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From the Editor

True to the long-standing character of BYU Studies, this issue contains something exciting and enriching for just about everyone. Looking over this latest issue, I am grateful for the academic quality and faithful integrity of its contents and for the authors who have worked hard to bring this information to you.

Twenty-five years ago, as BYU Studies looked toward the 1990s, the three previous editors reflected on their founding visions and guiding principles to appreciate how far BYU Studies had come since 1959. At the same time, I looked ahead, as the newly installed editor. Our four editorials were published in 1991.¹

On that occasion, I laid out the aims of BYU Studies. You can still find this vision statement in the BYU Studies guidelines for authors, conveniently also included in our mission statement on our newly revamped website at http://byustudies.byu.edu/mission.

As stated there, at its core BYU Studies Quarterly remains dedicated to the correlation of revealed and discovered truth and to the conviction that the spiritual and the intellectual can be complementary and fundamentally harmonious avenues of knowledge, together with the following six precepts:

Unity. The Lord has clearly stated: “If ye are not one ye are not mine” (D&C 38:27). In a shifting world that necessarily and fortunately features diversity, individuality, heterodoxy, and change, the goal of unity

with God and our fellow beings must be continually cultivated and
nourished.

**Harmony.** For *BYU Studies Quarterly*, traditional dichotomies such
as mind and body, God and man, spirit and matter, and time and eter-
nity are not viewed as competing opposites. In the gospel of Jesus Christ,
the objective is to embrace both: ancient and modern, word and deed,
reason and revelation, the “ought” and the “is,” community and individ-
uality, male and female, nature and custom, induction and deduction,
analysis and synthesis, rights and duties, theory and practice, and even
even mortality and godhood.

**Honesty.** As a primary trait of character, “we believe in being honest”
(A of F 13). Accuracy and reliability are of the essence in scholarship. All
serious scholars acknowledge and evaluate data both for and against their
ideas and theories. They eschew plagiarism. They guard against covert
influences of unstated biases.

**Thoroughness.** *BYU Studies Quarterly* welcomes thoroughly
researched contributions from all disciplines, addressing “all things that
pertain unto the kingdom of God, that are expedient for you to under-
stand; of things both in heaven and in the earth, and under the earth”
(D&C 88:78).

**Humility.** Pride has been identified as the pervading sin of our day. As
scholars, we have more than our share of exposure to this problem. Arro-
gance, disdain, overconfidence, and dogmatism may well be the main
occupational hazards of academia. Humble awareness that scholarship
is not an end in itself can set the stage for greater light and knowledge.

**Charity.** In order for communication to occur, there must be charity,
for no statement exists (including this one) that cannot be misconstrued.
If fellowship and goodwill do not exist, especially in an academic setting,
we are “nothing” (1 Cor. 13:2). Charity is necessary to avoid offending
even the weakest of the saints. Jesus pronounced a woe on anyone who
“should offend one of these little ones” (Luke 17:2).

Still today, we continually strive to achieve these purposes at BYU
Studies. As you read the pages in this current issue, I hope you will find
these characteristics amply represented on the pages of this issue, har-
moniously bringing together the spiritual and the intellectual. The book
reviews are, at the same time, respectful and rigorous. The essay and the
poems are both introspective and outreaching. The articles are rigorous
and balanced, humble and persuasive, corrective and considerate, tech-
nical and approachable, wide-ranging and consolidating. All this brings
academic perspectives to bear on topics of interest to Latter-day Saints.
Joseph I. Bentley has spent much of his life studying the events that led up to the martyrdom of Joseph Smith as well as its legal aftermaths. His exhaustively thorough treatise on this issue sheds new light on the barrage of litigations launched against Joseph Smith in the last few weeks of his life. Bentley’s expert legal analysis of rarely seen documents allows readers to retrace, as never before, the steps that led to Carthage and at least to begin to comprehend these almost unimaginable developments.

Extraordinary devotion to Karl G. Maeser has enabled Roger P. Minert and M. Ralf Bartsch to track down several important details in the true story of Maeser’s early career as a fledgling educator in Dresden, Germany. Setting the record straight on the path of learning, pedagogy, and integrity that eventually brought Maeser to Provo, Utah, this article adds numerous critical details to the history of Maeser’s life before his departure from Germany in 1856. This article speaks with a clear and honest voice that would surely make this Lehrmeister, the first president of Brigham Young University, very proud.

Matthew Scott Stenson’s methodical exegesis unpacks the rhetorical consistency of Alma’s clash with the followers of Nehor in Alma 9–14. Employing philosophical and literary tools, Stenson draws attention to the causes of tension between the main factions in the early years of the Nephite reign of judges. Recognizing how Alma expounds the subject of authority in his three speeches in Ammonihah opens our eyes to Alma’s model efforts to persuade these dissenters. Though largely futile, his coherent declamations warn all to eschew pride and to embrace unity and authority.

Making use of infographics, Meilan Jin, Iliesa Delai, and Geoffrey Draper innovatively employ color, text, and images to allow users of their new app to discover for themselves interesting information about the succession of the Apostles and the Presidency of The Church of Jesus Christ of Latter-day Saints. Using computer technology to navigate time-series data turns static images into living information.

Walker A. Wright takes an interdisciplinary approach toward a Mormon theology of the concept of work. Knowing that faith without works is dead, Latter-day Saints have long seen that daily work has eternal consequences and that even God continues to work. Wright digs deeply into the practical roles of work in the theoretical domains of eschatology, progression, metaphysics, and sociology.

Finally, concerning charity, I am reminded of a statement by Elder Marvin J. Ashton in April conference in 1992. His statement also bears remembering as we look back a quarter century but at the same time look forward to all that lies ahead: “Perhaps the greatest charity comes when we are kind to each other, when we don’t judge or categorize someone else, when we simply give each other the benefit of the doubt or remain quiet. Charity is accepting someone’s differences, weaknesses, and shortcomings; having patience with someone who has let us down; or resisting the impulse to become offended when someone doesn’t handle something the way we might have hoped. Charity is refusing to take advantage of another’s weakness and being willing to forgive someone who has hurt us. Charity is expecting the best of each other.”

Water Street in Nauvoo. Research indicates that the buildings seen here are the Church printing office, Orson Pratt’s home, and William Law’s home. Photo taken sometime after the Saints left Nauvoo. Courtesy Church History Library.
In 1842, Joseph Smith looked back on the events of his life and said, “Deep water is what I am wont to swim in” (D&C 127:2). This was especially true of his experiences with the law. Starting with his first exposure to the judicial system in 1819, at age thirteen,1 he spent much of his next twenty-five years of life entangled with legal concerns. The Joseph Smith Papers Project team now can count about 220 cases involving Joseph as plaintiff, defendant, witness, or judge. Of those, approximately fifty were criminal cases capable of taking away his liberty, his resources, or, ultimately, his life.2


2. Brigham Young testified in 1852, “I know for myself that Joseph Smith was the subject of forty-eight law-suits, and the most of them I witnessed with my own eyes; but not one action could ever be made to bear against him.” Brigham Young, in Journal of Discourses, 26 vols. (Liverpool: F. D. Richards, 1855–86), 1:40 (July 11, 1852). George A. Smith, Joseph Smith’s cousin and the official Church historian between 1854 and 1871, said that Joseph had been subjected to “about fifty vexatious law suits” during his fifteen-year ministry. George A. Smith, in Journal of Discourses, 13:109 (October 8 and 9, 1868). That conclusion
In revelations to Joseph, exalting promises were coupled with grim premonitions. As early as 1829, he was told, “Be firm in keeping the commandments . . . ; and if you do this, behold I grant unto you eternal life, even if you should be slain” (D&C 5:22), and “Even if they do unto you as they have done unto me, blessed are ye, for ye shall dwell with me in glory” (D&C 6:30). In July 1830, shortly after the organization of the Church, he was told, “Be patient in afflictions, for thou shalt have many; but endure them, for, lo, I am with thee, even unto the end of thy days” (D&C 24:8). At some point during his long and frequent encounters with the law, especially during the last year of his life, it surely occurred to him that his death could result from some use or abuse of the judicial or legal process. Indeed, statements he made near the end of his life suggest that he viewed his imminent death and resulting martyrdom as inevitable.3 In his “final charge” to the Twelve during an extraordinary council meeting held in early spring of 1844, he said, “Brethren, the Lord bids me hasten the work in which we are engaged. . . . Some important Scene is near to take place. It may be that my enemies will kill me, and in case they should, and the Keys and power which rest on me not be imparted to you, they will be lost from the Earth; but if I can only succeed in placing them upon your heads, then let me fall a victim to murderous hands if God will suffer it, and I can go with all pleasure and satisfaction, knowing that my work is done, and the foundation laid on which the kingdom of God is to be reared.” He then rolled onto their

still seems generally correct. Of the 220 cases now discovered, approximately 80 were brought against Joseph as defendant (including about 50 criminal cases). Others were brought by him as plaintiff or involved him as a witness, as justice of the peace, or as chief justice of the Nauvoo Municipal Court. My own 1992 article grossly underestimated that Joseph Smith was subjected in his lifetime to “approximately thirty criminal actions and at least that many civil suits.” Joseph I. Bentley, “Legal Trials of Joseph Smith,” Encyclopedia of Mormonism, ed. Daniel H. Ludlow, 4 vols. (New York: Macmillan, 1992), 3:1346, representing the consensus opinion at that time.

3. Brigham Young recalled, “I heard Joseph say many a time, ‘I shall not live until I am forty years of age.’” Brigham Young, Journal of Discourses, 18:361 (May 6, 1877). Mary Elizabeth Rollins Lightner quoted Joseph Smith saying, “I have to seal my testimony to this generation with my blood. I have to do it for this work will never progress until I am gone for the testimony is of no force until the testator is dead.” The Testimony of Mary Elizabeth Rollins Lightner, address at Brigham Young University, April 14, 1905, typescript, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah.
shoulders the burden of carrying forth the kingdom and said, “The Lord is going to let me rest a while.”

The destruction of the *Nauvoo Expositor*, as approved almost unanimously by the members of the Nauvoo City Council and signed by Mayor Joseph Smith on June 10, 1844, and immediately carried out by city officers, is typically thought to have been the proximate cause of his incarceration and death in Carthage. But matters were not that simple. Many factors contributed to the Prophet’s murder on June 27, 1844. Among these were fear of the Nauvoo Legion’s power; perceived abuses related to powers granted under the Nauvoo Charter; political unrest caused by the rapidly increasing Mormon population in Hancock County, Illinois, and Lee County, Iowa; economic competition with some of the leading Mormon opponents; persisting grudges among some Missourians; rumors distorting the beginnings of the limited practice of plural marriage; criticism of Joseph Smith’s presidential campaign; and the concentration of legislative, judicial, executive, military, and religious power in one man, Joseph Smith.

An additional factor—one that is perhaps less known or understood—was a formal legal charge of treason issued by a judge in Carthage on June 26, opening the door directly to the deaths of the Prophet

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and his brother Hyrum. Even less known is a series of misdemeanor cases that were raised against Joseph during his last few weeks. This study will briefly review these legal matters, together with a concluding series of posthumous lawsuits for civil damages resulting from the _Expositor_ affair. The purpose of this article is to accurately document and legally analyze each of these court actions, which have never been analyzed in depth and as a group in any previous publication. My thesis is that these legal maneuvers in May and June 1844 were ill-founded and intentionally designed by the organizers of the _Nauvoo Expositor_ mainly for the purpose of placing Joseph Smith's life in mortal danger in Carthage. This article will also provide background about the men behind the _Nauvoo Expositor_ and show that their actions directly contributed to Joseph's incarceration and death.

**The Storm Clouds Gather**

For several years, political, economic, and religious tensions had festered between the old settlers in western Illinois and the Mormons, much as they had in Missouri throughout the previous decade. Many locals around Nauvoo were alarmed by a massive Mormon influx that threatened their political and economic influence. Some desired to drive the Mormons from their state, as mobs from western Missouri had done in 1838–39 under the direction of Governor Lilburn W. Boggs.

Certain prominent leaders in Illinois also had grievances. All five men later indicted by a grand jury and tried for the murder of Joseph and Hyrum were from Warsaw, a small port town fifteen miles downriver from Nauvoo. All had commanded local militia or vigilante groups and together were called by some of their neighbors “a respectable set of men.”

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5. See, for example, _Warsaw (Illinois) Signal_, May 22 and June 12, 18, and 19, 1844, CHL; see also various statements in _History of the Church_, 6:441–42; _Nauvoo Neighbor_, Extra, June 17, 1844, 1.

6. In addition to the five noted here, four others were indicted: John Wills, William Voras, William Gallagher, and Nathan Allen. Some of these were wounded in the fight at Carthage Jail but reportedly fled the jurisdiction before trial. See Dallin H. Oaks and Marvin S. Hill, _Carthage Conspiracy_ (Urbana: University of Illinois, 1975), 78–79, 93 n. 17, 151. There is no evidence that anyone shot by Joseph Smith ever died, contrary to John Taylor's later recollection in _History of the Church_, 7:103.

them, Mark Aldrich, was a Warsaw businessman who had lost money due to competing Mormon enterprises. At least one, Levi Williams, was a religious minister. Two more, Jacob Davis and William Grover, were lawyers and politicians who feared the growing concentration of Mormon political power. And Thomas Coke Sharp, publisher of the *Warsaw Signal*, stoked public passions over that same fear of growing power with his incendiary editorials designed to rally adherents and to sell his newspapers. Sharp also asserted and warned that Joseph considered himself above the law. And as had happened in Missouri, more fuel was added to these growing tensions by Mormon dissidents who had left or had been excommunicated from the Church. The collective fury of these combined forces was primarily directed against Joseph and Hyrum Smith.

In Nauvoo, among the leading dissidents were three pairs of brothers, namely the Laws, the Fosters, and the Higbees. Except in the case of William Law, no significant biographical work has been written on these

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10. Consider the adverse effects on the Mormon community due to the actions of men such as George Hinkle and the Whitmer family in Missouri and John C. Bennett in Illinois.
11. Oaks and Hill, *Carthage Conspiracy*, 22, 50–58, 217. The *Expositor* named only the two Smiths in its rants against Mormon atrocities. Simultaneously, at the time of his death, Joseph Smith in Nauvoo was the mayor, justice of the peace, chief justice of the municipal court, university chancellor, and commander of the Nauvoo Legion state militia. See Joseph I. Bentley, “Martyrdom of Joseph and Hyrum Smith,” in Ludlow, *Encyclopedia of Mormonism*, 3:860. At the time he was killed, Hyrum Smith was a candidate for the state legislature, Nauvoo’s vice mayor, a general in the Nauvoo Legion, member of the city council, and a Master Mason. In the Church, he was not only its Patriarch but also the Assistant President. In effect, he was second in command after Joseph Smith. See Jeffrey S. O’Driscoll, *Hyrum Smith: A Life of Integrity* (Salt Lake City, Deseret Book, 2003): 2, 5, 400–402. It is no cause for surprise that he was targeted as an enemy of the dissidents along with the Prophet Joseph Smith.
12. Not only were these brothers highly prominent Nauvoo community leaders, but they became Joseph’s most outspoken opponents in Nauvoo and owners of the *Nauvoo Expositor*. In June 1844, Joseph Smith often expressed that these six men conspired to destroy him, as is shown hereafter. See a testimony of conspiracy to kill Joseph in Affidavit of Luman Calkins, June 22, 1844, MS 21600, CHL; *History of the Church*, 6:531.
men, who associated quite closely with each other in the early 1840s in Nauvoo. While it exceeds the scope and purpose of this study to discuss the lives of these six men in detail, a sketch of their many interactions is required to provide context for their eventual coalition.

William Law and his older brother Wilson (both in their mid-thirties) were Irish natives who converted to the Church in Canada and came to Nauvoo in early November 1839. They rose to civic and ecclesiastical prominence in Nauvoo during the time when most members of the Quorum of the Twelve Apostles were serving missions in Europe. In January 1841, Joseph Smith announced he had received a revelation that William Law was to replace Hyrum as his counselor in the First Presidency. Hyrum, in turn, was called to replace Joseph Smith Sr. as the Church Patriarch after his death the previous fall. The revelation included many generous promises to William but also cautioned him that to succeed in this high position, he must trust in the Lord, receive counsel from Joseph Smith, be humble, and act without guile. In time, Joseph believed that William failed to comply with these admonitions.

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13. On William and Wilson Law, see Lyndon W. Cook, William Law (Orem, Utah: Grandin Book, 1994), 3. The Apostles departed on their missions after daringly returning to Far West, Missouri, from Illinois in order to take their leave from the guarded temple site on April 26, 1839—the exact date and place specified in Doctrine and Covenants section 118. By that time, virtually all Saints had been driven from the state of Missouri under an official order of extermination. James B. Allen, Ronald K. Esplin, and David J. Whittaker, Men with a Mission: 1837–1841 (Salt Lake City: Deseret Book, 1992), 54–83. That was also the same month in which Joseph and Hyrum Smith had fled to Illinois after they escaped or were released from custody during an official change of venue. Elias Higbee to Joseph Smith Jr. and others, April 16, 1839, Joseph Smith Letterbook 2, p. 6, Joseph Smith Collection, MS 155, CHL, on Church Historian’s Press, The Joseph Smith Papers, http://josephsmithpapers.org/paperSummary/letterbook-2?p=13; Jeffrey Walker, “A Change of Venue: Joseph Smith’s Escape from Liberty,” manuscript copy in author’s possession.

14. Doctrine and Covenants 124. That same revelation appointed Hyrum Smith to be a prophet, seer, and revelator with the same keys and office once conferred upon Oliver Cowdery. The Lord said more to William Law than any other person mentioned in the longest section of the Doctrine and Covenants, promising and admonishing him in thirteen full and partial verses. See D&C 124:82–83, 87–91, 97–102. Ironically, Law was also called to declare the gospel “with great joy, as he shall be moved upon by my Spirit, unto the inhabitants of Warsaw, and also unto the inhabitants of Carthage . . . and also unto the inhabitants of Madison [Iowa]” (D&C 124:88). Yet “within three years he was a primary factor in lethal opposition that was generated in those Illinois
William was also seemingly unable to accept doctrines that Joseph was introducing, including plural marriage and the plurality of Gods. The Prophet released him from the First Presidency in January 1844.  

Wilson Law was three years older than his brother William and served with him on the Nauvoo City Council from 1841 to 1843. During that time, Wilson was also brigadier general in the Nauvoo Legion and was promoted to major general after the excommunication and boisterous departure of John C. Bennett in May 1842.

In early 1840, Robert D. Foster and later his brother Charles, both in their thirties, came to Nauvoo from Ohio, after Robert had accompanied Joseph Smith’s entourage to Washington, D.C., in his unsuccessful effort to seek redress from the United States government regarding the atrocities against the Mormons in Missouri. Both Fosters were physicians and, like the Law brothers, immediately became prominent businessmen and land speculators in Nauvoo. Robert was baptized and ordained an elder in 1839, and one month later traveled with Joseph Smith and administered to Sidney Rigdon, who was sick. It appears that Charles was never a baptized member of the Church.

Communities.” Truman G. Madsen, *Joseph Smith the Prophet* (Salt Lake City: Bookcraft, 1989), 177–78 n. 29.

15. Most scholars attribute William Law’s disaffection and ultimate apostasy to his disagreement with Joseph Smith’s revealed doctrines (mainly plural marriage and plurality of gods), Joseph’s concentration of ecclesiastical and political authority, and Law’s perception of Joseph’s excessive control over individual temporal affairs. They also assert that this disaffection arose and ripened only within the last few months of Joseph’s life, likely due to his view regarding the revelation introducing plural marriage (D&C 132). Cook, *William Law*, 4–6, 12, 27–30; Bushman, *Rough Stone Rolling*, 528, 538. As cited in the text and notes below, some historical documents and records raise contrary views.


Francis Marion Higbee was one year older than his brother, Chauncey Lawson Higbee, both in their early twenties. They were lawyers and sons of Judge Elias Higbee, Joseph's close friend and confidant for many years who had also accompanied the Prophet to the nation's capital in 1839–40. The Higbees had joined the Church in Ohio in 1832, then moved to Missouri as a family the next year and were among the first refugees to arrive at Nauvoo in 1839. Francis had been among the men taken prisoner in Missouri.20 In January 1842, the Prophet admonished Elias and also his sons regarding their lack of diligence and industriousness. However, before long, Chauncey Higbee was excommunicated from the Church on May 24, 1842, for “unchaste and unvirtuous conduct towards certain females.”21 No mention is ever made of Chauncey being readmitted into the Church. Elias died a year and a half later, in June 1843—one year before the death of Joseph Smith.22

From 1840 to 1844, these men became very well acquainted with each other, with the Church, and with governmental operations and political powers in Nauvoo and Hancock County. All of them enjoyed close


21. Dinger, Nauvoo City and High Council Minutes, 414–17; History of the Church, 5:18; “History, 1838–1856, Volume C-1,” 1338, on Church Historian's Press, The Joseph Smith Papers, http://josephsmithpapers.org/paperSummary/history-1838-1856-volume-c-1-2-november-1838-31-july-1842?p=512. Sarah Miller (a recent widow), and two girls (Margaret and Matilda Nyman) testified against Chauncey and the others that they had been induced to indulge in unauthorized sexual intercourse with them by misrepresenting the teachings of Joseph Smith. Testimony was given that Higbee, in league with John C. Bennett, had “gained his object about five or six times,” also saying that Bennett would give medicine to prevent pregnancy, and that intercourse was not illegal if it were not publicly known. He was found to have practiced iniquity “upon female virtue” by “un-hallowed means.” Dinger, Nauvoo City and High Council Minutes, 416, 417 n. 46.

22. On January 28, 1842, Joseph told Elias Higbee, “The Lord is not well pleased with you; & you must straiten up your loins and do better. & your family also. for you have not been as diligent as you ought. . . . you must . . . make your children industrious.” Hedges, Smith, and Anderson, Journals, Volume 2, 38. One of Joseph Smith’s confidants later wrote that Francis Higbee was one of Joseph’s “confidential attorneys.” Benjamin F. Johnson, My Life's Review (Independence, Mo.: Zion’s Publishing, 1947), 89.
personal relationships with Joseph Smith. They ate at his table, traveled with him, conducted business together, and served together. In 1842, William Law gave speeches in defense of the Saints and offered rebuttals to statements made by John C. Bennett, and Robert Foster inspected timberland with Joseph Smith. William Law and other trusted friends met with Joseph Smith while he was in hiding in August 1842, and Wilson Law wrote letters for Joseph Smith to secure his safety. On June 27, 1843, William and Wilson Law were among the 175 men who went to Peoria, Illinois, to rescue Joseph.

Two of these six attained high status in the Church. At the time of April conference in 1840, Robert Foster was appointed to the Conference Committee, and at October conference that year, William Law was appointed to the Conference Committee. On January 8, 1841, a proclamation from the First Presidency mentioned the faithfulness and good example of Robert Foster, and two weeks later William Law was called into the First Presidency. In 1842, Robert Foster was named as the “President of the Church in New York,” and concurrently William Law and Hyrum Smith traveled together to the Eastern States. William Law received his endowment from Joseph Smith on April 26, 1843, and on July 30, William

24. History of the Church, 4:107; Joseph Smith Letterbook 2, pp. 131–33.
joined Hyrum Smith and Willard Richards in giving Joseph Smith a priesthood blessing of health.29

Politically and socially, William and Wilson Law served on the Nauvoo City Council or as aldermen in the early years of Nauvoo. In 1840, the city council met in the home of William Law. William Law was appointed to the Nauvoo Board of Health on February 11, 1843.30 Robert Foster was elected a school commissioner in August 184331 and became the Surgeon General of the Nauvoo Legion on April 22, 1843.32 Wilson Law, who had been put in charge of a cohort of the Nauvoo Legion on May 7, 1842, commanded the parade of the Nauvoo Legion on July 4, 1842,33 and then was elected Major General of the Nauvoo Legion in August 1842,34 although he did not remain in that position for long. On December 26, 1842, Wilson Law was required to arrest Joseph Smith on orders from Governor Carlin,35 but Wilson granted Joseph Smith bail in connection with his habeas corpus petition on December 31, 1842,36 and he and his brother William were invited to a party at Joseph Smith's home on January 11, 1843.37

Except for Charles Foster, these men were extensive land holders in Nauvoo and in the surrounding farmlands in Hancock County. Within the city of Nauvoo, Robert Foster owned 1 block and 20 lots; William

Law, 1 block and 6 lots; Wilson Law, 4 blocks and 3 lots; Francis Higbee, 2 lots; and Chauncey Higbee, 2 blocks and 13 lots. Their lots were mainly in the sections of town named Nauvoo, Kimball, and Wells. Outside of Nauvoo, Robert Foster owned at least 600 acres; William Law, at least 440 acres; and Wilson Law, 320 acres. The Laws also built grist and lumber mills on Water Street in Nauvoo, as well as a store.\(^{38}\) The other men had smaller holdings.\(^{39}\) Ownership of these real properties would have unified these men in several ways, and these economic interests may have made it harder for these dissenters simply to leave Nauvoo than it was for John C. Bennett, who appears to have owned no property there.

Moreover, property concerns brought these men into business conflicts with Joseph Smith and other Nauvoo citizens. On January 17, 1843, Joseph Smith arbitrated a land case involving Robert Foster and six others.\(^{40}\) A month later, Robert found himself in conflict with Joseph Smith over the economic development of some of the properties on the hill, which were of greater value than properties in the Nauvoo flat; he wanted to promote his own development projects that competed with the building of the Nauvoo House\(^{41}\) and the Church’s need to sell lots on the river flats to pay off huge debts.\(^{42}\) Also at that time, Wilson Law was brought to court by U. C. Nickerson, as the two men wrangled over some islands in the Mississippi River near Nauvoo; and on March 29, 1843, Joseph Smith and Orson Spencer ruled against Robert Foster in a case concerning a debt.\(^{43}\)

These men, like many others living in the developing Mississippi valley at that time, had demonstrable propensities toward verbal outbursts and disorderly conduct. Strong and sometimes lethal violence was seen as a reaction to all sorts of political conflicts and social scrapes. On November 20, 1840, Robert Foster was charged with “slandering the authorities of the Church, for lying, profane swearing and individual

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abuse and other unchristian-like behavior”; the Nauvoo Stake high council dealt with this case for two days in December, with the First Presidency eventually acquitting Foster of the charges on December 20. In May 1842, Francis Higbee was charged by Sidney Rigdon for circulating evil reports about Rigdon’s family, and Chauncey Higbee with Robert Foster and others were brought before the Nauvoo Stake high council on various charges of misconduct. Robert Foster was charged with using abusive language against Samuel Smith and the city marshal. Ironically, two months earlier Foster had testified in Joseph Smith’s defense against Amos Davis’s use of indecent language toward the Prophet. In an election in February 1843, Robert Foster obstructed people trying to vote, and in April that year William Law was able to convince a court to agree with him in a case regarding a use of foul language; during that same time, Thomas Rancliff complained that William and Wilson Law and Robert Foster had swindled him and had refused to obey counsel. On April 26, 1844, Charles Foster was arrested for pointing a gun at Joseph Smith, and together with Chauncey Higbee, “said th[e]y would be God damnd. if th[e]y would not shoot. the Mayor—breathed out many hard threatnig and menacing sayings—would consider favor of God—for the privilege of shooting. or ridding the world of such a Tyrnt. Refrig [referring] to the Mayor.” On June 8, Joseph said that William “had offered [Joseph] Jackson $500 dollars to kill him.” Obviously, using harsh language and even stronger expressions of outrage were common enough, though unwelcomed, occurrences.

44. Dinger, Nauvoo City and High Council Minutes, 385.
50. Hedges, Smith, and Rogers, Journals, Volume 3, 236. The Nauvoo Neighbor adds to the report of this incident, “These individuals have lately become very notorious. R. D. Foster is the magistrate who was fined a few weeks ago for gambling; [Chauncey] Higbee a respectable limb of the law who was fined for insulting the city officers; and C. A Foster is a candidate for fame, lately fined for disturbing a religious congregation.” “Outrages,” Nauvoo Neighbor, May 1, 1844, 2.
51. History of the Church, 6:435; Nauvoo Neighbor, Extra, June 17, 1844, 1. Dinger, Nauvoo City and High Council Minutes, 241, records the amount at $5.00.
Although Joseph Smith himself often responded with strong reprimands, many conflicts were settled by Joseph Smith through his personal mediation and skillful arbitration, often leading to confessions, commitments to reform, and forgiveness. On May 13, 1842, Joseph successfully reconciled Sidney Rigdon with Francis Higbee. On May 20, Robert Foster confessed to abusing Samuel Smith and Henry Sherwood; after being judged by his Masonic brothers, he was forgiven, Joseph Smith speaking at length on that occasion. On June 19, 1842, Joseph Smith held a long conversation with Francis Higbee, who promised to reform. The 1843 litigation between Wilson Law and U. C. Nickerson was settled upon a suggestion of Joseph Smith.

Even into 1844, as the situation with the six dissidents grew more and more serious, Joseph continued to try to resolve differences between himself and the objectors. On January 16, 1844, Joseph Smith announced to the city council that he and Francis Higbee had resolved their difficulties and had committed to be friends forever. On May 27, 1844, in Carthage, Joseph entertained a conciliatory conversation with Charles Foster, and although he appeared to be mild and “was almost persuaded,” Charles clung to false reports and did not return. As late as June 7, 1844, in response to a strong letter from Robert Foster, Joseph offered to arbitrate their differences and to allow him and the Laws to come back. But this time, no amount of personal persuasion would stem the incoming tide.

No doubt, these men were emboldened by their legal expertise. All six were either lawyers themselves or made effective use of local legal procedures and powers. They knew firsthand Joseph’s typical legal tactics and strategic responses to litigation. On May 20, 1842, Chauncey Higbee and Robert Foster were involved in a case tried before the high council, with Joseph Smith as judge. As attorney for Orsimus Bostwick in a slander case in February 1844, Francis Higbee gave notice of his

intent to appeal the case to Carthage. Joseph saw this maneuver to be an effort “to stir up the mob— & bring them upon us.”60 Robert Foster became a justice of the peace. In that capacity, on January 6 and 8, 1844, he issued a warrant for the arrest of Milton Cook on charge of bastardy and sent a posse of eleven men to arrest him in Carthage.61 Around April 1, 1844, Robert Foster heard the case of one man beating another,62 and on April 2, 1844, he issued a warrant for the arrest of three Nauvoo policeman in a controversial public matter accusing them of false imprisonment.63 On May 6 and 20, Francis Higbee used the courts to sue Joseph Smith for defaming his character.64 Still in May 1844, Robert Foster, Francis Higbee, William Law, and Wilson Law jointly indicted Joseph Smith for perjury and polygamy; before the grand jury, Francis Higbee boisterously offered “much ha[r]d sw[e]aring” but his testimony was rejected.65 In the end, Chauncey Higbee, together with Thomas Sharp, Sylvester Emmons, and two others acted as the prosecuting attorneys against Joseph and Hyrum Smith in charging them on June 26, 1844, for treason.66

The strongest winds of discord began to blow in January 1844. On Wednesday, January 3, Joseph Smith directed the marshal to bring William Law and John Snider before a special session of the entire Nauvoo City Council. The evening before, Hyrum had told Joseph that William claimed that some of the police had been sworn by the mayor secretly to put Law “out of the way.” Joseph wanted William to speak for himself and under oath. William testified that the policeman had said that “there was a Judas in the Gen[eral] Smith cabinet.” Joseph explained that he had heard from Orrin Porter Rockwell, who had spent most of 1843 in Missouri jails, that “they wanted to get me & thus to put down Mormonism— so that they might organize upon their old principles—on the Orthodox system. [They] did not design to try me but [to] hang me, that they had a man in our midst who would deliver me up fix me out if they could not get me without.”67

60. Hedges, Smith, and Rogers, Journals, Volume 3, 184.
62. Hedges, Smith, and Rogers, Journals, Volume 3, 211.
63. Hedges, Smith, and Rogers, Journals, Volume 3, 212.
64. Hedges, Smith, and Rogers, Journals, Volume 3, 245, 255.
67. Dinger, Nauvoo City and High Council Minutes, 199–201, emphasis added. See also History of the Church, 6:164.
The minutes were then read of another special session of the council five days earlier, on Friday, December 29, 1843, in which Joseph increased the police force and instructed them to leave Missouri alone and “keep out of her territory,” lest they be seized and suffer as Rockwell had suffered. Joseph alleged that his life was in “far greater danger from traitors among ourselves than from enemies without,” although his life had been sought by Missourians for many years. He added that Rockwell had informed him of “pretended friends who [had] betrayed” him after having been “in our councils, participated in our confidence, taken us by the hand, called us brother, saluted us with a kiss, joined with our enemies,” and all “by falsehood and deceit.” He spoke of Caesar being betrayed by “a right-hand Brutus” and concluded with this: “Judas was one of the Twelve Apostles, even their treasurer, and dipt with their Master in the dish, and through his treachery, the crucifixion was brought about; and we have a Judas in our midst.”

William ended up claiming there was “no man in the city more zealous to support Mormonism than himself.”

The long January 3 council meeting was continued on January 5, when William Law was still agitated about rumors spread by some police that he was that Brutus or Judas and may be in danger. “Hard words passed between” Joseph and William. Although Joseph did not think further testimony was necessary, William Marks now testified that Francis Higbee had said that Marks was the Brutus. Francis Higbee was brought to appear before the council, with William and Wilson Law also present. Higbee said that he did not know of “any one being in endanger[ed]” but that there were rumors implicating Law and Marks. Joseph said he was unaware of any such tales about Marks. He also thought Higbee should hold his tongue “lest rumor turn upon him” and thought young men of Nauvoo should “withdraw from him.”

After the hearing, Joseph’s journal noted, “What can be the matter with these men? Is it that the wicked flee when no man pursueth . . . or

69. Dinger, *Nauvoo City and High Council Minutes*, 204.
that Presidents Law and Marks are absolutely traitors to the Church . . . that the traitor whom Porter Rockwell reports to me as being in correspondence with my Missouri enemies, is one of my quorum?” Three days later, Joseph said he “had an interview with William Law, in the Streets.” Joseph unilaterally released William Law from the First Presidency, and there is no record of the two men ever meeting in person again.

Although Joseph and Francis Higbee seemed to reconcile on January 16, serious problems apparently continued to fester. How early these dissidents had agreed on a specific course of action against Joseph Smith may be impossible to determine, but on March 26, 1844, affidavits were tendered by Abiathar B. Williams and M. G. Eaton speaking of “a conspiracy.” Williams attested that “Joseph H. Jackson said that Doctor [Robert] Foster, Chauncey L. Higbee, and the Laws were red hot for a conspiracy, and he should not be surprised if in two weeks there should not be one of the Smith family left alive in Nauvoo,” and Eaton testified of a conspiracy against Joseph Smith.

This all came to a head when Wilson and William Law and Robert Foster, along with Jane Law and Howard Smith, were excommunicated on April 18, 1844, at a combined council meeting to which the accused were not invited and were therefore not permitted to present a defense. At this unusual meeting, thirty-two church leaders were present, including six of the Twelve, seven of the high council, and nineteen others from the heads or presidents of all the priesthood quorums. According to the brief report in the diary of Joseph Smith by the hand of Willard Richards, these five were cut off for “unchristianlike conduct.” William Law commented in his diary on April 19 that they had been cut off for being “opposed to Joseph Smith” and in “fear that we might bring charges against them, and therefore . . . lest we should expose their wicked acts.”

78. Hedges, Smith, and Rogers, Journals, Volume 3, 231–32.
On April 28, 1844, the defectors met at the Laws’ property near their sawmill to organize their own “Reformed Church of Jesus Chirst of Latter-Day Saints,” choosing William Law as president and prophet. Affidavits against Joseph Smith and others were collected, and a committee was appointed to visit families in Nauvoo to see who might join their new church. On that committee were William Law, Wilson Law, Francis Higbee, Robert Foster, and three others. Wilson Law was chosen as one of his counsellors, and Robert Foster and Francis Higbee were among their twelve apostles. The group professed that Joseph had once been an authentic prophet, but that he had fallen and needed to be deposed.

Then on May 10 a prospectus for the proposed Nauvoo Expositor was circulated on the streets of Nauvoo under the names of William and Wilson Law, Francis and Chauncey Higbee, Robert and Charles Foster, and Charles Ivins, calling for “uncompromising hostility” against any union of church and state, as well as for “unmitigated disobedience” to political revelations and the propagation of “gross moral imperfections.” On May 18, 1844, Francis Higbee, James Blakesly, Charles Ivins, and Austin Cowles were excommunicated by the Nauvoo Stake high council “for apostatizing.”

After this time, the term “conspiracy” was openly used to describe the concerted group actions of this coalition. In a conversation in Carthage on May 27, 1844, Charles Foster told Joseph Smith that there was “a conspiracy” against his life. On June 8, Wilford Woodruff recorded in his journal that two men had told him that “a conspiracy is got up in this place for the purpose of taking the life of President Joseph Smith, his family, and all the Smith family & the heads of the Church,” and he identified Chauncey Higbee, Robert Foster, William Law, and Wilson Law among the heads of the conspiracy. On June 8, Joseph Smith testified

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81. Dinger, Nauvoo City Council and High Council Minutes, 494, n. 27.
82. Dinger, Nauvoo City Council and High Council Minutes, 494.
before the Nauvoo City Council that “at the time Gov. Carlin was pursuing me with his writs, William Law come to my house with a band of Missourians for the purpose of betraying me—come to my gate—and was prevented by Daniel Cairns who was set to watch.” William Law had come that night at about 10 p.m. with a dozen men.85 Joseph reproved Law, who wrote a letter the next day to apologize. Ten days later, Truman Gillett Jr. swore an affidavit that on June 1, 1842, while on the steamboat Massachusetts, he heard a Missourian tell a man from Ohio: “If Law could have succeeded in getting an introduction for us to ‘Jo’ Smith . . . we would have gagged him and nabbed him.” The next day, the affiant said he confronted that same Missourian, who insisted that William was in on a plan with twelve or more Missourians to kidnap Joseph at the gate but that they were stopped by the police.86 On June 10, Joseph concluded that “all the sorrow he ever had in his family in this city has arisen through the influence of William Law.”87

Whether the plans of the dissidents can or cannot be properly called a well-planned conspiracy, they undoubtedly went forward, acting deliberately and concertedy. Their general objectives were known to many with whom they had discussed their organization of a new church by at least April 28, and efforts to require Joseph Smith to appear in

85. Dinger, Nauvoo City and High Council Minutes, 248–49.
87. History of the Church, 6:438; Nauvoo City Council Minutes, booklet 4, CHL; Nauvoo Neighbor, Extra, June 17, 1844, 1. In his lengthy memoirs written about these events some time before his death in 1887, John Taylor—who was instrumental in converting William Law to Mormonism in 1836—said this about his former protégé: “William Law, although counselor to Joseph, was found to be his most bitter foe and maligner, and to hold intercourse [it was alleged], contrary to all law, in his own house, with a young lady resident with him; and it was afterwards proved that he had conspired with some Missourians, to take Joseph Smith’s life, and [the Prophet] was only saved by Josiah Arnold and Daniel Garn, who, being on guard at his house, prevented the assassins from seeing him. Yet, although having murder in his heart, his manners were generally courteous and mild, and he was well calculated to deceive.” John Taylor, Witness to the Martyrdom (Salt Lake City: Deseret Book, 1999), 24–25; History of the Church, 7:57. Law’s adultery was also alleged by Hyrum Smith, under oath before the Nauvoo City Council on June 8, 1844, as summarized in the council minutes: “When sick, William Law confessed to him that he had been guilty of adultery, and was not fit to live, and had sinned against his own soul, &c.” History of the Church, 6:435; Nauvoo Neighbor, Extra, July 17, 1844, 1.
court in Carthage were continued in May with criminal allegations of perjury and polygamy and adultery. Governor Thomas Ford, in his *History of Illinois*, described the situation in Nauvoo in June, as it became more intolerable for the dissenters, as follows:

William Law, one of the most eloquent preachers of the Mormons, who appeared to me to be a deluded but conscientious and candid man, Wilson Law, his brother, major general of the legion, and four or five other Mormon leaders, resolved upon a rebellion against the authority of the prophet. They designed to enlighten their brethren and fellow-citizens upon the new institutions, the new turn given to Mormonism, and the practices under the new system, by procuring a printing press and establishing a newspaper in the city, to be the organ of their complaints and views. But they never issued but one number; before the second could appear the press was demolished by an order of the common council, and the conspirators were ejected from the Mormon Church.88

While the words “resolved,” “rebellion,” “designed,” and “conspirators” should not be sensationalized, it is clear that the Laws, Higbees, and Fosters willingly intended more in this unfolding episode than the mere expression of inflammatory rhetoric or theological disagreement, as the following analysis of their use of the legal system demonstrates.

**The Dissidents Launch Their Legal Campaign**

Starting already on February 26, 1844, the first of three meetings designed to bring down Joseph and Hyrum Smith was held at the home or store of William Law in Nauvoo.89 That same day, these brothers and their associates instituted or appealed a series of three lawsuits against Joseph before the Hancock County Circuit Court in Carthage—the county seat fifteen miles from Nauvoo. Around the same time, other legal actions sprang up in the Nauvoo city courts involving these opposing parties.90

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First, on February 26, Francis Higbee appealed a Nauvoo conviction of his client, Orsimus F. Bostwick, for slandering Hyrum Smith. Joseph immediately countered, “I told Higbee what I thought of him for trying to carry such a suit to Carthage—it was to stir up the mob and bring them upon us.”91 As early as March 7, Joseph publically denounced the use of the appeals process by Higbee and others, not only as an unfounded effort to harass and annoy him, as some commentators have said, but more to force him out of the safety of Nauvoo into a more vulnerable location:

Those who complain of our rights and charters are wicked and corrupt, and the devil is in them.

The reason I called up this subject is, we have a gang of simple fellows here who do not know where their elbows or heads are. . . . If there is any case tried by the authorities of Nauvoo, they want it appealed to Carthage to the circuit court. Mr. Orsimus F. Bostwick’s case had to go to Carthage. Our lawyers will appeal anything to the circuit court.

I will expose the iniquity of the lawyers and wicked men. . . .

. . . I despise the man who will betray you with a kiss; and I am determined to use up these men, if they will not stop their operations. If this is not true, let him come forward and throw off the imputation.

When they appeal to Carthage, I will appeal to this people, which is the highest court. I despise the lawyers who haggle on lawsuits, and I would rather die a thousand deaths than appeal to Carthage.92

This case was eventually consolidated with an action by the City of Nauvoo against Bostwick, and both matters were then dismissed by the Hancock Circuit Court in Carthage on May 20, 1844, with costs assessed against Bostwick.

