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10-1-1962

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### Recommended Citation

Melville, J. Keith (1962) "The Reflections of Brigham Young on the Nature of Man and the State," *BYU Studies Quarterly*. Vol. 4 : Iss. 3 , Article 7.

Available at: <https://scholarsarchive.byu.edu/byusq/vol4/iss3/7>

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# *The Reflections of Brigham Young on the Nature of Man and the State*

J. KEITH MELVILLE

## *Free Agency*

"The religious consciousness asserts both the sovereignty of God and the freedom of man," according to Donald MacKenzie; and he added: "It is the task of theology to furnish a *Weltanschauung* consistent with both these positions."<sup>1</sup> The nature of man and his relationship to God are fundamental to the theologian. The nature of man and his relationship to society are basic to the political theorist.

Brigham Young's homilies lacked the sophistication of a philosophical terminology; nevertheless his homely ideas constituted a *Weltansicht* which was not restricted by limits of time nor space. Man's mortal nature, free agency included, was important to Brigham Young in terms of immortality; *tempus* was only a small portion of a linear *aeternitas*.

Brigham Young pictured life as a vision of a stream of water which appears to flow out of a cloud and disappears in another. Man is born, passes along a linear road of time, and dies. The bounds of man's existence appear to be birth and death; but, like the stream, the clouds block an eternal perspective. Brigham Young asked the question: "When was there a beginning?" And he answered: "There never was one; if there was, there will be an end; but there never was a beginning, and hence there will never be an end: that looks like eternity."<sup>2</sup> Parting the clouds which bound mortality, Brigham Young viewed man as a being organized of element designed to endure eternally.<sup>3</sup> He said: "We are all in eternity, . . . it is boundless, . . . and we have never been out of it. Time is a cer-

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<sup>1</sup>Donald Mackenzie, "Free Will," *Encyclopaedia of Religion and Ethics*, ed. James Hastings (New York: Charles Scribner's Sons, 1925-27), Vol. VI, pp. 124-127.

<sup>2</sup>Brigham Young, *Journal of Discourses*, II (June 3, 1855), 307.

<sup>3</sup>*Ibid.*, III (June 15, 1856), 356.

tain portion of eternity allotted to the existence of these mortal bodies. . . ."<sup>4</sup>

The pre-mortal existence is a period of organization, growth, and purposeful development. "Our spirits are born of our Parents in heaven, divine, heavenly, angelic," explained Brigham Young.<sup>5</sup> This organization of the spirits from the "intelligence" which is co-eternal with God is for the express purpose of exaltation, to become "Gods, like himself. . . ."<sup>6</sup> The spirits have a degree of free agency, "a certain degree of light, and enjoy a certain glory . . . ,"<sup>7</sup> but full independence of action requires a trial of faith, a probation period of mortality, a knowledge of good and evil commensurate with the knowledge of God.

Brigham Young explained that in the deliberations in the "Council of Heaven" Lucifer, the son of the Morning, proposed a coercive salvation and desired to usurp the honor of God. Christ countered with a proposal which allowed man the independence of choice or free agency and acknowledged the glory of God. Rebellion resulted. Lucifer and one-third of the spirits in heaven intended for this earth "were cast down to the earth. . . ."<sup>8</sup> The enmity and conflict between Satan and Christ were transferred to the earthly setting as the panorama of man's earth life unfolds.

Rejecting the Augustinian notions of Original Sin and Grace, Brigham Young, in the last analysis, reduced Adam's transgression to nothing more than the beginning of mortality. Mortality, because of Lucifer's dominion over the earth, brought with it sin, temptation, weakness, trials, and ultimately "death by sin."<sup>9</sup> This mortal death was anticipated and planned for in the atonement of Christ, bringing to man immortality and eternal life. Rather than frustrating the purpose of life, mortality, with its accompanying death of the flesh, provides the necessary probation for man to prove his worthiness of exaltation.

The intricate unity of a pure spirit from the heavens and the devilish mortal body results in an ambivalence. This warfare

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<sup>4</sup>*Ibid.*, II (October 23, 1853), 8.

