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Comparing Sherem, Nehor, and Korihor

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CHAPTER TEN

COMPARING SHEREM, NEHOR, AND KORIHOR



In chapters 5, 7, and 9, we examined the cases of Sherem, Nehor, and Korihor separately, which now puts us in a good position to compare and contrast these three proceedings in greater detail than ever before. The following review and comparative analysis allow us to go beyond the obvious similarities and to solidify our understanding of these cases. The fuller picture now brought to light answers the questions about these archetypal accounts that Elder B. H. Roberts raised in 1922.

Although the cases of Sherem, Nehor, and Korihor share certain features with one another, these three actions involving Nephite dissenters have less in common than one might assume based on casual familiarity or superficial comparison. The similarities are not materially greater than one would expect to find in any series of precedent-setting cases coming out of a single culture. Moreover, the differences are case-specific and distinctive, as one finds in real-life legal experience, in which no two cases are factually or procedurally identical. The salient, distinguishing facts of these cases make the legal value and the historical significance of each one truly unique.

Similarities

Some readers and commentators have given the similarities in these cases primary attention, leading them to conclude that these proceedings are mere stereotypes or caricatures and are not historical, actual legal narratives. The most extensive articulation of the idea that the degree of “repetition or parallelism” between these three cases is so strong that one might doubt their historicity was written by Roberts in his long-unpublished “Book of Mormon Study.” There Roberts set out to identify the main problems that he thought critics of the Book of Mormon might someday raise.¹ He spelled out these issues not because he lacked faith or

1. B. H. Roberts, *Studies of the Book of Mormon*, ed. Brigham D. Madsen (Urbana: University of Illinois, 1985), 264–71. The original, handwritten document is in Special Collections, box 15, folder 21, J. Willard Marriott Library, University of Utah.

confidence in the Book of Mormon,² but because he hoped that future defenders of the faith would benefit from his exploration of problems.³

Roberts described all three of these dissidents as “Anti-Christ,” even though the Book of Mormon applies that term only to Korihor (Alma 30:6). With respect to Sherem, Roberts noted that he was a “learned” man who was a powerful and flattering speaker (Jacob 7:2, 4). After quoting most of Jacob 7, Roberts suggested that some people might see “a certain ‘raw’ness” or “a certain amateurishness” in this account.⁴ The legal and literary treatment of Sherem’s case offered above in chapter 5, however, would certainly suggest otherwise and, I think, would have satisfied and pleased Roberts. Turning to the trial of Nehor, Roberts wondered if in its viewpoint the “confession of error by the Anti-Christ, an ignominious death, [and] the triumph of the orthodox faith” might reflect the same amateurish spirit.⁵ After discussing how the Amalekites mocked Aaron in the land of Jerusalem (Alma 21),⁶ Roberts quoted at length from the case of Korihor in Alma 30, pointing out that he preached in various parts of the land “in a manner strongly reminiscent of the controversy between Jacob and Sherem.”⁷ In reality, these cases are significantly divergent, as is discussed below and as the accompanying table demonstrates.

Accounting for the Similarities

Roberts outlined twelve alleged similarities between the cases of Sherem and Korihor: the two cases both involve (1) denying Christ,

2. John W. Welch, “B. H. Roberts: Seeker after Truth,” *Ensign*, March 1986, 56–62. Roberts’s 1927–28 theological treatise *The Truth, The Way, The Life: An Elementary Treatise on Theology*, which was reprinted by BYU Studies in 1994 (John W. Welch, ed.), was unavailable for examination when the cloud was raised in the 1980s about his testimony of the Book of Mormon, but the words and logic of that treatise now seem to have dispelled any lingering residue of that shadow. I discuss this issue in the introduction to that volume, pp. xxiv–xxvii, and also in “Roberts Affirms Book of Mormon Antiquity,” in *Pressing Forward with the Book of Mormon*, ed. John W. Welch and Melvin J. Thorne (Provo, UT: FARMS, 1999), 289–92.

