

all sides of each issue. The acute dilemma that President Buchanan faced when finally forced to deal with the Utah problem is a notable example. After reviewing Buchanan's choices, any one of which would have ultimately made matters worse, Moorman candidly concludes that "just as it was to be on the eve of the Civil War, no decision was considered a good decision" (122), referring to Buchanan's inability to deal with the strong-willed central players and the politics of the time.

In the epilogue, Moorman brings his account full circle. Within the context of a broader United States history, he follows the army personnel from Camp Floyd into the Civil War, noting that officers and men of Camp Floyd "served in every major campaign on both sides of the battle line" (279). Many who felt that their mission in the Great Basin was never fulfilled would find their destiny and immortality on

the bloody battlefields of the Civil War by paying the ultimate sacrifice.

The University of Utah Press has produced a well-designed and attractive volume, including a center section of timely photographs. It would have been useful if the authors had included a bibliographic list by category and in alphabetical order of the scholarly sources. The notes for each chapter are extensive, but it is difficult to locate the full bibliographic data on a source that is quoted for a second time in later chapters.

Moorman and Session's book is a fresh and scholarly contribution to the history of the Great Basin. It provides rare insight into the interpersonal relationships that dictated the events of the Utah War. At the same time, the colorful narrative and skillful weaving of documents allow the reader, regardless of background or interest, to become thoroughly absorbed in the events. It represents historical writing at its best.

Reproductive Rights and the "New" American Family

Reproduction and Succession: Studies in Anthropology, Law, and Society. By Robin Fox (New Brunswick, NJ: Transaction Publishers, 1993).

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OF GREAT IMPORTANCE IN THE study of Mormon interrelationships is how polygyny fits into the larger picture of the modern American family. In his witty, provocative volume on reproductive rights and law in American society, *Reproduction and Succession*,

social anthropologist Robin Fox writes about the breakdown of the nuclear, monogamous family as an obvious feature of American life. He suggests that polygynous relations, and other "alternative" family forms, such as surrogate motherhood, are a normal response to the change from an industrial to a post-industrial society where emphasis shifts from a situation requiring the monogamous nuclear family to one that could well accommodate a variety of extended-family patterns, including polygyny.

In the comparative study of the

American family, particularly, the Mormon family, this book provides a unique interpretation of the role of biologically-based rights and cultural behavior. Among the few others who have written on fertility, reproduction, and the family in Mormon culture are O'Dea, Faux, and Bean. In Lee Bean's *Fertility Change on the American Frontier*, for example, he hypothesizes that the norms relating to the mechanisms of childbearing or fertility limitation will be most effective when socio-cultural constraints on fertility are consistent, or devoid of contradictions. Thus there is a symbiotic relationship between the LDS church's consistently pronatalist position and the fact that the State of Utah has the highest birth-rate in the nation. Bean's statement relates to Fox's goal to prove the effect of an individualistic culture's values of kinship and religion on reproductive rights and privileges.

Fox looks at four case histories: Roy Potter's case against the State of Utah to marry plural wives, the "Baby M" trial pertaining to surrogate motherhood, the "Antigone" case of family burial rights, and inheritance rights between a nephew and his uncle. In each of these cases, he examines the issues of modern constitutional and case law and the changing nature of kinship and family norms that underlies these cases. Of particular interest to the Mormon intellectual community is Fox's unique perspective on the reproductive issues and the sociology of jurisprudence inherent in the "exotic case of Mormon polygyny" (ix), where the Mormon assertion of the right to plural marriage is viewed as a religious obligation.

The first dispute over reproductive and marriage rights and civic law, *Potter v. the State of Utah*, describes

Roy Potter, the Murray police officer who was fired from his job on 1 December 1982 for his admitted marital liaison with two women (and, eventually, a third wife). This case raises deep questions for Fox (as it does all scholars of Mormon culture) about morality, marriage, reproduction, and the laws and customs of an avowedly individualist culture. It raises vital questions about an individual's right to marry and reproduce in a manner he/she chooses without state interference. The Potter case, writes Fox, is the ultimate example of the conflict between reproduction and law, as it represents the strongest challenge to anti-polygamy legislation since such legislation had been declared constitutional by the U.S. Supreme Court in the landmark case of *Reynolds v. U.S.A.* in 1878.

Fox presents a compelling argument in favor of overturning the *Reynolds* judgment, not only for First Amendment considerations, but for historical reproduction and succession rights of individualistic groups like the Mormon Fundamentalists of Utah. Fox argues that polygyny is not "a subversion of social order," nor does it "fetter people in stationary despotism" as the *Reynolds* case so strongly implied (28-29), but rather polygyny is a practiced form of marriage in the majority of cultures around the world and is conducive both to stability in the social order and democracy.