Second, on May 6, Joseph was served with a warrant based on a complaint filed in the Hancock County Court by Francis Higbee for $5,000 in civil damages, based on being allegedly slandered by Joseph during the January 5 Nauvoo City Council proceedings. Rather than traveling to Carthage to respond, however, Joseph was granted a habeas corpus hearing in Nauvoo. On May 8, Joseph was discharged from custody, and Higbee

was charged with costs. In the course of his testimony, the Prophet said, “The only sin I ever committed was in exercising sympathy and covering up their iniquities, on their solemn promise to reform, and of this I am ashamed, and will never do so again.” The case was eventually transferred to the McDonough County court, where it was dismissed with court costs assessed against the plaintiffs.94

Third, on May 27, 1844, exactly one month to the day before his death, Joseph was in Carthage to face a combination of appeals on several actions derived from suits first brought by or against him in Nauvoo involving the Higbees, plus two grand jury criminal indictments for perjury and adultery initiated by the Laws.95 While at Artois Hamilton’s hotel in Carthage the night before the hearings on these cases, Charles Foster told Joseph of a plot to kill him the next day, either before or after going to court.96 Thus warned, enough well-armed troops were mustered from Nauvoo to guarantee Joseph’s protection, and he safely returned home when the cases were continued for lack of a witness.97

93. Joseph was referring to the Higbees, the Fosters, the Laws, and John C. Bennett.
95. On adultery being punishable by law only if it was open and notorious, see M. Scott Bradshaw, “Defining Adultery under Illinois and Nauvoo Law,” in Madsen, Walker, and Welch, Sustaining the Law, 401–26.
96. Hedges, Smith, and Rogers, Journals, Volume 3, 296 n. 1363. Journalist Alex Beam claimed that Joseph had been “evading the Laws’ complaints of adultery and ‘false swearing’ filed in May.” Alex Beam, American Crucifixion (New York: Public Affairs Books, 2014): 145–46. While the possibility of taking evasive action may have occurred to Joseph, he ultimately decided to face his accusers in court. Bushman, Rough Stone Rolling, 538. Charles Foster “as a friend” warned Joseph of a threat on his life. Hedges, Smith, and Rogers, Journals, Volume 3, 264; History of the Church, 6:413. Bushman surmised that Foster may have softened toward Joseph when he saw another dissident (Joseph H. Jackson) loading his pistols and threatening to kill Smith. Bushman, Rough Stone Rolling, 539. However, exactly one month earlier, Charles Foster himself had to be restrained from shooting Joseph with a pistol. See note 50 above.
97. On June 21, 1844, Joseph swore in an affidavit that on May 27, 1844, Charles A. Foster took him into a private room at Hamilton’s tavern in Carthage to warn him of “a conspiracy against his life and cautioned that he ‘had not better go out of doors.’” Hedges, Smith, and Rogers, Journals, Volume 3, 296 n. 1363.

The missing witness was someone named Withers. Hedges, Smith, and Rogers, Journals, Volume 3, 265. The adultery charge was initially brought by
One month later he would not be so fortunate. That was the last time Joseph left his safe harbor at Nauvoo until two days before his death.

Not wasting any time, on May 29, Thomas Sharp of the *Warsaw Signal* predicted: “We have seen and heard enough to convince us that Joe Smith is not safe out of Nauvoo, and we would not be surprised to hear of his death by violent means in a short time. He has deadly enemies—men whose wrongs have maddened them. . . . The feeling of this country is now lashed to its utmost pitch, and will break forth in fury upon the slightest provocation.”

The group of dissenters acquired a printing press to publish a weekly newspaper, the *Nauvoo Expositor*. The seven publishers of the *Expositor* included all six of the Law, Foster, and Higbee brothers, plus a local businessman and a bishop in the new church, Charles Ivins.99 As partners, they conducted business under the firm name of Charles Ivins & Co. Their editor was Sylvester Emmons, a non-Mormon lawyer and a former member of the Nauvoo City Council.100

**Destruction of the *Nauvoo Expositor***

The first and only issue of the *Expositor* came out on Friday, June 7. It included seven editorials, most of them likely written by William Law. It also featured affidavits sworn by both Law and his wife, Jane, attesting that they had read a revelation (now D&C 132) that permitted a man to


99. *Nauvoo Expositor*, June 7, 1844, p. 4. col. 5. Although the *Expositor* was apparently owned by Charles Ivins & Co., William Law claimed that he and his brother Wilson paid at least $2,000 to acquire the press. Cook, *William Law*, 116.

100. Emmons had done some legal work for Joseph Smith, as preliminary counsel in Nauvoo on his second extradition case. See “Lawyers and Judges in the Legal Cases of Joseph Smith,” in Madsen, Walker, and Welch, *Sustaining the Law*, 526.
have more than one wife. A third affidavit, by Austin Cowles, a former member of the Nauvoo high council, claimed that this revelation also proclaimed “the sealing up of persons to eternal life, against all sins, save that of shedding innocent blood or of consenting thereto.”101 The fact that this revelation had not been released publicly and that Joseph and others in his inner circle of church leaders were carefully keeping their practice of plural marriage out of the public eye may, in part, explain Joseph's strong reaction to the Expositor. Included in its “public exposition of the enormities of crimes” committed by Joseph Smith were fraud, base seduction and “fatal schemes” to entrap many “inoffensive and unsuspecting creatures,” leading such women to an “untimely grave.” The paper also campaigned to repeal the city charter, which provided Nauvoo with its greatest legal and military protection. If the charter were repealed, and the Nauvoo Legion’s status as a legal militia abolished, the risk of mob action to its citizens would greatly increase. Repeal of the charter would also remove Joseph’s best means of quashing an arrest warrant by using

the favorable powers granted by the Nauvoo Charter to the Nauvoo City Council to grant writs of habeas corpus. Strong as it was, the *Expositor* promised that future issues would be even less restrained and would “speak in tones of thunder.”

While Joseph was likely concerned that the *Expositor* might incite outside mobs against the Mormons, he may have been more fearful of retaliatory mob action by his own citizens against the *Expositor*. Their riotous action would in turn be even more likely to provoke an outside attack upon the entire community. He later told Governor Ford, when they met in person: “Our whole people were indignant, and loudly called upon our city authorities for redress of their grievances, which, if not attended to, they themselves would have taken into their own hands, and have summarily punished the audacious wretches, as they deserved.” Earlier, Joseph had told the Nauvoo City Council that he “would rather die tomorrow and have the thing smashed, than live and have it go on, for it was exciting the spirit of mobocracy among the people, and bringing death and destruction upon us.”

Equally compelling, perhaps, Joseph may have sought divine sanction for his action. Journalist George Laub recorded that before the Prophet took action, “Bro Joseph called a meeting at his own house and told the people or us that God showed him in an open vision in daylight that if he did not destroy that press, Printing press, it would cause the Blood of the Saints to flow in the Streets & by this wise that Evil destroy [us].” So in an effort to prevent an actual riot within the city and to spare the citizens of Nauvoo, Joseph Smith, as mayor, convened the city council for two full days and discussed at length what action should be taken. Much has been written about this decision and whether it could be justified, both legally and sensibly, but reviewing that discussion lies beyond the scope of this article. Suffice it to say that, with one dissenting vote (Benjamin Warrington, a non-LDS early settler in Nauvoo), the

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102. *Nauvoo Expositor*, June 7, 1844, p. 1, col. 6; p. 2, cols. 1, 2; p. 3, col. 3.


104. Willard Richards, Synopsis of city council meeting, June 10, 1844, Nauvoo City Council Minutes, booklet 4; *Nauvoo Neighbor*, Extra, June 17, 1844, 1; *Nauvoo Neighbor*, June 19, 1844, 3; *History of the Church*, 6:442.

city council officially voted to “abate” the Expositor press as a public nuisance.106

Accordingly, just before dark on Monday, June 10, 1844, eleven law officers moved up the stairs of a two-story brick office building in downtown Nauvoo. Situated on the north side of Mulholland Street, only one block east of the partially completed LDS temple, this structure housed the print shop that, only three days earlier, had published the first and only issue of the Nauvoo Expositor.

Nauvoo City Marshal John P. Greene was met at the head of the stairs by Francis Higbee, one of the publishers. Greene produced a paper that was signed one hour earlier by Mayor Joseph Smith, ordering Greene to “destroy the printing establishment press,” all Expositor copies, the type, “and all libelous handbills found in said establishment.” Furthermore, the

106. The best legal analysis of those proceedings was provided by Dallin H. Oaks, then professor at the University of Chicago Law School, in “Suppression of the Nauvoo Expositor,” Utah Law Review 9, no. 4 (1965): 862–903. In contrast to the council’s examination of many witnesses and extensive deliberations with Nauvoo City Attorney George P. Stiles for a total of fourteen hours, journalist Alex Beam claimed that Joseph simply “cobbled together a legal rationale for closing down the Expositor . . . rummaging around the law books, looking for a pretext to destroy the noisome newspaper.” Beam also said that Joseph “occasionally made sport of the legal profession” (Beam, American Crucifixion, 120), whereas the record shows that as mayor and justice of the peace, Joseph Smith devoted a great deal of time and effort to the study and application of the law.
order stated that “if resistance is offered,” his men were to “demolish the house” and “arrest those who threaten you.”

Finding the door at the head of the stairs locked, Greene demanded the keys but was refused by Higbee, who began to shout and threaten the police. Rather than arrest him or demolish the house, as he was authorized to do, Greene instead “ordered the door to be forced.” Inside they found Charles Foster, another publisher. He joined Higbee in another stream of threats to the lawmen. Without further delay, the city police then carried the press, the type, and all papers down into the street.

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According to apostate Isaac Scott, who admittedly was not in Nauvoo at that time, Joseph Smith ordered that if any others offered resistance, his friends were “to rip them from the guts to the gizzard. These were his [Joseph’s] own words.” Beam, American Crucifixion, 123. These were actually Scott’s words, not Joseph’s, and they were merely hearsay—written in a June 16, 1844, letter to his wife’s parents. I have discovered no other support for that or any similar assertion.


On June 10, 1844, William and Wilson Law, Robert Foster, and Charles Ivins were in Carthage because, in William’s words, “it was the day of the sale of lands for taxes, and we had an invitation by twenty five of the most respectable citizens in Carthage vicinity to go there and deliver a lecture or more on the subject of Nauvoo legislation, usurpation &c. &c. We did so. In my address I strongly urged the policy and necessity of being patient, and allowing the law to have its course in all cases, to avoid anything like an outbreak; showed that mobs would only tend to create a false sympathy for those opposed to us. . . . I was told that our press would be destroyed, but I did not believe it. I could not even suspect men of being such fools, but to my utter astonishment tonight upon returning from Carthage to Nauvoo I found our press had actually been demolished by order the Marshall J. P. Green, by order of the Mayor
With a sledge hammer, the police smashed the press, then burned the newspapers and “pied” (or scattered) the type in the street. They claimed that nothing else was destroyed. Witnesses testified that there was no other “riot or disturbance, no noise, no exultation . . . or shouting.”

Orderly as this action may have seemed to the actors, it ignited a firestorm of violent outcries and legal reactions that was as sudden and complete as was the shutting down of the Expositor. The destruction of the Nauvoo Expositor press quickly became the flashpoint for enemies of Joseph Smith, both inside and outside the Church.

A Fatal Mistake or Justified Action?

Many historians have viewed Joseph’s response to the Nauvoo Expositor as his “grand mistake,” as entirely illegal, an unnecessary overreaction—or at least “unwise.” I must disagree.

In his June 22, 1844, letter to Joseph Smith, Governor Thomas Ford (a former Illinois Supreme Court justice) preceded this chorus of critics. Citing concerns about violating freedom of the press, he called destruction of the Expositor “a very great outrage upon the laws and liberties of the people.” He claimed it was a case of first impression: “In no other

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(Jos. Smith) and the City Council.” William Law, Nauvoo Diary, in Cook, William Law, 55–56.

William Law later said that even more than that was destroyed: “The building, a new, pretty brick structure, had been perfectly gutted, not a bit had been left of anything.” This was a much later recollection, long after his involvement. W. Wyl interview, Daily Tribune, July 31, 1887, in Cook, William Law, 126. No corroborating testimony by any other witness at the hearings went as far as these descriptions.

110. Testimony of Theodore Turley, History of the Church, 6:456. See also History of the Church, 6:456–57, 490. Of the one thousand printed copies, half were delivered to the post office for mailing to subscribers and other newspapers. Many other copies were sold or distributed in Nauvoo, leaving only a fraction of the original issue on hand to be burned when the press was destroyed on June 10. Leonard, Nauvoo, 362.

state, county, city, town or territory in the United States has ever such a thing been thought of before.”

In a strongly worded reply letter sent the next day, Joseph defended himself. He said the Nauvoo authorities had acted only on the advice of Blackstone and able counsel, using their own best judgment, and inquired what Ford would have done under similar circumstances. He directed the governor’s attention to “Humphrey versus Press,” an apparently settled or never-litigated case that resulted in no legal causes of action (either civil or criminal) after one Van R. Humphrey damaged an Ohio press “by his own arm for libel.” Joseph also noted, “We do know that it is common for police in Boston, N. York, &c to destroy scurrilous prints.” In addition to these precedents, Oaks determined that for nearly a century after the Expositor incident, courts consistently upheld the suppression of libelous presses by official governmental action.

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114. Oaks, “Suppression,” 888, 897–98. In each case of press destruction by official action after 1844 investigated by Oaks, a primary motivation was to prevent a citizens’ riot or other public disturbance of the peace. Notably, that was precisely the grounds for suppressing the Expositor. Oaks also observed that prior to 1931, protections of free speech and the press under the U.S. Constitution’s First Amendment were explicitly directed only at Congress, not to the states or to private citizens. The Illinois Constitution, which also granted broad free-press protections, specifically made a publisher “responsible for the abuse of that liberty.” See Ill. Const., art. 8, sec. 22 (1818), reprinted in Ill. Rev. Stat. at 46 (1833); Oaks, “Suppression,” 892. That provision had long been interpreted as protecting only against the prior restraint of expression through such measures as censorship or licensing. In 1854, the Illinois Supreme Court held that obscene publications could be categorized as public nuisances. The court added that it could find no case voiding an ordinance that provided for the abatement of a nuisance. Goddard v. Jacksonville, Ill. 15:589, 594–95. At the time of the Expositor incident, the Illinois Supreme Court had not interpreted its state constitutional guarantee of a free press. However, the Pennsylvania Supreme Court, in construing that state’s similar constitutional provision, held that such a provision permitted suppression: “Publish as you please in the first instance without control; but you are answerable both to the community and the individual, if you proceed to unwarrantable lengths. . . . The common weal is not interested in such a communication, except to suppress it.”
Certainly unofficial action by a *mob* to destroy a newspaper was not unprecedented. In fact, Oaks called it “the temper of the times.” The Saints’ own press in Jackson County, Missouri, had been destroyed in July 1833, when the entire building was torn down and two of its occupants were tarred and feathered. Four years later in Kirtland, the Church’s press and book bindery were destroyed, this time by arson.\(^{115}\) In fact, in Illinois alone, there were at least sixteen instances of mob action against the press between 1832 and 1867, as well as seven in other states before 1844.\(^{116}\) Perhaps the best known incident involved Elijah Lovejoy, an abolitionist of Alton, Illinois. He was murdered in 1839 by a proslavery mob that also destroyed his printing press after three of his prior presses had received the same treatment between 1835 and 1837. Thus, Joseph’s desire to forestall a similar public riot against the *Expositor* was hardly novel. Given these antecedents, it would seem far more likely for the paper and its press to be suppressed by direct overt action rather than by judicial due process.\(^{117}\)

Whether or not one agrees with the foregoing arguments, Professor Oaks concluded that even if there were no direct legal precedent in 1844

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Finally, in 1931, a slim 5 to 4 majority of the U.S. Supreme Court overruled a unanimous state supreme court and decided, first, that the federal constitution’s press protection *did* apply to the states and, second, that a press may *not* be abated by either official or private action in the way that was done there (and, by implication, in Nauvoo). *Near v. Minnesota* et al, 282 U.S. 697 (1931) was a case remarkably similar to that of the *Expositor*. There, the Minneapolis City Council had ordered abatement of a weekly newspaper, *The Saturday Press*, relying on a Minnesota statute that specifically authorized the official suppression of a “malicious, scandalous and defamatory newspaper” as a nuisance. *The Saturday Press* had charged “in brutally frank language” that various “city officials were in league with or part of the gangsters who controlled gambling, bootlegging and racketeering in Minneapolis.” After widespread opposition to the press, the Minnesota Supreme Court upheld the city council order and ruled: “It is not a violation of the liberty of the press or of the freedom of speech for the Legislature to provide a remedy for their abuse. . . . Indeed, the police power of the state includes the right to *destroy or abate* a public nuisance. Property so destroyed is *not* taken for public use, and therefore there is no obligation to make compensation for such taking” (emphasis added). See Oaks, “Suppression,” 899–902.

115. See Bushman, *Rough Stone Rolling* and authorities cited at 627 n. 78.


to justify suppressing the Expositor for printing libelous material, neither was there any authority to forbid it. As for actions by Joseph Smith and the city council, Oaks commented, “To charge them with a willful violation of the Illinois free-press guarantees, one must overlook the suppressionist sentiments of the age in which they lived” and any “reference to the law of their day.”

Ultimately the Nauvoo City Council, with Joseph as mayor in agreement, decided that, under the circumstances, their actions were justified. They greatly feared that by not abating the press, it would continue to incite and arouse outside mobs of anti-Mormons to attack Nauvoo and drive out its citizens, exactly as anti-Mormon leaders were threatening to do. Joseph told the Nauvoo City Council on June 8th: “What the opposition party want is to raise a mob on us [from outside of Nauvoo] and take the spoil from us, as they did in Missouri.”

Joseph’s concern about the press inciting outside mobs was not ill founded:

1. The Expositor Threat. The Expositor itself urged its readers to “arise . . . and sweep the influence of tyrants and miscreants from the face of the land.” In answering its own question, “Will you bring a mob upon us [the Mormons]?” the newspaper affirmed that “if it is necessary to make show of force, to execute legal process, it will create no sympathy in that case [for the Mormons] to cry out, we are mobbed.” Joseph saw the phrase “to execute legal process” as a call to “raise a mob [against] us . . . as they did in Missouri,” when local militia units executed an official extermination order, thereby enabling Missourians to “take the spoil from us” and ultimately expel the Mormons from that state.

2. The Signal Threat. The Warsaw Signal on May 22 and June 12, 1844, also noted that if the press were abated, it might provoke an incident that could lead to mob action and a similar expulsion from Illinois. Thus, no matter what happened to the Expositor, it would further the dissidents’ goals. If allowed to continue, it would agitate outside anti-Mormons and foment more dissention within Nauvoo. If abated, that act could also arouse action by anti-Mormons against the Mormons, as in fact occurred.

119. History of the Church, 6:441–42; Nauvoo Neighbor, Extra, June 17, 1844, 1; Dinger, Nauvoo City and High Council Minutes, 254.
120. Nauvoo Expositor, June 7, 1844, p. 3, col. 5; p. 2, col. 6, emphasis added.
121. History of the Church, 6:441–42; Nauvoo Neighbor, Extra, June 17, 1844, 1; Dinger, Nauvoo City and High Council Minutes, 254.
3. The Nauvoo City Ordinance. The city council recognized this same motive. One day after the *Expositor* issue was published, the council passed its June 8th ordinance against criminal libel, expressly providing in the preamble that: “Whereas a horrid, bloody, secret plan upheld, sanctioned and largely patronized by men in Nauvoo and out of it, who boast that all they want for the word go, to exterminate or ruin the Latter-day Saints, is for them [the Mormons] to do one unlawful act and that work [of extermination] shall be done.” The preamble also described that “bloody, secret plan” as a design “to frighten the surrounding country into rebellion, mobbing and war.”

4. Mob Meetings. In its issue on Wednesday, June 12, two days after the suppression, the Mormon paper *Nauvoo Neighbor* decried presses that would “bring upon us mobs to plunder and murder.” Within one week after the *Expositor* was suppressed, mobs met in Carthage and then the next day in Warsaw to pass resolutions for the arrest of Joseph Smith, and the invasion of Nauvoo was called for on June 14 in the *Warsaw Signal* for “Wednesday next,” June 19—with or without the Governor’s authorization. The speed and efficiency of such mobilization, including the bringing of men and arms from Missouri, and the setting of this specific date for the invasion only five days later cumulatively imply that a coordinated plan may have already been in place before the *Expositor* was destroyed. As Oaks noted, “Subsequent events, notably the mob murder of Joseph Smith and the eventual expulsion of the Mormons from Nauvoo by armed mobs, suggest that these fears were not groundless.”

Even greater than the council’s concern that the *Expositor* may incite outside mobs against the Mormons was the Prophet’s fear of retaliatory mob action by his own citizens against the *Expositor*, as described above. So in an effort to prevent a true riot within the city and to spare the citizens of Nauvoo, Joseph Smith convened the city council, which ordered him as mayor to destroy the *Nauvoo Expositor*.

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See also *Nauvoo Neighbor*, June 12, 1844, 2, 5; *Nauvoo Neighbor*, Extra, June 17, 1844, 1; *History of the Church*, 6:441–42.
Hearings on Riot Related to the Nauvoo Expositor

Early the next morning, Tuesday, June 11, Francis Higbee sped off to Carthage, reportedly dressed in disguise to get out of town.125 There he swore out a complaint against Joseph Smith as well as the entire city council that had directed the abatement and leaders of the police who had carried out the order. The following day, Wednesday, Constable David Bettisworth from Carthage rode into Nauvoo with an arrest warrant signed by Carthage Justice of the Peace Thomas Morrison. The warrant instructed Bettisworth to arrest and bring eighteen named defendants before the issuing magistrate “or some other justice of the peace.”126 Bettisworth became “very wrathy”127 when the served defendants refused to accompany him back to Carthage but instead sought petitions of writs of habeas corpus from the Nauvoo Municipal Court. Joseph Smith’s writ claimed that he had been charged with the crime of “riot.”128 This started a chain of court proceedings that made the Expositor action an intensely litigated matter. The following summary describes that cascade of legal proceedings, leading almost immediately to Carthage. Quite likely, no plot or conspiracy could have predicted exactly how this bold attack on Joseph Smith and the Nauvoo establishment would unfold, but given the mob actions and deaths that resulted


126. Arrest warrant, Justice of the Peace Thomas Morrison to all state constables, Carthage, Ill., June 11, 1844, Joseph Smith Collection, in Selected Collections, disc 20, box 4, folder 14, item 9; History of the Church, 6:453, 554. The warrant was served the same date on all defendants by David Bettisworth, Carthage constable. The eighteen defendants were: Joseph Smith, Samuel Bennett, John Taylor, William W. Phelps, Hyrum Smith, John P. Green, Stephen Perry, Dimick B. Huntington, Jonathan Dunham, Stephen Markham, William Edwards, Jonathan Holmes, Jesse P. Harmon, John Lytle, Joseph W. Coolidge, Harvey D. Redfield, Porter Rockwell, and Levi Richards. See also Leonard, Nauvoo, 370.


128. “State of Illinois, City of Nauvoo, To the Honorable Municipal Court,” Joseph Smith Collection, CHL, in Selected Collections, disc 20, box 4, folder 14, item 13; History of the Church, 6:454.
in Alton, Illinois, under similar circumstances seven years earlier, bloodshed would not have been unforeseeable.

Riot Hearing No. 1. The same day he was served, Joseph obtained a writ of habeas corpus from the Nauvoo Municipal Court, signed by Willard Richards as clerk. City council members who also served as aldermen and municipal court judges heard the case that same day in the newly completed Nauvoo Seventies Hall. George W. Harris was presiding judge pro tem, since Joseph was chief justice of that same court. As with all habeas corpus hearings, this was not a formal trial in the sense that it did not result in a verdict of either guilt or innocence; but the hearing lasted most of the day, heard by a panel of seven judges with twenty-one witnesses being called.

The court first had a reading of the city council’s resolution that had declared the Nauvoo Expositor a nuisance and the mayor’s suppression

orders. They also consulted their own city charter and ordinances. Witnesses then testified about the nature of the abatement, and the court addressed whether the legal requirements for a “riot” had been met or avoided. Specifically, the Illinois criminal jurisprudence law then in effect provided:

Sec. 117. If two or more persons actually do an unlawful act with force or violence against the person or property of another, with or without a common cause of quarrel, or even do a lawful act in a violent and tumultuous manner, the persons so offending shall be deemed guilty of a riot, and on conviction, shall severally be fined, not exceeding two hundred dollars, or imprisoned not exceeding six months.¹³¹

After hearing testimony from some twenty-one witnesses, the seven justices determined that the city had acted under proper authority and that no riot (as so defined) had occurred in executing the order. Rather, the main tumult in the entire episode came from shouts and threats from publishers of the Expositor. Joseph was discharged and released, while Francis Higbee was assessed court costs, on grounds of malicious prosecution.¹³²

Some commentators have charged that: (a) Joseph too frequently invoked habeas corpus to gain delivery from arrest and jail, and (b) he also abused this process by having the underlying merits of the case tried—as opposed to merely examining the legality of arrest and

¹³¹. *Revised Laws of Illinois* (Vandalia: Greiner and Sherman, 1833), ch. 30, Criminal Jurisprudence, div. 10, Offences against the Public Peace and Tranquility, sec. 117, p. 197, emphasis added, available online at https://archive.org/details/revisedlawsofill00illi; see Oaks, “Suppression,” 864 n. 9, 877. Apparently in comparison to the even more aggressive abatements of other presses done at that time, including those described in Oaks, “Suppression,” 888, 897–98, the court did not consider destruction of the Expositor with a sledge hammer to have been “violent.”

¹³². The aldermen were: George W. Harris, Newel K. Whitney, Samuel Bennett, Orson Spencer, Gustavus Hills, and Elias Smith. The court was held in the Nauvoo Seventies Hall. See Richards, Synopsis of June 12, 1844 hearing; History of the Church, 6:456–58. There is no evidence that Higbee attended any of these hearings in Nauvoo; but he was presumably served with notice, since he was assessed trial costs of $22.12½ (plus serving and returning of execution) against his goods and chattels. No property was found for levy by October 7, 1844. Nauvoo Municipal Court, Execution returned November 4, 1844, CHL. Beam incorrectly claimed that, rather than having full hearings before the Nauvoo Municipal Court, “a local justice of the peace simply vacated Higbee’s motion.” Beam, *American Crucifixion*, 124.
detention. Like the charters of two other cities in Illinois, the Nauvoo Charter gave its municipal court “power to grant writs of habeas corpus in all cases arising under the ordinances of the City Council.” Under state law, city ordinances implementing this power enabled a court to release a prisoner if he had been charged and arrested due to “private pique, malicious intent . . . or falsehood.” If it found that the arrest had been proper, the court was also authorized to “proceed and fully hear the merits of the case.” The prisoner could then be released, subject to being retried based on additional evidence, regardless of where the alleged crime had occurred. Some legal scholars have argued that this was consistent with the prevailing law at that time. The anti-Mormon perspective, however, focused on the perceived abuse of habeas corpus in terms of jurisdiction. It wasn’t just an issue of whether Joseph invoked habeas corpus too often or that the Nauvoo Municipal Court’s hearings considered the underlying merits of cases, but that habeas corpus was heard at all by the Nauvoo Municipal Court for cases that clearly did not “arise under the ordinances of the city council.” This was the focal point for the anti-Mormon argument for abuse of political and legal power.

**Riot Hearing No. 2.** The next day, Thursday, June 13, Joseph presided over a hearing of the other seventeen defendants. Some court justices had acted as members of the city council that had voted to suppress the *Expositor*, and some had sat on the same court that had acted the previous day. By modern standards, this procedure would pose rather obvious conflicts of interest, with Joseph and his council essentially taking turns trying each other. However, nineteenth-century court rules and procedures were far more lenient than today’s. Predictably, the result was the same as the riot hearing for Joseph Smith: All defendants were discharged, and Higbee was again assessed the costs of the proceeding.

This apparently satisfied no one outside of Nauvoo. Even though the court proceedings were not technically illegal, it was recognized from a

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133. For a discussion on the Nauvoo City Charter compared to that of other Illinois cities, see Walker, “Habeas Corpus,” 33: “two of the five city charters adopted in Illinois before the Nauvoo Charter contained similar judicial rights.”


common-sense perspective as an abuse of the system. Once again, the
crux of the complaint likely was not a perception that what the Mor-
mons were doing was somehow unique or never considered by other
frontier Americans, but rather that the executive, legislative, and judi-
cial powers were so wholly embodied in the same people in Nauvoo,
and particularly that Nauvoo authority seemed to trump any level of
legal device issued outside the city’s boundaries.

Consequently, the countryside went into an uproar. Using words
the Mormons had heard before in Missouri, the June 18 *Warsaw Sig-
nal* called for mobs to “utterly exterminate the wicked and abominable
Mormon leaders.” From Carthage, the Hancock County Circuit Court
presiding judge, Jesse Thomas, hastened to Nauvoo on Sunday, June 16.
During a meeting with the Prophet after his last public sermon, Judge
Thomas advised Joseph to have the case tried once more, but this time
before a non-Mormon judge outside of Nauvoo. Regardless of whether
the defendants were acquitted or bound over for trial, Thomas felt that
this action would answer the requirements of the law and cut off all legal
pretext for mob action, thus enabling him to issue an order requiring
would-be mobbers to keep the peace.139

**Riot Hearing No. 3.** Acting on Judge Thomas’s advice, on Monday,
June 17, an identical complaint was filed by a citizen named W. G. Ware.
This time a full trial of all but one defendant was held before Justice
Daniel H. Wells at his home located just outside of Nauvoo. Wells had
not yet become a Mormon, as he would two years later, and had not
been part of the municipal court proceedings the previous week.140

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that “it was highly inadvisable, if not illegal, for Joseph Smith to sit as a judge
in the trial of his codefendants.” Oaks, “Suppression,” 865 n. 17. According to
Joseph’s record of the hearing, only fourteen defendants were named as attend-
ing, with Jesse Harmon, Joseph Coolidge, and Porter Rockwell not named. Five
associate justices (aldermen) acted, with Joseph Smith presiding: George W.
Harris, William Marks, Newel K. Whitney, Gustavus Hills, and Elias Smith.

139. Hedges, Smith, and Rogers, *Journals, Volume 3*, 286–87; *History of the
Church*, 6:479. Justice Jesse B. Thomas, presiding judge of the Hancock County Cir-
cuit Court, was highly regarded by Joseph Smith as a “great man and a gentlemen.”

140. Daniel Hanmer Wells (1814–91) was born in Trenton, New York, and
moved to Commerce (later renamed Nauvoo), Illinois, with his mother and sis-
ter in 1835. He lived just outside the city limits of Nauvoo. There he became a
prominent landowner, merchant, and justice of the peace before the Mormons
Nauvoo City Attorney George P. Stiles again represented the defendants, and Edward Bonney acted as the state’s attorney. After a long hearing, with examination and cross-examination of five witnesses for each side, all defendants were again discharged. This, too, failed to satisfy the agitated neighbors.

**Aftermath of the Three Nauvoo Hearings.** To summarize the above, Thomas Sharp’s *Warsaw Signal* immediately, on June 14, published anti-Mormon resolutions passed at mass meetings in Carthage and Warsaw. Those resolutions called for the invasion of Nauvoo and extermination of all Mormons. Some of the *Expositor* publishers were prominent participants in these meetings. In addition, the resolutions set the date of Wednesday, June 19, to invade Nauvoo and arrest Joseph Smith—with
or without any official authority.\textsuperscript{143} Upon learning “from credible sources, as well as from the proceedings of a public meeting at Carthage, &c., as published in the \textit{Warsaw Signal Extra}, that an energetic attempt is being made by some of the citizens of this and the surrounding counties to drive and exterminate the Saints by force of arms,” Joseph wrote to Governor Ford on June 16, urging him to come to Nauvoo and assist in keeping the peace. Joseph also offered to place the Nauvoo Legion under Ford’s command.\textsuperscript{144}

\textbf{The Declaration of Martial Law}

On Tuesday, June 18, Joseph, as mayor, declared martial law, “to preserve the city and the lives of its citizens.”\textsuperscript{145} He called into active duty the roughly three-thousand-man Nauvoo Legion, consisting of virtually every able-bodied adult male resident. Now military authority temporarily replaced civilian government (even though Joseph was the leader of both), in an effort to maintain better control. Joseph’s written

\begin{itemize}
  \item \textsuperscript{143} Mob resolutions from the \textit{Warsaw Signal} were reprinted in \textit{Nauvoo Neighbor}, Extra, June 21, 1844, 1, 5, including a call for “the entire destruction . . . of [Joseph Smith’s] adherents.”
  \item \textsuperscript{144} Joseph Smith to Thomas Ford, June 16, 1844, Joseph Smith Collection; \textit{History of the Church}, 6:480. Both before and after the \textit{Expositor} was abated on June 10, weapons and ammunition were being sent from Illinois state arsenals and from Missouri into Quincy and Warsaw for use against Nauvoo. Some of these transfers were ordered by Governor Ford himself. \textit{Ottawa (Illinois) Free Trader}, June 28, 1844; \textit{Warsaw Signal}, June 14, 16, and 19, 1844, cited in Baker, \textit{Murder of the Mormon Prophet}, 420–25, 457–74; various affidavits, proclamations and letters on mob plans and action are in Joseph Smith Papers, box 2, folder 8, CHL; \textit{History of the Church}, 6:481–93.
  \item \textsuperscript{145} Declaration of martial law, Joseph Smith to Marshal of the City of Nauvoo, June 18, 1844, Joseph Smith Collection; \textit{History of the Church}, 6:497.
\end{itemize}
directive to the Legion was to let “no persons or property pass in or out of the city without due orders.” When the Legion was assembled, Joseph, as their commander-in-chief, addressed them in full military dress uniform from a platform atop a partially completed building. With a drawn and uplifted sword, he defied mob rule, stating:

I call God and angels to witness that I have unsheathed my sword with a firm and unalterable determination that this people shall have their legal rights, and be protected from mob violence, or my blood shall be spilt upon the ground like water, and my body consigned to the silent tomb. . . . I do not regard my own life. I am ready to be offered a sacrifice for this people; for what can our enemies do? Only kill the body, and their power is then at an end.146

This show of force apparently forestalled the planned June 19 siege of Nauvoo and momentarily protected the Saints. However, it was yet another factor that led to the death of both Smiths. With civil war seemingly imminent, Joseph nonetheless prophesied to Theodore Turley “in confidence there will not be a gun fired on our part at this time.” That same day Joseph urged Hyrum to take his family to Cincinnati for safety, but Hyrum replied, “Joseph I can’t leave you.”147

Ford did come, but to Warsaw and Carthage instead of Nauvoo. So he first heard the anti-Mormon version of Mormon depredations. The governor initially sent Joseph a letter of June 21, politely requesting an


audience in Carthage with “one or more well-informed and discreet persons, capable of laying before me your version of the matter.” In response, the next day Joseph sent two of his most articulate representatives: Dr. John M. Bernhisel (later Utah’s first delegate to the U.S. Congress) and John Taylor (editor of both Church newspapers in Nauvoo). They took with them Joseph’s written “version of the matter,” including detailed documentation.148

When they met with Ford the next day, John Taylor said they were shocked to find him already in meeting with fifteen to twenty of the “vilest and most unprincipled men in creation,” including ex-LDS dissidents and publishers of the ill-fated Expositor. For about an hour, each time the Mormon emissaries tried to speak, they were interrupted and contradicted by those men. They then had to wait another five or six hours while Ford (a former judge) prepared a strong letter back to Joseph. It was basically a one-sided brief on a series of legal points involving the Expositor. Ford demanded re-arrest by the same Carthage constable and yet another retrial of the riot charge—this time in Carthage, he said, before the same magistrate who had issued the original summons.149

The Mormons were willing to be retried but not in Carthage or other hostile venues. Instead, Ford demanded that all defendants not only come immediately to Carthage but come unescorted and unarmed—without the protective entourage that had supported Joseph in Carthage the previous month. Ford guaranteed full protection if they complied, and he pledged the full faith of the state of Illinois. He also threatened that the only alternative was for him to mobilize the local militia to


arrest the defendants. Said Ford, “If a few thousand will not be sufficient, many thousands will be.” He also warned, “[If it is] necessary to call out the militia, I have great fears that your city will be destroyed, and your people many of them exterminated.” He emphasized that the militia may be hard to control and “may assume a revolutionary character, and the men might disregard the authority of their officers.” In other words, Ford could unleash a bloodbath if the Mormons failed to comply. Having said that, Ford then organized the local militia. He effectively placed the mob under his own command, with Brigadier General Minor Deming directly in charge.150

After hearing his emissaries’ report and reading Ford’s letter late on Saturday, June 22, Joseph lamented, “There is no mercy there.” By midnight, he had prepared a lengthy letter rebutting each of Ford’s legal points. For example, he argued that a retrial of the same facts and law would expose him to double jeopardy, contrary to the protections of both the Illinois and U.S. Constitutions; and he assured Ford that in calling out the Nauvoo Legion, the measures were efficient and orderly, as constitutionally protected for well-regulated militias. Nevertheless, he expressed a willingness to undergo yet another trial, if it were held in a less inflammatory venue than Carthage. Ford flatly refused to move the trial to any other location.151

Joseph and Hyrum weighed their options. They considered going east to “importune” the President of the United States, as directed in an earlier scripture. On June 20, Joseph wrote a letter to President John Tyler, appealing for protection against abuses similar to what they had suffered in Missouri. We have no way of knowing whether he would

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150. Thomas Ford to Mayor and Nauvoo City Council, June 22, 1844, Joseph Smith Papers, CHL; History of the Church, 6:533–37.
151. Joseph Smith to Thomas Ford, June 22, 1844; History of the Church, 6:543–45. See discussion and notes on pages 36–37 herein. His assertion of double jeopardy is an indication that Joseph—even though he was a justice of the peace who had personally presided over several habeas corpus proceedings—may not have understood that habeas discharges are not final and therefore are not subject to the defense of double jeopardy.

Joseph’s deliberations with his emissaries and efforts to respond to Ford were interrupted by his interview with two visitors. At least one was a son of U.S. Senator John C. Calhoun. Leonard, Nauvoo, 373–75, 722. Of this interview, Joseph said in his letter to Ford, “We have been advised by legal and high-minded gentlemen from abroad, who came on the boat this evening to lay our grievances before the Federal Government.” Joseph Smith to Thomas Ford, June 22, 1844; History of the Church, 6:540.
have pursued that course of action; the events of the next few days rendered the point moot.\footnote{152}

Instead, the Smiths went west. By daybreak on Sunday, June 23, they had crossed the Mississippi over to the Iowa side, seeking safety at the home of William Jordan in Fort Madison.\footnote{153} Joseph assured others before leaving that since he and Hyrum were the mob’s only target, Nauvoo would then be safe.\footnote{154} But after receiving letters from home and suggestions that the leaders were abandoning the flock to the wolves in the hour of greatest danger, they returned to Nauvoo later that same evening. Stung by charges of cowardice, “Joseph told them that if his life was of no value to them it was none to himself.” He immediately sent word to Ford that he would go to Carthage and face yet another retrial on charge of riot.\footnote{155}

\footnote{152. In 1833, D&C 101:86–88 admonished: “Let them importune at the feet of the judge; and if he heed them not, let them importune at the feet of the governor; And if the governor heed them not, let them importune at the feet of the president; And if the president heed them not, then will the Lord arise and come forth out of his hiding place, and in his fury vex the nation.” See Joseph Smith to President John Tyler, June 20, 1844, Joseph Smith Papers, CHL; History of the Church, 6:508. It is unclear whether that letter was actually sent or delivered, for no response was ever received from Washington, D.C. In his June 22 letter to Ford, Joseph threatened to take his case to the federal level and “leave the city forthwith, to lay the facts before the General Government.” He noted that Nauvoo would thus be “open and unprotected” and urged Ford to “disperse the mob, and secure to us our constitutional privileges, that our lives may not be endangered.” History of the Church, 6:540–41; Joseph Smith to Thomas Ford, June 22, 1844.

153. On Sunday, June 23, Joseph sent a letter from William Jordan’s cabin to Judge Edward Johnstone, a lawyer there in Fort Madison, seeking his legal assistance and asking Johnstone to accompany him to Carthage. Johnstone would not be able to go to Carthage at that time, but he sent his law partner, Hugh T. Reid. Joseph Smith to Edward Johnstone, published in an anonymous newspaper article, clipping in “History of Keokuk,” vol. 8, p. 318, Caleb F. Davis Papers, Iowa State Historical Society Library, Iowa City, Iowa. A. W. Harlan’s Recollection, February 17, 1888, identified the home as William Jordan’s. “History of Keokuk,” vol. 8, p. 323.

154. “History, 1838–1856, volume F-1,” 147; History of the Church, 6:545–47. Joseph promised, “Let them search [for us]; they will not harm you in person or property, and not even a hair of your head.” After June 22, 1844, all entries in the History of the Church were collected from the journal of Willard Richards (Joseph’s scribe) and the writings of John Taylor and others who were personally involved in these events. See postscript by B. H. Roberts, History of the Church, 6:547.

On Monday, June 24, en route to Carthage, Joseph and fifteen other defendants stopped twice on the same day at the home of Albert Gallatin Fellows. In February 1842, Fellows had acquired 160 acres on the main Nauvoo-Carthage Road, just four miles west of the county seat and twelve miles east of Nauvoo. It was a frequent stopping point for Mormons traveling to Carthage. Joseph and Hyrum’s first stop there on June 24 was at about 10 a.m. and involved an incident on the road directly in front of the Fellows home. There the unarmed Mormons were met by an onrushing cavalry unit of sixty dragoons from Carthage, led by Captain Dunn of McDonough County. They were under orders to collect all state arms of the Nauvoo Legion. Joseph agreed to help facilitate that disarming, but first went inside the house to write a note to Ford explaining the delay. After a full day spent peacefully gathering the weapons in Nauvoo, they stopped again after dark for refreshments at the Fellows home. It was there that Joseph again foretold his fate, which now bears the force of scripture: “I am going like a lamb to the slaughter, but I am calm as a summer’s morning. I have a conscience void of offense toward God and towards all men. I shall die innocent, and it shall yet be said of me—he was murdered in cold blood.”

