish very well and had become great friends with Brother González. If the rest of the family would be baptized, which was almost certain, Brother González would surely join them out of love for his family and for Larry.

As you open the door to leave, Sister González took your hand and squeezed it, then asked something you couldn't understand. As you had become used to doing when you didn't understand, you smiled and nodded in agreement like a dribbling buffoon. Sister González smiled at your response and let you go. You were very happy to have pleased her.

On the outside, walking toward your car, Larry said, "She thanked you for coming and invited us to dinner Sunday night."

You smiled.

"Problem is we have an appointment Sunday night that we can't put off. We'll have to go to dinner early and can't stay."

You nodded.

On the curb by your car sat the boy with two of his friends. The boy said, "We saw a lot of airplanes, but none of them blew up."

You didn't know how to respond, but Larry calmly shrugged his shoulders and apologetically said, "We missed. We're not very good yet—we're new."

The boys turned to each other and laughed wildly. Larry smiled at them, and you both got in the car. As Larry drove, you silently thought about how good it was that he had taught you to occasionally play the part of a cop. Now work was not quite as monotonous.

PARIS ANDERSON is a freelance writer in Provo, Utah.



After a few blocks Larry stopped at a light and checked his appointment book. The light turned green, and Larry set it down. "We don't have any more appointments tonight. I'm dead."

You knew he would drive directly home, and you silently approved, not being fond of tracting after sunset.

When you got home and were in the apartment, Larry put some water on to boil for Macaroni-n-Cheese, then sat at the table to read his Church history book. You sat on the other side of the table to study your disgustions. You soon grew bored and went to bed thinking Larry would wake you for dinner as he had other times.

He didn't this time.

The next two days went as planned. The only incident worthy of note happened Saturday afternoon. A greasy drunk at the bank held an electric door open for you, then asked for a tip. Larry gave him a quarter.

Sunday morning you arrived at the González house to take the family to church in your car. As you pulled up to the curb, the boy with whom you joked came running to the car smiling brightly. Larry stopped the engine, and you opened the door to get out.

When Larry was out and by your side, the boy said, "You aren't real cops, are you?"

"No," you said, "we're Mormon missionaries." The boy laughed, and suddenly you felt a burning, irrepressible desire to touch him. You put one hand on his shoulder and pulled him tight. The boy responded immediately. He looked up at you with

dazzling eyes and a brilliant smile. You smiled back with equal radiance. You and Larry walked toward the house—you with your arm around the boy. At the doorstep the boy said good-bye and ran off.

You knocked, and the door opened. The whole family was ready to go, and you all walked out to the car. Brother and Sister González and Mari, the younger daughter, got in the back seat. Stella, the older of the two, sat in the front seat between you and Larry. She looked very nice, as did her sister. She seemed to be very excited to be going to church—she was very talkative and would often rub her shoulder or arm against you or Larry. It was a fleeting pleasure, but one you savored nonetheless.

Stella was a solid looking girl, like most Latins, but she carried the weight much better than any Latin you had seen. She was very unlike her sister, Mari. Mari was as atypical as a Corvette in a John Deere factory. She was thin—delicate—had gentle curves and fairly short hair. She had very light skin—not bleached white like yours—rather olive tan. You first thought she was American until you heard her rich Spanish.

Larry drove into the lot of the church and parked. Everyone walked into the building, and Larry found a sister missionary to take the girls and Sister González to Relief Society. Then you, Larry, and Brother González went to priesthood. When the meetings were over you all went to the investigators' class for Sunday School. This week Elder Cruz, a Mexican-American from Texas, was the teacher—Larry was last week. Cruz gave a fine lesson, and all the investigators seemed to understand and enjoy it. You went to sacrament meeting and sat toward the back. During most of the meeting Brother González seemed bored and

restless, but Sister González seemed sincerely interested in the speeches. Sacramento meeting ended, and you went out to the car.

On the way home Sister González said several times that the final meeting was beautiful. Each time Larry nodded and said, "Yes, it was."

Mari sat in the front on the way back. She wasn't the coquette her older sister was, but her presence was appreciated almost as much. Brother González fell asleep on the way back, and no one disturbed him until you arrived at their home.

You got out of the car and walked the family to the door. On the doorstep, after everyone else had gone in, Sister González turned to remind you about dinner and invite you to stay until then.

Larry told her about the appointment you had later. He said, "Thank you for inviting us to stay, but we have other things we have to get done before dinner."

Sister González smiled and told you dinner would be at 5:30. You both smiled and nodded. Sister González turned into the house, and you walked back to the car.

On the way you said to Larry, "We don't have anything to do this afternoon. Why don't we stay?"

"I may not follow the rules as closely as other Elders, but I'm still careful about being around investigators' daughters too long."

You nodded as you recognized Larry's wisdom. As you neared the car you looked around, but couldn't see your little friend. You got in the car, and Larry started home. You fell asleep after a few blocks, and Larry didn't wake you until you had arrived.

Larry parked, and you got out of the car and staggered to the old building. Larry opened and closed the door for you, and you groggily walked up four flights of stairs. You leaned against the cracked and peeling wall as Larry unlocked the apartment door, then kicked it three times to open it. You walked in before him and fell on your bed. The bed springs screeched and yawned. The noise didn't bother you, in fact you considered yourself lucky to have it—Larry slept in a bag on the floor. He closed the door, then lay down on his bag. Both you and Larry fell asleep quickly with your ties and shoes on.

When you awoke, it was 4:47 by your digital—just enough time to look in the mirror before you left. Your tie was twisted around backwards. After a moment in the bathroom you followed Larry out to the car.

You lived outside of your tracting area, so the ride on the way out was fairly long and boring. Larry chased a speeder to make it a bit more exciting. The ride was more exciting and went much faster, until the speeder pulled over. Then Larry had to slow down. Soon he parked in front of the house and got out. You got out and looked for your little friend. He couldn't be seen anywhere. You followed Larry to the house. He knocked before you had both feet on the doorstep, and momentarily Stella opened the door and asked you in. She wore a different perfume than she had on for church. It had a faint, powdery, flower smell. If you closed your eyes you could imagine the little blue flowers that grew in the cracks of the road near your cousin's house. You felt a slight

twinge of homesickness when you opened your eyes and found yourself in L.A. standing before Stella. You stared at her and realized being in L.A. wasn't all bad. She was a beautiful girl. Mari was prettier, though. She didn't flirt the way Stella did, but you found her quiet reserve more appealing than Stella's boisterous lure.

Larry pulled on your sleeve to get you into the house, and Stella led you both into the dining room. She asked you to sit in the two middle seats on the side of the table set with four plates, then went into the kitchen.

You sat, and soon Brother and Sister González came in and sat at the head and foot of the table. You wondered who had been invited to sit at the three seats on the other side, and you wondered which of the two girls would sit at your side. Sister González answered part of your question. She said to Larry she had invited her three sons, and they should be here in a few minutes. Larry had stopped translating everything for you several weeks ago, but you understood "three sons" and assumed.

The girls came in carrying an American-style dinner they had prepared themselves. Stella set a Crockpot full of beef stew on the table and sat by Larry. Mari set a plate heaped with biscuits in front of you and sat at your side. You were disappointed that Stella sat by Larry, and at the same time elated that Mari sat by you.

There were a few moments of small talk you couldn't understand, then Brother González asked Larry to say a prayer. He was almost finished when the front door opened and three young men walked in. Larry quickly finished, and the men sat down. One by one they introduced themselves and shook hands with you and Larry. The first two, Mario and José, had bushy moustaches and spoke English. The third, Juan, was clean-shaven and, like his sisters, spoke Spanish. When they shook your hand you knew two of them would be baptized, but not by you and not for a few years.

Mari stood and dished out the stew. The biscuits were passed. Mari returned to her seat and everyone began to eat. The stew was very tasty, but the vegetables in it were too bright for homemade. The girls were probably opening cans to make you think they were good cooks. Canned or not, the stew was much better than Macaroni-n-Cheese. After swallowing the first two bites, you realized you were famished and began to eat as if it were Fast Sunday tomorrow. Brother González said something and set the napkin holder and several pieces of silverware in front of Mari. Everyone laughed, and you wondered what was so funny. As you reached for another biscuit, Larry leaned over to you and whispered a translation.

"Brother González said, 'If we run out of stew, give him these and I'll go get a few of Mom's old books to feed him.'"

You laughed, and when they saw you laugh everyone laughed harder. You blushed, then finished the bowl. They offered more, but you refused. Soon the others finished. Larry said he hated to leave so quickly, but a meeting was scheduled in twenty minutes and you had to go home first. The family acted mildly disappointed, but said they admired you for working so hard. Larry spoke to the three sons and was able to set an appointment with the shaven one. Mari shook your hand warmly at the door, and

you began to sweat ferociously. You hurried out the door to the walk. The door closed behind you, then Larry jogged to your side. Dusk had passed and darkness was building, but you could still recognize your little friend as he ran from the corner to your car.

"Hi, Missionary!" he yelled from about twenty feet.

"Hi, kid!" you yelled back. Larry was in the car, but got out to watch you and your friend.

"What ya' doing?" the kid asked as he slowed to a walk.

"We're going to teach a meeting real quick, but I'll be back . . ." You turned to Larry.

"Wednesday."

"I'll be back Wednesday. I can talk to you then. I've got to hurry right now."

"OK," the boy said. "See you then."

You waved, then jumped in the car. You slammed the door and waved again as Larry pulled away from the curb and sped to the light two blocks away. He turned right, drove several minutes, then turned onto the neighborhood scuz street. The drunks had come out for the night. Most were pacing the sidewalk as if looking for some wonderful object, and a few sat in door frames or on the curb looking disappointed as if they had found the object and had found that it wasn't as enviable as they had thought it would be. Most of the shops lining the street were pawnshops or liquor stores. Larry stopped at a traffic signal.

By the light coming through a large store window on the next corner you could see a ring of men beating the hell out of an old drunk.

You said, "Larry, do we have time to play policeman again?"

"I guess we have to make time."

The light changed, and Larry jack-rabbit to the next corner and screeched to a halt in the middle of the lane, making it look official.

"What's going on here?" he yelled as he got out.

You were the closest to the curb and stood just outside of the ring when a young, long-haired drunk answered, "This guy broke a bottle over a five-year-old girl's head, and we don't think that's right."

You looked back to Larry for guidance. He stood motionless, a flash of hatred and anger had warped his features. Then without a word, he turned and walked back to the car. You stood still for a moment, confused—unsure of what needed to be done. You quickly ran to Larry's side. "What should we do, man?"

"What the hell do you want me to do?" he yelled. "Should I stop the fight or join in? I want to kill that guy, but I'm a missionary. What the hell am I supposed to do?"

He turned away and walked around the car. You looked back at the ring of bewildered drunks. The old man had slipped out and was crossing the street—his face dripping blood. You heard Larry's door slam and rushed to get in your own.

After a block and a half of silence Larry said, "When we get home, why don't you call and cancel the meeting tonight? I don't feel like teaching—I don't have the spirit."

HAVING BIRTHDAYS

I don't remember the first house
but in my wary travels through this city
it seems I keep occupying houses and moving on.
Surroundings changed. That first neighborhood,
houses had gingerbread and sugared windows;
many of my companions were animals.

We wandered a long time without noticing
landmarks; it seemed the houses were far apart,
the countryside pastoral to look at
but dangerous; anything might have happened;
there were giants whose intentions were
never clear. Furniture in the houses was large
but there were always hiding places.

In one house there were books.
After that the animals took names:
Bagheera, Black Beauty, Bambi.
There were always books then, every house was crammed,
and later on the journey there were heroes:
Tarzan, Flash Gordon. Houses were closer together
or I took longer strides, growing
impatient sooner with the place I was.

The terrain became difficult.
At salient points were castles but never on my path.
Coming to houses I found the furniture smaller
and some of the heroes I discovered
were real, had voices, even knew my name.
By this time I knew I was there
to look for something, and in every house I opened
cupboards, rapped for secret panels,
before I hurried on.

The houses loom now close together,
the streets are narrow and when I look back
some of the buildings I searched through and left
still look more promising than anything ahead.
It doesn't take me long to case a house or cross a street.
Whatever it is I had better find it soon;
I can't see how the city extends from here
but people say after than last house on the outskirts
the last street ends so abruptly
that you fall off the edge of the earth.

LOUISA McDONALD

Is the Gospel Open to Closed Minds?

HOW MUCH TOLERANCE CAN WE TOLERATE?

By Arthur R. Bassett

TWENTY-ONE YEARS AGO THIS FALL, I TOOK MY FAMILY back to Syracuse, New York, and began a doctoral program in humanities, centered in American Studies. One of my first classes concentrated on the writings of William James, and it was there I first experienced one of those turning points in education that affect one's life forever. One paragraph from a series of lectures James delivered at the Lowell Institute in December of 1906 changed forever the way I perceive people. It is from his fourth lecture titled "The One and the Many."

In this present hour I wish to . . . [focus] upon the ancient problem of "the one and the many." I suspect that in but few of you has this problem occasioned sleepless nights, and I should not be astonished if some of you told me it had never vexed you at all. I myself have come, by long brooding over it, to consider it the most central of all philosophic problems, central because so pregnant. I mean by this that if you know whether a man is a decided monist or a decided pluralist, you perhaps know more about the rest of his opinions than if you give him any other name ending in *ist*. To believe in the one or in the many, that is the classification with the maximum number of consequences. So bear with me for an hour while I try to inspire you with my own interest in this problem (*Pragmatism*, p. 90).

James uses the terms monism and pluralism, which are philosophical terms with cosmological implications. I suspect that if he had been a political scientist instead he might have used the terms conservative and liberal, which can (in the popularly used sense) be applied about the same way. James was a devout pluralist himself.

If his observation is right, and I am convinced that it is, then this means that the best index to a person's character is found in his or her ability to tolerate a variety of differing ideas and life styles. The question, then, I would have us consider is that of how

much tolerance we can tolerate?—both as individuals and as a people, and by extension, the more difficult problem of how much pluralism we *should* tolerate, and indeed encourage.

I have no resolution to that problem, but I do wonder about it often. I confess that I am basically a pluralist by conviction and am increasingly becoming so by temperament. I find stimulation and insight (as well as frustration) in viewpoints different from my own, especially within the Church context. My present concern stems from the fact that I sense I am a pluralist in a church whose membership is largely oriented toward monism.

As a people we have achieved a remarkable degree of homogeneity during the last century and a half. No one who has lived among us and been aware of our activities can doubt this. Some have suggested (though I am not prepared to agree without strong reservations) that we demonstrate a striking similarity even in our artistic and political views, in our dress, our thought, and our general demeanor. (One of my nonmember friends, who is a gourmet cook, jokes about "Mormon green punch," which he claims is standard fare at every LDS social.)

Whether these observations are accurate or not, it is true that we pride ourselves as a people that on any given Sunday, anywhere in the world, we can drop in on a Mormon meeting and feel as if we were in our home ward. The Correlation Program has unified, to an amazing degree, the things we will talk about and the way we will talk about them. Not only are we told what we should discuss, but (if one reads the teachers' manuals) also the conclusions that we should reach. The sermons we hear will be noticeably similar, both in content and style. And unless one is treated to the refreshing dissimilarity of the prayer of a new convert, the prayers will sound very much alike, especially the sacramental prayers (though we do not use chants in the manner of the Catholic church, the uniformity of rhythm, intonation, inflection, and accented words used in the sacrament prayer by our young priests throughout the world has always intrigued me).

Part of this is as it should be. No one would dispute that unity is one of the major themes (if not the dominant theme) of scripture. The essence of the gospel is found in a single word:

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atonement (from the Old English *at-one-ment*). The gospel is literally the news of Christ's providing the way for us to be bonded together in love—with our Father in Heaven, with each other and with ourselves. Atonement is a proper synonym for love. It is at the core of everything the Church should represent.