<sup>5</sup>*Ibid.*, IX (July 28, 1861), 139.

<sup>6</sup>*Ibid.*, III (August 8, 1852), 93.

<sup>7</sup>*Ibid.*, I (July 10, 1853), 351.

<sup>8</sup>*Ibid.*, V (July 19, 1857), 55.

<sup>9</sup>*Ibid.*, IX (January 5, 1860), 103.

within man, which Paul considered, is also identified with the warfare in the universe in which man is placed. Brigham Young said: "God gave Lucifer power, influence, mastery, and rule, to a certain extent, to control the life pertaining to the elements composing the body, and the spirit which God places in the body becomes intimately connected with it, and is of course more or less affected by it."<sup>10</sup> However, Brigham Young, in a Pelagian way, rejected the idea of total depravity.<sup>11</sup> The spirit is not naturally subjected to the power of Satan; rather, it has an affinity to the Spirit of God. As Satan has power over the flesh, God has influence with the spirit of man. These opposite inclinations are not equally balanced. Brigham Young said: "I am satisfied that he [man] is more inclined to do right than to do wrong. There is a greater power within him to shun evil and perform good, than to do the opposite."<sup>12</sup> He added that "it was never designed that he [man] should naturally do and love evil."<sup>13</sup> This is amplified by the following statement of Brigham Young: "In every man there is a candle of the Lord which burns with a clear light; and if by the wickedness of man it is extinguished, then farewell for ever to that individual."<sup>14</sup>

Brigham Young believed that man is sovereign over his own actions; yet he did not rule out the omnipotence of God.<sup>15</sup> He recognized the possibility of divine intervention, such as the religious experience of Paul, but believed the ultimate decisions of life affecting man's eternal destiny are to be left to man. This idea was so important to Brigham Young as he conceived the purpose of this mortal existence that he said that "the consent of the creature must be obtained before the Creator can rule perfectly."<sup>16</sup> Explaining this with eternal perspective, Brigham Young said: "Man is made an agent to himself before his God; he is organized for the express purpose, that he may become like his master. . . . The Lord has organized mankind for the purpose of increasing in that intelligence and truth . . . until he is capable of creating worlds on worlds, and

<sup>10</sup>*Ibid.*, III (March 23, 1856), 277.

<sup>11</sup>*Ibid.*, III (February 17, 1856), 207; IX (March 23, 1862), 246.

<sup>12</sup>*Ibid.*, IX (March 23, 1862), 247.

<sup>13</sup>*Ibid.*, IX (June 15, 1862), 305.

<sup>14</sup>*Ibid.*, IX (January 5, 1860), 104.

<sup>15</sup>*Ibid.*, I (April 9, 1852), 49.

<sup>16</sup>*Ibid.*, XV (August 18, 1872), 134.

becoming Gods, even the sons of God."<sup>17</sup> Believing that "the power of choice all intelligent beings inherit from the Gods of eternity . . . is innate,"<sup>18</sup> Brigham Young concluded: "If you have a blank ticket for the theatre, you may fill it up for the boxes, or the gallery, or the pit just as you please. Your lives must fill the blank, and if you would fill it for one of the best seats in the kingdom, you must live accordingly."<sup>19</sup>

Disagreeing with Socrates and Plato, Brigham Young believed sin was a result of more than just ignorance. Man's power to choose evil, which would ultimately result in his destruction, was part of the plan of life and consistent with the principle of free agency. To express how man could follow a path of life which would end in death, Brigham Young used Jeremiah's analogy of the potter and his clay.<sup>20</sup> Brigham Young said that if the clay continues to mar in the Great Potter's hand, He will cut it from the wheel of life and throw it back into the native element. The second death, or the death of the spirit, is a result of man's decisions to follow the enticement of His Satanic Majesty.

