

Chapter 2

Muslims, Mormons and U.S. Deportation and Exclusion Policies: The 1910 Polygamy Controversy and the Shaping of Contemporary Attitudes

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Abstract Since 9/11, Muslims and Arab-Americans living in the United States have faced intense scrutiny and sometimes been the targets of physical violence. They have been arrested, detained, and sometimes deported without the protections typically afforded to those suspected of criminal behavior. A controversy over polygamy in 1910 illustrates the historical and current limits of religious toleration of immigrants and others outside the mainstream Judeo-Christian tradition, including Muslims and Mormons, and that prejudice led to efforts to exclude, expel, or deport them from the United States. Both religions were therefore deemed un-American, tied to Orientalist rhetoric and imagery, and its immigrant adherents subject to exclusion or deportation by U.S. officials. Such fears about Muslims and Mormons have continued well into the twentieth century, have extended beyond immigration and related policy debates, and have been salient in both the 2008 and 2012 U.S. Presidential elections.

Since 9/11, Muslims and Arab-Americans living in the United States have faced intense scrutiny and sometimes been the targets of physical violence. They have been arrested, detained, and sometimes deported without the protections typically afforded to those suspected of criminal behavior. In the weeks following 9/11, the federal government requested that all Arab and Middle Eastern immigrant men voluntarily register with the Immigration and Naturalization Service. As a result of their cooperation, 13,000, or 16 % of those who complied, later faced deportation, even though they had no ties to terrorist organizations. Of the 82,000 men who registered with the federal government and many more who were scrutinized at

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airports or border points since 9/11, very few have been accused of having links to terrorist organizations. In fact, many of those facing deportation after cooperating with federal government had visa violations that arose from governmental delays in processing their applications or simply from a failure to submit a timely change of address form to the INS. Once the number of Middle Eastern and Arab immigrants deported exceeded 1,000, the federal government refused to make public further information on how many Arab and Middle Eastern immigrants have been detained or deported.¹

This essay argues that a controversy over polygamy in 1910 illustrates the historical and current limits of religious toleration of immigrants and others outside the mainstream Judeo-Christian tradition, including Muslims and Mormons, and that prejudice led to efforts to exclude, expel, or deport them from the United States. Although they belonged to a religion that was indigenous to the United States, members of the Church of Latter-Day Saints, or Mormons, also aroused suspicion because of their early practice of polygamy. Early on in the era of federal immigration regulation, some Mormons who lived outside the U.S. faced exclusion when they sought to migrate. Both religions were therefore deemed un-American, tied to Orientalist rhetoric and imagery, and its immigrant adherents subject to exclusion or deportation by U.S. officials. As I will discuss below such fears about Muslims and Mormons have continued well into the twentieth century, have extended beyond immigration and related policy debates, and have been salient in both the 2008 and 2012 U.S. Presidential elections.

In the United States, deportation is the state-mandated process by which noncitizen immigrants are expelled from a nation and returned to their countries of origin after residing in the state, on the basis of the administrative determination that they have violated immigration policy or committed a crime. In 1892, just 2,800 people faced deportation from the United States. But those statistics mask an array of closely linked administrative processes of expelling immigrants. More common in the nineteenth century was exclusion, the process by which immigration officials determine that immigrants should not be formally admitted to the United States upon arrival at the border because they are perceived as failing to meet the standards of admission set forth by immigration laws and policies. These immigrants were refused entry upon arrival or shortly thereafter. Until the mechanisms to expel those residing in the United States were in force, exclusion rates exceeded those of deportation.

The distinction between deportation and exclusion is not always clear in law and in implementation. Exclusion has not been a wholly separate process from deportation and makes the fine distinction among those allowed to enter the country and those turned away at the border or port of entry. At times, a clear

¹ *New York Times*, June 7, 2003.

distinction is made between those deported after being admitted into U.S. territory and those immigrants who were never permitted entry.²

Over time, the mechanism for exclusion and deportation expanded from an ad hoc, piecemeal process at the state level, rooted in European poor laws, to a national border-focused approach, to a sustained effort to regulate, and police the activities of noncitizens sometimes for decades after their arrival.

Deportation requires significant resources, especially personnel, to monitor immigrants, review documentation, detain and patrol, and coordinate with federal and local agencies as well as hospitals and charities. These resources were not always available to the immigration agency. The systemization of visa, passport, and communication channels remained rudimentary before the 1920s, a decade when the U.S. Department of State established a visa system in the ports of embarkation and established professional consular officers.³

Religion's role in shaping definitions of immigrants' admissibility or citizenship suggests a great deal about American belief systems in the early twentieth century. When religious beliefs and attendant cultural practices are closely regulated at the borders, it has major effects on the religious and racial composition of a nation, as well as profound ideological and political implications, even while religious freedom is espoused as a national value.

