

The Persecution of the Mormons

During the 19th century, the newly formed Mormon religion encountered significant persecution.

In 1820, [Joseph Smith](#) experienced what he later described as a vision of God and Jesus who told Smith that he would become the means for restoring the true Christian church. A while later, Smith told of being visited by an angel who led him to a spot near his home in western New York, where he unearthed a set of golden plates with strange writing on them.

With divine guidance, Smith said that he was able to translate the golden plates into English. In 1830, he published what he believed to be the new revealed word of God, [The Book of Mormon](#), named after an ancient prophet.

Following additional visions and revelations, Joseph Smith came to believe that he was a prophet, empowered by God to restore "the only true and living church." Smith and a few others organized the Church of Christ in 1830. Several years later, Smith changed the name to the Church of Jesus Christ of Latter-Day Saints. Most people began calling the new religion the Mormon Church or simply, the Mormons.

During the 1800s, the Mormons attracted many converts. But Mormon beliefs, although Christian, differed and even contradicted many of the Protestant beliefs of most Americans. Wherever Mormons gathered together to establish their "Kingdom of God," non-Mormons became suspicious, fearful, hostile, and sometimes even violent. This resulted in persecution against the Mormons. It also got them involved in an enormous struggle with the federal government over the relationship of church and state and the Mormon religious practice of polygamy.

The Persecution Begins

Brigham Young, a carpenter and cabinetmaker, read *The Book of Mormon* shortly after Joseph Smith published it, and he became an enthusiastic member of the new Mormon Church. In 1833, Young moved his family to [Kirtland, Ohio](#), where Smith had decided to gather several hundred of the Mormon faithful to establish the "Kingdom of God."

Impressed with Young's deep belief, Smith and other church leaders selected him to become one of the Twelve Apostles of the Mormon Church. Following Christian beliefs about the original 12 apostles of Christ, Young and the others became missionaries.

Returning from a mission in 1836, Young was dismayed when he learned that the Mormon community had split over the attempt by Joseph Smith to direct the community's political and financial affairs. In the winter of 1837-38, the majority of church members, including Brigham Young, followed Joseph Smith to Missouri, where he had previously organized a secondary Mormon colony. Four years earlier, Missouri mobs, fearful of the colonists' growing political and economic power, had attacked Mormon businesses. After

Smith and the others from Ohio joined the Missouri colonists, fears of Mormon bloc voting and a "take over" again produced mob violence.

Escalating violence between Mormon and non-Mormon settlers finally prompted the governor of Missouri to issue this [order](#): "The Mormons must be treated as enemies and must be exterminated or driven from the state, if necessary for the public good." Joseph Smith and some other Mormon leaders were imprisoned as hostages until the colonists left the state. Brigham Young avoided arrest and organized an exodus across the Mississippi River to Illinois during the winter and spring of 1838-39.

Released from jail by Missouri officials, Joseph Smith again took charge of the Mormon community, now numbering several thousand. The Mormons established a new "Kingdom of God," which they named [Nauvoo](#), meaning "beautiful place." The Illinois state government, seeking to expand its tax base, at first welcomed the Latter-Day Saints. The state legislature granted Nauvoo a liberal charter, permitting the city its own court system and militia, called the Nauvoo Legion.

By the mid-1840s, Nauvoo rivaled Chicago as the largest city in Illinois. Thousands of immigrants from Britain, the result of Brigham Young's missionary work there, flocked to Nauvoo.

At this time, Joseph Smith had a further revelation that it was God's will to restore the Old Testament practice of multiple marriages (a husband marrying more than one wife). Smith at first limited multiple marriages, also commonly called polygamy, to church leaders. Later it was allowed among other spiritually and economically qualified church members.

In 1844, Smith created the [Council of Fifty](#) that became "the Municipal department of the Kingdom of God set up on the Earth, and from which all Law emanates." The members of the Council of Fifty and the leaders of the Mormon Church were identical. Thus, the Nauvoo government took the form of a theocracy, a unified church and state.

The rapid development of Nauvoo's economic and political power, along with rumors about strange Mormon religious rituals, greatly unsettled other Illinois residents. They particularly resented the Mormon practice of voting in elections as a bloc at the direction of Joseph Smith. Then in 1844, Smith decided to run for president of the United States. This combining of religion and politics further inflamed public opinion in Illinois. Nor did all Mormons in Nauvoo approve of Joseph Smith's political activities.

