An Interview with Denver Snuffer
History Education Foundation
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Interviewer: Denver, thank you for meeting with us today.

Denver Snuffer: Sure.

Interviewer: And so we're excited to talk with you just a little bit about your history and some of the role that you've had in, maybe, Utah religious history as well.

But starting with your background, you grew up Baptist, right?

DS: Yes. Well, my mom was Baptist. My father was a believer but not necessarily a Baptist believer—Christian; belonged to the Masonic Lodge in… Well, he joined in Massachusetts, but he belonged still in Idaho when we were there.

Interviewer: What part of Idaho did you grow up in again?

DS: Mountain Home. It's an Air Force base there. My dad retired from the Air Force and stayed in Mountain Home.

Interviewer: So it sounds like your mom was maybe more religious than your dad?

DS: Yeah. Much so. I mean, he was not… He didn't wear religion on his sleeve. He was a believing fellow. But my mom wore it on her sleeve. And she would invite whoever the Baptist minister was over for Sunday dinners after church. And we had the Baptist minister as a house guest on a number of occasions.

Interviewer: How did your dad feel about that, or did he?

DS: Oh, he was fine with it. He was fine with it. I mean, I think he went to church on an Easter or two, but he didn't have any particular axe to grind for or against. I know he didn't particularly care for the Catholics, but our next-door neighbors were Catholic. And so I didn't have that same antipathy towards the Catholic Church that my dad did.

Interviewer: Sure. Is there anything that stands out in memory of just growing up Baptist? Do you feel like you spent a lot of time reading the Bible with your family growing up? Did you go to church every Sunday, personally?

DS: Yeah. My mom took my sister and I to church every Sunday. She had this little box of Bible verses called "Our Daily Bread," and she would read a Bible verse to us at breakfast from the front card, and then she'd put it in the back. And so we rotated through Bible verses like, you know, John 3:16, *For God so loved the world, that he gave his only begotten Son, that whomsoever [should believe] in him should not perish, but have everlasting life* is one of the cards that she would read. So it wasn't that I read the Bible, but I was very acquainted with specific verses, having heard them read at breakfast as a kid by my mom.

Interviewer: So it sounds almost like Scripture Mastery. Like in seminary…

DS: Pretty much.

Interviewer: …they would ask you, like, Scripture Mastery with different books of Scripture. Sounds like your mom had, like, her own version of that.

DS: Pretty much. And she also had a well-worn Bible. I mean, she used that Bible, so much so that by the very end, when she's in her 90s, it had to be held together with a large rubber band. Otherwise, the binding and everything had separated. So yeah, she was a… She was studious about her biblical education. I think she was both committed to the Baptist viewpoint and also convinced that Mormonism was a cult and was anything but Christian and that everything involved in the Mormon religion was fraudulent and charlatans and what have you—which is really kind of ironic because when Ezra Taft Benson became the Secretary of Agriculture in the Eisenhower administration (my dad had served under Eisenhower in World War II, and he was someone who respected Eisenhower), and so when Eisenhower appointed Ezra Taft Benson, I think my mom carved out a singular exception to the despicable cabal of Mormonism in the form of Ezra Taft Benson and thought he was okay because he was working with President Eisenhower.

Interviewer: Do you think that was more of his relation to Eisenhower, not anything about his political views in John Birch Society and…?

DS: It's probably spilled over into that because my mom was quite politically conservative too. So I think he attracted sympathy for his political views too, which is kind of funny because my dad was not particularly politically dogmatic.

I remember when Nixon and Kennedy—that was the first time as a kid that I became aware of the election of a U.S. President—and because Nixon had served as Eisenhower's Vice President, my dad was in favor of Nixon. I mean, he supported Nixon against Kennedy. But at the time, my dad was still on active duty in the military. And when Nixon lost and Kennedy won, it was like the day after the election, my dad was a supporter of Kennedy and a fan of Kennedy's. And we were in Germany when Kennedy came to checkpoint Charlie in Berlin and gave his "Ich bin ein Berliner" speech. And you know, my dad was impressed—favorably impressed—by that. I mean, it didn't…

Politics weren't, you know, this hand-wringing, gripping kind of political divide that it has become today. My dad supported Kennedy as the President and was really distressed when Kennedy got assassinated. And we were still in Germany when that happened. And the German people were quite upset about that too. So…

Interviewer: That makes sense. Talking about your mom being conservative and being in Idaho at that time, do you have any memory of them talking about John Birch Society or even Cleon Skousen and any of his ideas?

DS: I think my mom had a favorable view of the John Birch Society, but I don't remember there ever being, like, some kind of, like, meetings or, like, get-togethers. I just think that she

held, you know, conservative views, which were, I believe, largely derived from the Baptist universe because their theology, at least back then, was likewise conservative. So, you know.

Interviewer: Okay, so moving on a bit from your childhood: So as you got into teenage years, where did you go to high school?

DS: Mountain Home High School.

Interviewer: Mountain Home High School.

DS: You know, the Tigers.

Interviewer: And so then you went on to serve in the military after that. But before, were you, I mean, were you pretty interested in, like, history or civics classes going from military to law school? Like, do you feel like there were traces of that from your teenage years that…?

DS: Well, I really enjoyed literature. I really enjoyed history. I thought… I really fell in love with Benjamin Franklin and his sense of humor, Mark Twain and his writing/his writing style.

I think Mark Twain's really the one who supplied Americans with, generally, our sense of humor. Almost every one of the humorists or comedians or things that we find to be amusing were concocted in the mind of Mark Twain, and his ability to use humor to challenge worldviews. You know, one of his statements was, "…[a] petrified [opinion] ~~never broke a human~~ never…broke a chain or freed a human soul" was…

I mean, the whole purpose behind the *Huckleberry Finn* volume was to go back and redeem the American conscience over the injury that slavery had inflicted on America. And he juxtaposed… I mean, people today are really offended by the use of the word "nigger," but the name of one of the heroic characters—the protector of Huck Finn, the companion that sent Huck on his quest down the river to find a place where Jim could be freed—was (the name was) "Nigger Jim." And so, he stood out as, with moral clarity, as someone who was superior to many of the white charlatans and the carpetbaggers and the larger community, but also stood out as a moral force to help Huck Finn clearly perceive the value of humanity (the value of humanity, generally) and the pathetic nature of what slavery had done and had cost.

But Huck Finn was written after the Civil War, so it was retrospective in that sense. And, you know, I think I read *Tom Sawyer* when I was like a fifth grader. I think I read *Huck Finn* for the first time when I was in sixth grade, and I had no idea that it was possible to write so well, to create a world that was so gripping and compelling.

I don't think I encountered another writer who drew me in with the same level of fascination, attraction, until I read Tolkien's stuff when I was in the military years later, because I went through *The Hobbit* and the entire trilogy in about two months, reading in off-duty hours when I was in the military, and it was almost a similar experience of realizing that there was this capacity to transform, through literature, the entire world that you live

in and how you view other people in society. Of course, he (Tolkien) was a contemporary with C.S. Lewis and Bertrand Russell—and, you know, I read Bertrand Russell (thought he was funny); read C.S. Lewis (while he has less of a sense of humor, he soberly assessed, you know, the lay of the land).

All of them were writing in the shadow of European unrest following World War I, and then during World War II, and all of their writing (C.S. Lewis writing non-fiction and fiction, but Tolkien writing fiction, and Bertrand Russell writing his cynicism), all of them were a reflection of the thinking that was going on during the time. And, you know, literature and reading… My mother subscribed to *Reader's Digest* condensed books, so you could read entire masterpieces and do so in a condensed fashion, so that you didn't need to plow through *Les Miserables* and its…*Crime and Punishment* in its tormenting length.

Interviewer: These condensed versions, how much shorter were they?

DS: Considerably.