3. Letter of Roberts to Richard R. Lyman, October 24, 1927, in Roberts, *Studies of the Book of Mormon*, 60.

4. Roberts, *Studies of the Book of Mormon*, 266.

5. Roberts, *Studies of the Book of Mormon*, 266–67.

6. This Book of Mormon episode did not result in a legal proceeding in which anyone was convicted or punished; rather, Aaron was simply rejected, and he voluntarily departed out of that land (Alma 21:11). As Aaron and his brethren then came into the land of Middoni, they were cast into prison (v. 13); but it appears that they were imprisoned simply as trespassers or intruders (compare Mosiah 7:7), not because of anything they had said or done or believed. They were eventually freed from prison by Ammon and King Lamoni (Alma 21:14). Accordingly, what Roberts suggested might possibly be viewed by some as only a “slight variation” (*Studies of the Book of Mormon*, 267) within these cases actually involves completely different facts, circumstances, and procedures.

7. Roberts, *Studies of the Book of Mormon*, 268.

(2) charging the established ministry with misleading the people, (3) rejecting prophetic knowledge of the future, (4) denying the scriptures, (5) questioning the accuser, (6) the accuser hesitating to answer directly, (7) the accuser demanding a sign, (8) the accused hesitating to involve the power of God, (9) the accuser being stricken, (10) the accuser confessing his error, (11) the accuser sensing the futility of his repentance, and (12) restoring righteousness and justice among the people.⁸

These similarities can be put into perspective in several ways. First is to recognize that a similar degree of uniformity can be found in recorded legal cases throughout the ancient world. Stylistic similarities can be found in the stock manner in which legal proceedings were recorded in the ancient Near East, even though these cases were separated from each other by long periods of time. Likewise, legal cases in the Old Testament—for example, the case of the blasphemer in Leviticus 24:10–23 and the case of the Sabbath wood gatherer in Numbers 15:32–36—are also reported with a high degree of uniformity. In those two Old Testament cases, conduct occurred that seemed to violate the rules protecting the sacred name of God and the sanctity of the Sabbath, and so the people brought the potential offender to Moses, they put the accused in ward, the Lord declared to Moses what should be done, and the man was taken outside the camp and put to death by stoning, the whole congregation participating as the Lord commanded. The Old Testament trials of Naboth (1 Kings 21) and Jeremiah (Jeremiah 26) and the New Testament trials of Jesus (Matthew 26; Mark 14; Luke 22; John 18) and Stephen (Acts 6–7) also have several salient features in common: false witnesses, accusations of blasphemy and false prophecy, corrupt elders and judges, innocent defendants, and so on.⁹ Ancient historiography (consider the writer of Chronicles in the Old Testament or the historian Herodotus) is frequently characterized by its employment of standard formulas and repeated patterns to a considerable extent, even when reporting distinctive, independent incidents.¹⁰

8. Roberts, *Studies of the Book of Mormon*, 270–71. For a discussion of the ancient concept of restoring justice, see generally Pietro Bovati, *Re-Establishing Justice: Legal Terms, Concepts and Procedures in the Hebrew Bible* (Sheffield, England: JSOT Press, 1994), related to the juridical dispute between Sherem and Jacob above. The element of reconciliation is always the ultimate goal of the *rib*.

9. For a detailed comparison of the trial of Jeremiah with the trial of Jesus, see Bernard S. Jackson, “The Prophet and the Law in Early Judaism and the New Testament,” *Cardozo Studies in Law and Literature* 4, no. 2 (1992): 123–66.

10. Alan Goff, “Historical Narrative, Literary Narrative—Expelling Poetics from the Republic of History,” *Journal of Book of Mormon Studies* 5, no. 1 (1996): 50–102. Robert Alter, *The World of Biblical Literature* (New York: BasicBooks, 1992), 117.

Second, one may also turn to general legal experience. The reporting of most legal cases will have certain elements in common. In modern judicial practice, two different contract cases or two different securities fraud cases, especially if they are decided and reported by the same judge or court, will often have several stylistic and formulaic points in common. For example, most decisions handed down by the United States Supreme Court follow fairly consistent patterns in reporting the procedural posture, issues, facts, analysis, and holding of the case. Almost all trial court cases involve common factors such as establishing jurisdiction over the accused, lodging the complaint, presenting evidence, interrogating the parties, introducing witnesses, reaching a verdict, and carrying out the consequences of the decision. Against this background of uniform procedures, rules, and judicial practices, the particular facts and circumstances of each case come to light and are legally evaluated, and judicial decisions finally play themselves out.

