

Mormons and Mohammedans: Race, Religion, and the Anti-Polygamy Bar in US Immigration Law

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Abstract. *This article explores the history of the little-known polygamy exclusion in the 1891 Immigration Act. Tracing the development of this polygamy restriction in the late nineteenth century, the article shows how anxieties about the European migration of Mormon converts shaped immigration legislation, which was then almost immediately redirected to regulate the migration of Turkish immigrants by the early 1900s. Racialized as “American Mohammedans,” Mormons came to embody a foreign, “uncivilized,” and semi-imperial threat for many nineteenth-century Americans. As the persecution of Mormons receded in the 1890s, however, the increasing visibility of Muslim immigrants from the Ottoman Empire fed new fears about religious difference, racial inferiority, and sexual and marital deviance. US immigration officials addressed such concerns by attempting to apply the polygamy exclusion on Turkish immigrants, but soon found themselves at the center of diplomatic tensions between US and Ottoman officials. Analyzing the imperial negotiations at play as US immigration law ran up against the power of the Ottoman Empire, the article brings deeper attention to the ways in which the policing of polygamy and “proper” marital formations were ultimately shaped by anxieties over race, religion, and empire.*

ON MARCH 3, 1891, CONGRESS PASSED A LAW to exclude certain categories of foreigners from admission into the United States. The restrictions on “idiots, insane persons, [and] paupers or persons likely to become a public charge” were not new; the General Immigration Act of 1882 had already prohibited similar categories of immigrants from landing at a port of entry.¹ The 1891 law, however, expanded the categories of exclusion, adding “persons suffering from a loathsome or a dangerous contagious disease” to the list, as well as those convicted of a crime “involving moral turpitude.” In a novel and peculiar twist, Congress also decided to add “polygamists” to the catalog of persons who were barred from gaining entry into the United

States.² By 1907, the anti-polygamy bar in US immigration law was modified to exclude not only practicing polygamists, but also anyone who merely admitted to a “belief in the practice of polygamy.”³

The attention that American lawmakers gave to polygamy in the context of US immigration law may seem odd, given migration trends at the turn of the twentieth century. Between 1880 and 1921, over 23.5 million immigrants—mostly European—came to the United States. By 1900, the main sources of immigration had shifted from northern and western Europe to southern and eastern Europe, with Italy, Greece, Russia, Lithuania, and Latvia among the most heavily represented countries of origin.⁴ None of these European regions, however, included countries obviously associated with polygamy. Rather, polygamy was a marital institution most popularly linked to The Church of Jesus Christ of Latter-day Saints, more popularly known as Mormonism, a religion that originated from within the United States during the early nineteenth century.⁵ For these reasons, and because turn-of-the-century immigration laws generally proved ineffective in curtailing European migration, scholars of US immigration frequently overlook the 1891 Act.⁶ The immigration bar on polygamists seems no more than an eccentric entry, made by turn-of-the-century restrictionists and their kitchen-sink approach to immigration policy. Indeed, as US Commissioner General of Immigration Terence Powderly admitted in 1902, cases of exclusion on the basis of polygamy “are so few as to give little trouble or concern to the government officials.”⁷

Despite its marginal application as an exclusionary measure, the anti-polygamy bar in US immigration law speaks volumes to ongoing anxieties surrounding immigration, religion, and race during the late nineteenth and early twentieth centuries. As immigration scholars such as Gerald L. Neuman, Anna O. Law, and Hidetaka Hirota have already pointed out, for much of the nineteenth century the United States lacked federal immigration restriction laws, leaving it to state and local governments to regulate the migration of newcomers.⁸ But once restrictionists realized that they could potentially harness the power of the federal government to contain the admission of “undesirable” groups, the legislative floodgates opened, as it were, and the 1880s erupted with congressional activism around immigration—most forcefully against the Chinese, but also with the country’s first general immigration act.⁹ At the same time, the 1880s emerged as a critical decade during which popular antagonism towards Mormonism—and its highly controversial embrace of polygamy—also assumed aggressive federal forms, with the passage of several powerful laws targeting the Mormon Church, its property, and its

leaders.¹⁰ In the campaign against Mormonism, the 1891 Immigration Act and its polygamy exclusion offered yet another legal mechanism by which opponents sought to weaken the Mormon Church. Between 1840 and 1887, over 85,000 European converts had immigrated to the United States and purchased train tickets to join Mormon settlements in the US West.¹¹ For some critics, cutting off this flow of immigration was key to disrupting the growth of Mormon power in the West.

This article examines the history of Mormon migration to the United States and the subsequent efforts to restrict this migration by means of the 1891 Immigration Act.¹² Nineteenth-century backlash against Mormonism not only generated critiques of the religion as un-Christian (at least according to mainstream Protestant standards) but also painted its adherents as sexually deviant, morally bankrupt, and racially suspect. Focusing on the marital and sexual practices of polygamous Mormon households, opponents denounced the whole religious organization as barbaric, uncivilized, and un-American. As detractors compared Mormons to racialized and exoticized “others”—including Asians and “Mohammedans” whose cultures recognized non-monogamous family arrangements—contemporary criticism of Mormonism figuratively placed Mormons outside the United States and colored them as less than white. With the Mormon Church’s formal renunciation of the practice of polygamy in 1890, however, anxiety over the so-called Mormon menace began to subside. As a final legislative blow against an already significantly weakened Mormon Church, the 1891 Immigration Act ultimately remained a mostly symbolic gesture in the campaign against Mormonism, and the anti-polygamy bar in immigration law might have just as immediately faded into obscurity.

The immigration of Muslim Turks, however, animated new questions about suspected polygamists and the regulation of their migration into the country. The criticisms against Mormons who were too similar to “Mohammedans” soon morphed into the policing of actual “Mohammedans” or more specifically, Muslim Turks, who were arriving in increasing numbers by the turn of the century, and who then emerged as the new target for the application of the anti-polygamy bar by US immigration officials.¹³ The scrutiny of supposed polygamists at the nation’s borders thus shifted directions in unexpected ways, from Mormons to Muslims, and from northern and western Europe to the Ottoman Empire. In the process of regulating Turkish immigration, moreover, US officials not only reaffirmed the role of immigration law in shaping the religious and racial dimensions of the United States’ growing population, but also negotiated new imperial landscapes. Responding to Ottoman

complaints of anti-Turkish prejudice in the enforcement of the polygamy exclusion, immigration officials found themselves repeatedly at the center of delicate diplomatic negotiations; pressured by the US State Department to maintain positive foreign relations with the Ottoman Empire, immigration officials were forced to balance the competing geopolitical interests of the Ottoman government and the United States.

Notwithstanding its seemingly negligible enforcement, then, the 1891 anti-polygamy bar offers a new occasion for immigration historians to bring religion into growing conversations about race, sex, and empire in US immigration law and policy at the turn of the twentieth century.¹⁴ Historians of European immigration have long recognized the ways in which the sacred texts and spiritual rites of Catholic and Jewish immigrants ran counter to American Protestant norms, exposing newly arrived worshippers to varying degrees of anti-immigrant prejudice and hostility during the late nineteenth and early twentieth centuries.¹⁵ While immigration scholarship has widened significantly in the past thirty years to address the migrations of diverse Asian, Latin American, and African groups, scholars themselves have retreated from addressing the religious lives of these migrants, succumbing to secularist tendencies and world views.¹⁶ Only more recently are historians and sociologists again emphasizing religion as a central theme in immigration studies—as a source of institutional protection and relief that facilitates the integration of certain groups while providing refuge for others deemed to be too “alien” and inassimilable. Indeed, the growing attention by immigration historians to the sanctuary movement and to the role of religious institutions in political struggles over immigrant rights underscores the central role that religion has played in shaping immigrant experiences.¹⁷ Still, the relationship between religion and *race* remains largely overlooked by immigration scholars, and few have taken up a call made in 2009 by Lori Pierce, Paul Spickard, and David Yoo to consider how “the dominant narratives of migration and religion in the United States begin to look quite different when race and racism operate as a central framework.”¹⁸

This article highlights religion—and the racialization of non-Protestant religions—in shaping immigration law and policy, complicating our usual secular understandings of racial restrictions in federal immigration policy in the late nineteenth century.¹⁹ Religion offers a new vantage point for understanding how Mormons and “Mohammedans”—not to mention Catholics, Jews, Buddhists, and Hindus—were racialized in a post-Civil War society undergoing intense social, economic, and geopolitical transformation. As white supremacists hijacked Reconstruction and paved the way for a Jim Crow

South and anti-Black policies throughout the country, the federal government took violent action to erase Native Nations from the US West while white settlers claimed their place as the new “native” Americans. In a postbellum nation increasingly defined by not only a more starkly drawn Black-white divide, but also new political and legal boundaries between the “native” (white settler) and the “alien” (Chinese and Indigenous), where and how would new immigrants fit into this evolving racial landscape?²⁰ The perceived deviancy of Mormon and Muslim polygamous sexuality offered critics a way to racialize each group as not necessarily white but not Black either, and fundamentally alien even if, as in the case of Mormons, the immigrants were from otherwise familiar northern and western European countries. While religious difference alone provided an insufficient basis for exclusionary immigration laws, the polygamous tenets of each group offered a ready platform on which restrictionists could transform powerful ideas about religion, race, and sex into immigration policy.

The imperial implications of polygamous reproduction, moreover, intensified the perceived racial threat of Mormons and presented a “racial script,” as Natalia Molina might put it, for the exclusion of Muslim subjects of the Ottoman Empire.²¹ This article thus also begins to thread questions of empire into the history of religion, race, and immigration at the turn of the twentieth century, and explores how polygamy could make immigration a more pressing matter for a settler colonial society like the United States. Historians have dramatically reframed the study of US immigration law and history in the past two decades, complicating and enriching the traditional domestic, nation-bound frameworks with international, transnational, and global perspectives and pushing for new understandings of how US immigration law has extended far beyond its immediate borders.²² As Paul Kramer reminds us, “While often treated as a ‘domestic’ matter, U.S. immigration policy has always intersected with more global concerns about the status, extension, and maintenance of the United States’ power in the world.”²³ Though the migration of Muslims to the Americas was not new—Iberian *moriscos* and enslaved Muslim Africans comprised some of the earliest arrivals to the New World during the colonial era, expanding the Islamic world across the Pacific into Latin America and the Caribbean—and although the migration of Ottoman subjects at the turn of the twentieth century remained miniscule compared to European figures, the early Turkish migrations represent the first substantial immigration of Muslims to the United States, begging further exploration.²⁴ The application of the anti-polygamy bar in the case of Muslim Turks exposed the intersections of US immigration law and the

global politics of empire as the Ottoman power was in decline. Examining how American anxieties over Mormon reproductive practices transformed into the regulation of Turkish immigrants in the years leading up to World War I, this article builds on existing bodies of literature connecting the “foreign” and “domestic” politics of immigration control and highlights what we might call the “transimperial” roots of US immigration law.²⁵

THE FEDERAL REGULATION OF “AMERICAN MOHAMMEDANANISM”: RELIGION, RACE, AND IMPERIAL FORMATIONS

In broad strokes, the history of Mormon migrations in North America has been one dominated by charismatic figures—primarily Joseph Smith and then Brigham Young—as well as unconventional religious practices, at least according to traditional Protestant standards. Soon after its founding, the Mormon Church faced bitter opposition from Gentiles, who resented not only the religious teachings of the Mormon leaders but also the growing economic and political power of the Saints. The ensuing persecution repeatedly necessitated flight, pushing Mormon migration and settlement farther and farther westward, from New York to Ohio, Missouri, and Illinois, and then on to the Salt Lake Valley in what is now Utah. Although it was not the only or even main underlying factor driving much of the anti-Mormon campaigns, the Church’s official embrace of plural marriage as “celestial” law in 1852 amplified the threat of Mormonism to critics, and polygamy became *the* lightning rod around which much of the religious, political, and social opposition to Mormons centered for the remainder of the nineteenth century.²⁶

Meanwhile, the federal government’s opposition to the Mormon Church also intensified over the course of the nineteenth century. What began as nonintervention while local communities in Missouri and Illinois attacked and mounted their expulsion campaigns against the Mormons was soon followed by active federal aggression. In the 1850s, the US government ordered federal soldiers to Utah to dismantle the semi-theocratic hold that the infamous polygamist Brigham Young had established over the territory and its Mormon and non-Mormon settlers.²⁷ The outbreak of the Civil War required federal forces to retreat from Utah Territory, providing Mormons with a brief respite. However, the federal government did not completely abandon its challenge to Mormon control over Utah Territory. In 1862, Congress passed the Morrill Act outlawing bigamy in the territories, followed in the

postbellum period by a series of new legislation to weaken Mormon influence in the US West, including the 1869 Cullom Act, which subjected Utah to complete federal control, and the 1874 Poland Act, which decisively placed the judiciary in federal hands and facilitated the prosecution of Mormon leaders under the Morrill Act.²⁸ Anti-polygamy legislation continued to pour out of Congress in the 1880s, “finally crushing Mormon resistance,” as Sarah Barringer Gordon explains it.²⁹ In particular, the Edmunds Act in 1882 and the Edmunds-Tucker Act of 1887 provided what other scholars have framed as the “decisive attack” in the federal government’s anti-Mormon campaign, not only targeting Mormon polygamists but also threatening to dismantle the Church itself.³⁰

All the while, popular criticism of Mormon polygamy continued unabated. Comparing the “unfree” domestic and sexual labor of women under Mormon polygamy to slavery in the South, antebellum Republicans had denounced both as the “twin relics of barbarism”—as institutional embodiments of despotism and coercion that were seen as antithetical to American political liberty and republican values.³¹ Northeastern opponents of Mormonism continued to invoke slavery as rhetorical ammunition in their campaigns to “free” female victims from lascivious Mormon patriarchal control. At the same time, critics juxtaposed Mormons against Native Americans and Chinese immigrants, criticizing all three as worshippers of inferior, “heathen” religions that sanctioned sexually deviant marital relationships and therefore rendered its members unfit for the responsibilities and benefits of full citizenship.³² Although Mormon converts overwhelmingly drew from US and European populations identified with whiteness, many Americans ascribed to converts and believers an abnormal susceptibility to superstition and despotism unbecoming of proper white Americans. As Matthew Frye Jacobson might put it, nineteenth-century Mormons may have been white, but their whiteness was of a different color—seen both as less-than-white as well as the embodiment of racial degeneration and regression.³³