The Mormon entourage reached Carthage just before midnight on June 24. They found the town in uproar, mainly incited by the local militia (called the “Carthage Greys”) and dissident Mormons. Carthage had become an armed camp, evidencing more of a true “riot” condition than any action taken in Nauvoo to suppress the *Expositor.*

**Riot Hearing No. 4.** An arraignment hearing was held at 4 p.m. on Tuesday, June 25. But nothing proceeded as Ford had demanded. First, the hearing was not conducted by the original magistrate, as he had

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insisted, but instead by Robert F. Smith. Although a justice of the peace, he was also captain of the Carthage Greys and head of the Anti-Mormon Party’s Central Corresponding Committee.158 Second, the case was not tried then, as promised, but rather was put over to the next circuit court term in October 1844, ostensibly due to the absence of a key witness. Ironically, the missing witness was none other than Francis Higbee, the very man who had signed the first complaint one week earlier. Justice Smith then set bail at $500 per defendant. That was an exorbitant sum, totaling $7,500 (over $200,000 in today’s money). The amount far exceeded the maximum fine of $70 to $200 per defendant for the crime of riot, a misdemeanor. Notwithstanding, the defendants or their friends immediately posted bail, many signing over deeds to their own homes and farms in lieu of cash.159 By doing so, they guaranteed that they would appear in October for the hearing.

158. The Anti-Mormon Party was founded in 1841 by Thomas Sharp, Jacob Davis, Mark Aldrich, and others. Its purpose was to unite both Democrats and Whigs in an effort to drive the Mormons from Illinois. Robert F. Smith, a harness maker and saddler in Carthage, came to Illinois in 1834. He was elected to the Anti-Mormon Party’s virulent Central Corresponding Committee in 1843 and turned that party from a political machine into a paramilitary organization. He remained in that position until the fall of 1846, when he was severely wounded as commander of anti-Mormon forces that attacked the Saints in the “Battle of Nauvoo.” During the Civil War, he was a regimental colonel in the 16th Illinois Infantry and commanded a brigade in Sherman’s famous “March to the Sea” from Atlanta. He died on April 23, 1893, in Hamilton, Illinois. See Baker, Murder of the Mormon Prophet, 52–57, 118–19; 158–66; Appletons’ Cyclopaedia of American Biography, ed. James Grant Wilson (New York: D. Appleton, 1900), 7:251.

159. “History, 1838–1856, Volume F-1,” 158; “Statement of Facts,” Times and Seasons 5 (July 1, 1844): 562–63; Richards, Journal, 10:25–30, June 25, 1844, published in Vogel, History of Joseph Smith, 8:311–12; History of the Church, 6:566–68. Francis Higbee likely did not attend in order to deliberately delay any trial in the matter, similar to the May 27 delay due to a missing witness. Alex Beam and other commentators have assumed that all seventeen codefendants went with Joseph to Carthage. Beam, American Crucifixion, 155. However, three did not attend: William W. Edwards, Samuel Bennett, and Orrin Porter Rockwell—whom Joseph told not to come, for his own safety. See “History, 1838–1856, Volume F-1,” 157; History of the Church, 6:565, 567. John S. Fullmer, who attended the hearing, wrote, “It was evident that the magistrate intended to overreach the wealth of the defendants and friends so as to imprison them for want of bail. But there was strength enough to cover the demand. For some of them went security to the full extent of their property.” John S. Fullmer to
Having posted bail, all defendants (including the Smith brothers) were then free to return home. The *Expositor* case was put over to be tried in October, at the next court term, and was no longer a pressing issue. Clearly, destruction of the *Expositor* did not directly cause Joseph and Hyrum Smith to go to jail or to their deaths, but it did place them in Carthage, where they became subject to arrest under a new allegation of treason, which would soon lead to their demise.

**Final Riot Trial No. 5.** Notably, the riot case did not die when the Smiths died on June 27, but it actually proceeded to trial against the other defendants the following year. New indictments were issued in October 1845, but only two men ever came to trial—John Lytle and Jesse Harmon, leaders of the police who actually destroyed the *Expositor*. Governor Ford’s summary of the case was terse and omitted any details: “The leading Mormons were tried and acquitted for the destruction of the heretical press. It appears that, not being interested in objecting to the sheriff or the jury selected by a court elected by themselves, they in their turn got a favorable jury determined upon acquittal, and yet the Mormon jurors all swore that they had formed no opinion as to the guilt or innocence of their accused friends. It appeared that the laws furnished the means of suiting each party with a jury.”\(^{160}\) However, the trial was hardly as one-sided or favorable to the Mormons as Ford implied. Brigham Young had more to say about it, and he said it much more colorfully:

Jesse P. Harmon and John Lytle who were charged with destroying the *Expositor* press were tried before Judge [Norman H.] Purple.

The court decided in his charge to the jury that the defendants acting under the municipal authorities of Nauvoo, were *acting without authority*, and if it could be proven that they had *taken any part* in the destruction of the press they were to be *found guilty*. [Dissident Henry] Rollison was the principal witness for the prosecution and gave a minute detail of the manner in which the nuisance was abated. He stated that Mr. Harmon took the lead of the police on the occasion. On being asked if it was Appleton M. Harmon or Jesse P. Harmon, he replied it was the policeman and on being informed they were *both policemen*, he became confused and said he could not tell which it was. The witness was asked whether it was John Lytle or Andrew Lytle, he replied, it was the Policeman Lytle. On being informed that they were *both policemen*,

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he answered it was the Blacksmith Lytle and on being told they were both blacksmiths, he declared that he could not identify the persons. The jury brought in a verdict of “not guilty” and the defendants were acquitted accordingly. Thus were the words of the Prophet Joseph fulfilled, who told the police (when they reported to him that they had abated the nuisance) that not one of them should ever be harmed for what they had done, and that if there were any expenses consequent he would foot the bill.161

That was the last known criminal action relating to the Expositor. However, one possible legal action still remained: the prospect of civil damages for the destruction of property. Although these proceedings for civil damages all unfolded after the murder of Joseph and Hyrum on June 27, understanding their financial insignificance shows that money damages were only a very minor motivator in this concentrated series of legal actions.

Civil Damages for the Expositor Owners

In his June 22, 1844, letter to Governor Ford, Joseph conceded that “if any property has been taken for public benefit without a compensation,” and “if we have erred, we again say we will make all right if we can have the privilege.”162 The Nauvoo City Council had determined to abate not only the published issues but also the press itself as the cause of nuisance. Some parts of Blackstone’s Commentaries would seem to provide an escape from civil liability if the abatement action were done in an orderly manner, without tumult or riot, and if an obstinate or malicious neighbor were involved. In two later Illinois cases, offending structures other than a printing press were apparently abated on similar grounds.163

161. History of the Church, 7:484–85, emphasis added.
163. William Blackstone, Commentaries on the Law of England (Oxford: Clarendon, 1765–69), vol. 3, chap. 13, provided that a fine was appropriate for an unsafe structure constituting a private nuisance, “unless a man has a very obstinate as well as an ill-natured neighbor; who had rather continue to pay damages, than remove his nuisance. For in such a case, recourse must at last be had to the old and sure remedies, which will effectually conquer the defendant’s perverseness, by sending the sheriff with his posse comitatus, or power of the county, to level it” (emphasis added; spelling modernized). The relevance of this commentary to the Expositor case may be questioned, since Blackstone is referring to an unsafe structure rather than a libelous newspaper, which is a
However, the Blackstone provision that the city most specifically relied upon as primary authority for taking action stated only that “a libellous print or paper, affecting a private individual, may be destroyed.”\textsuperscript{164} That passage did not support the abatement of a printing press (the machinery) that produced the printed paper. Later Indiana and Illinois cases confirmed the view that, while the elimination of property to abate a nuisance may not be a crime, it may still result in civil liability. Thus, Oaks properly concluded that, whereas the city was not wrong to burn the printed papers, and it was not a crime to destroy the Expositor press, nevertheless “those who caused or accomplished its destruction were liable for money damages in an action of trespass,” a type of nineteenth-century tort (a wrongful act or an infringement of a right leading to civil legal liability).\textsuperscript{165}

The only success at law for owners of the Nauvoo Expositor came by way of civil damages resulting from that destruction. The Joseph Smith Papers legal team has rediscovered a series of separate complex civil suits involving such claims for damages that are both convoluted and unique.\textsuperscript{166}

On Monday, July 1, just two days after the Smith brothers’ funeral and burial, the Nauvoo City Council met to discuss the Expositor. A resolution was passed thanking attorney William A. Richardson “for his propositions to settle” the matter. It continued, “As to the press, we will

\textsuperscript{164} Blackstone, \textit{Commentaries}, vol. 3, ch. 1, emphasis added.
\textsuperscript{165} Oaks, “Suppression,” 891. That Blackstone provision specifically reads in full as follows: “(6) As to private nuisances, they also may be abated. . . . So it seems that a libelous print or paper, affecting a private individual, may be destroyed, or, which is the safer course, taken and delivered to a magistrate.” Blackstone, \textit{Commentaries} 2:4–5 n. 6. Oak’s final conclusion was: “Aside from damages for unnecessary destruction of the press, for which the Nauvoo authorities were unquestionably liable, the remaining actions of the council, including its interpretation of the constitutional guaranty of a free press, can be supported by reference to the law of their day.” See Oaks, “Suppression,” 903.
\textsuperscript{166} I am indebted to scholar Jeffrey N. Walker and to archivist Sharalyn Howcroft for identifying the significance of the legal papers comprising these complex civil suits and bringing them to light after they had been gathered by Dean C. Jessee from private sources and deposited in the Church History Library.
do whatever is right towards a remuneration whenever we ascertain the minds of all the Proprietors of the Expositor.” The council was apparently assuming that it was liable for its prior suppression of the press. 167

Hiram Kimball, a member of the council, was appointed to meet with those proprietors. At the next council meeting a week later, another resolution was passed thanking alderman Kimball “for the honorable course he has pursued” and requesting that he “continue his agency relative to the press of the Nauvoo Expositor.” 168 Sometime before August 10, owners of the Expositor filed a joint civil lawsuit for damages, and Kimball was then instructed to pursue settlement “so soon as the proprietors of the press will indemnify the City Council from all suits commenced or to be commenced by them.” 169

Those proprietors now consisted of four sets of brothers: the Laws, Fosters, and Higbees, plus Charles and James Ivins—businessmen in

167. Nauvoo City Council Proceedings, February 1841–February 1845, entries for July 1 and 8, 1844, 212–13, CHL. Richardson, A. W. Babbitt, and O. C. Skinner (both discussed further below) represented Joseph in Carthage for the May 27, 1844, hearing on multiple appeals. Hedges, Smith, and Rogers, Journals, Volume 3, 263–67; History of the Church, 6:413. Richardson and Skinner also represented the accused assassins of Joseph and Hyrum Smith at their Carthage trial in May and June 1845. Oaks and Hill, Carthage Conspiracy, 82–84.

168. Dinger, Nauvoo City and High Council Minutes, 281, emphasis added. Hiram S. Kimball (1806–63) was born six months after Joseph Smith in West Fairlee, Orange County, Vermont, to Phineas and Abigail Kimball. One of the first settlers in Commerce (later renamed “Nauvoo”), he became a prosperous merchant and landowner. He married LDS member Sarah Melissa Granger in 1840, was baptized into the LDS Church in 1843, and was ordained a high priest in 1846. He stayed in Nauvoo to oversee his many business interests, was wounded in the Battle of Nauvoo and was one of the last to leave town with the Saints, arriving in Utah with the pioneers in 1850. In 1863, Kimball died en route to serving a mission in Hawaii, when the ship’s boiler exploded. See “Kimball, Hiram S.,” on Church Historian’s Press, The Joseph Smith Papers, http://josephsmithpapers.org/person/hiroam-s-kimball.

169. Nauvoo City Council Proceedings, August 10, 1844, 218, CHL, emphasis added. Compare Dinger, Nauvoo City and High Council Minutes, 283. Although we don’t have the exact date the complaint was filed, it had to be before the defendants’ answer was filed on October 24, 1844, and was most likely prior to the August 10 reference to “suits commenced” by the proprietors. Note: Official records have spelled the surname “Ivins” at various times as “Ivans,” and as “Ivens.” The spelling used throughout this article is “Ivins.” Charles and James Ivins were uncles of the author’s great-grandfather Israel Ivins. (Ivins is also the author’s middle name.)
Nauvoo and Keokuk, Iowa, who had become Mormons in New Jersey. All had apparently acted as equal partners under the trade name of Charles Ivins & Co. The group now sought payment for their loss of property. Their suit was filed in the Hancock County Circuit Court at Carthage and named six Church leaders—Edward Hunter, Orson Spencer, John P. Greene, Stephen Markham, Alpheus Cutler, and Joseph W. Coolidge, all of whom were active participants in the June 10 abatement.¹⁷⁰

On September 14, Kimball reported back to the city council that he had met with “the Higbees and one of the Fosters.” While he said he didn’t think “anything can be done with the Laws and Fosters,” he planned to meet again with Francis Higbee in Carthage later that same week. The council then appointed a settlement committee of Hiram Kimball and Edwin D. Woolley, granting them broad discretionary authority to settle the case.¹⁷¹

On October 12, the council approved the hiring of Almon W. Babbitt to assist the city attorney “in the law suits which were pending in Carthage against the City Council.” Settlement amounts totaling $725.00 were also approved, to be disbursed as follows: one promissory note for $100 to Leonard Soby (an *Expositor* investor), two other notes of $30 and $81.25 to Charles Ivins individually, and the largest note of $513.75 to Charles Ivins & Co. The large note was dated October 5, 1844, and had seven signers: Daniel Spencer (who had replaced Joseph Smith as Nauvoo mayor on August 10), Edward Hunter (a bishop in Nauvoo), Hiram Kimball, Orson Spencer, John Taylor, Joseph W. Coolidge, and Alpheus Cutler. The note was made due and payable on June 15, 1845.¹⁷²

On October 24, 1844, the Mormons answered the pending suit in the Hancock County Circuit Court. Prior to that time, Bishop Hunter had

¹⁷⁰ Hancock County Circuit Court, Record D, pp. 197, 204, 212, 216, 222, 326, in U.S. and Canada Records Collection, Family History Library, Salt Lake City.
¹⁷¹ City Council Proceedings, September 14, 1844, 216.
¹⁷² City Council Proceedings, October 12, 1844, 220. All signers of the large note were either members of the city council that authorized suppression of the *Expositor* or active participants in carrying out that order. Leonard Soby (1806–92) was being repaid for his investment in the *Expositor*. He had been a member of the Nauvoo high council but supported the *Expositor*. He was disfellowshipped on September 7, 1844, for his failure to sustain Brigham Young and became a follower of Sidney Rigdon. See http://signaturebooks.com/review-the-nauvoo-city-and-high-council-minutes/ and Fred C. Collier, *The Nauvoo High Council Minutes Books of the Church of Jesus Christ of Latter Day Saints* (Hanna, Utah: Collier’s Publishing Co., 2005), 141–46.
delivered all four notes to Charles Ivins. The plaintiffs then requested dismissal of the suit without costs on October 29. However, the original suit languished for another year until its final dismissal on October 21, 1845, likely when the two notes payable to Ivins individually had been satisfied. 173

At that point in the lawsuit, things became very confusing. On September 29, 1845, Ivins turned over the large $513.75 note to the Higbee brothers, and they signed a receipt and indemnity for it. By then Charles and James Ivins had been paid in full for a one-fourth interest in the Expositor and no longer had an interest in that note, which was then owned one-third each by the Laws, Fosters, and Higbees.

On October 3, 1845, Chauncey Higbee (through his attorney O. C. Skinner) filed suit in Carthage as an action “in assumpsit” (a type of nineteenth-century contract action) for $526.69 on October 3, 1845. It named the Mormon makers of the note, claiming the note was delinquent since it was due and payable more than three months prior to this date. However, Higbee brought his suit apparently on his own initiative, allegedly on behalf of all eight plaintiffs in the prior action, and again in the name of Charles Ivins & Co. Yet he did it solely for “the use of Chauncey Higbee.” That would have cut out the Fosters and Laws, who together owned two-thirds of that note. Higbee claimed that the note was for the printing press and type “sold & delivered by the plaintiffs to the defendants.” (Some of the documents refer to the press as being “sold” by the plaintiffs.) In addition, he alleged that defendants owed not only the face amount of the note, plus interest and costs, but also another $1,000 “on account,” apparently for money due for this property sold to the defendants while the defendants counterclaimed that the plaintiffs owed them the same amount for some unstated labor and services. All seven Mormon defendants were served with the new suit on October 14, 1845. 174

173. Hancock County Circuit Court Record D, Case No. 32, p. 326, October 21, 1845, and preceding entries in Case Nos. 81 and 119 dated October 24, 26, 28, 29, and 30, 1844, pp. 197, 204, 212, 216, and 222, respectively; all in U.S. and Canada Records Collection, FHL.

The next month, in a supporting oath filed with the court, Higbee filed a writ of attachment reciting that all the defendants were “about to depart this state with the intention of having their personal effects removed without the limits of this state.” So they asked for an attachment of the defendants’ real property before they could flee to the west and posted an attachment bond for $1,052.38. On November 11, 1845, Hancock County Sheriff J. B. Backenstos duly attached several town lots and other tracts outside of Nauvoo, all owned by Hiram Kimball, one of the signers on the original note. The case was continued to the May 1846 term.

Since Kimball was probably the only defendant with any substantial assets and was not then in the process of moving west from Illinois with the Saints, he had the most to lose. Acting through his attorney, Almon W. Babbitt, Kimball filed an answer to the complaint on May 20, 1846. He challenged the attachment on grounds that none of the plaintiffs then residing in Illinois would be able to pay the costs of an unsuccessful suit. He also counterclaimed for sizeable amounts well in excess of the $1,000 claimed by plaintiffs to be owed them and requested a change of venue to a county less prejudiced against the Mormons. Later that month, the court in Carthage vacated the prior attachment and granted a change of venue to nearby Henderson County.

On June 3, 1846, the Henderson County Circuit Court, sitting in Oquawka, Illinois, entered a default judgment against the defendants, due to failure to appear after proof of service and the case having been called the usual three times. A jury was empaneled, and it awarded damages in the full amount of the note plus interest and costs, totaling nearly $600. Hancock County Sheriff Backenstos was directed to levy judgment against defendants’ assets, which was suspended when Kimball and Francis Higbee reached an agreement on July 3 to suspend the levy. Backenstos, however, had resigned as sheriff, effective as of July 4, so he returned the execution as unfulfilled on August 6, 1846. The judgment remained outstanding and unexecuted for the rest of that year.

John Taylor and Alpheus Cutler. Original transcript dated February 25, 1852, in private possession, copy in CHL.

175. John S. Pollock, clerk of the Henderson County Circuit Court, meticulously transcribed all papers in this case and the chancery case cited below for the Henderson County Circuit Court Record, concluding with the temporary injunction executed March 1, 1847. The original transcript dated February 25, 1852, is in private possession; a copy is in the CHL.

176. The foregoing details came from affidavits and pleadings in the chancery case cited next below.
Chauncey Higbee now treated the default judgment as his own. On July 4, 1846, he sold it to a James Ward for $500, but did not record the assignment with the court.\(^{177}\) Meanwhile Kimball, apparently unaware of the assignment, had negotiated a separate settlement with William Law and Robert Foster (both having authority to represent their respective brothers). On July 16, he paid each of them enough to satisfy their entire interests in the *Expositor*. Although attorney Babbitt obtained releases from Law and Foster, he failed to file those with the court.\(^{178}\)

On January 2, 1847, a new Hancock County Sheriff named Melgar Couchman tried to levy judgment against Kimball’s herd of some eleven horses, a two-horse buggy, and other goods and articles. Kimball immediately posted a delivery bond, and those properties were returned to him on January 4. After the sheriff next tried to levy against more liquid assets (auditors warrants) and accounts of Kimball, the Henderson County Circuit Court issued an injunction to stay this effort on February 20, 1847, as served on the sheriff by the Hancock County coroner on March 1, 1847.\(^{179}\)

That injunction resulted from Kimball’s own lawsuit, filed in chancery on February 20, 1847, with the Henderson County Circuit Court. In that suit, Kimball exposed the Higbee scam. With his own lengthy complaint and various supporting affidavits and answers from William Law, Robert Foster, and Charles Ivins, Kimball alleged and ultimately proved that:

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177. John S. Pollock, clerk of the Henderson County Circuit Court, transcript, *Hiram Kimball v. Charles Ivans et al.*, Henderson County, Illinois Circuit Court, concluding with permanent injunction entered May 2, 1849. Original transcript dated February 26, 1851, is in private possession, copy in MS 27341, CHL, including the July 4, 1846, affidavit of Chauncey L. Higbee as Exhibit C to Kimball’s complaint.

178. July 16, 1846, affidavit of William Law and Robert D. Foster as Exhibit B to Kimball’s complaint in the above case.

179. Court order and execution endorsement of Hancock County Sheriff Melgar Couchman, both issued on January 2, 1847; temporary injunction ordered February 20, 1847, served on the sheriff by Hancock County Coroner William S. Moore on March 1, 1847, as directed by the Henderson County Circuit Court. The county coroner was authorized to act in place of the sheriff in certain instances. See *Revised Statutes of the State of Illinois* (Springfield: William Walters for Walters and Weber, 1845), ch. 99, sec. 18, p. 517, available online at https://archive.org/stream/revisedstatuteso00illi/revisedstatuteso00illi_djvu.txt.
1. The $513.75 note was for equal benefit of the Laws, Fosters, and Higbees. Therefore, any statement that the note and default judgment were solely “for use of Chauncey L. Higbee” was fraudulent.

2. On July 16, 1846, Kimball had paid the Laws and Fosters in full and got releases to prove it.

3. Before moving to Utah in 1846, Edward Hunter had paid the Higbees $150 in cash—ten times more than they had invested in their combined interest in the Expositor.\(^{180}\)

4. Higbee’s assignment to Ward was also fraudulent and void, done wholly without authority. Thereafter, Ward became solely a trustee for Higbee’s already satisfied interest.

Although Hiram Kimball obtained a temporary injunction on February 20, 1847, an interlocutory decree\(^{181}\) was not entered until the May 1848 term. After that, it took him another year to obtain a permanent injunction during the May 1849 term. That was because Charles Ivins, William Law, and Robert Foster had moved to Iowa and each had to be served by newspaper publication. Ultimately, all parties agreed to be responsible for their own legal fees and court costs except, they agreed, for James Ward—who had been cheated and was likely held harmless by the Higbees.\(^{182}\)

In addition to his own legal fees and court costs, Hiram Kimball had paid a large sum of his own money to settle the matter. It is no wonder that he was not able to leave all of his and other business pursuits behind and migrate to Utah with the Saints until 1850.\(^{183}\)

This five-year ordeal, in three separate civil courts, finally brought the Expositor affair to a very strange ending. However, none of these civil or criminal cases directly caused the confinement or death of Joseph and Hyrum Smith. Rather, it was a totally separate and unexpected legal charge.

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180. By his affidavit, Robert D. Foster swore that the Higbees together paid no more than $15 for their combined interest. See July 16, 1846, affidavit of Robert D. Foster as Exhibit B to Kimball’s complaint in the above case; Cook, William Law, 116.

181. “Something which is done between the commencement and the end of a suit or action which decides some point or matter, which however is not a final decision of the matter in issue; as, interlocutory judgments, or decrees or orders.” Bouvier, Law Dictionary, 1:533.

182. Mutual agreement of April 30, 1849, filed with the Henderson County Circuit Court in the above case.

183. See note 168 above and accompanying text.
The Treason Cases

On Tuesday, June 25, 1844, while the Smith brothers were distracted in another conversation prior to the Carthage hearing on the initial charge of riot, they were served with arrest warrants signed by Judge Robert F. Smith on a separate charge. Each warrant stated simply that it was for “treason against the government and the people of the State of Illinois,” such crime having been allegedly committed on June 19 when Joseph Smith declared martial law to protect Nauvoo and keep the peace.\textsuperscript{184} The warrants were premised on separate complaints signed by two private individuals, whom John Taylor described as “two worthless fellows whose words would not be taken for five cents.”\textsuperscript{185} The original complaints, which could have shed more light on those specific charges, have never been found.


\textsuperscript{185} \textit{History of the Church}, 7:85. Augustine Spencer swore out the treason complaint against Joseph Smith, and Henry O. Norton against Hyrum. These two were Mormon dissidents residing in Nauvoo. The \textit{Nauvoo Expositor} called Spencer “a respectable and peaceable citizen” (June 7, 1844, p. 3. col. 4), even though on April 26, 1844, Spencer had assaulted his brother. Spencer was fined $100 that same day by Joseph Smith in the mayor’s court and immediately appealed the case to the municipal court. Charles Foster and Chauncey Higbee became involved in Spencer’s arrest, which was ordered by Joseph Smith, and both of them threatened to shoot Joseph. Hedges, Smith, and Rogers, \textit{Journals}, Volume 3, 236; \textit{History of the Church}, 6:344. Joseph reportedly described Norton as “a worthless man that was arraigned before me and fined for abusing and maltreating his lame, helpless brother.” \textit{History of the Church}, 6:580; Taylor, statement, Addenda pp. 3–8. Norton was also one of seven detainees under martial law in Nauvoo. \textit{History of the Church}, 6:537; Thomas Ford to Joseph Smith, June 22, 1844.

While the documents confirm that Spencer and Norton put their names on the treason complaints, Joseph Smith’s attorney James Woods later stated, “Chauncey Higbee and Doctor Foster filed an information charging the two Smiths with high treason and they were arrested on this charge, and the justice on his own motion continued the case for three days and ordered the men to jail.” That statement may allow that others besides Spencer and Norton were also involved in the action. James Woods, interview, in Edward H. Stiles, \textit{Recollections and Sketches of Notable Lawyers and Public Men of Early Iowa} (Des Moines: Homestead, 1916), 269.
The issue of treason never came up at the June 25 riot hearing. After supper, later that night, well after the riot hearing, Constable Betts-worth finally came to take Joseph and Hyrum into custody while they were still at the Hamilton hotel. They were shown a mittimus writ on the new charge of treason, also issued by Justice Robert F. Smith. That writ was directed to the jailer and authorized incarceration of the Smiths. It recited that both Smiths had been brought before him as a justice of the peace, although that had not happened. Treason was a capital crime entailing mandatory incarceration and for which no bail was feasible. Unlike the charge of riot, this was no minor accusation. The penalty in Illinois for treason was death by hanging.¹⁸⁶

As the Smiths were hustled off to jail, their lawyers and John Taylor vigorously objected to Governor Ford. But he refused to interfere with the judicial process—agreeing with Justice Robert Smith that the defendants would be personally safer in jail than at the hotel.¹⁸⁷


The next day, Wednesday, June 26, Joseph met in person with Governor Ford at the jail. They renewed their debate on the same issues raised in their exchange of letters the preceding week. Joseph again sought a return to Nauvoo and expressed willingness to be tried on this new charge before any court outside of Carthage. He expressed concern for their safety, but Ford repeated his pledge of full protection so long as they remained in jail. Ford also said that if he decided to visit Nauvoo the next day, he would take Joseph with him.  

188. Joseph Smith to Thomas Ford, June 26, 1844, and Ford’s short response, Joseph Smith Collection; Richards, Journal, 10:32–37, June 26, 1844, published in Vogel, History of Joseph Smith, 8:313–15; Taylor, statement, Addenda pp. 3–8; John S. Fullmer to George A. Smith, November 27, 1854; History of the Church, 6:585. Ford would have needed judicial permission to remove prisoners from jail in order to accompany him to Nauvoo. In contrast, Ford had earlier refused to become involved or to interfere with the judicial process in any way. Many legal issues were raised in the June 22, 1844, exchange of letters between Ford and Joseph Smith. Besides the free press arguments discussed above, for example, Ford claimed that the city’s action was ultra vires or lacking in legal
Later that same day, the Smiths were summoned to court for their hearing on the treason charge. They feared for their own safety, so on route to court, Joseph “politely locked arms with the worst mobocrat he could see” and used him as a shield. At their one and only treason hearing, Joseph’s attorneys requested a one-day delay to bring witnesses from Nauvoo and to prepare their case. Justice Smith agreed and set the trial for noon the next day, June 27. The prisoners were remanded without bail and were now considered legally incarcerated. Joseph’s attorney James W. Woods said that after the hearing, Robert Smith unilaterally changed the trial date to Saturday, June 29, without any prior notice to defendants or their counsel. This ensured that they would remain incarcerated for three more days and nights.

The state had five attorneys, led by O. C. Skinner, who had earlier performed some legal services for Joseph. In 1845, he would serve as co-counsel for the accused assassins of Joseph and Hyrum, and in 1846 he would represent Chauncey Higbee in his sham Expositor civil suit discussed above. Other state counsel in the treason matter included Thomas Morrison (the magistrate who had actually issued the first riot warrant on June 12), Thomas Sharp (the Mormon-hating editor of the Warsaw Signal), Chauncey Higbee, and Sylvester Emmons (editor of the Expositor). Joseph was represented by two attorneys, Hugh T. Reid and James W. Woods, from Fort Madison and Burlington, Iowa. Joseph checked with an often-used Mormon lawyer Almon W. Babbitt but was told that he had authority and as uniting too much legislative and judicial power in the Nauvoo City Council. However, the Nauvoo Charter was similar to other Illinois city charters in that regard and clearly granted very broad “police powers” over matters of general welfare. Oaks, “Suppression,” 886–87.


190. James W. Woods, statement, Times and Seasons 5 (July 1, 1844): 564; see also Richards, Journal, 10:32–37, June 26, 1844, published in Vogel, History of Joseph Smith, 8:313–15; “History, 1838–1856, Volume F-1,” 170; John S. Fullmer to George A. Smith, November 27, 1854; History of the Church, 6:595, 600, 7:85–86; Leonard, Nauvoo, 386. In a later reminiscence, James Woods related, “We were three days justifying bail. The justice of the peace was really one of the leaders of the mob and he refused to accept bail as long as he could.” Woods, interview, in Stiles, Recollections and Sketches, 269.

just been hired by the state.\textsuperscript{192} So Joseph’s last letter on earth was sent via Dan Jones on June 27 to request expert legal services from O. H. Browning, the renowned Quincy attorney who had helped Joseph previously in an extradition case before Judge Stephen A. Douglas.\textsuperscript{193} The matter reached its tragic end before the letter reached Browning. Like Skinner, he also defended Joseph’s accused killers the next year.

Joseph spent Thursday, June 27, preparing to defend against the treason case. He gave a long list of witnesses to Cyrus Wheelock, who smuggled a pistol into the jail inside his coat. Meanwhile, Ford \textit{did} go to Nauvoo, but without Joseph. Instead, he took the McDonough County troops that were “most friendly to the prisoners” and disbanded the rest (about 1,300) just outside of town.\textsuperscript{194} The Carthage Greys were left to guard the jail and gave no resistance to the mob that stormed the jail just after 5 p.m. Before sundown that same day, both Smiths were dead—just as Frank Worrell, the Carthage Greys’ officer of the day charged with guarding the Smiths, had predicted: “I can prophesy better than old Joe, for neither he nor his brother, nor anyone who will remain with them will see the sun set today.”\textsuperscript{195}

This prophecy was only partially fulfilled. Hyrum was shot through the door, the ball striking him on the left side of his nose. Joseph’s final, fatal move was to leap from the Carthage jail window. Four balls struck him, from inside and outside the jail. “Landing on his left side, he struggled to sit up against the curb of a well and died within seconds.”\textsuperscript{196} John Taylor was seriously wounded but survived the massacre. Willard Richards somehow

\textsuperscript{192} Patriarch John Smith, Journal, 71, CHL; \textit{History of the Church}, 6:600. Obviously, conflict of interest rules (to the extent that they existed at all) were different then. A modern attorney would not have taken the state’s side in the case, since it would have been contrary to the best interest of Babbitt’s former client, Joseph Smith. See Welch, “Introduction,” xv. Also, of related interest, on June 27, “Babbitt brought to the jail a letter to Joseph Smith from Oliver Cowdery.” Richards, Journal, 10:39, June 27, 1844, published in Vogel, \textit{History of Joseph Smith}, 8:315; \textit{History of the Church}, 6:613. We may never know whether Cowdery’s letter was germane to Joseph’s need for counsel to help defend against the charge of treason, but some connection is conceivable due to its coincidental timing.


\textsuperscript{194} “History, 1838–1856, Volume F–1,” 178.


\textsuperscript{196} Bushman, \textit{Rough Stone Rolling}, 550.
escaped serious harm.\textsuperscript{197} The two survivors helped name sixty potential assassins recognized in the mob that assembled at the jail. Of these, nine were indicted and five were tried for the murder of Joseph Smith one year later in Carthage.\textsuperscript{198} All were acquitted for lack of evidence. The \textit{Nauvoo Neighbor} newspaper carried a brief notice of the acquittal and “referred the case to God for a righteous judgment.”\textsuperscript{199}

What about that charge of “treason”? How could the Smiths possibly have been regarded as traitors? Governor Ford consistently claimed that Joseph and Hyrum Smith (both officers in the Nauvoo Legion) had committed treason by, among other things, mobilizing the Nauvoo militia, declaring martial law, and arresting some offenders—all without Ford’s consent.\textsuperscript{200}

But what, exactly, was considered to be treason in 1844? This crime was taken so seriously by our nation’s founders that it was defined in the United States Constitution. Article III, Section 3, reads: “Treason against the United States shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.”\textsuperscript{201} The Illinois Constitution contained similar wording.

In the 1807 federal Aaron Burr conspiracy cases brought by Thomas Jefferson against his own former vice president and Burr’s associates,

\textsuperscript{198} The case of Hyrum’s murder was never tried.
\textsuperscript{200} Letter exchanges between Thomas Ford and Joseph Smith, June 22, 1844; \textit{Nauvoo Neighbor}, January 1, 1845, 1, 4; \textit{History of the Church}, 6:534, 537, 540; Ford, \textit{History of Illinois}, 332–37, which reports Ford’s message to Illinois General Assembly, December 1, 1844; Baker, \textit{Murder of the Mormon Prophet}, 536–51.
\textsuperscript{201} U.S. Constitution, article III, sec. 3, emphasis added.
Chief Justice John Marshall of the U.S. Supreme Court first interpreted the federal definition of treason as requiring the accused to be engaged in some degree of actual hostile warfare. Then Marshall held that to be found a traitor, one must have actually participated in the levying of war with some “overt act,” as proven by two witnesses to that same act. Mere words were not enough, no matter how inflammatory or conspiratorial they may be. 202 Having served as an Illinois Supreme Court justice thirty years after this decision, Ford and others must have known this. So how was it even remotely possible that people could have considered the Smiths to be guilty of treason?

In his History of Illinois, Ford specifically asserted: “The overt act of treason charged against them consisted in the alleged levying of war against the State by declaring martial law in Nauvoo, and in ordering out the legion to resist the posse comitatus.” 203 Thus, Ford was claiming that the act of declaring martial law and ordering out the Nauvoo Legion to resist a body of state militia constituted treason. His rationale was flawed, on all counts. 204

First, there was no state or federal law in 1844 that defined martial law or construed it as any form of treason. In practice, martial law is a temporary replacement of civilian with military authority as an essential police power—normally done when civilians are unable to maintain order during a natural disaster, severe civil unrest, or other emergency. 205 In his June 18 declaration of martial law, Joseph registered


“fear that a mob is organizing to come upon this city, and plunder and destroy said city, as well as murder the citizens.”206 To Joseph, the Legion was being mobilized to protect the city and keep the peace, not to resist any state authority.

Second, even if Joseph’s action was done with the intent to resist a duly organized posse comitatus, there is no precedent construing that to be an act of treason, even though mobilizing a militia and declaring martial law certainly extend considerably beyond the “inflammatory or conspiratorial” words mentioned by Marshall. There simply is no concept of “constructive treason” in American law. There must be some actual warfare.207

Third, even though there were a number of other officially organized regiments of the Illinois militia in Hancock County at this time, the Nauvoo Legion did not engage any of them. On June 22, Governor Ford sent his demand letter to Nauvoo that included some complaints about martial law there. Immediately upon receiving Ford’s letter, Joseph wrote back that he had already disbanded the Nauvoo Legion. Thus, there existed little or no overlap between the two bodies of militia—the Nauvoo Legion and the McDonough County troops Ford took with him to Nauvoo—during the times each was activated.208

Finally, addressing Ford’s charge that some persons in Nauvoo had been unlawfully arrested under martial law, Joseph claimed that no one had been arrested without good cause and that the few persons

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206. Declaration of martial law, Joseph Smith to Marshal of the City of Nauvoo, June 18, 1844; History of the Church, 6:497. It is unclear why both arrest warrants alleged that the Smiths’ acts of treason occurred on June 19 rather than on June 18, when martial law was actually declared in anticipation of the planned vigilante invasion of Nauvoo on June 19.

207. The charge of treason is even less plausible against Hyrum Smith.

208. Letters between Thomas Ford and Joseph Smith, June 22, 1844; History of the Church, 6:538–39; Willard Richards account of June 22, 1844, meeting with Gov. Ford, “History, 1838–1856, Volume F-1,” 145–46; History of the Church, 6:542. Ford did not begin to organize a body of militia until June 21, when he first arrived in Carthage. In his June 22 letter to Joseph, Ford threatened to mobilize as large a militia as necessary to apprehend Smith; but he cautioned that such a militia might get out of control if the Mormons did not cooperate. Ford’s organizing obviously began no later than June 23, since he sent a posse on that day, in vain, to arrest Joseph and Hyrum Smith in Nauvoo. “History, 1838–1856, Volume F-1,” Addenda p. 2; History of the Church, 6:548–49.
detained under martial law had all been released by the time he deactivated the Legion.209

The most belligerent apostates posed a less secular view of “treason.” Mormon Dan Jones testified that on June 25, he overheard Wilson Law state that one of his many charges against Joseph Smith was that the Mormons were setting up a political kingdom with Joseph as its king, citing Daniel 2:44.210 Jones also heard conspirators saying that “they had 18 accusations against Joseph, and as one failed, they would try another,” to keep him detained. Jones heard Joseph Jackson say that they had “worked too hard to get old Joe to Carthage to let him get out of it alive.”211

One factor remained clear: treason was a capital charge for which there could be no bail.212 That charge effectively kept both Smiths in jail until they could be killed. The tactic of charging them with treason (and thus denying them bail) worked well enough in Missouri to incarcerate

209. Joseph Smith to Thomas Ford, June 22, 1844; History of the Church, 6:538–39. There is no clear indication of the exact date on which the Legion was deactivated; only Joseph’s statement to Ford that by the time of his June 22 letter, deactivation had already occurred.

210. Jones, “Martyrdom,” 97; History of the Church, 6:568–69. Daniel 2:44 states: “And in the days of these kings [described in prior verses] shall the Lord set up a kingdom, which shall never be destroyed; and the kingdom shall not be left to other people, but it shall break in pieces and consume all these [other] kingdoms, and it shall stand forever.”

211. Jones, “Martyrdom,” 97; “History, 1838–1856, volume F-1,” 159; History of the Church, 6:566, 568–69, 595. Included in the “List of the Mob at Carthage According to Willard Richards” (History of the Church, 7:146) were each of the Law, Foster, and Higbee brothers, who he said were “aided and abetted by Charles Ivins and family.” History of the Church, 7:146. Richards’s accuracy may be questioned here, since William Law’s diary shows that he, his brother, and Robert Foster left Carthage immediately after breakfast on July 27 to return to Burlington, Iowa Territory, where they had moved their families after the Expositor incident. Law recorded that they learned of the Smiths’ deaths the next morning at Fort Madison, Iowa Territory, and that they were astonished at the news. See Cook, William Law, 60. Francis M. Higbee was also named in the list prepared by Sheriff J. B. Backenstos of “Those Active in the Massacre at Carthage,” along with all five of the defendants who were later indicted, tried, and acquitted in the 1845 murder trial. History of the Church, 7:143.

212. Illinois law in 1844 provided that “no justice of the peace shall admit to bail any person or persons charged with treason, murder or any offense punishable with death.” Revised Statutes of Illinois (1845), ch. 30, Criminal Jurisprudence, div. 18, General Provisions, sec. 203, p. 191, emphasis added.
them for nearly six months, until virtually all Mormons were driven from that state. And in Illinois, it worked well enough to facilitate the death of both Smiths.

Despite the lack of legal grounds to charge them with treason, Ford persistently argued that Joseph and Hyrum had indeed committed treason against the state. He used this line of defense, both in speeches and in his written *History of Illinois*, as justification for holding them in custody, where they were killed.\(^{213}\)

Of course, with the deaths of Joseph and Hyrum Smith, all criminal charges against them evaporated. One year later, however, their enemies revived similar charges against other Mormon leaders.

On September 15, 1845, a second treason case was filed by Thomas Sharp, the two Higbees, and Levi Williams against several Mormon leaders. Writs, again signed by Robert F. Smith, were served by Constable Michael Barnes and his brother from Carthage. According to the journal of Heber C. Kimball, the entire Quorum of the Twelve and some thirty other Nauvoo leaders went to Carthage on September 24 for a judicial hearing. During a midday court recess, they visited the jail for the first time since the June 1844 martyrdom and for the last time before they fled Illinois for the West. Hosea Stout’s journal noted his “feelings of horror” at inspecting the “blood on the floor” of Carthage Jail and marks still visible of “where the balls had penetrated.”\(^{214}\)

The case came up in the early afternoon against William Clayton and eleven others. According to historian James Allen, “In a kind of comic opera proceeding, the sole witness against them confessed that his affidavit was sworn out on the basis of rumor.”\(^{215}\) There being no cause of action, the court discharged all defendants and dismissed the case.


\(^{214}\) See George D. Smith, ed., *An Intimate Chronicle: The Journals of William Clayton*, 2d ed. (Salt Lake City: Signature Books, 1995), 182 (September 14, 1845); Juanita Brooks, ed., *On the Mormon Frontier: The Diary of Hosea Stout, 1844–1861*, 2 vols. (Salt Lake City: University of Utah Press, 1964), 1:72 (September 24, 1845); Stanley Kimball, ed., *On the Potter’s Wheel: The Diaries of Heber C. Kimball* (Salt Lake City: Signature Books, 1987), 136; Leonard, *Nauvoo*, 534, 748 n. 95; *History of the Church*, 7:444. It is unclear which of the many Mormon leaders who went to Carthage in September 1845 had actually been charged with treason, since no court papers have yet been found for this case.

This charge of treason was just as baseless as the one that imprisoned Joseph and Hyrum in June. Within a few months, those same leaders and most Latter-day Saints had been driven out of Illinois—replicating their expulsion from Missouri in 1838–39.

