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## Kangaroo Court

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# *Kangaroo Court*

by Hugh Nibley

*A study in Book of Mormon Criticism*

It is the inalienable right of every questioned document, as of every accused person, to be represented by competent counsel, heard by an impartial jury, and sentenced by a qualified judge, being convicted or acquitted only on evidence and not on hearsay. To expect such extravagant justice for the Book of Mormon is to ask for the moon. Counsel for the defense often does the client more harm than good and is automatically branded as prejudiced merely by taking the job; and where will one find an impartial jury, a disinterested judge, or a willingness to test the Book of Mormon on its merits and not on the authority of wild and conflicting rumors about the manner of its origin? Still, however faint the chances of a fair trial may be, even that book has a right to its day in court, if only on the hazard, that it may be genuine after all.

Has the Book of Mormon ever been given a fair hearing? From the statements of policy which we are about to quote it will be quite apparent that it most definitely has not. For such a procedure would require a perfectly straight-faced examination of its claims *as if* they were valid! Let us suppose, for the sake of argument and legal theory, that the accused is innocent, that the Book of Mormon is not a fraud but a genuine text as it purports to be. By what divination would its latest critics, Mrs. Brodie and Doctors O'Dea and Cross (representative of the English, sociology, and history departments, respectively), be

able to detect its authenticity? What do they pretend to know about ancient texts? The one man best qualified to make the tests indicated, though he was interested enough in the Mormons to write a whole book about them, frankly confessed that he had never read the Book of Mormon through.<sup>1</sup> That was the celebrated Eduard Meyer, who wrote with complete finality: "There can be no doubt at all that the golden plates, though described by his mother and others as reposing in a box in Smith's house, never existed in the real world."<sup>2</sup> For him that settled the matter: He can speak with absolute assurance, *not* because he has examined the Book of Mormon—he didn't need to!—but because he knows perfectly well that there are no such things as angels and gold plates.

Justified or not, this has been the standard and accepted position taken by Book of Mormon critics from the beginning, and it should be obvious to any reader that such an attitude, however sincere, effectively closes the door on any serious investigation of the book on its own merits. The dice are always loaded before the game begins: It is not the Book of Mormon, but the Angel Moroni who is on trial. Let us glance at a few frank confessions by the leading critics of the Book of Mormon in the past, to see whether they ever intended to give it a fair trial.

The first non-Mormon to report on the book was David Marks, who, after hearing the story of the

(See page 186 for footnotes.)

The jury is instructed to choose between A and B, with the specification that A has been disqualified before the contest; with that understandable limitation the jury may favor whichever they will.





angel and the plates from the Whitmer family, approached his task with a settled conviction that the thing was a fraud: "I wished to read it, but could not, in good conscience, purchase a copy, lest I should support a deception"—a fine, open-minded approach which ran small risk of disillusionment. Before he was halfway through, Marks gave up the job, finding "the style so insipid, and the work so filled with manifest imposture, that I could feel no interest in a further perusal." Yet generations of Book of Mormon critics were to quote Marks' final verdict on the book as the ultimate in scholarly objectivity.<sup>3</sup>

Within a year of the publication of the Book of Mormon, Alexander Campbell delivered a blast against it which was hailed at the time as demolishing once and for all its claims to divine revelation. By the author's confession, it was a superficial study, his intention being ". . . not to honor him [Smith] by too minute examination and exposition. . . . If this prophet and his three prophetic witnesses had aught of speciosity [i.e. any attractive or challenging quality] about them or their book," he explains, "he [Campbell] would have examined it and exposed it in a different manner. . . ." As it is, he begs his readers' pardon for even looking at the thing: "For noticing of which I would have asked forgiveness from all my readers, had not several hundred persons of different denominations believed it. On this account alone has it become necessary to notice it. . . ."<sup>4</sup>

Campbell's last remark is significant: an urgent sense of public duty has animated the Book of Mormon critics from the first, and rightly so. Unless the Book of Mormon is what it pretends to be, it is a regrettable imposture. If scholarship has any obligation to society to protect the layman from predatory quacks and impostors, no more urgent occasion or perfect opportunity for the exercise of true learning can be imagined than that offered by the bold, uncompromising challenge of the Book of Mormon. If it is weak, it should have been knocked over long ago; if it can't be knocked over, the public should be told as much. As long as it stands, it is a standing rebuke to scholarship.