Interviewer: Like one-third of the originals? One-fourth?

DS: Probably a fourth in the case of *Les Mis[erables]*, but I liked *Les Mis[erables]*, and I passed the test in high school having only read the *Reader's Digest* condensed version.

Interviewer: Must have been a decent test taker to pass that without reading the full thing.

DS: Yeah, yeah.

Interviewer: The nuance here, what's interesting to me is you talking about your admiration for Mark Twain, where Mark Twain was so critical of Mormonism. He referred to the Book of Mormon, what was it, "chloroform in print"? So the nuance there…

DS: Yeah, and how he thought the polygamists were all, you know, lustful, immoral men until he came out to Salt Lake, and he saw the poor, ungainly creatures, and he commented that the man who would marry one of them has performed an act of Christian charity, but the man that would marry a dozen of them has performed an act so sublime that people ought to take their hats off in reverence to the polygamists.

And then he tells that story about buying a whistle for one of the kids, and all of them wanting whistles, and it drove Brigham Young nuts with all the whistling that went on.

Yeah, Twain had… He enjoyed a fairly low opinion of Mormons and Mormonism.

Interviewer: Sure. I feel like I remember one of Utah Studies professors in college talking a little bit about that. What was…? There was some quote that… It was criticizing, like, the witnesses of the Book of Mormon—something along the lines that if the whole Whitmer family had signed as witnesses, I wouldn't be, like, any less satisfied than I am now; something similar to that.

DS: Yeah, yeah. And I… While I was a law student, Jeffrey Holland came down to deliver a devotional talk. I think at the time he was Church Commissioner of Education; I don't think

he had been called into the Twelve. But, you know, they deliver those Tuesday morning assembly meetings where they had, you know, a visitor come and talk. Saw Ronald Reagan down there too.

Interviewer: Ronald Reagan went to the BYU Law School?

DS: No, he went to deliver the talk in the Marriott Center that they give every week. Anyway… The devotional talk.

Jeffrey Holland came down, and in his talk, he mentioned that he wrote his Ph.D. thesis on Mark Twain's *Roughing It*. And in his thesis, he had identified the rough miner as representing Mark Twain's religious views. And, of course, I'd been, by that time, I think I'd read everything Twain had ever written, including his posthumous autobiography. And I thought, "Gah, Holland missed it." He didn't understand what… I mean, Mark Twain's sense of humor grew out of an internal conflict. It was completely unresolved. He was both the frontier minister and the miner. He was both of those.

You know, his daughter died. He was certain of two things. First of all, he didn't believe there was a God. And second of all, he believed God was punishing him because he didn't believe in Him. And he held both of those views. And it is that kind of internal conflict that allowed him to juxtapose ideas, juxtapose circumstances/situations, and out of that flows this incredible sense of irony, self-deprecation, humor. He had both thoughts, and he entertained both thoughts, and he was both characters.

And Jeffrey Holland was wrong in his doctoral thesis.

Interviewer: Probably be a lot of believing Mormons that would not agree with you on that, but…

DS: Yeah, and that's okay, too, because he was Church Commissioner of Education, and he was anything but a member of the Twelve when he wrote his thesis and when he gave that talk (the thesis having been written years earlier). And frankly, if I had had an opportunity to sit down with Jeffrey Holland, I think I would have confronted him about his Mark Twain talk in the devotional at BYU and had an opportunity to challenge the idea—because Twain entertained both thoughts.

Interviewer: I bet he actually would have enjoyed that conversation. But going on to your time in the military service, and that was around the time that you converted to Mormonism, right? And I've listened to some of your, I don't know, I don't remember exactly what it's called, but you had gone to different locations in Utah and Idaho and talked.

DS: It's referred to as the "Ten Talks."

Interviewer: The Ten Talks, okay.

DS: There's those vignettes at the beginning of the Ten Talks when I do sort of a little autobiographical sketch or a prior event gets talked about.

Interviewer: Yeah, sure.

DS: And I did, yeah, I talked a little about it back then.

Interviewer: Yeah, you talked about it in those. But just for a broader audience, maybe a condensed version of how you converted to Mormonism, what you found compelling about it compared to maybe your Baptist background?

DS: Well, a fellow that I had befriended—just this really outgoing sort of gregarious guy, guitar playing, just fun-loving fellow—had converted to Mormonism while he had been in Southeast Asia during the Vietnam War. And the Vietnam War was still happening at this time, and I befriended him—and he sicced the missionaries on me. But because of my Baptist upbringing, I was… I was willing to meet with them because of Steve—Steve Klapperoth; he was a friend. And I didn't take them seriously. I mean, I thought… My mother had persuaded me that the whole of it was just nonsense. And so I was being polite and listening to them. And I really, I mean, I went through their discussions, and back then they used the felt boards, and they put the characters on, and they had the foundation of apostles and prophets, with a little thing that went up, and they put all this stuff on top of it. When you pull the foundation out, then all the stuff comes off the board.

Interviewer: Kind of an object lesson.

DS: Yeah, yeah. It was probably long before your time, and you may not have heard of anything like that, but it was a series of guided discussions. But, you know, they asked me to read a bunch of verses out of the Book of Mormon, which I did, and then they wanted to know in the next get-together what I thought of it. And literally, I said, "It's got to be Scripture; it's every bit as boring as the Bible." And I meant it. I mean, it held no interest for me at the time.

But there was this—I'm assuming that it was a Fathers and Sons Campout; I wouldn't have known it by that name at the time. But I was in the military in New Hampshire, Portsmouth, Pease Air Force Base, which has since been closed. But Pease Air Force Base on the coast of New Hampshire is within driving distance of Sharon, Vermont, and the Joseph Smith birthplace has a Visitor Center up there in Sharon, Vermont.

And I think, in hindsight, it was probably a Fathers and Sons Campout, but it was there for the commemoration of the Restoration of the Aaronic Priesthood, because they had a date for that. And Steve wanted me to go on this campout. "Yeehaw, let's go on a campout."

And so I went with him up to the birthplace of Joseph Smith in Sharon, Vermont, to attend a Fathers and Sons Campout. And the stake president was there and gave a talk in the morning when we got up, in which he was describing the fight between David and Goliath. And he was giving the kinds of dimensions of how tall Goliath would be that I hadn't heard anyone take that story really seriously—like it is a factual, actual event; it's not an allegory; it's not a metaphor. It's real people doing real stuff. And the height of Goliath was… And he'd… It was like 9 ft. 8 in. or something, according to the calculations that he had made in the conversion. And, you know, we're trying to recruit a 7 ft. 7 in. center to play for BYU out of France right now. So, OK, that's not horribly implausible, given heights.

But the fact that he took it so seriously kind of surprised me because this seemed like a more serious biblical group of people than I imagined Mormons were because they'd focused on the Book of Mormon in those discussions. And so that surprised me.

And then Steve accompanied me over to the Visitor's Center where these nice old people were entertaining folks. And they had a red set of, I mean, I would recognize it now as a Triple Combination—back then it was just the red set of Scripture material. And he got out and he found section 76 of the Doctrine and Covenants and asked me to read it. And so I read a little of it. It sounded interesting. And we needed to get back out. So he dog-eared the page, and he gave it to me. And I said, "Well, we got to pay for this. I mean, we're going to be stealing from these old people that are running this Visitor's Center if we don't pay them for it."

He said, "No, they're free. They're free."

I didn't believe him. So I asked the lady if I could take one. She said, "Yeah."

And I said, "How much do I owe?" And it was, you know, it was free.

It was sometime after that that I actually read Doctrine and Covenants section 76. And that is what struck me as an unlikely product by a charlatan. That struck me as something that shed light on an issue that was more plausible than the Christian Heaven.

You see, the Baptist and the Christian Heaven has a line; and on one side of the line, everyone goes to Heaven, and on the other side of the line, everyone goes to hell.

