George Q. Cannon's Views on Church and State

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GEORGE Q. CANNON'S VIEWS ON CHURCH AND STATE

A Thesis

Presented to the

Department of Political Science

Brigham Young University

In Partial Fulfillment
of the Requirements for the Degree

Master of Arts

by

Lyndon Watson Cook

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This thesis, by Lyndon Watson Cook, is accepted in its present form by the Department of Political Science of Brigham Young University as satisfying the thesis requirement for the degree of Master of Arts.

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TABLE OF CONTENTS

Chapter

I. INTRODUCTION ................................................. 1

II. GEORGE Q. CANNON ........................................... 4

III. THE FIRST AMENDMENT. ....................................... 25

The Establishment Clause. ...................................... 25
The Free Exercise Clause. ...................................... 34

IV. PUBLIC ETHICS. ................................................ 40

Revelation: Divine Law Morality. .............................. 40
Majority Rule: Social Moral Law. .............................. 47
Malum in Se vs. Malum Prohibitum. ......................... 51

V. OBLIGATION ..................................................... 54

Political Obligation. ........................................... 54
Civil Disobedience. ............................................ 62

VI. THE STATE AND THE KINGDOM OF GOD .................... 67

Temporal Kingdoms ............................................ 67
The Political Kingdom ........................................ 70

VII. SUMMARY AND CONCLUSIONS. ............................... 78

BIBLIOGRAPHY .................................................. 85
CHAPTER ONE

INTRODUCTION

George Q. Cannon's tremendous religious and political influence in Utah, particularly during the last quarter of the nineteenth century, has received much attention by Mormon and non-Mormon historian alike. ¹ Such was his power that many of Cannon's non-Mormon contemporaries considered him the real head of the Mormon Church for many years. ² Mormon leaders, including Brigham Young, also admitted this prominence. ³ Commenting in 1888 on George Q. Cannon's talent and resourcefulness, Church President Wilford Woodruff stated that he had "the biggest brain and the best mind of any man in the Kingdom, without exception." ⁴ Cannon's greatness was obviously due in part to his natural ability to excel at nearly every task assigned to him. But also, in the eyes of the Mormon people, Cannon's greatness resulted from the fact that his sermons and writings personified


²Ibid.


⁴Abraham H. Cannon Journal (February 22, 1888), Brigham Young University Archives.
the views of both Joseph Smith and Brigham Young, being perhaps the most serious student of their lives and thought.

A unique Mormon personality, George Q. Cannon was both conversant with and a participant in the more militant positions of the Mormon Church in Nauvoo and Utah, as well as being measurably influential in changing the attitude of the Church to one of cooperation with the national government, especially during the 1890's. In Cannon one may see the explanation and justification of both points of view.

Although Cannon's prominence has elicited at least four graduate studies to date, many of his social, political, and economic ideas warrant further scholarly attention. While one previous study has drawn from Cannon's political thought, no attempt has ever been made to formulate a comprehensive picture of his political ideas on any one subject. It is in light of this deficiency that the writer has desired to evaluate a particular aspect of George Q. Cannon's political thought, namely, his views on church and state.

The writer has relied heavily on Cannon's numerous editorials published in The Juvenile Instructor, The Deseret News, and The Millennial Star, as well as his many sermons, primarily those found in the Journal of Discourses. Although George Q. Cannon's private journals for the 1870-1890 period are unavailable

5"The Church" will be used in this study to mean the Mormon Church.
for examination, it is reasonably certain that his views on church and state can be accurately represented by the sources used in this study.
CHAPTER TWO

GEORGE Q. CANNON

George Quayle Cannon, the eldest son of George and Ann Quayle Cannon, was born January 11, 1827, at Liverpool, England.¹

George's father and mother, both natives of Peel, Isle of Man, were described as having "a wealth of uprightness, honesty, integrity, probity and Christian devotion which made them respected and esteemed in the community where they dwelt."²

In January 1840, John Taylor and Wilford Woodruff, two ardent followers of Joseph Smith, landed in Liverpool as LDS missionaries to the British Isles. Taylor, young George's uncle, soon was successful in converting the entire Cannon household to Mormonism, baptizing thirteen-year-old George on 18 June 1840.³

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¹George Q. Cannon adopted his mother's maiden name, Quayle, not at birth, but in 1849 to avoid confusion with another George Cannon in California. See The Church News (January 14, 1967), p. 7.


³Flake, p. 17.
George Q. believed his uncle's testimony as soon as he heard it. He later explained:

Did you ask how I got my testimony of the truth of Mormonism? Why, I never got one . . . . The reason why I received none was because I did not have to get one. It was born with me. Since I first heard the Gospel or Mormonism as it is called, I have always known it to be true. It seemed part of my very nature. 4

As John Taylor used the Cannon home as his headquarters in Liverpool, George Q. quickly became acquainted with most of the Mormon missionaries. This close association kindled a desire in young George to teach the gospel too. He observed that on one occasion when his boyhood friends were discussing their future occupations—his only desire was to be "an elder in the Church of Jesus Christ of Latter-day Saints. That was my highest ambition; that was my strongest desire." 5

Almost immediately after the Cannon family was converted, a fervent desire came to each member of the family to gather with the Saints in America. In order to make the trip possible, the family would have to "live parsimoniously" to save sufficient money to pay their passage to Zion. 6 George Q. felt it his duty to quit school and take a job to help save money. While his


5George Q. Cannon, Address to the Brigham Young Academy, Provo, Utah (April, 1899), cited in Flake, p. 19.

parents objected to his leaving his studies, George Q. argued that education was more a product of inner desire than of formal schooling. As Cannon was a "strong-willed boy and possessed of an uncanny ability to persuade, he left school and found work in a shipping office." 

After several months of waiting and careful saving the Cannons finally set sail for America on 17 September 1842, aboard The Sidney, a small sailing vessel. The passage was slow and difficult. George's mother, now pregnant, was immediately overcome with seasickness, and gradually lost strength until she "fell asleep without a sigh" 28 October 1842, and was buried at sea.

After a fifty-six-day voyage The Sidney landed in New Orleans. From here the Cannons took a steamboat to St. Louis, Missouri, where they spent the winter. In the spring the family boarded the Maid of Iowa, a small steamer owned by the Church, and arrived in Nauvoo, Illinois, the Mormon gathering place, in April 1843.

It was here in Nauvoo that George Q. first met Joseph Smith, the Mormon Prophet. "When his eyes fell upon the Prophet, without a word from anyone to point him out or any reason to

7 Flake, p. 20.
8 Joseph J. Cannon (March 1944)), p. 117.
9 Ibid.
separate him from others who stood around, he knew him instantly."\textsuperscript{10} Throughout his entire life George Q. maintained a great admiration and respect for Joseph Smith. Speaking of his appraisal of the Mormon Prophet while living in Illinois Cannon declared: "I had this feeling when a boy in the days of Joseph. To me Joseph was perfect. I could not see, and did not hear anything that ever made any impression upon me to the contrary."\textsuperscript{11}

The death of Joseph Smith in June 1844, stunned the Mormon community of Nauvoo. The Latter-day Saints had been led to regard him as almost invulnerable, and Cannon noted that his martyrdom came as a "very unexpected blow upon the people."\textsuperscript{12}

Seventeen-year-old George Q. witnessed the confusion regarding a successor to Joseph Smith in August of 1844. Two claimants, Sidney Rigdon and Brigham Young, seemed to dominate the contest. After the conclusion of Rigdon's remarks, George Q. noted that Brigham Young's speech "was most wonderful."\textsuperscript{13}

If Joseph had risen from the dead and again spoken in their hearing, the effect could not have been more startling

\textsuperscript{10}George Q. Cannon, \textit{Life of Joseph Smith} (Salt Lake City: Juvenile Instructor Office, 1888). p. xxvi.

\textsuperscript{11}George Q. Cannon Discourse, \textit{Conference Reports} (April 6, 1900), p. 11.


\textsuperscript{13}George Q. Cannon, "Joseph Smith, the Prophet," \textit{The Juvenile Instructor} (October 29, 1870), 5:174-175.
than it was to many present at that meeting. It was the voice of Joseph himself, and not only was it the voice of Joseph which was heard; but it seemed in the eyes of the people as though it was the very person of Joseph which stood before them.14

This supernatural experience, which led the majority of the Saints to conclude that Brigham Young was Joseph Smith's lawful successor, left a deeply impressed conviction of Young's prophetic call upon young George. Cannon was unreservedly dedicated to Brigham Young until his death. Any request of Brigham Young was always obeyed as from God himself. In 1863 Cannon wrote to Brigham Young, "I still feel as I ever have felt, to be in your hands like clay in the hands of the potter, and take pleasure in [doing] just as you dictate."15

With the sudden death of George Q.'s father in August 1844, young Cannon went to live with his uncle, John Taylor, then editor and publisher of two Mormon newspapers, the Times and Seasons and the Nauvoo Neighbor. It was while living with Taylor that this future leader not only learned the printing and publishing trade, but also gained much practical education.16 Cannon remained in this position until the Saints were forced to leave Illinois in 1846.

After spending a year at Winter Quarters the Taylor family embarked upon the one-thousand-mile trek across the Great Plains

14 Ibid.
15 George Q. Cannon Letter to Brigham Young (February 28, 1863), Church Archives.
16 Flake, p. 29.
to the Great Salt Lake Valley, arriving in October of 1847. Cannon remained with the Taylors until the fall of 1849, when he was called to join a group headed by Charles C. Rich, to go to California to dig gold.17

With the gold rush in western California there was a natural temptation for Mormons to join in and share in the riches. While Brigham Young's initial counsel strongly opposed the yielding to such enticings, late in the summer of 1849, he decided that the kingdom of God could well be advanced by having some additional means, and therefore called a group of missionaries, not to preach the gospel, but to dig gold.18

Concerning this call to service, Cannon later remarked: "There was no place that I would not rather have gone to at that time than California. I heartily despised the work of digging gold."19 The group suffered many privations.20

This assignment, however, was only the first of a series of difficult assignments that Cannon successfully mastered. Such obedience proved to church leaders, particularly Brigham Young,

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Cannon's usefulness to the Church. This willingness to follow the counsel of the Church leadership, despite personal desires, would become a popular theme in Cannon's discourses.

It must have been welcome news to Cannon when Elder Charles C. Rich called him, along with nine others to go on a mission to the Sandwich (Hawaiian) Islands. In November 1850, Cannon and his companions boarded the **Imaum of Muscat** to Hawaii.²¹

Although the initial prospects appeared so unrewarding that four members of the Hawaiian-sent group returned to Utah, Cannon remained in Hawaii until he was called home. With unflinching devotion and faith Cannon soon became a persuasive speaker in the foreign language, and after three and a half years Cannon succeeded in translating the Book of Mormon in Hawaiian, and with his companions baptized four thousand Hawaiians into the Church. Cannon was later to say: "... of all the experiences in the intervening years there are none more dear to my memory than the blessed experiences of those years upon the Islands, when I saw the miracles of the Gospel repeated."²²

Upon Cannon's return to Utah in November 1854, the first order of business was to get himself married. This he did in short order by marrying Elizabeth Hoagland on 11 December 1854.²³


²² *The Church News (July 17, 1949)*, p. 6.

