

[slide] What do you do when you are a faithful member of the Church, and you believe you belong to an organization that was divinely restored through a Prophet? When someone comes to you and says, “Look, here is what your founding Prophet did and taught, and it doesn’t jibe with what your Church is teaching today?” If you are Brian Hales, you might spend years of your life investigating that accusation, writing books and websites, and trying to fit the pieces of historical information into a narrative which fits what you can believe about God and Prophets, and how they work.

This has culminated in a three-volume set, “Joseph Smith’s Polygamy.” At a first glance, I was impressed by the books. Although I found a few small editorial mistakes, the volumes are quality work--every few pages contain pertinent historical images, charts and tables. [slide] I loved how the footnotes are at the bottom of each page, and as promised in advertisements, there is a wealth of historical information, some of which has never before been available to the general LDS reader. In these volumes, Brian has made a contribution which will be valuable to the ongoing discussion of the origins of Mormon polygamy.

[slide] In the many podcasts and public appearances that Brian has made since these books came out, he’s emphasized the important historical contribution that he has made. “If you want to disagree with me, that’s fine,” he says over and over, “the only thing I’d ask is to bring some evidence. Let’s talk about evidence, and we may have to agree to disagree.”

Brian says that in his writings he has made a commitment not to reject any source due to its apologetic or antagonistic claims, but rather to take every source for its worth and use it in constructing what he thinks is the most plausible explanation of what happened in Joseph Smith's polygamy.

Yet, as Brian himself admits, the publication of these volumes is driven by a specific agenda. This agenda guides his interpretations.

Reviewer Colby Townsend remarked: “Hales needs to be commended for his commitment to interpreting history responsibly.” I do not agree that Hales interprets history responsibly. His history, rather than being descriptive, is prescriptive. He tells the reader how they should interpret the evidence rather than letting the evidence speak for itself. I find this throughout the volumes. It is in his handling of the evidence that he and I will have to agree to disagree. In many places, his own evidence overwhelmingly supports interpretations at variance with those he himself provides.

For now, I’ll give an example of how this works in Brian’s treatment of the Law of Adoption. [slide] I do this because I am interested in this subject, I have a forthcoming paper on it, and I think what he does in this chapter, found in volume 3, is representative of his writings on polygamy as a whole.

Some of you may not have heard of the Law of Adoption, or understand what it has to do with polygamy. Brian begins his chapter on the Law of Adoption by explaining: [slide] “Joseph Smith’s theology teaches that men may increase their family size through three mechanisms. First, biological offspring can be born in the covenant or afterwards sealed to their parents. Second, through a process discussed in this chapter, called “adoption” sealings, persons could be sealed to a couple to whom they were genetically unrelated. The third method was being sealed to additional plural wives.” By presenting the Law of Adoption in this way, the modern reader can easily confuse this ordinance with the practice which continues today when parents legally adopt a child into their family and later have them sealed to these new parents. It seems to me that this is a misconception that Brian

attempts to foster. The adoption ordinance as practiced in Nauvoo was theologically distinct from yet went along with marriage and child-to-parent sealings. Brian's discussion of the Law of Adoption contributes to a misunderstanding of early Mormon theology and supports a further shift in doctrine than that which has already taken place on this subject.

The law of adoption grew out of theological principles taught by the founding prophet, Joseph Smith. These principles were carried out by Brigham Young, the Anointed Quorum, and others who had been privy to the Prophet's instruction. They were hampered somewhat in their implementation of the ordinance of adoption by the lack of a temple from the time the Saints left Nauvoo until the first temple in Utah opened in 1877. But there were official teachings and private observations explaining what this doctrine meant from Kirtland to Nauvoo and later, until revelation announced by Wilford Woodruff discontinued the ordinance of Adoption in 1894.

To me, the critic, Brian's presentation of the Law of Adoption seems to be an attempt to redefine doctrine. In the modern LDS church, we no longer participate in the ordinance of Adoption, or as early Saints often termed it "sealing men to men." However, many Mormon Fundamentalists continue to believe in and offer this ordinance. Brian's discussion of this principle, as with his treatment of polygamy, seems to be an attempt to reclaim the Law of Adoption from the fundamentalists. He wants to align the Law of Adoption taught by Joseph Smith with sealings that we do today, and distance the doctrine from the fundamentalists' conception of it.

