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# To Belong as Citizens: Race and Marriage in Utah, 1880-1920

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TO BELONG AS CITIZENS: RACE AND MARRIAGE IN UTAH, 1880–1920

by

Scott D. Marianno

A thesis submitted in partial fulfillment
of the requirements for the degree

of

MASTER OF ARTS

in

History

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ABSTRACT

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by

Scott D. Marianno, Master of Arts

Utah State University, 2015

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In the decades leading up to the twentieth century, social reformers and politicians, alarmed by Mormon political control (and polygamy) in Utah Territory, challenged Mormon whiteness and their competency for American citizenship. In re-examining Mormonism's transition period, this study reveals how Mormon conformity to an encroaching American culture increased the movement's exposure to discursive arguments on race-mixing, marriage, and eugenics that helped legitimize Mormon citizenship claims. Focusing on the themes of race, marriage, and citizenship, this thesis examines Mormonism's racial transformation from not white to white as they assimilated and reified the racial ideology promoted by their Progressive-era contemporaries and asserted their own racial policies against peoples of African descent.

Beyond revealing the ways in which race influenced Mormon acceptance into American society, this thesis also features Mormons more prominently in the history of the American West by contextualizing the development of a racial bureaucracy in Utah tasked with enforcing the state's 1888 miscegenation law. Utah's miscegenation law, while creating enduring and often devastating consequences for couples whose individual desires took them across the color line, also helped transform Utah into a western place in the twentieth century. (129 pages)

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To Kelli and Otto

ACKNOWLEDGMENTS

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CHAPTER 1

INTRODUCTION

In 1885, a Mormon elder, while touring the southern United States, wrote an editorial to the church-owned *Deseret News,* describing what he saw as rampant "moral degradation" and the "personification of depravity" plaguing southern society. "Such laxity of morals began undoubtedly while the negroes were slaves," he lamented as he described the creation of "variously-mixed families" spawned by illicit sexual relations between whites and blacks. The elder, however, also noticed a contradiction during his foray into "Babylon." For the latter half of the nineteenth century, the attention of national legislators centered on "meddling with the 'Mormon' question" even while the "*real* vice" of interracial mixture allegedly eroded the moral character of southern society.[1] Indeed, on a national scale, attempts to preserve Victorian morality by regulating marriage focused more on Mormon polygamy than interracial marriage.[2] Polygamy, with slavery, became a leading moral and political concern in the United States starting in the mid-nineteenth century.

The Mormon elder's resentful editorial to the *Deseret News* also reveals a critical factor in the nineteenth-century debate over marriage, morality, and the law. Theology, especially in its racialized form, colored conceptions of marriage. This particular Mormon elder thanked "heaven that a beneficent Providence" allowed him to be born to parents "who realized the true nature of the curse of Cain." Advocating a law that would "enforce the recording of genealogies" so as to "preserve the purity of even a sprinkling of the white race," the Mormon elder felt that "religion

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[1] N.L.N (probably Nels Lars Nelson), "Society in the South," *Deseret News,* 18 Nov. 1885, 702.

[2] Sarah Barringer Gordon, *The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 2002); Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (New York: Oxford University Press, 2009), 42–43, 63.

and morality" should shape legislative agendas in order to prevent racial degeneracy.[3] Since the 1850s, Mormon leaders advanced a racial theology supported by notions borrowed from Protestantism concerning a "curse of Cain" that, in practice, blocked black church members from holding the Mormon priesthood and participating in temple rituals. Mormons in the nineteenth century generally agreed with the American public on one issue related to marriage: interracial marriages involving whites should be prohibited in order to preserve the purity of the white race.

Utah's territorial legislature enacted a law in 1888 that tightened the territory's restrictions on marriage.[4] The law reflected the dual concerns of the legislature at the height of federal prosecutions of Mormon polygamists by prohibiting whites from marrying anyone of "negro" or "Mongolian" descent and restricting marriage "when there is a husband or wife living from whom the person marrying has not been divorced."[5] By banning interracial marriage and plural marriage, the Utah Territorial legislature sought to eradicate what they saw as the two most pressing threats to the institution of marriage.

The contest over the nature of the marriage institution, as a result, brought together a diverse and often divergent cast of actors that included antipolygamists, social reformers, politicians, and Mormon leaders in the nineteenth and twentieth centuries. While all parties agreed that a line needed to be drawn around an institution they saw as central to the moral fabric of society, debates over marriage frequently resulted in multiple disparate lines that worked against different segments of society. Even as many crusading antipolygamists enforced a moral

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[3] N.L.N, "Society in the South," 702.

[4] *Laws of the Territory of Utah, Passed at the Twenty-Eighth Session of the Legislative Assembly* (Salt Lake City: Tribune Printing and Publishing Co., 1888), 88. Utah Territory's "An Act in Relation to Service" addressed interracial sex in 1852, instituting a fine "not exceeding one thousand dollars" and a jail sentence "not exceeding three years" for a white person found "guilty of sexual intercourse with any of the African race." *Acts, Resolutions, and Memorials, Passed by the First Annual, and Special Sessions, of the Legislative Assembly, of the Territory of Utah* (Salt Lake City: Brigham Young, 1855), 160–161.

[5] *Laws of the Territory of Utah,* 88. The term "Mongolian" was most commonly applied to Chinese immigrants, though it also was deployed comprehensively to classify anyone of Asian descent. Pascoe, *What Comes Naturally,* 85.

and legal boundary that excluded polygamists from definitions of normative marriage, Mormons drew their own racialized line barring peoples of African descent from participating in their religious marriage system.

Church leaders, however, as a minority voice in the marriage discussion, were generally forced to yield the discursive floor to a Protestant majority that policed the boundaries of marriage and citizenship in the nineteenth century. In the wake of America's increasingly disestablished religious scene, Mormons emerged as one of a number of fringe challengers to the Protestant majority that gave the nation's religious landscape its primary form.[6] The movement, however, quickly became an unfortunate side effect of a widening gap between church and state in the United States because it laid bare the myths that belied Protestantism's proclamation of religious liberty in the new American republic.[7] The reality on the ground in nineteenth-century America, as put by Spencer Fluhman, was that "'religion' in mid-century political discourse meant 'Protestantism.'"[8] Mormonism, hatched on American soil in 1830, encroached on Protestantism's exclusive religious turf as the movement expanded. By the time Mormons began erecting settlements in Ohio and Missouri in the 1830s, Protestants had already honed their polemical skills by deploying a number of rhetorical barbs against the nation's Catholics to accentuate religious (and racial) differences and to mark the boundaries of authentic religion.[9]

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[6] Christine Talbot, *A Foreign Kingdom: Mormons and Polygamy in American Political Culture, 1852–1890* (Urbana: University of Illinois Press, 2013), 5–8.

[7] David Sehat, *The Myth of American Religious Freedom* (New York: Oxford University Press, 2011), 4–11; William R. Hutchison, *Religious Pluralism in America: The Contentious History of a Founding Ideal* (New Haven: Yale University Press, 2003), 59–61; J. Spencer Fluhman, *A Peculiar People: Anti-Mormonism and the Making of Religion in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 2012), 11, 16.

[8] Ibid.*,* 103; Kathleen Flake, *The Politics of American Religious Identity: The Seating of Senator Reed Smoot, Mormon Apostle* (Chapel Hill: University of North Carolina Press, 2004), 1–11.

[9] Fluhman, *A Peculiar People,* 27–28; Philip Hamburger, *Separation of Church and State* (Cambridge, MA: Harvard University Press, 2002), 191–252; David Brion Davis, "Some Themes of Counter-Subversion: An Analysis of Anti-Masonic, Anti-Catholic, and Anti-Mormon Literature," *The Mississippi Valley Historical Review* 47 (Sep., 1960): 205–224.

By the 1850s, with the public announcement of plural marriage, Mormons became more than a hollow imitation of religious authenticity (read Protestantism) or a perceived impediment to local self-governance. With a seemingly depraved marriage system to go with overt theocratic intentions in Utah Territory, Great Basin Mormons were viewed as threats to the very fabric of the American republic and drew significant national reform attention accordingly. In casting their disapproving gaze at Utah's Mormons, politicians, social reformers, and religious commentators revealed as much about the nation's collective identity as they did about Mormon identity. Antipolygamists rallying to support monogamous marriage demonstrated just how awash in Protestantism the American nation was. Even American constitutionalism and jurisprudence relied on, by the second half of the nineteenth century, Protestant principles and morality in a general form for interpretive strength.[10] While other religious minorities housed within the nation's religious marketplace, including American Catholics, forged interreligious alliances against Mormonism's polygamous marriage system, none possessed the dominant voice enjoyed by Protestants in America.[11] A generic brand of Protestantism had become so thoroughly integrated with the collective identity of the American republic in the nineteenth century that the pathway to full citizenship required an informal tutoring in a national, Protestant ethos.[12] In their struggle to acquire an elusive American identity, Mormons interacted with, often reified, and, at other times, repudiated Protestant discourse on the intersecting topics of race, Victorian morality, and marriage.

This study will focus predominantly on the intersection of marriage, race, religion and the law in Utah from 1880–1920. More specifically, this thesis will trace multiple intersecting histories of marriage occurring within the geographical borders of Utah. As Utah's territorial

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[10] Gordon, *The Mormon Question,* 38–39, 78–81.
[11] Ibid., 224; Hutchison, *Religious Pluralism in America,* 59–83.
[12] Flake, *The Politics of American Religious Identity,* 83–84; Hutchison, *Religious Pluralism in America,* 62.

legislature banned interracial marriages in 1888, Mormon leaders enforced the church's own

policy prohibiting interracial temple sealings while also attempting to fend off the attention of

politicians and social reformers seeking to bring an end to the church's peculiar marriage

practice.[13] Despite this initial collision with a Protestant majority over polygamy and related anti-

republican elements spotted in Utah Territory's political culture, Mormons, by 1920, had so

thoroughly integrated into the American mainstream that their discourse sounded many of the

American Protestant themes, in a progressive form, that brought down Mormon polygamy in the

nineteenth century. By electing to focus on race and marriage in Utah, this thesis narrates a

western version of the broader regional and national historical contests that occurred over

definitions of race, marriage, and citizenship in the nineteenth and early twentieth centuries.

This study begins by outlining the political and legal trajectories that served as precursors

to Mormonism's "Americanization." In the period leading up to Utah statehood, Mormon

whiteness was neither an observed nor settled reality as Mormon polygamy worked against

Protestant morality and popular legal conceptions of marriage to resolve Mormonism's racial

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[13] Mormonism's founder, Joseph Smith, originally introduced eternal marriage sealings in the context of plural marriage. In a revelation recorded in 1843, Smith asserted that all "covenants," including marriage covenants, not "sealed by the Holy Spirit of Promise…both as well for time and for eternity…through the medium of mine anointed, whom I have appointed on the earth to hold this power…are of no efficacy." Smith was told that he was the only person "on the earth" who held the priesthood keys to "seal" marriages for eternity (Doctrine and Covenants, 132:7 [Hereafter D&C]). At Nauvoo, from 1841 to 1843, Smith was sealed to over two-dozen plural wives and solemnized a select number of other plural marriages as well. Smith also began performing a limited number of proxy sealings for the deceased in conjunction with doctrine he had taught a few years prior concerning performing ordinances required of the living for the dead. Smith envisioned a large kinship network that bound generations together in the highest realm of the Mormon cosmos—the Celestial Kingdom. A formal, albeit unevenly applied, policy banning blacks from receiving the Mormon priesthood and temple ordinances, including marriage sealings, materialized in the latter-half of the nineteenth century in Utah Territory, effectually relegating, according to popular teachings, blacks to a lesser tier of eternal glory (see D&C 132:15–17). Though largely stripped of any polygamous connotations, Mormons still perform marriage sealings in their temples and continue to assert the ordinance's sacredness and its centrality to the exaltation of individuals and families. See Gary James Bergera, "The Earliest Eternal Sealings for Civilly Married Couples Living and Dead," *Dialogue: A Journal of Mormon Thought* 35, no. 3 (Fall 2002): 41-66; David J. Buerger, *The Mysteries of Godliness: A History of Mormon Temple Worship* (Salt Lake City: Signature Books, 2002); Margaret Blair Young and Darius Aidan Gray, "Mormons and Race," in *Oxford Handbook of Mormonism,* ed. Terryl L. Givens and Philip L. Barlow (Oxford University Press, forthcoming 2015).

makeup as something other than white. Chapter 2 also discusses how Mormons, using theological, scriptural, and cultural precedents, constructed a lineage for themselves that classified faithful Mormons as classically white. These assertions, however, did little to resolve a national discourse on a discernible Mormon race, which moved Mormons outside of the social and political boundaries delimiting whiteness and citizenship. As church leaders clung to the practice of plural marriage, social reformers, politicians, and clergymen challenged Mormon whiteness using a Protestant discourse on morality, marriage, and citizenship that denied Mormons many of the privileges afforded white members of American society.

Chapter 3 narrates the Mormon Church's attempt to reclaim their American citizenship by proving their whiteness and, as a corollary, their Americanness. This involved appropriating from their Progressive-Era contemporaries a discourse on marriage, race-mixing, and eugenics. Even as church leaders moved away from nineteenth-century justifications for their racial policies, they found functional racial arguments circulating in American society suited to helping them maintain a color line already firmly entrenched in Utah. Teachings on marriage, including continual objections to interracial mixture, played a crucial role in moving Mormon culture into mainstream American society.

Chapter 4 places Utah's interracial marriage statutes within a broader western framework by comparing Utah's race-based marriage restriction with similar statues in the American West. This chapter discusses how Utah's 1888 miscegenation law promoted a system of racial classification and was enforced by a bevy of willing participants, including religious leaders, judges, newspaper editors, and marriage license clerks, especially when white women were involved. At the center of legal contests concerning interracial marriages were broader disputes over property, power, and citizenship that helped solidify Utah's position as an American and western space, or place, in the twentieth century.

**The Political and Cultural Exclusivity of Whiteness**

This study operates on one broad assumption about race. While the historical subjects in the following pages most certainly believed in the biological reality of race and, at times, spoke of race as something that could be discovered, discerned, described, and detailed in real terms, scholars in recent decades have challenged the immutability of popular racial categories. This study leans heavily on recent scholarship on race and whiteness, acknowledging that race in historical accounts of this period can at once seem inherent and natural and, upon closer examination, be unstable and evolving.[14] Most importantly, race functioned as a rhetorical, political, and cultural tool to be deployed; thus, one of the main goals of this thesis is to uncover which racial categories were most useful (for Mormons and against Mormons) in the late nineteenth and early twentieth centuries and why. Whiteness remains critical to the discussion as Mormonism emerged out of a racial landscape where whiteness was no longer monolithic, but "fractured," convoluted, and graded on a scale ranging from "inferior" to "superior."[15] An influx of European immigrants to the United States from 1840–1920 challenged the nation's ability to accept as white those whose social and political modes differed significantly from the average white, American citizen.[16] As Mormons agitated the Protestant majority that dominated American culture and politics in the mid-nineteenth century, they, like the Irish and other European immigrants, were branded as a foreign immigrant class to be opposed, repressed, and, as some

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[14] For more on the history and construction of whiteness, see Noel Ignatiev, *How the Irish Became White* (New York: Routledge, 1995); David R. Roediger, *The Wages of Whiteness: Race and the Making of the American Working Class* (New York: Verso, 1991); Grace Elizabeth Hale, *Making Whiteness: The Culture of Segregation in the South, 1890–1940* (New York: Pantheon Books, 1998); Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, MA: Harvard University Press, 1998); Alexander Saxton, *The Rise and Fall of the White Republic: Class Politics and Mass Culture in Nineteenth-Century America* (New York: Verso, 1990); Ruth Frankenberg, *White Women, Race Matters: The Social Construction of Whiteness* (Minneapolis: University of Minnesota, 1993); Maurice Berger, *White Lies: Race and the Myths of Whiteness* (New York: Farrar, Straus, and Giroux, 1999); Nell Irvin Painter, *The History of White People* (New York: W.W. Norton & Co., 2010).

[15] Jacobson, *Whiteness of a Different Color,* 204.

[16] Ibid., 8–9.

argued, eradicated. Mormons occupied a culture "where race was the prevailing idiom for discussing citizenship and the relative merits of a given people."[17]

Thus, religious difference does not adequately explain the low place Mormons occupied on the nineteenth-century racial hierarchy. The enforcement of discriminatory policies against Mormons required the American republic to view Mormon peoplehood as critically flawed and a legitimate threat to the future of the white race (manifested in ideal form through the white American citizen). Informed by the politics of citizenship and whiteness, many in the nineteenth century attempted to diagnose the Mormon psyche by examining Mormon bodies.

**Marriage, Citizenship, and the Politics of Nationhood**

Citizenship at its most basic level refers to the ability for a person to participate fully in a community, state, or nation. T.H. Marshall posited a three-tiered framework, particularly within Great Britain, for analyzing the structure of citizenship. *Civil citizenship* involved the attainment of personal and religious freedom and the right to property; *political citizenship* encompassed the freedom and power to participate in a body holding political authority; and *social citizenship* influenced the other two types by preserving the economic, social, and political resources that guaranteed the free-exercise of civil and political rights.[18] Social citizenship was also about "belonging," according to Judith Shklar; citizenship incorporated notions of standing and

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[17] Ibid., 9

[18] T.H. Marshall, "Citizenship and Social Class," in *Class, Citizenship, and Social Development* (Garden City, NY: Doubleday, 1964), 78; Evelyn Nakano Glenn, *Unequal Freedom: How Race and Gender Shaped American Citizenship and Labor* (Cambridge, MA: Harvard University Press, 2002), 19. In recent years, Marshall's theory has been criticized for its anglocentrism and male-centered focus. See, for example, Michael Mann, "Ruling Class Strategies and Citizenship," *Sociology* 21 (Aug. 1987): 339–354. Nonetheless, Marshall remains a relevant launching point for discussions on citizenship, though his theories should be adapted, molded, and placed in dialogue with the class realities in other geographical areas beyond Britain.

referenced an achieved or recognized place in society.[19] Thus, civil and political empowerment

relied on shared social ideals that made the "ideal" citizen responsive to a set of publically-shared

moral and social imperatives.[20]

Historians of race have frequently examined the history of American citizenship as an

avenue for charting the nation's complex racial dynamics, including how groups were excluded

from full access to the privileges associated with membership in a society or community.[21]

Evelyn Nakano Glenn notes that the concept of "citizen" relied on and "gained meaning through

its contrast with the oppositional concept of the 'noncitizen.'"[22] Definitions and identities were

wrapped up in claims to citizenship; to claim "whiteness," masculinity, or property for much of

United States history placed one inside a limited circle of those seen as fit for political and social

participation while nonwhites, women, and wage workers, among others, struggled against the

political and social boundaries that partitioned them from full civic participation. To contest

citizenship claims involved a process of deconstructing and reconstructing identities according to

racialized, gendered, and class perceptions.

Admittedly, the following pages will not delve into the intersection of citizenship with

class in significant detail. Certainly inequalities in citizenship, as this thesis will show, created

and maintained economic boundaries for those labeled as noncitizens and enabled others,

including men, property owners, and whites more generally, to profit from citizenship

restrictions.[23] Marriage, too, conferred economic status upon husbands who controlled the use and

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[19] Judith N. Shklar, *American Citizenship: The Quest for Inclusion* (Cambridge, MA: Harvard University Press, 1991), 2, 26.

[20] Glenn, *Unequal Freedom,* 20

[21] See, for example, Glenn, *Unequal Freedom*; Frank Van Nuys, *Americanizing the West: Race, Immigrants, and Citizenship, 1890–1930* (Lawrence: University of Kansas Press, 2002); Elizabeth Regosin, *Freedom's Promise: Ex-Slave Families and Citizenship in the Age of Emancipation* (Charlottesville: University of Virginia, 2002); Ann Marie Niclosi, "We Do Not Want our Girls to Marry Foreigners': Gender, Race, and American Citizenship," *NWSA Journal* 13 (Fall 2003): 1–21.

[22] Glenn, *Unequal Freedom,* 20.

[23] Ibid., 19.

distribution of property within the family unit. Marriage laws, therefore, could be deployed as one tactic to extend and preserve racial and economic equality.[24] Nonetheless, Mormonism's racial theology, its concern with interracial marriages, and its later racial projects transcended class concerns and justify, not the complete omission of class, but attention elsewhere in a study of this size.

This study also does not intend to trace completely the complex, contested and shifting discourse on citizenship in Utah. Many studies on citizenship focus on the history of immigration laws and voting restrictions in the United States. Marriage laws, however, also serve as a particularly helpful site for exploring the historical interaction between race and citizenship. The federal government of the United States privileged a certain type of marriage historically and in so doing, allowed marriage to shape everything from tax policy to property law.[25] As historian Nancy Cott suggests, "Marriage organizes community life and facilitates the government's grasp on the populace."[26] By controlling marriage, the government legislated the social behavior of its citizens while structuring the distribution of property and civic participation in society. Civic responsibilities, therefore, broke down along gendered lines encompassed by the dichotomous interaction between husband and wife. Marriage law in the nineteenth century almost exclusively favored white males as men controlled property and directed female labor outside and inside the domestic sphere.[27] Marital status produced citizens by defining the limits of civic participation and by promoting conformity to pre-defined, normative public and private sexual and domestic behaviors designed to maintain proper order in society.[28]

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[24] Pascoe, *What Comes Naturally,* 23.
[25] Nancy F. Cott, *Public Vows: A History of Marriage and the Nation* (Cambridge, MA: Harvard University, 2002), 8.
[26] Ibid., 1–3.
[27] Sara L. Zeigler, "Wifely Duties: Marriage, Labor, and the Common Law in Nineteenth-Century America," *Social Science History,* 20 (Spring 1996): 63–96.
[28] Laura F. Edwards, "'The Marriage Covenant is the Foundation of All Our Rights': The Politics of Slave Marriages in North Carolina After Emancipation," *Law and History Review* 14 (Spring 1996): 82; Hendrik

Marriage laws also provide a unique regional lens because the institution of marriage in Utah (and the United States) carried influential and often contradictory religious connotations. Indeed, between Christianity and English common law, marriage in the United States bore the imprint of a morality set in motion by Christian religion and enforced by political and legal structures.[29] The fate of authentic marriage, mainly traditional monogamy, concerned post-Civil War clergymen, social reformers, and politicians as the Christian system of marriage seemed under attack by divorce and alternate systems of marriage, including Mormon polygamy.[30]

The federal government, as well as state legislatures, took a particular interest in classifying and policing legitimate marriage because marriage *produced* the body politic.[31] By regulating the particular type of sexual relationships permitted, the state dictated what type of people would comprise their citizenry. Indeed, marriage laws overlapped with immigration laws and naturalization policies, enabling the government as well as judges, clerks, and politicians to, as one historian contends, "sculpt" the "characteristics" present in the national population.[32]

Marriage laws, therefore, were also intrinsically racialized as racial ideologies mobilized political and legal action against certain racial groups in order to limit the influence of their perceived collective physical, intellectual, and moral traits on the general body politic. The term for describing illicit relationships across the color line popularly employed in the latter-half of the nineteenth century, "miscegenation," reflects this fear of racial amalgamation. Created from the Latin *miscere* (mix) and *genus* (race), the term was invented prior to the presidential election of 1864 in a pamphlet drafted by two New York Democrats who felt the term "amalgamation," the preferred nomenclature for referencing interracial mixture, was outdated and lacked the

A. Hartog, "Marital Exits and Marital Expectations in Nineteenth Century America," *Georgetown Law Journal* 80 (1991): 95–129.
[29] Cott, *Public Vows,* 2–3.
[30] Ibid., 106–107.
[31] Nancy F. Cott, "Marriage and Women's Citizenship in the United States, 1830-1934," *The American Historical Review* 103 (Dec., 1998): 1442–1443.
[32] Ibid.

discursive barbs to generate awareness of the public dangers of interracial mixture. In a partisan move to characterize the Republican Party as fervent abolitionists who sponsored and promoted interracial mixture, the politicians coined a new term "to denote the abstract idea of the mixture of two races."[33] The rise of miscegenation laws in the nineteenth century reflected just how engrained notions of traditional marriage were in the legal and moral structures of American society.[34] Racial difference and a desire to preserve the racial uniformity of the body politic, mainly white privilege, provided the impetus for denying the societal privileges dispensed by marriage and, as a result, carved legal and legislative space for legislators, judges, and social reformers to control access to full citizenship.

**A Multicultural Approach with Limitations**

The history of miscegenation law covers a range of racial groups categorized and fitted into the racial categories produced by legal statutes and enforced in courtrooms across the United States. This included blacks, Japanese, Chinese, Indians, Native Hawaiians, Mexican Americans, and others who matched the broad racial categories spelled out in miscegenation laws. Mexican Americans especially presented an interesting challenge for courts and marriage license clerks because of their perceived mixed-race heritage derived from Spanish, Indian, and African origins. Those categorized as Mexican could, depending on the knowledge of local officials, be classified as too white to intermarry with another race, or, especially in the Southwest, too Indian to marry a white person.[35] Jews also transcended categorization, at times, like Mormons, appearing white in the eyes of the American public, and, in other instances, along with other European immigrants,

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[33] *Miscegenation: The Theory of the Blending of the Races, Applied to the American White Man and Negro* (New York: H. Dexter, Hamilton, and Co., 1864), ii; Elise Lemire, *"Miscegenation": Making Race in America* (Philadelphia: University of Pennsylvania Press, 2002), 115–117; Pascoe, *What Comes Naturally,* 1.
[34] Ibid.
[35] Pascoe, *What Comes Naturally,* 121–123.

appearing as a race of their own.[36] Many immigrant groups invisible to miscegenation laws still

ran into significant cultural, social, and political barriers erected by a process of racialization.

This study, however, will focus specifically on blacks and Asians, the most common offenders of

Utah's ban on interracial marriage, and on Indians, who attracted the civilizing efforts of

Mormons. These groups, too, frequently became the subjects of a related discourse on marriage,

citizenship, and American nationhood, which classified racial others as an inferior class unfit for

full participation in the American body politic.

**Historiography**

      In deciding to focus on marriage, citizenship, and the construction of race in Utah, this

thesis continues a recent dialogue in the field of Mormon studies concerning citizenship and the

construction of religious difference. Mormons living in Utah Territory were dragged to the center

of a debate on marriage, law, and citizenship in the latter-half of the nineteenth century. Recent

scholarship by Jenette Wood Crowley and Christine Talbot reveal the contested nature of

Mormon citizenship claims. Crowley rightly laments a noticeable lack of scholarship addressing

the role religion played in constructions of citizenship. Crowley's dissertation nuances traditional

readings of the antipolygamy debate that shaped national politics and legal battles from the

1860s–1890s by showing how Mormon claims to citizenship contrasted with notions of

citizenship advanced by a Protestant American majority.[37] Christine Talbot similarly describes

how Mormon communalism and plural marriage defied the public/private distinction structuring

American citizenship ideals. These ideals, while rooted in discourse that pre-dated the American

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[36] For more on the racialization of Jews in the United States, see Stephen Steinberg, *The Ethnic Myth: Race, Ethnicity, and Class in America* (Boston: Beacon Press, 2001); Karen Brodkin, *How Jews Became White Folks and What that Says about Race in America* (New Brunswick, NJ: Rutgers University Press, 1998); Melanie Kaye/Kantrowitz, *The Colors of Jews: Racial Politics and Radical Diasporism* (Bloomington: Indiana University Press, 2007).

[37] Jenette Wood Crowley, "Mormon Polygamy and the Construction of American Citizenship, 1852–1910," (PhD diss., Duke University, 2011); Talbot, *A Foreign Kingdom.*

Revolution, found new meaning as the newly-minted middle class family acquired symbolic

status in the nineteenth-century as the site where republican values and Protestant morality were

forged. With the Mormon home in moral disrepair, anti-Mormons distrusted Mormon political

participation and, therefore, attempted to limit their civic power in order to mitigate the effects of

Utah Territory's political theocracy and perceived moral decadence on the American body politic

and the Protestant virtue that ordered it. Ultimately, Mormonism worked against a constructed,

and often contested, national identity that relied on notions of citizenship and marriage for

meaning and power. Talbot deftly analyzes Mormon invasiveness in American culture and shows

how Mormonism challenged American imaginations of their own collective "self" as a Protestant

bastion of republican virtue and self-rule.[38]

However, focusing on Mormon citizenship claims and the counterclaims of

antipolygamists and anti-Mormons in the nineteenth century only tells half the story.

