

2017

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Brent M. Rogers

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UNPOPULAR SOVEREIGNTY

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Unpopular Sovereignty

*Mormons and the Federal
Management of Early Utah
Territory*

BRENT M. ROGERS

UNIVERSITY OF NEBRASKA PRESS
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Portions of chapter 1 originally appeared as “‘Armed men are coming from the state of Missouri’: Federalism, Interstate Affairs, and Joseph Smith’s Final Attempt to Secure Federal Intervention in Nauvoo,” in *Journal of the Illinois State Historical Society* 109, no. 2 (Summer 2016): 148–79.

Portions of chapters 3, 4, and 5 originally appeared as “A ‘distinction between Mormons and Americans’: Mormon Indian Missionaries, Federal Indian Policy, and the Utah War,” in *Utah Historical Quarterly* 82, no. 4 (Fall 2014): 250–71. This article won the 2015 Arrington-Prucha Prize from the Western History Association.

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Library of Congress Cataloging-in-Publication Data

Names: Rogers, Brent M., author.

Title: Unpopular sovereignty: Mormons and the federal management of early Utah Territory / Brent M. Rogers.

Description: Lincoln; London: University of Nebraska Press, [2017] | Includes bibliographical references and index.

Identifiers: LCCN 2016012916 (print) | LCCN 2016013989

(ebook) | ISBN 9780803276772 (cloth: alk. paper) |

ISBN 9780803295858 (pbk.: alk. paper) | ISBN

9780803296442 (epub) | ISBN 9780803296459 (mobi) |

ISBN 9780803296466 (pdf)

Subjects: LCSH: Representative government and representation—Utah—History—19th century. | Utah—History—19th century. | United States—Territories and possessions—Politics and government. | Religion and politics—Utah—History—19th century. | Mormon Church—History—19th century. | Church of Jesus Christ of Latter-day Saints—History—19th century.

Classification: LCC JK8490.R64 2017 (print) | LCC JK8490 (ebook) | DDC 979.2/02—dc23

LC record available at <http://lccn.loc.gov/2016012916>

Set in Minion Pro by Westchester Publishing Services.

*For Ashley, Keagan, Makinsey, and Braxton
and
In loving memory of Eugene Ahlstrom and
Elmerae Rogers, my grandfathers*

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ACKNOWLEDGMENTS

I have long been fascinated by reading the “Acknowledgments” section of historical monographs. I am always amazed at the number of people that help shape an individual scholar’s thinking in bringing a book to fruition. Now having gone through the process of researching, writing, and editing a historical monograph, I see just how many people truly shaped the course of this book. Though my name graces the cover and any success or pitfalls of the work ultimately fall to me, I wish to express my gratitude to those individuals and institutions that supported and influenced me in the process.

This book was once a dissertation, but before I could reach that stage I received some great advice in my pursuit of knowledge. While working on a Master’s degree in public history, Lee M. A. Simpson and Joseph Pitti at California State University, Sacramento, strongly encouraged me to pursue a PhD. For their instruction and push to continue my education, I will always be grateful. The faculty in the Department of History at the University of Nebraska–Lincoln provided me numerous opportunities to engage in the work and practice of history while I pursued a doctoral degree. Many thanks go to the committee who steered me through the dissertation process. William G. Thomas, Jeannette E. Jones, Timothy R. Mahoney, and Kenneth Price were all incredibly generous with their insights, incisive comments, and careful readings of my work. Douglas Seefeldt guided my doctoral education before he moved on to Ball State University and

continues to be my advocate. It is always enjoyable and enlightening to talk with Doug, but especially fun to discuss the latest Buffalo Bill work. Thanks, Doug, for everything! Though not on my dissertation committee, Peter Maslowski, James Le Sueur, Andrew R. Graybill, and Margaret D. Jacobs taught me much about history, writing, and life. John R. Wunder deserves a special recognition. He was a phenomenal mentor to me since I arrived in Lincoln, and he continues to be a source of wisdom and friendship.

Many individuals read this book at various stages. The following deserve special recognition and my appreciation for their thoughtful attention to my work: Nicole Etcheson, W. Paul Reeve, Brian Q. Cannon, Christopher Childers, Matthew C. Godfrey, Matthew J. Grow, Spencer W. McBride, Jenny Reeder, David Grua, Holly George, Mark Ellis, Andrea Radke-Moss, Thomas G. Alexander, Todd M. Kerstetter, Margaret D. Jacobs, and Barbara Berglund. I deeply respect all of these scholars and cannot thank them enough for the time and effort they gave in offering astute suggestions to strengthen this book. Other scholars including Will Bagley, William P. MacKinnon, Richard E. Turley Jr., Reid L. Neilson, Lisa Olsen Tait, Ardis Parshall, Ronald W. Walker, and Tonia M. Compton generously shared sources and were influential in both encouraging and challenging me as I researched and wrote this book. Brandon Plewe and his students, especially DJ Herr, Austen McCleary, Parker Summers, and Allison Erickson, performed excellent cartographic work and produced the fine overview map found herein. Bridget Barry and the staff at the University of Nebraska Press also deserve many thanks and much praise. Bridget supported this work at its earliest stages and shepherded it in a marvelous way. I am deeply grateful for her always timely edits and counsel, and for our mutual fanaticism of Nebraska football, even in these down times.