The call to duty was heard from the first. Even a month before Campbell's attack, a newspaper editorial voiced dissatisfaction with the delinquency of the learned:

"We have long been waiting, with considerable anxiety, to see some of our contemporaries attempt to explain the immediate causes, which produced that anomaly [sic] in religion and literature . . . The Book of Mormon, or the Gold Bible.

"The few notices heretofore given in the public prints, are quite vague and uncertain, and throw but faint light on the subject."<sup>5</sup>

Thus from the very beginning the challenge was thrown out to the world to explain the Book of Mormon if it could, and a flood of conflicting stories and theories soon followed—but no one ever put the Book of Mormon to a real test.

The first full-time scholar to comment on the Book of Mormon was Professor Rafinesque of Philadelphia, who in 1832 was reported as observing, "This work is ridiculous enough, it is true; as the whole Book of Mormon bears the stamp of folly, and is a poor attempt at an imitation of the Old Testament Scriptures, and is without connection, object, or aim . . . and how can it be otherwise as it was written in Ontario County, New York."<sup>6</sup> We are grateful no end to the professor for his staunch confession of faith, that a religious book produced in Ontario County could not possibly be anything but a fraud ("can there any good thing come out of Nazareth?"); for while he has done the Book of Mormon no damage, he leaves the world in no doubt that he has firmly closed his mind against any serious investigation of it.

What was intended to be a thorough and conclusive examination of the whole Mormon position, *Mormonism Exposed, Internally and Externally*, by Origen Bachelier in 1838 was prefaced by the enlightening admission that "To make an earnest attack on Mormonism, as if it had any plausible pretensions to credulity, would argue great want of discernment and good sense on the part of the one who might thus assail it." Even to raise the hypothetical question, could this be true? is to brand oneself an idiot; yet only by that approach can the Book of Mormon or any suspected text be examined. After promising to demolish the Book of Mormon once for all, Mr. Bachelier lamely decided to limit his examination to an absolute minimum, "briefly to expose some of the defects and absurdities of the book. . . ."<sup>7</sup> Thus, following a common practice of Book of Mormon critics, he attempts to disarm his jilted public by begging their pardon not for having delivered so little after promising so much, but for having written anything at all on such an offensive theme! Only a sense of obligation towards his "fellow citizens," he protests, can "justify the course I pursue, in stooping to notice an affair so intrinsically worthless and contemptible as the Mormon imposture."<sup>7</sup>

In the same year in which Bachelier's work appeared, the Scotchman H. Stevenson was fighting the fires of fanaticism in the Old World with a widely acclaimed lecture against the Book of Mormon, in which he stood foursquare on the proposition, "that a Church which pretends to work miracles in these latter ages, proves itself to be an apostate Church."<sup>8</sup> How refreshingly direct! Even to propose testing the Book of Mormon as one does the Bible is for Stevenson a

proposition outrageous "for its foolishness and its wickedness!" Nay, true or false, the Book of Mormon simply cannot be tested: "As the Book of Mormon has a suspicious aspect, on account of there being no history to contradict it, so likewise, it has the disadvantage of no history to confirm it."<sup>9</sup> It is beyond examination.

E. D. Howe, in the 1840 edition of his anti-Mormon classic, which first appeared in 1834, recognizes in the usual terms both the necessity and the futility of attacking the Book of Mormon. "The task has been a laborious one, and we acknowledge but little has been effected," he confesses, "we should have abandoned the task, were it not that so many of our worthy fellow citizens have been seduced by the witcheries and mysterious necromancies of Smith and his colleagues, from the paths of wisdom and truth, into folly and madness."<sup>10</sup> "The task," he announces in his introduction, "however loathsome, shall be honestly pursued." He admits he is helpless against those who are foolish enough to read the Book of Mormon: "In our review, we are left without weapons to combat the credulous Mormon believer," his only hope being to reach "any mind . . . who has not inhaled the malaria of the impostor."<sup>11</sup> With all his talk of base passions, witcheries, spells, and loathsome tasks, no one is going to accuse Mr. Howe of a cool and unemotional approach to the Book of Mormon, however much he may protest that his appeal is all to the wisdom and sanity of an enlightened age.