And well, once again, Mark Twain… If you read an *Extract from Captain Stormfield's Visit to Heaven*, what you find is that Mark Twain is describing a post-mortal condition in which everyone is differently situated based upon how they lived their lives. And Heaven wasn't some uniform thing; it was very much variegated.

And I mean, everyone winds up in a state that reflects what their preferences are. And having read an *Extract from Captain Stormfield's Visit to Heaven* and thinking that that made more sense to me than did a "bright line" Heaven and hell, D&C section 76 struck me as something that illuminated the imponderable condition of the afterlife in a way that did not necessarily contradict biblical material, but which nuanced it and elaborated on it in a way that appealed to rational thought.

Interviewer: Would you say it was with… So 76 goes into the three kingdoms—right?—celestial, terrestrial, and telestial. And would you say that in reading and reflecting on that, that's when you started to maybe shift and think, Oh, maybe there was something to Smith and his ideas?

DS: Yeah, in fact, it troubled me because the worrisome thought came that "this guy actually might be what he claims to be," and wouldn't that be awful? Because now, if Joseph Smith were actually someone who is, essentially, a modern-age biblical figure who could speak as a messenger sent by God, that means that the whole of that Mormon viewpoint has to be

taken seriously. And I didn't want to take it seriously. I didn't want to be a Mormon. That didn't appeal to me at all.

But that moment is the moment at which I began to take it seriously, which was months after I had endured missionary encounters and lessons and preaching and… So that's the moment when I began to take it seriously. It was still some…probably a couple of months before I eventually got the conviction that I needed to go ahead and be baptized. But ultimately, I worked my way through all the struggles and got baptized and became a Latter-day Saint.

Interviewer: And so you become LDS, you get baptized, and then shortly after, you go to BYU Law School.

DS: Yeah.

Interviewer: What made you want to get into law? What made you want to choose that as a profession?

DS: Probably watching "Perry Mason" as a kid. I mean, it's probably nothing more sophisticated than that. But lawyering seemed like a reasonable way to both train your mind and make a living. And there was also… I'll tell you a story from my youth that also has some impact on the whole thing.

My Catholic next-door neighbor was named Rick. His dad owned a bar in downtown Mountain Home, Idaho. And we lived next door to one another. And Rick and I were down in the Carl Miller Park in Mountain Home, Idaho one summer afternoon when someone came driving through the park with the windows down on their car yelling out, "Tom Lynn shot a Mexican at the Rendezvous!" Well, the Rendezvous is the name of the bar that's owned by Rick.

So Rick's now having someone shout that Tom Lynn—everyone knew who Tom Lynn was in Mountain Home, Idaho—Tom Lynn had now shot someone down at his father's business. So Rick and I hop on our bikes and ride down to the Rendezvous. And when we arrived, sure enough, there's a guy dead on the sidewalk with a shotgun blast to the head. And, um…

Interviewer: How old were you at this time?

DS: We were probably in sixth grade. And there's a bunch of crying Mexican women and some people consoling them and police are gathering. And we even elbowed our way to the front and, you know, were impressed by the event and rode away saying, "Yeah, sure enough, I guess Tom Lynn killed someone." So that's the first part.

Second part is this: Mountain Home, Idaho…

Interviewer: Was that kind of traumatic to see at that young age, to see someone with a shotgun wound to the head?

DS: Well, it was a mess, but I mean…

Interviewer: Sixth grade is pretty young for that.

DS: It was pretty young, yeah. And I was one of the youngest in that grade.

But so, sometime later, Tom Lynn is tried for murder. Mountain Home has a very small jury pool. My father was one of the jurors that served on the trial of Tom Lynn for killing someone at the Rendezvous. And Tom Lynn was convicted. But there were apparently a lot of mitigating circumstances, including the fact that the Mexican had beaten him up inside the Rendezvous.

But there were aggravating circumstances because Tom Lynn left, went and got a shotgun, came back, yelled for the guy; when the guy came out, shot him. So there was both mitigating and aggravating circumstances. But ultimately, he was convicted, and he was sent off to the Idaho Penitentiary. And then some years later, he was released from the penitentiary, and he returned back and was welcomed into the Mountain Home community once again.

Interviewer: Wasn't really, like, ostracized after that?

DS: No. In fact, my father and a group of buddies got together to play poker. And one of the guys who played poker with my father was Tom Lynn; he joined their group. So after my dad had convicted him, being on the jury, and they were all together playing poker.

And one evening while they're playing poker, Tom Lynn leaned over on the table, put his head on the table, and everyone thought he was going to sleep. So they dealt him out. They kept going, kept going. And then when the poker game ends and they're getting ready to leave, they tried to wake him up—and he had died. So he died on the poker table—with my dad—when the time came for Tom Lynn to return home.

So that's just a funny little story about history in Mountain Home. But the fact that my dad served on a jury and was involved in a messy thing like a murder trial, and "Perry Mason," and a couple of the lawyers in town: Hicks was one of them; McMurtry… [rethinking] Not McMurtry… Anyway, there were several lawyers in town and, you know, they seemed to have reasonable lives and good families.

And I decided that it was a decent way to go, and I'd heard it was a fabulous education. And BYU had just put together a law school, and the faculty of the law school was extraordinarily impressive. And so I applied to BYU and to Utah and to Idaho and got admitted to all of them—and went to BYU. And I've been grateful for having that education ever since. So…

Interviewer: Then after BYU, you went on to… What type of law did you practice?

DS: Well, during law school, you try to get a clerkship to do something law-related during the summer. And the first summer, I worked for a guy who was both a doctor (he graduated from med school) and a lawyer. And he said law school was harder than med school, but his practice…

Interviewer: You said he said he was a doctor and a lawyer, the same guy?

DS: Yes. Yeah, same guy. But he thought law school was harder than med school.

Anyway, he practiced as a lawyer, and his practice was suing for medical malpractice because he had a background that allowed him to really perform competent work. He, um… I clerked for him between first and second year.

He was in a plane wreck in San Diego. He had a twin engine plane, because his practice could support it. His medical malpractice was all over the place. He flew over the border, bought gas, flew back to San Diego, apparently to leave from there. And the gas he bought in Mexico apparently was the cause of the wreck, but his plane crashed. He was flown to the burn center at the University of Utah, where he dictated his Last Will and Testament and died. So I couldn't clerk for him my second year because he died in the burn unit at the University of Utah.

So another fellow who had clerked the prior year with this corporation asked me to take his place. So I showed up, and I clerked the summer there and rather liked the work. And they made me an offer at the end of my third year of law school. And so I took the offer, even though I was planning to return to Idaho. And I went to work in-house with an actively litigating federal government contract company that performed government contract work. And we were constantly having to deal with contract disputes involving the federal government. And so I stayed in Utah, and I worked for a corporation for about—well, counting the clerkship—about four years. Then I went into private practice.

So…

Interviewer: Gotcha. And so after law school, you're practicing law. And then the main books I'm familiar with (that you started with), it was *The Second Comforter*, right? Was that…?

DS: That was the first one.

Interviewer: That was one of the first ones; the main message is telling people that they can have a relationship with Jesus, that they can meet Jesus, essentially.

DS: Yeah, it used to be that the concept of the "Second Comforter" was something that got talked about in Elders Quorums and in Gospel Doctrine and in… The last time it got mentioned in General Conference, I believe, was 1977. And so after '77, it began to go adrift in emphasis.

And when I wrote *The Second Comforter*, it was still orthodox Mormon belief. After Richard Turley and Dallin Oaks went to Boise for what they called the "Boise Rescue"…

Interviewer: Was Turley… He's an LDS historian?