Unfortunately, the legal, political, and constitutional battles over Mormon polygamy obscure

Utah territory's more racialized marriage issues in historical accounts of this period.[39] Only one

piece of scholarship discusses interracial marriage laws in Utah at any length.[40] Patrick Mason's

important essay traces the history of Utah's interracial marriage restriction from its creation in

1888 until the law was repealed in 1963, four years before the Supreme Court's decision in

*Loving v. Virginia* made such restrictions illegal.[41] Mason's legal history, however, only partially

examines the law's effect on racial minorities living in Utah. More work needs to be done to

integrate the history behind Utah's interracial marriage restriction into a larger western

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[38] Talbot, *A Foreign Kingdo*m.

[39] For general treatments of Mormon polygamy, see Kathryn M. Daynes, *More Wives Than One: Transformation of the Mormon Marriage System, 1840–1910* (Urbana: University of Illinois Press, 2001); Gordon, *The Mormon Question*; Richard S. Van Wagoner, *Mormon Polygamy: A History* (Salt Lake City: Signature Books, 1989).

[40] Patrick Q. Mason, "The Prohibition of Interracial Marriage in Utah, 1888-1963," *Utah Historical Quarterly* 76 (Spring 2008): 108–131.

[41] Ibid., 129–131.

framework while teasing out the influence of Mormonism's own racialized doctrine and restrictions on the enforcement of civil marriage restrictions in Utah.

Recent works on race and marriage in the West—by failing to detail the history behind Utah's miscegenation law—are also symptomatic of a common historiographical trend in the American West that has rendered Utah obsolete in regional and western narratives. According to Jan Shipps, many historians studying the American West craft their narratives "like a doughnut" around the Great Basin, limiting Mormonism's participation in a larger narrative that charts the settlement and development of the western United States.[42] Similarly, as Jared Farmer suggests, scholars of Utah maintain a type of "provincialism" that limits the influence of non-Mormons and native peoples in their histories of the Great Basin.[43] Recently, however, scholars writing inside and outside of the Great Basin have attempted to integrate Mormon history into the history of the American West. Avoiding exclusively partisan narratives or devotional retellings, the most recent scholarship evaluates the ways in which Mormons in Utah resisted, internalized, or participated in political, economic, and social trends that were substantively western or even national in nature.[44] Such probing, new histories relax the spatial boundaries that traditionally define the Great Basin or the American West more generally; the West as *place* takes on a new meaning as histories uncover the exchange of ideas, peoples, and practices *between* regions and the resulting permutations of this exchange that helped to forge regional identities. Indeed, as Tiya Miles suggests, drawing a "dotted, flexible line around regions" like the West could lead to "richer

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[42] Jan Shipps, "Gentiles, Mormons, and the History of the American West," in *Sojourner in the Promised Land: Forty Years Among the Mormons* (Urbana: University of Illinois Press, 2000), 9, 21, 34.
[43] Jared Farmer, *On Zion's Mount: Mormons, Indians, and the American Landscape* (Cambridge, MA: Harvard University Press, 2008), 14.
[44] For examples of recent works, see Gordon, *The Mormon Question*; Flake, *The Politics of American Religious Identity;* W. Paul Reeve, *Making Space on the Western Frontier: Mormons, Miners, and Southern Paiutes* (Urbana: University of Illinois Press, 2007); Farmer, *On Zion's Mount*; Anne F. Hyde*, Empires, Nations, and Families: A History of the North American West, 1800–1860* (Lincoln: University of Nebraska Press, 2011); Fluhman, *A Peculiar People.*

historical understandings" as western spaces become simultaneously western and something else entirely.[45]

Peggy Pascoe, in *What Comes Naturally: Miscegenation Law and the Making of Race in America,* while concerned with how the American West configured race through interracial marriage laws, mentions Utah only in passing as part of a larger discussion on the construction of racial identities in the West.[46] Pascoe meticulously narrates the impact of miscegenation laws in the United States, particularly the West, during the nineteenth and twentieth centuries; however, by neglecting Utah in her larger narrative of the West, Pascoe ignores how the peculiarities of Utah's interracial marriage law interacted with a theology of race enshrined in Mormon discourse by the twentieth century. Other surveys of interracial marriage laws in America only briefly discuss Utah in relation to laws enacted in other western states.[47] A more exhaustive treatment of Utah's interracial marriage case law including documentation of the state's participation in national marriage trends and racial discourse still needs to be written. This thesis will, in part, address the resulting historiographical gap left by historians writing on race, marriage, and the law in the West by drawing comparisons between Utah's racialized marriage restriction and a broader legacy of interracial marriage laws across the United States.

Many histories of race, marriage, and the law also fail to include theology as an informing factor for miscegenation laws and racial policies. On this front, Fay Botham's *Almighty*

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[45] Tiya Miles, "The Long Arm of the South?" *Western Historical Quarterly* 43 (Autumn 2012): 274–275.
[46] Peggy Pascoe, *What Comes Naturally,* 77.
[47] See, for example, Peter Wallenstein, *Tell the Court I Love My Wife: Race, Marriage, and Law—An American History* (New York: Palgrave Macmillan, 2002), 144–145; Randall Kennedy, *Interracial Intimacies: Sex, Marriage, Identity, and Adoption* (New York: Pantheon Books, 2003), 258. Other works avoid the West altogether and focus strictly on the South. See Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven: Yale University Press, 1997); James Hugo Johnston, *Race Relations in Virginia and Miscegenation in the South, 1776–1860* (Amherst: University of Massachusetts Press, 1970); Charles F. Robinson II, *Dangerous Liaisons: Sex and Love in the Segregated South* (Fayetteville: University of Arkansas Press, 2003); Hannah Rosen, "The Rhetoric of Miscegenation and the Reconstruction of Race: Debating Marriage, Sex, and Citizenship in Postemancipation Arkansas," in *Gender and Slave Emancipation in the Atlantic World*, ed. Pamela Scully and Diane Paton (Durham: Duke University Press, 2005), 289–309.

*God Created the Races: Christianity, Interracial Marriage, & American Law,* provides a helpful

examination of how theology influenced the construction and enforcement of laws prohibiting

interracial marriage and interracial sex in the United States. Botham argues that Christian "beliefs

about race and marriage exerted a powerful and enduring ideological influence on

antimiscegenation law" and on broader issues concerning race, segregation, and intermarriage.[48]

By ignoring the theology that informed popular racial discourse, historians documenting

interracial marriage laws overlook a primary cultural factor that explains, at least partially, the

spread of miscegenation laws as well as their strict enforcement. Narratives centering on race and

marriage could also borrow from a few informative works on the intersection of race and religion.

Colin Kidd, in *The Forging of Races,* discusses race as a theological construct and reveals the

ways in which the Bible acted as a reifying force for Protestant notions of race.[49] Mark Noll

expands Kidd's theoretical approach to look at "race-as-theology" and its influence on American

politics.[50] These works offer a methodological approach that accounts for theology as a

determining force for the buttressing and preservation of miscegenation laws. Utah, with its

Mormon majority, provides a unique area to employ such a paradigm.

  Much of the historiography related to Mormonism and race focuses on the priesthood ban

against blacks institutionalized in the mid nineteenth century and repealed in 1978. Lester Bush,

in "Mormonism's Negro Doctrine: An Historical Overview," establishes a theological precedent

for Mormonism's long-standing policy against black priesthood denial. His article remains one of

the most respected surveys of the history of Mormon priesthood denial to blacks.[51] Newell

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[48] Fay Botham, *Almighty God Created the Races: Christianity, Interracial Marriage, & American Law* (Chapel Hill: University of North Carolina Press, 2009), 6.

[49] Colin Kidd, *The Forging of Races*: *Race and Scripture in the Protestant Atlantic World, 1600–2000* (New York: Cambridge University Press, 2006).

[50] Mark A. Noll, *God and Race in American Politics: A Short History* (Princeton: Princeton University Press, 2008), 1, 9.

[51] Lester E. Bush Jr., "Mormonism's Negro Doctrine: An Historical Overview." *Dialogue* 8 (Spring 1973): 11–68.

Bringhurst, in *Saints, Slaves, and Blacks: The Changing Place of Black People Within Mormonism,* also offers a detailed treatment of Mormon racial attitudes from the inception of the church to the end of black priesthood denial in 1978.[52] Armand Mauss examines race and ethnicity not as "objective" facts, but as "collective construction[s] by a people."[53]

Race as a social construct is a topic that has received significant treatment in the humanities over the past few decades, but the field of Mormon studies has lagged behind these other fields in understanding how Mormons both constructed race and were racialized themselves. Paul Reeve has recently offered a fresh perspective that does much to fill this gap. He deftly places the movement's racial history in a new light by interrogating how outsiders to the faith constructed a racial identity for Mormons as something other than white. Reeve critically examines whiteness as a powerful, albeit fleeting marker that informed how Mormons saw themselves and how others challenged the racial integrity and identity of Mormons throughout the nineteenth century.[54] Furthermore, Reeve expands his historical focus beyond the traditional black/white binary used by prior works discussing race and Mormonism. This thesis builds on Reeve's framework by critically examining Mormon discourse in the early decades of the twentieth century, particularly in relation to interracial marriage, race betterment and eugenics, demonstrating how elements of Mormon thought and culture aligned with broader American interests to facilitate Mormons passing as white American citizens in the twentieth century. Beyond Reeve's analysis of Mormon racialization and the movement's fraught history with the American body politic, this thesis will also contextualize Utah's creation of a racial state that

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[52] Newell G. Bringhurst, *Saints, Slaves, and Blacks: The Changing Place of Black People Within Mormonism* (Westport: Greenwood Press, 1981).

[53] Armand L. Mauss, *All Abraham's Children: Changing Mormon Conceptions of Race and Lineage* (Urbana: University of Illinois, 2003), 5–13.

[54] W. Paul Reeve, *Religion of a Different Color: Race and the Mormon Struggle for Whiteness* (New York: Oxford University Press, 2015); W. Paul Reeve, "From Not White to Too White: The Historical Evolution of a 'Mormon Race'" (presentation at the 48th Annual Mormon History Association Conference, Layton, UT, June 6–9, 2013).

housed and influenced Mormon culture and thought in the twentieth century and enabled Utah's

transition into a western place.

Race is only marginally featured in discussions of the LDS Church's (and Utah's)

transformative period. Thomas Alexander's, *Mormonism in Transition,* details institutional

Mormonism's tumultuous transition into American society from 1890–1930. Alexander's

important work narrates the history of church auxiliaries, doctrine, politics, and economics as the

LDS Church assimilated in the twentieth century.[55] Other authors, including Armand Mauss,

Matthew Godfrey, Kathleen Flake, and Ethan Yorgason, also document the "Americanization" of

Utah at the start of the twentieth century.[56] This extensive body of research on Mormonism's

transition away from political uniformity, economic communalism, and social retrenchment

reveal how nineteenth-century Mormonism often worked in opposition to the political, economic,

and social themes prevalent in American society. Ethan Yorgason also rightly links the

transformational forces nudging Mormonism toward national conformity to the subsequent

restructuring of Mormon identity. Yorgason contends that part of the Mormon Americanization

process included the systematizing of requirements for "patriotism and good citizenship" that

fundamentally altered Mormon identity.[57] A deeper examination of how Mormons in Utah

performed their new role as citizens in the twentieth century will document further the contested

and fluid nature of citizenship in American society. Mormons participated in popular discourse on

race that served as an effective tool for distancing themselves from a seemingly un-American

past.

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[55] Thomas G. Alexander, *Mormonism in Transition: A History of the Latter-Day Saints, 1890–1930* (Urbana: University of Illinois Press, 1986).

[56] Armand L. Mauss, *The Angel and the Beehive: The Mormon Struggle with Assimilation* (Urbana: University of Illinois Press, 1994); Ethan R. Yorgason, *Transformation of the Mormon Culture Region* (Urbana: University of Illinois Press, 2003); Flake, *The Politics of American Religious Identity*; Matthew Godfrey, *Religion, Politics, and Sugar: The Mormon Church, the Federal Government, and the Utah-Idaho Sugar Company, 1907–1921* (Logan, UT: Utah State University Press, 2007).

[57] Yorgason, *Transformation,* 146–147.

If citizenship in American society was as much about a feeling of belonging as it was about legal standing, than the early twentieth century represented Utah's initial attempt to fit into a society that previously rendered a majority of the state's population as nonwhite and unfit for citizenship. At the center of Utah's battle for citizenship was a contest over racial standing that involved attempts to limit the full citizenship status of other races who threatened the purity of the white race Mormons long desired to be a part of. Marriage in Utah became an important site for testing the church's ability to readjust its religious identity to something more suitably American. The Americanization of Utah involved not just shifts in economic, social, and political policies, but an evolving process of racial categorization that rendered Utah's citizens as participants in a larger western and national narrative. The creation of a bureaucracy in Utah capable of seeing and categorizing race marked a critical moment in the state's development as a truly western, and American, space.

The pages that follow are a limited attempt at re-imagining the boundaries of the Great Basin by tracing the complex racial history that unfolded within its geographical borders during the late nineteenth and early twentieth centuries. While Utah certainly represented a concrete space in the western landscape, it was also a functional site for testing religious ideas and racial ideologies imported from other regions in the United States. At its most basic level, this thesis describes how one group came to be white, American citizens even as other racial groups continued to be considered as something else entirely. At the intersection of race, marriage, religion and the law was a process that made and unmade citizens and helped transform a "foreign kingdom" into a decidedly western place.[58]

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[58] Talbot, *A Foreign Kingdom*.

CHAPTER 2

"A FESTERING SORE ON THE BODY-POLITIC": CITIZENSHIP, MARRIAGE

AND CHALLENGING MORMON WHITENESS

*"We are now gathering the children of Abraham who have come through the loins of Joseph and his sons, more especially through Ephraim, whose children are mixed among all the nations of the earth…They are the Anglo-Saxon race."*
- *Brigham Young (1863)*

*"With Eastern blood will necessarily come Eastern thoughts, and the attempt at Eastern social habits…Especially, also, should it be born in mind that they have already obtained a firm root in Utah. There is imminent danger of the spread of those institutions in the West."*
- *Prof. John W. Draper (1865)*

*By 1852, a ban prohibiting blacks from holding the priesthood was publically backed by church leaders. Justifications for the ban relied on circulating racial theories that combined contemporary racial constructions with scriptural exegesis to draw boundaries around God's chosen people. This chapter traces Mormonism's complex racial history from the origins of a priesthood ban to the announced end of Mormon polygamy in 1890. LDS teachings concerning Ham and his descendants and a curse placed upon Cain are contextualized within a broader Protestant discourse on race that informed defenses of slavery in antebellum America. The impulse to trace descent and to parse lineages according to a binary of "chosenness" versus "cursedness," offered the racial constructions of church leaders a semblance of divine, irreversible approval. By claiming an Anglo-Saxon heritage through the Israelite tribe of Ephraim, Mormons also asserted their whiteness.*

*The chapter next describes the political and social environment that allowed the moral reform efforts of antipolygamists to thrive after the Civil War. To discredit the Mormon marriage system, antipolygamists and politicians interrogated Mormon whiteness, often drawing connections between Mormons and other immigrant groups. The antipolygamy crusade*

*culminated in a legislative attack on Mormon citizenship, resulting in the confiscation of*

*corporate church property and the disenfranchisement of polygamists. By 1890, when church*

*president Wilford Woodruff formally announced the end of Mormon polygamy, Mormon identity*

*needed rehabilitation, as church members lacked the social and political power, and the racial*

*makeup, to function as full citizens in the American body politic.*

In February1852, as Utah's territorial assembly debated the slavery question, Brigham

Young, using all of the influence his integrated role as prophet and governor carried, spoke

ardently against racial mixture as perhaps no other "prophet or Apostle of Jesus Christ spoke it

before."[1] Young received his gubernatorial authority from President Millard Fillmore following

the Compromise of 1850, which carved out a new federal territory, Utah, from land ceded at the

conclusion of the Mexican-American War in 1848.[2] Brigham Young quickly filled territorial

positions with friends, close associates, and most importantly, ecclesiastical leaders from the LDS

Church.[3] Thus, when he delivered his pro-slavery speech before the assembly, Young's words

carried both theological and political import. Scriptural exegesis was as persuasive as or more

persuasive than long-standing political arguments imported from other states bound by popular

sovereignty, given Young's audience.

Young, likely positioning the territory as ripe for statehood, campaigned on behalf of his

own vision of the "peculiar institution," but did so by speaking the spiritual language of his

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[1] Brigham Young, Feb. 5, 1852, Papers of George D. Watt, MS 4534, Box 1, Fd. 3, transcribed by LaJean Purcell Carruth (1 Mar. 2013), Church History Library, The Church of Jesus Christ of Latter-day Saints, Salt Lake City, UT; Brigham Young, Discourse, Feb. 5, 1852, George Watt transcript, CR 100 317, Box 1, Fd. 17, Church History Library, The Church of Jesus Christ of Latter-day Saints, Salt Lake City, UT; see also, John G. Turner, *Brigham Young: Pioneer Prophet* (Cambridge, MA: Harvard University Press, 2012), 226.
[2] Nathaniel R. Ricks, "A Peculiar Place for the Peculiar Institution: Slavery and Sovereignty in Early Territorial Utah," (Master's Thesis, Brigham Young University, 2007), 90.
[3] Ronald Collett Jack, "Utah Territorial Politics: 1847-1876," (PhD diss., University of Utah, 1970), 74–76, 546–547; Ricks, "A Peculiar Place for the Peculiar Institution," 98–99.

audience, mixing theology and race in ways familiar to adherents in the antebellum religious

scene. Prior to Young's tenure as prophet, Mormonism's ban in relation to blacks and the

priesthood remained comfortably ambiguous.[4] Far from an irreversible condition, Joseph Smith

bequeathed an element of racial optimism to his fledgling movement, speaking of race in terms

dynamic, changeable, and responsive to the blood of Israel, which flowed through the veins of the

truly converted.[5] By 1852, however, Young had formalized a priesthood ban for blacks while

establishing "An Act in Relation to Service" that addressed the legal status of a relatively small

number of slaves in Utah Territory.[6]

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[4] While Mormonism's founder Joseph Smith was familiar with the "curse of Cain" later employed as scriptural justification for the priesthood denial, he permitted the ordination of black members like Elijah Abel and Q. Walker Lewis into the priesthood. Historians, therefore, spot in Smith's theology, universalistic tendencies absent in Brigham Young's more racialized theology. Lester E. Bush, "Mormonism's Negro Doctrine: An Historical Overview," *Dialogue: A Journal of Mormon Thought* 8 (1973): 17; Margaret Blair Young and Darius Aidan Gray, "Mormons and Race," in *Oxford Handbook of Mormonism,* ed. Terryl L. Givens and Philip L. Barlow (Oxford University Press, forthcoming 2015). For more information on the history of the priesthood restriction, see Newell G. Bringhurst, *Saints, Slaves, and Blacks: The Changing Place of Black People Within Mormonism* (Westport, Conn.: Greenwood Press, 1981).

[5] This at least partially explains Smith's willingness to ordain black church members and proselyte to tribes of Native Americans. Optimistic about the prospect for racial uplift while still conscientious of the cursed state of the African race, Smith avoided the racial determinism and declension narrative favored by church leaders after him. Circulating theories about the current and future status of the African race were inflected in Smith's retranslation of the book of Genesis, known as the Book of Moses, completed in 1831, and in his later Book of Abraham, a purported translation of the biblical prophet Abraham's writings found on Egyptian papyri. The Book of Abraham was not deployed as a justification for a prohibition against blacks holding the priesthood until the early twentieth century. Stephen R. Haynes, however, contends that Smith was at least partially responsible for popularizing the association of Cain's "mark" with a skin of blackness. Stephen R. Haynes, *Noah's Curse: The Biblical Justification of American Slavery* (New York: Oxford University Press, 2002), 15; W. Paul Reeve, *Religion of a Different Color: Race and the Mormon Struggle for Whiteness* (New York: Oxford University Press, 2015), 206. For a more detailed discussion on Smith's racial views, see Joseph R. Stuart, "Holy Races: Mormonism's and the Nation of Islam's Formation in the Context of American Racial Culture," (Master's Thesis, The University of Virginia, 2014), Chaps. 1 and 2; Bringhurst, *Saints, Slaves, and Blacks,* 40–43.

[6] *Acts, Resolutions, and Memorials, Passed by the First Annual, and Special Sessions, of the Legislative Assembly, of the Territory of Utah* (Salt Lake City: Brigham Young, 1855), 160–162. The number of black slaves residing in Utah Territory in 1851 ranged anywhere from twenty-six (reported in the 1850 territorial census) to sixty or seventy. Bringhurst, *Saints, Slaves, and Blacks*, 67, 225. For more on the 1852 "Act in Relation to Service," see Christopher B. Rich, Jr., "The True Policy for Utah: Servitude, Slavery, and 'An Act in Relation to Service,'" *Utah Historical Quarterly,* 80 (Winter 2012): 54–74; Ricks, "A Peculiar Place for the Peculiar Institution." There is some evidence that a priesthood ban may have been in place prior to Young's public annunciation of a ban. See Reeve, *Religion of a Different Color,* 147–148.

Young's motivation for tightening a priesthood restriction against blacks seemed to be influenced by an aversion to interracial mixing. Such a temperament was nurtured by sexualized descriptions of blacks implanted in the antebellum racial imagination and circulating theories about the offspring of interracial liaisons between blacks and whites.[7] In 1847, Young considered the curious case of Mormon convert, William McCary, who claimed to be of mixed African and Indian heritage. At Winter Quarters, where the body of Saints camped before heading West towards the Great Basin, McCary began making outlandish religious assertions and luring female followers to participate in sexualized rituals, a distortion of Joseph Smith's revealed pattern for plural marriage laid out in Nauvoo. McCary had also already married the white Lucy Stanton, a match church leaders expressed little concern about initially. McCary's prophetic musing and sexual exploits ultimately forced him out of the church and though Young originally remarked to McCary that "we don't care about the color" because "of one blood has God made all flesh," the entire episode likely made Young more cautious about future instances of interracial mixture.[8]

That same year, Young was asked to consider another case of interracial marriage between Enoch, the son of Walker Lewis, a prominent black elder in the church from Lowell, Massachusetts, and the white Mary Webster. In this particular case, Young and other leaders theorized about the threat children of mixed black/white ancestry posed to the future of the human race. Young offered his opinion that the "seed" of a black man with a white woman "shall not be amalgamated." "Mulattoes r like mules," he suggested. "They can't have…children."[9] The discussion, however, reflected more a shared ideology on race and interracial mixture between

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[7] George M. Fredrickson, *The Black Image in the White Mind: The Debate on Afro-American Character and Destiny, 1817–1914* (New York: Harper & Row, 1971), 1–42, 159–161.

[8] Historian's Office, General Church Minutes, 1839–1877, CR 100 318, Box 1, fd. 52, March 26, 1847, Church History Library, The Church of Jesus Christ of Latter-day Saints, Salt Lake City, UT. For a more detailed account of the McCary incident, see Reeve, *Religion of a Different Color,* 128–135; Young and Gray, "Mormons and Race."

[9] Historian's Office, General Church Minutes, 1839–1877, CR 100 318, Box 1, fd. 59, Dec. 3 1847, CHL; Reeve, *Religion of a Different Color,* 135–138.

church leaders and antebellum society than the establishment of a formal institutional precedent against interracial marriage.

By the time Young spoke before the territorial legislature in 1852, his ideas on interracial mixture had formalized into a policy that combined biblical notions of cursedness and lineage with contemporary ideas on amalgamation to restrict blacks from holding the priesthood. Young stated, "a man who has the African blood in him cannot hold one…jot nor tittle of priesthood…let my seed mingle with seed of Cain brings the curse upon me and my generations reap the same rewards as Cain."[10] He also suggested a high price for those caught engaging in illicit interracial relations: loss of life in accordance with his teachings on blood atonement.[11] The territory's "Act in Relation to Service" encapsulated Young's dual concern about black inferiority and interracial mixture. His speeches in favor of the legislation held up slavery as a necessary institution befitting of black subservience and calculated to preserve racial purity. The statute itself, just in case, contained more direct measures against interracial mixture by barring "any master or mistress" from engaging in "sexual or carnal intercourse" with "servants of the African race" while also prohibiting illicit sex between "any white person" and someone "of the African race."[12] Ultimately, in marshaling the church's scriptural corpus in support of slavery and as evidence for a curse against the African race, Young erected a theological precedent that would be referenced repeatedly by church leaders over the next century.

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[10] Brigham Young, Feb. 5, 1852, Papers of George D. Watt, MS 4534, Box 1, Fd. 3, transcribed by LaJean Purcell Carruth (1 Mar. 2013), CHL.

[11] Brigham Young preached about blood atonement on multiple occasions, especially during the "Mormon Reformation" of the 1850s. Martin R. Gardner, "Mormonism and Capital Punishment: A Doctrinal Perspective, Past and Present," *Dialogue: A Journal of Mormon Thought* 12 (Spring 1979): 9–12; D. Michael Quinn, *The Mormon Hierarchy: Extensions of Power* (Salt Lake City: Signature Books, 1997), 246–257. The teaching faded to the margins of Mormon thought by the twentieth century. Turner, *Brigham Young,* 258–260; Thomas G. Alexander, *Mormonism in Transition* (Urbana: University of Illinois Press, 1996), 239.

[12] *Acts, Resolutions, and Memorials,* 160–161.

**Lineage, Descent, and the Curse of Cain**

Using biblical exegesis to construct lineages in order to differentiate between the races was not a process unique to Mormonism, but, instead, a common fixture in American religious discourse throughout the nineteenth century. However, Mormonism's particular concern with lineage created a unique theological arena in which Christian racial theories could interact with a theology of "chosenness" that rendered "blackness" an eternal marker of difference and inferiority. Mormon racial theology in the nineteenth century pushed blacks to the periphery of a narrative that privileged descent from a chosen lineage as a central component of individual salvation. Established doctrine about the curse of Cain also put church leaders in the business of making race—Mormon theology about a "curse" and an accompanying skin of blackness made race visible, definable, and immutable, for Mormon practitioners.

Race relied on Christianity, the dominant religious tradition in the western world, for much of its meaning and arrangement.[13] Biblical justifications for slavery in antebellum America employed scriptural lineage extracted from verses of the Bible to establish the inferiority of blacks imported from Africa in the slave trade. Two main biblical theories on racial differentiation, one related to Ham and his descendants and one related to a "mark" and curse placed on Cain for murdering his brother Abel, figured most prominently in theological arguments justifying slavery in antebellum America.[14] Using Genesis 9–11 as a scriptural proof text, clergymen of the antebellum South defended the institution of slavery by linking race-based slavery to a curse placed on Ham and his descendants, the alleged progenitors of the African

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[13] See Fay Botham, *Almighty God Created the Races: Christianity, Interracial Marriage, & American Law* (Chapel Hill: University of North Carolina Press, 2009); Colin Kidd, *The Forging of Races*: *Race and Scripture in the Protestant Atlantic World, 1600–2000* (New York: Cambridge University Press, 2006).
[14] David M. Whitford, *The Curse of Ham in the Early Modern Era: The Bible and the Justifications for Slavery* (Burlington, VT: Ashgate Publishing, 2009), 1–18; Kidd, *The Forging of Races*, 251.

race.[15] The racialized exegesis performed by proponents of slavery in the South relied on a particular passage in Genesis 9 where Noah, after awaking from a naked and drunken stupor, discovered that his son Ham had seen him uncovered in his tent. An enraged Noah cursed Ham and the descendants of "Canaan" to be the "lowest of slaves."[16] Though the passage does not refer specifically to skin color, the Hamitic curse was selectively applied to justify a transatlantic system of slavery starting in the sixteenth century, though threads of the argument developed even earlier.[17] While the Bible never overtly linked the African race to slavery, the Hamitic hypothesis had circulated long enough in the Christian world by the nineteenth century to function as empirical evidence for black inferiority in proslavery circles.[18] The biblical literalism of the Protestant antebellum South only served to entrench scriptural lineage as an informing factor for the construction of racial categories.[19] The fact that Noachic racial categorizations persisted even after the Civil War ended reveals the powerful cultural influence biblically-based lineages exerted over the racial consciousness of American society.[20] The curse surrounding Ham and his descendants became a logical corollary for black inferiority as Protestant theology and biblical exegesis mixed with contemporary cultural biases to give the Bible predictive power concerning the current and future status of the black race.

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[15] Haynes, *Noah's Curse,* 6–8; See also, Paul Harvey, "A Servant of Servants Shall He Be": The Construction of Race in American Religious Mythologies," in *Religion and the Creation of Race and Ethnicity: An Introduction*, ed. Craig R. Prentiss (New York: New York University Press, 2003), 13–27.

[16] Genesis 9:20–27 (NRSV)

[17] David M. Whitford, *The Curse of Ham in the Early Modern Era,* 2–4; David M. Goldenberg, *The Curse of Ham: Race and Slavery in Early Judaism, Christianity, and Islam* (Princeton: Princeton University Press, 2003).