Several other entities and individuals helped make this book possible. Since joining the Joseph Smith Papers Project, I have received generous support from the project's management and Editorial Board to pursue my research and writing interests. I could not have com-

pleted the writing and editing without the gift of time given to me by them, and for that I express deep gratitude. Generous research and publication grants from the Charles Redd Center for Western Studies at Brigham Young University, the Center for Great Plains Studies at the University of Nebraska–Lincoln, and the LDS Church History Department provided essential funds to research and to complete this work. In addition, a Warren F. and Edith R. Day Dissertation Fellowship from the University of Nebraska–Lincoln’s Office of Graduate Studies allowed me to travel to Washington DC to research in federal repositories so crucial for this study.

I am also extremely thankful to the many helpful librarians and archivists who assisted my research, particularly those at the University of Nebraska’s Love Library, Brigham Young University’s L. Tom Perry Special Collections, the California State Library, Duke University’s Rare Book, Manuscript, and Special Collections Library, the Kansas Historical Society, the LDS Church History Library (especially Jeffrey G. Cannon, who helped track down photographs for this book), the Library of Congress, the National Archives and Records Administration (especially Rod Ross at the Center for Legislative Archives), the Nebraska State Historical Society, Stanford University’s Special Collections, the University of Chicago’s Special Collections, the University of Michigan’s William L. Clements Library, the University of Utah’s J. Willard Marriott Library Special Collections, and the Utah State Historical Society.

I have made numerous acquaintances and a few good friends along the way, and I wish to thank a few of them. From my days at San Diego State when my passion for engaging in the historian’s craft emerged, and even before that, Tyler Rhodes and his family, Bryan Healea and his family, Derek Dahlkamp and his family, David Gasaway and his family, and Dustin Hale supported me in numerous ways. You all are deeply embedded in my history and I will forever cherish our common past. In graduate school and beyond I have had the good fortune of developing new friendships with Brenden Rensink,

Jason Heppler, Andrew Hedges, Gerrit Dirkmaat, Christian Heimburger, Elizabeth Kuehn, Nathan Waite, and Leslie Sherman. Thank you for some good conversations and some even better adventures. I would also be remiss if I did not offer an acknowledgment of thanks to the McDonalds in Centerville, Utah, for providing work space, copious amounts of Coca-Cola, and the world's best fries, all of which sustained many hours of work on this book. For any I have neglected to mention, I am truly sorry.

I am certain that I can never express enough gratitude to my family. Steven Rogers, Pamela Ahlstrom, Brad and Alyce Rogers, Brandice and Jasen Herr, Ellen Ahlstrom-Reichoff, Becky Rogers, and Tim, Shelley, Ashley, and Austin Heesacker have loved and supported me throughout my life. I love you all. Tim and Denise Tiner, Dustin and Kerri Tiner, Cassidy and Michael Lundberg, Karlie and Neza Prieto, Travis and MacKenzie Tiner, Jim and Kay Tiner, and Dale and Julee Hunter have offered constant encouragement and a variety of other supports. Thank you all.

I am humbled by the privilege that I have had to research and write this history and hope that my research and interpretations can help others better understand the events and ideas presented in this book. But in the end, this book would never have been possible without four very special people. Words cannot express how much I love and how much I owe to the remarkable Ashley Rogers. Ashley has been an unwavering source of inspiration and strength and always the voice of reassurance and praise when she knew I needed it. I am privileged to be her companion and am eternally grateful to her. Ash, I know I will never be able to make up for the time spent on this book, but maybe now I will take you on that vacation you've always wanted. Maybe. The greatest joys in my life are my children, Keagan, Makinsey, and Braxton. I thank them for their unending and unfailing love, energy, and smiles. You three enrich my life more than you will know. For your many sacrifices I dedicate this book and my life to you, my beloved family.

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Introduction

At its creation in 1850, and for the remainder of that antebellum decade, Utah Territory was a contested place. A cohesive settler group—members of the Church of Jesus Christ of Latter-day Saints (LDS), better known as Mormons—sought to establish and maintain their own sovereign space in the Great Basin.¹ The Mormons simultaneously attempted to subsume indigenous peoples’ sovereignty under their control and competed with U.S. federal officials who were responsible for expanding American national sovereignty to new territories. The ways in which those contests played out had ramifications on the national political stage. In particular, Latter-day Saint leaders and the U.S. federal government implemented policies, often in reciprocal relationship to one another, to manage sovereignty, especially the 1850s version of “popular sovereignty.”