In 1841 William Harris repeated the now familiar formula: Public duty requires an investigation of the Book of Mormon, but no serious approach is required by the subject itself. The only apology which he offers, this author says of himself, "for having treated that which is in itself so contemptibly ridiculous, with so much gravity, is, that well meaning, though weak minded persons, are daily imposed upon by the plausible statements of Mormon teachers. . . ."<sup>12</sup>

Three famous anti-Mormon books appeared in 1842, each one containing plain statements of its author's conviction that study of the Book of Mormon is a sheer waste of time. For the Reverend Clark, ". . . deceit and imposture are enstamped upon every feature

of this monster, evoked by a money digger and juggler from the shades of darkness."<sup>13</sup> "That its claims to divine origin are wholly unfounded," he has his star witness say, "needs no proof to a mind unperverted by the grossest delusions."<sup>14</sup> As for himself, "This we consider one of the most pernicious features of the *historical romance*—that it claims for itself an entire equality in point of divine authority with the sacred canon."<sup>15</sup> This was Mr. Stevenson's objection, it will be recalled: The question is not whether the claim is true or not but simply whether the claim is made. *Any* book that claims to be as holy as the Bible is proved by that very claim to be a monstrous

deception—there is no need at all to search the book to see what it says.

Mr. Kidder is quite blunt: "Our own humble opinion is, that just as much correct knowledge and real information may be drawn from the above nondescript and heterogeneous medley of contents, as from a perusal of the entire volume of 570 pages."<sup>16</sup> The "medley of contents" referred to is a very brief outline of the Book of Mormon; the author admits freely that it isn't even a good outline, a "nondescript and heterogeneous" thing, and

yet he solemnly assures the student that he can learn just as much from that garbled table of contents about the Book of Mormon as he can from reading the whole book. What a program for the serious scholar! Of course Kidder assures us that the only reason he would touch the thing at all is that duty calls him: "Americans have been criminally indifferent to their duty both of informing themselves and the world of its true character. . . . The leaven of corruption has begun to work far and near."<sup>17</sup> If it is criminal indifference to neglect the Book of Mormon under such dire circumstances, what shall we say of this scholar who having taken up the challenge with a yell of defiance, tells us that he can go no farther than to give us a little outline of the Book of Mormon, and lets it go at that?

In a letter addressed to Joseph Smith, Professor Turner minces no words in the matter of public duty. "It is my right, it is the right of every American citizen, of every Christian, of every honest man, to arraign and resent (Continued on page 184)

## GLORY AT HAND

by Lois Snelling

He looked with yearning eye and saddened heart  
Toward distant peaks where stood the Holy  
Place,  
To which his feet, by circumstance restrained,  
Would never go nor would a dream be gained  
Of meeting there his Master face to face.

He stooped to aid a weary one in pain . . .  
One more of all the chain that held him bound;  
And then into his heart a voice spoke clear  
And soft, "This face you bathed is mine. 'Tis  
here,  
And not on distant peaks I must be found."



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## Kangaroo Court

(Continued) the perfidy of your career," he writes, protesting that only that sense of obligation can induce him to "submit to the ungrateful task" of dealing with a book and an author "which might well be left to putrefy, amid the pestilence you have produced." Under such circumstances impartiality in our scholar would be a positive vice: "To treat you with even ordinary respect, is to treat them [i.e., "your . . . awfully deluded people"] with the most wanton and unfeeling cruelty."<sup>18</sup> Obviously these were the days when professors read their Cicero. What blows the top from this particular vessel of high-pressure academic righteousness is not the specific message of Joseph Smith and his book, but the idea of the thing: "It is not your peculiar opinions, as you well know, but your impious pretensions, which honest and Christian men reject, with loathing and abhorrence."<sup>19</sup> Again, it is not on the basis of its particular contents, but solely on its claims to revelation that the Book of Mormon is to be judged.

