

**Selective Amnesia Regarding Adult Consent in Coercive, Religious Polygamy:
What We Must Forget in Order To Justify Legal Inaction or Decriminalization**

Below is a list of things that must be denied or forgotten in order to believe that polygamy is a free choice for adult women which takes place among consenting adults, that there are no victims and therefore it is not a crime.

1. In order to view polygamy as a free choice for adult women, *we must forget that women who agree to live the principle of polygamy believe it will earn them celestial rewards – which also means they fear eternal damnation if they resist.*
2. In order to view polygamy as a free choice for adult women, *we must forget that women believe their husbands have control of their eternal destinies.*
3. In order to view polygamy as a free choice for adult women, *we must forget the gender inequality and imbalance of power between the men and his plural wives.*
4. In order to view polygamy as a free choice for adult women, *we must forget that women the prophet or priesthood leader the women marry “presides over them” and he is therefore entitled to receive revelation from God concerning the women - empowering the male leaders with an ecclesiastical and fiduciary status beyond that of standard ordained clergy.*
5. In order to view polygamy as a free choice for adult women, *we must forget that women covenant to obey (or ‘hearken unto’) their husbands – as he obeys God “in righteousness,” and that righteousness is subject to interpretation by the males in the community.*
6. In order to view polygamy as a free choice for adult women, *we must forget that the women are required to repent of their sins, and that the repentance process can be publicly humiliating, psychology devastating and even physically violent if necessary to achieve the desired humility and obedience.*
7. In order to view polygamy as a free choice for adult women, *we must forget that women are pressured to suffer in silence while portraying an outward happiness.*
8. In order to view polygamy as a free choice for adult women, *we must forget that righteous women must covenant to “live the law of consecration” (or consent to be enslaved) – giving their time, talent, money, possessions, and resources to the building of the kingdom of God on this earth.*

9. In order to view polygamy as a free choice for adult women, *we must forget that incest and abuse is rampant, and girls immersed in this culture often enter adulthood with a damaged psychological foundation and sense of self.*

10. In order to view polygamy as a free choice for adult women, *we cannot know that polygamists are skilled at manipulating Biblical doctrine, justifying sex with their daughters through the view that God himself set the example by impregnating his daughter Mary.*

11. In order to view polygamy as a free choice for adult women, *we must forget that depression and suicide attempts among the women and teens in these communities are high.*

12. In order to view polygamy as a free choice for adult women, *we must forget that women often live in poverty and if they work, it is often under slave-like conditions, working for little or no pay but giving it to the "building of the kingdom."*

13. In order to view polygamy as a free choice for adult women, *we must ignore the power of religious fundamentalism and the ability of cult mind-control and spiritual blackmail to impair proper decision-making.*

14. In order to view polygamy as a free choice for women and in order to justify the decriminalization of polygamy as a "victimless" crime between consenting adults, *we must forget that a victim **cannot** legally **consent** to legally prohibited conduct.*

15. In order to view polygamy as a free choice for adult women, *we must not know that women can be "reassigned" to another husband at the whim of the prophet and will be required to share their bodies to consummate those "marriages" accordingly.*

Consent achieved **through pressure, coercion**, or threats is also **not considered voluntary consent**. Sexual activity obtained through involuntary consent (or **coercion**) is against the law.

16. In order to view polygamy as a free choice for adult women and in order to justify the decriminalization of polygamy as a "victimless" crime between consenting adults, *we must forget that people immersed in a culture with abnormal beliefs, abusive practices or oppressive behaviors will find the abnormal and oppressive to be normal and*

acceptable.

17. In order to view polygamy as a free choice for adult women, *we must forget about the inter-family politics and rivalries, sister-wife cruelty, psychological manipulations, and intimacy needs of the wives that are not met.*

18. In order to view polygamy as a free choice for adult women, *we cannot know that many consider polygamy a legal form of human trafficking, and we must forget that women who escape almost always have post-traumatic stress disorder at levels akin to torture.*

19. In order to view polygamy as a free choice for women, and in order to justify the decriminalization of polygamy as a “victimless” crime between consenting adults, *we must forget it objectifies women like prostitution does, and we must forget the empirical evidence that when prostitution is legalized or decriminalized, organized crime grows, victims get overlooked, and the conditions for abuse and violence gets worse, not better.*

20. In order to view polygamy as a free choice for women and in order to justify the decriminalization of polygamy as a “victimless” crime between consenting adults, *we must forget that women are commanded to continually bear children, that their bodies are vessels to be worn out in childbirth.*

21. In order to view polygamy as a free choice for women and in order to justify the decriminalization of polygamy as a “victimless” crime between consenting adults, *we must forget that the women who escape polygamy almost invariably refer to their time in the “lifestyle” as having been enslaved, and that even without "force," enslavement or human trafficking can be achieved through psychological coercion and spiritual extortion.*

22. In order to view polygamy as a free choice for women and in order to justify the decriminalization of polygamy as a “victimless” crime between consenting adults, *we must forget that there is no such thing as consent to being trafficked.*

23. In order to view polygamy as a free choice for women and in order to justify the decriminalization of polygamy as a “victimless” crime between consenting adults, *we must disregard the law, superseding it with a personal opinion that “because a woman was over 18”, she must have been able to consent to the felony committed against her, therefore she could not be a victim and no crime was committed.*

24. In order to view polygamy as a free choice for women in Utah and in order to justify the decriminalization of polygamy as a “victimless” crime between consenting adults, *we must forget that polygamy is a felony and is*

expressly outlawed by the Utah constitution.

25. In order to view the felony of polygamy as a free religious choice for women and in order to justify the decriminalization of polygamy as a “victimless” crime between consenting adults, *we must forget that religion can not be used as a defense and that the Utah Supreme Court ruled that "the protections enshrined in the federal constitution, as well as our state constitution, guaranteeing the free exercise of religion and conscience ... do not shield polygamous practices from state prosecution."*

26. In order to view polygamy as a free choice for women and in order to justify the decriminalization of polygamy as a “victimless” crime between consenting adults, *we must agree that protecting freedom of religion trumps crimes committed by those in ecclesiastical/fiduciary positions of trust, even when they issue terroristic threats to the woman’s eternal well-being if they do not subjugate themselves to the desires of the fiduciary spiritual advisor. This includes the requirement to consent to a felony being committed against them.*

Under state law, a prisoner cannot consent to sexual relations with a jailer or someone else who controls the conditions of the prisoner's confinement.

Under state law, how then is it possible for a woman to consent to have sexual relations with someone who she believes could be her eternal jailer, someone who controls the conditions of her eternal life?

This was written by Esther Young, following the format of an article written by Melissa Farley which discusses the harms of prostitution, pornography and trafficking, (Yale Journal of Law and Feminism, 2006, 18:109-144).

That article can be found here: www.prostitutionresearch.com/pdfs/FarleyYaleLaw2006.pdf