Its antithesis—lack of unity—has been destructive to society at all levels. That seems to be the message of the confusion of tongues at the Tower of Babel, which is perpetuated chronologically through the image of Israel's enemy, Babylon (which has its etymological origins in the Hebrew word for confusion). This Old Testament event has its healing counterpart in the New Testament experience at Pentecost, where such confusion of tongues was suspended in Jerusalem (a name which has its roots in the Hebrew word for peace). Disruption of unity creates chaos, confusion, and conflict.

On the personal level, if I may alter Paul's famous passage slightly, the wages of sin proves to be alienation—estrangement from God, from self, or from others. I have found separation from those who matter most to be among the most unbearable of all punishments, among the most excruciating causes of suffering. Atonement binds and brings strength and comfort in troubled times; alienation divides and takes away all sense of worth and well-being.

The scriptures are filled with exhortations on unity. Zion was called Zion “. . . because they were of one heart and one mind” (Moses 7:18). John, in his Gospel, stresses continually the unity between Jesus and his Father: “I and my father are one” echoes throughout (John 10:30). And, while presenting his final petition to God before his struggles in Gethsemane and Golgotha, the Master prayed that his disciples would reflect the same sense of solidarity (John 17:20).

This unchanging theme dominates the epistles of Paul. The Corinthians are chastised for the petty divisions that are beginning to appear among them (1 Cor. 1:10). The Ephesians are admonished to remember that there is “one body, and one Spirit, . . . one hope of [their] calling; one Lord, one faith, one baptism, one God and Father of all, who is above all, and through all, and in [them] all” (Eph. 4:4). In our own day, the theme is echoed in the Doctrine and Covenants: “be one” comes the admonition of the Lord to the Saints in Fayette, New York, who were neglecting their poor, “and if ye are not one, ye are not mine” (D&C 38:27).

Many positive consequences stem from unity. It brings with it a sense of familiarity, of safety and certainty, of belonging, and of personal worth—all of which further contribute to a sense of security and well-being. These empower us to persevere and to move comfortably, without fear, over the face of the entire planet, at least among our own. Any of us who have traveled to any extent can testify to the truthfulness of this. We literally are “no more strangers and foreigners, but fellow citizens with the saints” everywhere in the world (Eph. 2:19).

That, however, is the gospel, the “good news.” There is also a potentially dark side to the same stance, especially if we are not alert to the destructive potential of this other extreme. Those who have unbalanced preferences for religious monism, like the Phar-

isees of biblical fame, frequently demonstrate tendencies toward at least two major shortcomings: (1) xenophobia, a fear or hatred of foreigners or strangers, and (2) homogeneity, an unhealthy obsession with the need for conformity (usually to their own way of thinking and performing) on the part of all within the faith.

XENOPHOBIA

One mode of unity can produce a stance that is very anti-Christian. It should be rather obvious from past performances of the covenant people (such as ancient Israel, especially the Pharisees) that strongly unified groups easily fall prey to a posture of exclusion rather than one of inclusion, a stance which is, in my view, antithetical to the mission and message of the Savior.

We all like to be thought special. We relish being among the exclusive. It sets us apart as someone distinct. It does nice things for our ego. We enjoy owning and driving exclusive cars, living in exclusive neighborhoods, joining exclusive clubs, wearing exclusive clothes—if for no other reason than that these things are associated with exclusivity. The word itself has a nice “yuppie” ring about it. It carries with it a sense of being better than others. It says *elite*; it says *important*. But at its roots, it simply says exclusion, i.e. the omission of others. And this connotation somehow seems out of sync with the cherished American ideal of democracy and the Christian concept of brotherhood.

Certainly it seems out of sync with the message which the Savior brought, of love and concern for others. One of the things that his disciples and enemies alike had a difficult time understanding was his inclusiveness: publicans, harlots, and winebibbers; Samaritan women, lepers, women taken in adultery; anxious, troublesome parents pressing for a blessing for their children, calloused soldiers nailing him to a cross—and many others that the orthodox Pharisaic leaders of the Jewish sects (and often even his own disciples) excluded from their fellowship. The Savior reached out with concern to all of them and included them as much as they would allow him. Inclusion was at the core of his good news; exclusion was opposed to his concept of love.

In the Church we sometimes unwittingly do a rather effective job of fostering xenophobia, especially in our youth, isolating the members mentally and socially from those outside the faith. The multiplication of meetings and other demands on their time is only one means of doing this. (Although I appreciate—more than I can express—the time volunteered in behalf of my children by caring individuals in my ward, I, for one, have a very difficult time understanding the thinking that suggests, as it has recently, that the answer to drug addiction, teen-age sexual promiscuity, and other problems is to institute more activities for the youth during the week.) Second, our youth are constantly taught, both at church and at home, how much better they are than those outside of the faith (or even those of earlier generations), and how what they are doing is more important than what others are doing.

We inadvertently fill their thinking with militaristic metaphors common in our teachings: they are a royal army, putting on the armor of God, warring against the forces of evil. It seemed

to me when I was growing up that we were eternally at war with someone or something and that the adoption of a military mentality was crucial to my survival. Those outside of the Church had driven and killed my ancestors, and it was only a matter of time before they would be at it again. Over and over this was presented as one of the conditions of the last days—for which days I had been reserved in heaven.

Too often we present life as if it were a matter of US against THEM (whomever they might prove to be), and in doing so we come dangerously close to creating a persecution paranoia through our teachings. Unfortunately, it is easier to unite a group *against* a person or idea than to unite them *in favor of* a great idea (as is seen in the current case of Iran's foreign policy—or American foreign policy, for that matter). Sometimes we emphasize what we are against more than what we are for.

That attitude underlies the principle of scapegoating. Every group seems to function best with a scapegoat to unite against in order to survive, or to acquire a sense of worth: the unkempt, smelly, awkward boy in the kindergarten class; the girl who wants too much to be popular in the high school; the rival high school or college; the other ward with the “dirty players” on its basketball team; the competition in business; the foreign nation, especially if it currently carries a tinge of socialism or communism of any variety.

We are constantly on the attack against someone or something. We love to unite against them. We love to hate them and to feel superior to them. We do it almost instinctively. And within the Church, it concerns me that the hatred we teach against Lucifer (and the forces of evil) is so easily transferred into hatred of those whose ideas are different from our own in any way. Isolated from others in such a manner, how can we possibly reach out to share those things that we have come as a people to cherish? Such a stance seems detrimental to the entire concept of missionary work. But equally important, how can we glean rich insights about life from others if we draw back exclusively into our own society (a point that I will return to later)?

Further, one thing that troubles me most regarding our desire for unity and exclusivity is that it encourages a smugness regarding our own endeavors and accomplishments, and a degree of apathy or even intolerance toward that which “the world” is doing: civil rights marches, peace movements, poverty programs, artistic and scholarly endeavors, etc. From an exclusionary perspective, time devoted to such interests (and they do require tremendous time commitments) is time away from the meetings and other obligations we try to equate with the building of the kingdom of God. That which WE are doing is infinitely more significant than that which THEY are doing—or thinking. That which WE have is far superior in every way to that which THEY have.

I was intrigued a few years ago by the account of one of my close friends, who is an estate planner. In the course of his business, he met a non-Mormon doctor who had moved into the inner city of Salt Lake, where he lived and worked with the poor. After a time this doctor and his wife decided to take their two children on a long-overdue vacation. At a rest stop, the couple

had watched in horror as their children, hand in hand, were hit and killed by a truck. After the funeral, the couple decided to go to India and volunteer their services to one of the programs there to help build better communities. I will never forget the frustration of my Mormon friend, and more especially of his wife, as they later held scheduled meetings with the couple to teach them the principles and ordinances of the gospel, and as the doctor tried to convince my friend that he should become involved in contributing to the work in India. I suspect I know which side of the dialogue was more important in an eternal sense, but my friend was forced to wrestle anew with the issue of who was the better Christian. Sometimes our smugness shuts our minds to the outstanding contributions that others are making to life in this world.

Xenophobia not only does damage to those outside of the system but also to us. Such a stance leads to a closing of our minds to alternative and sometimes even more meaningful options for us in life. It destroys any type of dialogue which might reveal such options. In the history of mankind, unfortunately, nothing is more readily evident than the oft-repeated tragedy of the rejection of new ideas without adequate investigation—new concepts which have later proven extremely helpful.

I wonder what our own church would look like if there had not been a religious revival at the time of Joseph Smith, if there had not been members of the Church in Kirtland who were involved in temperance societies, or if some of the Saints in Kirtland had not followed a practice of having all things in common prior to Joseph's arrival, or if the trends toward the social gospel of the late nineteenth century had not raised some vital issues—or any number of things that led Joseph and other leaders of the Church back to the Lord with more questions. Others raised the questions; the Lord provided the answers.

Having taught American religions (and to a lesser extent world religions) for some time, I am often deeply pained by the apathy—and sometimes antagonism—some of our people display when the religious beliefs of others are discussed. (This is not intended to be a blanket indictment of all, or even the majority, of students I have had.) “We have the truth,” their boredom testifies, “and what do we possibly have to learn from the beliefs of others, from the philosophies of men?”

At such times I find encouragement in some of the comments of the Prophet Joseph Smith.

I love that man better who swears a stream as long as my arm yet deals justice to his neighbors and mercifully deals his substance to the poor, than the long, smoothfaced hypocrite (*Teachings of the Prophet Joseph Smith*, p. 303).

Friendship is one of the grand fundamental principles of “Mormonism”; [it is designed] to revolutionize and civilize the world, and cause wars and contentions to cease and men to become friends and brothers (*Teachings*, p. 316).

Further, Joseph notes, it is through these friendships and sharing (often with those outside of the faith) that we come to some of those important insights in this life that make us what he called “true Mormons”:

Have the Presbyterians any truth? Yes. Have the Baptists,

Methodists, etc., any truth? Yes. They all have a little truth mixed with error. We should gather all the good and true principles in the world and treasure them up, or we shall not come out true “Mormons” (*Teachings*, p. 316).

Brigham Young echoed something of the same idea:

Some who call themselves Christians are very tenacious with regard to the Universalians, yet the latter possess many excellent ideas and good truths. Have the Catholics? Yes, a great many very excellent truths. Have the Protestants? Yes, from first to last. Has the infidel? Yes, he has a good deal of truth; and truth is all over the earth. . . . Do you think there is any truth in hell? Yes, a great deal, and where truth is there we calculate the Lord has a right to be (*Journal of Discourses* 12:70).

When discussing the religious beliefs of others with my students, I always consider my efforts successful when I have persuaded them that they have gained much if they have just become aware of some of the questions (never mind the answers) raised by almost all faiths. For only through identifying the right questions are we able to arrive at the right answers.

While I was doing my graduate work, which involved a number of classes in philosophy (such as existed at BYU in those days), I was often confronted by friends and relatives with the question of what I was currently studying at the university. Very quickly I came to realize that the mere mention of philosophy would inevitably raise eyebrows and trigger the next question: “What are you studying *that* for?” (read, “Why are you leaving the Church?”). After going through this catechism repeatedly, I finally found a response that satisfied me and opened the door to more meaningful dialogue with those making the inquiry (I’m not sure that the response was mine, originally): “I am discovering that philosophy has the questions and the gospel has the answers, and I am finding one almost meaningless without the other.”

Though the answer is admittedly flippant, the principle it embraces is not. There are many vital insights into the gospel that I never appreciated or even comprehended until I found others raising questions or taking a new perspective that shed light on those principles. For example, I never appreciated Paul’s (and Mormon’s) triad of faith, hope, and charity so well as I did after studying existentialism, with its emphasis on absurdity, despair, and alienation. I never found the scriptures as poignant and powerful as I did after studying the faith of others, both believers and atheists.

Therefore, xenophobia—the nemesis of pluralism—is also harmful because it prohibits us from coming to fathom ourselves and what we know. Often (if not always) we come to understand the strength of our own ideas by comparison with the ideas of others. Only through a consideration of beliefs different from our own can we really come to understand fully and define ourselves—and such questions are most commonly raised as we confront those who disagree with us (either in a friendly or antagonistic mode). Only as such questions are raised do we come to seek answers. “Why is he disagreeing with me?” “Is it possible that she is right?”

I suggest this is what Lehi’s statement concerning opposition

is all about (2 Nephi 2:11-14)—why there can be no life if there is no opposition and, by extension, why there can never be an abundance of life unless there is also an abundant variety of opinion. It is in our struggle for answers that insights and understanding occur to us. In a pluralistic society the maximum number of questions emerge.

I suspect that none of us fully comprehends ourself—what we believe and what we stand for—until we place our intellectual and spiritual values into the market place beside those of others. Even if we end up having to buy back our own from the market, we are richer for the experience. And though obviously there are also important things we learn about ourselves in isolation, I suggest that there are many more things we glean from the diversity in society, both in and out of the Church. That is why I have come to opt for a good deal of the spice of plurality along with our unity in the Church. I have come to like the idea of including, rather than excluding, and I sense that we can all gain by that inclusion.

Plurality or diversity need not necessarily be destructive or even disruptive to unity. In certain respects they appear to me an indispensable source of growth and development. Accompanied by tolerance, patience, long-suffering, meekness, gentleness, and some of the other major Christian virtues that go into the larger configuration of love, they seem the very key to an abundant life.

HOMOGENEITY

While xenophobia is a major problem in relating to those outside the faith, the insistence on rigid conformity without questioning is a major concern within. Demanding obedience to the will or ideas of others (typically to those with whom we agree) is often an easier way to create and maintain a kind of unity than is persuading people (in the spirit of the D&C 121), especially if the authority structure is as well established as it is in Mormonism. All parents know this from rearing their children. Give up your ideas, we insist; mine are better. In the process, creativity is squelched, if not destroyed. That is the tragedy of this stance.

And yet many among us resist the new ideas and insights of others who disagree, and we do it as a matter of common course. I’m sure it would not come as a great shock to those who attend Sunstone symposiums to find that their attendance is a source of discomfort for many within the Church, both at the leadership level and among the laity. People do not like to have their cherished thoughts questioned. We don’t like others rocking our boat, especially if we’ve never learned to swim.

When people in various settings within the Church begin to wrestle through the implications of a scripture or a Church program (which wrestling is far too commonly mistaken for an antagonistic attack on the cherished beliefs of the group), almost inevitably someone will try to short-circuit the discussion by an appeal to authority. In such exchanges, someone inevitably evokes a statement from an authority figure, which ostensibly closes off any further investigation—“This is the answer, and that is all we need to know about the matter.”

With this tactic, we switch tracks from one involved in thinking through an issue to one involved with recalling to mind

an authoritative statement. Plainly, the two processes are radically different, and although I sense that we should never turn our backs on the wisdom and insight of others, neither do I feel that we are ever wise in feeling that it is to our advantage for others to do our thinking for us. Perhaps one of my colleagues was right when he recently suggested that we now need a hymn titled "I Am an Adult of God."

In the chapter entitled "The Grand Inquisitor" in Dostoevsky's *The Brothers Karamazov*, one of the brothers, a philosopher, relates a story to his brother, a Russian Orthodox priest. The backdrop for the story is the Spanish Inquisition. Into that setting the Savior comes, only to be recognized and placed under arrest and thrown into prison by order of the Grand Inquisitor—who later visits Christ in the dungeon. Obviously, the story is a rather unsettling one—an assumed servant of Christ, arresting the Savior and having him incarcerated. The reason for this action is explained, however, by the Grand Inquisitor, who expresses his (and others') disenchantment with the tenet of freedom so central to Christ's teachings: "Did you forget," the Inquisitor queries, "that a tranquil mind or even death is dearer to man than the free choice in the knowledge of good and evil?"