Let me tell you clearly what the Law of Adoption is not. It is not sealing parents to their biological offspring. It is not sealing parents to legally adopted children. This is not how the Law of Adoption worked. It was not a genealogically-based system at all. According to BY it was the highest ordinance of the gospel [slide: Brigham Young quote] and in this sense it is distinct from sealing of offspring. Rather, brethren and their wives were constructing a priesthood-joined chain which would lead back through Joseph Smith, the head of this dispensation, and thence to Father Adam. **At the same time**, they were building family kingdoms by marrying additional wives and sealing their children and their non-member progenitors to themselves.

[slide] There are several techniques that Brian uses in this chapter which obfuscate the discussion and promote his agenda. [slide] First, Brian uses unclear terminology--"adopted offspring," or "non-biological offspring" to describe the ordinance. This definitional equivocation obscures what the early Saints instead understood as the construction of a Priesthood chain. While individuals and even couples were sealed to men and their wives, early Saints often used the phrase "men to men sealings" to describe and distinguish this unique ordinance from other kinds of sealings.

[slide] Next, rather than using primary sources to understand the original meaning of the Law of Adoption, it appears that Brian relies heavily on the opinions of modern writers (such as Jonathan Stapley) in his reconstruction of the doctrine. Despite the praise from his reviewers that he has included all of the important sources necessary to his topic, Brian fails to identify critical primary sources. The Law of Adoption began to unfold as early as Kirtland with the Book of Abraham. Abraham is not joined to his earthly father, who is an idolater. Rather, Abraham chapter 1 discusses the need to be linked into not simply a lineal or genealogical chain, but a great priesthood chain. The chapter describes a Priesthood chain coming "down from the fathers from the beginning of time" (Abr 1:3) to Adam, and eventually to Abraham. This reading distinguishes between Abraham's earthly genealogical "fathers" who had turned from righteousness (v. 5) and his fathers in the PH (v. 4), who were exalted beings. This

early 1835 source is important because it presages the idea of patriarchal adoptive sealing in Mormonism.

Hales says that “available documents contain no public or private records of Joseph Smith specifically addressing this doctrine.” As I have just demonstrated in my discussion of the Book of Abraham, this is clearly incorrect. Further, because Brian has failed to consider the Book of Abraham as one of JS’s teachings regarding Adoption, he also misses the relevance of Joseph’s comments regarding “fathers in eternal glory,” and “the fathers in heaven” to that doctrine. Finally, he fails to appreciate the relationship of these three references by the Prophet to the discussion of the exaltation of the Patriarchs in D&C 132. He gives a statement [slide] advocating sealings between parents and children and then urging the Saints to “use a little Craftiness and seal all you can.” This statement can be read to refer to adoption or just to seal all the relatives you can. Brian says this statement from Wilford Woodruff’s diary is the closest Joseph came to addressing the doctrine. However, he discounts Benjamin F. Johnson’s testimony, quoted by Todd Compton: “The first command was to ‘multiply’ and the Prophet taught us that dominion and power in the great future would be commensurate with the number of ‘wives, children and friends’ that we inherit here and that our great mission to Earth was to organize a nuclei of Heaven to take with us, to the increase of which there would be no end.”

Brigham Young: “The ordinance of sealing must be performed here man to man, and woman to man, and children to parents, etc., until the chain of generation is made perfect in the sealing ordinances back to father Adam;until the earth is sanctified and prepared for the residence of God and angels" (JD 12:165). Feb 16, 1868

Orson Spencer: “By revelation and by records and traditions, and by the spirit of adoption, they will learn their relationship to the heavens; and the vacant links of lineage between them and their forefathers in the priesthood, will be sought after...The righteous will be bound together by the ties of adoption and kindred, in the “bundle of eternal life.”

