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The Negative Impact of Polygamy on Women and Children in Mormon and Islamic Cultures

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THE NEGATIVE IMPACT OF POLYGAMY ON WOMEN AND CHILDREN IN MORMON AND ISLAMIC CULTURES

I. Introduction

Polygamy is defined as the practice or custom of having more than one wife or husband at the same time.¹ The most common form of polygamy happens when a man has more than one wife at the same time, and this is known as polygyny.² The masculine desire for more than one wife has been more often expressed than the feminine desire for more than one husband, which is called polyandry.³

The purpose of this paper is to consider the impact of polygamous relationships on women and children by examining women and children who live in polygamous relationships in both Muslim and Mormon communities. Some research suggests that women and children are impacted negatively by polygamous relationships, while other research suggests that in some instances it may be financially beneficial to the women and children. Polygamy is thought to violate a wife's right to equality and relieve the husband of the obligation to support the children; leaving women and children at a disadvantage.⁴

First, part II of this paper will discuss a brief religious history of polygamy, specifically focusing on a comparison between Islamic and Mormon polygamous practices. Then, part III will discuss gender inequality with the focus on how polygamy negatively

¹ *Polygamy Definition*, MERRIAM-WEBSTER.COM, <http://www.merriam-webster.com/dictionary/polygamy> (last visited June, 5, 2016)

² Mohammad Al-Sharfi, Karen Pfeffer & Kirsty A. Miller, *The Effects of Polygamy on Children and Adolescents: A Systematic Review*, JOURNAL OF FAMILY STUDIES (2015).

³ Mohammad Al-Sharfi et al., *supra* note 2, at 1.

⁴ General Recommendations Made by the Committee on the Elimination of Discrimination Against Women, UN News Center (2009), <http://www.un.org/womenwatch/daw/cedaw/recommendations/recomm.htm> (last visited Jun 7, 2016).

affects women in Islamic communities. Part IV will focus on how polygamy also negatively impacts children in Islamic communities. Finally, part V will focus on the negative impact of polygamy on women and children who are members of the FDLS.

II. Brief Religious History of Polygamy

When the issue of polygamy arises, religion and religious beliefs automatically become part of the conversation.⁵ While polygamy has been deeply rooted in human society, the movement to eradicate it over time has also been very prevalent.⁶ Both official and unofficial polygamy can be traced back to the oldest human legal codes.⁷ The earliest recorded human laws, the Hammurabic legal code in 1752 BC and the Babylonian code, contained both protective clauses in favor of the second wife and her offspring, indicating the presence of polygamous practice in the oldest of human civilizations.⁸

Some historians believe that polygamy was widely practiced in pre-Islamic Arabia.⁹ Other historians question the extent of polygamy in pre-Islamic and early Islamic societies.¹⁰ “According to Shiyma Al-Sarraf, polygamy was not an obvious part of Meccan life in the period immediately preceding the advent of Islam.”¹¹ Having one wife was the norm during that period and polygamy was the exception.¹² An example of this was The Prophet and his twenty-five year monogamous marriage to Khadija, suggesting that

⁵ AHMED E. SOUAIAIA, *CONTESTING JUSTICE: WOMEN, ISLAM, LAW, AND SOCIETY* (2008).

⁶ SUSAN DELLER. ROSS, *WOMEN'S HUMAN RIGHTS: THE INTERNATIONAL AND COMPARATIVE LAW CASEBOOK* (2008).

⁷ MAHA A. Z. YAMANI, *POLYGAMY AND LAW IN CONTEMPORARY SAUDI ARABIA* (2008).

⁸ AHMED E. SOUAIAIA, *supra* note 5, at 48.

⁹ AHMED E. SOUAIAIA, *supra* note 5, at 10.

¹⁰ AHMED E. SOUAIAIA, *supra* note 5, at 10.

¹¹ AHMED E. SOUAIAIA, *supra* note 5, at 10.