The truth of that observation rang clear to me the first time I read it, and I thought of it again last year when several Russian immigrants renounced American citizenship and returned to their home land. As I watched on television, I asked myself, "How could they ever give up citizenship in the U.S. to return to Russia?" Then I recalled the order and evident security I had witnessed while visiting in Moscow and Leningrad in the early 1980s. The seeming stability of the communist order was more important for them than the freedom and insecurity of life in New York.

Dostoevsky's words struck responsive chords, both in regard to the lives of others I had known and to my own. Several people I know suffer to some degree from what Walter Kaufmann has aptly termed "decidophobia." There is a certain comfort in having others responsible for important choices in our own lives. That way we win if the decision is right—and we aren't responsible if the decision is wrong. In short, we end up winning either way. The trouble is that we lose the growth and insight that accompany the stretching and frustration associated with decision making.

Coupled with this all-too-human tendency to flee responsibility, and compounding the problem even further, is our recognition that often God requires our obedience, whether we understand or not. Adam's sacrifices and Abraham's offering of Isaac are poignant examples of this. The problem is that it is difficult, at best, to know when God demands our unquestioning obedience and when he wants us to work through a problem on our own, as illustrated in Oliver Cowdery's attempt to translate the Book of Mormon (D&C 9:7-8).

Unfortunately, there are those among us who would like to assume the role of God in controlling the lives of others—unfortunately, it is the nature and disposition of *almost all* men to want to exercise unrighteous dominion over the souls of men (D&C 121:39). Frequently, that desire for dominion is not even

the consequence of the evil designs of men (to use the terminology of the Doctrine and Covenants); sometimes, as with parents, the desire is the result of frustration, or lack of patience, or simply the result of thinking that our idea is better than the ideas of others or that we are privy to some insights that others do not have. The recent Iran-Contra affair is an excellent example of that last stance.

I am constantly being told by a couple of my brethren in my high priests quorum that obedience is the first law of heaven. (That is an interesting statement for which I would like to know the reference.) Then they quote the statement from the book of Abraham which says: "And we will prove them herewith, to see if they will do all things whatsoever the Lord their God shall command them" (Abr. 3:25). I have always been uncomfortable with any approach to that passage in Abraham which puts emphasis on life as a testing ground (that is, God has sent us to earth to test our faith to see if we will perform as well outside of his presence as we apparently did in his presence). I prefer to put the emphasis on the schooling experience (that is, we were sent here to learn the difference between good and evil—why one works and the other doesn't).

The two principles (obeying another blindly and researching on our own) are obviously not the same, but neither are they necessarily mutually exclusive. For example, in that passage in Abraham we are told that God is interested in seeing if we will do everything that he commands us to do. One "commandment" God has given us is to exercise our own agency in constructive ways without his having to tell us what to do, because the power is *in us* to do much good (D&C 58:26-29). That seems to be one of the most fascinating paradoxes in scripture. God tells us to do what he tells us to do—and what he tells us to do is to do things without his having to tell us what to do.

So, while it is common in Mormonism to consider life as a testing or proving ground, I think it is equally valid (and infinitely more beneficial) to think of it as a schooling place where we learn by having new experiences, by exploring ideas of our own, and thereby coming to recognize the consequences of such ideas and actions. Through this procedure we ultimately come to understand more fully the wisdom of God's laws and the reasons underlying those laws—and by understanding them to employ them more willingly with even greater faith. In fact, I prefer to think of it that way because by doing so I can embrace both of God's statements: the one in Abraham to obey and the one in the Doctrine and Covenants to work it out on my own.

CONCLUSIONS

As noted earlier, the conflict between monism and pluralism has obvious analogues in the age-old friction between liberals and conservatives, and error lies at both extremes of the spectrum. Jesus often clashed with the Pharisees, the arch conservatives of Israel, but he also rejected the doctrine of the more liberal Sadducees who readily embraced many aspects of Roman philosophy, moved freely in the company of their conquerors, and even accepted aspects of their life style. Moreover, ancient Israel's

problems in the Old Testament did not originate solely from too much exclusivity, but rather from the very opposite—from foolishly embracing the novel ways and views of the peoples among whom they lived. Perhaps the Old Testament can be viewed as a case study warning against the dangers of unrestrained pluralism, and the New Testament against excessive monism.

How much tolerance can we tolerate? I really have no resolutions to the problem, nor even any brilliant guiding principles to suggest, except perhaps to pass on one of B. H. Roberts': "Unity in the essentials, tolerance in non-essentials" (Sunstone, Dec. 1979, p. 20)—whatever that means. I suspect we would never get a total consensus on what falls neatly into either category. Judging from the ongoing, age-old battle between liberals and conservatives, I doubt that what I say will move those who have planted their minds in concrete at either end of the spectrum. What I have to offer, therefore, are simply my own feelings on the matter. These are some of the things I would like to see happen.

1. In the spirit of brotherly concern, I wish we could be a little less xenophobic and a little more ecumenical in our dialogue with other faiths. I realize that a study of other faiths can be disconcerting (and even come close to being destructive) to the faith of any who have been taught that the Church has a monopoly on all truth. Nevertheless, I believe there is a healthy way to enter into such a dialogue, and to learn from those of other persuasions, without diminishing faith in one's own religious views. In fact, I have often seen young Latter-day Saints come away from such exposure with new, exciting insights into the strength of their own position.

We need to learn that in the economy of the world there is not a fixed amount of goodness and that recognition of the accomplishments of others need not somehow diminish our own. The story of Mormonism is one of the most moving sagas in the history of the world, and we have good reason to feel pride in it, but it is one among many. Many have also been deeply moved by the spiritual quests of many of the Catholic saints, of some of the Protestant divines, of Judaism, of Gautama or Mohammed and other founders of the world's great religions, and less-heralded men and women everywhere who have sought for and found meaning in the love of God and their fellowmen.

This is not equivalent to saying that all roads lead to heaven—nor that authoritatively administered ordinances and covenants are not required, or that all churches are equal in the sight of God. But it does seem that God has prepared a standard of judgment which centers first and foremost in one's love of God and fellowman, and that the powers and ordinances of the priesthood ideally flow out of that reservoir, and not the reverse (as he tried so often to explain to wayward Israel).

2. Further (and perhaps this is simply an extension of what I have just mentioned), I would like us, through comparison with others outside the faith, to recognize our own deficiencies in areas where we are often lacking: in the arts, in dedication to scholarship, in involvement in humanitarian efforts which reach beyond the bounds of denominational concerns, to mention only a few.

Within the bounds of the Church, I would like us to be a little

more eager in our search for insights beyond those we have now acquired—that we would subject all we do to a critical scrutiny (in the best, positive sense of that word) and become creative where we can, rather than rigidly conforming to past practices without thinking and questioning. I wish we would get more involved as wards and stakes in activities that would help enrich our lives, without expecting "the Brethren" or bodies like the Correlation Committee to do all of our thinking for us. I'm not so sure but that there are many more important things we might ponder in our meetings than those we do now.

3. I wish we could be a little more expansive in our study of what Mormonism means, as revealed in our scripture and in our history. I wish we would be a little less authority-ridden in our approach to scripture and not assume we have to await definitive statements from the General Authorities before we understand what scripture is all about or what it has to say. We would do well to review, from time to time, the statement made by Joseph Smith when Pelatiah Brown was brought to trial before a High Council:

I did not like the old man being called up for erring in doctrine. It looks too much like the Methodist, and not like the Latter-day Saints. Methodists have creeds which a man must believe or be asked out of their church. I want the liberty of thinking and believing as I please. It feels so good not to be trammelled. It does not prove that a man is not a good man because he errs in doctrine (*Documentary History of the Church* 5:340).

4. I wish we would be less judgmental in our attitudes toward those in our wards and stakes who are different from us in terms of such things as lifestyles (for example, those who don't seem to fit comfortably in the mainstream of middle-class America, or who don't dress for success) and those who see things in a slightly different light—especially in the realms of politics and economics. It is their church as well, and they also should have a chance for their own positive input.

I resist any in the Church who teach that capitalism (or even Americanism) and Mormonism are synonymous, or that God is the Great Conservative (or the Great Liberal, for that matter), or that liberalism is a great delusion, or that anyone on public welfare is a lazy lout who is out to live off the hard work of the rest of us. Economics is something the Lord is obviously very concerned about (at least where it touches on the problem of wealth and poverty), and I pain inside when I see my students taking the attitude that the poor are all of a common mold, fashioned around a core of laziness. That is a good example of what I mean when I bring up the issue of conformity and its implication that everyone should be as I am.

My experience has suggested to me that most of us in the Church in the United States know very little about poverty in general, or even about the poor in the Church. In the main, in the more articulate areas of the Church, we are a church of the middle class. Far too many of us are really isolated from the poor. One of the most enlightening experiences I had in the Church occurred while I was attending school in Syracuse, New York. Syracuse at that time was about the same size as Salt Lake City, but we only had one ward. That meant that Saints from all

economic levels in the city came together in a common setting. Executives from Carrier and General Electric served as home teachers in the inner city areas where the bishop didn't even let the Relief Society teachers visit because of the high incidence of crime. (And many of those in the inner city wouldn't even come out to church because they were ashamed of their clothes and the way they were consequently treated by some of the members of the Church. That was only one of their problems—bus fare was another.) Mormonism has become a middle class or rich man's religion in our part of the world, but not in others, and I wonder if the two will ever be able to understand each other.

When we moved back to Salt Lake we lived for a couple of years in the Liberty Park area, which obviously is not inner city, but it comes closer. While living there I had occasion to speak at a few of the wards in the wealthier parts of the city, allowing me to contrast the difference in settings in which each segment worshipped. It was almost like two different churches, socially. I wondered how some of my brothers and sisters in the Liberty Park area would be looked upon by the children of my brothers and sisters in the affluent Federal Heights area, and vice versa. By virtue of the way we partition the wards geographically here in the West we often keep the rich isolated from the poor, and the poor from the rich. I'm not convinced it needs to be that way. Neither gets to see the problems nor strengths of the other.

My older children were reared in a church very different from my younger children. Because we later moved into an area of Salt Lake in which primarily older couples lived, my two older sons often had only one or two others in their priesthood quorums. When they had an MIA special occasion it was at best a visit to BYU. Their friends who had moved from the neighborhood to the suburbs in Bountiful were going to Disney World in Florida for their major yearly ward outing. I have often wondered if there is not a better way to build economic understanding and the kind of unity of the faith I sense the Savior was advocating.

Even in our work with welfare recipients we are isolated from them. When we go out to work for the poor, we go into the field or into the cannery with other middle class members of the Church. Unless we become a bishop or a Relief Society president, seldom do we ever come face to face with the problems of hard-core poverty. But so many of our young people at the university seem to think they know all about it. Again, surely there is a better way. There is a need for some good creative thinking about new ways to deal with such problems, or at least of ways to develop empathy for those suffering.

Perhaps B. H. Roberts said it best in his now-famous article which touches on discipleship:

[Mormonism] calls for thoughtful disciples who will not be content with merely repeating some of the truths, but will develop its truths; and enlarge it by that development. . . . The disciples of "Mormonism," growing discontented with the necessarily primitive methods which have hitherto prevailed in sustaining the doctrine, will yet take profounder and broader views of the great doctrines committed to the Church; and, departing from mere repetition, will cast them in new formulas; cooperating in

the works of the Spirit, until they help to give to the truths received a more forceful expression and carry it beyond the earlier and cruder stages of its development ("Book of Mormon Translation," *The Improvement Era*, 9:712-13).

Roberts penned that in 1906, five months before James delivered the Lowell Lectures. Obviously, we have come a great distance since then. But we have even further to go, diminishing xenophobia and resisting appeals for a meaningless sense of homogeneity. Sunstone has done much to encourage this type of discipleship. That is one of the reasons I participate in the symposiums and publish in the magazine. Judging from past experience, I probably won't agree with all that is said or written in this context, nor will you; but I believe in the pluralism it promotes, and in the richness that can attend that pluralism.

EARLY MORNING IN MAPLETON, UTAH

It's cool, cold
 for June. The chill
 wakes us. I put a quilt on the bed,
 we make love, you curl
 into sleep.
 into sleep. At the window I hear
 soft conversations, trees waking,
 Color bleeds into the valley,
 you turn,
 you turn, breathe
 deeply, and resettle, the canyon
 walls are two cupped hands
 filling with milk.

Buttoning my coat I close
 the door behind me, the canyon
 breeze
 rolls off a slow
 hill of rye. I cross the road, climb
 the neighbor's gate and shake
 hands with the tall

 grass
 on the ditchbank, cows watch
 with white faces.
 At a rise in the pasture

 I turn
 to see the house, white, still,
 I think of you sleeping.
 Dew flashes

 on the grass, the back
 of my neck grows warm
 and suddenly, I feel planted.

JOHN W. SCHOUTEN

 Seeking the Fulness of the Priesthood

THE OATH AND COVENANT OF THE MELCHIZEDEK PRIESTHOOD: AN EXEGESIS

By Paul James Toscano

*It is my meditation all the day,
and more than my meat and drink, to know how I may
make the Saints of God to comprehend the visions
that flow like an overflowing surge before my mind.*
—Joseph Smith

THIS PAPER WAS ORIGINALLY WRITTEN TO EXPLORE certain aspects of those verses in Doctrine and Covenants section 84 that refer to the oath and covenant of the priesthood. In revising and condensing the original piece for publication, I became aware that some readers might fault me for assuming that the view of priesthood I propose here could have been maintained by the authors of all the scriptural texts from which I quote. That is not my assumption at all. What I assume is that Joseph Smith arrived at a view of priesthood that was, for the most part, internally consistent and that tended to harmonize many of the priesthood passages appearing in scriptural texts. He was not the first to make such an attempt. This type of doctrinal synthesis was used by many of the New Testament writers. The Letter to the Hebrews is a good example of this process. The point of this paper is that the “fulness of the priesthood” concepts announced by Joseph Smith comprise a remarkably consistent and integrated body of teachings that not only tend toward doctrinal harmony and coherence but that, in many instances, contradict popular notions of the priesthood held by modern Mormons.

The starting point for this analysis is the 22 and 23 September 1832 revelation now known as section 84 of the Doctrine and

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Covenants. I wish to address three questions raised by this revelation:

1. What is the oath and covenant of the priesthood and by whom and to whom is it made?
2. To which priesthood does the oath and covenant belong?
3. What is the relationship between the oath and covenant and the priesthood?

I have heard a number of different answers to the first question. Those most frequently asserted are the following:

1. The terms “oath” and “covenant” are synonyms, referring to a *two-party contract* between God and an individual.
2. These words are synonyms, used together as a term of art, to refer to a *man’s promise to God* that he will obey all of God’s commandments and thereby qualify himself to receive “all that [the] Father hath.” If the man fails to keep the commandments, he is guilty of breaking his “oath and covenant.”
3. The phrase “oath and covenant” refers to *God’s promise to a man* of “all that [the] Father hath” and it is given to him on condition of, and as an inducement for, his future obedience to God’s commandments.
4. The two terms “oath” and “covenant” are not synonyms, but are separate labels for the two sides of a *bilateral agreement*, or contract, entered into upon ordination to the Melchizedek priesthood, in which a man’s promise (the “covenant”) to keep the commandments is given in exchange for God’s promise (the “oath”) to give him priesthood power and blessings.

I believe that none of these explanations is correct. The words “oath” and “covenant” are not synonyms. They describe legal notions that are different both in form and substance. An oath is the ritual of swearing or attestation. A covenant is a promise; it is not a contract.¹ A bare covenant is not enforceable at law. It takes the exchange of two or more covenants to make an

enforceable contract. However, under ancient rules of English law, a single covenant, given without consideration (that is, given unilaterally, without a return promise or performance) could be enforced as if it were a contract if the person making the unilateral promise sealed the covenant with an oath.²

These legal concepts have theological relevance, for the term "covenant" also refers to "an engagement entered into by the Divine Being with some other being or person."³ The nature of this "engagement" is an important subject of Old and New Testament study. The Hebrew word *berit*, from which the term "covenant" is translated, refers to any of three different types of "engagement":

1. Mutually assumed obligations (i.e., the exchange of promises and performances) that create the type of bilateral contract which is common in modern business transactions.