Mortal life has certain eschatological implications which were vital in Brigham Young's mind, though hardly approaching the intensity of the Medieval attitude. Man's conscious actions on earth are intimately connected with the post-mortal existence:

Now understand, to choose life is to choose principles that will lead you to an eternal increase, and nothing short of them will produce life in the resurrection for the faithful. Those that choose death, make choice of the path which leads to the end of their organization. The one leads to endless increase and progression, the other to the destruction of the organized being, ending in its entire decomposition into the particles that the compose the native elements.<sup>21</sup>

Brigham Young held some determinist views in that he acknowledged that man is conditioned by his environment, traditions, teachings, and laws which circumscribe and limit, to a degree, his free agency.<sup>22</sup> He also felt that man can dispose

<sup>17</sup>*Ibid.*, III (August 8, 1852), 93.

<sup>18</sup>*Ibid.*, IX (January 5, 1860), 105.

<sup>19</sup>*Ibid.*, IV (March 15, 1857), 289.

<sup>20</sup>Jeremiah, 18:1-10.

<sup>21</sup>Young, *op. cit.*, I (July 10, 1853), 351.

<sup>22</sup>*Ibid.*, I (September 11, 1853), 74. See also, *ibid.*, III (July 14, 1855), 267; III (August 8, 1852), 80-96.

of his agency through iniquity; when man arrives at a position of total subjection to Satan, he cannot regain his independence.<sup>23</sup> Complete independence of action is an attribute of deity, and only those most valiant during their probation on earth who will be crowned as gods in the Celestial Kingdom will be unfettered.<sup>24</sup>

Mormonism discovered in the individual a god in embryo: a being whose essence is progression and whose eternal existence as an intelligence demands freedom.<sup>25</sup> The compatible aspects of frontier individualism, the "social Darwinism" of the post-Civil War era, or even the transcendentalism of Thoreau or Emerson with the Mormon conception of man were ignored; man was directed toward the community, not because of any supposed organic nature of society, but because of Mormon notions of a literal brotherhood of man and a mundane social experience vital to man's eternal progression. Man's free agency, as conceived by Brigham Young in a moral and religious context primarily, overflows into the area of individual rights in relation to the state and to society. All of man's actions, however, are enveloped in an all pervading "cosmic jurisprudence" which emanates from God and yet binds Him within its natural laws.<sup>26</sup>

### *Natural Rights and Slavery*

Gaylon Loray Caldwell concluded in his study of Mormon conceptions of individual rights that two significant contributions of Mormonism were its "inquiry into the nature of *Man* in a century that doubted his existence," and its "substitution of a theologically-rooted philosophy of history as a basis for a doctrine of individual rights, in a place of a conception of natural law that, when divorced from the Stoic pantheism

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<sup>23</sup>*Ibid.*, IX (July 13, 1862), 314.

<sup>24</sup>*Ibid.*, XIX (June 17, 1877), 41.

<sup>25</sup>"Man was also in the beginning with God. Intelligence, or the light of truth, was not created or made, neither indeed can be. All truth is independent in that sphere in which God has placed it, to act for itself, as all intelligence also; otherwise there is no existence. Behold, here is the agency of man . . . ." *Doctrine and Covenants*, 93:29-31.

<sup>26</sup>This apparent paradox which is developed without apology by Brigham Young may be explained in his patriarchal concept of deity. Eternity precludes pushing God or the system back to a beginning.

which gave it consistency, could not withstand repeated critical analyses."<sup>27</sup>

Free agency and individual rights were intertwined in the mind of Brigham Young. He asked: "What is the foundation of the rights of man?" His answer followed: "The Lord Almighty has organized man for the express purpose of becoming an independent being like unto Himself, and has given him his individual agency."<sup>28</sup> Man, "endowed with a certain portion of divine intelligence," requires a condition of freedom and independence in order to achieve fulfillment of the purpose of his existence. "When God organized intelligent beings, he organized them as independent beings to a certain extent, as he is himself."<sup>29</sup> Then Brigham Young added: "All intelligent beings are also endowed with certain inalienable rights, privileges, and powers inherent in them."<sup>30</sup> God indeed not only clothes man with free agency between good and evil but is also the source of a body of individual rights, which Brigham Young considered fundamental to man's existence.