Third, the alleged similarities are not always very remarkable. It is common enough in almost all litigations for an accuser (such as Sherem) or an accused (such as Korihor) to try to discredit or to draw into question the knowledge or point of view of the opposing parties. All defendants in all legal systems are prone to question or challenge their accusers, and accusers are typically hesitant to answer those objections any more directly than necessary. Post-conviction confessions may often be offered by all convicts, but usually these last-ditch efforts prove futile and inconsequential. The element of restoring peace and righteousness among the people was always the primary goal of every legal action in biblical times (as discussed in chapter 5 above). Furthermore, the relative degree of noteworthy similarity between the cases of Sherem and Korihor diminishes when the trial of Nehor and the variety of legal cases throughout the Book of Mormon are brought back into the picture.

Finally, as will be pointed out in detail below, the alleged similarities between the cases of Sherem and Korihor (let alone between them and Nehor) are not always clear or demonstrable. As the following discussion shows, these three opponents are very diverse. Their cases arose in different ways, on different legal grounds, and for different political and religious purposes. They do not all deny the scriptures, their confessions vary widely, and they were not all stricken or punished in the same way.

Seeing the Differences

Seldom have commentators, however, focused on the numerous differences that are found in the reports of the three cases of Sherem, Nehor, and Korihor. While legal cases are, by their very nature, somewhat

repetitive and formulaic, each of these cases involves particular distinguishing facts, as the accompanying table illustrates.

	Sherem	Nehor	Korihor
Date	c. 500 BC	91 BC	c. 74 BC
Location	City of Nephi	Land/City of Zarahemla	Zarahemla, Jershon, Gideon, Antionum
Labeled an anti-Christ?	No	No	Yes
Source of power	Power of speech	Popular and physical strength	Power of devil
Basic theology	Theist, traditionalist	Theist, universalist	Atheist
Religion	Pro law of Moses	All law irrelevant	Anti law of Moses
Political stance	Reactionary, royalist	Populist, oppositionist	Radical, dissident
View on priests	Should keep law	Should be paid	Oppress the poor
Openly opposed the “foolishness” of leaders and among the people	No	No	Yes
Can anyone know the future?	Not if too far in the future	Probably, at least that all will have eternal life	Not at all
Impact of preaching	Led away hearts, no actions of followers mentioned	Many believed, followers gave money	Led away hearts, many committed sin and whoredoms
Nature of legal action or offense	Falsely accused Jacob of 1) causing apostasy 2) blasphemy 3) false prophecy	Killed Gideon, was convicted of enforcing priestcraft with the sword	Reviled both priests and God, committed blasphemy
Was arrested?	No	Yes	Yes
Status in legal proceedings	Plaintiff	Defendant with defenses	Defendant with counterclaims
Nature of court	Divine justice	One judge	Several judges
Interrogated by the court?	About Christ	No	About God’s existence

	Sherem	Nehor	Korihor
Accepted the scriptures?	Yes	In part	No
Denial of Christ	Evasive	No	Clear
Was warned?	Indirectly	No	Yes
Requested a sign?	Yes	No	Yes
Was the sign-giver hesitant?	Yes, for fear of tempting God	Not applicable	No, better that one should perish
Reason for sign	Confirm revelation by Holy Ghost	Not applicable	Confirm existence of God
What divine sign was given?	Smitten to earth but still could speak	None	Struck dumb but could still write and walk
Was there a judicial verdict?	No	Yes	No
Confession	Sincere, complete	Involuntary	Incomplete
Role of devil	Impersonal, deceived by devil's power	None	Personal, visited and taught by devil
Penalty	Divine justice	Capital punishment	Divine justice, ostracism, trampled
Cause of death	Nonhuman causes	Human, legal	Human, probably extralegal
Publicity	Public confession	Ignominious death	Result heralded
Effect on people	Fell to earth, love restored	Priestcrafts continued	End of this wickedness, all converted
Precedential value of the holding	Legitimized Nephite Christianization of law of Moses	Gave original jurisdiction to chief judge under new reign of judges	Some speech acts still punishable under law of Mosiah

The facts and circumstances of these cases, which were of utmost importance in leading to their respective verdicts or outcomes, are also key factors in our evaluation of the meanings of those outcomes. Consider how these cases differ:

The three cases arise in different lands and involve different kinds of courts and judges. The political and social situation in the land of Nephí during Jacob's lifetime involved a fragile, fledgling community; Jacob probably had little political power with which to counter the attacks of Sherem. Alma, while also a new and therefore somewhat insecure judge at the time that Nehor's case arose, held in his own hands a coalition of judicial, religious, military, and administrative powers that enabled him to carry out a death sentence against a very popular local leader. A few years later, however, Korihor could take advantage of a deliberate separation of religious and civil functions in the government of Zarahemla; by exercising his right of equality, he was able at first to speak openly and to incite change in several neighborhoods and lands in the region, almost with impunity.