The federal government's early immigration policy, which included specific provisions for exclusion and deportation, clearly outlined a system of racial discrimination. A significant body of literature exists on how this system emerged. But the specific ways in which deportation and related immigration policies affected the ability of non-Christian groups (and some non-mainstream Christian groups) to migrate to the U.S. has not been explored fully.⁴ But analyzing how immigrants bringing new religious beliefs and practices across the borders at a

² Sarah Barringer Gordon, "The Liberty of Self-Degradation: Polygamy, Woman Suffrage, and Consent," in *Journal of American History* vol. 83, no. 3 (December 1996): 815–847. Quotes from 835 and 829. See also: Bruce Burgett, "On the Mormon Question: Race, Sex, and Polygamy in the 1850's and 1890's," *American Quarterly* vol. 57, No. 1 (2005) 75–102. On tensions between suffragists, temperance advocates, and immigrants, see for example my book, *American Catholic Lay Groups and Transatlantic Social Reform in the Progressive Era* (Chapel Hill: University of North Carolina Press, 2002).

³ For more on this issue, see Kathleen Flake, *The Politics of American Religious Identity: The Seating of Senator Reed Smoot* (Chapel Hill: University of North Carolina Press, 2004).

⁴ Over the past decade, several scholars have addressed the Chinese Exclusion Act directly or indirectly. They include: Erika Lee, *At America's Gates: Chinese Immigration During the Exclusion Era, 1882–1943* (University of North Carolina Press, 2003); Andrew Gyory, *Closing the Gate: Race, Politics, and the Chinese Exclusion Act* (Chapel Hill: University of North Carolina Press, 1998); George Pepper, *If They Don't Bring Their Women Here: Chinese Female Immigration Before Exclusion* (Urbana: University of Illinois Press, 1999); Adam McKeown, *Chinese Migrant Networks and Cultural Change: Peru, Chicago, Hawaii, 1900–1936* (Chicago: University of Chicago Press, 2001), and Lucy Salyer, *Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law* (Chapel Hill: University of North Carolina, 1995). On the Gentleman's Agreement, see: Eiichiro Azuma, *Between Two Empires: Race, History, and Transnationalism in Japanese America* (New York: Oxford University Press, 2005).

time when the federal system of immigration control was emerging, as well as the responses to those beliefs, helps us to understand about how those religions are viewed in the United States today.

This essay delineates the ways that certain immigrants faced barriers in their effort to settle in the U.S. and how they were perceived as adhering to belief systems deemed incompatible with American values. In this essay, I analyze the Bureau of Immigration's exclusion and deportation decisions about two groups: briefly European Mormon immigrants, and Turkish Muslims. Although the religiously based cases are small relative to those immigrants facing exclusion or deportation based on LPC or medical grounds, they suggest that religious bias was a more significant factor in early federal immigration policies than previously recognized.

The beliefs of many Asian, Eurasian, and non-Christian groups were viewed through the lens of Orientalism, a concept articulated by Edward Said. Said argues that especially following Napoleon's incursion into Egypt in 1798, Europeans (and subsequently, Americans) promoted a view of the Middle East and Asia that justified European expansionism, colonial rule, and war.⁵ "These ideas," wrote Said, "explained the behavior of Orientals, they supplied Orientals with a mentality, a genealogy, an atmosphere; most importantly, they allowed Europeans to deal with and even to see Orientals as a phenomenon possessing regular characteristics".⁶ Said argues that while Europeans included India in the framework of Orientalism, it posed less of a threat to European rule than it did to the Islamic world.⁷ Immigration and local government officials, as well as the press, used Orientalist-inflected images and rhetoric to defend exclusion of those who espoused unfamiliar religious tenets. This Orientalism has been much in evidence in the rhetorical and media "othering" of President Barack Obama and in other recent controversies relating to the role of Islam, and to some extent Mormonism, in American society.

The United States' growing economic, military, and related interests in Turkey, Cuba, and Asia and elsewhere played a role in determining who from these regions would be allowed into the country and who would be considered a potential citizen. Historian Matthew Jacobson has discussed how racial perceptions and stereotypes served as justification for the U.S. expansionist project and conversely, the ways that U.S. imperialism influenced ideologies about race and ethnicity in the United States.⁸ Immigration enforcement policy sometimes clashed with larger American foreign policy goals, while in other contexts it reinforced those goals. Many federal government officials did not acknowledge the inevitable flow of people, ideas, and resources that arose from global expansionism also extended to

⁵ Edward Said, *Orientalism* (New York: Vintage Books, 2003, reprint of the original 1978 edition with new preface and afterward).

⁶ Said, 42.

⁷ Said, 75.

⁸ Matthew F. Jacobson, *Barbarian Virtues: The United States Encounters Foreign Peoples at Home and Abroad, 1876–1917*. New York: Hill and Wang, 2000.

religious life. As the U.S. expanded its global reach by governing new territories and expanding its core markets and trade relations, people from a broader range of countries developed greater familiarity with American culture and products. Leaders and followers of those religions who arrived at the U.S. or returned from abroad, encountered federal immigration laws that had been undergoing significant expansion since the last decades of the nineteenth century. Adherents of those traditions and beliefs came into contact with immigration and other officials, who sometimes lacked the basic context in which to understand non-Christian traditions, their institutions, beliefs and practices. Nor did they always possess the vocabulary necessary to describe those systems.