Popular sovereignty emerged as a concept in the American Revolution. It was the idea that the entire body of people, not just a single ruler, could exercise the sovereign will of the nation through a written constitution that granted and guided the legitimate exercise of government authority. Once the people created the government, it could and would enforce the people’s will.² The interpretation of popular sovereignty transformed following the acquisition of Mexican lands in 1848. As the nation expanded even farther west, so too did sectional tensions over slavery’s expansion into new lands. Northern Democrats, particularly Lewis Cass of Michigan and Stephen A. Douglas of Illinois, offered



MAP 1. Map of the West, 1849–1861, with the proposed Mormon state of Deseret and federal surveying and exploration routes to and through Utah. Produced by DJ Herr, Austen McCleary, and Parker Summers, Think Spatial, Brigham Young University Geography Department.

a middle-of-the-road approach to quell the potentially incendiary problems brought by slavery’s growth in the West. They proposed popular sovereignty, called squatter sovereignty by its detractors, as the solution. This new Democratic adaptation allowed the people of newly created territories the opportunity to decide their local domestic institutions for themselves, outside of congressional or presidential influence. The political philosophy of territorial self-government was thus meant as a singular answer to the question of slavery extension, but the language and rhetoric surrounding it and the people impacted by it invited unintended multiplicity.

By removing the slavery question from the deliberations of the federal government, the entity constitutionally responsible for deciding the fate of domestic institutions in the territories, the proponents of

popular sovereignty sought to remove the slavery question from national political discourse and make it a local decision. Much to the contrary of this expectation, the political doctrine ultimately put the territorial issue at the center of national politics and public discourse. Utah Territory, though historically overlooked, emerged as a key battleground and hotbed of antebellum debate over popular sovereignty.³ Utah presented a different problem for popular sovereignty as Mormons in that territory employed the concept to protect and govern themselves. Local governance generally and another domestic institution—plural marriage—drew Utah into the national political discourse, especially in the aftermath of the passage of the Kansas-Nebraska Act in 1854.

The Kansas-Nebraska Act applied the same formula of popular sovereignty to Kansas and Nebraska Territories that the Compromise of 1850 introduced into the organic acts of Utah and New Mexico Territories. The 1854 act opened up two new expansive territories to white settlement and the potential creation of new slave states by allowing the people to choose for themselves whether to permit slavery. It had nearly unanimous support in the South and tepid support from northern Democrats. However, Missouri senator Thomas Hart Benton, like Alexander Stephens and many others of the era, did not think that popular sovereignty applied to territories, which were properly minors or wards of the federal government because they had not proven their readiness for republican self-government.⁴ Problems with popular sovereignty and slavery extension arose in Kansas as the mechanisms of voting and enacting popular will failed to peacefully materialize.⁵ The Kansas experience turned violent and revealed major flaws in the philosophy of local self-determination on slavery. In the end, the Kansas-Nebraska Act did not bring to the South additional slaveholding territory. Instead, the violent physical troubles and political liabilities created by “Bleeding Kansas” and the federal government’s role in that territory left southerners feeling even more embittered and distrustful that northern politicians would block slavery’s growth.⁶ Furthermore, the fallout from the Kansas-Nebraska Act helped spur the creation of a

new, major political party—the Republican Party—that opposed the extension of slavery and the allowance of plural marriage in the territories, and advocated greater federal control over territorial decision-making.

“Bleeding Kansas” became a symbol of sectional controversy, but it was not the sole locus of national debate over popular sovereignty. Utah Territory and the Mormon question also symbolized growing disillusionment with popular sovereignty and the fear of stimulating further sectional agitation. The fighting over slavery in Kansas and the 1857 Utah War individually and collectively signaled the failure of popular sovereignty to bring to the nation a guiding principle of territorial governance that its proponents had hoped would maintain national unity on the slavery question. While this book does not seek to offer a comparative analysis of Kansas and Utah, it does endeavor to demonstrate the complexities of sovereignty in the antebellum American territorial system using Utah as a case study while pointing to Kansas and the comparable histories of other territories when appropriate as signposts of the broader national context. The Utah and Kansas examples in particular demonstrate the interplay and reverberations of western events on politics in the nation’s capital. The federal government behaved differently in each territory, thus demonstrating its dynamism and variability, though its responses to its western territories proved the volatility of the popular sovereignty philosophy and its own authority in the West. These western histories also reveal the imperfect nature of territorial government and the exercise of power in the American federal system of divided, or shared, sovereignty. Western events, including those west of Kansas, played a significant role in the political debates that ended popular sovereignty and that drove the nation farther down the road to disunion.

Though its originators wanted it to be, popular sovereignty was not a singular political philosophy. It was multifaceted in its meanings and implications; it meant different things to different people. This variety is showcased in the federal government’s relationship with Utah

Territory, proving that there was at least one domestic institution beyond slavery that popular sovereignty had to address. There were, in effect, multiple popular sovereignties. The Democratic Party's doctrine could not be the all-encompassing answer for all territorial matters when it was designed to answer the singular, though seemingly ubiquitous, question of slavery expansion. Debate over and federal action in Utah eliminated popular sovereignty as a middle ground for political maneuvering around territorial debates and accelerated political polarization on the topic, thereby demonstrating that the political concept could not accommodate multiple and competing sovereignties. Ultimately, popular sovereignty in Utah illustrated the contingent, contested, and unstable nature of local sovereignty at the conjunction of state formation and territorial management and reminded the nation of the doctrine's fatal flaw: that territories were not states, but were wards of the federal government, and local decisions in those geopolitical entities were subject to federal oversight.