[18] Haynes, *Noah's Curse,* 11–12. Eugene D. Genovese questions the influence the Hamitic hypothesis actually had on southern slavery arguments because many southern intellectuals acknowledged the ancestral link between Ham's descendents and the contemporary enslaved black population was ambiguous at best. See Eugene Genovese, "A Consuming Fire: The Fall of the Confederacy in the Mind of the White Christian South," in *Mercer University Lectures* (Athens and London: University of Georgia Press, 1998), 81; Haynes, *Noah's Curse*, 11; Whitford, *The Curse of Ham,* 4.

[19] Mark Noll, *America's God: From Jonathan Edwards to Abraham Lincoln* (New York: Oxford University Press, 2002), 417–418.

[20] Haynes, *Noah's Curse,* 12–13.

Mormons were not immune to the racialized biblical literalism of their white, Protestant counterparts. While southern Protestantism favored the Hamitic explanation for black inferiority and slavery, Mormonism leaned towards a derivative argument concerning a curse placed on Cain and his seed, though they proved adept at invoking both Cain and Ham in their racialist assertions. The curse placed on Ham lacked explicit references to skin color, but the curse pronounced on Cain for murdering his brother Abel described a "mark" that exegetes could then extrapolate as a skin of blackness.[21] By connecting Cain's descendants with Ham through the intermarriage of common relatives, as many southern racialists did, those searching out biblical origins for African slavery could associate the dark skin of Cain with the curse of slavery placed upon Ham to position the enslavement of Africans as divinely sanctioned.[22] Early Mormons were familiar with biblical rationale linking the descendants of Cain and Ham to African slaves, though notions of a curse or skin of darkness placed on Cain were not firmly entrenched in Mormon thought until after their exodus West.[23]

Brigham Young, as Mormons settled the Great Basin, broadened the application of the Cain thesis to exclude those of African descent from participating in the Mormon priesthood. His address before the territorial legislature in 1852 described the people "commonly called negroes" as "the children of old Cain." As descendants in Cain's ancestral line, blacks could not hold the priesthood until the "times of restitution come" and the "curse [be] wiped off from the earth" and

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[21] Goldenberg, *Curse of Ham,* 178.

[22] Ibid.

[23] See, for example, Joseph Smith, Journal, 25 Jan. 1842, in *Journals, Volume 2: December 1841– December 1843,* eds. Andrew H. Hedges, Alex D. Smith, and Richard Lloyd Anderson (Salt Lake City: The Church Historian's Press, 2011), 30; William W. Phelps, "Letter No. V," *LDS Messenger and Advocate*, Mar. 1835, 1:81–82; "The Abolitionists," *LDS Messenger and Advocate,* Apr. 1836, 2:299–301; Bush, "Mormonism's Negro Doctrine," 16.

from "Michael's seed."[24] Young also accepted the Hamitic hypothesis as a compelling reason for

not interfering with the institution of slavery.[25]

In advocating for slavery in Utah Territory in 1852, Young's rhetoric echoed the

paternalistic sentiments of many southern slaveholders, but he also envisioned black "service" in

Utah as something wholly different from the harsh realities of southern slavery.[26] Young invited

slaveholders in the territory to brings slaves "into freedom, instead of slavery" by treating them

with civility so that the "the down-trodden race" might be elevated. Slave owners in Utah were

asked to participate in a redemptive project calculated to rescue the African race from "servile

bondage both mental and physical." African slaves deserved master's who demonstrated "the

benevolence of the human heart" by committing to elevate the "forlorn, destitute, ignorant

savage, or African, as the case may be" from their depraved and destitute state.[27] Though Young

acknowledged that slaveholders could improve certain conditions governing African bondage,

they could not interfere or reverse the curse perpetuated by lineage. "Although the seed of Canaan

will inevitably carry the curse which was placed upon them," Young argued, the curse could not

be removed "until the same authority which placed it there, shall see proper to have it

removed."[28] In this, Young diverged from the racial optimism exhibited by his predecessor.

Joseph Smith was willing to attribute the observed depravity and inferiority among people's of

African descent to environmental circumstances and allowed for the future improvement and

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[24] Brigham Young, Feb. 5, 1852, Papers of George D. Watt, MS 4534, Box 1, Fd. 3, transcribed by LaJean Purcell Carruth (1 Mar. 2013), CHL. Brigham Young used similar language in a sermon given on the 3 December 1854. See Brigham Young, *Journal of Discourses* (Liverpool: Franklin D. Richards et al., 1855–1886), 2:142–143, 7:290–291, 11:272.

[25] Young reflected on the unwarranted fear of many Missourians that Mormons wanted to abolish the institution of slavery in the United States. He remarked in an 1855 sermon: "We knew that the children of Ham were to be the '*servant of servants*,' and no power under heaven could hinder it, so long as the Lord should permit them to welter under the curse, and those were known to be our religious views concerning them." Brigham Young, *Journal of Discourses*, 2:172.

[26] Reeve, *Religion of a Different Color,* 149; Rich, Jr., "The True Policy for Utah," 54–74.

[27] Brigham Young, "Governor's Message," *Deseret News,* 10 January 1852, [2].

[28] Ibid.

elevation of the entire race. Young, by contrast, interpreted black cursedness as divinely

implemented, unresponsive to human outreach, and only amendable by divine action "after the

last drop of Abel's blood received the priesthood."[29] While Young detested the primitive

conditions prevalent among African slaves in the South, he still viewed their dark skin as an

indication of a spiritual and physical curse that dictated real and observed racial characteristics

and behavior.[30]

At the same time Brigham Young and other church leaders leaned on scriptural lineages

and racial constructions to justify a ban on black church members holding the priesthood, they

also sought to reinforce their own status as God's chosen people using a scriptural lineage that

ascribed whiteness as a fundamental characteristic of faithful Mormons. In an 1863 discourse,

Brigham Young described the racial makeup of the tribes of Israel, particularly those descendants

of the tribe of Ephraim:

> We are now gathering the children of Abraham who have come through the loins of
> Joseph and his sons, more especially through Ephraim, whose children are mixed among
> all the nations of the earth. The sons of Ephraim are wild and uncultivated, unruly,
> ungovernable…they are the Anglo-Saxon race.[31]

As Armand Mauss demonstrates, church leaders in the latter half of the nineteenth century

embraced and combined two circulating racial theories—Anglo-Saxon triumphalism and British

Israelism—to construct a chosen lineage for Mormons based on a shared Anglo-Saxon heritage

with the tribe of Ephraim.[32] In ascribing Israelite lineage to the Anglo-Saxon race, church leader

George Reynolds, in a series of editorials published in 1878, referenced perhaps the most

prominent proponent of British Israelism, John Wilson, to support his own argument concerning

the northern European ancestry of the tribe of Ephraim. Reynolds's editorial, published in the

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[29] Brigham Young, 23 Feb. 1852, Papers of George D. Watt, MS 4534, Box 1, Fd. 3, transcribed by LaJean Purcell Carruth, CHL; Reeve, *Religion of a Different Color,* 142–150.

[30] Ricks, "A Peculiar Place for the Peculiar Institution," 120–122.

[31] Brigham Young, *Journal of Discourses,* 10: 187–195.

[32] Armand L. Mauss, *All Abraham's Children: Changing Mormon Conceptions of Race and Lineage* (Urbana: University of Illinois, 2003), 17–27.

British Mormon periodical, the *Millennial Star,* reviewed the evidence in favor of a literal

Israelite lineage for Anglo-Saxon peoples and employed prophecies from the Old Testament and

the Book of Mormon to assign notions of "chosenness" to the tribe of Ephraim.[33] In fact, Mormon

conceptions of a dual Israelite/Anglo-Saxon identity worked alongside prophecies about the

chosenness of the Mormon people as literal descendants of Israel in the last days in order to

privilege whiteness as a fundamental characteristic of God's ascendant and divinely favored

people.

Church leaders acknowledged God's love for all of his children, but notions of God's

universal love could not dispel the hierarchical exclusivity embedded in Mormon lineage

conceptions.[34] Ironically, outside attacks on Mormon identity, predominantly because of the

practice of polygamy, only further solidified a collective sense of chosenness and peculiarity

among the Mormon faithful.[35] George Q. Cannon remarked in 1884, "As soon as the Latter-day

Saints join the Church, they become a distinct people." The restoration of a literal Israel meant

that Mormon's had claim on the same "chosen seed" of Abraham.[36] For faithful Mormons,

differences in lineage were implemented by God in order to create distinction between the chosen

faithful and the rest of the world. Cannon continued:

> So it is with this people called the Latter-day Saints and the world. There is a difference.
> God has created the difference. God has called us out from the world for the express
> purpose of making us His people, and placing upon us His name, that we may be known
> as His peculiar people in the midst of the nations of the earth.[37]

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[33] Ibid., 24–36.

[34] George Q. Cannon, *Journal of Discourses,* 15:291–302.

[35] Mauss notes that Mormonism's retrospective construction of a "chosen" lineage identity…enabled them
to resist the growing national and international definition of Mormons as a despicable people." Mauss, *All
Abraham's Children,* 4.

[36] George Q. Cannon, *Journal of Discourses,* 25:360–371. Apostle George Q. Cannon, in 1873, described
the universal love God has for both the "dark sons of Cain that dwell in Africa and in America" and "those
who live in Europe and America who are of the white race." George Q. Cannon, *Journal of Discourses,*
15:295.

[37] George Q. Cannon, *Journal of Discourses,* 25:362.

For Cannon, those of the chosen seed should not "mingle" with those who were not of the chosen seed. He warned against marriages with apostates or the continuance of relationships bordering on "equality" with the unfaithful.[38] Brigham Young similarly remarked: "Shall I tell you the law of God in regard to the African race? If the white man who belongs to the chosen seed mixes his blood with the seed of Cain, the penalty, under the law of God, is death on the spot. This will always be so."[39] According to church leaders, God had inherently made the conditions of earthly society unequal, by favoring a group of people in order to preserve, perpetuate and differentiate the chosen from the unfaithful and impure.

Mormon peculiarity and "chosenness" only served to push Mormon culture further away from mainstream American society, but it also entrenched racialized readings of scripture and group identity in Mormon culture. Spencer Fluhman summarizes the forces that helped construct a "quasi-ethnicty" for Mormons in the Great Basin in the nineteenth century: as polygamy rendered Mormon communities insular, "bloodlines and dynastic connections" defined LDS leadership and their discourse. The combination of geographical distance, local culture, and a resistance to American cultural norms reinforced Mormon "peculiarity" and constructed a "near-ethnicity" for Mormons in the Great Basin.[40]

Mormon whiteness, however, was also historically contested. Fluhman described the battle waged by antipolygamists and others against Mormons throughout the nineteenth century as a larger contest over Mormon "peoplehood."[41] Anti-Mormon polemics and Mormon self-representations involved ethnic constructions as much as they involved debates over religious differences. While church leaders worked to trace the spiritual and ancestral heritage of the Mormon faithful back to Abraham in order to represent the Mormon body of believers as a latter-

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[38] Ibid, 368.
[39] Brigham Young, *Journal of Discourses,* 10:110.
[40] J. Spencer Fluhman, *A Peculiar People: Anti-Mormonism and the Making of Religion in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 2012)*,* 146.
[41] Ibid.

day apparition of a literal, white, and chosen House of Israel, outsiders to the faith challenged

Mormon whiteness on moral and political grounds. The biblical exegesis used to validate

Mormon whiteness proved successful *within* institutional Mormonism in denying blacks access to

temple ordinances and the priesthood, but Mormon lineage constructions did nothing to

demonstrate the racial, political, and moral normativity of the Mormon people to an unbelieving

American audience.

**Contesting Mormon Whiteness**

The hardening of the racial line in Mormon theology and culture paralleled a developing

dialogue in broader American society throughout the latter half of the nineteenth century that

called Mormon whiteness into question. If whiteness served as the marker of citizenship and

moral order in an American society awash in Protestantism in the nineteenth century, then

Mormons sat just beyond the boundaries demarcating white citizenship. Protestant morality,

however, also carried a racial tilt that conflated traditional morality and citizenship with

whiteness.

In the intervening years after the Civil War, the nation underwent a process of redefining

and reconstituting its collective identity. As Edward Blum points out, this involved a discursive

process of working out a comprehensive definition of citizenship in a Union ripped apart by

differences in racial ideology and practice. Central to this process was a group of northern

Protestants willing to abandon a civic nationalism that privileged egalitarianism, Christianity, and

human liberty in favor of a reprised version of the ethnic nationalism that characterized

antebellum American society.[42] Broadly defined, citizenship in the postbellum United States

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[42] Edward J. Blum, *Reforging the White Republic: Race, Religion, and American Nationalism, 1865–1898* (Baton Rouge: Louisiana State University Press, 2007), 6, 20–50.

conflated whiteness as an essential component of citizenship and situated people of color as

substandard citizens unfit for participation in a Protestant American society.[43]

As northern Protestants worked to redefine and unite the American Republic under a

singular, racialized identity, Mormons in the Great Basin attracted the attention of crusading

Protestants who viewed the movement's communal identity and marriage system as a threat to

American institutions. Antipolygamists attacked Mormons for their "peculiarity," but they also

frequently employed racial caricatures and constructions as a way to contrast Mormons with the

predominating white, Protestant identity of the body politic.

Even before settling in the West, the Mormon leadership was aware of racial differences

accentuated by the church's adversaries, despite clear evidence of European roots in the general

church membership. At a general conference of the LDS Church held in Nauvoo, Illinois, in

October 1845, apostle Heber C. Kimball lamented, "We are not accounted as white people, and

we don't want to live among them." Kimball envisioned a Mormon settlement "in the wilderness"

far from the perceived intolerance surrounding them in the United States.[44] While Kimball's

vision of an isolated Mormon settlement came to fruition in 1847, accusations of non-whiteness

followed the church West, especially as the Mormon settlement in Utah Territory came under the

control of the United States government in 1850. Known briefly as the state of Deseret, the newly

formed Utah Territory had the makings of a burgeoning theocracy—religious uniformity

informed everything from the politics of public officials to the economic activities of the territory.

Still, as a federal entity, the Mormon-dominated Utah Territory never completely liberated itself

from the watchful eye of the politics governing its mother institution.

In the 1850s, antipolygamists prompted the formation of a new political party, the

Republican Party, built on a Christian humanitarian reform impulse. The party's 1856 political

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[43] Ibid., 6.
[44] "Conference Minutes," *Times and Seasons* 6 (1 Nov. 1845): 1012.

platform vowed to eradicate "the twin relics of barbarism"—polygamy and slavery—which it saw

as threatening to Christian morality. In Sarah Barringer Gordon's opinion, Republicans found an

effective venue to "broadcast to the country their commitment to humanitarian reform," but also

generated a "new, national politics of race, gender, and progress" as they rode the wave of

popular discourse that framed polygamy and slavery as twin moral issues.[45] By the 1850s,

American jurisprudence had accumulated a body of case law linking Protestant faith to traditional

sexual mores and religious liberty while simultaneously positioning the United States as a

Christian nation. Antipolygamists, therefore, drew on a common law tradition that defined

marriage as a monogamous institution founded on the principles of Christianity.[46]

Beyond a supportive legal structure, antipolygamist arguments gained currency in the

context of a Protestant revivalist tradition that increasingly emphasized Christian humanism as an

effective avenue for policing the moral sensibilities of American society.[47] A more liberalized

Calvinism proclaimed at the religious revivals of the 1830s, 40s and 50s heralded a social

humanitarianism that appealed across the denominational spectrum. Interdenominational Bible

and temperance societies suggested to observers of the disestablished religious scene in America,

a more unified Christian nation, capable of evangelizing the moral culture of the nation according

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[45] While slavery and polygamy drew comparisons from antipolygamists, the Republican Party favored critiques of polygamy as a way of attacking an oppressive Mormon patriarchy without completely denouncing a more controversial slave-owning patriarchy in the South. Sarah Barringer Gordon, *The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 2002)*, 55.

[46] Sarah Barringer Gordon suggests that Mormon plural marriage "fell plumb into the overlapping circles that faith and law drew around marriage in nineteenth-century legal doctrine." Blackstone's influential *Commentaries on the Common Law* (1765) enshrined into common law the biblical imperative that man and woman were to be unified as "one flesh" in their marriage. This injunction propped up a system of coverture that bound a wife's legal identity to her husband's, granting a husband control over his wife's property, body, and legal rights. While coverture law became significantly convoluted by mid-century, Christians clung to the romanticized notion of full unity in marriage. Polygamy, with its emphasis on multiple partners, violated the Christian notion of marriage fully established as normative in the American legal system by the 1850s. See Ibid., 65–68; Linda K. Kerber, *No Constitutional Right to Be Ladies: Women and the Obligations of Citizenship* (New York: Hill & Wang, 1998).

[47] Gordon, *The Mormon Question,* 77.

to Christian principles.[48] It was antipolygamy arguments though that appropriated Protestant

moral theory and fused it with a new constitutionalism. Religious conflict prompted by the

growth of Mormonism in the West granted Protestants a "critical forum" to tackle moral and

ideological issues using a racialized framework born within mid-century Protestant political

discourse.[49] The reformist rhetoric of antipolygamists and Protestant humanists reshaped

legislative debate and forged a Christianized interpretive framework that could be applied to the

American constitution. As the polygamy debate vaulted to the forefront of national reform efforts

in the latter-half of the nineteenth century, American politics, morality, and constitutionalism had

acquired a Protestant "core."[50]

     For example, in 1860, Congressman Thomas Nelson reported before the House Judiciary

Committee on the reasons Mormon polygamy warranted congressional attention. In

deconstructing Mormon religiosity, Nelson represented the Founding Fathers as guardians of

Protestant morality because they used an "established standard of faith" to saturate the

Constitution with Christian themes. Nelson determined "that by the term religion" the founders

"meant only to convey the idea of a belief" based on "the precepts of the Bible." The founders, by

protecting the free exercise of religion, intended to permit variations of Christianity to function

freely in the religious marketplace, but "they never intended that the wild vagaries of the Hindoo

or the ridiculous mummeries of the Hottentot should be ennobled by so honored and sacred a

name." Nelson wondered optimistically whether Congress had the power to "prohibit a practice

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[48] Timothy L. Smith, *Revivalism and Social Reform in Mid-Nineteenth-Century America* (New York: Abingdon Press, 1957), 44–46. Scholars suggest that revival culture also led to the entrenchment of social conservatism in some regions of the United States. Ronald White and Charles Hopkins, *The Social Gospel: Religion and Reform in Changing America* (Philadelphia: Temple University Press, 1976), 12.

[49] Fluhman, *A Peculiar People,* 103–105.

[50] Gordon, *The Mormon Question,* 79–80.

which is a disgrace to our country and a libel upon our institutions?"[51] Mormon foreignness

became the preferred trope for crusading Protestants who viewed the movement's racial

"otherness" through the primary marker of Mormon difference from American society:

polygamy.[52]

Polygamy prompted mid-century religious commentators to examine the facial

characteristics of Mormons for signs of inherited deviancy. Their subjective study of a discernible

Mormon race resulted in effective though exaggerated parallels between Mormon bodies and the

appearances of other, nonwhite, non-Christian nations where polygamy abounded.[53] One

anonymous writer in 1851, upon encountering two Mormons on horseback, felt that their

immorality was discernible through their "physiognomy and appearance." One elder's "intellect"

was observably "marred by low cunning—fanaticism mingled with, if not overpowered by,

hypocrisy." His lips formed a "habitual contemptuous smile" as his eyes revealed "scornful

pride."[54] Other descriptions highlighted a tragic racial transformation, the product of a

polygamous heritage that obscured the "physical peculiarities of the nationalities" of older

Mormons. Assistant U.S. Army surgeon Robert Bartholow, in an 1858 report on the U.S. military

in the West, remarked on the "deplorable effects of polygamy" upon the Mormon "countenance."

The unique "Mormon expression" consisted of a "yellow, sunken, cadaverous visage; the

greenish-colored eyes; the thick, protuberant lips; the low forehead; the light, yellowish hair; and

the lank, angular person." Bartholow refused to characterize Mormons using familiar racial

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[51] Thomas Nelson, "Polygamy in the Territories [sic] of the United States," 2, in *Reports of Committees of the House of Representatives, Made During the First Session of the Thirty-Sixth Congress: 1859–60* (Washington: Thomas H. Ford, Printer, 1860).

[52] Jan Shipps, "Difference and Otherness: Mormonism and the American Religious Mainstream," in *Minority Faiths and the American Protestant Mainstream,* ed. Jonathan D. Sarna (Urbana: University of Illinois, 1998), 93.

[53] Fluhman, *A Peculiar People*, 112.

[54] "The Mormon Prophet," *North American Miscellany,* 31 May 1851, 204.

taxonomies, but instead classified Mormons as a "new race" destined for extinction because of their "physical degeneracy," a direct consequence of their "moral depravity."[55]

Bartholow's argument about the moral depravity and inevitable extinction of the Mormon race approximated arguments about the eventual decline of the "African race" circulating at the same time. As conflict over slavery ramped up in the United States, some theorized about the destiny of the "African race," especially if blacks were emancipated. President of Illinois College, Reverend J.M. Sturtevant, in an editorial published in the *Continental Monthly*, speculated that emancipation would prompt the irreversible decline of the entire black race. "A necessary and beneficent" law, argued Sturtevant, stipulated that only "the industrious, the frugal, the strong, the enlightened, the virtuous, the religious" could survive and reproduce a sustainable population. Slavery "propagates society from its lowest and most degraded class, from a race of barbarians held within its bosom from generation to generation." The inferior morality of the black race, as Sturtevant and others saw it, relegated them for extinction unless their population was artificially monitored by an institution like slavery.[56] Mormonism's own moral depravity portended a similar decline for some commentators. Yet, religious and political thinkers, fueled by a Protestant reform impulse, continued to take an interest in ending Mormon polygamy. They did so, however, by imagining Mormons as a race of people worthy of moral reform.

Beginning in the 1850s, after the California Gold Rush reached fever pitch, an influx of Chinese immigrants to mining towns stirred racial conflict as Chinese laborers competed with white wage laborers for work.[57] In the 1860s, anti-Chinese organizations congregated in western

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[55] Richard H. Coolidge, *Statistical Report on the Sickness and Mortality in the Army of the United States* (Washington: George W. Bowman, Printer, 1860), 302.

[56] J.M. Sturtevant, "The Destiny of the African Race in the United States," *Continental Monthly*, 3 (May 1863), 602, 605, 608–610. George Fredrickson sees Sturtevant's theory as a type of "racial Malthusianism" that served as a precursor to Charles Darwin's theory of natural selection applied in the twentieth century as the basis for scientific racism. Fredrickson, *The Black Image in the White Mind,* 158–159.

[57] Robert Seager II, "Some Denominational Reactions to Chinese Immigration to California, 1856-1892," *Pacific Historical Review* 28 (Feb. 1859): 49.

cities and sought to prevent Chinese workers from infiltrating occupations dominated by white

laborers.[58] Chinese immigrants continued to inundate western cities to work on railroad lines,

creating labor strains and economic problems that quickly attracted the attention of the federal

government. The legislative attempts of congressmen and senators culminated in the Chinese

Exclusion Act of 1882, which blocked citizenship for Chinese immigrants and restricted Chinese

immigration for ten years.[59] A report compiled by a special committee on Chinese immigration

brought before the California State Senate in 1877, observed the unsuccessful assimilation

attempts among the Chinese and concluded that Chinese immigrants were "separate, distinct

from, and antagonistic to, our people in thinking, mode of life, in tastes and principles, and are as

far from assimilation as when they first arrived." At odds with the "social ideas" and "laws" of

American society, Chinese immigrants occupied a tenuous position in the American West. As a

group unable to perform or even "comprehend" the "responsibilities of citizenship," Chinese

immigrants were racialized categorically as an "other."[60]

  Similarly, Mormons were characterized as unfit for citizenship because of a shared

system of marriage with immigrants from eastern nations. A rise in sinophobia in the West during

the mid-nineteenth century prompted religious and political commentators to draw seemingly

natural parallels between Chinese immigrants and Mormon polygamists, including

characterizations of Mormons as physiognomically similar to Asian immigrants. Even though the

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[58] Eric W. Fong and William T. Markham, "Anti-Chinese Politics in California in the 1870s: An Intercounty Analysis," *Sociological Perspectives* 45 (Summer 2002): 189–190. For more on Chinese immigrants in nineteenth-century America, see Alexander Saxton, *The Indispensable Enemy: Labor and the Anti-Chinese Movement in California* (Berkeley: University of California Press, 1971).

[59] Richard White, *Railroaded: The Transcontinentals and the Making of Modern America* (New York: W. W. Norton & Company, 2011), 303.

[60] *Chinese Immigration; Its Social, Moral, and Political Effect. Report to the California State Senate of its Special Committee on Chinese Immigration* (Sacramento: State Office, F.P. Thompson, Supt. State Printing, 1878), 8–9. California's complicated and failed relationship with Chinese immigrants provided evidence used by the United States Congress to pass national legislation restricting Chinese immigration in the waning decades of the nineteenth century. *Index to the Miscellaneous Documents of the House of Representatives for the First Session of the Forty-Fifth Congress*, vol. 1 (Washington: Government Printing Office, 1877), 3.

physician Robert Bartholow, in 1858, labeled Mormons as a "new race," his description of their facial characteristics—the "yellow, sunken, cadaverous visage"—approximated popular descriptions of Chinese immigrants.[61] In 1865, Professor John W. Draper theorized about the negative effects of an immigrating Chinese labor class on the racial homogeneity and moral institutions of the West.[62] "With Eastern blood will necessarily come Eastern thoughts, and…social habits," Draper feared. The women "among Asiatics" lived in a perpetual state of slavery as the "toy" of men. Polygamy posed an "imminent danger" "in the West" as anyone in the vicinity "of the confines of Asia…seem to be affected by its moral atmosphere." Draper marshaled evidence from Utah to support his claims. With the "sentiments of the Asiatics" already infiltrating Utah, Draper warned of an "inevitable hybrid population" of a "lower social grade."[63] Even the pivotal Supreme Court case, *Reynolds v. United States* (1878), echoed the racialized discourse used to describe Mormons by relating similarities between Mormons and the "Asiatic and…African people" because of the "odious" practice of polygamy.[64] One editor, describing the effectiveness of the 1882 Chinese Exclusion Act in fixing "social and political evils," reasoned that a similar exclusion placed on immigrants to Utah might prevent the entrance of "low, ignorant peasant" Mormon women into the country. The editor argued that policies treating Mormons as "somewhat Oriental" might mitigate the effects of polygamy on society.[65]

Even more prevalent were comparisons between Mormons and the peoples of the Middle East. From the church's inception in 1830, Americans spotted striking parallels between Islam and the rise of Mormonism, often discrediting the church's founder, Joseph Smith, as a spurious impostor not unlike the prophet Muhammad, who's followers also posed an ostensible threat to

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[61] Coolidge, *Statistical Report,* 302.
[62] John W. Draper, *Thoughts on the Future Civil Policy of America* (New York: Harper & Brothers, Publishers, 1865), 91.
[63] Ibid., 113, 171–173.
[64] Reynolds v. United States, 98 U.S. 145 (1879), 164.
[65] *The Nation,* 20 December 1883, 503, quoted in Gordon, *The Mormon Question,* 193.

America's disestablished religious scene. When publically announced in 1852, Mormon polygamy breathed new life into the comparison by prompting sensationalized accounts, often rendered pictorially in print, of a Mormon harem thriving in the desert confines of the church's Great Basin kingdom.[66] For some anti-Mormon writers, the church's "attempt to imitate the barbarism of Oriental nations" reversed the ardent progress of western civilization and instead reflected "a long past age."[67] Commentators on Mormon polygamy feared that the importation of a foreign marriage system would not only shake the moral foundation of American society, but threaten the very existence of a discernible white race. One writer in 1854 expressed shock that a marriage system "so foreign to our dispositions and habits of thought" took root among the American people, especially among "men of Anglo-Saxon blood."[68]

The Mormon transgression of Protestant morality represented more than just the infiltration of bad habits from the eastern world. By degrading what many considered to be the pinnacle of American society—monogamous marriage—Mormons threatened the very existence of western society. Francis Lieber, in 1855, feared that Mormon polygamy would overtake "wedlock or monogamic marriage…one of the elementary distinctions—historical and actual—between Europe and Asiatic humanity." Eliminating monogamy as a pillar of western civilization, Lieber predicted, would "destroy our very being; and when we say *our*, we mean our race—a race which has its great and broad destiny, a solemn aim in the great career of civilization, with which

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[66] The parallels between Islam and Mormonism highlighted by nineteenth-century religious commentators included the creation of new scripture; the consolidation of religious and civic authority into a prophetic office; and the imperative to gather (or take a pilgrimage) to a geographical location. These issues became particularly apparent at Nauvoo, Illinois, in the 1840s, where Joseph Smith occupied both civic and religious office, and by all outside appearances, seemed to be constructing his own theocratic city. See Fluhman, *A Peculiar People,* 31–39.

