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**In Memoriam:  
Henry Eyring  
1901–1981**

Funeral Address by Neal A. Maxwell

Henry Eyring is, in my opinion, the most distinguished Mormon scientist of this dispensation. His highest expression of scholarship was seen in his capacity to grasp the simplest but most sublime truths about God, man, and the universe. . . .

Henry knew that faith was faith, not knowledge as the world measures knowledge; but his discerning mind could also observe, with kindness, the load of incredibilia carried by nonbelievers. . . . He believed all that God has revealed but awaited with searching anticipation all that God will yet reveal. Henry could savor the adventure of unfolding discovery and hoped the Lord would not mind if, in the field of science, he did his best to hasten the impending.

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Elder Neal A. Maxwell, a member of the Quorum of the Twelve Apostles of The Church of Jesus Christ of Latter-day Saints, delivered the funeral sermon for Henry Eyring on 31 December 1981. "In Memoriam" is composed of selections from that sermon.



Since he felt that all truth comes from God, and since he knew that God refused to require him to believe anything that was not true, Henry had a very large view of truth, sparing him the unnecessary conflicts and contortions which some have. . . .

He respected and appreciated the abundant honors of men which came to him, but he always kept them in proper perspective. . . . His healthy relationship with Deity has made for healthy relationships with God's children. Though much of his life was spent in the midst of the ordered world of molecules, practical Henry nevertheless reminded us that, while God and His world are perfect, we are wise to make allowances in our faith for the imperfections in each other.

Henry Eyring was an illuminated individual who understood that "a candle is not lighted for itself, and neither is a man." He could accept the reality that this is but a small planet in a small solar system, which, if we moved out into space far enough, would be seen to be at the outer edge of the vast Milky Way galaxy. And the latter, were we to go even more deeply into space, would become another very bright dot among countless dots. Henry understood this, and yet he was not lonely, for God presides over and loves all His creations. But that same God has left us free to choose and has so constructed this mortal experience that it is for us, as it was for Henry, a genuine proving ground.



# The Necessity of a Sinless Messiah

Ronald A. Heiner

## INTRODUCTION

Christianity intrinsically relates to the earthly mission and atoning sacrifice of Jesus Christ. It relates to the remarkable necessity of a single special individual born into mortality to save all of mankind, this individual to be the first-begotten of the Father in the spirit world and the only-begotten of the Father in this mortal world. Furthermore, and even more remarkable, the saving plan of the Father would entail great suffering to be experienced by this special individual who, among all of the Father's children, was the only one who had been perfectly obedient from the beginning.

This requirement of supreme sacrifice must have been due to persuasive and righteous reasons; otherwise it would not have been part of God's plan. But, even so, one wonders why Christ's atoning mission in just this form was necessary. Alma says:

And now, the plan of mercy could not be brought about except an atonement be made; therefore God himself atoneth for the sins of the world, to bring about the plan of mercy, to appease the demands of justice, that God might be a perfect, just God, and a merciful God also.

[Alma 42:15]

Alma does not just simply state that an atonement must occur; he also says that it is necessary if God is to be merciful without violating justice (see also Alma 34:9–13). Thus, Alma refers to an *implied relationship* between these principles and the necessity of the Atonement.

Alma's statement is a simple example of what is formally known in logic and mathematics as an *axiomatization*. In a religious context, this would mean the analysis of a set of eternal concepts and principles to show that the only way they can all be satisfied is for certain doctrines to be fulfilled or, conversely, to show that if certain doctrines are not satisfied, then at least one of these principles must be violated.

Such a demonstration of relationship between spiritual principles and implied doctrines, however, does *not* “prove” the doctrines so that faith is no longer needed. It rather shows that there is an implied relationship *between* such principles and the associated doctrines; the validity of the principles necessarily remains outside the scope of the demonstration. Nonetheless, elucidating a necessary relationship between eternal principles and implied doctrines may significantly enhance one’s understanding and appreciation of those doctrines, thereby increasing one’s faith in them. This, then, is my purpose: to increase faith, understanding, and appreciation by showing that *certain eternal principles imply the unavoidable necessity of Christ’s atoning mission*.

The principles involved are expressed in the Book of Mormon and Doctrine and Covenants, and not only demonstrate an overall unity and depth in these two books of scripture but also validate the latter-day restoration of the gospel of Jesus Christ, because temple work for the dead (a doctrine peculiar to the restored gospel) contains additional key principles sufficient to imply the necessity of Christ’s atonement, which is the core doctrine defining the very meaning of Christianity.

## I. THE SINLESS MESSIAH IMPLICATION

This section presents four principles about justice, vicarious substitution, and death. It then shows how Christ’s atonement is implied by them.

### 1. *Justice Alone Not Sufficient*

Considerations about justice are a focal point in many discussions of the Atonement. A good example is Boyd K. Packer’s essay entitled *The Mediator*.<sup>1</sup> Elder Packer uses a parable about monetary debt to emphasize that payment must occur or punishment for sins must occur where sins are symbolically represented by debt. This principle may be stated as follows:

*PJ (Punishment Justice)*. For an individual to receive eternal life, punishment is necessary for any sins committed by him.

Principle PJ implies that the only way an insolvent debtor (one unable to pay his debts) can escape punishment is for someone else to

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<sup>1</sup>Boyd K. Packer, *The Mediator* (Salt Lake City: Deseret Book, 1978); see also Boyd K. Packer, “The Mediator,” *Ensign* 7 (May 1977): 54–56.



satisfy justice by paying the debt for him. In the parable, there is a friend who reconciles or mediates the division between the insolvent debtor and the unpaid lender. By so doing, the debtor receives mercy because he escapes punishment, yet justice is satisfied because the debt is paid by the friend. Thus, an implied relationship exists between the principle of punishment justice and the necessity of a mediator.

This implication is important in understanding the Atonement. Note that it does not imply that the mediator must be some special individual who has never sinned<sup>2</sup> or, as in the parable, never been a debtor himself.<sup>3</sup> Principle PJ says only that punishment must occur for everyone's sins but does not put any restriction on *who* might suffer these punishments. Thus, those that have sinned could receive mercy by having others who, in addition to suffering for their own sins, suffer punishment for those sinners. In this case, the reconciliation of justice and mercy would be achieved entirely *within* the group of sinners.

Therefore, while punishment justice is a necessary component in understanding the Atonement, it is not sufficient by itself to imply that a special, sinless individual must be part of God's plan.

## *2. Two Substitution Principles Implied by Temple Work for the Dead*

Both the Atonement and temple work are examples of *vicarious substitution*.<sup>4</sup> One example concerns substituting to receive the punishments of another; the other concerns substituting to perform spiritual ordinances for another.

In contrast to punishment substitution, temple ordinance substitution does not require that those doing the substitution be sinless, simply that they must have forsaken past sins so as to be eligible to enter the temple.

This fact provides an important clue to the principles needed to imply that the mediator be sinless. The basic issue is that once one

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<sup>2</sup>For reference to the fact that the Messiah must be sinless, see Hebrews 4:14–15, 1 Peter 2:21–25, D&C 20:22, Mosiah 15:5; see also James E. Talmage, *Jesus the Christ* (Salt Lake City: The Church of Jesus Christ of Latter-day Saints), p. 21.

<sup>3</sup>It is often implicitly assumed that once a sin has been committed a person is not capable of repaying the sin and thus is incapable of repaying anyone else's sins. This assumption is inconsistent with the analogy of monetary debt, where the dominant purpose of borrowing is precisely to generate greater returns than the initial amount borrowed (thus generating a surplus to help others pay their debts). Far more basic is the issue of why it is legitimate for one who has sinned to vicariously substitute in performing someone else's temple ordinances but not legitimate to vicariously substitute in satisfying another person's punishments.

<sup>4</sup>Bruce R. McConkie, *Mormon Doctrine*, 2d ed. (Salt Lake City: Bookcraft, 1966), p. 822.

realizes *the necessity of vicarious substitution he must then understand the conditions under which such substitution is valid*. Concerning the Atonement, this means that one must satisfy the appropriate *substitution principles* so that justice is not violated in extending mercy. These principles will allow persons who have sinned to do temple work for the dead; yet when these principles are combined with other principles, they will prevent these persons from substituting for others' punishments. Such general principles are implied by the revealed rules of ordinance work.

First, these rules dictate that a person must be baptized or endowed for the dead in the *same* way he, as a living person, had to be baptized or endowed for himself. For example, he cannot be sprinkled with water for another person if for his own baptism he had to be fully immersed. Generalizing this condition to all types of requirements gives the following substitution principle:

*SE (Substitution Equivalence)*. If a group of persons are all subject to the same requirement, then members of the group can help another in the group satisfy that requirement only by doing the same things that individual would have to do to accomplish the requirement for himself.

*Substitution equivalence* holds that identical requirements imply identical actions to satisfy those requirements.

Second, in addition, one's own baptism cannot simultaneously count as baptism for someone else, and, similarly, his own temple ordinances cannot simultaneously count for another's temple ordinances. A person's own ordinances, needed to satisfy his own ordinance requirements, must be separate from ordinances he performs for other persons. Generalizing these conditions gives a second substitution principle:

*SR (Substitution Responsibility)*. In order to substitute for someone else's requirements, one's own requirements must also be satisfied; and actions necessary to self-accomplish one's own requirements must be separate from those actions used to help satisfy another person's requirements.

*Substitution responsibility* holds that in order for one to help others one's own requirements must be satisfied; and, to help others, one must perform actions separate from those already needed to accomplish one's own requirements.



These general principles do not limit substitution possibilities to only those who are sinless. Applied to punishment substitution, these principles imply no special restriction that only a sinless person can pay for the sins of others.

### 3. *Death, Immortality, and Eternal Life*

Eternal life cannot occur unless one has become immortal with spirit and body inseparably united (see Alma 11:45). However, if a person pays for his own sins without help from anyone else, a permanent death must occur and body and spirit cannot then be reunited (2 Nephi 9:7; 10:25; Mosiah 16:7). If body and spirit are unable to be reunited, death obviously cannot recur. And, since the spirit is forever without a body, the opportunities for eternal life are also nullified (D&C 93:33–34).

Summarizing these conclusions gives the following principle:<sup>5</sup>

*ED (Eternal Death).* All sin requires payment which, if self-accomplished—that is, without the help of others—implies an endless death that cannot be reversed, which nonreversal implies death cannot be repeated and also nullifies the opportunity for eternal life.

With this condition, sin becomes a serious matter, because unless some way can be found to avoid a person's paying for his own sins, he will be denied eternal life. This is the dilemma facing a merciful God who desires that eternal life not be denied those who have sinned. But how is the Father to extend mercy to his children without violating justice? Is there any way they can share or substitute for one another to pay for their sins?

This is the fundamental question which must be resolved. Its answer explains why the Father's plan of mercy required the atoning sacrifice of his beloved firstborn.

### 4. *Proof of the Sinless Messiah Implication*

The basic implication about Christ's messianic role is now derived from the previous four principles.<sup>6</sup> To help follow the chain of reasoning used in the proof, the principles are restated together.

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<sup>5</sup>The only property of death and resurrection assumed is that they are each the reversal of the other (resurrection restores the union of spirit and body which death separates). No assumption about the physical or spiritual nature of body and spirit, nor of the process by which they are united or divided, is used. Hence, other than the reversal relationship, the sinless atonement implication to be obtained is independent of any particular physical or spiritual interpretation of these concepts.

<sup>6</sup>The precise demonstration using logic and set theory tools is presented in the Appendix to this article.

*PJ (Punishment Justice)*. For an individual to receive eternal life, punishment is necessary for any sins committed by him.

*ED (Eternal Death)*. All sin requires payment which if self-accomplished—that is, without the help of others—implies an endless death that cannot be reversed, which nonreversal implies death cannot be repeated and also nullifies the opportunity for eternal life.

*SE (Substitution Equivalence)*. If a group of persons are all subject to the same requirement, then members of the group can help another in the group satisfy that requirement only by doing the same things that individual would have to do to accomplish the requirement for himself.

*SR (Substitution Responsibility)*. In order to substitute for someone else's requirements, one's own requirements must also be satisfied; actions necessary to self-accomplish one's own requirements must be separate from those actions used to help satisfy another person's requirements.

Assume that all individuals are grouped into a single room before the judgment bar of God. Could *anyone* receive eternal life if *everyone* in the room has sinned?

Since all have sinned, then punishment justice (PJ) and eternal death (ED) imply that every person, if he self-pays for his own sins, must die and not be resurrected. But death without resurrection precludes the possibility of eternal life. Hence, each person will be denied eternal life unless someone other than the person himself helps to pay for his sins.

Conceivably there are many ways a person's sins could be paid for by others. The simplest would be for someone to step in and single-handedly pay for another person's sins. Far more elaborate possibilities might involve the team effort of a number of persons, each of whom pays for a portion of another person's sins. However, since all have sinned, then payment for sin is a requirement for each person in the room. Thus, by substitution equivalence (SE), any joint effort to pay for another person's sins must satisfy the same requirements that this person would have to satisfy if he self-paid for his own sins. Since self-payment requires both death and nonresurrection, then these same requirements must also be satisfied by other persons in the room.



Thus, two possibilities exist: someone substitutes for the nonresurrection requirement of another person (whom we will call the first person), thus enabling the first person, if he dies, to be resurrected; or someone substitutes for the death requirement of the first person, eliminating the need for him to be resurrected since his spirit and body need not be divided.

Consider the first possibility, that of a second person's substituting for the nonresurrection requirement of a first person. Since person 2 would also have to be not resurrected if he self-paid for his own sins, then substitution responsibility (SR) would require that his nonresurrection restriction cannot also apply to person 1; yet SR also requires that a nonresurrection must be satisfied for 2 in order for 2's nonresurrection to satisfy nonresurrection for 1. The only way out is for there to be a third person whose nonresurrection applies to person 2, so that 2's nonresurrection can substitute for 1's nonresurrection requirement. Applying the same argument recursively implies an endless sequence of further substitutions, but this will eventually deplete all persons in the room yet still require individuals to satisfy these substitutions. Hence, an impasse is reached if eternal life were to be given to any person in the room through nonresurrection substitution.

The other possibility involves a second person's substituting for the death requirement of the first person. Here the situation is more complicated because a person can only be *not* resurrected once, while in contrast he can repeat the occurrence of death many times so long as he does not have to satisfy a nonresurrection requirement himself. Thus, it might appear that someone could experience repeated deaths for others, all of which are separate from the death he experiences for his own sins. Let us see if this is possible.

Remember that person 2 would also have to die if he self-paid his own sins, and thus by substitution responsibility (SR), a single occurrence of death for 2 cannot also apply to 1. Thus, either a third person must substitute for 2's death requirement, or 2 must himself die twice—once for himself and once for person 1. Suppose initially that 2 does experience these two deaths.

Now person 2 would also have to satisfy a nonresurrection requirement if he pays for his own sins, which requirement, by substitution responsibility, must still be satisfied by someone in order for 2 to suffer a death which substitutes for person 1's death requirement. But nonresurrection for 2 would prevent him from dying a second time—for person 1. Hence, in order for 2 to die a second time, for 1, there must be still a third person who satisfies person 2's



nonresurrection requirement. But we have already shown that non-resurrection substitution implies a never-ending sequence of further nonresurrection substitutions, hence leading to an impasse.

Thus, the only remaining possibility is that person 2 satisfy his own nonresurrection restriction, which prevents him from experiencing his own death plus a second death for person 1. But since 2 would have to die if he self-paid for his own sins, then substitution responsibility (SR) implies that a single death by 2 cannot both apply to himself and to person 1; and since SR also implies that 2's death requirement must still be satisfied for his single death to substitute for 1, then there must still be a third person besides 1 or 2 who dies for person 2. Now, applying the same argument recursively again implies a never-ending sequence of further death substitutions.

Hence, in either the case of death or of nonresurrection substitution, an impasse would be reached if eternal life were to be given.

Therefore, *unless someone in the room is sinless, no one can receive eternal life*. Thus, assume that someone has never sinned. However, the mere presence of such a sinless person does not itself automatically imply that punishment substitution could not be accomplished by the remainder of individuals who have sinned. So consider the possibility that someone's sins are paid for by those who have sinned, that is, without the help of any sinless person. This is equivalent to isolating those who have sinned into a separate room and requiring all substitution activities be limited to just those persons in that room. Then the same reasoning used previously implies that an impasse would be reached if eternal life were to be given to one who has sinned, because an endless sequence of substitutions is again implied. Therefore, *no person whose sins are paid for by those who have sinned can obtain eternal life*.

Since punishment justice principle (PJ) implies that punishment for sins must be paid, *the only remaining possibility for anyone who has sinned to achieve eternal life is for a sinless person to suffer punishment to help pay for the sins of others*. This is possible because a sinless person need not satisfy death or nonresurrection for himself, and thus an endless sequence of further substitutions never arises. Without such a sinless person, no pattern of sharing or substitution (no matter how complicated or how many people might jointly contribute) would enable anyone who has sinned to receive eternal life.

Therefore, the substitution, justice, and death principles imply fundamental restrictions on the possibility for sinful persons' receiving eternal life. These restrictions characterize the atoning



mission of Jesus Christ. They are summarized in the following basic theorem:

*Theorem (The Sinless Messiah).* Principles PJ, ED, SE, and SR imply that unless someone has never sinned, then no one can receive eternal life; and no person whose sins are paid by those who have sinned can obtain eternal life. Therefore, the only way anyone who has sinned can achieve eternal life is for there to be a sinless person who suffers punishment to help pay for the sins of others.

Recall the anguished words of Christ in the Garden of Gethsemane, as recorded in Matthew 26:39, "O my Father, if it be *possible*, let this cup pass from me: nevertheless, not as I will but as thou wilt" (emphasis added). This is a remarkable plea because it asks for the bitter cup to be withdrawn if it is somehow possible to do so. Yet the Father chose not to withdraw it.

The reason implied is that had the Father done so there would have been no way to save the rest of his children without violating some eternal principle. *Hence, in order to be just, there was no other way the Father could be merciful to those children who had sinned.*

Given this realization, the second half of Christ's plea is equally poignant, and also fundamental to the Father's plan. Since Christ had to be truly sinless for mercy to be possible, it surely would have been unjust to force him into suffering the atoning sacrifice. Only if Christ chose of his own free will to do as the Father hoped could the plan of mercy be implemented. Otherwise, even the Father would have been unable to redeem His sinful children.

Perhaps nowhere is the power of love more powerfully manifest than in this supreme and voluntary act of obedience, which enabled the Father's eternal plan of mercy to be fulfilled.

## II. PRINCIPLES PJ AND ED IMPLIED FROM MORE BASIC PRINCIPLES

An axiomatic investigation of ideas or doctrines provides a basis for further analysis of those ideas by showing that the principles which imply them are themselves implied by still more basic principles. This enables ideas or doctrines to be traced back to successively more basic premises.

Accordingly, this section derives the Sinless Messiah Implication from more basic premises by showing that principles PJ and ED are implied by still other principles which interrelate justice and mercy with the nature of sin.

### 1. *Justice's Allowance of Mercy Subject to Repentance*

The notion of justice as requiring punishment for sin (principle PJ) is often the focal point in discussions about the Atonement. That is why principle PJ was the first one introduced. However, it is not truly fundamental, but rather is the implication of still other antecedent principles. There are two key reasons for this.

The most common explanation of principle PJ is that justice by its intrinsic nature requires that punishment for sins must occur. In the most extreme version this means that regardless of how minor a sin no amount of subsequent righteousness and self-sacrifice is sufficient without punishment to satisfy justice. However, this unyielding requirement of justice is not stated in the scriptures, even when very strong language is used that “God would cease to be God” if justice were violated. For example:

Therefore, according to justice, the plan of redemption could not be brought about, only on conditions of repentance of men in this probationary state, yea, this preparatory state; for except it were for these conditions, mercy could not take effect except it should destroy the work of justice. Now the work of justice could not be destroyed; if so, God would cease to be God. [Alma 42:13]

Alma does not say that justice *automatically* demands payment for sin, *but rather that repentance must be satisfied in order to grant mercy without violating justice*. Similarly, Alma 42:22 says that mercy has claim over the repentant; but *otherwise*, justice requires punishment be inflicted. Thus, the requirement of justice stated in the scriptures is that payment for sin must occur except under conditions of repentance. Justice and mercy do not intrinsically conflict but rather are consistent with each other so long as repentance is satisfied (see also Alma 42:24–25; 34:15–16).

Therefore, for God to be merciful without violating justice requires that a strict and impartial judgment of repentance must occur. Accordingly, many scriptures emphasize the necessity of such a judgment, which is also one of Christ’s key responsibilities in addition to the Atonement (see, for example, Mosiah 2:38–39; Alma 34:35; Helaman 5:10–11; Alma 12:13–18; Jacob 6:8–10). Though the language is strong, these scriptures are still limited to stating forcefully the consequences of *nonrepentance*, rather than saying a penalty must occur independent of whether repentance is satisfied or not.

In relation to this, consider also one of Christ’s most poignant parables, the prodigal son (Luke 15:11–24). Recall the scene as he returns home deeply ashamed of his sins and of the suffering thereby caused to his father—so ashamed that the son hopes only to become a



servant, having already consumed his birthright in riotous living. However, the father responds in wonderful fashion by running to kiss his son. Had the father spoken his feelings he might well have said, "My son, you feel anguished and unworthy, but nevertheless do not sorrow; for my love for you cannot die, and I know that you have seen the error of your deeds. Come unto me that I might restore the honored place in my home always intended for you."

The purpose of this story is to show that God truly loves even his sinful children and wishes deeply to forgive them (as permitted by justice) if only they will repent and forsake their sins. Indeed, this is itself one of the greatest of God's commandments, that we are to love each other so that even if injured by another we will not demand retribution, but instead will forgive.<sup>7</sup>

In summary, then, two major conclusions exist relating to principle PJ. First, justice allows mercy, subject to the condition of repentance; and second, pure love and mercy are inherent in the Father's nature. Together they imply that punishment for sin is not automatically required by the Father. Rather, principle PJ is due to more basic principles. As will be shown, these also imply the eternal death principle ED.

## 2. *The Nature of Sin's Bondage*

Recall again Elder Packer's parable about a debtor who owes money to a creditor.<sup>8</sup> In such cases, bankruptcy law does not necessarily require payment must be made, *if the creditor who holds claim to the debt chooses to release it without demanding payment*. That is, justice does not automatically force payment to occur but rather gives the holder of the claim the right to demand payment if he so chooses.<sup>9</sup>

*CJ (Claim Justice)*. A claim on a person can be justly voided without payment only if voluntarily agreed to by the holder of the claim.

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<sup>7</sup>It is sometimes argued that the reason for punishment is that it is necessary to relieve one's guilt. Otherwise one's feelings of unworthiness would cause one to shrink from the presence of God. However, the scriptures do not say that such incapacitating guilt is the necessary consequence of sin, but rather that such guilt would occur *if one has not repented* (see Mosiah 2:38, 3:25; and Alma 36:14-19). It is significant that in this parable the son feels terribly unworthy, but the father runs to embrace him when the son is "yet a great way off." It is as if the father wishes to run and quickly reassure his son before such guilt feelings might cause the son to turn away in despair (see Luke 15:19-24).

<sup>8</sup>Boyd K. Packer, *The Mediator*.

<sup>9</sup>Secular law also satisfies this basic principle. For example, if a robber is caught in the act of stealing, he will still not be prosecuted if the person who was robbed chooses not to press charges. In general, there must be some aggrieved party that demands punishment for justice to imply retribution must be inflicted on the wrongdoer (see John 8:10-11).



Thus, just settlement of claims does not automatically require punishment simply because a person is unable to pay his debts. Rather, it is because the creditor who holds claim to the debt chooses to demand payment, which is his right according to justice.

It is here that Satan's activities relate to the sinless atonement doctrine. In contrast to the inherent mercy of the Father, Satan's intrinsic nature is the opposite. He wishes not happiness and love but rather misery for those subject to him (see 2 Nephi 2:17–18 and Alma 34:39). Thus, once he obtains a claim over someone, he will never choose to release that claim without payment.

*MS (Merciless Satan).* Satan is merciless; if he obtains a claim over someone, he will never choose to release that claim without payment.

The next question concerns how Satan could obtain such a claim that would entitle him to payment in order for that claim to be relinquished. Its answer relates to still other fundamental concepts: *free agency* and *the nature of sin*.

Choosing good indicates voluntarily subjecting oneself to God's will in return for the opportunity of eternal life, while choosing to sin means rejecting God's will by voluntarily accepting Satan's authority in return for the favors he has to offer. Joy and happiness are intended for those who are obedient to God's commandments, while, in contrast, misery is intended for those who choose Satan's authority (see Alma 12:4–6; 30:60; 34:35, 39; and Helaman 7:15–16). Obviously, Satan must somehow deceive persons about his ultimate objective in order to get them to sin voluntarily (see 2 Corinthians 11:3; James 4:17; Moses 4:16; and Moroni 7:12).

Nevertheless, because every responsible individual has not only the ability to discern good from evil (Moroni 7:16) but also the agency (Helaman 14:30–31) to make his own free choice, *choosing to sin implies that one is voluntarily rejecting God's will in favor of subjecting himself to Satan's authority* (see 2 Nephi 2:27; Mosiah 16:3–4; and Alma 5:18–20).

Satan's purpose is to deny God's children their potential happiness. To implement this objective, Satan obtains a claim over the sinner that enables Satan, if the sinner pays on his own, to nullify the sinner's possibilities for eternal life by forever retaining dominion over the sinner in Satan's own kingdom. Since Satan's dominion is only over spirits without bodies (see 2 Nephi 9:7–10), this implies there must be a separation of body and spirit (death) which he will not allow to be reversed.



Since this claim, if satisfied by the sinner himself, will never be relinquished, then death is permanent and cannot be repeated. And, since the sinner's spirit is forever without a body, the possibility of eternal life is nullified. Thus, Satan's claim enables him, if the claim is self-paid by the sinner, to require that death must occur—death which Satan will not allow to be reversed. This nonreversal implies that death cannot be repeated and also nullifies the opportunity for eternal life. This conclusion is precisely the eternal death principle (ED) introduced previously. *Hence, the implied nature of sin's bondage also explains why this principle must hold.*

This also suggests a basic aspect of Satan's plan. His major strategy is simply to prohibit the realization of certain key activities or opportunities which are needed for the Father's children to achieve full happiness, without which they will be denied possibilities to develop their potential abilities. Access to a body is clearly such a key opportunity (D&C 93:33–34).

Sin's implied bondage to Satan and the nature of that claim obtained by him is summarized in the following principle:

*SB (Sin's Bondage).* Sin is the voluntary rejection of God's will in favor of Satan's authority, allowing Satan a claim which, if self-paid, enables Satan to require that death must occur—death which he will not allow to be reversed; this nonreversal implies death cannot be repeated and also nullifies the opportunity for eternal life.

### 3. *Proof That Principles CJ, MS, and SB Imply Principles PJ and ED*

To facilitate understanding, principles CJ, MS, and SB are restated as a group.

*CJ (Claim Justice).* A claim on a person can be justly voided without payment only if voluntarily agreed to by the holder of the claim.

*MS (Merciless Satan).* Satan is merciless; if he obtains a claim over someone, he will never choose to release that claim without payment.

*SB (Sin's Bondage).* Sin is the voluntary rejection of God's will in favor of Satan's authority, allowing Satan a claim which, if self-paid, enables Satan to require that death must occur—death which he will not allow to be reversed; this nonreversal implies death cannot be repeated and also nullifies the opportunity for eternal life.

Because principle SB implies that an endless death occur which cannot be reversed if one self-pays for one's own sins, thus preventing eternal life, *principle SB implies principle ED*.

Consider the implication of choosing to sin. Because of the Father's inherent love, He is willing to extend mercy subject to the condition of repentance as required by justice. However, by sinning, the child has voluntarily subjected himself to Satan's authority and claim (principle SB), which claim Satan will never choose to relinquish without payment (principle MS). Even though justice allows the Father to grant mercy to a repentant child, He still could not justly do so without satisfying payment to release Satan's claim over the child (principle PJ).<sup>10</sup> Therefore, *in order to justly extend mercy, not only repentance but also payment for sin must occur* (see 1 Corinthians 6:20, 7:23; and 1 Peter 1:18–19).

Summarizing the above two implications gives the next basic theorem:

*Theorem (Sin's Bondage to Satan).* SB implies ED, and together CJ, MS, and SB imply PJ. That is, sin's bondage to Satan implies the eternal death principle which nullifies eternal life if sins are self-paid. Furthermore, all three principles together imply that in order to receive eternal life payment must occur for any sins committed.

#### 4. *Application to the Sinless Messiah Implication*

Section II presented four principles—PJ, ED, SE, SR—and then derived the necessity of a sinless atonement from these principles. Given this first implication, Section III has proceeded in the opposite direction to show that principles PJ and ED are explained by three other principles—CJ, MS, SB. These two implications together mean that principles CJ, MS, and SB can be substituted for principles PJ and ED. When combined with substitution principles SE and SR, the basic Sinless Messiah Implication still follows.

Thus, the core doctrine of Christianity has been traced back to five principles about claim justice (CJ), merciless Satan (MS), sin's bondage (SB), substitution equivalence (SE), and substitution

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<sup>10</sup>Some have argued (especially in the Catholic tradition following Anselm) that there is no legitimacy in God's having to pay or in any sense bargain with the devil. However, this argument misses the issue, which concerns the nature of sin.

Justice must be completely impartial. Thus, in deciding the validity of a claim, it can consider only whether the claim was knowledgeably chosen without coercion, irrespective of the identity of those involved. And remember also that sin intrinsically involves the voluntary and knowledgeable rejection of God's own will in favor of Satan's authority. Neither God's righteousness nor Satan's evilness changes this essential fact. Thus, Satan's claim cannot be justly ignored simply because God is good but Satan is evil.



responsibility (SR). This implication is summarized in the following corollary to the above two theorems:

*Corollary (Sinless Atonement Necessary to Redeem from Satan).* Principles CJ, MS, and SB together with SE and SR imply the only way anyone who has sinned can be justly redeemed from Satan's control in order to receive eternal life is for a sinless person to help pay for the sins of others.

The corollary underscores the significance of a number of related scriptures which interrelate the Atonement with resurrection and the Final Judgment (for example, Alma 42:23; 11:41–45; 34:22; 21:9; and 2 Nephi 2:8). These scriptures indicate that the *direct* effect of the Atonement is the occurrence of resurrection. Resurrection releases sin's bondage of death, enabling the sinner to be brought into God's presence for judgment of his repentance (2 Nephi 9:22–23). This judgment determines the degree of reward, which ranges from outer darkness to celestial glory (see D&C 76).

Thus, the Atonement is necessary for mercy because it justly enables resurrection from an otherwise eternal death to occur, resurrection which then permits God to justly extend mercy according to his judgment of an individual's repentance.

### III. CONCLUSION: A PARABLE OF THE ATONEMENT

There was a great king with vast dominion and power. The king was righteous and would not use his power unjustly.

One of the king's sons came to him and asked for his inheritance, and the king did according to his son's will. And the son shortly thereafter left for a faraway land and there wasted his inheritance in riotous living. In the process the son foolishly chose to indebt himself in pursuit of worldly pleasures. The creditor, who was an evil and unmerciful enemy to the king, desired to enslave the king's son through insolvency. Finally, the creditor demanded payment, knowing the law justly permitted him to take an insolvent debtor as a slave to pay for the debt.

Having no more funds and facing enslavement, the son came to himself and said, "Even the lowest servant in my father's palace is better off than a slave to this evil creditor. If only I could return to my father and say to him, 'Father, I have sinned against heaven and before Thee and am no more worthy to be called Thy son. Make me as the lowest of Thy servants!'" "

Now, the king had wisely foreseen his son's predicament. And the king still loved his son and desired to be merciful while still honoring justice, which the king could not deny. He thus said, "If my son will repent, I shall receive him back into my palace. Yea, if he is thereafter valiant unto my wishes, all that was to have been his destiny as my son shall be restored unto him."

But as the king had foreseen, even if his son should repent, his son still could not return if the creditor's demand for payment were not satisfied. Although the king had great power sufficient to forcibly reclaim his son without payment, to do so would have been unjust, and the king would not violate justice even to be merciful to his son.

Thus, the king pondered whether someone else could justly pay the son's debts. After considering all possibilities, he realized the only just way was to send another son who had not sinned to pay the debt. And the king asked for a volunteer, and his eldest son came forth and was commissioned to go and make payment to the creditor; and to return and bring word of the younger son's repentance.

The evil creditor also attempted to lure the elder son into debt, but he refused the creditor's every offer, and was able to pay the debt of his younger brother.

And when the elder son came to his erring brother, the brother fell before him and said, "I have sinned against heaven and in my father's sight, and am no more worthy to be called his son. If only I could be as the lowest of my father's servants."

But the elder brother said to him, "I have been sent by my father to pay your debts that you may be released from bondage. But according to justice, you cannot return to my father's palace, except that you repent of your sins. Nevertheless, rejoice, for your father loves you. Yea, he will exercise mercy according to justice, and receive you back into his palace if you will repent. If you are henceforth valiant in obeying my father, all honor and dominion that was to be yours shall be restored unto you. Yea, not as a servant, but as a prince and king can still be your destiny!"

The younger son, upon hearing this message, vowed to obey his father's will and never again to sin. Where there had been despair there was now hope, and he said, "This must be true, for why else should my righteous brother be sent to release me from bondage?"

As he journeyed toward his father's palace, he was again offered of the creditor more funds to spend on worldly pleasures. But strengthened by his elder brother's message, he denied the creditor's every offer.



The elder son watched from a distance and saw his younger brother's steadfast refusal. And, he sent word to the king's guards to admit his younger brother into the palace, and went forth to receive him at the palace gates.

Together they went up to the king's chamber and the eldest son told of his younger brother's steadfast refusal. Upon hearing this, the king greatly rejoiced, and ran to his younger son, and fell on his neck, and kissed him. And the father said, "Bring forth the best robe, and put it on him; and put a ring on his hand, and shoes on his feet: and bring hither the fatted calf, and kill it; and let us eat, and be merry: for this my son was dead, and is alive again; he was lost, and is found" (Luke 15:22-24).

## Appendix: Formal Statement

The main body of the article presented and intuitively demonstrated the sinless Messiah implications. However, to do so, a number of conceptual and technical difficulties were ignored. Thus, the intuitive arguments do not rigorously prove these results. I will now use formal methods and set theory to precisely define and prove them.

Given the extensive prior interpretation, only minimal further discussion is provided. However, to facilitate understanding, the above literary versions of the principles and atonement implications are restated along with their formal versions.

### NOTATION AND DEFINITIONS

$U$  is a finite set representing the universe of individuals to which the plan of salvation applies.  $A$  is the set of all *potentially* achievable or *realizable activities* for individuals in  $U$ . The notion of "activities" is interpreted broadly as any mental, physical, or spiritual phenomena potentially capable of being received, accomplished, or experienced by an individual. Elements of  $A$  could include, for example, the emotion of love, lust for power, riding a bicycle, tasting or eating some food, seeing or perceiving something, running, jumping, listening, etc.

Since  $A$  refers to potential activities, they may or may not be actually realized or experienced by someone. The latter concept of *actually realized activities* is specified by defining, for each  $y \in A$ , the set of realized occurrences of that potential activity for person  $i$ , denoted  $f_i(y)$ . A particular occurrence of  $y$  for person  $i$  is denoted  $y_i \in f_i(y)$ , so that a script letter always refers to realized occurrences of potential activities, which are correspondingly denoted with the associated nonscript letter. Thus, if  $y \in A$  is the potential act of jumping,  $\{y_i, y_i'\} \subset f_i(y)$  are two specific occurrences of jumping by person  $i$ . Then, the set of realized occurrences for all potential activities  $y \in A$  is denoted  $\mathcal{A}_i = \bigcup_{y \in A} f_i(y)$ .

Now, the basic structure of the analysis concerns the relationship between what is potentially attainable and what is actually realized by an individual. The ultimate objective is the achievement of *eternal life*, and the set of persons who achieve eternal life is denoted by  $E$ .

It will also be important to consider the set of potential activities which are *not* realized for person  $i$ , denoted  $\tilde{A}_i = \{y \in A \mid f_i(y) = \emptyset\}$ . In general,  $\sim$  above a variable will always refer to the nonoccurrence of potential activities. Thus, *non-occurrence* of a particular potential activity  $y$  for person  $i$  is denoted  $\tilde{y}_i$ , and from the definition of  $\tilde{A}_i$ ,  $\tilde{y}_i \in \tilde{A}_i$  if and only if  $f_i(y) = \emptyset$ .

Both realized and nonrealized potential activities are explicitly considered because the attainment of eternal life may require that certain activities occur or not occur. For example, one *must* be baptized, and one *must not* commit the unpardonable sin against the Holy Ghost. Another key example relates to Satan's claim over one who sins, as we discussed above. Recall that unless that claim is



somehow paid for, Satan will both require a separation of body and spirit to occur and not permit its reversal to occur, so that eternal life cannot be achieved.

We thus see that *achieving eternal life crucially relates to the occurrence or non-occurrence of certain potential activities*.

To consider such requirements, we first need to specify those activities which someone has either realized or not realized. Thus, let  $\mathcal{A}_K = \bigcup_{i \in K} \mathcal{A}_i$ , and  $\tilde{\mathcal{A}}_K = \bigcup_{i \in K} \tilde{\mathcal{A}}_i$ , for  $K \subset U$ , be the union of realized and nonrealized activities for persons  $K$ . Applied to everyone, they are  $\mathcal{A}_U$  and  $\tilde{\mathcal{A}}_U$ , which for notational simplicity are denoted simply as  $\mathcal{A}$  and  $\tilde{\mathcal{A}}$ . Elements of these are denoted as  $y$  and  $\tilde{y}$  and represent respectively: a realized activity for some person in  $U$ , or a non-realized potential activity for someone in  $U$ .