A dissenting newspaper in Nauvoo accused Smith of crowning himself king. In response, he and members of the Council of Fifty destroyed the paper's printing press. State authorities jailed Smith and several others for inciting a riot. The governor sent a state militia to guard Smith against mob violence. But the militia itself became a lynch mob and [shot Smith to death](#) in his jail cell on June 27, 1844.

After debating who should replace Joseph Smith as prophet and president of the Mormon Church, an emergency assembly of the Latter-Day Saints selected Brigham Young. But soon vigilantes began to burn the homes and farms of the Mormon settlers in a determined effort to drive them out of Illinois.

Brigham Young and the other church leaders realized that they could not remain in Nauvoo under such dangerous conditions. They then led an epic migration of 16,000 Mormons to the Great Salt Lake Valley in the western wilderness.

The Question of Utah

At Salt Lake City in 1848, Brigham Young and the other leaders of the Mormon Church organized "[The State of Deseret](#)." The Mormon people elected Young as their governor and other church leaders to additional government posts. The Council of Fifty remained as the law-making body.

In 1850, Deseret along with California applied for admission to the Union as new states. Suspicious of the Mormons, Congress denied statehood to Deseret but made it a U.S. territory with a new name: Utah. President [Millard Fillmore](#) appointed Brigham Young the territorial governor.

When Washington sent federal judges and other officials to Utah, the Mormons often refused to cooperate with them. In addition, church leaders selected all the candidates for the new territorial legislature.

Back in Washington, many members of Congress thought that the Mormons did not respect federal authority or U.S. law. Adding to this perception, Brigham Young remarked that he would not surrender his office as governor if the president chose not to reappoint him. Also at this time, Protestant ministers everywhere were condemning Mormon polygamy as immoral.

In 1854, Young's term as territorial governor ended, and he was not reappointed. After several years delay, newly elected President [James Buchanan](#) appointed a new governor of the Utah territory in 1857. But relations between the federal government and the Mormons had become so poisoned that Buchanan was persuaded a state of rebellion existed in Utah. He therefore sent a federal [military force of 2,500](#) soldiers to forcibly install the new governor.

Still acting as governor, with the Missouri and Illinois persecutions in his mind, Brigham Young declared martial law in Utah. He issued a proclamation preparing the Mormon people "to repel any and all such threatened invasion." He also mobilized the Nauvoo Legion to harass the invading federal army by destroying supply wagons and capturing horses.

When the army entered the Utah territory, Young ordered the complete evacuation of Salt Lake City. He even considered setting it on fire. Things remained at a stalemate until June 1858, when the Mormon leaders agreed to submit to federal authority if the army would camp outside Salt Lake City and not harm the people. The federal government agreed, and President Buchanan also pardoned all Mormon "seditions and treasons."

The Attack on Mormon Polygamy

Led by Republicans who labeled slavery and polygamy the "[twin relics of barbarism](#)," Congress outlawed multiple marriages in 1862. Brigham Young and other Mormon leaders were charged under this law. But convictions were difficult to get because few marriage records existed and a wife could not testify against her husband under Utah territorial law. Moreover, most juries consisted of Mormons who, if not polygamists themselves, sympathized with the accused.

In 1879, two years after Brigham Young died, the U.S. Supreme Court was called on to decide whether the First Amendment's guarantee of freedom of religion protected the practice of polygamy. The justices drew a line between religious belief and action. The court cited a letter written by Thomas Jefferson to James Madison shortly after the adoption of the Bill of Rights. Both men were highly instrumental in getting the Bill of Rights adopted. Jefferson wrote about the First Amendment:

Believing with you that religion is a matter which lies solely between man and his God; that he owes account to none other for his faith or his worship; that the legislative powers of the government reach actions only, and not opinions, -- I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should "make no law respecting an establishment of religion or prohibiting the free exercise thereof," thus building a wall of separation between church and State. Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore man to all his natural rights, convinced he has no natural right in opposition to his social duties.