Indeed, some nineteenth-century racial theorists argued that polygamy produced physiological distortions. Roberts Bartholow, an assistant surgeon to the US Army, reported in 1858 that Mormon isolation and polygamous practices were transforming the physical and mental characteristics of the Mormon people, now increasingly marked “by the large proportion of the albuminous and gelatinous types of constitution, and by the striking uniformity in facial expression and in physical conformation” among the younger population in the community.³⁴ “Mormonism makes its impress upon the countenance,” the medical officer continued, calling it “the Mormon

expression and style . . . compounded of sensuality, cunning, suspicion, and smirking self-conceit.” Emphasizing the bodily effect of Mormon polygamy, Bartholow pointed to “[t]he yellow, sunken, cadaverous visage; the greenish-colored eyes; the thick, protuberant lips; the low forehead; the light, yellowish hair; and the lank, angular person,” which for outsiders offered “an appearance so characteristic of the new race, the production of polygamy, as to distinguish them at a glance.”³⁵ As Paul Reeve has argued, there was “a growing sense in the medical community that polygamy was producing a ‘new race’ in the American West.”³⁶

One potential solution to stalling the deterioration or distortion of whiteness in the West was, some critics proposed, immigration restriction. Infamous for their missionary activity, the Mormons had reportedly converted and produced more Mormons in the United Kingdom and Ireland by 1851 than there were in Utah Territory. These converts, however, were not stationary; an estimated 32,000 British and Irish Latter-day Saints immigrated to Utah between 1847 and 1869.³⁷ By 1870, 67.9 percent of Utah residents twenty-five years or older were foreign-born immigrants from northwestern Europe.³⁸ Over the course of the nineteenth century, approximately ninety thousand converts reportedly crossed the Atlantic Ocean from Europe, joining the movement of New Englanders and Midwesterners westward to the Salt Lake valley.³⁹ As one C. C. Goodwin wrote in *Harper’s Magazine* in 1881, “of those who have connected themselves with the Mormon Church during the past thirty years quite nine-tenths have been from Europe, and from the very lowest classes of European society.”⁴⁰

For critics, the problem with this immigration was not simply one of personal character or class, but also the demographic buttressing that European converts provided for the Church and its adherents. Objection to Mormon migration frequently fixated on the high proportion of women, not only because they were coming to provide “cheap” domestic labor, but also because they served as unwitting victims of polygamous patriarchs.⁴¹ As potential wives and mothers, these female immigrants provided another branch by which the Mormon people could reproduce and expand. But even without their reproductive potential, the women’s migration and presence alone posed a threat, automatically increasing the Mormon population. In fact, critics like Bartholow suspected that natural reproduction by itself could not sustain the Mormon population, no matter the fecundity implied by multiple wives. Mormonism could “eventually die out,” he speculated, if it were not for the thousands of “additions from outside sources” and the “large annual accessions from abroad.”⁴²



Figure 1. *Harper's Weekly*, March 25, 1882 (illus. Thomas Nast). Courtesy of Library of Congress.

The main guaranty for the longevity of the Mormon Church, then, was foreign conversion. "The immigration has increased from a few hundreds annually to a few thousands," one critic continued to warn in 1881, "and this year a heavy increase . . . is expected." Though left alone it might "die of its own infamies," "the yearly infusion of fresh serf blood from abroad," as this same writer put it, kept the Church and its controversial practices alive and healthy.⁴³ Reflecting the general antagonistic attitudes of many Americans at the time, US Consul Frank H. Mason warned in an 1883 dispatch about a "shipping of pauper polygamists to this country by Swiss communities."⁴⁴ Referring to the mostly female migrants as "poor, ignorant, and in many cases imbecile people," the consul predicted that "polygamy can probably never be exterminated in Utah while its harems can be freely recruited from the dregs of European society."⁴⁵

Thus, while the federal government continued to apply mounting pressure on Mormons within the US West, it also explored remedies at the border and

abroad. The United States reached out to European countries in 1879, calling attention to Mormon recruitment efforts abroad and requesting international cooperation to prevent the conversion of their subjects to Mormonism, or if that was impossible, to prevent “the emigration to the United States of persons emigrating for the purpose of joining the Mormon community at Salt Lake.”⁴⁶ British officials, to the United States’ chagrin, replied that they were “powerless to carry out the measures suggested” by the United States, as there was no legal basis upon which the state could prevent the emigration of its subjects, barring any breach of law.⁴⁷ Foreign presses also criticized the United States, questioning the practicalities and legalities of the proposal completely.⁴⁸

Unable to garner foreign cooperation in preventing the emigration of Mormon converts, calls for the United States to restrict the entry of Mormon immigrants grew louder. According to the *New York Times* in May 1883, upon receiving the US Consul’s warning of the “shipping of pauper polygamists to this country by Swiss communities,” the Treasury Department instructed the Collector of Customs at New York “to do what he could . . . to prevent the landing of such of the Mormon immigrants as are forbidden to land” under existing restrictions.⁴⁹ Following the arrival in 1885 of “a few hundred Danes who have been brought here by the Mormon church,” an editor for the Omaha *Herald* demanded “an outcry in the eastern press against their admission into the country, and calling on the government to stop this kind of immigration.”⁵⁰ President Cleveland joined the restrictionists, and called upon Congress in 1885 to pass a law “to prevent the importation of Mormons into the country.”⁵¹

When advocating immigration restriction as the solution, anti-Mormon agitators frequently invoked the other immigrant “problem” of the US West: the Chinese. Just as anti-Mormon detractors focused their criticism on Mormon sexuality and family structure, anti-Chinese nativists had drawn attention to—among many other cultural and religious differences—the non-Western-conforming marital and sexual customs of Chinese society. Such practices included, for Chinese men who could afford it, multiple categories of female sexual partners: first wives, second wives, concubines, and prostitutes.⁵² Emphasizing the polyamorous family practices as evidence of Chinese servility and their slave-like mentality, critics similarly argued that the Chinese were culturally incapable of understanding American democracy and could never be racially compatible with American society.⁵³ Those who were more sympathetic to the Chinese defended their polygamous practices as nonthreatening, arguing that at the very least, “their system of marriage, if not in accord with our notions, is not worse than Mormonism and Free Love.”⁵⁴

Attacking Chinese sexual behavior and family formation as outside the acceptable parameters of American society, and associating all Chinese women with prostitution instead of marriage, restrictionists successfully lobbied Congress to pass the Immigration Act of March 3, 1875, also known as the Page Act. The law prohibited the bringing of any “Oriental” person “without their free and voluntary consent” or for any “lewd or immoral purposes” and prohibited the importation of women “for the purposes of prostitution.”⁵⁵ As Edward P. Hutchinson points out in his legislative compendium of immigration policy, “The Immigration Act of 1875 marks the beginning of direct federal regulation of immigration.” Just as importantly, the law provided the first designation “of certain classes of aliens as excludable. From this beginning, exclusion was to develop into a major instrument of immigration policy.”⁵⁶ In 1882 Congress followed up with the infamous Chinese Exclusion Act, which sought to limit the immigration of Chinese laborers into the country, as well as the United States’ first general immigration act, which broadened the control exercised by Congress over immigration and expanded the categories of undesirable immigrants who should be excluded.⁵⁷



Figure 2. “Uncle Sam’s Troublesome Bedfellows,” *The Wasp*, February 8, 1879

Anti-Chinese immigration laws then provided anti-Mormon restrictionists with the legislative template for their own campaign. Critics not only compared Mormons to the “heathen” Chinese, they also pointed to the Chinese Exclusion Act as precedent, pushing for the extension of the “somewhat Oriental” treatment, as one contemporary writer put it, to prevent the continued “ingress of foreign women” that maintained polygamy.⁵⁸ Indeed, political cartoons of the day often juxtaposed Chinese immigrants and Mormons in parallel fashion. The February 8, 1879 edition of *The Wasp* presented its readership with an illustration of “Uncle Sam’s Troublesome Bedfellows,” depicting a frustrated Uncle Sam in bed with stereotypically racist portrayals of a mischievous Native American, African American, and a passed-out Irish immigrant cradling a whiskey bottle. The two figures just unceremoniously ousted from the bed by Uncle Sam are the Chinese immigrant and a Mormon, clutching his “polygamy” sign as he prepares to hit the floor.⁵⁹

The conflation of Mormons with Chinese immigration had the effect of racializing Mormons not only as inferior, uncivilized, and deviant, but as “alien” as well. Indeed, the only way to regulate Mormonism—a uniquely American religion—as a matter of immigration policy was to make it foreign. As Paul Reeve explains, “the nation’s premier American-born—even frontier—religion was transformed into an exotic Eastern sect of a different race, a way for outsiders to distinguish between East and West, authoritarianism and democracy, morality and debauchery.”⁶⁰ As the Supreme Court wrote in the famous anti-polygamy Mormon case, *Reynolds v. US* (1878), “Polygamy has always been odious among the northern and western nations of Europe, and, until the establishment of the Mormon Church, was almost exclusively a feature of the life of Asiatic and of African people.”⁶¹ Or as territorial official Benjamin Ferris put it in less polite terms in an 1854 report to Congress, polygamy “belongs now to the indolent and opium-eating Turks and Asiatics, the miserable Africans, the North American savages, and the latter-day saints.”⁶² Indeed, to define Mormonism as existing outside the boundaries of American ideals, critics such as C. C. Goodwin, editor of the *Salt Lake Tribune* and outspoken Mormon adversary, relied heavily on the language of alienage, writing that “the Mormon kingdom in Utah is composed of foreigners and the children of foreigners. It is necessarily so. It is an institution so absolutely un-American in all of its requirements that . . . few Americans could ever be made to bear the unquestioned and unquestioning obedience which is exacted from this people.”⁶³

Nowhere was this foreign attribution most visibly depicted than in caricatures of Mormons as “American Mohammedans.” Noticeably, while

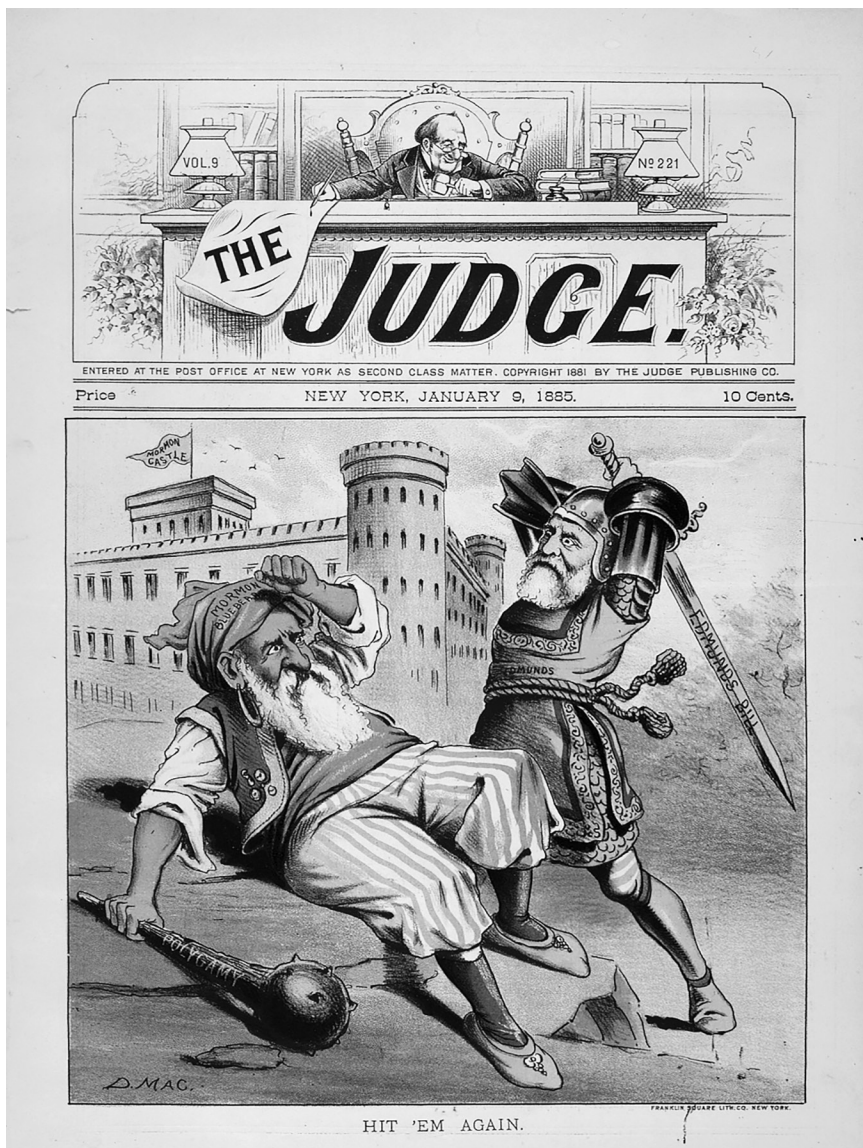


Figure 3. “Hit ’em Again,” *The Judge*, January 9, 1885. The literal darkening of the Mormon “Bluebeard’s” complexion in the cartoonist’s coloration augments the depiction of Mormons as less “white” than their Protestant victors. Courtesy of US Senate Collection.