Conclusion
During his initial prophetic calling, while still in his teenage years, Joseph Smith was told that his name “should be had for good and evil . . . among all people.” This prophecy was partly played out in cases and courtrooms from his youth until the day of his murder in June 1844. He endured over two hundred lawsuits during the fifteen years of his most active ministry (from 1829 to 1844). These included at least eighty cases as a defendant, of which approximately fifty were reportedly criminal matters. In the normal human experience, defending two or three lawsuits in a lifetime can create a great deal of stress. A defendant must be thoroughly devoted to the case in order to avoid potentially catastrophic losses of resources, liberty, and even life itself. The fact that Joseph was never convicted of any criminal offense except in one very minor charge, despite often being tried in venues infected with serious prejudice, is a credit not only to him but also to the surprising efficacy of rough frontier justice.

During the Prophet’s last days, however, sensing that no objective judge or jury would convict him if he were able to stand trial, his enemies acted to hold him in jail until they had achieved their purposes. The scene that tragically played out in the hostile, unprotected venue of Carthage, where Joseph and Hyrum Smith were murdered in June of 1844, was followed by the mass exodus of most Mormons from Illinois.

The eventual expulsion of the main body of Saints from Illinois opened the way for the Mormon pioneers to help lead the nineteenth-century westward movement and settle much of the vast, uncharted

217. Joseph Smith, believing that as a church elder he was exempt from serving in the militia in New York, was convicted of failing to report for militia duty, and was fined. He was then convicted of contempt of court, but the charge was later dropped.
218. Welch, “Introduction,” xvii–xviii. See authorities cited in note 2 above. The Joseph Smith Papers legal team has not discovered all cases reportedly defended by him, due to some missing justice of the peace docket books in Kirtland and Nauvoo.
western territory. However, in that same sense, the pioneer epoch also partly resulted from an abuse of legal process, both during and after the lifetime of Joseph Smith. Thus, while the rule of law can engender many great, long-term positive consequences, it can also enable some devastating short-term impacts when it is abused, most notably as befell Mormonism’s key founding figure.

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Figure 1. Karl G. Maeser, photograph by T. E. Daniels Jr., Provo, Utah, date unknown. Courtesy L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University.
Why and How Did Karl G. Maeser Leave Saxony?

New Documents Offer New Insights

Roger P. Minert and M. Ralf Bartsch

History and family history are frequently characterized by legends and traditions, some of which turn out to be inaccurate under scrutiny. For example, Roger Minert’s great-grandfather was said to have been a professor of modern and classical languages at the University of Cologne in Germany; he knew seven languages. Yet he managed to live as an immigrant farmer in Oregon for twenty years and die without having learned English. Careful research led to the discovery that he was actually the son of a farmer and grandson of a farmer in the town of Wylatkowo in the Prussian province of Posen, where he might have picked up a few Polish words to add to his native German. The decades-old story of that great-grandfather has now undergone significant revisions.

Several legends and traditions are incorporated in the histories written about Karl G. Maeser, the great educational icon of the Brigham Young Academy from 1876 to 1892 (fig. 1). Although it might seem that the life of the man considered by many to be the father of Brigham Young University would have been definitively treated by biographers, a number of questions have yet to be clarified. The answers to these questions do not alter Maeser’s character or accomplishments, but documents previously undiscovered can describe more closely the seminal

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1. Roy T. Minert to son Roger P. Minert on many occasions: “Everybody in the family told me that story about my multilingual grandfather, so of course I believed it.”
events of his life. Existing biographies need not be overhauled or discarded, but slight revisions and additions might be appropriate.

These questions include, for example, What was Maeser’s actual status as a teacher in Dresden? Where was he employed in that city? How was his employment terminated? Did his conversion to The Church of Jesus Christ of Latter-day Saints cause him to violate the laws of his native Kingdom of Saxony? Did he have his son Reinhard baptized as an infant in the local Lutheran Church when Karl was already disaffected with that church and investigating Mormonism?

Other questions have been treated by scholars over the years but can be revisited thanks to newly discovered original documents. For example, Did Maeser bear the title of “professor” or “doctor” in Germany? How long did he teach at the private Budich Institute? Did he teach in a public school? Did he achieve the status of a civil servant? Was he ever arrested? Was there a public outcry against him before he left Dresden? Was he expelled from his native land—forced to emigrate to England? This article will deal with these questions and several others in an attempt to add critical details to the biography of Karl G. Maeser in Dresden before his departure for England in 1856.

Maeser Biographers

Karl Gottfried Maeser (German: Mäser) was born in Vorbrücke near Meissen (German: Vorbrücke bei Meißen), Kingdom of Saxony, on January 16, 1828.² The published accounts of Maeser’s life are surprisingly few and far between. The first was a biography penned by his son Reinhard Maeser in 1928 (twenty-one years after the death of Karl G. Maeser),³ this history lacks source citations and was written by a man who was not even one year old when his family left Saxony. Reinhard’s daughter Mabel Maeser Tanner wrote a biography of her grandfather, based primarily on the stories told by her father;⁴ Mabel grew up in Beaver, Utah, and likely

². The Kingdom of Saxony (Königreich Sachsen) was an independent political entity until the formation of the German Empire in 1871. Until 1918, it would be one of thirty-eight German states (several kingdoms, grand duchies, duchies, principalities, free cities, and one imperial province).

³. Reinhard Maeser, Karl G. Maeser: A Biography by His Son (Provo, Utah: Brigham Young University, 1928).

⁴. Mabel Maeser Tanner, “My Grandfather Karl G. Maeser,” 1, MSS SC 2905, L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah.
saw her grandfather only a few times (he died when she was seventeen). Alma P. Burton published a Maeser biography in 1953 that featured many quotations, but without references. Douglas F. Tobler, a longtime professor of history at Brigham Young University, wrote a Maeser biography in 1977; his treatment of the great educator’s life was the first to contribute documentary evidence on Maeser’s German beginnings. Finally, A. LeGrand Richards published a lengthy biography in 2014, the initial focus being the emergence of Maeser’s pedagogical philosophies during his days as a pupil in his hometown of Meissen, his secondary school days in Dresden, and his first professional teaching assignments from 1848 to 1851.

Maeser’s own writings are sparse. Several scholars indicate that he kept a diary, but its whereabouts are unknown. He contributed to the Improvement Era a short account entitled “How I Became a ‘Mormon,’” but it encompasses barely three and one-half pages and ends on the evening of his baptism in Dresden in 1855. Finally, countless students and admirers have attributed anecdotes and presumed quotations to this beloved educator.

One of the more fascinating aspects of the story of Karl G. Maeser is that of his departure from Saxony in 1856 at the age of twenty-eight. Various authors have dealt with this event as one of no particular complexity or abnormality, while others have described it as an almost cloak-and-dagger experience. But only a credible account of the occupational status of this young teacher, his status as a citizen in Dresden, and his service as the president of the fledgling LDS Dresden Branch in the months following his baptism can set up the conditions under which he left his homeland. This article will provide such an account.

Maeser as a Novice Teacher

Richards offered a highly detailed description of Maeser’s secondary schooling in Dresden and his first forays into the world of professional teaching in Bohemia, a kingdom in the Austro-Hungarian Empire. Maeser graduated in 1848 from Dresden’s Friedrichstadt Teachers College and then worked in the Bohemian Catholic town of Komotau as a tutor for a wealthy Lutheran family.9 He completed the required three years of service there in 1851 and retraced the forty miles north to Dresden, the capital of the Kingdom of Saxony. Reinhard Maeser wrote that his father next taught in a public school in Dresden, but this statement is incorrect (as described below).10 The Dresden city directories of 1852 and 1853 corroborate statements by Tobler and Richards that Maeser was listed as a schoolteacher.11 Both authors place Maeser in the private Budich Institute in the Neustadt suburb of Dresden in 1854, but a document recently discovered in the Dresden City Archive places him in that school as early as the school year of 1851–52.12 This was his first professional employment in Dresden.

The Budich Institute was established in 1846 by Hermann Moritz Budich. Maeser was therefore one of the first teachers employed there when he was hired in the fall of 1851.13 In 1852, his salary was 250 Taler, the highest among the school’s eleven teachers, and he was classified as a Hauptlehrer (head or master teacher).14 It would seem that he was very successful at that school for boys and girls, rising to the top position by his second year.15 Maeser remained on the faculty there until his departure for England in 1856. Toward the end of his life (1899), he indicated that his title at the Budich Institute was Oberlehrer (senior teacher).16

As a graduate of a teacher’s college (of which there were several in Dresden in 1848), Maeser was not awarded an academic title such as

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9. Richards, Called to Teach, 24–25.
11. Tobler, “Karl G. Maeser’s German Background,” 170; Richards, Called to Teach, 55.
12. Acten, die allgemeinen Angelegenheiten der hiesigen conceß. Privat- und Vorschulen betr. 1852 (Regulations Governing the Affairs of Private Schools and Kindergartens for the Year 1852), Stadtarchiv Dresden 2.1. V Vi1a, 202 g.
13. Richards, Called to Teach, 50.
15. Director Budich and his wife were also listed as teachers, but their salaries were not recorded.
“professor” or “doctor.” It appears, from the Utah literature, that such titles were not applied to this German immigrant teacher until he was employed for short terms in several small schools in Salt Lake City, such as Brigham Young’s private family school (1865–67). Tobler addressed the question of Maeser’s purported titles in these words:

The traditional picture of Maeser’s early life depicting him as . . . a “professor” . . . who gave up wealth, position, and prestige to come to America for the gospel’s sake is, at best, an incomplete and distorted stereotype understandably fashioned by grateful family and students. . . . Maeser himself may have wittingly and unwittingly contributed to this image of his past in the minds of his Utah contemporaries by the absence of his own written firsthand accounts of his early life.17

Saxony was one of four German-language kingdoms in the 1850s, and its corpus of laws was impressively large, with several pages of legal codes devoted to teachers. For example, anyone who desired to achieve the status of ständiger Lehrer (tenured teacher) needed to meet the following conditions: (1) pass an examination given by an agency approved by the Ministry of Culture and thereby become a Hilfslehrer (teacher candidate);18 (2) serve for two years as a Hilfslehrer, a private tutor, or a teacher in a private school under the supervision of an established teacher and serve to that supervisor’s complete satisfaction; (3) pass a second examination following that term of candidacy; and (4) attain the age of twenty-one years.19

Maeser as a Professional Teacher

Karl G. Maeser was officially registered by the city as one of four new teacher candidates and teachers in private schools on April 26, 1851 (fig. 2).20 However, there is no evidence that he met the requirements

18. The term used in the Saxony documents is the dialect variant Hülfslehrer.
20. Acta ephoral: die Verpflichtung der Hülfslehrer und Privatschullehrer betr. 1850–1869 (Acta ephoral: The Obligation of an Assistant Teacher and Private Schoolteachers concerning 1850–1869), 7–8, Stadtarchiv Dresden 2.3.20 Verzeichnis 1, Generalia Nr. 40. Friedrich Eduard Schönfeld, Maeser’s best friend and fellow Mormon convert on October 14, 1855, was listed in the same registry.
for advancement during his five full years at the Budich Institute. If such is the case, perhaps Director Budich did not qualify as a supervisor under the law, or perhaps Maeser never took the second examination. In all likelihood, Maeser was not yet a tenured teacher in Saxony.\(^{21}\)

The question of civil service status for a teacher was crucial in Saxony at that time. Civil servants (essentially career government employees) enjoyed important advantages regarding salaries, retirement benefits, and professional leaves, all of which generally led to higher socioeconomic status. This was certainly something that Maeser would have wanted to achieve someday as a competent teacher. Joerg Ludwig, senior archivist in the modern Saxony State Archive in Dresden stated that because Maeser’s status in the Budich Institute was only that of a teacher candidate in the eyes of the government, he could not possibly attain the status of civil servant.\(^{22}\) Nevertheless, despite his temporary status, Maeser would have been allowed to participate in the teachers’ retirement fund as early as 1851.\(^{23}\)

In 1852, Maeser lived in the same building as the Budich Institute at Königsstrasse 7 in Dresden-Neustadt (fig. 3).\(^{24}\) The next year his address

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21. Extensive searches for documents relating to this question were conducted in the Stadtarchiv Dresden and the Sächsisches Staatsarchiv Dresden.
24. Living in the same building as the Budich Institute, Maeser could not logically have been employed in a public school. See A. LeGrand Richards, *Called to Teach*, 62. Unmarried male teachers in smaller German schools in
Karl G. Maeser is shown as Alaunstrasse 6, also in the suburb of Neustadt. His walk to school each day from the latter address was barely one-quarter mile.25

Once established in his chosen profession, he was in a position to marry when he fell in love with Anna Mieth, a daughter of Carl Immanuel Mieth, the principal of a public school.26 The marriage entry in the records of the Dreikönigskirche in Dresden-Neustadt describes Maeser that era commonly lived in the schools, a condition that made them available as supervisors of the pupils after hours.


26. Tobler wrote that Maeser was a teacher in Mieth’s public school in 1852 and 1853, but the 1852 Budich Institute salary report would leave Maeser time for only temporary substitute service in another school—if at all (Tobler, “Karl G. Maeser’s German Background,” 170). A. L. Richards stated that Maeser applied for a position in Mieth’s school but offered no documentation for the claim. Richards, Called to Teach, 61. Perhaps Maeser was hired by Budich only

Figure 3. This building at Königstrasse 7 in Dresden-Neustadt was the home of the Budich Institute. Maeser first lived here, then moved to Alaunstrasse, barely 300 yards distant. Courtesy of M. Ralf Bartsch.
Figure 4. The marriage entry for Karl and Anna in the Dreikönigskirche in Dresden-Neustadt.
as “Oberlehrer an der Privatschulanstalt des Herrn Directors Budich” (senior teacher at the private school of Director Budich).

**Maeser as the First Latter-day Saint Convert in Saxony**

By the time Karl G. Maeser married Anna Mieth on June 11, 1854 (fig. 4), in the Dreikönigskirche (Three Kings Church, located across the street from the Budich Institute in Dresden-Neustadt), he had developed a close friendship with Eduard Schoenfeld (Schönfeld), a public schoolteacher four years his junior. Schoenfeld was the husband of Anna Mieth’s younger sister, Caroline, and later indicated that “God so directed it, that [Maeser’s and my] life’s path ran together . . . , and we found ourselves acting as teachers in one of the large schools of the city of Dresden.” Because Maeser’s position in the Budich Institute has been established, we can assume that Schoenfeld also gained employment in that school.

A. L. Richards wrote that Maeser’s first acquaintance with the LDS faith came when he read anti-Mormon literature. While investigating this strange religion, he also advanced from husband to father: son Reinhard Maeser was born on March 19, 1855, and baptized in the Dreikönigskirche one month later under the name Karl Friedrich Reinhard Mäser (fig. 5).

In July, Maeser began writing letters to LDS mission leaders in Denmark and Switzerland to request official Church literature. Little by little, Maeser became convinced, at least to a degree, that The Church of Jesus Christ of Latter-day Saints taught the true doctrine of the Christian religion and that perceived failings in the Lutheran religion could not be overlooked. Apparently, Edward Schoenfeld had similar thoughts.

In response to Maeser’s letters to LDS mission leaders requesting information and instruction, Elder William Budge was dispatched to

27. Dreikönigskirche Lutheran Church of Dresden-Neustadt, marriage 1854, Dresden City Lutheran Archive.
31. Richards, *Called to Teach*, 97.
Maeser, Schoenfeld, and Edward Martin were taught, converted, and baptized clandestinely on October 14, 1855, in the Elbe River on the western outskirts of Dresden. Five days later, Karl’s wife, Anna, and four other persons were also baptized and the LDS Dresden Branch was organized in the Maeser apartment on Alaunstrasse (fig. 6). Visiting European Mission president Franklin D. Richards presided over these events.33

Both Franklin D. Richards and A. LeGrand Richards suggested that the fledgling branch of Mormons in Dresden drew the attention of the police.34 Neither Maeser nor Schoenfeld made any such claim.35

32. Richards, Called to Teach, 99–100. Richards stated that Budge was sent to Dresden from faraway London as a teacher of English, because Mormon missionaries were not allowed in Saxony. However, there is no documentation supporting this claim, nor is there evidence that missionaries had attempted to preach there prior to this time. Richards, Called to Teach, 97.

33. [Franklin D. Richards], “Report of the Organization of a Branch of the Church of Jesus Christ of L. D. Saints at Dresden, Kingdom of Saxony, 1855.” MS 391, CHL. This five-page document is attributed to Karl G. Maeser in the CHL catalog, but the title makes it clear that it was written by Franklin D. Richards. Maeser’s signature appears at the end of the document, possibly indicating that he was Richards’s scribe (the report was written in Dresden) or that he approved the contents.

34. [Richards], “Report”; and Richards, Called to Teach, 120.

35. Schoenfeld, “Character Sketch of Dr. Karl G. Maeser.” Again, the lack of extensive autobiographical writings by Maeser hampers the investigation.
Thus, the question of contact with the police invites an examination of the laws of the Kingdom of Saxony regarding the rights of citizens to change church affiliation and to assemble. The royal law of February 20, 1827, reads, “The transfer from one Christian denomination to another cannot be prevented, as long as the person in question is at least twenty-one years of age and not mentally incapable of making that decision of his own free will.”\textsuperscript{36} It is interesting to note the use of the word \textit{Confession} (denomination) rather than \textit{Kirche} (church) in this statute. Paragraph 3 of the 1827 law forbids any church official from making defamatory statements about the new faith.

The law of church transfer was reaffirmed in 1836 and again in 1843 with this additional requirement: the church official was to keep a book in which he recorded the names of all persons transferring out of or into his church.\textsuperscript{37} The person wishing to leave the faith officially was required to report to the pastor of the current faith and receive a certificate from him. Unfortunately, the book containing the records of such cases within the Dreikönigskirche of Dresden-Neustadt has not

\begin{figure}[h]
\centering
\includegraphics[width=\textwidth]{figure6.png}
\caption{The first meetings of the fledgling LDS Dresden Branch were held on this block of the Alaunstrasse (at the site of the first building to the left beyond the corner); the Maeser-era buildings were destroyed by Allied firebombing in February 1945. Courtesy of M. Ralf Bartsch.}
\end{figure}

\begin{thebibliography}{9}


\bibitem{37} Gesetz- und Verordnungsblatt für das Königreich Sachsen vom Jahre 1843 (The Laws and Ordinances of the Kingdom of Saxony from 1843) (Dresden: Meinhold und Söhnen, n.d.), 7, February 21, 1843, § 3.c, available online at http://digital.slub-dresden.de/werkansicht/dlf/8283/41/0/.
\end{thebibliography}
survived. The royal laws did not stipulate that a person was required to make such a declaration. It is unknown whether Maeser formally withdrew from the Lutheran Church.

As indicated above, Maeser and his fellow LDS converts immediately began to meet to worship in their new faith. The royal statutes regarding the rights of citizens to meet are instructive and have been summarized as follows from the laws passed in 1850:

Par. 1: No special permission is needed to hold peaceful meetings.

Par. 2: If “public matters” are to be discussed (including religion), permission [to assemble] must be requested in writing from the local police office 24 hours in advance [“a public meeting” is defined as involving topics that apply to the general public].

Par. 5, section 3: Discussions regarding “immoral actions” are not allowed (contradictions to Christian doctrine are not interpreted as “immoral actions”).

Par. 6: Police officials (in uniform or otherwise) or their deputies may enter any meeting if they can show written orders to do so, but police officials are not required to visit every meeting.

Par. 18: No permission is needed to establish a society or association (Verein), but a Verein may be granted official status only by the government.

According to these statutes, there was no law in 1855 requiring the Dresden Mormons to register their meetings and no penalty for not doing so. They did not request recognition of their society, so the city authorities would not have known of their existence or have been interested in them unless a suspicious neighbor filed a complaint. Thus, there is little probability that the police ever monitored the religious activities of Maeser and his friends.

38. Ralf M. Bartsch, interview with the archive staff of the Lutherische Kirchenverwaltung Dresden, April 28, 2015.
40. A search for such police records was conducted in both the Stadtarchiv Dresden and the Sächsiches Staatsarchiv Dresden. Nothing of this kind has been found.
However, the new Mormon leader in Dresden was definitely in a quandary in his profession. Having questioned the teachings of his native Lutheran faith for several years, he now found himself in private opposition to Lutheran doctrines. The laws regarding teachers in Saxony stated unequivocally that teachers could be terminated by order of the Ministry of Culture for any of the following reasons: committing any offense forbidden a civil servant; maintaining relations with persons of ill repute (übelberüchtigte Personen) or immoral women; committing offenses that resulted in incarceration; and/or teaching any doctrine contrary to that of the religion associated with the school. Nine other lesser offenses were listed that could cause school officials to demand remediation for or the release of a recalcitrant teacher including lack of dedication, frequent absence, conduct unbecoming a teacher, misuse of teacher privileges for personal gain, disobedience, slander against school officials, and inappropriate relationships with pupils.41

The End of Maeser’s Teaching Career in Dresden

While it is difficult to imagine that Maeser would commit offenses that would invite reprimand or punishment, he was certainly in a position of risk as a Mormon when required to teach religious doctrines he had recently rejected. Because there is no documentation to suggest that Maeser was disciplined by the Ministry of Culture, it can only be theorized that he felt himself in an untenable position at the Budich Institute and thus resolved to resign his position. Schoenfeld described the action in these words: “We [Maeser and I] voluntarily, but cheerfully gave up our situations in Dresden.”42

There was essentially no way that Karl G. Maeser as a convert to Mormonism could have remained a teacher in good standing in Saxony. One cause alone (“maintaining relations with persons of ill repute”) would have provided his superiors ample cause for his dismissal. By 1855, newspaper readers in all German lands had heard of the Mormons in the United States and in general found the new church to be strange and such doctrines as polygamy to be abhorrent. If it became known that Maeser was a Mormon, his employment at the Budich Institute would likely have been terminated or his resignation required. Roland Hermann, director of the Dresden School Museum and archive, stated

41. Gesetz- und Verordnungsblatt für das Königreich Sachsen vom Jahre 1835, 290.
42. Schoenfeld, “Character Sketch of Dr. Karl G. Maeser,” 181.
that Maeser’s presence in the school as a Mormon would have been “intolerable” (*untragbar*).\(^{43}\)

The importance of the study of religion in schools in Saxony during the 1850s is emphasized by the laws that had been in force there since 1835. The priority of subjects to be taught is provided by article B1, section 29:\(^{44}\)

1. religion
2. writing and reading
3. handwriting and spelling\(^{45}\)
4. arithmetic
5. music and singing
6. science, geography, history (esp. German history)

By 1855, religious instruction in Saxony still allowed the exposition of only Lutheran or Catholic doctrines.\(^{46}\)

Those same 1835 laws provide precise requirements for all aspects of schools, teachers, and pupils. Section 112 describes the ideal teacher:

If a schoolteacher is to be granted the important and honorable profession of educating and training our youth as we hope he will, he must have not only the mature understanding, knowledge, character, and capabilities required for the appropriate instruction and training, but must also have a healthy and robust body that is not hindered by weaknesses and deficiencies, as well as a genuine love for his profession and the associate energy and modesty—above all a well-founded Christian lifestyle characterized by pure and pious behavior.\(^{47}\)

Essentially all who knew Maeser would attest that he exemplified this standard. In his Utah years, Maeser would be quoted by many students and friends as giving this description of his personal code of ethics:

\(^{43}\) Roland Hermann, email to Roger P. Minert, February 13, 2015.
\(^{44}\) *Gesetz- und Verordnungsblatt für das Königreich Sachsen vom Jahre 1835*, June 6, 1835, § 29.
\(^{45}\) “Handwriting” was called *Schönschreiben* (writing all characters correctly) in schools throughout Germany until well into the twentieth century.
\(^{46}\) Catholic parishes were still rare in Saxony in 1855 but were tolerated because the king was a Catholic (due to a complex political and familial relationship with the royalty of Poland).
\(^{47}\) *Gesetz- und Verordnungsblatt für das Königreich Sachsen vom Jahre 1835*, June 6, 1835, § 112.
“Place me behind prison walls—walls of stone ever so high, ever so thick, reaching ever so far into the ground—there is a possibility that in some way or another I may be able to escape, but stand me on that floor and draw a chalk line around me and have me give my word of honor never to cross it. Can I get out of that circle? No, never! I’d die first!”

How could any man of such integrity maintain a teaching position in Dresden where he would be faced with the temptation to be disloyal to his charge in a school where the teachings were based by law on Lutheran doctrines? How could he continue to instruct pupils in doctrines he no longer espoused without the pupils noticing (and possibly reporting) the incongruence?

A. L. Richards suggested that Maeser’s activities following the baptismal event in October 1855 were carefully monitored by the police: “Both men [Maeser and Schoenfeld] must have been constantly attempting to avoid detection by the authorities” and “it was obvious that they were under careful scrutiny of the civil authorities.” However, no corroboration is offered for either claim beyond the recapitulation of missionary John L. Smith. On the other hand, whereas Maeser’s actions were tenable under the laws of the Kingdom of Saxony, it is not impossible that uninformed neighbors or overzealous police officials were curious about the actions of Maeser and the other new Latter-day Saints and made their curiosity known.

As an “intolerable” teacher, Maeser apparently grappled with the question of emigration for several months in 1856, while the number of local Latter-day Saints quickly grew to thirty-two. Eduard Schoenfeld’s brother Friedrich even established a branch of the Church in Leipzig, the second-largest city in Saxony. European LDS supervisor Franklin D. Richards invited Maeser to visit England during the Christmas holidays of 1855. While giving speeches in German to the Saints in England and Scotland, he was likely infused with the spirit of community the large Mormon congregations enjoyed there, and it is probable that he was involved in discussions about emigration to Zion (essentially defined as the Utah Territory at the time).

49. Richards, *Called to Teach*, 122, 124.
50. There is no way to know how accurate Smith was in his account of Maeser’s experiences. Indeed, did Maeser recount the story to Smith without exaggeration?
51. [Richards], “Report.”
52. Richards, *Called to Teach*, 124.
Maeser’s Departure from Saxony

A. L. Richards’s description of the departure of Maeser and his LDS friends in the summer of 1856 cannot be substantiated; he suggests that the police arrested Maeser and subsequently expelled him from his homeland:

After the departure of [several Mormons], Karl was arrested and confronted with the options of giving up either his newfound faith or everything that he loved in his homeland. He chose the latter. Most of his family, with the exception of his wife and child [son Reinhard], thought he was crazy and that surely his enthusiasm for this strange sect was merely a phase he would eventually outgrow. . . . The Maesers were forced to leave Saxony on July 2, 1856.53

Is it possible that Maeser was concerned about the legality of his new church affiliation based on his lack of knowledge of the existing laws on the transfer of church membership (cited above)? Had he heard gossip in the neighborhood, were people asking about gatherings in his apartment, had his employer observed any differences in his professional demeanor? Unfortunately, no documents treating any of these issues have been found.

The dates of departure of the Maeser and Schoenfeld families differ in the various accounts we have found. Schoenfeld later wrote of his departure with only his family on June 6 and that the Maeser family followed in August.54 Reinhard Maeser was slightly over one year old when his parents took him from his birthplace, but he later told his daughter that they left on June 6.55 Tobler’s chronology agrees with that date. A. L. Richards established a departure date of July 2.56

At a gala event celebrating Maeser’s retirement in Salt Lake City in 1892, Franklin D. Richards shared his account of the Dresden teacher’s departure, claiming that Maeser had “submitted to three or four investigations.”57 He supposedly boarded a ship for England from the Hamburg port. A. L. Richards cited this account as the most reliable version.

53. Richards, Called to Teach, 125. In the endnote regarding this story, Richards indicated that no documentation could be found to substantiate his conclusion.
54. Edward Schoenfeld, autobiography, 2, MSS SC 1076, Perry Special Collections.
56. Richards, Called to Teach, 125.
57. Deseret Weekly News, March 12, 1892, 377. This route of emigration would have taken Maeser from the Kingdom of Saxony north through several
As it turns out, the account attributed to Franklin D. Richards is fraught with errors. First of all, Richards did not write the story but was simply quoted by a *Deseret Weekly News* reporter as having told this story (which happened fully thirty-six years after Maeser’s emigration).58 Maeser’s reported departure from the German port of Hamburg cannot be substantiated from records in that port, and the suggestion that a country can simply pass its undesirable citizens over the border to another country has no legal basis.59

The question of police involvement in Maeser’s emigration can be resolved through a careful examination of what may be the most valuable document preserved from this episode in the educator’s life: a birth certificate found in Special Collections in the Harold B. Lee Library of Brigham Young University (fig. 7). The certificate was issued by Pastor Johann Friedrich Ernst Stange of the Lutheran Church in Cölln, the suburb of Meissen where the Maeser family resided in 1828, and was meant to be used to identify the holder for all public and private transactions.60 It attests to the birth of Carl Gottfried Mäser in Vorbrücke on January 16, 1828, and gives the names of his parents. The lower one-half of the document was used to record information relative to military service in the Kingdom of Saxony, and the notation states that Maeser was classified as “unfit for service” and thus exempted on December 9, 1848.61

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58. *Deseret Weekly News*, March 12, 1892, 377. Maeser had already spoken that evening; one wonders whether he would have commented about Richards’s account.

59. Roger P. Minert studied the Direct Indexes, the Indirect Indexes, and the Direct and Indirect Lists of the comprehensive *Hamburg Passenger Lists* and found no trace of either the Maeser or the Schoenfeld families departing from June 1 to October 1, 1856. Direct Lists Index, microfilm no. 473070 and Indirect Lists Index, microfilm no. 1049068, Family History Library, The Church of Jesus Christ of Latter-day Saints, Salt Lake City. The families, whether alone or together, apparently left Germany from the port of Bremen—at that time the premier German port for emigrants.

60. Geburtsschein, Cölln, May 28, 1848, Perry Special Collections.

61. A. LeGrand Richards translated the term *entbunden* as “rejected,” but a more precise rendition is “released, excused, exempted.” Richards, *Called to Teach*, 126. Maeser reported for examination only because it was required, certainly not because he wished to serve as a soldier and thereby delay his educational career. His exemption dated December 9, 1848, was a blessing, because popular uprisings had occurred in Dresden early that year and were suppressed by soldiers in the employ of the king of Saxony. Had Maeser been involved in
Figure 7. This certificate was issued in 1848 by the pastor of the church where Maeser was baptized as a child. Courtesy L. Tom Perry Special Collections, Harold B. Lee Library, Brigham Young University, Provo, Utah.
Figure 8. The notation on the reverse of Maeser’s ID paper authorized his emigration to Liverpool. The rubber stamp applied below was used by several regulatory offices of the city of Dresden.
The notation on the reverse of the certificate is crucial to the biography of Karl G. Maeser (fig. 8). The phrase \textit{ausgehändigt nach Liverpool} was written by a police official in Dresden on July 2, 1856 (contradicting any account that has him leaving the country in June). The rubber stamp affixed to the document does indeed bear the markings of the Dresden Police Office and thus gives rise to the theory that Maeser was arrested (or at least considered in violation of law) and subsequently deported. However, a look at the police system in Saxony (and in all major German cities at the time) allows an altogether different interpretation.

The German word for “police,” \textit{Polizei}, is defined by the Duden German dictionary as “the security agency that is charged with maintaining public order.”\textsuperscript{62} Thus the term applies to many urban and rural offices—not simply to the criminal police. For example, the laws of the Kingdom of Saxony show sixteen different police offices for the city of Leipzig (Saxony’s second largest), including residential registration, welfare, traffic, markets, Sabbath day commerce, fire, construction, taxation, and commerce. Those offices and likely a few others existed in the capital city of Dresden in 1856.

Archivist Joerg Ludwig stated that Maeser would have presented this certificate in 1856 at the Dresden city office of emigration in support of his application to relocate to Liverpool.\textsuperscript{63} The rubber stamp applied to the document was used by many police offices at the time. The notation was approved with the telegraphic wording “\textit{ausgehändigt nach Liverpool}” (literally, handed out to Liverpool). The word \textit{ausgehändigt} is the key to the interpretation of this three-word phrase. Three dictionaries of the German language of the day all indicate that the verb \textit{aushändigen} is defined as “to transfer an object to a person.”\textsuperscript{64} Thus the phrase written by the emigration official on the reverse of the Maeser ID should be

\begin{itemize}
\item those violent confrontations, he might not have lived to experience a religious transformation.
\end{itemize}

\textsuperscript{62.} Der \textit{Grosse Duden: Herkunftswörterbuch} (The Great Duden: Etymological Dictionary) (Mannheim, Ger.: Bibliographisches Institut, 1963), 519–20. Other lexika trace the word back in time to “policey” meaning “policy”; any agency issuing “policy” needed an authority or an agent to enforce the “policy.”

\textsuperscript{63.} Joerg Ludwig to Roger P. Minert, June 26, 2014.

interpreted thus: “Dieser Schein ist zwecks Auswanderung nach Liverpool ausgehändigt” (This certificate is issued to enable the holder to identify himself in Liverpool). Karl G. Maeser was never “handed over” to anybody when he left his homeland.

Reinhard Maeser was correct in writing that his father “left Saxony quietly,” but the latter, accustomed to keeping the laws of the land, previously sought official permission to leave. Currently, there is no evidence to suggest that he was at the time either under official investigation or a convicted criminal. He had broken no laws in his native land.

The most credible account of Maeser’s departure from his homeland was written by Tobler in 1977 (despite the inaccuracy of the first sentence): “Neither political nor religious freedom, both of which Maeser craved, existed [in Saxony]. Neither did his chances for employment as a teacher, now that he had joined the Mormon sect. . . . He decided to take his family, fellow members, and friends, and join the throng who were leaving Saxony for a new beginning in America.”

It appears that no administrative or police action was required to motivate Maeser and Schoenfeld to resign their positions. Had he remained in Dresden, Maeser would eventually have become known as a Mormon and probably faced dismissal from the Budich Institute. Ostracism by friends and neighbors would have prevented any substantial growth of the LDS branch there, as it did all over Germany in the nineteenth century, and Maeser would have led a secluded and isolated life. He could not have applied for employment in any other school—not to mention civil servant status. He likely would not have been able to practice his chosen profession in Saxony.

Apparentely echoing her father’s words, Mabel Maeser Tanner described the departure from Dresden: “The professors [sic] resigned

65. Germanic family histories in the United States can cite countless cases of citizens of Saxony who decided to forego this procedure and simply leave for North America. Passports were not common in those days, and ship captains were not concerned with anything more than the ability of the passenger to pay the passage and the absence of disease.

66. With this evidence, A. L. Richards’s use of such terms as “careful [police] scrutiny,” “forced to leave,” and “exile from the fatherland” may be unwarranted. Richards, Called to Teach, 124–25.

67. Tobler, “Karl G. Maeser’s German Background,” 173. As described above, religious freedom was indeed a possibility, but one can imagine the social repercussions that may have resulted among those who left the dominant Lutheran religion.
their positions in the schools and began actively to prepare for their journey to Zion. . . . On June 6 [sic], 1856, very quietly, the little company left their homeland, some never to return.”

Several newspapers reported the activities of the Latter-day Saints in Dresden shortly after Maeser’s departure for England. For example, the Sächsische Constitutionelle Zeitung of August 6 featured a kind article; the writer stated that the Church was achieving some success in the German states and that a group of Mormons did indeed exist in Dresden, numbering perhaps sixty persons, including some of advanced education. They preferred to meet in secret and so far nobody had any complaints against them. The editor concluded his article with this pronouncement: “Most of them are preparing to escape their ‘slavery among the heathens’ as soon as possible. They want to emigrate and that would be a good idea.” This is further evidence that the story of police officials escorting Maeser out of the country is inaccurate.

The same newspaper published a second notice identifying Maeser correctly as a senior teacher, but erroneously as an “assistant apostle” to “Daniel Franklin Richard.” The final sentence is another corroboration of the fact that Maeser left Saxony of his own free will: “[Maeser] and teacher Schönfeld resigned their fine positions locally and departed as apostles for Liverpool, taking their wives with them (one of them being pregnant); later they will travel to Deseret (Zion) by the Great Salt Lake in Utah.” The article indicated that Maeser’s group had avoided contact with the police and that nobody had brought any charges against them.

The fact that Maeser did indeed return to Saxony and his home town as the president of the German mission in 1867 is additional evidence that he did not leave that country as a criminal or even an undesirable. At the time, the Saints in and near Dresden were still few in number, but those who remained were thrilled to see him. Reinhard Maeser wrote extensively of the reception accorded his father in his hometown of Meissen: “The first of these [two visits] lasted from November 9, 1867,

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69. Stadtarchiv Dresden, Sächsische Constitutionelle Zeitung, August 6, 1856, Nr. 181, 723.
70. Stadtarchiv Dresden, Sächsische Constitutionelle Zeitung, August 6, 1856, Nr. 181, 723.
71. Stadtarchiv Dresden, Sächsische Constitutionelle Zeitung, August 6, 1856, Nr. 181, 723.
72. Stadtarchiv Dresden, Sächsische Constitutionelle Zeitung August 16, 1856, No. 190, 759.
until February 17, 1868. At this time, he visited all members of the family and his old school friends and teachers, and bore many strong and faithful testimonials of the truth of the Gospel as he believed and knew it.73

Maeser returned to Meissen in February 1870 for what would be his last visit. This time, he accepted the invitation to give lectures on several occasions. His family members begged him to give up the life of the Mormon convert and stay in Saxony (and to send for his family in Utah to join him). He was reminded of “his lost opportunities to become somebody in the world” and of “the possibilities of usefulness for you here [and] are all united in the call.”74 Such a reception and invitation would not have been possible had Maeser left Saxony in disgrace—an undesirable, a criminal, an expellee.

Summary and Conclusions

For more than four years, Karl G. Maeser had been a respected but untenured teacher in a Dresden private school when he became convinced of the truth of the restored gospel as taught by The Church of Jesus Christ of Latter-day Saints. He exercised his right to leave the Lutheran Church—perhaps unofficially—and was baptized in his new faith on October 14, 1855. He exercised another right when he invited other converts to hold meetings in his home, where the Dresden Branch was established just days later. For several months, he worked to strengthen the small community of the Saints. While on a tour of the British Isles during the Christmas holidays that year, he developed a longing to join with the Saints in Zion. Realizing that he could expect to forfeit his profession in Dresden as a Mormon who rejected the Lutheran faith, he planned to emigrate with his family and friends. He resigned his position at the Budich Institute, applied for official permission to leave Saxony, was granted that permission, said goodbye to his friends, and left for England without fanfare in July 1856.

The fact that Maeser left his homeland without compulsion is an expression of his dedication to the faith he had recently embraced. He had been introduced to the concept of the kingdom of God on earth while in England and longed for a lasting association with fellow believers. Although there was no guarantee that he would ever teach again (especially if he left the German-language territories), he was willing to

73. Maeser, Karl G. Maeser, 59.
74. Maeser, Karl G. Maeser, 65.
risk earthly security to follow God. This attests to the character of the man who would eventually teach again on a distant continent and in a different language.

Following an odyssey of five years, Maeser arrived in Salt Lake City and began his work as a teacher in several modest settings. The assignment he received from Church President Brigham Young in 1876 to direct the Brigham Young Academy would fundamentally change that institution and lay the groundwork for Brigham Young University, where Maeser’s legacy has lasted for more than a century.

Roger P. Minert received his doctoral degree from The Ohio State University in German language history and second language acquisition theory. He taught German language and history for ten years, and then became a professional family history researcher. Accredited by the Family History Library for research in Germany and Austria, he worked for twelve years as a private genealogical researcher. In August 2003, he became a professor of family history at Brigham Young University. The author of ninety books and articles, he just finished a book under the title *German Census Records 1816–1916*. Readers of BYU Studies might know his two histories of the LDS Church in Germany during World War II: *In Harm’s Way* and *Under the Gun*.

M. Ralf Bartsch was born in Dresden of a fourth-generation LDS family. After studying engineering and economics in Chemnitz, he worked for the East German Railways. Having been born very close to Karl G. Maeser’s hometown, he developed an interest in the educator’s early career and is leading an effort to acquire ownership of the Maeser family home. A longtime resident of Berlin, where he served as a bishop, Ralf is currently a family history missionary in Salt Lake City along with his wife, Beate. They have five daughters.
Inspired devotional art always strives for essential meaning, communicating across the widest range of cultural boundaries. This kind of art has always resisted the vanities of idiosyncratic expression, striving instead to subordinate the artist’s personal virtuosity to the sacral nature of its subject matter. There have been few artists of repute who have achieved this fine balance in their work. Jorge Cocco Santangelo, or “Cocco” as he is known, is one such artist who has devoted his professional career to the creation of art as an expression of his testimony of the restored gospel of Jesus Christ. His work recently came to the attention of curators at the Church History Museum in Salt Lake City when he was given a purchase award for his painting *The Call* (fig. 1) in the Church’s tenth triennial International Art Competition, *Tell Me the Stories of Jesus*, in 2015. This juried show has gained momentum over the years with participation by an increasing number of entrants from all over the world.

Cocco’s award-winning painting depicts Christ’s call to his first disciples Peter, Andrew, James, and John on the shores of the Sea of Galilee. This painting is noteworthy for its finely executed use of abstraction in its depiction of this well-known episode in the New Testament. In an unprecedented step, the Church History Museum subsequently extended a commission to Cocco for sixteen additional paintings on the mortal ministry of Christ. This commission is even more significant as it is the first time that such recognition has been given by the Church to a South American artist’s work. This honor came after Cocco’s extensive career in the fine arts and after an impressive exhibition history. His
works of art have been acquired by collectors in various countries and exhibited in museums and galleries in Argentina, Mexico, Japan, Spain, Uruguay, and the United States. He has held more than fifty group exhibitions worldwide and more than thirty one-person exhibitions in North, Central, and South America, as well as in Europe and Asia. Some of these exhibitions were visited by Church leaders, including President Spencer W. Kimball, President Gordon B. Hinckley, and President Boyd K. Packer, as well as Elder Holland and Elder Christofferson. Cocco is also the recipient of fifteen national and international awards.

Cocco was born in 1936 in Concepción del Uruguay, Entre Ríos, Argentina. He and his new bride, Myriam, became the first converts to The Church of Jesus Christ of Latter-day Saints in his hometown in 1962 when they were baptized by Elders James Ogden and Noel Reynolds, the first missionaries in the area. The two missionaries had just crossed the river bordering Uruguay to teach the message of the
restored gospel in Argentina on the other side when they were directed to Cocco and Myriam’s home. It was not long before both were baptized in the Uruguay River. When Cocco asked the missionaries where they should attend church on Sundays, they were directed to the missionaries’ rented apartment, since there were no Church buildings in the area at the time. During these early pioneering days, Cocco served in many Church callings, including branch president and bishop (on three occasions), as well as in several stake presidencies. Remembering those early days of the Church in Argentina, he recalls, “The only calling I did not serve in was as Relief Society president!”