If Grotius "kicked God upstairs" and later theorists chose to keep God there, Brigham Young was not at all reluctant to re-introduce Him into the affairs of man as the source of man's rights. Yet Brigham Young included in one of his discourses an explanation of man's rights relative to God and said that "he too has rights," as though there is a cosmic body of law which in turn consigned to God certain privileges, but within limits.<sup>31</sup> In 1870 Brigham Young unreservedly bound God within a system of law, which is indicative of Brigham Young's notions of a "truth," a heavenly system, which is universally applicable:

Well, I will say that our religion is nothing more nor less than the true order of heaven—the system of laws by which the Gods and the angels are governed. Are they governed by law? Certainly. There is no being in all the eternities but

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<sup>27</sup>Gaylon Loray Caldwell, "Mormon Conceptions of Individual Rights and Political Obligation" (Unpublished Ph.D. dissertation, Stanford University, 1952), chap. XII. Caldwell's authority for his generalization on the nineteenth century conception of man is Carl Becker, *The Declaration of Independence* (New York: Alfred A. Knopf, 1942), p. 279 where he writes: "Generally speaking, the nineteenth century doubted the existence of Man. Men it knew, and nations, but not Man."

<sup>28</sup>Young, *op. cit.*, II (July 8, 1855), 313.

<sup>29</sup>*Ibid.*, VI (December 27, 1857), 146.

<sup>30</sup>*Ibid.*

<sup>31</sup>*Ibid.*, X (June 25, 1864), 333.

what is governed by law. Who is it who desires to have liberty and no law? . . . There must be law, order, rules and regulations; there must be a system of government . . . and they will endure and truth will prevail, and we need not be afraid as to the result.<sup>32</sup>

Rather than accepting the secularization of natural law as a body of law emerging from human nature, Brigham Young visualized a universal system of laws permeating the infinite celestial cosmos. God grants to man his individual rights, but they are in harmony with the cosmic laws which govern God also.

Christ said: "Know the truth, and the truth shall make you free."<sup>33</sup> Man has the responsibility of discovering "truth," which holds man's independence sacrosanct, then applying its principles to his earthly institutions. Brigham Young believed that this had been accomplished, at least partially, in the Constitution of the United States which he held to be a divinely inspired document.<sup>34</sup> With more of an Austinian flavor than might be expected, Brigham Young usually couched his references to individual rights as constitutional rights. The cosmic basis remained, but the practical application in the activities of man's earthly associations as found in a more positive statement such as the Constitution appealed to Brigham Young. Not that he clearly distinguished between legal and moral rights, but as he ticked off the inalienable rights of man as he conceived them, they were drawn from those in the Constitution and generally referred to as such.

It is to be expected that Brigham Young considered liberty of conscience and freedom of religious worship the most basic of all individual rights. Others, such as freedom of speech, freedom of economic pursuits, rights of property and person, right of assembly, and so on were from time to time mentioned in his discourses, but they did not have the intensity of importance in man's salvation as freedom of religious worship. Brigham Young said: "Whether our religion is believed by any other people or not, it is by us, and no power or authority in the government can lawfully or righteously molest us in the peaceable and quiet enjoyment thereof. It cannot be done with-

<sup>32</sup>*Ibid.*, XIV (July 3, 1870), 280, 281.

<sup>33</sup>St. John, 8:32.

<sup>34</sup>Young, *op. cit.*, II (February 18, 1855), 175.



out law, and surely the government have no right to make any law concerning it, or to prevent the free exercise thereof."<sup>35</sup>

He recognized that the state might legislate against the religious worship of the saints, which happened in the federal Anti-bigamy law of 1862, but if so it would be unrighteous and illegal.<sup>36</sup> The ideal political institution would have righteous men in government who would be amenable to the revealed word of God. Brigham Young, as the Prophet, Seer and Revelator for the Church, stamped action of the government as unconstitutional as though he should be the final authority, and in light of his views a certain consistency emerges in his attitude. Earthly laws should conform to the eternal laws of the cosmos.