2. A one-sided obligation imposed on the weaker party by the stronger, as typified by the Sinai covenant in which God (as the king or suzerain) bound Israel (God's vassal), but did not bind himself (Exodus 19-20).

3. One-sided obligations assumed by one party without expectation of return (e.g., a promise sealed with an oath), as typified by God's covenant with Abraham, in which God bound himself to bless Abraham and his posterity without requiring Abraham to make any promises in return (Abraham 2:8-14, Genesis 15).

It appears that Joseph Smith's concept of the oath and covenant of the priesthood falls into the last category. D&C 84:38 states that all the "Father hath shall be given unto" the faithful priesthood bearer, by way of a unilateral promise of God, a promise that is binding because it is made under oath.⁴ The oath and covenant of the priesthood mentioned in these verses of the Doctrine and Covenants appear to be connected to those passages in Hebrews 6:13-18, where Abraham is presented as the recipient of the blessings of God. Abraham, who had patiently endured his trials, was accounted a suitable candidate to receive the promise of "all that [the] Father hath." The writer of Hebrews states that God wished to show Abraham and his posterity that the divine promise was immutable, so God "confirmed" the covenant with an oath. And since God could swear by no greater person, he swore by himself, thus giving Abraham and his posterity the assurance of eternal life, an endless priesthood, and joint-heirship with Christ.

Scripture states that Abraham was not the first to receive such an oath and covenant. God had previously granted it to others: to Enoch (JST Genesis 14:30) and Melchizedek (JST Genesis 14:26-29, 33) and later to Isaac (Genesis 26:3) and Jacob (Genesis 28:4).⁵ Joseph Smith asserted that it was God's intention to make this oath and covenant with each descendent of Abraham, Isaac, and Jacob at Mount Sinai (JST Genesis 14:25-34, 40). However, as a result of unfaithfulness, the greater promises of God, "the priesthood . . . my holy order, and the ordinances thereof" (JST Exodus 34:1-2) were withheld from the House of Israel, as a people; and the law of carnal commandments was given in place of the higher priesthood blessings. As a result, the House of Israel did not become a "kingdom of priests" (Exodus

19:5-6; cf. I Peter 2:9, *Teachings of the Prophet Joseph Smith*, p. 322, hereinafter, *Teachings*).

Though it appears that Joseph Smith viewed the oath and covenant as a priesthood blessing, it also appears that this blessing was reserved for recipients of the fulness of the priesthood, and not for those men who had only been ordained to offices in the Melchizedek Priesthood held generally by male Church members. In his inspired translation of Genesis, Joseph Smith connected the concept of the oath and covenant with the concept of the fulness of the priesthood. This connection appears in the following verses:

Melchizedek lifted up his voice and blessed Abram. Now Melchizedek was a man of faith, who wrought righteousness; and when a child he feared God, and stopped the mouths of lions, and quenched the violence of fire. And thus, having been approved of God, he was ordained an high priest after the order of the covenant God made with Enoch.

It being after the order of the Son of God; which order came, not by man, nor the will of man; neither by father nor mother; neither by beginning of days nor end of years; but of God; And it was delivered unto men by the calling of his own voice, according to his own will, unto as many as believed in his name.

For God having sworn unto Enoch and unto his seed with an oath by himself; that everyone being ordained after this calling should have power, by faith, to break mountains, to divide seas, to dry up water, to turn them out of their course; To put at defiance the armies of nations, to divide the earth, to break every band, to stand in the presence of God; to do all things according to his will, according to his command, to subdue principalities and powers; and this by the will of the Son of God which was from before the foundations of the world.

. . . . And it came to pass that God blessed Abram, and gave unto him riches, and honor, and lands for an everlasting possession; according to the covenant which he had made, and according to the blessing wherewith Melchizedek had blessed him (JST Genesis 14:24-31, 40).

This passage establishes several important facts. It states that Enoch was called to a calling in the priesthood (JST Genesis 6:32-36), and that this calling was delivered not by man, nor by the will of man, but by the calling of God's own voice. It describes how God promised to Enoch by an oath and covenant that, because of his ordination to this calling, he should have power over nature. God also promised to Enoch that any of Enoch's posterity who were ordained unto this calling should likewise have power over nature. We learn that Melchizedek, a descendant of Enoch, was ordained unto this calling and was given power over nature. Finally, Melchizedek blessed Abraham according to the covenant.

However, this account leaves unanswered two important questions: (1) What was the nature of the calling Enoch received and passed down to Melchizedek? and (2) Did Melchizedek

merely bless Abraham or did he, in turn, pass this unnamed calling to him also? Joseph Smith addressed both these questions. In answering the first, he said:

Abraham says to Melchizedek, I believe all that thou hast taught me concerning the priesthood and the coming of the Son of Man; so Melchizedek ordained Abraham and sent him away. Abraham rejoiced, saying, Now I have a priesthood (*Teachings*, p. 322-23).

In answer to the second question, Joseph Smith characterized Melchizedek as a king and priest, while his translation of Genesis characterizes him as a “*high priest* after the order of the covenant God made with Enoch” (JST Genesis 14:27, italics added). These are not inconsistent characterizations because the term “high priest” can refer to any of three distinct priesthood offices. In the Old Testament, the term designates the presiding figure of the Lesser or Aaronic Priesthood (Leviticus 21:10; Hebrews 7:11, 8:3-5). As used in the modern Church, the term refers to a member of the high priests quorum, which John Taylor explained was

instituted for the purpose of qualifying those who shall be appointed standing presidents over the different Stakes scattered abroad. A sort of normal school, if you please, to prepare men to preside, to be fathers of the people.⁶

However, the term “high priest” also refers to one holding the fulness of the priesthood held by Jesus, who was called a “High Priest” (Hebrews 3:1), and by Melchizedek, who was a prototype of Christ (Hebrews 4:14; 5:4-11). As a “high priest” of this order, Melchizedek, like Christ, was given power over nature (D&C 93:17). Abraham, who was ordained by Melchizedek, explains that he too was ordained a “High Priest,” but far from being merely an office qualifying him to preside or to receive greater authority and keys at some future time, Abraham’s high priesthood gave him “the blessings of the fathers and the right whereunto he might administer the same.” This office constituted Abraham a “prince of peace” (Abraham 1:2), the title by which Jesus was known (Isaiah 9:6), and a “rightful heir,” holding the “right belonging to the fathers” (Abraham 1:2).

On 15 October 1843 Joseph Smith elaborated on the nature of Melchizedek’s high priesthood:

There are three grand principle or orders of priesthood portrayed in this chapter [Hebrews 7].

1st Levitical, which was never able to administer a blessing, but only to bind heavy burdens which neither they nor their fathers were able to bear.

2. Abraham’s patriarchal power which is the greatest yet experienced in this church.

3d. That of Melchizedek who had still greater power, even power of an endless life, of which was our Lord Jesus Christ, which also Abraham obtained by the offering of his son Isaac, which was not the power of a prophet nor apostle nor patriarch only, but of King and Priest to God, to open the windows of heaven and pour out the peace and law of endless life to man and no man can attain to the joint heirship with Jesus Christ without being administered to by one having the same power and

authority of Melchizedek.⁷

“What was the power of the priesthood?” asked Joseph Smith, rhetorically:

’Twas not the Priesthood of Aaron which administers in outward ordinances and the offering of sacrifices. Those holding the fulness of the Melchizedek Priesthood are kings and priests of the Most High God, holding the keys of power and blessings. In fact, that Priesthood is a perfect law of theocracy, and stands as God to give laws to the people, administering endless lives unto the sons and daughters of Adam. (*Teachings*, pp. 322-23).

“King and priest” was the office Melchizedek held. It was by the keys and powers of that office that Melchizedek ruled the people of Salem and ruled as king. It was by this power that he blessed them with endless lives (*Teachings*, p. 322). By this power they were translated into heaven to join the City of Enoch (JST Genesis 14:33-34). Abraham, who was blessed and ordained by Melchizedek, was likewise raised to this calling, which held the right, belonging to the fathers, to sanctify his people and administer endless lives unto them (*Teachings*, p. 322). Joseph Smith also said, “the Levitical Priesthood . . . [is] made without an oath; but the [fulness of the] Priesthood of Melchizedek is [made] by an oath and covenant” (*Teachings*, p. 323).

Though the scriptural accounts of God’s bestowal of such an oath and covenant are few, in those that exist the individuals receiving the oath and covenant (e.g., Melchizedek, Abraham, Isaac, Jacob, Moses, Elijah) can usually be identified as kings and priests, either because they are so denominated or because they are said to be priests “of the holy order of God,” “after the order of Enoch,” or “blessed with the blessings of Abraham.” Therefore, when the Joseph Smith Translation speaks of Enoch’s posterity being ordained “after this order and calling” by which they “should have power, by faith, to break mountains,” the “order and calling” referred to is the fulness of the priesthood.

The point of all this is that Joseph Smith connected the oath and covenant of section 84 to the fulness of the priesthood, i.e., to the calling of king and priest or queen and priestess. Support for this view is found in section 84, particularly in verses 33 to 42, with connections to other sources of the Restored Gospel. Briefly, the evidence for this is as follows:

1. D&C 84:33 mentions the “two priesthoods spoken of.” The first of these is clearly the lesser or Aaronic Priesthood with which, according to Joseph Smith, no oath and covenant is connected. The greater priesthood is very likely the fulness of the priesthood, for, as D&C 84:6-18 makes clear, it was passed down from the king and priest Abraham.

2. D&C 84:33 also connects the greater priesthood with the doctrine of sanctification. This connection echoes the teachings of the Book of Mormon prophet Alma, who states that those holding the fulness of the priesthood, who took “upon them the high priesthood of the holy order” (Alma 13:8), were like Melchizedek, the “high priest after this same order” (Alma 13:14). They were “sanctified, and their garments were washed white

through the blood of the Lamb" (Alma 13:11).

3. D&C 84:34 designates the recipients of the greater priesthood as the "seed of Abraham." The Book of Abraham equates the "seed of Abraham" with the priesthood of Abraham, which, as Joseph Smith explained, was the fulness of the priesthood:

And I will bless them that bless thee, and curse them that curse thee; and in thee (that is, in thy Priesthood) *and in thy seed (that is, thy Priesthood)* . . . shall all the families of the earth be blessed, even with the blessings of the Gospel, which are the blessings of salvation, even of life eternal (Abraham 2:11, italics added).

4. D&C 84:34 connects the greater priesthood with the concept of election, which Joseph Smith described at length (*Teachings*, pp. 150-51). The "elect of God" are described in section 76 as "they who are the church of the Firstborn," "they into whose hands the father hath given all things." They are:

priests and kings, who have received of his fulness, and of his glory; And are priests of the Most High, after the order of Melchizedek, which was after the order of Enoch, which was after the order of the Only Begotten Son. . . . These shall dwell in the presence of

God and his Christ forever (D&C 76:54-57, 62).

5. D&C 84:1-5 makes reference to the city of the New Jerusalem and to the temple. This is important because it is in the temple that the fulness of the priesthood is conferred. Joseph Smith explained:

If a man gets a fullness of the priesthood of God he has to get it in the same way that Jesus Christ obtained it, and that was by keeping all the commandments and obeying all the ordinances of the house of the Lord (*Teachings*, p. 308).

6. D&C 84:36-39 makes reference to heirship which is often linked in the scriptures with the fulness of the priesthood. For example, when Abraham receives that priesthood, he accounts himself a "rightful heir" (Abraham 1:2). Paul declares that Abraham became the "heir of the world" (Romans 4:13), and that those

who suffer with Christ and are glorified with him are "heirs of God and joint-heirs with Christ" (Romans 8:17). Joseph Smith revealed that "they who are of the Church of the Firstborn" are priests and kings "into whose hands the Father has given all things," i.e., they are heirs (D&C 76:54-57).

7. D&C 84:41 contains a penalty clause. Applied generally to the priesthood bearers of the Church, the penalty of no forgiveness of sins for breaking the covenant seems curiously harsh. But if applied to a queen and priestess or king and priest, the punishment becomes more understandable.

The point of this evidence, again, is that since D&C 84 is about the fulness of the priesthood, it follows that Joseph Smith associated the oath and covenant with that priesthood and not the priesthood held by elders, high priests, patriarchs, seventies, or apostles.

At this point, I digress briefly to make an observation regarding the historical context of section 84. The original version of this revelation reads as follows:

And wo unto all those who come not

unto *this priesthood which ye have received*, which I now confirm upon you this day, viz. the 23rd day of September AD 1832. Eleven high priests save one, by mine own voice out of the heavens; and even I have given my angels charge concerning you.⁸

What had apparently begun on September 22 as a revelation to six elders became by September 23 a revelation to ten high priests. This revelation was apparently given over a two-day period at the time these men were ordained to the Church office of "high priest." It is clear that these men were not at this time

THE OATH AND COVENANT OF THE PRIESTHOOD

Doctrine and Covenants section 84

33 For Whoso is faithful unto the obtaining these two priesthoods of which I have spoken, and the magnifying their calling, are sanctified by the Spirit unto the renewing of their bodies.

34 They become the sons of Moses and of Aaron and the seed of Abraham, and the church and kingdom, and the elect of God.

35 And also all they who receive this priesthood receive me, saith the Lord;

36 For he that receiveth my servants receiveth me;

37 And he that receiveth me receiveth my Father;

38 And he that receiveth my Father receiveth my Father's kingdom; therefore all that my Father hath shall be given unto him.

39 And this is according to the oath and covenant which belongeth to the priesthood.

40 Therefore, all those who receive the priesthood, receive this oath and covenant of my Father, which he cannot break, neither can it be moved.

41 But whoso breaketh this covenant after he hath received it, and altogether turneth therefrom, shall not have forgiveness of sins in this world nor in the world to come.

42 And wo unto all those who come not unto this priesthood which ye have received, which I now confirm upon you who are present this day by mine own voice out of the heavens; and even I have given the heavenly host and mine angels charge concerning you.

elevated to the fulness of the priesthood but received the office of High Priest currently held in the Church, since the fulness of the priesthood can only be conferred (1) in the temple or some other place especially dedicated to that purpose, and (2) in conjunction with the administration of certain sacred ordinances (*Teachings*, p. 308). In 1832 no dedicated place was yet in existence, and the temple ordinances had not been fully restored (see D&C 124:28).⁹

The relationship between the fulness of the priesthood and the oath and covenant of God may be seen in the historical context of the restoration of priesthood keys in this dispensation. Joseph Smith taught that all priesthood was Melchizedek, but that there were varying degrees of it (*Teachings*, p. 180). That portion of the Melchizedek priesthood taken from the children of Israel was the fulness of the priesthood, which was restored in Jesus' time and then lost again.

Beginning in 1829, the fulness of the priesthood of God was restored to Joseph Smith by degrees. First the Aaronic Priesthood was conferred upon Joseph Smith and Oliver Cowdery by John the Baptist (D&C 13). Later, the Melchizedek Priesthood was restored when Peter, James, and John ordained Joseph and Oliver to the apostleship (D&C 18:9; 20:2-3; and 27:12). The restoration of these two priesthoods was followed by a period of development in which priesthood quorums, offices, and keys were defined in the growing Church organization.