For Cocco, art and religion have always been deeply connected. He said, “Throughout history thousands of people have only come to know the stories of the Bible through architecture, stained glass windows, and sculpture.” As is often the case with many talented and accomplished artists, Cocco’s career had both humble and early beginnings: “Even as a young boy I showed an artistic ability that I considered a gift that had been given to me long before. There was no art school in my hometown so I learned on my own, searching everything I could find about different styles of art.”

Immediately after his baptism, Cocco was filled with a desire to learn as much as he could about the history and culture of the ancient inhabitants of South America. He was particularly interested in the symbolism contained in the pre-Hispanic artifacts of the Olmec, Mayan, and Aztec peoples. His career as an artist gained momentum when he received an important award that enabled him to study art in Buenos Aires and participate in the art world more fully. He quickly embraced his career as an artist and educator, mastering various disciplines, including painting, sculpture, lithography, ceramics, and paper fiber art; however, painting would remain his preferred medium. Inspired by his new faith, Cocco embarked on multiple projects. He researched pre-Hispanic cultures in relation to the Book of Mormon and produced twenty panels that depicted ancient artifacts held in various museums. So also began his passion to depict the people and the places of the Book of Mormon. He declared, “Art is as effective as the spoken word

2. Jorge Cocco Santangelo, presentation at BYU Studies Academy Meeting, Salt Lake City, March 12, 2016.
when it comes to conveying a message, and I use it as another way in reaching out to people to declare the truths of the Book of Mormon."

Cocco felt the need to learn as much as he could about the international art scene, so he traveled to Europe, where he lived first on the Mediterranean and then in the city of Valencia in Spain. While in Europe he mounted a traveling exhibition of twenty paintings entitled “Revelation,” depicting specific incidents of how God had communicated with his prophets from Adam right up to President Kimball, who was the President of the Church at the time. In addition to these figurative works, he also explored more abstract expressions in keeping with the modernist traditions of the day. Although he soon learned all that the work of modern masters such as Pablo Picasso (1881–1973), Georges Braque (1882–1963), Joan Miró (1893–1983), and Juan Gris (1887–1927) could teach him, he declared, “The root of my painting was always based in the gospel.”

After seven years in Spain, Cocco decided to move to Mexico to continue his explorations of the art of the cultures of ancient America. Here he taught as a professor at the University of the Americas in Puebla while he continued making his own art, integrating much of the folklore, myths, and legends of these ancient peoples into his own paintings. On his return to Buenos Aires, he completed works that depicted major narratives from the Book of Mormon. Although these works were executed in a conventional representational style, his explorations into abstract art were beginning to bear fruit. The result was that his later paintings became more subjective, with more simplified abstract compositions, while maintaining the same dedication to his chosen subject matter.

As a lifelong student of the visual arts, Cocco explored numerous international styles of art and art making. As with many fine artists, he has been eclectic in availing himself of all the styles and influences that were valuable to him, experimenting widely with different art movements. Starting with naturalism and pictorial representation in his early years, he depicted simple landscapes and river scenes from his home town, as well as portrayals from the Book of Mormon. His stylistic trajectory took him from naturalism to impressionism, surrealism, symbolism, and finally to a style that he refers to as “post-cubism.”

5. Santangelo, interview.
His more recent work carries echoes of Braque’s and Picasso’s cubism, but instead of merely experimenting with the plastic modulation of spatial forms in relation to the flat surface of the canvas, his work is more directed. He draws the viewer’s attention to specific symbolic interpretations contained by the interlocking planes of his compositions. He is not so much concerned with the superficial appearance and planar geometry of his compositions as he is with the aesthetic and spiritual experiences that these formal elements can evoke. Moreover, Cocco is less concerned with pictorial representation than with the symbolism of his abstractions. The very term “abstraction” implies a distillation of form and content, a paring down, or stripping away of superfluous elements in order to reveal essential meaning through a process of refinement and simplification. Leonardo da Vinci is reputed to have said, “Simplicity is the ultimate sophistication.” Cocco has grasped this essential truth. He explained his approach as follows: “The lines, forms, and colors can express the meaning more directly—the idea being that viewers can enjoy an aesthetic experience that leads them into the subject matter. I try to maintain equilibrium between the figurative narrative and the abstract elements in my work.”

It is through this process of abstraction and simplification that he is able to present us with the refined essence of the narratives with which we are all familiar. It is also by this process that sacral events from Christ’s ministry are reduced to their essential, almost iconic significance. He is not interested in the texture of a handwoven fabric or the look of a coat, but rather in capturing the sacred nature of the event in a timeless manner that would transcend boundaries of both time and space. According to Cocco, “Miracles and the plan of salvation are sometimes hard to comprehend in full, and may seem surreal to us. That is why I have decided to paint in this style, because those events represent more than the eye can perceive at first glance. Communicating the profundity of the event is more important than representing the details of clothing and surroundings.”

Cocco is also a colorist, the result of many years of dedicated study of hues, tones, and color relationships. The colors he uses are bold and expressive. His chromatic explorations emphasize the potential of fields of unblended color to harmonize with each other in a manner that speaks

7. Santangelo, presentation.
Figure 2. *It Is Finished*, 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.
to our finer sensibilities. It is therefore not surprising that his paintings are brighter and more colorful than either Picasso’s or Braque’s analytical cubist works of the early 1800s. They are also more joyful. Cocco has dealt with subjects that have received little attention by other devotional artists, such as the moment that Christ declared, “It is finished” (John 19:30) and gave up his spirit (fig. 2). He has also depicted the moment of Christ’s return to take up his body in the tomb after his crucifixion (fig. 3). Cocco recently said: “I believe that the paintings of Gethsemane, the Crucifixion, and the Resurrection are the nucleus of the message of the gospel of Jesus Christ—without a vision of these things, Christianity would not make sense.”

It could be said that Cocco’s use of planar simplification in his compositions also denotes guilelessness and freedom from duplicity. His

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8. Santangelo, presentation.
most recent work, *The Call*, communicates in a straightforward manner that is more amenable to universal understanding. Cocco’s fine abstractions achieve these ends. His painting is above all a manifestation of his abiding testimony and contributes a welcome and refreshing new perspective to the genre.

Herman du Toit is the former head of audience education and research at the Brigham Young University Museum of Art in Provo, Utah. He has enjoyed an extensive career as an art educator, curator, administrator, critic, and author, both locally and abroad. He was director (dean) of the school of fine arts at the former Durban Technical Institute in South Africa and holds postgraduate degrees in art history, studio art, and sociology of education from the former University of Natal. While at BYU, he was awarded a J. Paul Getty Fellowship for his PhD study of the finest interpretive practices at some of America’s leading art museums.
The Baptism, 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.

The Sermon on the Mount, 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.
Peace, Be Still (The Tempest), 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.

The Gadarene, 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.
The Hem of His Garment, 2016. Oil on canvas, 30" × 40". Courtesy Church History Museum.

The Daughter of Jairus, 2016. Oil on canvas, 30" × 40". Courtesy Church History Museum.
Your Faith Has Made You Whole, 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.

The Ordination of Apostles, 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.
Feed Them, 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.

Go and Do Likewise (The Parable of the Good Samaritan), 2016. Oil on canvas, 36” × 48”. Courtesy Church History Museum.
Lazarus, Come Forth. 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.

The Last Supper, 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.
Gethsemane (Jesus Is My Light), 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.

Cast the Net and Ye Shall Find, 2016. Oil on canvas, 30” × 40”. Courtesy Church History Museum.
The First Vision. (This Is My Beloved Son. Hear Him!), 2016. Oil on canvas, 24” × 30”. Courtesy Church History Museum.
Visualizing Apostolic Succession

Meilan Jin, Iliesa S. K. Delai, and Geoffrey M. Draper

For years, The Church of Jesus Christ of Latter-day Saints has published pictures and other illustrative diagrams to communicate its message. For example, the children’s book *Book of Mormon Stories* includes an illustrative map indicating the possible route of Lehi’s family from the Arabian peninsula to the Americas.¹ Seminary students receive bookmarks showing a timeline of peoples and events in the Book of Mormon.² More recently, the Church has published a series of “information graphics” (known more commonly as infographics) on its website.³ Infographics combine color, text, and images to convey statistical or policy information in a visually pleasing manner. The Church’s infographics cover a range of topics such as humanitarian aid, missionary work, and genealogy. However, like all pictures, infographics are inherently static, meant to be viewed but not interacted with. As such, they are great at answering the questions the artist intended but are less

effective at letting the reader discover answers to new questions that may arise from an initial view of the graphic. To allow this deeper level of exploration, graphics must be *interactive*.

**Information Visualization**

Information visualization is a field of research typically associated with computer science, although it incorporates elements of statistics, graphic design, and psychology. Information visualization (often abbreviated as *infovis*) has been recognized as a distinct field of academic research since the 1990s, with the first academic symposium on infovis being held in 1995.4 Infovis certainly includes the design, creation, and evaluation of information graphics but focuses more specifically on building interactive systems that allow users to explore large data sets on a computer.

Some of the most-cited projects in infovis research during the past three decades include treemaps (fig. 1) for displaying hierarchical data, parallel coordinates (fig. 2) for visualizing multidimensional data, and ThemeRiver™ (fig. 3) for showing recurring themes in textual data over time.

As stated above, a major focus of infovis research is interactivity. Users must be able to browse, explore, query, and review data visually. These goals were perhaps best articulated by Ben Shneiderman in 1996 in a set of guidelines known as the “Visual Information Seeking Mantra.”5 According to the mantra, every infovis system should offer (at least) the following three features:

1. Overview First
2. Zoom and Filter
3. Details on Demand

In other words, a visualization system should start by displaying a summary of the entire data set, then allow the user to interactively select part of the data to explore in more depth. The user should also have the option of retrieving full details on any individual data item.

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Figure 1. The treemap, first proposed by Ben Shneiderman,\textsuperscript{1} divides the screen into nested rectangles sized according to each category’s proportion relative to the whole. This particular chart was generated by IBM’s ManyEyes software.\textsuperscript{2}


Figure 2. Parallel coordinates, invented by Alfred Inselberg, is a method of displaying many dimensions of data at once. Each vertical axis in the display is assigned to a single attribute, and each entity in the dataset is rendered as a series of connected line segments. This specific chart was generated by Aritra Dasgupta and improves upon the basic parallel coordinates design by rendering segments of less interest in a semitransparent color.


Figure 3. The ThemeRiver visualization, designed by Havre and others, combines a layered bar chart with a timeline to show the changes in frequency of keywords in news stories over time.

Adapting for Small Screens

The visual information–seeking mantra has served the information visualization community well for nearly two decades. However, the advent of mobile devices such as tablets and smartphones poses a special challenge for infovis—in particular the goal of adhering to the first tenet of the mantra: Overview First. How can one effectively display an overview of a complex data set on devices that have smaller screen sizes and less computational power than traditional desktop computers? There is not likely a single solution that will work for every kind of data; however, to solidify the present discussion, we will focus on time-series data.6

We propose that large time-series datasets can be effectively visualized on mobile devices by showing a single “snapshot” of the data at a given moment in time, then allowing the user to easily navigate forward and backward in time to view other snapshots. This limits the number of data points that the system needs to render at any given time while still granting quick access to the remainder of the data. In this way, the on-screen visualization is clean and uncluttered, even on phone-sized screens.

Apostolic Succession App

As a proof of concept for our method of visualizing time-series data on small screens, we designed and implemented a mobile app called Latter-day Apostles that lets users explore a data set of all latter-day Apostles since 1832. There are two apostolic quorums in The Church of Jesus Christ of Latter-day Saints: the Quorum of the First Presidency and the Quorum of the Twelve Apostles. Mathematically, both quorums are examples of well-ordered sets.7 That is, each quorum has a first member and a last member, with all other members uniquely ranked somewhere in between. For example, in the First Presidency, the President of the Church is the first member, the first counselor is the second member, and the second counselor is the third member.8 In the Quorum of the Twelve, the first member is the president of the quorum, who is also the Apostle with the earliest ordination date within the quorum. The second member is the Apostle

8. At certain times throughout history, there have been additional counselors in the First Presidency, who would rank “fourth” or “fifth” and so on.
with the next-earliest ordination date, and so on until the last member who is the most recently ordained Apostle.

The apostolic quorums are not the only contemporary organizations that follow a well-ordered set model. Other examples include the United States Supreme Court, the Joint Chiefs of Staff, the College of Cardinals in the Catholic Church, and boards of directors for many corporations.

**Visual Layout**

We use a ring-based layout\(^9\) for our visualization of the Apostles. Ring-based layouts seem to work well for well-ordered sets because they visually communicate the ranking within the set while making efficient use of screen real estate. Since there are two distinct apostolic quorums, we employ a dual-ring approach that shows both the First Presidency (inner ring) and the Twelve (outer ring), as figure 4 shows.

**User Interactions**

Our method currently supports four ways of “moving through” the data. We rank them from least precise to most precise. Users may employ all four methods during the course of a single session using the app.

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The user can rotate the outer circle with his or her finger clockwise, counterclockwise to go back in time, clockwise to go forward in time (see fig. 5). While this gesture allows the user to specify the direction of navigation, it is not well suited for selecting an exact date.

Medium precision. To select a specific year, the user can move a “slider” located underneath the graphic, left to go back in time, right to go forward (see fig. 6). When the user moves the slider, the chart updates to show how the quorums looked on January 1 of the selected year. This is

10. For the year 1832, the slider defaults to March 8, the date the first First Presidency was organized. In contrast, moving the slider to the current year
acceptable to get a broad overview of the quorums’ progression over time, but insufficient for those years (such as 2015) when multiple changes occur in the quorums within a single calendar year. For these years, more precise controls are needed.

Medium-High Precision. Directly above the slider are two buttons. These buttons allows the user to navigate to dates on which changes took place in the quorums. Tapping the “back” button takes the user to the date of the previous change in the apostleship; tapping the “forward” button jumps to the date of the next change (see fig. 7).

FIGURE 7. The screenshot on the left shows the Apostles on January 23, 1970, when Joseph Fielding Smith was the new President of the Church. Tapping the “forward” button advances the chart to April 9, 1970, the date Boyd K. Packer was ordained an Apostle. This change is reflected by a small picture of Boyd K. Packer appearing at the one-o’clock position on the outer ring.

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updates the chart to today’s date. For every other year, the slider defaults to January 1 of the selected year.
To see what the quorums looked like on a specific date, the user can select the calendar option from the app's toolbar. After the user selects an exact date on the calendar, the chart updates immediately to show the quorum membership on that date (see fig. 8).

Consistent with the visual information–seeking mantra, the app does support the notion of “details on demand.” If the user taps any Apostle’s portrait, the app opens a pop-up window with a higher-resolution portrait of that Apostle accompanied by biographical information.

**Transitions**

It is a well-established design principle in infovis that transitions from one view of the data to the next must be animated. This is not mere eye candy; animated transitions are essential to maintain the user’s sense of context and to avoid disorientation, particularly in radial layouts such as ours.¹¹

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We have chosen the following transitions to represent the different types of transitions an Apostle can make from year to year.

If an Apostle moves from the Quorum of the Twelve to the First Presidency, or vice versa, we simply move the Apostle’s portrait linearly from its previous position to its current position on the screen (see fig. 9).

If an Apostle moves from one position of seniority in the Quorum of the Twelve to another, we move the Apostle’s portrait angularly, not linearly. The same is true for an Apostle moving from one position of seniority to another within the First Presidency (see fig. 10).

If an Apostle’s portrait is moving from on-screen to off-screen, we animate the portrait outward, away from the center of the ring (see fig. 11).

If an Apostle’s portrait is moving from off-screen to on-screen, we animate the portrait linearly, either from the left or right side of the screen, depending on which is closer to the portrait’s final position on the chart (see fig. 12).

These rules, when applied in quick succession, such as when the user drags the slider bar back and forth rapidly, combine to produce a pleasing “swirl” visual effect.

Reception

We have been delighted with the reception of the Latter-day Apostles app. As of this writing, it has been downloaded over fifty thousand
Visualizing Apostolic Succession
times since it was first released in August 2014. Interestingly—but not surprisingly—the download rates are cyclical, rising each Sunday and tapering off the other days of the week. Likewise unsurprisingly, downloads spike every six months around general conference time.

Comments have been overwhelmingly positive. Here are some examples:

- **Well executed, great concept.** Wonderful way to follow the evolving dynamic of LDS Church leadership across its history. Brilliant concept overall. Well done.
- **LDS must have.** Great resource on LDS history. Very user friendly. No ads. My 8 year old LOVES it.
- **Very good.** Being fairly new to the Church, I’ve found this fascinating. Very informative, lovely to feel you know them better, and feel closer to them.
- **Love It.** This is such a fun app. I love the way the date changes by turning the “dial.” Maybe a Relief Society app can be developed. :)

Currently, the app is available only for Android, BlackBerry, and Kindle Fire devices, but we are currently developing a version for iOS. If there is sufficient interest, we may consider bringing the app to Windows phones as well. The app is currently available in English and Portuguese, with a Spanish translation under development.

**Future Work**

Although this visualization seems to work well for the apostolic succession data set, we believe it can be applied to other well-ordered sets. As a first step, we are developing an app that lets users visualize the chronology of U.S. Supreme Court justices (see fig. 13).

While conventional wisdom and past studies support the

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importance of animation in information visualization systems, other studies\textsuperscript{13} question this assumption. To that end, we would also like to conduct a usability study evaluating whether the animated transitions employed by the app actually improve user comprehension.

**Conclusion**

In this paper, we present a general overview of the field of information visualization research and propose an approach to adapting infovis design principles to small-screen devices such as smartphones and tablets. We introduce the software prototype Latter-day Apostles to showcase the possibility of navigating time-series data—in particular, well-ordered sets that vary with time—on a mobile device. Thus far, users have been very receptive to this app and its methods of interaction. We hope that Latter-day Apostles will inspire other infovis researchers in general, and LDS software developers in particular, to create engaging mobile and desktop apps that provide easy navigation through a variety of data sets.

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Iliesa S. K. Delai is from Suva, Fiji. He is studying computer science at Brigham Young University–Hawaii. When not adding new features to the Latter-day Apostles app, he also works as the webmaster for BYU–H’s Computer and Information Sciences Department. Iliesa loves spending his leisure time with his family and friends.

Geoffrey M. Draper is Associate Professor of computer science at Brigham Young University–Hawaii. His research interests include information visualization, human-computer interaction, mobile app development, and vintage computing. He received a PhD in computer science in 2009 at the University of Utah.

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Answering for His Order
Alma’s Clash with the Nehors

Matthew Scott Stenson

From the beginning, Lehite culture was richly oral and often divided over the question of authority (see Alma 1–2, 8–14, 30). On one side of the conflict stood the prophets, and on the other side stood “popular” opportunistic figures, wise in their own eyes, who resemble in a general way classical sophists (Alma 1:3; see 2 Ne. 9:28).1 The classical

1. Susan C. Jarratt in the introduction to Rereading the Sophists: Classical Rhetoric Refigured (Carbondale: Southern Illinois University Press, 1991) describes the classical sophists’ profession: “The first sophists [fifth-century BC Athens] were the first to offer systematic instruction in the arts of speaking and writing in the West” (xv). According to Jarratt, sophists such as Protagoras, Gorgias, Prodicus, and Hippas were “well traveled, charismatic teachers” who would impart their particular secular wisdom to others for a “substantial fee” (xv). The sophists, in contrast to the prophets, also travelers on occasion, embraced such rhetorical principles as “kairos (timeliness) and to prepon (fitness)” (xv). This meant that some sophists were effectively moral relativists and worked in probabilities instead of in absolute/objective truths. George A. Kennedy, not himself entirely unsympathetic toward the classical sophists, explains, “The crucial issue in [sophistic rhetoric] was often the antithesis between what the Greeks called physis, or nature (i.e., that which is objectively true), and nomos, which means ‘law,’ but which included all man-made institutions and conventions.” George A. Kennedy, Classical Rhetoric and Its Christian and Secular Tradition from Ancient to Modern Times (Chapel Hill: University of North Carolina Press, 1980), 25. Kennedy continues, “[The sophists’] controversial moral views illustrated the potential of rhetoric for social change and also for amoral self-aggrandizement” (25–26). Hugh Nibley, more critical than Kennedy, variously describes the classical sophists as prone to excess, half-truths, probabilities, bombast, irreverence, sarcasm, and feigned
sophists, some of whom were philosophic pretenders, sought to subvert on occasion the moral authority and epistemological methods of the actual philosophers. In contrast, the Nephite “sophists” (an encompassing term for our purposes that describes a certain kind of proud, intellectual antagonist in the Book of Mormon), many of whom during one period were after the order of Nehor, “[bore] down against the church” for “riches and honor” (Alma 1:3, 16). Cleverly, they channeled the prophets in word and deed even as they challenged their authority and repurposed their teachings (see 1:3–4), “stir[ring] up the people to riotings, and all manner of . . . wickedness” for success and money (11:20). These Nehors (teachers, priests, politicians, lawyers, and judges, for instance) often used the prophets’ words against them, ironically portraying them as pretenders and liars, and vice versa (see 1 Ne. 16:38; Mosiah 12:12; Alma 10:28; 11:25, 36; 12:1–4; 30:28). In the book of Helaman, Nephi, son of Helaman, following Alma’s earlier example, valiantly defends his authority just years before the Lord’s coming by calling upon “many prophets” and “many evidences” (Hel. 8:19, 24; see 8:11–24).2 Thus,

piousness. See Hugh W. Nibley, The Ancient State: The Rulers and the Ruled, ed. Donald W. Parry and Stephen D. Ricks (Salt Lake City: Deseret Book, 1991), 243–86. In contrast to Kennedy and, especially, Nibley, Jarratt and other moderns view classical sophists more favorably. The critics who perceive the sophists in a positive light see them as intelligent, practical, politically effective, and “serious thinkers.” Jarratt, Rereading the Sophists, 6. Jarratt claims that the modern recovery of the seriousness of sophistic thinking began with Friedrich Hegel in 1832. I find it interesting that the recovery corresponds in time so closely to the Restoration.

2. The ancient divide between the prophets (and saints) and the sophists in the Book of Mormon has been examined at length by Hugh Nibley. He argues that the mantic-sophic divide can be traced backward through the Book of Mormon to Jerusalem: “For the Old World an exceedingly enlightening tract on the ways of the intellectuals is Justin Martyr’s debate with Trypho, which is also an interesting commentary on the Book of Mormon intellectuals whose origin is traced directly back to the ‘Jews at Jerusalem.’” Hugh Nibley, “The Way of the ‘Intellectuals,’” in An Approach to the Book of Mormon, ed. John W. Welch (Salt Lake City: Deseret Book; Provo, Utah: Foundation for Ancient Research and Mormon Studies, 1988), 361. According to Nibley, the “two views” are announced “at the outset” of the record (361–62). Lastly, he explains that “Lehi’s people inherited a tradition of intellectual arrogance from their forebears. ‘The Jews,’ says Jacob, in a searching passage, ‘were a stiffnecked people; and they despised the words of plainness, and killed the prophets, and sought for things that they could not understand.’” Nibley, “Way of the ‘Intellectuals,’”
Nephi situates his prophetic witness, likening himself to such persons as Abraham and Moses. The multiplication of witnesses does not add to the “power and authority of God” he possesses (see Alma 17:3), however much the association may appease those who require such evidence. Similarly, Alma’s power and authority to preach is not merely inherited but is a gift of God following many days of fasting and praying (5:46). It is that quest and forthcoming special witness of Christ by “the spirit of prophecy” that allows Alma to preach with the spirit of power in his own generation (see 5:47). The method of comparison Nephi employs for the sake of his audience was not uncommon among the prophets, nor is defending one’s authority against sophistic pretenders unique to the Book of Mormon.3

The two ideologies are in conflict in a limited way in the Nephite record even before Nehor’s “sharp” confrontation with aged Gideon (1:7) and Alma’s subsequent regulation of the church (see 5–16; see also W of M 1:15–16). Nevertheless, the philosophies first come into full scope in the early chapters of the book of Alma, due in part to an increased

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363–64. Nibley has identified the most obvious intellectuals/sophists in the New World: Sherem, Alma the Younger, Nehor, Amlici, Korihi, and Gadianton. To this list might be added others such as Laman and Lemuel and the priests of King Noah (including Alma the Elder). As is, the list is sufficient to demonstrate the range of sophists in the record. For the purposes of this study, I analyze Alma’s defense of his authority against those trained in Nehor’s sophistry in Ammonihah. This is interesting given that Alma himself, the prophet of the Lord in Alma 5–16, is now in conflict with those he formerly sympathized with (see Mosiah 27:16). They attacked his authority as he once attacked the authority of both God and his fathers (27:30). Joseph M. Spencer has indicated that the question of authority may be at the heart of a rift that runs through the Book of Mormon, one not resolved by the Lord until 3 Nephi. In this article, I focus on Alma’s defense of his authority in Ammonihah and do not attempt to wade into the larger question. See Joseph M. Spencer, An Other Testament: On Typology (Salem, Ore.: Salt Press, 2012), 106–10.

amount of individual freedom of “belief” under the judges (Alma 1:17). 4
(Mormon slows down the narrative at this point to draw our attention to the conflict.) Before that inspired political development, itself occurring nearly sixty years after the founding of the Nephite church (see Mosiah 18), it appears that the Nephite sophists acted as rogue, religious individuals (for example, Sherem) or as quorums of priestly aristocrats (such as Noah’s priests). After the new government’s inspired institution, however, Nehorism for “the first time” “spread . . . through the land; for there were many who loved the vain things of the world” (Alma 1:12, 16). Nehorism’s dissemination as “priestcraft” or statecraft and the like in law courts leads in large part to the decline of the Nephite state (see Alma 1:12, 16; see also 2 Ne. 26:29). This is no surprise, given that Satan is the chief sophist (see Hel. 6:26–30), and sophistry for our purposes is synonymous with opposition to the monarchy of God and the authority of his legitimately chosen servants. The value of associating Nehorism with universal aspects of classical sophistry is to submit that the phenomenon in one form or another crosses cultural and historic borders, manifesting itself most recently in what Nephi terms the “days of the Gentiles” (2 Ne. 27:1), a period characterized by “lyings and deceivings, . . . priestcrafts, and . . . strifes” (3 Ne. 30:2). As we proceed, generalizations, although not ideal, will at least allow us to situate the Nehors among a broader trend that has contemporary relevancy.

The claim that Nehorism, among other factors, leads to societal decline and destruction is illustrated by the story of Alma in Ammonihah and Mormon’s subsequent history. All sophistlike figures, no matter their cultural situation, understand that whoever controls language effectively controls society. This is not to say that the Nephite prophets did not also possess a deep understanding of language and learning; they simply used them for higher purposes—preaching the word of truth, itself much more demanding than Nehor’s easy doctrines. In this analysis, I focus solely on Alma’s conflict with the various Nehors inhabiting

4. As in Greece, Rome, and Italy, where freedom increased sophistic activity, the inspired creation by Mosiah of the system of judges unfortunately also opened a door to the flowering of sophistic rhetoric, which itself is adverse to certain kinds of traditional authority. It can run against religious authority, as in the case of Nehor, or political authority, as in the case of Amlici, and effectively hasten the political end of a nation such as is portrayed in 3 Nephi. Although Abinadi faced aristocratic sophists before his death, the ancient conflict between the prophets and the sophists is perhaps best illustrated in Alma 4–14, a block of scripture that is not often seen as unified.
Ammonihah, whose study apparently jeopardizes the new “liberty” of the people (Alma 8:17; 10:18, 27). Fundamental to this perennial struggle between emerging orders is the question of who holds political and ecclesiastical authority and why that matters. In an era of great political and cultural change, therefore, I argue that, among other subjects, Alma passionately defends his prophetic and priestly order in three interconnected sermons; however, he is ultimately unsuccessful in persuading his detractors (minus Zeezrom), even though he typologically aligns himself with presumably acceptable and important ancient prophets and high priests, especially Lehi and Melchizedek. Consistent with the plan of redemption, Alma locates himself in this larger prophetic/priestly tradition (both broadly representative of ecclesiastical or priesthood power) in the hopes that his detractors’ accusation that he is but “one man” will be overturned by his common association with the many messengers...

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5. Taking scattered but consistent cues from earlier material as our guide (Mosiah 24:1–7; 27:8–10; Alma 2:1–4), I argue that a synthetic reading of the larger Book of Mormon story intimates that these learned men were most likely studying subversive rhetorical skills that they might undermine “the liberty of [the] people” (Alma 8:17), “pervert the ways of the righteous” (10:18–19), or cause them to become unruly and “wicked” (11:20). Losing such freedom and “fall[ing] into transgression” (a major theme in the block of scripture [see 9:19, 23; 10:19]) would jeopardize the city/nation. As Mosiah 24:7 (and Alma 2:1–4) indicates, fair play can be undermined by those who know how to use language shrewdly to their economic or political advantage. And as Mosiah 27:8–10 suggests, a man who has a mastery of flattery can cause many “to do after the manner of his iniquities” (Mosiah 27:8), thus jeopardizing the church, and therefore, the nation, as did Amlici (Alma 2). This applies to several men of similar sort, particularly if their wealth allows them to travel widely, speaking to others as did Alma and his companions before and after their conversion (Mosiah 27:10–11, 32–35), Nehor (Alma 1:3), Nehor’s many imitators (1:16), and perhaps Amlici in his broad campaign to become king (2:2, 9). For negative social sea changes in a democratically arranged society to occur, it takes only the more part of the people choosing “that which is not right” to invite judgment (Mosiah 29:26–27; Alma 10:19). Of course, “rhetoric” (a classical word not used in the Book of Mormon per se) is a neutral term since it merely describes how one employs linguistic devices with the aim of purposefully communicating with an audience. As a result, one can properly speak of prophetic rhetoric and sophistic rhetoric, as one might speak of business rhetoric or political rhetoric. Alma’s distinct prophetic rhetoric may be influenced by his early experimentation as a young man with sophistic dissent rhetoric. That is, his prophetic rhetoric seems on occasion more complex than other prophets’ rhetoric (see Alma 13 and 40 for examples).
(angelic, priestly, and prophetic) among the living and dead (Alma 9:2, 6). The privileging of the many over the one by the Nehors coincides in part with the political tenor of their times. This detailed account, as Mormon knew, would become a source of spiritual strength to his modern readers, who face similar challenges to ecclesiastical/priesthood authority in a sophistic environment of moral decline led by those who also happen to have a mastery of language. This study is not an indictment of political forms such as democracy, which is upheld by the Book of Mormon (see Mosiah 29:26), but of certain factions that flourish in free societies. The value of this rhetorical analysis in part is to reconstruct through inference Alma's first sermon and to draw significant doctrinal and theological connections between his first, second, and third sermons, all of which together comprise a defense of his authority in Ammonihah.

How Alma Describes His Order

Aside from how Alma typically uses the word “order” in his extended defense (Alma 8–14), the word (and its variants) is used to express a spectrum of spiritual truths connected to the Nephite church. Understanding more about how Alma primarily perceives his ancient priesthood order, the Melchizedek order after the Son of God, makes it clear that he believes that he has prophetic responsibility even for those who no longer believe themselves to be members of the church founded by his father, such as the Ammonihahites. Alma describes his calling to the prophetic/priestly order at some length in chapter 5 to the humble saints and Nehorist-leaning teachers among them in the church in Zarahemla:

And now, my brethren, I would that ye should hear me, for I speak in the energy of my soul; for behold, I have spoken unto you plainly that ye cannot err, or have spoken according to the commandments of God. For I am called to speak after this manner, according to the holy order of God, which is in Christ Jesus; yea, I am commanded to stand and testify unto this people the things which have been spoken by our fathers concerning the things which are to come. (5:43–44; emphasis added; see 4:20; 8:4)

Alma concludes the description of his priesthood order, “which is in Christ Jesus,” by demonstrating that his authority to boldly “stand and testify . . . concerning the things which are to come” reaches well beyond the church and its fractious members:

And now, I say unto you this is the order after which I am called, yea, to preach unto my beloved brethren, yea, and every one that dwelleth
in the land; yea, to preach unto all, both old and young, both bond and free; yea, I say unto you the aged, and the middle aged, and the rising generation; yea, to cry unto them that they must repent and be born again. (5:49; emphasis added; see also 8:24)6

One reason these passages describing Alma’s order are remarkable is that before the angel had appeared to him and the sons of Mosiah, Alma, once himself a master of dissent rhetoric (see Mosiah 26 and 27:8), had fought against the priesthood authority of his fathers and the church (see Mosiah 27:14–15, 30). However, he now explains that fundamental to his order is a loyalty to those who have belonged to it historically: “I am commanded [by God] to stand and testify . . . [of] the things which have been spoken by our fathers” (Alma 5:44). This same loyalty was fundamental to Nephite preaching in the church (see Mosiah 18:19). After Alma’s earthshaking angelic experience under “the power and authority of God,” his commitment to his prophetic predecessors becomes emphatic and consistent (Mosiah 27:14–15). Through him his prophetic fathers’ voices are again heard. The “spirits of the prophets,” as Alma’s New Testament parallel, the Apostle Paul, taught, are “subject to the prophets” (1 Cor. 14:32). Although some prophets may understand more than others, there is no doctrinal rift between them, only continuity. Moreover, this Melchizedek order of the high priesthood that Alma holds and his specific office of high priest over the church require and enable him to teach “according to the commandments of God” with “energy” and in “plain[ness]” the truth “according to the spirit of revelation and prophecy” (Alma 5:43; 4:20). This divine commission sharply

6. President Ezra Taft Benson followed this definition strictly during his ministry. He saw himself as called to preach after the same order. This is evident because in the mid to late 1980s he “[bore] down in pure testimony against [the Church]” on more than one occasion and systematically prepared conference discourses for “all, both old and young . . . the aged, and also the middle aged, and the rising generation” (Alma 4:19; 5:49). This prophetic parallel is striking when one considers the spiritual renewal that resulted from President Benson’s focus on “the word of God” and when one considers that he, like Alma, set aside his significant persona as a political figure to lead the Church (Alma 4:15–20). See Sermons and Writings of President Ezra Taft Benson (Salt Lake City: The Church of Jesus Christ of Latter-day Saints, 2003). Similar to how President Benson may have served as a second Alma, Joseph Spencer argues that Zeniff (a righteous man, however overzealous he once was) may have considered himself as a “reborn” Nephi, and Abinadi functions as a second or “reborn” Jacob. Spencer, Other Testament, 131–32.
contrasts with the sophistic order that, inspired by the father of lies, relies on “arts and cunning” and seeks to make others “contradict [their own] words” to “destroy that which [is] good” (Alma 10:15–16; 11:21). The Nehors, “skilful in their profession,” make knowledge appear true that corresponds to human wisdom but not divine law through employing the “traps and snares” of language (10:13, 15, 17). These observations on Alma’s prophetic office and high priestly order will become more important when later in Ammonihah he “cites [his listeners’] minds forward” (13:1) from the time of Adam’s fall to those high priests who preceded him in the messianic order as “preachers of righteousness” (Moses 6:23).

In addition to Alma’s description of his priesthood order, the word order is used in a variety of ways in Alma 5–14, all of which have to do with the Nephite church. Several examples follow of the word’s meaning in its narrative context:

1. first principles and ordinances of the gospel, including the gift of the Holy Ghost (see Alma 5:54);  
2. priesthood ordination to general offices in the high priesthood (see 6:1);  
3. priesthood government/discipline and church organization (see 6:4; 8:1); and  
4. ordination to the specific “office of the high priesthood” (see 13:18; emphasis added).

Almost all of these variant usages commence with or contain the letters “o-r-d,” as does the word “order” itself, and have to do with the order after the Son of God, the same passed from Adam to Noah, from Noah to Abraham, from Abraham to Lehi and Alma. As Elder Boyd K. Packer has instructed, order is the essence of the priesthood. Even though the word order is used in a variety of ways in the account, it is important to realize that its most common meaning is what I pointed out earlier—Alma is called of God to testify of Christ and his coming kingdom and to teach the “commandments” by the “spirit of revelation and prophecy” to as many as will listen. As did others who were called

7. President Lorenzo Snow repeatedly used the word “order” in this sense in his teachings. See “Baptism and the Gift of the Holy Ghost,” in Teachings of Presidents of the Church: Lorenzo Snow (Salt Lake City: The Church of Jesus Christ of Latter-day Saints, 2012), 47–58.  
after this manner, he is to declare the necessity of being “baptized unto repentance” (Alma 5:43–44; 8:10; 9:27). This prophetic pattern is according to the plan of redemption and is the divine order that Alma primarily speaks of in his record.9

To assist the reader, I have divided this study of Alma’s three main sermons defending his authority into three chronologically arranged sections: section 1, through inference, attempts to reconstruct part of Alma’s missing first sermon on authority (see 8:8–13) before analyzing in more depth his second recorded sermon, in part on the same subject (9:1–30); section 2 interprets Alma’s doctrinally rich and structurally complex third sermon (ch. 12–13) in a way that unifies it more than ever with the earlier parts of the narrative (ch. 8–11), making special note of Alma’s typology in chapter 13 as it connects to Christ and Melchizedek; and section 3 identifies significant ways in which the end of the sermonic sequence (ch. 14–16) punctuates the confrontational dialogue and confirms with poetic justice the argument for Alma’s authority. Arguing that one prominent theme in the scripture block is Alma’s defense of his authority in no way intimates that it is the only important theme present, however much it threads through and coheres the whole. Lastly, no serious attempt is made in this study to examine Amulek’s three speeches and fascinating dialogue with Zeezrom, even though it is acknowledged that Amulek’s contributions hold keys to understanding the material and are theologically significant.10

9. Alma 12:36 may allude to Jacob 1:7 (both are references to the “provocation” at Mount Sinai), and Alma says much about entering into the “rest of God” at one point (Alma 12:34–37), but that part of Alma’s message is framed by his larger efforts to encourage his listeners to avoid the “second death” by receiving his basic gospel message of faith and repentance (12:16). Alma apparently spends time explaining the “rest of the Lord” because Zeezrom has asked about the “kingdom of God” (12:36, 8), a question prompted by Amulek’s earlier teaching on the “kingdom of heaven” (see 11:37). It is my judgment that the sophistic intellectuals of Ammonihah, however, generally receive a “lesser portion of the [intended] word” due to their relentless opposition to Alma (12:10; see 9–11).

10. For instance, Amulek’s first sermon is itself a defense of Alma’s calling and character, for the angel instructs him, “Thou shalt feed a prophet of the Lord; yea, a holy man of God” (Alma 10:7). Additionally, as indicated in note 9, how can anyone fully understand Alma’s frequent references to “rest” in sermon three without linking the doctrine to its origin in the dialogue with Zeezrom (see 11:21–41, especially verse 37), or how can anyone fully appreciate Alma’s frequent use of the phrase “plan of salvation” in the same sermon
Alma’s First Sermon on Authority and the Block’s Introduction
(Alma 8:8–13, 30–32)

The conflict over the prophet Alma’s authority is, for our purposes, first recorded in chapter 8, where we also find a general introduction to the full block of scripture (8:30–32). Alma’s first sermon at Ammonihah (8:8–13) can easily be overlooked by readers since its beginning and end are only lightly bracketed and the sermon is never actually recorded for us by Mormon. Mormon refers to the beginning of the sermon with the statement, “he [Alma] began to preach the word,” and indicates its ending with “and [the people] withstood all his words” (8:8–13). Near the beginning of the sermon, we also learn that “they [Nehors] would not hearken unto the words of Alma” (8:9). The sermon is delivered in Ammonihah. Alma has entered the city after “wrestling with God in mighty prayer,” as he had done elsewhere, that he might “baptize [its residents] unto repentance” (8:10). Importantly, on this first visit to the “great city,” the issue of authority is immediately raised by the Ammonihahites after Alma begins to deliver the “word of God unto them” (8:8; 9:4). He apparently delivers a relatively lengthy sermon intended to persuade, because the account reports that the Nehors ultimately “withstood all his words” (8:13). The word “withstood” suggests the use of forceful rhetorical appeals such as those scattered throughout Alma 5 (see 5:53). As he did in Zarahemla (5:3) and as he would do again later in Amulek’s home (8:23), once Alma identifies himself by name, he briefly describes for the Ammonihahites his priesthood authority (8:24). Impatient with him and, presumably, his claims to authority, they immediately interrupt him, proudly objecting:

Behold, we know that thou art Alma; and we know that thou art high priest over the church which thou hast established in many parts of the land, according to your tradition [the spirit of revelation and prophecy]; [but] we are not of thy church, and we do not believe in such foolish traditions. And now we know that because we are not of thy church we know that thou hast no power [authority] over us; and thou hast delivered up the judgment seat unto Nephihah; therefore thou art not the chief judge over us. (8:11–12; emphasis added)

without connecting it to the central point of contention in the earlier dialogue—“shall [the Son of God] save his people in their sins?” (11:34). If Alma primarily appeals to the spirit of prophecy and prophetic tradition/angelic ministration for knowledge acquisition, Amulek, his careful student, is no less centered on the “Spirit of the Lord” and angelic instruction (11:22, 31; 12:3, 7).
From the Nehors’ response to Alma, it is clear that they respect him neither as the high priest nor as the most recent chief judge. This is because “Satan had gotten great hold upon [their] hearts” (8:9). He had taught them to trust in their own perceptions of power and to reject God’s servants and word. The sophists’ repeated use of the phrase “we know” in this passage indicates their intellectual arrogance and their overconfidence in their own learning and perceptions of truth. This phrase usage is also ironic given Mormon’s emphasis on the Ammonihahites’ ignorance of God’s word and ways in Alma 10:2–6. As they make explicit, these Nehors see themselves as “not of thy church” (8:11–12), and as a result, they desire to challenge Alma on the question of his authority to preach to them repentance through Christ. They are at pains to disassociate themselves from Alma’s authority over them: “We know that thou hast no power over us” (8:12). They erroneously see him as operating outside of his order, while he knows himself to be operating within the bounds of his authority and for their benefit.