²³ *flake*, p. 102. Cannon later became a polygamist by marrying three additional wives: Sarah Jane Jenne in 1858, Eliza Tenny in 1865, and Martha Telle in 1868.
Now Cannon was called by Brigham Young to succeed Parley P. Pratt in presiding over the Pacific Mission. Cannon arrived in San Francisco in the summer of 1855, and with meager funds promptly secured a press, founded the Western Standard newspaper, and published the Book of Mormon in Hawaiian.24 Brigham Young, lauding Cannon's business acumen in California, remarked:

We sent Brother George Q. Cannon, one of Brother Taylor's nephews, to California, over a year ago last spring, to print the Book of Mormon in the Hawaiian language. He has printed a weekly paper and paid for it; has paid for the press and the type, and has paid his board and clothing bills, though he had not a farthing to start with.25

With the coming of the Utah Expedition in 1857, Cannon was called to Utah and appointed adjutant general in the Mormon army being organized for defense against invasion.

Soon afterward Brigham Young sent Cannon to Fillmore, Utah with a press where he published the Deseret News from April to September 1858.26

While returning with his family to Salt Lake City in September 1858, Cannon received a message from Brigham Young informing him of another call to leave Utah, this time on a mission to the East. Cannon presented himself at President Young's office

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25 Brigham Young Discourse, JD, 4:36.
two days after he (Young) had sent the note. Upon seeing Cannon, Brigham Young turned to others in the office and remarked, "Didn't I tell you it would be so? I knew I had but to call, and here he is!" This comment by Brigham Young seems to indicate his growing interest and confidence in George Q. Cannon.

Cannon's mission to the East was of a semi-political nature, and marks a point of beginning regarding his political activities. While Cannon would be responsible for the branches of the Church in the East, his major responsibility was to serve as an ambassador of the Church in influencing political and editorial opinion regarding the Mormons in Utah. Many falsehoods and misrepresentations concerning Utah had flooded the country during the Utah Expedition period. Several anti-Mormons had been successful in creating hostility between the general government and the people of Utah. While the stories were without foundation, public opinion was that Utah merited severe punishment. It was to correct these falsehoods that Cannon was sent to the East. While in Washington, Cannon often sought counsel from Colonel Thomas L. Kane, life-long friend of the Mormons. Kane introduced Cannon to several of his friends, men of political prominence, and also acquainted him with the process of political maneuvering.

27 Flake, pp. 146-147.
28 Andrew Jenson, *Latter-day Saint Biographical Encyclopedia* (Salt Lake City: Andrew Jenson History Company, 1901), 1:47.
29 Flake, p. 150.
Cannon returned home to Utah for a brief stay in August of 1860 where he was ordained an apostle, thus filling the vacancy occasioned by the assassination of Parley P. Pratt.

Soon after this appointment, George Q. Cannon was sent to England together with Charles C. Rich and Amasa Lyman, to preside over the European Mission with headquarters in Liverpool, England. The calling of three apostles to preside over this mission is indicative of its importance to Brigham Young. Brigham H. Roberts, commenting upon the qualifications of this trio, noted:

Elder Lyman was doubtless the most persuasive and forceful speaker in the Church at that time; Elder Rich, one of the wisest counselors . . . while Elder Cannon was the clearest and most forceful writer in the Church. 30

Cannon's specific assignment was to edit the Millennial Star, and to supervise emigration. 31

Cannon remained in England until May of 1862 when he went to Washington, D.C. to work for admission of Utah into the Union. Cannon and William H. Hooper had been elected Utah's Senators under a proposed new State Constitution. Cannon, who only learned of his election upon his arrival in Washington, wrote of his political aspirations:

It is not a position which I myself should seek to fill; but which, being elected to, I should endeavor to magnify


with an eye single to the Glory of God. The associations are not pleasant to me. The society of a humble Saint, enjoying the Spirit of his religion, would be far preferable to me than that of the whole U.S. Senate . . . . I would rather be a deacon in or only a member of the Church of Jesus Christ of Latter-day Saints than to be U.S. Senator, or even President of the United States . . . . These have ever been my feelings, [in spite of] whatever the glitter or the pomp of worldly power I may be thrown in contact with.32

Cannon and Hooper worked faithfully, without success for statehood until Congress adjourned in July when Cannon returned to England.

In 1864 Cannon returned home to Utah, having spent only nine months there since he left, fifteen years previous, on his first mission to California. One of Cannon's biographers has indicated that these fifteen years of missionary service matured Cannon considerably. He had become a "wise and approved administrator of the affairs of the Church. He had become eloquent and polished. His judgment had matured. He had developed great understanding of men and policies."33

During the next three years George Q. Cannon served as private secretary to Brigham Young, thus establishing a personal friendship with that great Mormon leader. One writer has commented that this position placed Cannon closer to Brigham Young than anyone else outside his immediate family.34 It was while

32George Q. Cannon Letter to Brigham Young (July 13, 1862), Church Archives.


serving in this position that Cannon became well informed regarding church government and affairs at the Salt Lake City headquarters.

George Q. Cannon had a great affection and an unusual admiration for Brigham Young. President Young was God's mouth-piece, and Cannon considered him above reproach. He stated:

I was closely associated with him, [and] I never saw a fault in Brigham Young. I expect many would think this very foolish in me, and that I must have been very blind. Perhaps I was; at any rate, I wanted to be. I never wanted to see his faults.35

Brigham Young reciprocated Cannon's love and confidence, and taught him much about business matters. President Young advised Cannon to borrow money to buy Utah Central Railroad stock, made him a charter director of Zion's Cooperative Mercantile Institution, and later selected him as the executor of his complex estate.36

In January 1866, Cannon commenced publication of The Juvenile Instructor, a publication for the LDS youth, and continued as editor and publisher for thirty-five years.

In 1867, when the Deseret Sunday School Union was organized, Cannon was selected as General Superintendent, and continued in this capacity until his death.

35 George Q. Cannon Discourse (April 6, 1900), Conference Reports, p. 12.
In the fall of 1867, Brigham Young appointed Cannon to edit the Deseret News. Cannon immediately "converted the paper into a daily as part of an effort to make the newspaper a powerful exponent of the Church's position as well as of America's constitutionally guaranteed freedoms." 37

In 1871 the Mormon question in Utah took a new turn in the East. Playing upon the great desire of the people to be admitted into the Union, the anti-polygamy advocates suggested that the Mormons trade polygamy for statehood. Brigham Young sent Cannon to Washington that fall to "destroy the illusion" that the Latter-day Saints would consider such a course, and remained there until Christmas of that year. 38

In August of 1872 Cannon officially began his political career by being elected Utah's Delegate to Congress. He was a representative of his people "with a voice, but [with] no vote." 39 He did not take the oath of office until December of 1873. 40 The day he was sworn in he noted in his journal: "I am here without a man who is in sympathy with me; but I have a Friend more powerful than they all." 41

37 Mark W. Cannon, p. 108.
39 Ibid.
40 Ibid., p. 157.
41 Ibid., p. 158.
When Congress adjourned for the Christmas holidays in 1873, Cannon returned to Utah. In January of 1874, Brigham Young advised Cannon to be cautious as his actions would be watched. President Young, cognizant of Cannon's public prominence, warned that "next to himself, [Cannon] was the most hated of any of the authorities" of the Church.  

Cannon served as delegate for ten years where he labored long and hard to defend his constituents against special legislation aimed at weakening the position of the Mormon Church. He was denied his seat in the House in 1882 after passage of the Edmund's Act which declared polygamists ineligible for public office.  

Cannon had never sought a position of influence or power, either in the Church or in public life. While he was elected democratically to his position as a delegate, it was only at the instance of church leaders that he entered politics. While there was not a more praiseworthy work to which one could put his talents than statesmanship, Cannon believed that it was despicable for men to seek political office. Whenever one sees

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42 Ibid.
44 The Juvenile Instructor (March 15, 1885), 20:87.
"men aspiring for office . . . do not encourage them," he said, "let the office seek the man, and let us not be plotting and resorting to all sorts of dodges to secure success to our party . . . ." Cannon further counseled:

Let men go into office free and untrammelled. Let them be elected because they are the men most suitable, and not because they want the office. Let us as a people, endeavor to find men who do not seek for office, and who do not want it, but who take it because it is the wish of their fellow citizens.

Despite the above contention, Cannon, nevertheless, desired his people to have a voice in Congress, and, inasmuch as he had been elected by the voice of the people in Utah to represent them, he energetically sought to maintain his position.

The passage of the Edmund's Law as noted above, resulted in Cannon's not being seated in the House in 1882. This application of the Law Cannon considered ex post facto. Having been confirmed in his seat by four previous Congresses, Cannon asked, "by what law could a man in my position, having the majority of the votes . . . be excluded from a seat in the 47th Congress?" Answering his own question, Cannon replied,


46 George Q. Cannon Discourse, JD, 26:17.

"There is only one way in which that could be done, that is by trampling upon the principle of representative government and the Constitution of the United States." 48

Of Cannon's diplomatic acumen one historian noted that "his forte, in secular affairs was statecraft, and in the field of diplomacy, Utah, among her gifted sons, has not seen his equal." 49

Cannon apparently became a "master of rules" in both legislative bodies, as well as their committees. During the later years of his service in the House, Cannon was considered the best parliamentarian in that body. 50

In 1880, after the death of Brigham Young, the First Presidency was again reorganized, and George Q. Cannon was chosen to serve as First Counselor to John Taylor where he served until the latter's death in 1887. This eight year period was particularly persuasive in nature for the Mormons as laws against polygamy became ever more pointed and stringent.

The Supreme Court, in 1881, 51 pointed out certain weaknesses in the anti-polygamy legislation which led the executive

48 Ibid.

49 Orson F. Whitney, The History of Utah (Salt Lake City: George Q. Cannon, & Sons, 1904), 4:663.

50 This according to Representative Wood of Virginia and Senator Ransom of North Carolina as cited in B.F. Cummings, The Contributor, 16:130-131.

51 Miles v. United States, 103 U.S. 304 (1881).
branch to recommend and Congress to approve the drastic requirements of the Edmund's Act. This act, passed in March of 1882, was to "put teeth" into the Morrill Act of 1862. Specifically, the Edmund's Act allowed for heavy penalties for practicing polygamy, made cohabitation with more than one woman a misdemeanor, disfranchized persons guilty of polygamy or cohabitation as well as declared them incompetent for jury service and ineligible for public office.

When in 1885 the Supreme Court declared the Edmund's Act constitutional, territorial officials in Utah were further encouraged to commence a "systematic and intensive prosecution" of Mormon leaders. To avoid prosecution Cannon, and others, went into hiding. Cannon, due to his religious influence and political prominence, was pursued throughout the West by the United States marshal and his deputies, finally being captured in February 1886 while enroute to Mexico. Cannon was released on $45,000 bond, but while the trial was pending, he forfeited

52 Larson, p. 267.


54 Ibid., p. 359.
bail by fleeing to Arizona. In September 1888, the courts having assumed a "less passionate" character, Cannon surrendered himself to United States Marshal Frank Dyer. Cannon was sentenced to 175 days imprisonment in the Utah Penitentiary and fined $450. He served the time and paid the fine.55

The period of George Q. Cannon's greatest power and influence came after his call to serve as First Counselor to LDS President Wilford Woodruff in April 1889. Cannon bore a heavy part of that administration, most notably was the explanation and implementation of the 1890 anti-polygamy Manifesto. The Manifesto declared an end to officially sanctioned plural marriages, and aided the Mormons in achieving the goal of statehood which they had been denied for over forty years. During this important period Cannon contributed greatly to effect a reconciliation between Mormons and non-Mormons in Utah. Of particular note was the dissolution of the People's Party, and the dividing of church members on national political party lines.56

55 The Latter-day Saints' Millennial Star (May 9, 1901), 63:304-305. Hereafter cited as Millennial Star.

56 Mark W. Cannon, p. 109. G. Homer Durham has indicated that he believes one of Cannon's major contributions was "his role as diplomat in helping work out Mormon-Gentile problems as well as problems with the Federal Government." See Ibid.
In addition to his successes as a church leader, missionary, and diplomat, Cannon was a great business leader. He was for a time the "highest tithe payer in the Church." Among his business activities he was a director of the Union Pacific Railroad Company, vice president and director of Zion's Cooperative Mercantile Institution for several years, founder of George Q. Cannon and Sons Company, president of Utah Sugar Company, vice president and director of Zion's Saving Bank and Trust Company, president of Brigham Young Trust Company, director of Cooperative Wagon and Machine Company, president of Utah Light and Power Company, and director of Bullion-Beck and Champion Mining Company. He also served as president of Trans-Mississippi Commercial Congress for one term, and of the National Irrigation Congress.