Brigham Young distinguished sharply between liberty and license. He considered laws, both divine and human, basic to a good society. His guide to freedom and liberty was similar to that of John Stuart Mill: the rights of one individual should not infringe on the rights of another. Honesty puts limits to freedom of religious worship. An employee should not take time out from his work to pray. He said: "There are circumstances in which it would be right to restrict a person even in prayer and worship. . . . Men should not be permitted to do as they please in all things; for there are rules regulating all good societies. . . ."<sup>37</sup>

Brigham Young accepted Negro slavery as a constitutionally sanctioned institution until the adoption of the Civil War Amendments, following which his discourses were void of slavery references. Apparently he did not concern himself with reconciling "constitutional and equal rights" with his views that the "slave must serve," and this condition cannot be altered until God decrees otherwise. In 1856 he referred to both polygamy and slavery and said: "It is not the prerogative of the President of the United States to meddle with this matter, and Congress is not allowed, according to the Constitution, to legislate upon it."<sup>38</sup> But in 1863, Brigham Young said the following:

<sup>35</sup>*Ibid.*, II (February 18, 1855), 177.

<sup>36</sup>David G. Ritchie, *Natural Rights* (London: Swan Sonnenschein, 1895), p. 203, found the treatment of the Mormons definitive proof that rights do not exist apart from the will of state. See also J. S. Mill, *On Liberty* (Oxford: Basil Blackwell, 1947), pp. 82, 83, on the Mormons and individual rights.

<sup>37</sup>Young, *op. cit.*, XII (January 12, 1868), 152, 153.

<sup>38</sup>*Ibid.*, IV (August 31, 1856), 39.

If the Government of the United States, in Congress assembled, had the right to pass an anti-polygamy bill, they had also the right to pass a law that slaves should not be abused as they have been; they had also a right to make a law that negroes should be used like human beings, and not worse than dumb brutes.<sup>39</sup>

The second statement was more of a justification for polygamy, however, than a reversal of his earlier position on the constitutionality of slavery.

Brigham Young said, "I am neither an abolitionist nor a pro-slavery man. If I could have been influenced by private injury to choose one side in preference to the other, I should certainly be against the pro-slavery side of the question. . . ." <sup>40</sup> From the human position he pragmatically accepted the constitutional justification of slavery. He also justified Negro servitude as a penalty resulting from the violation of the cosmic system of law. He believed that the curse began with Cain because Cain denied Abel his earthly posterity. Instead of killing Cain, the Lord placed a mark on him and his posterity, withholding the priesthood from the Negroes until "all the other descendants of Adam have received the promises and enjoyed the blessings of the Priesthood and blessings thereof."<sup>41</sup> This curse was perpetuated through the lineage of Ham into the post-diluvian period, and Brigham Young accepted the additional curse of Ham's posterity to be the "servants of servants" until God decrees otherwise. The Civil War would not alter this condition because it was decreed by Almighty. "Can you destroy the decrees of the Almighty? You cannot."<sup>42</sup>

Even though Brigham Young held little immediate hope for improvement in the conditions of the Negro, he held humane views toward them. He considered all humanity the literal offspring of God. The Negro had a soul which was precious in the sight of the Lord, and his master should treat him kindly while at the same time the Negro should serve faithfully. "The conduct of the whites towards the slaves will, in many cases, send both slave and master to hell. The blacks should be used like servants, and not like brutes, but they must serve."<sup>43</sup> Converts to the Church from the slave areas were admonished to

<sup>39</sup>*Ibid.*, X (March 8, 1863), 110, 111.

<sup>40</sup>Young, *loc. cit.*

<sup>41</sup>*Ibid.*, VII (October 9, 1859), 290, 291; II (December 3, 1854), 141-144.

<sup>42</sup>*Ibid.*, X (October 6, 1863), 250.

<sup>43</sup>*Ibid.*, II (February 18, 1855), 184.

allow the slaves to choose their own status. The slave could remain with his master in Utah or if he elected to leave him, the master was urged to let him go with his blessings.