Mormon memorably revisits the Ammonihahites’ objection that Alma has ecclesiastical authority over them in Alma 9:2–6, after Alma, “command[ed]” by the same angel as before, “returned speedily” to the city that previously rejected him (8:14–18). This time, however, Alma preaches repentance as a means for them to avoid destruction in the flesh. Importantly, Amulek becomes another “witness” of Alma’s authority to these apostates (10:12), apostates who have become forgetful of the many gifts and blessings that they enjoyed as members before they left the church (9:8–10). In this early part of the block of scripture, Mormon emphatically cements the theme of prophetic authority and spiritual power in the reader’s mind by effectively introducing and heavily framing the subsequent extended dialogue on the heels of Alma’s first sermon. Here is the block’s unmistakable prologue, focused on priesthood power:

11. Welch says that the law of witnesses operates in this case (see Deut. 19:15; 2 Cor. 13:1; and 1 Tim. 5:19). The Ammonihahites would not recognize the testimony of just one witness. They would have been looking for two or three witnesses given that the “accusation” was that the city had apostatized and would be destroyed if its people did not repent. Welch continues, in establishing their authority, prophets would “sometimes call . . . on heaven and earth or prior prophets as their corroborating witnesses.” John W. Welch, The Legal Cases in the Book of Mormon (Provo, Utah: Brigham Young University Press, 2008), 241–43. Alma invokes Melchizedek in Alma 13 for just this purpose. Amulek also confirms Alma’s prophetic authority (10:7–11). Zeezrom may be doing the same in chapter 14, verse 7.
And Alma went forth, and also Amulek, among the people, to declare the words of God unto them; and they were filled with the Holy Ghost. And they had power given unto them, insomuch that they could not be confined in dungeons; neither was it possible that any man could slay them; nevertheless they did not exercise their power until they were bound in bands and cast into prison. Now, this was done that the Lord might show forth his power in them. And it came to pass that they went forth and began to preach and to prophesy unto the people, according to the spirit of power which the Lord had given unto them. (Alma 8:30–32; emphasis added)

In this introductory passage to the account, Mormon both reminds his reader of the Ammonihahites’ direct challenge to Alma earlier in the chapter, “thou hast no power over us” (8:11–12), and lays a foundation for the scriptural material that reaches as far as Alma 14, by vigorously repeating the word “power” five times in only two verses plus the subsequent heading that introduces chapters 9 through 14. This introduction heavily foreshadows the events in the prison recounted in chapter 14, inasmuch as authority, or power, is also the issue in the prison that eventually falls to the ground. Chapter 14 concludes, therefore, what commences in Alma’s first sermon on his authority (see 14:14–26). Evidence of challenges to priesthood authority over the church (and by extension God’s ultimate authority) go at least as far back as Mosiah 27, the chapter that describes Alma’s mighty change initiated by an angel sent to him from God to shake the earth and to shake his paradigm of power. At the time, Alma (along with the sons of Mosiah) fought the authority of God and his chosen servants (see Mosiah 27:14–15) and “rejected his Redeemer” (27:30) in the spirit of sophistic intellectualism. Alma knows firsthand how much dissenters hate priesthood authority and its attendant “foolish traditions” (Alma 8:11). He knows of the clash

12. Two of the five references to “power” refer to God’s power, while the other three refer to Alma and Amulek’s power as delegated to them from deity. As we shall see, the Nehors challenge God’s power when they challenge that of his chosen servants, for their authority and power is derived from him.

13. As Zeezrom takes the phrase “in your sins” from Alma’s opening speech and uses it against Amulek in Alma 11:34–37, so “the chief judge of the land” uses Alma’s teachings on the second death (see 12:17) against him and Amulek in Alma 14:14. It appears that the chief judge considers the martyrdom of the believers as an ironic rebuttal of Alma’s teachings, which are still fresh in his mind. These are further examples of this scripture block’s rhetorical and doctrinal continuity.
of the newly emerging orders and now finds himself on the other side of
the conflict over authority.

Alma’s Second Sermon on Authority (Alma 9:1, 8–30)

Understanding that the primary point of stasis in Ammonihah is Alma’s
authority to preach repentance is important if we are to understand
the complete block of scripture. In further accordance with the angelic
message he received after his first sermon (see 9:29), near the begin-
ning of his second sermon (see 9:1–30) Alma has promised “great and
marvelous” destruction if repentance does not occur in preparation for
the kingdom of God on earth (9:6). This same message has been made
known to many throughout the land (see 9:25). Alma’s second sermon,
unlike his first, is an explicit defense of God’s authority and goodness
patterned after 1 Nephi 2:19–24 and Alma 5 (see 9:8–24), and although
containing digressions (comparisons) on the Lamanites’ future (9:14–
17, 23), it naturally arcs into the content of Alma’s final great sermon
in Ammonihah (12:9–13:20). God’s goodness is illustrated through the
many gifts he has given the Nephites (9:20–21). In fact, at the begin-
ning of the second sermon, three fundamental questions are raised by
the Ammonihahites, even if all of them are not fully answered by Alma.
Questions one and two: “Who art thou? Suppose ye that we shall believe
the testimony of one man . . . ?” (9:2). Question three: “Who is God, that
sendeth no more authority than one man . . . ?” (9:6). These questions
deal with Alma’s authority, since Alma stands alone as the leader of the
church and derives his authority from God. If God lacks authority, then
so does Alma. To answer his sophistic opposition, Alma points to Lehi
and his role in leading his people under God’s direction though he was
but one man (9:9, 13, 22).

In addition to this glancing reference to Lehi (not unusual for Alma),
chapter 9 lays down various thematic threads that Alma cannot resolve
until chapters 12 and 13. The interpretative problem is that the dialogue
grows much more complicated as the former threads are woven into
the later sections of the defense. Most remarkable, however, is that in

14. For instance, “the kingdom of God” reference in 9:12 and 12:8 becomes
“the rest of the Lord” material found later in chapters 12 and 13, and the phrase
“in your sins” from 9:15 (actually found earlier in Nephite history) becomes a
significant theological sticking point in 11:34–37. Another thread, much larger
this time, is laid down in chapter 11 when Amulek describes the temporal death,
resurrection, and final judgment for Zeezrom’s sake. Alma later advances
chapter 9 Alma attempts to defend his authority before he is shouted down again by his interlocutors (see 9:7, 31–34). By the end of chapter 9 he has answered the first part of the third sophistic question, “Who is God . . . ?” (9:6). Nevertheless, he has not yet been able to answer to his own satisfaction the remaining questions, “Who art thou?” and its follow-up, “Suppose ye that we shall believe the testimony of one man . . . ?” (9:2). Given that the Ammonihahites know who he is (this is his second time to the city, and he was known throughout the land as the first chief judge), the first two questions (and the second part of the third) must be about his authority to teach and testify to them as he does. In other words, they effectively ask him, “Who do you think that you are to come here and teach us since you are but one man and we no longer belong to the church?” Or rendered another way: “What is your authority?”

As further evidence of the narrative, sermonic, and theological continuity in this block of scripture on authority, one can compare several significant verbal and thematic connections between chapters 9 and 12. The connection highlighted here suggests that Alma chooses to resume his remarks on his own authority only after he fields Zeezrom’s intervening theological questions (see 12:8). That chapter 12 complexly resumes the much earlier material in chapter 9 is indicated by such phrases as “of which has been spoken” (12:25) and “of which we have spoken” (12:27). These referential phrases recommend a layering of doctrinal ideas across the whole structure. However, what is emphasized here is that underlying it all is Alma’s sincere desire to defend his prophetic authority and to teach the Ammonihahites repentance and redemption through Christ, the Only Begotten Son, so that they might avoid God “utterly destroy[ing]” them and the loss of their eternal rest in the “kingdom of God” (9:12). But in his attempts, as has been demonstrated, Alma is often violently opposed and hindered. For that reason, his second speech on authority ends prematurely: “And now, my beloved brethren, . . . seeing that your hearts have been grossly hardened against the word of God, and seeing that ye are a lost and fallen people” (9:30). Alma here is interrupted again, which Mormon allows him to report in his own voice: “Now it came to pass that when I, Alma, had spoken these words, behold the people were wroth with me because I said unto them that they were a hard-hearted and a stiffnecked people. And also because I

Amulek’s remarks on the temporal death with remarks on the second or spiritual death (12:1). Amulek’s and Alma’s teachings on the temporal and spiritual deaths shape the dialogue through its midsection.
said unto them that they were a lost and a fallen people they were angry with me, and sought to lay their hands upon me, that they might cast me into prison” (9:31–32).

From this passage it is clear that, as they did at the beginning of the second sermon (see 9:1–2), the sophists interrupt Alma mid-message. Indeed, he has just begun to answer the questions left on the table with a new sermonic salutation: “And now, my beloved brethren . . .” (9:30). Nevertheless, Alma is unable to enter into his full message until chapter 12. After his junior companion, Amulek, has responded at length to his interlocutors’ concerns and questions, including Zeezrom’s “traps and snares” (10:17), Alma fortuitously sees Antionah’s subversive question about the immortality of the soul as a window into revisiting his former remarks, which had only begun to tend toward prophetic authority as derived from angelic ministration (9:25–28). Near the end of chapter 9, Alma declares that “the Lord has sent his angel to visit many of his people” (9:25). These chosen people, some of whom may have also been women and children (32:23), were commanded to “prepare . . . the way of the Lord” by declaring the gospel of repentance as Alma himself does (9:28). The angel of the Lord taught these chosen men (Amulek is but one example) among the Nephites to declare the gospel as directed by priesthood authority. Apparently, the sophists disrupt Alma just as he returns to the earlier questions about who he is and by what authority, as one man, he presumes to teach them. Before he can answer the latter question, however, the sophists drive him from the stage.

Although more complexly now, the same basic sermon in chapter 9 resumes in chapter 12, but instead of solely teaching repentance and redemption, Alma dwells on the subject of prophetic authority and his own right to preach repentance. The original sermon resumes with these words: “Now Alma said unto him [Antionah]: This is the thing [the fall of man in need of redemption] which I was about to explain [before I was driven from the stage]. Now we see that Adam did fall by the partaking of the forbidden fruit, according to the word of God; and thus we see, that by his fall, all mankind became a lost and a fallen people” (12:22). This statement returns us to the very subject he was addressing when he was boooed off stage at the end of chapter 9.

It is no surprise then that Alma takes this second opportunity to unmistakably universalize the doctrine of the Fall (thus not making it appear that he insults the Ammonihahites) and to defend his authority in context with the plan of redemption, given the accumulation of subjects in the foregoing dialogue. Presumably, Alma had initially
attempted to make the point that the Ammonihahites were “fallen” and “harden ed” so that he might encourage repentance among them. This is in fact what he does in chapter 12. The Ammonihahites’ chief sin is intellectual pride. Near the end of the block, Alma exhorts his antagonists to humility and invites them repeatedly to repent (see 13:13–30). In Alma 12 and 13, he continues the defense of his authority by appealing, as he already has, to many other witnesses. In this way, Alma appeals to the sophists, who presumably value democratic majorities and increasingly see authority as more acceptable when widely shared. Hence, their inclination since chapter 9 has been to ask whether God gave “one man” such authority as Alma claimed. Alma’s answer to them is “yes” and “no”: yes, he has prophetic authority, but no, he is not alone; he is but one of a cloud of witnesses past and present.

He takes a similar approach when later in the Book of Mormon the sophist Korihor accuses him of misusing his authority: “ye have the testimony of all these thy brethren, and also all the holy prophets” (30:44). In contrast to the sophistic stereotype that casts the prophets as hierarchical and tyrannical, Alma’s best defense is to democratize the blessings and experience of the gospel as he often does. “For because of the word which he has imparted unto me, behold, many have been born of God, and have tasted as I have tasted, and have seen eye to eye as I have seen; therefore they do know of these things of which I have spoken, as I do know; and the knowledge which I have is of God” (36:26; emphasis added; see also 32:27). The prophetic order to which Alma belongs is as ancient as Adam or Melchizedek and yet is as muscular as ever in his own day, which can be attested by the activity of the angels among the people (and throughout the earth), this angelic activity being in preparation for the coming of Christ and his kingdom in not many years (see 9:25–28; 10:20–21; 13:21–26). In Alma’s epistemology, all people may come to know of the truthfulness of his words if they will but humbly conduct the “experiment” (32:27). In this connection, it should be remembered that the sophists were of a rational orientation as opposed to a revelatory orientation.

Alma’s Final Sermon on Authority (Alma 12:3–6, 9–18; 12:22–13:30)

Once Amulek has spoken of his companion’s authority (see Alma 10:7–11), Alma returns to his earlier comments before he is shouted down

15. Before we hear Alma defend his authority further (Alma 12:22–13:30), we hear Amulek speak of the power of God (10:5) and of Alma’s angelically declared status and ability to bless Amulek’s household (10:7–12). He vouches for Alma’s authority by first establishing his own ethos (10:2–4). As indicated,
Alma’s Clash with the Nehors

by the sophists (12:22). Alma resumes his defense of his authority in Ammonihah by teaching, among many other truths, about the role of prophets in the plan of redemption (see Moro. 7:22–32). In chapter 12, Alma, in his distinct style, seeks “to explain things beyond, or to unfold the scriptures beyond that which Amulek had done” (12:1). The passage at this juncture is midway through a section on the doctrines of the temporal and spiritual death (see chapters 11–12). Zeezrom, “one of the most expert” of Alma’s enemies (10:31), becomes “convinced more and more of the power of God” (12:7). In a careful return to his earlier remarks (see 9:31–33), Alma explains to a now sincerely curious Zeezrom (and all present), “It is given unto many [the prophets/high priests] to know of the mysteries of God; nevertheless they are laid under a strict command that they shall not impart only according to the portion of his word which he doth grant unto the children of men, according to the heed and diligence which they give unto him” (12:9). In other words, the faith

John W. Welch has pointed out that Amulek is a second witness to his companion’s authority and message. Welch, Legal Cases, 241–43. Amulek calls Alma a “prophet of the Lord,” a “holy man” and a “chosen man of God” (10:7, 9). This description is telling since being holy and chosen conveys authority. The word “holy,” or its equivalent “spotless,” becomes important from this point on in the dialogue. In Alma 10:2–11, 17–23, and 25–27, and on through chapter 11, Amulek, now more confident than before, allows himself to enter into any number of topics, including the value of the prayers of the righteous (see 10:22–23), the nature and number of the persons in the Godhead (see 11:22–44), and temporal death and the resurrection (see 11:42–45). What is of interest to this study is the sophists’ epistemological question to Amulek: “How knowest thou these things?” (11:30). The sophists want to know in essence by what authority he claims such knowledge. Without hesitation, Amulek answers these men who favor rational, relative, humanly constructed knowledge: “An angel hath made them [truths] known unto me” (11:31). Shortly after Amulek clarifies the source of his knowledge, the cunning sophists accuse him of believing that he has more authority than God (11:35). This pious hypocrisy and imagined idea is planted by the sophist Zeezrom in the minds and hearts of the many onlookers. Amulek, partly in his own defense and partly to justify God, explains that he has not taken on himself authority to command God as charged, but has taken God at his word, which is that no one who dies “in [his] sins” can “inherit the kingdom of heaven” (11:36–37). The word of God he speaks is, in part, evidence of his authority. Like Alma, he is called to teach the word of God. The sophists, familiar with the scriptures, do not accept their author or his authority. In effect, Amulek’s defense prepares the ground for Alma, who has yet to finish his defense. The result of Amulek’s powerful defense against the destructive strategies of these intellectuals after the order of Nehor is to cause Zeezrom to fear and tremble (12:1).
of the people in a sense controls the prophetic message. At this stage of
the exchange, a malicious and clever bystander, and “a chief ruler among
them,” Antionah, challenges Alma by questioning his claim to the soul’s
immortality (12:20), which fortunately allows the prophet to more fully
return to his message on prophetic authority and redemption (12:22).
This passing of the conflict from sophist (Zeezrom) to sophist (Antio-
nah) is reminiscent of the movement of the overall dialogue.

In the remainder of chapter 12, Alma primarily expounds on the role
of the prophets in the plan of redemption.

And after God had appointed that these things [fall, repentance,
redemption, death, judgment, and resurrection] should come unto
man, behold, then he saw that it was expedient that man should know
concerning the things whereof he had appointed unto them; Therefore
he sent angels [authoritative heavenly witnesses] to converse with them
[prophets], who caused men to behold of his glory [rest]. And they
began from that time forth to call on his name; therefore God con-
versed with men [prophets], and made known unto them the plan of
redemption. . . . Therefore God gave unto them commandments, after
having made known unto them the plan of redemption, that they [men]
should not do evil, the penalty thereof being a second death. . . . But
God did call on men [through his servants the prophets], in the name
of his Son, (this being the plan of redemption which was laid) saying: If
ye will repent, and harden not your hearts, then will I have mercy upon
you, through mine Only Begotten Son. (Alma 12:28–30, 32–33)

This explanation of the intercessory role of prophets in the plan of sal-
vation responds to the earlier material in Alma 8 and 9 and prepares
the reader for the complexity of Alma 13. These authoritative preach-
ers known as prophets received their callings after having themselves
manifested “faith,” “repentance,” and “holy works” (12:30). Their role is
to teach the plan of redemption and the commandments, so that those
who hear their words and repent may not only avoid destruction in
the flesh but, more importantly, find redemption and ultimately enter
into “the rest of the Lord” (12:32–37; see also D&C 84:24). As part of the
block’s continuity, Alma reiterates in chapter 12, much as in 9:13–14, that
keeping the commandments in strict obedience is central to returning
to the rest of God through Christ’s atonement (see 12:34–37). As indi-
cated earlier, Alma is “one man” among many sent of God to teach his
disobedient people repentance and redemption that they might find
rest. These themes continue into the next chapter, where they are ampli-
fied and further complicated. In chapter 13, Alma continues the case that
his mission is not unique in sacred history, since many have been “called
and prepared” to preach repentance through Christ even before his day (13:3), including angels.

The reader of Alma 13 more fully returns to the questions encountered as early as Alma 9:2, questions that Amulek also attempted to answer in chapter 10: “Who art thou? Suppose ye that we shall believe the testimony of one man . . . ?” Chapter 13 is Alma’s attempt to describe his divine order in response to the much earlier questions, questions that he has yet to fully answer (chapter 12 was just the groundwork). Whether intentional or not, Alma’s indirectness and delay on this occasion may protect him from harm.16 In chapter 13, Alma defends his calling and authority to preach in Ammonihah even while teaching repentance and redemption. There is, however, apparently enough faith among some of those listening to Alma to justify his in-depth treatment of priesthood authority. Alma sees himself as one of many “ordained priests” who have been “prepared from the foundation of the world” to teach the commandments of God (13:1, 3). He perceives his calling as being “in and through the atonement”; and his calling, properly understood, is but a type of the calling of the “Only Begotten Son, who was prepared” (13:5). Alma describes his priesthood order, boldly associating himself with “many” before him, especially Melchizedek, and one greater than Melchizedek, the Son of God (13:10):

And again [this continues from Alma 12], my brethren, I would cite your minds forward [from the Fall to Melchizedek and other priests before Alma] to the time when the Lord God gave these commandments unto his children; and I would that ye should remember that the Lord God ordained priests, after his holy order, which was after the order of his Son, to teach these things unto the people. And those priests were ordained after the order of his Son, in a manner that thereby the people

16. Michael Murrin and Mindele Anne Treip discuss this subject in their books on allegory and audiences. Murrin argues that prophets often endanger their lives by speaking too plainly. This is arguably the case for Alma in Ammonihah. In contrast, allegorists learned from the prophets to disguise their truths from the many while attempting to communicate with the few. As the day wears on in Ammonihah, Alma seems to work in a less plain style and with more attention to his sophisticated audience. Treip points out that Edmund Spenser and others used the veil of allegory to protect themselves while sharing political or otherwise risky ideas. Alma 13 is a difficult teaching and, in my judgment, contains an argument for Alma’s prophetic authority. Michael Murrin, The Veil of Allegory (Chicago: University of Chicago Press, 1969), 21–53; Mindele Anne Treip, Allegorical Poetics and the Epic: The Renaissance Tradition to Paradise Lost (Lexington: The University Press of Kentucky, 1994), 23.
might know in what manner to look forward to his Son for redemption.
And this is the manner after which they were ordained—being called
and prepared from the foundation of the world according to the fore-
knowledge of God, on account of their exceeding faith and good works.
(13:1–3; emphasis added)

Like those before him, Alma has been foreordained to teach on
earth “according to the foreknowledge of God,” in part because of his
“exceeding faith and good works” while in the “first place,” or first estate
(13:3).17 “As great privilege” would have been given to others who were
initially “on the same standing,” but they “harden[ed] their hearts” and
lost the opportunity (13:4, 5). Alma’s re-ordination on earth, something
that came in his case by the Atonement and the faith of his father and
others (5:3), is but a type of the foreordination and re-ordination of him
who called Alma—Jesus Christ. Alma is just one of many priests who
have been sent forth among the people since the beginning to preach
faith, repentance, and redemption through Christ. This is the “order”
(5:43–44, 49) after which Alma has been called, and it is the source of
his “power and authority” (5:3), an authority passed to him by his father.
Near the second half of chapter 13, it becomes clear that Alma sees his
efforts on a parallel with Melchizedek, whom he admires; for, as he
says of this one man, “there were many before him, and also there were
many afterwards, but none were greater” (13:19). Melchizedek is but one
of the “many” called “after this manner”—a preacher of righteousness—one
of “an exceedingly great many”18 prepared from the foundation of
the world to teach the commandments in plainness and power (see 13:3,
6, 10, 12).19

17. Although he does not supply the evidence for his assertion, Terryl Giv-
ens claims that “Joseph Smith and his contemporaries” probably did not see in
Alma 13 the doctrine of “human preexistence.” Terryl L. Givens, When Souls
Had Wings: Pre-mortal Existence in Western Thought (New York: Oxford Uni-
versity Press, 2010), 360 n. 21.
18. This last phrase, “an exceedingly great many,” from the last third of
verse 12, may also refer to those whom these priests helped enter into God’s rest.
19. The “preachers of righteousness” in Moses 6 (Adam, Seth, Enos, and
Enoch) are described in the same rhetorical terms as is the prophet Alma in
chapters 12 and 13 (and the ancient high priests that he refers to, probably these
same ones, and many others subsequent to those [see Moses 6:23]). Moses 6
is a discussion on priesthood (and the first principles and ordinances of the
gospel), as is Alma 13 (see Moses 6:7, 53). There is a strong rhetorical relation-
ship between Moses 6 and Alma 13. They seem to be parallel chapters. It is very
Alma’s Appeal to Melchizedek’s Authority

Near the end of Alma’s doctrinally eclectic discourse primarily on the role of holy prophets in the plan of redemption, Alma appeals to the scriptural history of his intimate parallel: Melchizedek (Alma 13:14–19). Apparently likening himself to Melchizedek, he shares the history of Melchizedek’s mighty efforts in Salem to demonstrate that “one man,” having “received the office of the high priesthood according to the holy order of God,” did have the power by the grace of God to turn a people “strong in iniquity and abomination” from rebellion to righteousness, contrary to what the Ammonihahites have tragically supposed (13:17–18). Even if the source of his and his father’s immediate authority is not identified in the Book of Mormon account, Alma understands that he is a high priest after the order of Melchizedek and that what he attempts to do in Ammonihah, Melchizedek did once before him when he preached under the same authority to the people of Salem. Given that Alma declares repentance to a wicked city as did the former famous high priest, it is understandable that he likens himself to Melchizedek (13:17, 18). This typological transfer of authority among prophets/priests across generations is an appropriate appeal, given his righteous intention to save a city from destruction by invoking a familiar figure and scriptural story.

common to see the doctrine of baptism and the phrase “the kingdom of God” in the same passage of scripture (see John 3:5). In the context of chapter 12, the phrase “first provocation” (12:36) appears to especially refer to the fall of man and not primarily to Moses’s attempt to sanctify his people in the wilderness (see Jacob 1:7; D&C 84:23–24).

To “enter into the rest of God,” a phrase found in various ways repeated in the block of scripture, especially in Alma 12 and 13, can be understood in at least four ways: (1) it may mean entering the church on earth (see Alma 5:54); (2) it may mean living the gospel of peace in meekness (see Moro. 7:3); (3) it may mean entering paradise (see Moro. 10:34); or, (4) it may mean entering the kingdom of God (see Alma 12:37). Not all of these usages fit well with what is known about Alma 12. Alma 13 closes with an emphasis on the first principles and ordinances of the gospel, especially repentance (see 13:27–30). In fact, it does not only read much like Alma 7:22–25 (a passage grounded in baptism), but it reads much like 2 Nephi 31:20 and Mosiah 3:19, other passages on first principles. Alma seeks to “pull down” the Ammonihahites’ “pride and craftiness,” thus Alma concludes his third sermon, repeating three times the phrase, “humble yourselves” (Alma 4:19; 13:13, 14, 28). In my judgment, Alma 12 and 13 is a text that encourages entrance (or re-entrance) into the church through baptism so that salvation may be obtained. This was Alma’s message to all the churches at this season.
Nevertheless, this bold prophetic parallel is not unusual or unprecedented. For instance, Nephi, an advocate of likening the scriptures unto himself, defends his father (himself one man) against his rebellious brothers by comparing Lehi to Moses (also one man) leading Israel (see 1 Ne. 17:23–44) before boldly likening himself also to Moses (17:50). But what is bolder, Alma’s indirectly likening himself to Melchizedek, or his saying that all the prophets and priests after this order were ordained in such a manner so as to point the people to Christ (Alma 13:2)? If prophets can prefigure Christ, then surely they can suggest each other without blame. Did not Lehi and Nephi see their exodus from Jerusalem into the wilderness near the Red Sea as patterned after Moses (1 Ne. 4:2–3)? Or for that matter, was Brigham Young any less of a Moses than was Lehi or Nephi when he led the Saints from Nauvoo to the West? The priestly/prophetic parallel is complete when Alma leaves his detailed account of Melchizedek and Salem and cries to those still standing near him in Ammonihah, “Now is the time to repent” (Alma 13:21). It is as if Alma declares, “Now it’s your time to repent just as it once was the people of Salem’s time to do so. God sent one man to Salem, and he has sent one man to you. Now the choice is yours.” Specifically, Alma testifies that Christ is coming to earth to set up his kingdom (13:22–26). The Ammonihahites have an account of this man Melchizedek (“the scriptures are before you”), making it clear that Alma has only sought to liken the scriptures unto them for their benefit and not for any personal reason (13:20).20 However, many of them ultimately reject the word and burn the scriptural books.

In addition to what has been said about this connection across time and between prophets, it is easy to see how Alma could and would have associated himself with the great high priest of Salem. They both had served in high positions of government (Melchizedek was a king of Salem, later Jerusalem, and Alma had been Nephite chief judge); each had exercised “mighty faith” to save his people (JST Gen. 14:30, 32; Alma 13:18); each had “preached repentance” in power and authority (JST Gen. 14:36; Alma 13:18); each had cared for the poor (JST Gen. 14:37–38; Alma 4:12–13); each had served as the successor to his father; and, perhaps unbeknownst to Alma, he, like Melchizedek, would in time be translated (JST Gen. 14:34; Alma 45:18–19). By the time of the burning of the believers and their books, Alma had preached to the cities of Zarahemla (Alma 5), Gideon (Alma 7), Melek (Alma 8), and Ammonihah (Alma 8–14). Like Melchizedek, he had had relative success in all of them, but not without “labor[ing] much in spirit” and fasting and praying (8:10). Even in Ammonihah, the dialogue’s reader learns of the effect of prophetic plainness and power: “Many of [the Ammonihahites] did believe on [Alma’s and Amulek’s] words, and began to repent, and to search the scriptures” (14:1). Nevertheless, Ammonihah would suffer desolation because of abomination. Alma’s whole goal, as was his priestly predecessor’s (13:18), had been to put down contention and establish order and peace (Alma 1:22–24, 7:27; see also Mosiah 27:37). This was done that they in the city might be spared utter destruction and prepared to “inherit the kingdom of God” (Alma 9:12). Alma’s in-depth theological discussion of the role of the prophets and high priests in the plan of redemption, including Melchizedek’s own particular role, answers the basic question of Alma’s authority.

The Focus on Authority in Prison

For further evidence of the claim that Alma defends his authority against sophists/rationalists enamored with the still relatively new political arrangement, one simply needs to consult the conclusion of the block’s material. Chapters 14 and 15 dramatically recount the fate of Alma and Amulek and of the believers in Ammonihah. It completes the narrative that commenced in chapter 8, when Alma first attempted to preach in Ammonihah. In chapter 14, the reader sees Zeezrom suffer the “pains of hell” while adding his own witness (14:6–7; see also 15:3–5). His witness of the prophets’ authority and message is so powerful that he is even accused by his fellow sophists of being “possessed with the devil” like
the prophets who have convinced him (14:7; see also 15:15). In so doing, Zeezrom vouches for Alma’s and Amulek’s divine ethos: “These men,” he cries to his former peers, “are spotless before God” (Alma 14:7). This is the same language Alma used when he made his case in chapter 13 that all those after his order were beneficiaries of the Atonement and therefore could preach repentance with authority and power from God (13:12). Personal experience is also a form of authority. Having once become “pure and spotless before God” themselves through repentance, these ancient high priests could assist others to be “made pure” (13:12) and qualified to enter into “the presence of the Lord” (9:14). Chapter 14 recounts the burning of the believers and their books and the violent persecution of Alma and Amulek. The final image of prophetic authority is that of Alma and Amulek emerging from the rubble of the fallen prison like “two lions,” striking terror into the hearts of the sophists of the doomed city (14:29).

Additionally, the final chapter of the block (14) gives us to understand some of what the most wicked among the Ammonihahites had tellingly taken away from Alma’s and Amulek’s teachings. Alma has spoken to them of their suffering a second death if they do not repent, and he does so while also less directly, but emphatically, providing them a defense of his right to preach the same in conjunction with the plan of redemption and commandments of God. He is sent from God to help them turn from their many sins and apparent studies in subversive rhetoric (Alma 8:17; see also 10:15). The power and authority of Alma remains either directly or indirectly at issue throughout chapter 14, in which the unit ends in sophistic sarcasm (moral equivalence) and contempt of the wickedest sort. After watching the martyrdom of so many innocent souls, the chief judge speaks to his prisoners: “After what ye have seen, will ye preach again unto this people, that they shall be cast into a lake of fire and brimstone? Behold, ye see that ye had not power to save those who had been cast into the fire; neither has God saved them because they were of thy faith” (14:14–15).

The terrible scene, fires still smoldering, has overwhelmed the local Amulek, but Alma, although also pained, is accustomed to the abuse. He has suffered persecution since his awakening prompted by the earth-shaking power of the angel sent to turn him and his friends from their destructive course (Mosiah 27:32–37). The chief judge in his taunting of the prisoners cleverly alludes to Alma’s earlier claim that he (the judge) and his peers (lawyers, judges, priests, and teachers from Ammonihah) would suffer a second death in a “lake of fire” if they did not repent.
Alma's Clash with the Nehors (Alma 12:17). What has happened is just the reverse. Where is the manifestation of Alma's power? Where is the power of Alma's God? Later the same judge commands his prophet-prisoners to speak in answer to further questions. However, because they answer “nothing,” he threatens them with his puny political authority: “Know ye not that I have power to deliver you up unto the flames?” (14:19).

The last day of the prisoners’ captivity is particularly revealing. It is the day that the Lord plans to deliver Alma and his companion, but not before having their authority challenged further. In what seems to be clear evidence of the effect of Alma’s difficult final sermon on the Nehorist sophists, the same judge comes in with the others and smites the prisoners again and again. Alma and Amulek say nothing. The judge, frustrated that his intellectual interrogations and civil power and authority cannot persuade these insolent, so-called prophets/priests to speak, hurls at them yet another proud and deceptive question: “Will ye stand again and judge this people, and condemn our law?” adding in contempt, “If ye have such great power why do ye not deliver yourselves?” (14:20; emphasis added). The first question suggests that these sophists understood that Alma had called them to repentance for their sins. The reference to the condemning of their law was part of their own dishonest challenge to Amulek’s authority, derived in part from his familiarity with the word of God (11:34–37). The charge is pure fiction, originally based on a subtle distinction between the prepositions “in” and “from.” The distinction has theological implications that also center on “authority” (11:36), for Christ either saves us in our sins or from our sins. To accept the latter phrase and to reject the former is to believe in the authority of God and his word. Nevertheless, what is of even more direct interest is the judge’s nearly final unprovoked question, “If ye have such great power why do ye not deliver yourselves?” a question that must have to do with Alma’s last words on the priesthood in chapter 13, since neither he nor his companion have spoken while in prison for four days (14:20). The question assumes that Alma and Amulek (and all present in the prison) understand that Alma has made, among other things, an unmistakable case for his right to preach repentance and redemption through Christ to these people in Ammonihah, even though they do not recognize him as a Nephite chief judge or that as high priest over the church he has any authority over them.

Out of necessity, as the Apostle Paul did, Alma has engaged in “self-recommending” prophetic rhetoric, a rhetoric that has not drawn attention to himself so much as pointed to his contemporaries, his fathers,
the angels, and the Son of God, who is the Great High Priest. From the
time of his conversion, Alma has rejoiced in the universal availability
of the gifts of the gospel (Mosiah 27:30; see also Alma 36:24–26). For
effect in his account, Mormon repeats the word “power” three more
times in this chapter (Alma 14:24, 25, 28). This concentrated repetition
of the word “power” near the end of the dramatic sermonic sequence/
dialogue reminds Mormon’s reader of its heavy use in the introduc-
tion of the same unit (8:3–32). Power was the issue at the end of chap-
ter 8, and it remains the issue. This continuity speaks to the unity and
integrity of the material. The confrontational dialogue occurring in
and around Ammonihah is part of a larger unit of material describing
Alma’s regulation of the church (ch. 4–16). Moreover, power remains a
conspicuous textual issue throughout the chronologically parallel story
of Ammon and his brethren, recounted in the first half of the book of
Alma (ch. 17–26). The calling and authoritative role of prophets serves
as one of the great themes of the Book of Mormon.

Alma’s order has been the issue (or one of the main issues) since
chapter 8. The material in question, although doctrinally diverse, is
unified or coherent as it relates to authority. Almost nothing can com-
pare with the wickedness of Ammonihah, and yet in this place, Alma,
like Melchizedek, made converts. Those converts, if they did not flee
to Sidon, were stoned or burned, along with their scriptural books, but
their souls were received into glory (14:11). This last word, “glory,” refers
to the kingdom of God, a doctrine, for our purposes, introduced in 9:12,
and threaded throughout the sequence thereafter (see 12:8). As martyrs,
the innocent and repentant of Ammonihah will enter the kingdom of
God and have their ultimate rest. The mostly tragic episode in Ammo-
nihah illustrates the depth apostasy can reach. Mormon delays the full
resolution of his narrative that features the collision of the prophets
and the sophists, but in the end prophecy is fulfilled and poetic justice
served. Ammonihah is destroyed and becomes a “Desolation of Nehors,”
not fit for human habitation for some time thereafter due to its stench
(16:9–11). According to the record, the people’s great stumbling block
in Ammonihah is their proud opposition to God, his commandments,
and prophetic authority due to their inordinate interest in their profes-
sions, freedom, and language. The wicked of Ammonihah twice reject
Alma, whom God sent to turn them to their former blessings. Alma
has defended his prophetic order against sophistic attacks since the
early part of the scriptural block. Significantly, for the equivalent of five
Alma’s Clash with the Nehors

chapters Alma has defended his authority to preach. The Lord prepared the dialogue for our times, a time anticipated by Mormon wherein the Gentiles would deny the spirit of prophecy and revelation. The Book of Mormon confirms that God has called, calls, and will yet call prophets to teach his message of redemption through Christ, even at this late date in human history when freedom (itself dependent for its endurance on morality) and sophistic rhetoric again rise while so much else declines.

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Almost a Psalm, about Inheritance

Lord, without you, it would be easy
to live with no sense of loss—
to miss the wanton war cry of the surf;
the stippled, thirsty surface of this
heirloom soap dish; the haphazard
scattering of light lingering on
mother’s souvenirs, such things
she meant to carry the whole way
home to you. Praise what’s wild
in these trees. What hunkers down
for winter, clothes itself with more
of itself. More praise for the absolute
and utter darkness of these trees
and these four walls. All spoils.
I do not want them.

—Benjamin Blackhurst

This poem won first place in the BYU Studies 2016 Clinton F. Larson Poetry Contest.
To Live

Wendy M Payne

“To live is so startling it leaves little time for anything else.”
Emily Dickinson

Four Lives: 2010

My friend Terri lives. My friend Randy lives. My friend Deanne lives. My mother Barbara lives. Living means different things and happens on different levels. It can be anything from just being alive, as in not dead, to experiencing everything possible in a lifetime, as in living life to its fullest. I think of the biological level: the heart beats, the blood flows, the liver works, the brain is busy. The physical level: the arms and hands and legs and feet move and work and take us from one place to another. The mental level: the mind is aware, holds and processes whole worlds, figures things out, helps us know right from wrong. The spiritual level: we contemplate and live the things of the spirit—understanding an eternal perspective, loving, serving, obeying a higher law. According to the Oxford dictionary, life is “the condition, quality, or fact of being a living person or animal . . . a condition of power, activity, or happiness . . . [a person’s] animate existence, viewed as a possession of which one is deprived by death; the cause or source of living, the animating principle . . . which makes or keeps a thing alive.”

For my friend Terri, living appears to be only on the biological level. She sits in a wheelchair during the day and is laid in a bed at night. She

has the quality of being a living organism. Her heart beats, her blood flows, her liver works, but her brain has, for the most part, gone into remission or hibernation. She is not at home, so to speak. Her eyes, once full of direct gaze, smiles, intelligence, are blank; no more are they windows into her soul. Her body, though functioning biologically, is not her anymore. It has become a stranger to her and to her family. They love who she once was and care for her body, but she—the mother, wife, and friend—is not in attendance. Terri had a brain aneurism. After suffering two weeks of unremitting severe headaches, she returned to her teaching job, still suffering. One day after school, she walked into a colleague’s classroom, speaking incomprehensibly. He rose to go to her as she babbled more sounds and then crumpled to the floor unconscious. That was seven years ago, and I have wondered many times over those years where Terri is—the essence of her. Is she beating with her mental fists against the closed windows of her eyes trying to get our attention? I saw her a couple of years ago at her daughter’s wedding reception. She had a nurse attendant, who pointed out to me what a pretty dress Terri had on, then turning to Terri said, “She picked it out herself, didn’t you?” Terri’s face remained as it always is—blank, expressionless. It’s a bit frightening to be face to face with someone you’ve known and have her look right through you. No, not even as much as that. She isn’t looking at all anymore. Can she hear? I wondered again, where are you, Terri? What do you see through those eyes of yours?

For my friend Randy, living is much more than it is for Terri, but I don’t always remember that. Randy lives on all levels except the physical. He is a quadriplegic. Four years ago, on a spring break trip to Hawaii with his wife, Carol, he was riding the surf close to the beach when a wave flipped him over onto his head and his neck broke. Randy was in his mid-forties, was a successful businessman with a lovely family of four kids. He is now in his late forties, is again a successful businessman, and still has a lovely family. But Randy can move only his head. His voice is not strong because some of the muscles he uses to speak—we use around one hundred muscles in the chest, neck, jaw, tongue, and lips to create speech—are not connected anymore to his brain. He is strapped into a wheelchair each morning after being lifted by a powered sling attached to the ceiling above his bed and carried to his shower. A nurse shaves him, dresses him, and gets him ready to go to work with his wife. They now run his insurance business together. I visited them several weeks ago at their office. As Randy was explaining something to me about the
policy, Carol reached over and scratched his eyebrow for him. A simple thing. Last month at church, I sat next to him during Sunday school. He asked me once to turn the page of his scriptures for him and then later to raise my hand for him because he had a comment to make. Simple things. But he cannot perform them anymore. He lives from the neck up. Randy told a friend of mine when they were discussing losses that he simply can't go back in his mind and run through the “what ifs” and the “if onlys” anymore. It’s far too wrenching for him emotionally. But how often does his mind strive to lift that lifeless body from the chair and run and jump for joy? Even to lift his hand to scratch his own eyebrow? These little things are on a level he doesn’t have access to anymore. But he knows he doesn’t. Terri doesn’t appear to know—even that she can lift her arms. But knowing he can’t lift his arms may be the greatest blessing of Randy’s life now. Why? Because these levels of living do not exist in equal proportions. Knowing, being aware of “the cause or source of living . . . the animating principle . . . which makes or keeps a thing alive” may rise above all the other levels of living as the one that means we are, we exist, and we know the reason why. Randy knows. Does Terri?

For my friend Deanne, all levels of living are slipping from her grasp. Biologically, she is dying. Cancers have attacked her breast and brain and bone until there is nowhere for her body to turn except to death. Yet she holds on to life. She is not ready yet to give over her “animate existence, viewed as a possession of which one is deprived only by death.” In her forties still, confined to a bed now because she is too weak and ill to walk, chemo and radiation efforts now ended, she lives on. She called me last month to tell me she had not sent her letters to the women on her list for visiting teaching. “It’s important,” she said when I told her not to worry about it. “I’ll do it next month.” After her first brain surgery to remove the fourteen tumors, I went to visit her in the hospital. Her head was swathed in gauze, and she turned it very carefully on the pillow as she joked with us about her looks. Her humor has not left her throughout this more than ten years of surgeries and treatments. Thin as a stick, she came to church until she could not drive—her eyesight was failing—or walk. I wonder if she wants to welcome death because she knows where she is going next. I wonder if she is beginning to be aware of how earthbound all these life levels are—except the spiritual. But her life is hers, a possession she will not yet give up.
For my mother, life goes on at all levels, although she turned ninety-three in February 2010. Her hair is still brown with a bit of gray at the temples, her biological life is strong and healthy—blood pressure in March 105 over 70—and her mental and social and spiritual lives are not diminished by a little less than a century of living. She said, on her ninetieth birthday, “I cannot seem to grasp that I am ninety. It doesn’t seem like I could be that old.” She feels to be the same person she was at twenty when she wrote long letters home from college, filled with tales of sewing her own winter coat and going on field trips to the pueblos. Her eyes still see the same way they did seventy years ago—better actually, because she had cataract surgery recently and went around gleefully pointing out all the things she could now see without her glasses. Her mind thinks, her memory remembers, her feelings feel the same way they always did. She has, of course, grown in knowledge and experience and wisdom over those years, and that growth is reflected in her approach to life and living. But the little girl who had to wear glasses at age ten in 1927 is still in there. The young woman who went to college to have fun first and maybe learn something on the way is still in there. The mother who birthed and raised three children is still in there. She has access to all of these things, these eras of her life. She could, in her mind, experience again any of them if she chose. Her life is full. She is fulfilled in living. Hers is “a condition of power, activity, and happiness.”