Also, let the union of realized and nonrealized activities be denoted  $\bar{\mathcal{A}} = \mathcal{A} \cup \tilde{\mathcal{A}}$ , with  $\bar{y} \in \bar{\mathcal{A}}$  representing either  $y \in \mathcal{A}$  or  $\tilde{y} \in \tilde{\mathcal{A}}$ .<sup>11</sup> In general, a bar  $\bar{\phantom{x}}$  over a variable will always signify that the variable refers to either realized or nonrealized activities. For example, applied to person  $i$  we have  $\bar{y}_i \in \bar{\mathcal{A}}_i = \mathcal{A}_i \cup \tilde{\mathcal{A}}_i$ , where  $\bar{y}_i$  represents either  $y_i \in \mathcal{A}_i$  or  $\tilde{y}_i \in \tilde{\mathcal{A}}_i$ . With this convention, we can conveniently refer to both realized or nonrealized activities at the same time.

Now, besides knowing what potential activities have been realized or not realized, we also need to know which of these realized or nonrealized actions are necessary for a specific person to achieve eternal life. Thus, define the relations  $0$  and  $\bar{0}$  which relate the occurrence or nonoccurrence of activities to the achievement of eternal life for a person. That is,  $y0i[\tilde{y}\bar{0}i] \Leftrightarrow y[\tilde{y}]$  must occur (not occur) for someone in  $U$  if eternal life is realized for person  $i$ . To refer to both types of requirements, let  $\bar{y}\bar{0}i$  mean either  $y0i$  or  $\tilde{y}\bar{0}i$ .

We can then define the set of *necessary occurrences or nonoccurrences* which must be satisfied for person  $i$  to achieve eternal life; that is,  $\bar{N}_i = \{\bar{y} \mid \bar{y}\bar{0}i\}$ . For example, if  $b \in \mathcal{A}$  is potential baptism, then for person  $i$  to receive eternal life, there must be someone who performs a particular instance of baptism,  $\mathcal{b} \in \mathcal{A}$ , which enables eternal life to be realized for person  $i$  (i.e.,  $\mathcal{b}0i$ ).

The next step is to realize that such requirements might not automatically happen. Other activities may also have to occur for such requirements to be accomplished. For example, if baptism by immersion must occur, then a baptismal font must be filled with water to use it for baptism, and in addition one's arm must not poke out of the water during the act of immersion.

To do so, define the relations  $R^K_Z$  and  $\tilde{R}^K_Z$ , which relate the satisfying of occurrences or nonoccurrences,  $Z$ , to the person for whom  $Z$  is satisfied. That is,  $yR^K_Zi[\tilde{y}\tilde{R}^K_Zi] \Leftrightarrow y[\tilde{y}]$  must occur (not occur) for someone in  $K$ , if persons  $K$  enable  $Z \subset \bar{\mathcal{A}}$  to be satisfied for person  $i$ ; and let  $\bar{y}\bar{R}^K_Zi$  mean either  $\tilde{y}\tilde{R}^K_Zi$  or  $yR^K_Zi$ .

Also assume a monotonicity condition, that activities necessary to satisfy some requirements are also necessary to satisfy those requirements when part of a larger set of requirements. That is, if  $X \subset Y$ , then  $\bar{y}\bar{R}^K_Xi \Rightarrow \bar{y}\bar{R}^K_Yi$ .

<sup>11</sup>Note that different  $\bar{y}, \bar{z} \in \bar{\mathcal{A}}$  can refer to different persons. For example,  $\bar{y}$  could refer to  $\bar{y} = y_1 \in \mathcal{A}_1$  and  $\bar{z}$  to  $\bar{z}_q \in \tilde{\mathcal{A}}_q$ .

Now, using relation  $\bar{R}_Z^K$  we can also define the activities which someone must do or not do in order that necessary occurrences or nonoccurrences be satisfied for person  $i$ ; that is,  $\bar{V}_i(X) = \{\bar{y} \mid \bar{y}\bar{R}_X^U i\}$ , for  $X \subset \bar{N}_i$ .

The nature of  $\bar{V}_i(X)$  is unspecified as to what phenomena or individuals might be involved, other than signifying which individual's requirements would be satisfied. Nevertheless, it is crucial *who* might be involved in accomplishing an individual's requirements. Is it only himself, or can others help or substitute for the individual? Of special importance are those requirements a person accomplishes on his own without the help of others. For example, as we discussed, if a person does not receive help from others to satisfy payment for his sins, then Satan will require both death to occur and resurrection not to occur.

Thus, define those occurrences or nonoccurrences for persons in  $U$  which person  $i$  must do or not do himself in order to *self-satisfy* necessary requirements for him to achieve eternal life. That is, define  $\bar{T}_i(X) = \{\bar{y} \mid \bar{y}\bar{R}_X^i i\}$ .

We are now ready to present the principles intuitively discussed above. Given recognition that both occurrences and nonoccurrences need to be dealt with, they must also apply to both cases and are so stated.

## PRINCIPLES OF SUBSTITUTION

Let the *intersection* of necessary occurrences or nonoccurrences for persons  $K \subset U$  be denoted  $\bar{N}^K = \bigcap_{i \in K} \bar{N}_i$ , and similarly define the *union* of  $\bar{A}_i$  as  $\bar{A}_K = \bigcup_{i \in K} \bar{A}_i$ .

*Axiom SE (Substitution Equivalence)*

If  $X \subset \bar{N}^K$  and  $i \in K$ , then  $\bar{V}_i(X) \subset \bar{A}_K \Rightarrow \bar{V}_i(X) = \bar{T}_i(X)$ .

If a group of persons are all subject to the same occurrences or nonoccurrences,  $X$ , then members of the group can help another in the group satisfy those requirements only by doing or not doing the same things that individual would have to do or not do to satisfy these requirements for himself.

Let  $\bar{Q}_{ij}^{XY} = \bar{A}_i \cap \bar{T}_i(X) \cap \bar{V}_j(Y)$  denote those realized or nonrealized actions of person  $i$  which he would have to do or not do to self-accomplish requirements  $X$  for himself and which are also used to help satisfy requirements  $Y$  for person  $j$ .

*Axiom SR (Substitution Responsibility)*

If  $i \neq j$ ,  $X \subset \bar{N}_i$ ,  $Y \subset \bar{N}_j$ , then:

$\bar{Q}_{ij}^{XY} \neq \emptyset \Rightarrow \bar{V}_i(X) \subset \bar{V}_j(Y)$ ; and  $\bar{Q}_{ij}^{XY} \cap \bar{V}_i(X) = \emptyset$ .



Actions or nonactions which would be necessary to self-accomplish requirements  $X$  for person  $i$ , if realized or not realized, cannot be used to help satisfy requirements  $Y$  for person  $j$  without actions or nonactions necessary to accomplish  $X$  also being satisfied; and such actions or nonactions of  $i$  to help satisfy  $Y$  for person  $j$  must be separate from those actions or nonactions which satisfy  $X$  for person  $i$ .

Or as we could more intuitively state, such as above in Section I:

In order to substitute for someone else, actions or nonactions necessary to satisfy one's own requirements must be met; and actions or nonactions necessary to self-accomplish one's own requirements must be separate from those actions used to help satisfy another person's requirements.

### PRINCIPLES OF JUSTICE, DEATH, AND NON-RESURRECTION

Let  $S_i \subset \bar{A}_i$  be sinful actions or nonrealized actions whose omission is sinful,<sup>12</sup> for person  $i$ . Also, let  $\bar{P}_i(S_i) = \mathcal{P}_i(S_i) \cup \tilde{P}_i(S_i)$  be the punishment or payment for sins  $S_i$ , punishment or payment which may either be requirements that certain things be done or restrictions that certain actions not be realized. We note that the intuitive and practical meaning of punishment is often a prohibition from being able to do certain things—hence, the typical notion of punishment as some type of imprisonment.

#### *Axiom PJ (Punishment Justice)*

If  $S_i \neq \emptyset$ , then  $\bar{P}_i(S_i) \subset \bar{N}_i$ .

If any sins are committed by a person, then payment for those sins is necessary for him to achieve eternal life.

Now, let  $d \in A$  represent the activity of death which if realized separates a person's body and spirit, and  $r \in A$  be the reverse activity of resurrection which reunites them. If both  $d$  occurs ( $d_i \in \mathcal{A}_i$ ) and  $r$  does not occur ( $\tilde{r}_i \in \tilde{A}_i$ ), then eternal life, which requires a union of spirit with body, cannot be achieved.

#### *Axiom ED (Eternal Death)*

There are  $\emptyset \neq p \subset A$ ;  $d, r \in A$  such that if  $S_i \neq \emptyset$ , then  $p \subset \bar{P}_i(S_i)$ ,  $\{d, \tilde{r}\} \subset \bar{T}_i(p)$  where:  $\tilde{r} = \tilde{r}_i \in \tilde{A}_i \Rightarrow d_i = d'_i$  for all  $d_i, d'_i \in \mathcal{A}_i$ ; and  $\{d_i, \tilde{r}_i\} \subset \bar{A}_i \Rightarrow i \notin E$ .

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<sup>12</sup> $S_i$  is not denoted with a bar  $\bar{S}_i$  to aid visual readability of the subsequent formulas.

All sin requires payment which, if self-accomplished—that is, without the help of others—implies an endless death occur that cannot be reversed, which nonreversal implies death cannot be repeated and also nullifies the opportunity for eternal life.

These principles imply the following result about the necessity of there being some person who has not sinned, denoted  $U^* = \{i \in U \mid S_i = \phi\}$ .

*Theorem 1 (The Sinless Messiah)*

Axioms PJ, ED, SE, SR imply that unless  $U^* \neq \phi$ , then  $E = \phi$ ; and for all  $i \in U - U^*$ ,  $\bar{V}_i[\bar{P}(S_i)] \subset \bar{A}_{U-U^*} \Rightarrow i \notin E$ . Furthermore, if  $E - U^* \neq \phi$ , then there exists nonempty  $\bar{P}^* \subset \bar{A}_{U^*}$  such that for all  $i \in E - U^*$ ,  $\bar{V}_i[\bar{P}(S_i)] \cap \bar{P}^* \neq \phi$ .

Axioms PJ, ED, SE, SR imply that unless someone has never sinned, then no one can receive eternal life; and no person whose sins are paid for by those who have sinned can obtain eternal life. Furthermore, if any sinful person achieves eternal life, there must be punishment suffered by one who has never sinned, punishment which applies toward payment of any such person's sins.

## PRINCIPLES RELATED TO THE NATURE OF SIN

Let  $\bar{C}_j(Y_i) = \{\bar{y} \mid \text{person } j \text{ can require } \bar{y} = \bar{y}_i \in \bar{A}_i \text{ because of } Y_i\}$ , for  $Y_i \subset \bar{A}_i$ , be those occurrences or nonoccurrences person  $j$  can require of person  $i$  because of claims over  $i$  conveyed to  $j$  by actions or nonactions  $Y_i$ . Punishment or payment are those occurrences or nonoccurrences which someone in  $U$  must satisfy to justly relinquish claims person  $j$  has on person  $i$ . That is, define the following relations:  $\not\sim W_{zi}[\bar{y}\bar{W}_{zi}] = \not\sim[\bar{y}]$  must occur (not occur) for someone in  $U$ , in order to justly release claims  $Z$  on person  $i$ , and as before let  $\bar{y}\bar{W}_{zi} = \not\sim W_{zi}$  or  $\bar{y}\bar{W}_{zi}$ . Then define payment for claims  $\bar{C}_j(Y_i)$  as  $\bar{P}_j(Y_i) = \bar{P}[\bar{C}_j(Y_i)] = \{\bar{y} \mid \bar{y}\bar{W}_{zi} \text{ for } Z = \bar{C}_j(Y_i)\}$ .

*Axiom CJ (Claim Justice)*

If  $\bar{C}_j(Y_i) \neq \phi$ , then  $j$  can require  $\bar{C}_j(Y_i) \subset \bar{A}_i$ , unless  $\bar{P}_j(Y_i) \subset \bar{A}$ .

Person  $j$  can require his claims on person  $i$  be fulfilled, unless just payment for those claims is satisfied.

Also, let Satan be denoted by  $s \in U$ , and recall that sin conveys to  $s$  claims over the sinner which enables  $s$  to require he realize or not realize certain potential activities  $d$  and  $r$ .



*Axiom SB (Sin's Bondage)*

There are  $d, r \in A$  such that if  $S_i \neq \emptyset$ , then  $\{d, \tilde{r}\} \subset \bar{C}_s(S_i)$ ; and there is  $\emptyset \neq p \subset A$  such that  $p \subset \bar{P}_s(S_i)$ ,  $\{d, \tilde{r}\} \subset \bar{T}_i(p)$  where:  $\tilde{r} = \tilde{r}_i \in \bar{A}_i \Rightarrow d_i = d'_i$  for all  $d_i, d'_i \in A_i$ ; and  $\{d_i, \tilde{r}_i\} \subset \bar{A}_i \Rightarrow i \notin E$ .

Sin is the voluntary rejection of God's will in favor of Satan's authority, which claim, if self-paid, enables Satan to require death occur and its reversal—resurrection—not occur, which non-resurrection implies death is permanent and cannot be repeated, and also nullifies the opportunity for eternal life.

*Axiom MS (Merciless Satan)*

If  $\bar{C}_s(S_i) \neq \emptyset$ , and if  $P_s(S_i) \not\subset \bar{A}$ , then  $s$  will require  $\bar{C}_s(S_i) \subset \bar{A}_i$ .

If Satan obtains claim over someone through that person's sins, and occurrences or nonoccurrences necessary to pay for those claims are not all satisfied for that person, then Satan will require those claims be fulfilled.

Now, these principles imply the following:

*Theorem 2 (Sin's Bondage to Satan)*

Principles CJ, SB, MS  $\Rightarrow$  PJ, and SB  $\Rightarrow$  ED.

Hence, combining theorems 1 and 2 gives the following basic corollary:

*Corollary (Sinless Atonement Necessary to Redeem from Satan)*

Principles CJ, MS, SB together with SE, SR imply the same conclusions as principles PJ, ED, SE, SR, except that now payment for sins is necessary to prevent  $s$  from requiring  $d_i \in \mathcal{A}_i$  and  $\tilde{r}_i \in \tilde{A}_i$  for any person  $i$  such that  $S_i \neq \emptyset$ .

Principles CJ, MS, SB together with SE, SR imply that the only way anyone who has sinned can be redeemed from Satan's control in order to receive eternal life is for a sinless person to help pay for the sins of others.

## PROOFS OF THE THEOREMS

To prove Theorem 1, three lemmas are needed. The first one follows directly from the monotonicity assumption on  $\bar{R}^K_Z$ , and its proof is omitted.

*Lemma A* If  $X \subset Y \subset \bar{N}_i$ , then  $\bar{V}_i(X) \subset \bar{V}_i(Y)$ .

*Lemma B* If  $S_i \neq \phi$  for all  $i \in K \subset U$ , then  $\bar{V}_i[\bar{P}(S_i)] \subset \bar{A}_K$  implies  $\{\mathcal{d}_\ell, \tilde{r}_q\} \subset \bar{V}_i(p) \subset \bar{V}_i[\bar{P}(S_i)]$  for some  $\{\ell, q\} \subset K$ , for  $d, r, p$  of Axiom ED.

*Proof:*

Since  $S_i \neq \phi$  for all  $i \in K$ , axioms ED and PJ imply  $p \subset \bar{P}(S_i) \subset \bar{N}_i$  for all  $i \in K$ . Thus, Lemma A and the hypothesis imply  $\bar{V}_i(p) \subset \bar{V}_i[\bar{P}(S_i)] \subset \bar{A}_K$ . Also, since  $p \subset \bar{N}_i$  for all  $i \in K$ , then axioms SE and ED imply there is  $\{\mathcal{d}, \tilde{r}\} \subset \bar{T}_i(p) = \bar{V}_i(p)$ ; thus,  $\{\mathcal{d}, \tilde{r}\} \subset \bar{A}_K$ , which implies there must be  $\{\ell, q\} \subset K$  such that  $\mathcal{d} = \mathcal{d}_\ell \in \mathcal{A}_\ell$  and  $\tilde{r} = \tilde{r}_q \in \bar{A}_q$ . Therefore, combining results obtains  $\{\mathcal{d}_\ell, \tilde{r}_q\} \subset \bar{V}_i(p) \subset \bar{V}_i[\bar{P}(S_i)]$ .

*Lemma C* If  $S_i \neq \phi$  for all  $i \in K \subset U$ , then  $\bar{V}_i[\bar{P}(S_i)] \subset \bar{A}_K$  implies  $\{\mathcal{d}_i, \tilde{r}_i\} \subset \bar{A}_i$ .

*Proof:*

Assume the opposite that for someone in  $K$ , denoted 1  $\in K$ , that (1):  $\bar{V}_1[\bar{P}(S_1)] \subset \bar{A}_K$ , but either there is no  $\mathcal{d}_1 \in \mathcal{A}_1$  ( $f_1(d) = \phi$ ), or  $\tilde{r}_1 \notin \bar{A}_1$  ( $f_1(r) \neq \phi$ ). From (1) there are three possible cases, (2a): there is  $\mathcal{d}_1 \in \mathcal{A}_1$ , and  $\tilde{r}_1 \notin \bar{A}_1$ ; (2b): there is no  $\mathcal{d}_1 \in \mathcal{A}_1$ , and  $\tilde{r}_1 \notin \bar{A}_1$ ; (2c): there is no  $\mathcal{d}_1 \in \mathcal{A}_1$ , and  $\tilde{r}_1 \in \bar{A}_1$ . We first show that (1) is false for cases (2a) and (2b).

By Lemma B,  $p, d, r$  of Axiom ED satisfy, (3):  $\{\mathcal{d}_\ell, \tilde{r}_q\} \subset \bar{V}_1(p) \subset \bar{V}_1[\bar{P}(S_1)]$ , for some  $\{\ell, q\} \subset K$ . Cases (2a), (2b) both imply  $\tilde{r}_1 \notin \bar{A}_1$ , which implies there is  $q \in K - \{1\}$  such that  $\tilde{r}_q \in \bar{A}_q$ . Reindex  $q$  as 2, so we have from (3) that (4):  $\tilde{r}_2 \in \bar{A}_2 \cap \bar{V}_1(p)$ . Since  $S_2 \neq \phi$ , then Axiom ED and the definition of  $\tilde{T}_2(p)$  imply  $\tilde{r}_2 \in \tilde{T}_2(p)$ , which implies (5):  $\tilde{r}_2 \in \bar{A}_2 \cap \tilde{T}_2(p) \cap \bar{V}_1(p) = \tilde{Q}_{pp}^{21}$ . Now (5) implies from Axiom SR that  $\tilde{V}_2(p) \subset \tilde{V}_1(p)$ , which implies by (3) that  $\tilde{V}_2(p) \subset \bar{V}_1[\bar{P}(S_1)]$ . Thus, from (1) we have (6):  $\tilde{V}_2(p) \subset \bar{V}_1(p) \subset \bar{A}_K$ . Finally, from SR we have (7):  $\tilde{V}_2(p) \cap \tilde{Q}_{pp}^{21} = \phi$ .

Now use statements (4) through (7), remembering that 1 and 2 are different persons, to form the following inductive hypothesis. (8a):  $\{1, \dots, n\} \subset K$  are different persons; and for  $i = 2, \dots, n$  we have

$$\tilde{r}_i \in \tilde{Q}_{pp}^{i,i-1} = \bar{A}_i \cap \tilde{T}_i(p) \cap \bar{V}_{i-1}(p) \quad (8b).$$

$$\tilde{V}_i(p) \subset \bar{V}_{i-1}(p) \subset \bar{A}_K \quad (8c).$$

$$\tilde{V}_i(p) \cap \tilde{Q}_{pp}^{i,i-1} = \phi \quad (8d).$$

We next show that (8a) through (8d) imply there is still another person in  $K$ , but not in  $\{1, \dots, n\}$ , who must *not* realize  $r$ . By (8c),  $\tilde{V}_n(p) \subset \bar{A}_K$ , and since  $S_n \neq \phi$ , Lemma B implies (9):  $\tilde{r}_t \in \tilde{V}_n(p)$  for some  $t \in K$ . We wish to show that  $t \in K - \{1, \dots, n\}$ , and to do so assume the opposite that (10): for some



$i \in \{1, \dots, n\}$  that  $\tilde{r}_i = \tilde{r}_t \in \tilde{V}_n(p)$ . Since both cases (2a), (2b) imply  $\tilde{r}_1 \notin \tilde{A}_1$ , then  $\tilde{r}_t \notin A_1$ , and thus  $\tilde{r}_t \in \tilde{A}_i$  for some  $i \in \{2, \dots, n\}$ . From (10) and (8c),  $\tilde{r}_i \in \tilde{V}_i(p)$ , and from (8b),  $\tilde{r}_i \in \tilde{Q}^{i,i-1}_{pp}$  which implies  $\tilde{V}_i(p) \cap \tilde{Q}^{i,i-1}_{pp} \neq \emptyset$ . But this contradicts (8d).

Thus, the assumption  $t \in \{1, \dots, n\}$  leads to contradiction, so that there must be still another person, denoted  $n+1$ , such that  $n+1 \in K - \{1, \dots, n\}$  such that  $\tilde{r}_{n+1} \in \tilde{A}_{n+1} \cap \tilde{V}_n(p)$ . By analogous argument to steps (4) through (7), it is implied that  $\tilde{r}_{n+1} \in \tilde{Q}^{n+1,n}_{pp}$ ;  $\tilde{V}_{n+1}(p) \subset \tilde{V}_n(p) \subset \tilde{A}_K$ ; and  $\tilde{V}_{n+1}(p) \cap \tilde{Q}^{n+1,n}_{pp} = \emptyset$ . Hence, cases (2a), (2b) imply assumption (1) leads to contradiction, because an endless sequence of different persons is implied, contradicting the finiteness of  $K \subset U$ , since  $U$  is finite.

Thus, the remaining possibility is case (2c) in which there is no  $\mathcal{A}_1 \in \mathcal{A}_1$ , and  $\tilde{r}_1 \in \tilde{A}_1$ . The proof is more complicated because an individual  $i$  can experience  $d$  more than once so long as  $\tilde{r}_i \notin \tilde{A}_i$ . In contrast, there is only one  $\tilde{r}_i \in \tilde{A}_i$  corresponding to  $f_i(r) = \phi$ . However, the nature of  $r$  and  $d$  require  $r$  to occur for  $d$  to be repeated for the same person (a separation of body and spirit cannot recur unless they have been reunited so that another separation is possible). That is,  $f_i(r) = \phi \Rightarrow f_i(d)$  has at most one element, or, as stated in Axiom ED, (11):  $\tilde{r}_i \in \tilde{A}_i \Rightarrow \mathcal{A}_i = \mathcal{A}'_i$  for all  $\mathcal{A}_i, \mathcal{A}'_i \in \mathcal{A}_i$ . This condition enables a similar contradiction to be shown as for cases (2a), (2b), which contradiction we now show.

Now, recall from (3) that there is  $\mathcal{A}_\ell \in \mathcal{V}_1(p) \subset \mathcal{V}_1[\bar{P}(S_1)]$  for some  $\ell \in K$ . As before, reindex  $\ell$  as 2. Also, denote with superscripts the particular occurrence of  $d$  for person  $i$  to help satisfy requirements  $p$  for person  $j$ . Thus,  $\mathcal{A}_2^1 \in \mathcal{V}_1(p)$  is the particular realization of  $d$  for 2 to satisfy  $p$  for 1. Analogous to steps (4) through (7), we can show (12): a)  $\mathcal{A}_2^1 \in \mathcal{Q}^{21}_{pp} = \mathcal{A}_2 \cap \mathcal{T}_2(p) \cap \mathcal{V}_1(p)$ ; b)  $\mathcal{V}_2(p) \subset \mathcal{V}_1(p) \subset \mathcal{A}_K$ ; and c)  $\mathcal{V}_2(p) \cap \mathcal{Q}^{21}_{pp} = \emptyset$ .

From (12b),  $\mathcal{V}_2(p) \subset \mathcal{A}_K$  and since  $S_2 \neq \emptyset$  then Lemma B implies there is  $\mathcal{A}_t^2 \in \mathcal{V}_2(p)$  for some  $t \in K$ . If  $t = 2$ , then  $\tilde{r}_2 \in \tilde{A}_2$  implies by (11) that  $\mathcal{A}_2^1 = \mathcal{A}_2^2$  which then contradicts (12c) because  $\mathcal{V}_2(p) \cap \mathcal{Q}^{21}_{pp} \neq \emptyset$  is implied. Hence, either  $t \neq 2$  or  $\tilde{r}_2 \notin \tilde{A}_2$  must hold. Three cases are possible, (13a):  $t = 2$ , and  $\tilde{r}_2 \notin \tilde{A}_2$ , (13b):  $t \neq 2$ , and  $\tilde{r}_2 \notin \tilde{A}_2$ , (13c):  $t \neq 2$ , and  $\tilde{r}_2 \in \tilde{A}_2$ . Noting that  $\mathcal{A}_2^1 \in \mathcal{A}_2$  regardless of whether  $t=2$  or not means that cases (13a), (13b) are analogous to (2a), except that individual 2 is now involved rather than 1. Argument similar to (4) through (10) will then also show a contradiction is obtained.

Therefore, the remaining case is (13c), which with (2c) together imply (14a): there is no  $\mathcal{A}_1 \in \mathcal{A}_1$ ; (14b):  $\tilde{r}_1 \in \tilde{A}_1$ ,  $\tilde{r}_2 \in \tilde{A}_2$ ; (14c): and  $\mathcal{A}_t^2 \in \mathcal{A}_M$ , where  $M = K - \{1, 2\}$  so that  $t \in M$ . Let us outline the proof for this case.

First, form an inductive hypothesis from (12a,b,c) analogous to (8a) through (8d), except that realized occurrences of  $d$  are involved so that no  $\sim$  symbol is used, and (8b) now is  $\mathcal{A}_i^{i-1} \in \mathcal{Q}^{i,i-1}_{pp} = \mathcal{A}_i \cap \mathcal{T}_i(p) \cap \mathcal{V}_{i-1}(p)$ . Let us denote these as (8a)\* through (8d)\* respectively. In addition, from (14b) we can add the following hypothesis, denoted (8e)\*:  $\tilde{r}_i \in \tilde{A}_i$  for all  $i = 1, \dots, n$ . And, analogous to (9), (10) above, assume (15): for some  $i \in \{1, \dots, n\}$  that there is  $\mathcal{A}_t^n = \mathcal{A}_i^n \in \mathcal{V}_n(p)$ , so that  $t \in \{1, \dots, n\}$ .

From (14a) we know  $\mathcal{A}_i^n \notin \mathcal{A}_1$ , which implies from assumption (15) that  $\mathcal{A}_i^n \in \mathcal{A}_i$  for some  $i \in \{2, \dots, n\}$ . From (11) and (8e)\* we have (16):  $\mathcal{A}_i^n = \mathcal{A}_i^{i-1}$ . Also, assumption (15) with (8c)\* implies  $\mathcal{A}_i^n \in \mathcal{V}_i(p)$ , and from (8b)\*  $\mathcal{A}_i^{i-1} \in \mathcal{Q}_{i,i-1}^{pp}$ . But these last two results, with (16), imply  $\mathcal{V}_i(p) \cap \mathcal{Q}_{i,i-1}^{pp} \neq \emptyset$ , which contradicts (8d)\*. This contradiction implies assumption (15) is false and thus  $t \in K$  through  $\{1, \dots, n\}$  which extends (8a)\* to  $n+1$ . Argument similar to (4) through (7) also extends (8b)\* through (8d)\* to  $n+1$ , and argument similar to (13a,b,c) through (14b) also extends (8e)\* to  $n+1$ . Thus, an endless sequence of different persons is again implied, which again contradicts the finiteness of  $U$ .

Hence, all three cases (2a), (2b), (2c) lead to contradiction, so that assumption (1) is false. This proves the lemma.

With Lemma C we can now prove *Theorem 1*.

First assume  $S_i \neq \emptyset$  for all  $i \in U$  so that  $U^* = \emptyset$ . Since the definition of  $\bar{V}_i$  implies  $\bar{V}_i[\bar{P}(S_i)] \subset \bar{A}$ , then substituting  $U = K$  into Lemma C implies  $\{\mathcal{A}_i, \bar{r}_i\} \subset \bar{A}_i$  for all  $i \in U$ , which from ED implies  $i \notin E$  for all  $i$ . Hence,  $E = \emptyset$ . Therefore, unless  $U^* \neq \emptyset$ ,  $E = \emptyset$  is implied. Then, substituting  $U-U^*$  for  $K$  of Lemma C similarly implies that if  $\bar{V}_i[\bar{P}(S_i)] \subset \bar{A}_{U-U^*}$  for  $i \in U-U^*$ , then  $i \notin E$ . Thus, if  $i \in E-U^*$ , it must be that  $\bar{V}_i[\bar{P}(S_i)] - \bar{A}_{U-U^*} \neq \emptyset$ , which is denoted  $P_i$ . Then,  $P_i \subset \bar{A}_{U^*}$  because  $\bar{V}_i[\bar{P}(S_i)] \subset \bar{A} = \bar{A}_{U^*} \cup \bar{A}_{U-U^*}$ ; and let  $P^*$  be the union of  $P_i$  for all  $i \in E-U^*$ . Thus,  $P^*$  has the requisite properties, and we are done.

Now let us prove *Theorem 2*.

If  $S_i \neq \emptyset$ , then by SB,  $\{\mathcal{A}, \bar{r}\} \subset \bar{C}_s(S_i) \neq \emptyset$ , which by CJ and MS implies person  $s$  will require  $\{\mathcal{A}_i, \bar{r}_i\} \subset \bar{A}_i$ , unless  $\bar{P}_s(S_i) \subset \bar{A}$ . Since  $\{\mathcal{A}_i, \bar{r}_i\} \subset \bar{A}_i \Rightarrow i \notin E$  by SB, then the definition of  $\bar{0}$  implies  $\bar{y}\bar{0}i$  for all  $\bar{y} \in \bar{P}_s(S_i)$ .

Hence, from the definition of  $\bar{N}_i$ , we have  $S_i \neq \emptyset \Rightarrow \bar{P}_s(S_i) \subset \bar{N}_i$ , which is principle ED with  $\bar{P}_s(S_i)$  substituted for  $\bar{P}(S_i)$  [i.e.,  $s$  denotes to whom the payment applies]. Similar substitution immediately implies that ED follows from SB.

Finally, the corollary immediately follows from theorems 1 and 2 since SB, CJ, MS imply PJ, ED; and PJ, ED, SE, SR imply the conclusions to Theorem 1. The only difference is one of the meaning of the hypothesis, that a sinless atonement is necessary to prevent  $s$  from requiring  $\{\mathcal{A}_i, \bar{r}_i\} \subset \bar{A}_i$  for any  $i \in U-U^*$ .



# Clothed Upon: A Unique Aspect of Christian Antiquity

Blake Ostler

Ancient texts such as the Dead Sea Scrolls, the Nag Hammadi codices, the pseudepigrapha, and Rabbinic and early Christian literature have much to say about the ritual significance of sacred vestments. The symbolism of donning sacred vestments, of putting on a garment in a ritual context, assumes a plan of salvation that acknowledges certain conditions necessary to obtain certain blessings.

The ritual action of putting on a sacred garment is properly termed an "endowment." The word *garment* is, in fact, representative of ordinances found in ancient texts. The Greek word ἔνδυμα that means "garment," or ἐνδύομαι, "to clothe upon," was used to represent sacramental, baptismal, and sealing ordinances in the *Clementine Recognitions*, an extremely important and ancient Christian (Ebionite) work.<sup>1</sup> The Latin *induere*, meaning "to clothe," and *inducere*, "to lead or initiate," are the roots for our English word *endowment*. All connote temple ordinances.<sup>2</sup>

The endowment, the complex of ordinances associated with the donning of sacred vestments, contained in ancient Judeo-Christian texts, provides a framework for symbolic interpretation. The doctrine of the preexistence, for example, appears frequently in the Dead Sea Scrolls, the pseudepigrapha, and the Nag Hammadi texts.<sup>3</sup> The soul

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<sup>1</sup>"Indueremus puram vestem nuptialem, quae est baptisma, quod in remissionem fit peccatorum vestrorum. . . . Si vultis itaque ut fiat vestimentum divini spiritus."

καθαρόν ἔνδυμα γάμου περιζαλεῖν, ὅπερ ἐστὶ βάπτισμα, ὃ εἰς ἄφεσιν γίνεται τῶν πεπραγμένων ὑμῶν κακῶν. . . .

Ἐνδυμα οὖν εἰ βούλεσθε γενέσθαι θείου Πνεύματος,

(*Clementine Homilies* 8. 22–23, in J. P. Migne, *Patrologiae cursus completus: series Graecae*, 161 vols. [Paris: J. P. Migne, 1857–1868], 2:239–40 [hereafter cited as *PG*]; cf. *Clementine Recognitions* 4. 36 [Migne, *PG* 1. 1331]; and *Apostolic Constitutions* 8. 6 [Migne, *PG* 1. 1073].)

<sup>2</sup>See *Oxford English Dictionary*, s.v. "clothe" and "endowment." Cf. Hugh Nibley, *The Message of the Joseph Papyri* (Salt Lake City: Deseret Book, 1976), p. 281.

<sup>3</sup>Note the following two examples of the notion of the preexistence in the Dead Sea Scrolls: "Before things came into existence He determined the plan of them" (*The Manual of Discipline* [1QS] 3. 15–17, as quoted in Theodore H. Gaster, ed. and trans., *The Dead Sea Scriptures* [Garden City, N.Y.: Doubleday, 1976], p. 48); and "By wisdom of thy knowledge thou didst establish their destiny before they came into existence" (*Thanksgiving Hymns* [1QH], in Herbert G. May, "Cosmological Reference in Qumran and the Old Testament," *Journal of Biblical Literature* 82 [1963], p. 32n). For similar references in the pseudepigrapha, see *2 Enoch* 23. 4–5: "All the souls of mankind, however many of them are born, and the places prepared for



must journey to the earth in order to prove itself as part of God's plan set down before the foundation of the world.<sup>4</sup> In order for the soul to return to the presence of God, certain ordinances are necessary. Among these ordinances are baptism, washings, anointings, special garments, and signs as seals and passwords to pass by the angels who guard the gate to God's kingdom.<sup>5</sup> In some accounts, one must be married in the Holy of Holies of the temple in order to obtain the highest of three degrees of glory.<sup>6</sup> Thus, the plurality of the heavens is among the most universal of ancient doctrines, with special glories represented by the moon, stars, and sun.<sup>7</sup> Those who could not receive all the necessary ordinances regarding the *γνῶσις*, or required knowledge in this life, could receive them beyond the grave.<sup>8</sup> The account of Christ's *descensus ad infernos*, or his journey to the spirit world after his death to preach the gospel, is another doctrine

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them from eternity for all souls are prepared from eternity before the foundation of the world" (as translated in R. H. Charles, *The Apocrypha and the Pseudepigrapha of the Old Testament*, 2 vols. [London: Oxford, 1913], 2:444, and *The Testament of Naphtali* 2. 2-4). The abode for preexistent souls is the *promptuaria animarum*, according to 2 *Baruch* 23. 5. The preexistence of Moses is indicated in the *Assumption of Moses* 1. 13-14. Abraham saw the "[divine] world counsel . . . [wherein] whatever I had determined to be was already planned beforehand in this [picture], and it stood before me ere it was created." He also saw "they whom I [God] have ordained to be born of thee and to be called My People" (as quoted in G. H. Box, ed. and trans., *The Apocalypse of Abraham* [London: SPCK, 1919], pp. 68-69). The idea is found in the Dead Sea Scrolls via the Essenes, according to Marc Philonenko in *Les Interpolations Chretiennes des Testaments des Douze Patriarches* (Paris: Presses Universitaires de France, 1960), p. 39. For references in Rabbinical literature, see *Tenchuma Pikkude* 3; *Chagiga* 12b; *Bereshit Rabbah* 100. 8; 3 *Enoch* 43. 3; and *Wisdom* 8. 19-20. For examples in Gnostic literature, see the *Gospel of Thomas*, Logia 49 ("Blessed are the lonely and the elect, for you will find the kingdom. It is from there that you have come and there you will return again."); Logia 84 ("When you see your images [εἰκόν] that came into existence before you, which neither die nor are manifested, how much you then will bear!"); and the *Gospel of Truth* 18—all located in Mario Erbetta, *Gli Apocrifi del Nuovo Testamento* (Torino, Italy: Marietti Editori, 1976), pp. 271, 278, and 526.

<sup>4</sup>Angelo Rappoport, *Myth and Legend of Ancient Israel*, 8 vols. (London: Gresheim Pub. Co., 1928), 8:21; *Ben Sirach* 16. 26-29; 1 *Enoch* 23. 11; *Apocryphon of Abraham*, in Box, *Apocalypse of Abraham*, p. 68; *Odes of Solomon* 7. 7-10; and *Gospel of Philip* 114. 7-20, in R. M. Wilson, ed. and trans., *The Gospel of Philip* (New York: Harper & Row, 1962), p. 125.

<sup>5</sup>Steven E. Robinson, "The Apocalypse of Adam," *BYU Studies* 17 (Winter 1977): 132-33. A complete list of seals and passwords is included in Erbetta, *Gli Apocrifi*, pp. 318ff., and in E. Testa, *Il Simbolismo dei Gudeo-Cristiani* (Jerusalem: n.p., 1962), pp. 115ff.

<sup>6</sup>Eric Segelberg, "The Coptic Gnostic Gospel according to Philip and Its Sacramental System," *Numen* 7 (1960): 198-99; "The Holy of Holy Ones Is the Bridal Chamber" (*Gospel of Philip* 117. 24-25). "The Woman is united to her husband in the Bridal Chamber. But those who have united in the Bridal Chamber will no longer be separated" (*Gospel of Philip* 118. 17-29). Cf. *Gospel of Philip* 134. 4-8 and 124. 6ff.

<sup>7</sup>Charles, *Pseudepigrapha*, pp. 530ff. Cf. 3 *Baruch*, *Ascension of Isaiah*, *Chagigah* 12, 1 *Enoch*, 2 *Enoch*, *Testament of Abraham*, *Apocalypse of Abraham*, and *Testament of Levi*. See also K. Kohler, "The Apocalypse of Abraham and Its Kindred," *Jewish Quarterly Review* (1895), p. 597, who maintains that the exegetes fail to understand the words of the Apostle Paul in 1 Corinthians 15:40ff., where Paul speaks of *σῶματα ἐπουράνια* in contrast to *σῶματα ἐπίγεια*, and who says, "Different is the δόξα of the sun from that of the moon and that of the stars. . . . The Apostle alludes to the different classes of the just in paradise, ranking in degrees of light." The origin of the "sun, moon, stars" symbolism is common to *Ardai Viraf* and other Zoroastrian sources. The early Christian emphasis was on three heavens. (See DeJonge, *The Testament of the XII Patriarchs* (Assen, Netherlands: n.p., 1953), p. 46; and A. T. Lincoln, "Paul the Visionary," *New Testament Studies* 2 (1979): 212-18.)

