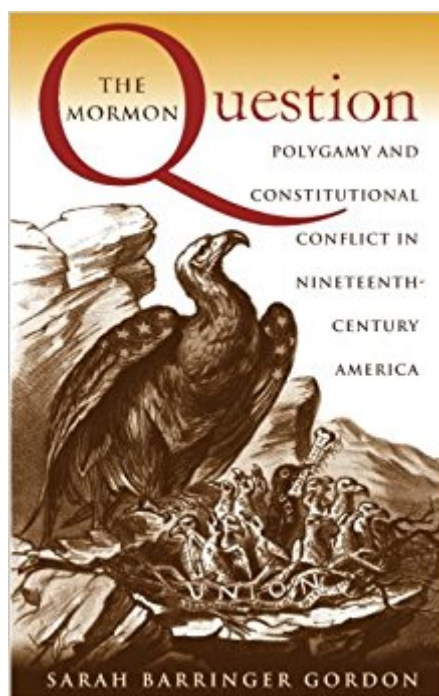


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# The Mormon Question: Polygamy And Constitutional Conflict In Nineteenth-Century America



## Synopsis

From the Mormon Church's public announcement of its sanction of polygamy in 1852 until its formal decision to abandon the practice in 1890, people on both sides of the "Mormon question" debated central questions of constitutional law. Did principles of religious freedom and local self-government protect Mormons' claim to a distinct, religiously based legal order? Or was polygamy, as its opponents claimed, a new form of slavery--this time for white women in Utah? And did constitutional principles dictate that democracy and true liberty were founded on separation of church and state? As Sarah Barringer Gordon shows, the answers to these questions finally yielded an apparent victory for antipolygamists in the late nineteenth century, but only after decades of argument, litigation, and open conflict. Victory came at a price; as attention and national resources poured into Utah in the late 1870s and 1880s, antipolygamists turned more and more to coercion and punishment in the name of freedom. They also left a legacy in constitutional law and political theory that still governs our treatment of religious life: Americans are free to believe, but they may well not be free to act on their beliefs.

## Book Information

Series: Studies in Legal History

Paperback: 352 pages

Publisher: The University of North Carolina Press; New edition edition (January 21, 2002)

Language: English

ISBN-10: 0807849871

ISBN-13: 978-0807849873

Product Dimensions: 5.8 x 0.9 x 9.2 inches

Shipping Weight: 11.2 ounces (View shipping rates and policies)

Average Customer Review: 4.5 out of 5 stars 5 customer reviews

Best Sellers Rank: #250,473 in Books (See Top 100 in Books) #6 in [Books > Law > Family Law > Marriage](#) #276 in [Books > Law > Legal History](#) #280 in [Books > Christian Books & Bibles > Christian Denominations & Sects > Mormonism](#)

## Customer Reviews

While numerous studies have examined life in plural marriage, this is the first to explore how the Mormon practice of polygamy transformed the U.S. legal system. Gordon, a professor of law and history at the University of Pennsylvania, deftly handles complicated issues of religion, states' rights, constitutional theory and the separation of church and state. When Mormons fled to Utah in the

1840s, they brought with them a deep suspicion of "local sovereignty," feeling that individual states had persecuted them terribly while a weak federal government did nothing to protect them. In Utah, however, they turned this local sovereignty principle to their own advantage, publicly revealing their polygamous society in 1852 and taking measures to ensure the seamless fusion of church and state. Anti-polygamist legislators, novelists and activists were galvanized to subdue both the Mormons' political power and their polygamous unions even if this meant reversing longstanding constitutional precedent by centralizing power in the federal government rather than the states. Gordon does an outstanding job of clarifying complex legal issues and demonstrating change over time. At no point was the anti-polygamists' eventual victory a foregone conclusion; as this study shows, the Mormons had powerful legal precedent on their side, and they proved to be tenacious opponents until they abandoned the struggle in 1890. Gordon is a fine scholar whose penetrating research and interdisciplinary approach break new ground in the fields of Mormon studies and legal history. Copyright 2001 Cahners Business Information, Inc. --This text refers to an out of print or unavailable edition of this title.

Sarah Gordon guides us through an underestimated political battle in nineteenth-century America, revealing undercurrents of Christian assumptions and beliefs that challenged the wall of separation between church and state. (Linda K. Kerber, University of Iowa) Gordon is a fine scholar whose penetrating research and interdisciplinary approach break new ground in the fields of Mormon studies and legal history. ("Publishers Weekly") Sarah Barringer Gordon has written an important interdisciplinary study that provides new perspectives on the impact of the Mormon practice of plural marriage on American constitutional thought. (David J. Whittaker, Curator of Western and Mormon Manuscripts, Brigham Young University)

Presents plenty of not-so-widely-known information and historical background. Not a bad read, but definitely not particularly compelling.

This book covered the topic of polygamy and constitutional laws. I used this book for Political Science paper. The book had great information useful for my research paper.

Gordon's book is an excellent review and commentary on the relationship between polygamy and the constitution. If you are interested in this stuff be sure to buy it.

i got this book for a legal history research paper on the free exercise clause. it was easy to read, interesting, and well cited. i highly recommend it.

I have just finished the book. It is well done, and very enlightening. I have not yet finished the book, and it is very enlightening. It is interesting that in that period The U.S. Government held strongly that marriage was a contract between one man and one woman. Today in the battle the U.S. Government is very much on the other side, as to anything goes. There is a lot of history in this book that i have not known. Howard H. Johnson

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