DS: Yeah, he was still the LDS Church Historian at the time. But after they went to Boise and Dallin Oaks more or less denounced the idea of the "Second Comforter" as a kind of false idea that gets portrayed by people trying to lead you astray, as opposed to an orthodox church belief…

Interviewer: This was maybe, what, 2015 around then, this Boise thing?

DS: Yeah, I think it fell into obscurity from 1977 until about 2015. And during that time period, despite the fact that there hadn't been any real discussion about that subject in General Conference or in any of the publications from Deseret Book, it was still an orthodox belief. So when *The Second Comforter* came out as a book, it was a correct statement of LDS beliefs.

I have never gone back and edited the book, because it is no longer embraced by the LDS Church as an orthodox doctrine. And you could say that has been denounced since the Turley-Oaks visit up in Boise. But it reflects what the faith believed from the time I became a Mormon in 1973 until the time that I published it about—what?— 2006 or so. It was the belief; it was the view. But Mormonism (the LDS version of Mormonism) has increasingly ceased to embrace the teachings that created the very church that it has become.

If it had not been for the bundle of teachings that originated between, you know, 1829 and 1844 with Joseph Smith, you wouldn't even have… No one would sign up and come aboard to be a member. And as they increasingly abandon or fail to perpetuate the earliest, very compelling teachings, they cease to appeal to a whole group of people and even to their own mainstream members. I mean, anymore, much of what was appealing and compelling about the origin of the Latter-day Saint faith is gone. And the demographic collapse and membership decline reflects what they've decided to do with…

Interviewer: You're talking about the origin. You're talking of just, like, the emphasis on revelation and the emphasis on…

DS: Well, the content of those revelations; Doctrine and Covenants section 76. Joseph Smith—up until the imprisonment in Liberty Jail—had, in my view, he had the insecurity of teaching in the absence of a direct revelation. And so what you've got is an extraordinary outpouring of revelations, some of them on relatively trivial matters—like someone coming to him and saying, "What would God like me to do?" And God telling him what He would like to do, which is essentially a string of quotes from the New Testament, telling him what the Scriptures say that everyone ought to be doing. But Joseph appeared to be confined.

He goes into prison for nearly half a year in Liberty Jail. And while there, it's like a compelled hiatus in which he is required to spend time quietly reflecting instead of that whirlwind that had existed from the 1829 through the 1838 time period. And, you know, he had then been tempered by the rejection—essentially the wholesale rejection—the presidency in Missouri, in Zion, had all abandoned Joseph. There had been apostles who had turned on him, and Orson Pratt had signed an affidavit. Sampson Avard, who was hard to control and had been demoted from his position…

Interviewer: That's the Danite guy, right, Sampson Avard?

DS: Yeah, Sampson Avard continued to cause violence in Missouri. But then when Joseph is in prison and they can't get enough proof to continue to hold him, Sampson Avard steps forward, and he essentially testifies to all of the deprivations that he [Avard] had been

responsible for, but said he was doing it at the direction and the behest of Joseph Smith—which allowed him [Joseph] to continue to be confined in prison.

But what happens after he gets out of the prison and you get into the Nauvoo era, is that Joseph Smith has now become tempered by adversity, informed by quiet reflection, the beneficiary of a hiatus that's let him think back about things. And what you get in the Nauvoo era is a rather different kind of Joseph Smith, whose sermonizing and teaching comprise the primary output of what he would provide.

I'm saying that *all* of the material—the content of the revelations, the letter (there are actually two letters from Liberty Jail, but they're a single letter in two parts,) and the teachings in Nauvoo—had a kind of wide open inquisitiveness, where all truth, wherever you can find truth, there you have Mormonism, come from whatever source it may. Joseph Smith is less reliant upon saying, "Thus saith the Lord," and forcing people into making a decision of, "Is this from God? Is this not from God? And if from God, then I'm compelled to accept it." He instead assumes a role that's more like a teacher or a counselor who is trying to persuade you, trying to invite you in to a worldview and to considering carefully these thoughts that he has that he's proposing to explain something about God and about the Scriptures, and reasoning from them, and extending that reasoning out into profoundly deep things about who we are, and where we came from, and the fact that this mortal experience is part of a continuum that began long ago, and it will continue long into the future. And you know, he rolls out during this same time period the Book of Abraham; and so he's not yet released, although he's worked on the Joseph Smith Translation of the Bible… When he published Lectures on Faith, the *only* Scriptures that he used were the Joseph Smith Translation of the Bible; and then the Book of Abraham comes out during the Nauvoo time period too.

I'm saying that all of that—from June of 1844 back to 1829, when the translation of the Book of Mormon was underway—all of that provided a corpus of religion, viewpoints, teachings, revelations, new Scripture that Mormonism, in the form that it manifests in the LDS Church today, has not preserved. They've walked away from it. They're now doing something else.

Interviewer: You know, are you partly…? So that emphasis that you highlighted with Smith of "persuasion and reason," where today some—and maybe this isn't your exact argument—but some would accuse (especially with excommunications of you, John Dehlin, Rock Waterman, D. Michael Quinn, and others, the September 6th…) that it's a lot more hierarchy-focused, and it's like, "You listen to the people that are on top. We don't need to convince you. You just listen."

DS: Yeah, yeah. It's become compulsory. In Joseph Smith's day, it was invitational—although there were things that some people did that couldn't be tolerated, and therefore, there were disciplinary proceedings. But the appeal was to invite, inform, to turn the teaching into the kind of thing that is described when Lehi got his family to come and taste that brilliant white fruit from the tree. When they taste, they say, "It is delicious to me." And the beginnings of this, when Joseph Smith was around, really was intended to be absolutely

delicious, inviting, compelling, fascinating, engaging, mind-expanding. It was intended to be invitational and not compulsory.

And in part, my perception is that the men who currently lead the LDS Church haven't studied enough, haven't read enough, and don't understand enough to even confront the issues that Joseph Smith was talking about. And so they have no choice. If what you want to do is to say, "We've got the truth," but you don't know what the hell the truth is, then, "We've got the truth, and we have the authority now!"—which is largely what the Catholics have done, is default back to *keys* and *authority* and *priesthood*, rather than *teachings*. Although when Cardinal Ratzinger was the head of the College of the Doctrine of Faith before he became the Pope: "Benedict"… Pope Benedict actually had a fairly learned and grounded understanding of the faith; but, you know, Catholicism rarely plumbs the depth of what the potential is for Catholic teachings. I mean, their homilies are largely based upon the things that were taught or said long ago and far away. Joseph Smith was bringing God right down into the community today and talking about a God who walks alongside us, rather like He did on the road to Emmaus after His resurrection, with Cleopas and the unnamed disciple (whom I believe to be Luke). So anyway…

Interviewer: Going back to the excommunication factor: John Dehlin—he's referred to excommunication as "barbaric," where he feels like people are kind of cut off from the community. Do you take a similar viewpoint? Do you want to talk a little bit about your experience with that? I know you mentioned that Russell M. Nelson personally…

DS: Yeah.

Interviewer: He had tried to influence, like, stake leaders to excommunicate you, where maybe there was a former state president that didn't want to, but then a new one came in and…

DS: Yeah, yeah. Yeah, it came down… Strengthening Members Committee, and ultimately, Russell M. Nelson came out and said the committee had decided that I needed to be dealt with.

Interviewer: He was head of the committee at the time?

DS: Yeah, yeah, but he then became president. And I, yeah, I think John Dehlin is right, because the purpose behind the excommunication of the September 6, of John Dehlin, of me and others, is to convert someone's status from fellow saint and fellow member and brother to other/outsider/"not us," alienate us.

Now, see, Dallin Oaks was… I hope he listens to this, by the way. Dallin Oaks was president of BYU at the time I was in law school, but when he walked across the street to the law building, he was "Professor" Oaks. He taught the Trusts class. So his status as president of the university was lost when he entered the law school, and he became a Trusts professor and subordinate to the dean of the law school (Dean Lee), okay? And so I knew him as "Professor Oaks." Well…

Interviewer: He was your personal professor when you went to law school?