The question of sovereignty—or determining who possessed and could exercise governing, legal, social, and even cultural power—is at the crux of Utah Territory's early history. At its core, it is a history of establishing, asserting, and maintaining such powers. This book will investigate the complex relationship between sovereignty and territory along three main currents in Utah: the implementation of a republican form of government; the administration of Indian policy that managed interactions between Native peoples and non-Natives; and the performance of gender and familial relations pertaining to marriage. Though these three currents could be looked at separately, they were, in many ways, interrelated. Each of them informed national discourse and public perception that led to federal decision-making while simultaneously influencing events that played out on the ground in Utah. In this way, this book will demonstrate the interplay between the sovereignty battle that occurred on the ground and its impact on national political discourse to provide a deeper understanding of popular sovereignty and territorial governance from the late 1840s to 1862.

As early as 1780, Thomas Jefferson encouraged the growth of the United States as an “empire for liberty,” founded on liberalism, free men, private property, and republican government.⁷ In 1809, he restated this belief to James Madison when he wrote, “No constitution was ever before so well calculated as ours for extensive empire.”⁸ Jefferson envisioned American empire in the form of an expansive polity of affiliated self-governing states, unified through the federal government. He recognized settlers as having foundational entitlement to autonomous sovereignty as long as those settler populations could operate within constitutional boundaries. Through popular sovereignty, or local, settler political independence, Jefferson imagined the growth of the United States as an “empire for liberty.”⁹ The key here, however, was for local populations in conquered lands or settlers moving to those places of acquisition to extend, and not compete with, federal order. Indeed, the concept and understanding of sovereignty were fluid for antebellum Americans.

In the dual sovereignty established in the U.S. Constitution, sovereign states shared supremacy with the federal government. From this shared supremacy developed the idea and practice of local self-determination. This guaranteed to the people of each state the right to determine laws and domestic institutions that served the constituents’ best interests outside of congressional interference. However, complications emerged with the acquisition of new territory and the introduction of greater numbers of immigrants and minority peoples into the Union. New territories were designed to be extensions of American national sovereignty and jurisdiction, and not necessarily the sovereign political space of the local population. The Constitution authorized the acquisition of new territory and out of the new lands permitted the development and addition of new states, as long as the people in those geopolitical entities operated a republican form of government.¹⁰

In the mid-nineteenth century, the United States acquired land in the West as a result of the Louisiana Purchase, the U.S.-Mexico War, and other land acquisitions, making the United States a transconti-

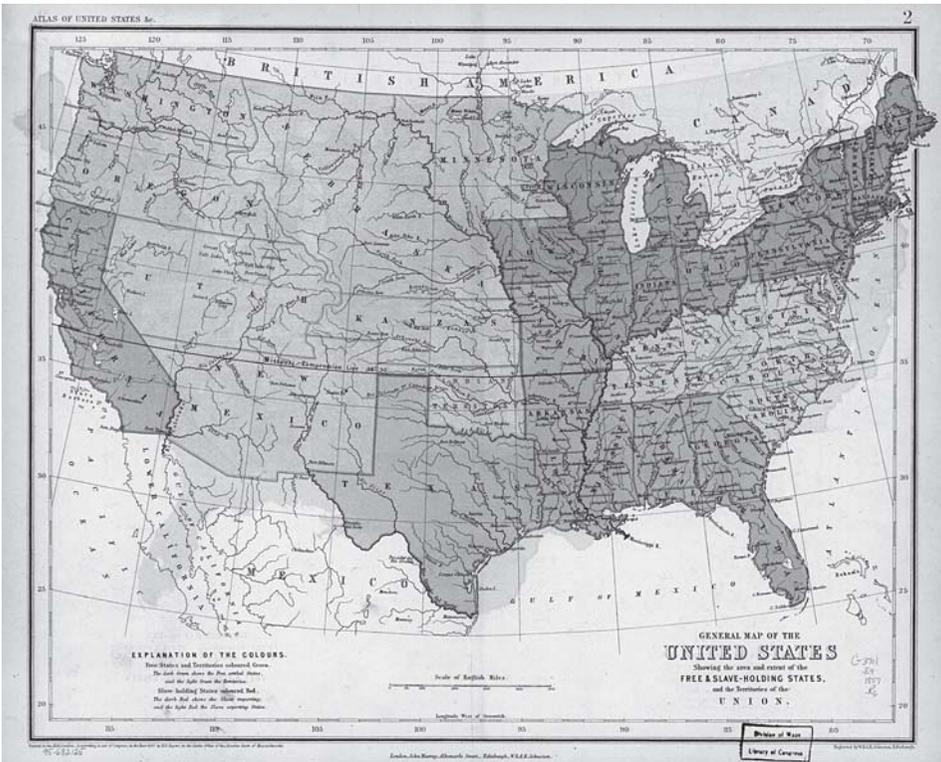


FIG. 1. General map of the United States, showing the free and slaveholding states and the territories of the Union, by Henry D. Rogers, 1857. Courtesy of the Library of Congress, Geography and Map Division.