[67] T.B. Stenhouse, *"Tell it All": The Story of a Life's Experience in Mormonism* (Hartford, Conn.: A.D. Worthington and Company, 1890), ix; Christine Talbot, *A Foreign Kingdom: Mormons and Polygamy in American Political Culture, 1852–1890* (Urbana: University of Illinois Press, 2013)*,* 133.

[68] F.C. Barber, "Mormonism in the United States," *DeBow's Review: A Monthly Journal* 16 (April 1854): 369–370.

no one of us has any right to trifle."[69] As Christine Talbot points out, Lieber was not alone in

interpreting Christian morality in decidedly racial terms. Writers criticizing Mormon polygamy

frequently associated monogamous marriage with racial progress and staked the future success of

American society, and the white race, on the preservation of traditional marriage, the moral

touchstone of a civilized society.[70]

Oriental motifs functioned as a rhetorical device used to accentuate glaring contrasts

between Protestant morality and Mormon uncivility. Mormonism appeared "*un*-Christian, *un*-

American, *un*-Western" even as its adherents appeared *un*-white.[71] Scholars suggest that the

perceived non-whiteness of Mormons exiled them from the realm of American domesticity. As a

distinct race of people with an identity stripped of similarities with the national body politic,

Mormon claims to citizenship lacked validity under the established parameters.[72] Caricatures of

Mormons as Oriental not only discredited polygamy as a legitimate way to structure the family,

but also linked the institution to tyrannical forms of government. Mormonism, at its allegedly

oppressive roots, threatened republican institutions of government.[73] The racialization of

Mormons as nonwhite and unfit for citizenship meant that Mormons attracted the full attention of

Protestant moral reform efforts in the latter half of the nineteenth century as politicians, social

reformers, and the legal system policed the boundaries of white citizenship by eradicating moral

dangers to the American republic.

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[69] Francis Lieber was a respected political thinker in antebellum America. His *Manual of Political Ethics* became one of the more respected political texts of the era. See Francis Lieber, *A Manual of Political Ethics: Designed Chiefly for the Use of Colleges and Students at Law,* 2 vols. (Boston: C. C. Little and J. Brown, 1839–1847). In this case, Lieber did not sign his name to the editorial. [Francis Lieber], "The Mormons. Shall Utah Be Admitted Into the Union?" *Putnam's Monthly* 5 (Mar. 1855): 234; Cott, *Public Vows,* 114–115.

[70] Talbot, *A Foreign Kingdom,* 133.

[71] Terryl L. Givens, *The Viper on the Hearth: Mormons, Myths, and the Construction of Heresy* (New York: Oxford University Press, 1997), 132; Jenette Wood Crowley, "Mormon Polygamy and the Construction of American Citizenship, 1852–1910," (PhD diss., Duke University, 2011), 107–108.

[72] Ibid., 108.

[73] Talbot, *A Foreign Kingdom,* 134.

**Revoking Mormon Citizenship**

At a Pioneer Day celebration on the 24 July 1880, President John Taylor linked the "peculiar epoch" of Mormonism with the history of the United States, a nation organized under the "supervision of the Almighty." Despite his devotional reading of United States history, Taylor positioned the building up of Zion as the primary concern of the Saints and guaranteed the future success of Zion based on the performance of spiritual, rather than civic duties. The maintenance of Mormon peculiarity through obedience to God's laws served as the primary predictor of the growth and preservation of the kingdom of God.[74] In fact, Mormon divergence with American society was precisely what would bring the Mormon Zion more success than society at-large, according to Taylor. "Let us continue to…improve and go on until we shall be as far ahead of this and other nations in regard to science and intelligence of every kind as we are today in regard to religious matters," asserted Taylor.[75] Similarly, Apostle Wilford Woodruff, thinking as a millenarian, predicted that, "there must be a change in Babylon, a change in our nation, and a change in Zion." Nothing was to interfere with Zion's progress:

> When I perceive how this desert is occupied, how the Latter-day Saints are progressing, how they are cultivating the earth, building temples, halls, tabernacles, schoolhouses, towns and villages, I marvel at the work of the Lord…when our enemies look for the stoppage of this work, for the stoppage of the progress of the Latter-day Saints, they will be disappointed, because these things are in the hands of the Lord, and no power can hinder their progress.[76]

In maintaining their singularity economically, politically, and culturally, Mormons were building a model civilization.[77] National loyalty and civic duties were filtered through a responsibility to Zion first and, thus, catered to communal rather than individual priorities.

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[74] "The Celebration," *Salt Lake Tribune,* 25 July 1880, [6]

[75] Ibid.

[76] Wilford Woodruff, Address, April 1880, in *The Year of the Jubilee: A Full Report of the Proceedings of the Fiftieth Annual Conference of the Church of Jesus Christ of Latter-day Saints* (Salt Lake City: Deseret News, 1880), 10.

[77] Ethan R. Yorgason, *Transformation of the Mormon Culture Region* (Urbana: University of Illinois Press, 2003*),* 143–144.

Mormon leaders to be sure did not completely deemphasize civic responsibilities, but a Zionic

vision instilled Mormons with a heightened sense of regionalism that prioritized Zion's progress

before national loyalties.

Church meddling in territorial economics, politics, and culture appeared to outsiders,

however, as a burgeoning theocracy capable of consuming American ideals and institutions.

These fears found form in congressional legislation seeking to prosecute polygamists and limit

church control over the political and legal structures of Utah Territory. The 1874 Poland Act, one

of a series of legislative bids to unravel the Mormon marriage system, weakened a local court

system previously fortified against non-Mormon influence.[78] The act, however, also carried

unintended consequences by creating a legal pathway for polygamous convictions to be appealed

before the United States Supreme Court. Church leaders used this legal avenue to float a test case

before the Supreme Court that they hoped would install constitutional protections for polygamy.

Church leaders carefully selected George Reynolds to construct a case around and, by November

1878, the Supreme Court heard arguments to determine the fate of polygamy in Utah Territory.

The decision handed down in *Reynolds v. United States*, rather than protecting the free exercise of

religion, granted the federal government significant reach into the personal lives of individual

citizens on the basis of moral imperatives.[79] Chief Justice Morrison Waite, relying on the writings

of Thomas Jefferson to determine the proper relationship between the federal government and

religion, argued that the government could not legislate religious beliefs, but could properly

legislate against religious actions deemed as "subversive" to "peace and good order" or neglectful

of "social duties."[80]

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[78] Gordon, *The Mormon Question,* 81– 83, 111–112. The Poland Act (1874) sought to remedy the prosecutorial issues plaguing the failed Morrill Anti-Bigamy Act (1862) by limiting the influence of local probate courts and permitting the U.S. marshal to create jury pools for trials. The act represented a significant blow to Mormon self-rule and jurisdictional control. Ibid., 111–112.
[79] Ibid., 119–145.
[80] *Reynolds v. United States,* 163–164; Gordon, *The Mormon Question,* 137–140.

Chief Justice Waite channeled Protestant notions of marriage and morality in order to position monogamous marriage, and the duties of man and wife, as essential components of citizenship and civic responsibility. Waite argued that "society may be said to be built" on marriage and "out of its fruits spring social relations and social obligations and duties with which government is necessarily required to deal"; even "the principles on which the government of the people" was built relied upon monogamous marriage.[81] Sarah Barringer Gordon notes that the *Reynolds* decision reassured "congressmen, lobbyists, newspaper editors and husbands and wives in the states that the marital structure they inhabited was indeed the very marrow of the Constitution, the highest expression of civilization."[82] Waite feared that creating allowances for polygamy on the basis of religious freedom would "permit every citizen to become a law unto himself. Government could exist only in name under such circumstances."[83]

The *Reynolds* decision mobilized political action in the 1880s. Now possessing an indirect mandate from the highest court in the United States, antipolygamists applied more legislative pressure to stamp out Mormon polygamy for good. In early 1882, the Edmunds Act reached congressional leaders for debate. At the center of the debate was a conversation about Mormon citizenship claims and participation in the national body politic.[84] Samuel H. Miller, a congressman from Pennsylvania, described Mormon polygamy as "a festering sore on the body-politic." "In view of all this," Miller pleaded, "and in view of the defiant attitude of this so-called Church of the Latter-day Saints, which controls every step in the Territorial operation of that community…it is high time that this House should…do its part to crush out this monster of injustice, iniquity, and anti-republicanism, which threatens the peace of this nation."[85]

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[81] *Reynolds v. United States*, 195–166.
[82] Gordon, *The Mormon Question,* 121–122.
[83] *Reynolds v. United States*, 167.
[84] Talbot, *A Foreign Kingdom,* 150.
[85] *Appendix to the Congressional Record,* 28, in 13 Cong. Rec. (Mar. 14, 1882).

Mormon polygamy served not only as a moral stain on the conscience of the American republic, but threatened the very structure of a free society. Once again, arguments against Mormon citizenship paralleled arguments used to disenfranchise other racial groups. For example, one journalist in 1889, referencing a mass exodus of blacks from North Carolina, expressed gratitude that "an incubus—a solid dead barrier to our progress" exited the state. Any black laborer in North Carolina remained "so long as he stays, a running festering sore on our body politic."[86]

Antipolygamy legislation, therefore, focused as much on limiting Mormon political power and civic participation as it did on actually prosecuting and jailing Mormon polygamists. The 1882 Edmunds Act prosecuted polygamists for "unlawful cohabitation" and carried more expansive enforcement powers, an element missing from previous legislation. The Edmunds Act also disenfranchised polygamists and restricted advocates of the practice from sitting on a jury.[87] By assuming control over the franchise of polygamists in Utah Territory, the bill sought to limit the political power of polygamy's most visible proponents who happened also to occupy the LDS Church's highest offices. Congressional leaders criminalized Mormon polygamists for constructing a spurious imitation of traditional marriage, the consequence of which resulted in the revocation of political power. The Edmunds-Tucker Act (1887) carried the provisions of the Edmunds Act further by disenfranchising Mormon women.[88] Mormons demonstrated before the watchful eyes of the American body politic, through their persistence with polygamy, that they

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[86] L.L. Polk in the *Progressive Farmer,* 1889, quoted in Deborah Beckel, *Radical Reform: Interracial Politics in Post-Emancipation North Carolina* (Charlottesville: University of Virginia Press, 2010), 151; see also, William Cohen, *At Freedom's Edge: Black Mobility and the Southern White Quest for Racial Control, 1861–1915* (Baton Rouge: Louisiana State University, 1991), 237.

[87] Gordon, *The Mormon Question,* 153–154.

[88] Talbot, *A Foreign Kingdom,* 157. Women had been able to vote in Utah Territory since 1870. The wives of Mormon polygamists played a critical role in securing a bill from the territorial legislature granting women suffrage. See Thomas G. Alexander, "An Experiment in Progressive Legislation: The Granting of Woman Suffrage in Utah in 1870," *Utah Historical Quarterly* 38 (Winter 1970): 20–30.

could not be moral citizens; they, therefore, lost, at least in part, their ability to perform the duties of real citizens.[89]

The Edmunds-Tucker Act also revoked the corporate charter of the LDS Church, confiscated church property, and discontinued the Perpetual Emigration Fund, a resource used by many European converts to immigrate to Utah. The bill, in contrast with previous legislative attempts, attacked the Church directly rather than only singling out its polygamous members.[90] The Edmunds-Tucker Act served as a collective indictment of Mormon communalism that appeared to outsiders as a dangerous religious oligarchy set up to line the pockets of the church's leaders. The imaginations of antipolygamists were further stoked by a culture increasingly attuned to monopolies and exploitive robber barons in an era of big business and unregulated corporate greed.[91] Mormon centralized control of the territorial economy allegedly granted church leaders more political capital, which, Senator George Edmunds reasoned, leaders used for the "propagation of…polygamy."[92] The legislation's cosponsor, Congressman John Tucker, in an attempt to marshal support for the bill in 1886, argued that polygamy, when it "assumed the garb of religion" and came "clothed" in "ecclesiastical and Divine authority" threatened "marriage in Christendom" and the foundation of "family life which is the basis of civilization in Europe and America."[93] Church incorporation only served to protect and further church interests in direct "defiance" of the laws of the United States.[94]

In connecting "faith, marriage, and the market," Sarah Barringer Gordon suggests that the Edmunds-Tucker Act represented "a powerful endorsement of an imagined world of marriage,

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[89] Talbot, *A Foreign Kingdom,* 151–152.
[90] Gordon, *The Mormon Question,* 184–185.
[91] Ibid., 189–192.
[92] 17 Cong. Rec. (January 7, 1886), 509.
[93] John Tucker, "Suppression of Polygamy in Utah," 49th Cong., 1st Sess., Report no. 2735, in *Index to the Reports of Committees of the House of Representatives* (Washington: Government Printing Office, 1886), 3.
[94] Ibid., 4.

faith, and individual initiative in the economy."[95] Proponents of the bill envisioned society

according to a Protestant paradigm that advanced traditional marriage, disestablished religion,

and the Christian household as the "site of commerce" and political participation.[96] A burgeoning

Mormon corporation which seemingly directed a communal system of marriage as well as an

integrated economic and political structure ran counter to such a paradigm. The Mormon

monopoly and its endorsement of immoral behavior, justified, for Edmunds and Tucker, not only

federal intervention, but the violation of many of the basic privileges of citizenship, including a

right to property and the franchise. Though the bill only proposed a government takeover of

church property, Edmunds felt that no distinction needed to be made between private and

corporate property: "I do not care whether it takes the land or the personal property…because the

purpose and the scope of the bill as to the emigrating society is take all of this property, real and

personal…and devote it to the use of common schools."[97] Mormon property claims mattered little

in the face of a theocratic monopoly seen as propping up the practice of polygamy.[98] By holding

all things in common, including—in the estimation of outsiders—their women, Mormon culture

was not only theocratic, or monopolistic in nature, but primitive and tribal as well. Congressman

John Tucker linked both property and citizenship together by drawing a comparison to the

nation's policy on Indian tribal lands: "[w]e dissolve tribal relations of the Indians in order to

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[95]Gordon, *The Mormon Question,* 207.

[96] Ibid.

[97] 17 Cong. Rec. (January 7, 1886), 509.

[98] Antipolygamists in the 1880s channeled a growing societal debate about corporate trusts and their excessive control over the economic marketplace. To outsiders, the LDS Church functioned as a religious corporation with an exclusive monopoly over territorial finances and the marriage market. Gordon, *The Mormon Question*, 187–208. For more on the rise of big business and the regulation of corporations during this period, see Richard Franklin Bensel, *The Political Economy of American Industrialization, 1877–1900* (Cambridge: Cambridge University Press, 2000); Alan Trachtenberg, *The Incorporation of America: Culture and Society in the Gilded Age* (New York: Hill & Wang, 1982); Michael McGerr, *A Fierce Discontent: The Rise and Fall of the Progressive Movement in America, 1870-1920* (New York: Simon & Schuster, 2003); Maury Klein, *The Genesis of Industrial America, 1870–1920* (Cambridge: Cambridge University Press, 2007); Martin J. Sklar, *The Corporate Reconstruction of American Capitalism, 1890–1916: The Market, the Law, and Politics* (Cambridge: Cambridge University Press, 1988).

make the Indian a good citizen; so we shatter the fabric of this church organization in order to make each member a free citizen of the Territory of Utah."[99]

By 1890, following the church's public renunciation of polygamy, Protestant reformers and public officials had, for the most part, successfully expunged both relics of barbarism, polygamy and slavery, from the American landscape.[100] The federal crusade against Mormon polygamy played host to broader contests over national identity, political belonging, and a debate over what type of body politic should be produced in the American republic. Marriages created citizens and Mormon marriages by all markers of Protestant morality were creating the wrong type of citizens. The political discourse deployed against Mormons was inherently racialized despite Mormon assertions of an Anglo-Saxon identity couched in scriptural language and saturated with divine connotations. A dueling discourse on Mormon whiteness left Mormons outside the societally defined parameters of citizenship in the waning years of the nineteenth century. Yet, narrating the Mormon struggle for whiteness in this way only tells half the story. Mormon identity, including outside caricatures of a discernable Mormon race, proved capable of racial uplift post-statehood in 1896.

Mormon integration into mainstream American society at the turn of the century reoriented Mormon loyalties toward civic responsibilities and the performance of duties

[99] 18 Cong. Rec., 594 (January 12, 1887); Gordon, *The Mormon Question,* 204. By dispossessing the LDS Church of its property, legislators attempted to combat the communal ethic among the Mormons using a similar approach employed in policies targeting Native Americans. The Dawes Act, passed in 1887, the same year as the Edmunds-Tucker Act, sought to assimilate Indians into American society by privatizing land ownership. Indians who received an individual allotment of land were allowed to become citizens of the United States. By deconstructing communal tribal arrangements, legislators attempted to immerse Indians in republican values that stressed individualism and privatized property ownership, thereby molding them into good citizens. Emily Greenwald, *Reconfiguring the Reservation: The Nez Perces, Jicarilla Apaches, and the Dawes Act* (Albuquerque: The University of New Mexico Press, 2002), 1—9, 31; See also, J.P. Kinney, *A Continent Lost, A Civilization Won: Indian Land Tenure in America* (Baltimore: Johns Hopkins Press, 1937); Leonard Carlson, *Indians, Bureaucrats and Land: The Dawes Act and the Decline of Indian Farming* (Westport, Conn.: Greenwood Press, 1981); Janet A. McDonnell, *The Dispossession of the American Indian, 1887–1934* (Bloomington: Indiana University Press, 1991).
[100] See "Official Declaration," *Deseret Evening News,* Sept. 25, 1890.

proscribed by traditional notions of citizenship. For much of the nineteenth century, Mormons located themselves in Zion first and the American nation second. Loyalty to a salient Mormon "nation" and the preservation of Zion sorted the priorities of citizenship for practitioners: obedience to spiritual truths trumped civic loyalties prompting outsiders to characterize Mormon leaders as "un-American" for their culpability in nurturing a dangerous theocracy in Utah. A discursive shift occurred in Mormonism at the turn of century, however, as the benefits of full-acceptance into the Union through statehood exerted powerful influence over how Mormons identified and performed their duties as citizens. This too, like debates over Mormon whiteness, carried consequences for group and racial identity construction. This time, however, Mormons found themselves on the other side of the color line—a crucial component of their transition into American society—as they appropriated a discourse on citizenship, race mixing, and eugenics that sounded all too familiar to arguments used to discredit their "peculiar institution" throughout the latter half of the nineteenth century.

CHAPTER 3

PASSING AS WHITE: MORMONISM'S TWENTIETH-CENTURY RACIAL

TRANSFORMATION

*"A man who had the priesthood who would marry a woman of the accursed seed…if the law of the Lord were administered upon him…would be killed and his offspring for…the Lord had determined that the seed of Cain should not receive the priesthood in the flesh."*
*- Council Minutes (16 Dec. 1897)*

*"To be of good and honest lineage has always been sought after…What eugenics has already learned should be carefully heeded. A taint in the blood, known to be capable of transmission, should not [be] allowed further propagation."*
*- John A. Widtsoe, "Our Interest in Eugenics" (1917)*

*Utah statehood in 1896 did not immediately demonstrate to the rest of the nation that Mormons could behave as competent American citizens. Rather, in the early twentieth century Mormons had to prove they could conform to American economic, social, and political norms. Ironically, this process, too, involved marriage, though this time Mormon marriage claims, at least publically, revealed a more normative self-image. This chapter begins with an alleged case of interracial mixture between a Mormon rancher and a Shoshone woman that reveals the distinctive ways Mormons approached intermarriage with Native Americans as opposed to intermarriage with blacks. The incident also suggests how Mormons began to imagine themselves as American citizens by conflating whiteness and citizenship. This chapter then frames the LDS Church's policy against interracial marriage, particularly between whites and blacks, as a precursor to later, more scientific projects concerned with racial purity. Mormon interactions with Progressive-era discourse on race betterment and eugenics provided a platform for proclaiming their own racial ordinariness. Mormon racial policies and ideology, even while rooted in seemingly stable religious arguments, evolved with the socio-political concerns of American society, and facilitated Mormon acceptance into that society by 1920.*

In October 1900, prominent Cache Valley citizen and Mormon pioneer John T. Garr

passed away unmarried and apparently childless. The local newspaper heralded Garr as a man of

"admirable qualities," a former rancher for the LDS Church who only warranted the "greatest

respect" from those who knew him.[1] Garr "claimed the distinction of being the first white settler"

to enter Cache Valley.[2] Four years prior to the death of John T. Garr, Johnny (or Johnnie) Garr, a

young man of Shoshone ancestry who lived with John T. as a child, died in a tragic accident near

Logan, Utah. One rumor circulating in the Logan community suggested that the honorable John

T. Garr had actually fathered Johnny with a young Shoshone woman, a rumor Johnny's widow,

Elizabeth, confirmed before the Fourth District Probate Court of Cache Valley in 1902. Her

children, she asserted, had claim on the Garr estate as the only living lineal descendants of John

T. Garr.[3] Elizabeth's assertion about John T.'s illicit relationship seemed absurd to many of the

longtime Cache Valley citizens: a reputable, white citizen could not have fathered a child with a

Shoshone woman, so they reasoned. John T. did not leave an extant will, allowing instead the

distribution of his property to be regulated by existing state law, thus setting off a legal process

not unlike other probate disputes in western states involving Indian women, or their descendants,

and the families of deceased, white males.[4]

Both the status of Elizabeth's children as descendants of a "half-breed" Indian and John

T. Garr's status as an honorable citizen were tied to the inheritance of the Garr estate. The Garr

family resisted Elizabeth Garr's claims, according to court testimony, to preserve the "virtue and

honesty" of John T. Garr and his descendants. Eliza Garr testified in court that "not a particle" of

her family's resistance to Elizabeth Garr's claims related to "money matters" involved in the

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[1] *Logan Journal,* 1 Nov. 1900.
[2] Ibid.
[3] *Reports of Cases Determined in the Supreme Court of the State of Utah* (Chicago: Callaghan & Co., 1903), 57–74.
[4] Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (New York: Oxford University Press, 2009), 100–103.

case. The family laid blame for the Indian child with "Johnny Jones," a gentleman of

questionable character who resided in Brigham City near a tribe of Shoshone Indians.[5] The

Fourth District Probate Court ultimately ruled in the Garr family's favor, a decision reaffirmed by

the Supreme Court of Utah in February 1903.[6]

     The Garr probate dispute, while localized, serves as a microcosm of a broader regional

and national process concerned with whiteness that Mormons participated in at the turn of the

century.[7] This process relied on marriage to distribute citizenship privileges, including property

rights, based on racial sameness, and more particularly, conflations of whiteness. Probate courts,

following a flood of western court cases at the end of the nineteenth century, served as an

influential site for testing the validity of many of the race-based legal restrictions in the United

States. Encompassed within disputes over inheritances, especially when they involved Indian

women, black women, or mixed-raced children, were shared conceptions of marriage, race, and

gender. Almost exclusively, courts determined that property should be transmitted to white men,

or their descendants, rather than their Indian wives. By transmitting property based on whiteness

judges preserved one of the primary markers of both citizenship and power in American society.[8]

     Interestingly, the Garr family invoked John T. Garr's status as an upstanding white

citizen rather than his religious reputation to disprove allegations of illicit interracial sex.[9] In

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[5] *Probate Proceedings of the Estate of John T. Garr* (Salt Lake City: Utah Genealogical Society, 1965), 93, 211–213. See also, John Turner Garr, Probate Court Record, Court Testimonies, July 6, 1903–July 9, 1903, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah.

[6] *Reports of Cases Determined in the Supreme Court of the State of Utah* (1903), 335–337. Elizabeth Garr also initiated a lawsuit against the Garr estate for failing to pay her for housekeeping duties she performed for John T. Garr in the final decade of his life. See Ibid., 193–204. Following a series of appeals from Elizabeth Garr and her children, the Supreme Court of Utah overturned the ruling in 1906, citing significant evidence that Elizabeth's children were "heirs of John T. Garr and entitled to inherit his estate." *Reports of Cases Determined in the Supreme Court of the State of Utah* (Chicago: Callaghan & Co., 1908), 59, 74.

[7] Pascoe, *What Comes Naturally,* 42–43, 63, 101–102.

[8] Ibid.*,* 3.

[9] This was perhaps in part due to the fact that church leaders generally held favorable views on Mormon/Indian intermarriage. Ezra Booth, a defector from the Mormon faith, recounted a revelation in 1831 received by Joseph Smith inviting the elders of the church to form a "matrimonial alliance with the Natives." Ezra Booth, "Mormonism—Nos. VIII–IX," *Ohio Star* (Ravenna, OH), 8 Dec. 1831, [1]; David J.

ways wholly different from how they treated black-white relationships, Mormon church leaders

actually encouraged intermarriage between white Mormon men and Indian women.[10] Confident

in a more righteous and enlightened future for American Indians, church leaders approached the

"skin of blackness" placed upon Indians more optimistically than the "curse of Cain" that sealed

the spiritual fate of blacks. According to Brigham Young, as recorded by his secretary Thomas

Bullock, "the Elders would marry Wives of every tribe of Indians" allowing Mormon whiteness

to exert its civilizing and redemptive effect on the dark skin of the Indian: "the Lamanites would

become a White & delightsome people."[11]

The Book of Mormon elevated American Indians in Mormon thought and doctrine by

claiming they were the descendants of Israelites who departed Jerusalem before it was destroyed

in 586 BCE. God guided the refugees to the New World where they built new and eventually

divergent civilizations. The wicked Lamanites warred against the generally more righteous

Nephites and destroyed them by 400 CE. Mormon discourse asserts that American Indians

descended directly from surviving Lamanites.

Church leaders also read the ultimate destiny of the Lamanites in a racialized way, often

proclaiming their potential for racial uplift and their shared Israelite lineage. Despite their "sore

cursing, because of their iniquity" and a related "skin of blackness," the Book of Mormon

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Whittaker, "Mormons and Native Americans: A Historical and Bibliographical Introduction," *Dialogue: A Journal of Mormon Thought* 18 (Winter 1985): 33–60; For a discussion on later church statements on intermarriage between Mormon settlers and Indians, see Richard Darrell Kitchen, "Mormon-Indian Relations in Deseret: Intermarriage and Indenture, 1847 to 1877" (PhD diss., Arizona State University, 2002); John G. Turner, *Brigham Young: Pioneer Prophet* (Cambridge, MA.: Harvard University Press, 2012), 210–211.

[10] Kitchen, "Mormon-Indian Relations"; Margaret D. Jacobs, "The Eastmans and the Luhans: Interracial Marriage between White Women and Native American Men, 1875-1935," *Frontiers: A Journal of Women Studies* 23 (2002): 29–54.

[11] Will Bagley, ed., *The Pioneer Camp of the Saints: The 1846 and 1847 Mormon Trail Journals of Thomas Bullock* (Logan: Utah State University Press, 1997), 243. See also, Scott G. Kenney, ed., *Wilford Woodruff's Journal*, 28 July 1847 (Midvale, Utah: Signature Books, 1985), 3: 240- 241; W. Paul Reeve, *Religion of a Different Color: Race and the Mormon Struggle for Whiteness* (New York: Oxford University Press, 2015)*,* 81.

portended a day of redemption for American Indians in which they would once again become a

"white and delightsome a people," a people "restored unto the knowledge…of Jesus Christ."[12]

In the 1850s, Young began sending missionaries outside of established Mormon

settlements to proselyte to American Indians and to colonize further outposts.[13] Missionary

success varied and paralleled more generally the fraught and tenuous nature of broader Indian-

Mormon relations. Among the calls from church leaders to intermarry, civilize, convert, and forge

friendships with local Indians were conflicts over land and resources that ended in bloodshed and

often in Mormon colonization of Indian lands.[14] Still, some elders followed the imperative to

marry Indian brides and others still adopted Indian children as part of the Mormon redemptive

effort and out of a humanitarian impulse to rescue Indian children from a slave network

established between Ute Indians and Mexican traders.[15]

A few of John T. Garr's associates and family members, in disproving allegations that he

had fathered a child with a Shoshone woman, claimed that he had purchased the child for "a pair

of blankets," perhaps referencing a general effort in Utah Territory in the 1850s and 60s to foil

the Ute slave trade through Indian adoption.[16] Other court testimony, however, alleged that Garr

repeatedly referred to the Shoshone child as his "papoose," or "child," and that the Indian mother,

"about…the year 1857" claimed the child was indeed John T. Garr's.[17] The Garr family, in order

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[12] Book of Mormon, 1830 ed., 73, 117 [2 Nephi 5:20–23; 30:4–6]; Reeve, *Religion of a Different Color*, 55–56.