Mormon patriarchs were unlikely to be illustrated with stereotypical Native, Black, or Chinese features, they frequently appeared in satirical commentary in the guise of another foreign group: that of the Muslim or Middle Eastern figure. Negating Mormonism's claim to a Christian genealogy, nineteenth-century comparisons of Mormonism to Islam and of Joseph Smith to Mohammed began early. And like comparisons involving the Chinese, the invocation of Mohammedanism and Turkey was designed to vilify Mormons as unchristian and uncivilized, in addition to being of "oriental" and foreign origin.⁶⁴ In 1882, Frances E. Willard, famous suffragist and temperance reformer, denigrated Turkey as "doubtless the most debased country on earth." But, she continued, America need not look to Constantinople for debased examples. "Turkey is in our midst. Modern Mohammedanism has its Mecca at Salt Lake."⁶⁵ Orientalized and reimagined using Middle Eastern landmarks and signposts, Mormons thus became the embodiment of sexual excess, deviancy, blind obedience, and oppressive theocracy—in short, of the moral and political failings that many Americans associated with Islam and the Ottoman Empire.⁶⁶ Highlighting what many saw as foreign, unwestern, and un-Christian about Mormonism, detractors invoked images of the "Mormon Bluebeard" to reframe the whole Mormon system as "Mohammedan barbarism."⁶⁷

The Orientalist connections to "Mohammedanism" thus figuratively placed suspect Mormons into what scholar Timothy Marr has described as the "alien and outlandish space" of American Islamicism.⁶⁸ Few nineteenth-century Americans had any actual knowledge of Islam, even less had any direct contact with Muslim individuals, and what little understanding of the Ottoman Empire existed had been filtered through the experiences of American Protestant missionaries abroad.⁶⁹ By the nineteenth century, the Ottoman Empire had become one of the most legendary and powerful political assemblages in the world. Having expanded into the Balkans, the Black Sea basin, the Anatolian plateau, the Middle East, and North Africa by the turn of the seventeenth century, the Ottomans controlled all of the important routes stretching between Europe, Asia, and Africa for several millennia.⁷⁰ The empire bound together an impressive array of diverse provinces and a heterogeneous population comprised of Arabs, Armenians, Greeks, and Turks—just to name a few of its ethnic subgroups—as well as Christians, Syrian Orthodox, Greek Orthodox, Catholics, and Jews.⁷¹ Despite the heterogeneity of the Ottoman polity, however, Americans simplistically collapsed the "Ottoman" with the "Turk" and assumed that all Turks were Muslim.⁷²

Popular understandings of the Ottoman Empire reflected both sentiments of admiration for its past global and expansionist ambitions as well as revulsion towards the Turk's supposed unbridled lasciviousness and tyranny. Islamophobic literature and writings flourished during the eighteenth and nineteenth centuries, and racist and Orientalist tropes and caricatures abounded.⁷³ Nineteenth-century Americans fused anti-Muslim prejudice with American racialized ideology, producing what some scholars of US–Middle East relations have described as “an ungrounded funhouse-mirror vision of the faith,” and more often than not an exported projection of racial anxieties from within nineteenth-century American society.⁷⁴ Most galling perhaps for nineteenth-century Americans was the placement of Christians underneath Muslims inside the Ottoman imperial hierarchy, and the inversion of what many Americans understood as the “natural” order of religion and race. The problem with the Ottoman Empire was, in other words, not that it was an empire, but that it was an illegitimate one, one that subverted the “natural” order of religion and race, according to American popular opinion.⁷⁵

For anti-Mormon critics, the layering of Islamicist Orientalism onto American Mormonism similarly reflected ongoing fears of Mormonism as a kind of illegitimate semi-imperial threat that loomed on the western horizon. In the 1850s the *Chicago Advance* had predicted that before long the Mormons “will control the other Territories around them by their great resources of colonization,” and “interior America will be given up to the worst phase of Asiatic barbarism.”⁷⁶ “[T]here can be no doubt,” another writer cautioned in the *North American Review*, “if the sect should have proportionate growth in the rest of this century to its growth in the thirty years since its foundation, Joe Smith will be classed in history with Mohammed . . .”⁷⁷ In the 1880s, other editorials warned of unrelenting Mormon aggression, with critics like C. C. Goodwin cautioning that the Mormons “are as aggressive as of old, and are only waiting for strength to make their purpose too pronounced to be mistaken. Joe Smith wanted to imitate Mohammed—to raise his flag and go out and conquer a kingdom.” This “Mohammedan” spirit, the writer lamented, “still controll[s] the spirit of affairs in Utah.”⁷⁸

Mormon expansion during the 1880s did little to quell such fears. Between 1886 and 1889, the Mormon population appeared to grow so rapidly and so large that it could no longer be confined to Utah, with the Church organizing more than a hundred communities for settlement outside of Utah Territory.⁷⁹ Much of this colonization was in response to the punitive anti-polygamous

actions by the federal government during the 1870s and 1880s, which pushed significant numbers of Mormons—both polygamous and monogamous—to flee the jurisdictional reach of the United States once more, migrating and seeking refuge in Idaho, Arizona, New Mexico, Colorado, Wyoming, and ultimately northern Mexico.⁸⁰ Though intended as safe havens from what Mormons perceived as religious persecution from the US government, American critics interpreted such dispersal in threatening terms, as an extension of earlier Mormon attempts to defy US sovereignty and protect its imperial theocracy. As late as 1912, one Baptist missionary warned that “[t]he Mormons are great colonizers. They do not allow their people to scatter broadcast—a family here and another there. The church buys a promising tract of land where it wants a colony and then sells to Mormons only.”⁸¹

At the same time, the Islamicist comparison could offer potential relief; by adopting the allegory of the Ottoman Empire, critics drew on the rhetoric not only of empire, but more specifically, of an empire in decline. Though the Ottoman Empire remained a potent symbol of global expansion and political control, and continued to exercise formidable political clout until its dissolution following World War I, much of its power rested on its past grandeur. By the turn of the twentieth century, its political clout had been significantly reduced, weakened from incessant European and US interference and Russian invasions.⁸² Identifying with European formulations of international law—premised on notions of global Christendom as the underpinning of political inclusion in the “Family of Nations”—nineteenth-century Americans increasingly asserted the United States’ superiority as an equal member of the “civilized” Christian world, which necessarily entailed the exclusion and inferiority of non-Christian societies.⁸³ Such developing legal theories, in turn, fostered narratives of decline for the Ottoman Empire, fueling American demands for foreign intervention on behalf of Ottoman Christian subjects. Stretching visions of American exceptionalism and “manifest destiny” onto the global stage, Americans framed Ottoman decline as part of the natural order of the world; inferior and “uncivilized” non-Christian societies were destined to make way for the rise of religiously, intellectually, and politically superior nations such as the United States.⁸⁴ Indeed, over the course of the nineteenth century, the Ottoman Empire seemed to lose territory and military power at a rate matched only by the continental expansion of the United States.⁸⁵

By recasting Mormons as American “Mohammedans,” then, critics also imagined that Mormonism would give way to the natural order of the Protestant world—or at least that it could, given the supposedly stunted rates of

natural reproduction, and if it were not for the continuous immigration of converts. To tip the balance in their favor, anti-Mormon agitators called for immigration restriction, hoping thereby to stall Mormon reproduction and population growth and demolish its political clout. Congress did not explicitly bar the immigration of Mormons, but it did pass the Edmunds anti-polygamy Act in 1882—the same year, coincidentally, as the infamous Chinese Exclusion Act. The subsequent Edmunds-Tucker Act of 1887, however, delivered a serious blow to the organization's recruitment efforts abroad. Not only did the 1887 bill disincorporate the Church and disfranchise the women, it also dissolved the organization's Perpetual Emigrating Fund Company, by means of which the Church had aided the migration of over 100,000 converts during the Fund's thirty-eight-year existence. As Leonard J. Arrington, frequently celebrated as the "father of Mormon history," pointed out, "the Edmunds-Tucker Act administered the *coup de grace* to the Mormon system of assisted immigration. . . . The lifeline of the Kingdom was broken."⁸⁶ The Church now stood at an existential crossroads: many of its leaders were imprisoned, in hiding, or exiled to Mexico or Canada; significant portions of Church property had been seized by federal authorities; and the recruitment of new converts had been financially stymied. Should the Mormons abandon polygamy and save what remained of the organization, or cling to their controversial beliefs and risk utter destruction?⁸⁷

Congress, meanwhile, was by no means finished with their legislative campaign to shut down Mormon immigration. From December 1889 to January 1891 various members of Congress repeatedly proposed new legislative bills to restrict immigration, all of which included a general bar against polygamists.⁸⁸ As demonstrated by certain bills, these were not any abstract polygamists that congressmen worried about. Seth Milliken (Maine) got more to the point in his 1889 "Bill to Regulate Immigration," seeking to exclude the "anarchist, nihilist, or any person hostile to the principles of the Constitution or form of government of the United States, [as well as] any believer or professed believer in the Mormon religion."⁸⁹ Similarly eschewing the generic polygamist façade, Representative Isaac Struble (Iowa) reserved a whole, separate section in his proposed bill to address the dangers of Mormon immigration, demanding that all persons coming with the intent of becoming members of "communities known as Mormons or of the so-called Church of Jesus Christ of Latter-Day Saints, or whose immigration may have been influenced or assisted by agents of such community or church," be "expressly prohibited" and that no such immigrant "be permitted to land in the United States or any Territory thereof or the District of Columbia . . ."⁹⁰

Eight months after Struble introduced his bill, Wilford Woodruff, then president of the Mormon Church, issued what has come to be known as the 1890 Manifesto, officially advising members to abandon the practice of plural marriage.⁹¹ The anti-Mormon campaigns from the 1870s to the 1880s had reached their desired effect: the constant legal, economic, and political persecution had markedly diminished the power of the Mormon Church in the US West. Any explicit reference to Mormons was ultimately dropped from the final version of the 1891 immigration act, which retreated to a more general ban on “polygamists” and thereby avoided any constitutional conflict with the First Amendment’s guaranty of the free exercise of religion.

Subtly, however, anti-Mormon sentiment had been institutionalized into immigration policy that enlarged the federal government’s power over definitions of marriage and acceptable religious practices at the nation’s borders. By the turn of the twentieth century, the disapproving juxtaposition of Mormonism to Islam and the Ottoman Empire not only offered Orientalist denunciations of Mormons but also hinted at the significance of imperial political formations and contestations that would reshape both the United States and the global landscape more broadly. The legislative outcomes in immigration law would reflect the United States’ attempts to contain such imperial intrusions at the nation’s gateways.

“MOHAMMEDANS” IN AMERICA: TURKISH MUSLIM IMMIGRATION FROM THE OTTOMAN EMPIRE

Though the passage of the 1891 Immigration Act and its bar against polygamy might have thus been seen as a boon to anti-Mormon restrictionists, the law ultimately had little impact. Indeed, as one Mormon scholar assessed it, “The addition of polygamists to the excluded classes in the federal immigration law in 1891 came as anti-climax.”⁹² By 1900, total Church membership stood at 264,000, and the Church expanded its reach across the country and into every corner of the globe during the twentieth century.⁹³ Meanwhile, the official renunciation of polygamy from the Church, along with the anti-polygamist victories of the 1880s and 1890s, steadily produced a more relaxed attitude toward the Mormon Church and its European converts.⁹⁴

In 1902, the Commissioner General of Immigration, Terence Powderly, thus had to concede that “[p]olygamists, unless practicing polygamy, or acknowledging that it is their intention to practise [*sic*] it, are not excluded.” “The alien may admit that he is a believer in polygamy and [still] be landed,”

Powderly explained, “for such avowal is usually accompanied by a declaration of his belief in some form of religion which sanctions polygamy,” and which was thereby seen to be constitutionally protected under the Establishment Clause. Finding the “alien polygamist” to be “usually an intelligent person” who might additionally have been “well coached by some missionary of polygamist tendencies,” Powderly lamented the ways in which Mormon converts outmaneuvered inspectors by “admitting that he is a believer in polygamy [while], in the same breath, deny that he is practising [*sic*] or intends practising polygamy.”⁹⁵ Thus, unlike illness and disease, which could be detected by immigration and health inspectors upon arrival, exclusions of an immigrant under the polygamy bar required outright admissions or confessions, which were unlikely to be voluntarily offered. Cases involving the polygamy bar were thus “so few as to give little trouble or concern to the government officials,” Powderly concluded.⁹⁶

Instead of the polygamy bar, US immigration authorities turned to other provisions in the immigration laws to scrutinize Mormon migrations. In August 1908, the Bureau of Immigration received notice that a large group of Mormon immigrants were expected to arrive via the *SS Republic* at the port of Boston. Inspectors there were directed to “have these aliens carefully questioned, not only as to who paid their passage, but how much each one paid and where they purchased their tickets.”⁹⁷ Although inspectors questioned each immigrant about polygamy and their relationship with the Mormon church, the basis of each admission, denial, or detention ultimately turned on questions of the immigrant’s potential status as an alien deemed “likely to become public charges,” also known as the LPC bar.⁹⁸ Officials at the Boston port of entry reported that “it appears from all the evidence that these persons were well drilled on the ship and that they had meetings en route where they were coached in regard to the Immigration laws,” presumably referring not only to the polygamy bar but also the LPC bar.⁹⁹ Such suspicions were likely heightened after prominent Mormon leader and US Senator Reed Smoot—along with his Gentile colleague, Senator George Sutherland—rushed to the aid of the Mormon arrivals. Vouching for his future constituents, though, Sutherland reassured immigration officials that “I never have known of a single Mormon immigrant who has become a public charge.” “The constant effort is to make all members of the community self-supporting,” he promised, “and there is a larger percentage of Mormon people who own their own homes and are self-supporting than in any other state in the Union.” In the end, all of the remaining immigrants except for two were unanimously admitted.¹⁰⁰

By the early 1900s, the polygamy bar became increasingly less viable in restricting Mormon immigration. In a January 4, 1911 letter to immigration officials in Boston, Acting Commissioner-General F. H. Larned shared the Bureau's "considerable dissatisfaction" about how officials were interrogating Mormon arrivals at Portland, Maine. Referring to several appeals brought by "aliens of the Mormon faith destined to Utah and Idaho," Larned admonished officials to rein in the inspections for Mormon immigrants. "It is perfectly proper," he explained, "to ask any alien, without regard to his religion, whether he believes in the practice of polygamy, such a belief being one of the statutory grounds for exclusion." Any attempt to "hector aliens," however, into admitting their belief in the practice as a result of their religion "can produce no useful result and lays the Service open to criticism," Larned warned.¹⁰¹

If anti-Mormon anxiety began to subside after the turn of the twentieth century, the restrictionist targeting of other groups deemed by the majority of Americans as racially and religiously different did not. In a July 30, 1910 letter, immigration authorities in San Francisco reported to the Commissioner General "that it has been the custom of the inspectors in this jurisdiction for some time past to question all Hindoo aliens in regard to their belief in the practice of polygamy." The "invariable answer" that the Asian Indian immigrants provided, however, was "that they neither believe in nor practice the same." Advised by Mr. Madge, "our Hindoo interpreter," that arriving Indian immigrants were of two religious beliefs—either "Singhe or Hindoo Buddhists [*sic*], whose teachings are against polygamy, and the Mohammedans, whose religious belief favors polygamy"—the San Francisco commissioner reassured his superior officer that Asian polygamists were not entering the country. "[O]nly the princes and wealthy Indians of Mohammedan belief"—in other words, those most likely to remain in India—practiced polygamy, according to "Mr. Madge." The others "find it sufficiently hard to support one wife and one set of children in their own country," let alone as poor laborers who made up a predominantly male immigrant community in the United States.¹⁰²

While Asian Indians sufficiently appeased US immigration officials—at least on the question of polygamy—the growing numbers of Muslim Turkish immigrants found the admissions process much trickier. Though Ottoman migration had remained largely an internal phenomenon during the nineteenth century—appearing within and between the empire's provinces—growing numbers of Syrians and southeastern Anatolians began to seek new

opportunities in the Americas by the last quarter of the century. Economic changes and ethnocultural tensions increased migratory pressures within the empire, while North American industrialization and South American agricultural expansion presented attractive “pull” factors.¹⁰³ After Spain prohibited Ottoman immigration to Cuba in 1891, immigration to the United States increased. The rate of emigration from the empire accelerated in 1896–1897 after the Ottoman government lifted its ban on emigration, and then peaked again after 1908 with the rise of a new Ottoman government that took a more liberal approach to emigration and embraced its migrants abroad.¹⁰⁴ By 1910, the total number of immigrants from “Turkey in Asia” living in the United States were reported at 59,729, a figure that would have included some of the approximately 22,000 Turkish-speaking Muslims who moved to the United States between 1880 and 1924.¹⁰⁵

In a strange twist of fate, then, while anti-Mormon restrictionists used Islamicist stereotypes to call for the restriction of Mormon converts from Europe, by the turn of the twentieth century, the group of foreign nationals most targeted for exclusion under the 1891 polygamy bar were actually Muslim Turks. As the *New York Times* announced on November 18, 1897, “[t]he first polygamists excluded under the existing immigration laws were six Mohammedans who arrived on the steamship California.”¹⁰⁶ Having reportedly declared that they followed the Koran—which, US officials noted, “teaches polygamy”—the five men “and a lad of fifteen, [all] immigrants from Turkey,” were ordered deported by the Board of Special Inquiry at New York.¹⁰⁷

In applying the polygamy restriction, then, immigration officials shifted their gaze from Mormon Europeans to the increasing numbers of Turkish immigrants who began to arrive at the turn of the twentieth century. They engaged in what Natalia Molina and Daniel Martinez HoSang might call “the relational dimensions of race making in the United States,” in which “racial meanings, boundaries, and hierarchies are coproduced through dynamic processes that change across time and place.”¹⁰⁸ In fact, Islamophobic decriers inverted the Mormon-Ottoman relation at times, appropriating criticism of Mormonism to cast Muslims from the Ottoman Empire as not only religiously different but as uncivilized and as racially inferior as well. For example, in his proposed resolution supporting Crete’s attempt to break free from Ottoman rule, US Representative John Shanks harnessed anti-Mormon sentiment to rail against what he called the “criminal stupidity and barbarism” of the “Asiatic Mormon dynasty of [the] Moslem,” led by “the Mormon sultan.”¹⁰⁹

SIX POLYGAMISTS SHUT OUT.