<sup>8</sup>Those who did not know the ordinances will be placed with another, still in the body, who will accomplish the ordinances for them. See *Apocryphon of John* 2. 1 in James Robinson, *The Nag Hammadi Library* (New York: Harper & Row, 1977), pp. 113-14; *Pistis Sophia* 98. 43-93; 108. 1ff.; 128. 1ff.; and 147. 39ff. in Erbetta, *Gli Apocrifi*, pp. 468, 479, 494-95, and 514; and 2 *Jeu* 42, in Erbetta, *Gli Apocrifi*, p. 336.



common to many manuscripts.<sup>9</sup> Christ does not go to the wicked, however; he goes to his former prophets to organize an *ecclesia*, after which they all receive the σφραγίς, or seal that represents baptism for the dead, and they mount up to heaven together as resurrected beings.<sup>10</sup> The preaching in the spirit world is left up to the Apostles, who also administer a vicarious baptism for the dead.<sup>11</sup> Although certain of these doctrines are specific to Gnostic Christianity or specific sects of the Jews around the first century C.E., the salvific framework presupposed in these texts is found in both.

The idea of the garment is completely at home throughout the ancient world, always in connection with ordinances of initiation related to the endowment. The garment is usually mentioned in relation with other ordinances, especially the anointing. In the *Slavonic Enoch*, for example, the Lord tells Michael, "Go, and take Enoch from out of his earthly garments and anoint him with my sweet ointment, and put him into the garments of My glory."<sup>12</sup> The *Testament of Levi*, a work closely related to the Dead Sea Scrolls, tells us that in a dream, Levi

saw seven men in white raiment saying unto me: "Arise, put on the robe of the priesthood, and the crown of righteousness, and the breastplate of understanding, and the garment of truth, and the plate of faith, and the turban of the head, and the Ephod of prophecy." Then each of them brought forward a thing and put it on me, and said unto me: "From henceforth become a priest of the Lord, and thou and thy seed forever." And the first man anointed me with holy oil, and gave me a staff of judgement. The second washed me with pure water, fed me with bread and holy wine and clad me with a glorious robe. The third clothed me with a linen vestment like an Ephod. The fourth put round me a girdle like unto purple.<sup>13</sup>

<sup>9</sup>*Gospel of Peter* 10. 41–42; Justin Martyr *Dialogus cum Tryphone Judeo* 82. 4; Irenaeus *Predicatione Apost.* 78; *Adversus Haereses* 4. 22; 3. 20. 4; *Odes of Solomon* 17; 22. 1–12; 42. 11–20; *Ascension of Isaiah* 9. 13–18; 4. 21–22; 11. 19; 10. 8–16; and Pastor of Hermas, *Similitudes* 9. 4–6; 16. 1–7. Cf. Jean Danielou, *Dictionnaire de la Bible*, Supplement, Tome 6 (Paris: n.p., n.d.), pp. 680ff.; and W. Bieder, *Die Vorstellung von der Hollenfahrt Jesu Christi* (Zurich: n.p., 1949), p. 179. See also *Apocryphon of John* CJ 3 and 4; *Epistle of the Apostles* 26–27; *Testament of Levi* 4. 1; and *Acts of Thomas* 10.

<sup>10</sup>The "ecclesia" is indicated in Erbetta, *Gli Apocrifi*, p. 658; *Odes of Solomon* 42. 17; and Cazelles, "Descente du Christ aux Enfers," in *Dictionnaire de la Bible* (Paris: n.p., 1960), cols. 395–430. Baptism for the dead is indicated in *Ode* 42. 18; Pastor of Hermas, *Similitudes* 9; *Apocryphon of John*, in Robinson, *Nag Hammadi Library*, p. 116; Jean Danielou, *The Doctrine of Jewish Christianity* (London: Darton, Longman, and Todd, 1958), p. 248; and *Epistle of the Apostles* 27, in Erbetta, *Gli Apocrifi*, p. 658. In the *Apocryphon of John*, the seal (σφραγίζειν) is on the five senses recalling the anointing.

<sup>11</sup>Pastor of Hermas, *Similitude* 9, 16 (in Migne, *PG* 2. 995): "They therefore being dead, were nevertheless sealed with the seal of the Son of God, and so entered into the kingdom of God. . . . Now the seal is the water of baptism. . . . [T]hese Apostles and teachers, who preached the name of the Son of God, dying after they had received his faith and power, preached to them who were dead before; and they gave this seal to them. They went down therefore into the water with them, and again came up. But these went down whilst they were alive and came up again alive: whereas those were before dead, went down dead, but came up alive." (Cf. *Gospel of Nicodemus* 15–20; and Clement of Alexandria *Stromata* 2, 4.)

<sup>12</sup>*Enoch* 22. 8.

<sup>13</sup>*Testament of Levi* 8. 14–22.



The scene portrayed in the *Testament of Levi* recalls the investiture of the king and high priests at the temple on the occasion of Year-rites, which rites take us back to the earliest records of history.<sup>14</sup> The anointing was not always the simple anointing of the head but often refers to a more complete anointing of all the various parts of the body. Cyril of Jerusalem, who initiated a revival of temple ordinances, albeit a specious and short-lived revival, told the newly initiated neophytes of the fourth century:

You have received the first anointing on your brow to deliver you from the shame of the first man for having transgressed the Law, and that you may reflect on the glory of Christ, the second on the ears, that you might hear and properly understand the divine mysteries. . . . The third [anointing] on the nostrils, that by so receiving the holy ordinances you say, "We are the sweet odor of Christ to the saved of God." After that you were anointed on the breast and clothed with a breastplate of righteousness.<sup>15</sup>

Cyril mentioned an anointing of "the five senses," i.e., eyes, ears, nose, mouth, and brow, while Theodore of Mopsuestia mentioned an anointing of the whole body that is "the sign that you will be clothed on with a garment of immortality."<sup>16</sup> This ordinance of anointing bears a certain affinity with the Egyptian ceremony of the Opening of the Mouth.<sup>17</sup>

The reception of the garment became an ordinance *per se* closely associated with baptismal washings.<sup>18</sup> Like baptism, putting on a new garment represented putting off the old man and being clothed in "Christ" and putting on a resurrected body after symbolic death. The early Christian or late Jewish *Odes of Solomon* abound in the symbolism of baptism and tie the garment to the baptismal ritual: "I stripped off sin and cast it from me, and the Lord renewed me in his raiment" (Ode 11. 9-10). "I put off darkness and clothed myself with light" (Ode 21. 2). "I have put on incorruption through His Name, I have put off corruption by his grace" (Ode 15. 6). "And I was clothed with the covering of thy spirit, and thou didst remove from me my raiment of skin" (Ode 25. 8). Ambrose of Milano states:

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<sup>14</sup>H. Ludin Jansen, "The Consecration of *Testamentum Levi*," in E. J. Brill, ed., *La Regalia Sacra* (Leiden, Netherlands: E. J. Brill, 1955), pp. 356-65. See also Georg Widengren, "Royal Ideology and the *Testament of the Twelve Patriarchs*," in F. F. Bruce, ed., *Essays in Honor of S. H. Hooke—The Fulfillment* (Edinburgh: T. T. Clarke, 1963), pp. 202-12.

<sup>15</sup>A. Hamman, *L'Initiation Chretienne* (Paris: Bernard Grasset Editeur, 1963), pp. 46-47; also in Migne, PG 33. 1092. The anointing is studied at length by Leonel L. Mitchell in *Baptismal Anointing* (Notre Dame, Ind.: University of Notre Dame Press, 1966).

<sup>16</sup>Hamman, *L'Initiation Chretienne*, p. 126.

<sup>17</sup>Nibley, *Joseph Smith Papyri*, pp. 106ff. According to the *Clementine Recognitions*, all prophets must be anointed (see A. C. Coxe, *Ante-Nicene Fathers* 8. 90).

<sup>18</sup>Danielou, *Jewish Christianity*, p. 327.



“You have received white garments as evidence that you have been clothed again of the chaste veil of innocence . . . after being redressed in these garments by the bath of regeneration.”<sup>19</sup> Theodore of Mopsuestia adds:

When you advance to the holy baptism you take off your clothes. Adam was born in the beginning without any reason to be ashamed, but after having transgressed the commandments and becoming mortal, he needed a garment. Just as you received the gift of the holy baptism to be born again to grace through Him and to become immortal as a figure, it is required to take off your clothes, the sign of mortality and evidence of the sentence that submits man to the need of the garment . . . but at the time you come up out of the water you will recover yourself with a shining garment. That is the sign of the radiant and glorious world. . . . When you resurrect you will recover yourself with immortality and incorruptibility; that garment . . . will then be necessary for you.<sup>20</sup>

In the *Pistis Sophia*, a Gnostic text of great importance, the garment is marked with the sacred Name and with five mysteries.<sup>21</sup> One symbolically puts on Christ, in Gnostic speculation, through receiving baptism and the garment.<sup>22</sup>

The ancient garment was adorned with other marks besides the Name. E. Goodenough, in his study of Jewish symbolism, discovered that in Christian art the garment and robe were marked with signs at right angles, the gamma or square, or simply with a straight bar with prongs. He concluded that the marks had some religious significance or symbolic force.<sup>23</sup> It should be noted that the ancient garment bore the same tokens as the veil of the temple at Jerusalem. In the *Testament of Levi*, for example, the veil is the ἔνδυμα of the angel or the personified temple.<sup>24</sup> Many ancient texts confuse the garment with the veil of the temple, such as Ambrose of Milano's *Tractate of the Mysteries* or the *Hebrew Book of Enoch* where “garment” and “veil” are used interchangeably.<sup>25</sup> Enoch is clothed with the veil in the *Hebrew Book of Enoch*:

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<sup>19</sup>Hamman, “Traite des Mysteres,” in *L'Initiation Chretienne*, p. 74.

<sup>20</sup>Ibid., p. 125. Cf. *Catechesis Mystagogica*, in Migne, PG 33. 1080–81.

<sup>21</sup>Erbetta, *Gli Apocrifi*, pp. 400–01; *Pistis Sophia* 8–10.

<sup>22</sup>Gilles Quispel, “Qumran, John and Jewish Christianity,” in James H. Charlesworth and Raymond E. Brown, eds., *John and Qumran* (London: Geoffrey Chapman Publisher, 1972), pp. 152–54. Cf. J. MacDonald, ed., *Memar Marqah* (Berlin: n.p., 1963), pp. 4, 32, 80, 139, 158, and 194.

<sup>23</sup>Erwin R. Goodenough, *Jewish Symbols in the Greco-Roman Period*, 13 vols. (New York: Pantheon Books, 1953), 9:164.

<sup>24</sup>Marinus DeJonge, *The Testament of the XII Patriarchs*, p. 124. Consider also M. Philonenko, *Les Interpolations Chretiennes*, p. 18: “Le temple est ici considere comme une personne, et le voile du Temple comme le vetement du Sanctuaire personifie.” τὸ ἔνδυμα τοῦ ναοῦ.

<sup>25</sup>Nibley, *Joseph Smith Papyri*, p. 246.

The Holy One . . . made me a throne similar to the throne of glory. And He spread over me a curtain [veil] of splendour and brilliant appearance of beauty, grace and mercy, similar to the curtain [veil] of the throne of glory; and on it were fixed all kinds of lights in the universe.<sup>26</sup>

According to Hugo Odeberg, who translated the *Hebrew Enoch*, the veil was marked with "the secrets of the world's creation and sustenance . . . in short, the innermost Divine secrets."<sup>27</sup> The purpose of the marks on the garment and the veil was to initiate the recipient into the divine secrets of the universe. Enoch also received a garment that was marked with divine secrets: "The Holy One . . . made me a garment of glory on which were fixed all kinds of lights, and He clad me in it. And He made a robe of honour on which were fixed all kinds of beauty."<sup>28</sup>

Each step of progress in initiation was marked by some change of the garment or robes, and so the symbolism of the garment implied increased glory, moving from one existence to another. In the *Dialogue of the Savior*, Judas and Matthew ask Christ, "We wish to know with what kind of garments we will be clothed when we come forth from the corruption of this world." The Lord replies, "Since you are sons of truth, it is not with these temporary garments that you will clothe yourselves."<sup>29</sup> In the *Gospel of Philip* the Lord adds that "it is necessary to rise in the flesh since everything exists in it. In this world those who put on garments are better than the garments. In the kingdom of heaven the garments are better than those who put them on."<sup>30</sup>

The garment also represented the preexistent purity of the initiate, and as such it represented blessings stored up in heaven to which the soul returns. In *The Pearl*, that all-important early Christian work, the soul is reared in its preexistent palace of glory but it must leave behind this glory in order to sojourn on the earth for a period of probation. Upon his leaving the preexistent palace, says the poet, "they removed from me the garment of light which they had made for me in love, they also removed my purple robe, made exactly to fit me."<sup>31</sup> The noted scholar Hoffman comments that "the

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<sup>26</sup>Hugo Odeberg, *3 Enoch; or, The Hebrew Book of Enoch* (1928; reprint ed., New York: Ktav Publications, 1973), p. 32. Bracketed words added by author as another possible translation of the word.

<sup>27</sup>Ibid., p. 28.

<sup>28</sup>Ibid., p. 32.

<sup>29</sup>*Dialogue of the Savior* 143, in Robinson, *Nag Hammadi Library*, p. 235: "The Lord said '. . . You will clothe yourselves with the light and enter into the bridal chamber.' Judas said, 'How will our garments be brought to us?' The Lord said, 'Some will bring [them] to you and [others will receive them], for they are [the ones who bring] you, your garments. Who [can] reach that place which is the reward? But they gave the garments of life to the man, for he knows the way on which he will go.' "

<sup>30</sup>*Gospel of Philip* 57, in Robinson, *Nag Hammadi Library*, p. 135.

<sup>31</sup>Albertus F. J. Klijn, *The Acts of Thomas* (Leiden: E. J. Brill, 1962), pp. 120-25, lines 9-10.



garment represents the pre-existent glory of the candidate while the robe is the priesthood that is later added to it.”<sup>32</sup> In order to return to the kingdom of God, represented in the poem by the palace of glory, the soul must be clothed in the garment. *The Pearl* continues:

And I saw the garment made like unto me. . . . And adorned myself with [it] . . . and in my royal robe excelling in beauty I arrayed myself wholly. And when I had put it on, I was lifted up unto the place of peace [salutation] and homage, and I bowed my head and worshipped the brightness of the Father which had sent it to me, for I had performed his commandments, and He likewise that which He had promised, and at the doors of his palace which was from the beginning I mingled among [his nobles], and He rejoiced over me and received me with Him into his palace.<sup>33</sup>

A. F. J. Klijn states that the idea of preexistence comes from Judaism, where the idea of the heavenly robe “may be taken from the description of Adam and Eve in paradise.”<sup>34</sup> Of course, he refers to the tradition that Adam’s nature was like bright light before the Fall, even as the garment is a garment of light, but after the Fall Adam lost his preexistent glory.<sup>35</sup> J. Rendel Harris points out that the *Odes of Solomon* also contain the ideas of “the pre-existent soul that has to leave heaven for earth, and that of the unfallen creation of God, whose environment is changed from a coat of light to a coat of skins.” The “garment of skins” became the “garment of light” possibly because the Hebrew כְּתֹנֶת עוֹר (coat of skins) so closely resembles כְּתֹנֶת אֹר, meaning “coat of light.”<sup>36</sup> Even so, the *Apocryphon of James* tells us that when the spirit returns to its heavenly treasure it will become “as you were first, having clothed yourself, you become the first who will strip himself, and you shall become as you were before removing the garment.”<sup>37</sup>

The garment also represents the treasure laid up in heaven awaiting the soul’s return, and, in this context, the glory of the resurrected body.<sup>38</sup> An ancient Christian writing known as the *Ascension of Isaiah* states, “The saints will come with the Lord with their garments which are now stored up in the seventh heaven, with the Lord will come those whose spirits are clothed upon.”<sup>39</sup> The *Book of*

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<sup>32</sup>G. Hoffman, *Zeitschrift der Neutestamentlichen Wissenschaft* 4 (1903): 278–83.

<sup>33</sup>Klijn, *Acts of Thomas*, lines 98–102.

<sup>34</sup>Ibid., p. 278.

<sup>35</sup>Louis Ginzberg, *The Legends of the Jews* 7 vols. (Philadelphia: Jewish Publishing Society, 1909–1938), 1:79, 135, 139; and 5:103.

<sup>36</sup>J. Rendel Harris, *Odes and Psalms of Solomon* (Cambridge: University Press, 1909), pp. 67–68.

<sup>37</sup>*Apocryphon of James*, in Robinson, *Nag Hammadi Library*, p. 253.

<sup>38</sup>R. H. Charles, *The Ascension of Isaiah* (Oxford: Oxford University Press, 1913), p. 34. Cf. 4 Ezra 2. 39, 45; and Pastor of Hermas, *Similitudes* 8. 2.

<sup>39</sup>*Ascension of Isaiah* 4. 6. Cf. 8. 26, 9. 13, and 9. 24–25.



*Enoch* is replete with references to garments. In connection with the resurrection the *Book of Enoch* says, "And the righteous and elect shall have risen from the earth, and ceased to be downcast in countenance. And they shall be clothed with garments of glory, and they shall be the garments of life from the Lord of Spirits."<sup>40</sup> *The Manual of Discipline*, found among the Dead Sea Scrolls, contains a concept very similar to that of the *Book of Enoch*:

And as for the visitation of all who walk in this spirit [of truth] it shall be healing, great peace in a long life, and fruitfulness, together with every everlasting blessing and eternal joy in life without end, a crown of glory and a garment of majesty in unending light.<sup>41</sup>

Evidently, the Qumran Covenantors believed that the righteous become priests and kings together with everlasting progeny or eternal families. E. Goodenough states that "the Essenes gave a white robe of holiness to each new member to mark his entry into the order—that is, upon his initiation, and thereafter he wore white always."<sup>42</sup> The throne and crown are often mentioned in relation to garments because the rites involved are properly a type of coronation where every initiate is anointed and blessed to become "a priest and king to the Most High God."<sup>43</sup> The concept of a garment received in the resurrection is found in the Book of Mormon. "The spirit and the body shall be restored to itself again. . . . And the righteous shall have a perfect knowledge of their enjoyment, and their righteousness, being clothed with purity, even with a robe of righteousness."<sup>44</sup>

The idea of the garment is very ancient indeed. Ancient texts place it in the context of the pre-earth council where God the Father commanded all creatures to recognize Adam's glory because he was created in the image and likeness of God. Adam was placed on a throne and given a crown of glory and a sceptre. Satan refused to acknowledge Adam, saying, "It is he who should worship me! I existed before he existed."<sup>45</sup> Satan claimed to be the first-born, and for

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<sup>40</sup>1 *Enoch* 62. 14–16, in R. H. Charles, *The Book of Enoch* (London: SPCK, 1917), p. 83.

<sup>41</sup>Geza Vermes, ed. and trans., *The Dead Sea Scrolls in English* (Baltimore, Md.: Penguin Books, 1962), p. 76.

<sup>42</sup>Goodenough, *Jewish Symbols*, 9:168–69.

<sup>43</sup>*Ascension of Isaiah* 7. 22 explains that each recipient of the garment also receives a crown and a throne: "For above all the heavens and their angels has thy throne been placed, and thy garments and thy crown which thou shalt see." Again, in 8. 14: "When from the body by the will of God thou hast ascended hither, then thou wilt receive the garment which thou seest, and likewise other numbered garments laid up [there] thou wilt see, and then thou wilt become equal to the angels of the seventh heaven." Finally, in 9. 12–13: "How is it that they have received the garments, but have not the thrones and crowns? And He said unto me: 'Crowns and thrones of glory they do not receive, till the Beloved will descend in the form in which you will see Him descend.'" (See also *Testament of Levi* 8. 5–9; *Pastor of Hermas Similitudes* 8. ii, 1–4; *Odes of Solomon* 1. 1–2; and *1QS* 4. 7–8).

<sup>44</sup>2 Nephi 9:13–14.

<sup>45</sup>Rappoport, *Myth and Legend in Ancient Israel*, 8:165; *Discourse on the Abbaton*, in Erbetta, "L'investitura di Abbaton," 1:475; *Vita Adae et Evae*, in Charles, *Pseudepigrapha*, 2:137; and *Genesis Rabba* 8.



such arrogance God commanded the angels of the council in heaven to “take the writings from his hand, remove his kingly garments and armour and cast him to earth.”<sup>46</sup> When Adam sinned, he too lost his garment of light, but God gave solace to Adam, saying, “Of my mercy I did not turn thee into darkness, but I made for thee thy body of flesh, over which I spread this skin for thy protection.”<sup>47</sup> Protection from the elements is one of the main purposes of clothing, but this garment represented the armor of protection against Satan.<sup>48</sup> In the *Paraphrase of Shem*, “after [Shem’s] stay on earth he received honour from his amazing garments, which provided both protection and glory.”<sup>49</sup>

The saga of the stolen garment is an indication of the importance attributed to the garment in ancient thought. Upon leaving the garden, Adam was given a garment of the skins of animals that represented his mortality but was a reminder also of his preexistent glory.<sup>50</sup> Satan, wanting his preexistent glory back, continually tried to deceive others by appearing as an angel of light. Thus, while Adam was praying to heaven one day for extended light and knowledge, Satan appeared as an angel of light so “that Adam would think within himself that it was a heavenly light, and that Satan’s hosts were angels.”<sup>51</sup> In the *Apocalypse of Adam*, the evil God appears to Adam, claiming to be the only God, the God who created Adam himself.<sup>52</sup> In the later account, when Satan appears, Adam prays, “O Lord, is there another God beside thee in the world?”<sup>53</sup> Upon his inquiry, three angels appear in order to teach him of the holy baptism.<sup>54</sup> The angels cast

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<sup>46</sup>*Discourse on the Abbaton*, p. 476. See also *Vita Adae et Evae* 15. 1–16. 1; *Genesis Rabba* 8 in Ginzberg, *Legends of the Jews*, 1:165. The real problem was over the plan to create man. In the *Genesis Rabba*, God consults with the heavenly council about his plan of creation. They divide into two camps, and those against God’s plan to create man are cast out. In the *Discourse on the Abbaton*, when God tells the heavenly council of his plans they are unsure. Therefore, Adam’s body lay without a spirit of life for forty days. At that point, Christ interceded: “Father, give him the spirit, I will be his advocate.” After this the Father said, “If I give him the spirit, My Beloved Son, you will be constrained to descend into the world and suffer great pains for his sake, in order to redeem him and bring him back to his original state one more time.” The Son then replied, “Give him the spirit; I will be his advocate, I will descend to the world to fulfill your will.” (Erbetta, *Gli Apocrifi*, 1:475, my translation).

<sup>47</sup>*The Combat of Adam and Eve* 13. 1–7, 27. 12–14, in J. P. Migne, *Encyclopedie Theologique: Dictionnaire des Apocryphe*, 2 vols. (Paris: Barriere, 1856), 1:302 and 307. Cf. Rappoport, *Myth and Legend in Ancient Israel*, 8:165.

<sup>48</sup>Wayne Meeks, *The Prophet-King* (New Testament Supplement Studies, a series of two books), pp. 276–77. Cf. Goodenough, *Jewish Symbols*, 9:143–44.

<sup>49</sup>Robinson, *Nag Hammadi Library*, p. 312: “I put on my garment which [is] the garment of the light of the Majesty which I am.”

<sup>50</sup>Goodenough, *Jewish Symbols*, p. 169; Genesis 3:21; *Combat of Adam and Eve* 23. 7, 50. 5–6, and 51. 3–7.

<sup>51</sup>*Combat of Adam and Eve* 27. 2–4, 10; cf. 60. 1–3, in Migne, *Dictionnaire des Apocryphe* 1. 177: “Satan came to the cave clad in a garment of light and girt about him a bright girdle. . . . He transformed himself in order to deceive Adam.”

<sup>52</sup>*Apocalypse of Adam* 4, in Erbetta, *Gli Apocrifi*, p. 208. Cf. Robinson, *Nag Hammadi Library*, p. 135.

<sup>53</sup>*Combat of Adam and Eve* 24. 10, in Migne, *Dictionnaire des Apocryphe* 1. 305.

<sup>54</sup>*Apocalypse of Adam* 3–5, in Erbetta, *Gli Apocrifi*, p. 135.



Satan out, informing Adam, "Adam, fear not! This is Satan and his host. He wishes to deceive you as he deceived you at first. The first time he was hidden in the serpent, this time he has transformed himself into an angel of light."<sup>55</sup> The messengers tell Adam further, "Adam, he wished to take from you this earthly garment of sheepskin, to destroy it, and not let you be covered with it."<sup>56</sup> In the *Manual of Discipline*, the instructor [ מִשְׁכִּיל ] tells the story of the Creation and Fall to teach the new initiates to distinguish between the evil spirit of darkness and the good spirit of light by "their different signs of differentiating tokens."<sup>57</sup>

The story of the stolen garment is recapitulated many times in ancient literature. According to Ginzberg, Adam's garment was given to Enoch.<sup>58</sup> From Enoch the garment went to Methuselah and then to Noah. Ham stole Noah's garment from him while Noah was sleeping. Upon awaking, Noah blessed his two sons but cursed Ham because Ham had stolen the garment.<sup>59</sup> Abraham also had to deal with garment robbers. In the *Apocalypse of Abraham*, when Satan appears to Abraham, God tells the angel Jael, "Go Jael and strengthen him." Jael greets Abraham, "I have been sent to thee to strengthen thee and bless thee in the name of God." Abraham asks about the presence of Satan, "What is this my Lord?" And the angel replies, "This is ungodliness, this is Azazel!" And the angel says to it, "Depart from this man!" The angel casts Satan out, saying, "The vesture which in heaven was formerly thine hath been set aside for [Abraham]."<sup>60</sup> According to the Rabbis, Abraham received the priesthood after the order of Adam and along with it "a garment of skin which God gave Adam." This same skin had been handed down as the "high-priestly robe" directly from Seth to Methuselah, from Noah to Japeth and Shem, and from them to Abraham.<sup>61</sup>

In the *Pistis Sophia*, the glorious garment of Christ is given to the Twelve Apostles, who are said to have been preexistent. On the garment which Christ received from his Father, the name of the mysteries was written. The scene is evidently that of Christ giving the mysteries of the kingdom to his disciples immediately before his

<sup>55</sup>*Combat of Adam and Eve* 27. 12, in Migne, *Dictionnaire des Apocryphe* 1. 307.

<sup>56</sup>*Ibid.*, 51. 8, in Migne, *Dictionnaire des Apocryphe* 1. 319.

<sup>57</sup>Alfred Robert C. Leane, *The Rule of Qumran and Its Meaning* (London: S.C.M. Press, 1966), pp. 143, 145, and 147.

<sup>58</sup>Ginzberg, *Legends of the Jews*, 1:79, 135, and 139.

<sup>59</sup>Hugh Nibley, *The World of the Jaredites* (Salt Lake City: Deseret Book, 1952), p. 162.

<sup>60</sup>Box, *Apocalypse of Abraham*, pp. 45-53: "Asazel had thus lost his garment of immortality and become mortal, while Abraham gained it."

<sup>61</sup>Robert Graves and Raphael Patai, *Hebrew Myths* (Garden City, N.Y.: Doubleday, 1963), pp. 70 and 78.



ascension into heaven.<sup>62</sup> After having taught all the necessary mysteries, Christ put on his garment and “arose on high to the door of the firmament. . . . The doors melted and opened before Him simultaneously. When the ἄρχων̃η-arconts and powers and angels saw the light of the garment they were overcome. They saw my shining and resplendent garment that I had put on, they saw the mystery on which was written their name, and they were much disturbed.”<sup>63</sup> The garment here is a means to pass by the angels stationed to block the way to the gate of heaven.

The necessity of royal garments to pass through the gates and into the presence of God is another very ancient concept. Hugo Odeberg has characterized the garment of glory as

the light substance in which the inhabitants of heaven appear; the “glory” is light, splendour, probably conceived of as a reflection, outflow of the Divine Glory, the splendour of the Shekina. The putting on “the raiment of glory” is a necessary condition of entering the highest heavens, God’s abode of light. Hence, the garment is also a mark of the holy, celestial nature of its bearer.<sup>64</sup>

In Egypt, the changing of robes had long been a very significant concept. For example, in the very old *Pyramid Texts* the garment was given to those entering the presence of the gods: “O, N., Take thy garment of light, take the veil upon thee! . . . That it might gain respect among the gods.”<sup>65</sup> In the Sumerian myth of Inanna, the goddess is arrayed in seven ordinances. She covers her body with the “pala-garment,” the garment of Queenship. She then descends to the gate of the netherworld where she is met by the typical question-response of the gatekeeper, “Who art thou? . . . Why hast thou come?” The gatekeeper checks her for each of her seven ordinances separately. Inanna enters the netherworld to be judged and then to be confined for three days and three nights. After receiving “the food of life and the water of life,” she is sprinkled with water and ascends from the netherworld in a manner reminiscent of the early Christian accounts of Christ’s *descensus ad infernos* and his subsequent ascension.<sup>66</sup>

In the much later Egyptian *Book of the Dead*, the garment is a protection against evil.<sup>67</sup> The rubric accompanying chapter 125 reports that “this chapter is said by the deceased when he is cleansed

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<sup>62</sup>*Pistis Sophia* 1. 1 and 8. 1–2, in Erbetta, *Gli Apocrifi*, p. 396.

<sup>63</sup>*Ibid.*, 11. 1–10, in Erbetta, *Gli Apocrifi*, p. 402.

<sup>64</sup>Odeberg, *Hebrew Book of Enoch*, p. 32.

<sup>65</sup>Goodenough, *Jewish Symbols*, 9:143–44.

<sup>66</sup>Pritchard, *Ancient Near Eastern Texts* (Princeton, N.J.: Princeton University Press, 1955), pp. 53–55.

<sup>67</sup>E. A. W. Budge, *The Book of the Dead* (New York: n.p., 1913), p. 586.



and purified, and is arrayed in linen garments and shod with sandals of white, and his eyes are anointed with antimony, and his body anointed with oil.” The candidate announces, “I am pure! My breast is purified by libations, my hind parts have been dipped in the lake of truth. . . . I have washed myself.” The initiate is then introduced at the door: “Let thyself advance!” Again the typical question-response occurs as the gatekeepers ask, “‘Who art thou?’ They say to me, ‘What is your name?’” The reply is a code name. The gatekeepers reply, “We will not allow thee to enter unless thou tellest us our names.” When the initiate announces the names of the seven gates, they reply, “Thou knowest us, pass therefore by us.” At the seventh and last gate the ordinance is a bit more elaborate. The doorkeeper announces, “Thou shalt be announced [to the god of the gate].” The initiate is asked, “For what purpose hast thou come?” To this he replies, “I have come and journeyed hither that my name may be announced to the god!” The guide-psychopomp asks, “In what condition art thou?” “I am purified from evil defects and wholly free from the curses.” Thoth replies, “Therefore thy name shall be announced to the god.” The keeper asks, “What is that?” The initiate replies, “He is Osiris [the great Egyptian god].” Thoth says, “That is correct. Advance now.”<sup>68</sup>

The ancient texts make it perfectly clear that the candidate must be properly clothed and possess the *γνῶσις*, or the name of God, in order to pass through the last barrier to the presence of God. In many documents the prophet passes through seven heavens and must receive a garment of glory to enter into the highest heaven where God dwells. The garment becomes brighter as the prophet passes through each successive heaven. The prophet must also possess the proper identification or sign in order to enter each heaven.<sup>69</sup> In the *Apocalypse of Paul*, for instance, Paul passes through seven heavens and comes to the gate guarded by “principalities and authorities.” The spirit, his guide, tells Paul, “Give him the sign that you have, and he will open to you. And I gave him the sign,” and the seventh heaven opened.<sup>70</sup> The quasi-canonical *Pastor of Hermas* is a good illustration of the necessity of both the garment and the name:

No man shall enter into the kingdom of heaven except he shall take upon him the name of the “Son of God.” . . . The gate is the Son of God, who is the only way of coming to God. . . . No man can enter

<sup>68</sup>Ibid., pp. 589ff.

<sup>69</sup>Goodenough, *Jewish Symbols*, 9:145. Cf. *Ascension of Isaiah* 7. 25; 1 *Enoch*; 2 *Enoch*; 3 *Enoch*; *Testament of Levi*; *Apocalypse of Abraham*; *Ascension of Moses*; *Jubilees*; *Testament of Abraham*; and 4 *Ezra*.

<sup>70</sup>*Apocalypse of Paul* 23, in Robinson, *Nag Hammadi Library*, p. 241.



into the kingdom of God except these [virgins] clothe him with their garment. It availeth nothing to take up the name of the "Son of God" unless thou shalt receive the garment. . . . A man shall in vain bear his name unless he is endowed with his powers.<sup>71</sup>

Christ is also represented as the door to the kingdom of heaven in the *Odes of Solomon*. "He gave me the way of His precepts and I opened the doors that were closed. . . . Nothing appeared closed to me: Because I am the door of everything" (Ode 17. 8, 10). Since *the gate is Christ*, the scene at the gate is often one of intimate union with Christ, as in the *Apocryphon of James*. After the spirit is clothed again with its garment, Christ tells the Apostle,

Behold, I shall reveal everything to you, my beloved. Know that you come forth just as I am. Behold, I shall reveal to you Him who is hidden. Now stretch out your hand. Now take hold of me. . . . Those who wish to enter and seek to walk in the way that is before the door, open the door through you.<sup>72</sup>

The Book of Mormon also refers to the straight way before the gate and identifies the Holy One of Israel with the gatekeeper.

. . . the way for man is narrow, but it lieth in a straight course before Him, and the keeper of the gate is the Holy One of Israel, and He employeth no servant there, and there is no way save it be by the gate, for He cannot be deceived, for the Lord God is His name.<sup>73</sup>

The doctrine of the Name of God as a key word runs like red ribbon through the history of revealed religion. Thus, if the *Pistis Sophia* proclaims, "Thou art the key, O Savior, which opens the door of all things and shuts the door of all,"<sup>74</sup> the author is merely citing Isaiah 22, "I will clothe him with thy robe, and strengthen him with thy girdle. . . . And the key of the House of David will I lay upon His shoulders, so He shall open and none shall shut, and none shall open. And I will fasten Him as a nail in a sure place."<sup>75</sup> One is immediately reminded of the *Pistis Sophia*, where one communicates knowledge to God through certain passwords and signs:

And they shall test the soul to find their signs in it, as well as their seals and their baptisms and their anointings [ *χρίσμα* ] and the virgin of light will seal that soul and the assistant [ *παραλέπτες* ] will baptize that soul and give it a spiritual anointing. Then the assistant send the soul to the glorious Saboath the Good, [the Gnostic God] who is at the

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<sup>71</sup>Pastor of Hermas *Similitude* 9. 113, 117, 121-22.

<sup>72</sup>*The Second Apocryphon of James* 55 and 57, in Robinson, *Nag Hammadi Library*, pp. 252-53. A similar ordinance is found in *Odes* 37. 1-3, 42. 1-4, and in *The Pearl*, lines 98-101.

<sup>73</sup>2 Nephi 9:41.

<sup>74</sup>Erbetta, *Gli Apocrifi*, p. 492.

<sup>75</sup>Isaiah 22:21-23.

gate of life, who is called Father and who gives His seals to the soul. At the gate the soul cries, "Father!" and the soul gives his seals and responses, with the seal of each degree [ *τάξις* ] in the right hand, and the soul communicates knowledge with the right hand of every order [ *τόπος* ] with hymns of glory. . . . And Melchizedek will seal that soul and lead it to the treasury of light [that is within the veil].<sup>76</sup>

The seal here is a sign of recognition. The *Odes of Solomon* tell us that "God's seal is known, and thy creatures know it, and the heavenly angels possess it, and the elect archangels are clothed with it."<sup>77</sup> In *2 Jeu*, Christ tells the Apostles, "This is the name: ζωξαεζωζ. Pronounce it once, holding in your hand the seal. Then the guards of the gate and the veil will withdraw and you may reach the place of their Father, who will give you His name and His seal, and then you will pass the door inside to His treasure."<sup>78</sup> One important point is stressed in *2 Jeu*, and indeed by several of the texts dealing with these sacred ordinances: The name and ordinances are of the upmost secrecy.<sup>79</sup>

## CONCLUSION

Documents cited from all over the Near East, and ranging from 2000 B.C. to A.D. 400, all tell a story pregnant with meaning to Latter-day Saints. The story is an organic unity that can be traced back to the

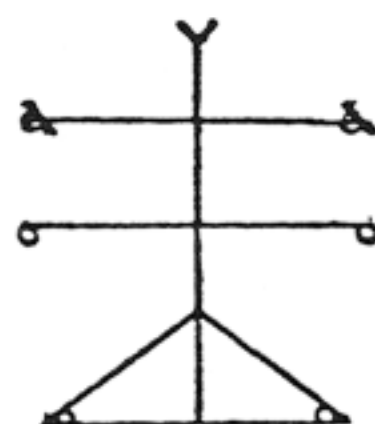
<sup>76</sup>Author's translation from Erbetta, *Gli Aprocifi*, p. 484. For another translation, see Carl Schmidt, ed., *Pistis Sophia* (Leiden: E. J. Brill, 1978), p. 291:

And the virgin of the Light and the seven other Virgins of the light all examine that soul, and they all find their signs within it, and their seals and their baptisms and their inunctions [i.e., anointings]. And the virgin of the Light seals that soul. And the Paralemptai [i.e., assistant] of the light baptise that soul and give it the spiritual inunction. And each of the virgins of the light seals it with their seals. And also the paralemptai of the light give it into the hands of the Great Sabaoth, the Good, who is above the gate of life in the place of the right, who is called Father. And that soul gives him the glory of his songs of praise and his seals and his defences. And Sabaoth the Great and Good seals it with his seals, and the soul gives its knowledge and the glory of the songs of praise and the seals of the whole place of those of the right. They all seal it with their seals, and Melchisedek the great paralempptes of the light, who is in the place of the right, seals the soul. And the paralemptores of Melchisedek seal that soul and take it to the treasury of the Light . . . the place of inheritance.