¹² AHMED E. SOUAIAIA, *supra* note 5, at 10.

monogamy was the prevailing marital trend of the time.¹³ However, after Khadija's death Mohammed was himself the husband of eleven wives.¹⁴

Polygamy is not exclusive to Muslims and Mormons. In fact, Judaism permitted Polygamy and examples of Polygamy are given in the Old Testament.¹⁵ "According to biblical and Talmudic literature, Abraham, Esau, Jacob, Saul, David, and Solomon were all involved in polygamous marriages."¹⁶ Drawing on Judaic origins, polygamous traditions have been revived in some parts of the Christian community such as the Mormon doctrine that was developed by John Smith.¹⁷ On July 1, 1862, John Smith was reported to have professed that the more wives a man had and the more children a woman had, the more they would be rewarded in heaven.¹⁸ Today, the most well known polygamous communities are associated with a religious doctrine that supports it.¹⁹

Throughout history "male religious leaders have had and still have an option to interpret holy teachings either to exalt or subjugate women."²⁰ These religious leaders have overwhelmingly chosen to subjugate women through their religious interpretations. "Their continuing choice provides the foundation or justification for much of the pervasive persecution and abuse of women throughout the world and polygamy is one of them."²¹ The following section focuses specifically on polygamy in the Muslim world.

¹³ AHMED E. SOUAIAIA, *supra* note 5, at 11.

¹⁴ WALTER M. GALLICHAN, WOMEN UNDER POLYGAMY 30, (1915).

¹⁵ MAHA A. Z. YAMANI, *supra* note 6, at 9.

¹⁶ AHMED E. SOUAIAIA, *supra* note 5, at 49.

¹⁷ MAHA A. Z. YAMANI, *supra* note 6, at 9.

¹⁸ MAHA A. Z. YAMANI, *supra* note 6, at 9.

¹⁹ TSOALEDI DANIEL THOBEJANE & TAKAYINDISA FLORA, *An Exploration of Polygamous Marriages: A Worldview*, MEDITERRANEAN JOURNAL OF SOCIAL SCIENCES 1058, (2014).

²⁰ Nicholas Kristof, *Does Religion Oppress Women?*, The New York Times, December 15, 2009, http://kristof.blogs.nytimes.com/2009/12/15/does-religion-oppress-women/?_r=1 (last visited Jun 5, 2016).

²¹ *Id.*

A. Polygamy In the Muslim World

The first verse in connection to polygamy in the Qur'an is the following:

“And if you fear that you cannot do justice to orphans, marry such women as seem good to you, two, or three, or four; but if you fear you will not do justice, then (marry) only one or that which your right hands possess. This is more proper that you may not do injustice.” (4:3)²²

This verse expressly permits marriage with more than one woman.²³ There are three aspects of marriage in Islamic law and they are described as the legal, social, and religious aspects.²⁴ Marriage (nikāh) is a contract and not a sacrament in Islam and it has three characteristics: “(i) there can be no marriage without consent, (ii) as in a contract, provision is made for its breach, to wit, the various kinds of dissolution by act of parties or by operation of law, and (iii) the terms of a marriage contract are within legal limits capable of being altered to suit individual cases.”²⁵ Now turning to the social aspect of marriage, the following three important factors must be remembered. First, “Islamic law gives to the woman a definitely high social status after marriage.”²⁶ Second, “restrictions are placed upon the unlimited polygamy of pre-Islamic times, and instead of a limitless number of wives, as in Hindu law, a controlled polygamy is allowed.”²⁷ Lastly, the Prophet, encouraged the status of marriage.²⁸

Every Muslim who has attained majority can enter into a contract of marriage, and majority is attained at puberty.²⁹ “The presumption is that a person attains majority at 15,

²² THE MEANING OF THE HOLY QUR'AN (Abdullah Yusuf Ali, trans.) 11th Ed. (2004), Surah An-Nisa, Verse 4:3 (hereinafter Qur'an).

²³ ASGHAR ALI ENGINEER, THE RIGHTS OF WOMEN IN ISLAM 119, (1992).

²⁴ ASAF ALI ASGHAR FYZEE, OUTLINES OF MUHAMMADAN LAW 85, (1974).

²⁵ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 87.

²⁶ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 87.

²⁷ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 87.

²⁸ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 87.