On 3 April 1836, Jesus, Moses, Elias, and Elijah appeared to Oliver Cowdery and Joseph Smith as they kneeled in prayer behind the veils of the presidency's pulpits in the priesthood assembly room of the Kirtland Temple (D&C 110). In this visitation, Joseph and Oliver received priesthood keys vital to the further development of the Church (*Teachings*, p. 224). From 1836 until his death, Joseph Smith increasingly stressed the need to build temples where the fulness of the priesthood could be bestowed upon the Latter-day Saints as a crowning blessing from God.

The first foreshadowing of such a restoration came in 1829, in the revelation now appearing as section 2, which states that Elijah must come to reveal the priesthood and plant in the hearts of the children the promises made to the fathers, so that the hearts of the children would turn to the fathers. Other such allusions followed. One of the most important of these was made by Oliver Cowdery at the time of the ordination of the first modern Quorum of Twelve, when he told Parley P. Pratt that his ordination to the apostleship was not full and complete and that other, greater keys and blessings were yet to be restored (*History of the Church* 2:195-96, hereinafter, HC). According to Joseph Smith, it was Elijah who restored the "key of the revelations, ordinances, oracles, powers, and endowments of the fulness of the Melchizedek Priesthood and of the kingdom of God on the earth" (*Teachings* p. 337), without which "the ordinances could not be administered in righteousness" (*Teachings*, p. 172).

The preparation for the conferral of the fulness of the priesthood began on 4 May 1842 when Joseph Smith first admin-

istered the endowment. These ordinances were an extension and elaboration of the ordinances that had been administered several years before in the Kirtland Temple.¹⁰ The endowment was administered according to the pattern of priesthood ordination established at the visitation of John the Baptist: first Joseph Smith would administer an ordinance, and then the recipient(s) of that ordinance would, in turn, administer the ordinance to Joseph Smith. This pattern was followed when the endowments were first performed. Joseph Smith said that he endowed certain men on 4 May 1842, and then 5 May he and his brother Hyrum received the endowment from them (HC 5:1-2).

By virtue of the endowment the fulness of the keys of the greater priesthood were transmitted to others. This was done in preparation for the administration of those final rituals by which men and women could be given the fulness of the priesthood; that is, be made kings and priests and queens and priestesses. The endowment itself does not confer this fulness, any more than the conferral of the keys of the Melchizedek Priesthood by Peter, James, and John upon Joseph Smith and Oliver Cowdery conferred upon them the Gift of the Holy Ghost. The keys come before the salvific ordinances. In this case, the endowment was administered to confer the keys of the fulness of the priesthood, so that the final ordinances could be communicated. Both Wilford Woodruff and Orson Hyde, as well as other apostles, emphasized that in the winter of 1843-44 the apostles received the fulness of the keys and powers of the priesthood by attending to every ordinance of the temple.¹¹

On 6 August 1843 Wilford Woodruff reported that

[Brigham Young] remarked that if any in the Church had the fullness of the Melchizedek Priesthood, he did not know it. For any person to have the fullness of the priesthood, he must be a king and priest. A person may have a portion of that priesthood, the same as governors or judges of England have power from the king to transact business; but that does not make them kings of England. A person may be anointed king and priest long before he receives his kingdom (HC 5:527).

The fulness of the priesthood was first conferred in the fall of 1843. Apparently, Joseph had hoped to administer these ordinances in the Nauvoo Temple, but that structure was not completed at the time. So, because of a premonition of his death, Joseph Smith went forward with the administration of these rituals in his private office.¹² These ordinances were first performed on 28 September 1843. The record states that Joseph Smith led the group in the true order of prayer, after which Hyrum Smith and William Marks, at Joseph Smith's dictation, "anointed and ordn [Joseph] to the highest and holiest order of the priesthood, viz., a king and priest unto God." After this, Emma was anointed and ordained a queen and priestess unto her husband.¹³

It appears to have been Joseph Smith's intention to extend these blessings to many of the Church faithful:

We calculate to give the Elders of Israel their washings and anointings, and attend to those last and more impressive ordinances, without which we cannot obtain

celestial thrones. But there must be a holy place prepared for that purpose. . . . so that men may receive their endowments and be made kings and priests unto the Most High God, having nothing to do with temporal things (*Teachings*, p. 362-63).

When planning the westward move of the Church shortly before his martyrdom, Joseph Smith wrote to the Elders of Israel who were to go west as an advance party: "I want every man that goes to be a king and a priest. When he gets on the mountains, he may want to talk with his God" (*Teachings*, p. 333). Again asserting his intention to elevate all faithful Church members to the fulness of the priesthood, Joseph Smith declared that it was God's purpose

to make of the Church of Jesus Christ a kingdom of Priests, a holy people, a chosen generation, and as in Enoch's day, having all the gifts as illustrated to the Church in Paul's epistles (*Teachings*, p. 202).

But notwithstanding this intent, the practice was evidently instituted of ordaining individuals to *become* kings and priests or queens and priestesses, rather than actually ordaining persons to that calling. This promissory and conditional ordination was referred to in an address given in the Nauvoo Temple by Heber C. Kimball:

We have come to this place and all your former covenants are of no account, and here is the place where we have to enter into a new covenant, and be sealed, and have it recorded. One reason why we bring our wives with us is that they may make a covenant with us to keep these things sacred. You have been anointed to *be* kings and priests, but you have not been ordained yet. And you have got to get it by being faithful.¹⁴

Ordination to the fulness of the priesthood is a multi-step process to which Joseph Smith referred in the King Follett funeral discourse in April 1844:

Here, then, is eternal life—to know the only wise and true God. You have got to learn how to make yourselves Gods in order to save yourselves and be kings and priests to God, the same as all Gods have done—by going from a small capacity to a great capacity, from a small degree to another, from grace to grace, until the destruction of the *dead*, from exaltation to exaltation—till you are able to sit in everlasting burnings, and everlasting power and glory as those who have gone before, sit enthroned. I want you to know that God in the last days, while certain individuals are proclaiming His name, is not trifling with you nor me.¹⁵

The steps of the process of ordination to the calling of king and priest (for men) and queen and priestess (for women) are outlined in the Doctrine and Covenants:

1. An individual must be born again into the family of Jesus Christ and by faith in him and by his grace must overcome all opposition (D&C 84:33; 76:53).

2. A man must receive the Aaronic and Melchizedek Pries-

thoods available in the Church, and both men and women must be endowed and sealed in marriage in the new and everlasting covenant (D&C 84:33; 131:1-3; *Teachings*, p. 308).

3. The married individuals must be anointed kings and priests and queens and priestesses; and they must magnify that calling by manifesting to God a willingness to sacrifice all earthly things to become one in Christ (D&C 84:33; 101:4-5).

4. These individuals must be sanctified by the Spirit unto the renewing of their bodies, thereby becoming the "sons" of Moses, of Aaron, the seed of Abraham, the church, the kingdom, and the elect of God (D&C 84:34).

5. These individuals may then receive the visitation of the angels, but eventually must obtain the visitation of the Son (the "second comforter" spoken of in John 14) (D&C 84:36).

6. These individuals must, through the Son, be presented to the Father (D&C 84:37).

7. The candidates must receive from the Father the promise or covenant of "all that [the] Father hath," and this promise the Father must seal by his own oath "out of the heavens" (D&C 84:38-40).

8. The candidates must receive the fulfillment of the promise of the Father by actually obtaining God's glory, by which they acquire power over nature, and must, finally, receive their appointed kingdom in the world to come (D&C 84:63-67; cf. Luke 22:29-30).

These requirements, if not realized in mortality, may be realized in the afterlife, for the necessary ordinances by which men and women are ordained kings and priests and queens and priestesses may be done by proxy for the dead in certain of the temples.

Obviously, these steps cannot be taken suddenly (1 Tim 5:22). Faith in Christ, patience in affliction, and submission to all his ordinances, including the covenant of marriage, are fundamental preconditions to receiving the fulness of the priesthood. This idea is reflected throughout the scriptures (D&C 50:26-29; 76:53; Ether 12:6-9). Two examples are illustrative:

Therefore, they must needs be chastened and tried, even as Abraham, who was commanded to offer up his only son. For all those who will not endure chastening, but deny me cannot be sanctified (D&C 101:4-5).

Melchizedek was not ordained a king and priest until he was first proved faithful to God:

Now Melchizedek was a man of faith, who wrought righteousness; and when a child he feared God, and stopped the mouths of lions, and quenched the violence of fire. And thus, having been approved of God, he was ordained a high priest after the order of the covenant which God made with Enoch (JST Genesis 14:26-27).

It is the vitality of Christian faith behind the ordinances that conditions an individual for the reception both of the fulness of the keys of the priesthood transmitted by the endowment, and the fulness of the blessings of the priesthood, to which individuals are given access through the medium of the anointing to the highest of callings, king and priest and queen and priestess.

Joseph Smith's writings reveal that kings and priests and

queens and priestesses can be constituted by an anointing ritual performed by the president of the High Priesthood, who is now the president of the Church, or by one delegated by him (D&C 132:6-7). It may also be conferred by angels (D&C 77:11). The ritual is called the second anointing. This ritual, whenever feasible, is administered in the Holy of Holies of a temple dedicated to that purpose.¹⁶ It is conferred jointly upon husbands and wives sealed in the new and everlasting covenant by the administration of the anointing proper,¹⁷ which is followed by the washing of feet and other rites. These ordinances have the effect of sealing those receiving them to exaltation in the celestial kingdom of God (*Teachings*, pp. 306, 321, 323) and giving them all the blessings of the priesthood which can be conferred by one mortal on another.¹⁸ This authority, however, is held subordinate to that of the president of the High Priesthood, for he is not only a king and priest unto God *in* Israel, but a king and priest *in* and *over* Israel, and *in* and *over* Zion.¹⁹

Those anointed to the fulness of the priesthood have all authority to administer in all the ordinances of the gospel and of the priesthood (*Teachings*, p. 337), to officiate in any of the offices of the Church and kingdom of God, including the apostolic office (D&C 107:1-10), to bear witness of the Father and the Son (D&C 84:63-64), to pray in the true order to detect the source of revelations (D&C 124:95, 97), and to assist the president of the Holy Order of the High Priesthood in anointing other kings and priests or queens and priestesses.

Although many believe that the second anointing is the highest ordinance in the Church, this is not technically correct. The highest ordinance in the Church is the conferral by God upon an individual of the oath and covenant that is associated with the fulness of the priesthood. This idea was the gist of Oliver Cowdery's statement to Parley P. Pratt in 1835: "Your ordinations are not full and complete till God has laid His hand upon you" (HC 2:195-96). And Brigham Young said, "A person may be anointed king and priest long before he receives his kingdom" (HC 5:527). Joseph Smith made this same point in his discourse on Elias, Elijah, and Messiah:

The Spirit of Elias is first, Elijah is second, and Messiah last. Elias is a forerunner to prepare the way, and the spirit and power of Elijah is to come after, holding the keys of power, building the temple to the capstone, placing the seals of the Melchizedek Priesthood upon the House of Israel, and making all things ready. Then Messiah comes to His Temple, which is last of all (*Teachings*, p. 340).

The spirit and power of Elias refers to the work associated now with the Aaronic Priesthood and the Melchizedek Priesthood in the Church—proclaiming faith and repentance, and baptizing for the remission of sins, and the laying on of hands for the imparting of the gift of the Holy Ghost—in short, the work of adoption into the House of Israel, the family of Jesus Christ (of whom Abraham, as father of the faithful, was but a type and shadow) (*Teachings*, pp. 335-36; Ether 3:14). After proving faithful to these necessary preliminaries, men and women will receive, under the keys of Elijah, all the blessings of the temple, including the endowment and the second anointing, thereby obtaining the fulness of the

keys to turn (i.e., seal or bind) (*Teachings*, p. 330) the hearts of the fathers to the children as well as the fulness of the blessings of the priesthood, i.e., immortality and eternal life. It is at this point that the seals are put upon the House of Israel. Individuals so sealed and so empowered to seal others have all that can be conferred upon mortals by mortals. Such individuals, according to Joseph Smith, must then receive the visitation of the Messiah (i.e., "Messiah comes to his temple") and be ushered by him into the presence of the Father (2 Nephi 9:41). It is at this point that the final component ordinance of the priesthood is administered by the members of the Godhead. This is the oath and covenant that, according to section 84, belongs to the priesthood. This is the final confirmation from the Godhead to the individual of the promise of immortality, eternal life, and everlasting possession of all that the Father has. This, according to Joseph Smith, is the capstone on the temple, "which temple," says Paul, "ye are," the members of Christ's Church (1 Corinthians 3:17).

For Joseph Smith, then, the oath and covenant of the priesthood did not refer to the two parts of a bilateral contract, nor to any kind of mutual contract with God. Instead, the oath and covenant is a unilateral promise made by God, and sealed by his own oath. This promise is not extended to all priesthood bearers, but only to those men and women who have received the fulness of the priesthood. This highest of priesthood blessings is not conditional upon future obedience. It is granted unconditionally as a reward for past loyalty and devotion.

In the theology of Joseph Smith, then, it was not earthly status, or even status in the priesthood hierarchy, that ensured one's salvation or exaltation, but direct contact with the Father and the Son. This is the final and indispensable component of the ordinance by which the fulness of the priesthood is conferred, by which the anointed ones are constituted joint heirs with Jesus Christ and Saviors on Mount Zion (HC 6:184, 364-365). Within the worldview of Joseph Smith, it was by this supernatural event that the recipients of the full manifold of gospel, Church, and temple ordinances became, in fact, fully called, elected, anointed, and crowned kings and priests and queens and priestesses—possessors of the fulness of the priesthood, whose lives are "hid . . . with Christ in God" (D&C 86:8-9). *cf.* 101:39-42; 103:9-10; Matthew 5:13)—individuals who have passed beyond their personal judgment and have entered into their exaltation, awaiting only the time of the resurrection to enjoy the fulfillment of the promises of the Most High.

NOTES

1. *The American Heritage Dictionary*, s.v. "oath."
2. A promise by an oath is a formula that goes back to the third millennium before Christ. See G. Mendenhall, "Covenant Forms in Israelite Tradition," *Biblical Archeologist* 17 (1950) 3, pp. 51-53; D. R. Hillers, *Covenant: The History of A Biblical Idea*, John Hopkins Press, Baltimore, 1969, p. 40, 103, 181; D. J. McCarthy, *Old Testament Covenant* pp. 4, 32, 60; and M. Weinfeld, "Covenant of Grant in the Old Testament and in the Ancient Near East," *Journal of the American Oriental Society* 90 (1970), p. 184.
3. *The Oxford English Dictionary*, s.v. "promise."
4. *Corpus Juris Secundum*, "Covenants," Sec. 1, at 885; Corbin, *Contracts*, Sec. 633, at 595 (1952).