mental nation. By 1854, the trans-Missouri West consisted of the state of California and seven territories: Indian, Kansas, Nebraska, New Mexico, Oregon, Utah, and Washington. In 1857, Secretary of War John B. Floyd described the vast region. Floyd wrote, “From our western frontier of settlements to those of northern Oregon the distance is about 1,800 miles; from the same frontier to the settlements of California, *via* Salt Lake, is 1,800 miles; from the frontier of Arkansas, at Fort Smith, by Albuquerque or Santa Fé, to Fort Tejon, is about 1,700 miles; and from San Antonio, by El Paso, to San Diego, near the borders of the white settlements, is 1,400 miles; constituting an

aggregate line of 6,700 miles which ought to be occupied.”¹¹ In essence, Floyd’s description highlighted a major problem for the federal government: the entity responsible for exercising sovereign control over this immense space had almost no presence. The 1850s marked the first time that the square mileage of territories exceeded that of the states. In other words, the proportion of territory in the United States shifted, outweighing the land mass of states. Under the Constitution, then, the management of these lands and the people therein fell to the federal government, which was responsible to fully incorporate the western lands and peoples into the growing “empire for liberty,” making the Mormon presence in Utah and the protean concept of sovereignty in the territorial system all the more significant.

In order to follow Jefferson’s dream of expansion, the federal government needed to fill these lands with loyal white settlers. Loyal settlers and federal appointees, ideally, introduced American republican governance as well as legal and cultural institutions for the diverse groups of peoples residing in those territories to emulate as a condition for the transference of sovereign capacity.¹² Federal officials would instruct the people of the territories and transform them in the American image of good, republican citizens. Territories held a different legal status from the sovereign states in that they were directly subject to congressional and presidential power and decision-making. Territories were subsidiary units of power that emanated from and remained subordinate to the national sovereignty. The perceptions of those in the federal government and in the eastern United States often determined the loyalty of the new western population. Language, religion, race relations, government form, and the structure of the family and marriage had all influenced perceptions in Congress and the eastern states about conquered peoples in new territories and whether they would owe allegiance to the Union.¹³ Expansion was testing the permanence of the nation and the loyalty of western inhabitants to the federal union.

In 1846, the Mormons left the boundaries of the United States in search of a place where they could exercise their own religiously directed sovereignty. Having previously contemplated going to the contested Oregon country or attaching themselves to Texas, by 1847 they settled near the southeastern shore of the Great Salt Lake, a place they expected to make *their* country, *their* own cradle of liberty.¹⁴ The Mormon community claimed sovereignty over that land, to exercise power to make laws, and to manage their own affairs free from outside interference. From that time and for the next decade, Mormons jealously guarded their autonomy while their inclinations toward and ties to the United States were ambiguous at best.

When the United States conquered the Mexican territory in which the Mormons then resided, the Mormons maintained their belief in their sovereign right to the land. Though they had come to understand the realities of the American political system and made various efforts to work within it, the Mormons nevertheless remained determined to exercise sovereignty to protect themselves and their rights. Professing their sovereign rights because of their status as the first whites to settle the Great Basin, Latter-day Saints held that the local lawmaking capacity of their church was “the real seat of government.”¹⁵ The Mormon view of proper government maintained dependence on religious authority and divine direction in civil affairs, which opposed and competed with the nation’s secular vesting of sovereign authority to a pluralistic people.

Regarding the Mormons’ move and their self-governing capacity, John Taylor, then an elder of the LDS church, stated, “The first thing we did when we came to this land was to organize a government for our protection, which was according to the pattern set us by our neighbors—Oregon. . . . We came out here because we were disenfranchised, exiled, robbed of our rights as American citizens, and forced to wander in the wilderness to seek among the savages of the forest that freedom denied us by Christianity.”¹⁶ For the Mormons, according

to Taylor, it was the “Kingdom of God or Nothing.”¹⁷ Taylor explained what that meant. The male priesthood hierarchy of the LDS church governed the people. Taylor verified that the Kingdom of God was “both Church and State, to rule both temporally and spiritually. . . . Because the Kingdom of God is higher and its laws are so much more exalted than those of any other nation, that it is the easiest thing in life for a servant of God to keep any of their laws.” That is why, he claimed, the Latter-day Saints could faithfully adhere to both the Kingdom of God and to the Constitution of the United States.¹⁸ The Mormons were something of a contradiction in that way as they established the independent state of Deseret in the Great Basin. They believed themselves commissioned to prepare the world for a millennial reign when the heavenly and earthly kingdoms of God would be joined. Until then, they sought to make those two kingdoms work in concert in a theocratic government, according to their understanding of the laws of heaven and earth. In addition, Mormon leader Brigham Young organized a colonization effort to establish towns and outposts at various locations from San Bernardino, California, to Oregon Territory. These locations were to establish a Mormon sphere of influence in the region. All the while, the Mormons, under the auspices of religious proselytizing, attempted to subsume Native American sovereignty under their own governing system. The Latter-day Saints had established arguably the strongest government in the West to date and had a vision different for its sovereign space than did the rest of America. Mormon sovereignty thus was tangible and preceded the United States in the Great Basin.