Mormonism, Polygamy, and Immigration Regulation

As early as 1883, U.S. government officials had discussed polygamy as the basis on which immigrants might be classified as undesirable, laying the foundation for efforts to exclude some immigrants from the United States. The Church of the Latter-Day Saints was a relatively new religious organization that first originated in the United States in 1820s. Joseph Smith and his followers trekked across the continent, from New York, to Nauvoo, Illinois and ultimately settled in Utah Territory. By the end of the nineteenth century Mormonism became global, taking hold in Switzerland, Great Britain, and elsewhere in Europe. Some European adherents sought to settle in the United States, where there was a significant Mormon population in Utah. Yet, this aspect of globalization soon came into conflict with federal immigration policy, which imposed strict definitions of who qualified for admission. Therefore, even religions originating in the United States could be cast as un-American.

In 1883, a group of Mormon “proselytizers” arriving from Switzerland were the subject of official correspondence among government officials. Although much of the discussion between those at the U.S. Consul in Basel and those regulating immigration at the New York Custom House and at Castle Garden centered on whether they should be excluded based on the fact that they were “paupers”. But the fact that the members of this group were Mormons, “proselytizers” seeking converts, and that their religious beliefs condoned polygamy were also cited as causes for concern. The Consul’s Office further characterized this party of about 100 Mormons as among “the most ignorant and degraded classes of the Swiss profile” and are “being imported to the United States to strengthen the ranks of polygamists”.⁹ Ultimately the Commissioner of Immigration determined that the Swiss Mormon immigrants “were not paupers and thus could not be returned to Europe”.¹⁰

⁹ Letter to John Davis from the U.S Consul at Basel, Switzerland, dated May 9, 1883. File 715 Box 4, Entry 7 RG 85. NARA.

¹⁰ Letter from W. Robertson to Charles Folger dated June 6 1883, and Letter from John Davis to Charles Folger May 22, 1883. Both in file 715, Box 4, Entry 7 RG 85. NARA.

When this group of Mormons sought to enter the United States, there yet existed no provision for excluding immigrants who were members of religious groups that allowed polygamy. But it was clearly a significant concern among some government officials that allowing a substantial number of Mormons to immigrate might strengthen the indigenous Mormon community in Utah and other parts of the United States.

Debates over polygamy revealed larger concerns about sexuality, marriage and religious traditions outside mainstream Christianity—whether those traditions were ancient, like Hinduism or Islam, or new, as with Mormon beliefs. The movement against polygamy reached its height in the 1880s, just as a comprehensive federal system for regulating immigration emerged. Widespread anti-polygamy activism emerged as a response to Utah territory's quest for statehood, but its roots were deeper. Polygamy was linked both to slavery and despotic rule, and to ancient Muslim traditions that were viewed by many as antithetical to democratic, civilized, and American values and traditions. Senator Justin S. Morrill, in a speech entitled "Polygamy and its License," defined polygamy as "Mohammedan barbarism revolting to the civilized world". As Said notes, Europeans had long viewed Mohammed as "the disseminator of a false Revelation, he became as well the epitome of lechery, debauchery, sodomy, and a whole battery of assorted treacheries, all of which derived 'logically' from his doctrinal postures".¹¹ Because polygamy was an acceptable doctrine both among Muslims and members of the Church of the Latter-Day Saints, they were linked together as unacceptable religions in the eyes of some Americans.

Anti-polygamy reformers condemned Mormon polygamists in the 1870s. In her petition to Congress for woman's suffrage in Utah, Angela French Newman criticized Mormons for exploiting immigrant women who were "wholly ignorant of our language or laws, or the significance of the franchise, with the odor of the emigrant ship still upon their clothing". Although European, such wives were "as far removed from our idea of womanhood as the earth is removed from the sun". Such fear of polygamy gave rise to the inclusion of polygamists as one of the excludable classes of immigrants in the 1891 immigration law. That tension between suffragists and immigrants was not new: many nineteenth century Protestant and elite women reformers active on suffrage, temperance and other social issues employed anti-immigrant rhetoric to bolster their positions, and this continued into the twentieth century.¹²

While the Church of the Latter-Day Saints was founded in the United States, because it allowed polygamy, it became widely categorized as a foreign and barbarian religion. In fact, very few immigrants practised or accepted polygamy. Anti-polygamy activism was not limited to Mormons, however. Rather, it was translated into anti-Muslim and anti-immigrant sentiment as it became enshrined in immigration law.

¹¹ Said, 62.

¹² See footnote 2.