<sup>77</sup>*Odes of Solomon* 4. 8.

<sup>78</sup>Author's translation from Erbetta, *Gli Aprocifi*, p. 351. For a different translation of *2 Jeu* 33, see Carl Schmidt, ed., and Violet Macdermot, trans., *The Books of Jeu and the Untitled Text in the Bruce Codex* (Leiden: E. J. Brill, 1978), p. 83:

"When you come to this *place*, *seal* yourselves with this *seal*: This is its name: [ *ζωξαεζωζ* ], while the *cipher* . . . is in your hand. Furthermore say this name [ *ααωεωαζ* ] three times, and the *watchers* and the *veils* are drawn back, until you go to the *place* of their Father and he gives (you his seal and his name) and you cross over (the gate into his treasury). This now is the placing of this *treasury*."



<sup>79</sup>Erbetta, *Gli Aprocifi*, p. 334: "Behold, I have told you the name that I promised from the first to reveal to you, so that the places of the treasure withdraw and you could come to the place of the true God. . . . Thus I have told it to you, preserve and hide it, don't repeat it. . . . Now I have told you the name that you asked me to, hide it in your heart." (Cf. *Testament of Levi* 3. 30 and *The Apocalypse of John* 31.)



oldest rites known to man, all of which cluster around the idea of the temple. The ancient symbolic meaning of the garment itself outlines a rather familiar story: (1) the ancient garment represented the preexistent glory that was laid aside while (2) we put on another garment that represented our mortality as a consequence of the Fall; (3) the ancient garment was not only a reminder but also a protection against the evil one as we sojourned here in the lonely world; (4) it also represented the glory of the resurrected body, and (5) an added robe represented the added righteousness procured for entrance into the kingdom of God and for passing by the angels posted there; (6) when one donned the garment, one also took upon himself a name for passing through the gate, the name of Jesus Christ, with whom ultimate unity became possible through these ancient ordinances.

# Accountable Emily

Helen Walker Jones

A muggy Sunday, windows opened onto the pine grove.  
The congregation awaits soothing winds to wring moisture  
From their locks. Accountable Emily, age eight,  
Dreams of Gothic spires and silver domes,  
Disregards the glossy white tiles with chipped corners.  
She has learned of manna, Passover, the plates golden  
In black earth, mysterious elevator shafts. Sabbath.  
A Hebrew word. Emily presses the embossed organ pipes  
On a navy blue hymnbook, wonders  
If the water will be warm, imagines  
Drowning. Buried in white baptismal clothes,  
Her feet fading purple, pain-earned ringlets smashed  
In wet strands against her neck.  
Then remembrance of the Gift,  
The Comforter, the Holy Ghost.  
Will I be a saint? she whispers.  
Her mother nods, Emily sighs, her name is called.



# William Law, Nauvoo Dissenter

Lyndon W. Cook

Dissent is not a novel topic in Mormon history. Nor is it the most urgent issue confronting The Church of Jesus Christ of Latter-day Saints today. Nonetheless, for the student of Latter-day Saint history the disaffection of its members, and especially its leaders, has a peculiar interest and significance. Indeed, the pages of early Mormon history are filled with undulations of dissent and apostasy. The tragedies at Kirtland and Far West are vividly remembered. When a conflict of position occurs, it is often accompanied by a clash of passion. In such circumstances it is not always easy to discern who is at fault. William Law, a member of the First Presidency of the LDS church in Nauvoo, Illinois, became an apostate in 1844, shortly before Joseph Smith was murdered at Carthage. According to his own statements and actions, William Law had developed a genuine commitment to Mormonism before becoming a schismatic. However, by the spring of 1843 his commitment began to waver, and by early 1844 he had concluded that the Mormon leader Joseph Smith was a fallen prophet. Because many of William Law's statements are vindictive and self-serving, they must be weighed accordingly. Some crucial comments regarding his apostasy were made in moments of tremendous fear and anger; others were offered after many years of reflection. This paper will attempt to identify the fundamental causes of William Law's apostasy.

Born in 1809, William Law was a native of Northern Ireland. The Laws (William was the youngest of five brothers) immigrated to America about 1819-1820, finally settling in western Pennsylvania. Easily obtained land and the opportunity for financial improvement lured young William to Upper Canada (Ontario). At Churchville (located twenty-five miles northwest of Toronto), William acquired farming ground, operated a mill along the Credit River, and served as local postmaster. Here in Upper Canada, at the age of twenty-four, William married his only wife: nineteen-year-old Jane Silverthorn.

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The attractive Canadian-born daughter of Thomas Silverthorn would be married to William Law for nearly half a century and would give birth to at least eight children.<sup>1</sup>

A spin-off from Parley P. Pratt's missionary success in Toronto, Churchville was a temporary stronghold of Mormonism.<sup>2</sup> William and Jane Law were converted to the Mormon church in 1836 through the efforts of John Taylor and Almon W. Babbitt. In April of the following year William was ordained to the Melchizedek Priesthood by Elder Pratt and assumed the leadership of the branch in Churchville. Joseph Horne, who first became acquainted with William Law while accompanying the Prophet Joseph Smith on a visit to Churchville in 1837, remembered the Irish convert as "a very good man."<sup>3</sup>

The Prophet's visit to the Toronto area in 1837 coincided with a period of unrest in Ontario and Quebec. Revolts broke out in both Upper and Lower Canada with the rebels demanding responsible government from the British. One source reported that during Joseph Smith's 1837 visit to Ontario he "told his Canad[ian] brethren . . . to sell while they could get out of the place or blood would be upon their heels."<sup>4</sup> The faithful few who did not leave Canada for Missouri in 1837-1838 were detained only because of extenuating circumstances. William and Jane left Ontario in 1838 and located temporarily in Mercer County, Pennsylvania, where they waited for the Silverthorn estate to be divided and their share to be sold. William remarked at the time that he was anxious to "be gathered with the people of God" and informed his friend James Mulholland that as soon as the exiled Missouri Saints "fixed [a] place of resting" he would "endeavour to move there."<sup>5</sup>

Jane Law's interest in the Silverthorn estate was secured on 4 September 1839, but the Laws may have departed for Nauvoo

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<sup>1</sup>Biographical material is cited from Lyndon W. Cook, "'Brother Joseph Is Truly a Wonderful Man, He Is All We Could Wish a Prophet to Be': Pre-1844 Letters of William Law," *Brigham Young University Studies* 20 (Winter 1980): 207-18. Two items of biography cited in the above source need correcting: (1) The best evidence now available identifies William Law's mother as Ann Hunter Law; Mary Wilson appears to be his paternal grandmother, and (2) William's death date should be 19 January 1892. Jane Silverthorn, William's wife, was born about 1814 and died 8 September 1882. The names and birthdates of William and Jane's eight children are—Richard, b. 28 February 1834; Rebecca, b. 30 March 1836; Thomas J., b. 4 March 1837; Helen, b. 17 March 1839; William, b. 31 January 1841; John, b. 14 June 1844; Wilson, b. 1 September 1846; and Cys, b. 29 May 1848.

<sup>2</sup>*The Christian Examiner* was published monthly in Toronto by the Presbyterian church. One of their ministers had preached in Churchville in late 1838 and noted that "this village was for a time the stronghold of Mormonism. . . . There they had frequent meetings both on Sabbath and week days, and a considerable number were baptized by their preacher." (*Christian Examiner*, 11 December 1838.)

<sup>3</sup>Diary and Reminiscences of Joseph Horne, pp. 1-2, Library-Archives, Historical Department of The Church of Jesus Christ of Latter-day Saints, Salt Lake City, Utah; hereafter cited as Church Archives.

<sup>4</sup>Correspondence of Hepzibah Richards, Kirtland, Ohio, 28 January 1838, Church Archives.

<sup>5</sup>William Law to James Mulholland, 27 March 1839, Church Archives, cited in Cook, "Pre-1844 Letters of William Law," p. 216.



before the final papers were signed.<sup>6</sup> The Prophet's history indicates that William led a seven-wagon caravan of Canadian Saints to the new gathering place, arriving the first week of November 1839.<sup>7</sup> A complete list of names of those traveling under his direction has not survived, but it is known that, in addition to his own immediate family, William's non-Mormon brother, Wilson, was among the group.<sup>8</sup> The aggressive Law brothers would play an active role in the Mormon community until the summer of 1844.

William's abilities as a committed follower and leader as well as his improved financial status made him a natural choice for church service at Nauvoo. In 1841, with divine confirmation, the Prophet Joseph Smith selected him as a counselor in the First Presidency.<sup>9</sup> Shortly after this calling, one observer noted that "no man could be better fitted to his station" in the Presidency. William Law was considered to be a man having "great suavity of manners and amiability of character," "correct business habits," and "great devotion to the service of God."<sup>10</sup> At the time of his call as Joseph Smith's counselor, the blue-eyed Irishman was thirty-one years old, five feet eight and one-half inches tall, and one hundred and seventy-five pounds. He would serve in the Presidency until the first week of January 1844 when his disgruntlement resulted in his being released.

Who would have guessed in January 1841 (when he was called to the Presidency) that within three years William Law would be a bitter enemy of Joseph Smith? Certainly there is nothing in his earlier writings that suggests any tentativeness in his commitment to the Restoration. It is perhaps significant that the reasons Law offered for his disaffection and schismatic behavior are remarkably similar to those given by other prominent Mormon dissenters of the same general period. These reasons essentially related to a growing "concentration of authority" in the hands of the President of the Church and the extension of that authority into the areas of politics and economics.<sup>11</sup>

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<sup>6</sup>The Thomas Silverthorn Estate Papers are located at the Land Registry Office, Brampton, Ontario, Canada.

<sup>7</sup>Joseph Smith, Jr., *History of The Church of Jesus Christ of Latter-day Saints*, 2d ed. rev., 7 vols. (Salt Lake City: Deseret News, 1932-1951), 4:20; hereafter cited as *History of the Church*.

<sup>8</sup>Contrary to some reports, William's brother Wilson was baptized and ordained an elder in Nauvoo. Wilson Law came to Nauvoo a single man and left a widower. His marriage to Nauvoo schoolteacher Elizabeth F. Sikes (on 25 December 1842) ended abruptly when she died 31 March 1844 (see Lyndon W. Cook, comp., *Civil Marriages in Nauvoo and Some Outlying Areas: [1839-1845]* [Provo, Utah: Liberty Publishing Co., 1980], p. 19).

<sup>9</sup>See Doctrine and Covenants 124:91. The *Times and Seasons* 1 (1 February 1841): 310 included the following statement: "William Law has recently, by revelation, been appointed one of the first Presidency in the place of Hyrum Smith."

<sup>10</sup>*New York Herald*, 19 February 1842.

<sup>11</sup>See Marvin S. Hill, "Cultural Crisis in the Mormon Kingdom: A Reconsideration of the Causes of Kirtland Dissent," *Church History* 49 (September 1980): 286-97.





William Law



The opposition manifested by Mormon dissenters during the late 1830s and early 1840s was actually consistent with the political and religious milieu of the day. The Church of Jesus Christ of Latter-day Saints was organized at a time when much of American thought was pervaded by a democratic spirit that challenged authoritarianism and autocracy in government as well as in religion. One authority of the period has written that "the democratic revolution was at its height" in 1830.<sup>12</sup> Although the Book of Mormon and the written revelations gave the fledgling church an unmatched "popular authoritative appeal," its first decade, nevertheless, was characterized by a certain democratic spirit and lack of defined theology.<sup>13</sup>

It is true that the high priests and more particularly their presidency (the Presidency of the High Priesthood) had assumed supremacy as a presiding elite in the Church during 1831–1834. But an organizational change occurred in 1835 that equally dispersed presiding priesthood authority among five quorums of church government and essentially abandoned the title "Presidency of the High Priesthood" in favor of "First Presidency."<sup>14</sup> This decentralizing action was apparently effected to calm the vocal opposition to alleged elitism and authoritarianism in the priesthood government.<sup>15</sup> Beginning in 1837–1838, control of power again began to gravitate toward a single quorum: the First Presidency. As a result, the earlier democratic elements of the society gave way to a much more centralized church government during the remainder of Joseph Smith's leadership. Events which served as prelude to this consolidation of power were undoubtedly related to the widespread apostasy in Ohio and Missouri in 1837–1838; the Prophet's Missouri incarceration in 1838–1839; the founding of Nauvoo as a city-state; and Joseph Smith's frustrating trip to Washington, D.C., in 1839–1840. This administrative metamorphosis in church government actually thrust the Mormon community towards a closed theocratic society and away

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<sup>12</sup>Gordon S. Wood, "Evangelical America and Early Mormonism," *New York History* 61 (October 1980): 381.

<sup>13</sup>The conversion of the early Mormon was obtained as much by a reliance on authority (i.e., written revelations and witnesses of angelic appearances) as through personal experience with the supernatural.

<sup>14</sup>See Lyndon W. Cook, *The Revelations of the Prophet Joseph Smith: A Historical and Biographical Commentary of the Doctrine and Covenants* (Provo: Seventy's Mission Bookstore, 1981), pp. 136 and 216. D&C 107, received 28 March 1835, confirmed this decentralization of authority.

<sup>15</sup>See "Orson Hyde and Hyrum Smith to The Bishop, His Council and the Inhabitants in Zion," 14 January 1833, cited in *History of the Church*, 1:318–19. The Missouri Saints had charged Joseph with seeking "monarchical power and authority" (p. 318). David Whitmer's *An Address to All Believers in Christ* (Richmond, Mo.: n.p., 1887) details his objections to the office of high priest (pp. 62–67). See also William E. McLellan to Joseph Smith III, 10 January 1861 and July 1872 (both letters located at Library-Archives, The Auditorium, Reorganized Church of Jesus Christ of Latter Day Saints, Independence, Mo.).



from the more popular elements of democracy that were then finding expression in America. Some converts, like William Law, were uncomfortable submitting to this kind of ecclesiastical control.

It is not altogether clear why William Law was attracted to Mormonism. His former religious affiliation has not been ascertained,<sup>16</sup> but it does seem evident that he saw himself as a religious man. He believed that his own salvation required he live a moral life and assist in saving others through preaching the gospel. Each conversion to Mormonism contained common elements but also differences. While it may be difficult to establish a rigid continuity in the process of conversion to Mormonism, the announcement of the appearances of Moroni, the reception and translation of the gold plates, and the unique LDS claim to authority figured prominently. William Law certainly was captivated by these component parts of the latter-day message.<sup>17</sup> A letter written in 1837, one year after Law's conversion, gives insight into his feelings at that time. Corresponding with his friend and one-time idol, Isaac Russell, the twenty-eight-year-old convert witnessed a maturing commitment to Mormonism:

Although trials persecutions, privations and sorrows await the Saints, yet God will not forsake them; yea, in the hour of their greatest need, he will stand by them to deliver. . . . Bro Joseph is truly a wonderful man he is all we could wish a prophet to be—and Bro. Sidney what Eloquence is his, and think how he has sacrificed for the Truth. . . . I am aware we must endure affliction, but I wont shrink from my calling though I should have to sacrafice [*sic*] all things—<sup>18</sup>

Persecution and suffering—normally recognized as negative feelings—often create “a sense of mutuality” among members of a religious society by giving focus to group sentiment. Like any emergency, persecution tends to make people more aware of their common interests and to draw attention to those values which make up the “collective conscience” of the society.<sup>19</sup> For William Law, religious persecution resulted in a stronger commitment to Mormonism because he regarded such persecution as God's test of his worthiness. In March 1839 William wrote to a fellow-Saint it was “wisdom

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<sup>16</sup>Like his older brother James Law, William may have been a Presbyterian before joining the Mormon church (see *History of Mercer County, Pennsylvania* [Chicago, Ill.: Brown, Runk and Co., Publishers, 1888], p. 1157).

<sup>17</sup>The importance of modern revelation and proper priesthood authority to act in God's name are notions which consistently find expression in William Law's writings.

<sup>18</sup>William Law to Isaac Russell, 10 November 1837, Church Archives, cited in Cook, “Pre-1844 Letters of William Law,” pp. 211–12.

<sup>19</sup>Kai T. Erikson, *Wayward Puritans—A Study in the Sociology of Deviance* (New York: John Wiley & Sons, 1966), p. 4.



in the Almighty” the Saints had been exiled from Missouri. Through it all, he said, the Church would “be purged and made clean.”<sup>20</sup>

Although American society was very fluid during this period, converting to Mormonism and “gathering to Zion” often upset religious tradition and broke up families. William’s writings after his conversion reflect the new emphasis of this period on “the value of the individual” and a faith in the “ability of the common person.”<sup>21</sup> He informed an esteemed fellow-convert in 1839 that his family’s antagonism to his new religious interests had not dissuaded him. “My father is much opposed to [Mormonism] from evil reports &c. which he has heard,” wrote William, but this does “not discourage us, as we know in whom we trust, we are determined to hold out to the end though we may have to suffer all things.”<sup>22</sup>

William Law wasted little time putting down roots at Nauvoo. With his brother, Wilson, as partner, he purchased properties, opened a store, and proceeded to build a much-needed steammill. A man of enterprise, William was dedicated to self-improvement through shrewd investment and hard work. He saw in the large influx of Mormons to Nauvoo an opportunity personally to take advantage of the economic growth of the community. Though he was not wealthy, the native Irishman was a man of means, and his influence among the Canadian Saints now began to expand Churchwide as he assumed his new calling in the Presidency.

Evidence that William Law had unreservedly thrown his lot with the Saints can be demonstrated by itemizing even a few of his church-related activities after arriving in Nauvoo. In early 1840 he apparently became Joseph Smith’s creditor when he promised the Mormon prophet one hundred dollars to defray traveling expenses to Washington, D.C.<sup>23</sup> This was only the beginning of an extensive

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<sup>20</sup>William Law to James Mulholland, 27 March 1839, Church Archives, cited in Cook, “Pre-1844 Letters of William Law,” p. 215.

<sup>21</sup>Carl N. Degler et al., *The Democratic Experience: An American History*, 2 vols. (Glenview, Ill.: Scott, Foresman and Co., 1981), 1:179.

<sup>22</sup>William Law to Isaac Russell, 17 January 1839, Church Archives, cited in Cook, “Pre-1844 Letters of William Law,” p. 214.

<sup>23</sup>*History of the Church*, 4:51. In the spring and summer of 1840 William and Jane Law extended an affectionate hand to Edward Partridge’s family during the Bishop’s final illness. Emily Partridge remembered the kindness of the Laws during her family’s distressed condition at Nauvoo: “While my father lay sick, my sister Eliza and I, and some of the other children were sick also, and it was very unpleasant for so many sick to be in one small room. Brother and Sister Law took Eliza and I home with them and showed us every kindness. I felt as though I had almost got to heaven, after all the years of suffering that we had endured, and now to be in such a good house, and to have a comfortable bed to lay upon, with nourishing and palatable food, I almost thought that it was too pleasant to be true.

“After father’s death, Brother Law took our whole family home and administered to our wants, and with such good and kind care we began to improve in health, and when we had sufficiently regained our health we went back into our little hut once more.” (“Autobiography of Emily D. P. Young,” *Woman’s Exponent* 14 [15 July 1885]: 26.)



credit-debit relationship which would continue between the two men for the next four years.<sup>24</sup> In January 1841 William accepted a call to serve in the First Presidency, and in June through August of that year he took a mission to Philadelphia with Hyrum Smith.<sup>25</sup> From 1840 through 1843 William made his home available for church meetings of all kinds, and during approximately the same time period he filled regular preaching assignments at Nauvoo and in Lee County, Iowa Territory.<sup>26</sup> The First Presidency counselor defended Joseph Smith's character in 1842 by issuing public statements condemning John C. Bennett's licentious conduct at Nauvoo, and later that same year (September–November) William made a second mission to the Eastern States to preach the gospel, regulate church affairs, and counter Bennett's allegations of immoral conduct on the part of the Prophet.<sup>27</sup> With eight others Law received the ancient endowment from Joseph Smith in May 1842 and continued to meet in private councils with the Prophet until January 1844.<sup>28</sup> William aided Joseph Smith immeasurably during the latter's hiding from law-enforcement officers during August through December 1842, and both Law brothers extended moral and financial support to the Prophet during his trial in Springfield, Illinois, in January 1843.<sup>29</sup> Finally, when Joseph was arrested in Dixon, Illinois, in June 1843, for treason, William and Wilson Law were again numbered among those who rendered valuable assistance in his rescue.<sup>30</sup>

These activities of faith and friendship brought William Law closer to Joseph Smith, resulting in an increased identification with

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<sup>24</sup>See Nauvoo Day Book of William Law (27 April 1841–9 July 1842), Beinecke Rare Book and Manuscript Library, Yale University; and Nauvoo Day Book of Joseph Smith (1 July 1842–24 July 1843), Cedar Rapids, Iowa Masonic Lodge (microfilm copy in Church Archives).

<sup>25</sup>*History of the Church*, 4:284–86 and 5:37; Journal of George A. Smith, 21 June 1841, Church Archives.

<sup>26</sup>The Nauvoo High Council Minutes, Church Archives, show that the High Council often met at Law's house. (See also *History of the Church*, 4:340 and 583; Journal of Wilford Woodruff, 10 April 1842, Church Archives; and *Manchester Mormons: The Journal of William Clayton 1840–1842*, ed. James B. Allen and Thomas G. Alexander [Santa Barbara, Calif.: Peregrine Smith, 1974], p. 212.)

<sup>27</sup>*Times and Seasons* 3 (1 August 1842): 872–73, and *History of the Church*, 5:146, 160, and 183. See also *Affidavits and Certificates, Disapproving the Statements and Affidavits Contained in John C. Bennett's Letters* (Nauvoo, 31 August 1842).

<sup>28</sup>Heber C. Kimball Journal 1840–1845, "Strange Events," Church Archives: "[On 4 May 1842] I was anointed into the ancient order was washed and anointed and Sealed and ordained a Priest, and so forth. in company with nine others. Viz Joseph Smith Hiram Smith Wm Law Wm Marks Judge [James] Adams, Brigham Young Willard Richards, George Miller N K Whitney." In December 1845 Heber C. Kimball recalled the inauguration of the temple endowment: "About 4 years ago next May nine persons were admitted into the Holy order 5 are now living—B. Young—W[illard] Richards George Miller—N. K. Whitney & H. C. Kimball two are dead [James Adams and Hyrum Smith], and two are worse than dead [William Law and William Marks]" (Heber C. Kimball Journal 1845–1846, 21 December 1845, in the handwriting of William Clayton, Church Archives).

<sup>29</sup>See *History of the Church*, 5:103 and 119. See also Wilson Law's bill of expenses against the "Estate of Joseph Smith, dec'd," 23 May 1845, original in possession of Steven G. Barnett, Salt Lake City.

<sup>30</sup>See "William Patterson McIntire Report of Joseph's Arrest at Dixon as Near as He Can Remember," dated 3 October 1843, Church Archives.



the Saints and a deepening feeling of commitment to Mormonism. In November 1840 William confidently informed a temporary convert that the Mormon church was the “only organised Church on the Earth [that] God now acknowledges.” After living in close proximity to the Prophet for a year in Nauvoo, William penned his appraisal of the Mormon leader:

I have carefully watched his movements since I have been here, and I assure you I have found him honest and honourable in all our transactions which have been very considerable I believe he is an honest upright man, and as to his follies let who ever is guiltless throw the first stone at him, I shant do it.<sup>31</sup>

All this clearly suggests that before his apostasy William Law had achieved a high level of commitment to Mormonism (especially to Joseph Smith). Yet for all his apparent willingness to take greater risks and to tolerate suffering for his new religion, William’s loyalty to the Mormon prophet was critically and decisively tested in 1843–1844. William must have imagined that the place of a living prophet was only to restore a New Testament church, with proper authority to perform essential ordinances and promulgate Christian teachings; however, Joseph Smith’s mission was to restore a dispensation of the fulness of ancient times, with plenary power to institute ancient practices and ordinances and to speak authoritatively on all issues, including political, economic, and social matters. As a result, William Law was constrained to question the validity of his religious experience as a Latter-day Saint. For some, like Heber C. Kimball and Brigham Young, the truth of Mormonism existed in such a magnified form that they were willing to pursue it despite increased suffering—each commitment or new encounter became both more bitter and more sweet. To these men, the essential proof of their commitment was total submission to the leader. However, William Law’s democratic spirit evidently would never allow him to reach that transcendent level of commitment. The native Irishman’s faith in the Restoration and the latter-day prophet turned out to be the mortal *ignis fatuus* of his religious career.

William Law perceived Joseph Smith’s religious views to be antithetical to good law and order. Not unlike that of Oliver Cowdery, David Whitmer, Thomas B. Marsh, and others, William’s disaffection coincided with a spiritual departure from the essential purposes of the Kingdom. Law opposed a growing ecclesiastical control over

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<sup>31</sup>William Law to Isaac Russell, 29 November 1840, Church Archives, cited in Cook, “Pre-1844 Letters of William Law,” p. 218.



his economic, political, and social life. According to his own statements (made just prior to and after his excommunication), William Law turned against the Mormon prophet because of William's perception that (1) Joseph was totally ungovernable and defiant and was determined to obey or disobey the law of the land at his convenience (i.e., a claim to higher law); (2) Joseph united church and state, both as mayor of Nauvoo (in the passage of city ordinances and the use of police power) and as an influential religious leader by manipulating or seeking to manipulate politicians for private purposes (i.e., breakdown of the rule of law); (3) Joseph had allowed the established judicial order of church government to be trampled under foot; (4) Joseph had attempted to control the temporal (financial) interests of the Mormon people by ecclesiastical authority; and (5) more importantly, Joseph had corrupted the Church by introducing "false and damnable" doctrines such as a plurality of Gods, a plurality of wives, and the doctrine of unconditional sealing up unto eternal life (i.e., Joseph Smith was a fallen prophet).

Despite a growing antagonism, William had restrained his feelings and dissembled his opposition as best he could. He was hoping things would change for the better. Although at first Law found himself occupying a middle ground between rational conviction and emotional uncertainty, he became progressively more confident that Joseph Smith was in transgression. It was not until perhaps April or May 1844 that he organized his thinking in such a way as to systematically attack his enemy. Even then he was not assailing the validity of the Restoration. The vehemence with which William Law denounced the Prophet in 1844 was not due to disbelief in Mormon polity, but to his conviction that the Mormon leader had plunged into apostate practices. It was Joseph Smith's influence that Law sought to destroy.

William Law's justification for his position of dissent was based on at least five points of contention. First, he alleged that Joseph Smith was defiant of state laws. His particular reference was to the 1842 and 1843 attempts by the state of Missouri to extradite the Mormon prophet on charges of (1) being an accessory to an attempted murder (in 1842) and of (2) committing treason (in 1843). Although he initially assisted Joseph Smith in avoiding imprisonment and extradition during this period, William later believed that this was wrong.<sup>32</sup> Law's changing attitude on this matter betrays an essential loss of commitment. In 1842-1843, he recognized Joseph

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<sup>32</sup>See *History of the Church*, 5:89-97, 103-19, 144, and 209-48. See also "The Law Interview" (Dr. W. Wyl interview with William Law in Shullsburg, Wis.), 30 March 1887, published in *The Salt Lake Daily Tribune*, 31 July 1887, [p. 6]; hereafter cited as "Law Interview," 30 March 1887.



Smith as the Lord's prophet and as innocent of any wrongdoing, while in 1844, after his disaffection, his anger and disillusionment led him to believe otherwise.

Specifically, William accused Joseph of uniting church and state in the 1842 extradition attempt. For example, a provision of the Nauvoo Charter gave the Nauvoo Municipal Court "power to grant writs of habeas corpus in all cases arising under the ordinances of the City Council."<sup>33</sup> A broad interpretation of this provision would have given the court power to investigate, within the city of Nauvoo, any confinement, state or local, that was in violation of the provisions of a valid city ordinance.<sup>34</sup> The state officers who arrested Joseph Smith on 8 August 1842 held that the city court did not have authority to investigate the arrest and were chagrined when the Nauvoo court granted the Prophet a writ of habeas corpus.<sup>35</sup> After the departure of the state officers, the Nauvoo City Council, responding to an uncertainty of their own jurisdiction in the Mormon leader's case, passed an ordinance that authorized the city court to investigate not only local arrests but the case of any person who might be *under arrest* at Nauvoo.<sup>36</sup> While the municipal court was clearly attempting to keep Joseph from extradition and inhumane treatment from his Missouri enemies, Governor Thomas Carlin viewed the city court's actions in releasing the Prophet as "most absurd and ridiculous" and a "gross usurpation of power that cannot be tolerated."<sup>37</sup> It is not known whether William Law had any reservations at the time concerning the doings of the city council, but by 1844 he was interpreting this ordinance as an action of expediency and as wholly illegal.<sup>38</sup>

Another piece of evidence which Law used to show that the Prophet had united church and state was the latter's release by the Nauvoo Municipal Court in another Missouri extradition attempt on

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<sup>33</sup>See "An Act to Incorporate the City of Nauvoo," Section 17. The charter is cited in full in *History of the Church*, 4:239-45.

<sup>34</sup>See Dallin H. Oaks, "The Suppression of the *Nauvoo Expositor*," *Utah Law Review* 9 (Winter 1965): 878 and 880.

<sup>35</sup>George Miller, writing on this matter in September 1842, said: "The officers that apprehended them (Smith & Rockwell) premittorally refused to acknowledge the validity of any city ordinance in the case" (George Miller to Governor Thomas Reynolds, 4 September 1842, cited in Lyndon W. Cook, "'A More Virtuous Man Never Existed on the Footstool of the Great Jehovah': George Miller on Joseph Smith," *BYU Studies* 19 [Spring 1979]: 406).

<sup>36</sup>See *History of the Church*, 5:87.

<sup>37</sup>*Ibid.*, 5:154.

<sup>38</sup>See *Nauvoo Expositor*, 7 June 1844, p. 2; William Law to *The Upper Mississippian*, August 1844, cited in *Nauvoo Neighbor*, 25 September 1844; "Law Interview," 30 March 1887, [p. 6]; and William Law Affidavit, 17 July 1885, cited in Charles Augustus Shook, *The True Origin of Mormon Polygamy*, 2d ed. (Cincinnati: The Standard Publishing Co., 1914), pp. 124-28 (hereafter cited as "1885 Affidavit of William Law"). Although in later life William Law freely confessed Joseph Smith's guilt in the 1842 Missouri charges, he never admitted his own complicity in the matter. These accusations were clearly self-serving because it is known that he greatly assisted the Prophet during his 1842 hiding, and if Joseph Smith committed any crime, William Law was certainly an accessory.



charges of treason in June–July 1843. In December 1843, five months after the Nauvoo court had discharged the Mormon leader, the city council approved an ordinance that sought to protect Joseph Smith from further Missouri harrassment. The purpose of the law was to subject any officer of the law to a mandatory life sentence for attempting to arrest the Prophet on the “old Missouri charges.” The city ordinance stipulated that such an “offending” person, if convicted, could be pardoned only by the governor of the state with the “consent of the Mayor” of Nauvoo.<sup>39</sup> Again the city council, composed predominantly of Mormons, sought to bar by city ordinance Joseph’s extradition. William characterized this action as illegal and declared the Prophet’s unfriendly attitude toward the state of Missouri as contrary to true Christian principles:

The hostile *spirit* and *conduct* manifested by Joseph Smith, and many of his associates towards Missouri . . . are decidedly at variance with the true spirit of Christianity, and should not be encouraged by any people, much less by those professing to be the ministers of the gospel of peace.<sup>40</sup>

A second allegation by William Law was that Joseph Smith sought to manipulate politicians for his own purpose. When the Mormon prophet was arrested in Dixon, Illinois, 23 June 1843, he was successful in acquiring the talented legal services of lawyer Cyrus Walker of McDonough County, Illinois. A Whig candidate for the United States House of Representatives, Walker effectively pledged his influence in securing Joseph’s release in exchange for the Prophet’s support in the August election.<sup>41</sup> The Irishman was present in July 1843 when (in Law’s words) “Joseph promised Walker that he should have nine out of every ten Mormon votes.”<sup>42</sup> Within thirty days, however, Church leaders had decided that it would be in their interest politically to vote for Walker’s opponent, Joseph P. Hoge. William Law violently disagreed with this so-called “trickery.”

On Saturday, 5 August 1843, two days before the election, Hyrum Smith addressed the citizens of Nauvoo advising them to vote

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<sup>39</sup>*History of the Church*, 6:105–106. Henry Brown, in his *History of Illinois from Its First Discovery and Settlement to the Present Time* (New York: J. Winchester, New World Press, 1844), p. 398, characterized the 8 December 1843 Nauvoo ordinance as a “direct attempt to set the laws of the State, and of the nation, at defiance [and] an attempt to legislate without authority.”

<sup>40</sup>*Nauvoo Expositor*, 7 June 1844, Resolution 4, p. 2.

<sup>41</sup>The *Quincy Herald*, 28 February 1845, reminded its readers of “a prominent whig [who] procured the release of Joseph Smith from the custody of the messenger of the State of Missouri, by pleading the validity of [a section of the Nauvoo] Charter, giving the right to the Mayor to issue writs of habeas corpus in certain cases, knowing the while, as he certainly did, that the section had no reference to cases arising without the limits of the city. This prominent whig wanted the Mormons to send him to Congress.”

<sup>42</sup>“Law Interview,” 30 March 1887, [p. 6].



for Hoge.<sup>43</sup> William had earlier warned Hyrum that because of Joseph's promise he would not tolerate such an action. After the Patriarch's talk, Law spoke and "showed the people how shamefully they had treated" the politician. "I made such an impression," remembered William, "that they began to shout for Mr. Walker."<sup>44</sup> Hyrum then took the stand and "declared that he had a revelation from the Lord, that the people should vote for Mr. Hoge."<sup>45</sup> On Sunday morning (6 August) the day before the election, William informed Joseph of what had occurred. "We went over to the meeting," continued Law, and "Joseph told Hyrum what I had said. Hyrum insisted that he had had a revelation. Oh, said Joseph, if this is a revelation, then it is all right and he went on the stand" and told the Saints to vote for Hoge.<sup>46</sup> The Prophet's diary account of this occasion confirms some of the details provided by Law: "Bro Hiram tells me this morning that he has had a testimony that it will be better for this people to vote for hoge & I never knew Hiram say he had a revelation & it failed. [I] never told Bro Law to tell my private feelings. (Let God speak and all man hold their peace.)"<sup>47</sup>

Third, the First Presidency counselor charged that Joseph Smith had allowed the established order of the Church to be ignored in the excommunication trial. Beginning in 1831, rules were laid down which governed trials involving members of the Presidency of the High Priesthood.<sup>48</sup> A revelation published in 1835 stipulated that if a member of the Presidency of the High Priesthood (later known as the First Presidency) were found in transgression his case must go before the "common council" of the Church (i.e., a bishop with counselors, assisted by twelve high priests).<sup>49</sup> In January 1838 a newly established procedure governing trials made it much more difficult to remove a member of the First Presidency. The new law, given by revelation, stated that three separate witnesses "of long and faithful standing" whose testimonies were "unimpeachable" must bring evidence of wrongdoing against a member of the Presidency. This accomplished, the common council could hear the case, and if

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<sup>43</sup>See Diary of William Clayton, 6 August 1843, cited in Andrew F. Ehat and Lyndon W. Cook, *The Words of Joseph Smith: The Contemporary Accounts of the Nauvoo Discourses of the Prophet Joseph* (Provo: Religious Studies Center, 1980), p. 237: "[Joseph] stated that Hyrum had had a manifestation that it was for our interest to vote for Hoge."

<sup>44</sup>The election returns show that not all Nauvooans voted for Joseph P. Hoge. Of 1773 votes cast, Hoge received 1083 and Walker received 90. (See *Chicago Democrat*, 25 January 1843.) Joseph Smith probably voted for Cyrus Walker as he had promised.

<sup>45</sup>"Law Interview," 30 March 1887, [p. 6].

<sup>46</sup>Ibid.

<sup>47</sup>Diary of Joseph Smith, kept by Willard Richards, 6 August 1843, Church Archives.

<sup>48</sup>D&C 107:59-100 (with some exceptions) was received in November 1831, in Cuyahoga County, Ohio (see "Kirtland Revelation Book," pp. 85-86, Church Archives).

<sup>49</sup>D&C 107:76 and 82.



the person involved were convicted, the verdict had to be approved by a majority of stakes of the Church.<sup>50</sup> In July 1840 one additional piece of protocol relating to Church courts was fixed by the Prophet:

No case [shall be tried] without both parties being present or having had an opportunity to be present, neither should they hear one parties complaint before his case is brought up for trial, neither should they suffer the character of any one to be exposed before the Council without the person being present and ready to defend him or herself that the minds of the councellors be not prejudiced for or against any one whose case they may, possibly, have to act upon.<sup>51</sup>

Sufficiently aware of the essential requirements needed to remove a counselor in the First Presidency from office and from membership in the Church, William Law reeled under the apparent abuses of these procedures in his own removal from the Presidency. On 8 January 1844, when Joseph Smith informed his second counselor that he had been “dropped” from the First Presidency, the latter exasperatedly declared: “I confess I feel ennoyed very much by such unprecedented treatment for it is illegal, inasmuch as I was appointed by revelation (so called) first [and was sustained] twice after by unanimous voice of ~~the~~ general Conferences.”<sup>52</sup>

William Law requested his case be heard at the April 1844 general conference but was denied because of the explosive nature of things at Nauvoo resulting from the mounting opposition of the dissenters.<sup>53</sup> Because Church leaders knew that the detractors could not be contained, they felt their only recourse was excommunication.

The trial of excommunication (18 April 1844) involved thirty-two male members.<sup>54</sup> Joseph Smith, Hyrum Smith, and Sidney Rigdon were conspicuously absent; and while Church Bishop Newel K. Whitney did participate in the trial, it was Brigham Young, President of the Twelve Apostles, who presided.<sup>55</sup> Because William Law had been “dropped” from the First Presidency by the Prophet in early

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<sup>50</sup>The unpublished revelation, dated 12 January 1838, is located in “The Scriptorium Book of Joseph Smith,” pp. 51–53, Church Archives.