DS: Yeah, he was a professor on the faculty in the law school while I'm a law student there, and we know him and talked to him.

Interviewer: You think he recognized your name? Like, I mean, you were, like your excommunication was in newspapers. I'm sure that church leadership discussed it. You think he recognized your name as "That was one of my former students"?

DS: He and I have exchanged letters since my graduation from law school—while he was a Utah Supreme Court justice, while he was a member of the Twelve, while he's president of the Quorum of the Twelve—he and I have exchanged letters. Yes, he absolutely knows who I am.

And in all of our correspondence over the years, when I wrote to him and he wrote back to me, my address to him was "Professor Oaks." I didn't call him "Elder." I didn't call him "Justice." I didn't call him "President." I didn't call him anything except "Professor Oaks," because that is the circumstance in which we became acquainted. So he's "Professor Oaks." So when I wrote to him and gave him input and commented (after his wife had died) on this new marriage, I addressed him as "Professor Oaks." When he wrote back to me, it was always "Brother Snuffer," "Brother Snuffer," "Brother Snuffer."

I got excommunicated, but I had a daughter who was going to be married in the Salt Lake Temple. And I wrote a letter to him, and I said, "Professor Oaks," you know, "My daughter's about to get married in the Salt Lake Temple, and I'm wondering if it would be possible to have you perform the ceremony for my daughter?" And he wrote back to me. He was not available; he was actually out of the country on the date that they had chosen so it was impossible for him to do so. But when he wrote back to me (which was the last letter; I haven't written to him since), he addressed me as "Mr. Snuffer." So "Brother Snuffer"…

Interviewer: What year was this? Maybe 2016, 2017?

DS: I don't know. They've been married… Probably in the '16 or '17; I should probably know. Let's see, how old is Harper? She's around six, so '20… So it's, yeah, it's probably… It could have been as late as '18, but it's… The date's on the letter.

Interviewer: Sure.

DS: I've still got the letter. Yeah, "Mr. Snuffer."

So at that point I thought, Okay, you are so uber-orthodox in your viewpoint that now I'm clearly on the outside. And I'm not rooting for the LDS Church to fall apart; Utah's benefited by… I can't imagine what Utah's going to look like when the continued outflow of membership and decline results in an overwhelming non-LDS majority and a small LDS minority in Utah—because it's coming, based upon the direction that they've chosen to take this thing. And Mormon lives have been benefited by Mormon orthodox, personal discipline, hygiene, you know, drinking abstention, smoking abstention. I mean, the health generally of the community is better.

We have fewer DUI deaths per capita in Utah because of teetotaling. There's a lot to benefit. I mean, even if you think the church has gone haywire, we're still benefited by that church and it's functioning. And if it ceases to function, it's not going to benefit the community.

Interviewer: The nuance here is interesting. I would imagine many believing LDS would probably look at someone like you and say, "Oh, he just doesn't like the church. He wants them to fail." But here you are saying, "Well, I have some disagreements with them, but overall, I don't want Utah to go more secular. I think that the church does a lot of good." And so the nuance on that is just interesting to hear from you.

DS: Yeah, I think the LDS Church's survival is a benefit to the larger community, any community in which there's any significant population of believing, practicing Mormons. But the way that the men on top are managing it, they seem to not even comprehend what the religion that Joseph Smith started contains. And so it's no longer containing that. It is atrophying right before your eyes. And the rate of atrophy seems to be accelerating.

Interviewer: Going back to Utah benefiting with the church, do you have any thoughts on, like, the state legislature, for example, made up of, I'd have to look at the exact number, but around 90% LDS; some claim that Utah acts as, like, a theocracy. Do you have strong thoughts on that idea?

DS: Yeah, it really… The church exerts significant political influence on what happens in the Utah legislature. But the Baptists exert an extraordinary amount of influence in the Texas legislature. And there are communities inside of Texas in which the Church of Christ—which was founded by Alexander Campbell, by the way—the Church of Christ exerts extraordinary local political influence: Abilene, Texas, for example.

Abilene, Texas has a community that is "dry." You cannot purchase alcohol in Abilene, Texas. And that's because of the Baptists and the Church of Christ and the way that they have filled the city council. Inside of the boundaries of Abilene, Texas—it's either four square blocks or six square blocks—there is a town called Impact. Impact, I think there's four or five liquor stores in this little few blocks, and the line of cars that are driving there…

But that symbiotic relationship allows the larger community to say that they are dry, while at the same time, you can still locally visit a liquor store. And I mean, this was the condition that existed when I was in the Air Force, had been transferred from New Hampshire to Dyess Air Force Base in Texas (which is still a base there), and the condition that existed then because of the political environment. It may no longer be true about how that operates politically today.

But it's just another example of how religion… Utah is unique in that it's the Mormons, but Texas is unique in that it's the Baptists, and Massachusetts is unique in that it is the Irish Catholics. So it's not any different from one state to another about the nature of the political influence that exists. It's just that Utah is uniquely overrepresented by the Mormons. And in Idaho, the Mormons have a significant legislative presence like they do in Arizona, but it's not overwhelming.

But yeah, Utah's politics is affected by… If the church approves some legislative measure, the legislature is going to adopt it. And that's true. It may not be true as the membership declines, but at present, it is, and it has been for some time the case.

Interviewer: Your personal view on this, people look to you as a religious leader, and Joseph Smith was running for President before he was killed; I want to say Hyrum was running for state senate; there were different LDS leaders running for political office. Do you personally believe that religious people should try to influence their governments?

DS: Yeah, the relationship was always a one-way street. The State was never supposed to influence religion. Religion was supposed to be free to influence the State, but the State was not supposed to influence how religion gets practiced. When Thomas Jefferson was President, he declined to do anything to support a national day of fasting before the Thanksgiving holiday. But when he became governor—we didn't have the 14th Amendment yet because we hadn't had the Civil War yet—as governor, he felt no hesitation about adopting a quasi-religious day of fasting.

So yeah, religion is supposed to be free to try to influence the values, but the State is not supposed to proscribe or prescribe religion in any form that doesn't violate other provisions of the law. I mean, your religion can't be cannibalism. That would be a step too far.

Interviewer: Trying to apply that to Utah as the state legislature has made stricter drinking laws than other states.

DS: Yeah.

Interviewer: Right. People that might not be religious or that like drinking might say, "Hey, the LDS—they're imposing their values of the word of wisdom of not drinking on the rest of us by giving us the strictest laws in the state." What would you say in that situation? They're not necessarily limiting someone's ability to practice religion, but they're limiting someone's ability to live their life the way that they would want to.

DS: Well, Utah has taken the position that the only liquor that you're going to be able to buy will come through a state liquor store (which Utah has the authority to do) or a licensed establishment where they can serve (under very strict protocol) alcohol. As long as they have made it possible… And they have loosened up the laws about who can get a liquor license. Right now, the biggest difference is that Utah has a 0.05 alcohol level for being under the influence and subject to a driving under the influence criminal penalty, whereas before it was 0.08—and most states are 0.08. I think there's one that has a ~~1.2~~ or 0.12, which might be the highest. 0.05 is kind of ridiculous.

But if you look at what the purpose of that is, it's not to prevent you from consuming enough alcohol to actually get inebriated and run your blood alcohol content up to 0.2. It's saying, If you're going to drive, keep it under 0.05 because we don't want people getting killed from negligent driving. And so, it's not… It's kind of an extraordinarily tight confinement of the DUI law, but it doesn't prevent you… Get a designated driver, and get an Uber, and go get drunk, if that's what you want to do. Utah will still not prohibit you from

doing that, but you know, the lengths that they're taking under the guise of public safety, and maybe public safety is benefited by that.