In other words, polygyny cannot of necessity be held to cause unsavory political or social conditions no more so than can monogamy in itself be seen as "disruptive." Morally and socially disruptive activities—whatever they are—are brought on by the socio-religious and economic contingencies that are present in a particular society,

regardless of the number of wives, or husbands, in the family. Of course there are cases in which polygynous households are not successful, as I have found in my own studies of Mormon Fundamentalism (see *Women of Principle: An Analysis of Female Strategies in a Mormon Polygynous Community* [University of Utah Press, forthcoming]). Conflicts between individuals that are typical of monogamous relations, such as jealousy, competition, sex abuse, neglect, and economic inequality, often escalate when found in a polygynous household. But, again, polygyny is not the cause of these troubles.

Fox writes that the Supreme Court in *Reynolds*, and subsequently the Utah courts in *Potter*, made a poor case for preventing those who wish to practice plural marriage from doing so on this comparative basis. Which is more natural for reproductive success in contemporary industrialized cultures such as the United States, argues Fox, where single parent mothers and broken families outnumber the standard mommy-daddy-brother-sister nuclear family?

If one looks closely at the socio-cultural factors which affect the United States, writes Fox, one can see that the increase in female participation in the work force and the growth of commuter employment with modern transport seems to accommodate alterations in the traditional family. Dual-income families often must take their children to expensive, inadequate care centers, and then come home to a chaotic home environment that needs cleaning and management. Certainly the option of plural wives (or husbands, which Fox neglects to add), or for that matter "omnigamy" (everyone married to everyone) provides a

way for the modern family to survive.

Fox further suggests that in spite of the complexity of relationships and the relative "newness" of the Mormon polygynous experiment, there is no warrant for concluding that polygyny in and of itself is an undesirable form of marriage from the point of view of stability, satisfaction of the parties, responsibility to members, etc.:

Frequent divorce and remarriage, the separation of children from their parents, the multiplication of step relationships (responsible for many child abuse cases), the total breakdown of paternal responsibility (80 percent of divorced fathers at some time default on child support)—all suggest that our own institution of serial monogamy is in serious trouble, not its polygynous counterpart (36).

Further, any analysis of conflict, strain, and abuse in polygynous societies should also look at the same personality types associated with these conflicts and strains. Would certain types be any different in monogamous culture? Would some still be discontent, cruelly dominant, submissive, or abusive? What does the *Potter* case, and the others like it concerning reproductive rights and the law, tell us about the future state of the Mormon family? There is one study that I can think of which deals with high Mormon divorce rates (Christensen, "Stress Points in Mormon Family Culture," *Dialogue* 7/4), but few have dealt with the large number of single women, single mothers without husbands, and the extended family set-up where a newly-wed couple lives with either the wife's parents or the husband's parents. All of these are common forms of Mormon family units and

are not discussed in sacrament meeting or in Relief Society, at least in my ward. Most discussion of the eternal family unit is based on the "Leave It to Beaver" style family. Of particular importance is our understanding of the nature of divorce-and-remarriage type families. According to the statistics provided by Christensen, there are as many, if not more, cases of broken and subsequently patched-up marriage unions (a form of tandem polygyny or tandem polyandry, whichever may be the case) than there are cases of the Abrahamic model of family to which Mormons are taught to adhere.

In light of the fluxuated state of marriage and family in America, Fox argues, alternative forms of reproduction, marriage, and family are being selected for in order to better able to care for the basic needs of American individuals.

In short, Fox's analysis of the struggle between individual reproductive rights and legislation sheds light on the question of Mormon Fundamentalism and its place in "Zion." A question to which members of the Mormon culture should pay serious attention—especially in view of the serious flux of Fundamentalists in recent years. Already more than five families on average each month are baptized from the LDS church into one Fundamentalist sect alone. The number of practicing Mormon polygynists as a whole is estimated at 50,000 to 60,000 in the Intermountain States area. That is to say nothing of the large numbers of polygamists

(polyfidelity groups of all kinds) that live in California, Oregon, Canada, and various other parts of the West. Fox's discussion of reproductive rights implies a strong admonition: acknowledge polygyny as an accepted, practiced form of marriage in North America, and in doing so better serve the occupational, emotional, and health needs of individuals in such groups who are now considered "marginals." The law abolishing plural marriage is no longer relevant to the service of American justice, writes Fox. And, further, because so much of the legislation against polygyny originated from mainstream Mormon church prejudice of Fundamentalism, it may prove helpful for the Mormon culture to understand the exact nature of the far-reaching consequences of this law to the freedoms of others.

The only catch in Fox's absorbing discussion of reproductive rights and the law is that he fails to acknowledge the long-term legal and cultural ramifications of widespread polygyny, widespread surrogate motherhood, and lax rules on successive rights. He is a theorist, not a disciple of praxis. What is needed is a projection of the consequences of changes in the laws dealing with alternative family forms to better understand how these changes will affect individuals in small versus large communities, and in certain environments and not others. Can certain reproductive practices, such as polygyny, have a negative impact on the contemporary Mormon family over the space of several decades, for example? It merits careful thought.