**The Board of Inquiry Orders Moham-
medans to be Deported.**

The first polygamists excluded under the existing immigration laws were six Moham-medans who arrived on the steamship California and were arraigned yesterday before the Board of Special Inquiry.

"You believe in the Koran?" asked President Stump.

"Thank Allah, yes!" responded the men in chorus.

"The Koran teaches polygamy?" continued the Inspector through an interpreter.

"Blessed be Allah, it does!"

"Then you believe in polygamy?" asked Capt. George Ellis.

"We do, we do! Blessed be Allah, we do!" chorused the Arabs, salaaming toward the setting sun.

"That settles it," said President Stump. "You won't do." They were ordered deported.

Figure 4. *New York Times*, November 18, 1897, 11.

Racial comparisons to other Asian groups also cast the racial identity of Ottoman subjects into question. Assistant US Attorney James Farrell, for example, objected in 1909 to the naturalization of certain Armenians from Asiatic Turkey by arguing, "Without being able to define a white person, the average man in the street understands distinctly what it means, and would find no difficulty in assigning to the yellow race a Turk or Syrian with as much case as he would bestow that designation on a Chinaman or a Korean."¹¹⁰ Still, as Sarah Gualtieri has pointed out, many Middle Eastern Christians—such as Syrians and Armenians—could rely on their Christianity to make religious and civilizational arguments in favor of their whiteness for naturalization purposes. Because Muslims could not present the same connections to Christianity, their whiteness was harder to "prove."¹¹¹ In fact, as early as 1892, the Ottoman legation in Washington had reported that to avoid discrimination, many Muslims were resorting to "passing" as Christians, or more specifically, as Armenians—immigrants too from the Ottoman Empire but many of whom spoke Turkish and practiced Christianity.¹¹²

As increasing numbers of immigrants from Asia and the Ottoman Empire began to arrive, then, US immigration officials attempted to use the 1891 Immigration Act and its anti-polygamy bar to cast a wider net. As with Mormons, however, officials found that the original anti-polygamy bar of the 1891 Immigration Act posed little barrier to Turkish immigration. Mormon immigration from Europe had included high numbers of women, rendering family formation—both monogamous and polygamous—much more readily apparent and potentially realizable. Turkish immigration was demographically different, though, in that Turkish immigrants tended to be poor male laborers who arrived without wives or families.¹¹³ The financial standing of Turkish immigrants, moreover, would have made marrying and supporting one wife, let alone two, economically impracticable. Perhaps recognizing that few Turkish immigrants could be excluded as actual polygamists, Congress expanded the framework for non-monogamous exclusion in 1907 from actual polygamists to “persons who admit their belief in the practice of polygamy.”¹¹⁴ Theoretically placing all immigrants under increased scrutiny for their beliefs, the law fell heaviest on Turkish immigrants. The secretary of commerce and labor reported in April 1910 that from July 1908 to February 1910, immigration officials denied admission to 131 polygamists, the bulk of whom were Turkish immigrants (71), followed by East Indians (25).¹¹⁵

Because the revised polygamy bar still proved so ineffective in restricting immigration from the Ottoman Empire, however, supporters of the Immigration Restriction League soon called for direct restrictions on Turkish immigration. John Norton Pomeroy, a lawyer from San Francisco, wrote a letter advocating “the extension of the Chinese-exclusion act to embrace all Asiatics, including subjects of the Turkish Empire.”¹¹⁶ In December 1914, one Missouri senator offered a series of amendments in Congress to tighten existing immigration laws, and moved—unsuccessfully—for the explicit exclusion of all Turks and East Indians. The senator’s proposed amendment to change the existing polygamy bar from those who “admit their belief in the practice of polygamy” to those who “believe in, advocate, or practice polygamy” was, however, passed by both the Senate and House, and eventually became incorporated into the Immigration Act of 1917.¹¹⁷

The reluctance on the part of Congress to pass an outright ban on Turkish immigration reflected, in large part, the ongoing need for the United States to maintain friendly relations with the Ottoman government. Indeed, in 1910 immigration officials found themselves at the center of emerging tensions in Saloniki, Turkey. Following the exclusion of eight Muslim Turks at Ellis Island in January 1910, the US State Department had admonished

immigration officials against using religion as a proxy for polygamy, and urged the secretary of commerce and labor to ensure “that the profession of belief or non-belief in the Mohammedan religion in no way enters into the determination of the question as to whether or not the immigrant be entitled to admission into this country.”¹¹⁸ Although the secretary of commerce and labor sent reassurances that its immigration officers “will endeavor to have such a distinction made in the application of the immigration laws,” rumors that the United States was barring all Ottoman subjects began to percolate around Saloniki, reaching the US consulate stationed there.¹¹⁹ Reporting to the US assistant secretary of state that “[t]here is considerable talk about this matter here,” the consular official included a recent clipping from the Turkish newspaper *Progres de Salolinque* about “The United States and Mussulmans,” which offered its readers an account of “the unjust restrictive measures taken by the American Government against the emigration of Moslems to the United States.”¹²⁰ “Are you polygamists?” Ellis Island officials reportedly asked the immigrants. The immigrants swore on the Koran that they were not, but swearing on the Koran reportedly confirmed the officials’ suspicions. “In as much as you swear on the Coran,” the newspaper quoted officials as saying, “that shows that you believe it and if you believe it that means you accept the principals of polygamy, which it tolerates.” Decrying the exclusion of these immigrants—as well as about two hundred other Muslim Turks who had since been denied entry at Ellis Island—as “unjust,” “arbitrary,” “inhuman,” and “prejudicial to the rights, honor and dignity of the Moslems and Turks,” the Salonica newspaper called on Ottoman and US authorities to ensure the proper application of existing immigration laws. Noting that Congress itself had not passed any law barring the immigration of Muslim Turks, the Saloniki reporter shifted the blame onto “the chief of emigration in the U.S. who applied it without consulting any one.”¹²¹

While US immigration officials repeatedly denied such accusations, tensions mounted. Ottoman authorities continued to accuse the United States of refusing its subjects admission on religious grounds, compelling State Department officials to turn around and insist yet again that immigration officials take care in the application of the immigration laws, and soon insisting that the secretary of commerce and labor “clearly set forth in written and definite instructions” to enforcement agents “that a belief in the Mohammedan religion is not in itself a competent reason for denying admission to such immigrants, but that such admission should only be denied where the immigrant expresses a belief in the actual practice of polygamy.” Reminding

the secretary of commerce and labor that economic and political negotiations between the Ottoman Empire and the United States “are now demanding the most thoughtful consideration and attention of the Department of State,” the secretary of state pressed for interagency “assistance and friendly cooperation” in reducing what was “at present a source of irritation to the two Governments,” and sought help in maintaining “a continuation of the very friendly feeling and spirit of good will” between the two countries.¹²² Immigration officials acknowledged the secretary of state’s concerns, but insisted that they had only excluded “the alien [who] admitted a belief in the actual practice of polygamy” and that the total number of Turkish immigrants excluded as polygamists was “notably small, especially in comparison with the number of Turkish immigrants admitted to the United States.” Officials suggested instead that the exclusions had “probably been not a little exaggerated by the representatives of the Turkish Government.”¹²³ Still, the message from the State Department appears to have been received—at least temporarily—and immigration officials adjusted their practices. When an official from the State Department’s Division of Near Eastern Affairs personally visited the Department of Commerce and Labor in August, immigration officials produced a report of all Turks deported from New York between February and July 1910 and the grounds for rejection of each deportee. While thirteen Turkish immigrants had been deported on the grounds of polygamy from February 10 to March 2, New York officials reported no deportations of Turkish immigrants on the basis of polygamy from March 2 onwards—around the time that the flurry of communications from the State Department began—as well as a reduction in the rate of exclusions of Turkish immigrants more broadly.¹²⁴ In the dates following March 2, US authorities relied much more heavily on the LPC clause to officially deny admission to Turkish immigrants.¹²⁵

For the next four years, the polygamy bar in US immigration law would continue to rattle diplomatic relations between the United States and the Ottoman Empire. While US officials pulled back from vigorously (mis)enforcing the polygamy restriction, they proved reluctant in dropping it altogether, usually combining the polygamy restrictions with other bases for exclusion—especially LPC—to exclude Turkish immigrants.¹²⁶ The Imperial Ottoman Embassy thus complained again to the secretary of state in 1912, urging the State Department to “kindly use its good offices with the American authorities concerned to the end that Ottoman emigrants be no longer subjected, upon their arrival in the United States, to measures excluding them from American territory on account of a purely theoretical consideration.”¹²⁷ By

1913, ongoing disputes about the interpretation of the 1907 “belief in the practice of polygamy” bar finally induced Commissioner General A. Caminetti to issue a script to guide immigration commissioners and inspectors in charge at ports of entry. Due to ongoing complaints about the “incomplete or otherwise unsatisfactory manner in which aliens suspected of being polygamists or believers in the practice of polygamy are interrogated,” Caminetti explained, he wanted to provide officers with a list of “properly formulated” questions to “see that questions of a proper nature are asked in a manner calculated to enforce the law in accordance with its spirit.”¹²⁸ Avoiding any explicit reference to Islam or “Mohammedanism,” the questionnaire sought to neutrally guide immigration officials in more carefully distinguishing “belief in polygamy” from the religious identity of immigrants.¹²⁹

Offering the script as a model but not a strict requirement, however, Caminetti gave those in charge at ports of entry wide discretion in their attempts “to reach the correct conclusions,” leaving still abundant room for administrative confusion, error, and abuse.¹³⁰ Complaints would thus continue to land on the desks of State Department and immigration officials, with Ambassador Youssef Zia from the Imperial Ottoman Embassy contending yet again in February 1914 that, notwithstanding all previous communications from the Imperial Embassy, “the competent authorities persist in excluding from the United States those Ottoman subjects who profess Mohammedanism.” Once again, the Ottoman government pressed the Secretary of State to “issue to the said [immigration] authorities instructions strictly to observe existing [agreements].”¹³¹

The enforcement of the anti-polygamy bar thus continued to rankle Ottoman officials, and would have likely remained an irritating source of diplomatic tensions, but for the outbreak of World War I that July. From 1915–1919, Ottoman immigration overall totaled only about six thousand.¹³² But though the disruptions of World War I and the subsequent collapse of the Ottoman Empire had significantly suppressed Turkish immigration to the United States, it was the passage of the National Origins Act in 1924 that offered US immigration officials an even more effective mechanism by which to limit Turkish immigration—one that avoided raising many of the specific complaints of Turkish authorities. With the facially religious- and race-“neutral” application of census-based calculations, the United States capped immigration from Turkey to no more than 226 admissions per year.¹³³ The next “second wave” of Turkish immigration to the United States would not pick up again in any significant way until the 1950s and 1960s.¹³⁴

June 16, 1913.

Examination of alien applicants for the purpose of determining whether a polygamist or a person who believes in the practice of polygamy.

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The first question to be asked is:

Q. Are you a polygamist--have you more than one wife?

If the answer is "Yes," exclude; if "No" continue interrogation thus:

Q. Do you believe in the practice of polygamy?

If answer is "No," DISCONTINUE THIS PARTICULAR LINE OF inquiry; if "Yes," or "Yes, as my religion permits it," continue examination thus:

Q. Describe to the board exactly what your belief is concerning the practice of polygamy.

If alien's description of belief clearly shows that he believes it right for him to take more than one wife while living in the United States, exclude without further inquiry on the subject. If his description of belief does not clearly show his present attitude of mind in this regard, ask him:

Q. Do you believe it would be right for you to have more than one wife while living in the United States?

If the answer is an unqualified "No," carry the interrogation no further, provided there is no reason to suppose alien does not understand the question, and admit alien. If he answers "Yes," or with a "No" qualified so as to indicate he may be laboring under a misunderstanding, ask him:

Q. Do you know what the laws of this country are regarding plural marriages?

If the answer is a direct negative or indicates that alien does not fully know what the laws are, the laws against plural marriages should be briefly but clearly explained, and then, or if the answer is of an affirmative nature, the interrogation should be terminated by securing from him a "yes" or "no" answer to:

Q. Knowing this to be the law of the United States, do you nevertheless believe that it would be right for you, if your financial circumstances should permit, to take more than one wife while living here?

If alien answers "Yes," exclude; if "No," admit, provided alien is in all other respects admissible.

Figure 5. Questionnaire attached to memorandum from A. Caminetti, Commissioner General, June 16, 1913, #52737/499, RG 85, Entry 9, NARA-DC.