This point is well illustrated in Mr. Kidder's review of Professor Turner's book. If Turner is all twisted up about the authorship of the Book of Mormon, as Kidder claims he is, who cares? ". . . the question at issue here is one of comparative unimportance." Turner's reasoning may be weak and his evidence shaky, but that is all one as long as we agree that the Book of Mormon is a vicious fraud, "we hail his work as one of . . . an eminently practical bearing."<sup>20</sup>

These three masterpieces usually keep company with the latter work of Thomas Gregg, which contains the usual declarations of contempt for the Book of Mormon and alarm at its effectiveness: "That a book . . . below the dignity of criticism, should find tens of thousands of persons of ordinary intelligence throughout Christendom, who accept it as a Revelation from God to man, is indeed a moral phenomenon unparalleled in the nineteenth century. . . . Many pages might be written, filled with instances of the senseless, ridiculous, incongruous, and blasphemous character of the work," to accept which "is to eschew holiness and goodness, and to dethrone the Almighty."<sup>21</sup> To save the world from

such devastation, one might suppose that no number of pages would be too great to dedicate to the cause—as many as "might be written." Still our investigator limits himself to a few brief notices because after all the book, he says, is "below the dignity of criticism."

J. H. Hunt, a relatively conscientious critic, was frank enough to entitle a chapter of his on the Book of Mormon (1844), "A Brief Notice of Several Books, Deemed Unworthy of Serious Attention."<sup>22</sup> So deemed by whom? The critic who deems a book unworthy of his attention should leave the criticizing of it to others who are willing to give it serious thought.

Here we have a paradox. Having announced that nothing is so urgently needed as a thorough study of the Book of Mormon, one crusader after another stops dead in his tracks with the lame excuse that the thing is not worth bothering about. And while we are told again and again that no human being in possession of his faculties would give a second thought to the book, we are also told that it is making terrible inroads among an enlightened citizenry. "No argument, or mode of reasoning, could induce anyone to believe that in the nineteenth century, in the United States, and in the blaze of science, literature, and civilization, a sect of religionists could arise on delusions and impositions." So one intellectual wrote in 1855, and adds the bemused confession: "But such are the facts, and we are forced to believe them."<sup>23</sup> This might be taken as an interesting commentary on the Book of Mormon: An intelligent man is confronted by a situation which, he tells us in the strongest language, nothing on earth could induce him to accept as possible—but there it is! Though they are contrary to everything we can or will believe, "such are the facts, and we are forced to believe them." Had he examined the Book of Mormon itself more closely, Mr. Reynolds might have been forced to believe many things which his training and vanity had told him were impossible.

"The reader will not be long," Mr. Taylder promises in the introduction to *The Mormons' Own Book*, "in judging whether his [Joseph Smith's] statements are the transcript of an enthusiast who unconsciously invested facts with the coloring of his imagination, or the



cunningly-concocted after-thoughts of a knave. . . ."<sup>24</sup> Here the reader is given two damning alternatives in advance and told which one he is going to choose. With such helpful prompting he need not be long in reaching his conclusion, and the irksome obligations of serious research are gracefully sidestepped. With the same considerate forethought, Mr. Bays sent copies of the Anthon Transcript to a number of scholars, asking for their opinion of it—but *not* for their impartial opinion! With the transcript went a lurid covering letter, making it perfectly clear just what infamous claims were made for the document, and leaving the recipients in no doubt as to what effect a word in its favor might have on their reputations. The answer of the most eminent of the professors consulted gives the whole thing away. "The document which you enclose," the reply begins, "raises a *moral* rather than an *linguistic* problem." And as a moral problem the professor treats it.<sup>25</sup> Any chance of an impartial linguistic test was out of the question under such circumstances, yet this was one of the few attempts made to judge the Book of Mormon by severely objective standards.

The first volume of the eminent *American Anthropologist* includes a study of some length with the promising title, "The Origin of the Book of Mormon." Instead of displaying the deep scientific penetration and archaeological acumen we have a right to expect from such a source, the author confines his entire study to the grammatical mistakes in the book, resting his case principally on the antiquated use of "which" for "who," apparently unaware of the same usage in the Bible. He dismisses the book itself as "only grotesque. . . ." Yet for all that "a portentous danger sign . . . a monstrosity born of deceit and bred in falsehood . . . a monster of iniquity and deceit. . . ." And what is it in the book that makes this expert so forget his cool scientific detachment? It is not anything the Book of Mormon actually *says* that upsets him: "its teachings and precepts are not in themselves immoral. . . . For the Book of Mormon is not an immoral book. There is no polygamy in it . . . there is nothing immoral in the book." No, what alarms and enrages him is not what the Book of Mormon says, but what it pretends to be: "its adherents have discovered a