[13] Kitchen, "Mormon-Indian Relations," 25–38.

[14] For more on Mormon conflict with local Indians, see Jared Farmer, *On Zion's Mount: Mormons, Indians, and the American Landscape* (Cambridge, MA: Harvard University Press, 2008), 1–104; Howard A. Christy, "Open Hand and Mailed Fist: Mormon-Indian Relations in Utah, 1847-52," *Utah Historical Quarterly* 46 (Summer 1978): 216-235; Howard A. Christy, "The Walker War: Defense and Conciliation as Strategy," *Utah Historical Quarterly* 47 (Fall 1979): 395–420.

[15] Kitchen, "Mormon-Indian Relations," 21, 109–137, 233–237.

[16] *Probate Proceedings of the Estate of John T. Garr,* 211–213.

[17] Ibid., 10–14, 45–46. The term "papoose" is an Algonquin term for "child." The term was popularized in Anglo- American usage by Roger Williams in 1643 when he published a Native American phrase book after settling the New England area. Roger Williams, *A Key into the Language of America, or An Help to the Language of the Natives in that Part of America, called New-England* (London: Gregory Dexter, 1643), 28.

to legitimize claims to his estate, had to suppress John T.'s ties to Mormonism since it was

possible he married the Shoshone woman according to a religious imperative. Instead, the family

asserted property rights by suggesting that John T. Garr's known reputation, including his

whiteness, precluded the possibility of an illicit relationship with an Indian woman. Even if a

formal marriage ceremony did occur between Garr and his Shoshone bride, it likely followed

local Indian marriage customs or involved a small religious ceremony that would not have

generated any formal documentation.[18] Thus, when the dispute over the Garr estate reached the

local district court, reputation and subjective testimony were the only admissible pieces of

evidence available.

By the early twentieth century, according to Peggy Pascoe, judges had shifted the "legal

boundary that separated legitimate marriage from illicit sex" between Indian women and white

men.[19] Even if the courts could prove the Shoshone child, Johnny Gar, was fathered

illegitimately, the courts were still unlikely to distribute his property to Shoshone inheritors.

Whiteness and citizenship were too powerful of barriers to allow property rights to traverse the

boundaries of marital and familial propriety and be passed on to mixed-race descendants,

legitimate or otherwise.

The Garr probate dispute remains significant because it reveals how Mormons began to

imagine themselves as American citizens based on assertions of whiteness, evidencing a broader

process at work in the Great Basin. In denying the claims of John T. Garr's mixed-race

grandchildren, at least initially, the courts in Utah confirmed the racial makeup and citizenship

status of the deceased John T. Garr. Though Mormon, Garr still possessed all the property and

citizenship rights of any other white male in early twentieth-century America, evidencing, at least

in part, the "whitening" of Mormon Utah by the early twentieth century. Mormonism's transition

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[18] Kitchen, "Mormon-Indian Relations," 153–154; Pascoe, *What Comes Naturally,* 103.
[19] Ibid.

into American society in the twentieth century was indeed not only political, economic, and social in nature, but racial as well.

**Crossing the Color Line: Black and White in Mormonism**

Unlike Mormon teachings permitting intermarriage between American Indians and Mormon settlers, church leaders increasingly, from the middle of the nineteenth century, defined a rigid color line between black/white that helped forge a common racial goal between Mormons and broader American society by the twentieth century. Two components of the church's teachings on race and marriage will be considered below. The first concerns an informal restriction beginning in the mid-nineteenth century prohibiting interracial marriage with blacks.[20] The policy provided a way for church leaders to police the racial purity of God's chosen people, but also created fruitful ground for more secular racial theories to take root, particularly eugenics and other projects concerned with racial purity. Church participation in Progressive-era discourse on the science of race betterment and eugenics allowed Mormons to showcase to the rest of the nation their ability to produce quintessential, white, American citizens. In essence, Mormonism's "Americanization" in the early twentieth century relied in part on a receding debate surrounding Mormon whiteness and reproduction: Mormons collectively labeled as producers of the wrong type of citizen in nineteenth century polemics slowly became considered as producers of the right type of citizen.

In 1897, the First Presidency considered a question related to interracial mixing involving a white husband who married someone "either black or…tainted with negro blood." George Q. Cannon, in determining whether the husband should be ordained to the priesthood,

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[20] Connell O'Donovan has done the most extensive work to date on Mormon restrictions against interracial mixing between whites and blacks. See Connell O'Donovan, "'I would confine them to their own species:' LDS Historical Rhetoric & Praxis Regarding Marriage Between Whites and Blacks" (Presentation at Sunstone West, Cupertino, CA March 28, 2009), Accessed: 10 March 2014, http://www.connellodonovan.com/ black_ white_marriage.html.

reprised a statement attributed to John Taylor: "a man who had the priesthood who would marry a woman of the accursed seed" and have the "law of the Lord…administered upon him…would be killed and his offspring for…the Lord had determined that the seed of Cain should not receive the priesthood in the flesh." President Cannon feared that administering the priesthood to the offspring of a mixed-race marriage would hazard allowing the "seed of the murderer [Cain]…ahead of the seed of Abel who was murdered."[21] The only reprieve for the prospective priesthood holder, according to President Lorenzo Snow, was to "get a divorce from his present wife and marry a white woman."[22] In the eyes of the First Presidency, spiritual blessings, including access to the Mormon priesthood, centered on obedience to a color line that prohibited whites from marrying blacks. "Tainted negro blood," regardless if one claimed affiliation with the LDS Church, was a fixed and irreversible condition. As a result, producing mixed race children as a white church member was nearly as egregious as actually being of mixed race heritage.

Church policy against interracial mixing, like miscegenation statutes attempting to categorize and discern race, was unevenly applied and often relied as much on the ability to map lineages as it did on subjective determinations of race based on appearance. In 1895, church leaders reconsidered a petition from, Jane Manning James, a black convert to the church and early settler of the Salt Lake Valley, to receive her temple blessings.[23] Church president Wilford Woodruff "asked the brethren" present at the meeting "if they had any ideas on the subject." George Gibbs, Woodruff's secretary, volunteered another complex case involving a white church member, Mary Bowdidge, who had married John Berry, a man with "Negro blood in him," in the

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[21] Council Minutes, 16 Dec. 1897, in George A. Smith Family Papers, MS 36, Box 78, Fd. 7, Special Collections and Archives, University of Utah, J. Willard Marriott Library, Salt Lake City, Utah (hereafter, GAS Papers).

[22] Ibid.

[23] James was allowed to enter the temple in 1888 to participate in Mormon temple ritual on behalf of the deceased. In James's case, she was only permitted to perform baptisms and confirmations for deceased relatives. Unsatisfied, James continued to petition church leaders to receive her endowment. In 1894, James was again denied access to her own temple blessings but was sealed by proxy as a servant to Joseph Smith. See Reeve, *Religion of a Different Color,* 200–203.

1860s and now wanted her temple blessings.[24] Her marriage to Berry later dissolved and she

married James Smith in 1871. Smith was white and never joined the LDS Church. After Smith

died, Bowdidge petitioned church leaders to allow her son, James F. Smith, to stand in as proxy

for her husband so that she could be sealed to him in the temple.[25] One local leader, however,

refused to grant her request because "she had married a man with negro blood in him" previous to

Smith "and borne him children."[26] George Q. Cannon interjected that it was "understood" that

Bowdidge's previous husband was "part negro," though it seems that very few were actually

aware of John Berry's mixed-race heritage.[27] The council ultimately ruled that "to let down the

bars in the least on this question would only tend to complications." They denied Bowdidge's

request.[28]

Interestingly, another instance involving Mary Bowdidge's mixed-race daughter, Lorah

Berry, was brought before then church president, John Taylor, a decade prior in 1885. Lorah

Berry sought church approval for her polygamous sealing to Hyrum Barton. Joseph E. Taylor,

Berry's ecclesiastical leader, forwarded the case to his father with his own observation: Lorah

Berry was "very pretty and quite white and would not be suspected as having tainted blood in her

veins unless her parentage was known."[29] No reply from President Taylor is extant, though Lorah

Berry did proceed to marry Barton.[30] Four years later in 1889, as revealed by Connell

O'Donovan, Hyrum Barton was excommunicated by a council comprised of local church leaders,

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[24] Council Meeting, 22 Aug. 1895, in GAS Papers. Connell O'Donovan's unpublished account is the most detailed retelling of Mary Bowdidge's story. See Connell O'Donovan, "'Tainted Blood': The Curious Cases of Mary J. Bowdidge and Her Daughter Lorah Jane Bowdidge Berry," *Juvenile Instructor: A Mormon History Blog,* 13 Feb. 2013, Accessed: 13 Jan. 2013, http://www.juvenileinstructor.org/black-history-month-at-the-ji-tainted-blood-odonovan/.

[25] Council Meeting, 22 Aug. 1895, in GAS Papers; O'Donovan, "'Tainted Blood.'"

[26] Council Meeting, 22 Aug. 1895, in GAS Papers.

[27] Ibid.; O'Donovan, "'Tainted Blood."

[28] Council Meeting, 22 Aug. 1895, in GAS Papers.

[29] Joseph E. Taylor to President John Taylor September 5, 1885, quoted in O'Donovan, "'I would confine them to their own species.'"

[30] O'Donovan, "'Tainted Blood."

as was customary for church disciplinary hearings, for taking an unauthorized plural wife (though Berry's racial makeup also played a role in the council's decision).[31]

The Bowdidge/Berry incidents reveal how the church's policy on black/white interracial marriage could cut across gendered lines and often put church leaders in the difficult position of divining race. This process of racial determinism remained the burden of American lawmakers and judges enforcing miscegenation laws throughout the United States towards the end of the nineteenth century, but it carried higher stakes for faithful Mormons. Because one's lineage at least partially determined one's eternal destiny, church leaders were increasingly willing to punish white men and women who "mingled his [or her] seed…with that of Cain" in order to avoid polluting God's chosen seed and to prevent future, cursed generations from receiving the priesthood and entering the temple.[32] While an official temple ban, and a related policy on interracial marriage, remained unevenly and subjectively applied, church leaders maintained in theory a rigid stance on the issue.

Although Mormon leaders subscribed to the popular belief that race, especially in the case of blacks, was an incontrovertible reality that could be "found out," the process of empirically categorizing race proved more difficult in practice. Thus, when a series of challenging cases continued to be passed up the church's hierarchy, leaders sought more effective and sweeping, though still conservative, methods for discerning race.[33] In one case involving a mixed-race member, church leaders suggested that even if the "white blood predominates," the member still should have no right to the priesthood.[34] The decision was reinforced two years later, in 1902, as church leaders debated whether or not "persons in whose veins the white blood

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[31] Ibid.
[32] Council Meeting, 22 Aug. 1895, in GAS Papers.
[33] Reeve, *Religion of a Different Color,* 204.
[34] Council Meeting, 11 Mar. 1900, in GAS Papers.

predominated should be…barred from the temple."[35] President Joseph F. Smith referenced a

marriage between a white man and an Indian woman that resulted surprisingly in "pure" white

descendants, with the exception of one "pure blooded Indian." Smith concluded, that the children

of a man in whose "veins may exist a single drop of negro blood, might be entirely white, yet one

of his descendants might turn out to be a pronounced negro." In cases where one could visibly

discern the "blood of Cain…however slight," the priesthood should not be granted nor temple

ordinances performed.[36]

     Smith's suggested policy paralleled a popular racial classification system that codified

"blackness" according to a one-drop rule.[37] The rule drew on a long history of assigning racial

identity to slaves in the American South based on ancestry, but became enshrined in southern

legal restrictions against interracial marriage during the Jim Crow era and received more

widespread acceptance following the Supreme Court's 1896 ruling in *Plessy v. Ferguson*.[38] The

preoccupation with lineage that informed much of Mormonism's racial theology in the nineteenth

century made a one-drop rule contingent upon descent particularly appealing as a way to preserve

Mormon whiteness and control black access to the Mormon priesthood and temple. Ariela J.

Gross's astute synthesis of citizenship in Jim Crow America applies, as Paul Reeve has shown,

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[35] Council Meeting, 2 Jan. 1902, in GAS Papers.

[36] Ibid.

[37] Christine B. Hickman, "The Devil and the One Drop Rule: Racial Categories, African Americans, and the U.S. Census," *Michigan Law Review* 95 (March 1, 1997): 1161–1265; Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven: Yale University Press, 1997), 200.

[38] Racially mixed persons were sorted into the most subordinate racial group based on bloodline, granting white slave owners the power to ascribe racial identities to slaves even if their appearance offered few ancestral clues. The Supreme Court ruling, *Plessy v. Ferguson* (1896) permitted states to enforce a strict color line based on the principle of "separate but equal," using a "one-drop" rule to promote the use of separate facilities based on racial classification and descent. Ariela J. Gross, *What Blood Won't Tell: A History of Race on Trial in America* (Cambridge, MA: Harvard University Press, 2008), 44, 150; F. James Davis, *Who is Black: One Nation's Definition* (University Park, Penn.: Pennsylvania State University Press, 1991), 4–5. Racial classification based on descent was popular in the nineteenth century despite no established legal precedent to promote broad enforcement. Christine B. Hickman, "The Devil and the One Drop Rule," 1161–1265; Hodes, *White Women, Black Men*, 200; Daniel J. Sharfstein, "Crossing the Color Line: Racial Migration and the One-Drop Rule, 1600-1860," *Minnesota Law Review* 91, no. 3 (February 2007): 592–656.

equally to Mormons of the same period: "citizenship meant whiteness, measured in distance from blackness."[39]

Policing a color line helped define the contours of Mormonism's racial hierarchy by ascribing a singular racial identity even to mixed race people. Finding any "negro blood" allowed church leaders some peace of mind that they could effectively measure cursedness "in distance" from blessedness and sort those who belonged to the chosen seed from those who did not. Whiteness in American society could be both empirically provable, but also *performable*. The aggregation of one's acquaintances, ancestry, known reputation, and physical appearance combined to produce categorizations that landed somewhere on the spectrum between "white" and "not white." [40] When faced with racial ambiguity, as was the case in many instances of applying Mormon racial policy, it was better to push "one drop" beyond the boundaries demarcating whiteness, than to risk letting "one drop" within them. In enforcing a temple ban and a priesthood policy based on subjective determinations of race, Mormons, like courts, judges, and lawmakers in the latter half of the nineteenth century, actually produced race and racial identities, especially in cases where skin color did not immediately betray a discernable ancestral heritage.

Mormonism's color line, however, not only clarified and defined blackness for its laity, but also bolstered their claims to whiteness. The racialized rhetoric of church leaders of this period resonated with racial purity projects prompted by a nearly universal fear of black freedom following the conclusion of the Civil War; yet, one significant difference remained. Mormons were not necessarily equipped to proclaim their own whiteness, even following statehood in 1896. Polygamy, coupled with the movement's fraught racial past, cast a long shadow that shaded their whiteness claims. Mormon leaders found in their racial policies an effective tool in

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[39] Ariela J. Gross, *What Blood Won't Tell,* 138–139. Special thanks to Paul Reeve for pointing me in this direction and for his helpful analysis on this point. Reeve, *Religion of a Different Color,* 193.
[40] Gross, *What Blood Won't Tell,* 8–10, 138–139.

bolstering their claims to white American citizenship.[41] Similarly, by the twentieth century,

scientific racial theories helped Mormons create enough racial distance from their nonwhite

counterparts to legitimize a new Mormon identity, one which, while effectively whitewashing

their racialized past, assured a promising future as white, American citizens.

**The Science of Mormon Whiteness**

Smith's suggested "one-drop" rule marked the early stages of a shift in Mormon racial

thought. Church leaders, along with Protestantism more broadly, began moving away from

scripturally-based racial theories to explore new theories grounded in science.[42] Smith's

observations about racial heredity found provisional support in the conclusions of a number of

naturalists, phrenologists, scientists, and writers of the nineteenth century.[43] Smith himself

suggested that the policy was supported by "stockmen engaged in the improvement of breeds."[44]

Englishman Francis Galton, founder of the eugenics movement popularized during the

Progressive Era, wrote extensively on a process designed to improve the human race through

selective breeding.[45] Galton's conclusions concerning human heredity ultimately revolved around

the "science of improving stock" through "judicious mating" by allowing the "more suitable races

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[41] Reeve, *Religion of a Different Color,* 204.

[42] Colin Kidd, *Forging of the Races: Race and Scripture in the Protestant Atlantic World, 1600–2000* (New York: Cambridge University Press, 2008)*,* 81. The shift, while notable, was slow as biblical justifications for a Mormon priesthood ban, rooted in myths surrounding the lineage of Cain and Ham, persisted well into the twentieth century. Joseph Smith's Book of Abraham, canonized in 1880, helped entrench the notion that a priesthood ban carried divine sanction. Church leaders in the twentieth century used the Book of Abraham to posit how blacks, as the cursed descendants of Cain, survived the flood. The offspring of Noah's son Ham, and his wife, Egyptus, a descendant of Cain (or an adulteress impregnated by a descendant of Cain), allowed a skin of blackness and a respective curse to perpetuate even after the biblical flood wiped out all but Noah's family. Reeve, *Religion of a Different Color,* 205–206.

[43] Marouf Arif Hasian, Jr., *The Rhetoric of Eugenics in Anglo-American Thought* (Athens, GA: The University of Georgia Press, 1996), 21; Daniel J. Kevles, *In the Name of Eugenics: Genetics and the Uses of Human Heredity* (Berkeley: University of California Press, 1985), 1–19.

[44] Council Meeting, 2 Jan. 1902, in GAS Papers.

[45] Francis Galton, *Hereditary Genius* (New York: D. Appleton & Co., 1870).

or strains of blood a better chance of prevailing…over the less suitable." [46] At the center of a

debate about the merits of eugenics in the early twentieth century was a broader discussion

enveloping conceptions of gender, race, marriage, and sexuality that Mormons assimilated into

their existing discourse on race, marriage, and family reproduction.

The language of race betterment carried a familiar rhetorical flavor for many faithful

Mormons. Several decades prior, defenses of Mormon polygamy sheltered the alternative

marriage system in moralistic arguments concerned with improving the human race.[47] Positive

eugenics, with its emphasis on careful spousal selection and traditional family morality, meant

that church leaders could recycle similar regenerative outcomes, but only by promoting

monogamous marriage, rather than polygamy, as the center of healthy family life. Statehood

similarly offered Mormons a new structure through which to interpret marriage and reproduction.

Mormon family life could now be imagined as a state-building activity, one that contributed to

the reproduction of an Americanized body politic. Church leader David O. McKay in an article

entitled "Home Building," published in the *Improvement Era*, the official magazine of the

church's organization for young men, outlined the ideal child/parent relationship as "one which

would enable those children to carry out ideal citizenship as they become related to the State and

to the larger forms of society." "The secret of good citizenship," he reasoned, "lies in the

home."[48]

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[46] Francis Galton, *Inquiries into Human Faculty and its Development* (London: Macmillan and Co., 1883), 25.

[47] George Q. Cannon, "The Improvement of Our Species," *Western Standard*, August 7, 1857. For more on racial regeneration and Mormon polygamy, see B. Carmon Hardy, "That 'Same Old Question of Polygamy and Polygamous Living': Some Recent Findings Regarding Nineteenth and Early Twentieth-Century Mormon Polygamy," *Utah Historical Quarterly* 73 (Summer 2005): 212-24; B. Carmon Hardy and Dan Erickson, "'Regeneration–Now and Evermore!'; Mormon Polygamy and the Physical Rehabilitation of Humankind," *Journal of the History of Sexuality* 10 (Jan. 2001): 40–61. Bradley Kime, "Mormons and Eugenics in the Twentieth Century," Unpublished paper, used with permission.

[48] David O. McKay, "Home Building," *Improvement Era* 22 (Sept. 1919): 934.

Eugenics grew in popularity in the early twentieth century partially in response to declining birth rates, slowing marriage rates, and a changing moral structure in American society, especially among white middle-class America. Rapid industrialization pushed more women out of the home and towards jobs in urban environments, causing many political and civic leaders to lament the retreat of white middle-class womanhood. Women, as guardians of public virtue and moral order, were at the center of the politics of home and family in the early twentieth century. [49] Thus, much of the discourse in Mormonism on race betterment came packaged in periodicals addressed to the youth, especially the young women.

John A. Widtsoe, president of the Utah Agricultural College in Logan, Utah, and later a member of the church's Quorum of the Twelve Apostles, advised the young women of the church that "what eugenics has already learned should be carefully heeded." When it came to marriage, reproduction, and spouse selection, the youth were to avoid transmitting "certain imperfections, such as feeblemindedness" to future generations. [50] A common diagnosis by physicians at the height of the eugenics movement, "feeblemindedness" served as a multi-purpose term encompassing a wide range of moral behavior labeled deviant and dangerous to society. [51] Those seen as feebleminded were classified as "morons," a new category for the mentally ill created by eugenicists and physicians to dislodge "civilized morality" as the primary measurement of normative behavior. [52] While nineteenth-century Mormons in the Great Basin were commonly labeled as threats to "civilized morality," Mormon women in the twentieth century were tasked

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[49] Wendy Kline, *Building a Better Race: Gender, Sexuality, and Eugenics from the Turn of the Century to the Baby Boom* (Berkeley: University of California Press, 2001), 10–12.

[50] John A. Widtsoe, "Our Interest in Eugenics," *Young Woman's Journal* 24 (Feb. 1913): 82.

[51] Kline, *Building a Better Race,* 25–26.

[52] Ibid.

with guarding a type of morality that privileged the biological dissemination of moral, racial, and

intellectual purity within a traditional family structure.[53]

Eugenics also provided a rhetorical framework for some theorists to promote whiteness

as an avenue for preserving American morality and values.[54] Prominent eugenicist Charles

Davenport applied eugenics to race mixing, confirming some of the fears that precipitated the

reestablishment of miscegenation laws in the early twentieth century. Davenport reasoned that the

inferior stock of blacks necessitated a policy prohibiting persons with "one-half part or more

Negro blood" from "taking a white person as spouse."[55] Davenport also opposed large-scale

immigration because he feared that the mixing of inferior genes with superior white, American

stock would have disastrous consequences on the future health of the country. Davenport,

however, suppressed the prejudicial nature of his views by couching them in scientific terms:

"Forget skin color and concentrate attention upon matters of real importance to organized society.

Prevent those without sex-control or educability or resistance to serious disease from reproducing

their kind."[56] Limiting the long-term effects of interracial mixture while advancing the biological

principles behind the production of a superior human race remained Davenport's principle goal

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[53] Wendy Kline argues that the eugenics movement juxtaposed two contrasting images of women in society: the "mother of tomorrow" and the "woman adrift." Kline sees "the eugenic construction of womanhood" as "double-edged." The movement "contained the potential not only for racial progress but also for racial destruction." Kline, *Building a Better Race,* 16. An editorial directed to the church's young women similarly explained "a superficial, shallow, incompetent or trivial mother will poison the stream of life as it flows on and on in an endless widening of incompetence, of pain or disease, of insanity or of crime…Every woman should see to it that her physical body is sound and normal in its every function…for the sake of her little one yet unborn. Her obligations are far greater than those of the father, for she cradles her child within her own body for nine months, nourishing it with her own life blood." Dr. A. Lee Brown, "Education for Parenthood: The Right of a Child to be Well Born," *Young Woman's Journal* 27 (March 1916): 131–133.

[54] Hasian, Jr., *The Rhetoric of Eugenics,* 23.

[55] Charles Davenport, *State Laws Limiting Marriage Selection Examined in the Light of Eugenics* (Cold Spring Harbor, NY: Eugenics Record Office, 1913), 36; Paul Lawrence Farber, *Mixing Races: From Scientific Racism to Modern Evolutionary Ideas* (Baltimore: The Johns Hopkins University Press, 2011), 40–41.

[56] Davenport, *State Laws Limiting Marriage Selection,* 36; Farber, *Mixing Races,* 40.

and the stated aims of other hardline eugenicists advancing the science of heredity and race

betterment.[57]

Davenport founded the Eugenics Record Office (ERO) in 1910 at Cold Spring Harbor,

New York, an institution that soon became the central hub for the nation's eugenics movement.[58]

To aid in collecting scientific data, the ERO hired field workers to comb over family pedigrees

and record notable genetic trends.[59] John A. Widtsoe, aware of the ERO's work, wrote to the

institution in 1911 soliciting their interest in studying Mormon patterns of genetic inheritance as a

result of polygamy. Davenport responded, positing, "There could be a great amount of valuable

material for the study of inheritance among the early Mormon polygamous families." The two

parties made arrangements to station a researcher in Salt Lake City.[60] Amey B. Eaton, a field

worker principally concerned with collecting data to "control…reproduction of the defective

classes and the improvement of the human race by a better selection of mates," soon arrived in

Utah and began studying the pedigrees of the church's most prominent families.[61] By July 1912,

Eaton was prepared to showcase her research on the Cannon family at the First International

Eugenics Congress in London.[62]

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[57] Hasian, Jr., *The Rhetoric of Eugenics,* 22.

[58] Garland E. Allen, "The Eugenics Record Office at Cold Spring Harbor, 1910–1940: An Essay in Institutional History," *Osiris*, 2nd series (1986): 238.

[59] Harry Bruinius, *Better for All The World: The Secret History of Forced Sterilization and America's Quest for Racial Purity* (New York: Alfred A. Knopf, 2006), 16.

[60] Charles Davenport, Cold Spring Harbor, NY, to John A. Widtsoe, Logan, UT, 10 April 1911, in John A. Widtsoe Papers, 3.1/5-2, Box 26, Fd. 8, Special Collections and Archives, Merrill-Cazier Library, Utah State University, Logan, Utah (Hereafter JWP). I am indebted to Bradley Kime for pointing me towards this collection.

[61] Amey B. Eaton, "Eugenics in America," *Mind and Body* 18 (Oct. 1911): 250. Eaton initially studied the pedigrees of the Smith family, Brigham Young family, the Cannon family, and the Richards family. Amey Eaton, Salt Lake City, UT, to John A. Widtsoe,and E.G. Titus, Logan, UT, and Charles B. Davenport and Prof. H.H. Laughlin, Cold Spring Harbor, NY, 30 Dec. 1911, in Box, 26, Fd. 8, JWP.

[62] James B. Walkley, London, England, to John A. Widtsoe, Logan, UT, 19 Aug. 1912, in Box 26, Fd. 8, JWP.

Eaton's display at the First International Eugenics Congress received mixed reviews, with some attendees expressing lingering concerns about Mormon ties to polygamy.[63] Domestically, however, Eaton was beginning to generate interest in a local eugenics society to support the molding of "better citizens…and producing a better generation to come" and to "determine scientifically how we can improve the race mentally, physically, morally, and spiritually."[64] On May 20, 1912, a number of Utah's prominent civic and religious leaders gathered in the parlor of the Utah Hotel to organize a state eugenics association, the culmination of efforts led by Widtsoe and Eaton to popularize the benefits of the science of race betterment in the state.[65]

Mormon theology, long concerned with tracing scriptural lineages and literal bloodlines, found natural parallels in the racial angle of race betterment and positive eugenics. In 1894, church leaders established the Genealogical Society of Utah to facilitate the performance of ordinances on behalf of the deceased and to educate members about their ancestral line.[66] Wilford Woodruff laid out the aims of the church's genealogical efforts: "We want the Latter-day Saints from this time to trace their genealogies as far as they can, and to be sealed to their fathers and mothers. Have children sealed to their parents, and run this chain through as far as you can get it."[67] When scientists began to stress the importance of tracking patterns of heredity Mormons already had a theological and cultural infrastructure for tracking their heritage. The editors of the *Utah Genealogical and Historical Magazine* noted the impetus for the growing popularity of genealogy work:

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[63] Ibid.

[64] "Objects of Eugenics Society," in Box 26, Fd. 8, JWP.

[65] Letter, from John A. Widtsoe and E.G. Titus, Logan, UT, 9 May 1912, in Box 26, Fd. 8, JWP.

[66] James B. Allen, Jessie Embry, and Kahlile B. Mehr, *Hearts Turned to the Fathers: A History of the Genealogical Society of Utah, 1894–1994* (Provo, UT: BYU Studies, 1995), 44–45.

[67] Woodruff also discontinued the practice of "adoption," where church members could be sealed to church leaders, friends, or others not directly related to them. Instead, Woodruff commanded church members to seek out their deceased ancestors to be sealed by proxy to them. "Discourse by President Wilford Woodruff," *The Latter-day Saint Millennial Star* 56 (May 28, 1894): 337–341.