Having heard the many public denunciations of theocracy as anti-republican for several years, Brigham Young—Utah Territory’s civil governor, superintendent of Indian affairs, and the religious leader of the Church of Jesus Christ of Latter-day Saints—gave a public speech in September 1857 that described his understanding of republican government. “A Republican Government consists in letting the people rule by their united voice,” Young declared, “without a dissension; in

learning what is for the best and unitedly doing it. This is true Republicanism.”¹⁹ In this speech, Young described why he believed theocracy was the ideal form of republican government. To know God’s will, he explained, meant to do and choose right. The people, then, would choose to exercise God’s will. This 1857 view mirrored what Young and other Mormon leaders discussed in the Nauvoo, Illinois, Council of Fifty some thirteen years earlier. At a 5 April 1844 meeting of that entity, Young asserted, “Revelations must govern. The voice of God shall be the voice of the people. . . . Republicanism is, to enjoy every thing there is in heaven, earth or hell to be enjoyed, and not infringe upon the rights of another.”²⁰ In 1844, as in 1857, the Mormon leader sought to govern his people according to religious dictates in order to protect their rights and any others who were not receiving the full blessings of American liberty. In this way, Young and by extension the Mormon people saw no apparent contradiction between republicanism and theocracy. Young even suggested that a theocratic government was in every sense of the word “a republican government, and differs but little in form from our National, State, and Territorial Governments.” Young also used the idea of theocracy as an example of shared sovereignty between God and the people; he spoke against the growing American democratic sense that the *vox populi* was the *vox Dei*.²¹ Republicanism was the common ideology of the American people; individualism the hallmark of American character. Mormonism in Utah Territory was neither republican nor individual. It was characterized by a centralized authority, a hierarchy leading a highly unified people that extended religious and familial ideologies into temporal and governmental affairs.

What was seen as true republicanism to Mormons was seen as tyrannical by other Americans suffused in the political culture of democracy. The Mormons’ combining of church and state, which was inherent in its operation of a theocratic form of government, made it nearly impossible for the federal government to trust their loyalty.²² The fear of the LDS church’s power over the civil government came from a similar

nativist strain in antebellum America that voiced ardent opposition to immigrants and Catholics, whose perceived social practices placed loyalty to the church and Pope above allegiance to republican notions of civic governance. Americans, including the Know-Nothings and Republicans, believed Catholics were a threat to and subverters of American republicanism.²³ When Americans differed with each other politically, it was often over their perceptions of what most threatened the survival of republicanism, and Americans almost universally viewed Mormons as a dire threat to republicanism in the West.²⁴

At the same time Americans balked at Mormon political organization, federal officials recoiled at reports that the Mormons controlled the local Native population and that they violated federal Indian policies. The rapid expansion of the Mormons in the Great Basin precipitated a dramatic shift in power relations among the region's Indian nations and for the federal government.²⁵ LDS church leaders set up their own complex Indian policy that was ultimately meant to facilitate the expansion of Mormon influence in the region but that also wrought sovereign dispossession to Native communities. As it pertained to Indian affairs, the Mormons waged their sovereignty battle on two fronts. One was local. They had invaded indigenous homelands, and though they tried to develop mutually beneficial relationships with the inhabitants based in their proselytizing program, Mormons ultimately sought to subsume Native sovereignty in their own efforts to be a self-governing people. The other front was national. Indian affairs was a primary site of struggle in the federal government's efforts to exercise sovereign authority over new territories. Non-Mormon federal officials and the press perceived the Mormons' Indian policy as an attempted Mormon-Indian alliance against the United States and the rest of white America. Mormons battled that perception. Still, the perceived threat of the Mormons' Indian policy raised new questions about sovereignty and governmental control in Utah.

From the federal side, the most egregious Mormon policy toward the Native population was the practice of sending missionaries to work

with them and educate them in the LDS religion. “We know but little,” Commissioner of Indian Affairs Luke Lea reported in November 1850, “of the Indians in Utah, beyond the fact that they are generally peaceable in their disposition and easily controlled.”²⁶ However, in a critical development, one that encouraged conflict in Utah, it was the Mormons, not the federal government, that were perceived to “easily control” the Great Basin Indians. Federal Indian agents, U.S. Army officers, and eventually the president believed that the Mormons in Utah wielded too much power over Indian affairs. In 1855, Army officer Sylvester Mowry echoed the sentiments of Colonel Edward J. Steptoe, who was his superior, and federal Indian agent Garland Hurt, when he reported, “Utah Indians . . . had been taught that the Mormons were a superior people to the Americans, and that the Americans were the natural enemies of the Indians, while the Mormons were their friends and allies.”²⁷ The Mormons, in fact, did not and could not control the region’s Native peoples. Still, the many indigenous groups of the Great Basin added to the multiplicity of contested sovereignties in Utah as they navigated the changing situation according to their own best interests and in their efforts to maintain autonomy and self-determination. Native peoples, in the triangular relationships they formed and the information they passed to both Mormons and federal authorities, emerge as essential agents in the history of sovereignty in Utah Territory in the 1850s. The administration of federal Indian policy in the territory loomed large in the discussion over whether Mormons were fit to govern and figured prominently in the ultimate decision to send the army to Utah to enforce Indian policy and diminish Mormon sovereignty in this key arena.