An act passed by the Territorial Legislature and approved by Governor Young on March 7, 1852, legalized Indian slavery in Utah.<sup>44</sup> Contrary to the *prima facie* implication of such a measure, the provision was designed to alleviate the practice of selling Indian women and children to Mexican traders, or as in times of war and famine abandoning those who were a liability. The period of indenture was not to exceed twenty years, and during this time the indentured Indian was to be adequately clothed and fed and even educated until the age of sixteen. Richard F. Burton confirmed the intent and practice of this action when he said: "Slavery has been legalized in Utah, but solely for the purpose of inducing the Saints to buy children, who otherwise would be abandoned or destroyed by their starving parents."<sup>45</sup> The legislation comported well with Brigham Young's policy of treating the Indians kindly and allowing to all humanity the greatest measure of freedom and independence within the bounds of law—human or cosmic.

### *The Right of Revolution*

As the Stoic ideas of natural law could be used to justify obedience to the state or revolution, the cosmic law basis of individual rights conceived by Brigham Young carried with it dual attributes. Brigham Young frequently said his religion was first and foremost with him. He said that whatever his earthly governing position might be, governor, president, or king, "all shall bow to that eternal Priesthood which God has bestowed upon me."<sup>46</sup> However, it did not necessarily follow that overt action should be taken even if a conflict between his two allegiances occurred. Yet the belief in a "higher law" afforded Brigham Young justification for revolution.

Brigham Young believed the American Revolution to be divinely sanctioned and justified in order to further the eternal purposes of man. He said, "We consider that the men in the Revolution were inspired, by the Almighty, to throw off the shackles of the mother government, with her established re-

<sup>44</sup>*Acts . . . of the Territory of Utah*, pp. 171-174.

<sup>45</sup>Richard F. Burton, *The City of the Saints, and Across the Rocky Mountains to California* (New York: Harper & Bros., 1862), p. 243.

<sup>46</sup>Young, *op. cit.*, II (February 18, 1855), 188.

ligion, . . . to bring to pass the purposes of God, in thus establishing a new government upon a principle of greater freedom, a basis of self-government allowing the free exercise of religious worship."<sup>47</sup> At this point at least, Brigham Young did not undertake to identify moral with legal rights for the paradoxical purpose of establishing a legal right of rebellion.

Brigham Young believed religious worship and individual freedom, within limits, are cosmically inviolable; revolution is morally justified when these rights are in jeopardy. He said that any time anyone tried to force him to do anything contrary to his will he rebelled. He concluded that man has an indomitable will which is naturally opposed to tyranny.

When men are infringed upon in their rights and tyrannized over, they are prone to rise in their might and declare, "We will do as we please, and will let you know that we will have the ruling of our own rights and dispositions." Tryannical power may possess the ability to behead them, hang them, or sentence them to prison; but resolute men will have their will.<sup>48</sup>

Not only is it the nature of man to resist oppression, but it is his obligation to take overt action. As the United States became more involved in the slavery issue in the 1850's, Brigham Young asked if there were any temporal means which would save the nation from the "vortex of ruin" into which he believed it was rapidly going. The therapy of Brigham Young was peaceful revolution. He said: "Let the people rise en masse to lay the foundation of a wholesome, independent, free, Democratic (as the people call it), Republican government—a government which, if carried out, will be perfect in itself."<sup>49</sup> If the people should find that they have not been successful in selecting upright men for office the people should arise and hurl the sycophants from office. He said, "Let the people make a whip, if not of good tough raw hide, of small cords at least, and walk into the temple of the nation, and cleanse it thoroughly out, and put the men who will legislate for their good, instead of gambling away their money. . . ."<sup>50</sup> Even though these expressions were used figuratively, Brigham Young believed that God had a hand in all governments, and

<sup>47</sup>*Ibid.*, p. 170.

<sup>48</sup>*Ibid.*, VI (June 19, 1859), 332.