5. Weinfeld, p. 196-99; Hillers, p. 103.
 6. *Journal of Discourses*, 19:242. See also *Journal of Discourses*, 9:87-88.
 7. Franklin D. Richards, *Scriptural Items* 26-27, Historical Department of the Church, MS d4409.
 8. Section 84, Revelations to Joseph Smith and Brigham Young 1829-1847, Newell K. Whitney Papers (1795-1850), Special Collections, Harold B. Lee Library, Brigham Young University.
 9. Andrew F. Ehat and Lyndon W. Cook, *The Word of Joseph Smith*, Religious Studies Center, Brigham Young University, Provo, Utah, 1980, pp. 305-307.
 10. See generally, Andrew F. Ehat, *Joseph Smith's Introduction of Temple Ordinances and the 1844 Mormon Succession Question: A Thesis Presented to the Department of History, Brigham Young University in Partial Fulfillment of the Requirements for the Degree of Master of Arts*, December 1981, Harold B. Lee Library, Brigham Young University; Hugh Nibley, "Early Christian Prayer Circles," *BYU Studies*, 19 (Fall 1978) 1; D. Michael Quinn, "Latter-day Saint Prayer Circles," *BYU Studies*, 19 (Fall 1978) 1.
 11. *Wilford Woodruff Journal*, 1844 entries for January 20, 21, 28, 31, February 2, 3, 4, May 5; *Millennial Star* 5:109; see also Wilford Woodruff address, *Journal of Discourses* 1:134, 13:49, 19:232, 233, 235, 266; *Times and Seasons* 5:651, 648, 661 663 and 666; *Teachings*, p. 237, 326; cf. D&C 124:95-97.
 12. *Times and Seasons*, 5:651 (15 September 1844).
 13. Ehat, pp. 94-95.
 14. Heber C. Kimball Journal, Church Historical Department, Salt Lake City, Utah, (italics added); see also George Q. Cannon 2 August 1883 remark, Minutes of the School of the Prophets of 1883, Church Historical Department.
 15. Stan Larson, "The King Follett Discourse: A Newly Amalgamated Text," *BYU Studies*, 18 (Winter 1978) 2:201.
 16. "A Proclamation of the Twelve Apostles," *Millennial Star* 6:9.
 17. Charles W. Penrose, *Priesthood and Presidency*, cf. Genesis 49:26, 48:13-20.
 18. Brigham Young in Heber C. Kimball Journal, 26 December 1845.
 19. Revelation 1:6; 5:10; *Teachings*, p. 345, 363; see also, Heber C. Kimball Journal Jan. 8th 1846, Jan. 11th 1846; The Franklin D. Richards Miscellaneous Papers, I 318, Reel 12 (February 4th, 1885), Church Historical Department.

CROSSING THE SWEETWATER

- Chorus: O Brigham, are you crying?
 Do your tears come just for me?
 Our journey's done - I'm the pioneer
 You meant for me to be.
 You think I'm much too little
 For this heavy load you see.
 Well, crossing the Sweetwater
 Took the little outa me.
1. Don't cry for me, a prophet's tears
 Are more than I can bear.
 You dreamed us to the promised land.
 We laid down our fair share.
 I lost fingers to the bite of frost
 Baby sisters to the flu.
 I fought my tears along the trail,
 Now I see the tears in you.
2. Winter caught us early,
 Taught us Zion's price.
 By crossing the Sweetwater
 We lost our mother's life.
 I heard her voice just days ago;
 We'd almost made it through.
 I turned around and she was gone
 Just two days short of you.
- Chorus: O Brigham—
 Do you weep our welcome?
 I reckon sorrow makes us strong.
 Mother's dead inside our wagon
 She's alive here in my song.
 You think I'm much too little
 For this heavy loss you see.
 But crossing the Sweetwater
 Took the little outa me.
3. You said—
 "Suffer little children to come westward
 with me."
 Did you mean for us to suffer so
 In our sojourn to be free?
 You're a prophet, you're a leader.
 You called us to this place.
 Your welcome feels so bittersweet—
 Oh, where's my mother's face?
4. I'm crying for my mama;
 Ya need not weep along.
 She's dead inside our wagon,
 She's alive here in my song
 A heavy load for a little girl,
 But you see I pulled it through.
 I'm all growed up, which came about
 When we chose to follow you.
- Chorus: O Brigham, are you crying?
 Do your tears come just for me?
 Our journey's done—I'm the pioneer
 You meant for me to be.
 I'm really not too little
 For this heavy load you see
 'Cause crossing the Sweetwater
 Took the little outa me.
- Crossing the Sweetwater
 Took the little outa me.

MIGNONETTE HARGAN

REVIEWS

A GOOD CAST AND GREAT LINES

WILFORD WOODRUFF—
GOD'S FISHERMAN

written and directed by James Arrington

written and acted by Tim Slover



Reviewed By Bob Nelson

Attending theatre is an act of faith, much like going to church. Although you may have to endure lots of disappointing sermons, you never know what sermon might change your life. So you keep going—faithfully, hopefully, even charitably.

Wilford Woodruff—God's Fisherman, a full-length one-man show recently performed in England and Provo, is one of those rare theatre events that can change your life. A youthful, cheerful, guileless Wilford Woodruff prepares to enter the valley of the Great Salt Lake, and on July 23, 1847, he reminisces with us. In recalling his experiences with figures from early Church history, his wife, and the thousands he taught and converted, he reminds us of the simple trust in God and the selfless service that characterize the faith of all true believers.

The young prophet-to-be comes compellingly to life in Tim Slover's skillful portrayal. He and co-author James Arrington season their show with plenty of historical detail—indeed, virtually every word is documented. But Slover always seems to effortlessly master the material, and makes the quaint language feel contemporary, conversational, spontaneous. His lucid, lean performance rings with the persuasiveness of an eyewitness account.

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The audience is welcomed into the theatre by bouncing, folksy music of the period, and by the stage's simple outdoorsy setting: bushes, stumps, logs, and sand. At center stage is a well-used wooden trunk, from which come a number of costume accessories and other properties. The most prominent items are the box of flies and the fishing rod from which Woodruff derives such great pleasure.

Fishing is the play's central metaphor. At one point Woodruff lists several dozen varieties of fish, many of which he came across during his mission to the Fox Islands, off the coast of Maine. Experience has taught him that his "dreams of fishing always mean baptism." He is moved by Jeremiah's account of fishers and hunters, and by Habakkuk's illustration of what God can do with the weak things of the earth, such as Woodruff, if they'll allow him to. He sees himself as useful to God's kingdom simply because he has learned to fish, literally and figuratively.

A one-person show is surely a most difficult acting challenge, since there is no one with whom to share the burden of performance. Likewise, knotty problems arise for the writer: How much time passes during the action of the play? Where and how does "stage" time differ from "real" time? Is the character alone? If so, how is his speaking aloud for two hours justified? If he is not alone, does he interact with

imaginary others? Does the audience itself become a "character" in the play?

Here, the strategy is simple. Woodruff acknowledges the audience's presence and addresses them directly. Even though Woodruff is always Woodruff in this production, he often relishes "playing the roles" of both speakers in conversations he recalls, just as an excited friend might report what "I said" and then what "he said." As a result, with each episode, and Woodruff's wry asides along the way, we become more fully acquainted not only with the facts, but also with Woodruff himself.

This Woodruff is an interesting, thoughtful person. He has sparkling eyes and a keen, self-effacing sense of humor. He offers homespun advice: since the Devil is always at the elbow of God's servants, if he is not following us we must be unrighteous. Woodruff's interests extend to concern over social injustice: he is angered at the rampant poverty he has seen in industrial England amidst the incalculable wealth of the nobility.

Slover and Arrington have successfully surpassed saintly stereotypes and have created a believable individual in Woodruff. As he pulls off his boots in order to wade out to free his line and save a precious fly, we see that his socks are mismatched. He speaks movingly of Relief Society members who bless their children and others by the laying on of hands. He enjoys chewing tobacco—for medicinal reasons, of course, to relieve the discomfort of canker sores. Such humanizing details, far from weakening him in our view, give us hope in our own struggle for personal growth and progress.

The last fifteen years have witnessed an increasing number of theatre productions with overtly LDS content. While this phenomenon is generally laudable, much of the material we have seen sheds little light beyond an occasional random spark. Happily, *Wilford Woodruff—God's Fisherman* is a gently luminescent gem.

Unhappily, we found ourselves sharing Provo's intimate Town Square Theatre with only eleven others in the audience. The sad fact is that those who provide our community with indigenous theatre for the love of it will eventually burn out. They cannot forever share the best of their creative and artistic endeavor without patronage. What an incalculable loss it will be if our best craftsmen and artists finally tire of their simultaneous struggle both to eat and to reveal to us the treasure of their visions.

If ever again you get the chance to see Tim Slover as *Wilford Woodruff—God's Fisherman*, buy at least a dozen tickets!

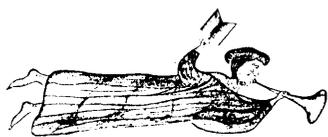
B. H. ROBERTS'S VOICE FROM THE DUST

STUDIES ON THE BOOK OF MORMON

by B.H. Roberts, Ed., Brigham D. Madsen

University of Illinois Press, 1985

Hardback, 375pp., \$21.95



Reviewed by Richard Sherlock

BY NOW THE essential content of this book will be known to many SUNSTONE readers. It was a bestseller in the Mormon market and stirred up a firestorm of controversy in the Church's more conservative circles. Essentially, these works represent previously unpublished and little known studies of the Book of Mormon that Roberts undertook in the early 1920s, partly at the behest of the First Presidency.

The first study, "Book of Mormon Difficulties," was Roberts's attempt to answer questions of a linguistic and archeological nature that investigators put to the First Presidency. As the "in house" intellectual who had earlier discussed some of these issues in his *New Witness for Christ in the Americas*, Roberts was given the task of preparing a response.

At about the same time, Roberts also undertook a longer and more potentially explosive study of the possible origins of the Book of Mormon. Entitled "A Study of the Book of Mormon," this study involved a detailed comparison between the Book of Mormon and Ethan Smith's *View of the Hebrews*. Roberts argued two points in extensive detail. First, he claimed that Ethan Smith's book was probably known to Joseph prior to the production of the Book of Mormon and that if it was not, the general theory of the Hebrew origins of the American Indians was so well known in the area where Joseph came of age that he was almost certainly familiar with the basic story-

line. Second, Roberts showed that there are extensive similarities between Ethan Smith's work and Joseph's in the general stories and even in specific events. From these observations, Roberts concluded that the Book of Mormon could have been produced by a religiously fertile, biblically saturated mind (such as Joseph's) working on the basic storyline provided by Ethan Smith.

For Mormon orthodoxy this is dynamite. Roberts was not an outsider like Thomas O'Dea or an apostate like Frank Cannon or the Tanners. By this time, he had been a General Authority for nearly forty years, and a decade later he died in the firm embrace of the Church and gospel. But the conclusion which he reached was simply not the orthodoxy of his church or its people. It is little wonder these studies have remained unpublished until recently nor that he was troubled by their contents.

Despite the claims of some critics, these studies are well edited by Brigham Madsen with a trenchant introductory essay by Sterling McMurrin. For the most part, Madsen's introduction was as good as it could be under the circumstances, since he was denied access to the extensive Roberts papers held in the Church Archives. He did not need to report on everything that Roberts said about the Book of Mormon. He did what a responsible editor should do and let Roberts speak for himself through his work. Furthermore, it would have been irresponsible to try to argue with Roberts's conclusions in this work, even if he thought

Roberts was wrong. The reader should be allowed to confront Roberts directly and form his or her own conclusions.

The real problem in *Studies of the Book of Mormon* is not with the editorial work but with Roberts's argument and conclusions. He does not argue that the Book of Mormon *must* be a nineteenth-century product, or that Joseph copied Ethan Smith. Rather, he concludes that there is a paucity of serious evidence to support the Book of Mormon and that a fertile religious imagination like Joseph's *could* have used Ethan Smith's story line to create a different book, i.e., the Book of Mormon. Essentially, Roberts believed that, on the basis of the best evidence available, one could not be certain that the Book of Mormon was what the Church claimed it to be. The archeological and linguistic evidence did not support it; the story could have been adapted from other sources; and the theology was heavily reminiscent of Christianity in early nineteenth century America.

These possibilities that so troubled Roberts cannot be answered by the sorts of research that Mormon scholars have traditionally done. At best, the studies sponsored by the Foundation for Ancient Research in Mormon Studies (FARMS) demonstrate one possible scenario that would place the Book of Mormon in an ancient American setting. But no hypothetical reconstruction such as this can lead to any degree of certainty about the origins of the Book of Mormon. More significantly, once Roberts admits that Joseph could have written the Book of Mormon by himself, he has broken in a fundamental way with the traditional view of the text. However, Roberts never lost his testimony of the gospel or his commitment to the Church. He tried to get some of his brethren to confront squarely the issues he raised, but when he failed he simply continued to instruct the Saints and preach the gospel in every way he could.

What he seems to have been searching for was a way to remain committed to the Book of Mormon as a definitive religious text while not knowing for sure whether it has any ties to the history of ancient America. Roberts never resolved this tension between historical evidence and religious commitment, but out of all the work of the new Mormon historians, the questions Roberts asked are clearly the most seminal of all. By asking the questions that few have even contemplated, he pointed the direction in which an intellectually committed and faithful Mormonism must go. For this reason his work here will be read in a hundred years when much of the history we have written today is ignored.

RICHARD SHERLOCK is an associate professor of philosophy at Utah State University.

READING SEALED BOOKS AT THE ARCHIVES

By Richard D. Ouellette

RECENTLY THE *LDS Church News* ran a series of articles about the LDS Historical Department's Library Archives. A 25 April 1987 story reported that records and manuscripts will be "more readily available to Church members and others. . . ." Yet, incongruously, late in 1986 all manuscript collections in the Church Library-Archives connected with the First Presidency were closed. In addition to closing the presidential collections, this policy also appears to apply to the papers of individual members of the Quorum of the Twelve Apostles. The reasons for the Historical Department's seemingly contradictory directions can give a person both optimism and apprehension about the future of historical research in Mormon studies.

An understanding of the different libraries and collections of the Church will provide helpful background. Located in the four-story east wing of the LDS Church Office Building, the Library-Archives has two main sections. The library is on the first floor, where the public has access to almost every publication about the Church, either on the open shelves or by filling out a request slip. Patriarchal blessings, ward membership records, etc., are also found in the library.

The archives occupy the remaining three floors. Patrons are permitted only in the second floor reading room where they may request manuscripts. Photocopying is limited, but portable typewriters and computers can be brought in to improve note taking.

In addition, some materials are retained in the vaults of the First

Presidency and the Quorum of the Twelve, and a researcher must get special permission to view a document in these locations. For example, one of the sources for *The Words of Joseph Smith*, by Andrew Ehat and Lyndon Cook was the diary of William Clayton, which is in the First Presidency's vault.

Official First Presidency papers and individual presidential collections in the archives have long been restricted, with the exception of the Joseph Smith collection. However, in the past, some respected researchers with special permission were allowed access to the restricted collections. Permission was most frequently granted to scholars working on biographies of Church leaders. For example, Ronald W. Walker, a senior historian with BYU's Joseph Fielding Smith Institute for Church History, was permitted to read through the voluminous letters and other papers in the Heber J. Grant collection, while large numbers of researchers had limited access to the Brigham Young papers.

Nevertheless, the recent decision closes these presidential collections to everyone, even to historians who previously had extensive access. The only exception appears to be for some individuals doing research at the request of Church leaders. This is especially frustrating for researchers who have written books and articles based on documents they read in the archives but which they cannot recheck prior to publication. Already, articles are beginning to appear which note that the authors were unable to double-check their sources. Surprisingly, even indi-

viduals researching Church projects—writers for the *Ensign*, for instance—have been denied access.

Church employees give two interrelated reasons for this action: the need to catalog most of the collections and the desire to control the access to sensitive materials.

Although in the past researchers were sometimes allowed to look at documents in collections that were not catalogued, at present the policy is to review all manuscripts before granting researchers access to any of them. Just how long it will take Church archivists to read and catalog all of the documents in these collections is uncertain; however, unless the number of individuals doing the cataloging is dramatically increased, the length of time may be measured in decades.

Obviously, the new policy regulating access can't be entirely explained by the need to catalog the documents. The larger and more fundamental issue may be the question of how these sources are to be used in historical writing. New Mormon histories that revise the traditional history of Mormonism, whether by reinterpretation or by presenting new information, have been criticized by some Church leaders. Throughout the last decade an increasing nervousness about history has been evident among such leaders.

Articles such as David Buerger's *Dialogue* article "The Second Anointing in Latter-day Saint Theology and Practice" and his Sunstone symposium paper "The Evolution of the Mormon Temple Endowment," along with D. Michael Quinn's "LDS Church Authority and New Plural Marriages, 1890-1904," which was also published in *Dialogue*, have been cited as examples of the kinds of articles which have displeased some authorities and may have prompted the more restrictive archival policy.