Turkey, Muslim Immigrants, and Anti-Polygamy Regulation

As early as 1910, Muslim immigrants arriving in the United States faced exclusion from the country's ports as a result of their religious beliefs. Islam was considered incompatible with American values, based in significant part on immigration officials' perceptions of Muslims as polygamists.¹³ That year, 43 Muslims from the Ottoman Empire, soon to become the Turkish Republic, were barred from the United States over a 6-month period, based on their belief in a religion that allowed polygamy or on grounds that they were Likely to Become a Public Charge. In its enforcement of that policy, the Bureau had determined that simply adhering to the tenets of Islam, rather than actually practising polygamy, served as sufficient grounds for deportation from the United States. The Imperial Ottoman government, communicating through its embassy in Washington, registered a complaint with the U.S. Department of State about its policy toward Turkish immigrants. The American Embassy in Turkey and, in turn, the U.S. Department of State, advocated for a change in enforcement by Bureau of Immigration officials. The ban against polygamy was articulated in section two of the Immigration Act of 1907, having been originally addressed in the provisions of the 1891 law.

The law was a culmination of anti-polygamy activism in the nineteenth century, which was widely discussed in debates over Utah statehood.¹⁴ That addition to the class of those who were inadmissible at the borders occurred in reaction to two episodes. The first was a controversy over the 1903 election of Senator Reed Smoot of Utah, a Mormon leader, and his remarks about the practice of polygamy, which had been banned in Utah.¹⁵ A resulting bill proposed by Congressman Charles Snodgrass of Tennessee in 1900 sought to exclude polygamists from eligibility as Senators and Congressman. The second was President Roosevelt's 1906 State of the Union Address. That year he declared that it was the federal government's role, not the states, to safeguard "the home life of the average citizen," by providing "Congress the power at once to deal radically and efficiently with polygamy...."¹⁶

From 1910 to 1914, the Department of State, under William Jennings Bryan, urged the Bureau of Immigration to clarify its position on polygamy. But the focus of polygamy had shifted from Mormons to Muslims. In 1910 George Horton, the

¹³ "List of Debarred Aliens" dated August 12, 1910. Eight of the 43 Muslim individuals (all males) on this list were deported to Turkey on charges of polygamy. The remainder were deported on Likely to Become a Public Charge (LPC) grounds. File: 52737/499; The Turkish ambassador (representing the Imperial Ottoman Embassy) issued a formal complaint about deportations of Muslim immigrants and questioned whether Turkish immigrants were being treated unfairly by immigration officials. Letter to [William Jennings Bryan], Secretary of State from J.B. Densmore, May 9, 1914. File: 52737/499. Both files in RG 85. NARA.

¹⁴ Burgett.

¹⁵ See footnote 3.

¹⁶ House of Representatives. Report No. 848. 56th Congress, 1st Session. 1900. Theodore Roosevelt, "State of the Union Address," 1906.

U.S. ambassador to the Ottoman Empire, had initiated an investigation into the Bureau's practice in this matter, a process that would endure for 4 years. The United States had extended most favored nation status to the Ottoman Empire, which was in the process of modernizing its infrastructure and offered substantial investment opportunities for U.S. multinational corporations. This controversy occurred in the decade and a half leading up to the transition from the Ottoman Empire, which had been established in 1300 A.D., to the creation of a modern republic under Mustafa Kemal Atatürk following World War I.¹⁷

The United States had significant economic interests in Turkey, so there was a strong desire on the part of the Department of State to protect that diplomatic relationship and to address any matters that might harm existing negotiations. Horton emphasized the importance of that economic relationship to immigration officials. He cited a few examples: a pending proposal by the Turkish government to increase customs duties by 4 %; the "desire of the Turkish Government to secure the abolishment of the Capitulations by virtue of which this government and other foreign powers now exercise extraterritorial jurisdiction in Turkey"; a \$150 million railway contract to an American company; potential shipbuilding contracts for Turkish naval warships; and a contract to develop a telephone system in Constantinople by a company affiliated with Western Electric. Turkey also had the potential to provide U.S. corporations with access to oil through pipelines from Central Asian and the Middle East. Horton urged a quick resolution to the polygamy contretemps in order to avoid jeopardizing these interests, but the resolution was a prolonged one.

The controversy over the exclusion of Turkish Muslims first arose in the Turkish press. On February 22, 1910, *Progrès de Salonique* reported that in the previous few months, Turkish Muslims were being excluded from the United States upon arrival, based on the provisions of article two of the 1907 immigration law. "The measure which [the U.S. government] had just taken against them is consequently unjust and arbitrary and is prejudicial to the rights, honor and dignity of the Moslems and Turks". The article criticized the U.S. government for detaining the immigrants for a week and estimated that about 200 Muslims had been denied admission based on this provision, a figure that was later contested by the Bureau. The article argued that the practice of polygamy among Turkish Muslims was rare and growing increasingly less common, and was largely confined to high government and religious officials. Moreover, the article noted that this change in enforcement of policy was not a result of a decision by Congress, but as a result of the "chief of emigration in the U.S. who applied it without consulting any one". The author criticized the fact that Turkish immigrants had been making an arduous 15-day journey only to be turned back at the U.S. port of entry for reasons related to their religious beliefs.¹⁸

¹⁷ Caroline Finkel, *Osman's Dream: The Story of the Ottoman Empire, 1300–1923*. New York: Basic Books, 2005.