<sup>49</sup>*Ibid.*, VII (July 4, 1854), 11.

<sup>50</sup>*Ibid.*

when the government rules tyrannically, the rights of the people are abused, and moral issues are involved, the people are justified in resistance.<sup>51</sup>

Brigham Young believed such a condition had arisen in the debacle known as the Utah War. In this crisis he believed that the rights of his people were at stake, and he concluded resistance of the United States forces was justified. He attempted to justify this resistance on legal grounds. Setting himself up as the final authority on constitutionality, he concluded that the United States force was an unconstitutional mob coming to deny the Latter-day Saints their rights as citizens under the Constitution. He said, "I will desolate this whole Territory before I will again submit to the hellish corruption and bondage the wicked are striving to thrust upon us solely for our exercising our right of freedom of conscience."<sup>52</sup> Prior to this Brigham Young had spoken openly against certain governmental officials whom he considered to be morally contaminating to the community and said: I claim this as a right, as a Constitutional right; I believe it is legal to exercise all the power and influence which God has given be for the preservation of virtue, truth, and holiness."<sup>53</sup> It was in the spirit of this utterance that Brigham Young resisted Johnston's Army.

Brigham Young rode at once the constitutional horse and the cosmic horse to justify his active disobedience to the will of the United States government. His discourses toyed with the idea that possibly this was the moment the Lord desired the "thread to be cut," and the saints should accept this situation and begin immediately to function as the Kingdom of God. However, he said he wanted to know the will of God in the matter. He would fight or run as determined by God. It appeared to be the will of God to fight, and Brigham Young justified war if the cause were moral. But it also was the will of God, apparently, once peace was struck, to continue the evolutionary, not revolutionary, path toward the ideal political institution, the Kingdom of God.

The federal-Mormon controversy over polygamy found Brigham Young engaged in a passive resistance to the United States. Polygamy was a religious tenet to the Mormons. It was

<sup>51</sup>*Ibid.*, II (February 18, 1855), 179-191.

<sup>52</sup>*Ibid.*, V (September 6, 1857), 211.

<sup>53</sup>*Ibid.*, II (February 18, 1855), 175, 176.

odious to many members of Congress and the populace in the United States generally. Brigham Young's position as the conflict grew was based on the constitutional right of religious worship. He considered the Anti-bigamy Law of 1862 unconstitutional. He said that the saints were justified in ignoring the Law of 1862 and that "the anti-polygamy law has yet to be tested, as to its constitutionality by the courts which have jurisdiction."<sup>54</sup> Although refusing to comply with the law on polygamy, he did pursue a lawful challenge of it through the courts. This action was indicative of his usual attitudes of obedience to the state. He constantly professed that the Constitution and the laws of the United States were good—his complaint was with the "damned rascals" who administered the laws.

At this nexus in Brigham Young's life and ideas he leaves the overt action to God. He said, "I will just say to the nation in which I live, and which gave me birth: The Lord God Almighty has a controversy with you and he will bring you to judgment, and no power can hinder it. It is the decree of the Almighty in the heavens, and will be so."<sup>55</sup> This passivity had earlier been expressed when the Latter-day Saints were subjected to the mob activities in Illinois. At that time Brigham Young recorded in his journal: "I said in relation to the mob burning houses, I was willing they should do so, until the surrounding counties should be convinced that we were not aggressors, peradventure they may conclude to maintain the supremacy of the law by putting down mob violence and bringing offenders to justice."<sup>56</sup> Brigham Young's faith in law, even human law, counterbalanced his ideas on revolution. He believed that somehow the maladministrations, the injustices, the corruption would be handled by God and all would eventually arrive at the bar of justice with God administering equitably the eternal laws of a cosmic jurisprudence and ultimate justice realized.

<sup>54</sup>*Ibid.*, XI (August 19, 1866), 269, 270.

<sup>55</sup>*Ibid.*, XIV (June 25, 1871), 156.

<sup>56</sup>Joseph Smith, Jr., *History of the Church*, Vol. VII, p. 443.