most dangerous weapon against the moral world in this doctrine of 'a continuing revelation.'" That is the cloven hoof—as usual, it is not the Book of Mormon, but the Angel Moroni that is being put on trial: "To accept . . . any dispensation formulated in the terms of 'Thus saith the Lord,' is a portentous danger sign to enlightened civilization."<sup>26</sup> Note that since this gentleman is not willing to accept *any* claim to revelation, the problem of *testing* such a claim never arises. In the same spirit, Professor Beardsley founds his Book of Mormon criticism on the unshakable rock that "the modern mind rejects everything supernatural."<sup>27</sup> Granted that premise, *of course* the Book of Mormon is a fraud. But the challenge of the Prophet is to test the possibility of revelation by using the book as evidence, in which case we cannot start out by rejecting the book out of hand because we know that revelation is impossible. That is exactly what we do *not* know.

The work of Linn, often hailed as the first really scientific study of Mormonism, is a good example of the backward approach. "The Mormon Bible," he announces, "both in a literary and theological sense, is just such a production as would be expected to result from handing over to Smith and his fellow-translators' a mass of Spaulding's material and new doctrinal matter for collation and copying."<sup>28</sup> Notice that he begins with definite expectations and finds in the Book of Mormon exactly what he expects. He advises the student to do the same: "an exam-

### *Pleadings from the Dead*

(Continued) Farnsworth brought him the names he had just received from England on the Farnsworth family, some of the names going back to ancient times. He was their representative to help them to attain perfection. He and his family were faithful in the performance of the temple ordinances for them.

This experience of my great-grandfather has been a marvelous inspiration to all of us. You can imagine the joy when he bore in power his testimony to the world.

There are sealings yet to be done,

and we are planning to complete them as far as possible by arranging the names into complete family groups.

Many people on this earth have loved ones waiting for this work to be done for them. I sincerely pray that we will all have a greater desire to search for our ancestors and become united to them in the bonds of sealing, so that when we stand before the bar of God to be judged, he will say, "Well done, my good and faithful servant; thou hast been faithful over a few things, I will make thee ruler over many things: enter into the joy of thy Lord."

(To be continued)

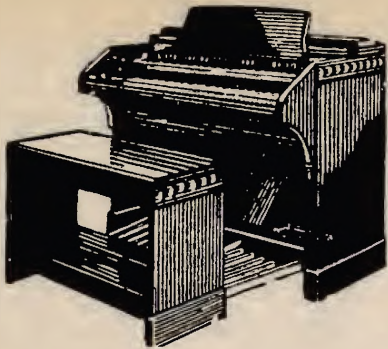
### FOOTNOTES

<sup>1</sup>Ed. Meyer, *Ursprung und Geschichte der Mormonen* (Halle: Niemeyer, 1912), p. 5, n.1.

<sup>2</sup>*Ibid.*, p. 19.

<sup>3</sup>*The Life of David Marks, To the 26th Year of His Age, Written by Himself* (Limerick, Me.: Office of the *Morning Star*, 1831), pp. 340-1. This happened





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on March 29, 1830. Marks' statement, p. 341, "From all the circumstances, I thought it probably had been written by an infidel, to see how much he could impose on the credulity of men . . ." is quoted with slight alteration and no acknowledgment by E. D. Howe, and lifted from him by others in the same way.

<sup>4</sup>Campbell's study first appeared in the *Millennial Harbinger* for February 7, 1831 (Vol. II, 85-96); it is most readily available in Dr. Francis W. Kirkham, *A New Witness for Christ in America*, Vol. II (Independence, Mo.: Zion's Printing and Publishing Co., 1951), pp. 101-9. Our quotation is from Kirkham, p. 105. (Italics ours.)

<sup>5</sup>*The Reflector*, Palmyra, New York, January 6, 1831; quoted by Kirkham, *op. cit.*, II, 65.

<sup>6</sup>Quoted in Josiah Priest, *American Antiquities* (Albany: Hoffman & White), 5th ed., 1835, p. 76. The first edition was 1832.

<sup>7</sup>Origen Bacheiler, *Mormonism Exposed, Internally and Externally* (New York City, 1838), quoted by Kirkham, II, 159-160.

<sup>8</sup>H. Stevenson, *Lecture on Mormonism* (Newcastle: J. Blackwell & Co., 1839), p. 24.

<sup>9</sup>*Ibid.*, pp. 8-9.