> To the many reasons for the study of genealogy…the Latter-day Saints will add another more far-reaching and fraught with vastly more good to the human race than any other—that of salvation for the dead. "The Spirit of Elijah" actuates the "New Genealogy, through the world…[68]

The editorial that followed then laid out the striking parallels between the two causes:

> The law of heredity laid down by Galton and partially confirmed by observation should interest every genealogist…To learn of ancestral weakness or disease prepares us to work intelligently to overcome unfortunate inheritances. Genealogy as a science helps us, therefore, to help ourselves.[69]

The impulse to trace lineages, spiritual and literal, in Mormonism carried a dual purpose: Mormons could preserve racial purity while fulfilling their spiritual duty in performing ordinances for their deceased ancestors.

John Widtsoe praised eugenics as an "ethical movement" designed to better the human race through moral principles: "To be of good and honest lineage has always been sought after…What eugenics has already learned should be carefully heeded. A taint in the blood, known to be capable of transmission, should not [be] allowed further propagation."[70] An editorial published in the *Improvement Era* a few years later warned:

> It is well that the Latter-day Saints should take warning…if they expect to be strong…in this land of ours, and to hold their own with the nation, and with the yellow and the black race, in order that the white races may predominate and ultimately people and inhabit North America, the Zion of our God, it must be done on the principle of continued encouragement for motherhood and the home.[71]

Similarly, Mormon physician, George Middleton, remarked to the young women in 1913 that much of America had already caved to the "folly of race disintegration and given their birthright into the hands of undesirable foreigners."[72] Mormons were to be a "beacon light of civilization"

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[68] Charles K. Bolton, "The New Genealogy," *Utah Genealogical and Historical Magazine* 4 (July 1913): 126.

[69] Ibid., 126-129.

[70] Widtsoe, "Our Interest in Eugenics," 82. B.H. Roberts, "A Great Responsibility," *Young Woman's Journal* 27 (Sept. 1916): 526.

[71] "Home," *Improvement Era* 22 (Sept. 1919): 1002.

[72] George S. Middleton, "The Real Eugenics Problem in America," *Young Woman's Journal*, 24 (July 1913): 408–410.

as exemplars of a "high standard of citizenship," a standard that relied on racial purity in marriage.[73]

B.H. Roberts, decidedly more skeptical than Widtsoe of the utility of eugenics, remarked in the *Young Woman's Journal* that laws preventing interracial mixture proved most beneficial in preventing the inheritance of undesirable characteristics.[74] Roberts observed that he knows of "no such law of God" beyond a ban on interracial marriage "keeping lines of ancestry without blemish." Roberts urged "patience" with eugenics as "parentage aside," God "holds each individual of every race and family responsible…for the keeping of his law."[75] Rather than focusing on producing a "superior race," Roberts encouraged sober reflection on one's divine heritage, including the nature of the "spirits of men," rather than patterns of earthly parentage.[76] Roberts's dissenting voice against the mingling of eugenics and church doctrine suggests that the many facets of eugenics and race betterment did not garner universal approval among the church's hierarchy.[77]

Portions of the eugenics movement, however, made enough inroads in Mormonism to help recast Mormon identity, especially to outsiders. The politics of race, sexuality, and home that fueled the eugenics movement enabled church leaders to refashion Mormon identity according to more American notions of family and citizenship. Eugenicists commonly rallied Progressive social reformers and "social-purity campaigners" behind their cause over a shared concern for the degraded state of the American home and a growing societal disregard for traditional sexual mores.[78] Some eugenicists noted the Mormon Church's congruence with their particular vision

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[73] Ibid.
[74] Roberts, "A Great Responsibility," 526.
[75] Ibid.
[76] Ibid. 526, 529.
[77] Bradley Kime has emphasized this point. See Bradley Kime, "The Most Eugenical Religion in the World?": Mormonism and Eugenics in the Early Twentieth Century" (presentation at the 49th Annual Mormon History Association Conference, San Antonio, TX, June 5–8, 2014).
[78] Kline, *Building a Better Race,* 14, 18.

for the white American family. In their popular 1918 textbook, *Applied Eugenics,* Roswell H.

Johnson and Paul Popenoe cited Mormons as evidence that the "birth-rate among superior

people" could be increased using the "authority of religion."[79] In a later article, Johnson praised

Mormons for marrying early and rearing large families.[80] With polygamy "now of little

importance," Johnson predicted that "the Mormon stock" was as good as any in the country

because of "the percentage attending colleges, low death rate, low infant mortality" and "low

venereal infection" in Mormon communities. "The eugenic situation," Johnson continued, "is

better in Mormonism…because the Church…in its young people's organizations, made a definite

and systematic effort to teach better mate selection." Johnson concluded that the church's ability

to produce eugenic families with strong traditional morals would help alleviate the "race suicide"

currently plaguing the United States.[81]

Only a few decades prior, anti-Mormons feared the propagation of a foreign Mormon

race that would subvert American institutions and poison traditional morality. In the twentieth

century, the anti-Mormon racial construct melted before a wave of social reform that repositioned

traditional family ideals, including monogamy, at the center of American society. Mormonism's

conversion to these ideals allowed eugenicists to welcome church members into an exclusive

group of citizens whose progeny would contribute to the betterment of society. Mormonism

became, based on the conflations of eugenicists, potential saviors of America's white race.

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[79] Paul Popenoe and Roswell Hill Johnson, *Applied Eugenics* (New York: Macmillan, 1918), 273. Popenoe and Johnson also referenced a survey administered to women at the predominantly Mormon Brigham Young College in Logan, Utah, to highlight the propensity among Mormons for selecting marriage partners with traits worthy of transmission to future generations. Ibid., 219–220.

[80] "Lauds Mormon Marriages," *New York Times,* 12 Nov. 1928, 13.

[81] Roswell H. Johnson, "Eugenics and Mormonism," *Eugenics: A Journal of Race Betterment* 1 (Nov. 1928): 5–8.

**Passing as Citizens**

In effect, by the 1920s, Mormons began to "pass" as white American citizens with the

defining features of nineteenth-century Mormon identity—polygamy and communalism—lapsing

out of Mormon religious consciousness.[82] Passing often involved a process of deception or the

construction of a public identity divested of the cultural markings that could betray one's "true"

race.[83] The process of passing for Mormons, however, far from deceptive, appeared genuine.

With a rhetorical framework already in place, an inheritance from a half-century's worth of

discourse on race-mixing and the racially regenerative benefits of polygamy, the politics of race

betterment, and family retrenchment created a platform for church leaders to showcase

Mormonism's conformity, socially and racially. The litmus test for Mormon citizenship in the

twentieth century centered ultimately on their ability to absorb a more normative, white, family

structure. As was the case with the Garr family, citizenship status in the Great Basin relied

heavily on whiteness for legitimacy and power. Long concerned with preserving a chosen lineage

and preventing interracial mixture, Mormon religious consciousness and civic identity merged

under the pretext of a quest for racial purity, a process that not only helped fashion Mormons into

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[82] The notion of racial passing is traditionally associated with the black community and involves mixed-race persons deliberately performing as white in order to claim the privileges associated with whiteness. The process of passing, however, despite its traditional association with the African American community, transcends cultural, racial, and class boundaries and threads of passing appear in various societies and cultures, both ancient and modern. Allyson Vanessa Hobbs, "When Black Becomes White: The Problem of Racial Passing in American Life" (PhD diss., University of Chicago, 2009), 18–20; F. James Davis suggests that the whole concept of "passing" in the United States rested on the "one-drop" rule and "folk beliefs" about miscegenation. Thus, "the concept of passing applies only to blacks." Ethnic minorities who join the dominant group, according to Davis, cannot be considered as passing because they forfeited their "minority ancestry" by fully assimilating. Davis, *Who is Black*, 13–15. For an analysis of forms of "passing" based on gender, class, or in other regions and among other ethnic groups, see Ann Twinam, *Public Lives, Private Secrets: Gender, Honor, Sexuality and Illegitimacy in Colonial Spanish America* (Stanford: Stanford University, Press, 1999); Graham Watson, *Passing for White: A Study in Racial Assimilation in a South African School* (London: Tavistock Publications, 1970); Lawrence N. Powell, *Troubled Memory: Anne Levy, the Holocaust and David Duke's Louisiana* (Chapel Hill: University of North Carolina Press, 2000); Marcia Graham Synnott, *The Half-Opened Door: Discrimination in Admissions at Harvard, Yale and Princeton, 1900–1970* (Westport, Conn.: Greenwood Press, 1979); Barbara Fuchs, *Passing for Spain: Cervantes and the Fictions of Identity* (Urbana: University of Illinois Press, 2003).

[83] Hobbs, "When Black Becomes White," 12.

ideal American citizens, but moved Mormons from "the wrong side of white," as Paul Reeve

rightly characterized nineteenth-century Mormons, to the right side.[84]

In many cases of passing the peculiar characteristics that form the substance of a group or

ethnic identity get sacrificed on the altar of conformity.[85] These sacrifices are well-documented

by historians of Mormonism's transition period.[86] Zion, once viewed as a safe-haven or gathering

place for the elect became draped in American trappings by the twentieth century, in many ways

softening the fervent millennialism that gave the Great Basin Kingdom its sense of urgency.[87]

Mormon peculiarity, however, remained intact, but only because many Mormons, on their path to

whiteness, proved adept at out-conforming the very body politic they joined.

Mormon racial policies were also increasingly rendered out of question. If the racial

statements of church leaders appeared to be grounded in tenuous exegesis by the twentieth

century, their foray into scientific racial theories offered Mormon racial policy the semblance of a

shared cultural legitimacy with white, American society. A bit of irony, however, is also at work

here. Just as Protestant morality coalesced under the political crusades against Mormon polygamy

in the nineteenth century, Mormon identity in the twentieth century similarly required a

marginalized racial minority to help redefine Mormon whiteness.

In July 1915, at a conference of the Genealogical Society of Utah in San Francisco, held

in conjunction with the larger International Congress of Genealogy, church apostle, Joseph

Fielding Smith, son of church president Joseph F. Smith, gave a speech heralding Utah "as a

melting pot for the nations." His speech, likely offered in the spirit of Pioneer Day recently

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[84] W. Paul Reeve, "The Wrong Side of White," *University of Chicago,* The Martin Marty Center for the Advanced Study of Religion, May 31, 2012, Accessed: 11 April 2014, https://divinity.uchicago.edu/sightings/wrong-side-white-w-paul-reeve.
[85] Hobbs, "When Black Becomes White," 207, 243–245.
[86] Alexander, *Mormonism in Transition*.
[87] Grant Underwood, *The Millenarian World of Early Mormonism* (Urbana: University of Illinois, 1993), 29–36, 140–142; Philip L. Barlow, "Toward a Mormon Sense of Time," *Journal of Mormon History* 33 (Spring 2007): 14–16.

celebrated in Utah, was not unlike the speech offered by John Taylor over three decades prior honoring the same occasion except for one distinction. In paying tribute to the pioneers who settled the Salt Lake Valley, Taylor predicted that if Zion were preserved, its inhabitants would excel "far ahead of this and other nations in regard to science and intelligence." Smith, by contrast, chose to accentuate Utah's similarities with the nation at large and its penchant for attracting the strongest, most intelligent immigrant stock from "nearly every nation under heaven." By 1915, in Smith's estimation, Utah had built "a new race typically American." The "conditions" of Utah had caused immigrants to "forget their nationality, for they became absorbed by their environment." "Hyphenated Americans," Smith assured, "are practically unknown in the 'Mormon' settlements of the Rocky Mountains."[88]

Preserving an American identity in the early twentieth-century required cultural and racial homogeneity defended under the auspices of a singular American "race."[89] By 1920, Mormon identity had been thoroughly Americanized, bolstered by racial purity projects that demonstrated that Mormons were now thinking as American citizens—or, more particularly—as whites. Of course, Mormons had been reflexively identifying as a "white" for decades, but their assimilation into American society at last legitimized their claims to whiteness and introduced them into a cultural power structure that could now more effectively police the immigrant classes and control who could be welcomed into society as authentically American and who remained outside the privileges of citizenship.

In passing as white, Mormons were now occupants of a "racial frontier" not unlike one confronted by whites in other western states. With a number of immigrants entering Utah's borders by the early twentieth century, the result of intersecting rail lines and rapid

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[88]Joseph F. Smith, Jr., "Utah as a Melting Pot for the Nations," *The Utah Genealogical and Historical Magazine* 7 (Jan. 1916): 11–23.

[89] Frank Van Nuys, A*mericanizing the West: Race, Immigrants and Citizenship* (Lawrence: University of Kansas Press, 2002), 15.

industrialization, Utah increasingly had to categorize "black," "white," "yellow," and "red" in order to configure how its residents related to the state and the nation. This process of making and unmaking citizens was a burden shared by the diverse and eclectic West. As one commentator explained, the West, especially California, occupied "not merely a political and geographic, but a racial frontier—the border between the white man's and the brown man's world."[90] And it was in defining and policing boundaries and borders—between citizen and noncitizen, white and nonwhite—that Utah's laws on interracial marriage were predominantly concerned with in the twentieth century.

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[90] Quoted in Ibid., 19.

CHAPTER 4

SEEING LIKE A RACIAL STATE: UTAH'S 1888 MISCEGENATION LAW AND

THE CATEGORIZATION OF RACE


*"The people of Utah are to be congratulated upon their position. The purity of the Caucasian race is more likely to be preserved in our Territory than in many other portions of the United States…there is a well-founded dislike to inter-marriage or intimate association with inferior races."*
*- George Q. Cannon (1893)*

*"Love has again triumphed over the appeals of a parent, the zeal of officers and the protests of a line of people that extended three states where a Japanese attempted to marry a beautiful white girl."*
*- Salt Lake Herald (29 Sept. 1910)*


   *This chapter places Utah Territory's 1888 prohibition against interracial marriage in the context of similar laws passed across the western United States in the last half of the nineteenth century. Prosecuting instances of miscegenation in Utah involved a multiracial legal scheme implemented by those concerned with preserving a rigid racial hierarchy and thwarting the pollution of the white race. These cases reveal not only the fluidness and subjectiveness inherent in attempts to classify race, but also involve a range of actors who facilitated the effectiveness of the anti-miscegenation regime. Among the most prominent participants were marriage license clerks, lawyers, judges, lawmakers, and religious leaders, who, as we have seen, provided the ideological impulse for many in Utah to uphold miscegenation laws as not only legal, but desirable and necessary.*

   *Ultimately, this chapter focuses on miscegenation law, as Peggy Pascoe has shown, as "a kind of factory for the production of race" where conceptions of race and gender worked in*

*tandem to inform "larger discussions of the rights of citizens."[1] In defining the exact relation*

*residents would have to the state through marriage, miscegenation laws drew boundaries around*

*whiteness, citizenship, and marriage in Utah, creating enduring and often devastating*

*consequences for couples whose individual choices and desires took them across the color line.*

 

In February 1898, the details of a "bad case of miscegenation" captivated local residents

in Ogden, Utah, a bustling railroad town about forty miles north of Salt Lake City, and grabbed

newspaper headlines across the state.[2] William Howard, "a colored waiter at the Reed [Hotel]"

was alleged to "be living and not in Wedlock" with a girl of German ancestry at the home of Mrs.

Emma Clark, a "negress."[3] Detectives visited the Clark residence to confirm the allegations, but

their initial investigation turned up nothing "criminal." Undeterred, the officers returned later in

the week and found the evidence they needed—"the man and woman in bed together."[4] The two

detectives began to place the couple under arrest when the "darkey" produced a legal marriage

certificate, asserting that a local Mormon bishop, Edwin Stratford, of the Ogden Fourth Ward,

had performed the nuptials.[5] Howard, however, also claimed that nothing about the marriage

violated the state's miscegenation law prohibiting blacks from marrying whites. His memory of

his wife's racial composition was fuzzy in the face of police questioning, but "her mother, or

father, or grandmother, or grandfather was part negro." Ella "could not remember" where she

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[1] Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (New York: Oxford University Press, 2009), 11.

[2] "Bad Case of Miscegenation," *Deseret Evening News,* 8 Feb. 1898, 2.

[3] "Light in Police Circles," *Ogden Standard,* 6 Feb. 1898, [5]; "Bad Case of Miscegenation," 2.

[4] Ibid.

[5] A Mormon bishop is a local ecclesiastical leader akin to a Catholic priest in charge of a local parish. For more information on Edwin Stratford, see Orson F. Whitney, *History of Utah*, vol. 4 (Salt Lake City: George Q. Cannon & Sons, 1904), 305; "Light in Police Circles," [5].

inherited her "negro" blood and detectives seemed skeptical. By all visual accounts, "the girl is a blonde, has light brown hair, and looks as little like a person part negro as one could imagine."[6]

Further investigation produced more salacious details about the relationship between Howard and Howarth. The *Deseret Evening News* reported that when Howard began to sense that "officers were on their trail" he went to the county clerk's office to procure a marriage license. Because Ella Howarth was from out-of-state she was required to sign the license before it could be transferred into Howard's possession. According to reports, "During the afternoon a colored lady entered the office and said that she was Ella Howarth and desired to sign the license and take it away, which she did."[7] The only plausible explanation, in the minds of investigators, for the discrepancy between Howarth's white skin when officers found her in bed with Howard, and the dark skin of the woman who signed the marriage license involved a clever plot to mislead investigators and the county clerk. Howard allegedly "went back and procured the services of a negro woman to represent his intended wife and get the license."[8]

Bishop Stratford, too, seemed deceived by the plot. The same woman who signed the marriage license on Howarth's behalf also served as her proxy at the wedding ceremony performed by Stratford. The *Deseret Evening News* exonerated the Mormon bishop of any wrong doing, but investigators offered up one other explanation for the bewildering affair when they could not locate the dark-skinned stand-in.[9] When the "real Miss Howarth" went to sign her marriage license and participate in the marriage ceremony solemnized by Stratford, she was only

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[6] Ibid.

[7] "Bad Case of Miscegenation," 2.

[8] Ibid.

[9] Ibid. In 1888, Utah law recommended up to three years of prison time and a fine of up to one thousand dollars for "authorized persons" who "knowingly" performed a prohibited marriage. *Laws of the Territory of Utah, Passed at the Twenty-Eighth Session of the Legislative Assembly* (Salt Lake City: Tribune Printing and Publishing Co., 1888), 91.

performing as black: she had "blackened her face and had on a wig… the whole affair being managed by her without a dusky proxy."[10]

The racial ambiguity of Ella Howarth presented problems for the police and for the county clerk responsible for determining whether the proposed marriage was valid by state law. Miscegenation laws forced local and state officials—at marriage license bureaus and in the courtroom—to make racial determinations, even in cases of racial ambiguity. By all appearances, Ella Howarth acted and looked white despite William Howard's claims about her black ancestry. Race, for those tasked with enforcing miscegenation laws, could at once be fixed and certain as well as ambiguous and mystifying. Nonetheless, in their attempt to police a color line between white and nonwhite, those protecting legitimate marriage, marital propriety, and racial purity *made* race an empirical reality for the purposes of determining how residents would relate to the state.[11]

The Howard/Howarth case played out like many other miscegenation cases across the United States. The charges against the coupled incriminated them not for initiating an illegal interracial marriage, but for engaging in illicit sex across the color line. This particular pairing—a white woman with a black man—stirred public outrage more than any other white marital configuration with another race while bringing to the surface intersecting notions of gender and sexuality that structured the talking points of a national discourse on race mixing. Throughout the late nineteenth and early twentieth centuries, newspapers, in their coverage of interracial liaisons, played on the fears of progressive reformers, conservative moralists, and race scientists, bolstered by a fear of black freedom in postbellum America, by presenting distorted images of black masculinity and the nearly ubiquitous threat it posed to white womanhood. In highly sexualized and dramatized accounts, sex with black men was depicted as the most pressing threat to the

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[10] "Black and White. A Badly Mixed Marriage—The Parties in Jail," *Salt Lake Tribune,* 8 Feb. 1898.
[11] Pascoe, *What Comes Naturally,* 111.

traditional morality, propriety, and civility that white womanhood—and marriage—came to embody.[12]

Sensationalizing the liaisons of black men with white women rendered that particular pairing strictly taboo and also further entrenched gendered conceptions of marriage.[13] When white women engaged in sexual liaisons with black men the barrier safeguarding white supremacy, white masculinity, and societal morality, at least in theory, crumbled. Racial purity relied on the moral purity of white women (more than men) for its existence because the images and symbols that imbued traditional marriage with power were so entwined with the constructed role white women came to inhabit. Mixed-race children born by a white mother also only seemed to reproduce ten-fold the fears of disappearing societal virtues and a fading color line.

Both Howard and Howarth were arrested and jailed for "fornication," an indictment that offered the legal process some semblance of evenness because both same-race and interracial couples could be arraigned for "fornication" or "adultery."[14]  In reality, however, miscegenation laws were effective because interracial couples lacked the legal avenue to avoid conviction that same-race couples had—they could not marry to legitimize an illicit relationship.[15] William Howard, despite possessing a signed marriage license, could never engage in any other type of relationship with a white woman, but illicit sex. As Peter Wallenstein notes, in the face of miscegenation laws banning marriages, which by all other respects outside of race could be

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[12] Martha Hodes has documented in the South how the image of white womanhood (i.e. virtuous, moral, pure) relied on the image of black men as "bestial," or as the perpetuators of sexual terror, for meaning. These mutually-dependent images often spawned the violent reactions of white men to perceived instances of sexual impropriety between black men and victimized, or preyed upon, white women. Martha Hodes, *White Women, Black Men: Illicit Sex in the Nineteenth-Century South* (New Haven: Yale University Press, 1997), 198–208.

[13] Pascoe, *What Comes Naturally,* 85–87.

[14] The State of Utah v. William Howard and Ella Howarth, Case #105, Series 6954, Reel 2, Box 2, [1], Research Center, Utah State Archives, Salt Lake City, UT.

[15] Pascoe, *What Comes Naturally*, 58–59, 134–136.

"entirely legal," the "fact" of an actual marriage, or marriage license, was largely "immaterial."[16] The law was the gateway to traditional and legal marriage and marriage license clerks, judges, and other local and state officials were the gatekeepers, allowing race to almost wholly dictate the terms of access.

The criminal enforcement of miscegenation laws, however, rooted in broad statements against illicit sex, still proved difficult unless illicit relationships attracted enough public consternation to stir police action and evidence could be found. In the case of William Howard, the police had "their eyes upon him" for "several days" and they found him in bed with a white woman.[17] By the time Howard was marched into court to stand trial, authorities had offered Ella Howarth a plea deal that included testifying against her faux husband; in return, all charges against her would be dropped. While very few avenues existed for Howard to exonerate himself, Howarth was only required to confess to the county attorney "that she was white, and the charge against her was dismissed." In considering the evidence, the "jury was not out five minutes when they returned with a verdict of guilty" for Howard who received a twenty-day jail sentence.[18] The Howard/Howarth episode, however, received the public attention, and produced the legal fallout, it did because of a law prohibiting interracial marriage passed a decade prior, before Utah had even become a state.

**The Territory of Utah's 1888 Miscegenation Law**

Utah's 1888 territorial prohibition against interracial marriage emerged out of a political climate set ablaze by the question of marital propriety, legitimacy, and monogamy. While Mormon leaders generally controlled the territorial legislature since its inception in 1850, by the

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[16] Peter Wallenstein, *Tell the Court I Love My Wife: Race, Marriage, and Law—An American History* (New York: Palgrave Macmillan, 2002), 129–130; Pascoe, *What Comes Naturally,* 106.

[17] "Light in Police Circles," [5]; Pascoe, *What Comes Naturally,* 136.

[18] "Howard is Found Guilty. His Marriage to Ella Howarth Null and Void," *Ogden Standard,* 12 Mar. 1898, [5].

mid-1880s, many of the church's leaders and politicians had gone "underground" in attempt to avoid federal prosecution for polygamy.[19] The church's grip on territorial politics was dealt a significant blow by the Edmund's Act, a piece federal legislation passed in 1882 denying all polygamists the franchise and barring them from public office.[20] The law also established the Utah Commission, a five-man committee appointed by the President of the United States, tasked with overseeing all facets of territorial elections, including voter registration and the certification of elected candidates.[21] The efforts of the Utah Commission paralleled larger federal efforts—commonly called the "Raid"—to locate and prosecute Mormon polygamists using the full oversight and force of the federal courts.[22] Despite the receding ability of church leaders to intercede in territorial politics and the checks placed on Mormon voting by federal legislation, church members still occupied many of the territorial assembly seats in 1888.[23] Utah's 1888 miscegenation law therefore encapsulated a singular historical moment in the territory's fraught marriage saga: antipolygamy law worked alongside miscegenation law, drawing on Mormonism's complex interaction with plural marriage and race while also relying on both "Gentile" and Mormon influence. Mormon legislators, mostly monogamist, eventually supported the law, despite expansive efforts among the Mormon hierarchy to thwart federal polygamy reform efforts.

Governor Caleb West opened the legislative session in January 1888 with a plea to the territorial assembly to "clean our statutes of all laws repugnant to Federal legislation" and to support new federal legislation, including the Edmunds-Tucker Act (1887), which promised to

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[19] Edward Leo Lyman, *Political Deliverance: The Mormon Quest for Utah Statehood* (Urbana: University of Illinois Press, 1986), 1–6, 22–25; Gordon, *The Mormon Question,* 159.

[20] Ibid., 151–154.

[21] Leonard J. Arrington, *Great Basin Kingdom: An Economic History of the Latter-day Saints, 1830–1900* (Salt Lake City: University of Utah Press, 1993), 358–359; Lyman, *Political Deliverance*, 22–25.

[22] Sarah Barringer Gordon, *The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 2002)*,* 157.

[23] "Territory of Utah Legislative Assembly Rosters," 52–54, *Utah State Archives,* 2007, Accessed 4 Feb. 2015, http://archives.utah.gov/research/guides/legislative-assembly-rosters.pdf.

expunge Mormon polygamy and loosen the LDS Church's theocratic hold on territorial politics.[24]

Multiple pieces of legislation addressing Utah's polygamy problem circulated in the House of

Representatives, but failed to get out of committee because legislators largely viewed any effort

to reform the Mormon marriage practice as a duplication of more sweeping federal attempts.[25] By

February, a bill proposed by E.D. Hoge, despite significant debate, began to attract supporters in

the legislature after surviving a series of "amendments…by the committee," including a provision

"to prohibit miscegenation."[26] The "act regulating marriage" cleared Utah's House of

Representatives with sixteen votes in favor and five opposed. The bill carried all but one vote in

the territorial council and was signed into law on March 8, 1888.[27] It remained in force even after

Utah gained statehood in 1896 and despite the LDS Church's formal renunciation of polygamy in

1890.[28]

The final language of the marriage law reflected anxieties stirred by a contentious

political climate deeply involved in the debate over Mormon polygamy. Section two of the law

"prohibited and declared void" a marriage between "an idiot or lunatic" and "when there is a

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[24] *Council Journal of the Twenty-Eighth Session of the Legislative Assembly of the Territory of Utah* (Salt Lake City: P.H. Lannan, 1888), 26–29. See also, Patrick Q. Mason, "The Prohibition of Interracial Marriage in Utah, 1888-1963," *Utah Historical Quarterly* 76 (Spring 2008): 118.

[25] *House Journal of the Twenty-Eighth Session of the Legislative Assembly of the Territory of Utah* (Salt Lake City: P.H. Lannan, 1888), 224–225. The (Provo) *Utah Enquirer*, in January 1888, reported on an antipolygamy bill initiated by W.H. King of Fillmore, Utah, and amended by E.D. Hoge, a former judge, of Salt Lake City. The original text of the bill contained no provision against interracial marriage. "The Legislature," *The Utah Enquirer,* 17 Jan. 1888, [1]; Mason, "The Prohibition of Interracial Marriage in Utah," 118.

[26] The committee referenced was most likely the Committee on Judiciary. "The Legislature," *The Deseret News,* 15 Feb. 1888, 69; *House Journal,* 34.

[27] Ibid*.,* 251; *Council Journal,* 261. Utah's legislative assembly was comprised of two bodies, a Council and a House of Representatives divided into districts. "An Act to establish a Territorial Government for Utah," Thirty-First Congress, Sess. 1., Ch. 51, in George Minot, ed., *The Statutes at Large and Treaties of the United States of America. From December 1, 1845, to March 3, 1851* (Boston: Little, Brown and Company, 1862), 453–454; *Laws of the Territory of Utah*, 91; Mason, "The Prohibition of Interracial Marriage in Utah," 116.