Although Cannon had little formal education, he was an "omiverous reader, and hungry for knowledge." In later life Cannon served for many years as Chancellor of the University of

57 Ibid.


Deseret (now the University of Utah), and was president of the Board of Trustees of the Brigham Young Academy (now the Brigham Young University). 60

Cannon was chosen in 1898 as First Counselor to President Lorenzo Snow, and remained in that position until his death.

In 1900 Cannon attended a jubilee of the Sandwich Island Mission in Honolulu. Upon his return to Utah, in January 1901, Cannon's poor health forced him to seek relief on the Pacific Coast. On 12 April 1901, at Monterey, California, at the age of eighty-four, George Quayle Cannon's historic life came to an end. His body was returned to Salt Lake City, Utah for burial.

At Cannon's death, Brigham Young, Jr., close friend and fellow apostle, noted: "A great man has fallen in Israel. Remarkable in his generation." 61

60 Cannon may have been responsible, in part, for the creation of Brigham Young University. After Brigham Young's death Cannon noted in his journal, "When therefore he [Brigham Young] spoke about turning his property into the Church I remarked that . . . if he were to take his property which he did not wish to leave to his family and establish colleges and bestow his name they would live and his memory would be kept alive in the minds of the people. They would be an ever present living evidence of his care and thought for the Saints. What influence my remarks had upon him I cannot say. He did before his death take steps to endow institutions of learning. I drew up the charter of one--the Brigham Young Academy at Provo." See The Instructor (June 1945), p. 260.

61 Brigham Young, Jr. Journal (April 13, 1901), p. 45. Brigham Young University Library, Special Collections.
Lamenting Cannon's death, Young predicted:

No doubt God will raise up men to carry on his work, [and] inspire Brethren, but we shall not see Pres. Cannon's equal for a long time.62

Of the many outstanding tributes given Cannon, that of Orson F. Whitney is representative:

President Cannon was a man of varied gifts and wide experience. A natural counselor, his eminence and influence as such were well warranted. As an orator he shone among the highest, and almost equal to his powers as a speaker were his abilities as a writer . . . . No man in Utah, after the passing of President Brigham Young, wielded with all classes so great an influence as President George Q. Cannon, and this influence was felt up to the very close of his death.63

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62 Ibid., p. 44.

64 Whitney, 4:663.
CHAPTER THREE

THE FIRST AMENDMENT

The First Amendment to the United States Constitution provides a religious guaranty divided into two parts: (1) the Establishment Clause and (2) the Free Exercise Clause. Court interpretation of the Amendment has sought to draw the line between church and state into two vital respects: (1) no religion shall receive the state's support, and (2) no religion shall incur its hostility. In other words, government shall neither prefer nor penalize religion.

The Establishment Clause

The First Amendment states that "Congress shall make no law respecting an establishment of religion." The absolute interpretation of this clause has not been followed by the Courts. As interpreted the clause establishes a "wall of separation between church and state." The First Amendment extends to churches freedom in managing their affairs in accordance with their own internal law and procedure, free from governmental intervention. While the Establishment Clause does go beyond the principle of

1 Everson v. Board of Education, 330 U.S. 1, 16 (1947).
official neutrality in religious disputes, the concept of complete separation wherein the state gives no aid or encouragement to any system of religious belief has never been completely accepted on a theoretical or practical basis.³ There have, however, been three main concerns against which the Establishment Clause has sought to protect: (1) sponsorship, (2) financial support, and (3) active involvement of the sovereign in religious activities.⁴ But, again, exceptions can be found to each of these theoretical prohibitions which seem to indicate that the line of separation is less a "wall" than "a blurred, indistinct and variable barrier depending on all the circumstances of a particular relationship."⁵

The state was not the addressee of the non-Mormon accusation for the union of church and state; but the Mormon Church was. The Mormon prophet was feared as "aspiring to the power of the traditional Catholic pope," and placing "the secular power under the heel of the spiritual."⁶ The "Gentile"⁷ belief was that Mormonism was essentially a theocracy. It was thought that the Mormon priesthood consistently aspired to control civil


⁷"Gentile" is used in this study to mean anyone unfriendly to Mormons.
government in Utah, that the Mormons submitted only to civic officials supposedly chosen by the hierarchy, that federally appointed officials were rejected, and that Gentiles in Utah were excluded from participation in civic matters.

Ferris Jacobs, Representative from New York, sounded the popular Gentile opinion of the church-state problem in Utah in 1882 when he declared:

The grasp of the Mormon Church upon the people of Utah has never been relaxed. In no such sense has the church ever ruled a state since the Lawgiver of Israel, through the thunder of Sinai and in the name of Jehovah, led the 'Chosen people' into the valley of Jordan . . . . [Utah is unrepublican because] it is a theocracy stronger in practice than the laws of Congress, and seeks a union of church and state . . . . From its infancy every step in its growth has been distinguished by the complete subordination of the civil to the ecclesiastical power. From its cradle in Seneca County, New York, to Kirtland, Ohio, thence to Jackson County, Missouri, and back again across the Mississippi to Nauvoo in 1840, it everywhere exalted the shibboleth of the prophet over the authority of law, and aspired to local independence and supremacy.8

Despite these accusations, George Q. Cannon viewed the Mormons as believing fully in a complete separation between the institutions of church and state. Cannon did not believe in an official or governmentally established church.9 Cannon did not

8Ferris Jacobs, Jr., Congressional Record, 47th Congress, First Session, (April 19, 1882), pp. 3054 and 3056.

9George Q. Cannon Discourse, JD, 26:12.
believe in accepting federal aid for religious activities nor for education.  

10 Cannon believed that government should refrain from prefering or discriminating against any religious groups.  

Cannon maintained that there was no people "within the confines of the Republic who draw the line more strictly between religious and civil affairs, and between church and state, than do the Latter-day Saints."  

12 Cannon declared that the Mormons "never have at any time in our history attempted to make our Church organization the only organization and the dominant organization in matters that pertain to every day affairs and to civil government."  

13 To conclude simply that Cannon was in full agreement with the commonly held American prohibitions regarding church and state relations, however, does not admit some of the more subtle ideas he held. 

A significant factor in church-state relations in Utah was the pervasiveness of the Mormon religion. Cannon held that God's earthly representatives had the right to counsel the Saints 

10 Cannon held that even states should maintain themselves "without aid from the general government." See Ibid., p. 7. 

11 "Government has the right, and owes it to its citizens, to protect them in their rights [religious, civil, property] ... and to prevent others from doing them violence. Beyond this it should not go." Ibid., 24:45. 

12 George Q. Cannon Discourse, JD, 26:144. 

13 Ibid., p. 10.
on all matters—politics included. This counsel, like all other counsel from church leaders, was not to be interpreted as coercion, however.

Cannon noted that "our religion extends its ramifications into every department of our lives, leaving nothing untouched, nothing connected with our earthly existence uninfluenced by its power." The idea that the priesthood of God and the religion of Jesus Christ have nothing to do particularly with temporal matters was labeled a "terrible tradition" by Cannon. He contended that temporal and spiritual matters were alike in the sight of God, that there is "no line of demarcation between the two, that the religion of Jesus Christ applied to one as much as another and comprehends within its scope temporal equally with spiritual matters."15

Because of the pervasiveness of the Mormon religion, there was a tendency, on the part of the church members to minimize the role of the state as primary to the preservation of rights and maintenance of civil order. Consequently, it was only natural that this pervasiveness resulted in several overlapping activities by the church and state.16

For example, during Cannon's life time, Mormon ecclesiastical courts adjudicated civil disputes between members of the Church side

14 Ibid., 24:57

15 Ibid., 13:372.

16 Mark W. Cannon, p. 353.
by side with the regularly established civil courts. Mormon
schools and colleges co-existed with state schools and colleges.
Mormon tithing stores operated with similar goals as public welfare
plans today. Cannon saw this effort by the Church to solve social
problems and not leave them for state action only as a desirable
church-state relationship. Cannon noted:

The policy of directing the Latter-day Saints in the
management of their temporal business has been a duty
which the Authorities of the Church have never failed
to discharge from the days of its organization until
the present. The Prophet, Joseph Smith, wise leader as
he was, knew what would be for the good of the people,
and, during his life-time, he urged his views upon them
with all his energy and influence. It was his province
to teach the people upon every subject connected with
life here and hereafter. There was nothing that
pertained to their welfare and elevation, and redemption
from evil, that he considered outside of his Priesthood.

Another church-state question was whether the same
individuals should be allowed to hold both religious and civil
office. Cannon observed that the Gentiles were "dreadfully
afraid that somebody will be mingling politics and religion, [if] some one who holds office in the Church among us may hold some political office." While "wicked men" could hold office and help shape government policy, the Gentiles declared that any "man who makes any profession of religion, especially if he be an
official in the church to which he belongs, has no right to

17 Ibid.
18 Milennial Star (February 1, 1870), 32:66.
meddle in politics, or interfere in any way with the government of society." Cannon emphatically declared this to be "all wrong from beginning to end."\(^\text{20}\)

Cannon believed that it was desirable to have men of religious character and ideals active in public life. "Politics," he said, "are worthy of the best endeavors of the brightest minds."\(^\text{21}\) For example, Joseph Smith ran for president of the United States; Mormon bishops, under the provisional State of Deseret were elected the first justices of the peace; Brigham Young was Utah Territory's first governor; and George Q. Cannon served as territorial delegate to Congress for ten years.

Declaring his belief that religious people should be involved in political affairs, Cannon stated:

because a man is a servant of God, and because a man bears the Priesthood of the Son of God, he should not be prevented because of that from acting in any civil capacity, from taking part in civil matters and executing the laws that are enacted by civil authority.\(^\text{22}\)

In response to the proposal that church officers should be excluded from political positions, Delegate Cannon made the following statement:

Sir, there is probably no officer in Utah territory, if he belongs to the Mormon people, who does not hold some position in the Church. The Mormon people do not believe

\(^{20}\)Ibid., p. 255.


\(^{22}\)George Q. Cannon Discourse, JD, 26:12.
in salaried preachers; but they believe it the privilege of every worthy man of their organization to be an Elder, and, when called upon, to make himself useful in preaching. Doubtless many gentlemen about me who have visited Utah territory will recollect, if they passed a Sabbath there, that Elders are very frequently called from the body of the congregation to preach from the stand without any preparation whatever. Bishops, probate judges, men of different vocations, in the community, are thus called upon to speak to the people. So that if you say that a man must not exercise political functions in Utah because he is an officer in the Church, you exclude from offices in the Territory, every respectable Mormon.

An additional church-state relationship among the Mormons was the collective stand of the Church on political issues. The Saints evidently felt that when a religious group was being persecuted it could legitimately unite its political resources for self-defense, even if this created an overlap between church and state. The creation of the Peoples' Party in Utah is a case in point. It seems that this was done to unite the strength of the Church in defending their religious freedom and their property.

Members of the Church often sought political advice from church leaders, particularly during the 1880-1890 period. And while Cannon never felt to force his opinions upon the Saints, he did

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23 *Congressional Record*, 43rd Congress, First Session (June 2, 1874), p. 4471.