The court continued: "Coming as this does from an acknowledged leader of the advocates of the measure, it may be accepted almost as an authoritative declaration of the scope and effect of the amendment thus secured. Congress was deprived of all legislative power over mere opinion, but was left free to reach actions which were in violation of social duties or subversive of good order." The court found that "polygamy has always been odious [disgusting] among the northern and western nations of Europe" and had long been a common law crime. The court's unanimous opinion concluded that the First Amendment did not protect the practice. [[Reynolds v. United States](#) (1879)]

In 1882 and 1887, Congress passed laws to force the Mormon Church to abandon its support of multiple marriages (which never involved more than 20 percent of adult males). These laws did other things as well. They barred polygamists from jury service, voting, or holding office. They allowed evidence of a defendant's reputation to secure a

conviction for polygamy. They permitted a wife to testify against her husband. They revoked the right of women to vote (which had been established in 1870 by the Utah territorial legislature). Finally, they took away the territorial charter of the Mormon Church, which allowed the federal government to confiscate its property and turn it over to the public schools.

Altogether, more than 1,000 Mormon men were [convicted](#), fined, and imprisoned for being married to more than one wife.

Mormon leaders understood that if they continued to resist the anti-polygamy laws, Utah would never become a state. Therefore, in 1890, the president of the Mormon Church issued a "Manifesto" calling for the Latter-Day Saints "to refrain from contracting any marriage forbidden by the law of the land." This, and assurances separating the church from the state, finally removed congressional objections to statehood, and led to the admission of Utah into the Union as the 45th state in 1896.

For Discussion and Writing

1. What were some of the problems Mormons encountered in the 19th century. Why do you think they encountered these problems?
2. What is a theocracy? In what ways did the Mormons establish theocracies in Nauvoo and the Territory of Utah? Do you think theocracies are a good or bad idea for the United States? Why?
3. Do you think Congress was right to outlaw polygamy in the Utah territory, or, do you think this was a violation of freedom of religion under the First Amendment? Explain.

For Further Information

[History of the Church of Jesus Christ of Latter-day Saints](#) From Religious Tolerance.org

[The Church of Jesus Christ of Latter-Day Saints](#) From the Utah History Encyclopedia.

[Mormon](#) From Encyclopedia Britannica.

A C T I V I T Y

Free Exercise of Religion

The First Amendment to the U.S. Constitution guarantees the free exercise of religion. As you have read, the U.S. Supreme Court in *Reynolds v. United States* decided that people who practice polygamy as part of their religion are not protected by the First Amendment. The Supreme Court has made several other decisions on whether a religious practice is protected by the First Amendment. In this activity, students look up some of these Supreme Court decisions and report back to the class.

1. Divide the class into small groups. Assign each group one of the cases below.
2. Each group should:
 - a. Find, read, and discuss the case.
 - b. Write a summary of the case. It should include the facts of the case, the issue, the decision of the court, the court's reasoning, and what the dissenting justices said. (The issue of each case is the same: Is this practice protected by the free exercise clause of the First Amendment?)
 - c. Prepare to report on the case to the class. Include in your presentation how each of you think the case should have been decided and why.
3. Have the groups report and discuss each decision.

Cases

Employment Division v. Smith (1988). Drug and alcohol counselors, who were also members of the Native American Church, were discharged because they took the hallucinogenic drug peyote as part of a religious ceremony. They were denied unemployment compensation by the Oregon Employment Division because they had been discharged for "work-connected misconduct."

Goldman v. Weinberger (1986) The air force ordered Captain Goldman, an orthodox Jewish rabbi, not to wear his yarmulke, a religious skullcap, while in uniform.

United States v. Lee (1982). A member of the Amish religion refused to pay social security taxes because doing so violated his faith.

Thomas v. Review Board of Indiana Employment Security Division, (1981). A Jehovah's Witness was denied unemployment benefits because he quit a job requiring him to manufacture weapons of war, which was against his faith.

Wisconsin v. Yoder, (1972). Members of the Amish religion were convicted of violating Wisconsin's compulsory school-attendance law because they refused to send their children to high school, which was against their religion.

Sherbert v. Verner (1963). A Seventh-Day Adventist was denied unemployment benefits because she refused to work any job on a Saturday, the Sabbath day of her faith.

West Virginia State Board of Education v. Barnette, (1943). Jehovah's Witnesses, objected to a West Virginia law requiring all students to take part in the flag salute, which was against their religion.