So, all this said, what is living after all? From whence comes this “animating principle . . . which makes or keeps a thing alive?” Does it lie in getting up each day, seeing the sunrise, hearing the early-morning joy in birdsongs, walking to work, talking to others, sharing lunch, reading a good book, traveling to Brazil, loving and serving and moving and caring? Some of us lose the ability to experience all of these things. For those, enduring to the end takes on an aspect the rest of us can only guess at. Think of enduring the rest of your life without just one of the things in the list above. How could you do it? What sustains you, Terri, through the days and nights? Randy, with your HAPPI license plate, how often is it harder than you think you can bear to be without movement? Deanne, is the pain of the last decade worth your time on this earth? And my mother, what joy she must have in each day that she is able to live to the fullest—is her challenge just getting on to the next day? The answer may lie in that animating principle which I call faith. A principle that keeps us going, putting one foot in front of the other, one day in front of the others. There is no way for us to know all that life
is, all that it can be, because we will not experience everything there is to experience. We cannot and do not "know the meaning of all things" (1 Ne. 11:17). But we rely on faith, that principle of action and of power, which exists in all of us by birth, to take us up to and then on through the unimaginable trials—and joys—of living.

Perhaps what we can do is turn to Dickinson’s statement for the answer to our question, what is living all about? Consider the miracle of birth. I know, a trite phrase, but consider the spirit body finally enclosed within the boundaries of flesh. How does that happen? How do we become the combined, the two into one, of spirit and flesh? Is anything in this life more startling than this? Perhaps this very miracle, the one we speak of so casually and often, is the reason Terri and Randy and Deanne stay here. Stay in their bodies that seem so completely useless to them now. They are still able to view life as so startling and dear that they have no time for anything else but to live it. They don't want to let go of the miracle of their lives, don't want to let go until the last option has played out, until the final note of “Taps” has echoed and re-echoed from the hills, rising in ever fainter refrains into the stars.

Epilogue: 2015

Terri gave in to physical death ten years after suffering her brain aneurism. Ten years she lived inside her body, a body useful only for the housing of her soul. Hers must have been a release so filled with joy there could hardly be a containing of it.

Deanne did give up her life not long after I last spoke with her. I think she may have received confirmation from the Lord that she had fought the good fight and had finished her course.

Randy goes on, smiling, doing good with the help of his wife and friends, testifying of the gospel. I believe he counts fully and completely on the verse from “How Firm a Foundation”: “I’ll strengthen thee, help thee, and cause thee to stand, upheld by my righteous, omnipotent hand.”

And my dear mother, after finding out she had lung cancer two years after my father died, said to me with her wide, joyful smile: “This is what I’ve been waiting for!”

After all, it is such a personal thing, one’s life.

This essay by Wendy M Payne won first place in the BYU Studies 2016 Richard H. Cracroft Personal Essay Contest.
On waking, He makes His bed

_John 20:7_

There is one thing left to learn: the body—
how it feels, perfected: _Colder? The stone perfectly Cold. Frigid. And hard. . . No,_
_Anadamantine._ The cloth on his face, knotty,

threads coarser under perfect fingers.
He folds it. Corner to corner, precise, symmetric.
(The first act of Godhood is domestic.)
Like manna, how those perfect linen squares

would show up in his drawer—an Ima’s love.
He counts the ragged strips, imagining
Lazarus, his bound head unraveling
like a torch, stumbling from the cave,

hoping for something new, less heavy.
Then the last—the one with blood—enclosing
the stain—finale of his blood—seeing:
a poppy: open, closed. Like the curve

of his palm: closed, open. The scars
imprinted like two coins: _Look,_
_Abba, remember what I’ve bought._ A prick
of relief: _I am still myself._ Wonders

how else they will know him, perfect? Not his
eyes, his gait, his voice. He is alone
in this perfection, this beauty: one
imperfect thing, indelible—his body.

—Elizabeth Garcia

This poem received an honorable mention in the BYU
Studies 2016 Clinton F. Larson Poetry Contest.
“To Dress It and to Keep It”
Toward a Mormon Theology of Work

Walker A. Wright

In the controversial film Monty Python’s Life of Brian, the protagonist, Brian, finds himself in the market square while being pursued by Roman centurions. In the speakers’ corner of the market, three different prophets are shown attempting to gain an audience with tales of Armageddon. One dust-covered wild man shrieks about “the beast . . . huge and black, and the eyes thereof red with the blood of living creatures, and the whore of Babylon shall ride forth on a three-headed serpent.” Next to him, garbed in red, a more refined preacher boldly pronounces that “the demon shall bear a nine-bladed sword. . . . Not two or five or seven, but nine, which he will wield on all wretched sinners.” Finally, a quiet, simple-looking man offers this less-than-extraordinary prophecy: “And there shall in that time be rumors of things going astray, and there will be a great confusion as to where things really are. . . . At this time a friend shall lose his friend’s hammer and the young shall not know where lieth the things possessed by their fathers that their fathers put there only just the night before around 8 o’clock.”

These three prophetic characters are listed in the credits as (1) the Blood & Thunder Prophet, (2) the False Prophet, and (3) the Boring Prophet. Eschatology—the theology concerning the end times—maintains a privileged status in the scriptural canon and LDS thought. Yet when we read the apocalyptic fervor in the scriptures, we generally focus on the dramatics. We are captivated by the intense and sometimes

1. Monty Python’s Life of Brian, directed by Terry Jones (Burbank, Calif.: Warner Brothers, 1979).
I first took an interest in economics and management practices as an undergraduate at the University of North Texas. I was intrigued by the behaviors of people within systems and the incentives that drove them. As I studied workplace motivation and other related topics, I began to realize how important this information was for improving the everyday lives of billions of people worldwide. However, the theological significance didn't shine through until I read David Foster Wallace's “This Is Water,” in which he describes “a crowded, hot, slow, consumer-hell type situation as not only meaningful, but sacred, on fire with the same force that made the stars: love, fellowship, the mystical oneness of all things deep down.”* This spiritual view of the mundane was intensified by my study of early Mormonism's cosmology and my introduction to the Hasidic concept of “worship through corporeality” by my friend Allen Hansen. Allen and I eventually coauthored a paper on these topics. This in turn led me to prepare a couple papers for the Faith and Knowledge conference and Mormon Scholars in the Humanities on the subject of Mormonism and work. These final two presentations became the basis for this article.

Religion scholars and business experts rarely interact or draw on each others’ work. I hope that this article can act as a kind of bridge between the two. More important, I hope this article can help lay readers find meaning and purpose—the sacred—in their everyday work.

gruesome images of future events; images that are parodied by the film’s first two prophets above. However, what is often overlooked in these eschatological details is the very thing alluded to by the Boring Prophet: the continuation of the mundane portions of everyday life. As the lost hammer he mentions may imply, one major facet of the everyday is work. For example, according to the Bureau of Labor Statistics, employed parents in the U.S. between the ages of 25 and 54 spend about 54 percent of their waking hours working. When other unpaid work such as caring for others or household activities are included, the percentage rises to 68.\(^2\) While work tends to mean “paid employment,” the definition provided by theologian R. Paul Stevens is far more useful: “any purposeful expenditure of energy—whether manual, mental, or both, whether paid or not.”\(^3\) This article will take an interdisciplinary approach toward a Mormon theology of work. It will argue that Adam’s earliest calling in “the garden of Eden to dress it and to keep it” (Gen. 2:15 KJV) implies that work is part of man’s original purpose. It will then examine a diverse amount of ancient prophecies and their use of Edenic imagery to describe the world to come, thus echoing and expanding Adam’s first duty. This will be further supported by various eschatological descriptions in the scriptures that speak not only of a world of restoration, joy, and peace, but one of work as well. Mormon concepts of Zion and eternal progression will also be reviewed, establishing the sacred nature of work within Latter-day Saint theology. Finally, research from management and organizational sciences will be utilized to make evident the value of work in achieving human happiness and flourishing.

### Labor in the Garden of Eden

The necessity of work traces back to the depiction of Adam’s prefallen state in the Garden of Eden. Based on a quick reading of the opening chapters of Genesis, it may appear that work is an unfortunate byproduct of the Fall: “Cursed be the soil for your sake, with pangs shall you eat from it all the days of your life. Thorn and thistle shall it sprout for you and you shall eat the plants of the field. By the sweat of your brow shall


you eat bread till you return to the soil, for from there were you taken, for dust you are and to dust shall you return.”

However, a closer reading finds that initially “the Lord God had not caused it to rain upon the earth, and there was not a man to till the ground” (Gen. 2:5 KJV). God responds to this need by “form[ing] man of the dust of the ground. . . . And the Lord God took the man, and put him into the garden of Eden to dress it and to keep it” (Gen. 2:7, 15 KJV; italics added). Commenting on these verses, Rabbi Avraham Shapira expounds, “Labor is understood in the Bible as man’s destiny; there is a close connection between man (adam) and soil (adamah) that is rooted in man’s (Adam’s) having been created ‘from the dust of the earth [adamah]’ . . . and this connection is concretized, in the main, through labor. . . . The first task imposed upon man after he is created and placed in the garden of Eden is ‘to work it [le’ovdah] and keep it [leshomrah].’ . . . The talmudic sages see this as an expression of the great importance of labor.”

LDS scholar David Bokovoy has argued that Genesis 2 depicts Adam as a “divine king” and gardener who, “through a type of imitatio dei would continue to perform the work of Yahweh who ‘planted’ the garden.” Agricultural imagery was employed by Mesopotamian kings who saw themselves as assuming “the same role filled by deities who created the universe by giving order to preexistent chaos. In its depiction of Adam as the primordial gardener, the Bible relies upon similar imagery.” Moreover, “the work of gardening was assigned to lesser members of the divine council” in Mesopotamian myths, indicating “that [the] biblical authors viewed humanity as an earthly extension of the divine council.” Labor, it seems, is an inherent quality of the divine life. While the lesser gods of Mesopotamian myth rebelled, Adam is instead provided with a coworker. Even the introduction of Eve is couched in terms of work; as a helper equal to the task of tending the garden (see Gen. 2:20–23).

The Eschatological Restoration of Eden

When the prophets of the Hebrew Bible spoke of Israel’s final restoration, they relied heavily on the imagery of Eden. This choice language solidifies the connection between ancient Israelite eschatology and Adam’s primordial assignment. For example, after drawing on Israel’s history of exile and the Torah’s wilderness tradition, Jeremiah declares, “They shall come and shout on the heights of Zion, radiant over the bounty of the lord. . . . They shall fare like a watered garden, they shall never languish again” (Jer. 31:12 JPS; italics added). With a likely allusion to the garden “planted . . . eastward in Eden” (Gen. 2:8 KJV), Amos prophesies of a time when God “will restore [his] people Israel. . . . And [he] will plant them upon their soil, nevermore to be uprooted from the soil [he has] given them—saith the lord your God” (Amos 9:14–15 JPS; italics added). The prophet Ezekiel foresees an age when “men shall say, ‘That land, once desolate, has become like the garden of Eden.’ . . . And the nations that are left around you shall know that I the lord have rebuilt the ravaged places and replanted the desolate land. I the lord have spoken and will act” (Ezek. 36:35–36 JPS; italics added). The prophetic writings in Isaiah are explicit in their use of Edenic imagery. In the book of Isaiah, Eden and Zion occupy “the same mythical space.” While “Zion is not projected back to the beginning,” it “is shown to be like Eden. . . . This transformed reality is described in terms of quality of space rather than geographical location.” Isaiah 51 reads, “Truly the lord has comforted Zion, comforted all her ruins; He has made her wilderness like Eden, her desert like the Garden of the lord. Gladness and joy shall abide there, thanksgiving and the sound of music” (Isa. 51:3 JPS; italics added; compare


2 Ne. 8:3). This trend continues within modern revelation. For example, the Doctrine and Covenants is peppered with the language of Isaiah, especially the latter chapters (40–66) and their message of redemption and restoration.\textsuperscript{12} Joseph Smith is said to have described “the Millenial Glory” as the time in which “the earth shall yield its increase, resume its paradisean glory and become as the garden of the Lord.”\textsuperscript{13} In his letter to John Wentworth, Smith puts forth the belief that “the earth will be renewed and receive its paradisaic glory.”\textsuperscript{14} An 1832 revelation tells of the need for the earth to “be sanctified, from all unrighteousness, that it may be prepared for the celestial glory.”\textsuperscript{15} In the biblical texts, this glorious renewal tends to be connected with the restoration of the temple as the center of creation, with Eden being the prototype sanctuary.\textsuperscript{16} Just as “a river went out of Eden to water the garden” (Gen. 2:10 KJV) and all of creation, multiple prophets foresaw a time when “a spring shall issue from the House of the Lord” (Joel 4:18 JPS; compare Ezek. 47:1–12; Zech. 14:8) and heal the barren land. John of Patmos drew on Ezekiel’s vision when he wrote of “a pure river of water of life, clear as crystal, proceeding


out of the throne of God and of the Lamb” (Rev. 22:1 KJV; compare Ezek. 47). Drawing on this imagery, theologian Rob Dalrymple describes Eden as “an expanding, earth-filling sanctuary.”

“That the prophets allude to the restoration of the temple in terms of Eden raises the question as to whether or not Eden was itself intended to fill the Earth. For, if the final restoration of the temple is depicted in terms of the Garden of Eden, and if the New Jerusalem is ultimately that earth-encompassing temple, then one might suspect that Eden was, at least conceptually, intended to expand and fill the earth.”

In this future paradise, the whole of creation is renewed and redeemed. It is noteworthy that the Hebrew ʿavod ("dress") and shamar ("keep") in Genesis 2:15 are used elsewhere in the Hebrew Bible, largely in connection with religious or cultic functions. Adam’s gardening duties were thus priestly in nature, indicating that consecrated labors can take on spiritual significance and break down the walls between the secular and the sacred. This combination is similar to the Mormon expectation “that the earth will not be destroyed but glorified, not transcended but transformed, and that ultimately the polarization of earth and heaven will be overcome.” The overlap of the sacred and the mundane manifests itself in the belief systems of both ancient Israel and early Mormonism.

**Labor in Ancient Israelite Eschatology**

The Israelite eschatological hope was for the epoch in which God’s covenant people could get on with their everyday lives (including work) without the hindrances of injustice, disease, war, and even death. This

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view has its foundation in the theology of ancient Israel, which “was intensely grounded in time and space.”22 It was a theology based on the nation’s history, focusing on Israel’s covenants of the past and the long-awaited promises regarding its future. Consequently, its eschatology followed suit. “This is no escapist eschatology,” writes one Old Testament scholar, “since it never completely forsakes the world we now inhabit. Rather it longs for, indeed expects, a period in which Yhwh triumphs over evil, redeems his people Israel, and finally rules the world in peace and salvation.”23 As renowned Anglican scholar N. T. Wright has noted, “There is very little in the Bible about ‘going to heaven when you die’ and not a lot about postmortem hell either,”24 especially in the Hebrew Bible. The prophet Isaiah (as well as Micah and Nephi) spoke of this future period of peace and salvation in which “the mountain of the Lord’s house shall be established in the top of the mountains, and shall be exalted above the hills; and all nations shall flow unto it. . . . For out of Zion shall go forth the law, and the word of the Lord from Jerusalem. And he shall judge among the nations, and shall rebuke many people: and they shall beat their swords into plowshares, and their spears into pruninghooks: nation shall not lift up sword against nation, neither shall they learn war any more” (Isa. 2:2–4 KJV; compare Micah 4:1–3; 2 Ne. 12:2–4). The Jewish Study Bible elaborates, “The prophet does not imagine a future without borders or distinct nationalities. International conflicts will still occur, but nations will no longer resolve them through warfare. Instead, nations will submit to arbitration at Mount Zion.”25 But submission to divine law is not the only element of this newfound peace. New Testament scholar Ben Witherington makes the following observation:

When Isaiah envisions the eschatological age, or the last days, he does not envision a massive work stoppage. What he envisions is a massive war stoppage, if we may put it that way. The point of beating swords into plowshares and spears into pruning hooks is so that the weapons

of war may be turned into the tools of work. When Isaiah envisions the final or eschatological state of affairs, his vision of shalom, well-being, peace, is not of a workless paradise, but of a world at peace worshiping the one true God and working together rather than warring with each other.26

As cited by Witherington above, the continuation of labor is critical to Isaiah’s eschatology and for the achievement of shalom. The Hebrew word shalom “is derived from a root denoting wholeness or completeness, and its frame of reference throughout Jewish literature is bound up with the notion of shelemut, perfection.” It refers “to a state of affairs, one of well-being, tranquility, prosperity, and security.”27 It has been described as “the webbing together of God, humans, and all creation in justice, fulfillment, and delight. . . . In the Bible, shalom means universal flourishing, wholeness, and delight—a rich state of affairs in which natural needs are satisfied and natural gifts fruitfully employed. . . . Shalom, in other words, is the way things ought to be.”28 The continued presence of labor and fruitful employment is coupled with God’s new age of shalom in the eschatological hopes of the ancients: “I will bring back my people, Israel,” cries Amos; “they will rebuild the cities lying in rubble and settle down. They will plant vineyards and drink the wine they produce; they will grow orchards and eat the fruit they produce” (Amos 9:14 NET; italics added). “Thus says the Lord God,” declares Ezekiel, “on the day that I cleanse you from all your iniquities, I will cause the towns to be inhabited, and the waste places shall be rebuilt. The land that was desolate shall be tilled, instead of being the desolation that it was in the sight of all who passed by” (Ezek. 36:33–34 NRSV; italics added). In Isaiah, “the satisfaction of building will not be accompanied by the fear of destruction or conquest”29 that has plagued Israel’s experience: “They shall build houses and inhabit them; they shall plant vineyards and eat their fruit. They shall not build and another inhabit; they shall not plant and another eat; for like the days of a tree shall the days of my people

be, and my chosen shall long enjoy the works of their hands. They shall not labor in vain” (Isa. 65:21–23 RSV; italics added). These passages imply that meaningful work not only maintains a continual place in God’s new world but is possibly even necessary to the integrity of shalom.

**Eternal Progression and Mormon Metaphysics**

The establishment of peace through the continuation of work in an Edenic or celestial state fits comfortably within the LDS concept of eternal progression. As Mormon philosopher Jacob Baker explains:

[Many] Mormon thinkers and writers viewed eternal progression in terms which, for them, instilled unique meaning and purpose into this life and the post-mortal eternities. A quest to infuse human existence with special significance and value underlay sweeping notions of unlocking the eternal laws of the universe and becoming gods. . . . At the heart of early expositions on eternal progression is the concept that eternal, godlike activity is what provides meaning and purpose to any and every stage of human existence. . . . For these Mormons, the only happy heaven is the one in which activity is eternalized, a heaven where the acquisition of new knowledge leads to higher and higher realms of meaningful existence.³⁰

An inkling of this exalted view of activity can be found within the first few years of the Church’s establishment. An often overlooked element of Mormon history is the fact that the earliest enactment of what we call the law of consecration was a business institution known as the United Firm. Writes historian Max Parkin:

While Latter-day Saints may not typically think of Joseph Smith as an energetic businessman or an assertive entrepreneur, multiple business interests captured his attention beginning shortly after the Church was organized. By February 1831 in Kirtland, Ohio, he began to inquire about economic matters, and by July, the twenty-five-year-old Joseph Smith embarked on a path of land acquisition, community planning, and other commercial ventures. He operated his businesses under the principles of consecration and stewardship and coordinated his enterprises through a business management company he named the United

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Firm. He supervised the firm by revelation, including a final lengthy revelation in April 1834 that terminated the company.  

This dynamic enterprise was established to generate funds and incorporate the temporal affairs of the Church. These affairs included a mercantile branch, a publishing enterprise, farms, a brickyard, a stone quarry, an ashery, a sawmill, and real estate. Prior to the development of quorums and high councils, the United Firm was headed by a board of—not priests or apostles—but managers. It is striking to see business—a commercial activity often held in suspicion—elevated to the very embodiment of Zion. In other words, the Kingdom of God was to be built here on earth by means of business management and entrepreneurship. Though the firm was eventually terminated and its assets redistributed among its officers, this sacralizing of the mundane—what Terryl Givens refers to as “the collapse of sacred distance”—continued to play a major role in Mormon theology and metaphysics. If Smith planted the seeds for a more tangible divinity, then the doctrine’s ultimate fruition came under the leadership of Brigham Young.

President Young saw the “work of building up Zion” as “a practical work” and “not a mere theory.” The Saints were “not going to wait for angels, or for Enoch and his company to come and build up Zion, but we are going to build it.” He preached that if the Saints were to “ever walk in streets paved with gold,” they would have to mine and lay the gold themselves, just as the “angels that now walk in their golden streets” did. “When we enjoy a Zion in its beauty and glory,” he said, “it will be when we have built it.” Essentially, part of the joy of Zion is the work that goes into it. Echoing D&C 29:34, Young taught, “In the mind of God there is no such a thing as dividing spiritual from temporal, or temporal from spiritual; for they are one in the Lord.” Sacred tasks could range from “preaching, praying, laboring with my hands

for an honorable support; whether I am in the field, mechanic’s shop, or following mercantile business, or wherever duty calls, I am serving God as much in one place as another; and so it is with all, each in his place, turn and time.”

Borrowing from religious anthropologist Douglas Davies, Baker notes that being “active” is “a key Mormon value” that is “institutionalized and ritualized at nearly every level of the Church”:

This view of sanctified activism collapsed the chasm between the godly and earthly realms of activity and allowed Mormons to religiously ground all their activity in this process of deification. . . . Mormons found meaning and joy through the extravagant proposition that eternal activity could and would result in deification. Consequently, the purpose of all activity in mortality and postmortality is not happiness per se or even preparation for eternal rest within the family circle. Instead, its purpose is centered on training and instruction for becoming gods.

The doctrine of eternal progression later meshed comfortably with the optimism of early twentieth-century progressivism. “Joseph Smith’s vision of human potential and Brigham Young’s fusion of faith and community building wove nicely into Progressivism’s confidence in human effort. Even its conviction that organization, rationalization, and commitment to moral virtue could accomplish breathtakingly utopian goals echoed the old dream of a Zion society.”

The imbrication of heaven and earth became more literal and was rationalized with scientific concepts by Mormon academics and leaders such as John Widtsoe and James Talmage. For Widtsoe in particular (as well as B. H. Roberts), the “joy” spoken of in 2 Nephi 2:25 (“Adam fell that men might be; and men are that they might have joy”) is connected to progress: “One who is active, increasing, progressing, who accepts and obeys the gospel law, ever moves into higher zones of existence, and carries others along in his onward course. He receives the gift of eternal life, with its unending conquest, progress, development, and growth. He feels the quivering, thrilling response called joy.”

For Widtsoe and Roberts, the divine life became associated not only with eternal kinship, but also with the individual potential for never-ending progress and activity, something they increasingly emphasized. Ultimately, as Baker points out, “an infinitely transcendent and eternally self-surpassing existence of adventure and new discovery was the essence of a celestial existence.”

The Importance of Work

But why work? How could something so often described as drudgery be associated with joy and seen as a vital component of the world to come? Finding meaning in the lone and dreary world of day-to-day work has become a point of increasing interest among management experts and organizational theorists, and their models yield fruitful insights into this area of Mormonism. In their book *Wellbeing*, Gallup researchers Tom Rath and Jim Harter point to evidence that shows, given a few years, people recover from tragic events (like the death of a spouse) to the same level of well-being prior to the tragedy. “But this was not the case for those who were unemployed for a prolonged period of time—particularly not for men. Our wellbeing actually recovers more rapidly from the death of a spouse than it does from a sustained period of unemployment.” Based on data from the General Social Survey, economist Arthur Brooks also found that one of the key elements for achieving happiness and self-fulfillment is work. This is due to its connection to what Brooks calls “earned success”: the ability to create value in our lives and in the lives of others.

This value creation takes on numerous forms and is experienced in different stages. For example, one major aspect from psychological research that has been applied to work is the concept of flow: a state

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of heightened focus and immersion in the task at hand. According to
psychologist Mihaly Csikszentmihalyi, “Flow makes us feel better in the
moment, enabling us to experience the remarkable potential of the body
and mind fully functioning in harmony. But what makes flow an even
more significant tool is its ability to improve the quality of life in the
long run. . . . A good flow activity is one that offers a very high ceiling of
opportunities for improvement. . . . If one wants to stay in flow, he or she
must progress and learn more skills, rising to new levels of complexity.”
Csikszentmihalyi sees the experience of flow as the continuous building
of psychological capital. This is intertwined with what business author
Daniel Pink identifies as “mastery,” which “is a mindset [that] requires
the capacity to see your abilities . . . as infinitely improvable.” Mastery is an asymptote and can never be fully realized, an ingredient that
makes it both frustrating and alluring. Pink explains, “Flow is essential
to mastery. But flow doesn’t guarantee mastery—because the two con-
cepts operate on different horizons of time. One happens in a moment;
the other unfolds over months, years, sometimes decades. You and I
each might reach flow tomorrow morning—but neither one of us will
achieve mastery overnight.” Just as “flow” and “mastery” are not syn-
onymous, “work engagement” also has a distinct definition character-
ized by high activity and stimulation (vigor), significant and meaningful
pursuit (dedication), and long-term engrossment (absorption). This
connotes a sense of enthusiasm that contrasts with the contentment and
serenity of mere job satisfaction. The possible benefits of work engage-
ment include higher job performance, organizational commitment, and
better health and well-being.

Furthermore, this accumulation of skills and ongoing betterment
squares positively with the research of Harvard’s Teresa Amabile and
psychologist Steven Kramer. After analyzing nearly twelve thousand

46. Mihaly Csikszentmihalyi, Good Business: Leadership, Flow, and the
47. Daniel H. Pink, Drive: The Surprising Truth about What Motivates Us
48. Pink, Drive, 118.
49. See Arnold B. Bakker, “An Evidence-Based Model of Work Engage-
50. See Arnold B. Bakker and Wilmar B. Schaufeli, “Work Engagement,” in
Wiley Encyclopedia of Management, vol. 11: Organizational Behavior, ed. Pat-
rick C. Flood and Yseult Freeney (West Sussex, UK: Wiley, 2014).
daily “event” diaries from over two hundred knowledge workers, they
discovered that the single most important factor that positively boosts
workers’ “inner work life” (the convergence of emotions, perceptions,
and motivations individuals experience as they react to and make sense
of their workday) is “making progress in meaningful work.”
Recognizing even incremental progress can increase engagement and happiness
at work. Major breakthroughs are rare events, but “small wins” occur far
more often and provide tangible evidence of improvement. This mea-
surable progress satisfies a deep human need: “One of the most basic
human drives is toward self-efficacy—a person’s belief that he or she is
individually capable of planning and executing the tasks required to
achieve desired goals. . . . The strong need for self-efficacy explains why
everyday work progress stands out as the key event stimulating positive
inner work life.”53 According to Amabile and Kramer, “Real progress
triggers positive emotions like satisfaction, gladness, even joy. It leads
to a sense of accomplishment and self-worth as well as positive views
of the work and, sometimes, the organization.”54 Modern research finds
that these “positive emotions generate ‘upward spirals’ toward optimal
functioning and enhanced emotional well-being.”55 Positive emotions
are contagious and “propagate within organizations . . . because positive
emotions stem from—and create—meaningful interpersonal encoun-
ters. . . . Accordingly, the broaden-and-build theory predicts that posi-
tive emotions in organizational settings not only produce individuals
who function at higher levels, but may also produce organizations that
function at higher levels.”56 In short, “efforts to cultivate positive emo-
tions” within an organization (for example, the Church) or community
(for example, Zion) through interpersonal relationships may lead to

51. Teresa Amabile and Steven Kramer, The Progress Principle: Using Small
Wins to Ignite Joy, Engagement, and Creativity at Work (Boston: Harvard Busi-
52. See Teresa Amabile and Steven Kramer, “The Power of Small Wins,”
53. Amabile and Kramer, Progress Principle, 90.
54. Amabile and Kramer, Progress Principle, 68.
55. Barbara L. Fredrickson, “Positive Emotions and Upward Spirals in
Organizations,” in Positive Organizational Scholarship: Foundations of a New
Discipline, ed. Kim S. Cameron, Jane E. Dutton, and Robert E. Quinn (San
“harmony, energy, and perhaps even prosperity.” Or, in other words, these efforts may lead to what the scriptures call being “of one heart and one mind” (Moses 7:18). When one reviews Widtsoe’s interpretation of “joy” above, it appears to be a theological version of these findings, an elemental part of our nature that will be enlarged and expanded throughout the eternities in order for the human race to experience a “fulness of joy” (D&C 93:33–34).

Conclusion

Pope John Paul II once described work as “a fundamental dimension of man’s existence on earth.” As this article has shown, the pope’s claim can be supported by God’s original instruction to Adam to dress and keep the Garden of Eden. The prophetic use of Edenic imagery throughout the Hebrew Bible suggests that the Adamic call to work was meant to extend into the eschaton. According to the scriptural accounts of various eschatological visions, labor will continue to thrive in and possibly even contribute to God’s age of shalom. The spiritual significance of work is bolstered further by Mormonism’s metaphysical collapse of the sacred and the mundane and its doctrine of eternal progression. In the views of Mormon leaders like John Widtsoe, the chance to learn and progress in new and emboldening activities must be eternal for eternity to be meaningful. Flow, mastery, engagement, and progression—along with the positive psychology underlying them—are important for increasing our understanding of the nature of human fulfillment and flourishing.

As the field of Mormon studies continues to grow, research from management and organizational theory can shed light on both the Church’s current institution and its ideal goal of Zion. More important, it can provide insightful models for a Mormon theology of work and eternal progression. This topic will be of interest to academics and lay people alike.

57. Fredrickson, “Positive Emotions and Upward Spirals,” 175.
58. Notice that “fulness” in these verses requires the merging of spirit and element, heaven and earth.
persons alike, seeing that both are prone to spend the majority of their waking hours performing some form of work. In short, this paper can be seen as laying the groundwork for a renewed outlook on work, one that infuses labor with a heightened sense of spiritual purpose. This new lens will aid in the development of a more realistic expectation of the age to come, human progression, and eventual divinization.

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I have waited my whole career to review for publication a book as good as *Building Zion: The Material World of Mormon Settlement*. At the same time, Tom Carter, an emeritus professor of architectural history at the University of Utah’s College of Architecture and Planning, took his whole career to write a book this good. Would that all academic careers had such a worthy capstone! *Building Zion* examines the architecture and building efforts among early Utah settlers in Sanpete County and elsewhere, and it explores what these material structures say about the settlers’ deepest religious impulses, including their concepts of Zion.

And yet the book is so much more than that. I consider *Building Zion* eminently worthy of recognition among Mormon scholars and interested readers for at least the following six reasons:

*Interdisciplinary analytical framework.* In order to explore “The Material World of Mormon Settlement”—a tall order, indeed—Carter crafts an ambitious, interpretive framework from such diverse academic disciplines as history, architecture, cultural anthropology, material culture studies, town and land use planning, cultural geography, folklore, and religious studies. His mastery of these disciplines and his deftness of their integration allow him to explicate in a sensitive and authentic manner the complex and multidimensional relationship of Mormon pioneers to their physical settings. Besides the numerous expected references to the leading relevant scholars of Mormonism, Carter relies heavily on such diverse and respected scholars of the material world as Pierre Bordieu, Peter Berger, Peter Burke, Mircea Eliade, John Gager, Henry Glassie, D. W. Meinig, R. Laurence Moore, John Reps, Jonathan Z. Smith, and Dell Upton, to name a few.

*Comprehensive scope.* Carter’s work is concerned with all aspects of the physical environment of the Latter-day Saints of Sanpete County,
Utah: landforms, fields and farms, town placement and layout, residential and work patterns, public and domestic architecture, construction materials and methods, productive and decorative landscaping, and personal possessions. The book contains nearly two hundred photographs, line drawings, plats, maps, renderings, tables, and other figures that richly illustrate the diversity and complexity of the Mormon material world on display in Sanpete County.

Of all possible aspects of the Mormon material world, the idea of personal possession plays the least central role in Carter’s study. The author neither denies nor marginalizes the practical benefits of Mormonism’s material world; rather, he emphasizes the meaningful coherence of the material world with Mormon identity and solidarity. Many studies of Mormon settlement and Mormon material culture emphasize the practical benefits of such traditional practices—distributing settlers on the landscape, managing natural resources, providing a permanent basis for shelter and other physical needs, and so on. Carter is more concerned with how the same set of activities and practices expresses a sense of the special identity of the Latter-day Saints—as a covenant and blessed people of God, as exemplary stewards of God’s footstool, as members of Christ’s true Church, as agents of Christ’s Second Coming, and so on. Illustrating the symbolic significance of such seemingly practical activities strengthens the theoretical foundations of Carter’s study.

Furthermore, while Carter acknowledges that other geographical regions of Mormon settlement necessarily provide important variations on the general theme, the book’s subtitle implies that Sanpete County serves as an effective, but not exclusive, microcosm of nineteenth-century Mormon culture. Indeed, Building Zion itself is a model and microcosm for how other studies should be conceived and conducted.

Following a general introduction that summarizes the study’s theoretical perspective in a thorough and academically defensible yet intellectually accessible manner, Carter devotes a chapter to eight different dimensions of the general theme. The chapter titles use intriguing phrases such as “Faith and Works,” “Settlement Matrix,” “According to Need,” “Frontier Fashion,” “Polygamy and Patriarchy,” “Business as Usual,” “Meetinghouses,” and “Mansion on the Hill.” In subtle yet compelling ways, these complementary investigations demonstrate the relevance of the Mormon material world to such aspects of society as kinship, religion, economics, politics, social relations, daily life, and aesthetics.

Cultural sensitivity. To get at the heart of the Mormon material world, Carter must transcend the overly simplistic material/spiritual or
practical/symbolic dichotomies that characterize so many traditional academic studies of the empirical environment. While he does not categorically reject the relevance of such dichotomies for religious studies, he recognizes far more nuanced concepts within Mormon culture. For example, Carter acknowledges that the Mormon material world is so spiritual, and the Mormon spiritual world so material, that the two cannot be understood in isolation from each other, in either ideology or praxis. For example, the introductory quote to the opening chapter that lays out Carter’s interpretive framework comes from a May 20, 1883, sermon given by Church President John Taylor at a stake conference in Sanpete: “When [we] talk about spiritual things and temporal things we talk about a distinction without a difference” (1).

Diverse sources. Carter marshals three major and diverse types of evidence to support his argument.

- Primary historical sources, including journals, diaries, letters, and day books of early residents; municipal records; local newspapers and documentary histories; photographs; plats and maps; and a plethora of LDS Church records, including meeting minutes, texts of sermons, and scriptures
- Secondary sources, representing the standard scholarship of both Mormon studies and the various academic disciplines that influenced his analytical framework
- On-site fieldwork, which enables Carter to (1) learn firsthand about the Mormon material world from the living descendants of Sanpete pioneers and (2) collect crucial evidence of this material world that exists in no other source. Many of the photographs and fine illustrations of his study result from his own extensive fieldwork in Sanpete County.

Carter demonstrates throughout his work considerable mastery of and facility with each source type, weaving them together into a compelling scholarly argument. In doing so, the study preserves a delicate balance between thoroughly documenting his various points and keeping his audience engaged with their analytical exposition. I was particularly pleased with the amount and kinds of supplemental information contained in the captions of the numerous figures and with the occasional editorial comments that accompany the endnotes.

Diachronic perspective. While Carter is aware of the forces for change that result from persistent tensions between Mormonism and the outside world (see fig. C.2, p. 276), he chooses in this study to focus instead
on the inherent dynamics within Mormonism itself. Thus, his study manifests an ever-present appreciation of the transformative forces among the communities of his principal study area and between local (Sanpete) and corporate (LDS) expressions of Mormon identity. Of particular value is Carter’s recognition of the transformation over time of three dominant sacred narratives of the Latter-day Saints: the coming millennium, the nature of continuing revelation, and the “gospel of works” (summarized on 277–78). Carter further recognizes that sensitive diachronic studies such as his may reveal important nuanced differences in religious concepts over time within the same faith community and among different faith communities.¹

Affection for his subject. Carter’s intellectual prowess and rhetorical proficiency are equally yoked with his genuine and abiding affection for his subject—the land and the people of Sanpete County. That the people of Sanpete County reciprocate so well their affection is a testament to the genuineness of Carter’s academic objectives, scholarly insights, and human qualities. This is not to say that Carter is naïve to local tensions and oblivious to instances in which empirical realities do not reflect cultural ideals. Rather, such inconsistencies are considered to be part of the cultural reality that deserves explanation, not judgment, in terms of the same analytical framework that accounts for all of the other relevant data.²

In short, Carter makes a major contribution to the rich literature on the “Mormon Culture Region” in the American West and demonstrates in the process not only its material distinctiveness and cultural significance but also its persistent and dynamic features. Building Zion illustrates that the Mormon pioneers were not just finding a place to live in the American West; they were “Building Zion,” the concept of which is not only powerful for the practitioners at every point in the historic past but also necessarily transformational over time. Thus, any empirical

¹. As a result, it is incumbent upon students of lived religions not to assume that concepts behind such familiar words as millennium, revelation, community, church, temple, and so on have the same meaning when- and wherever they are used. In the end, practitioners decide by their usage the range of meaning for such words. In spite of their formal learning, scholars and other formal observers must show deference and respect to the “natives” if they are to come to true academic understanding about their subject.

². Carter’s discussion of Mormon ideologies of work and the resulting social organizations of production (64–92) is relevant to this issue.
study of Mormonism that does not build on this fundamental premise will likely fall short of its analytical potential.

Although the cultural landscape and material culture are not currently center stage among scholars of Mormonism, *Building Zion* deserves a prominent and abiding place on the bookshelves and in the classrooms of all who take seriously the academic study of the Latter-day Saints. Intellectually and rhetorically, the study is thorough and sophisticated. At the same time, *Building Zion* is also a distinct pleasure to read. *Chapeau, mon vieux!*

Steven L. Olsen received his PhD in cultural anthropology from the University of Chicago, and he has served as the senior curator and managing director of the Church History Department in Salt Lake City. He has long associations with the Religious Studies Center, Maxwell Institute, and BYU Studies, as well as serving in leadership positions of such professional organizations as Utah Humanities Council, American Society of Church History, Western Museums Association, Utah State Office of Museum Services, and Charles Redd Center for Western Studies.
I can’t think of any good reasons to be coy, so I’ll just draw my conclusion from the start and let the reasons come after: Steven L. Peck may be the most important Mormon fiction writer producing today, and this collection of selected short stories vividly demonstrates why.

Peck’s name is showing up with increasing consistency in a wide variety of publications, from scientific journals like Nature and American Naturalist, to national market fiction venues like Analog magazine. His novel The Scholar of Moab won the AML Award; his novelette A Short Stay in Hell has been optioned for film development; and his latest collection of essays on the intersection of faith and science, Evolving Faith: Wanderings of a Mormon Biologist, was released by the Maxwell Institute to significant acclaim. He writes essay, poetry, drama, slice-of-life, experimental, alternate history, and speculative fiction with an incisive eye, a poetic ear, and keen insight into the hopes and fears of his characters.

More importantly, Peck’s work represents a reflection of his very Mormon mind that models the next stage of literary development for Mormon artists writing to broad audiences. His characters’ identities are so deeply integrated that their experience transcends regional foibles or broad cultural aspirations to reveal real experience that resonates at the most basic human level. His stories explore how being Mormon affects the way his characters perceive and interpret and act, rather than cataloging the special challenges of being a Mormon in the midst of an often hostile world.

That difference represents a powerful vision of literature that I find profound, important, and praiseworthy.

One of the challenges of Mormon literature—defined here as stories that explore specifically Mormon thought and experience in specifically Mormon contexts—is our sense that as a covenant people we have a special calling to be an ensign to the nations in building the kingdom and testifying of the reality of both the Christ and the Restoration.
That sense of calling has played out in many ways—faith-promoting vignettes, illustrations of gospel principles, historical dramatizations or deconstructions, revolving door stories (why I joined/ left the Church), ethical struggles, worthiness crises, and others. And at the core of nearly every tale is an evaluation of how the viewpoint character stands in relationship to his or her identity as a member of the institutional Church.

In other words, the Church itself often functions as a character (whether protagonist or antagonist determines where on the sophic/ mantic continuum the tale lies) that the viewpoint character must react or respond to as part of addressing the core conflict. A looming presence or gravitational force that may not always be seen, but is always felt.

It’s a hazard of that sense of special calling—the institutional Church, its doctrines, and its programs are the tangible evidence of the Restoration, and exploring the peculiar value of membership in that church is the proof of testimony.

We do well in testifying of the fact of the Restoration as evidenced by the institutional Church and its programs, but I would argue that we could spend more time testifying of its reality as expressed in integrated approaches to problem solving as seen through the eyes of fully realized characters whose unique viewpoints are only possible because of that Restoration.

That’s why I think Steven Peck’s works are so important. His are tales of people already changed by, and comfortable with, their Mormonness. Their viewpoints are so informed by Mormon(ish) ideas that it never occurs to them to wonder at the source of their assumptions; their full energy is spent puzzling over how to solve new problems in light of those assumptions. They are fully formed people dealing with the challenge of the moment, not with their identity relative to the institution that supplied the bones of their personal philosophy.

Which is not to say that Peck’s characters have no institutional identity. These tales are littered with quorum officers, bishops and stake presidents, and even the occasional Apostle, going about their duties as institutional representatives. But those duties are fully internalized, and the characters struggle with issues of honest service and personal choice, not institutional validation (or criticism). They are people acting in a capacity, not icons of an institution.

That distinction between broad institutional identity and the unique peculiarities of individual viewpoint—his characters are also members of the institution, not solely defined by that membership—creates some odd and often self-contradictory moments across different tales in this collection. What might easily be seen as critical (or even dissident)
attacks on institutional behavior in one tale turn out to be the structural foundations of saving grace in another. That very conversation among and between tales suggests to me that Peck is using those different character viewpoints to explore the complexity of difficult questions—not as a foil for delivering a lecture on his notion of most correct doctrine, but as an honest and open exploration on the very individual and intimate nature of the personal challenges of those questions.

Because he’s not worried about the institutional Church as a present character, Peck can dare to project the peculiarities of Mormon thought both forward and backward, and use widely divergent narrative styles and character dictions while still dealing with deeply Mormon situations. He can play fast and loose with history or tangible reality, yet still explore how the unique assumptions of Mormonism might impact those altered realities. He can imagine problems that may never arise, and explore the ways that Mormon thought might inform his characters’ approaches to solutions.

That freedom to explore has led to a startling number of different characters, situations, and approaches—from the challenge of baptizing an artificial intelligence, to the ethics of assisted suicide in modern-day central Utah, to a tale of hope and devotion set in ancient Israel. Peck truly does wander among many realities in this collection, but the core of a deeply integrated Mormon viewpoint remains consistent, and consistently true.

The volume is broken up into two main sections: “Other Worlds,” featuring experimental and science fiction stories; and “This World,” featuring traditional stories set in (mostly) modern contexts and settings.