25 For example, Abraham H. Cannon recorded: "I was at the President's [Wilford Woodruff's] office for a short time at noon, where I heard Father tell Bishop Winder very plainly that he believed our safety and prosperity in a political way depends on our voting the Republican ticket. The talk was kind and yet forcible." Abraham H. Cannon Journal (October 31, 1892), p. 182.
feel that it was the right of church leaders to counsel the Saints on political matters. Cannon's son, Abraham H. Cannon, recorded in his journal a synopsis of his father's discourse on this subject:

Father then spoke for nearly an hour, and with such power as has seldom been witnessed in the Tabernacle. He kept the attention of the people riveted to his remarks . . . . [He] referred to politics, and the bitter feelings they have caused, and said that the Presidency held it to be their right to counsel the Saints in these as in all other things . . . [but] leave the Saints to accept their counsel or not, as seemed good to them.26

While Cannon did not admit that the "hierarchy dictates legislation," he often did indicate that in Utah, the Mormon people, being in the majority, did rule in political affairs.27 Cannon advised the House of Representatives in 1882 that beyond the expression of an opinion as a citizen at "no time and under no circumstances have I endeavored to influence the selection of any man or any body of men in the Territory of Utah respecting the selection of anyone they had in view for office."28 While there was no coercion regarding the selection of the political officer, nevertheless, "where men have influence, if their opinions are asked their views will always have considerable weight."29

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27 George Q. Cannon Discourse, JD, 25:254. Cannon said he wished "we could dictate it [legislation] more than it is done." See Ibid., 24:43.

28 Congressional Record, 43rd Congress, First Session (June 2, 1874), p. 4471.

29 Ibid.
Mormons sought to give equal rights to the minorities in their midst. While it was argued that the political activity of the Mormon leaders was in reality directed toward giving special advantages to the LDS Church, Cannon stressed that Mormons holding governmental authority were obliged to secure to all men "their rights, whether they be ... Presbyterians, Infidels or anybody else either 'heathen Chinee' or civilized American." 30 Responding to the accusation that non-Mormons in Utah were at a considerable disadvantage since Mormon bishops were generally judges of the probate courts, Delegate Cannon said:

So far as the administration of justice in these courts is concerned. I have had forwarded to me from the Territory a statement of the cases which have been tried by the ordinary juries of the Territory in the probate court of Salt Lake County for several years. Out of a list of eighty-four civil cases, to which Mormons and non-Mormons were parties, fifty-nine were decided in favor of non-Mormons and dissenting Mormons, and twenty-five only decided in favor of Mormons, showing how fair the administration of justice has been in that Territory by juries and the probate courts. 31

The Free Exercise Clause

As stated above, the Free Exercise Clause prohibits government from penalizing one for following or refusing to follow a particular faith.

30 George Q. Cannon Discourse, JD, 25:254. Also see Ibid., 26:12.

31 Congressional Record, 43rd Congress, First Session (June 2, 1874), p. 4471.
The first Free Exercise case to come before the Supreme Court was the Mormon test-case *Reynolds v. United States* in 1879.\(^{32}\) In this case the Court declared that the First Amendment draws a distinction between religious belief and religious action. The first was protected absolutely, but the second, even where religiously motivated, was not.

The Court determined that the rationale for this distinction was that individual religious opinions do not present any substantial threat to the interest of the state. But when one's beliefs or opinions are transformed into action, and that action interferes with the rights of other citizens, then the state may interfere.\(^{33}\)

This belief-action precedent established by *Reynolds* elicited much response from church leaders, George Q. Cannon in particular. In a lengthy pamphlet written by Cannon regarding the *Reynolds* decision it was argued that the Supreme Court decision was "extra judicial;" that the Morrill Act, which had precipitated the *Reynolds* case, not only "violates the Constitution of the United States and in direct opposition to the sentiments and values of the men who framed that instrument, but offends against Divine Law."\(^{34}\)

\(^{32}\)98 U.S. 145 (1879).

\(^{33}\)Ibid., p. 164-167.

Cannon believed that Congress and the Courts had "to a certain extent been mismanaged" with regard to the free exercise of religion. Religion for Cannon was not merely a matter of belief, it was a way of life; it was action. Cannon undoubtedly would have concurred with Harrop A. Freeman, Professor of Law at Cornell University, who remarked that "One of the most scathing rebukes in religion is reserved for hypocrites who believe but fail to so act." Cannon held that the First Amendment does not guarantee mere "belief" only, it also protects action or "free exercise." He declared that the lack of freedom to exercise one's belief is a denial of the very benefits of the Free Exercise Clause. For example, he wrote in 1879:

The adoption of the first amendment to the Constitution was an intimation to the world that in free America the inquisition over the rights of conscience was forever ended. The States had been released from the political tyranny of the mother country; by this amendment they were released from the religious traditions, the soul-crushing, the body-destroying laws and practices in religious matters of the old world.

If our Government should attempt to use force in religion, it will find its power stop short at the conscience of man . . . . Grant to Congress and the Courts the power to define the rights of conscience, and the limit beyond which faith shall not be carried into action, and religious liberty is practically at an end.

35 George Q. Cannon, JD, 22:281. See also Conference Reports (October 10, 1899), p. 49.

36 Ibid., 25:240.


Obviously there was a limit to what one could do in the name of religion, but Cannon emphatically denied that polygamy infringed upon the rights of another person.39 Cannon said:

But supposing that a man should come along that believes it his right and in accordance with his religious convictions to marry more than one wife, and he takes care of his wives and provides for them properly according to his religion, believing that in the eternity to come he will dwell with them . . . he has a perfect right to do it in the face of God and even under the constitution of our land.40

Cannon maintained that the principle of religious liberty which actuated the founders of the United States government was "that in matters of religious concernment no man has a right to step between his fellowman and his God."41 He believed that one could worship idols, burn incense to idols or worship the sun if he so desired and not come in conflict with the provisions of the Constitution.42 The citizens of the United States were to have the right "to worship God according to the dictates of their own consciences, as long as they do not, in so doing, interfere with the rights of their fellow-citizens."43 While Reynolds denied Mormons the privilege of putting their belief of plural marriage into action, Cannon contended that "despite the Supreme Court

39Ibid.
40George Q. Cannon Discourse, JD, 20:203-204.
42Ibid.
43Ibid., p. 43.
decisions, despite the action of Congress, [and] despite the expressions of pulpit and press," the Mormons as citizens of the United States still had the right to practice their beliefs.\(^44\)

Although this language smacked of revolution, Cannon admonished his co-religionists not to act in defiance of the law, nor to contend for their rights with physical weapons. The Mormons were to fight for their rights with "steadfast moral courage," at the ballot box, on the floor of Congress, and in the Courts of the land.\(^45\)

Cannon promised the Saints that

We shall never cease our efforts, I hope, until from one end of the land to the other men and women can worship God whether they be Mormon or infidel . . . without interference from others as long as they do not trespass upon or interfere with the rights of their fellow-citizens.\(^46\)

Cannon indicated that the Mormons had always extended free exercise of religion to all denominations in Utah. Never, since the Mormons first occupied the territory of Utah, have "our tabernacles, boweries, and other places of worship not been open to men of every denomination to preach."\(^47\) If the Latter-day Saints had supreme control and undisputed possession of the entire intermountain West,

\(^{44}\) Ibid.

\(^{45}\) Ibid., 24:145. See also Ibid., 26:145.

\(^{46}\) Ibid., 24:44.

\(^{47}\) Ibid., 22:179.
Cannon held that they would have no authority to dictate how another human being should worship. Cannon had been taught this all his life, and he instructed the Saints to so teach their children:

When John Chinaman comes in your midst, teach your children to respect him. When any other man of any other creed, race or color takes his abode among you, teach your children to respect his form of worship. . . . Teach them to behave themselves and treat everybody with civility and kindness, and that it is none of their business how these sects worship, teach [them] that they violate good order and good law when they in any way make light of religious exercises. I would whip a boy for it quicker than for anything else.

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48 Ibid., 20:203.
49 Ibid.
CHAPTER FOUR

PUBLIC ETHICS

Moral concepts—right and wrong, good and bad, justice and
injustice—have place in every society, secular and religious.
Morality ordinarily involves a number of prohibitions and
requirements. In Western civilizations the Ten Commandments have
effectively encompassed the framework of those requirements and
prohibitions. For example, under normal conditions, one must not
kill, steal, lie, or break promises. One should be kind to others,
help those in need, be grateful to those who help you, and so on.

Since in theory one usually acts or fails to act according
to what he perceives to be right or wrong, an analysis of George
Q. Cannon’s basis for morality should facilitate an understanding
of his ideas on the church and state as moral institutions.

Revelation: Divine Law Morality

A divine law theory of morality suggests that right and
wrong derive from God’s law which He enforces with divine
sanctions or revelation. Right and wrong are cared about because
one’s future in Heaven or Hell is dependent upon his response to
that revelation. ¹

¹Gilbert Harman, The Nature of Morality (New York: Oxford
George Q. Cannon maintained the existence of a divine law morality, and proclaimed its superiority over whatever else man or institution may consider right and wrong.\(^2\)

Cannon held that Joseph Smith and his successors, as presidents of The Church of Jesus Christ of Latter-day Saints, were prophets who received modern revelations from God to direct the Church.\(^3\) The Church, he believed, was the only true church in the world, all others were fallen and apostate. For him there was "no dividing line between the laws of morality and the laws of the gospel."\(^4\) Pure religion was morality and morality was religion.\(^5\) These beliefs naturally led Cannon to conclude that all directives from God's prophets were right and therefore moral. For example, he declared:

> When the counsel of God comes through his servants to us, we should bow to that no matter how much it may come in contact with our pre-conceived ideas; submit to it as though God spoke it.\(^6\)

This was not just a theoretical admonition. Cannon had constantly demonstrated his commitment to this counsel by his untiring service as a missionary in several difficult assignments.

\(^{2}\)George Q. Cannon Discourse, JD, 26:10-11.

\(^{3}\)Ibid., 18:256.

\(^{4}\)The Juvenile Instructor (October 15, 1898), 33:699.

\(^{5}\)Ibid.

\(^{6}\)George Q. Cannon Discourse, JD, 11:71.
Cannon noted the application of this principle in real life:

if I am in business, if I am in the midst of some enterprise which requires my personal attention which the withdrawal of my personal supervision would cause to result in failure, and the servants of God should call upon me to let that drop, to go here or there, even if it should be at the sacrifice of all my worldly interests, it would be my duty as a Latter-day Saint . . . to drop that at the moment I am required and to do as I am told . . . . We must hold ourselves entirely subject to that authority which God has placed in this Church to lead and guide us.7

This position, then, placed the voice of the living prophet supreme. The prophet was the ultimate source of morality in all matters—political, social, economic, as well as religious.

Cannon also believed that men other than prophets could receive revelation for themselves, and that when this occurs it is incumbent upon them to give attention to it.8 In the event, however, that any conflict should arise between the voice of the prophet and the revelations of another, the counsel of the prophet was always to be accepted as superior.9

Cannon also consistently maintained that there was something divinely moral about the Constitution of the United States as a legal document. He declared that the Framers of the United States Constitution were inspired of God in writing that document. This belief led him to revere the Constitution and elevate it as a palladium for all mankind.

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7 Ibid., 22:127.
8 Ibid., 20:268-269; 26:63.
9 Ibid., 24:364.
Cannon noted that he had "been taught to believe that the Constitution of the United States was revealed of God." It was an instrument, he said,

divised by the highest human wisdom, and was admirably adapted for the purpose for which it was designed. No better instrument was ever framed by human intellect. Under its wise provisions and guarantees, the people of every section and of every creed on this great land could dwell in peace and in harmony, and enjoy the most extensive rights consistent with good order.