I have a friend that got a new Tesla with the full self-driving package where it'll take him… It'll dodge traffic, it'll weave in and out, and I believe that has influenced the respect that he shows for the 0.05 level because he's got a designated driver in the form of a Tesla. But I won't name names.

Interviewer: That sounds good.

DS: And as his lawyer, I don't advise him to do that.

Interviewer: So going back to, like, the books you had written and, like, a lot of the people that study your writings and your blog, like, the name that is loosely called "The Remnant," what's your maybe hope for some of these people? Some of them, they meet together on Sundays, and they might look at Scripture together and kind of practice their beliefs together.

DS: I would hope that the original version of Mormonism that began with Joseph Smith could be revived and new life brought into it, and that that religion might not perish from the Earth, because entrusted into the hands of the LDS Church, the RLDS Church (which is converted into the Community of Christ), the Monongahela Branch (which is some form of Church of Jesus Christ of Latter-day Saints), all of the splinter polygamous cults, everywhere I look in every form that these organized factions of Mormonism have assumed, they have let what began to atrophy, and most of them—and clearly following the lead of what the Latter-day Saints have done with their church—most of them have resorted into the authoritarian hierarchical model in which the institutionalization has allowed the religion itself to become confined, controlled, dictated, and then all you need to do is to have anyone who winds up in possession of the authoritative seat to lose focus, lose memory, lose understanding, and now the institution itself has grown progressively more ignorant.

And what I would hope is that in perpetuating (through persuasion alone) an attempt to revive and breathe life back into what was once here, that it stands a chance of surviving, even if it only survives in the possession of a small group. As long as it survives, it will ultimately win, because the truth is infectious. The truth is compelling. The truth is able, if preached, to work upon the mind, the heart, the spirit of the person hearing the truth to the point where they realize they cannot deny it and they cannot resist it, if as long as it gets perpetuated, it will win—because darkness has a force that eventually tires out all of the people who are subjected to that force.

The Soviet Union fell apart. The Islamic bloc is no longer a bloc. I mean, you go to Dubai…

Interviewer: Kind of like the Ottoman Empire?

DS: Yeah, it's no longer the controlling moral force in the sense that it dominates, controls, dictates. I mean, the Shiites have their wet dream about what they're going to manage to pull off, but it's not going to work. And in the dying throes…

There was a time (and it was when the West came in contact with the Islamic world during the Crusades) when they had perpetuated… We… The West no longer had Plato and Aristotle. We no longer had the Greek philosophers. They had only been preserved on the Islamic side. The West didn't have agricultural understanding. We didn't have the water wheel. The West didn't have technology or understanding that came about as a result of encounters with the Islamic world during the Crusades. And it was the enlightenment brought about by that that caused the Renaissance—because the Islamic bloc was far more liberal, far more enlightened, far more scientific, far more open, far more willing to investigate. And now, I mean, here we are a thousand years later, and it's flipped.

In the Islamic world, if it weren't for oil, they would be living in mud huts and hunting with sharp sticks. The Islamic world is only in the modern phase because of oil, but the technology, the inventions, the creativity, the stuff that is going on through the scientific method is coming out of the West because that's where freedom and light and inquisitorialness and investigation is permitted.

And religion is no different than the larger effect that you have on society when you oppress, control, dictate, OR you turn free, and you make it enticing, inviting, and open, and susceptible of the kind of excitement that ought to come from discovering new truths, whether those truths are scientific or moral or religious or just profound philosophical insight into the plight of every man.

My wife is a mental health counselor, and as part of what she's been learning, studying, and developing, we're at the very early stages of investigation into the functioning of the brain, how the brain actually operates. But we have methods now in which the reaction of the brain, the synapses, all of what's going on inside the brain can be measured and tested and checked against what's going on outside the person. And what has profoundly affected my wife's viewpoint is that largely there is a *physical basis* for everything we find in the Sermon on the Mount. Everything that we find in the Gospel, in religion, has within it a relationship to the body, the mind, the physical world, and that religion is not meaningless in the sense that you can be happy in life by simply confining yourself to the scientific method. You can be happiest when you accept truth that comes from everywhere. And one of Joseph Smith's statements was that Mormonism is truth.

And so if we believe that Mormonism is truth, then if we find a truth, no matter where we find it, it belongs to the religion that Joseph practiced (and that I would like to see not perish from the Earth ever again). It's made its entry on several occasions, and then it's begun to atrophy. You have restoration, and you have apostasy. And apostasy has dominated the history of mankind from the time Adam left the garden. I mean, they were grandparents before they had the first child they thought would be a believer, in the form of Cain. And Cain ultimately didn't work out either. But apostasy has dominated. It dominated in the Old Testament; it dominated in New Testament; in the wake of the New Testament canon, it dominated—and it dominates now in the wake of Joseph Smith if we are not willing to engage in restoration.

So what I would hope for the people is that we would actively, continually, and purposefully engage in restoration and search deep into the things of God.

Interviewer: Yeah, thanks for that, for what you hope for the future of those that are part of the remnant. Something that stood out to me as you were talking about other Mormon groups. You talked about some of the polygamist groups. And I wanted to kind of tie a few ideas in together.

Well, first off, did you ever see the "Keep Sweet, Pray, and Obey" documentary that came out about the Warren Jeffs group?

DS: I didn't see that one, but I just saw the one about the false prophet, Bateman: Samuel Bateman. I just saw that one. I didn't see the one about Warren Jeffs.

Interviewer: That's pretty wild stuff.

DS: By the way, after Warren Jeffs was in jail, and just… I believe Samuel Bateman had been arrested, but he hadn't been convicted, and he hadn't gone to trial, and they were still in the process of trying to sort through what they were going to do with him. I went down to the Short Creek area and talked to them, and I'm planning to go back down there and talk to them again.

Interviewer: When you say "them"—like the members of that group?

DS: Whoever will come out of the…

Interviewer: And this was the group that Samuel Bateman was leading, or is this…

DS: Well, the Short Creek area is primarily FLDS.

Interviewer: Okay.

DS: And so not all of them got on board with Bateman, and not all of them have stayed on board with Warren Jeffs. There are a few who are independent polygamists. But the invitation when I went down there and talked to them was open to all. I wanted all of them to come and hear what I had to say. And when I go back down there again, I'll welcome any of them that want to come.

I mean, I didn't know about the Bateman mess that was underway when I went down there and talked to them last time, but I've now watched that documentary, and I mean, it just… It's like my wife said: Largely, the polygamist cults are just engaging in sex trade, just the manipulation and abuse of young women. And by the time a lady gets into her middle ages and has a crop of children, they are literally dependent upon the polygamist environment to survive for them and their children. And so it really is a trap for women and, overall, just a tragedy.

Interviewer: It's like a whole planned infrastructure, almost.

DS: Yeah.

Interviewer: But going back to that, and I mentioned this in email, so I was able to meet D. Michael Quinn and sort of became friends. And I remember him mentioning to me (this was probably back in maybe 2017), he'd said that he had met you. And he said you were a nice

guy. And he talked about one of the main things that he disagreed with you on was polygamy and Joseph's polygamy specifically.

DS: Yeah.

Interviewer: And he's someone that went into a lot of archives. And so you both are pretty strong on your views. You believe that Joseph Smith was not practicing polygamy, was the last that I had…

DS: I know the conferences for the Journal of Mormon Polygamy have been held down in Provo. And I know that there are people that present papers on both sides of the issue.

Interviewer: There's like scholars that are…

DS: Oh, yeah, yeah.