The closure of General Authority collections probably reflects the efforts of the heads of the Historical Department to respond to those who preside over them. In addition to closing entire collections, the

archives is applying several existing procedures in more restrictive ways to gain greater control over its historical materials and, as a result, of the way Mormon history is written.

The first method of control is the cataloging process itself. As archivists catalog the materials, they will become more familiar with their content and thus better able to control the use of documents. One researcher said, "they are moving towards greater inventory control of the records of the presiding quorums." This increased control will allow for more informed decisions about granting access to sensitive materials.

A second control mechanism is the application form for reading privileges which must be signed by researchers, a form which is generally similar to forms used by other archives. Item 12 of the form, however, states that any person publishing quotations from a document housed in the archives must submit enough of the manuscript to show the context in which such quotations are used and must receive permission to so use them. This form has been used sporadically for years in the archives, but only recently have all researchers been required to sign it. In the past, item 12 was generally viewed as requiring the submission of copies of published articles for filing in the Church library.

Recently, however, item 12 has been interpreted to require permission prior to publication to quote even one word from a document. Once a quotation is in the public domain, the Church has no copyright claim on it. Through this new approach, the Church apparently is attempting to more effectively control what passes into the public domain. What would happen under this new system if a researcher published a quotation without first obtaining permission? While it is doubtful the Church would take legal action against a researcher, it has been made abundantly clear to researchers that they could not expect to use materials housed in the archives again.

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Historians have responded to item 12 in a number of ways. Some accept the new interpretation, sign the form, and use the archives. Others resent being required to have their scholarship reviewed by Church personnel and boycott the archives, doing research on topics which do not require the use of archive materials or relying solely on notes taken during a more open period. Others assume the form's meaning has not changed, and feel no obligation to submit their manuscripts to the Church prior to publication.

When asking for an interpretation of item 12, some historians have been referred to the Church's Copyrights and Permissions Office, since it is that office which is the clearinghouse for submitted manuscripts. Here again, answers about that office's oversight role have varied. Officially, Copyrights and Permissions says that they are only checking to see that the quotations conform to "fair use" practices in order to retain the Church's copyright on the material. However, informed sources say that Copyrights and Permissions has been instructed to review an article's content as well. Some historians are

concerned that their manuscripts will be reviewed by individuals unfamiliar with the nuances of writing history.

Because of the extensive use of the archives in the last decade and a half, there exists a large body of research material in the form of notes and photocopies which has not yet appeared in publications. The amount of material in private files combined with the restricted access to original sources has led historians to turn to their colleagues for copies of notes from documents in the Church archives, raising questions about the ethics and professional standards of such methods.

Inherent in these issues of controlling access is the question of the criteria to be used when reviewing documents to determine what is sensitive or nonsensitive. The task of creating such criteria raises a number of questions that are not easily answered. For example, is a brief reference to a post-Manifesto plural marriage faith promoting or faith destroying? If it is the latter, will the entire letter in which such a reference is contained be restricted, even though it is otherwise faith promoting? Similarly, should a

minute book be restricted because during one of the many meetings reported in it there is a reference to someone's excommunication and the reasons for it? If such an excommunication took place 130 years ago, will information about it still be restricted? The amount of material available to researchers in the future depends, of course, on what criteria are used.

Concerning this question, Elder Dallin Oaks of the Quorum of the Twelve said at BYU's Church History and Recent Forgeries symposium, "Our belief in life after death causes us to extend this principle [of the privacy of living individuals] to respect the privacy of persons who have left mortality but live beyond the veil. Descendants who expect future reunions with deceased ancestors have a continuing interest in their ancestors' privacy and good name."

In light of the closing of presidential collections, the *Church News* claim that historical records are now more available must refer to materials of a nonsensitive nature. These include ward minute books, missionary journals, and many other materials created by rank and file members of the Church.

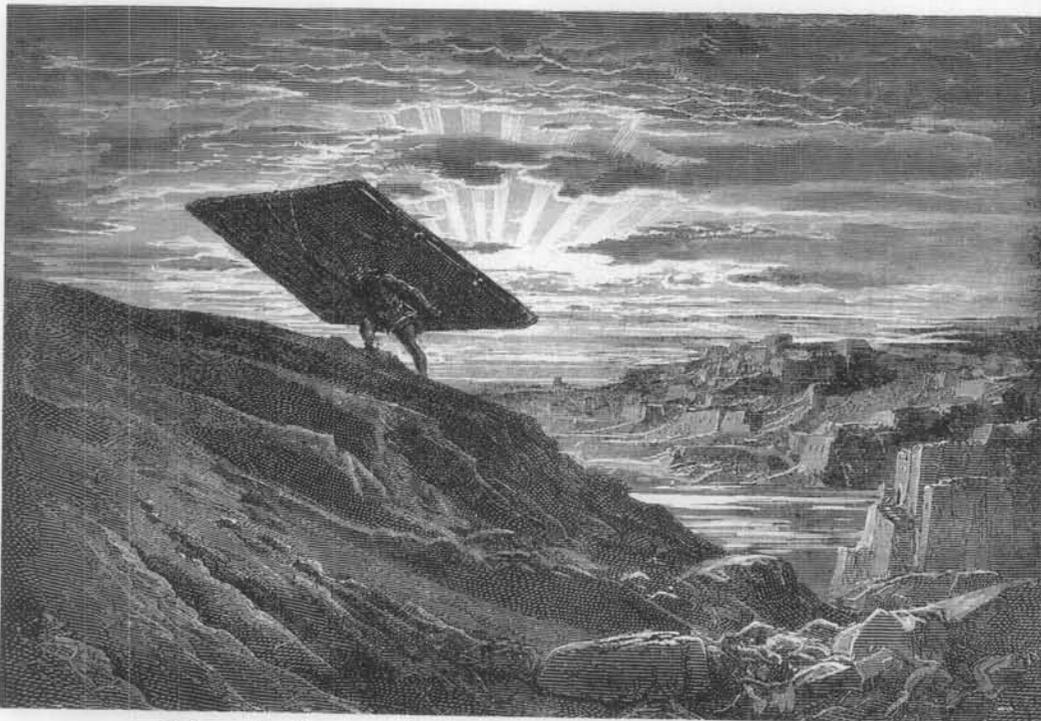
Indeed, through the above mentioned cataloging process, many documents presently restricted may be made available once their nonsensitive content is recognized. Additionally, the catalog which describes the documents housed in the archives will be more complete and of greater help to the researcher.

Another aid to access is the interview which a person must undergo upon applying for reading privileges at the archives. After discussing the topics mentioned above, the staff member conducting the interview is often able to provide valuable suggestions to aid the researcher with his or her project. On the other hand, some long-trusted researchers have found this interview to be unnecessarily long and elementary and they resent an implied distrust of their professional abilities.

Finally, there is some hope that copies of materials of a nonsensitive nature may someday be broadly available to researchers who cannot easily visit Salt Lake City. The Church for years has circulated microfilm copies of genealogical materials.

These changes and others undoubtedly support the claims of the *Church News*. As one historian has said, "There will be many improvements to help researchers." However, such innovations will be of very little help to the professional historian interested in writing about administrative or doctrinal developments. Rather, these new aids seem to be directed more towards the nonprofessional interested in writing family or congregational social histories.

This is in keeping with the statement of Elder John K. Carmack, managing director of the Historical Department, that one of the purposes of the department is "to build the faith of the members and help them to search out their spiritual roots." In a similar vein, the Church recently changed the names of the Genealogical Department and the Genealogical Library to the Family History Department and the Family History Library.



"They finally put all the commandments in one place!"

What, then, does the future hold for public access to the records of the Church archives? Even with all the unknowns of the current policy, there seems to be a consensus on the following points:

1. There will be greater access to nonsensitive materials than in the past. Family, community, and social historians will likely benefit from the new directions.

2. For the foreseeable future, papers created by the top Church leaders will be closed for cataloging and review. Whether the cataloging of all collections must be completed before any of them are reopened is unknown.

3. Once the General Authorities' papers are again open, access will probably be on a selective basis, determined by a still evolving policy. What percentage will be open will depend on the review criteria used.

4. Scholars examining events at the center of the Church, for which the papers of General Authorities are the best sources, will be most

affected by the new policies.

Nevertheless, many historians are not adopting a fatalistic attitude. "The Church goes through cycles in its approach to its history," says Brigham Madsen, emeritus professor of history at the University of Utah. "After a few years, the sting of revisionist history will leave and it won't seem so threatening."

"I don't see any setbacks for future Mormon history writing. I am optimistic about the future," states Thomas G. Alexander, director of BYU's Charles Redd Center for the Study of Western History.

On the other hand, not all are optimistic. "I doubt that the future direction of the archives will favor scholarship," states one prominent LDS historian.

With access to major historical materials currently in a transitional phase, only time will tell what documents historians can expect to see at the Church archives.

LDS GAYS GATHER TO ZION

"COME, O THOU King of Kings! We've waited long for thee, with healing in thy wings to set thy people free," sang the audience at the opening session of the tenth annual "Gay Mormon Reunion" held at the Sheraton Hotel in Salt Lake City. The 25-27 September event which brought 200 people from as far as California, Arizona, New York, and the Netherlands, was a blend of emotional support and community, professional workshops and lectures, LDS culture, and quality entertainment.

The Friday night opening reception included a welcome from Salt Lake City Councilman Tom Godfrey who said that he was selected by the city to come because he was a non-Mormon who was not up for reelection. The rest of the evening consisted of entertainment that ran-

ged from the humorous to the poignant, including a touching rendition of "Somewhere" done in sign language.

Saturday morning included three lectures on homosexuality. Rev. James Sandmire, discussed his Mormon heritage—his New England mission, his temple marriage, family and divorce because of his homosexuality—and then spoke on the importance of Mormon gays living a spiritual life based on their LDS traditions. Sandmire challenged the audience "to overcome the hurt, accept Christ as their Savior and to take the message of God's love to everyone." Stressing Mormonism's beliefs that God doesn't make mistakes and that everyone has a purpose in life, he explained that God intended the audience to be gays and lesbians to

bring His gospel to those groups—"you've been called on another mission," he said. "Because you're gay doesn't mean you have different standards," he stated, encouraging them to use their free agency to have long-term eternal relationships, practice compassionate living and disciplined lives.

R. Jan Stout, a Salt Lake psychiatrist, discussed his research on the biological issues of homosexuality which he had published in a recent issue of *Dialogue: a Journal of Mormon Thought*. Stout said that there are strong biological roots for all human sexuality, including homosexuality. He said people don't get upset when they recognize the uncontrollable sexual instincts in other animals, just in humans. He explained that sexual orientation is an interplay between nature and nurture; that nature gives the thrust, the hardware, and that social nurturing, the software does the fine tuning, but doesn't determine sexual orientation. According to him, sexual orientation is determined during pregnancy by the amount of testosterone secreted which differentiates male fetuses from female and directs the developing brain.

Concerning curability and treatment, Stout said it is possible to diminish desire and alter activity by discipline, but that it is not possible to change a person's orientation. "I am an incurable heterosexual," he confessed. "I don't believe it morally defensible to offer a cure where you claim to change orientation. You can help people deal with their sexuality, and you can help bisexual people change and move, but you don't change the fundamental orientation which is an immutable part of our brains."

"Homosexuality is not a problem of sex, it's a problem of love," Stout concluded.

Marybeth Raynes, a Salt Lake counselor whose clients include gays and lesbians, shared insights from her counseling experience. She observes no greater incidence of psychological pathologies among homosexuals than heterosexuals, she uses the same ethical guide-

lines in counseling gay and straight clients and encourages gays who want to "marry," and Raynes sees her role as helping people lead ethical lives that explore the whole spectrum of their capabilities, without focusing exclusively on whether they're gay or straight.

Concerning organizational issues relating to the LDS church, she said the Church has a right to determine its policies and that people should accept that. However, she also respectfully disagrees with some of its policies, including those concerning homosexuals. "There is no easy way to be a Mormon and gay at the same time," Raynes said, explaining that she respected those who go public, those who stay private, and those who try to combine both; however, she doesn't respect the misuse of other people while a person is struggling with their own sexuality.

She said it is not helpful when other gays come up to someone struggling with their orientation and, based on their own experience, tell them what to do. "Everyone must find their own way through life" and determine who they are and what they believe, Raynes explained, noting that gays must face that fact while many Mormons don't know they have to. She encouraged the audience to live by their own "inner Liahona" and, based on her own experience and others, said "I do not believe the spirit leaves right at the point you do something this Church prohibits."

Concerning the practical side of being gay, Raynes said that Church courts and bishop's interviews were often an excruciating experience for people. She recommended that individuals talk to others and develop a strategy before going through these procedures. She said gays and lesbians cannot excommunicate their families from them; when they try to cut off the family, she warned, it becomes more alive in their lives.

Raynes said Mormons tie sex to self-worth in ways that differ from their other values, and criticized all-or-nothing attitudes about sex

acts. Mormons sometimes think "if I've done it once, I might as well as continue," she said, which increases guilt, the incidence of the act, and delays repentance. She noted that this unhealthy result doesn't usually occur when someone lies or steals, for example.

The afternoon sessions consisted of workshops on legal issues, AIDS, communicating with spouses and family members, long-term relationships, and relations with local Church leaders. There were also caucuses for women, parents and family members of gays, and non-LDS gay partners and spouses.

Rev. Sylvia Pennington, the Saturday evening banquet speaker, told how she was converted from an Assembly of God missionary sent to redeem gays in San Francisco to a fundamentalist Christian who believes "it is God's time to heal, dry tears, and set free" Christian churches and gays from the "blind spot of this generation"—the exclusion of homosexuals.

Sunday morning conference goers attended the Tabernacle Choir "Music and the Spoken Word" broadcast and then gathered for a closing devotional at which three speakers shared their religious beliefs in the context of their homosexuality, and a closing address by the incoming Affirmation General Coordinator Russell Lane.

With the tears, smiles, hugging and animated conversations, the conference at times felt and sounded like an LDS missionary reunion. The serious, often pained, content of the sessions was off-set by entertaining musical numbers and by the frequent congregational singing of songs such as "Let There be Peace on Earth" and LDS hymns. However, the words to the hymns not only affirmed their affection for their Mormon connections, but also expressed the spiritual longings from their gay perspective: "I am a child of God, and so my needs are great, . . . help me find the way," and "The Lord is never far

away, but through all grief distressing, an ever present help and stay."

Many at the conference said that coming back to Utah was difficult for them because it brought back "floods of good and bad memories" about the Church and their culture. This was the first time Affirmation held its annual conference in Utah, partly because of some members' concern that friends and relatives who were not aware of their lifestyle would find out. As a result, the local press was prohibited from the conference and the use of cameras was restricted.

While those who attended received solace from the supportive community at the conference, Affirmation itself feels the inherent tensions of the diversity it celebrates. Its predominately male membership consists of in- and out-of-the-closet gays, believing and nonbelieving active and former Mormons, and God-seeking and atheistic members. Some of its leaders feel Affirmation should provide a connection to the LDS culture,

while others want it to be solely a support group for homosexuals. A recent study by sociologist Keith Bryan Shcolnick found that a large number of its members have an affective and intellectual (if not behavioral) attachment to the Church. He said that despite a feeling of rejection by the Church, Affirmation will remain an educational and support organization and not evolve into a new religious cult or sect, as has happened with other gay religious organizations.

Regardless of what a person may conclude about the doctrinal correctness of homosexual behavior, after spending a weekend with these Mormon gays, sensing their joys, struggles and pain one could only feel empathy when a vocalist sang "birds fly over the rainbow, why then oh why can't I?" and pray with them when they closed by singing "God be with you till we meet . . . at Jesus' feet."