<sup>51</sup>“Nauvoo High Council Minutes,” 11 July 1840, Church Archives.

<sup>52</sup>William Law, “Record of Doings at Nauvoo in 1844,” 8 January 1844, in private custody; hereafter cited as *Diary of William Law*.

<sup>53</sup>Joseph Smith was reported as saying to the conference “that it had been expected by some that the little petty difficulties which have existed, would be brought up and investigated before this conference, but it will not be the case; these things are of too trivial a nature to occupy the attention of so large a body” (cited in Ehat and Cook, *Words of Joseph Smith*, p. 339). Wilford Woodruff recorded the Prophet as saying: “He Should not occupy time in Speaking of any difficulties that might have occurred in our midst, Said He was not a fallen prophet” (Journal of Wilford Woodruff, 6 April 1844, cited in Ehat and Cook, *Words of Joseph Smith*, p. 340).

<sup>54</sup>Mention of the trial and the names of the men present is found in the *Diary of Joseph Smith*, kept by Willard Richards, 18 April 1844, Church Archives.

<sup>55</sup>A very abbreviated (almost cryptic) account of the trial, in the hand of Willard Richards, is located in the Brigham Young Papers, under date, Church Archives.



January 1844, the court handled the case as if William were a private member. Law argued that such was not the case. He insisted that without being convicted of wrongdoing he was still a member of the Presidency, and he protested that he could not be summarily excluded from the Church *in absentia*.<sup>56</sup>

William Law learned of his excommunication from William Marks the day after the trial.<sup>57</sup> Law's democratic individualism and Irish passion were registering high marks as he recorded his sentiments in his diary: "We consider this cutting off as illegal, and, therefore corrupt."<sup>58</sup> Nettled that he had been excluded from the Church without being officially charged or notified, William demanded in writing the names of his accusers, the nature of the indictment, "who the witnesses were, [and] what they proved."<sup>59</sup> The following day William Law asked Willard Richards, the Prophet's clerk, for a transcript of the minutes of the trial but was informed that "there was no record." An entry in Law's diary summarizes his evaluation of these actions: "By the above the Church has as a body transgressed the laws of the Church and of God & every principle of justice and are under deep transgression."<sup>60</sup>

Fourth, William Law alleged that Joseph Smith had sought to control, by ecclesiastical authority, the financial affairs of the Saints. Immediately after their arrival in Nauvoo, William and Wilson Law set out to make money. William's desire to find financial success among the Saints had prompted him to inquire concerning the commercial aspects of Illinois and the Upper Mississippi Valley before joining the Saints. In March 1839, Law had written to Robert B. Thompson, an old friend and fellow-convert from Upper Canada:

As to the Merchantile business I wish you would give me, all the information you can on that subject as early as possible as my brother wishes to go to the West this season, let me know how the people pay, what kind of goods is most suitable, how much capital would be needed whether there are many stores there and where the best situation would be for doing business in that line—give me a description of the country,

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<sup>56</sup>William Law, conversant with the rules of Church courts, wrote that the trial was "illegal" and that "B. Young ha[d] no right to preside" (Diary of William Law, 21 April 1844). See also *Nauvoo Expositor*, 7 June 1844, p. 2: "The court, however, was a tribunal possessing no power to try Wm. Law, who was called by special Revelation, to stand as counsellor to the President of the Church, (Joseph), which was twice ratified by General Conferences, assembled at Nauvoo, for Brigham Young, one of the Twelve, presided, whose duty it was not." The *Expositor* stated that William Marks, Nauvoo stake president, should have directed the proceeding.

<sup>57</sup>Notice of the excommunication was printed in *Times and Seasons* 5 (15 April 1844): 511: "Nauvoo, April 18, 1844, Robert D. Foster, Wilson Law, William Law, and Jane Law, of Nauvoo . . . for unchristian-like conduct, were cut off from the Church . . . by the authorities of said church, and ordered to be published in the Times and Seasons, W. Richards, Church Recorder."

<sup>58</sup>Diary of William Law, 19 April 1844.

<sup>59</sup>Ibid., 21 April 1844.

<sup>60</sup>Ibid., 22 April 1844.



climate &c. &c. and tell me where the Saints are going to settle if you know, would a first rate new horsepower for grinding and sawing be useful there is a new invention come out that is excellent.<sup>61</sup>

Since by the time the Laws arrived in Nauvoo building lots in the lower part of the town were available for purchase from only Joseph Smith, William and his brother invested in the upper part of Nauvoo and on the outskirts of the new city.<sup>62</sup> While the financial interests of the Laws and the Prophet were in competition in 1842, Joseph encouraged them to become prosperous in ways not prejudicial to the Church.<sup>63</sup> Moreover, both parties maintained tolerably good relations because Joseph and William were in the Presidency. However, by 1843 the fundamental economic interests of the native Irishmen and the Mormon leader were in definite conflict. Brisk competition caused the Prophet to insist that the Saints purchase building lots from only the Church.<sup>64</sup> Although most recognized this as a sacrifice which would assist in liquidating Church debts, to William Law it sounded too much like totalitarianism. In 1844 the Laws publicized their opposition to this "injunction" requiring the Saints to purchase from the Trustee-in-Trust.<sup>65</sup> And in later life William testily remembered that after their alienation he and his brother were effectively unable to sell their property.<sup>66</sup>

Finally, William Law charged that Joseph Smith had introduced into the Church false doctrines (publicly) and corrupt practices (secretly), thereby perverting his "priestly authority" and "forfeiting the holy priesthood."<sup>67</sup> Specifically, the Irish convert manifested his repugnance to (1) "a plurality of Gods . . . , [i.e.] other gods as far above our God as he is above us [and] that he wrought out his salvation in the flesh with fear and trembling the same as we do";<sup>68</sup>

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<sup>61</sup>William Law to Robert B. Thompson, 27-29 March 1839, Church Archives, cited in Cook, "Pre-1844 Letters of William Law," p. 217.

<sup>62</sup>The Law brothers did own a few lots in the lower part of town where their residences were located (blocks 139 and 148). These lots, together with fractional block 152 (where the steammill was situated), had been purchased from Joseph Smith. However, the great majority of their real property was farm ground located east of Nauvoo (580 acres) as well as a dozen full-sized building lots near the temple (Nauvoo Trustees Land Book, B, Church Archives).

<sup>63</sup>Soon after William's arrival in Nauvoo, Joseph advised him to "buy lands, build mills and keep a store to keep you running" ("Law Interview," 30 March 1887, [p. 6]). William McIntire records Joseph as saying: "The Lord had told him [the Prophet] that Bro. Law would Do well [financially if], he would Go & preach the Gospel (William P. McIntire Minute Book, cited in Ehat and Cook, *Words of Joseph Smith*, p. 61).

<sup>64</sup>The *Nauvoo Neighbor*, 20 December 1843, requested "all the brethren . . . when they move into Nauvoo, [to] consult President Joseph Smith, the trustee in trust, and purchase their lands of him." Extreme financial difficulties undoubtedly prompted the Prophet to say privately that "those who come here having money and purchased without the church & without council Must be cut off[f]" (Diary of Joseph Smith, kept by Willard Richards, 13 February 1843, Church Archives).

<sup>65</sup>*Nauvoo Expositor*, 7 June 1844, Resolution 10, p. 2.

<sup>66</sup>"Law Interview," 30 March 1887, [p. 6].

<sup>67</sup>*Nauvoo Expositor*, 7 June 1844, Resolution 2, p. 2.

<sup>68</sup>Diary of William Law, 15 April 1844. The Prophet's teaching on the plurality of Gods is best evidenced in his 16 June 1844 Nauvoo discourse (see Ehat and Cook, *Words of Joseph Smith*, pp. 378-83).



(2) “unconditional sealing up to eternal life”<sup>69</sup> by the power of the priesthood, and (3) a plurality of wives.

The Prophet began to take additional wives in Nauvoo in April 1841. By June 1844, when the Mormon leader was killed, as many as 150 men and women had received temple-related ordinances including the sanctioned, though secret, practice of plural marriage.<sup>70</sup> William’s unwillingness in 1843 to accept the *sub rosa* practice of plural marriage especially worked a hardship on him.<sup>71</sup> As a member of the First Presidency of the Church, William Law had been selected by Joseph Smith to receive the “ancient order of the priesthood” (4 May 1842). The sacred nature of this order (the group was known by its members as the “quorum”) was explicitly detailed upon reception, and the specially chosen initiates were placed under covenants of strict obedience. To receive the fulness of the “ancient order” was to be married eternally to one or more women and eventually be sealed up unto eternal life by the power of the priesthood.<sup>72</sup> The full implications of the order were not explained all at once, and plural marriage aspects do not appear to have been discussed in the meetings of the quorum.<sup>73</sup>

William Law’s initiation into the ancient order in 1842 did not coincide with his awareness of polygamy.<sup>74</sup> Yet, by the spring of 1843, the connection between the doctrine of sealing and a plurality of wives was becoming clearly evident to him. The First Presidency counselor came to know that his file leader was involved in some kind of polygamous relationship. Moreover, based on their then-limited knowledge of the Prophet’s practice of plurality of wives, William Law, Nauvoo Stake President William Marks, and Patriarch Hyrum

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<sup>69</sup>*Nauvoo Expositor*, 7 June 1844, Resolution 2, p. 2.

<sup>70</sup>Heber C. Kimball (*Journal of Discourses*, 26 vols. [London: Latter-day Saints’ Book Depot, 1854–1886], 10:166) and Erastus Snow (St. George Stake General Meeting Minutes, 17 June 1883, Church Archives) both indicate that as many as 130 men and women had received priesthood marriage blessings during the Prophet’s lifetime. However, Andrew F. Ehat, who shared these sources with me, has specifically identified 150 individuals who received these ordinances. It is possible however that not all of these were practicing plural marriage since only the theory of polygamy, not the actual practice, needed to be accepted.

<sup>71</sup>Other personal matters which undoubtedly troubled William and had a negative effect on him were the deaths of his father and daughter, Helen, after the quorum had prayed for their recovery, and the fact that he was denied the blessings of the fulness of the priesthood (Diary of Joseph Smith, 27 August and 11 September 1843).

<sup>72</sup>William’s wife, Jane, had been admitted to the endowment quorum by 1 October 1843 (Ibid., 1 October 1843).

<sup>73</sup>“Mayor [Joseph Smith] said he had never preached the revelation in private as he had in public—had not taught it to the anointed [quorum] in the church in private which many confirmed” (Nauvoo City Council Minutes, 10 June 1844, Church Archives, cited and discussed in Andrew F. Ehat, “An Overview of the Introduction of Eternal Marriage in The Church of Jesus Christ of Latter-day Saints,” 1979, privately distributed, p. 27; hereafter cited as Ehat, “Eternal Marriage,” 1979).

<sup>74</sup>For example, sometime early in 1843 Joseph broached the subject of plural marriage in a private meeting. William Law was present and passionately declared: “If an angel from heaven was to reveal to me that a man should have more than one wife, if it were in my power I would kill him” (Brigham Young Address, 8 October 1866, Brigham Young Papers, Church Archives).



Smith had decided to bring the matter before the Mormon populace so Joseph Smith would make a full disclosure of his private teachings and practices.<sup>75</sup> However, it was about this time (26 May 1843) that Hyrum Smith (with the assistance of Brigham Young) became convinced that plural marriage had been divinely revealed to the Prophet.<sup>76</sup> This unexpected turn of events estranged William from Hyrum as well as from Joseph.<sup>77</sup>

William claimed he was shocked when the particulars of the law of plurality were explained to him. The marriage practice was especially embarrassing to him as he had publicly ridiculed such fears a year before. He had spoken against John C. Bennett's licentiousness in 1842, assuring the Nauvoo populace that neither "spiritual wifery" nor anything like it was condoned by Church leaders.<sup>78</sup> Law's official introduction to plural marriage came from the Church Patriarch (July–August 1843): "Hyrum gave it [the revelation] to me in his office, told me to take it home and read it, and then be careful with it, and bring it back again." "[Jane] and I were just turned upside down by it," related William. "We did not know what to do."<sup>79</sup>

Notwithstanding his public statements opposing plural marriage and his shock upon learning that the secret priesthood order was sanctioned by revelation, William Law's own diary for this period

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<sup>75</sup>William Clayton recorded that on 23 May 1843 he had a conversation with Heber C. Kimball "concerning a plot that is being laid to entrap the brethren [involved in plural marriage] . . . by bro. H[yrum]. and others" (Diary of William Clayton, under date). In 1866 Brigham Young recounted the difficulties the Prophet experienced in introducing the practice of plural marriage. He confirmed that William Law, William Marks, and Hyrum Smith were "operat[ing] against the prophet Joseph" (Address, 8 October 1866, Brigham Young Papers, Church Archives). Hyrum Smith publicly preached against a plurality of wives in Nauvoo on 14 May 1843: "A.M. Hyrum Smith addressed the people—subjects from the Book Mormon 2d Chap. Jacob. . . . Said there were many that had a great deal to say about the ancient order of things as Solomon & David having many wives & Concubines—but its an abomination in the Sight of God." (Diary of Levi Richards, under date, Church Archives.) I am indebted to Andrew F. Ehat for my understanding of Hyrum Smith's opposition to the Prophet regarding plural marriage (Ehat, "An Overview of the Introduction of Eternal Marriage in The Church of Jesus Christ of Latter-day Saints: 1840–1843," [November 1980], privately distributed; hereafter cited as Ehat, "Eternal Marriage," 1980).

<sup>76</sup>Ehat, "Eternal Marriage," 1980.

<sup>77</sup>Sometime after William's official introduction to plural marriage (July–August 1843) he found a sympathetic ear in Emma Smith. The deep sentiment of opposition to polygamy that each possessed singly was effectively multiplied as they mutually vented their feelings in private. Law's negative influence on Emma must have been significant because Joseph later stated that "all the sorrow he ever had in his family had arisen through the influence of Wm. Law" (*Nauvoo Neighbor*, Extra, 17 June 1844). Their conniving was vividly remembered by Newel K. Whitney in July 1844 when he reminded William Clayton that "Law & Emma [had been] in opposition to Joseph & the quorum" (Diary of William Clayton, 12 July 1844). Law's subsequent derogation of Emma Smith derived not from her general opposition to and sporadic denunciation of plural marriage, but her irrational ambivalence regarding the practice.

<sup>78</sup>See *Times and Seasons* 3 (1 August 1842): 872–73, and *Wasp*, 27 July 1842.

<sup>79</sup>"Law Interview," 30 March 1887, [p. 6]. On another occasion William Law reported: "I took it home and . . . after reading it I went directly to Joseph Smith and showed him the document. He looked at it, and said it was all right. . . . I remarked that it was in contradiction to the 'Doctrine and Covenants' [and] he seemed much disappointed in my not receiving the *revelation*. He was very anxious that I would accept the doctrine and sustain him in it. He used many arguments at various times afterward in its favor." ("1885 Affidavit of William Law," cited in Shook, *True Origin of Mormon Polygamy*, p. 126.)



This denial of eternal marriage deeply wounded the Laws and embarrassed the First Presidency counselor by casting a shadow of doubt on his integrity as a Church leader.

By January 1844 William's anger, together with his distaste for secret polygamous relationships, brought him to a crucial point in his religious experience as a Latter-day Saint. However much he desired the sealing ordinance, and notwithstanding his alleged commitment to the latter-day Prophet, William claimed he could not assent to the implications of plural marriage. He did not insist on an infallible prophet, but his faith unequivocally required that the prophet admit error and be willing to change. He said: "If he [Joseph] sins is there no room for repentance, can not God forgive him, and can not we forgive him very often in a day."<sup>83</sup>

In his last encounter with Joseph Smith, on 8 January 1844,<sup>84</sup> William boldly declared that polygamy "was of the Devil and that [Joseph] should put it down."<sup>85</sup> But when the Prophet insisted that his practice of the ancient order of marriage was by revelation, any remaining hope for a reconciliation was destroyed. Richard S. Law, William's son said his father, "with his arms around the neck of the Prophet, was pleading with him to withdraw the doctrine of plural marriage. . . . [William] pleaded for this with Joseph with tears streaming from his eyes. The Prophet was also in tears, but he informed [William] that he could not withdraw the doctrine, for God had commanded him to teach it, and condemnation would come upon him if he was not obedient to the commandment."<sup>86</sup>

William was further informed on 8 January 1844 that his rebellion had resulted in his being excluded from the anointed quorum and dropped from the First Presidency.<sup>87</sup> While William

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<sup>83</sup>See William Law to Isaac Russell, 29 November 1840, Church Archives, cited in Cook, "Pre-1844 Letters of William Law," p. 218. A similar statement was advanced in the *Nauvoo Expositor*, 7 June 1844, p. 1.

<sup>84</sup>The Diary of Joseph Smith, kept by Willard Richards, 8 January 1844, briefly notes that Joseph "had an interview with Wm Law in the street," in front of William W. Phelps's house, but gives no particulars of what transpired.

<sup>85</sup>Diary of William Law, 8 January 1844. At a special meeting of the Nauvoo City Council, 3 January 1844, Bishop Daniel Carn stated that he and William Law had had a "conversation about stories afloat on spiritual wives. he [Law] thought it was from the devil.—and we must put it down that he knew such a thing was in existence" (*original* Nauvoo City Council Minutes, 3 January 1844, Church Archives).

<sup>86</sup>"An Interesting Testimony," *The Improvement Era* (May 1903), pp. 507–10.

<sup>87</sup>William and Jane Law last attended a meeting of the quorum on 23 December 1843 (see Diary of Joseph Smith, under dates 30 December 1843 and 7 January 1844). Bathsheba W. Smith, wife of George A. Smith, recalled being present (on 7 January 1844) when "William Law, Joseph Smith's counselor, was dropped from [the] quorum by each one present voting yes or no in his turn. He was the first member that was dropped who had receive his endowments. One member hesitated to vote, which called forth earnest remarks from the Prophet Joseph. He showed clearly that it would be doing a serious wrong to retain him longer. After his explanation the vote was unanimous." ("Recollections of the Prophet Joseph Smith," *Juvenile Instructor* 27 [1 June 1892]: 345.)



indicates that he later seriously entertained thoughts of entering into the practice.<sup>80</sup> This intention may well have been related to his desire to be eternally sealed to Jane since Joseph had used the acceptance of plural marriage (in theory or in practice) as a test for eternal marriage sealings.<sup>81</sup> At any rate, Hyrum Smith claimed that Joseph's refusal to administer the sealing blessing to the Laws had initiated the rupture between the two men: "Law wanted to be sealed [to his wife] & J[oseph] told him he was forbid—which begun the hard feeling."<sup>82</sup>

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<sup>80</sup>Diary of William Law, 1 January 1844: "Fearful and terrible, yea most distressing have been the scenes through which we have past, during the last few months. . . . Through our religious zeal we harkened to the teachings of man, more than to the written word of God; yea, (for a short moment) even in contradiction to the Commandments of the most high; but his spirit prevailed and before the fearful step was taken . . . we saw and learned that justice and truth, virtue and holiness, could alone bring us into the presence of God."

<sup>81</sup>Ehat, "Eternal Marriage," 1979. Although William's official introduction to plural marriage was from Hyrum Smith, it is clear that the Prophet also taught him the particulars of the ancient practice. In 1845, in the Kirtland Temple, "Joseph Smith and others had attempted to get him [William Law] into it [plurality], and in order to do so had made him acquainted with many things about it" (Sidney Rigdon to the Editor, February–March 1845, *Latter Day Saint's Messenger and Advocate* 1 [15 March 1845]: 145).

<sup>82</sup>Diary of William Clayton, 12 June 1844. It is not clear whether or not William and Jane were ever sealed. Alexander Neibaur, a close friend of the Prophet, said that "Mr Wm Law—wisht to be Married to his Wife for Eternity Mr [Joseph] Smith said would Inquire of the Lord, Answered no because Law was a Adulterous person. Mrs Law wandet to know why she could not be Married to Mr Law Mr S said would not wound her feeling by telling her, some days after Mr Smith going toward his Office Mrs Law stood in the door beckoned to him more the once did not Know wheter she bekoned to him went across to Inquire yes please to walk in no one but herself in the house. she drawing her Arms around him if you wont seal me to my husband Seal myself unto you. he Said stand away & pushing her Gently aside giving her a denial & going out. when Mr Law came home he Inquired who had been in his Absence. she said no one but Br Joseph, he then demanded what had pass[ed] Mrs L then told Joseph wandet her to be Married to him." (Journal of Alexander Neibaur, 24 May 1844, Church Archives. See also Hyrum Smith's statement in *Nauvoo Neighbor*, Extra, 17 June 1844, regarding Law's adulterous conduct.) Yet at Law's trial of excommunication, Jack (John) Scott, a Canadian convert, testified that to ameliorate conditions between William and Joseph (possibly because of the accusations that the Prophet had made advances to Jane Law) Joseph Smith had sealed William Law and his wife (Minutes of meeting, 18 April 1844, Brigham Young Papers, Church Archives).

Some early accounts allege that a permanent rupture between Joseph and William resulted when the Prophet attempted to take Jane Law as a "spiritual" wife (see Joseph H. Jackson, *A Narrative of the Adventures and Experience of Joseph H. Jackson in Nauvoo* [Warsaw, Ill.: n.p., 1844], p. 21; Thomas Ford, *History of Illinois* [Chicago: S. C. Griggs & Co., 1854], p. 322; and Edward Bonney, *The Banditti of the Prairies: A Tale of the Mississippi Valley* [Chicago: Belford, Clarke & Co., 1881], p. 18). Regardless, it is known that Joseph Smith did ask for other men's wives as part of an "Abrahamic test." And while he "did not want every man's wife he ask[ed] for," nevertheless, he was sealed for eternity to a few of them (Jedediah M. Grant discourse, 19 February 1854, *Journal of Discourses*, 2:13–14). Though Joseph, as reported in Neibaur's journal, denied that he asked for Jane as a plural wife, William Law believed otherwise: "[Joseph] ha[s] lately endeavored to seduce my wife, and ha[s] found her a virtuous woman" (Law Diary, 13 May 1844).

A possible explanation for this discrepancy is that Neibaur's account (cited above), though reasonably accurate, is simply incomplete. Obviously, Jane Law's frustration over not being permitted to be eternally sealed to her husband might have prompted her to request eternal marriage to the Mormon leader (say, in late 1843), and (as per Neibaur) she was rebuffed. Subsequently, possibly to gratify and assuage the Laws, Joseph might have finally agreed to seal the couple near Christmas 1843 (as per John Scott). Then later, just before or soon after the Laws' excommunication, Joseph Smith might have sought to have Jane Law sealed to him in an attempt to keep her from following her apostate husband (as per Law's diary and other published sources noted above). Bathsheba W. Smith, one of the anointed quorum who was conversant with all the ramifications of plural marriage in Nauvoo, believed that Jane Law may well have been sealed to the Prophet (Bathsheba W. Smith Deposition, Eighth Circuit Court, 1892 Temple Lot Case, carbon copy of original, Church Archives). However, if this were the case, it was short-lived because Jane, who was expecting her sixth child, did remain with her husband, William Law. In July 1867, John Hawley reported that Wilford Woodruff had said, "When Brigham Young got the records of the Church in his hands, after the death of Joseph Smith, he found by examination that . . . [William] Laws wife and [Francis] Higbys wife and [Lyman] Wights wife and [Robert D.] Fosters wife had all been Sealed to Joseph, as their Husbands could not Save them" (John Hawley, *Autobiography*, January 1885, p. 97, RLDS Library–Archives).



considered these actions as “unjust and dishonourable,” he believed that his dismissal had released him from a compromising position: “I feel relieved from a most embarrassing situation. I cannot fellowship the abominations which I verily know are practiced by this man, consequently I am glad to be free from him.”<sup>88</sup>

William seemed willing to be freed from the incubus of polygamy, but it would take time for him to abandon Mormonism altogether.<sup>89</sup> The next few days and weeks provided an opportunity for deep reflection. His diary reveals that he was racked with self-doubt, and he realized that the cardinal underpinnings of his faith in Mormonism were being wrecked. On 13 January 1844 he bewailed his awful condition: “What my feelings have been I cannot relate, various and painful at times almost beyond endurance; a thousand recollections burst upon my burning brain, the past, the present, and the future, disappointed hopes, injured feelings, where they should have been held sacred . . . these things are as poison’d arrows in my bleeding heart.”<sup>90</sup>

William was contacted by Hyrum Smith in March 1844 and by Almon W. Babbitt in April 1844 requesting a reconciliation. But the wounds could not be mended. William’s terms were simple: a discontinuance of the practice of plural marriage. But neither man was able to meet this demand.<sup>91</sup> Finally, on Monday, 13 May 1844, nearly a month after Law’s excommunication, Sidney Rigdon went to William’s house “fully authorized to negotiate terms of peace.” The visit was probably a response to the publication of the “Prospectus”

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<sup>88</sup>Diary of William Law, 8 January 1844.

<sup>89</sup>Few prominent dissenters from Mormonism were ready to dispense altogether with the theology and polity of the Church. Many who organized splinter groups often demonstrated a penchant for a theocentric rather than a democratic administrative structure. For more than a year after leaving Nauvoo, William Law doggedly held on to the Book of Mormon and the Doctrine and Covenants as necessary taproots to any reorganization of the Church. A contemplated coalition with Sidney Rigdon in 1845 failed, in part, because “Law & Rigdon differed in fifteen points of doctrine” (Diary of William Clayton, 3 May 1845). Regarding this proposed reorganization Sidney Rigdon wrote: “We had a conversation, last winter in Ohio, with Mr. William Law whom we unexpectedly met on the way to visit his brothers, in Mercer co. in this state. The conversation was a friendly one, but terminated in convincing both parties that our religious views were so widely different that no union could exist, and so we parted, agreeing to disagree.” (*Messenger and Advocate of the Church of Christ*, Pittsburgh, 15 July 1845.) William E. McLellan figured most conspicuously in this matchmaking attempt (see, for example, William E. McLellan to Sidney Rigdon, 23 December 1844, Hampton, Illinois, cited in *Latter Day Saint’s Messenger and Advocate*, 15 January 1845). Soon thereafter, however, Law divorced himself completely from Mormonism. He affirmed in 1885 that he was thoroughly convinced that “it never was a Church of Christ, but a most wicked blasphemous humbug gotten up for the purpose of making money” (“1885 Affidavit of William Law,” cited in Shook, *True Origin of Mormon Polygamy*, p. 127).

<sup>90</sup>Diary of William Law, 13 January 1844.

<sup>91</sup>Ibid., under dates 29 March and 15 April 1844. After his excommunication, William contemptuously reported that he had left the Church because he “had only one wife and could obtain no more, but yet to gain eternal life one must have half a score” (Affidavit of Joseph A. Knelting, 11 September 1903, “Affidavits on Plural Marriage,” Church Archives).



of the *Nauvoo Expositor*, released the previous Friday<sup>92</sup> (see reproduction of broadside on p. 69). But the Irishman remained adamant:

I told him that if they wanted peace they could have it on the following conditions, That Joseph Smith would acknowledge publicly that he had taught and practised the doctrine of plurality of wives, that he brought a revelation supporting the doctrine, and that he should own the whole system (revelation and all) to be from Hell.<sup>93</sup>

Sidney Rigdon admitted that he was not authorized "to go so far" and could only promise the Laws a restoration of their membership.

The question that had plagued William Law was how far to push his denunciation of polygamy. Seeing no hope of a reconciliation, William resolved to save the Church from error by exposing the leviathan to the Nauvoo populace.<sup>94</sup> He seized upon his "damning evidence," and in late May and early June 1844 he legally charged Joseph Smith with adultery and publicized the nature of the Prophet's polygamous teachings and practices in the pages of the *Nauvoo Expositor*.<sup>95</sup> But William Law badly misjudged the mentality of the Mormon people. He had not recognized their corporate solidarity or the tremendous love and support extended to Joseph Smith as the Lord's mouthpiece.<sup>96</sup> Much to his dismay, his open attack on the Church leader further alienated him and labeled him as a bitter enemy of the Restoration.

The destruction of the *Nauvoo Expositor* provided the malcontents their first hard evidence with which to condemn Joseph Smith for illegal acts. It was during his detention at Carthage, on a

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<sup>92</sup>The "Prospectus" of the *Nauvoo Expositor* informed its readers that the forthcoming weekly would advocate the repeal of the Nauvoo Charter, seek the separation of church and state, champion pure principles of morality, and decry political revelation and unit power. In summary, the columns of the new paper would "give a full, candid, and succinct statement of FACTS, AS THEY REALLY EXIST IN THE CITY OF NAUVOO—Fearless of whose particular case the facts may apply."

<sup>93</sup>Diary of William Law, 13 May 1844.

<sup>94</sup>The *Nauvoo Expositor*, 7 June 1844, p. 1, claimed that "many of us have sought a reformation in the church . . . but our petitions were treated with contempt." As early as 3 April 1844 the *Warsaw Signal* announced the rupture between Joseph Smith and William Law: "It is said . . . that a difficulty originated some time since between the Prophet and some of his most conspicuous followers, in relation to the doctrine of spiritual wives" (under date given).

<sup>95</sup>Despite his position of power and prestige, William Law (and his cohorts) failed to exert a significant force against Joseph Smith among the masses at Nauvoo. It was with the non-Mormon community that the malcontents found a listening ear. As the Prophet said on 10 June 1844, "[This] is a paper (Nauvoo Expositor) that is exciting our enemies abroad" (*Nauvoo Neighbor*, Extra, 17 June 1844). The indictment (mentioned above) was based on the sworn testimony of William and Wilson Law and was filed in Hancock County Circuit Court on 23 May 1844. It charged Joseph Smith with having lived with Maria Lawrence "in an open state of adultery" from 12 October 1843 to 23 May 1844. The single issue of the obnoxious *Nauvoo Expositor* was dated 7 June 1844. William Law claimed that in addition to the copies of the *Expositor* that were distributed in Nauvoo, as many as five hundred copies were mailed out of the city: "This day the Nauvoo Expositor goes forth to the world, rich with facts, such expositions as make the guilty tremble and rage. . . . 1000 Sheets were struck and five hundred mailed forthwith." (Diary of William Law, 7 June 1844.)

<sup>96</sup>On this point see David Brion Davis, *Antebellum American Culture: An Interpretive Anthology* (Lexington, Mass.: D. C. Heath and Co., 1979), pp. 222-24.



# PROSPECTUS

## OF THE

# NAUVOO EXPOSITOR.

The "NAUVOO EXPOSITOR" will be issued on Friday of each week, on an Imperial sheet, with a new Press and materials of the best quality, and rendered worthy of the patronage of a discerning and an enlightened public.

The Expositor will be devoted to a general diffusion of useful knowledge, and its columns open for the admission of all courteous Communications of a Religious, Moral, Social, Literary, or Political character, without taking a decided stand in favor of either of the great Political Parties of the country. ~~A few~~ of its columns will be devoted to a few primary objects, which the Publishers deem of vital importance to the public welfare. Their particular locality gives them a knowledge of the many Gross abuses exercised under the "pretended" authorities of the Charter of the City of Nauvoo, by the Legislative authorities of said city; and the *Insupportable OPPRESSIONS of the MINISTERIAL powers, in carrying out the Unjust, Illegal, and Unconstitutional Ordinances of the same.* The Publishers, therefore, deem it a sacred duty they owe to their country and their fellow citizens, to advocate, through the columns of the Expositor, the **UNCONDITIONAL REPEAL of the NAUVOO CITY CHARTER**—

to restrain and correct the abuses of the UNIT POWER—to ward off the Iron Rod which is held over the devoted heads of the citizens of Nauvoo and the surrounding country—to advocate unmitigated **DISOBEDIENCE to POLITICAL REVELATIONS**, and to censure and decry gross moral imperfections wherever found, either in the Plebeian, Patrician, or **SELF-CONSTITUTED MONARCH**—to advocate the pure principles of morality, the pure principles of truth, designed not to destroy, but strengthen the main-spring of God's moral government—to advocate, and exercise, the freedom of speech in Nauvoo, independent of the ordinances abridging the same—to give *free toleration to every man's Religious sentiments*, and sustain ALL in worshipping their God according to the monitions of their consciences, as guaranteed by the Constitution of our country, and to oppose, with uncompromising hostility, any ~~Union of CHURCH and STATE~~ or any preliminary step tending to the same—to sustain ALL, however humble, in their equal and Constitutional rights—and oppose the sacrifice of the Liberty, the Property, and the Happiness of the MANY, to the Pride and Ambition of the FEW. In a word, to give a full, candid, and succinct statement of FACTS, AS THEY REALLY EXIST IN THE CITY OF NAUVOO—Fearless of whose particular case the facts may apply—being governed by the laws of Editorial courtesy and the inherent dignity which is inseparable from honorable minds, at the same

time exercising their own judgment in cases of flagrant abuses, or moral delinquencies—to use such terms and names as they deem proper, when the object is of such high importance that the end will justify the means. In this great and indispensable work, we confidently look to an enlightened public to aid us in our laudable effort.

The columns of the Expositor will be open to the discussion of all matters of public interest, ~~the productions of all correspondents~~ subject to the decision of the Editor alone, who shall receive or reject at his option. National questions will be in place—but no preference given to either of the political parties. The Editorial department will contain the political news of the day, proceedings of Congress, election returns, &c., &c. Room will be given for articles on Agriculture; the Mechanic Arts; Commercial transactions, &c.

The first number of the Expositor will be issued on Friday, the 7th day of June 1844. The publishers bind themselves to issue the paper weekly for one year, and forward 52 copies to each subscriber during the year. Orders should be forwarded as soon as possible, that the publishers may know what number of copies to issue.

The publishers take pleasure in announcing to the public; that they have engaged the services of SYLVESTER EMANS, Esq., who will have entire charge and supervision of the Editorial department. From an acquaintance with the dignity of character, and literary qualifications of this gentleman, they feel assured that the "Nauvoo Expositor" must and will sustain a high and honorable reputation.

### TERMS of the "NAUVOO EXPOSITOR."

The TERMS of the paper will be  
\$2,00 per annum, in advance.  
\$2,50 at the expiration of six months.  
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Six copies will be forwarded to one address for \$10,00 in advance—Thirteen copies for \$20,00, &c., &c.

All Letters and Communications must be addressed to "CHARLES A. FOSTER, Nauvoo, Ill.," *post paid*, in order to insure attention.

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"Prospectus of the Nauvoo Expositor"



charge of riot in the *Expositor* matter, that the Prophet was killed. Although William Law insisted on payment for damages of his wrecked press<sup>97</sup> and actively sought to have the Mormon leader punished by the civil law, he denied complicity in any plot to have Joseph Smith assassinated.<sup>98</sup>

Law's private diary shows that he was not at Carthage when the Smiths were murdered. But while he characterized the murders as an "outrage," yet he believed the horrid deaths were actually the result of a "blasphemed God" who had taken vengeance. William wrote in July 1844 that the murders were "very shocking" to his feelings,

yet, as they [Joseph and Hyrum] brought it upon themselves, and I used my influence to prevent any outrage even from the commencement of the excitement, believing that the Civil Law had power to expose iniquity, and punish the wicked. I say consequently I look on calmly and while the wicked slay the wicked I believe I can see the hand of a blasphemed God stretched out in judgement, the cries of innocence and virtue have ascended up before the throne of God, and he has taken sudden vengeance.<sup>99</sup>

In the final analysis, William Law's strong feelings for Mormonism were not enduring. His rejection of Joseph as a true prophet was not just a rational decision based on any one thing. It was a complex transferral of loyalty. The decision to break with the Mormon leader seems to have been only the final stage of a psychological reorientation that had begun early in 1843, even before William first suspected the Prophet was involved in polygamy. In order for one's loyalty to be irreversible it "must seize [his] feelings and thoughts to the exclusion of almost all else."<sup>100</sup> Law's commitment to individualism and democracy precluded this. The Irishman's motives for apostasy appear to have stemmed from a perception (real or imagined) that his civil and religious liberties were being threatened within the Mormon community.<sup>101</sup> By 1838 the administrative power

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<sup>97</sup>The Laws claimed that their loss in the destruction of the *Expositor* press and equipment amounted to about \$1000, and while Edward Hunter did give a note to the Laws, Fosters, and Higbees in the amount of \$500 to assist in cancelling the claim, it is uncertain if the proprietors actually collected on the note (see William and Wilson Law to Edward Hunter, 1844-1845, typescript, and Edward Hunter bond, 2 May 1846, J. Willard Marriott Library, University of Utah).

<sup>98</sup>After the Martyrdom, warrants were issued for the arrest of William and Wilson Law as accessories to the murders. On 29 September 1844 William was taken into custody at Hampton, Illinois, but mysteriously released by the officers the following day. Some believed that the arrest was actually a farce. (See *The Upper Mississippian*, 5 October 1844.)

<sup>99</sup>William Law to Isaac Hill, 20 July 1844, Church Archives.

<sup>100</sup>Silvan S. Tomkins, "The Psychology of Commitment: The Constructive Role of Violence and Suffering for the Individual and for His Society," *The Antislavery Vanguard: New Essays on the Abolitionists*, ed. Martin Duberman (Princeton, N.J.: Princeton University Press, 1965), p. 273.

<sup>101</sup>In 1885, forty-one years after he left Nauvoo, William Law claimed that "Joseph Smith required every man and woman to *believe* in him, believe in *all* his revelations, believe in *all* his teachings, and uphold and sustain him in every thing" ("1885 Affidavit of William Law," p. 126).



of the Church had concentrated into the hands of one man—the Prophet Joseph Smith. Some notable converts were not willing to allow this ecclesiastical domination in their economic and political affairs. Nor would they condone what they considered to be defiance of the law of the land. William Law believed that new doctrines had corrupted the Church. Not unlike Oliver Cowdery, David Whitmer, and Lyman Johnson, he believed that the established laws of the Church and the revelations had been trampled underfoot for expedience in order to remove undesirables. Indeed, he maintained that the written revelations—the scriptures—were superior to the living prophet.<sup>102</sup> These men were more comfortable with the then popular values of evangelical Protestantism.