While he held that the Constitution was a sacred document which guaranteed the greatest "rights consistent with good order," Cannon did not mean that all laws passed in the name of the government were good. The Saints had constantly suffered persecution under the color of law.

The question might be asked, "If the revelation which the prophets receive comes from the same source as that which inspired the writers of the Constitution, would there ever be a conflict between the two?" Or, "If God is the author of the United States Constitution, would he ever require his people to obey a religious law or practice which, in his mind, was unconstitutional?" Had not God said, "Let no man break the laws of the land, for he that keepeth the laws of God hath no need to break the laws of the land."\[13\]

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10 Ibid., 18:6.
11 News (July 4, 1865), 14:317.
12 A Review, pp. 3-6.
13 Doctrine and Covenants, Section 58:21.
The answers to the above questions were obviously, "No."
But what then of plural marriage? Congress and the Supreme Court
held that this practice was illegal and unconstitutional. Cannon
maintained that this was a case of uninspired men tampering with
an inspired document; their interpretations were in violation of
the meaning and intent of the Constitution. In other words,
the Constitution was an inspired document that provided the
framework upon which moral laws could be instituted, but
conversely, irreligious men, in the name of freedom, could use
the document to enact laws which were immoral.

George Q. Cannon made a distinction between the "laws of
the land," and the "constitutional laws of the land." In a
revelation to the Church the Lord had said, "Therefore, I, the
Lord, justify you, and your brethren of my church, in befriending
that law which is the constitutional law of the land; And as
pertaining to law of man, whatsoever is more or less than this
[i.e., constitutional laws], cometh of evil."

In other words, the Constitution had no faults; the problem
lie, not in the document, but in the minds of political men who
were uninspired. Cannon noted in his journal, "Our form of
government is the best under the sun; properly administered we and

\[14\] A Review, pp. 2-4.
\[15\] Doctrine and Covenants, Section 98:6-7.
\[16\] George Q. Cannon Discourse, JD, 20:204.
everyone else would have all the freedom we could ask, but it is of those who administer it I complain." 17 What would the Mormons do, then, if their practices or doctrines were found illegal? Was human law open to moral criticism? Did the admission that a law is a valid constitutional law preclude moral criticism of it with reference to moral standards? Writing on this subject Cannon declared:

I cannot assume for human laws and human decisions that which I assume for God's law . . . . The laws of Congress have not always been constitutional and perfect, the decisions of the Supreme Court have not always been infallible . . . . High as is my respect for [these institutions] my respect for the Constitution and my reverence for God are higher. 18

In other words, if man or men find God's laws illegal and unconstitutional then God's people must suffer. Speaking of how one could morally disobey the law of the land in regard to plural marriage, Cannon stated:

We are today precisely in the same position that other servants of God have been in, who have been required by men's laws to do things which their conscience and all their reason, and the good spirit within them revolted against. That is our position today. Whatever men's laws may be we cannot deny that truth of God, the revelations of God. I cannot do it. There is no alternative for me, but to

17 George Q. Cannon Journal (May 2, 1879), cited in Mark W. Cannon, p. 203. He also said: "we want to see the Constitution of this country preserved, that every man shall enjoy the rights guaranteed by that grand instrument of liberty which God inspired the framers to make. But we differ from many people in regard to our views concerning the manner in which government should be administered." Conference Reports (October 10, 1899), p. 49.

18 A Review, pp. 3-4.
suffer all the penalties that man may inflict upon me; and I cannot evade them only as God shall preserve me.19

This line of reasoning clearly points out that Cannon's concept of morality placed the voice of the prophet superior to that of the state. While the Lord had directed the Saints to "befriend" only those laws which were constitutional, apparently in some cases Cannon believed the Saints were not even responsible to them if they ran counter to God's sanctions.20 These laws (which were declared constitutional by the Courts, but unconstitutio-nal by the Mormons) were apparently "more or less" than what God expected through the divinely inspired Constitution.21

An experience in Cannon's personal life will help illustrate his position of accepting the voice of the prophet over that of the law of the land.

In 1884 there began an extremely persecutive assault on the Mormons, aimed at polygamy, and Cannon was captured by federal deputies in 1886. He was brought into Salt Lake City under military escort and placed under bonds set at $45,000. The feeling against church leaders was so bitter that John Taylor, President

19 George Q. Cannon Discourse, JD, 23:279.

20 The anti-polygamy statute became a constitutional law in 1879, but the Saints refused to obey it until 1890. "If we violate His will He will punish us; He has threatened us with punishment if we do so, and we are responsible to Him, and not to the Congress of the United States, not to the President of the United States, nor to any human being; we are responsible alone to our God." Ibid., 24:43.
of the Church, counseled Cannon not to appear when his case was called as it had been revealed to Taylor that if Cannon appeared for trial he would be killed.\(^{22}\) Faced with the dilemma, of obeying the law of the land and maintaining his integrity, or obeying God's prophet and forfeiting his bail, Cannon chose not to appear. His excessive bail was declared forfeited.\(^{23}\)

**Majority Rule: Social Moral Law**

A social moral law essentially depends on some sort of social law enforced by custom or social opinion. Morality is not necessarily the law the government enforces, but neither is it distinct from it. Social moral law basically says that morality derives from rules that society enforces. If society should enforce different rules, what is right and what is wrong would obviously change. Social moral law, then, is generally shaped by such things as public opinion and the "voice of the majority."\(^{24}\)

In addition to his beliefs in a divine law morality, George Q. Cannon apparently had some use for a morality based on social rules. This belief is best expressed in Cannon's ideas of the legitimacy of majority rule.

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\(^{22}\) Jerreld L. Newquist, *Gospel Truth, Discourses and Writings of President George Q. Cannon* (Salt Lake City: Zion's Book Store, 1957), preface xxx.


\(^{24}\) Harman, p. 95.
Inasmuch as this type of morality was based on fallible social norms it was especially vulnerable to corruption. But, since the Constitution of the United States was the foundation upon which the majority rule was to be based, it was not merely an open ended law to be abused at will.

Majority rule had little place in religious affairs. God's kingdom was not a democracy. The prophet's voice was God's voice to man, and the people were "to bow to that [voice] no matter how much it may come in contact with ... preconceived ideas." The prophets, as men, were not infallible, but God would not permit them to misguide His people. He would move them out of their position of trust first.

With reference to the state, however, Cannon consistently maintained the value of majority rule, and elevated it, in some respects, as a moral law by which right and wrong could be determined. For example, he said:

[We should be] determined to carry out that which the majority decides upon because the majority should rule, and this is a principle that should be recognized. The voice of the majority should be potent, and have influence with the minority, and the minority should not rebel against the majority.

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26 News (April 5, 1897), 54:674.
27 The Juvenile Instructor (October 15, 1896), 31:618-619.
28 George Q. Cannon Discourse, JD, 25:257.
If in Utah Territory the Mormons outnumbered the non-Mormons, then "the majority of the people shall have a right to say what shall be the rule in this land." Nearly fifty years, prior to statehood, without having the power to appoint their own governors, judges, and other territorial officials left the Saints very sensitive on this point. Cannon declared that "even if the [governors and judges] were all honest, patriotic, fair and just men, their selection without our voice is injustice." Cannon believed that there were limits, of course, to what society could determine as moral and immoral. A social moral law was only good so long as the majority chose rules which allowed for God's law to be implemented. It was not "common that the voice of the people desireth anything contrary to that which is right," but it does happen. Cannon said:

While the people are pure, while they are upright, while they are willing to observe law, the best results must follow the establishment and maintenance of a government like this; but, on the other hand, if they disregard law, if they trample upon constitutional obligations, then a republican form of government like ours becomes the worst tyranny upon the face of the earth. An autocracy is a government of one man, and if he be a tyrant, it is the tyranny of one man; but the tyranny and irresponsibility of a mob [majority] is one of the most grievous despotisms which can exist upon the face of the earth.

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29 Ibid., 20:337. Cannon also contended for the right of majority rule on the floor of Congress. See Congressional Record, 43rd Congress, First Session (June 2, 1874), pp. 4471-4472.

30 George Q. Cannon Discourse, JD, 20:275.


That a group of people in a community were in the majority did not mean that they had license to suppress the minority, rather they were to govern in such a manner "as shall secure to all men who enter its borders their rights."33 If the majority chose wrong over right, then, "the judgments of God will come upon [them]."34

Cannon knew that conspiring men could sway popular opinion against that which is good and right. He believed that this had happened with regard to the Mormon people in general and to plural marriage in particular.35 Was the fact that certain conduct, by common standards, was considered immoral sufficient to justify making that conduct punishable by law? Chief Justice Morrison Waite, in the famous Reynolds v. United States, said, "Yes."

While Waite differed with Cannon on what standards should be used in determining good and bad, it is, nevertheless, interesting to note that he also addressed this issue of social moral law. He advanced the notion of all citizens conforming to certain "social duties." Actions which were violative of contemporary societal mores were within the reach of legislative police power, even though religiously motivated. Thus if religious actions were contrary to societal interests, they could be determined criminal.36

33Ibid., 25:254.
34Mosiah 29:27.
35George Q. Cannon Discourse, JD, 24:251-254.
36Reynolds at 164.
Thus Waite and his colleagues held that public sentiment must decide the bounds of religious action as well as the mundane. The unanimous decision in Reynolds seems to suggest that the church must give way to the power of the state in determining morality. Cannon maintained that the principle of majority rule could establish morality in secular affairs, but in religious matters one must be permitted to follow the "dictates of his own conscience." 37

Malum In Se vs. Malum Prohibitum

A third area of consideration in analyzing George Q. Cannon's concepts of morality involves the matter of laws being moral or immoral in and of themselves. Were there antecedent principles to which law must conform to be moral? Is there such a thing as a law which is intrinsically moral? Cannon occasionally addressed this question of intrinsically moral laws.

While there has been much debate on this question by political philosophers, George Q. Cannon firmly declared that certain acts are inherently immoral. These acts, which Cannon called "crimes against nature," were acts which were "malum in se." 38 Statutory law did not make them bad, they were inherently bad.

37 "If there be one human right higher, dearer, and for which greater sacrifices should be made, than another, it is the right of conscience, the right involved in this [Reynolds'] decision." See A Review, p. 3.

38 George Q. Cannon Discourse, JD, 24:44-45.
While Cannon did not elaborate upon this matter, he did indicate that murder (presumably the shedding of innocent blood) was a crime which was "malum in se."\textsuperscript{39} For example, he said:

Suppose a church should think it right to sacrifice infants, and claim that such a sacrifice was a religious ordinance? Or suppose a religious congregation should do what the primitive Christians were falsely accused of doing--partake of the blood of a newly-slain infant at their secret sacramental feasts--would a claim that this was a religious practice shield them from the action of the lawmaking power? Certainly not. These are crimes. They are \textit{mala in se.}\textsuperscript{40}

On the other hand, Cannon observed that there are certain acts which are only bad because a law has been passed so designating them. These acts become either right or wrong, just or unjust, "duties or misdemeanors, according as the municipal legislator sees proper, for promoting the welfare of society, and more effectually carrying on the purposes of civil life."\textsuperscript{41} These acts were \textit{mala prohibita}, made so by law.

Cannon considered plural marriage an act which was "\textit{malum prohibitum}," a crime which depended entirely for its existence upon statute. "As a civil practice the legislature can exercise its pleasure concerning it. But when it is a

\textsuperscript{39}Ibid.

\textsuperscript{40}A Review, p. 33.