²⁹ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 90.

but the *Hedaya* lays down that the earliest period for a boy is 12 years and for a girl 9 years.”³⁰ Parents or guardians can contract the marriage of their minor children.³¹ “A marriage entered into by a girl while she had not attained puberty was not a marriage in the eye of the law, and was therefore void.”³² A girl who was married against her will during minority is entitled to a dissolution of her marriage by proving the following facts:

“First that she was given in marriage by her father or other guardian; secondly, that the marriage took place before she attained the age of 15; thirdly, that she repudiated the marriage before she attained the age of 18; and fourthly, that the marriage has not been consummated.”³³

A young boy who was married by his parents prior to reaching the age of eighteen may also repudiate the marriage. However, were a woman has a period of three years to repudiate her marriage a man does not have a statutory period of time within which he must exercise his right as long as he does it within a reasonable amount of time.³⁴

The rule in Islamic law is that a Muslim man may marry any number of wives, not exceeding four, but a Muslim woman can only marry one husband.³⁵ For example, if a Muslim man marries a fifth wife that marriage is not void but considered irregular.³⁶ On the other hand, if a Muslim woman marries a second husband, she is liable for bigamy, the offspring of her second marriage are considered illegitimate and cannot be legitimated by any subsequent acknowledgement.³⁷

Parvez, a noted commentator on the Qur’an, says:

³⁰ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 90.

³¹ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 90.

³² ASAF ALI ASGHAR FYZEE, *supra* note 24, at 90.

³³ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 90.

³⁴ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 92.

³⁵ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 93.

³⁶ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 93.

³⁷ ASAF ALI ASGHAR FYZEE, *supra* note 24, at 93.

“It would be seen that the permission for more than one wife is contingent on two conditions: (1) If there is an excess of single or husbandless women in society and there is no other reasonable solution possible, then exception could be made to the rule of monogamy and one would marry these (husbandless) women. (2) This permission is also conditional on justice being done to all individuals in the family.”³⁸

Similar to polygamy in the Muslim world, polygamy in the FDLS church is only beneficial to the men, but not to the women. In Muslim communities men can marry up to four wives, while some FDLS men, like Warren Jeffs, have been known to marry more than 70 wives. Women, on the other hand, are only allowed to have one husband, and face serious repercussions if they break that rule. The following section focuses on polygamy in the FDLS, its origin and evolution.

B. Polygamy In the FDLS

In 1823, Joseph Smith said he was visited by an angel named Moroni and the angel revealed to him of an ancient record containing God's word.³⁹ In 1827, Joseph Smith recovered the record, which was inscribed on thin golden plates, and afterward began translating its words. The resulting manuscript, the *Book of Mormon*, was published in March 1830. On April 6, 1830, Joseph Smith organized The Church of Jesus Christ of Latter-day Saints and became its first president.⁴⁰

The practice of polygamy was foreign to the members of the Church of Jesus Christ of Latter-day Saints also known as the LDS Church or the Mormon Church. In 1852, Orson Pratt, a religious leader and original member of the Quorum of the Twelve Apostles of the Church, publicly announced that Mormons were practicing polygamy.⁴¹ The argument

³⁸ ASGHAR ALI ENGINEER, *supra* note 22, at 122.

³⁹ JOSEPH SMITH & LELAND R. NELSON, *THE JOURNAL OF JOSEPH: THE PERSONAL HISTORY OF A MODERN PROPHET* (1979).

⁴⁰ LUCY SMITH, *HISTORY OF THE PROPHET JOSEPH* (1902).

⁴¹ *Id.*

made by Orson Pratt was that “polygamy was a revelation received by John Smith, and members of the church could not receive their highest exaltation in the post-earth life unless they obeyed the commandment of plural marriage.”⁴² Pratt also argued that polygamy “helped to fulfill Adam and Eve’s commandment to multiply and replenish the earth and to raise the children in religious homes.”⁴³ Some additional arguments made by the church were that more women had joined the church than men, and that there was a shortage of men due to war.⁴⁴

“None of the teachings of the Church of Jesus Christ of Latter-day Saints clashed so directly with the social order in the 1800s or aroused such bitter resentment than the doctrine of plural marriage.”⁴⁵ Although this doctrine was not declared publicly until 1852, rumors spread in the early 1830s that the Mormons were polygamists. “Priestcraft, polygamy, and murder were thought to be the chief cornerstones of ‘Mormonism.’”⁴⁶ In 1890, Church president Wilford Woodruff issued a “Manifesto” which declared an end to plural marriages.