[28] Richard W. Young, Grant H. Smith and William A. Lee, *The Revised Statutes of the State of Utah, in Force Jan. 1 1898* (Lincoln: State Journal Co., 1897), 329–331; Mason, "The Prohibition of Interracial Marriage in Utah," 119.

person or wife living from whom the person marrying has not been divorced."[29] The law did not explicitly forbid polygamy, or even contain express restrictions against cohabitation, but in spelling out the expectation of a legal divorce before the solemnization of another marriage, the legislative assembly sought to cover carte blanche the diverse ways in which Mormon polygamists skirted the law. The law likely had little effect on the curtailing of Mormon polygamy because the legislature lacked a comparable enforcement apparatus to federal efforts; yet, as Patrick Mason points out, the law was still notable as a symbolic gesture of solidarity with the federal government's crusade against Mormon polygamy and as an attempt to legitimize Utah's territorial legislature, since it had petitioned Congress again for statehood in 1887.[30] By the time the marriage bill was signed into law in March 1888, the territory's petition for statehood was all but dead because of unresolved concerns about Mormon polygamy.[31] Still, church leaders largely supported statehood and the timing of the two political maneuvers suggests that Mormon legislators may have seen the territory's marriage bill as a means for placating federal anxieties about Mormon polygamy. The provision against miscegenation, while a late addition, similarly demonstrated Utah's commitment to broader national efforts to protect the institution of marriage against the incursions of interracial mixing, a cause that both Mormons and non-Mormons could get behind.

The racial elements in Utah's 1888 marriage statute had a legal precursor, a section in the territory's 1852, "Act in Relation to Service," which used the slave/master relationship to frame rules governing interracial sex. The statute prohibited "any master or mistress" from participating in "sexual or carnal intercourse" with "his or her servant or servants of the African race." Masters engaging in sexual intercourse with slaves were forced to voluntarily forfeit their claim to the

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[29] *Laws of the Territory of Utah*, 88.
[30] Mason, "The Prohibition of Interracial Marriage in Utah" 119.
[31] Lyman, *Political Deliverance,* 41, 62.

slave or slaves involved. The statute, however, moved beyond Utah's slaveholders to govern all

illicit black/white relationships: "if any white person shall be guilty of sexual intercourse with any

of the African race, they shall be subject…to a fine of not exceeding one thousand dollars, nor

less than five hundred, to the use of the Territory, and imprisonment not exceeding three years."[32]

Utah Territory, despite permitting slavery, was unique in comparison with other slave states in

that it did not have a statute governing interracial marriage, only illicit interracial sex. As Peggy

Pascoe notes, miscegenation laws in antebellum America helped "shape the sexual parameters of

slaveholders' racial authority." Slaveholders could have sex with black women and produce

mixed-race children without lasting legal ramifications, but were prevented from conferring upon

black women the elevated status of "wife," a title which would have granted women of color

access to the rights of inheritance, citizenship, and a host of other societal benefits policed by the

boundaries of traditional marriage.[33] Other western states or territories, like California, were

already beginning to pass laws banning marriages between "white persons with negroes or

mulattos."[34] Brigham Young's distaste for interracial sex, with its degradative potential to pollute

God's chosen seed with cursed seed and complicate priesthood conferral, offers one possible

explanation for why the "Act in Relation to Service" governed illicit sexual liaisons rather than

interracial marriage.

In western states and territories, where white settlement was relatively new,

miscegenation laws became a crucial component of the state-building process by helping to

solidify a racial hierarchy for fledgling communities inundated by nonwhite settlers and

immigrants. As Randall Kennedy notes, "*Every* state whose black population reached or exceeded

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[32] *Acts, Resolutions, and Memorials, Passed by the First Annual, and Special Sessions, of the Legislative Assembly, of the Territory of Utah* (Salt Lake City: Brigham Young, 1855)*,* 160–161.

[33] Pascoe, *What Comes Naturally,* 26–27.

[34] *The Statutes of California, Passed at the First Session of the Legislature* (San Jose: J. Winchester, 1850), 424. By 1865, most western states/territories included some provision against interracial marriage or sex in their territorial or state laws. Pascoe, *What Comes Naturally,* 42.

5 percent of the total eventually drafted and enacted antimiscegenation laws."[35] By 1890,

however, Utah's nonwhite population represented only 2.3 percent of the territory's total

population; blacks formed approximately .3 percent of the total population with Chinese only

marginally larger at .4 percent.[36] Very few western states or territories actually reached the five

percent threshold before passing miscegenation laws, suggesting that a growing, multiracial

population in the West aroused the fears of lawmakers more than blacks and mulattos, the

primary focus of lawmakers in other areas of the United States.

Western lawmakers felt the need to address intermarriage between whites and its growing

immigrant population relatively early in the region's settlement. These early laws expanded the

racial focus of miscegenation statutes beyond blacks to include Chinese, with Nevada being the

first to pass such a law in 1861.[37] By 1864, Idaho had a nearly identical statute on its books.[38]

Arizona became the first territory, in 1865, to include a legal provision against intermarriage

between "mongolians" and whites.[39] In 1880 California followed suit, revising their civil code to

include a ban on marriage between whites and anyone of "Mongolian" descent.[40] By the middle

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[35] Randall Kennedy, *Interracial Intimacies: Sex, Marriage, Identity, and Adoption* (New York: Pantheon Books, 2003), 219; Mason, "The Prohibition of Interracial Marriage in Utah," 111.

[36] Of Utah's 210,779 occupants in 1890, 588 were black, 806 Chinese, 4 Japanese, and 3,456 Native American. Among western states, only Nevada and Idaho had less black residents than Utah. New Mexico and Wyoming were the only western locales with less Chinese residents. California, by comparison, had 11,322 blacks and 72,472 Chinese out of its 1,213,398 residents (approximately .9 percent and 6 percent of the state's total population respectively). *Compendium of the Eleventh Census: 1890. Part I.—Population* (Washington, D.C.: Government Printing Office, 1892), 470; Mason, "The Prohibition of Interracial Marriage in Utah," 112; U.S. Census Bureau, "Race and Hispanic Origin: 1790 to 1990 by State," *Census.gov*, Accessed: 30 Jan. 2015, http://www.census.gov/population/www/documentation/twps0056/tabs15-65.pdf.

[37] Nevada's law also included blacks, mulattos, and Indians. *Laws of the Territory of Nevada, Passed at the First Regular Session of the Legislative Assembly* (San Francisco: Valentine & Co.: Commercial Steam Printing Establishment, 1862), 93–94.

[38] *Laws of the Territory of Idaho, First Session* (Lewiston: James A. Glasock, Territorial Printer, 1864), 604.

[39] *Acts, Resolutions and Memorials, Adopted by the Second Legislative Assembly of the Territory of Arizona* (Prescott: Office of the Arizona Miner, 1866), 58.

[40] Theodore H. Hittel, *Supplement to the Codes and Statutes of the State of California; Being a Compilation of the Amendments and Statutes of 1877–8 and 1880,* Vol. 3 (San Francisco: A.L. Bancroft and Company,

of the nineteenth century, when western lawmakers began to express concern over the influx of

Chinese immigrants, "mongolian," or "mongoloid," had become one of the more common racial

typologies used by ethnologists and scientists in their attempt to collapse the races of the world

into a more intelligible racial taxonomy.[41] Western lawmakers likely employed the term

"mongolian" as an approximation for "Chinese," but some lawmakers also understood the term

more broadly, as a comprehensive racial category for anyone of Asian descent.[42] One delegate to

California's constitutional convention in 1878 remarked, "The term Mongolians does not apply

exclusively to the Chinese. It is a generic type of the human family, and some of the leading

authorities on ethnology have divided the species into three classes—Mongolian, Caucasian, and

Negro."[43] Utah's 1888 marriage statute likely drew from California's 1880 law, and other western

laws that restricted interracial marriage between whites and Chinese, or Mongolians. Marriage

was declared illegal "between a negro and a white person" and "between a mongolian and a white

person."[44] The law remained unchanged until 1939, when lawmakers, following trends in other

western states, added "malay" to the prohibited racial categories in the state's miscegenation

statute.[45]

    While growing fears that a mixed-race population would blur the lines that fixed white

supremacy atop a racial hierarchy shaped the discursive environs that allowed miscegenation laws

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1880), 208–209; See also Rachel F. Moran, *Interracial Intimacy: The Regulation of Race and Romance* (Chicago: University of Chicago Press, 2001), 31.

[41]Colin Kidd, *Forging of the Races: Race and Scripture in the Protestant Atlantic World, 1600–2000* (New York: Cambridge University Press, 2008), 9, 28.

[42] Pascoe, *What Comes Naturally,* 85. In 1892, Mississippi became the first southern state to include "Mongolian" as a category in its miscegenation law. Ibid.

[43] *Debates and Proceedings of the Constitutional Convention of the State of California,* Vol. 2 (Sacramento: State Office, 1881), 717; Pascoe, *What Comes Naturally,* 85.

[44] *Laws of the Territory of Utah,* 88.

[45] In 1933, a dispute moved through California courts over how to racially categorize Filipinos, who, according to a judge, did not fit descriptions of the "Mongolian race." California lawmakers were forced to alter their miscegenation law to include "Malays" as a restricted racial category, effectively extending the reach of the state's law to include Filipinos. Mason, "The Prohibition of Interracial Marriage in Utah," 126–127.

to gain in popularity, other ideological currents which preserved miscegenation laws deep into the twentieth century are worth noting. The remainder of this chapter will discuss two related assumptions that sustained interracial marriage laws, with the enforcement of Utah's interracial marriage statute serving as a case study revealing the power of miscegenation laws to mold identities and shape how citizens, especially in the West, conceived of race in the nineteenth and twentieth centuries. The first concerns a concerted effort to preserve racial purity by relying on the power of the law to define the boundaries of nature and marital propriety, effectively enabling miscegenation laws to configure which relationships would be recognized by the state and which ones would not. The second assumption propping up miscegenation laws couched race in finite, immutable terms, as an empirical reality or a "category" that could be betrayed by social, cultural, and physical characteristics. The process of uncovering race brought in a diverse set of actors— marriage license clerks, legislators, judges, attorneys—tasked with investigating and then categorizing the racial makeup of individuals accused of violating miscegenation laws. This made the state the de facto force behind the production and categorization of race and racial identities in the nineteenth and twentieth centuries.

**A Crime Against Nature**

In 1893, a member of the LDS Church's First Presidency, George Q. Cannon, penned an editorial to the church-owned *Deseret News*, congratulating the people of Utah for preserving "the purity of the Caucasian race." In the southern and northern portions of the United States, Cannon lamented, there was a "great influx of low foreign element which is having a bad effect upon the character of the population, and was likely to contribute to the degradation of the Caucasian type." In the South especially, where "the colored people were increasing," the mixture between whites and blacks was "hybridizing the race and gradually destroying the higher type."

The Latter-day Saints especially "have the greatest interest in developing the breed of man," and, Cannon reflected optimistically, "in Utah we have a good foundation to start on. Our people are not of mongrel breeds." Cannon believed that "the dislike to inter-marriage or intimate association with inferior races" was "well-founded" in Utah.[46] While, as discussed previously, Mormons deployed both theological and scientific reasoning to discourage interracial mixture in their congregations, the net result of Cannon's discourse, and statements like it made by religious, civic, and political leaders, was to stigmatize interracial relationships as unnatural and degenerative to the human species. As Peggy Pascoe notes, the "claim that interracial marriage was unnatural drew much of its power from cultural assumptions about the nature of race."[47] By labeling certain relationships as morally and physically degenerative, even destructive, to the human race, critics of interracial marriage naturalized some relationships while stigmatizing others through the enforcement of miscegenation laws.[48]

An editorial reprinted in the *Ogden Standard* (Ogden, UT) described the "inherent and instinctive prejudices" that naturally created a "division of life." "To most people of the north," the author contended, "the negro has always been persona non grata. White men evehrywhere [sic] have similar sensations of instinctive repulsion toward the Chinese and the Japanese, the Persian, the Malayan. It is not always a mere question of color." The author reasoned that the natural repulsion between whites and other races was at least partially caused by a difference in physical characteristics, including a "perceptible odor which is nauseating to whites." "Nature" had erected "her bars" with the "primary intention…to prevent miscegenation," the underlying consequence of which would be almost assured "racial deterioration."[49]

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[46] George Q. Cannon, "An Ex-Editor's Saturday Talk," *Deseret News,* 25 Feb. 1893, 14.
[47] Pascoe, *What Comes Naturally,* 2.
[48] Ibid.
[49] "Race Antipathy," *Ogden Standard,* 10 Sept. 1907, 10.

The enforcement of miscegenation laws seemed to enshrine the unnaturalness of opposite-race marital pairings into law while holding up the monogamous pairing of a white man with a white woman as the marital ideal.[50] The *Salt Lake Herald* documented one failed relationship between Hazel Kellgreen, a white woman from Murray, Utah, and her Japanese husband, Harry Yamaguchi, a cook. The sordid tale of Kellgreen's "filing of her divorce action against her Japanese husband," involved Yamaguchi's "ardent" wooing of Kellgreen where, at one point, he even "threatened to take his life if I refused him." Kellgreen asserted that she felt nothing for Yamaguchi, but decided "this is a good time to test him. He had told me before that if I would marry him he would provide me with a good home."[51] The couple eloped to Pocatello, Idaho, where no law existed against intermarrying with the Japanese, or "Mongolians."[52]

The marriage, however, lasted only three months. In reflecting back on the failed relationship, Kellgreen declared emphatically, according to the reporter, that the "Caucasian race does not assimilate with yellow people." "A marriage between a white woman and a Japanese," she asserted, "cannot be pleasant, happy or tolerable for long…The temperament of such a lover is not healthy." In decrying miscegenation, Kellgreen also said that her failed attempt to discover the "nature" of her husband's love spoke to the "psychology of miscegenation." No "marriage of persons of different colors," she asserted, could ever be "good for the man or the wife."[53] In

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[50] See Pascoe, *What Comes Naturally,* 3.

[51] Whit Burnett, "White Wife of Japanese is Sorry Ardent Wooer; Poor Husband Murray Girl Now Wants Divorce," *Salt Lake Herald*, 24 Mar. 1918, [2].

[52] Idaho, in 1864, passed a law prohibiting intermarriage with blacks, Indians, and Chinese. The law was revised in 1887 and Chinese was dropped from the list. In 1921, the law was revised again to include "Mongolians," "Negroes," and "mulattoes." See David H. Fowler, "Northern Attitudes Towards Interracial Marriage: A Study of Legislation and Public Opinion in the Middle Atlantic States and the States of the Old Northwest" (PhD diss., Yale University, 1963), A-28–29. Around 1900, when an influx of Japanese laborers replaced Chinese laborers in western states, lawmakers, judges, and local clerks began to classify Japanese as "Mongolians" for the purpose of enforcing miscegenation laws. Pascoe, *What Comes Naturally,* 89. A case in Utah six years prior to the Yamaguchi episode involving a Japanese man and a white woman cited a California Supreme Court decision that categorized Japanese as part of the "Mongolian race" to deny the couple a marriage license. "Refused a License," *Carbon County News,* 12 Dec. 1912, 1.

[53] Burnett, "White Wife of Japanese is Sorry," [2].

Kellgreen's estimation, intermarriage with the Japanese would not only assure perpetual unhappiness for both spouses, but should be avoided because of the natural differences separating whites from the Japanese.[54]

Sensationalized accounts of unions across the color line, like the failed Yamaguchi marriage, functioned as a multipurpose tool for declaring certain marital pairings unnatural, or an affront to racial purity, while simultaneously promoting related claims about gender. In highly racialized miscegenation accounts, the most ardent opponents of interracial marriage offered up distorted and sexualized retellings of interracial mixture, often as a means for guarding against incursions on white womanhood. Progressive reformers and scientists studying race betterment and eugenics in the early twentieth century led a widespread call for the protection of white womanhood. White women came to embody the civilized values, morality, and respectability that marriage transmitted to the body politic and also guarded racial purity; thus, interracial liaisons involving white women raised the stakes of miscegenation dramas because they seemed to compromise the purity of the white race and place the entire institution of marriage in the balance.[55] Indeed, by highlighting the sexual dangers posed by Asian and black men especially, newspapers and magazines communicated to white women, tangible moral lessons warning of the impropriety of interracial relationships.

When the salacious details of an interracial relationship became public knowledge, reporters investigating the incident scrambled to produce an explanation because something other than true romance had to be at work when a white woman crossed a color line prescribed by nature. These accounts, in addition to promulgating racialized and sexualized descriptions of the men involved, resulted, too, in character attacks on the women. Among the listed diagnoses,

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[54] Harry Yamaguchi did not attend the divorce proceedings. The court granted Kellgreen's divorce request, citing Yamaguchi's failure to provide his wife "the common necessaries of life" as grounds for dissolving the marriage. Hazel K. Yamaguchi v. Harry Yamaguchi, Case #24738, Series 1622, Reel 447, [1], [5], Research Center, Utah State Archives, Salt Lake City, UT.
[55] Pascoe, *What Comes Naturally,* 85–86.

commentators cited mental and physical weakness, or a women's overall undesirability, as causes for her hopeless search outside of her own race for a marriage partner.

In 1898, when "Chinese laundryman," Quong Wah, of Salt Lake City, sought to marry Dora Harris, "in whose veins the blood of white nationalities and of the African race are intermingled," Deputy County Clerk, George Blair, launched an investigation. His close questioning of the pair uncovered the primary reason behind Harris's peculiar choice of companion: she had been "sick for a long time" and was "unable to earn a living." Marrying Wah would "be better than being throw upon the world."[56] Harris claimed to be the granddaughter of a "negro" and an Irishwoman. She confessed that while she might be considered "colored," she could also "pass for white." Deputy Clerk Blair found himself in an uncomfortable predicament, constrained by a law that did not address whether someone of Chinese descent could marry a black woman. Taking an admittedly conservative approach, Blair "announced that as he understood it the preponderance of blood in Miss Harris was Caucasian," and he denied the couple a marriage license.[57] Still, while Wah was "lovesick" for the "the girl whose complexion is that of a Caucasian," their love apparently was one-sided as Harris, physically ill, was only looking for a home.[58]

In another case, a mixed-race gentleman from western Utah, who "might easily be taken for a full-fledged Chinaman," submitted a marriage application to the county clerk, seeking to wed a woman who was visibly white. The application was denied because the law expressly forbade issuing "a marriage license to a Mongolian and a white person." Preserving the purity of

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[56] "Marriage License Refused," *Salt Lake Tribune,* 16 Sept. 1898, 6; "A Lovesick Chinaman," *Salt Lake Herald,* 16 Sept. 1898, 2.

[57] Ibid.

[58] Ibid. Wah and Harris threatened to travel to Wyoming to acquire a marriage license. Wyoming did not pass a law restricting whites from intermarrying with "Mongolians" or "Malays" until 1913. Fowler, "Northern Attitudes Towards Interracial Marriage," A-104. It is unclear whether or not Wah or Harris challenged Blair's decision in court or fulfilled their promise to marry in Wyoming. See, Mason, "The Prohibition of Interracial Marriage in Utah," 108.

the white race and guarding against the exploitation of white womanhood trumped any legal acknowledgment of a legitimate romance between the couple. The women employed in the marriage license office predicted that the Chinese suitor "would undoubtedly get the worst of the matrimonial bargain."[59] Spurned by her own race, the woman was apparently driven into the arms of a "Chinaman," the only potential marriage partner available to a woman of her character and appearance.

Individual miscegenation dramas reinforced conceptions about gender and could function, when splashed across the pages of the nation's newspapers, as a type of promotional tract for the appropriate behavior befitting of white womanhood. These same laws also formed and shaped racial identities by linking the enforcement of miscegenation laws to a circulating discourse on the nature of race, sexuality, and gender. Of course, because established social mores and racial assumptions by no means offered a full-proof barrier against interracial marriage, miscegenation laws relied on bureaucratic procedures and methods to determine the racial makeup of prospective couples.

Utah, not unlike other western locales, marshaled a number of officials, including marriage license clerks, to subjectively determine the race of marriage applicants. In the late nineteenth and early twentieth centuries, county clerk offices served as a critical site for the manufacturing of race and the unmaking of citizens, as public officials made binding decisions about race and effectively limited the ability for those labeled as nonwhite to claim the full privileges of citizenship.

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[59] "Scotch Chinaman Wanted to Wed a White Girl," *Salt Lake Herald,* 14 Feb. 1901, 8.

**Categorizing Race in a Multiracial Landscape**

In the fall of 1899, Dudley Prowl, a "colored soldier" stationed at Fort Douglas, near Salt Lake City, entered the county clerk's office alone and inquired about a marriage license. Deputy County Clerk Seare quickly denied Prowl's request, choosing to withhold the license until Prowl reappeared with his prospective bride. Prowl returned, but he brought with him two women instead of one. When he invited his bride, "Addie," to sign the license, a white woman stepped forward "and boldly asked Mr. Seare for a pen." Seare balked at the proposed arrangement, informing Prowl that his bride was "a horse of another color…the laws of Utah forbid a colored man marrying a white woman, and vice versa." Undeterred, Prowl's bride spoke up claiming to be "colored," an assertion supported by the other woman in tow, "decidedly black," who confirmed that Addie's mother was "black as the ace of spades." Deputy Clerk Seare, after a short exchange with the mixed-race Addie, quipped to her, "Well, if you ain't white I'm not," and he denied the couple a marriage license.[60]

Prowl, on his way out of the office, made an interesting assertion, one that highlights the inherent contradiction in the enforcement of miscegenation laws. Prowl questioned the deputy clerk's ability to see race, retorting that Seare was apparently "color blind" and promised to return with "ample proof" of his bride's black heritage.[61] *Seeing* race, however, was the business of Deputy Clerk Seare, and other county clerks across the state, who bore the responsibility of examining mixed-race couples for physical evidence at odds with the state's miscegenation law. Far from color blind, these clerks saw race most prominently in the skin color, behavior, and social interactions of marriage license applicants, and almost entirely made subjective, and visually-based, rulings on race. In a mixed and multiracial landscape, county clerks saw, or

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[60] "The License Was Refused," *Deseret Evening News*, 26 Oct. 1899, 4.
[61] Ibid.

preserved, fixed and immutable racial classifications calculated to maintain the purity of the white race and the moral structure of marriage.

Civil and criminal court cases dealing with interracial marriage across the West put race on trial, enabling judges and attorneys to pursue the biological and cultural facts of race and to determine how best to categorize individuals who confounded existing racial categories. Marriage license clerks, however, expedited the process for states by generating documentable proof of race. Clerks, through the licensure process, were tasked with fitting applicants into the predefined racial categories spelled out in miscegenation laws.[62] Utah's law, rather than relying on fractional blood-quantum standards to categorize race, as many southern miscegenation statutes did, was purposefully vague.[63] By prohibiting marriages between a "white person" and "a negro" or "a mongolian," the law appeared comprehensive by covering a range of possible gender and racial pairings seen as a threat to white racial purity.[64] The broad wording of Utah's law empowered clerks to implement a pseudo "one-drop" rule where they could deny marriage licenses in potential instances of miscegenation when any visible signs of whiteness, or the absence of whiteness, were observed.

Utah's racial classification system was, in theory, non-discriminatory by remaining neutral on which gender and race pairings the law expressly forbade. While newspaper accounts still focused disproportionately on interracial pairs involving white women, white men could also

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[62] Pascoe, *What Comes Naturally,* 133–140.

[63] For example, Mississippi passed a law in 1865 prohibiting marriage between whites and blacks and "those descended from a Negro to the third generation." Building on this ancestry-based restriction, the law was revised in 1890 to include a prohibition against marriage between whites and "Negroes or mulattoes, or persons with one-eighth or more Negro blood." See Fowler, "Northern Attitudes Towards Interracial Marriage," A-56–57. The implementation of a fractional blood-quantum standard was likely influenced by the challenges presented by "mulattos," or those of mixed race ancestry, who might easily evade miscegenation laws if they appeared white. Blood-quantum standards were also used to categorize Indian ancestry for the purposes of land allotment and U.S. citizenship requirements. Pascoe, *What Comes Naturally,* 134; Ariela J. Gross, *What Blood Won't Tell: A History of Race on Trial in America* (Cambridge, MA: Harvard University Press, 2008), 9–10.

[64] *Laws of the Territory of Utah,* 88.

run afoul of the law.[65] For example, in 1905, Paul Marx, a man "Italian in appearance and talk,"

attempted to marry Bell Johnson, a women "black as the average person in her race." When

Deputy Clerk, David A. Smith, a leader in the LDS Church, declined to issue the couple a

marriage license, Marx insisted that despite his white appearance he had "negro blood in his

veins."[66] Deputy Clerk Smith consulted the county attorney about the couple's application for

marriage and the two came to an agreement that "appearance and conversation did not satisfy"

that Marx "belonged to the African race."[67] In cases where an applicant's race confounded the

judgment of a county clerk, other officials were called on to render a final decision.

In 1902, a sixteen year-old girl, accompanied by her father, entered the Salt Lake County

clerk's office, in pursuit of a marriage license. The prospective bride, Sarah Evans, was hoping to

marry Peter Kajuna, a "native-born Hawaiian." Though Utah's miscegenation law was silent on

the subject of native Hawaiians, the county clerk still denied the couple a marriage license,

offering his verbal opinion that such a match was certainly "illegal."[68] Utah, however, was not

without judicial precedent on how to racially classify native Hawaiians. After a series of LDS

missionary successes on the Hawaiian islands starting in the 1850s, native Hawaiians began

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[65] For much of the nineteenth century, white men avoided criminal prosecution for violating miscegenation laws in ways that black men, Asian men, or even white women could not. In the nineteenth century, society afforded white men more sexual freedom and civil rights, including rights to property and the freedom to choose a wife. Increasingly, according to Peggy Pascoe, these rights were ceded in order to ensure the effectiveness of miscegenation laws in preventing interracial mixture. By 1900, white men received similar treatment under the law as white women and black men. It would, however, be a mistake to assume that miscegenation laws were enforced evenly across race-and-gender pairings historically. The rationale that miscegenation laws applied equally to whites and other races, while fictional, received legal backing by the Supreme Court in *Pace v. Alabama* (1883). The equal protection argument advanced in *Pace* would not be fully overturned until the pivotal Supreme Court case, *Loving v. Virginia* (1967), which declared miscegenation laws unconstitutional. Pascoe, *What Comes Naturally,* 10–11, 63–69, 248–249.

[66] David A. Smith, among his other church responsibilities, was called to the Presiding Bishopric of the LDS Church in 1907. He would later become Presiding Bishop, an office responsible for overseeing the financial holdings of the church. Edward H. Anderson, "Events and Comments," *Improvement Era* 11 (January 1908): 239.

[67] "Wanted Colored Bride," *Deseret News,* 4 Feb. 1905, 3

[68] "Murray Couple Refused License to Wed," *American Eagle,* 30 Aug. 1902, 8. Oregon was the first and only state to classify native Hawaiians as "Kanakas" in its 1866 miscegenation law. Pascoe, *What Comes Naturally,* 78–80.

migrating to Salt Lake City, setting off a contentious debate in Utah Territory about the eligibility

of Hawaiian immigrants for U.S. citizenship. The *Salt Lake Tribune*, in 1883, published a

scathing editorial decrying the arrival of native Hawaiians because of their potential to transmit

an "incurable and most loathsome disease" to Utah's residents. Native Hawaiians were also

unable to "bear the rigors of this climate" and were hardly "accustomed to hard labor." The

*Tribune* reasoned that if "the Mormon authorities have a particle of either humanity or common

sense they will stop this Kanaka immigration at once."[69]

The debate culminated in a case brought before the Supreme Court of the Territory of

Utah in 1889 regarding an application for U.S. citizenship submitted by a native Hawaiian

identified by one newspaper account as G.W. Kamakaniau. Kamakaniau's application was

ultimately denied by the court, his race a major sticking-point because, as "a native of the

Sandwich Islands, belonging to the Hawaiian race," Kamakaniau was "a Polynesian, belonging to

the Malay races, and as such is not eligible for citizenship."[70] Judge C.J. Zane's decision

referenced multiple experts on race classification and also included his own opinion as to

Kamakaniau's true race: Kamakaniau "in appearance was of Malayan or Mongolian complexion,

a shade lighter than average for his race."[71] The court's decision on the ineligibility of native

Hawaiians for citizenship remained binding after Hawaii was annexed by the United States in

1898.[72]

It is unclear whether or not the county clerk's office consulted Judge Zane's decision

when they denied Peter Kajuna and Sarah Evans a marriage license. However, the clerk did seek

out the county attorney's opinion on the matter. County Attorney Christensen's written decision

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[69] "The Spotted Boy.—Kanaka Immigration," *Salt Lake Tribune,* 24 May 1883, [2]; Matthew Kester, *Remembering Iosepa: History, Place, and Religion in the American West* (New York: Oxford University Press, 2013), 96–97.
[70] Quoted in Ibid., 100–101.
[71] Ibid.
[72] Ibid., 101.

on "the question of marriage of a full blood Hawaiian and a white person," sided with the county

clerk, determining that "the Hawaiian is a member of the Mongolian race and, as marriage

between a Mongolian and a white person is prohibited," native Hawaiians could not marry a

white person.[73]

The racialization of Hawaiians in Utah through the enforcement of miscegenation laws

points to broader realities about the nature of race in general. While race could be created or

defined in the courtroom, the construction of racial identities often relied on more than scientific

experts and legal opinions. Race could be constructed by using "common sense" and the pooled

racial knowledge of a local community. Thus, the enforcement of miscegenation laws often relied

on "casting ordinary people," including marriage license clerks, as "racial experts" and could

vary across the western and national landscape.[74] A native Hawaiian, under Judge Zane's 1889

ruling, met the qualifications of a "Malayan," but County Attorney Christensen, and the local

county clerk, felt confident that native Hawaiians also matched the racial description of the

"Mongolian race." Race was therefore variable *and* immutable, biological and cultural,

discovered, imagined, and fashioned from a range of sources that included ancestry, appearance,

science, performance, and social reputation, all of which exposed the facts of race.[75]

Miscegenation laws appealed to a variety of interested parties holding a political, social,

or scientific stake in the segregation of the races, predominantly because the laws turned out to be

an effective means for lodging racial difference in the fundamental bureaucratic procedures of the

state. Whatever algorithm officials used to determine race, however, ultimately computed race

using the rhetoric of inequality, lending form to a racial hierarchy founded on the perceived *good*

and *bad* qualities in a race.