CONCLUSION

Since World War I, anxieties about polygamy in the United States have largely receded from view, particularly in the realm of US immigration law and enforcement. Relegated to the fringe enclaves of certain fundamentalist Mormon communities, and popularized at the same time through television series such as *Big Love* (2006–2011) and *Sister Wives* (2010–ongoing), polygamy continues to repel and fascinate mainstream American audiences. In law, it appears mainly to serve as a foil for opponents to same-sex marriage; legislators, judges, activists, and scholars alike have asked, “if same-sex marriage is permissible, why not polygamy?”¹³⁵

Still, versions of the anti-polygamy bar have survived multiple amendments and revisions to US immigration law, and under § 212(a)(10)(A) of the Immigration and Nationality Act, immigrants coming to the United States “to practice polygamy” remain inadmissible.¹³⁶ Despite its marginality in popular imagination as well as in historical scholarship, the regulation of polygamy speaks to deep undercurrents in US history. As scholars of marriage and sexuality have already well-demonstrated, the government regulation of marriage has never been a simple, straightforward attempt to define the parameters of monogamous marriage and family in the United States. The heteronormative policing of female sexuality, class, and race has always been central to both state and federal campaigns. From state-level anti-miscegenation laws to the 1910 Mann Act and 1996 Defense of Marriage Act, legal registers of “proper” American marriage and sexual activity have been used to control white women; Black, Indigenous, and immigrant communities; and persons of both sexes who did not conform to gender expectations or heterosexuality.¹³⁷ Exploring the history of the anti-polygamy bar in US immigration law provides a clearer view of the diverse ways in which men and women came together in the late-nineteenth and early-twentieth centuries; tested the traditional boundaries of marriage, family, and national identity; and navigated federal attempts to regulate and police such intimacy both domestically and at the nation’s borders.

As this article suggests, however, paying attention to the role of religion in the shaping of US immigration law shifts the way we understand and tell the story of immigration restriction. It broadens our understandings of racial construction at the turn of the twentieth century beyond Black and white, and moves us to consider immigration history beyond the dominant European and East Asian groups to Muslims from Eurasia (Turkey) and Southeast Asia (Philippines) as well. The application of the anti-polygamy

bar against Muslim Turks as well as Mormons also provides a longer view of anti-Muslim policy in immigration law, connecting the turn-of-the-twentieth-century regulation of Turkish immigrants to the post-9/11 era policing of Muslim immigrant communities in the name of “national security.”¹³⁸ The Trump administration’s 2017 “Executive Order Protecting the Nation from Foreign Terrorist Entry into the United States”—denying entry to refugees and immigrants from mostly Muslim-majority countries, and hence labeled by many as a “Muslim ban”—has a longer lineage, one that demands even further exploration and study.¹³⁹ Indeed, when the constitutionality of the order was challenged in federal court, a group of scholars filed an amicus brief reminding judges of the history of religious persecution against the Mormons and pressing the court to “ensure that history does not repeat itself.”¹⁴⁰ Examining the anti-polygamy bar in US immigration law not only highlights the ways in which the Mormon-Muslim connection continues to reverberate into the twenty-first century, but also presses immigration scholars to take more seriously the role of non-Judeo-Christian religions and their practitioners—whether of Middle Eastern, European, Asian, or African descent—in the shaping of immigration law over the course of the twentieth century.

Additionally, the history of the 1891 Immigration Act and its anti-polygamy provision reveals that federal efforts to regulate marriage masked deeply embedded anxieties about race and religion in a new age of American expansion and empire. Indeed, the United States experienced a variety of imperial encounters during the late nineteenth and early twentieth centuries, not only as a result of its own capitalist and military expansions abroad but also because of the migration of so many imperial subjects to the United States itself. Historian Joel Perlmann reminds us that by the 1890s, “large numbers of immigrants were coming from the multinational empires, especially Russia and Austro-Hungary.”¹⁴¹ In fact, in the infamous 1911 Dillingham Commission reports, which served as the intellectual basis for the restrictive Immigration Act of 1924, the investigators reported that “it is a well-known fact that in several of the leading foreign countries, notably Russia, Austria, and Turkey, the population is far from being homogenous, but is made up of a number of decidedly distinct nationalities, sometimes referred to as races.”¹⁴² In particular, the commission noted that the “immigration movement from Turkey also furnishes a most striking illustration of the mingling of emigrating races in a single political division, for in the fiscal year 1907 there came from that country to the United States 9,412 Bulgarians, Servians [*sic*], and Montenegrins, 7,060 Greeks, 952 Syrians, 588 Hebrews,

194 Roumanians [*sic*], 1,124 Turks, and 1,437 persons of other races.”¹⁴³ The commission thus acknowledged the difficulties of managing and navigating race and the ethnic identities of the heterogeneous peoples of the Ottoman Empire, a pressing matter for the United States at a moment when most white Americans were deeply invested in segregation and the clear delineation of racial boundaries.¹⁴⁴

For US immigration officials working to redefine the racial parameters of admission and entry into the country, empires potentially confounded such racial coherency. To complicate matters even further for officials, many of these immigrants were arriving from powerful empires that were jockeying for position on the global stage. During this “age of empire,” Americans thus not only debated how the United States should interfere in international affairs, but also how it should control the intrusion of imperial forces at the nation’s borders.¹⁴⁵ As marginal as it may have seemed in the administration of exclusion in US immigration history, then, the anti-polygamy bar in immigration history emerges as no mere sidenote. Rather, by examining the “problems” which federal authorities sought to address by adding polygamy to the 1891 Immigration Act, historians can better “see” the ways in which US immigration law and policy reflect deep-seated anxieties about race, religion, reproduction, and empire at the turn of the twentieth century.

NOTES

I would like to thank Stacy D. Fahrenthold and the anonymous readers for this journal for their generous reading and comments on earlier drafts of this article. All errors are mine.

1. Immigration Act of 1891, March 3, 1891, 51st Congress, Session II, Chapter 551, 1084; Immigration Act of 1882, August 3, 1882, 47th Congress, Session I, Chapter 376, 214.

2. Immigration Act of 1891, 1084.

3. Immigration Act of 1907, February 20, 1907, 59th Congress, Session II, Chapter 1134, 899.

4. Alan M. Kraut, *The Huddled Masses: The Immigrant in American Society, 1880–1921* (Arlington Heights, IL: Harlan Davidson, Inc., 1982), 2.

5. In actuality, American polygamy predated the Mormons. North American societies were polygamous long before any Europeans arrived. See Sarah M. S. Pearsall, *Polygamy: An Early American History* (New Haven, CT: Yale University Press, 2019).

6. Although US immigration officials screened and inspected immigrants at Ellis Island, most Europeans were admitted. Less than 3 percent of arriving immigrants were excluded from entry. Alan M. Kraut, *Silent Travelers: Germs, Genes, and the “Immigrant Menace”* (Baltimore: Johns Hopkins University Press, 1995), 66. The literature on immigration from 1880 to 1924 is extensive, with the 1882 Chinese Exclusion Act and the 1924 Immigration

Act generally providing the structural bookends. Within this body of scholarship, there are only a few mentions of the 1891 Immigration Act; within these fleeting references, analyses of the polygamy exclusion are practically nonexistent. For more sustained discussions of the 1891 Immigration Act and its administrative provisions, see Lucy Salyer, *Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law* (Chapel Hill: University of North Carolina Press, 1995), 23–32; Patrick Ettinger, *Imaginary Lines: Border Enforcement and the Origins of Undocumented Immigration, 1882–1930* (Austin: University of Texas Press, 2009), 67–76; Karin Anderson Ponzer, “Inventing the Border: Law and Immigration in the United States: 1882–1891” (PhD diss., New School for Social Research, 2012), 133–78. The few analyses of the polygamy exclusion in the 1891 Immigration Act have been primarily led by legal scholars. See Claire A. Smearman, “Second Wives’ Club: Mapping the Impact of Polygamy in U.S. Immigration Law,” *Berkeley Journal of International Law* 27, no. 2 (2009): 382–447; and Sarah L. Eichenberger, “Note: When for Better Is for Worst: Immigration Law’s Gendered Impact on Foreign Polygamous Marriage,” *Duke Law Journal* 61, no. 5 (February 2012): 1067–1110.

7. T. V. Powderly, “Immigration’s Menace to the National Health,” *North American Review*, July 1, 1902, 55.

8. Gerald L. Neuman, *Strangers to the Constitution: Immigrants, Borders, and Fundamental Law* (Princeton, NJ: Princeton University Press, 1996), 28–56; Anna O. Law, “Lunatics, Idiots, Paupers, and Negro Seamen—Immigration Federalism and the Early American State,” *Studies in American Political Development* 28 (October 2014): 107–28; Hidetaka Hirota, *Expelling the Poor: Atlantic Seaboard States and the Nineteenth-Century Origins of American Immigration Policy* (New York: Oxford University Press, 2017).

9. The first federal restrictive immigration law was passed in 1875, targeting Chinese “coolies” as well as Chinese women suspected of being imported as prostitutes. Immigration Act of 1875 (Page Act), March 3, 1875, 43rd Congress, Session II, Chapter 141, 477.

10. For a brief summary of federal anti-Mormon legislation, see the discussion in the following pages. The body of literature on the religious persecution of nineteenth-century Mormons and its constitutional challenges is vast, but the leading text remains Sarah Barringer Gordon, *The Mormon Question: Polygamy and Constitutional Conflict in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 2002). For a study of Mormon politics and constitutional debates in the early twentieth century, see Kathleen Flake, *The Politics of American Religious Identity: The Seating of Senator Reed Smoot, Mormon Apostle* (Chapel Hill: University of North Carolina Press, 2004).

11. M. Hamlin Cannon, “The English Mormons in America,” *American Historical Review* 57, no. 4 (July 1952): 893.

12. There are a few studies of Mormon migration, but much of it examines the migrations of European converts as emigrants and “pioneers,” relaying their adventurous experiences and celebrating their roles in “settling” the US West. See, e.g., Cannon, “The English Mormons in America,” 893–908; Richard L. Jensen, “Steaming Through: Arrangements for Mormon Emigration from Europe, 1869–1887,” *Journal of Mormon History* 9 (1982): 3–23; William Mulder, *Homeward to Zion: The Mormon Migration from Scandinavia*. Anniversary ed. (Minneapolis: University of Minnesota Press, 2000); Kim B. Östman, “From Finland to Zion: Immigration to Utah in the Nineteenth Century,” *Journal of Mormon History* 36, no. 4 (Fall 2010): 166–207.

13. For a general overview of immigration from the Ottoman Empire, see Kemal H. Karpat, "The Ottoman Emigration to America, 1860–1914," *International Journal of Middle East Studies* 17, no. 2 (May 1985): 175–209.

14. The anti-polygamy bar could also provide more insight on the federal government's role in the construction of marriage at the turn of the twentieth century. Under conventional understandings of marriage governance, states are assumed to bear the responsibility for regulating marriage, and the federal government's role has been primarily limited to the anti-polygamy legislation of the nineteenth century and the Defense of Marriage Act in 1996. But as historian Nancy Cott has observed, the federal government has in fact attached marital status to various arenas of federal control, including immigration, citizenship, military, tax, and property. Nancy F. Cott, *Public Vows: A History of Marriage and the Nation* (Cambridge: Harvard University Press, 2000), 2. The 1891 Immigration Act provides an opening for addressing the federal regulation of marriage through immigration policy.

To a more limited extent, this study of the anti-polygamy bar in US immigration law also contributes to Mormon historiography, showing how anxieties about Mormonism in the nation's interior were translated into immigration law and enforcement at the nation's peripheries, and continued to trickle into the early twentieth century in new ways and with new immigrant groups in mind.

15. The scholarship relating to European immigration and religion is abundant, but classic works directly addressing religion and faith include Jay P. Dolan, *The Immigrant Church: New York's Irish and German Catholics, 1815–1865* (Baltimore: Johns Hopkins University Press, 1975); and Robert Orsi, *The Madonna of 115th Street: Faith and Community in Italian Harlem* (New Haven, CT: Yale University Press, 1988). John Higham's classic study highlighted Protestant nativism—organized most prominently as anti-Catholicism and later as anti-Semitism—as one of the oldest and most powerful strains of anti-foreign "traditions" in the United States. John Higham, *Strangers in the Land: Patterns of American Nativism, 1860–1925*, Rev. ed. (New Brunswick, NJ: Rutgers University Press, 2002), 5. Erika Lee's recent exploration of American xenophobia expands on the role of religion in shaping immigrant exclusion, including a more extensive discussion of Islamophobia. Erika Lee, *America for Americans: A History of Xenophobia in the United States* (New York: Basic Books, 2019), 289–319.

16. Jon Gjerde commented in 1999 that he remained "mystified at the degree to which scholars of immigration and ethnicity have ignored the role of religion." Jon Gjerde, "New Growth on Old Vines—The State of the Field: The Social History of Immigration to and Ethnicity in the United States," *Journal of American Ethnic History* 18, no. 4 (Summer 1999): 57. See also Jacqueline Hagan and Helen Rose Ebaugh, "Calling upon the Sacred: Migrants' Use of Religion in the Migration Process," *The International Migration Review* 37, no. 4 (Winter 2003): 1145; R. Stephen Warner, "Religion and New (Post-1965) Immigrants: Some Principles Drawn from Field Research," *American Studies* 41, no. 2/3 (Summer/Fall 2000): 269. Historian Sergio M. González has pointed out the reluctance of immigration historians, including those working on the histories of Latinx immigrants, to engage religion in their scholarship. Sergio M. González, "Interethnic Catholicism and Transnational Religious Connections: Milwaukee's Mexican Mission Chapel of Our Lady of Guadalupe, 1924–1929," *Journal of American Ethnic History* 36, no. 1 (Fall 2016): 6–7. For an overview of how Catholic and religious studies scholarship has informed and/or

has been ignored by Chicano/Mexicano historiography, see David G. Gutiérrez, “The New Turn in Chicano/Mexicano History: Integrating Religious Belief and Practice,” in *Catholics in the American Century: Recasting Narratives of U.S. History* (Ithaca, NY: Cornell University Press, 2012), 109–33. Religious studies scholars, meanwhile, have long neglected immigration, and have been slow to heed historian Jay Dolan’s call in 1988 for historians of American religion to incorporate immigration more centrally as an organizing principle for their scholarship. Jay P. Dolan, “The Immigrants and Their Gods: A New Perspective in American Religious History,” *Church History* 57, no. 1 (March 1988): 61–72.