¹⁸ "The United States and the Moslems," *Progrès de Salonique*, February 22, 1910. File: 52737/499. RG 85. Entry 9. NARA.

Such negative press in Turkey about U.S. immigration enforcement undoubtedly discouraged some Muslims there from attempting the trip.¹⁹ Moreover, the vast majority of immigrants from Turkey were male, who arrived without their families, and most intended to work in the United States only temporarily, so their marital status was of theoretical, rather than of practical, importance at that point.

In recent years, much has been written about the influential role of the Muslim and Arab press in shaping global public opinion about American international policies. This controversy is an early example of the importance of the press in creating a perception of Western bias against the Muslim world. It also highlights the Department of State's public diplomacy role and its efforts to soften some of the hard-line policy positions advanced by other branches of the federal government.

In order to smooth diplomatic relations between the U.S. and predominantly Muslim countries, State Department officials addressed the immigration matter with Bureau of Labor officials. In 1913, George Horton wrote, "The Embassy requests that, in view of the marked difference between the creed of polygamy, which is admitted by the Moslem faith, and the practice of polygamy, this Department uses its good offices 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".²⁰ Moreover, there was an additional question as to whether or not the Turkish immigrants had been duly informed of their right to appeal the decision prior to being returned to Turkey. Concerns arising from this immigration controversy extended to State Department officials stationed at the American Consul in Cairo, though it is unclear to what extent, if at all, immigrants from Egypt were being excluded based on their Muslim beliefs.²¹

In response to pressure from Horton and other State department officials, the Bureau developed a scripted questionnaire for use during Board of Special Inquiry hearings that provided careful instructions about addressing the topic of polygamy. It was intended to distinguish between those who practised polygamy (or intended to practise it) and observant Muslims who did not intend to practise polygamy. The latter group would be allowed entry to the United States. After requesting that the immigrant explain his views on polygamy, the immigrant would be excluded if in the context of "his intent to sojourn or settle in the United States, if the alien believes it is right to take more than one wife". If support for, or intent to practise, polygamy while in the United States remained unclear in the immigrant's response, additional questions would be posed. The immigrant would first be asked whether he was aware that there were laws against polygamy in the United States to determine whether "it would be right for you" to have more than one

¹⁹ *Ibid.*

²⁰ Letter to the Secretary of Commerce and Labor, from George Holt [?], January 3, 1913. File: 52737/499. RG 85. Entry 9. NARA.

²¹ Letter to Nagel, from Huntington (Carlson? Assistant Secretary of State), April 21, 1910. File: 52737/499. RG 85. Entry 9. NARA.

wife while in the United States. Under this new policy, it remained unclear under which circumstances these questions would be posed—whether it would be limited to cases in which an immigrant was Muslim, from various countries with significant Muslim populations, or to all male immigrants arriving at U.S. immigration stations.²²

Under this new line of inquiry, it appears that if an immigrant stated that polygamy was “right” or an acceptable practice, but had no intent to practise it, that response would still serve as grounds for exclusion. Further, those Turkish immigrants who relied on language interpreters or who knew only limited English would probably miss some of the nuances implicit in those questions. The questionnaire about polygamy arose in part because at least one Turkish Muslim immigrant was excluded after affirming that polygamy was acceptable practice within Islam. The transcript of Bou Haikel Darwish’s testimony reveals that in response to the question “Do you believe it is right for one man to have more than one wife at the same time?” He responded, “Yes. It is legal to marry seven”. The follow up question was “But do you personally believe it to be right?” Darwish responded “Yes”. Based in part on his responses, Darwish was returned to Turkey.

Although Charles Nagel cited this answer as evidence that Darwish believed in polygamy, one could easily argue that he was simply affirming that, as a Muslim, this practice was deemed acceptable within his religion’s belief system.²³ It remains uncertain whether the newly elaborated polygamy policy did, in fact, clearly distinguish between an immigrant’s support of the basic tenets of Islam and his actual intent to maintain or enter into marriage with more than one woman while in the United States.

A similar case arose in Boston when, Ismal Mustafa, a widower, and his 3-year-old daughter, Haydish, arrived on a ship from Marseilles in 1913. He sought entry at the port of Boston with the intention of moving to the industrial city of Lowell to find employment as an iron worker, with the assistance of a half-brother who lived there. Mustafa was excluded after his first hearing. He then spoke to a lawyer and appealed the ruling. The Commissioner-General concluded that he had changed his story about polygamy in order to be admitted to the country. Initially, he stated that he believed in practice of polygamy, at least in theory. Mustafa was first asked “if it would be right” to have more than one wife while in the United States. The exchange proceeded as follows:

A. “Yes, sir; but as long as there is one child living I don’t like to take another wife”.

Q. If you didn’t have this child, do you believe in plural marriages?

A. Yes, I would if I didn’t have this child and my first wife was alive, I would have taken another wife.

²² “Examination of alien applicants for the purpose of determining whether a polygamist or a person who believes in the practice of polygamy”. Dates May 5, 1913 and June 16, 1913. File: 52737/499. RG 85. Entry 9. NARA.