Brian devotes a lot of ink attempting to prove that Joseph never taught that there were eternal advantages to having more biological offspring, and that Joseph never taught that there were eternal advantages from more “adopted” offspring. Here he makes assertions that contradict the evidence he provides. [slide] Brian himself quotes the following sources, all of whom understood Joseph as teaching that eternal blessings were tied to the number of biological offspring born to them: Benjamin F. Johnson, [slide] Oliver Olney, Fanny Stenhouse, [slide] James H. Kennedy, Helen Mar Kimball Whitney, [slide] Annie Clark Tanner, and authors Martha Bradley and Mary Firmage,; he also quotes the following saying that priesthood adoptions brought glory and benefits to the adoptive fathers: [slide] Heber C. Kimball, John W. Gunnison, and [slide] Brigham Young. Despite all of this evidence, Brian concludes that it is not reasonable to believe that this was part of Joseph Smith’s theology [slide]. To me, this is the single most frustrating flaw that I see in Brian’s volumes. Sources early and late, friendly and unfriendly to the Church, all agree, but Brian contradicts them all. [slide] In many cases, these people said they had received the teaching from Joseph Smith. They were in the highest quorums of the Church, or were his closest associates or his wives.

Another technique that Brian uses is discounting. [slide] For example, he discounts John D. Lee’s testimony that men were aggressively campaigning for individuals to be adopted to them. Brian

dismissively states, "Most likely, Lee's recollections describe his personal behavior better than that of "many families" in Nauvoo in the winter of 1845...there is little evidence that other men were similarly seeking Church members to be adopted to them at that time" even when Lee is supported by other contemporaneous statements. "John Taylor had men running thro' the city [Nauvoo] to get men sealed to him." (Brigham Young, March 12, 1848). Next, Brian overqualifies his statements. "Lee's claim that 'meetings were held all over' appears to be an overstatement," Brian writes. "Little evidence has been found supporting that the law of adoption was widely taught in Nauvoo at any time." But just six months to a year later, there are accounts of Orson Hyde, George A. Smith, and Amasa Lyman widely teaching the Law of Adoption in Council Bluffs and Winter Quarters.

An example of an assumption that is made occurs when Brian discusses the adoption sealings that were performed in the Nauvoo Temple, shortly following the death of the Prophet. Because there were not many adoption sealings compared to other types of sealings, Brian dismisses the importance of the ordinance. He appears not to have considered the fact that there are less endowments performed than baptisms, less marriage sealings than endowments, less second anointings performed than sealings, and if (as Brigham Young said) Adoption is the highest ordinance, one would expect that that would be the case. Also, there may not have been time in Nauvoo to attend to much more than the preparatory, or absolutely essential ordinances. [slide] On the slide is another assumption. The only proxy Adoption ceremony involving Joseph Smith in the Nauvoo Temple was an adoption sealing of John Bernhisel. No wife is listed as having participated in this ordinance, and Emma had distanced herself from the Council of the Twelve by that time. Though there is no evidence that this is the case, Brian assumes that adoptions must occur to couples, so postulates that one of Joseph's plural wives may have participated.

The last technique I want to cover is misinterpretation. [slide] On the screen is a quote which Brian interprets as demonstrating Brigham Young's "insecurities" on the topic of Adoption. Rather, this quotation shows that Brigham was certain that through Joseph Smith, the Lord had introduced the Law of Adoption as it was currently practiced, and that he was confident that when the time came more revelation would be forthcoming on the subject. Brigham Young was not confused in any fundamental way about the Law of Adoption. Shortly thereafter, Brigham had a dream in which he was visited by Joseph Smith. He asked the Prophet for instruction on the Law of Adoption [slide]. On the screen is Brigham's question, and Joseph's response. Brian says that Joseph "did not directly answer his question," and then quotes Jonathan Stapley's observation that "the visionary experience had a cooling effect on Young's public engagement of adoption theology." What Brian has not seen is that Joseph did answer the question. The brethren at the time were concerned about how they should know who to be adopted to. Joseph answered that the Spirit of the Lord would show them how the human family was to be organized. Brigham did preach about the Law of Adoption publicly following that experience, but he left it to the brethren to make their individual decisions by the Spirit, and waited until the Temple in Utah was nearing completion to say more about the ordinance.