Interviewer: Like historians and…

DS: Yeah, who are looking into this. And some are defending the traditional narrative of Joseph Smith's introduction and lying about it. And some are saying, No, the narrative doesn't hold together; there are plenty of reasons why you are ignoring contrary proof. And I mean, it's right now being sorted out. Ultimately, in my view, it's going to take a while.

I mean, there still needs to be a lot of work done. Ultimately, the people that are going to vindicate Joseph Smith are going to win, because I believe that the character of Joseph Smith will eventually become undeniable as time goes on. And then there's that revelation that Joseph Smith received from the Lord about "fools shall hold you in derision, but the wise and the noble and the virtuous shall constantly seek blessings from under your hand." I don't see why any virtuous person would want a pedophile creep that the church has turned Joseph Smith into. I think they are holding him in derision. But the promise of the Lord is that ultimately he will—his reputation will—prevail.

And like I said, I believe the truth to be infectious. And there are plenty of reasons. I mean, we now know that Doctrine and Covenants section 132 was still in a rough-draft form with edits being made to it two weeks before it was released in September of 1852.

Interviewer: That's the polygamy section, right?

DS: That's the section on plural marriage. And that… I mean, when you go to the guy, Brian Hales, who's sort of made a career out of this whole Joseph Smith polygamy thing, even in history volume said, he says the only document that ties Joseph Smith to polygamy that existed at the time he was alive is Doctrine and Covenants section 132.

And we now know that Doctrine and Covenants section 132 did not assume a final form until they finished messing with it two weeks before they released it to the public. And it… One of the last Journal of Mormon Polygamy papers being presented was a word study of the words in D&C 132. And it's pretty clear that there were multiple authors and that it doesn't follow Joseph Smith's word patterns.

So the more work that is done, the less credible the church's position will be. And ultimately, I think they're going to lose the historical argument. So if I were them, I'd get ahead of it. And I would make the claim, "Doesn't matter who screwed up what, we've got the keys. As long as we've got the keys, we're still good." And I think they ought to forget about trying to defend what I believe is progressively less defensible as a historical argument and simply just drop back to your dropback position: "We've got the keys; thank goodness we've got the keys. And therefore, everything that we're doing is… We had the majority of the Twelve, and we had the Joseph Smith records and papers and the continuity and the offices and the priestly garb and all of everything. We're the only ones that did a reasonable job of perpetuating that. So the fact that errors crept in and there were mistakes made doesn't matter because we're the most intact, and we have the keys." That argument is where they ought to go, and they ought to forget about defending the pedophile, sexually promiscuous, treacherous, send-a-man-on-a-mission-and-marry-his-wife nonsense that they allow as their definition of the historical Joseph Smith—which I believe to be nonsense.

You don't get good fruit from a bad tree. You don't get clean water out of a polluted fountain. They want Joseph Smith to be an utterly corrupt, polluted fountain, but they're pure as snow, and their authority's derivative from him. Be better off saying, "Yeah, he was a pure man, and we have kept the keys. And yeah, we screwed up, but we still got the keys." I mean that argument, it won't be convincing to everyone, but they're not holding on to everyone anyway. At least that allows them to have a virtuous founder instead of the thing they've—the caricature—they've turned Joseph into.

Interviewer: Real quick, Quinton, do you know what time it is, or where we're at on…?

Quinton: I don't know, like an hour and a half.

Interviewer: An hour and a half? Just to be respectful of time, maybe do ten more minutes?

DS: Okay, ten minutes. Give me your best last ten-minute question.

Interviewer: Just going back to Quinn, I mean, is there a lot else that you remember from meeting with him? Did you get along with him?

DS: Oh yeah, yeah. No, he's… To his credit, when he was doing the work that he was doing with Leonard Arrington in the LDS Church Historian's office, he made photocopies, and to his credit, when he finished with *The Mormon Hierarchy: Origins of Power*, *[The Mormon Hierarchy:] Extensions of Power*, when he finished with his trilogy and the *Early Mormonism, the Magic World View*, he took the photocopies that he had made, and he turned them over to Yale University; and then Smith-Pettit Foundation sent people out to typeset the… And so it was D. Michael Quinn who gifted to Yale University, that enabled Smith-Pettit to typeset, who then put into print copies of journals and diaries and historical materials that would not otherwise exist outside of the LDS Church Historian's office.

And one of the things I told Mike when we were together was that I was really grateful that he had done that, that he hadn't turned it over to the University of Utah, which is subject to the Utah legislature's control.

Interviewer: Do you feel like there might have been things that could have gone missing…?

DS: No, I think they would have been suppressed. I think they would have been put into a special collection, and you wouldn't be able to get access.

Interviewer: Where Yale has no allegiance to the institution, they're going to say [indecipherable]...?

DS: Yeah, they'll let it out. And he didn't turn it over to BYU because BYU, I think, would have done the same thing and limited access, just like the church archives.

Interviewer: Was he supposed to be taking photocopies or was that…?

DS: No, no. He just did it.

Interviewer: He didn't ask permission, he just…

DS: Well, I think if Arrington had noticed, he probably would have said, "Yeah, go ahead." But I don't think he had permission. And I thanked him for that.

The other thing is that Quinn had a brother: Tony Quinn. And Tony Quinn was a law school classmate of mine. And they also had—I think she's either half-sister or step-sister—named Marianne Wood.

Marianne Wood was a law professor at Brigham Young University on the faculty when Tony Quinn and I were going to law school. And she became part of the General Relief Society Board years later. So Michael Quinn and Tony Quinn and Marianne Wood, we talked about their family. We talked about his brother. We talked about, you know, law school, and there were personal things that we discussed because… It's like six degrees of Kevin Bacon; it's like six degrees of Michael Quinn.

And it was an engaging and amusing evening, and we… I liked him, and I was sorry to hear he had died.

Interviewer: Yeah, me too.

DS: And I really thought… I mean, he died still believing in the Restoration and…

Interviewer: Some of the foundational claims, is my understanding.

DS: Yeah.

Interviewer: On a similar note, talk about just people that were excommunicated. You've been on *Mormon Stories* before, right? You say you have a relationship with, like, John Dehlin. You have a lot of thoughts on what he's doing.

DS: Yeah. In fact, I've traded emails and letters and phone calls with him, and his latest thing with this copyright of *Mormon Stories*, I…

Interviewer: They're suing him, right?

DS: Yeah. I don't think they've got a leg to stand on. And I've told him that.

Interviewer: I think there's broader questions of if someone's even has a bone of independence in their body and they're looking at that, I don't know that that makes the institution look very good to…

DS: I think it's silly. The other guy who was in law school at the same time and who I have a lot of regard for is Paul Toscano. Paul was in the law school at the same time as me.

Interviewer: He was one of the September Six?

DS: He was one of the September Six. And he's a very thoughtful, very deep thinker.

There are some issues on which I disagree with him theologically, but I don't question at all the depth of his interest in study of and affection for the gospel. I just think that the church badly handled Paul Toscano. And that shouldn't have happened.

Interviewer: You have a relationship with Paul Toscano as well?

DS: Yeah, yeah. In fact, I don't know, maybe I shouldn't say this: While Neil Maxwell… See, we had one permanent—we had lots of non-Mormon *visiting* professors—we had one *permanent* non-member of the faculty. And Paul Toscano missionary-ed the one non-Mormon faculty member while he and I were law students down there.

And Paul Toscano appealed to Neil Maxwell's son; Corey Maxwell was also in the law school at the same time as Paul Toscano and I. He got Corey to talk to his dad, and Professor Fuller and Neil Maxwell and Paul Toscano went to dinner together, and Neil Maxwell helped in the missionary effort. And ultimately, Steve Fuller was baptized into the church.