\textsuperscript{41}Ibid.
religious belief and ordinance, and men and women believe their future salvation and happiness are intimately interwoven with and dependent upon its correct and virtuous observance, it is beyond the reach of the legislative arm."\textsuperscript{42}

\textsuperscript{42}Ibid.
CHAPTER FIVE

OBLIGATION

Political Obligation

The problem of political obligation, a subject of much political discourse, is one of the most fundamental questions of politics. The essential question involved in political obligation is: Why ought men to obey or disobey their governments?

Most of the answers given to the general question of political obligation are variations of a few fundamental ideas: (1) theories of political obligation which require special prior assumptions—religious, historical, or metaphysical, (2) theories which focus on certain acts of the subject which create obligation, and (3) theories which base political obligation upon the performance of certain functions of government.¹

The first category includes theories of divine right, based upon the Pauline injunction that "the powers that be are ordained of God," and which justify a particular governmental rule on the grounds of special divine sanction. The historical approach holds that since a particular regime has historically

governed a state, one is obliged to continue the obedience rendered by his forefathers. The Hegelian view rests upon special metaphysical assumptions about the relationship between the state and the individual; "the individual is but a moment in the full realization of human life and development embodied in the state."  

The second category includes theories of consent and authorization. One can be held to be obliged to obey his government because he has consented to do so. Some theorists argue that one is obliged to obey his government not because he has consented, but because he has authorized its actions.  

The third category includes aristocratic and utilitarian theories. An aristocratic theory of political obligation holds that those who govern are endowed with special leadership abilities (knowledge, skill, political resources), and that subjects are obliged to obey their political superiors since they have the skill and knowledge to perform political tasks more competently than the average citizen. The utilitarian theory holds that one is obligated to obey government if and because it promotes the greatest happiness or general good.  

Although George Q. Cannon never revealed in detail his theory of political obligation, it seems clear that no one of the

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2 Ibid., p. 265.
3 Ibid., p. 266.
4 Ibid., p. 267.
theories summarized above adequately describes his personal sentiments. Cannon's theory, gleaned from his discourses and writings, seems to pick and choose various elements from the more popular theories cited above as well as contain elements peculiar to himself.\(^5\)

Cannon believed that government was essential for proper administration of justice and maintenance of individual rights.\(^6\) With some reservations, Cannon's acceptance of government authority was much like his acceptance of the Constitution. While Cannon believed that "governments were instituted of God for the benefit of man; and that he holds men accountable for their acts in relation to them,"\(^7\) nevertheless, the fallibility of men who administer human institutions modified in some

\(^5\)Elements from at least three of the above theories may be found in Cannon's discourses, namely: divine right, consent, and aristocracy. For example, elements of the theory of divine right are inherent in Cannon's belief that "governments are instituted of God for the benefit of man." While Cannon would not agree that all governments were moral, nor that all politicians were worthy of their offices of trust, nevertheless, he would agree that governments were legitimate institutions, and that systems of law and order did promote peace and stability. See JD, 22:327. Cannon also held that government action must have the consent of the people to be legitimate. His views on majority rule demonstrate his acceptance of some aspects of this theory. See JD, 20:275, 337; 25:257. Finally, Cannon's belief that priesthood leaders, by virtue of their callings, were endowed with special skills and knowledge of government (religious and secular) reflects some ideas of the theory of aristocracy. See JD, 24:218, 221; 25:256; Millennial Star (September 26, 1863), 25:616-617.


\(^7\)Doctrine and Covenants, Section 134:1.
respects his commitment to this belief. Since Cannon's commitment to the United States government was primarily grounded on the notion that it had developed from the provisions of the divinely-inspired Constitution, it may be accurate to describe Cannon's political obligation as more an obligation to the document and the form of political society it provided than to the actual institution and its laws. For example, he stated:

There is no people on this broad continent who cherish the Constitution of the United States as a sacred instrument any more, or as much as do the Latter-day Saints in these mountains. Believing it as we do to be inspired of God, and given for an express purpose, of course we attach a great deal of reverence to that instrument. We do not always pay reverence to officials because of the mal-administration of the laws; but the instrument itself, and the form of government we live under we think is equalled by none upon the face of this broad earth.8

The Mormons were accused of being disloyal to the government of the United States. They were said to obey the priesthood and disregard civil authority.9 Cannon persistently refuted this accusation. He maintained that if it were not for their

8 George Q. Cannon Discourse, JD, 22:327.

9 Cannon's son listed six reasons why the Gentiles believed the Mormons to be disloyal: "1st: That the Mormon Church teaches that it is the actual and veritable kingdom of God on earth with authority thereof vested in the Priesthood. 2nd: That the kingdom is of a temporal and spiritual kingdom, and should rightfully control all affairs of men. 3rd: This kingdom will eventually overthrow the United States and all other governments. 4th: That 'blood atonement' is a doctrine of the Church for certain sins. 5th: That polygamy is a command of God and will exalt all who obey it. 6th: That Congress has no right to interfere with the practices of the Mormon religion, and all enactments against the people are unwarranted." Abraham H. Cannon Journal (November 30, 1889), p. 200.
profound attachment to the Constitution and the republican form
of government of the United States, all the persecution and
prosecution which had been initiated against the Mormons would
have easily led them to either declare allegiance to Canada or
Mexico or to have established an independent state in the West. 10
Cannon observed:

We are accused, you know, of being disloyal . . . .
The idea prevails in many quarters that we are scarcely as true
to the government as we should be. I have heard it stated that
were it not for these troops at Camp Douglas, Utah Territory
would rebel. By such nonsense as this do men who oppose us
seek to deceive the world . . . . I have been taught to believe
that the constitution of the United States was revealed of God,
. . . that being the case, how could it be reconcilable with
the idea that we were disloyal to Government.?11

Since he believed in the legitimacy of government
authority, Cannon maintained a concerned respect for positive
law, or the law of the state. As noted above, the Saints were
to be held accountable for their acts in relation to government,
and in "obeying, honoring, and sustaining the law."12 During
the heat of the judicial crusade to punish violators of the
Edmund's Act, Cannon joined his brethren of the First Presidency

10George Q. Cannon Discourse, JD, 23:121. In contrast to
this statement, however, Cannon's son indicated that "it was the
expectation when the people arrived here to establish an
independent state, and it was only when this western tract of
land was ceded to the United States by Mexico in the treaty of
Guadalupe Hidalgo (1848) that the Mormons began to seek for
admission to the Union as a State, and saw therein their


12The Pearl of Great Price, Articles of Faith, No. 12.
in stating:

No people or government can defy the sound principles of law which are essential to the correct administration of justice and to the maintenance of the rights of its citizens, without calling into existence forces which are calculated to lead to its destruction.13

To the Saints, the responsibility of obeying the laws of the land was a religious duty. An epistle of the First Presidency of the Church declared:

We wish it fully understood by the Saints and by all the world that we have profound respect for all wholesome and constitutional laws. We are the firm and unequivocal advocates of law and order, and of every principle associated with human freedom. We must never descend in the slightest degree to acts that would savor of retaliation, or in the least seek to curtail any man in his individual rights.14

In contrast to the accusation of disloyalty leveled against the Mormons, Cannon boasted that "for temperance, for frugality, for economy, for good government and for submission to the law . . . if we are not superior, at least we are the equals, of any other people of our Republic."15

As mentioned earlier in this study, however, Cannon understood that there was a distinction between the law of the state, and the "constitutional law of the land." Although Cannon

13 An Epistle, p. 295.


15 George Q. Cannon Discourse, JD, 20:3. He did admit the exception of the anti-polygamy law.
held that every citizen of a government had a prima facie obligation to obey its laws, he believed there to be some additional obligation, however, with regard to laws which had been pronounced constitutional by the Supreme Court.  

Despite these above declarations, however, George Q. Cannon qualified his support of government and law. For the law to be obeyed it must (1) be constitutional, and (2) it must not contravene God's laws. Any law was suspect which broached individual rights of any kind.  

Cannon believed that if the mind of the Framers were always understood by the law-makers, there would never be any conflict between positive law and divine law. Some writers on constitutional obligation argue that once constitutional principles are adopted, they can only be understood in terms of the "matrix of existing beliefs and social conditions." In other words, this matrix should provide the basis for interpreting the document in accordance with the contemporary needs of society. While Cannon realized the need of using the Constitution to meet the existing problems of society, he held that the Saints sought for the "primitive" ideals of the Framers.  

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16 A Review, p. 6.

17 Namely those individuals freedoms contained in the Bill of Rights, particularly the First Amendment.


19 George Q. Cannon Discourse, JD, 20:204.
disagreed with the idea that a constitutional law could restrict religious practice except where such practice infringed upon the rights of another.\textsuperscript{20} If the primitive ideals of the Framers were correctly understood, Cannon was sure that plural marriage would not be illegal.

Cannon's belief that God helped establish the government of the United States generated support for the government as long as its laws were consistent with the implications specified in the Constitution. Since all valid laws derived their force from God, human laws were of no validity if they contradicted God’s laws.\textsuperscript{21}

Cannon, then, conceded the possibility of resisting positive law where it (1) prohibited adherence to a divine law, or (2) when it was unconstitutional.

Since Cannon had an obligation to the church as well as the state, and since laws had been made which prohibited the free exercise of his religious beliefs, many situations were met with considerable ambivalence. While theoretically Cannon maintained that divine law was superior in obligation, it was not always easy to ignore a positive law.

For example, after Cannon's arrest for illegal cohabitation in 1886, he was counseled by President John Taylor to jump

\textsuperscript{20}Quoting Jefferson, Cannon wrote that "the legitimate powers of government extend to such actions only as are injurious to others." \textit{A Review}, p. 19.

\textsuperscript{21}\textit{A Review}, p. 17. Cannon was quoting Blackstone.
bonds of $45,000. He later noted that this counsel was the greatest trial in his life. "The last night before I was to appear in court, I was strongly inclined to arise from my bed and go to President Taylor's bed and tell him I must keep that appointment in court." On March 17, 1886, however, the day he was to appear in court, he obeyed the voice of God's prophet by failing to make his appearance.22

Civil Disobedience

Civil disobedience is an act which breaks the law, either by doing something the law forbids, or by refusing to do something the law commands. Obligation to obey positive law is a general and moral duty arising out of one's role as a citizen. This duty is especially compelling in a democracy where citizens participate in the law-making process. Since every civil disobedient faces the fact that his conduct, being disobedient, is prima facie wrong, the burden necessarily rests with the individual of showing his superior obligation.23

It was basically the anti-polygamy laws of 1862 and 1882 which created for George Q. Cannon a situation of civil.


disobedience. Since the law of plural marriage was given by a man whom Cannon recognized as a prophet, his sense of morality required him to obey that law.\(^\text{24}\)

Cannon, then, maintained a right of resistance when human law conflicted with divine law.\(^\text{25}\)

Cannon argued that although positive law be an unambiguous enactment of a legitimate government, having general support, if it commands an act forbidden by divine law, it must be disobeyed.\(^\text{26}\)

Hence neither the 1862 law which aimed to curtail the practice of polygamy, nor the declaration of its constitutionality in 1879 was sufficiently compelling to cause the Saints to respond to the requirements of the United States legal system. It was this conduct on the part of the Mormons which clearly identified them as civil disobedients.

George Q. Cannon was generally willing to be subject to legal authority (i.e., police action and court procedures), but he,

\(^{24}\)Cannon said that he could conceive of a member of the Church "honestly differing in opinion" from the President of the Church and "yet not be an apostate." But he "could not conceive of a man publishing such difference of opinion, and [thereby] seeking . . . to enforce them upon the people to produce division . . . and not be an apostate." News (November 3, 1869).

\(^{25}\)George Q. Cannon Discourse, JD, 23:279.