However, “when the leaders of mainstream Mormonism abandoned the practice of polygamy in a deal with the federal government to gain statehood for Utah, one group of adherents refused to capitulate.”⁴⁷ This resulted in the formation of the Fundamentalist Church of Latter-day Saints (FLDS) that has continued to practice polygamy to this day.⁴⁸

⁴² *Id.*

⁴³ JOSEPH SMITH & LELAND R. NELSON, *supra* note 39.

⁴⁴ JOSEPH SMITH & LELAND R. NELSON, *supra* note 39.

⁴⁵ JOSEPH FIELDING SMITH, *ESSENTIALS IN CHURCH HISTORY: A HISTORY OF THE CHURCH FROM THE BIRTH OF JOSEPH SMITH TO THE PRESENT TIME* 431, (1950)

⁴⁶ *Id.*

⁴⁷ Fundamentalist Church of Jesus Christ of Latter-Day Saints, Southern Poverty Law Center, <https://www.splcenter.org/fighting-hate/extremist-files/group/fundamentalist-church-jesus-christ-latter-day-saints> (last visited Jun 15, 2016).

⁴⁸ *Id.*

Today, a large majority of Mormon fundamentalists reside in Colorado City/ Hildale, Utah.⁴⁹

In 1953 the government conducted a raid on the Short Creek community and separated over 400 children from their families.⁵⁰ The police officers had warrants for thirty-six men and eighty-six women.⁵¹ Rather than charging the men and women with polygamy, which is in itself a felony, the charges included: “rape, statutory rape, carnal knowledge, polygamous living, cohabitation, bigamy, adultery, and misappropriation of school funds.”⁵² The government accused group members of having, “encouraged, advised, counseled and induced their minor, female children under eighteen years of age to actively participate in said unlawful conduct.”⁵³ The raid failed to end the practice of polygamy. In fact, it did the opposite, it made the FLDS religious martyrs who were able to resist governmental infringement on their right to freedom of religion.

The second raid occurred under the leadership of Warren Jeffs, at the YFZ Ranch also known as the Yearning for Zion Ranch, which housed approximately 700 people located outside of Eldorado in Schleicher County, Texas. In April 2014, Texas took physical and legal possession of the ranch because under Texas law, authorities can seize property that was used to commit or facilitate certain criminal conduct.⁵⁴ The raid of the Zion Ranch produced a lot of evidence against Jeffs and several other members of the FLDS in connection to their marriage to underage girls. In 2011 Jeffs went to trial for two

⁴⁹ STUART A. WRIGHT & JAMES T. RICHARDSON, *SAINTS UNDER SIEGE: THE TEXAS STATE RAID ON THE FUNDAMENTALIST LATTER DAY SAINTS* 45, (2011).

⁵⁰ STUART A. WRIGHT & JAMES T. RICHARDSON, *supra* note 49, at 30.

⁵¹ STUART A. WRIGHT & JAMES T. RICHARDSON, *supra* note 49, at 30.

⁵² STUART A. WRIGHT & JAMES T. RICHARDSON, *supra* note 49, at 30.

⁵³ STUART A. WRIGHT & JAMES T. RICHARDSON, *supra* note 49, at 30.

⁵⁴ Nate Carlisle, *Texas Takes Possession of Polygamous Ranch*, THE SALT LAKE TRIBUNE, April 17, 2014.

of his ‘celestial marriages’ to a 12 year old girl and another with a 15-year old who later had his child.⁵⁵ During his trial it was revealed that Jeffs had more than 70 illegal marriages and as many as a third were to underage girls. He is currently serving a sentence of life in prison.⁵⁶

Muslims around the world and members of the FDLS practice polygamy both legally and illegally. The following section focuses on polygamy and gender inequality.

III. Gender Inequality

Historically, there has been male domination in all societies throughout the ages except in the few matriarchal societies.⁵⁷ The argument for this male domination is that women are inferior to men.⁵⁸ “A woman cannot match the power and competence of a man and hence she is considered not equal to him.”⁵⁹ Therefore, for arguments sake, it is in a woman’s interest to allow a man, whether her father, husband, or brother, to determine her future.⁶⁰

Gender refers to the social and cultural codes used to distinguish between what a particular society considers ‘masculine’ or ‘feminine’ qualities, characteristics, attributes or behaviors.⁶¹ The definition of gender varies widely although most agree that gender is largely socially and culturally decided. Furthermore, study after study establishes that

⁵⁵ Warren Jeffs, Bio.com, <http://www.biography.com/people/warren-jeffs-20771031> (last visited Jun 10, 2016).