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[73] "As to Hawaiians," *Deseret News,* 26 Sept. 1902, 2.
[74] Gross, *What Blood Won't Tell,* 10.
[75] Ibid., 9.

Just as miscegenation laws prompted the creation of racial identities, however, the institution of marriage, too, served as a site for the production of legal, civic, and public identities. Legal marriages had to be contractually ratified by the state, allowing state governments to determine which types of social relationships would be permitted within its borders. As miscegenation laws helped produce a map or typology by which the state could categorize race and draw boundaries around legitimate marriage, they also enabled the state to simultaneously map on top of race and marriage the margins of citizenship. For much of the nation's history, citizenship in the United States relied on more than formal legal recognition for power and meaning; citizenship status was both achievable *and* performable. Marriage functioned as one of the most publically visible forums in which citizens could perform their civic duties, allowing a husband to serve as political head and the chief administrator of family property and finances.

Since marriage produced the American body politic and controlled the moral, social, and political values embedded in the general population, miscegenation law became one legal avenue for molding the American citizenry into ideal citizens. Historically, this meant preserving whiteness at all costs. Those named and targeted by miscegenation laws were racialized as dangerous to the body politic, often because they threatened to introduce inferior moral, social, and cultural, as well as biological, characteristics into the American populace. Regardless of formal citizenship status, those who attracted the attention of miscegenation laws were denied full inclusion in the body politic and were relegated, instead, to a separate class altogether by judges, attorneys, and county clerks. For example, in 1901, the mixed-race, Charles Wallace, originally from Scotland, hoped to marry Lillie Kelly, a white woman from Stockton, Utah. Wallace, however, was of Chinese descent and quickly learned that the "law will not stand for a marriage license to a Mongolian and a white person." Wallace, "a native born American citizen," however

was shocked at the refusal.[76] In his opinion, because he had "voted and exercised all the privileges insured to citizens of this country," he should be allowed to marry the spouse of his choice. Despite Wallace's citizenship claims, the county clerk's office in Salt Lake City felt that "Wallace might easily be taken for a full-fledged Chinaman" and he was dismissed from the office without a marriage license.[77] For much of the nineteenth and twentieth centuries, the citizenship privileges distributed by and confined to the institution of marriage were preserved by the multiracial legacy of miscegenation laws, allowing the image of the ideal marriage and citizen in American society to be ultimately cast in shades of white.

**Solidarity Among the Western Anti-miscegenation Regime**

In enforcing its broad miscegenation statute, Utah participated in a multiracial project that transcended the state's own geographic borders and the borders of surrounding states and territories. The western alliance against miscegenation brought lawmakers together in an effort to preserve white purity and to block any pathway that would enable immigrants to fully participate in the body politic.

Facing legislation dictating the terms of individual choice and desire, prospective interracial couples were forced to travel the western landscape in hopes that they could somehow escape the reach of miscegenation laws and marry the partner of their choosing. One final example illustrates both the extensive reach of miscegenation laws across the West and the tension between individual romance and racial identity manifested in miscegenation dramas. In 1910, when Rayda Reed and the Japanese, Kunio Toda, a former shop clerk were denied a license to marry in Salt Lake City, the couple hopped a train to Denver to elope. Finding Colorado

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[76] "Scotch Chinaman Wanted to Wed a White Girl," 8.

[77] "Refused to Marry Them," *Deseret News,* 14 Feb. 1901, 5.

inhospitable towards their proposed marriage, they returned to Salt Lake City and instead headed

for California where they hoped the political and social climate would be more supportive of their

union.[78] Upon arrival, the couple "learned that the laws of that state forbid the marriage of a white

girl to a Japanese."[79] Undeterred in their desire to marry, the couple set off for Seattle, but were

"intercepted on their way" by police in Oakland, who immediately sent a telegram to Reed's

parents, asking if they approved of the match.[80] Reed, "a pretty 19-year-old girl of Smithville,"

was in fact of age, but her Mormon father objected to the pair's proposed union and asked that

police detain the couple. Reed was placed in the custody of the Young Women's Christian

Association while Toda was arrested and jailed.[81]

Lacking sufficient evidence of illegal activity, the police were forced to release Reed and

Toda, allowing the couple to continue their journey to Seattle. While Seattle proved

unsympathetic towards the couple's romantic intentions, Reed and Toda were able to find a

willing deputy county clerk in Tacoma who would sign a marriage license. The union was finally

performed at a Japanese Baptist mission in the city.[82]

The story of Rayda Reed and Kunio Toda is not unlike other miscegenation dramas that

played out across the West.[83] The legal barriers barring a Japanese immigrant from marrying a

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[78] "Japanese Elopes with White Woman," *Salt Lake Tribune,* 23 Sept. 1910, 14; "Parents Deny Giving Consent," *Salt Lake Herald,* 23 Sept. 1910, 14. Colorado had no formal statute against marriage between Japanese immigrants and whites. Fowler, "Northern Attitudes Towards Interracial Marriage," A-15.

[79] "Turned Down By County Auditor," *Salt Lake Herald,* 28 Sept. 1910, 6

[80] "Japanese Elopes with White Woman," *Salt Lake Tribune,* 23 Sept. 1910, 14.

[81] "Turned Down By County Auditor," *Salt Lake Herald,* 28 Sept. 1910, 6; "Parents Deny Giving Consent," *Salt Lake Herald,* 23 Sept. 1910, 14.

[82] "Love is Triumphant and Girl Weds Jap," *Salt Lake Herald,* 29 Sept. 1910, 14.

[83] A nearly identical case grabbed headlines in San Francisco in 1909 when the Japanese Guniro Aoki became engaged to Helen Emery, the white daughter of a California Episcopal archdeacon. The potential union set off a public spectacle, attracting outspoken criticism from both of the families involved. The couple decided that a California wedding would be unwise and commenced a journey up the Pacific Coast to acquire a marriage license. The case, however, had attracted enough regional attention that marriage license clerks in Oregon were instructed prior to the couple's arrival not to issue them a license. Like Reed and Toda, however, the couple found a clerk in Tacoma, Washington, who would approve of the match and the two were married in Seattle, but not without incurring significant personal costs and public embarrassment. See Pascoe, *What Comes Naturally,* 87–90.

white women transcended geographical boundaries, spanned the western landscape and linked

racial identities with local, regional, and often, national, social, cultural and political norms. In

other ways, however, Reed and Toda's ultimate triumph works against the general historical

current of miscegenation laws. Perhaps the *Salt Lake Herald*, which expressed shock and a hint of

admiration at the couple's determination, summarized the marriage best: "Love has again

triumphed over the appeals of a parent, the zeal of officers and the protests of a line of people that

extended three states where a Japanese attempted to marry a beautiful white girl."[84]

Indeed, the many checks in place against marriage across the color line would sometimes

break down, permitting "love" to be "triumphant" against a deep-rooted miscegenation regime.

As the enforcement of Utah's 1888 miscegenation law demonstrates, these triumphs were often

overshadowed by a host of other instances where licenses were denied based on racial and

cultural assumptions and on the construction of identities at odds with established legal precedent.

The rigid enforcement of Utah's miscegenation law, however, also symbolized something else—a

notable political and cultural shift in the state and region. As race was produced in Utah's

courtrooms and reproduced in county clerk offices across the state, Utah's burgeoning racial

bureaucracy demonstrated the state's ability to *see* race as other western states, not just through

the lens of religion, or culture, as Mormon leaders were accustomed to doing for half a century,

but through the structures and institutions of the American state. By the 1920s, with Utah's

miscegenation law firmly entrenched, the struggle for whiteness that occurred within the state's

borders for the last half of the nineteenth century ultimately yielded to a new struggle, one which

would span much of the twentieth century involving those categorized and identified as "black,"

or "red," or "yellow." In constructing an anti-miscegenation regime not unlike its western

neighbors, Utah's citizenry not only enjoyed a newly forged regional solidarity with the

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[84] "Love is Triumphant and Girl Weds Jap," *Salt Lake Herald,* 29 Sept. 1910, 14.

American West, but also suggested to the American public that it had come into its own as an American state. Beyond a region recognized for its religious or cultural distinctiveness, Utah had become a western space, *or place*, where whiteness and citizenship in the American body politic shaped the contours of the state's political, social, and racial landscape.

CHAPTER 5

CONCLUSION: THE WHITE MORMON'S GAZE IN AN INTERNATIONAL

CHURCH

Two "official declarations" from LDS Church leaders sit side-by-side in the LDS

scriptural canon as a witness to faithful Mormons of two pivotal moments in church history

where revelation significantly adjusted the movement's trajectory. These declarations, however,

can also be viewed as bookends marking Mormonism's contentious racial history. Official

Declaration 1, or the "Manifesto," initiated the movement's slow turn away from a polygamous

marriage system that structured Mormon family life and engrained itself in Mormon theology and

doctrine for half a century. As Paul Reeve contends, President Wilford Woodruff's 1890

announcement of the end of plural marriage signaled "a makeover was underway" both in the

Great Basin and in the national consciousness as Mormons attempted to assimilate into

mainstream American society.[1] To be sure, the racialization of Mormons was a cherished national

pastime unlikely to fade quickly from the imaginations of the American public, who, for decades,

knew of Mormons predominantly through their peculiar marriage practice. Yet, by the

movement's second "official declaration," in 1978, which repealed a longstanding ban on blacks

holding the priesthood, Mormon whiteness was unlikely to stir significant debate. In fact, to a

nation steeped in the culture and rhetoric of the Civil Rights Movement, Mormon whiteness

became increasingly problematic to outsiders who spotted blatant racism in existing church policy

against blacks. Thus, in 1978, when church leaders finally pushed for a more egalitarian

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[1] W. Paul Reeve, *Religion of a Different Color: Race and the Mormon Struggle for Whiteness* (New York: Oxford University Press, 2015), 49–50.

enactment of temple and priesthood policies, many inside and outside of the church were left wondering why such a reversal took so long.[2]

Sounding a more universalistic tone, church president Spencer W. Kimball's 1978 revelation extending the priesthood to "all worthy male members of the church" echoed the racial optimism that had reverberated in Mormon settlements abandoned over a century prior when the body of Saints headed West.[3] The announcement was not a repudiation of the racial folklore or scriptural myths that seeded and sustained the ban for most of its existence. Instead, Kimball ushered in a day of redemption, the "long-promised day" foreseen "by the prophets and presidents who have preceded us" where "every faithful, worthy man in the Church may receive the holy priesthood."[4] Kimball's announcement was a landmark moment for the nearly 150 year-old movement and carried profound implications for missionary and temple work in a church with an expanding global presence. Yet, questions about race persisted beyond a formalized ban, shaping Mormon perceptions of church members of African descent who could now, in theory, enjoy all the rights and privileges associated with full membership in the LDS Church. What of a "curse" and associated scriptural lineages? Was interracial marriage to be tolerated?

A decade before Kimball's announcement, the nation enjoyed a victory on the Civil Rights front when, in 1967, the Supreme Court of the United States issued a sweeping decision in *Loving v. Virginia*, which declared unconstitutional any law infringing on an individual's right to "marry, or not marry, a person of another race."[5] Invoking the due process clause of the

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[2] Ibid., 260–261.

[3] Official Declaration 2, in The Doctrine and Covenants, The Church of Jesus Christ of Latter-day Saints, Accessed: 17 March 2015, https://www.lds.org/scriptures/dc-testament/od/2.

[4] Ibid.

[5] Loving v. Virginia, 388 U.S. I, 12 (1967). The case stemmed from an invalidated marriage between Richard Loving, a white man, and Mildred Jeter, a "colored" woman. Aware of Virginia's ban on interracial marriage, the couple had obtained a license to marry in Washington D.C., in 1958. Virginia officials, despite the couple's valid marriage license, still arrested the pair for violating Virginia's Racial Integrity Act (1924). Hoping to avoid jail time, the couple accepted a plea deal and moved to Washington D.C. where they could avoid further legal troubles. With the help of Attorney General Robert Kennedy and

Fourteenth Amendment, the Supreme Court inveighed any statute that denied "the freedom of choice to marry" on the basis of "invidious racial discriminations."[6] The decision to repeal Utah's own miscegenation law in 1963 drew opposition from some quarters, including from an LDS Republican who cited the potential pollution of his "heritage or the heritage of any of my posterity" as a reason to oppose the law's repeal.[7] The legislator feared that his "grandchildren or great-grandchildren…would not be entitled to the blessings and privileges" currently enjoyed by white church members if the boundaries preserving racial purity deteriorated.[8]

Concerns about interracial mixture within the LDS Church did not dissipate after *Loving* or the priesthood announcement in 1978, though the rhetoric of church leaders did evolve on the issue, shifting from emphatic statements of principle to softer statements of practicality. In 1954, church apostle, Mark E. Petersen offered a spurious prediction about interracial marriage in a speech to religious educators at Brigham Young University:

> The Negro…is not just seeking the opportunity of sitting down in a cafe where white people sit. He isn't just trying to ride on the same streetcar or the same Pullman car with white people. From this, and other interviews I have read, it appears that the Negro seeks absorption with the white race. He will not be satisfied until he achieves it by intermarriage. That is his objective and we must face it. We must not allow our feelings to carry us away, nor must we feel so sorry for Negroes that we will open our arms and embrace them with everything we have. Remember the little statement that they used to say about sin, "First we pity, then endure, then embrace."[9]

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the American Civil Liberties Union (ACLU), the Lovings appealed their case to the Virginia Supreme Court. The state's highest court upheld the decision made against the Lovings, but the ruling opened the door for more appeals and the opportunity for direct action by the Supreme Court of the United States. Pascoe, *What Comes Naturally,* 271–284; see also Peter Wallenstein, *Tell the Court I Love My Wife: Race, Marriage, and Law—An American History* (New York: Palgrave Macmillan, 2002).

[6] *Loving v. Virginia,* 12.

[7] Quoted in Patrick Q. Mason, "The Prohibition of Interracial Marriage in Utah, 1888-1963," *Utah Historical Quarterly* 76 (Spring 2008): 129–131.

[8] Ibid., 130.

[9] Mark E. Petersen, "Race Problems—As They Affect the Church," 5, in Mark E. Petersen Papers, MS 376, Special Collections and Archives, J. Willard Marriott Library, University of Utah, Salt Lake City.

Later, Petersen asked the audience rhetorically whether or not "the Latter-day Saints believe in segregation as a principle."[10] His answer, invoking the curse of Cain and other scriptures from the LDS canon, was, in so many words, a resounding "yes."

Petersen's fear of the Saints' wholesale "embrace" of peoples of African descent yielded to less rigid suggestions from church leadership on interracial marriage following Kimball's 1978 announcement. The *Church News*, a weekly periodical published by church-owned, *Deseret News*, devoted most of their June 17, 1978, issue to Kimball's announcement. Among headlines like "Revelation extends blessings of gospel" and "Priesthood news evokes joy" was one prominently placed article entitled "Interracial marriage discouraged."[11] The article reminded readers that President Kimball "has counseled young members of the Church to not cross racial lines in dating and marrying." Quoting from an address given by Kimball at a BYU devotional in 1976, the article implored the youth of the church to find spouses of the "same racial background generally, and of somewhat the same economic and social and educational background…and above all, the same religious background, without question."[12]

Church leaders in the years following the end of the priesthood ban increasingly took a multicultural approach when discussing interracial marriage to an international church. Kimball, on another occasion, advised against interracial marriage for "Indians," "Mexicans," "Chinese," "Japanese," "Caucasians," and "Arabs." Reiterating that the "interrace marriage problem is not one of inferiority or superiority," Kimball asserted that the brethren were still "unanimous" in their recommendation against interracial marriage because differences in ethnic and cultural backgrounds could increase the likelihood of "divorce" or other marital "problems."[13] These recommendations, however, have largely faded from Mormon discourse in recent decades as

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[10] Ibid., 14–15.
[11] "Interracial Marriage Discouraged," *Church News* (week-ending June 17, 1978), 4.
[12] Ibid.
[13] Spencer W. Kimball, *The Teachings of Spencer W. Kimball,* ed. Edward L. Kimball (Salt Lake City: Bookcraft, 1982), 303.

church leaders confront a diverse set of new challenges associated with a global missionary program and a growing international church.

In the 21st century, Mormon whiteness remains emblematic to some of the movement's out-of-touchness with broader American trends. In 2012, following Mormon presidential candidate Mitt Romney's second run at the executive office, liberal *New York Times* columnist Maureen Dowd summed up his failed bid in paradoxical terms: Mitt Romney was indeed elected "president of white male America." After the devastating loss, Dowd suggested "Team Romney" take refuge in a "Whiter House, with mahogany paneling, brown leather Chesterfields, a moose head over the fireplace, an elevator for the presidential limo."[14] In ways noticeable to the American public, Romney had overachieved in just about every facet of his life and exemplified the white privilege many were hoping had faded from the American political and economic landscape. He was, in the estimation of some, too white and too rich for the White House. The accusations of critics, however, did not locate modern Mormons, as nineteenth-century polemical attacks did, in a past age when depraved Mormon polygamists strolled the streets. Modern Mormons, with Mitt Romney as the classic exemplar, were relics of a more recent time, "where husbands told wives how to vote, and the wives who worked had better get home in time to cook dinner." Romney was the "Brylcreemed boss out of a '50s boardroom" imported from a moment in American history where the traditional family still reigned supreme.[15] Mormons had made it as American citizens as their popular public image spoke to both their whiteness and their traditional family values. But, as public commentary on Mitt Romney's presidential bid suggests, the social landscape of America was changing again, and Mormons were falling behind the times (again).

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[14] Maureen Dowd, "Romney is President," *New York Times,* 10 Nov. 2012, Accessed: 14 April 2015, http://www.nytimes.com/2012/11/11/opinion/sunday/dowd-romney-is-president.html?_r=0.
[15] Ibid.

**Past and Future(s)**

This thesis at least partially explains how Mormons arrived as beacons of traditional family values and as exemplary white, American citizens (even if they are now too white in some estimations).[16] Past studies have focused on the ways in which Mormon polygamy prompted nineteenth-century Americans to racialize and marginalize Mormons as outside of the general parameters of American citizenship. These studies, however, ignore other salient components that went into remaking Mormon nationhood by the twentieth century. Indeed, as this study has shown, the contested racial landscape of the Great Basin in the nineteenth century provides context for the evolution of Mormon identity during the movement's entrance into its Americanization phase. Mormonism's transition out of peculiarity and into something more American involved not only the tempering of religious, political, and economic differences with its host nation, but recasting the Mormon image in the American imagination as something more authentically white. Religious and political commentators heavily invested in preserving the ties forged between citizenship and whiteness denied Mormons full inclusion in the American body politic by marshaling a racialized discourse that construed Mormons as an immigrant class dangerous to the American republic.

Focusing on the intersection of race and marriage in Utah Territory complicates the traditional insider/outsider narratives generally used to characterize Mormon interactions with broader American society during the nineteenth century. Mormons ran against the current of nineteenth-century marriage norms even as they advocated with the American public against interracial marriage. Preserving racial purity among the movement's body of believers involved a concerted effort on the part of church leaders to prevent interracial mixture between whites and blacks. Marriage, however, also allowed Mormons to gain inclusion in the American body politic

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[16] Reeve, *Religion of a Different Color,* 268–272.

in the early twentieth century. Past studies of Mormonism's transition period have focused on changing political, social, and economic structures in the Great Basin after Utah gained statehood in 1896, so that, by the mid-twentieth century, Utah, along with its Mormon population, had become more closely aligned with American social, political, cultural, and economic norms. Yet, belonging in American society required a racial transformation as well from something other than white to white. By demonstrating how Mormon families approximated a Progressive-era vision for the American home, Mormons in Utah tapped into an existing discourse on citizenship and the family to prove their ability to be good, white American citizens.

The racial transformation that occurred in the Great Basin in the early twentieth century also linked the region to western and national narratives about race and citizenship. Far from a refuge for other oppressed minority groups, the Americanization of Utah post-statehood prompted the creation of a racial bureaucracy that marginalized other racial groups by moving them outside the boundaries of full citizenship. This thesis attempts to respond to Jan Shipps's indictment of western history as a field that ignores Mormons as significant actors in the American West.[17] By focusing on race and marriage in Utah in the late nineteenth and early twentieth centuries, this study suggests at least one way in which the state forged regional alliances with other western states to prosecute and guard against cases of miscegenation. The state's transformation into a western, Americanized space, however, did not involve a clean break with its past. Future studies should explore how Utah retained distinctive elements of its former identity even as it assimilated. These studies might also consider how racial minorities functioned not as agents of the state, but as individuals and groups who forged their own identities even as the state classified them as unfit for full inclusion in the body politic.

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[17] Jan Shipps, "Gentiles, Mormons, and the History of the American West," in *Sojourner in the Promised Land: Forty Years Among the Mormons* (Urbana: University of Illinois Press, 2000), 9, 21, 34.

Future studies on race and Mormonism in the twentieth century should also expand

beyond a focus on Mormon colonization of the Great Basin to examine how race, ethnicity, and

local culture influenced the success and spread of Mormonism abroad. Recently, Paul Reeve and

Matthew Grow called for more scholarship on the "ungathered" of Mormonism, or those who

remained outside the principal area of Mormon settlement.[18] More scholarship on the lived

experience of Mormons in Latin America, Asia, Africa, or a host of other areas where the

movement has taken root in the twentieth century would provide a clearer picture of how the

periphery of Mormonism differs from its core.

While the academic world awaits studies that include these international considerations,

the LDS Church is engaged in a very real negotiation between the "ungathered" and the

"gathered," or core variety of Mormonism. This tension is perhaps best symbolized by the

church's recent public relations campaign, "I'm a Mormon," where a number of church members

from different cultural and ethnic backgrounds offer their testimony of basic LDS doctrines.

While the campaign underscores the growing international flavor of the LDS Church it also

suggests, based on the general messages of the participants, that church leadership in Salt Lake

City still rigidly defines for the general membership what it means, in the end, to be a Mormon.

Since the 1960s, when church apostle Harold B. Lee spearheaded an effort to consolidate and

coordinate the church's auxiliary organizations and to develop a general curriculum for the

church, the institution has operated more closely under the auspices of the Quorum of the Twelve

Apostles.[19] In effect, church leaders, through the "correlation" process as it became known, were

attempting, as Tona Hangen explains, to make "Mormonism replicable across an infinite number

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[18] See W. Paul Reeve, "The Mormon Church in Utah" and Matthew J. Grow, "The Modern Mormon Church," in *Oxford Handbook of Mormonism,* ed. Terryl L. Givens and Philip L. Barlow (Oxford University Press, forthcoming 2015).

[19] Gregory A. Prince, *David O. McKay and the Rise of Modern Mormonism* (Salt Lake City: University of Utah Press, 2005), 139–158.

of cultural and geographic settings" as the church was expanding into new geographic reaches.[20] The resulting legacy of correlation remains a source of pride for the lay member who can tout to acquaintances that the church is the "same" in Provo, Utah, as it is in Madrid, Spain, or Accra, Ghana. This statement, in reality, is only partially true. The church's acceptance of personal revelation and spiritual gifts along with its lack of formalized liturgy affords individual members a degree of autonomy over the personal application of their faith. Inasmuch as a salient, official, and correlated Mormonism is transmitted from church headquarters in Salt Lake City to an international Mormon audience, a concourse of Mormonisms quite possibly exist when the general principles of the church are locally applied and adapted.

It appears, however, with international church activity rates hovering well below rates in the United States, that the LDS church can do more to accommodate the needs of its members outside of the Mormon culture region.[21] Despite a push to appear more globally diverse, the church retains a predominantly white leadership selected from the intermountain West (at least in its Quorum of the Twelve and First Presidency). The region in which Mormonism first achieved whiteness in the eyes of the American public, still the lifeblood of the faith, also remains, for the most part, white. At the geographical core of Mormonism exists a general institutional identity that is marketed abroad to members located at the periphery through missionaries, digital media, curriculum, and church leadership. The correlated brand of Mormonism distributed internationally still carries significant traces of American, or more specifically, Great Basin Mormonism, which can render the church's message more challenging for an ethnically and racially diverse international audience. How does one fully abide by the Word of Wisdom (the

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[20] See Tona J. Hangen, "Lived Religion among Mormons," in *Oxford Handbook of Mormonism,* ed. Terryl L. Givens and Philip L. Barlow (Oxford University Press, forthcoming 2015).

[21] David G. Stewart, "Member Activity and Convert Retention," Cumorah.org, Accessed: 16 April 2015, http://www.cumorah.com/index.php?target=church_growth_articles&story_id=13. Inactivity rates are general estimates based on a variety of sources since the LDS Church does not release detailed reports on retention and activity rates among its membership.

church's health code established by revelation) in international settings where local traditions and cultures might generate contradictions? Is there space in the church's traditional three-hour block of worship services for alternative forms of worship and expression customary in other lands and cultures?

Whiteness, with race and ethnicity more generally, will continue to be relevant factors in the success and future of modern Mormonism so long as the movement hopes to survive and adapt in international settings. There are signs that the renegotiation of what it means to *be* a Mormon is already underway as the institutional church interrogates its essential components, demarcates boundaries around its core identity, and adjusts its collective identity to include more completely other ethnicities and cultures. In conjunction with the release of a new edition of their scriptural canon in 2013, the church added a header to Official Declaration 2, contextualizing the repeal of the priesthood and temple ban in 1978. The header quoted from the Book of Mormon, asserting "'all are alike unto God, including 'black and white, bond and free, male and female' (2 Nephi 26:33)."[22] Additionally, in December 2013, an essay published on the church's official website, LDS.org, describing the church's fraught history with race and the priesthood declared:

> In theology and practice, The Church of Jesus Christ of Latter-day Saints embraces the universal human family. Latter-day Saint scripture and teachings affirm that God loves all of His children and makes salvation available to all. God created the many diverse races and ethnicities and esteems them all equally. As the Book of Mormon puts it, "all are alike unto God."[23]

While the church has been responding to a divine injunction to preach the gospel "unto every nation, and kindred, and tongue, and people" (D&C 133:37) for much of its history, its recent display of openness in regards to a past restriction on blacks holding the priesthood points to a more inclusive future. In the twenty-first century, as the LDS Church confronts a host of

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[22] Official Declaration 2.

[23] "Race and the Priesthood," *LDS.org*, 8 Dec. 2013, Accessed: 16 April 2015, https://www.lds.org/topics/race-and-the-priesthood?lang=eng.

problems including but not limited to issues stemming from globalization, convert retention, same-sex marriage and attraction, gender and the priesthood, and problems with its own history and doctrine, the church's current boundaries will increasingly be pushed by those inside and outside of the faith. This is nothing new for a church whose history in the American West, as we have seen, involved the drawing and redrawing of boundaries and borders that gave form to a collective identity and ethnicity grounded in a sense of place. The Great Basin, once home to a Mormon Zion envisioned as a refuge from federal interference, eventually provided fertile ground for a more Americanized, western place to take root that allowed Mormons to remake themselves as white, American citizens. The forces of accommodation which helped facilitate the church's initial transition into the American society granted Mormons a sense of belonging as citizens in the American body politic. Membership in the Mormon body of believers portends a similar sense of belonging required in a twenty-first century world as Mormon lived religion, especially internationally, trends toward the plural. If Mormonism's past is any indicator, what it means to be a Mormon is susceptible to revisions as the movement responds to and is molded by revelation as well as social, cultural, and even racial differences.

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