\(^{26}\)Ibid.
nevertheless, considered it his moral duty to God to disobey specific laws in question, for the sake of conscience. Hence, his was a conscientious disobedience.  

Cannon did not disobey positive law as a protest. Nor did he consider his conduct to be rebellion. He argued that there were divine moral components that obliged him to disobey. Cannon seemed to justify his civil disobedience on two basic ideas: (1) higher-law, and (2) the unconstitutionality of the law.

In the first instance, Cannon asserted that divine law must be obeyed if there is a conflict with some human law. He employed his higher-law defense much like Thomas Jefferson who said in substance, "When human laws and divine law conflict, the moral man has no choice but to obey the latter, even if that entails deliberate disobedience of the former."

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27 A Review, p. 20


29 Cohen, p. 106. There was the possibility of being absolved from a divine obligation. Cannon justified the Manifesto, which commanded the Saints to cease their practice of plural marriage, on the grounds that: (1) when God gives a commandment to his people and they are effectively hindered in obeying that commandment, then it is for God to accept their offering and to require that work at their hands no more, and (2) the authority which issues a command has the right and power to revoke it. See Brigham H. Roberts, A Comprehensive History of the Church of Jesus Christ of Latter-day Saints (Provo: Brigham Young University Press, 1965), 6:222. Cannon's discourse is published in full in News (October 18, 1890), pp. 550-552.)
In the second, he declared that if the law were unconstitutional he was not under obligation to obey it.\textsuperscript{30} Cannon argued that in either instance, duties were imposed which were so compelling that they would override any conflicting obligations.\textsuperscript{31} Although it is difficult to determine the actual number of times Cannon failed to obey positive law in order to keep a higher law, it is probable that for other than polygamy-related matters the times were not numerous. Certainly Cannon was a very moral man. He was obviously aware each time that his conduct was disobedient, and that as a citizen of his country, it was prima facie wrong.\textsuperscript{32}

The Mormons, however, did not continue indefinitely their position of disobedience with regard to the anti-polygamy laws. Cannon recognized that the Church would be overthrown

\textsuperscript{30}See chapter on Public Ethics.

\textsuperscript{31}Cannon noted that "If we violate His will He will punish us." See JD, 24:43.

\textsuperscript{32}For example, even though the Saints felt compelled to disobey the anti-polygamy law, Cannon felt a responsibility to "avoid having the appearance at least of breaking the law." See Abraham H. Cannon Journal (October 29, 1891), p. 100.
unless the membership responded to the legal requirements,\footnote{In a notable sermon delivered on 14 July 1889, Cannon stated, "I have ever been assured hundreds of times, by men, too, of wisdom and discernment, that our overthrow was inevitable unless we conformed to the demands of public opinion and renounced all peculiarities of faith; that the world was arrayed against us, and that it was folly to suppose we could withstand these continued assaults upon us." See \textbf{News} (July 20, 1889).}{33} and the Woodruff Manifesto served as the vehicle by which those requirements could be met.

It is important to note, however, that although the 1890 anti-polygamy Manifesto recognized the destructive powers of the federal government, the discontinuance of polygamy on the part of the Mormons was not an act of obedience of the law of the land at all, but a recognition of the authority of the President of the Church.

The law of the land with all its mighty power, and all its terrible pressure, \ldots was unable to bring about what this man [Wilford Woodruff] did in an hour in the assembled conference of the people.\footnote{Remarks of Charles S. Varian, United States District Attorney, cited in Gustive O. Larson, \textit{Outline History of Utah and the Mormons} (Salt Lake City: Deseret Book Company, 1965), p. 281.}{34}
CHAPTER SIX

THE STATE AND THE KINGDOM OF GOD

Temporal Kingdoms

Although George Q. Cannon maintained a healthy respect for positive law and a divine obligation to uphold constitutional law, there were factors, in addition to those noted above, which motivated him to view the state as an institution to which deference was secondary.

Cannon had been taught to believe that the government of the United States, as well as all other governments, was eventually to be uprooted. The principles embodied in the Constitution of the United States, divinely inspired of God, were to stand forever, but the government which had grown out of the Constitution was only of a temporal nature, one day to be replaced by another power.\(^1\)

Cannon indicated that the kingdom seen in vision by Daniel of old, which was to ultimately fill the earth, was the Church of Jesus Christ of Latter-day Saints.\(^2\) This kingdom,

\(^1\)George Q. Cannon Discourse, JD, 23:104, 123.

\(^2\)Ibid., 26:12. See Daniel 2. Cannon noted on another occasion that, "God has spoken on this point in unmistakeable terms, that it is his intention to establish . . . [and] roll forth his kingdom until it shall fill the whole earth." See JD, 11:229.
however, was not only to have an ecclesiastical function, but a political function as well. This kingdom, consisting of both political and ecclesiastical components, was to one day yield power and authority in all the world as God's Kingdom on earth.  

Cannon discoursing in 1879 on the inevitable fall of nation states, including the United States, said:

Just as sure as the Lord lives the day will come when there will be consternation not only in foreign nations but in our own nation. The people of this Republic are actually treading upon a volcano and they do not know how soon the fires may burst forth, how soon the governmental fabric of this nation, the most glorious the sun has ever shone upon, the best that man without the priesthood has had upon the earth, shall tumble.  

Cannon credited the future downfall of the United States government to the moral decay of the people. "The best government becomes the worst government," he noted, "when the people become corrupt . . . ."  

Cannon predicted a future conflict among powerful political factions. He warned of "bribery in high places," and "political parties condescend[ing] to purchase votes." "The

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3 Ibid.
5 Ibid.
6 Ibid., 24:49.
7 Cannon declared that "the republic would be rent asunder by factions." Ibid., 23:123. Again he said, "the principle of right would be sacrificed to the power of might." Ibid., 24:49.
power of government is weakened," he said, "when Senators, Representatives, and Presidents get their places by the use of money."8 While the warfare was basically to be a moral warfare, Cannon did not exclude the use of physical weapons.9 But in the final analysis the victory was to be a moral triumph, "gained by the force of truth."10 Hence, the ultimate stability of any government is not merely dependent upon an inspired constitution, a good form of government, and liberal laws; there must be "virtue and honesty in the people, and a disposition to strictly obey and comply with the laws."11

Cannon also believed that the views of the Framers had not been carried out.12 "The republic is drifting steadily [away from] . . . the old Constitutional landmarks," Cannon warned, "and . . . the time is not far distant when there will be trouble in consequence of it."13

This belief that the glorious American Republic would eventually fall was not any justification, however, for the Saints to lessen their political obligation, nor become

8Ibid., 24:49.
9Ibid., 19:203.
10Ibid. See also JD, 22:328.
11Ibid., 20:340.
12News (July 4, 1865), 14:317.
13George Q. Cannon Discourse, JD, 18:10.
disinterested in the affairs of politics. The Saints were to maintain the divinely inspired liberties embodied in the Constitution at all hazards.\textsuperscript{14} Instead of minimizing the responsibilities of the Saints, the eventual downfall of nation states actually broadened and intensified their obligations.

Cannon believed that it was the destiny of the Mormon people to uphold the standards of freedom and civil liberty contained in the Constitution when the nation had fallen into chaos.\textsuperscript{15}

Cannon held that the day will come "when the Latter-day Saints will be the only well-governed people on this continent, and in their midst will be found the only place where constitutional government will be preserved in its purity and integrity."\textsuperscript{16} In this atmosphere of "civil broils and strife" men will be "compelled to flee to the Mormons" for safety.\textsuperscript{17}

The Political Kingdom

The Kingdom of God, as understood by George Q. Cannon, was both a church and a state. The Kingdom of God, in its fullest sense, was a divine organization administered by the

\textsuperscript{14}Ibid., 20:35.
\textsuperscript{15}Presumably the Bill of Rights as well as the notion of separation of powers. Ibid., 18:10; 20:5-6, 35, 204, 339; 23:104; 24:49; 25:274; 26:142, 284-285.
\textsuperscript{16}Ibid., 14:30-31.
\textsuperscript{17}Ibid., 18:10.
priesthood of God which ruled in both ecclesiastical and political matters: it was to be Christ's Millennial Kingdom. The ecclesiastical arm of the Kingdom of God was called the Church of God. The political arm of the Kingdom of God was variously designated as the "Government of God," the "political kingdom," and the "Kingdom of God." Both the Church of God and the Government of God were to be administered by the priesthood of God. The Church of God as the ecclesiastical arm of the Kingdom had grown considerably since its birth in 1830, but the Government of God, one day to wield political authority in all the earth, was still in embryo.

Christ would not merely deliver the Kingdom of God to his people on a silver platter, they would have to work and pray for it. The Kingdom of God, then, was an ideal for which the Saints were to strive.

The Kingdom of God, was to be founded upon the priesthood.

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18 Cannon explained that the "kingdom of God . . . will take its place among the nations of the earth and assume a leading position in and exert a predominating influence upon the social, religious and political affairs of the world . . . ." Millennial Star (September 26, 1863), 25:616.

19 George Q. Cannon Discourse, JD, 22:204. While the terms "Kingdom of God," and "Government of God," were sometimes used interchangeably by Cannon, "Kingdom of God," will not be used to refer to the political organ in this study, but to both political and ecclesiastical units as a composite organization.

20 Cannon noted: "You well-informed Latter-day Saints know that there are two powers which God has restored in these last days. One is the Church of God; the other is the [political] Kingdom of God." Ibid., 20:204. Italics added.
The priesthood was to administer the laws of the Kingdom throughout the earth. As an instrument of the priesthood, the Church of God was to be the means by which the political kingdom was established. Speaking in 1897 of the priesthood giving birth to the political kingdom, Cannon noted:

This may come in contact with some of your ideas. You may think it will be done through party conventions; through politics, or through political leaders. It will never be done in that way. It will be done through the power of God and through the revelations of Jesus Christ.\textsuperscript{21}

The establishment of the political kingdom was apparently to be evolutionary.\textsuperscript{22} Since it was not to be established through compulsory means, it could only be developed over a period of time as sufficient people accepted and supported its existence. For example, while Cannon promised the future establishment of the political arm of the Kingdom of God, nevertheless, he explained that it would not "come upon us all of a sudden . . . [but] that it will be a natural result of the natural growth of the people in [accepting] the things of God."\textsuperscript{23}

\textsuperscript{21}News (January 1, 1897), 54:292.
\textsuperscript{23}George Q. Cannon Discourse, JD, 21:269.
The proselyting activity of the Church was to gather converts from all parts of the world under the priesthood. Cannon explained:

The Lord is gathering out from every nation, kindred, tongue and people a community, out of which he intends to form for himself a kingdom . . . over which he will preside.24

The missionary elders, however, were to assume "ambassadorial"25 responsibilities at some future point by upholding constitutional principles to the peoples of the world.26 Then, at the right moment, when (1) sufficient number of the people had learned to recognize the right of the priesthood, and when (2) world orders were in a condition of decay, the Church would produce the political kingdom. For example, Cannon declared that the Kingdom of God is "not all the time to continue its present theological character alone, but it is to become a political power, known and recognized by the powers of the earth."27

While it was assumed by Cannon that there would not be a wholesale conversion of people of other faiths to Mormonism, nevertheless, there would be a general increase of acceptance of the principles of which the new political order promulgated.

24 Ibid.
25 Millennial Star (February 15, 1862), 24:103.
26 "The object of this [political] Kingdom will be to uphold . . . the Constitution of the Country." Remarks of George Q. Cannon as recorded in Thomas A. Clawson Journal (December 31, 1893), Utah State Historical Society.
27 Millennial Star (February 15, 1862).
This would be due in part to the turmoil and strife which would be rampant at the time of the political kingdom's birth.

