

"real" ward with crying babies and nursing mothers, and he needs one or two visits to the Primary. Maybe then he would realize that the uniqueness of Mormonism's culture of salvation is not just how it deals with death. Pre-mortal existence and birth are as es-

sential to understanding Mormon salvation and exaltation as is death. Because he focuses only on death, he captures only half the story. In the end, however, this book is innovative and makes an important contribution to scholarship on Mormonism.

## Mormon Polygamy and the American Constitution

*The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth Century America*, by Sarah Barringer Gordon (Illinois Press, 2002), 337 pp.<sup>1</sup>

Reviewed by Kathleen Flake, Assistant Professor of American Religious History, Vanderbilt University.

*The Mormon Question* is a good book: smart, amusing and yet sensitive to pathos, full of new insights about an old subject—the clash of Mormon polygamy and American law. Sarah Barringer Gordon has taken the familiar one-sided story of a particular church's capitulation to the nation and shown the story's other side: the effect of the antipolygamy campaign on the nation—on all its churches and even its constitutional order. *The Mormon Question* portrays a period of watershed change in the constitutional world of American religion when the antebellum ordering of law and religion was abandoned for the order we know and take for granted today, a world of limited local sovereignty and federally regulated religious conduct. In short, Gordon has used the nineteenth century "Mormon Question" to demon-

strate the reciprocal influences of law and religion, doing so in a manner that helps us understand both better. In the process, she fulfills the book's introductory promise to discuss "religion, sexuality, slavery, moral relativism, freedom, consent, democracy, women's rights. . . [as well as] the relationship of political legitimacy to private strictures of governance and state control over marriage, as well as the moral meaning of religious liberty and separation of church and state" (p. 12).

The Latter-day Saints' half century of civil disobedience and their eventual domination by the federal government is central to the accepted narrative of Mormon history. Typically the story is told in terms of Protestant reform winners and Latter-day Saint losers, and, certainly, the juggernaut of successively more punitive anti-polygamy statutes between 1862 and 1887 seems to justify this conclusion. The effect of these statutory provisions on the Mormons has been analyzed by many historians. Gordon's singular contribution is to consider the effect of these coercive legal measures on the nation at large and religious liberty in general. Not

1. Portions of this review were given at the annual meeting of the American Academy of Religion, 2002.

just the Mormons, but their interlocutors as well, were forever changed by the constitutional conflict denominated "the Mormon Question."

Gordon shows that the reluctance with which Americans disestablished religion—itsself too seldom acknowledged in the literature—did not end with Massachusetts's disestablishment in the 1830s. Rather, religious establishment of both types—constitutional and common law—continued throughout the nineteenth century. She makes good use of state blasphemy cases to illustrate antebellum establishment of "general Christianity" to keep religious liberty from becoming moral license. Later in the century, the federal courts followed suit in incorporating "general Christianity" into the nation's constitutional order. Gordon exploits these and other legal resources to show the variety of restrictions placed upon religious difference before and after the Civil War. More importantly for students of religion, however, she makes the point that establishment of "general" or Protestant Christianity through court-applied common law enabled the faithful to support religious disestablishment on the state level. If governments were willing to enforce the substance of Christian belief, then churches did not need state power to do likewise. Thus, believing their theistic beliefs and moral values secured by the courts, the majority of Americans supported local disestablishment of their churches through state legislative action. Ms. Gordon's analysis is fundamental to an understanding how the "nation with the soul of a church" abandoned church rule—state by state.

Thus, *The Mormon Question* counters the common assumption that state disestablishment of religion was due to American love of liberty. Gordon argues instead that, in their zeal to vanquish polygamy in the mid-nineteenth century, the states ceded to the federal government their constitutional autonomy over religion. They invited federal definition of and control over permissible religious activity, which heretofore had been a local matter. This was necessary because, as Ms. Gordon shows, the Latter-day Saints framed their defense of religiously based "plural marriage" on constitutional grounds. Before Utahans could be coerced out of their marriage practices, the constitutional system that left both religion and marriage subject only to local majorities had to be changed. And changed it was. Again, comfortable that their beliefs were common to the law, "general" Christians agreed to give up their local control over the law. As Gordon puts it: "the uniform conclusion for all the states that polygamy was a crime provided antipolygamists with the mandate for constructing and then enforcing a new kind of federal control. . . [that] eviscerated the tradition of localism" (p. 225). Thus, the effect of the anti-polygamy movement's use of federal power to "eviscerate" Utah's local sovereignty was not, in the end, limited to Utah. Rather, prior to any explicit interpretation requiring first amendment disestablishment by the states, the religiously inspired antipolygamy movement abandoned the right of religion to local political power and enlisted federal power to regulate matters of religious conscience and practice.

While I agree with Gordon that

Protestantism's embrace of federal authority to control one religion has proved to be a slippery slope for all American religions, it seems to me that the slide began much earlier than the antipolygamy campaign. Do not its American roots, as opposed to Reformation and Enlightenment roots, lie in the first amendment itself, which subordinated church to state, making the duty of citizens to the state superior to the believer's to the church? Only with the shift in the pre-Civil War balance of state and federal authority does this become obvious through the post-Civil War anti-polygamy campaign. I should say, of course, that this is obvious only in retrospect. *The Mormon Question* details the naiveté of the Protestant reformers who facilitated a constitutional order which, it seems to me, leaves not merely the marginalized but also, and more likely, the mainstream descendants of nineteenth-century evangelicalism feeling oppressed by federal reg-

ulation of their religious activities and beliefs, such as public prayer and creation science. Meanwhile, the Mormons remain an oligarchy, if not a "Kingdom," in the West, with considerable local autonomy over non-religious matters and the ability to use federal authority over religious matters to stymie "general Christianity," as one of their members recently did in a complaint to the Supreme Court over school prayer.<sup>2</sup> As mentioned, the ironies in and suggested by this book are legion.

Scholars of American religion assume religious disestablishment exacted no cost except to minority traditions or so-called "New Religious Movements." But good books inspire good questions, and Gordon's is no exception. *The Mormon Question* invites us to consider what is "free" about American religion: who is free, and when? And, finally, to ask a question we are scarcely able to conceive: what was the cost to religion of religious disestablishment?

## A Landmark in Mormon Thought

Blake T. Ostler, *Exploring Mormon Thought, Volume I: The Attributes of God*. (Salt Lake City: Gregg Kofford Books, 2002), 485 pp.

Reviewed by James McLachlan, Professor of Philosophy and Religion, Western Carolina University.

It is difficult to make comparisons between previous works in LDS philosophy and theology and Blake Ostler's *Exploring Mormon Thought:*

*The Attributes of God*. This is the first volume in a projected trilogy that will include a second volume on the problems of theism and a third that will leave the mode of analytic philosophy and take a more phenomenological approach to Mormon thought. One could easily say that this is the most important book in Mormon philosophy of religion since Sterling McMurrin's *Theological Foundations of the Mormon Religion*, or one could say that it is the most speculative Mormon theol-

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2. See *Santa Fe Independent School District v. Doe*, 530 U.S. 290 (2000).