Of the three challengers, only Korihor is called "Anti-Christ" (Alma 30:6). Each is said to draw his power and effectiveness from different sources: Sherem from his power of speech (Jacob 7:4), Nehor from his physical strength and popularity (Alma 1:2–3), and Korihor from the tutelage by the devil (30:53).

While they were certainly united in their opposition to the Nephite regime in Zarahemla, they differed widely and significantly in their theology, religion, and political agendas. They held different views on the law and about priests, and they advocated different degrees of change. Sherem was in favor of traditional views of the law of Moses (Jacob 7:7) and appears to have been a royalist and, if not a reactionary, at least a conservative (vv. 9–13). His strategy focused on a narrow theological concern—protecting and conserving traditional understanding of the law of Moses (vv. 6–7). Nehor was a theist who definitely believed in God and universal salvation (Alma 1:4); thus for him, law was essentially irrelevant (Alma 1:6–9). He catered to the popular masses and sought to establish a church with a paid ministry (1:3), and he was the leader of a new movement that offered a peaceful alternative to Alma's church (vv. 5–6), at least until he killed Gideon in a fight (v. 9). Korihor was an atheist who adamantly denied the existence of God and all knowledge of him or of the future (30:12–16). He did not attempt to establish a church (v. 18) but was an iconoclastic, itinerant skeptic or cynic with a radical political agenda. His campaign was based on a bundle of ideologies and philosophies; he was far more subtle, radical, and sophisticated than Sherem, whose argument fundamentally accepted God and presupposed the validity of the scriptures. In contrast, Korihor openly rejected the scriptures and adamantly

denied not only Christ but also God (vv. 12–15), while Nehor’s ideology allowed people to believe or do almost anything they wanted.

The social impact of their teachings was different, and the legal actions involved in these cases were varied. Even the postures of the parties were totally different: Jacob found himself the accused defendant; Sherem was the accuser (Jacob 7:6). Nehor was a criminal defendant who raised defenses (Alma 1:13–14). Korihor, though also a defendant, was accused of religious offenses only and was aggressive in raising counterclaims and counterattacks (30:22–55).

In addition, each of these three committed or were accused of different crimes, and they raised different legal issues or political accusations against their opponents. The case of Sherem involved accusations of blasphemy, false prophecy, and leading people into apostasy (Jacob 7:19); Nehor was convicted of enforcing priestcraft with the sword (Alma 1:12–14); Korihor reviled the priests and eventually blasphemed God (30:22–55).

The three cases feature different procedural aspects dealing with such elements as whether the accused was arrested or not, and whether the case was tried and decided under divine justice, before a secular judge, or by an ecclesiastical body. The procedures differ in terms of the nature and unfolding of the interrogation, the extent of the warnings given, the use of the sign or ordeal to determine guilt or innocence, the presence or absence of a formal verdict, the purpose and type of confession, the authority imposing the penalty, the nature of the punishment, the actual cause of death, the announcement of the outcome, the people’s reaction, and the long-term meaning of the case in Nephite legal history. For example, Sherem’s guilt was not announced by officers to the general public, but instead he spoke his confession directly to the general population in the city of Nephi (Jacob 7:16–21). On the other hand, Korihor did not speak or write directly to the general population in the city of Zarahemla; rather, his verdict was heralded by public messengers throughout the land (Alma 30:57–58).

Thus, on careful inspection, the accounts of the cases of Sherem, Nehor, and Korihor differ in many respects; and given their times and circumstances, they differ precisely in the ways one could expect them to differ. Each proceeding was tailored to the individual facts and circumstances of the case. Some surprising and unique twists and turns occurred, and different legal issues were encountered in each case. Above all, the historical or jurisprudential value of each case was to establish different results: each proceeding raised legal problems of first impression that were of pressing importance for that particular moment in Nephite legal and

religious history. When they are read with sensitivity toward their legal technicalities and jurisprudential principles, these cases can now clearly be seen to be subtly nuanced, historically plausible, and legally credible.