Cannon noted, "when all this shall take place we are the people who will present such an aspect to the world, that they will say, 'here are the features we desire, they [the Mormons] have the peace our souls long for.'"\(^{28}\)

This arrangement, wherein a political institution grows out of a church, again suggests some obvious overlap between church and state. Cannon, however, apparently saw this overlap as desirable since it provided for the achievement of divine goals.\(^{29}\) This overlap could also be justified on the grounds that after the political kingdom was established there was to be a constitutional separation of powers between the Church of God and the Government of God.

While initially the priesthood would select men for political office,\(^{30}\) thereafter the two bodies were to be

\(^{28}\)Ibid., 22:328.

\(^{29}\)Cannon declared that "the laws of the kingdom shall be universally respected and obeyed by all the inhabitants of the earth; until he whose right it is to reign shall sway his sceptre over an obedient earth . . . ." JD, 11:229.

separate. Cannon said that the Saints had been taught from the beginning this important principle that the Church of God is distinct from the Kingdom [Government] of God . . . . In the minds of all of us who understand this matter there is a clear distinction between the Church in its ecclesiastical capacity and that which may be termed the government of God.31

The Kingdom of God, then, was to be a theocracy. But, "not a system of theocracy . . . that should domineer and wield unjust and oppressive power over the hearts and minds" of men.32 The political kingdom, as it functioned under the Kingdom of God, was to be a form of government which differed but little from the constitutional government of the United States. This idea of a theocracy definitely was not the ordinary conception of a theocracy. Cannon noted that the Government of God would be a "kingdom that should be based upon purely republican principles upon the earth; and therefore not a kingdom in the strict sense of the word, so far as its earthly location is concerned."33

Under this system of government, the consent of the governed was required. A republican form of government places authority in the people who give their consent to be governed by representatives acting in their behalf and in their best interests.

31 News (April 5, 1899), 54:675.
32 George Q. Cannon Discourse, JD, 15:204-205.
33 Ibid., 20:81.
The consent of the governed would be required both in naming officials to political positions, and in passing laws.\textsuperscript{34}

Since "God does not deprive men of their agency,"\textsuperscript{35} Cannon maintained that both Mormons and non-Mormons alike would dwell under the Kingdom of God. In addition, officers in the political kingdom would be both Mormon and non-Mormon. "God intended to organize a Kingdom on the earth that should not be composed of Latter-day Saints alone," Cannon noted, "but that members of that Kingdom should belong to other religious denominations [as well],"\textsuperscript{36}

Speaking of this same subject on another occasion, Cannon stated:

In the Kingdom of God, using it in a political sense, there may be heathens and Pagans and Mohammedans and Latter-day Saints and Presbyterians and Episcopalians and Catholics and men of every creed. Will they

\textsuperscript{34}George Q. Cannon Discourse, Conference Reports (October, 1899), p. 52.

\textsuperscript{35}Ibid.

\textsuperscript{36}News (October 6, 1889), 39:593. "The Kingdom of God is a political organization and is composed both of members of the Church of Christ and those who are not members of the Church. The object of this Kingdom will be to uphold the rights and liberties of all denominations and to sustain the Constitution of the Country." Remarks of George Q. Cannon as recorded in Thomas A. Clawson Journal (December 31, 1893).
legislate for the Mormons alone? Will the laws that they enact protect us alone and not protect others? No!37

It seems that this system of government, as it pertained to non-Mormons, would require some major concessions. But while they would have to recognize the authority of the priesthood councils to select men for political office, Cannon held that they would enjoy more freedom than they ever could otherwise.

Says one, 'I do not like this sort of thing; it is priestly rule and dominion, and I object to it. I am too much of a democrat in my feelings to submit to it.' Yet a man can be a democrat and a lover of freedom and liberty and enjoy them to the fullest, and honor the Priesthood. There is a difference between priestcraft and Priesthood. Priestcraft builds up itself, it is not authorized of God. Priestcraft oppresses the people; but the Priesthood of God emancipates men and women and makes them free.38

Cannon's view of the theocratic nature of the political kingdom, then, had many republican features. The officers were to perform their duties in justice and equity. The laws were to be based on the revelations of Jesus Christ. And the ideals and provisions of the United States Constitution would be the basis upon which the political kingdom would become a world government.39

37 George Q. Cannon Discourse, JD, 20:204. Cannon noted that "when the Lord's [political] kingdom should be established, people of every creed and of no creed should have perfect liberty and protection under it . . . ." George Q. Cannon Discourse, Conference Reports (October, 1899), p. 52.

38 George Q. Cannon Discourse, JD, 13:55.

39 Thomas A. Clawson Journal (December 31, 1893).
CHAPTER SEVEN

SUMMARY AND CONCLUSIONS

George Q. Cannon, associated with the Mormon Church from 1840 until his death in 1901, was a prominent Utah personality. His deep conviction of the divine calling of Joseph Smith and his successors, together with his eagerness to serve, logically placed him before the eyes of church leaders, particularly Brigham Young. Success in completing several difficult missionary assignments under the close and intimate direction of Brigham Young as well as pledging his efforts to the worthy desires of church leaders, inevitably resulted in Cannon's occupying several positions of importance in the Mormon Church.

While Cannon was reticent to aspire to any position of power or influence—ecclesiastical or political—he was always willing to occupy any station when so directed by church authorities. It was upon this basis that he assumed the office of apostle and member of the First Presidency of the LDS Church as well as Utah's Territorial Delegate to the House of Representatives. Such religious and political responsibilities matured Cannon significantly and refined him as a church leader, politician, speaker, and writer.

Since Cannon so completely internalized the teachings of
Joseph Smith and Brigham Young, it is only logical that many of his own social, economic, and political views contain notable similarities with theirs. Nevertheless, his extensive travel as well as his exposure to United States' politicians and intellectuals broadened his understanding of world problems and left him acutely aware of contemporary ideas and policies.

Despite a few inconsistencies, a serious study of Cannon's discourses and writings regarding his views on church and state over a forty-year-period manifest an amazing harmony in basic thought content.

A great lover of the Bill of Rights, Cannon believed that the individual freedoms contained therein were divinely inspired. He therefore considered any government violation of those rights as not only breaching the provisions of the Constitution, but also offensive to God.

Although in public sermons and writings Cannon held that the Mormon people were in full agreement with a complete separation of church and state, a close analysis of his views on this subject seems to reveal the acceptance of some subtle overlapping church-state relationships. He believed that the pervasive nature of the Mormon religion permitted church leaders to use their authority in directing members in all temporal as well as spiritual matters--politics included. While this claim was no attempt to demean the proper place of government, it did
minimize the role of the state as primary to the preservation of individual rights and the maintenance of social justice.

Cannon did not believe in the establishment of a state religion nor accepting federal aid for religious activities, but he did approve of church participation in some commonly held state functions. For example, leaders of the Mormon Church counseled members on how to vote for political candidates; church members, under the direction of ecclesiastical leaders, united their efforts on political issues for self-defense; church leaders often functioned in both ecclesiastical and political roles; church tithing stores extended welfare benefits to church members; and private schools, operated by the Mormon Church, provided secular education. These activities Cannon approved apparently, since they were theologically an integral part of the Mormon faith.

Regarding the free exercise of religion, Cannon disagreed with the belief-action precedent established in Reynolds. He held that that decision was unconstitutional, contrary to the sentiments of the Founding Fathers, and offensive to God. Cannon maintained that the religious freedom which actuated the Framers was that in religious matters, the state should not step between man and his God, except in cases where one's religious actions were injurious to others. Polygamy was not recognized by Cannon as being injurious to anyone else. In
addition to these views, Cannon held that the state should extend to every person the right to worship as he alone saw fit.

Whereas Cannon was first a Latter-day Saint and second a citizen of his country, issues of morality were naturally resolved by recognizing the voice of the prophet as superior to the voice of the state.

Cannon also recognized the Constitution of the United States as a moral standard in some respects. Since he believed that the document was God-given, it could serve as a means through which moral laws could be enacted. Cannon did not extend this same recognition to all legislative nor judicial enactments, however. He believed that God-less men had misinterpreted the intent of the provisions of the Constitution in some instances, particularly with regard to polygamy.

Cannon also recognized the principle of majority rule as a moral standard in carrying out the mechanics of government. Since majority rule was determined by public opinion, and therefore vulnerable to corruption, it was a suspect standard. Nevertheless, the principle was acceptable as a moral standard so long as the people were enlightened and God-fearing.

While Cannon realized that acts generally derive their morality from the pleasure of the legislature, he believed that the rightness or wrongness of some acts cannot be determined by any earthly body, but are inherently good or bad. He held, for example, that the shedding of innocent blood was inherently
immoral. Cannon's purpose for raising this issue of inherently immoral acts was solely to demonstrate that since 1862, polygamy was wrong in the United States, not for any intrinsic reason, but because statutory law made it so.

Inconsistencies in Cannon's political thought on church and state were found in an analysis of his views on political obligation and his right of resistance. While he declared his obligation to God as superior to that of the state, he nevertheless, maintained a very active and healthy respect for positive law.

Cannon firmly maintained that the stability of any government lies not only in an inspired constitution, a good form of government, and liberal laws, but in the fact that the people are honest and have a disposition to strictly obey the laws. Despite this contention, however, Cannon consistently disobeyed anti-polygamy laws and often avoided arrest by hiding from law enforcement officers. While this action would seem to diametrically oppose the above contention, Cannon, nevertheless, maintained and justified both points of view as compatible behavior. He asserted that in cases where the law of the state conflicted with the law of the church, he must obey the latter.

While a command from the Lord instructed the Saints to obey all constitutional law,¹ it was not altogether clear whom

¹*Doctrine and Covenants*, Section 98.
Cannon considered qualified to determine constitutionality. It was assumed that every positive law was constitutional until proven otherwise, either by the Supreme Court or another statute. But while Cannon, in theory, recognized the far-reaching powers of the Court as well as the powers of the legislature, when legal decisions did not harmonize with the views of Mormon leaders, the right to determine constitutionality seemed to rest with the church. In these cases, Cannon and his associates considered themselves above the law. They justified their disobedience of positive law by appealing to a higher law, i.e., divine law.

Cannon's views on the final disposition of nation states, including the United States, seem to reveal the ultimate union of church and state in a future Kingdom of God. While one function of the Kingdom of God concerned itself with ecclesiastical matters, the other administered political affairs. The political arm of the Kingdom, known as the political kingdom, was to grow out of the Mormon Church as well as be administered by the priesthood after its creation. Cannon held that the future political kingdom in structure and function would parallel many aspects of the constitution and form of the United States government.

While people of all denominations could serve as officers in the political kingdom, the laws were to be approved by the priesthood and based on the revelations of God. This union of church and state into a somewhat democratic-theocracy, was
justified since it helped realize divine goals which would prepare the earth for Christ's Millennial reign as King of kings and Lord of lords.
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GEORGE Q. CANNON'S VIEWS ON CHURCH AND STATE

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ABSTRACT

Writers of nineteenth century Utah generally recognize George Q. Cannon's religious and political influence as second only to that of Brigham Young. Having occupied several positions of importance in the political arena as well as in the Mormon Church, Cannon is a major figure in Utah history whose life and thought merit careful examination.

This treatise is a study of George Q. Cannon's views on the institutions of church and state. After presenting a biographical sketch of Cannon's life, it examines his beliefs regarding the religious clauses in the First Amendment, and the place of revelation, positive law, and majority rule as standards of morality. Also, it considers Cannon's understanding of his obligation as a citizen of his country as well as his right of resistance to positive law which may conflict with divine law. Finally, it evaluates Cannon's predictions of the ultimate disposition of nation states, including the United States, and the establishment of the Kingdom of God preparatory to Christ's Millennial reign.

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