17. Much of the work focusing on religion and immigration has been led by sociologists interested in questions of “successful” immigrant incorporation or “assimilation,” as well as religious pluralism, in the United States after 1965. See, e.g., Nancy Foner and Richard Alba, “Immigrant Religion in the U.S. and Western Europe: Bridge or Barrier to Inclusion?” *The International Migration Review* 42, no. 2 (Summer 2008): 360–92; Richard Alba, Albert J. Raboteau, and Josh DeWind, eds., *Immigration and Religion in America: Comparative and Historical Perspectives* (New York: New York University Press, 2009). More recent book-length monographs by historians calling attention to the role of religion in the experiences of immigrants include Sarah M. A. Gualtieri, *Between Arab and White: Race and Ethnicity in the Early Syrian American Diaspora* (Berkeley: University of California Press, 2009); Derek Chang, *Citizens of a Christian Nation: Evangelical Missions and the Problem of Race in the Nineteenth Century* (Philadelphia: University of Pennsylvania Press, 2010); David K. Yoo, *Contentious Spirits: Religion in Korean American History, 1903–1945* (Stanford: Stanford University Press, 2010); Stephanie Hinneshitz, *Race, Religion, and Civil Rights: Asian Students on the West Coast, 1900–1968* (Camden, NJ: Rutgers University Press, 2015).

18. Lori Pierce, Paul Spickard, and David Yoo, “Japanese and Korean Migrations: Buddhist and Christian Communities in America, 1885–1945,” in *Immigration and Religion in America: Comparative and Historical Perspectives*, ed. Richard Alba, Albert J. Raboteau, and Josh DeWind (New York: New York University Press, 2009), 133.

19. In this article, I only examine religion as an organizing feature of American society and as a basis for political discrimination and persecution for groups whose religious practices did not neatly conform to traditional Protestant customs. I do not discuss religion in its theological dimensions or the meanings of religion for believers.

20. For the framing of “native” as claimed by white settlers and the imposition of alienage onto Indigenous Nations and Chinese immigrants, I am indebted to the intellectual work of scholars like Leti Volpp and Manu Karuka. See Leti Volpp, “The Indigenous as Alien,” *UC Irvine Law Review* 5, no. 289 (2015): 289–325; Manu Karuka, *Empire’s Tracks: Indigenous Nations, Chinese Workers, and the Transcontinental Railroad* (Berkeley: University of California Press, 2019), 1–19.

21. Natalia Molina, *How Race Is Made in America: Immigration, Citizenship, and the Historical Power of Racial Scripts* (Berkeley: University of California Press, 2014).

22. Book-length publications from the past decade that incorporate transnational, international, and global analyses of US immigration regulation include Kelly Lytle Hernandez, *Migra! A History of the U.S. Border Patrol* (Berkeley: University of California Press, 2010); Rick Baldoz, *The Third Asiatic Invasion: Empire and Migration in Filipino America, 1898–1946* (New York: New York University Press, 2011); Cindy Hahamovitch,

No Man's Land: Jamaican Guestworkers in America and the Global History of Deportable Labor (Princeton: Princeton University Press, 2011); Donna R. Gabaccia, *Foreign Relations: American Immigration in Global Perspective* (Princeton, NJ: Princeton University Press, 2012); Kornel S. Chang, *Pacific Connections: The Making of the U.S.–Canadian Borderlands* (Berkeley: University of California Press, 2012); Elliott Young, *Alien Nation: Chinese Migration in the Americas from the Coolie Era through World War II* (Chapel Hill: University of North Carolina Press, 2014); Madeline Y. Hsu, *The Good Immigrants: How the Yellow Peril Became the Model Minority* (Princeton, NJ: Princeton University Press, 2015); Merideth Oyen, *The Diplomacy of Migration: Transnational Lives and the Making of U.S.–Chinese Relations in the Cold War* (Ithaca, NY: Cornell University Press, 2015); Arissa H. Oh, *To Save the Children of Korea: The Cold War Origins of International Adoption* (Stanford, CA: Stanford University Press, 2015); Erika Lee, *The Making of Asian America: A History* (New York: Simon & Schuster, 2015); Mireya Loza, *Defiant Braceros: How Migrant Workers Fought for Racial, Sexual, and Political Freedom* (Chapel Hill: University of North Carolina Press, 2016); María Cristina García, *The Refugee Challenge in Post–Cold War America* (New York: Oxford University Press, 2017); Torrie Hester, *Deportation: The Origins of U.S. Policy* (Philadelphia: University of Pennsylvania Press, 2017); Hirota, *Expelling the Poor*; Jimmy Patiño, *Raza Sí, Migra No: Chicano Movement Struggles for Immigrant Rights in San Diego* (Chapel Hill: University of North Carolina Press, 2017); Julian Lim, *Porous Borders: Multiracial Migrations and the Law in the U.S.–Mexico Borderlands* (Chapel Hill: University of North Carolina Press, 2017); Jenna M. Lloyd and Alison Mountz, *Boats, Borders, and Bases: Race, the Cold War, and the Rise of Migration Detention in the United States* (Berkeley: University of California Press, 2018); Miroslava Chávez-García, *Migrant Longing: Letter Writing Across the U.S.–Mexico Borderlands* (Chapel Hill: University of North Carolina Press, 2018); Beth Lew-Williams, *The Chinese Must Go: Violence, Exclusion, and the Making of the Alien in America* (Cambridge, MA: Harvard University Press, 2018); Ana Raquel Minian, *Undocumented Lives: The Untold Story of Mexican Migration* (Cambridge, MA: Harvard University Press, 2018); Jane Hong, *Opening the Gates to Asia: A Transpacific History of How America Repealed Asian Exclusion* (Chapel Hill: University of North Carolina Press, 2019); Maddalena Marinari, *Unwanted: Italian and Jewish Mobilization against Restrictive Immigration Laws, 1882–1965* (Chapel Hill: University of North Carolina Press, 2020); and Adam Goodman, *The Deportation Machine: America's Long History of Expelling Immigrants* (Princeton, NJ: Princeton University Press, 2020). Paul Kramer provides a very helpful summary and analysis of literature engaging questions of migration, foreign relations, and empire in Paul A. Kramer, “The Geopolitics of Mobility: Immigration Policy and American Global Power in the Long Twentieth Century,” *American Historical Review* 123, no. 2 (April 2018): 396–98.

23. Kramer, “The Geopolitics of Mobility,” 394.

24. See María del Mar Logroño Narbona, Paulo G. Pinto, and John Tofik Karam, eds., *Crescent over Another Horizon: Islam in Latin America, the Caribbean, and Latino USA* (Austin: University of Texas Press, 2015); John J. Graboski, “Forging New Links in the Early Turkish Migration Chain: The U.S. Census and Early Twentieth Century Ships’ Manifests,” in *Turkish Migration to the United States: From Ottoman Times to the Present*, ed. A. Deniz Balgamiş and Kemal J. Karpat (Madison: University of Wisconsin Press, 2008), 15. The migration of Muslim Turks from the Ottoman Empire to the United States

at the turn of the twentieth century was minor even compared to other Ottoman subjects, including Armenians, Greeks, and Christian Arabs. As noted by John Grabowski, the study of the immigration of Muslim Turks at the turn of the twentieth century has increased in the past two decades, but remains a field ripe for much more study and research. See John J. Grabowski, "Prospects and Challenges: The Study of Early Turkish Immigration to the United States," *Journal of American Ethnic History* 25, no. 1 (Fall 2005): 85–100. See also Kambiz Ghanea-Bassiri, *A History of Islam in America: From the New World to the New World Order* (New York: Cambridge University Press, 2010), 4 (noting that the majority of studies on Islam more generally in America has been sociological and anthropological, with the few historical studies focusing primarily on African American Muslims and non-Muslim perceptions of Islam). Within the past decade, historical scholarship on race and migration in Arab American and Middle Eastern studies has grown, with much of it focused on Syrian immigrants. See, e.g., Sally Howell, *Old Islam in Detroit: Rediscovering the Muslim American Past* (New York: Oxford University Press, 2014); Stacy D. Fahrenthold, *Between the Ottomans and the Entente: The First World War in the Syrian and Lebanese Diaspora, 1908–1925* (New York: Oxford University Press, 2019); and Sarah M. A. Gualtieri, *Arab Routes: Pathways to Syrian California* (Stanford, CA: Stanford University Press, 2019).

25. In using the term "transimperial," I am borrowing from Kristin L. Hoganson and Jay Sexton, eds., *Crossing Empires: Taking U.S. History into Transimperial Terrain* (Durham, NC: Duke University Press, 2020).

26. Kenneth H. Winn, *Exiles in a Land of Liberty: Mormons in America, 1830–1846* (Chapel Hill: University of North Carolina Press, 1989); Gordon, *The Mormon Question*.

27. For more on the Utah War of the 1850s, see Brent M. Rogers, *Unpopular Sovereignty: Mormons and the Federal Management of Early Utah Territory* (Lincoln: University of Nebraska Press, 2017).

28. Gordon, *The Mormon Question*, 81, 111–16; Edwin Brown Firmage and Richard Collin Mangrum, *Zion in the Courts: A Legal History of the Church of Jesus Christ of Latter-Day Saints, 1830–1900* (Urbana: University of Illinois Press, 1988), 130–59; William Mulder, "Immigration and the 'Mormon Question': An International Episode," *The Western Political Quarterly* 9, no. 2 (June 1956): 421.

29. Gordon, *The Mormon Question*, 149.

30. Firmage and Mangrum, *Zion in the Courts*, 160–209.

31. Gordon, *The Mormon Question*, 55–83; Cott, *Public Vows*, 22–23, 56–104.

32. W. Paul Reeve, *Religion of a Different Color: Race and the Mormon Struggle for Whiteness* (New York: Oxford University Press, 2015); J. Spencer Fluhman, "A Peculiar People": *Anti-Mormonism and the Making of Religion in Nineteenth-Century America* (Chapel Hill: University of North Carolina Press, 2012), 103–25.

33. Matthew Frye Jacobson, *Whiteness of a Different Color: European Immigrants and the Alchemy of Race* (Cambridge, MA: Harvard University Press, 1999). On racial deterioration, see Reeve, *Religion of a Different Color*, 15–19. For perspectives on Mormon negotiations of race and rebuttals to their racialization as impure or less-than-white, see Max Perry Mueller, *Race and the Making of the Mormon People* (Chapel Hill: University of North Carolina Press, 2017); Cassandra L. Clark, "'No True Religion without True Science': Science and the Construction of Mormon Whiteness," *Journal of Mormon History* 42, no. 1 (January 2016): 44–72.

34. "Statistical Report on the Sickness and Mortality in the Army of the United States, Compiled from the Records of the Surgeon General's Office; Embracing a Period of Five Years, From January, 1855, to January, 1860," Senate Executive Document 52, US Senate, 36th Congress, 1st Session (Washington, DC: George W. Bowman, Printer, 1860), 301 (hereafter 1860 Surgeon General's Report).

35. 1860 Surgeon General's Report, 302. See also Reeve, *Religion of a Different Color*, 25–31.

36. Reeve, *Religion of a Different Color*, 18.

37. Reeve, 10. For details about European immigration more broadly to the Great Basin, see Scott Alan Carson, "European Immigration to America's Great Basin, 1850–1870," *Journal of Interdisciplinary History* 34, no. 4 (Spring 2004): 569–94.

38. Kathryn M. Daynes, *More Wives than One: Transformation of the Mormon Marriage System, 1840–1910* (Urbana: University of Illinois Press, 2001), 97.

39. Reeve, *Religion of a Different Color*, 10; Cannon, "The English Mormons in America," 893.

40. C. C. Goodwin, "The Mormon Situation," *Harper's Weekly* 63, no. 377 (October 1881), 759.

41. Gary L. Bunker and Davis Bitton, *The Mormon Graphic Image, 1834–1914: Cartoons, Caricatures, and Illustrations* (Salt Lake City: University of Utah Press, 1983), 78–81; Reeve, *Religion of a Different Color*, 46–49.

42. 1860 Surgeon General's Report, 302.

43. Goodwin, "The Mormon Situation," 759.

44. "Pauper Mormons from Switzerland," *New York Times*, May 26, 1883, 5 (internal quotation marks omitted).

45. "Pauper Mormons from Switzerland," 5 (internal quotation marks omitted).

46. *Papers Relating to the Foreign Relations of the United States, 1879–1880* (Washington, DC: Government Printing Office, 1880), 11–12, 349, 465, 964–65. See also Mulder, "Immigration and the 'Mormon Question,'" 422–24; Jensen, "Steaming Through," 7–8.

47. *Papers Relating to the Foreign Relations of the United States, 1879–1880*, 465. See also Minnie Grimstead Himes, "The Influence of Mormons on Foreign Immigration" (master's thesis, University of Nebraska, 1918), 70–74.

48. "The Future of Mormonism," *Irish Times*, August 15, 1879; "Mormon Immigration, Opinion of the London Times Concerning the Proposed Circular on the Subject," *Record of the Times*, August 13, 1879, <http://contentdm.lib.byu.edu/cdm/singleitem/collection/19CMNI/id/12481>. See also Mulder, "Immigration and the 'Mormon Question,'" 423–24; Reeve, *Religion of a Different Color*, 45.

49. "Pauper Mormons from Switzerland," 5 (internal quotation marks omitted). Officials reportedly found nothing warranting the detention of Mormon immigrants and allowed them to continue their journey to the West. "No Paupers or Forbidden Persons Found among the Nevada's Passengers," *New York Times*, May 28, 1883, 2.

50. Quoted in Mulder, "Immigration and the 'Mormon Question,'" 424.

51. James D. Richardson, ed., *A Compilation of the Messages and Papers of the Presidents, 1789–1897* (Washington, DC: Published by Authority of Congress, 1897), VIII, 362.

52. Kerry Abrams, "Polygamy, Prostitution, and the Federalization of Immigration Law," *Columbia Law Review* 105, no. 3 (April 2005): 653.

53. Abrams, 661, 692–93.

54. H. C. Bennett, "The Chinese in California: Their Numbers and Influence," *Sacramento Daily Union*, November 27, 1869, 8, quoted in Abrams, 661.

55. Page Act, 477. For more on the Page Act, see Sucheng Chan, "The Exclusion of Chinese Women, 1870–1924," in *Entry Denied: Exclusion and the Chinese Community in America, 1882–1943*, ed. Sucheng Chan (Philadelphia: Temple University Press, 1991), 94–146; George Peffer, *If They Don't Bring Their Women Here: Chinese Female Immigration before Exclusion* (Urbana: University of Illinois Press, 1999); Adam McKeown, "Transnational Chinese Families and Chinese Exclusion, 1875–1943," *Journal of American Ethnic History* 18, no. 2 (1999): 73–110.

56. Edward P. Hutchinson, *Legislative History of American Immigration Policy, 1798–1965* (Philadelphia: University of Pennsylvania Press, 1981), 66.

57. Hutchinson, 77–84. As Lucy Salyer points out, the Page Act, the Immigration Act of 1882, and the Chinese Exclusion Act of 1882 "represented significant departures for United States immigration policy. Whereas earlier nativist feelings had never penetrated official immigration policy, the movement to restrict immigration in the 1880s was much more successful in molding federal legislation to its end," marking a new era of constant congressional debate and the passage of increasingly restrictive immigration bills for the next three decades. Salyer, *Laws Harsh as Tigers*, 6.