A widely known scholar of religious dissent in America has argued that the pervasive democratic spirit of this period did not encourage institutional good order but tended rather to foster a determination to hold fast to civil and religious liberties. In religious communities, self-reliant frontier life was often expressed in differences over pure doctrine, novel practices, and the use of authority. Not infrequently, the western settler was intolerant of externally imposed authority, and schism would occur when doctrines or practices seemed too intricately reasoned or too far-fetched.<sup>103</sup> Thus it would appear that William Law's case of religious dissent in Mormon Nauvoo was not unique, but instead uniquely American.

In the end, William Law's disillusionment with Mormonism resulted in a complete rejection of institutionalized religion. William spent the remainder of his life seeking to implement Christian principles in his own way.

After he left Nauvoo, he continued another decade as a merchant in northern Illinois (Hampton and later Galena) but eventually turned his attention to medicine. Regionally acknowledged as a competent physician and surgeon, Dr. Law practiced nearly forty years near Apple River, Illinois, and at Shullsburg, Wisconsin. He died of pneumonia at the age of eighty-two.<sup>104</sup> By design, William Law's

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<sup>102</sup>A comparison of proof texts cited by William Law reveals a basic inconsistency. In 1838–1839 he cited passages of the Doctrine and Covenants in support of the Mormon prophet; in 1844 he cited scripture (D&C 101 [1835 ed.] and Jacob 2 in the Book of Mormon) in justification of his complete rejection of Joseph Smith. An infallible scripture was quoted as authority in both cases, and yet in 1844, it was made to prove exactly the reverse of what it was made to prove in 1839. This doctrine of an absolutely infallible scripture (once entertained by Hyrum Smith also) actually resulted in Law's self-stultification.

<sup>103</sup>Edwin Scott Gaustad, *Dissent in American Religion* (Chicago: University of Chicago Press, 1973), pp. 13–22.

<sup>104</sup>William and Jane Law moved to Shullsburg, Wisconsin, in early 1866 where they remained until their deaths (William died 12 January 1892, and Jane died 8 September 1882). Although inclined to remain withdrawn from public life, William Law, nevertheless, was a prominent and respected citizen in his community. In later years he served as one of five directors of the Shullsburg Bank.

post-Nauvoo years were quiet and reserved. Any publicity naturally would have resurrected a past that he wished not to remember.



# A Strange Encounter: The English Courts and Mormon Polygamy

Kenneth L. Cannon II

In 1866 English courts for the first time encountered a “Mormon” (i.e., polygamous) marriage. On 22 March of that year *The [London] Times* related:

It is a strange fact that no case should have arisen on the validity of Mormon marriages before that of “Hyde v. Hyde,” which came before the Divorce Court in January last. So many young women have been tempted or entrapped into abandoning English homes for the half or third part of a husband at the Salt Lake City, and have since found reason to rue their infatuation that we can only explain the entire absence of precedents on the subject by supposing that few are happy enough to retrace their steps across the wastes that divide the Mormon paradise from Christendom.<sup>1</sup>

Actually, it is not surprising that the courts of Great Britain had not had an opportunity to rule upon the validity of a “Mormon” marriage before 1866 when it is realized that the leading American case of *Reynolds v. United States* was still thirteen years away. What is surprising, however, is the nature of *Hyde v. Hyde and Woodmansee*. It involved a once-married former Mormon, bitterly opposed to the practice of plural marriage, who was attempting to divorce his one wife, still living in Utah.

*Hyde v. Hyde* (as the case is generally referred to) would have been relegated to obscurity had it not been for the influx of people from polygamous societies to Great Britain in the last hundred years. The *Hyde* case was the first encounter of the English courts with a marriage that was “potentially polygamous” because it had been

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<sup>1</sup>*The Times*, 22 March 1866, p. 9.

performed in a society that countenanced polygamy.<sup>2</sup> The rule that emerged from *Hyde v. Hyde* on marriage in general and polygamous marriage in particular was followed by English courts in determining the validity of polygamous marriages until Parliament changed the rule by statute in 1972.<sup>3</sup> Because thousands of Moslems and Hindus from Asia and Africa migrated to England in the twentieth century, the courts increasingly had to decide whether or not to recognize marriages solemnized in polygamous societies.<sup>4</sup> The precedent set by *Hyde* thus remained important throughout the first six decades of the twentieth century and prompted considerable scholarly inquiry.<sup>5</sup> The story of how the divorce suit of a monogamous Mormon apostate became the precedent-setting case on polygamy in England is a fascinating one.

### THE BACKGROUND

John Hyde, Jun., according to his own story, joined the Mormon faith in 1848 at the age of fifteen because he "had an ideal of what religion and the worship of God might be; I imagined that this system [the Mormon Church], as I then heard it expounded, realized the ideal; and, in the love of that ideal, I embraced it and was accordingly baptized." He preached in England and in 1851 was called

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<sup>2</sup>Bigamy was a crime in England (it was made a felony there in 1861) and people had been prosecuted for it, but the English courts had never seen a case in which a potential or actual polygamous marriage had been performed in a society which countenanced such marriages.

<sup>3</sup>The rule from the *Hyde* case is discussed below. The statute which overturned the *Hyde* rule was the "Matrimonial Proceedings (Polygamous Marriages) Act, 1972," c. 38. Although English courts felt constrained to follow the *Hyde* precedent when facts in a case were similar to those in *Hyde*, they developed a number of methods to at least partially circumvent it (see, e.g., Sebastian Poulter, "*Hyde v. Hyde*—A Reappraisal," *International and Comparative Law Quarterly* 25 [July 1976]: 491–92, 494–503; D. Tolstoy, "The Conversion of a Polygamous Marriage into a Monogamous Marriage," *International and Comparative Law Quarterly* 17 [July 1968]: 721–29; and my "Polygamy and the Law in England" [unpublished paper, 1981], pp. 15–25).

<sup>4</sup>It was estimated that in the mid-1960s there were 120,000 Pakistanis and over 300,000 Moslems in England (T. C. Hartley, "Polygamy and Social Policy," *Modern Law Review* 32 [March 1969]: 155n; Ian Saunders and Jerry Walter, "'The Matrimonial Proceedings [Polygamous Marriages] Act 1972,'" *International and Comparative Law Quarterly* 21 [October 1972]: 781, 783n).

<sup>5</sup>The case is discussed in all the major British treatises on family, private international, and conflicts law (see S. M. Cretney, *Principles of Family Law*, 3d ed. [London: Sweet & Maxwell, 1979], pp. 48, 72; P. M. Bromley, *Family Law*, 2d ed. [London: Butterworths, 1962], pp. 3–6, 11; G. C. Cheshire, *Private International Law*, 6th ed. [Oxford: Clarendon Press, 1960], pp. 303, 305–06, 308, 312; and J. H. C. Morris, *Cases on Private International Law*, 3d ed. [Oxford: Clarendon Press, 1960], pp. 66, 92–97, 103–04). Some of the more important articles on the case are S. G. Vesey-Fitzgerald, "Nachimson's and Hyde's Cases," *The Law Quarterly Review* 47 (April 1931): 253–70; W. E. Beckett, "The Recognition of Polygamous Marriages under English Law," *The Law Quarterly Review* 48 (July 1932): 341–68; J. H. C. Morris, "The Recognition of Polygamous Marriages in English Law," *Harvard Law Review* 66 (April 1953): 961–1012; and Poulter, "*Hyde v. Hyde*—A Reappraisal," pp. 475–508. The *Hyde* rule was also applied in British colonies and has a long and illustrious history in these areas. For Australia, Canada, Scotland, and South Africa, see Lennart Palsson, "Marriage and Divorce," in Kurt Lipstein, ed., *Private International Law*, vol. 3, in *International Encyclopedia of Comparative Law*, 17 vols. (Tübingen, West Germany: J. C. B. Mohr, n.d.), pp. 12–21. For the Sudan and Nigeria, see Shirley Crabb Zabel, "*Hyde v. Hyde* in Africa: A Comparative Study of the Law of Marriage in the Sudan and Nigeria—Part I," *Utah Law Review* 1969 (January 1969): 22–53.



to the recently created French mission. He spent much of the next two years as a missionary in the Channel Islands and, according to James H. Hart, a contemporary missionary, was not entirely successful in that capacity.<sup>6</sup> He was less than honorably released from his mission in 1853 and traveled to Utah the same year.<sup>7</sup> In November 1853, with Brigham Young performing the ceremony, he married Lavinia Hawkins, to whom he had been betrothed while they both lived in England.<sup>8</sup>

Three months later, Hyde “was initiated into the mysteries of the ‘Mormon endowment.’” Shortly thereafter, by his own narrative, he decided he wanted to leave Utah—apparently because of his disillusionment with the Church—and travel to California. He informed Elder Orson Pratt of his loss of faith, and, perhaps in an attempt to rekindle his faith, Church leaders responded by “publicly appointing” him to go on a mission to the Sandwich Islands. He accepted the call because he believed that his “waning faith was the result of inaction; that to be actively employed in the ministry might waken up my old confidence; that in the effort to convince others, I might succeed in reconvincing myself.”<sup>9</sup> This belief proved short-lived, however. On the ship taking him to the Sandwich Islands his mind was filled with “darkness and indecision.” Finally, while at sea, “in communion with God and my own soul, the darkness of doubt that had blinded my eyes, and the mists of indecision that had paralyzed my energies, left me, and I resolved not only to renounce Mormonism, but also to tell the world freely, fully, and fearlessly, as well my reasons, as my experience.”<sup>10</sup>

Rather than engaging in missionary work for the Church when he reached Hawaii, John Hyde immediately began preaching against Mormonism. He remained in Honolulu for some time and then went to California where he continued his crusade against the Church.<sup>11</sup> In

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<sup>6</sup>John Hyde, Jun., *Mormonism: Its Leaders and Designs* (New York: W. P. Fetridge, 1857), pp. 17–18; Edward Hart, “John Hyde, Junior—An Earlier View,” *Brigham Young University Studies* 16 (Winter 1976): 306–12.

<sup>7</sup>Curtis E. Bolton to John Hyde, 2 January 1853, as quoted in Hart, “John Hyde, Junior,” pp. 311–12.

<sup>8</sup>Computer File Index, Genealogical Society of The Church of Jesus Christ of Latter-day Saints, Salt Lake City; *Hyde v. Hyde and Woodmansee*, [1866] L.R. 1 P.&D. 131. There are several case reporting services in England and at least three reports of the case were made by different services. All references to the case will be to this semi-official 1866 *Law Reports, Probate and Divorce Division* version of the case unless otherwise specified. The judge in the case made much of the fact that Brigham Young had performed the marriage ceremony.

<sup>9</sup>Hyde, *Mormonism: Its Leaders and Designs*, pp. 21–22.

<sup>10</sup>*Ibid.*, pp. 22–23.

<sup>11</sup>“A Renegade Mormon,” *Harper's Weekly*, 10 January 1857, p. 22; Hyde, *Mormonism: Its Leaders and Designs*, p. 23.

1857 he published *Mormonism: Its Leaders and Designs*, a vitriolic attack on the Church, which contains an early exposé of the “mysteries” of the endowment and a bitter denunciation of the practice of plural marriage.<sup>12</sup>

Hyde’s activities did not go unnoticed in Salt Lake City. In a sermon delivered on 11 January 1857, Heber C. Kimball publicly moved that the errant elder be “cut off root and branch” from the Church and “delivered over to Satan to be buffeted in the flesh” because “there is no sympathy to be shown unto such a man.” The motion carried unanimously. Elder Kimball went on to state that Hyde’s wife was “not cut off from this Church, but she is free from him; she is just as free from him as though she never had belonged to him.—The limb she was connected to is cut off, and she must again be grafted into the tree, if she wishes to be saved.”<sup>13</sup> (Forty-two years later the Utah Supreme Court would decide that such extrajudicial divorces were not valid and thus did not legally dissolve marriages.<sup>14</sup>)

Apparently Hyde wrote his wife asking her to join him that together they might renounce the evils of Mormonism. She replied that she still loved him but that her faith in the Church was “greater than it had ever been,” and she refused to join him.<sup>15</sup> Taking Heber C. Kimball’s “divorce decree” at face value, she was married in 1859 to Joseph Woodmansee, thus “grafting” herself back into the Mormon tree.<sup>16</sup>

John Hyde returned to his native England after failing to persuade his wife to join him and after publication of his book. There he became a Swedenborgian minister and country newspaper editor in Derby. He utilized his literary talents to write a number of books on

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<sup>12</sup>His exposé of the Mormon temple ceremony is one of the earliest dating from the Utah period of the Church.

<sup>13</sup>*Deseret News*, 21 January 1857, p. 364. A more readily available copy of the sermon is in *Journal of Discourses*, 26 vols. (London: Latter-day Saints’ Book Depot, 1854–1886), 4:165. It should be pointed out that the sermon was given during the “Reformation” period of Mormon history, when emotions were high. John Hyde later described Heber C. Kimball in very derogatory terms although the sketch he drew of Brigham Young was quite positive (“Salt Lake and Its Rulers,” *Harper’s Weekly*, 11 July 1857, pp. 441–42). J. H. C. Morris had Spencer L. Kimball, then dean of the University of Utah School of Law, conduct a search of the Utah divorce records to determine whether or not Mrs. Hyde ever secured a legal divorce. No record of any legal divorce proceedings was found (Morris, “The Recognition of Polygamous Marriages in English Law,” p. 1007n).

<sup>14</sup>*Norton v. Tufts*, 19 Utah 470, 57 Pac. 409 (1899). The question of extrajudicial divorces in the case of polygamous marriages was moot because the marriages were not legally recognized and thus did not have to be legally dissolved. The marriage of John Hyde and Lavinia Hawkins was not polygamous and was thus legal under American law.

<sup>15</sup>*The Times*, 22 January 1866, p. 11.

<sup>16</sup>Family Group Records, Computer File Index, Genealogical Society of the Church; *Hyde v. Hyde*, p. 131.



the Swedenborgian movement and gained some recognition for his writings.<sup>17</sup> In 1866 his former adherence to Mormonism rose as a specter to haunt him when he decided to sue Lavinia Hawkins Hyde Woodmansee for divorce.

#### THE CASE

In January 1866 John Hyde brought suit for divorce against his wife on the grounds of adultery. The former Mrs. Hyde's present husband, Joseph Woodmansee, was joined as a co-respondent to the suit because of his complicity in her "adultery" (hence the full title of the case—*Hyde v. Hyde and Woodmansee*).<sup>18</sup> It is not entirely clear, however, why John Hyde brought the suit. He obviously did not believe that the divorce decreed from the pulpit by Heber C. Kimball was binding (a belief that is difficult to dispute from a legal point of view). Instead, he evidently hoped that a divorce in England would remove any question about the dissolution of the marriage. Hyde probably could have relied on the "divorce" decreed by Elder Kimball without going to the English courts, but he chose not to do so.

In testimony before the court, Hyde reviewed his life story, relating his conversion to Mormonism and his subsequent disillusionment with it. He discussed his marriage and his attempts to get his wife to join him after he had renounced the Mormon church. He related that he had not returned to Salt Lake City to try to persuade his wife to leave with him "as his life would have been in danger."<sup>19</sup>

Hyde had married only this once, which witnesses substantiated. One witness, Frederick Piercy, an artist, who had married Lavinia Hawkins's sister and had spent time in Utah before abandoning Mormonism, told the court that he was sure that John Hyde was a

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<sup>17</sup>Leonard J. Arrington, "Centrifugal Tendencies in Mormon History," in Truman G. Madsen and Charles D. Tate, Jr., eds., *To the Glory of God: Mormon Essays on Great Issues* (Salt Lake City: Deseret Book Co., 1972), pp. 171–72. Hyde began publishing books in England shortly after his return there. Some of his works are *Emanuel Swedenborg: A Lecture* (Philadelphia: New Church Tract and Publication Society, n.d.); *Will the Natural Body Rise from the Grave?* 3d ed. rev. (London: F. Pitman, n.d.); *Bible Photographs, a Contrast between the Righteous and the Wicked as Described in the Word of God* (London: F. Pitman, 1865); *The Glory and Divinity of the Holy Bible and Its Spiritual Sense* (London: F. Pitman, n.d.); *Doctrine of Redemption; Deliverance Not from the Wrath or Justice of God, but from the Powers of Hell* (Manchester: New Church Printing and Tract Society, 1876); *Our Eternal Homes*, 4th ed. (London: F. Pitman, 1865); *The Doctrine of Substitution Impartially Examined* (London: James Spiers, 1875); and *International Arbitration: Its Difficulties and Advantages* (Manchester: The Lancashire and Cheshire International Arbitration Association, 1873).

<sup>18</sup>*Hyde v. Hyde*, p. 131.

<sup>19</sup>*Hyde v. Hyde*, [1861–1873] All E.R. Rep. 176. The quoted words were reported in the *Law Reports* version as "he could not have done so [returned] after he had left the Mormon church without danger to his life" (p. 131).



monogamist.<sup>20</sup> Silas M. Fisher, who had been a “counselor” of the United States Supreme Court, told the judge that Hyde’s marriage would have been recognized by America’s highest court because it was Hyde’s first marriage and thus was legal under American law.<sup>21</sup>

Dr. Spinks, Hyde’s barrister, argued that because the marriage was legal in the place where it had been performed, not only under Mormon authority but also under the laws of Utah and the United States, the English court should recognize the marriage and also dissolve it formally by granting a divorce decree. Spinks attested that if the court determined that the marriage was invalid it would in effect be saying that there was no marriage in Utah and thus no legal right of succession there.<sup>22</sup>

### THE DECISION

The judge in the case, Sir James O. Wilde (a prominent English jurist and soon to become Lord Penzance)<sup>23</sup> accepted wholesale the testimony of Hyde and Piercy but found the arguments of Hyde’s advocate unconvincing. He understood that Hyde was a monogamist, but this fact made little difference in the judge’s view. Wilde ruled that it made no difference that the Supreme Court of the United States would uphold the marriage as legal, because marriage in America was ruled by local law. The marriage might have been legal where it was celebrated, but it would not be upheld as valid in England, at least as far as the divorce laws of that country were concerned.<sup>24</sup> Wilde decided that the central question of the case was not whether Hyde was in fact a polygamist; rather, it was whether

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<sup>20</sup>*Hyde v. Hyde*, 14 L.T.R. (n.s.) 189 (D. 1866). Frederick Piercy was an early friend of Hyde who had much in common with him. A talented artist, Piercy illustrated and provided the text for *Route from Liverpool to Great Salt Lake Valley* (London: Latter-day Saints’ Book Depot, 1855), a classic work on the route British Mormons took in moving to Utah. (A more accessible edition is one edited by Fawn M. Brodie and published by Harvard University Press in 1962.) Frederick Piercy was excommunicated from the Mormon church in the same year that Hyde was, 1857. Thus, Hyde and Piercy both joined the LDS church in their teens, produced books on the Mormons that have become classics, married sisters, and left the Mormon church. Unlike her sister, Piercy’s wife, Angelina Hawkins, remained with her husband and was excommunicated with him in 1857. (See Wilford Hill LeCheminant, “‘Entitled to Be Called an Artist’: Landscape and Portrait Painter Frederick Piercy,” *Utah Historical Quarterly* 48 [Winter 1980]: 49–65.)

<sup>21</sup>*Hyde v. Hyde*, p. 176 (*All England Reports Reprint* version). The Mormon experience with American courts was such that the first wife of a polygamist was considered a legal wife and thus was entitled to all the rights of a legal wife.

<sup>22</sup>*Hyde v. Hyde*, p. 189 (*Law Times Reports* version).

<sup>23</sup>On the contributions of Lord Penzance to English jurisprudence, see Sir William Holdsworth, *A History of English Law*, 17 vols. (London: Methuen & Co., 1966), 16:155–56.

<sup>24</sup>Wilde assumed in the case that polygamy was legal in Utah. This is disputed by G. W. Bartholomew, who argues persuasively that the common law was adopted in Utah in 1850 with the Territorial Organic Act. The common law clearly did not countenance polygamous marriages, and thus polygamy would have been unlawful in Utah when Hyde married in 1853. His marriage would therefore have been no more legally potentially polygamous in Utah than in England at the time. (G. W. Bartholomew, “Recognition of Polygamous Marriages in America,” *International and Comparative Law Quarterly* 13 [July 1964]: 1024–33.)



polygamy was recognized in Utah where the marriage had taken place. He laid down the rule that marriage in England was the "voluntary union for life of one man and one woman, to the exclusion of all others."<sup>25</sup> Because polygamous marriages were allowed in Utah, a marriage there was not necessarily "to the exclusion of all others," and Hyde's marriage was thus "potentially polygamous." The judge discoursed at length on the differences between what he called Christian marriage, which he believed was the only type of marriage which would be recognized in England under the Divorce Act, and polygamous marriage as practiced by the Mormons.<sup>26</sup>

Wilde described situations in polygamous societies in which

men take to themselves several women, whom they jealously guard from the rest of the world, and whose number is limited only by considerations of material means. But the status of these women in no way resembles that of the Christian "wife." In some parts they are slaves, in others perhaps not; in none do they stand, as in Christendom, upon the same level with the man under whose protection they live.<sup>27</sup>

Although polygamous unions were called "marriages" in those societies and the participants in the unions were referred to as "husbands" and "wives," Wilde found

there is no magic in a name; and, if the relation there existing between men and women is not the same relation which in Christendom we recognize and intend . . . , but another and altogether different relation, the use of a common term to express these two separate relations will not make them one and the same, though it may tend to confuse them to a superficial observer.<sup>28</sup>

Important rights attended Christian marriages which were apparently not a part of polygamous marriages in the judge's view:

Thus conjugal treatment may be enforced by a decree for restitution of conjugal rights. Adultery by either party gives a right to the other of judicial separation; that of the wife gives a right of divorce; and that of the husband, if coupled with bigamy, is followed by the same penalty. Personal violence, open concubinage, or debauchery in face of the wife, her degradation in her home from social equality with the husband, and her displacement as the head of the household, are with us matrimonial

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<sup>25</sup>*Hyde v. Hyde*, p. 133. This is the rule that played havoc with the treatment of marriages performed in polygamous societies for over a hundred years. Under the rule, anyone marrying in a country allowing polygamy entered into a "potentially polygamous" marriage. If the couple then moved to England, their marriage was not recognized, at least for purposes of the divorce court, regardless of whether or not the husband had actually taken subsequent wives. It is ironic that a divorce court would define marriage in such a way.

<sup>26</sup>*Ibid.*, pp. 133-35.

<sup>27</sup>*Ibid.*, pp. 133-34.

<sup>28</sup>*Ibid.*, p. 134.

offences, for they violate the vows of wedlock. A wife thus injured may claim a judicial separation from the husband, under the name of alimony, at the rate of about one-third of his income.<sup>29</sup>

If the court were to apply these rights to polygamous marriages, it would in effect "be creating conjugal duties, not enforcing them," because polygamy was not recognized under English law.<sup>30</sup>

Sir James Wilde gave little space in the decision to the difference between potentially polygamous marriages and actually polygamous marriages. To him they amounted to the same thing and neither could be countenanced. Because Hyde's marriage was potentially polygamous, his petition for divorce was dismissed. Despite his strong language, however, Wilde equivocated on the question of the validity of polygamous marriages (whether potential or actual) in contexts other than divorce, such as succession and legitimacy.<sup>31</sup>

*The Times* reported that the court had ruled that Hyde "was still a bachelor in the eye of the law."<sup>32</sup> A closer reading of Wilde's opinion casts doubt on this, however. Wilde at the outset had limited the issue of the case to "whether persons so united [in potentially polygamous marriages] could be considered 'husband' and 'wife' in the sense in which these words must be interpreted in the Divorce Act."<sup>33</sup> He stated in his closing paragraph that the decision was confined solely to the petition for divorce and he expressly refused to "decide upon the rights of succession or legitimacy which it might be proper to accord to the issue of polygamous unions, nor upon the rights or obligations in relation to third persons which people living under the sanction of such unions may have created for themselves."<sup>34</sup> Hyde thus remained potentially married in the eyes of the English courts in some respects, as in relation to the issue of his marriage (it was reported in the case that he and his wife had had children). The divorce in Utah was extrajudicial and thus probably ineffective. Also, Hyde was not in Utah at the time of the "divorce" and, because of a technicality in English law, would probably not

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<sup>29</sup>Ibid., p. 135. Wilde glosses over the differences between the grounds for divorce available to men and women. A man could divorce his wife for adultery *simpliciter*; a woman could not divorce her husband for adultery unless it was accompanied by bigamy, extreme cruelty, or unexcused desertion for two years. As Wilde states, personal violence, concubinage, or debauchery did not give a woman a right to divorce her husband; these offenses only gave rise to a suit for judicial separation. Wives were also discriminated against in that after marriage virtually all of the woman's possessions became her husband's (Poulter, "Hyde v. Hyde—A Reappraisal," pp. 483–84, and "Divorce and Matrimonial Causes Act, 1857," 20 & 21 Victoria, c. 85, p. 642).

<sup>30</sup>Hyde v. Hyde, p. 135.

<sup>31</sup>Ibid., p. 138.

<sup>32</sup>The Times, 22 March 1866, p. 11.

<sup>33</sup>Hyde v. Hyde, p. 133.

<sup>34</sup>Ibid., p. 138.



have been subject to the divorce if it had been valid.<sup>35</sup> One observer, Sebastian Poulter, has described the situation in the following manner: "It seems probable, therefore, that the result of the Court's rejection of Hyde's divorce petition was that he remained married to his wife in the eyes of the English law. . . . Hence the final outcome was that he [Hyde] found himself a party to a limping marriage, hardly a satisfactory state of affairs." Poulter further states that Hyde's lawyers "no doubt advised him to wait patiently for his wife to die," before feeling certain that the marriage was entirely dissolved.<sup>36</sup>

#### THE IRONY OF IT ALL

It is difficult to imagine a more ironic situation than the one in which John Hyde found himself in 1866. He had once been a believing, practicing Mormon. He had emigrated to Utah and there had married his sweetheart. He then became disenchanted with Mormonism, largely because of his dislike of the practice of polygamy. John Hyde had been both publicly excommunicated from the Mormon church and "divorced" from his wife in the same sermon by Heber C. Kimball. The efficaciousness of such a divorce was dubious, and Hyde no doubt simply hoped to make sure that he was legally divorced from his wife, perhaps in order to marry someone else in England. Despite his opposition to polygamy, his renunciation of Mormonism, his wife's second marriage, and the fact that he had been married only once, Hyde was denied matrimonial relief by the English court.

This irony is heightened by the apparent result of the case. Because the marriage was possibly still valid except for purposes of the divorce laws, Hyde was left in a kind of marital limbo. The marriage could not be dissolved in England and had probably not been legally dissolved in Utah, nor had Hyde been subject to a Utah divorce when he was no longer domiciled there. He was married technically yet could not get a divorce in England despite his wife's second marriage.

British legal scholars have, in the years since 1866, sensed the irony in *Hyde v. Hyde*, but the contemporary press did not. The decision in the case met with unqualified approval from *The Times*.

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<sup>35</sup>By a decision of the House of Lords, if an English citizen abandoned a domicile outside of England, his English domicile of origin revived by operation of law. Thus, when Hyde left Utah without intention of returning, his domicile once again became England, placing him beyond the jurisdiction of the Utah courts and certainly beyond the legal jurisdiction of Heber C. Kimball (Poulter, "*Hyde v. Hyde—A Reappraisal*," p. 490n).

<sup>36</sup>*Ibid.*, pp. 489–90. Morris expresses the same idea in "The Recognition of Polygamous Marriages in English Law," pp. 1007–08.

Not only did *The Times* not see the irony in the situation, it editorialized that any other result in the case would have caused "absurd consequences" as "the whole principle and practice of our marriage law would have been turned upside down."<sup>37</sup>

#### SOME PASSING OBSERVATIONS

John Hyde's experience with divorce in both Mormon Utah and in England provides some insights into Mormon society and into perceptions of that society. The fact that Heber C. Kimball felt free to decree divorce from the pulpit reinforces the view of some historians that formal adherence to established rules and procedures governing nineteenth-century Mormon marriages was not always essential.<sup>38</sup> Elder Kimball and other Church leaders during this period evidently believed they held power to dissolve marriages just as they had authority to bind couples together. It is doubtful that any court in the United States (other than perhaps a Church-dominated local probate court in Utah) would have upheld Heber C. Kimball's declaration of divorce, but Lavinia Hawkins relied on Elder Kimball's pronouncement and remarried in 1859. Mrs. Hyde's action was not unique: formal divorces from gentile or apostate spouses were, at times, not required in mid-nineteenth-century Mormondom. For example, Eleanor McLean was sealed to Parley P. Pratt without going through the formality of a divorce from her gentile husband, Hector McLean.<sup>39</sup> There is apparently no indication that the Mormon public disapproved of Mrs. Hyde's or Mrs. McLean's second marriages, despite the absence of a formal intervening divorce in either case.

Hyde's allegation that "he was unable to return to Salt Lake City, as his life would have been in danger," was not questioned by the English court in 1866, nor, for that matter, by Sebastian Poulter writing in 1976.<sup>40</sup> This indicates that many among the educated classes in England believed the stories circulated of violent retribution by the Mormons against those who crossed them, especially apostates from among their own numbers.<sup>41</sup>

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<sup>37</sup>*The Times*, 22 March 1866, p. 11.

<sup>38</sup>A good example of this is Eugene and Bruce Campbell's idea that Mormon polygamy was subject to "anomie"—a state of normlessness (Eugene E. Campbell and Bruce L. Campbell, "Divorce among Mormon Polygamists: Extent and Explanations," *Utah Historical Quarterly* 46 [Winter 1978]: 15-23).

<sup>39</sup>Steven Pratt, "Eleanor McLean and the Murder of Parley P. Pratt," *BYU Studies* 15 (Winter 1975): 233-34.

<sup>40</sup>Poulter, "Hyde v. Hyde—A Reappraisal," pp. 489-90.

<sup>41</sup>An excellent example in the popular English press of Mormons depicted as vengeful is Arthur Conan Doyle's first Sherlock Holmes story, "Study in Scarlet" (*The Complete Sherlock Holmes* [Garden City, N.Y.: Doubleday and Co., n.d.], pp. 15-86).



The finding of the court that Hyde's marriage was potentially polygamous indicates another questionable perception of the Mormons—that all Mormon men were either polygamists or simply waiting for the opportunity to become polygamists. The judge's discourse distinguishing between Christian marriage and polygamous Mormon marriage reveals his belief that there were fundamental differences between the places of men and women in monogamous and polygamous societies. Sir James Wilde and many of his countrymen may have experienced even more distaste for the polygamy of the Mormons than they would have felt for the polygamy of Moslems or others. Mormons shared common cultural and religious backgrounds with Englishmen, and their unusual marriage practice might thus have been even more shocking to the English mentality than Eastern polygamy would have been.

*Hyde v. Hyde and Woodmansee* was apparently the only “potentially polygamous” Mormon marriage that the English courts ever encountered. The questionable result in the case established a precedent that English courts reluctantly invoked for over a hundred years, left John Hyde without marital remedy, and provided insights into nineteenth-century Mormon marriage practices and English perceptions of the Mormons.

# In St. Paul's Cathedral

Robert A. Rees

At the annual service of the  
most distinguished Order of  
St. Michael and St. George

The choir came in  
followed by the college of  
minor canons,  
the prebendaries and  
the Bishop of London, who,  
as the official program notes,  
was supported by the  
Dean and Chapter  
(The Dean is Dean of the Order).  
Next came the Companion  
of the Order, followed by  
the Knights Commanders,  
with Squires carrying Banners,  
the Knights Grand Cross,  
The Deputy Secretary,  
The Gentleman Usher of  
the Blue Rod,  
The King of Arms,  
and a host of regal dignitaries,  
including  
The Chancellor  
(preceded by a Squire carrying his Banner),  
The Prelate  
(preceded by his Chaplain),



The Dean's Verger,  
The Succentor  
(The Bishop's Chaplain bearing the Crozier),  
The Bishop of London,  
supported by the Dean and Chapter,  
The Grand Master's Banner,  
The Lord Mayor Locum Tenens  
Bearing the Pearl Sword,  
H. R. H. The Duke of Kent  
(Grand Master of the Order),  
H. M. The Queen  
(Sovereign of the Order),  
H. R. H. The Duchess of Kent and,  
finally, the Queen's Bodyguard of  
The Yeomen of the Guard.

As the procession moved down the nave,  
the choir, on reaching Wren's great Dome, sang  
*All Creatures of Our God and King.*

After the Lesson,  
read from Philippians by the Grand Master,  
the choir again sang  
(lift up your voice and  
with us sing)

*Blessed are the pure in Heart*  
after which all knelt in prayer:  
*Lord have mercy upon us.*

*Christ, have mercy upon us.*  
*Lord have mercy upon us.*

Across the street in the small park,  
reflected in black mirrors,  
a mother dressed in simple blue  
nurses her newborn child.

Beneath an ancient mulberry  
the chauffeurs stain the pavement  
mauve and purple  
where they stand.

*Alleluia, alleluia, alleluia!*

## The Historians Corner

Edited by James B. Allen

In this issue of “The Historians Corner” we are delighted to present two short and important essays.

The first is concerned with how one separates fact from fiction in attempting to verify a legendary account. In a way, it sheds light on the fact that there is little light on one of Mormonism’s most persistent legends. The tale of Emma Smith’s pushing Eliza R. Snow down the stairs has become almost commonplace; yet the historical evidence is not only inadequate but whatever there is raises questions as to whether it happened at all. The essay brings together in a unique collaboration the three women who know most about the lives of Emma Smith and Eliza R. Snow: Maureen Beecher is preparing a biography of Eliza, and Linda Newell and Valeen Avery have a biography of Emma in process of publication. Items such as this emphasize the continuing need for writers and tellers of history to verify their facts before they present them with too much finality. Perhaps the better course with regard to such tales is to withhold judgment, as our authors do at the end.

The second essay, by Donald Q. Cannon, is of a different sort, for it sheds well-documented light on a very specific practice in the early history of the Church. The licensing of priesthood officers and missionaries began early, and Dr. Cannon has outlined in detail its significance in that period. We are particularly pleased to present his essay here for, as far as we can tell, this is the first time anyone has provided much insight into this important aspect of early Church history.



## EMMA AND ELIZA AND THE STAIRS

Maureen Ursenbach Beecher, Linda King Newell,  
and Valeen Tippetts Avery

Several elements in various combinations comprise one of the most oft-told tales of Mormon biography/history. The characters involved are Joseph Smith, his wife Emma Hale Smith, and a plural wife, usually Eliza Roxcy Snow. The place is invariably Nauvoo, the scene either the Homestead residence of the Smiths or the later, roomier Mansion House. The time, if specified, is either very early morning, or night, in 1843, April or May, or in 1844. The action involves two women in or coming out of separate bedrooms. Emma discovers the other woman in the embrace of or being kissed by Joseph. A tussle follows in which Emma pulls the woman's hair, or hits her with a broom, or pushes her down stairs, causing either bruises, or a persistent limp, or, in the extreme versions, a miscarriage. There may or may not be a witness or witnesses.<sup>1</sup>

The anecdote is told orally more often than it is written, with details of time, scene, costume (one account has Eliza in her nightclothes), action, motivation, and results being adjusted according to the attitudes of the teller. As generally related, it takes the form of a short story, with setting, plot, and characters; and it displays the characteristics of easily defined formula fiction: the characters are "good" or "bad," their motives oversimplified, the action predictable, the results inevitable. It is the stuff of legend, a folk tradition, perpetuated orally, and likely to continue.

For the student of Mormon culture, the prevailing questions about this story are: Why was it told and why is it still told? What does the telling say about the tellers? What "truths of the human heart," their own human hearts, do people reinforce through the telling? But for the biographers of Joseph Smith, or Emma Hale Smith, or Eliza Roxcy Snow, there is a more awkward problem: How did the story get its start, and which details, if any, are based on fact?

The earliest-known published version of the story appears in the 1886 anti-Mormon polemic, *Joseph Smith the Prophet: His Family*

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Maureen Ursenbach Beecher, senior research historian for the Joseph Fielding Smith Institute of Church History, Brigham Young University, is writing a biography of Eliza R. Snow.

Linda King Newell and Valeen Tippetts Avery will soon publish a biography of Emma Hale Smith.

<sup>1</sup>The present study is an extended investigation into a question raised by the newsletter of the Association for Mormon Letters. The response became too lengthy for that format and so was released for publication here. The authors acknowledge Lavina Fielding Anderson and James B. Allen for their interest in the question and their encouragement in the search for its resolution.

*and His Friends*, by Wilhelm Wyl. Implying as his source the universal "they say," Wyl writes:

There is scarcely a Mormon unacquainted with the fact that Sister Emma . . . soon found out the little compromise [plural marriage] arranged between Joseph and Eliza. Feeling outraged as a wife and betrayed as a friend, Emma is currently reported as having had recourse to a vulgar broomstick as an instrument of revenge; and the harsh treatment received at Emma's hands is said to have destroyed Eliza's hopes of becoming the mother of a prophet's son.<sup>2</sup>

From this account, the implication of miscarriage, the suggestion of the broom as instrument, and Emma's motive remain in the story today. The veiled suggestion of a forced abortion was not included by early tellers of the oral tale; even Emma's detractors could not believe *that* of her. The detail of the stairs, the most persistent element of the story as it is now told, is missing here.

There is, however, an interesting juxtaposition in the Wyl book. The page immediately before the Eliza Snow account just cited tells this story of another Eliza: "Eliza Partridge, one of the many girls sealed to the Prophet, used to sew in Emma's room. Once, while Joseph was absent, Emma got to fighting with Eliza and threw her down the stairs."<sup>3</sup>

That the two stories and the two Elizas later became merged in the popular mind is possible, but obviously impossible to prove. An account recorded by a diarist at the time of the alleged incident, however, may, in a similar manner, have promoted the replacement in the story of the relatively obscure Eliza Partridge with the more public Eliza Snow. In May 1843, William Clayton, clerk and intimate friend of the Prophet, wrote:

Prest [Smith] stated to me that he had had a little trouble with sis. E[mma]. he was asking E[liza] Partridge concerning Jackson conduct during Prest. absence & E[mma] came up stairs. he shut to the door not knowing who it was and held it. She came to the door & called Eliza 4 times & tried to force open the door. Prest. opened it & told her the cause etc. She seemed much irritated.<sup>4</sup>

In this case, the possibility of the reader's interchanging Eliza Snow for Eliza Partridge is as feasible as in the earlier juxtaposition. More to the point, however, is the likelihood in this case of that error creeping into the realm of folk history: in the 1850s the William

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<sup>2</sup>Wilhelm Wyl [Wilhelm Ritter Von Wymetal], *Joseph Smith the Prophet, His Family and His Friends* (Salt Lake City: Tribune Printing and Publishing Company, 1886), p. 58.