²³ Letter to the Secretary of State, from Charles Nagel, January 9, 1913. File: 52737/499. RG 85. Entry 9. NARA.

Q. As we understand it, you believe that you are at liberty, according to the Mohammedan Religion, to have four wives?

A. Yes, if I had money enough to support them.²⁴

During his appeal, Mustafa stated that he did not believe in polygamy and later elaborated: "My decision is that I am not going to take another [wife] while I am alive".²⁵

As a result of the continuing controversy about Turkish exclusion issues, Bureau of Immigration officials determined that the polygamy clause was just one strategy to exclude or deport Muslims. Commissioner-General Albert Caminetti noted that "Frequently, also, persons rejected on this ground [polygamy] could just as well be rejected on some other, such as likely to become a public charge or physically defective".²⁶ Caminetti offered a solution that would appease the Department of State by using equally effective, but non-religious, grounds on which to exclude Turkish immigrants from the borders.

By 1914, Turkish Muslims continued to be excluded from the United States based on their religious beliefs rather than on their actual practice of polygamy. Immigration officials had excluded nine Turkish immigrants at the Boston port who arrived on two vessels in January of that year and they were ordered to be returned to Turkey. Youssouf Zia, the ambassador representing the Imperial Ottoman Embassy in the United States, wrote to Secretary of State William Jennings Bryan in protest. He opened his letter by reminding him that Turkey had been granted most favored nation status and that there were explicit clauses in the treaties between the two countries that secured the right of Ottoman subjects to enter the United States as immigrants. He then protested the U.S. government's continued policy of excluding "those Ottoman subjects who profess Mohammedanism. In the absence of a discriminating clause that might justify this action of the authorities concerned and in view of the principle of freedom of conscience accepted by every State, I place sufficient reliance upon your Excellency's well known sense of justice and equity to entertain the hope that you will issue to the said authorities instructions strictly to observe existing treaties".²⁷

The Bureau of Immigration defended its actions to officials at the Department of State on several counts. First, it argued that the numbers of immigrants who had been excluded and returned to Turkey was relatively small. In the year ending June 30, 1909, the Bureau of Immigration had denied admission to 24 "polygamists," only two of whom were from Turkey. The majority were from East India, with two each from England, Holland, and Syria. But by 1910, the total number of Turkish immigrants

²⁴ Memorandum for the Acting Secretary, Appeal of Ismal Mustafa, May 3, 1913. File 53595/110, RG 85, Entry 9. NARA.

²⁵ Rehearing Testimony of Ismail Mustafa, U.S. Immigration Station, Boston, May 14, 1913. File: 53595/110, RG 85, Entry 9. NARA.

²⁶ Letter dated May 19, 1913. Caminetti to Commissioner of Immigration, Ellis Island. File: 53595/110. RG 85, Entry 9. NARA.

²⁷ Letter to William Jennings Bryan, from Youssouf Zia, February 4, 1914. File :52737/499. RG. 85, Entry 9. NARA.

excluded based on grounds of polygamy had increased to 69. In defense of its policy, the Bureau pointed out that 864 Turkish immigrants had been admitted that year, so the excluded number was only a fraction of that total. Bureau officials continued to assert that the Muslims who were excluded were those who professed a belief in polygamy and that Turkish immigrants were not being singled out. Moreover, the officials stated that many of those who had been excluded on grounds of polygamy had also been excludable on additional grounds, most commonly those based on their being contract laborers or their likelihood of becoming a public charge.²⁸

As this essay has detailed, the Immigration Bureau regulated the practice of new religious traditions in the U.S. by monitoring the flow of peoples who espoused those beliefs in ways that hindered the diffusion of non-mainstream, non-Christian beliefs. This religious diffusion was a direct result of American and European global economic and territorial expansionism and the ensuing cultural exchange that was its natural outgrowth. But for many, the importation of newer beliefs across the American border was perceived as a threat to American social norms. It also illustrates that federal agencies often clash over policies because their imperatives and cultural vary greatly. The State Department sought a more inclusive approach to Turkish immigrants because that region provided new economic opportunities. Immigration authorities, in contrast, focused on domestic concerns: the reaction of the American public to religious practices that seemed alien and disturbing since the debates over Utah statehood.

Among Muslims and other groups associated with polygamy, gender roles and behavior became an important issue of contention. Local officials, religious leaders, and the press highlighted the exoticism of these religions and called for the U.S. Immigration Bureau to intervene to protect existing religious and cultural norms. The impact that these religions had upon supposedly vulnerable women was another significant concern. Race had an important impact on larger public perceptions about these religious traditions, sometimes even when leaders or adherents in those communities were white. Therefore, Mormons were equated with Muslims because of their shared belief in polygamy and, by implication, exploitation of women. The enforcement of policies based on religion had long-term implications for American religious life.