58. "A Radical Remedy for Polygamy," *The Nation*, December 20, 1883, 503.

59. "Uncle Sam's Troublesome Bedfellows," *The Wasp*, February 8, 1879. Other critics of Mormonism were more generous to the Chinese, arguing that Chinese converts to Christianity could usefully serve in the "redemption of China," while the Mormons were irredeemable. Reeve, *Religion of a Different Color*, 219–20.

60. Reeve, *Religion of a Different Color*, 220.

61. *Reynolds v. U.S.*, 98 U.S. 145 (1878), 164.

62. Benjamin G. Ferris, *Utah and the Mormons: The History, Government, Doctrines, Customs, and Prospects of the Latter-Day Saints. From Personal Observation during a Six-Months' Residence at Great Salt Lake City* (New York: Harper & Brothers, 1854), 247.

63. Goodwin, "The Mormon Situation," 759.

64. Timothy Marr, *The Cultural Roots of American Islamicism* (New York: Cambridge University Press, 2006), 186; Reeve, *Religion of a Different Color*, 222–35; Tammy Heise, "Marking Mormon Difference: How Western Perceptions of Islam Defined the 'Mormon Menace,'" *Journal of Religion and Popular Culture* 25, no. 1 (Spring 2013): 82–97.

65. Francis Willard, "Introduction," in *The Women of Mormonism, or the Story of Polygamy as Told by the Victims Themselves*, ed. Jennie Anderson Froiseth (Detroit: C. G. G. Paine, 1882), xv–xvi.

66. Reeve, *Religion of a Different Color*, 222, 226–35.

67. Reeve, 231; Cott, *Public Vows*, 113.

68. Marr, *The Cultural Roots of American Islamicism*, 185–86.

69. On the role of American missionaries, see Ussama Makdisi, *Artillery of Heaven: American Missionaries and the Failed Conversion of the Middle East* (Ithaca, NY: Cornell University Press, 2008); Karine V. Walther, *Sacred Interests: The United States and the Islamic World, 1821–1921* (Chapel Hill: University of North Carolina Press, 2015).

70. Reşat Kasaba, *A Moveable Empire: Ottoman Nomads, Migrants & Refugees* (Seattle: University of Washington Press, 2009), 13.

71. Makdisi, *Artillery of Heaven*, 2.

72. As scholars of American Islamicism have pointed out, nineteenth-century Americans used the terms “Mahometanism” or “Mohammedanism” as a placeholder for Muslims, and often collapsed Turkey into the Ottoman Empire. Marr, *The Cultural Roots of American Islamicism*, 6. Indeed, in the famous Dillingham Commission’s “Dictionary of Races or People,” the only entry provided for “Ottoman” was “(See *Turkish*.)” William P. Dillingham, *Reports of the Immigration Commission* (hereafter Dillingham Commission Reports) (Washington, DC: Government Printing Office, 1911), vol. 5, 102. See also Fahrenthold, *Between the Ottomans and the Entente*, 23 (explaining how US officials made no distinction between Syrians and Turks; “anyone holding Ottoman documents originated from ‘Turkey in Asia’”). Under the entry for “Turkish,” the Immigration Commission defined them physically as “Europeanized,” but along the lines of the “brunette type of southern Europe, probably in part through their frequent intermarriages with the Circassian [*sic*] and other Mohammedan peoples of the Caucasus.” In religion, moreover, the Commission defined Turks as “almost universally Mohammedan.” Dillingham Commission Reports, vol. 5, 144–45. The association between “Turk” and “Muslim” was strengthened after 1899, when US immigration officials began to distinguish Syrians from other Ottoman subjects and conflate “Syrian” with Arab Christianity. See Stacy D. Fahrenthold, “‘Claimed by Turkey as Subjects’: Ottoman Migrants, Foreign Passports, and Syrian Nationality in the Americas, 1915–1925,” in *The “Subjects” of Ottoman International Law*, ed. Lâle Can and Michael Christopher Low (Bloomington: Indiana University Press, 2020), 218–19.

73. Heise, “Marking Mormon Difference,” 83; Walther, *Sacred Interests*, 13–15. For Mormon perspectives on Muslims, see S. Spencer Wells, “Muslims under the Mormon Eye: Theology, Rhetoric, and Personal Contacts, 1830–1910,” *Journal of Mormon History* 42, no. 2 (April 2016): 61–94.

74. Adam John Waterman, “Diabolical Enterprises and Abominable Superstitions: Islam and the Conceptualization of Finance in Early American Literature,” in *American Studies Encounters the Middle East*, ed. Alex Lubin and Marwan M. Kraidy (Chapel Hill: University of North Carolina Press, 2016), 32; Marr, *The Cultural Roots of American Islamicism*, 1. Scholar Timothy Marr has argued that American Islamicism reflects “the domestic figuration of the foreign,” and served as an Orientalist device for Americans to imagine and define their own national projects and institutions in global terms. Marr, *The Cultural Roots of American Islamicism*, 9, 18.

75. Walther, *Sacred Interests*, 19–20.

76. Quote taken from Reeves, *Religion of a Different Color*, 231.

77. C. H. Brigham, “Mormons and Mormonism,” *North American Review*, July 1, 1862, 190.

78. Goodwin, “The Mormon Situation,” 760.

79. Gordon, *The Mormon Question*, 177.

80. JoAnn W. Bair and Richard L. Jensen, “Prosecution of the Mormons in Arizona Territory in the 1880s,” *Arizona and the West* 19, no. 1 (Spring 1977): 25–46; B. Carmon Hardy, “Cultural ‘Encystment’ as a Cause of the Mormon Exodus from Mexico in 1912,” *Pacific Historical Review* 34, no. 4 (November 1965): 439–54; B. Carmon Hardy, “The Trek South: How the Mormons Went to Mexico,” *Southwestern Historical Quarterly* 73, no. 1 (July 1969): 1–16. These refugee colonies would grow to approximately four thousand

American Mormons living in northern Mexico by 1912, spread out across eight communities in Chihuahua and Sonora. Hardy, "The Trek South," 13.

81. Bruce Kinney, *Mormonism: The Islam of America* (New York: Fleming H. Revell Company, 1912), 81.

82. Alan Mikhail and Christine M. Philliou, "The Ottoman Empire and the Imperial Turn," *Comparative Studies in Society and History* 54, no. 4 (October 2012): 723. For a detailed summary of the late Ottoman Empire and its diminution during the nineteenth century, see Dawn Chatty, *Displacement and Dispossession in the Modern Middle East* (New York: Cambridge University Press, 2010), 38–90; Walther, *Sacred Interests*, 1–154.

83. Walther, *Sacred Interests*, 16–20; Davide Rodogno, *Against Massacre: Humanitarian Interventions in the Ottoman Empire, 1815–1914* (Princeton: Princeton University Press, 2012), 36–62.

84. Walther, *Sacred Interests*, 15, 20–21; Marr, *The Cultural Roots of American Islamism*, 186.

85. Marr, *The Cultural Roots of American Islamism*, 9.

86. Mulder, "Immigration and the 'Mormon Question,'" 421; Gordon, *The Mormon Question*, 185; Leonard J. Arrington, *Great Basin Kingdom: An Economic History of the Latter-Day Saints, 1830–1900* (Lincoln: University of Nebraska Press, 1958), 382.

87. Firmage and Mangrum, *Zion in the Courts*, 205.

88. For a general description of the 1891 Immigration Act and its legislative history, see Hutchinson, *Legislative History of American Immigration Policy*, 97–103. Many of the proposed bills were like that introduced by Senator Eugene Hale of Maine, which directed: "That no alien shall be admitted into the [United States] who is an idiot, insane, a pauper, or liable to become a public charge, or who has been legally convicted of a felony, other infamous crime, or misdemeanor involving moral turpitude, or who is a polygamist, anarchist, or socialist, or who is afflicted with any loathsome or contagious disease, or who [is coming as a labor contractor]." "A Bill to Regulate Immigration," S. 543, December 5, 1889, 51st Congress, Session 1, Box 81, HR 51A-F46.1, RG 233, National Archives and Records Administration, Washington, DC (hereafter NARA-DC), 1.

89. "A Bill to Regulate Immigration," H. R. 411, December 18, 1889, 51st Congress, Session I, Box 81, HR 51A-F46.1, RG 233, NARA-DC, 4 (emphasis added). Though the language clarified that it targeted only the believer "who fails to satisfy the consul, upon examination, that he or she intends to and will conform to and obey the laws of the United States," most nineteenth-century Americans argued that Mormonism—and by extension, its practitioners—necessarily defied the laws of the United States as long as polygamy remained a tenet of the Church. Suggestive of the threat that polygamists posed to policy makers such as Milliken, polygamy always appeared in US immigration law alongside anarchism, in a sequence as if, Nancy Cott has observed, "disloyalty to monogamy were equivalent to overthrowing the government." Cott, *Public Vows*, 139.

90. Section 5 of "A Bill Establishing the office of Commissioner of Immigration, providing for the appointment of a Commissioner, defining his duties, and for other purposes," H. R. 5977, January 27, 1890, 51st Congress, Session 1, Box 81, HR 51A-F46.1, RG 233, NARA-DC, 4. Struble had previously worked with Senator Shelby Cullom of Illinois to push the Cullom-Struble Bill, yet another anti-Mormon proposal which added to the mounting pressure on the Mormon Church to release its 1890 Manifesto, formally

disavowing polygamous marriages. See, e.g., Richard D. Poll, "The Legislative Antipolygamy Campaign," *Brigham Young University Studies* 26, no. 4 (Fall 1986): 119; E. Leo Lyman, "The Political Background of the Woodruff Manifesto," *Dialogue: A Journal of Mormon Thought* 24, no. 3 (Fall 1991): 25–30.

91. Woodruff introduced the Manifesto in a meeting with his advisors on September 24, 1890. The Manifesto was accepted by the Church as authoritative and binding on October 6, 1890. Thomas G. Alexander, *Mormonism in Transition: A History of the Latter-Day Saints, 1890–1930*, 2d. ed. (Urbana: University of Illinois Press, 1996), 3–4; "Official Declaration 1," The Church of Jesus Christ of Latter-Day Saints, available at <https://www.churchofjesuschrist.org/study/scriptures/dc-testament/od/1?lang=eng>. For more on the impact of the Manifesto on plural marriages among Mormons, see Alexander, *Mormonism in Transition*, 60–73.

92. Mulder, "Immigration and the 'Mormon Question,'" 421.

93. James B. Allen and Richard O. Cowan, "The Twentieth Century: Challenge for Mormon Historians," *Dialogue: A Journal of Mormon Thought* 7, no. 1 (Spring 1972): 27–30. For the Church's most recent reports on the growth of its membership, see "Worldwide Statistics," The Church of Jesus Christ of Latter-day Saints, (accessed April 9, 2020).

94. Hundreds of pending cases in the territorial courts against suspected polygamists were dismissed, convicted or indicted polygamists received presidential pardons in 1893 and 1894, and the government returned all confiscated personal and real property to the Church by 1896. Gordon, *The Mormon Question*, 201; Bair and Jensen, "Prosecution of the Mormons in Arizona Territory in the 1880s," 43–45. For analyses of Mormon accommodation, transition to "whiteness," and general acceptance by mainstream Americans in the early twentieth century, see Alexander, *Mormonism in Transition*; Flake, *The Politics of American Religious Identity*; Reeve, *Religion of a Different Color*; and Harvard S. Heath, "The Reed Smoot Hearings: A Quest for Legitimacy," *Journal of Mormon History* 33, no. 2 (Summer 2007), 1–80. Some scholars have also pointed to the participation of Mormons in the Spanish-American War as part of the organization's journey to broader integration in US society. See, e.g., D. Michael Quinn, "The Mormon Church and the Spanish-American War: An End to Selective Pacifism," *Pacific Historical Review* 43, no. 3 (August 1974), 342–66.

95. Powderly, "Immigration's Menace to the National Health," 55.

96. Powderly, 55.

97. Letter from F. H. Larned (Acting Commissioner-General) to Commissioner of Immigration at Boston, August 15, 1908, #53015/11, RG 85, Entry 9, NARA-DC.

98. Transcripts of interviews attached to letter from Jeremiah J. Hurley (Acting Commissioner) to Commissioner General of Immigration, August 29, 1908, #53015/11, RG 85, Entry 9, NARA-DC. In other cases, immigration officials also explored the applicability of the Foran Act, also known as the Anti-Immigrant Contract Labor Act. Suspecting that recent converts destined for Utah were coming as contract laborers, Acting Commissioner-General F. H. Larned informed agents in Salt Lake City in December 1910, "How far this system goes is problematical; that its operation results in a violation of the 'alien contract labor law' is considered probably, add [*sic*] it is the desire of the Department that you devote your energy for such time as may be necessary to a thorough investigation." Letter from F. H. Larned to Samuel Bond, December 14, 1910, #53015/11-B, RG 85, Entry 9, NARA-DC. On the Foran Act, see Gunther Peck, *Reinventing Free Labor: Padrones*

and *Immigrant Workers in the North American West, 1880–1930* (New York: Cambridge University Press, 2000), 84–90; Andrew Urban, *Brokering Servitude: Migration and the Politics of Domestic Labor during the Long Nineteenth Century* (New York: New York University Press, 2018), 171–79.

99. Letter from George B. Billings to Commissioner-General of Immigration, August 27, 1908, #53015/11, RG 85, Entry 9, NARA-DC.

100. Telegram from Reed Smoot to F. P. Sargent, August 28, 1908, #53015/11, RG 85, Entry 9, NARA-DC; Transcripts of Rehearings, #53015/11-A, RG 85, Entry 9, NARA-DC; Letter from George Sutherland to Oscar S. Straus (Secretary of Commerce and Labor), August 28, 1908, #53015/11-A, RG 85, Entry 9, NARA-DC; Letter from Oscar S. Straus to George Sutherland, September 2, 1908, #53015/11-A, RG 85, Entry 9, NARA-DC; Letter from Oscar S. Straus to John H. Cutler, September 1, 1908, #53015/11-A, RG 85, Entry 9, NARA-DC.

101. Letter from F. H. Larned (Acting Commissioner-General) to Commissioner of Immigration at Boston, Mass., January 4, 1911, #53015/11-B, RG 85, Entry 9, NARA-DC.