<sup>3</sup>Ibid., p. 57.

<sup>4</sup>Notes on the diary of William Clayton, 23 May 1843, in the files of, and by courtesy of, James B. Allen.



Clayton diary was being used as a source in compiling the official History of the Church, at which time not only George A. Smith, under whose direction the work was carried on, but also his colleagues and office staff would have had access to the diary. From any of them the story could have been told, or mistold, in an environment which either ignored Emma Smith or denigrated her. Brigham Young's own antipathy towards the Prophet's widow would be reason enough, consciously admitted or otherwise, to read into neutral documents evidence against her. Whether or not the incident as William Clayton wrote it has any bearing on the story as it developed, the Clayton account remains the only known contemporary version of any such event involving Emma and an Eliza.

Recently there was discovered one other contemporary record which could have solved the whole issue: Eliza Snow's own journal and notebook containing sporadic entries dated between 29 June 1842 and 14 April 1844. However, there is no mention of any such event as that described in the lore. Remembering that no evidence is not evidence, the reader cannot conclude that the event did not take place. A woman as aware as Eliza Snow was of the Victorian proprieties would hardly have described such an event, even in her diary. So careful was she in her journal keeping, lest the volume fall into enemy hands, that she did not even mention in so many words the event with which her diary began—her marriage to Joseph Smith.<sup>5</sup>

Eliza's Nauvoo journal, having surfaced just a few years ago, was not available to most writers of this century's histories and biographies. The most direct connection scholars have had with Eliza Snow's Nauvoo years has been through one of her nephews, the last of Lorenzo Snow's sons, LeRoi C. Snow, who in his mature years researched materials for biographies of his illustrious aunt and father. Considering his sources, he had, as one judges from his notes, a remarkably accurate picture of the Snow family at the time in question. From several reports eagerly shared with fellow researchers in the Church Historian's Office, where he worked from 1926 to his retirement in 1950, it is apparent that the supposed incident of the stairs loomed large in his mind. A search through his papers, including his notes for the planned but never-written biographies, reveals one account written around the time he told the story to such people as Fawn Brodie. Details of that account and indications from

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<sup>5</sup>Eliza R. Snow Journal and Notebook, 1842 ff., photocopy of holograph, Library-Archives, Historical Department of The Church of Jesus Christ of Latter-day Saints, Salt Lake City, Utah (hereafter cited as Church Archives). The journal parts are published as "Eliza R. Snow's Nauvoo Journal," ed. Maureen Ursenbach, *BYU Studies* 15 (Summer 1975): 391-416.



his outline that it was the version he intended using suggest he gave it more credence than his own verbally transmitted version. He wrote:

Charles C. Rich called at the Mansion House, Nauvoo, to go with the Prophet on some appointment they had together. As he waited in the main lobby or parlor, he saw the Prophet and Emma come out of a room upstairs and walk together toward the stairway which apparently came down center. Almost at the same time, a door opposite opened and dainty, little, dark haired Eliza R. Snow (she was "heavy with child") came out and walked toward the center stairway. When Joseph saw her, he turned and kissed Emma goodbye, and she remained standing at the bannister. Joseph then walked on to the stairway, where he tenderly kissed Eliza, and then came on down stairs toward Brother Rich. Just as he reached the bottom step, there was a commotion on the stairway, and both Joseph and Brother Rich turned quickly to see Eliza come tumbling down the stairs. Emma had pushed her, in a fit of rage and jealousy; she stood at the top of the stairs, glowering, her countenance a picture of hell. Joseph quickly picked up the little lady, and with her in his arms, he turned and looked up at Emma, who then burst into tears and ran to her room. Joseph carried the hurt and bruised Eliza up the stairs and to her room. "Her hip was injured and that is why she always afterward favored that leg," said Charles C. Rich. "She lost the unborn babe."<sup>6</sup>

That Charles C. Rich would be privy to the intimacies suggested by this account, unless it occurred within a month of the Prophet's death, is unlikely. By his own affidavit sworn in 1869, he was first introduced to the principle of plural marriage in May 1844, just prior to his leaving on a mission. Had he indeed witnessed such an incident in the presence of Joseph Smith, surely something of that principle would have been explained to him then. The possible times during which the incident might have occurred will be dealt with later, but May 1844 is not a likely one.<sup>7</sup>

In his notes LeRoi Snow attributes this account to Charles C. Rich, giving as source a letter from W. Aird Macdonald dated 11 August 1944. That letter has not yet been found, but from Macdonald's son we learn that his father, who would not have known Apostle Rich, did serve a mission in 1906-1908 under the presidency of Ben E. Rich, Charles Rich's son. If that is the connection, the account is at best fourth-hand; in any case the event is separated from the writing by a century.

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<sup>6</sup>LeRoi C. Snow, Notes, in possession of Cynthia Snow Banner, whose cooperation is warmly appreciated. Interesting here is the perpetuation of the stereotypical views of the two women. Granted, Eliza was shorter than Emma by about three inches; still she was tall for the times, about five feet six inches, and, as photographs present her, hardly "little" or "dainty" then. In later years, at the time that LeRoi Snow knew her, she had become smaller-seeming in height and certainly lighter in weight. The idea of the larger, angry woman attacking the smaller, defenseless one persists in many of the accounts.

<sup>7</sup>Joseph F. Smith Affidavit Book 1, p. 54, Church Archives.



But LeRoi Snow was telling the story before he received Macdonald's letter. And although family traditions are notoriously unreliable, LeRoi's lifetime overlapped Eliza's by eleven years and his father Lorenzo's by twenty-five years. However unlikely it may be that the eighty-year-old Aunt Eliza would have told the story to her eleven-year-old nephew, it could be assumed that if the incident happened, his father knew it, considering the familial closeness of the brother and sister. Then it would not be inconceivable that Lorenzo could have told his son when LeRoi was older. If such be the case, unless Lorenzo Snow were guilty of covering up a family scandal with an outright lie, the miscarriage element of the story must be discounted. In May 1899, he addressed a group of Saints in St. George, Utah, assuring them that their eternal salvation was not lost if in this life they failed to marry and have children: "My sister Eliza R. Snow, I believe," he said, "was just as good a woman as any Latter-day Saint woman that ever lived, and she lived in an unmarried state until she was beyond the condition of raising a family." He then acknowledged Eliza's sealing to Joseph Smith, an event which occurred when she was thirty-eight years old.<sup>8</sup> Had LeRoi Snow learned even part of the Eliza-Emma story directly from his father, he would himself have been the historically better source, leaving us to ponder why he would have preferred a further-removed version of the story to his own.

About the time of the Macdonald letter, Fawn Brodie was finishing her manuscript of *No Man Knows My History*, first published in November 1945. In documenting the story she says simply that the tradition "was stated to me as fact by Eliza's nephew."<sup>9</sup> She, however, mixes into her account other suggestions of violence, forcing all her details to fit into one coherent event. She tells the pushed-down-the-stairs-with-a-broomstick story, complete with miscarriage, and tacks onto that the scene related in 1931 by John R. Young to Vesta P. Crawford. John Young recounts having heard Solon Foster, once coachman to the Prophet, tell of a night when Emma "turned Eliza R. Snow outdoors in her night clothes" and the Smith children "stood out in the street crying." Young's account, written first in his journal in 1928, then later in the letter to Crawford, is difficult to date. Foster, he said, told the story in sacrament meeting in St. George "at the time Joseph [Smith III] and Alexander, the prophet's sons, visited S.L. City."<sup>10</sup> The diary of

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<sup>8</sup>*LDS Millennial Star* 61 (31 August 1899): 548. Courtesy David J. Whittaker.

<sup>9</sup>Fawn M. Brodie, *No Man Knows My History: The Life of Joseph Smith*, 2d ed. rev. (New York: Alfred A. Knopf, 1972), p. 470.

<sup>10</sup>John Ray Young, Scrapbook, 1928-1930, holograph, and John R. Young to Vesta P. Crawford, April 1931, holograph, both in Church Archives.



Charles L. Walker, contemporary of John R. Young, reveals that in 1876 Solon Foster did preach in St. George, where he reported his visit with young Joseph<sup>11</sup>—again, a thirdhand telling, separated from the incident by nearly a century. There is verification in Joseph Smith III's biography that Solon Foster in his later years did have conversation with young Joseph on the subject of the possible plural marriage of young Joseph's father, the context in which John Young said he gave his witness of the Eliza incident; however, the incident itself is, understandably, not included there.<sup>12</sup>

In her re-creation of the alleged Nauvoo incident, Fawn Brodie dates it in the spring of 1844. We cannot, of course, fault Brodie for not having had access to a diary that had not as yet come to light, but we can now determine that such an episode, if it indeed happened, had to have occurred at least a year earlier. Eliza's Nauvoo diary clearly spells out the period during which she lived with the Smith family, an essential to the story in every version. On 18 August 1842, she moved into either the Homestead or the Mansion House<sup>13</sup> and stayed there until 11 February 1843.<sup>14</sup> LeRoi Snow, in his notes, gives the probable time of the incident as May 1843, but her own journal shows that Eliza was living with other friends by then. However, LeRoi Snow did not have Eliza's journal either.

The journal itself gives not a hint of either a pregnancy (unless "delicate constitution" be construed to mean "delicate condition," a nineteenth-century euphemism for pregnancy) or an altercation with Emma at any time during that six-month stay. One cannot read anything into Eliza's terse note of her departure: "Took board and had my lodging removed to the residence of br. J[onathan] Holmes." The next entry, dated 17 March 1843, shows Eliza ceremonially closing the school she had taught since 12 December 1842, "having the pleasure of the presence of Prest. J. Smith [and] his lady."<sup>15</sup> During the period of Victorian prudery, no woman would have ventured forth unnecessarily, much less have taught school, once her pregnancy

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<sup>11</sup>Charles L. Walker Diary, 17 December 1876, holograph, Church Archives.

<sup>12</sup>Mary Audentia Smith Anderson, ed., *Joseph Smith III and the Restoration* (Independence, Mo.: Herald House, 1952), pp. 360–61.

<sup>13</sup>Eliza R. Snow Journal and Notebook, under date; Ursenbach, ed., "Eliza R. Snow's Nauvoo Journal," p. 397. The date of the move of the Smith family from the Homestead, where they had lived since 1839, to the newly constructed Mansion House across the street is uncertain. There is evidence that Joseph moved his office into the new quarters in November 1842 and that the family was well settled there by September 1843 (Joseph Smith, Jr., *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 2d ed. rev., 7 vols. [Salt Lake City: Deseret News, 1932–1951], 5:183, 5:556, and 6:33). Other evidence suggests the move may have been earlier.

<sup>14</sup>Eliza R. Snow Journal and Notebook, under date; Ursenbach, ed., "Eliza R. Snow's Nauvoo Journal," p. 402.

<sup>15</sup>*Ibid.*, pp. 402–03.



was evident. Certainly the account attributed to Charles Rich does not square with the dates in the journal: either Eliza would have to have been pregnant when she moved in with the Smiths, allowing her to have become “big with child” by the close of her sojourn there so that she could not have taught school, or she would have to have conceived afterward, allowing her to teach school for the few early months but not giving her time to become “big with child” before she left the Smiths’. In any case, the report she kept of her class shows her own perfect attendance during her school, a record she could hardly have maintained had she miscarried during that time.<sup>16</sup> And, as has been noted, her school continued a month after Eliza moved in with Jonathan and Elvira Holmes.

One other account of an altercation between Emma and Eliza must be introduced, mainly because it has as much—or as little—claim to credibility as do the other documents here cited, with the exception, of course, of the Eliza Snow and William Clayton diaries. In an undated entry in her husband’s book of patriarchal blessings, Mary Ann Barzee Boice wrote her own witness to some events of the Church’s past, along with some accounts she had from other members. Among these she gives one of Aidah Clements, mother of Mary Ann’s son-in-law. Aidah, she says, was a member of the first Relief Society in Nauvoo (the listing in the minutes of that society does not include her name, however) and “worked for the Prophets family.” Mary Ann tells that Aidah “said he [Joseph Smith] was going from home one day when she saw Emma go up to him and she was in a Passion jirked him by the collar and talked to him about going after other Women.” Continuing her report of Aidah’s story, Mary Ann writes that “she says once when she was at her work Emma went up stairs pulled Eliza R Snow down stairs by the hair of her head as she was staying there.” At the bottom of the page containing the above, Mary Ann wrote, “This is the testimony of Aidah Clements,” then crossed it out and wrote after it, “but this I give as a rumer only.”<sup>17</sup>

What of the two women themselves, Emma Smith and Eliza Snow? In the view of those who have studied their lives, could such an event have occurred had there been opportunity? Eliza R. Snow had known Emma Smith since Kirtland days; they may even have met as early as 1831 in Hiram, Ohio, four years before Eliza joined the Church, when Joseph and Emma lived there as guests of the

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<sup>16</sup>Eliza R. Snow School Schedule, Nauvoo School Records, Church Archives.

<sup>17</sup>John Boice, Blessing Book, 1884–1885, Church Archives.



Johnsons, and the Snows lived in nearby Mantua. In 1836–1837 Eliza lived twice in the Smith household in Kirtland, the second time as governess for the Smith children. She remained with the Smiths even after she became owner of a two-family dwelling in Kirtland.

Eliza and Emma had much in common. They were the same age. Both were articulate, educated, self-confident, and attractive. By 1842, when Eliza was married to Joseph Smith, it was clear that they also loved the same man. Fawn Brodie goes so far as to say that Emma “apparently . . . trusted Eliza above all other women,”<sup>18</sup> an assumption for which she provides no evidence. The Eliza journal refers to Emma in cordial, though not in intimate terms, not unusual for a reserved New England lady in the 1840s. Three months before the marriage of Eliza to Joseph, Eliza had been chosen Emma’s secretary in the newly formed Relief Society; in July they traveled together to Quincy to petition the governor in Joseph’s behalf; Eliza served as amanuensis to Emma in her correspondence with Carlin. Because Eliza’s own arrangements required her to move, by the end of August 1842, Emma had invited her to live in the Smith home. The invitation was not unusual for the charitable Emma—the 1842 census shows eleven people, besides the Smiths, living on their property, in or about the home. But the spring of 1843 was a trying one for Emma. Her acceptance of plural marriage, as much as she knew of it, was tenuous, verging on rebellion. Eliza, meanwhile, convinced though she was about polygamy, was herself insecure, afraid, and, for most of the time, bereft of family. Unaccustomed to facing conflict, Eliza was more likely to “go into a brown study,” silently sulking until the sources of the conflict disappeared, or to assume an attitude of superiority that precluded possibilities of resolution.<sup>19</sup> Emma, under the stress of the time, could have reacted with a physical outburst to a threat as easily as the then less forward Eliza could with her very silence have presented that threat. These responses are all possible; the question remains, did they occur?

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<sup>18</sup>Brodie, *No Man Knows My History*, p. 470.

<sup>19</sup>An entry in the Eliza Snow Journal reads: “Sister [*blank in original*] call’d to see me. Her appearance very mainly manifested the perturbation of her mind. How strangely is the human countenance changed when the powers of darkness reign over the empire of the heart! Scarcely, if ever in my life had I come in contact with such forbidding and angry looks; yet I felt as calm as the summer eve, and received her as smilingly as the playful infant; and my heart as sweetly reposed upon the bosom of conscious innocence, as infancy reposes in the arms of paternal tenderness and love. It is better to suffer than do wrong, and it is sometimes better to submit to injustice rather than contend; it is certainly better to wait the retribution of Jehovah than to contend where effort will be unavailable.” (Eliza R. Snow Journal and Notebook, 20 July 1843; Ursenbach, ed., “Eliza R. Snow’s Nauvoo Journal,” pp. 408–409.) Some scholars would suggest that Emma Smith must be the “Sister . . .” of the entry; however, there is no evidence to support the supposition. The entry does, however, suggest Eliza’s pride in her own self-control, and her unwillingness to ascribe conflict as being anything less than the “powers of darkness.” The visitor so received as Eliza describes it might justifiably resent the patronizing superior attitude reflected here.



The Utah years brought from Eliza Snow little recorded comment about Emma Smith; the continuing Nauvoo years none from Emma about Eliza. Brigham Young, to whom Eliza was then married, publicly condemned Joseph's wife Emma, yet no word of agreement came from the usually compliant Eliza. The same John Young who recounted Solon Foster's talk wrote of his own experience as a boy living for a year in "Uncle Brigham's family." "Every day I met with, and listened to the conversations of Eliza R. Snow, Zina D. Huntington, Emily Partridge, Precilla [Presendia] Buel Kimball, the wives of the Prophet Joseph Smith," and others, women who had known Emma Smith in Nauvoo. "During that year," John Young concluded, "I never heard one of those noble women say an unkind word against Emma Smith."<sup>20</sup>

During the defenses of plural marriage occasioned by the visits to Utah of the Reorganized Church of Jesus Christ of Latter Day Saints representatives, and later by the federal prosecutions, Eliza in her public discourses never stated that Emma knew of Eliza's marriage to Joseph, though she did say, and that publicly, that Emma did know of his sealings to four women, two of whom were still alive and able to testify, referring apparently to the Partridge sisters, Eliza and Emily.<sup>21</sup> After his mother's death, Joseph Smith III published her deathbed denial of her husband's polygamy. To that statement, Eliza responded, in part, that

I once dearly loved "Sister Emma," and now, for me to believe that she, once honored woman, should have sunk so low, even in her own estimation, as to deny what she *knew* to be true, seemes [*sic*] a palpable absurdity.<sup>22</sup>

She concluded by blaming Emma's "misguided son" for fastening onto his mother's character "a stigma . . . that can never be erased." But not until the 1880s, and then in the characteristic metaphor with which she sometimes veiled her answers, do extant documents reveal Eliza as acknowledging that Emma knew of Eliza's own marriage to the Prophet. David McKay, then a bishop in Ogden Valley, driving the Presidentess Eliza in his buggy from Huntsville to Eden, took the opportunity to ask her outright, "Did Emma Hale Smith know that you were married to her husband, Joseph Smith?" He recorded her reply: "Just as well as you know that you are sitting by my side in this Buggy." He did not ask, nor did she volunteer, at

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<sup>20</sup>John R. Young to Vesta Crawford, April 1931.

<sup>21</sup>*Woman's Exponent* 8 (1 November 1879): 85.

<sup>22</sup>*Ibid.*

what point in time Emma might have been told of the marriage. But we must remind ourselves that this document, like so many others we have used, is imperfect, a faded photocopy of a 1916 letter reflecting an elderly man's memory of a conversation that took place more than thirty years earlier.<sup>23</sup>

So there we are. But where are we? Faced with a folk legend, with genuine documents that tell no tales, and dubious ones that contradict themselves and the contemporary accounts, perhaps it is best for us to respond as we must to many paradoxes of our history: consider thoughtfully and then place all the evidence carefully on the shelf, awaiting further documentation, or the Millennium, whichever should come first.

## LICENSING IN THE EARLY CHURCH

Donald Q. Cannon

Even in its infant stages The Church of Jesus Christ of Latter-day Saints instituted various procedures which would allow its members to be organized and regulated more effectively. One such procedure was the practice of licensing. Church leaders issued licenses to all men holding priesthood offices and also to all missionaries called to preach the gospel.

Licenses provided a means of regulating the conduct of Church members. Only those with a bona fide license could serve in the Church or engage in missionary work. This custom, however, served another important purpose. The license of an elder provided him with appropriate credentials so that Mormons and non-Mormons could rest assured that he represented the Church.

At first, the licenses consisted of a handwritten statement signed by the appropriate Church authority. Joseph Smith Sr.'s earliest license serves as an appropriate example. (See Joseph Smith Sr. license on page 97.)

Later the Church began to use a printed form which included a space for the elder's name, the date, the place, the clerk's name, etc. An example of the early form is the license of Charles C. Rich. (See Charles C. Rich license on page 98.)

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<sup>23</sup>David McKay to Mrs. James Hood, 16 March 1916, photocopy of holograph, Church Archives. David McKay is the father of LDS Church President David O. McKay.



I License Liberty Power & Authority  
Given to Joseph Smith Senior signifying & proving that  
he is a Priest of this Church of Christ established & regularly  
Organized in these last days of the world on the 6th day of  
Sept. All of which has been done by the will of God & according  
to his holy calling & the gift & power of the Holy Ghost agreea-  
ble to the Revelations of Jesus Christ given to Joseph Smith Junr...  
The first Elder of the Church signifying that he has been baptized  
& received into the Church according to the Articles & Covenants of  
the Church & ordained under the hand of Oliver Cowdery who is an  
Apostle of our Lord an Elder of the Church

Signed by Joseph Smith Jr. First Elder  
Oliver Cowdery Second Elder

Given to the Beamen in conference held in  
Lagette Seneca County N.Y. June 9th 1830.

Photocopy courtesy of Archives and Manuscripts  
Harold B. Lee Library, Brigham Young University

Joseph Smith Sr. License



TO WHOM IT MAY CONCERN:

THIS Certifies that *Charles C. Rich*

has been received

into the church of the Latter Day Saints, organized on the sixth of April, in the year of our Lord, one thousand, eight hundred, and thirty, and has been ordained an elder according to the rules and regulations of said church, and is duly authorized to preach the gospel, agreeably to the authority of that office.

From the satisfactory evidence which we have of his good moral character, and his zeal for the cause of righteousness, and diligent desire to persuade men to forsake evil and embrace truth, we confidently recommend him to all candid and upright people as a worthy member of society.

We, therefore, in the name, and by the authority of this church, grant unto this our worthy brother in the Lord, this letter of commendation as a proof of our fellowship and esteem: praying for his success and prosperity in our Redeemer's cause.

Given by the direction of a conference of the elders of said church, assembled in Kirtland, Geauga county, Ohio, the third day of March, in the year of our Lord one thousand, eight hundred, and thirty six.

*Rich, Charles C.*

*in G. W. Kirtland* . Clerk. *Joseph R. Smith* Chairman.  
*Kirtland Ohio April 18<sup>th</sup> 1836*



By the 1840s and 1850s the forms had become quite elaborate, including a decorative border design, etc. The elders license of Gibson Smith serves as an example of the more sophisticated form. (See Gibson Smith license, p. 100.)

Although the terms *license* and *certificate* were often used interchangeably, particularly in the early days, there was actually a difference. The certificate was used in very much the same manner that membership records are used today, that is, as official evidence of membership in the Church. The certificate was carried by the individual and presented to the presiding officer of the branch of which he desired to become a member. The license, on the other hand, was issued to the priesthood bearer, who carried it as identification both for the benefit of members in other branches and for nonmembers whom he might encounter. That both licenses and certificates were issued can be seen in the case of Gibson Smith. (See Gibson Smith license and certificate, pages 100 and 101.)

In addition to the certificate and licenses issued by the Church, in some cases elders had to apply for licenses from the government officials in the area where these elders were laboring as missionaries. Brigham Young, for example, had a license to preach issued by officials in Preston, Lancaster County, England. (See Brigham Young license, p. 102.)

That licensing was a common practice in the early days of the Church is attested to in the official history of the Church, journals, biographies, and scholarly studies of the Latter-day Saint missionary system—sources that provide useful insight into licensing practices and procedures. The *History of the Church* makes several references to licensing, including cases of licenses being revoked.<sup>1</sup> The revoking of licenses was tantamount to being disfellowshipped in the twentieth century. In March 1836 the Church leaders concluded that it was necessary to issue a set of resolutions concerning licensing:

*Resolutions on Ordinations and Licenses.*

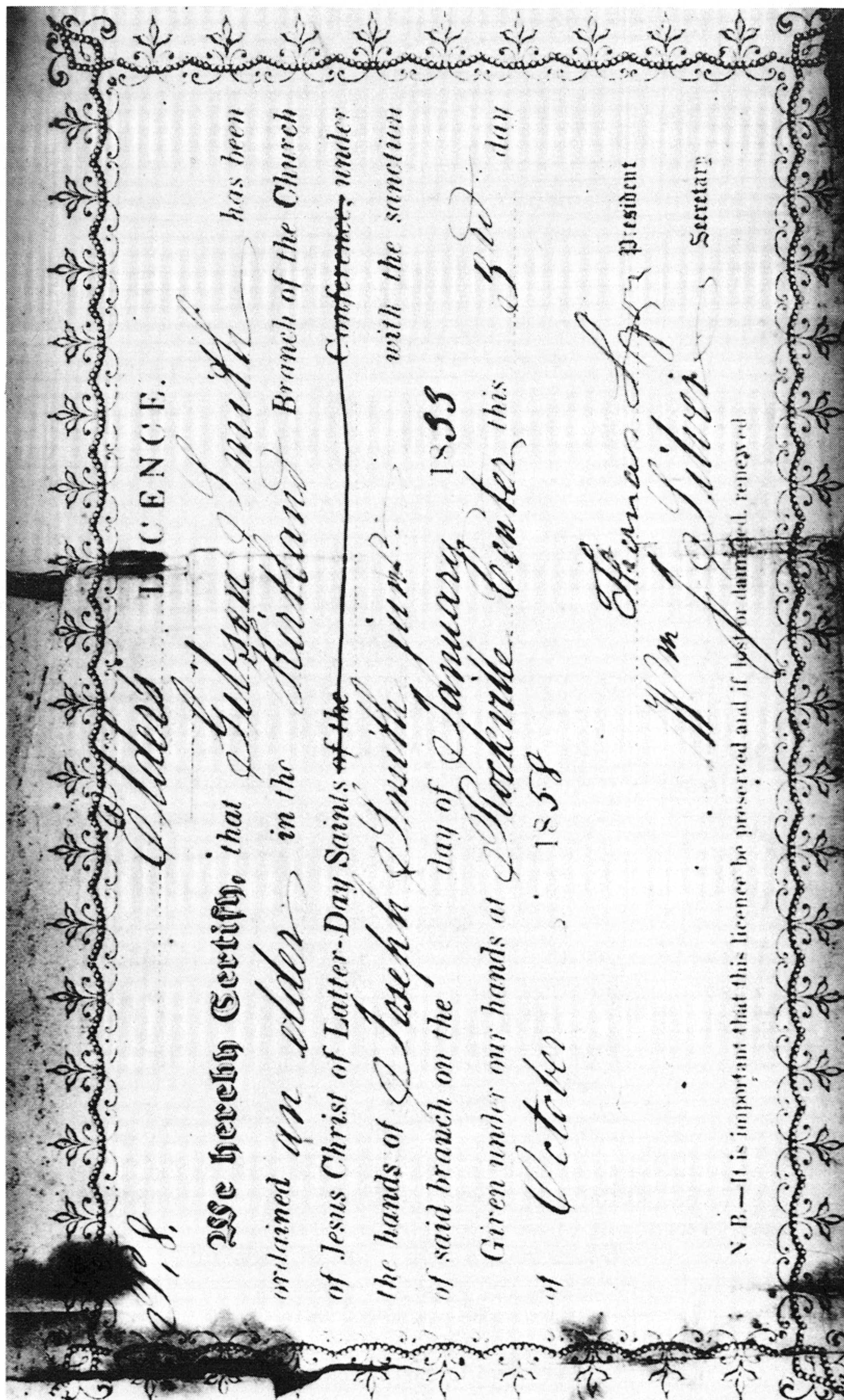
Whereas, the records of the several conferences held by the Elders of the Church, and the ordination of many of the official members of the same, in many cases, have been imperfectly kept since its organization, to avoid ever after any inconvenience, difficulty or injury, in consequence of such neglect, your committee recommend:

First—That all licenses hereafter granted by these authorities [*sic*] assembled as a quorum, or by general conference held for the purpose of transacting the business of the Church, be recorded at full length by a

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<sup>1</sup>Joseph Smith, Jr., *History of The Church of Jesus Christ of Latter-day Saints*, ed. B. H. Roberts, 2d ed. rev., 7 vols. (Salt Lake City: Desert News, 1932–1951), 1:354 and 2:241.







*Elders* CERTIFICATE.

We hereby Certify, that *Gibson Smith* is an elder of  
the *Rockville Center* Branch of the Church of Jesus Christ of Latter-Day  
Saints of the *New York* Conference, in good standing; and as such we  
recommend *him* to any Branch with which *he* may desire to unite.

Date, *October 3* 185*9*.

*Francis B. Bucklet* President.

*Wm. H. Smith* Secretary.

This Certificate is not intended to be shown to the private members of a branch; but should be presented to the presiding officer of the branch  
of which you desire to become a member.



Lancashire  
to wit.

English license.

THESE are to certify, that at the General Quarter Sessions of the

Peace, held by adjournment at *Preston* in and for

the said County, the *eight* day of *April*

in the *third* Year of the Reign of Her Majesty Queen Victoria,

*Brigham Young*

came before

the Justices present, and did then and there in open Court, take the Oaths appointed to be taken in the Stead of the Oaths of Allegiance and Supremacy, and also the Abjuration Oath; and did also then and there make and repeat the Declaration against Popery; and also the Declaration required to be taken by Dissenting Ministers, and subscribed his name severally thereto, pursuant to the several Statutes in that behalf made and provided.

*Edw. 22th*

Deputy Clerk of the Peace in and for the  
said County of Lancaster.



Brigham Young License



clerk appointed for that purpose, in a book to be kept in this branch of the Church, until it shall be thought advisable by the heads of the Church to order other books and appoint other clerks, to record licenses as above; and that said recording clerk be required to indorse a certificate under his own hand and signature, on the back of said licenses, specifying the time when and place where, such license was recorded, and also a reference to the letter and page of the book containing the same.

Second—That this quorum appoint two persons to sign licenses given as aforesaid, one as chairman, and the other as clerk of conference; and that it shall be the duty of said persons appointed to sign licenses as clerk of conference immediately hereafter, to deliver the same into the hands of the recording clerk.

Third—That all general conferences abroad give each individual whom they ordain, a certificate, signed by the chairman and clerk of said conference, stating the time and place of such conference, and the office to which the individual has been ordained; and that when such certificate has been forwarded to the person hereafter authorized to sign licenses as clerk of conference, such person shall, together with chairman of conference, immediately sign a license; and said clerk of conference shall, after the same has been recorded, forward to the proper person.

Fourth—That all official members in good standing and fellowship in the various branches of this Church, be requested to forward their present licenses, accompanied by a certificate of their virtuous and faithful walk before the Lord, signed by the chairman and clerk of a general conference, or by the clerk of a branch of the Church in which such official member resides, by the advice and direction of such Church, to the clerk of conference, whose duty it shall be to fill a new license, as directed in the third article; and that all licenses, signed, recorded, and endorsed, as specified in the first article, shall be considered good, and valid to all intents and purposes, in the business and spiritual affairs of this Church, as a religious society, or before any court of record of this or any other country, wherein preachers of the Gospel are entitled to special privileges, answering in all respects as an original record, without the necessity of referring to any other document.

Fifth—That the recording clerk be required to publish quarterly, in paper published by some member or members of this Church, a list of the names of the several persons for whom he has recorded licenses within the last quarter of a year.

Sixth—That this quorum appoint two persons to sign licenses as chairman and clerk of conference *pro tem.* for the standing chairman and clerk, who shall be appointed as named in the second article, and also to act in their absence, in signing other licenses, as specified in the foregoing article.

President Joseph Smith, Jun., was nominated as chairman, Frederick G. Williams, as clerk, and Sidney Rigdon as chairman *pro tem.* and Oliver Cowdery as clerk *pro tem.* Vote from the several quorums called, in their order, and passed unanimously.

President Joseph Smith, Jun., made some remarks upon the resolution offered to the Council on the 12th of February. Followed by

President Thomas B. Marsh, who called a vote of his quorum to ascertain whether they would repeal their amendment of the 13th of February. And nine of the Twelve voted in the affirmative, and three, viz., John F. Boynton, Lyman E. Johnson, and Orson Pratt, in the negative. And the original resolution of the 12th of February was passed.

Dismissed by prayer, half-past nine o'clock.

OLIVER COWDERY, Clerk.<sup>2</sup>

From the foregoing resolutions it is apparent that

1. all licenses had to be recorded;
2. all licenses had to be signed by the proper authorities;
3. both licenses and certificates were issued;
4. licenses were valid for all business of the Church;
5. a list of all licensed persons was published quarterly.

Indeed, an intricate system of licensing had developed by 1836.

Licensing had an effect on the holder's feelings as well as on nonmembers. The Prophet's brother, William Smith, expressed his feelings about the impact of licensing upon his ministry when he wrote, "This made me feel more and more the importance of my mission."<sup>3</sup>

Almost all of the scholarly studies of Latter-day Saint missionary work have come to grips with the practice of licensing. In his pioneer study, George Ellsworth sees the introduction of licensing as an indication of the transition from a freelance to an organized system.<sup>4</sup> Leonard Arrington, in his biography of Charles C. Rich, explains that Brother Rich was authorized to act as an elder by virtue of the license in his possession.<sup>5</sup> Barbara Higdon's dissertation contains a section entitled "Credentials of Missionaries" wherein she writes: "The Latter Day Saint elder might feel that the Lord had ordained and directed his missionary activities, but the non-Mormon needed tangible evidence that the poorly-dressed man who stood before him was a minister. Thus the idea of licensing occurred early in the movement."<sup>6</sup> In his study of the Southern States Mission, LaMar C. Berrett indicates that each missionary had to have the "necessary credentials" to verify his calling as a missionary.<sup>7</sup>

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<sup>2</sup>Ibid., 2:403-05. These resolutions were also published in the *Messenger and Advocate*, 2:266-77.

<sup>3</sup>William Smith, *William Smith on Mormonism* (Lamoni, Iowa: Herald Steam Book and Job Office, 1883), p. 90.

<sup>4</sup>Samuel George Ellsworth, "A History of Mormon Missions in the United States and Canada, 1830-1860" (Ph.D. dissertation, University of California, Berkeley, 1951), p. 224.

<sup>5</sup>Leonard J. Arrington, *Charles C. Rich: Mormon General and Western Frontiersman* (Provo, Utah: Brigham Young University Press, 1974), p. 19.

<sup>6</sup>Barbara J. M. Higdon, "The Role of Preaching in the Early Latter-day Saint Church, 1830-1846" (Ph.D. dissertation, University of Missouri, 1961), p. 39.

<sup>7</sup>LaMar C. Berrett, "History of the Southern States Mission, 1831-1861" (M.S. thesis, Brigham Young University, 1960), p. 38.



As the system developed, at each conference of the Church a clerk was appointed to record certificates and to issue licenses. Consequently, as an elder moved from branch to branch he could be properly identified, and his license enabled non-Mormons to determine the validity of his calling. Thus the practice of issuing a license to priesthood holders and missionaries enabled the early Church to regulate its internal affairs and control its proselyting system.

# Judah

Patricia E. Gunter

These bargained years I've been in the fields  
With you, tending, in my distraction, ample yields,  
Though when the wind pressed down the grain,  
There was nothing, or when the sheep would flurry  
And part as if a man were walking through,  
Joseph, it was never you.  
Golden, plaited stalks crowded down  
And rose again in gusts,  
Or caravans in their moving dreams of dust  
Diffused into white plains.

Once,  
While in the upward orchard,  
On a terrace with the newer fruits,  
Driving away wiry goats  
Whose wild lips strayed too near the tenderer shoots,  
Over yellow crop and sliding greens,  
The stripes of soil, pale dust, and the woad sky,  
I thought I saw your garment—you bearing it—  
Your breast a goat's blood red, and your eyes  
Turned from me.

I shouted; the land shifted  
In some slight breeze, the goats lifted  
Their nobbed heads.

When we merchants  
Wandered home, with sons trailing behind  
Like snagged threads,  
I watched our father become tethered  
To the land and to Benjamin by his understanding dreads.  
He ever mourned you. Benjamin led

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Patricia E. Gunter is an M.A. candidate in English at Brigham Young University. "Judah" comes from a collection of poetry that won first place in BYU's 1981 Mayhew contest. It was published in the Fall 1981 *Inscape*, a Brigham Young University student journal.



Him about, as Rachel's scent was still in his hair  
And on his smooth skin.  
And when Tamar, like a raven, returned  
My signet, my bracelets, my staff  
And my seed to me, and I mused upon the gold,  
Watching it burn in her hand as she thrust it forth,  
A hunger stirred within;  
I longed to see all I had so lost again.

In the year the bladed heat gouged  
From the land its silt-like, golden roe,  
We turned, under thin, waterless clouds, to go  
To Egypt; to the Egyptian, royal  
Over the flameless burning of land from his throne.  
I could not know  
The treasurer of our bread was the grown  
Dreamer we lowered;  
Not from the guttering in his face,  
Not from the longing, as protective lord,  
To view the remains of what bereaved Jacob adored—  
Rachel's prince, younger Benjamin.  
I moved his son when Jacob sent us up  
And watched the old man fearfully die,  
His eyes  
Exhaustive in their lingering looks.  
When I nearly lost to a mad Egyptian,  
The taste of silver gorged my mouth.  
I remembered throwing Joseph in a pit;  
Judah now came rising out of it.  
I could not have borne another hunger, or  
Lead a riderless donkey back to Jacob's door  
And lower both of you once more.

So we are brothers again.  
My bones, once brittle stalks, unbend;  
My eyes, released upon the moon of your face.  
Having moved so deeply against my blood  
I envision why we so anxiously tend  
Our wild vine for redeemers.  
Joseph, who should never frighten me like that again.

# Fire in Winter

Randall L. Hall

Being, perhaps, the first upon the town  
This winter morning  
I find the snow lies undisturbed, in holiness.

I watch the slow smoke  
Rising from the early morning fires.  
I see my breath  
That drifts in disappearing clouds upon the air.

Soon the sun will kindle tiny fires in the frost,  
Brilliant little prisms flaming in the light.

The sun itself  
Will burn the sky around it  
To a paler blue.

And all day long  
The patient fire of the rushes  
Rusting in the winter sun  
Will smolder in the snow.