Those facing bias because of widespread unfamiliarity or discomfort with their religious traditions do so in part because these religious communities have emerged as relatively recent features of American life. Although never as numerous as those excluded or deported on racial grounds, LPC, or medical grounds, such cases demonstrate how immigration authorities challenged the right of some religious adherents to practise their religion freely and to benefit from the cultural interactions that were an outgrowth of American expansionism. The charged and negative reactions to the early arrival of Muslim immigrants and others outside the Judeo-Christian tradition in the early decades of the twentieth century illustrate the level of Americans' deeply rooted concerns or suspicions about the place of those espousing unfamiliar religious beliefs and practices.

²⁸ Letter to William Jennings Bryan from Secretary [Charles Nagel?], April 14, 1910. RG. 85, Entry 9. NARA.

Politics, and Recent U.S. Public Opinion About Muslims and Mormons

Although the United States became a more religiously tolerant society in the decades after World War II and the immigrant population became far more diverse, national crises, such as 9/11 and more recently a major global financial crisis, created a climate that enables intolerance, both racial and religious, to flourish. This widespread fear of Muslims, and the stigma attached to their religion, soon had broader effects in the United States, such as by directly influencing the 2008 Presidential election. After Barack Obama announced his presidential candidacy, many of his opponents questioned whether he had been born in the United States, challenged the authenticity of his birth certificate issued by the state of Hawaii, and promoted rumors that he was in fact a Muslim. Although most promoting this view were conservative Republicans, even his Democratic primary challenger, Hillary Clinton, notably declined to repudiate unequivocally the “Obama is a Muslim” rumor in a televised interview. Ominous videos and brochures claiming to document Obama’s Muslim beliefs, and by implication, his support for terrorists, were mailed to voters in heavily contested states in the weeks just prior to the 2008 Presidential election.²⁹

The implication of this campaign was that had Obama actually been a Muslim, that fact alone would have rendered him unacceptable as a major Presidential candidate. Former Secretary of Defense and of State in the George W. Bush Administration, General Colin Powell, and an African-American, was one of the only leading political figures to challenge that essential view. In comments on the NBC network’s *Meet the Press* program on October 19th, a few weeks prior to the 2008 election, Powell stated: “Well, the correct answer is, he is not a Muslim, he’s a Christian. He’s always been a Christian. But the really right answer is, what if he is? Is there something wrong with being a Muslim in this country? The answer’s no, that’s not America. Is there something wrong with some 7-year-old Muslim-American kid believing that he or she could be president? Yet, I have heard senior members of my own party drop the suggestion, ‘He’s a Muslim and he might

²⁹ On the Obama birth certificate controversy, see: the *Chicago Tribune*: <http://www.chicagotribune.com/news/nationworld/chi-obama-birth-certificate1dec08,0,7258812.story> Accessed on November 12, 2010. Ironically, John McCain, the 2008 Republican candidate, was born to American parents in the Panama Canal Zone, but the circumstances of his birth never became a major issue, even though the U.S. Constitution does state that one must be a “natural-born” U.S. citizen. Many argue that under 8 U.S.C 1401(c) McCain was eligible, but since there was never an official ruling on this situation, it was never fully resolved. On Hillary Clinton’s CBS 60 min interview aired on March 2, 2008, see: <http://blogs.abcnews.com/politicalpunch/2008/03/clinton-says-ob.html> Accessed on November 12, 2010. I was one of those voters who received a professionally packaged mailing prior to the 2008 election that claimed that Barack Obama was a Muslim and insinuated that he was sympathetic to terrorists. On the origin and expansion of these rumours, see: <http://dyn.politico.com/printstory.cfm?uuid=0DC14DF6-3048-5C12-0035AB25C1048717> Accessed on November 12, 2010.

be associated with terrorists'. This is not the way we should be which might have led him to understand very personally how race, combined with a recent family immigration history, could easily render someone as "other" and as un-American".

This political media campaign ultimately moved far beyond a small group of hard-line conservatives. In large part due to the 24-hour news cycle and the rise of blogs, these false claims introduced widespread confusion about his background; it successfully affected public opinion to such a degree that by August 2010 a Pew Center poll found that 18 % of Americans polled thought that Obama was a Muslim and 43 % could not identify his religious background. This was a significant change from even 2 years earlier, where a greater percentage of respondents correctly identified him as a Christian.³⁰ In some ways, the controversy over Obama's religion served as a proxy for race. His father's Kenyan heritage and Obama's self-identification as an African-American were no longer widely publicly acceptable ways to oppose his election and to question his legitimacy as President. But his international background and identity—his Kenyan father and Indonesian stepfather—soon eclipsed his mother's Kansan family history—his maternal grandparents served in World War II—his grandfather as a soldier and his grandmother as a factory worker in the wartime production effort.