Agenda: to present the Law of Adoption as originally conceived by JS as being the same as sealings that we have today "In some ways, adoption teachings have come full circle during the half century between Joseph Smith's death and 1894. Judging from the number of children-to-parent sealings and adoptions performed in the Nauvoo Temple, there appears to have been little belief in 1845 that men were eternally advantaged by becoming an adoptive parent. Then in the years immediately after leaving Nauvoo, some Church members and leaders treated adoption as a mechanism to increase a father's eternal status. Questions persisted until 1894 when the official doctrine attributed no special eternal

benefits to a father who accepts adopted offspring...Joseph Smith promoted a biological chain back to Adam. With the opening of the Nauvoo Temple, a few Church members apparently believed they were advantaged by being sealed to Church leaders, an idea that afterwards expanded...in 1893, the emphasis to seal according to genetic ties was reinstated.” (190) Not just an interpretive difference. It is demonstrably false. Wilford Woodruff when he introduces the new concept of sealing. When the ordinance was discontinued, a veil was dropped over the underlying doctrine of Adoption, preventing a full understanding of the purpose of that ordinance.

What I have said about Adoption can be extrapolated onto Brian’s handling of Joseph Smith’s polygamy. I think Brian misconstrues polygamy in the same way that he misconstrues Adoption. Yes, the volumes are important, but they are also dangerous because they present the historical sources in a light that does not reflect Joseph Smith’s polygamy as understood by the early Latter-day Saints. He is not responsible in retrieving a collective memory of polygamy that is representative of the majority of sources. The idea that plurality of wives is merely an appendage to the greater principle of eternal marriage, and that monogamous eternal marriage is normative is a clear departure from the early understanding of the term, taught in Nauvoo and in Utah until the turn of the century. Ultimately, it is dishonest history. This book is not about Joseph Smith’s polygamy, it is about how the modern church can accommodate the historical record.

- A. Uses misleading terminology (Celestial marriage = monogamous eternal marriage) definitional equivocation. Also exaltation or highest degree of exaltation. JS taught, and his closest associates preserved the teaching.
- B. Fails to identify critical primary sources, or fails to appreciate sources that he has. Many times they contradict him outright. For instance, buckeye’s lamentation—adding glory by having more wives. One cannot receive a fullness with just one wife. Joseph’s interpretation of the parable of the talents is a critical miss. Instruction to PPP. Can’t say that that was only true from 1851 to 1890. If they failed to live it they were damned. We can say that it was lifted by WW. But let us not say that we have come full circle. A maze of sources. An “embarrassment” of sources. Two ways of reading that. So many things there but how they are presented is not always helpful in understanding. How faithful were Brigham and others in passing along, interpreting, understanding Joseph’s doctrine? Maybe they are not as confused as they think.
- C. Qualifies
 - 1. Joseph never accused in a public source, before 1841, etc.
- D. Makes unwarranted conclusions
- E. Discounts
- F. Assumes – Fanny Alger, assumes that a ceremony took place.
- G. Misinterprets
 - 1. One such example occurs in the chapters devoted to explaining Joseph’s relationship with Fanny Alger. A letter written by Oliver Cowdery in 1838 states: “...in every instance I did not fail to affirm that what I had said was strictly true. A dirty, nasty, filthy [affair] of his and Fanny Alger’s was talked over...” In some significant original research by Don Bradley, it was found that the word “affair” in the above quote was written on top of the word “scrape,” which latter word had been obscured. Hales expends a great deal of

ink over this discovery, even reproducing an image of the offending word for the reader's perusal. The word "scrape" is not in current use, and the word "affair" has acquired the almost exclusive meaning of extramarital sex, Hales explains. He and Bradley conclude that the letter itself stops short of an actual accusation of adultery. At this point, a reader is left with the impression that some other kind of scrape may have been intended.