In addition to the contest over Indian affairs, the male struggle over marriage and female sexuality is equally important to understanding the contest over sovereignty in Utah. The Mormon plural marriage system, and the nonrepublican form of government that protected it, became national news in the context of the Kansas-Nebraska Act with its focus on popular sovereignty and even more so in the presidential

election of 1856 when the Republican Party introduced the territorial issue of the “Twin Relics of Barbarism” that equated the evils of the existence of slavery and polygamy in the western territories. In Utah in the 1850s, plural marriage, or the marriage of one man to more than one woman, was the preferred marriage system over monogamy, which existed as the national norm. The Mormons had an alternative familial model according to American standards, though their polygamist practices were not yet illegal in the territories. Americans generally abhorred plural marriage and considered it a disgusting practice that blighted the established monogamous family model, which undergirded American society and government. Middle-class moralists preached the doctrine of sexual restraint and the majority public opinion of the era seemed to hold this view, particularly in condemning the Mormon practice of plural marriage as indulgent, unrestrained, and generally full of inordinate lust. Plural marriage in the West made Mormons public enemies.

The non-Mormon outsider viewed Mormon women as white slaves and Mormon men as vicious patriarchs, while the insider Mormon perspective held up plural marriage as a religious principle protected by the Free Exercise clause of the Constitution. Mormons, like Catholics, considered marriage a religious rite rather than a civil one, and they governed the institution through ecclesiastical rules first established in 1843. Conflicts over plural marriage with non-Mormons presented another challenge to Mormon sovereignty and further encouraged federal interference in the territory.²⁸

What made these issues of republicanism, Indian affairs, and marriage in Utah especially important was the growing and increasingly polarizing question of popular sovereignty. When it came to supporting the antebellum political doctrine of popular sovereignty, particularly when it provided hope for protecting plural marriage, Mormons resembled southerners in their opportunistic support of the Democratic political doctrine. Mormons viewed popular sovereignty as a useful tool and adopted its principles because it served their needs and

desires concerning their marriage and political practice, just as southern slaveholders viewed it as a way to promote the protection and ultimate expansion of slavery. After 1856 and the issuance of the Republican Party platform that tied the Mormon familial model together with concerns of the expansion of slavery in the territories, the Utah case becomes all the more important, as it offers a fresh look at how Americans and the federal government dealt with the other “twin relic of barbarism.”

Plural marriage became the key sticking point for Mormon self-determination efforts, especially during and following the Civil War and the passage of federal legislation prohibiting the practice. The 1862 Morrill Anti-Bigamy Act codified federal control over marriage in the territories but simultaneously shifted the focus almost entirely to the contest between the federal government and Mormons over marital structure. Congress required Utah’s state constitution to prohibit polygamy for the transference of sovereignty and admission to the Union, which did not come until 1896.

Federal interventions in the nineteenth-century West—within the borders of the United States—focused on extending dominion over racial and exotic “others,” or those groups whose identity appeared to be the antithesis of the mainstream group’s identity.²⁹ The Mormons in the Great Basin were among the “new and different peoples,” who were constructed as “others.”³⁰ In the 1840s and especially in the 1850s, Mormons were seen as subversive, antirepublican, hostile, and lascivious people. While the Mormons projected an image of themselves as self-governing arbiters of true republicanism, non-Mormons viewed with suspicion the Mormon theocratic form of governance, their policies toward Native Americans, and their plural marriage family structure, which appeared more characteristic of “oriental despots” than of Americans. The construction of this identity for Mormons made them too different to be able to govern themselves as proper Americans. In other words, Americans viewed Mormons as unpopu-

lar candidates for popular sovereignty. While American public rhetoric remained relatively constant in its perception of Mormons, the Latter-day Saints' portrayal of Americans shifted. They aligned themselves with the image of good, republican ideals when it best suited their needs and as a persecuted people in search of independent sovereignty contingent upon political changes, proximity of federal officers, and army movements. Each group's discursive constructions of difference were meant to create cultural and political distance.

Sovereign capacity in the American federal system was based in perception, and there were social, cultural, political, and familial differences that informed the American perception of Mormons. In the antebellum United States, as in continental Europe, technological advances created a publication explosion that brought with it one of the highest literacy rates in the world. Americans experienced and engaged political and cultural trends by reading books, newspapers, pamphlets, or government reports. Such texts highlight the contemporary ideas about the extremes and norms of political expression; sovereignty emerged as a keyword in the nation's vocabulary.³¹ By examining public discourse in newspapers, government reports, congressional debates, and other textual documents on Utah affairs and then placing the findings in a broader context of debates over popular sovereignty and expansion, it is possible to understand the contested and unstable nature of sovereignty in Utah and in nineteenth-century American political thought. Private discourse in the form of personal papers, letters, and journals also provides understanding of how events on the ground influenced broader perceptions and how the context of antebellum politics and territorial policies influenced individuals and their actions.