Different readers will like different stories, but one thing should be made clear up front: some of these stories are just plain weird. Peck’s stories feature odd characters driven by peculiar demons, with each tale told in a different voice and structured in a unique way. Be prepared for both conceptual and stylistic whiplash as you work your way through the volume; Peck tries something different with each story, experimenting with both form and voice, from detective noir to devotional tale.

If you’re looking for the odd, you’d be hard-pressed to find a piece stranger than “Question Four,” a flitting stream of consciousness meander through the mind of a student answering questions on a graduate school application. Likewise, “A Strange Report from the Church Archives” offers an alternate (alternating?) history piece where James E. Talmage reports on the effects of dubious “possibility machines” that reconfigure reality based on its user’s wish; the narrative skips as history is altered, with facts, timeframes, locations, and practices changing
radically in response to various people in the past using the devices to seek their own desires.

Two stories stood out for me as both exceptionally well told and exceptionally powerful as Mormon fiction. “Avek, Who Is Distributed” opens the anthology and deals with both the idea of a self-aware artificial intelligence that wants to be baptized, and the pragmatic challenge of baptizing a virtual construct whose consciousness operates entirely in software on a widely distributed computer network. Though only four pages long, I thought Avek was functionally perfect, both as science fiction story and as Mormon story.

Likewise, “Two-Dog Dose” took a more traditional approach to a modern story of friendship and the challenge of dealing with the moral, ethical, and spiritual implications of degenerative disease and questions of assisted suicide and murder. Told in a direct yet elegant style, this tale is both harrowing and heartbreaking and will stay with most readers long after the narrative is done. Not surprisingly, this piece was awarded an AML Award for the short story in 2014.

The fact is that there are so many stories told in so many voices and so many styles in this collection that it’s all but guaranteed that you will find something to your liking. I found all of these stories intriguing and powerful, even though some entertained me more than others.

More importantly, this collection represents a fundamental step forward in Mormon storytelling that I found exceptional. Peck has moved beyond the self-conscious narrative of institutional critique and offers an intimate and powerful penetration into the inner minds of very Mormon characters to create a new type of deeply Mormon story that is also perfectly accessible to general audiences. Because these stories deal with characters as people rather than characters as Mormons, each tale is accessible to each and every reader regardless of prior experience.

This collection truly advances the Mormon art of fiction and reflects an increasing maturity in how Mormons can approach stories of our own hearts, minds, and spirits in a powerful and inviting way that speaks to any audience with equal power.

Scott R. Parkin is a writer, editor, publisher, essayist, and critic who has published stories in a wide variety of venues, including Irreantum, LDS Entertainment, Marion Zimmer Bradley’s Fantasy Magazine, The Leading Edge, Galaxy, and BYU Studies (where he won half the prizes in the journal’s only fiction contest). He has taught creative writing at BYU and won a 2015 Writers of the Future Award, part of an international writing and illustration contest.
Michael Hicks has written what is surely the most complete history and discussion of the Mormon Tabernacle Choir. Hicks is a professor of music at Brigham Young University and the author of a notable earlier book that provided a general history of music in The Church of Jesus Christ of Latter-day Saints. The first study may be seen as an informative backdrop to this one. It included a concise and insightful chapter on the Choir and its place in Mormon music, which is greatly magnified by the present work. Hicks has an engaging style to be appreciated both by the specialist and general reader. Writing from a vantage point where much historical documentation is available on the subject, he shows skill also in finding obscure sources that offer enriching detail. His notes provide a very full bibliography.

Hicks begins his study with a survey of early Mormon efforts at forming choirs, first in Kirtland, Ohio, and later in Nauvoo, Illinois. These were organized under difficult circumstances and from small populations. That effort reflected the intense religious environment and excitement in which they were formed. It occurred at a time, Hicks explains, when there was great disagreement among other churches as to whether music was appropriate at all. Amid this reluctance came the Prophet Joseph Smith and Mormon scripture, declaring that music was integral to worship. An early revelation to the Prophet directed his wife,
Emma Smith, to compile a book of hymns to be used by the Church, in which the Lord declared that “the song of the righteous is a prayer unto me, and it shall be answered with a blessing upon their heads” (D&C 25:12). Hicks notes that the Book of Mormon opens with a prophetic vision in which God was seen on his throne “surrounded with numberless concourses of angels in the attitude of singing and praising their God,” while elsewhere the righteous are promised that they will “dwell in the presence of God . . . to sing ceaseless praises with the choirs above” (1–2). It is not much of a leap then for Latter-day Saints to regard the reverent earthly choir as now literally joining the angels in their worshipful singing.

By the time the Latter-day Saints were settled in the West, the possibility of establishing a rich musical culture was enhanced by the arrival of converts with musical skills, especially those from England and Wales. Hicks describes the budding music scene, with remnants of the choir from the East and efforts at choir organization and performance in the new location. Of particular interest was the arrival of George Careless from England in 1864. He followed the British musician Charles John Thomas and others, who served briefly as conductors of what became the Tabernacle Choir. Careless had shown musical skill as a boy in London, graduated from the Royal Academy of Music, and had considerable experience with orchestras and choirs, including the leadership of the Church’s choir in London following his conversion. His calling by Brigham Young illustrates the great interest of the Church Presidency in the Choir and its functions and operation. This interest has continued to the present, as Hicks demonstrates throughout. Among Church leaders, Brigham Young appeared to have a special concern for the development of good music; Hicks reports that Young had some musical training and did some singing in the Church.

I have in my possession a letter of George Careless to my grandfather, in which Careless writes of his calling by Brigham Young. It verifies the sources available to Hicks (24). In the letter, Careless said that “Prest Brigham Young told me He had a mission for me[.] He said I appoint you Chief Musician for the Church and I want you to take the Tabernacle Choir and Theatre Orchestra and lay a foundation for good music.”

2. 1 Nephi 1:8; Mormon 7:7; Alma 36:22; Mosiah 2:28.
3. George Careless to Samuel B. Mitton, September 14, 1927, copy in possession of the reviewer. Mitton served as director of the Tabernacle Choir organized at Logan, Utah.
Young said he wanted music that sounded like the angels (24). Careless worked hard to fulfill his calling. A gifted composer of church hymns, Careless led the Tabernacle Choir for more than ten years, presented their first performance of Messiah in 1875, conducted an orchestra, and even established a performing opera company. As Hicks follows his career, the narrative also provides an interesting account of the development of pioneer musical culture. This is true with his discussion of later conductors of the Choir, describing the setting in which each made his contribution. Hicks offers impressive detail of their relationship with Church Presidents and other leaders over the years.

It is fitting that Hicks devotes an entire chapter to the Choir under Evan Stephens, who was appointed director in 1890 and served for twenty-six years. As a boy, Stephens came to Utah from Wales with his convert family and early showed an aptitude for music. He was largely self-taught but did study some at the University of Deseret and briefly at the New England Conservatory. However, “training had little to do with his conductorial appeal, which seems to have been based on charisma and fervor” (36). He was “already a legend in Salt Lake City, mostly for running massive singing schools for children and adolescents,” (36) and became a respected composer who created many hymns and anthems highly regarded by Church members worldwide. His long tenure is significant because it established many precedents and began the discussion of questions and policies about the proper role of the choir that continued to be of concern to the following century. At the request of Church leaders, he began the practice of concert tours to distant places, beginning with the Chicago World’s Fair in 1893 and several other tours under his direction. The successful Chicago tour had been approved by President Wilford Woodruff during a difficult financial time, so his “bankrolling the Choir revealed an almost desperate faith that the trip would pay off, if not in cash, at least in goodwill to the Church” (40). Later presidents seemed to concur, for the practice has continued and expanded,4 taking the Choir overseas many times, beginning with the 1955 European tour under J. Spencer Cornwall.

It is in his discussion of the Choir under Stephens that Hicks introduces a basic friction: “Was the Choir a missionary enterprise or an artistic one? . . . Was the Church serving music, or was music serving the Church? From that question flowed all of the essential tensions that

4. President Joseph F. Smith later noted that the singers “‘were doing much to remove the prejudices that have existed against us’” (44).
would vex the Tabernacle Choir for the next century” (46). Hicks shines in considering questions such as these in the rest of his study. The detail is remarkable and derives from many sources. His prose is evenhanded and engaging, though his outlook tends to lean toward the provocative.

After Stephens, the Choir encountered many changes and the challenges of new and exciting technologies: radio, both local and network; recording and the sale of albums; television, which required the development of many new skills and procedures; and a greatly enlarged audience with the Internet. Today conductors provide for many skilled musical arrangements and for the training and performance of a full symphony orchestra that frequently accompanies the Choir. Hicks addresses the efforts of each of the conductors of the Choir and the ever-present question of the appropriate repertoire for the Choir. He covers such matters well and offers a perceptive review of the relationships of the many people involved with the Choir inside and outside the Church.

I recommend the *The Mormon Tabernacle Choir: A Biography*, both for the very readable outward history of the Choir in its religious setting and for consideration of the many behind-the-scenes realities concerning personalities, organization, training, and policy in the operation of a large volunteer choir.

George L. Mitton received his master’s degree in political science from Utah State University and furthered his graduate studies at Columbia University. Mitton was an associate editor of *FARMS Review* and published there. He has long been interested in Church history and is a lifelong admirer of the Mormon Tabernacle Choir. He is married to Ewan Harbrecht Mitton, who served as soprano soloist during the Choir’s European tour in 1955 and who assisted with this review.
As Richard L. Bushman points out in the foreword to *From Darkness unto Light*, “This volume is the first of what could be many potential histories coming out of the Joseph Smith Papers Project” (v), which has been a central goal of JSP leadership from the beginning of this vital scholarly initiative. I wish success to the JSP project and the resulting scholarship to help fulfill the inspired directive given through the Prophet on the day the Church was organized: “Behold, there shall be a record kept among you; and in it thou [Joseph Smith] shalt be called a seer, a translator, a prophet, an apostle of Jesus Christ, an elder of the church through the will of God the Father, and the grace of your Lord Jesus Christ, being inspired of the Holy Ghost to lay the foundations thereof, and to build it up unto the most holy faith” (D&C 21:1–2). I cannot imagine a more worthy goal for this scholarly undertaking.

To this end, *From Darkness unto Light* uses both familiar and obscure historical sources to create a more complete and accurate account of Joseph Smith’s ministry and the life of the early Latter-day Saint faith. I found the following narratives, along with their new details, particularly informative: retrieving the plates from the Hill Cumorah (5–14), using other scribes beside Martin Harris and Oliver Cowdery (85–89), seeking support for the authenticity of the Book of Mormon from recognized scholars (39–53), using certain translation methods and techniques (123–30), finding a printer for the manuscript (163–75), and paying for the printing (181–93). The title of the book, then, has a double meaning: it clarifies many facets of the book’s “coming forth” that were previously unknown, misunderstood, or considered problematic, and it documents events that produced Mormonism’s first and most distinctive truth claim (the Book of Mormon). For these reasons alone, this book is an important addition to Mormon historical scholarship and
should be a welcome read for all who are interested in the gospel's restoration in this dispensation.

Jointly published by Deseret Book and BYU’s Religious Studies Center, *From Darkness unto Light* is written primarily for a Latter-day Saint audience and will appeal variously to general readers and scholars alike. For example, roughly a third of the book’s 200-plus pages is devoted to extensive footnotes. Placed at the end of each chapter, they are removed from readers who want to focus primarily on the narrative but accessible to readers who desire to check sources and dig deeper into the reported events.

For the most part, this account of the coming forth of the Book of Mormon is organized chronologically, beginning with the first visitations from the angel Moroni in September 1823 and ending with the first printing and public sale of the Book of Mormon in March 1830. Many elements of the book reinforce its narrative focus, such as chapter headings that use gerund phrases: “Retrieving the Plates,” “Learning to Translate,” “Negotiating with Printers,” and so on.

While essentially a narrative of the Book of Mormon’s coming forth, *From Darkness unto Light* does not give equal weight to all associated events. For example, chapter 1 devotes four times more space to the efforts of Joseph’s contemporaries to steal the plates than to the early appearances of the angel Moroni. In more than fourteen pages, chapter 3 provides numerous details associated with Martin Harris’s brief 1828 trip to scholars in the eastern United States, but the book hardly mentions Moroni’s extensive tutoring of the Prophet from 1823 to 1827. Chapter 4 devotes most of its eleven pages to describing the tools and methods of translation but little space to reflecting on Joseph’s own spiritual growth in his accepting the burden of translation. Chapter 11 provides extensive information on the community and religious contexts of the printing but much less on the printing methods and processes, which are well documented but not widely known. These examples seem to indicate that the authors are less interested in creating a full account of the emergence of the Book of Mormon than in filling readers’ current knowledge gaps and addressing scholars’ current contentious issues. While *From Darkness unto Light* is neither comprehensive nor complete, it makes a solid contribution to the knowledge and existing scholarship about the translation of the Book of Mormon.

However, a few editorial habits of the authors may be disconcerting to some devoted readers of titles from the Religious Studies Center, which has long been a bastion of thoughtful scriptural, doctrinal, and
devotional works. A short overview and comment on these practices may be helpful.

The first concerns historical certainty. Historians like MacKay and Dirkmaat are careful to distinguish facts known for certain from those less well known. Following the scholarly convention, this study uses conditional verb tenses—“may have,” “might have,” and “could have”—and qualifying adverbs and adjectives—“likely,” “probably,” “possibly,” “somewhat,” “presumably,” and “apparently”—to identify less certain facts (see, for example, page 26).

The second editorial approach involves objective distance. Unbiased reporting of facts is a desirable, even if unattainable, objective in historical scholarship. Academic historians often, but not always, express emotional distance from the subject by referring to characters in the story by their last names. While common in historical scholarship, this convention is rather unusual in established LDS discourse, especially with reference to Church leaders without the use of an honorific title: “Elder,” “President,” or even “Brother.” Accordingly, MacKay and Dirkmaat, along with many academic publications (including the Joseph Smith Papers), frequently refer to early Church leaders by their last names: “Smith,” “Cowdery,” and “Harris”; however, they also use the familiar LDS convention: “Joseph,” “Oliver,” and “Martin” (see, for example, page 6). The authors consistently refer to women by first or full names, with preference given to the former usage, except when introducing a character or clarifying the referent, for example, “Lucy Harris” versus “Lucy Smith.” I fail to discern a pattern for these contrasting conventions.

A third convention involves memory versus history. For many academics, “history” is the factual reporting of past events, and “memory” is the retention of past events by historical characters. Thus, many scholars view “history” as objective evidence and “memory” as conditioned by cultural and emotional factors, especially if temporal and spatial distance separates the initial occurrence from its later recording and if the authenticity of the reported event is beyond empirical verification. Applying this convention, the authors mention that “Joseph remembered” the First Vision in a certain way in his 1838 account (2), that “Lucy Mack Smith remembered Lucy Harris having a ‘remarkable dream,’” (28), and that “Lucy Mack Smith and Martin Harris [each] remembered these events,” that is, Joseph's obtaining the gold plates, much differently after the fact (30).

These conventions have recently become more prominent even in faithful and devotional settings, which raises questions about the ability
of scholarly language to confirm religious conviction. While the authors walk a fine line between academic and devotional discourse, they seem regularly to favor the former in an effort to bring the believer into the world of scholarship more than the scholar into the world of faith.

While some readers may be disappointed by this emphasis, it should not dissuade them from exploring the rich insights and many new facts about the emergence of their own faith that this book provides. It delivers well on its basic promise “to provide the reader with new and significant details about these formative years of Mormonism” (xii). Hopefully, readers who are accustomed to different literary conventions will not be troubled by the authors’ adherence to current standards of historiographical discourse.

My greatest quibble with this book concerns its use of numerous illustrations, including contemporary photographs of stylized objects such as the Urim and Thummim and gold plates, as well as contemporary watercolors of key events and settings such as Joseph using the seer stone. While the authors go to extraordinary lengths to verify the accuracy of historical facts in the narrative, the verification of accuracy in the illustrations is much less rigorous. Furthermore, the appendix written by the watercolorist himself adds little to the narrative and exacerbates the interpretive problem. In my estimation, this study would have been better without the contemporary representations and the artist’s interpretive essay. Otherwise, From Darkness unto Light is a work of careful scholarship that I highly recommend.

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Susan Elizabeth Howe. *Salt.*

Lance Larsen. *Genius Loci.*
Tampa, Fla.: University of Tampa Press, 2013.

Reviewed by Tyler Chadwick

Seeing [the earth as it is] requires something more than merely historical or aesthetic lenses. It requires the poet’s eye.¹ —George Handley

Our story begins with Adam and Eve and an insatiate snake—or with a variation on the theme. The man’s name is Bob. The woman remains nameless. Eve (I’ll call her) wrestles with the snake, “Lucy, / short for Lucifer,” the couple’s “pet python,” whom they allow to “slither about [their] bedroom.” This isn’t the smartest idea, something Eve realizes the night she wakes because Lucy has “wrapped around [her]” like a snake would around live meat. Which the woman is, of course—at least to a hungry snake. Sensing the struggle beside him, Bob wakes and grabs his “Swiss army knife” to take care of the snake; but instead he gets “enmeshed” in the wrestling match, though not so much that he can’t grab the phone and call for help.

And that’s where Susan Elizabeth Howe’s allegorical poem, “Python Killed to Save Woman,” leaves our archetypal trio: the serpent trying to wring breath from the couple, the couple struggling for air in Lucifer’s tightening squeeze, Bob begging for help, Eve wondering “whose death” will come first (3–4). Little matter, though, because in the end—of the poem as of life—death gets the last word (until Christ speaks up, that is).

Death: the heritage of a temporal world, the proper end of the system’s decomposition. This end is where Howe, a poet and playwright

¹. In his original statement from *Home Waters: A Year of Recompenses on the Provo River* (Salt Lake City: University of Utah Press [2010], location 2489), Handley refers specifically to “a river.” I’ve expanded his claim to include the earth in general. My alteration of his text is, I think, in keeping with his intention in *Home Waters* to encourage people to attend more closely and carefully to the earth and its processes.
who taught at Brigham Young University, begins her second poetry collection, which is titled simply *Salt*. By opening the collection with a story of life’s end, Howe reminds readers of our mortal heritage and opens the way to explore the impact of death on life and language. *Salt*’s opening poem, then, is a *memento mori* in a poetry collection that positions itself as a preservative. Salt is, after all, essential to animal life. As such, it’s valuable to have around. Hence Christ to his disciples: You are the “salt to the world” (Matt. 5:13)—meaning, your presence here should preserve and thus extend the principles of life to the world and its inhabitants. Hence Paul to early Christians: Let your speech be always with grace, “seasoned with salt” (Col. 4:6)—meaning, let your language tend toward sustaining the principles of life. Hence a claim of Howe’s collection: “Here are some words,” she says, “dear to me as salt. May they preserve you as they have preserved me.”

That Howe sees language as a preservative element that can help language-makers sustain and redeem their experiences and relationships (with each other and with the places they inhabit) is clear from the poems collected in *Salt*. Many of them revisit the poet’s past, seeking to re-create memory’s sweeping vistas as well as its most intimate quarters: the moments of encounter she’s had with people and places (big and small) that ground her identity and orient her toward the present. Some people and places have played a more vital role in this process than others, as illustrated by their appearance in multiple poems. Howe’s female forebears, for instance, have a notable presence, as do her nieces and nephews; and she sets several poems during time spent abroad, visiting Ireland, England, Mexico. But the place and the person that exert the greatest influence on her language are (respectively) Utah and her husband, Cless, to whom *Salt* is dedicated.

The claims Cless makes on the poet’s being are clear in *Salt*. He appears by name in five of the book’s poems and is referred to as “my husband” in several others. His influence also frames the entire collection. Howe ends the preface, for instance, by giving special thanks to him, who, she says, “shares everything” (xvii). I take this to mean that he is a generous being, but also that he shares with his wife everything that makes *poiesis*—the process of making—worthwhile to her, especially its function as salt to the world. She confesses that he contributes such a sustaining presence to her life and language; her opening inscription reads, “For Cless, who is dear to me as salt.” She reiterates this statement as the title of the collection’s closing poem, “Dear to Me as Salt.” In the
poem, she catalogues her associations with salt, using its “chemical bond” as an analog for the relationships that bind her to the earth and its creatures. Foremost among these dearly valued bonds is the one she shares with Cless, with whom she labors to till ground and with whom she moves across the earth and through life. The last half of the poem points to the way salt has sustained that relationship, both literally in the sweat and blood stirred by the body at work and metaphorically as desire:

Sweat I want to lick
from the base of your neck. Kisses.
Taste of my own blood.
Desire we float in, the great salt
lake whose water stings and lashes
life to death to life. (107)

This last sentence also points to how deeply connected Howe feels to Utah, something she admits in her preface when she says, “The very geography of this place has shaped me” (x). This connection is evident throughout Salt, beginning with the black-and-white image chosen to dress the book’s salt-white cover. Designed by illustrator Ron Stucki, the image reads like a typical Northern Utah mountainscape filled with snow-capped peaks, but with the vital addition of a partial, undraped figure of a woman reclining across the foreground. The image is cropped and positioned so that the woman’s body discreetly mirrors the landscape.

Or rather: her body becomes the landscape.

Howe explores the inseparable union between flesh and earth in her poem, “My True Country,” which begins “How I belong in the red desert.” In the lines that follow, she shows how entangled she is in the geography she inhabits by entangling descriptions of desert flora with descriptions of her body:

morning hair like spiny Brigham tea, evening hair
like the straw of rice grass,
veins in my wrists the blue-green of a buffalo berry bush.
As juniper twists and survives,
one breast hangs lower and my hip protrudes,
my left eyebrow rises,
its question answered by my right. (92)
Nine pages before this, Howe shows how all of us are entangled. She does so in a poem that celebrates religious rituals as things that bring humans together in shared pursuit of the sacred even as these acts of worship—which require our bodily presence and physical touch—ground us in the realities of life in this world. Having gathered with family and friends to witness the Mormon ritual by which an infant is given a name and a blessing, the poet watches the child get passed from Dad to Mom “just as [the baby] dirties her diaper.” The emergence of something so earthy during a sacred religious service reminds the poet that this child—like everyone else—“belongs to this soiled earth” (83). The earth is ours, God tells us, and will sustain and preserve us so long as we sustain and preserve it. As Howe illustrates with *Salt*, this stewardship to be salt to the world includes using language to flesh out and to cultivate our species’ inherent connection to, dependence on, and responsibility for the earth.

Mormon theology demands that in all we do—language-making included—we attend closely to the environments we inhabit. “Consider the lilies of the field,” Christ said in the Sermon on the Mount, then again in his sermon at the Nephite temple and to Joseph Smith in Kirtland.2 His utterance, reiterated across dispensations, calls his disciples to rely on his grace as they seek to build Zion: “You’re worried about where you’ll get your next meal?” he seems to ask. “How you’ll quench your thirst and clothe your nakedness? Well, look closely at the lilies. See how their relationship with the earth sustains their growth? They root in rich soil. They withhold their presence and their beauty from no one. They consume only as their needs demand and what they produce contributes—even in death—to the health and constant renewal of their environment, to which the species readily adapts. Can human institutions, which are prone to excess, say the same of themselves?

“Live, rather, like the lilies.”

Howe, it seems, has taken this imperative to heart (though perhaps not directly via Christ’s statement), using her poiesis as a way to sustain the world and to draw out her presence—as well as her readers’ presence—therein. Poet and professor Lance Larsen, who (like Howe) teaches at BYU, seems to have responded likewise, although the places he inhabits in his fourth poetry collection, *Genius Loci*, are more directly mobile than those Howe inhabits in *Salt*. *Salt’s* geographies and the people and creatures who populate them are essentially in motion. But a

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persistent concern in *Genius Loci* is what it means to live in a world that doesn’t hold still—scratch that: not just *to live* in a world that doesn’t hold still, but *to be fully present* in that world.

The book foregrounds the postindustrial world’s lack of stillness in its movement among places and images and its repeated references to public transportation. In a conversation I recently had with a colleague regarding *Genius Loci*, she mentioned that the collection’s movement among so many places and things made it feel like it had ADHD—like the poet couldn’t sit still long enough to settle on a unifying theme or focus. The poems jump between past and present; the subject matter moves from trout fishing to big city living to life in the suburbs, from interactions between parent and child, between lovers, or among strangers; and the imagery points to something beyond this world even as it remains deeply rooted in life on Earth. Ultimately, even though the collection’s subject matter may seem unwieldy because its poems range widely, the poet’s main concern is with experiencing the earth more deeply and invoking that experience for others.

Larsen draws readers into this poetic re-vision of the world from the first lines of “Chancellor of Shadows,” which is the collection’s first poem: “Horses are praying the old fashioned way, trotting / a fenced field at twilight under a towel of moon” (1). Calling upon the grace and power of equine movement, this invocation does at least two things:

First, it pairs movement and prayer and suggests that the body in motion is a primitive mode of communion—by which I mean that, on an evolutionary timescale, physical movement would precede the language-making ritual we call prayer as a way of articulating desire, reaching beyond the self, and connecting with others and the world. Larsen’s horses represent this primal sense of kinship: the acknowledgement that a place’s inhabitants are inherently interdependent and that by accepting each other’s presence and moving through the world together, those inhabitants can have a dramatic influence on each other, on observers, and on their environment. This influence is manifest, in one sense, as the horses trot through their pasture, running for no apparent reason other than their mutual response to the species’ instinct to run together, and, in another sense, as their movement through the field moves the poet to make language that honors their shared presence in the world and that recognizes and is influenced by the grace revealed in animal consciousness.

Second, recognizing what animals can teach about shared movement as communion and grace, the poet uses the invocation to call readers to consider the presence of other beings and creatures in their
own lives. He does this from the poem's first lines, where the mixture of poetic feet mimics the horses' movements through the field. As I read it, line one consists of two dactyls (a stressed syllable followed by two unstressed syllables), a third epitrite (two stressed syllables followed by an unstressed then a stressed syllable), and a trochee (an unstressed then stressed syllable); and the second line consists of two bacchii (an unstressed syllable followed by two stressed syllables), a dactyl, and a choriamb (a stressed syllable followed by two unstressed syllables then another stressed). This complex rhythm structure moves the language beyond everyday speech and taps into the varied rhythms of life on Earth, a process that—as happens with poetic language in general—seeks to draw readers beyond everyday concerns and to (re)connect them with the world at their feet.

So connected, we become more aware of who and what we share places with and how our interdependence shapes those places and the ways we inhabit them. Hence the reason Larsen “keep[s] putting animals in [his] poems”—or so he claims in the collection's second entry: “I open windows to catch a glimpse of grace / on the horizon,” he says,

and in they sneak, coyotes and crows,  
pikas and the scholarly vole, dragging scoured skies  
I can see myself in. Much cheaper than booking  
a flight to the Galápagos. And they teach me.

Badgers rarely invent stories to make them sad  
about their bodies. And the wrinkliest of Shar Pei  
ever dreams of ironing its face. My happiness  
is like a flock of sparrows that scatters when a bus  
drives by, then re-strings itself two blocks away,  
a necklace of chirps festooning a caved-in barn. (2)

By comparing his well-being to a flock of sparrows that disbands at the noise of a passing bus then reconnects down the road, he reiterates the idea that shared movement through a place is an act of communion—of coming and being together—and an expression of grace. Just as the necklace of birds embellishes the neighborhood, our attempts to move, to commune, to connect, to be fully present with others enhance our experience of the places we occupy together.

The collection's opening poems establish its preoccupation with movement, which further manifests in the repeated references to vehicles. In “Man in a Suit, Twelve Crickets in His Pocket,” for instance, the poet occupies a car with a dozen feeder crickets chirring in his coat
pocket. Because, by his own admission, he’s “a man who hates to make an extra trip,” he picked up the insects on his way to a “wedding reception” and stuffed them in his pocket so they wouldn’t freeze in the cold car while he made his way through the reception. Vulnerable to the influence of other beings and creatures on himself and his perception of his surroundings, driving home after the event he wills the crickets’ “dark voices to sing away the dark” as he listens “for his name” in their chorus “and the electric hush that follows” (24–25).

The “electric hush” of modern modes of transportation plays backup to many poems in the collection, including the six that refer to buses. The most prominent of these, “Elegy, with City Bus and Blue-haired Girl,” places an undisclosed number of passengers and a driver at a bus stop where, from their seats, they watch a confrontation unfold just outside the door between the eponymous girl and “a boy with a shaved head.” Made voyeurs by the rising tension in the young lovers’ dispute, the onlookers are content to watch and wait for the quarrel to pass—until the spat rises to violence, that is, she shoulder-butching him and he shoving her. Forced from complacence by the increased threat to the girl’s well-being, the observers spring to action: as the poet says, the act “made three of us stand up, / and two of us / reach for our cells”; and it compelled the bus driver to reach out with language:

“Miss, do you need some help?
Hey, Miss.”

The driver punctuated his offer with tenderness:

he knelt the bus. Yes, knelt it. In a whoosh of hydraulics, that behemoth dinosaured to its knees. (8–11)

While the girl turns away from the safe place offered by the bus and runs “back the way she had come” with the boy close behind, the bus gives the people who occupy it the chance to share experience, to share breath. Larsen reiterates the theme in one of the book’s many odes: “Ode to Breath”:

schlubs
like me spend weekends learning
to share you with a dying stranger on a bus.
An intimacy resembling a kiss
but closer to confession. (60)

To draw breath is life-giving movement. To share breath is an act of intimacy and communion: it’s to move together, to make language
together, to mutually draw in the air—the spirit—of a place, and in so
doing to commune with those who also inhabit the place and to take
responsibility for our neighbors’ well-being and for the place’s well-
being. Hence the title of Larsen’s book: Genius Loci, which means the
spirit of (a) place. For the Romans, who originated the concept, a place’s
genius was its guardian spirit, a singular influence that breathed life into
each aspect of the place—its environment, its people, its happenings.

Drawing from this conception in their role as stewards of place,
landscape architects seek to bring natural and constructed environ-
ments into harmony with each place’s particular geniuses. And poets
who likewise take their place on Earth seriously follow suit, making
language (which is itself a dynamic, adaptive product of human biol-
ogy and interaction with the natural world) that mirrors, rethinks, and
remakes the being of Earth and its inhabitants. In this light, both Salt
and Genius Loci can be productively read by those interested in poetry
of high literary value and also by those interested in the impact our
presence and our language have on the earth and who seek to be fully
present in that world.

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Diego, California, and is a doctoral candidate in English at Idaho State Uni-
versity. He is an active essayist and poet and has published widely in literary
venues.

In recent years, Mormons and contemporary Christians have come together in order to better understand one another. Unexpected strides have been made in discovering the commonalities and differences that exist between both groups. A significant attempt was made in 1997 with the publishing of How Wide the Divide? A Mormon and an Evangelical in Conversation by Stephen Robinson and Craig Blomberg. Ten years later, Donald W. Musser (Christian scholar) and David L. Paulsen (Mormon scholar) edited a volume of essays by both Christian and Mormon scholars titled Mormonism in Dialogue with Contemporary Christian Theologies.

During the ten-year publishing span of these two seminal works, many others have worked and published tirelessly on interfaith relations. Two of the most prominent have been scholars Robert L. Millet (Brigham Young University) and Richard J. Mouw (Fuller Theological Seminary), who have come together to edit a compilation of essays published by InterVarsity Press.

The first part of Talking Doctrine contains stand-alone essays—by either Evangelical or Mormon scholars—about personal experiences with the fifteen-year interfaith dialogue that made this culminating work possible. Part two of the book presents essays on “specific doctrinal discussions.” Rather than impose an Evangelical or Mormon viewpoint on a particular doctrine with subsequent response essays (such as in Mormonism in Dialogue), each scholar represents both sides fairly and accurately in one essay on subjects such as the Trinity and becoming as God. These essays provide substantial but clear and concise summations of both viewpoints. Readers interested in what connects and separates Mormons from Evangelicals will find insight and notice a lack of hostility on every page.

Both Mouw and Millet explain the origins of Talking Doctrine in the preface. Nine Mormon and ten Evangelical scholars met at BYU in the spring of 2000 to openly question and discuss each other’s beliefs. Many doubts and concerns existed in the attendees’ minds at this first meeting. Millet and others wondered what the whole point of it was: To convert one another? To make sure the other understood what Mormons/Evangelicals believe? As they continued to meet once or twice a year, the tensions eased, and the motivation became less about being understood and more about understanding one another (59).

Such a dialogue shows the need to walk in another religion’s shoes before attempting to represent it; the kindness and respect that flow through these pages illustrate the hard-earned right of these scholars to speak for one another. In the preface, Mouw and Millet point to another significant feat: Mormons and Evangelicals share many more core values than they realize, and it would be to their best interest to unite under the name of Christianity against the “influences in our world that threaten to tear at the very fabric of our society” (11). The book is very readable and speaks to all people, no matter the level of awareness of Christian doctrine, because all readers can benefit by improving how they approach other religions. Whatever pulls readers to engage this book, even if only curiosity, it will be worth their time.

—Christine Wilkins

“For a boy growing up on a small farm in northern Utah, it would be quite amazing if I am remembered at all. I’ve had an exciting life. In lots of ways, it’s a life I did not fully dream of when I was thinning sugar beets—better than I could have hoped, I think,” (274) writes Kenneth W. Godfrey in Conversations with Mormon Historians about his experience being a career historian. For the historians who work hard to ensure that people of the past are remembered, Conversations with Mormon Historians works hard to ensure that the historians themselves are remembered also.

This book is a compilation of interviews with some of the eminent past-generation Latter-day Saint historians—interviewed by some of the eminent LDS historians of this generation. Because both the interviewers and the interviewees have a deep adoration for Mormon history, the comradery between the scholars is palpable upon the book’s pages. The list of distinguished historians interviewed includes Thomas G. Alexander, James B. Allen, Richard Lloyd Anderson, Milton V. Backman, LaMar C. Berrett, Claudia L. Bushman, Richard L. Bushman, Kenneth W. Godfrey, Dean C. Jessee, Stanley B. Kimball, Carol Cornwall Madsen, Robert J. Matthews, Max H Parkin, Charles S. Peterson, Larry C. Porter, and Laurel Thatcher Ulrich. Each historian brings different interests, ideas, personalities, and experiences to the book—and each makes the book an enjoyable and enlightening read.

Each chapter focuses on a different historian and includes questions about the historian’s childhood, family, education, and career. The interviewed historians have a talent for taking the reader back in time through their stories. Milton V. Backman states, “I believe that history is fascinating because it is a series of stories. It is something more than just dates. It is life experiences. It’s unfolding the past. It’s reconstructing patterns of living” (124). These historians have lived long and full lives, and their personal narratives deeply and richly unfold the past through the pages of the book. It is appropriate to acknowledge that these historians—who have spent their lives studying the histories of others—have, in turn, made history themselves. The book is filled with funny anecdotes, impressive accomplishments, and spiritual moments. Overall, Conversations with Mormon Historians is an informative and light-hearted read for anyone personally interested in any aspect of history.

—Allyson Jones

Last Laborer: Thoughts and Reflections of a Black Mormon by Keith N. Hamilton (Salt Lake City: Ammon Works, 2011)

Somewhere between memoir and testimonial lies a category of work where an accomplished person attempts to explore the particulars of their own experience in a way that is both useful and interesting to others. Keith N. Hamilton’s Last Laborer: Thoughts and Reflections of a Black Mormon explores his personal history in the context of being a black convert to The Church of Jesus Christ of Latter-day Saints soon after the revelation on the priesthood was announced. The narrative neither accuses nor defends, choosing instead to simply explore how he has integrated his often difficult experience with a strong sense of identity and a hopeful faith in a clear, direct, and very readable personal voice.
The author coins the term “doctrinomial” to describe the work, underpinning its peculiar nature as a combination memoir, doctrinal explication, and personal interpretation—a model mirrored in the book’s three sections. The first section is a memoir that explores key experiences growing up in traditional African-American culture in and around the Jim Crow South. Those challenges prepared him to hear and accept the gospel as a student at North Carolina State University—and deal with the social and cultural backlash that he felt both as he finished his undergraduate degree at NC State and as he went on (after serving an LDS mission) to the somewhat alien environment of Brigham Young University, being the first black student accepted at the J. Reuben Clark Law School. Hamilton is clear and direct about the dissonance he often felt as he tried to reconcile a gospel of peace and unity with a culture that had not yet learned to comfortably accommodate an accomplished black Mormon, particularly one with a peculiar sense of humor.

The second section lays out the commonly understood understanding of doctrine on blacks and the priesthood, then supplements it with his own hard-won understanding of that same doctrine. This section is a bit unusual in that it works to explain rather than attack or condone, and shows a remarkable charity even while exploring the mismatches between practice and preachment. Hamilton explores the historical context leading up to the revelation on the priesthood, the process of obtaining that revelation, and the sometimes harsh responses to it both inside and outside the Church. This is also where he presents and explicates the parable of the laborer as a thematic and metaphorical frame for integrating the three sections and directly addressing the ongoing challenges still faced by the Church.

The third section then goes on to show Hamilton’s personal understanding and testimony of hope, as well as his calling on the Church to embrace the challenge of building a more perfect faith with a perfect brightness of hope—difficult history and personal experience notwithstanding. His emphasis on understanding, without either condemning or condoning, reveals a strong testimony of both the gospel of Jesus Christ and its (ongoing) restoration.

Last Laborer is a powerful exploration of racial issues offered with admirable clarity, incisive wit, and a deep and abiding charity that speaks eloquently to the challenge and promise of a constant and hopeful effort to draw nearer to the truth.

—Scott R. Parkin


The Oxford Handbook series publishes academic essays in particular fields within the humanities and social sciences. This volume focuses on a growing subgenre of religious studies—Mormonism. Terryl Givens and Philip Barlow have brought their considerable experience and expertise to the task of assembling and editing this collection of essays on topics about Mormon history, theology, and lived religion. Givens is a professor of literature and religion at the University of Richmond and the author of several books, including Wrestling the Angel: The Foundations of Mormon Thought: Cosmos, God, Humanity. Barlow is a professor of Mormon history and culture at Utah State University and the author of Mormons and the Bible: The Place of the Latter-day Saints in American Religion. The other
contributing authors serve in various academic fields, and the book includes their biographies so that the reader may better contextualize the diverse perspectives of the essayists.

The Oxford Handbook of Mormonism is organized into eight sections beginning with “History of Mormonism.” This section discusses not only the history of Mormonism, but also the development of Mormon studies as a scholarly field. Essays explore topics on Mormons in Utah and around the world, women's relationship with the Church, and differences between Latter-day Saints and the Community of Christ. The next two sections, “Revelation and Scripture” and “Ecclesiastical Structure and Praxis,” give broad overviews of elements in the Church such as the Bible and the Book of Mormon, revelation on an individual and Church level, missionary work, the priesthood, and temples. “Mormon Thought,” the fourth section, focuses more on theology than the other sections. The doctrines of revelation, the nature of God, the Atonement, and the plan of salvation are all included.

The “Mormon Society” section treats social discussions such as family structure, gender, race, politics, and lived religion. “Mormon Culture” examines popular and folk culture, the relevance of geography in Mormon culture, and relationships with art, architecture, literature, music, and media. The Oxford Handbook concludes with “The International Church” and “Mormonism in the World Community.” In these final two sections, Mormonism is studied in its locations in Asia, Europe, Latin America, and the Pacific, and also in relation to world religions, law, and politics.

The Oxford Handbook of Mormonism contributes considerably to the burgeoning field of Mormon studies. The essays are logically and neatly organized in the eight sections, yet each topic is distinct. The essays are current and should provide a valuable resource for those in Mormon studies, as well as for general readers interested in the open landscape of American and world religions. The Oxford Handbook is not so much a reference handbook as it is a collection of essays, editorials, and articles. This guide will give modern scholars an understanding of the status of Mormon studies today and the possibilities for where it can go in the future.

—Janeen Christensen


In 2004, Deseret Book published Yearning for the Living God: Reflections from the Life of F. Enzio Busche. Eleven years later, this book was translated and published in German by Leipziger University Press, a noteworthy and perhaps unique publishing event in Latter-day Saint history. That a prestigious German university press would publish the biography of an LDS General Authority speaks volumes about the respect Elder Busche still commands in his native land.

Born in Dortmund in 1930, three years before Hitler’s rise to power, Enzio found himself at age fourteen drafted into the faltering German army. When the war ended, he, along with most of his fellow countrymen and women, learned the horrible truth about Hitler's Third Reich. Enzio found himself full of questions: Who is man? Is there a God? What is the purpose of life? What happens after death?

So began his search for the living God, which eventually brought him in contact with the Mormon missionaries.
After a lengthy investigation of the Church, Enzio eventually agreed to be baptized, but only after extracting the promise that he would never have to hold a calling or give a talk. Of course these were conditions he himself outgrew, becoming in time the first German called to serve as an LDS General Authority, a calling that enabled him to speak to congregations in forty-one countries, forty-five of the fifty United States, seven Canadian provinces, and eighty cities in his native Germany.

This biography briefly touches upon Elder Busche’s youth; devotes several chapters to his conversion, baptism, and early years as a Latter-day Saint; discusses his family and business dealings; and concludes with his experiences as a member of the First Quorum of Seventy, where he served from October 1977 until October 2000. For the first three years of this period, he served as president of the Germany Munich Mission, and from 1987 to 1989 he was president of the Frankfurt Germany Temple. A particularly moving chapter is devoted to “Die Heiligen überall in der Welt” (the Saints in All the World), detailing extraordinary experiences he shared with ordinary members of the Church during his many travels.

This is a unique book about a unique man and is now available in his native tongue. It should be of special interest to Latter-day Saints in Germany or to those, like me, who served missions in German-speaking countries and wish to read Elder Busche’s story in the language they once spoke as representatives of the Church.

—Roger Terry
We are pleased to announce *The History of the Text of the Book of Mormon: Parts 1 and 2, Grammatical Variation*, authored by Royal Skousen with the collaboration of Stanford Carmack. These are the latest books in the Book of Mormon Critical Text Project. They comprehensively analyze every grammatical variant and basic type of editorial change in the text of the Book of Mormon, beginning with the handwritten manuscripts and considering every major printed edition. The sixty-eight grammatical sections in these books deal with the nonstandard English in the original text and how it has been emended over the years, either consciously or accidentally. These sections also compare Book of Mormon usage with usage of the King James Bible, earlier English Bible translations, and Early Modern English in general. These volumes, together with all parts of the Critical Text project, are foundational for any scholarly study of the Book of Mormon.

Royal Skousen and Stanford Carmack gave presentations about these two books on April 6, 2016. A video of their presentations is available at https://www.youtube.com/watch?v=WuMOQDJaQ8.

For more on the project, see http://criticaltext.byustudies.byu.edu.