2. Unfortunately for Hales' argument, a later source in the same chapter of his book clarifies for us just what Cowdery intended. The minutes of the Far West High Council trial held against Cowdery contain an account by David W. Patten, who "went to Oliver Cowdery to enquire of him if a certain story was true respecting J. Smith's **committing adultery** with a certain girl...he [Cowdery] then went on and gave a history of some circumstances respecting the **adultery scrape** (emphasis mine) stating that no doubt it was true." This quotation reveals that indeed, Oliver Cowdery was unambiguously accusing Joseph of adultery, and that the word "scrape" in this instance was associated by all involved with Cowdery's accusation of an affair between the Prophet and Alger. That in the Cowdery letter the original word "scrape" has been replaced by the word "affair" by a later scribe is certainly interesting, and it may be true that "affair" can refer to something besides a sexual relationship. But the High Council Minutes nowhere use the word "affair" to modify the word "scrape." Rather, they use the word "adulterous," and clarify that the "scrape" intended by Cowdery was "J. Smith's committing adultery with a certain girl."
 3. Perhaps Bradley's discussion of the Cowdery Letter would have been better presented as a footnote. Instead, it appears in Hales' main text, as an argument that Cowdery was not accusing the Prophet of an "affair" with Fanny Alger. Again, this initial strong statement by Hales must be qualified in light of the evidence which he later provides. Uses these techniques repeatedly throughout the three volumes. Misdirection. Telling you how to interpret the evidence.
- H. Agenda: To present Joseph Smith's polygamy as "moral" according to conservative or Victorian standards; to **align Joseph Smith's position on polygamy with a modern LDS view** that not everyone must live polygyny to attain the highest degree of exaltation.

IV. Theological Challenge: Why in the case of both PM and LoA is there a need to say that the early Gas were confused about this. That poses a greater theological challenge than for us to just say that the LoA was abandoned. What kind of prophet was mistaken or confused?

V. Conclusion

A. Dancing David

Conclusion: some of my perceptions of JS—I don't think the sources warrant a Joseph who was a sexual libertine, ruled by libido. But neither do I see the almost prudish Joseph that Hales presents in these volumes. Hales gives us a prophet who shied away from consummating his marriages until commanded by an angel with a drawn sword. As pointed out, that's inconsistent with contemporary accounts. Also inconsistent is a polygamy meant solely to provide progeny, or sexless eternal unions to give leftover women husbands in the eternities. The Joseph in the pages of Hales' volumes never even spoke anything inappropriate. This just isn't the prophet who said, "

Rather I'd like to see Joseph as a "dancing David." Who shocks us into reconsidering what it means to be holy—what it means to be a follower of righteousness. Brigham Young, one of his closest associates, said "I feel like shouting Hallelujah all the time when I think that I ever knew Joseph." What kind of man could engender that response? How about a man who was full of life and vigor, a virile man who wasn't afraid of smashing social and religious mores? Do we have to remake Joseph Smith into a 40-year-old Boyd K. Packer? Or is it possible to admire a frontier prophet who enjoyed women, wine, and religious ecstasy? Replaces the JS who was green and alive with the JS that his contemporaries expected to find in a prophet. JS was not what they expected. Dust him off and make him look respectable for the neighbors.

A little less plaster. Much is made of how celestial marriage is not plural marriage. But he provides the evidence that the two were not distinct. The bifurcation of these things is a modern invention. But Brian contends that the from the beginning they were not. He fails to quote Wm Clayton's most holy principle.

Does not provide his reader with the tools needed to properly evaluate his own handling of the evidence is inconsistent, contradictory and methodologically flawed.

Stapley, p. 82 reference in footnote 76

In a letter to one of his wives Read said that Brigham referred to some future time 'when men would be sealed to men in the priesthood in a more solemn ordinance than that by which women were sealed to men, and in a room over that in which women were sealed to man in the temple of the Lord.' (Isn't One Wife Enough? The Story of Mormon Polygamy, 1954, pages 278-280)

by 1856 Young placed adoption at the liturgical apex of Mormonism: "We will seal men to men by the keys of the Holy Priesthood. This is the highest ordinance. It is the last ordinance of the kingdom of God on the earth and above all the endowments that can be given you. It is a final sealing an Eternal Principle and when once made cannot be broken by the Devel." [Brigham Young, quoted in Kenney, Wilford Woodruff's Journal, 4:389–91, January 13, 1856.