In the mid-nineteenth century, the genuine public fear of Mormons and the possibility of their establishing a new sovereign order in the West demanded action by the federal government. Rhetorical modes emerged that convinced the public that Mormons were not fit to exercise sovereignty in an American territory. The press's perception of the

Mormons fed national fears of usurpation of sovereignty, tyranny, foreign invasion, societal disorder, and violence in the Great Basin, leading many to conclude that Mormons deserved army surveillance and restructuring of their government and society. Anti-Mormon diatribes rationalized and even validated political and martial action against the Mormons and the dismantling of their local sovereignty. Such rhetoric was part of the many processes that coincided to cause the federal government to take action to control the Mormons in the West.

Approximately four months before Brigham Young's September 1857 speech and declaration of martial law that proved Mormon resolve to maintain local sovereignty, President James Buchanan, a Democrat, and his cabinet had already concluded that the civil authorities in Utah did not operate a republican government or uphold federal law and had tampered with the local indigenous population against the interest of the federal government. In a move to shift sovereign control to the federal government and better manage the vast western territory, the Buchanan administration sent a large contingent of the U.S. Army to Utah in May 1857. This move initiated a lengthy and inexact process of establishing and maintaining American sovereignty over the Great Basin West.

Buchanan chose to willingly use the legal power given to him by federal law to initiate what was officially called the Utah Expedition but popularly referred to as the Utah War.³² The Utah War involved two opposing systems, each of which attempted to outmaneuver the other. It was an organized armed intervention with the stated goal of restoring and maintaining "the sovereignty of the Constitution and laws over the Territory of Utah."³³ The Buchanan administration moved to mitigate Mormon sovereignty and ensure that republicanism, not theocracy, would reign in the West. The federal government made a powerful effort to subsume Mormon sovereignty, just as the Mormons had attempted to do to the indigenous peoples upon their arrival in the Great Basin. The establishment of two military forts and other important federal infrastructure in Utah occurred with the

arrival of the army. These forts helped consolidate the United States' sovereignty in the West as the federal government contested, with some temporary success, Mormon control over local and territorial institutions. During the Utah War, Congress debated popular sovereignty and the raising of more troops to send to Utah, and in those debates, new questions emerged about the actual power of the federal government in the territories.

The relationship that the federal government had with the territories of the West first began to take shape in the 1850s. The Utah episode offers a look at the struggle to extend federal power over a strong and independent people. The alternative sovereignty espoused by the Mormons forced President Buchanan to exercise federal control over the political, cultural, and bureaucratic affairs of a strong, cohesive settler community in a move that clarified the relationship of the federal government to its territories.

Buchanan's move had important consequences for national political discourse as it further tainted his party's policy of territorial popular sovereignty. Buchanan's government, though supportive of states' rights and local popular sovereignty, used powers enumerated in federal laws, including Indian policies, to demonstrate the supremacy of federal authority at the expense of the political realities of popular sovereignty to secure its hold on the Great Basin lands and to demonstrate that a territory was indeed an extension of American national sovereignty.³⁴

By legislating against and advancing control over a Mormon sovereignty that protected plural marriage in Utah Territory, the federal government signaled to the rest of the country that it, especially with the ascendancy of the Republican Party, could wreak havoc on southern interests for slavery's expansion as well. The prospect of federal or congressional proscription of slavery expansion had long been a fear of southerners and often split Americans along sectional lines, and the growing specter of the Republican Party's control of the federal government brought that fear closer to reality. In other words, the federal

government's relationship with Utah revealed a major flaw in the popular sovereignty doctrine. Democrats could not have it both ways. They could not advocate for federal noninterference in local territorial decision-making when it came to slavery expansion and then pursue strong federal action against a local population's domestic institution of marriage without creating a backlash and the possibility of future federal action against the other peculiar institution of slavery.

Democrats eventually squirmed internally at what was seen as a gross reversal of their central political principle when questioned by the press and their political foes. Republicans, including Abraham Lincoln, employed the Utah War as a foil for the Democratic doctrine of popular sovereignty, using it to expose and imperil the political concept as a situation-based, ad hoc sham. The doctrine of popular sovereignty had stood as a middle ground against northern demands for congressional exclusion of slavery, and southerners' insistence on federal noninterference in the territories. However, direct federal actions in the western territories, like the Utah War, shattered the illusion of popular sovereignty and gave rise to greater federal power in the West.

Utah was testing the durability and limits of American sovereignty as much as any other geopolitical entity of the 1850s, and it took the threat of force to negotiate the parameters of that territory's relationship with the United States. Managing sovereignty in Utah proved to be explosive and far reaching in its consequences, as debates over the propriety of governmental efforts to police the Mormons both undermined the singularity of popular sovereignty and helped to lay a foundation for the government's use of force to rein in and reconstruct the South during and after the Civil War and in the later Indian wars in the West.