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In an ironic twist, modern polygamists may find a warmer reception in the Reorganized Church of Jesus Christ of Latter Day Saints than they do among the Mormons. Although the once-polygamous LDS church now excommunicates any member involved in polygamy, under certain conditions the RLDS church (which historically has denied that Joseph Smith ever taught the doctrine of plural wives) will permit the baptism of individuals involved in polygamous relationships. While this is a rare event which usually occurs in India or Africa, desiring individuals may be baptized under three conditions: (1) they understand that they may never hold the priesthood; (2) they pledge in their village or congregation to take no additional wives; (3) they promise to rear their children by teaching them the correct principle of monogamy.

According to Joe Serig, the RLDS apostle for the Europe-Africa Field, over the past twenty years the church's experience with this policy has had productive results. It allows forgiveness without disrupting the family relationships, it teaches the value of monogamy, and it resolves the problem within one generation.

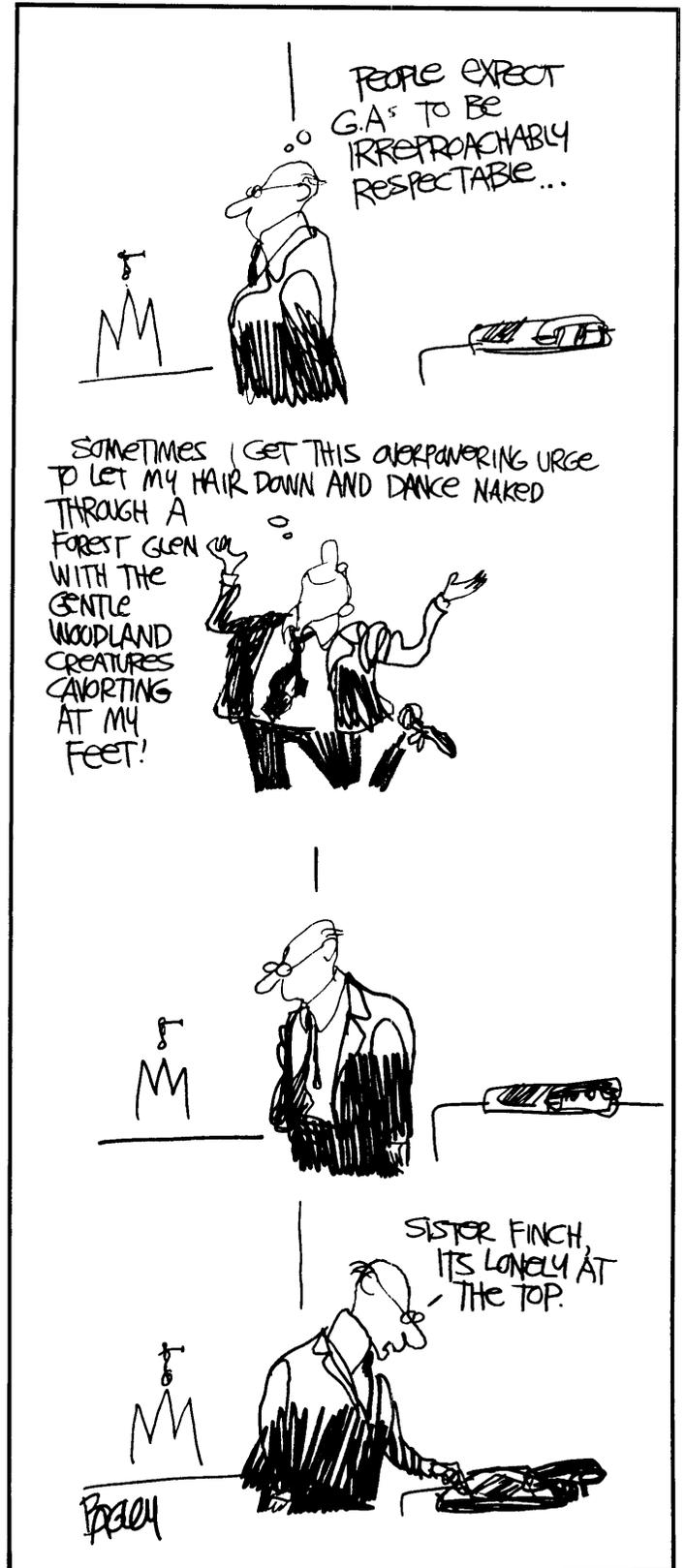
To the delight of some Church historians, the discovery of the Mark Hofmann forgeries burst the bubble of the boom market in collecting Mormon documents which they had inflated. First the counterculture Salt Lake bookstore Cosmic Aeroplane shut down its LDS document office, which included a mailorder catalog. This fall the Deseret Bookstore, perhaps still upset about purchasing counterfeit Deseret currency, decided to discontinue its Fine and Rare Book department which also carries out-of-print LDS books. Department manager Curt Bench plans to open his own business called Benchmark. Nevertheless, it's an ill wind

that doesn't bring someone good: The New York-based Rick Grunder Books includes in its current catalog several authentic Hofmann-signed documents including a 1981 *Time* magazine which features a story on Hofmann and the Joseph Smith III blessing. In the end, Salt Lake's Sam Weller's Zion Book store, which was in the business long before Hofmann forged his first school tardy excuse, remains a source for old documents and hard-to-find books.

The race is on to see who will have the first book out on the 1985 Salt Lake City bombings. The current leaders are former *Deseret News* reporter Linda Sillitoe and former *Sunstone* editor Allen D. Roberts, who are finishing work on *Salamander: The Story of the Mormon Forgery Murders*. Their book, which also features a technical analysis on the Hofmann documents by George Throckmorton who was instrumental in exposing the forgeries, is scheduled for release in April 1988 by Signature Books and will be distributed nationally by Ingram's.

Second place goes to Steven Naifeh and Gregory White Smith whose book *The Mormon Murders* is due out later that spring from British publishers Weidenfeld and Nicholson. Third runner-up is *New York Times* reporter Robert Lindsay's as yet untitled book, scheduled for publication by Simon and Schuster sometime in mid-1988.

In addition, negotiations are currently underway regarding paperback and other subsidiary rights to the Sillitoe/Roberts book including movie rights. Television mini-series rights to the Naifeh/Smith book were recently acquired by CBS. And Lindsay, whose previous books include *The Falcon and the Snowman*, sold movie rights to his book to Twentieth Century Fox earlier this year.



LIGHTER MINDS

THE CORRELATION COMMITTEE'S REVIEW OF T'WAS THE NIGHT BEFORE CHRISTMAS

Several years ago this parody of the manner in which the Church's Correlation Committee reviews drafts of materials prior to publication was read at a Church Office Building Christmas party.

TO: Mr. Roy Doxey, Director of the Correlation Committee
FROM: Correlation Review Committee

The Correlation Review Committees have reviewed the attached document titled " 'Twas the Night Before Christmas," and have found several significant problems as follows:

'Twas the night before Christmas, when all through the house, not a creature was stirring, not even a mouse.

" 'Twas" is an outdated and unacceptable contraction. We suggest "it was." Also, because the idea of stirring one's form comes from the same word root as the idea of stirring one's soup, it might be confusing to the reader and we suggest using the word "moving." In addition, we have noticed that a mouse will generally scurry, nibble, dart or quiver, but almost never stirs. Also, we think it would be much better to call the house "the home."

The stockings were hung by the chimney with care, in hopes that St. Nicholas soon would be there.

Perhaps the writer should know that unless everyone went outside into the snowy night and hung the stockings (some were probably just plain old socks), it is more likely that they were hung in front of the fireplace than by the chimney. We think it would be well to take note that in some of the developing areas of the Church, people do not have socks, stockings, or chimneys. Moreover, the Church does not recognize the canonization of other churches. We feel this man should be called Brother Nicholas—or perhaps, in case he isn't a member, we should play it safe and call him Mr. Nicholas.

The children were nestled all snug in their beds, while visions of sugarplums danced through their heads.

We must be very careful with the use of the word "visions." It might be better to use the term "non-revelation dreams." We also suggest that "sugarplums" is a rather archaic term. Wouldn't Tootsie Rolls or Sugar Daddies be more relevant to today's youth? In any case, shouldn't sugar plums be two words instead of one?

Mama in her kerchief, and I in my cap, had just settled our brains for a long winter's nap.

The very idea of a long winter's nap is contradictory. Webster says a nap is a short snooze, taken usually during the daytime. This really must be changed. We would also like to point out that few really wear headgear to bed anymore.

When out on the lawn there arose such a clatter, I sprang from my bed to see what was the matter.

Around the Wasatch Front, you would not have to spring from your bed to see what was the matter. Any clatter at night on the lawn means you are getting T.P.'ed. Incidentally, springing from bed by our more senior members could be hazardous to their health. By the way, how do you clatter on a snow-covered lawn?

Away to the window I flew like a flash, tore open the shutters and threw up the sash. The moon on the breast of the new fallen snow gave the luster of midday to objects below.

We wonder whether throwing up the sash might be rather indelicate wording, especially after a large Christmas Eve dinner. We would also like to suggest that the writer say, "The moon on the chest of the new fallen snow."

When what to my wondering eyes should appear, but a miniature sleigh, and eight tiny reindeer, with a little old driver so lively and quick, I knew in a moment it must be St. Nick.

We would like to commend the author for breaking the stereotype that our "more mature" people cannot be lively and quick.

More rapid than eagles his coursers they came, and he whistled and shouted, and called them by name, now Dasher! Now Dancer! Now Prancer and Vixen! On Comet! On Cupid! On Donner and Blitzen!

We commend the writer for broadening the cultural base of this document by including the German names Donner and Blitzen. We wonder if this could be broadened further. Perhaps "Now Fifi! Now Cheri! Now Jose and Maria! On Chocho and Tojo! On Donner and Blitzen!" We also question all this whistling and shouting in the middle of the night by a senior citizen.

To the top of the porch! To the top of the wall! Now dash away! Dash away! Dash away, all! As dry leaves that before the wild hurricane fly, when they meet with an obstacle, mount to the sky.

We have noted that throughout this document the author has used rather long, complicated, turned-around sentences. This could be confusing to many of our readers. We suggest he write on a lower reading level, perhaps by using short, straightforward sentences such as "Just like dry leaves blow before the wind."

So up to the housetop the coursers they flew, with a sleigh full of toys and St. Nicholas too. And then in a twinkling I heard on the roof, the prancing and pawing of each little hoof. As I drew in my head, and was turning around, down the chimney St. Nicholas came with a bound.

Will the reader understand what coursers are? (Could be confused with cursers—after all the shouting and whistling.) Also, the cavorting

around on people's rooftops sets a very bad example for our youth (who don't need any new ideas). Also, the chimney trip is a bit much—wouldn't it be better to just have Mr. Nicholas use the front door?

He was dressed all in fur.

We wonder if he shouldn't be dressed in cotton or polyester after what was said about killing animals in a recent conference. Perhaps it could be said that he was "dressed in a nice Swedish knit."

From his head to his foot, and his clothes were all tarnished with ashes and soot.

Perhaps polyester would not be good here because of the problems with ashes and soot. If I were his wife I would get him a pair of Oshkosh overalls. (Of course the use of the front door would eliminate this whole ashes and soot problem.)

A bundle of toys he had flung on his back, and he looked like a peddler just opening his pack. His eyes-how they twinkled! His dimples, how merry! His cheeks were like roses, his nose like a cherry!

This somewhat extravagant description of Mr. Nicholas makes him sound like an edible, electrical, floral, centerpiece. We suggest that the writer tell it like it is.

His droll little mouth was drawn up like a bow, and the beard of his chin was as white as the snow.

Knowing what the current BYU and missionary standards are, we are very surprised that you would allow Mr. Nicholas to be wearing a beard. If he must have hair on his face, it should be a mustache trimmed well above the corners of his mouth.

The stump of his pipe he held tight in his teeth, and the smoke it encircled his head like a wreath. He had a wide face-

We were more than a little taken aback by this flagrant disregard of the 89th section of the Doctrine & Covenants. There could even be legal implications regarding his smoking in public places.

And a round little belly that shook when he laughed like a bowlful of jelly. He was chubby and plump, a right jolly old elf, and I laughed when I saw him in spite of myself.

It is in questionable taste to describe this senior citizen as being so fat, but then to have the narrator laugh at him seems to me to be carrying things too far. It would be better to say, "I smiled when I saw how well he was doing in spite of his handicap."

A wink of his eye and a twist of his head soon gave me to know I had nothing to dread. He spoke not a word but went straight to his work and filled all the stockings, then turned with a Jerk.

We appreciated this fine example of hard work and industry, in the true tradition of Deseret. However, we decry his reference to his associate as a jerk.

And laying a finger aside of his nose, and giving a nod, up the chimney he rose.

See our previous comment about using the door. Also, be careful where you have him put his finger.

He sprang to his sleigh, to his team gave a whistle, and away they all flew like the down of a thistle.

Again, be careful of dangerous springing. Also, if he were to give every

member of the team a whistle, they might make a horrible noise. In addition, after checking with the International Mission, we would like to inform the writer that reindeer have no pockets in which to put those whistles. Also, would the increasing urban membership of the Church understand the image of "down of a thistle?"

But I heard him exclaim, ere he drove out of sight, "Happy Christmas to all, and to all a good night."

We feel it would be better to stay with the traditional form of "Merry Christmas."

Although the document has some major problems, we feel there is enough of worth to justify revising. In the spirit of reduction and simplification, however, we also recommend that the number of lines be cut in half.

IT WAS THE NIGHT BEFORE CHRISTMAS

(Revised)

It was the night before Christmas and in our home,
no animals were moving about. Even the mice were still.
Some preparations were made in anticipation
of a visit from Mr. Nicholas.
While the children were sleeping soundly,
they were thinking about Tootsie Rolls and Sugar Daddies.

My wife and I had just gone to bed,
We heard a noise out on the front lawn
and assumed that we were being T.P.'ed.
I walked to the window and pulled back the curtain.
The moon was shining brightly
on the chest of the new fallen snow.

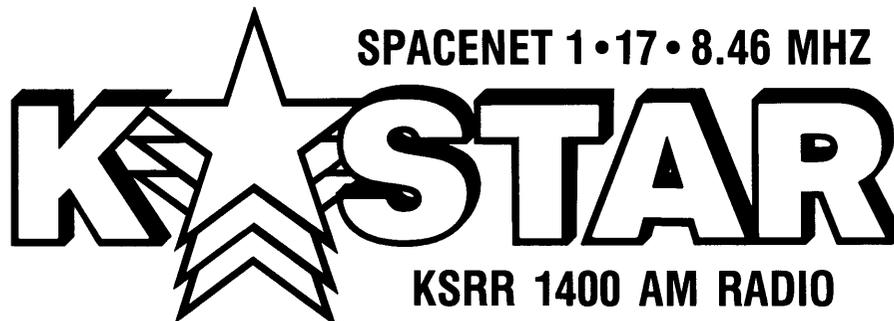
Then I saw a tiny sleigh being pulled by eight reindeer
The little old driver was so lively and quick
that I knew it must be Mr. Nicholas.
He came very fast. He addressed the reindeer by name:
"Now, Fifi! Now Cheri! Now Jose and Maria!
On Chocho and Tojo! On Donner and Blitzen!"

Just like a snowball striking a brick wall,
they came to a stop in front of our home.
Soon I heard Mr. Nicholas at my front door.
He was dressed in a nice Swedish knit suit.
He had a briefcase full of packages.
He was smiling pleasantly.

He was clean-shaven and his breath smelled of chewing gum.
He was a bit overweight, but I smiled when I saw
how well he was doing in spite of his handicap.
He wasted no time with words,
but went straight to his work
of putting the packages where they would be found.

Then he went out the front door and got in his sleigh.
As he was driving off, I heard him say, "Merry Christmas."

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