How richly embered—  
All this fire on a winter's day  
That, like the deep-flamed fire of the Holy Ghost,  
Burns warmly in the whiteness of this world.

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Randall L. Hall is a curriculum writer for the LDS Church Education System, Church Office Building, Salt Lake City, Utah. This poem was published in a volume of poems entitled *Mosaic*, for which he was named Poet of the Year for Utah in 1979 by the Utah State Poetry Society.



## Book Reviews

**FOSTER, LAWRENCE.** *Religion and Sexuality: Three American Communal Experiments of the Nineteenth Century*. New York: Oxford University Press, 1981. 363 pp. \$19.95.

**KERN, LOUIS.** *An Ordered Love: Sex Roles and Sexuality in Victorian Utopias—the Shakers, the Mormons, and the Oneida Community*. Chapel Hill: University of North Carolina Press, 1981. 430 pp. \$24.00 hardbound. \$12.50 paperback.

Reviewed by Steven L. Olsen, Ph.D. candidate in anthropology, University of Chicago, and researcher in Mormon studies living in Salt Lake City.

With the simultaneous publication of Lawrence Foster's *Religion and Sexuality* and Louis Kern's *An Ordered Love*, we have an unusual opportunity to compare a single historical subject from two widely differing theoretical perspectives. The subject in this case is the alternative marriage practices of the Mormons, Oneidans, and Shakers in nineteenth-century America. Foster and Kern both attempt to place the respective institutions of polygamy, complex marriage, and celibacy into the wider social and psychological context of Victorian America. While Foster derives his theoretical framework primarily from anthropology, Kern's analysis depends heavily upon principles of psychoanalysis. In the end, Foster's analysis does not go far enough while Kern's goes much too far. This characteristic is as much a reflection on the respective theoretical frameworks as on the scholars themselves.

Foster's most conscious theoretical influence comes from the work of anthropologist Victor Turner, whose greatest insights have come from his study of peripheral social groups and actions. Because they are out of the mainstream of society, these phenomena (which Turner calls "liminal") are not constrained by many of the sanctions governing ordinary social life. Liminal phenomena may include events such as a New Year's Eve celebration or an initiation rite, places such as a monastery or pilgrimage site, people such as hippies or mystics, or periods of time such as the French Revolution or the Hebrew Year of Jubilee. Because they are exceptions to or

interruptions of normal social life, liminal phenomena serve as a kind of cultural counterpoint, a mirror of society's most deep-seated concerns, and can thereby convey truths about a "social drama" not readily apparent to its principal actors.

Foster contends that the Mormons, Oneidans, and Shakers occupied a liminal position in nineteenth-century America. Between the Revolutionary War and the close of the frontier, Americans were exploring the meaning of their "brave new world." During this cultural transition, few social institutions and cultural ideologies escaped a thorough review by the millions of Americans seeking to establish a distinctive national identity. According to Foster's theory, the numerous liminal movements spawned by "freedom's ferment" should provide a contrapuntal perspective into the nature and process of the establishment of the American character.

The liminal institution serving as the focus of this "social drama" is kinship, specifically Mormon polygamy, Shaker celibacy, and Oneida complex marriage. The origin, ideology, practice, and eventual decline of each of these alternatives to the monogamous practices of mainstream America are documented thoroughly. Foster also examines the lives of those who participated in these institutions, particularly their prime movers, to illuminate the personal as well as the social sides of the practices. He reviews the relevant secondary literature and corrects it where he feels corrections are needed. He also interprets primary sources in ways that have escaped the numerous previous researchers of these "burned-over" topics.

His unpretentious narrative style combines with an elegant interpretation to produce a remarkable piece of scholarship. One may quibble with this or that conclusion, but Foster's overall analysis is powerful. Not only do his individual studies of the respective marriage institutions stand on their own merits, but his synthesis of this material in the final chapter is alone worth the price of the book.

Among all these virtues, however, appear several sins that concern the book's theoretical orientation. Although the concept of liminality provides the entrée into these "communal experiments," the analysis is more a comparative description of liminal institutions than the "social drama" Turner would have expected. We learn more about the specific characteristics of polygamy, complex marriage, and celibacy than about the dynamic tension between these liminal groups and mainstream America. The analysis neither logically depends upon nor further elaborates the concept of liminality. In short, the substantive portions of the study are considerably stronger than its theoretical contributions. Since Foster is not an



anthropologist, he perhaps should not receive too many stripes for this omission, but an otherwise fine study remains incomplete because of it.

The direction Foster's study does take makes it more relevant to a different and more significant tradition in anthropology. Many anthropological studies have focused on the cultural definition of kinship components such as sex roles, marriage practices, procreation, childrearing, and personhood. Foster's substantive analysis shares more with this theoretical tradition than with the "social drama" tradition. Unfortunately, he did not consciously pursue these theoretical issues. The observation that Foster's study could have been theoretically more significant points only to the need for continued research. It does not diminish the solid contribution he has made to the study of nineteenth-century utopian societies.

However, Louis Kern supplies some of the pieces missing in Foster's study. He is more concerned than Foster with the broader cultural context of American utopianism. He examines more thoroughly the sexual and psychological revolutions in Victorian America; he reviews more completely America's reactions to communitarian responses to these revolutions; and he also explores more deeply the impact of utopianism on the concept of the individual.

In contrast to Foster's anthropological orientation, Kern approaches utopian marriage practices from a psychoanalytical perspective. He shows that institutions of polygamy, celibacy, and complex marriage come from the psychological makeup and emotional concerns of their respective founders. His thesis is that the supposed sexual ambivalence of Joseph Smith, Ann Lee, and John Humphrey Noyes led them to found alternative marriage systems.

While perhaps theoretically more elaborate than Foster's analysis, Kern's psychological model is inherently weaker than Foster's anthropological approach. For example, it is much more problematic to generate social institutions from psychological states than to view psychology from a social perspective. To claim that marriage practices come from their founders' supposed sexual anxieties forces Kern to use an excessive number of qualifiers and conditions, e.g., "it is likely that," "apparently," "evidently," "could only have," "might have," "perhaps," "there is little reason to doubt that," "Although it is impossible to prove anything . . . it is [still] quite possible that," and so on. In the end, one wonders whether Kern has clearly established *any* psychological foundations of these social institutions.



Kern's psychoanalytical orientation also exaggerates the utopian concern with the reform of the individual. Kern suggests that while "the general method of reform [in America] . . . was social or organizational in emphasis," utopian societies "emphasized that social reform could only be achieved through the prior reformation of individuals" (p. 299). Such a conclusion flies in the face of the major scholarship on utopianism, which overwhelmingly concurs that utopians viewed individual reform as a natural consequence of institutional reform. This is precisely *why* Mormons, Shakers, and Oneidans took great pains to generate and maintain alternative social orders. In the absence of a thorough discussion of this major departure from the established literature, we must seriously question Kern's conclusion. Although Kern impressively lays out his theoretical framework, he ignores its limitations for the study of social groupings. As a result, he must make excessive statements and draw radical conclusions to complete his argument.

While on the subject of familiarity with established literature, I must consider Kern's analysis of Mormon polygamy. Frankly, it is an embarrassment. Kern's general ignorance of Mormon history and culture is reflected in his bibliography. His entire corpus of manuscript sources on Mormonism is three, all in the Princeton University Library. His primary source material is mostly nineteenth-century polemical literature frequently cited uncritically in the text. His secondary sources include nothing more recent than 1976, and his acknowledgment page mentions not one authority on Mormon polygamy. If students of Mormonism are to take this study seriously, Part III, "Celestial Marriage: Mormon Sexuality and Sex Roles in Ideology and Practice," will have to be extensively revised.

Because Kern's work is less concerned with utopian kinship than with sexual revolutions, his intended contribution lies in the field of sexual studies more than in communitarianism. He may have advanced the scholarly study of sexuality, but from the point of view of social systems research, his theoretical framework is inadequate and his substantive analysis seriously flawed.

These two studies of utopian kinship allow a comparison not only of their respective theoretical orientations but also of their respective research methodologies. With respect to Mormonism, Foster extensively reviewed relevant manuscript holdings as well as primary and secondary materials. He consulted at length with the most knowledgeable authorities and invited their criticism while his study was yet unpublished. Kern did none of this, and as a result his analysis in this area is totally inadequate. Kern's study then suggests a possible



type of future scholarship on Mormonism if continued professional dialogue between students of Mormonism and the wider scholarly community does not take place or if relevant literature is not seriously examined. Although such dialogue and research is the responsibility of the researcher, we as Mormon scholars need to make ourselves and our works easily accessible to the scholarly community at large.

**FOX, FRANK W.** *J. Reuben Clark: The Public Years*. Provo and Salt Lake City, Utah: Brigham Young University Press and Deseret Book Company, 1980. 689 pp. \$10.95.

Reviewed by Robert E. Riggs, professor of law, J. Reuben Clark Law School, Brigham Young University. A longer version of this review was published in *Brigham Young University Law Review*, no. 1 (1981), pp. 227-45.

In the field of legal education, J. Reuben Clark, Jr., is identified with a vigorous young law school established in his name at the Brigham Young University in Provo, Utah. Among students of diplomatic history he is recognized primarily as the author of the *Clark Memorandum on the Monroe Doctrine*, which presaged the renunciation of U.S. military intervention in Latin America during the 1930s. By Utahns, and Mormons generally, he is still well remembered as a towering figure in the Church—counselor to three Church Presidents from 1933 until his death in 1961. Many yet living were once moved by his powerful sermons, inspired and enlightened by his New Testament scholarship, and stimulated (or provoked) by his strong, oft-expressed views on political and social questions. To members of the Church his most important work occurred after 1933. To the country at large, however, his most significant legacy may be nearly three decades of distinguished public service rendered prior to accepting the call of his church.

This biography of J. Reuben Clark, Jr., focuses on the public years outside Utah—from his matriculation as a thirty-two-year-old law student at Columbia University in 1903 to his resignation as United States ambassador to Mexico in 1933. The book, some six-hundred pages plus bibliography and footnotes, is the first part of an official biography authorized by the Clark family and trustees of the Clark estate. Besides a volume by D. Michael Quinn scheduled for publication in 1982 and covering President Clark's service as a General Authority of the Church, the biographical set will also



include three volumes of papers, selected and edited by David H. Yarn, Jr., who is the general editor of the series.

Writing an officially sanctioned biography offers manifest advantages. Most obvious, in this case, was full access to the voluminous Clarkana Papers of Joshua Reuben Clark, Jr., deposited in the Harold B. Lee Library of Brigham Young University. Numbering 140,000 individual items, the Clark Papers are a rich, heretofore untapped source of information on the public and private life of President Clark as well as on historical events of the period. Access to the papers has been highly restricted, with full access thus far granted to only those associated with the present biographical project. The Clark Papers will not be readily available to others until some time after publication of this series. Official sanction of the biography also assured the generous cooperation of President Clark's family and friends, whose records and recollections provided important collateral sources of information.

But writing under official sanction entails constraints as well as advantages. The family, the trustees, and close associates of President Clark necessarily had a deep interest in the substance of the narrative. The author could not write without consciously anticipating their reactions, nor could he publish without their approval. Although their primary concern was to have a competent, scholarly, gracefully-written assessment of the life of J. Reuben Clark, Jr., their views of what was accurate and appropriate had to be taken into account. Judging by the final product, these constraints may have induced the author to leave a few conclusions unstated, or obscurely stated, but otherwise were not unduly confining. If the book does not maintain as sharp and critical a focus as less admiring biographers might choose to adopt, it nevertheless retains a basic integrity—honestly, if always sympathetically, describing and interpreting the events of J. Reuben Clark's life during those highly significant public years.

The style and format of the book suggest an attempt to reach both a popular and a scholarly audience. For the scholar, the work is heavily footnoted to the Clarkana Papers and other primary sources as well as to relevant secondary materials. A very useful index and a twenty-two page bibliographic essay increase the value of the work to students. All of these accoutrements of academia attest that the subject was carefully researched. The style, on the other hand, is pitched to the popular taste. Academic jargon is almost totally absent, enhancing readability. Missing also are the cautious language and the sober, measured analysis of the scholar that sometimes give a work depth and solidity. The author's decision to adopt a style as much



akin to the novelist as to the historian appears to be a conscious choice made in light of the biographical subject matter and the intended audience.

The choice of style undoubtedly improves reader interest. Word pictures, drawn in intimate detail, make events and characters almost come alive. Not content with vivifying overt behavior, the author often reaches into the thoughts and deep emotions of his characters as well. Thus, for example, we find "the moment of supreme triumph" in J. Reuben Clark's career was a touching personal episode traceable to "an early evening at the embassy in the twilight of autumn" when the "Clarks were preparing to entertain."

Reuben, resplendent in his Prince Albert, had paused in the *sala* to fumble with an errant cufflink when he looked through the vaulted archway to see what he described as an apparition. It was Luacine Savage Clark, standing in a floor-length blue gown, arranging some calla lilies on the piano—easily at that moment the most beautiful woman on earth.

This, Reuben told himself, was it. For this he had slaved and sacrificed his entire life. . . . Reuben thought of a song, one of his favorites, by Jessie Evans Smith. He listened to Verdi and Wagner any night of the year, but in the few sentimental moments of his life he liked Jessie Evans Smith. . . .

Tears filled the ambassador's eyes. But this was no way to behave. Tough and cynical Puig Casauranc would be walking through that door any moment, a cigar clamped in his teeth, and it would not do for him to see the U.S. ambassador wiping tears.

The moment passed quickly and Reuben hurried to receive his guests. But he never forgot it. . . . It was the point in life when J. Reuben Clark knew that he had found success.

[Pp. 583-84]

The picture spread before the mind's eye is appealing, even moving if one is a bit sentimental. This passage may bear a heavier load of affective symbolism than might be expected of four paragraphs selected at random, but it fairly illustrates the lyrical quality of the prose that pervades the entire book.

The prose style has one unfortunate side effect, however, in giving to the interpretation of biographical events a storybook, even fictional, quality that might detract from credibility. A critical reader can scarcely help asking how the biographer knew all this in such intimate detail. The passage just quoted must have been based on something J. Reuben Clark wrote or said. But when, or where? Seventy-four footnotes grace this chapter—but not one comes to the rescue here. A careful reading of the bibliographical essay suggests that the material must have come from interviews with Clark family

members, and perhaps more copious footnoting would have been pedantic. But the shadow which style casts upon credibility remains. And it is all the more unfortunate because it tends to mask the genuine scholarship, the painstaking review and comparison of sources, the care with which the language was chosen by the biographer, all reflecting his vision of reality.

The treatment of historical events adopts much the same style as the more personal episodes with intimately detailed, highly personalized word pictures ("grimy, sweat-stained, travel-worn, unshaven" Mexican *insurrectos*, "laughing, singing, cleaving the air with ear-splitting *vivas*, and happily shooting at anything that moved" [p. 131]). The result is entertaining, with adequate background to understand what J. Reuben Clark is doing, but not always enough to place the events themselves in broad historical context. Indeed, episodes in the narrative frequently appear as vignettes, detailed at the center but fading off into a haze at the edges, lacking sharply defined connections with other events.

Even so, historians who know the context will find many enlightening details in this volume. The Clarkana Papers contain private letters and memoranda dealing with nearly every aspect of Reuben Clark's public career, from life in the solicitor's office under James Brown Scott to the Chamizal boundary negotiations between the United States and Mexico in 1933. At the very least this new source should provide additional illuminating footnotes to the history of the period.

The narrative does not linger on President Clark's early life. A scant seventeen pages cover the period from his birth in Grantsville, Utah, in September 1871 to age thirty-two when he began his formal legal education at Columbia University in 1903.

The book departs somewhat from strict chronological coverage of the subject. The reader who wishes to place J. Reuben Clark's activities and accomplishments in an orderly time sequence may thus encounter some difficulty. As Fox acknowledges, this is not a conventional biography that discusses events in chronological order. Rather it treats the thirty-year period within five themes: (1) education and apprenticeship, covering the period 1903-1910; (2) the lawyer as policymaker, dealing with the years as solicitor of the State Department; (3) the lawyer as crusader, encompassing the development of his ideas on the role of law, diplomacy, and judicial institutions in world affairs and his opposition to the League of Nations and the



World Court; (4) the lawyer as private citizen, including his private law practice, family life, church relationships, and, paradoxically, his unsuccessful ventures into senatorial politics; and, finally, (5) the lawyer as diplomat, 1926–1933. The five themes follow only a rough chronological arrangement, and even within major subdivisions the strict temporal ordering of events does not always have high priority.

What conclusions may be drawn about J. Reuben Clark, Jr., the public servant and diplomat? Even without taking into account the long road from Grantsville to Mexico City, the public career was distinguished. What he achieved he did on his own, without the benefit of personal fortune or family connection. He was sought for government service because of his recognized intelligence, good judgment, integrity, administrative skills, knowledge of Mexican affairs, and willingness to work hard for relatively low government pay.

The biography tells us much about J. Reuben Clark the public figure; it also tells us something about the man. That he was a good man we can have no doubt—whether judged by the standards of contemporary society or by more exacting Christian precepts. He was the very embodiment of the Protestant ethic—honesty, sobriety, thrift, and hard work. He was a man of good will, a loyal friend, a caring—if often absent—husband and father. He adhered strictly to his church's teachings on total abstinence from tobacco and alcoholic beverages, although he was willing to provide them to his guests. Moving to the East at a time when "Mormon" was still virtually synonymous with "polygamy," he chose to identify himself with the faith rather than changing his colors to blend into the Eastern, non-Mormon milieu. When the call came at age sixty-one to devote the rest of his life to demanding responsibilities in his church, he willingly, wholeheartedly accepted.

Never dull, the book tells a story of wide appeal: through ability, determination, and hard work the small-town boy makes good. It is not so much a Mormon success story as an American success story. It is Horatio Alger, with a difference. Reuben Clark began poor enough, and he became comfortably well off, but he stopped short of acquiring the riches that generally rewarded Alger's protagonists. Some might ascribe this to bad luck; but in retrospect the reason is clear: he gave causes and principles higher priority than the sheer acquisition of wealth. Every achievement exacts a price, and the single-minded pursuit of wealth entailed costs that he was unwilling to pay. His public years teach other lessons in costs. He achieved



distinction in his public career and with it came the sincere respect of colleagues and acquaintances. But this was achieved only at the price of tireless effort and unremitting attention to detail. The fourteen-hour day may have appeared legendary to others, but with him it was an ordinary fact of life. The cost also had to be counted in time away from his family, as well as the burdens assumed by Luacine Clark to make the arrangement work. Long periods of semi-activity in the Church were another part of the price exacted by the demands of public service and professional excellence.

The story has a happy ending. He enjoyed a satisfying career; his family turned out well; he returned to the fold of Zion as an honored leader, a pillar of strength and rectitude among the Saints. In one sense his life is an object lesson in the rewards of Christian virtue. It is also a study in the consequences of human choice. No one can do every good thing. Time and attention are limited resources. Time devoted to one pursuit cannot simultaneously be devoted to another. Viewed on a broad canvas, the choices made by J. Reuben Clark in public and private life led to success and personal fulfillment. Inexorably, however, the choice to do some things implied a choice not to do other good things. Not everyone would care to make the same choices. Some would shrink from the hard work. Others might hesitate to give up precious family associations or call for such sacrifice from family members. Still others would be unwilling to leave so little room for church activity and association for so long a period of time. With benefit of hindsight, J. Reuben Clark might have done some things differently. But who would care to fault him for the choices he made? In such matters each must answer for himself and not for another. In his case the outcome suggests that good choices must have been made along the way.

The book unquestionably deserves to be taken seriously as biography. In six-hundred pages it provides an informed basis for appraising the character and contributions of its subject against the background of the times in which he lived. The author makes judgments, but he also invites the reader to make them. As I perused the pages of the book, I found myself continually appraising Reuben Clark the public servant, the diplomat, the lawyer, the family man, the church man, the man. For me, the book has one further quality of good biography: it evoked serious personal introspection. As I looked for insights into the life of J. Reuben Clark, I also gained perspective on my own.



GILLESPIE, NEAL. *Charles Darwin and the Problem of Creation*. Chicago: University of Chicago Press, 1979. 201 pp. \$15.95 hard-bound. \$6.50 paperback.

Reviewed by Richard Sherlock, assistant professor of human values and ethics, University of Tennessee, Center for the Health Sciences, Memphis.

*Charles Darwin and the Problem of Creation* is alternatively very good and very disappointing. As a historian, Neal Gillespie is at his best in a detailed and stimulating review of the fundamental problem for nineteenth-century biology, namely, to what extent are theological premises necessary or even desirable in a truly scientific biological science? Working with a theoretical structure amalgamated from Kuhn's notion of paradigm and Michel Foucault's somewhat similar construct "episteme," Gillespie argues that the nineteenth-century marked a great turning point from an older paradigm in biological science which found theological premises necessary for a naturalistic account of the world to a new paradigm which he calls "positivism." Advocates of this new outlook sought to banish theology from science both because they did not believe such premises were necessary and because they thought that any true science must be based on human knowledge, not on premises derived from revelation. To assert that something in the natural world cannot be explained by man and must therefore be accounted for by the hand of God was, the positivists asserted, a betrayal of the true scientific spirit. Physics and astronomy had long since given up the need for God as an explanation for observed phenomena; so why not biology, they claimed.

As a historian, Gillespie has done his homework. Anyone familiar with nineteenth-century biology will recognize the material he pulls together; moreover, Gillespie shapes and categorizes it well. He makes distinctions among various positions, distinctions that are very helpful in making sense of the whole story, such as his careful discussion of the different forms of belief in special creationism. For the general reader or student, the most helpful sections will be his clear demonstration of how pervasively theological premises were involved in biological work—even by scientists who were not in any sense committed to extreme biblical literalism such as espoused by Louis Agassiz.

Darwin himself stood at the great divide. Before him, naturalists and theologians could confidently point to the harmonious relation of structure and function in the natural world as a supreme evidence



of divinity. After Darwin, that confidence disappeared. If Darwin's theory of natural selection were true, it accounted for all of the facts brought forth by the natural theologians. From a scientific point of view, he further was able to account for much that was unaccounted for in the older religiously based paradigm.

The problem was that Darwin's theory did not require any theistic premises to make it work. It could get along very nicely without God. Certainly many of those who practiced this new science were themselves personally religious. The new biology did not require atheism. It simply required the setting aside of religious beliefs when one entered the laboratory. In taking this position, the positivist biology ran into strong criticism from other biologists who thought that one could not explain all phenomena on positivist principles and also from theologians who thought it was blasphemy to try to do so.

Gillespie concentrates his discussion on the struggle within the scientific community itself, a struggle ultimately won, many feel, by positivism. However, the fact that many revered scientific minds ultimately adopted positivist principles leads Gillespie astray, for he writes as though positivism is really a better science, his rhetoric being that of someone convinced that positivism is superior to its older alternatives. Nothing in the book, however, gives any justification for his making such a sweeping claim. If anything, his own attachment to the relativistic theory of paradigms advanced by Kuhn should have led him to a more cautious writing style. In both Kuhn and Foucault there is no basis for claiming that any given outlook or paradigm is any better than another. Nevertheless, Gillespie goes much further in his unfounded rhetoric which sometimes seems like that of a true believer rather than a dispassionate historian.

For religious communities, the story that Gillespie tells poses a great challenge. Even if his rhetoric gets in the way, he does point up the difficulty of engaging in truly scientific inquiry on the basis of nonscientific religious premises. He shows how true scientific advances offer naturalistic explanations of the world, not explanations of theological mysteries. In such a world one might still believe in God, but the evidence does not demand it. One can explain the world without Him. If Gillespie is right, then the very practice of science requires premises that remove God one step from the immediate control of nature. This, of course, is something that many religious believers have always been reluctant to accept, and they fought Darwin because of it.

Anyone seriously engaged in scientific work will see the truth of much of what Darwin and his followers asserted on this point. The



challenge therefore is twofold. First, one must think through again the very premises of scientific inquiry, both in general as well as in their specific relationships to biological inquiry. For example, if something like evolution has occurred, why is it nevertheless unscientific to believe that the course of evolution has been designed by a Providential hand? Gillespie writes as if such a view were demonstrably wrong, but nothing he says justifies such an assumption. More fundamentally, positivism itself is not all it was claimed to be and many philosophers have rejected it, a fact of which Gillespie seems unaware. Many philosophers, such as Stanley Jaki, have argued there may yet be a place for faith even in the most rigorous physical science. One needs to think through what such a place might be.

The second challenge is particularly appropriate for Mormons. As Mormons, we need to reexamine many of the naive ways in which we have presented our beliefs to others. Many of the so-called "scientific arguments" for religious belief simply will not stand up in the post-Darwinian world. Continuing to use them may please those who are already converted but will do little for those who are not. We might do better to learn from the example of certain scientists whom Gillespie unfortunately neglects—those who remained deeply religious even in the face of Darwin. Those scientists did not give up on science; many of them became devoted followers of Darwinian biology. However, they knew something that some of us might learn better—that true religious faith concentrates on man and his relationship to God, not on the facts of biology or geology. True religious faith is a matter of testimony, not lab work. People remain faithful because of the relationship they have established with God. A faith built on such a rock will not wash away. But, as Gillespie shows all too well, a faith built on the facts of geology and biology may be swept away with any latest discovery. Admittedly, true faith is harder to attain than belief in a bogus science passing itself off as faith. But it is that quest for true faith that is precisely the challenge for all of us.

**KIMBALL, STANLEY B.** *Heber C. Kimball: Mormon Patriarch and Pioneer*. Urbana: University of Illinois Press, 1981. 343 pp. \$17.95.

Reviewed by Ronald W. Walker, senior research historian for the Joseph Fielding Smith Institute of Church History, Brigham Young University.

Writing a biography of President Heber C. Kimball, Brigham's First Counselor and pioneer Utah's number two man, requires a



skillful and steady hand. The man was a kaleidoscope of jarring images. When standing behind a pulpit, he could be irrepressible to the point of coarseness and gaucherie. In contrast, his domestic moments were often filled with tenderness and timidity. His contemporaries saw him as incurably optimistic; yet there is ample evidence that he doubted, at times severely, his own abilities. His boisterous humor, like the celebrated wit of his son J. Golden Kimball, masked a serious-minded, meditative, and private soul. The Eastern press caricatured him as an artless bumpkin, but those who knew him best recognized his integrity and even spiritual majesty. In short, he was Heber—unique and idiosyncratic, a phenomenon.

Stanley B. Kimball is the second kinsman to attempt a biography. Orson F. Whitney, a grandson, completed his Victorian portrait in 1888. The two works show the distance Mormon biography has traveled in the last century. The first, like most religious biography of its era, was heavy with quotation, exhortation, and adulation—and correspondingly weak in research and characterization. At first glance, Stanley B. Kimball's sketch is far removed from the other work. It is a "historical" biography, displaying the tools and mood of a twentieth-century research historian. Footnote paraphernalia show the author's wide-ranging, longtime study of the sources, and the reader will be introduced to a large body of new and interesting material. There is also candor. As the author pledges in his preface, "Heber has not been prettied up for contemporary tastes" (p. *xiii*). The result may be distressing for those who like their biographical figures to be universally praiseworthy. But after one notes how the author has stacked Heber's discordant features against his considerable strengths and remembers that Utah was a rough-and-ready frontier, this portrait is not unflattering. Indeed, while Stanley Kimball's prose is far more detached than Orson Whitney's, it still conveys Mormon sympathy and idiom.

Stanley Kimball sees his progenitor as a Mormon archetype. From his conversion in 1832 to his death in 1868, thirty-six years later, Heber charted the Mormon experience. He embraced the new faith in New York, experienced the trials of Kirtland and Missouri, opened the British Mission, and after a brief tenure in Nauvoo pioneered the western plains, and settled in Utah. Moreover, his personality reflected his own generation and perhaps succeeding ones as well. Heber is seen as "voluble, visible, totally lacking in sophistication" (p. *xii*). When speaking before the Saints (and one suspects on a larger stage as well), he was "plain, definite, unpremeditated, eccentric, rough, disjointed, hard, and severe" (p. 269); yet there



were also “imagination and humor” (p. 269) and “total integrity, raw courage and indomitable faith” (p. 260). But, his final years were touched by tragedy. The author argues that while Heber’s Mormon devotion was unrivaled, as the Church matured his rough-hewn talents increasingly fell by the wayside. He died defensive and at times cantankerous, his influence decreasing or replaced. Events had passed him by.

The book’s subtitle is apt, for emphasis is given to Heber as “patriarch and pioneer.” His numerous wives are listed, catalogued, and repeatedly mentioned throughout the text, though without the precision and feeling the task probably requires. Questions of spouse relationship and obligation in the complicated marriage system remain unanswered, and until someone sorts out the meaning and reality of the respective “wives,” it is premature to rank Heber as more married than his file-leader Brigham. However, serving as a case study, the book confirms previous scholarship that Mormon polygamy had little salacious passion. Heber is a dutiful, reluctant, and at times insensitive husband whose “portion of domestic discord and disappointment was probably greater than that of any other modern Western man” (p. *xii*)—not too much of an exaggeration given the magnitude of his endeavor.

The biography skillfully describes Heber’s western trek, taking advantage of the author’s unsurpassed knowledge of the trail. Fully a quarter section of the book is devoted to the hegira (about a sixth of its pagination), and the time is well spent. Here the narrative is at its best, having a confident sense of detail and place, allowing the reader to smell the campfires and observe the picturesque. Heber himself becomes animated: “Hunting, riding, fishing, exploring, he investigated caves, climbed vertiginous promontories, rolled stones down steep mountains, stood guard, scouted, fought quicksand and prairie fire, [and] was chased by a she-bear” (p. 155).

Unfortunately, the narrative is not as surefooted when it moves into the Utah period. The usual (and often picayune) errors which normally plague first editions become more frequent in this section of the book. The map of pioneer Salt Lake City has several mistakes, including limiting the pioneer fort to a city block and confusing the Seventies Council Hall with the never-built Seventies Hall of Science. Certainly more than a “few” Saints deserted Zion for California gold. The implication that Heber was basically orthodox on the Adam–God question, at least by modern standards, is problematic.



Moreover, Heber's claims as Brigham's possible successor rested on his apostolic seniority, not on his position as President Young's First Counselor.

There are several problems with documentation. The book's first endnote incorrectly suggests that the George Q. Cannon journals are lodged in the Mormon Library-Archives instead of in the First Presidency Office. With historians long eager to use this restricted source, LDS Librarian-Archivist Donald T. Schmidt can expect an unseemly clamor at his door. The author has inexplicably chosen to identify the Kimball diaries in his endnotes by an abandoned and cumbersome archival description and not by the present identifying system which was adopted by the LDS archives almost a decade ago. And the book's bibliographic note is so brief and vague that it has little utility.

Despite its refreshing honesty, detail, and character dimension, *Heber C. Kimball* leaves much unsaid. What were Heber's administrative duties beyond his presiding over the Endowment House and his frequent consulting with President Young? Did he exert "informal" or indirect influence in other ways besides his unusual preaching? How important was he? The intimate Kimball-Young friendship, perhaps pivotal in understanding both men, is explored only lightly and psychologically not at all. More perplexing, in contrast to exploring Heber's public image, the narrative gives little attention to his private dealings and relationships—where Heber Kimball most revealed himself as a warm and compassionate human being. And in a broader context, how would Heber "stack up" if measured by his nineteenth-century norms and peers?

What is most lacking is a sense of the inner man, a solution to the enigma of Heber C. Kimball. While the text chronicles a career and while its adjectives seem accurate, an understandable human life fails to emerge. We look vainly for a key to Heber's personality, evidence of psychological tension, or insights into how his experiences molded him. And we ask for meaning. "A man's life of any worth," Keats held, "is a continual allegory" into the "mystery of life." Biography must speak beyond the experience of a man or woman to comment on the human spirit. This transcendent quality, revealing the universals of everyday experience, never quite emerges from the narrative.

The science and research of a historian is most evident in this work, not the penetrating art of a narrative biographer. Yet within its parameters, this is a solid contribution to the growing body of Mormon biography and in this category may be ranked as one of the half dozen best. That more is requested confirms the relative youth of serious LDS life-writing. It also shows, as the book suggests, that



Heber C. Kimball was "larger-than-life." These are the ones for whom no portraitist's canvas is ever sufficient.

**SELTZER, ROBERT M.** *Jewish People, Jewish Thought: The Jewish Experience in History*. New York: Macmillan Publishing Company, 1980. 874 pp. \$19.95.

Reviewed by Dennis Rasmussen, associate professor of philosophy at Brigham Young University.

As its title, *Jewish People, Jewish Thought: The Jewish Experience in History*, suggests, Robert Seltzer's book treats not only the events of Jewish history but also the development of Jewish thought. Seltzer has produced a substantial, rewarding, and demanding book. But the reader must come to it prepared for intellectual effort. This is a book to be studied and not merely read.

The dual emphasis in the book on Jewish events and thought is a successful attempt on Seltzer's part to provide an introductory survey which is "at the same time an account of a people and a religion" (p. xi). A people, a religion, a culture, a language, a scripture, a law, a set of ceremonies, a pattern of conduct—one could multiply such terms and still not exhaust the tradition of Judaism. Seltzer offers a rich and rewarding discussion of these and other topics as well. Instead of trying to isolate his subject and its concerns, Seltzer shows how Judaism developed by interaction with its environment. He emphasizes the "reciprocal influence" (p. x) between Jewish and non-Jewish elements in history. Religion, philosophy, politics, economics, geography, military strategy—all of these played a role in shaping and directing the course of Jewish history. The breadth of Seltzer's book is impressive and important. Because it traces the development of one of the two fundamental sources of Western civilization (the other, of course, being the Greek heritage), this book will give any reader a perspective on Western history as a whole.

The book is organized into four parts, beginning in the ancient Near East with the origin of the people who came to be called Israel and ending with the Jewish experience in the twentieth century. But more than half the book deals with the post-Rabbinic Period of Jewish history. (The Rabbinic Period, roughly 200 B.C. to A.D. 500, is second only to the biblical in its effect upon the structure of Judaism.)



The fourth part, which includes the period running from 1770 to the present, is the longest. In it, the panorama of the Jewish encounter with modernity is presented. Spinoza, Mendelssohn, Krochmal, Hirsch, Graetz, Zunz, Cohen, Rosenzweig, Buber—all of these and many others pass before the reader, each with his unique contribution to Jewish thought. One might say that Seltzer has tried to discuss too many individuals. On the other hand, by choosing to root his account, both of people and thought, in the lives of individual Jews, he emphasizes something vital—the experience of individual human beings. Historical experience is always, finally, that individual experience.

The book's sixteen chapters alternate between people and thought. For example, chapter 7 treats "Medieval Jewry to 1500." Chapter 8 covers "Medieval Jewish Theology and Philosophy." Jewish thought is the dominant topic, however, being the subject of ten chapters. Given the immensely productive character of Jewish intellectual history, such a division of material is about right. Following his basic division into people and thought, Seltzer usually discusses the same period twice, each time from a different point of view. As a result, the reader comes to appreciate more fully the differences and similarities between a people's history and its ideology.

Seltzer has also made space for valuable illustrations and examples. In his discussion of the Talmud, for instance, he presents excerpts, followed by interpretive discussions to help the reader understand the character of rabbinic thinking. An entire chapter is devoted to Jewish mysticism and kabbalah. Also, Philo and Maimonides, the two greatest Jewish philosophers, are given ample treatment. In addition to its other qualities, the book contains a wealth of detail and an ample index which make it a helpful reference work as well as a history text. The notes at the end of each chapter, combined with the thirty-four pages of "Suggestions for Further Reading," provide sources for a beginner wishing to explore a particular topic at greater length. Furthermore, maps, charts, and photographs have been carefully selected to help guide the reader through a complicated historical landscape. A minor slip occurs on page 758; a photograph of an impressive set of carved walnut doors on a synagogue ark is printed upside down.

Seltzer's point of view is that of the modern historian. He describes his subject as "a complex, ramified, and intellectually challenging field of humanistic learning" (p. ix). In other words, Seltzer attempts to provide an objective, critical account of Jewish history. In considering the ancient sources of that history, Seltzer



displays the methodological principles which have come to be the basis of modern scholarship. He states, "The classic works of rabbinic Judaism offer a wealth of information on Jewish life and ideas, but their historical recollections are anecdotal, semi-legendary, and homiletic; only the most sophisticated text and form criticism will elicit from them the raw material for modern historical synthesis" (p. 244). Ancient texts are not to be taken simply at face value. Where there are significant differences in scholarly interpretation, Seltzer presents the alternatives, either in the text or in the notes. Most readers will probably find Seltzer's multifaceted approach especially rewarding in his discussion of the biblical period. His comparisons of Hebrew ideas with those of Canaanite and other Near Eastern origins are illuminating. While noting the debt of the biblical writers to their surrounding cultures, he is careful to point out that the Bible is more than a book of borrowings. "The civil and criminal law of the biblical codes . . . draws extensively on the ancient Near Eastern collections. . . . However, borrowings are reshaped according to the distinctive features of Israelite religion. Thus a fundamental concern of biblical law is the sanctity of the person" (p. 69).

The least engaging aspect of the volume is probably the style. The reader must persevere through more than a few sentences like the following: "As a result, Jews who plunged into the study of Hellenistic wisdom and learning and who mastered its models of reasoned argumentation and effective rhetoric as well as its doctrines of logic and ethics, of the ideal state and the ultimate nature of reality—or even Jews who merely absorbed some of its more popular features indirectly—found themselves confronted by intellectual resources and challenges of a quite different character than the ancient Near Eastern mythology in reaction to which Judaism had first developed" (p. 200).

This is a textbook, and, as such, it has a common weakness of textbooks: its accounts of systems of thought often tend to be unclear to those not already familiar with them. For instance, a reader who has not studied the philosophy of Immanuel Kant will find little light in the two-page summary of it offered in preparation for an account of Hermann Cohen's neo-Kantian thought (pp. 729–30).

But the book is complete, the scholarship careful, and the tone objective. Although it can be read with great profit by anyone interested in the history of Judaism, its primary purpose, no doubt, is to serve as a text for college and university courses on Jewish history. It should perform that task well. But it will not, I think, be very much

read outside of that setting. For most readers of history expect, and have a right to expect, a graceful, literate account which can be read with enjoyment. Seltzer's book cannot meet such a standard. It is a work of scholarship, but not of literature.

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