So we lost the diversity of the faculty that they once had. In any event, after the September Six, and before I wound up on the chopping block, and while Neil Maxwell was still alive, I wrote a letter to Neil Maxwell saying that I had had a recent visit with Paul Toscano, and I thought that if he were approached, you know, with the proper framework, that Paul might rejoin the church, but there's no way I was going to make any effort to try and do that when Boyd Packer had an axe to grind with Paul Toscano.

So I wanted to know from Neil Maxwell, if I were to go down this route, if there would be any hope at the end of the tunnel of the church welcoming Paul back. And Neil Maxwell was encouraging, but he had some interesting things to say about Boyd Packer that weren't necessarily encouraging about anyone's ability to… He didn't say it in a letter to me, but he said it: "It's hard to stage-manage a bear," and the bear was Boyd Packer. And then…

Interviewer: Gordon felt like Packer was the one that really, kinda, targeted him.

DS: Yeah. But then Neil Maxwell pre-deceased Boyd Packer, and they're now both gone, and so all of that. Paul's still with us, but I don't think Paul, at this point, has much interest at all in what remains of the LDS Church.

Interviewer: Sure.

DS: But he's still active in Sunstone. He's a presenter in Sunstone again this year. So if you want to hear from Paul…

Interviewer: Yeah, I'll have to head down there.

DS: …go down to Sunstone.

Interviewer: Last two questions that we'll finish up with, and these are, one of them's not as related to religion as it is to just civics in general. But first question is, What do you believe the greatest threats are to constitutional government today, just with your law background? And then the second one is, How should citizens, specifically religious citizens, respond when they believe government officials are violating the Constitution?

DS: I think the greatest threat is the extraordinary polarization of political views that have been introduced, in which political disagreements engender such opposition, even hatred, that families can't get together socially and tolerate one another. And I think that polarization is dangerous to a political environment in which elected officials want to extract retribution against their political opponent.

I think that during the end of the Obama administration, because Trump had been the elected replacement, that they began to use the engines of government to target a political opponent. And I believe that was both unwise and unconstitutional and probably criminal. And then Trump's first presidency election was marred by the interference, the act of political interference that he—I mean, I don't know if *he*—but someone coined the term the deep state that was more loyal to the political opponent than it was to him, so that the Commander in Chief is not really in charge. It's a group of unelected people.

And then he loses to Biden, and Biden goes in with far more enthusiasm into the "persecute your political opponent." It begins to look like a banana republic during the Biden administration. And then Biden gets voted out, and Trump gets voted in.

And instead of turning the other cheek, instead of reducing the inflammatory dialogue, instead of condemning the weaponization of the engines of government to interfere with the process that the constitution envisioned, it's instead been dialed up. And you've got one political party taking a look at what Biden did and saying, "Yes, that was vindicated; that was good. That was how it ought to happen. And we really need to stomp out this ugliness that the other side's doing." And now you've got the other group that are being encouraged and inflamed on the opposite side of the aisle so that this political rhetoric has become increasingly yellow dog journalism.

We've been through this before, but it doesn't end in a happy reconciliation until someone becomes the bigger party. And right now, I think, eventually, if people are mad enough at the other side, you can't control where that goes to, because anger turns to hatred, hatred turns to violence, and violence proves to be ungovernable. And at the point that you have violence and the government has to suppress it, you now have an authoritarian government by necessity—and that's where both sides are taking this.

It's not one side or the other; it's both of them taking it there. And if you have a widespread outbreak of civil disobedience, you're going to have National Guard and federal troops. And once you've got a militarized suppression of violence, the argument is always that you have to keep it there, or it will turn into violence immediately. And if rhetoric can get you there, rhetoric can keep you there.

And so we just need religious people to be speaking up about the common sense of where it's going. How much…? I mean, right now, if I were to say how President Trump has influenced my life, I would say he's modestly affected the tax rate and currently the price of gasoline. If I were to say what Biden as President did to affect me, I would say he did something that ultimately resulted in a policy that caused inflation. But is Biden responsible for all of that? No, you have to go back to what the policies that began under Trump when the COVID-era happened, with the suspension of work and everything else—and you can't do that without compensating people; you can't shut down the economy.

So we've already got built-in this inflationary thing that began during Trump. It continued; it got worse under Biden. And Trump has adopted policies to try and fix that. So I guess in a way, there are these… But at the end of the day, there's a thousand things in the news about Biden that had nothing to do with me. There's a thousand things about Trump that has nothing to do to me. If I go back to Washington and there's a clean reflecting pool, I might see it. That doesn't affect me much. It'll affect me in the moment I look at the pool.

So all of the rhetoric, all of the violence, and the anger that is leading ultimately to hatred, that is ultimately threatening the order that our Constitution assumes exists in the body politic is the biggest threat to our constitutional liberties. And there aren't enough people with a religious background who are doing enough to tone down the rhetoric, calm the public, and to preach a brotherly love that religion ought to be instilling in one another. And so religion is letting us down too.

Interviewer: Just to clarify on this for the audience on the point of maybe political persecution, the Biden persecution of Trump, you're talking about like January 6th investigations, what exactly?

DS: Oh no, that Steele dossier, which we now know…

Interviewer: The Steele dossier, like…

DS: …which we now know is crap. But there are people that still believe that.

Interviewer: So that was like under the Obama, like at the end of Obama's term…

DS: Right, right.

Interviewer: …as Trump was starting, as they said, like…

DS: And throughout his presidency.

Interviewer: …like, the writing of the Mueller report and the idea of, like, was he meeting with Russia?

DS: Yeah. And throughout his presidency, that was the theme. And that was why people were supposed to doubt him. And that was why even the national security apparatus tried to limit the effectiveness of him as Commander-in-Chief or as someone that had access to information. It's only after the Biden administration is gone and he learned his lesson and he appointed, instead of taking recommendations as he did in his first go through, he got rid of people and he chose new people in the second term. And they uncovered much of the nonsense that went on.

I think the better approach would be just give it daylight. Just throw it out in the public. We all know that the Johnson presidency after Lincoln was corrupt and that the Grant administration was marred by ineptitude and alcoholism. And it's gotten daylight. It's now out in the public.

And so, as an informed electorate, we ought to look for indications that we don't want Hunter Biden to be the President for the same reasons that we look narrowly at President Grant and his alcoholism. We air it instead of prosecute.

The truth has a way of winning, but it doesn't need to win in the damn courtroom. It can win on Main Street. Just put it out in the public, let everyone know. But you don't have to put anyone in jail. You can have a lot of people say, Well, they ought to go to jail for that. And that's enough.

That's enough. In a peaceful society, we shouldn't be acting like a banana republic.

Interviewer: Even with maybe displeasure of the Steele dossier and what was going on there, you still would have hoped that Trump would…

DS: Expose it.

Interviewer: You used the word and turned, like, he didn't turn the other cheek. You would have hoped that he'd turn the other cheek. And even the way that they've gone after maybe James Comey and Letitia James and some of these people and Mark Kelly and those that's been spoken out about…

DS: Well, I think Mark Kelly was an idiot.

Interviewer: For him speaking out in the way he did or…?

DS: Well, I've been in the military. I know what our obligations were and are. And I think Kelly should have kept his mouth shut. That was bad form. But again, it's bad form because of the political environment. If we were an honorable group of people as a body politic, no one would need to do anything to Kelly. People would look at him and say, What an ass. What an improper thing for him to have said or done. And people would be dismissive.

Instead, it's like, Oh, that's a crime. Let's prosecute him. Let's do what we can to…

And the blunt instrument of the law is not as effective as the moral fiber that comes from a religious people recognizing what the true values are and then conforming their life to that

and evaluating people in light of the moral fiber that you have. We're losing the moral fiber of the country. And that's the big threat.

The Constitution doesn't work if you don't have a moral people being governed by it.

Interviewer: I think that's a good place to end right there.

DS: Okay, we're done.

Interviewer: Yeah, thank you. We appreciate you meeting with us today.