102. Office of the Commissioner in San Francisco to the Commissioner-General of Immigration, July 30, 1910, #52737/499, RG 85, Entry 9, NARA-DC. On Asian Indian migration to North America, see Joan M. Jensen, *Passage from India: Asian Indian Immigrants in North America* (New Haven, CT: Yale University Press, 1988); Karen Isaksen Leonard, *Making Ethnic Choices: California's Punjabi Mexican Americans* (Philadelphia: Temple University Press, 1992), 17–61; Nayan Shah, *Stranger Intimacy: Contesting Race, Sexuality, and the Law in the North American West* (Berkeley: University of California Press, 2011); Chang, *Pacific Connections*, 117–73; Renisa Mawani, *Across Oceans of Law: The Komagatu Maru and Jurisdiction in the Time of Empire* (Durham, NC: Duke University Press, 2018). Although there is no mention of polygamy, a more focused study of Bengali Muslim immigrants in New York City can be found in Vivek Bald, *Bengali Harlem and the Lost Histories of South Asian America* (Cambridge: Harvard University Press, 2013).

103. Kemal H. Karpat, “The Ottoman Emigration to America, 1860–1914,” *International Journal of Middle East Studies* 17, no. 2 (May 1985): 175–76; İşıl Acehan, “‘Ottoman Street’ in America: Turkish Leatherworkers in Peabody, Massachusetts,” *International Review of Social History* 54, Supplement 17 (2009): 19–44; Ahmet Akgündüz, “Migration to and from Turkey, 1783–1960: Types, Numbers and Ethno-Religious Dimensions,” *Journal of Ethnic and Migration Studies* 24, no. 1 (January 1998): 97–120; Sarah M. A. Gualtieri, *Between Arab and White: Race and Ethnicity in the Early Syrian American Diaspora* (Berkeley: University of California Press, 2009), 21–32. For a more detailed summary of the Ottoman Empire’s migration policies in the nineteenth century, see Başak Kale, “Transforming an Empire: The Ottoman Empire’s Immigration and Settlement Policies in the Nineteenth and Early Twentieth Centuries,” *Middle Eastern Studies* 50, no. 2 (2014): 252–71; David Gutman, “Travel Documents, Mobility Control, and the Ottoman State in an Age of Global Migration, 1880–1915,” *Journal of the Ottoman and Turkish Studies Association* 3, no. 2 (November 2016): 347–68; and David E. Gutman, *The Politics of Armenian Migration to North America, 1885–1915: Sojourners, Smugglers, and Dubious Citizens* (Edinburgh: Edinburgh University Press, 2019).

104. Karpat, “The Ottoman Emigration to America,” 180–81; Fahrenthold, *Between the Ottomans and the Entente*, 32.

105. Karpas, "The Ottoman Emigration to America," 181; Akgündüz, "Migration to and from Turkey," 105. By 1908, it is estimated that over 150,000 immigrants from all parts of the Ottoman Empire were present in the United States. Nedim İpek and K. Tuncer Çağlayan, "The Emigration from the Ottoman Empire to America," in *Turkish Migration to the United States*, ed. Balgamiş and Karpas, 35. As Kemal Karpas points out, however, these figures likely undercount the actual number of immigrants—especially Muslim—who arrived in the United States from the Ottoman Empire. In addition to incomplete or inconsistent registration and reporting processes by both US and Ottoman officials at the time, many immigrants crossed undetected into the United States at its northern and southern borders, used non-Ottoman documents, or passed as Christians. Karpas, "The Ottoman Emigration to America," 181–82. See also Mehmet Uğur Ekin, "Reflections of the First Muslim Immigration to America in Ottoman Documents," in *Turkish Migration to the United States*, ed. Balgamiş and Karpas, 47–48. Thus, estimates about Ottoman emigration more broadly remain inexact, calculated to be somewhere between 178,000 and 415,000, with a composition of "27 percent Greek; 18 percent Armenian; 6 percent Jewish; 12 percent Serbian, Montenegrin, or Bulgarian; 26 percent Syrian; 5 percent Turkish; and 6 percent 'others.'" İpek and Çağlayan, "The Emigration from the Ottoman Empire to America," 35. See also Rifat N. Bali, "From Anatolia to the New World: The First Anatolian Immigrants to America," in *Turkish Migration to the United States*, ed. Balgamiş and Karpas, 65.

106. "Six Polygamists Shut Out," *New York Times*, November 18, 1897, 11.

107. "Six Polygamists Shut Out," 11; William Birney, "Deporting Mohammedans," *Washington Post*, November 21, 1897, 13. Noting that the immigration official who screened the Turkish immigrants was Armenian, several commentaries criticized the anti-Turkish prejudices and conflicts of interest that may have shaped the officer's denial of admission for the six immigrants. See William Birney, "Deporting Mohammedans," *Washington Post*, November 21, 1897, 13; "Restriction Run Mad," *Washington Post*, November 22, 1897, 6.

108. Natalia Molina and Daniel Martinez HoSang, "Introduction: Towards a Relational Consciousness of Race," in *Relational Formations of Race: Theory, Method, and Practice*, ed. Natalia Molina and Daniel Martinez HoSang (Oakland: University of California Press, 2019), 3, 8.

109. "Recognition of Crete," *Congressional Globe*, Session 40-3, January 7, 1869, 245–46.

110. *In re Halladjian*, 174 F. 834 (Circuit Court, D. Mass., 1909), 838, Caselaw Access Project, <https://cite.case.law/f/174/834/> (accessed February 24, 2020). The Court, however, rejected the government attorney's argument, finding instead that "in their appearance, some or all of the petitioners would pass undistinguished in western Europe. They are no darker than many western Europeans, and they resemble the Chinese in feature no more than they resemble the American aborigines." *In re Halladjian*, 838. On the history of naturalization law and race, see Ian Haney López, *White by Law: The Legal Construction of Race*, 10th Anniversary ed. (New York: New York University Press, 2006).

111. Gualtieri, *Between Arab and White*, 3–4. On Syrian immigration and racial identity in the United States, see also Randa Tawil, "Racial Borderlines: Ameen Rihani, Mexico, and World War I," *Amerasia Journal* 44, no. 1 (2018): 85–104.

112. Karpas, "The Ottoman Emigration to America," 182.

113. More than 93 percent of Muslim Turkish immigrants were reportedly male. Bali, "From Anatolia to the New World," 64.

114. Immigration Act of 1907, 899.

115. Letter from Secretary of Commerce and Labor to the Secretary of State, April 14, 1910, enclosed with letter from Assistant Secretary of State to the Secretary of Commerce and Labor, April 21, 1910, #52737/499, RG 85, Entry 9, NARA-DC.

116. Dillingham Commission Reports, vol. 41, 127.

117. Hutchinson, *Legislative History of American Immigration Policy*, 163 (internal quotation marks omitted); Immigration Act of 1917, February 5, 1917, 64th Congress, Session II, Chapter 29, 875 (barring from admission "polygamists, or persons who practice polygamy or believe in or advocate the practice of polygamy"). Senator Reed's proposed amendments also included a provision to exclude all aliens not of the Caucasian race (rejected), as well as the exclusion of "all members of the African or black race" (narrowly accepted but dropped from the final bill). Wilson initially vetoed the 1914 proposed bill because it incorporated a controversial literacy test and lacked any provision for political asylum.

118. Letter from Department of State to Secretary of Commerce and Labor, January 31, 1910, #52737/499, RG 85, Entry 9, NARA-DC. See also Cott, *Public Vows*, 139.

119. Letter from Secretary of State to the Secretary of Commerce and Labor, February 7, 1910, #52737/499, RG 85, Entry 9, NARA-DC; George Horton to Assistant Secretary of State, February 23, 1910, #52737/499, RG 85, Entry 9, NARA-DC.

120. "The United States and the Moslems," *Progres de Salonique*, February 22, 1910, attached to letter from George Horton to Assistant Secretary of State, February 23, 1910, #52737/499, RG 85, Entry 9, NARA-DC.

121. "The United States and the Moslems."

122. Letter from Secretary of State to the Secretary of Commerce and Labor, April 6, 1910, #52737/499, RG 85, Entry 9, NARA-DC.

123. Letter from Secretary of Commerce and Labor to the Secretary of State, April 14, 1910, enclosed with letter from Assistant Secretary of State to the Secretary of Commerce and Labor, April 21, 1910, #52737/499, RG 85, Entry 9, NARA-DC.

124. Letter from Office of the Commissioner in New York to Commissioner-General of Immigration, August 9, 1910, #52737/499, RG 85, Entry 9, NARA-DC.; Benj. S. Cable to Secretary of State, August 17, 1910, #52737/499, RG 85, Entry 9, NARA-DC. Out of 43 Turkish immigrants listed on the deportation record for the period covering 2/10/1910 to 7/23/1910, thirteen total were deported for polygamy, while the rest were deported for reasons related to LPC status. "List of Debarred Aliens" report, accompanying letter from Benj. S. Cable to Secretary of State, August 17, 1910, #52737/499, RG 85, Entry 9, NARA-DC. It is unclear how many were admitted during the same period.

125. "List of Debarred Aliens" report, accompanying letter from Benj. S. Cable to Secretary of State, August 17, 1910, #52737/499, RG 85, Entry 9, NARA-DC.

126. For examples of exclusions of Turkish immigrants on the basis of LPC in addition to polygamy, see, e.g., case of Bou Haikel Darwish, letter from Charles Nagel to Secretary of State, January 9, 1913, #52737/499, RG 85, Entry 9, NARA-DC; case of Ismail Mustafa and daughter, letter from Commissioner-General to Commissioner of Immigration, Ellis Island, May 19, 1913, #53595/110, RG 85, Entry 9, NARA-DC; case of Abdoullah

Davoud et al., letter from J. B. Densmore to Secretary of State, May 9, 1914, #52737/499, RG 85, Entry 9, NARA-DC.

127. Translated letter (dated December 23, 1912) enclosed with letter from Department of State to Secretary of Commerce and Labor, January 3, 1913, #52737/499, RG 85, Entry 9, NARA-DC.

128. Memorandum from A. Caminetti, Commissioner General, June 16, 1913, #52737/499, RG 85, Entry 9, NARA-DC. Though commenting that “in its practical operation the [polygamy] provision has never been particularly useful,” the Commissioner General of Immigration had reported in May 1913 that during the previous fiscal year, “38 polygamists were excluded, most of whom doubtless were persons who did not actually practice polygamy but merely were held to have admitted a belief in the practice.” He also noted that “frequently, also, persons rejected on this ground could just as well be rejected on some other, such as likely to become a public charge or physically defective.” Letter from Commissioner-General to Commissioner of Immigration, Ellis Island, May 19, 1913, #53595/110, RG 85, Entry 9, NARA-DC.

129. Questionnaire attached to memorandum from A. Caminetti, Commissioner General, June 16, 1913, #52737/499, RG 85, Entry 9, NARA-DC.

130. Memorandum from A. Caminetti, Commissioner General, June 16, 1913, #52737/499, RG 85, Entry 9, NARA-DC.

131. Letter from Youssouf Zia to Secretary of State, February 4, 1914, #52737/499, RG 85, Entry 9, NARA-DC.

132. İpek and Çağlayan, “The Emigration from the Ottoman Empire to America,” 35.

133. Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2004), 29.

134. Mustafa Saatçi, “New Migration, Old Trends: Turkish Immigrants and Segmented Assimilation in the United States,” in *Turkish Migration to the United States*, ed. Balgamiş and Karpas, 107.

135. In a prominent dissent in 1996, Supreme Court Justice Antonin Scalia warned that if regulations on homosexuality were unconstitutional, then by extension “polygamy must be permitted.” *Romer v. Evans*, 517 U.S. 620 (1996), 648. See also Ruth K. Khalsa, “NOTE: Polygamy as a Red Herring in the Same-Sex Marriage Debate,” *Duke Law Journal* 54, no. 6 (April 2005): 1665–93. More recently, a handful of legal scholars have begun theorizing the legal recognition of polygamy. See e.g., Adrienne D. Davis, “Regulating Polygamy: Intimacy, Default Rules, and Bargaining for Equality,” *Columbia Law Review* 110, no. 8 (December 2010): 1955–2046; Kerry Abrams, “(Mis)Recognizing Polygamy,” in *The Polygamy Question*, ed. Janet Bennion and Lisa Fishbayn Joffe (Logan: Utah State University Press, 2016), 228–51.

136. Immigration and Nationality Act § 212(a)(1)(A), 8 U.S.C. § 1182(a)(10)(A). For a summary of amendments to the polygamy exclusion, see Smearman, “Second Wives’ Club,” 396–98. For legal analyses of the current application of this law, see Smearman, 382–447; Eichenberger, “When for Better Is for Worst,” 1067–1110.

137. See, e.g., Candice Lewis Bredbenner, *A Nationality of Her Own: Women, Marriage, and the Law of Citizenship* (Berkeley: University of California Press, 1998); Cott, *Public Vows*; Christina Simmons, *Making Marriage Modern: Women’s Sexuality from the Progressive Era to World War II* (New York: Oxford University Press, 2009); Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America* (Princeton, NJ:

Princeton University Press, 2009); Peggy Pascoe, *What Comes Naturally: Miscegenation Law and the Making of Race in America* (New York: Oxford University Press, 2010); Tera W. Hunter, *Bound in Wedlock: Slave and Free Black Marriage in the Nineteenth Century* (Cambridge, MA: Harvard University Press, 2017); Pearsall, *Polygamy*.

138. For post-9/11 policing of Muslim immigrant communities, see Tram Nguyen, *We Are All Suspects Now: Untold Stories from Immigrant Communities after 9/11* (Boston: Beacon Press, 2005).

139. “Executive Order Protecting the Nation from Foreign Terrorist Entry into the United States,” March 6, 2017, available at <https://www.whitehouse.gov/presidential-actions/executive-order-protecting-nation-foreign-terrorist-entry-united-states-2/>.

140. Amici Curiae Brief of Scholars of American Religious History & Law in Support of Neither Party, *Hawaii v. Trump*, Case 17-15589, April 20, 2017, 9th Cir. Court of Appeals, 6.

141. Joel Perlmann, *America Classifies the Immigrants: From Ellis Island to the 2020 Census* (Cambridge, MA: Harvard University Press, 2018), 18.

142. Dillingham Commission Reports, vol. 1, 18. On the origins and activities of the Dillingham Commission more broadly, see Katherine Benton-Cohen, *Inventing the Immigration Problem: The Dillingham Commission and Its Legacy* (Cambridge, MA: Harvard University Press, 2018).

143. Dillingham Commission Reports, vol. 1, 18.

144. For works that address how immigration law constructed these racial boundaries, see Ngai, *Impossible Subjects*; Lim, *Porous Borders*; Molina, *How Race is Made in America*.

145. E. J. Hobsbawm, *The Age of Empire, 1875–1914* (New York: Pantheon Books, 1987). On US empire during this period, see also essays in Alfred W. McCoy and Francisco A. Scarano, eds., *Colonial Crucible: Empire in the Making of the Modern American State* (Madison: University of Wisconsin Press, 2009); Hoganson and Sexton, *Crossing Empires*.