By the summer of 2010, fear about Islam's influence in the United States, and the conflation of Muslims and terrorism, had grown so intense that a proposed mosque located several blocks from the World Trade Center site in Lower Manhattan, characterized erroneously as the "Ground Zero mosque," became a major media controversy. Terry Jones, a Baptist minister from a very small Florida congregation of a few dozen members held onto the national spotlight for weeks when he threatened to burn a Koran if the New York building plans proceeded. That led General David Petraeus to intervene and to ask the minister to halt his plan because it posed a national security threat and placed U.S. troops in Iraq, Afghanistan, and elsewhere in harm's way. Secretary of State Hillary Clinton also condemned Jones' plan as "disgraceful" in a speech before the Council on Foreign Relations. The State Department briefly issued a travel warning to Americans as a result of the controversy. Again, mainstream media coverage inflamed the controversy by providing extensive coverage of Jones' plans, however localized and unpopular his actions might have been. Jones ultimately suspended his demonstration as a result of public pressure.³¹

Most recently, Republican Presidential candidate Mitt Romney's membership in the Church of the Latter-Day Saints has caused discomfort among many Republicans, beginning in the primaries, where Evangelical Protestants are particularly influential in the selection of that party's nominee. Through U.S. citizens, and not typically immigrants, Mormons also elicit feelings of discomfort or

³⁰ Pew Foundation. "Growing Number of Americans Say Obama is a Muslim". <http://pewresearch.org/pubs/1701/poll-obama-muslim-christian-church-out-of-politics-political-leaders-religious>. Accessed on November 12, 2010.

³¹ On Terry Jones, *Wall Street Journal*, September 8, 2010. <http://online.wsj.com/article/SB10001424052748703453804575479573649222094.html> Accessed on November 12, 2010.

distrust among a significant portion of the American public. In a recent poll of Mormons by the Pew Research Center half agreed with the statement that Evangelical Christians are hostile to Mormons. More general polls of Americans in 2012 reflect significant percentages with an unfavorable opinion of Mormons (35 % of respondents) or an unfamiliarity with Mormon beliefs, with about one-third of those polled stating that Mormons were not Christian or indicating that they were unsure about the relationship between Mormonism and Christianity. Indeed, while the theological differences between most Christian denominations and Mormon beliefs are indeed significant, almost all Mormons consider themselves Christian.³²

This essay illustrates that significant concerns over Islamic and Mormon influences in the United States emerged in the nineteenth century and analyses how those prejudices shaped immigration policy, especially exclusion and deportation. At the beginning of the twentieth century, Muslims arriving in the United States were viewed as incompatible with American society and its values and as having the potential to undermine social stability. Both these religions' tolerance for polygamy (a practice that is no longer acceptable in the Church of the Latter-Day Saints, but is practiced among some breakaway groups) was what prevented their wider acceptance in American society, deemed their religious beliefs incompatible with national values, and demonstrates the limits to religious tolerance as expressed in immigration patterns. The numbers of Muslim immigrants remained small prior to World War II, because the majority of those arriving from the Middle East were Christian, especially those from the region then known as Syria. Muslim immigrants, as well as others outside the mainstream Judeo-Christian tradition, remained a small minority of the U.S. population following the 1882 Chinese Exclusion law. The ways that religion was regulated at the borders in that early regulation era, however, had significant and long-term implications for the composition of American society and its social institutions.

Since the 1965 Hart-Cellar law, immigrants to the U.S. have been more racially and religiously diverse than earlier waves. Nevertheless, those early immigration policies shaped future demographic patterns for immigrants from Asia, the Middle East and other regions. By highlighting cases involving Mormons and Muslims, this essay demonstrates the significant role that the state exercises through its power to expel migrants by implementing deportation and exclusion policies, as well as the long-lasting effects that function can have. Moreover, immigration authorities' perceptions of religious minority groups highlight how the federal government's protection of religious freedom has been a relatively recent phenomenon. The events of the past decade and a half, including the wars in Iraq and Afghanistan, have also aptly demonstrated the significant tensions between

³² Poll, Pew Forum on Religion, Pew Research Center, January 12, 2012. <http://www.pewforum.org/Press-Room/Press-Releases/New-Poll-Pew-Forum-on-Religion—Public-Life-Surveys-Mormons-in-America.aspx> and ABC News, "The Note," April 24, 2012. <http://abcnews.go.com/blogs/politics/2012/04/when-should-mitt-romney-talk-about-his-mormon-faith/> Both accessed on April 24, 2102.

the U.S. State Department in its public diplomacy strategies and more domestically based agencies in the U.S. government that emerged so dramatically in the 1910 Turkish Muslim controversy. In the early twentieth century, it was Bureau of Immigration officials clashing with U.S. State Department imperatives. A century later, the Federal Bureau of Immigration and Department of Homeland Security, which had subsumed the immigration regulation function, found itself in conflict with the State Department, who sought to advance its public diplomacy strategies in the Middle East and elsewhere.

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