<sup>10</sup>E. D. Howe, *History of Mormonism: or a Faithful Account of that Singular Impostion and Delusion* (Painesville: Printed by the Author, 1840), pp. 93-94.

<sup>11</sup>*Ibid.*, pp. 74-75.

<sup>12</sup>Wm. Harris, *Mormonism Portrayed* (Warsaw, Ill.: Sharp and Gamble, 1841), Intd., cited in Kirkham, *op. cit.*, II, 166-7.

<sup>13</sup>Rev. John A. Clark, *Gleanings by the Way* (Philadelphia: W. J. & J. K. Simon, 1842), p. 259.

<sup>14</sup>*Ibid.*, p. 250.

<sup>15</sup>*Ibid.*, p. 282.

<sup>16</sup>Daniel P. Kidder, *Mormonism and the Mormons* (New York: Carlton & Porter, 1842), p. 60.

<sup>17</sup>*Ibid.*, p. 8.

<sup>18</sup>Prof. J. B. Turner, *Mormonism in All Ages* (New York: Platt & Peters, 1842), p. 300. (In Kirkham, II, 190.)

<sup>19</sup>*Ibid.*, p. 302. (Kirkham II, 192.)

<sup>20</sup>Kidder, *op. cit.*, pp. 336f.

<sup>21</sup>Thos. Gregg, *The Prophet of Palmyra* (New York: J. B. Alden, 1890), pp. 35, 75, 95. The first statement is quoted by Gregg from S. S. Harding.

<sup>22</sup>Jas. H. Hunt, *Mormonism* (St. Louis: Ustick & Davies, 1844), Ch. VI, pp. 39ff.

<sup>23</sup>John Reynolds, *My Own Times* (Illinois, 1855), p. 563.

<sup>24</sup>T. W. P. Taylder, *The Mormons' Own Book* (New Ed., London: Partridge & Co., 1857), p. xxiv.

<sup>25</sup>Davis H. Bays, *The Doctrines and Dogmas of Mormonism* (St. Louis: Christian Publishing Co., 1897), p. 263.

<sup>26</sup>P. J. Pierce, "The Origin of the Book of Mormon," *The American Anthropologist* N.S. Vol. I. (1899), p. 694. (Italics ours.)

<sup>27</sup>H. M. Beardsley, *Joseph Smith and His Mormon Empire* (Boston, New York: Houghton Mifflin Co., 1931), pp. 79f.

Beardsley is ready to accept "The Mormon version" of the story of the Book of Mormon "if we related it in modern terms . . . shorn of its supernatural aspects." As if the wise men of 1830 objected to anything else than its supernatural aspects!

<sup>28</sup>Wm. A. Linn, *The Story of the Mor-*



mons (New York: Macmillan, 1923), pp. 89-90. (1st ed., 1901.)  
 Rt. Rev. Samuel Fallows & H. M. Fallows, *The Mormon Menace* (Chicago: Woman's Temperance Publ. Assn., 1903), p. 16.

**Prisoner's Base**

(Continued) spirits in prison whom the Lord visited, and there are some spirits in prison whom we can visit. Some are prisoners of ignorance; some the prisoners of disobedience, sloth, or indifference. Messengers are needed to "go to the rescue" and "touch" lives before sin has made so many encroachments upon their souls that rescue becomes impossible.

A recent speaker in stake conference said that when he was a young man President McKay had put his hand on his shoulder. He had never forgotten. He said, "President McKay touched me." Many people can say that of President McKay. President McKay not only touches people with his hands; he also touches them with his example and his spirituality and his faith, and he brings them over to the Lord's side of the line.

The most worth-while work in the world is to touch the lives of people with the spirit of the gospel. For those who do will see the fulfilment of the great promise when the King shall "... say to them on his right hand, Come, ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world.

"For I was an hungred, and ye gave me meat: I was thirsty, and ye gave me drink. . . .

"I was in prison, and ye came unto me." (Matt. 25:34-36.)

**APOLOGY TO A FRIEND**

by Marian Boyle Monahan

The storm subsides,  
 and in my heart resides  
 A deep regret where only  
 love for you should be.  
 Give back my ugly searing  
 words of spite  
 That in the night glow hot  
 to torture me.  
 I'll hide them deep in  
 cushioned dark  
 To keep them ever still  
 and dead,  
 Those biting, vicious  
 words of mine  
 I wish unsaid.

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