⁵⁶ *Id.*

⁵⁷ ASGHAR ALI ENGINEER, *supra* note 23, at 49.

⁵⁸ ASGHAR ALI ENGINEER, *supra* note 23, at 49.

⁵⁹ ASGHAR ALI ENGINEER, *supra* note 23, at 49.

⁶⁰ ASGHAR ALI ENGINEER, *supra* note 23, at 49.

⁶¹ Sexuality, Gender & Islam- *What do we mean by Gender?*, <http://www.safraproject.org/sgi-gender.htm> (last visited Jun 10, 2016).

women are associated with nurturing and care or otherwise known as *social maternalism*.⁶² The different forms of discrimination faced by women have in many ways lowered them to a status inferior to that of a man's. Variations of the following inequities can be found in almost every society around the world.⁶³

Women experience discrimination in the work place in the pay they earn, the positions they are hired for, and the promotions they receive. "Their earnings are consistently lower than that of a man's in almost every occupation, regardless of the overall gender domination of that sector of work."⁶⁴ In many countries around the world the laws have been formed to suppress the rights of women from having the same legal rights as men.⁶⁵ Unjustly, these laws take away a woman's right to divorce, to obtain guardianship of their children in the case of divorce, to inherit, protection against child marriage, to drive, and legal protection against sexual or gender-based violence, among other things.⁶⁶ For example, in Lebanon women are not able to seek divorce in the case of physical abuse unless there is an eyewitness to testify on her behalf.⁶⁷

Additionally, women are discriminated against on a societal level in everyday life.⁶⁸ Women and teenage girls are discriminated against based on their weight, height, age, use of societally dictated clothing, level of education and economic status.⁶⁹ "A woman may

⁶² LINDA C. MCCLAIN & JOANNA L. GROSSMAN, GENDER EQUALITY: DIMENSIONS OF WOMEN'S EQUAL CITIZENSHIP 205, (2009).

⁶³ Discrimination Against Women - PCI (Project Concern International), PCI Project Concern International, <https://www.pciglobal.org/discrimination-against-women/> (last visited Jun 10, 2016).

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ *Id.*

⁶⁹ *Id.*

not be seen as valuable or worthwhile if she does not fit the collective representation of normal.”⁷⁰

In traditional Islamic nations, discrimination against women is often justified by old Islamic traditions, values, or harsh interpretations, which infuse the law with patriarchal standards.⁷¹ There has been an Islamic revival in Syria, which has led to an increase in discrimination against women.⁷² Women, for example, cannot pass their nationality directly to their children.⁷³ When a foreigner marries a Syrian woman and a child is born from that union, the child will not have Syrian citizenship.⁷⁴ Another example of gender discrimination against women, which potentially has a negative impact on the children, is giving custody to the father after a divorce takes place.⁷⁵

A study of the Ngwa Igbo Clan in Nigeria identified five principal reasons for men to maintain more than one wife: “because having more than one wife allows the Ngwa husband to (1) have the many children that he desires; (2) heighten his prestige and boost his ego among his peers; (3) enhance his status within his community; (4) ensure a sufficient availability of labor to perform the necessary farm work and the processing of commercial oil-palm produce; and (5) satisfy his sexual urges.”⁷⁶ All of these reasons are beneficial to the husband and not beneficial to the wives.

⁷⁰ *Id.*

⁷¹ LINDA C. MCCLAIN & JOANNA L. GROSSMAN, *supra* note 62, at 205.

⁷² LINDA C. MCCLAIN & JOANNA L. GROSSMAN, *supra* note 62, at 406.

⁷³ LINDA C. MCCLAIN & JOANNA L. GROSSMAN, *supra* note 62, at 406.

⁷⁴ LINDA C. MCCLAIN & JOANNA L. GROSSMAN, *supra* note 62, at 406.

⁷⁵ LINDA C. MCCLAIN & JOANNA L. GROSSMAN, *supra* note 62, at 407.

⁷⁶ Multi-Bonding: Polygamy, Polygyny, Polyamory, Sexual Partnering, Sexual Practices, and Health 27–53, 27-53, <http://www.springer.com/us/book/9780387259239> (last visited Jun 8, 2016).

Additionally, Indian Muslim men have offered a number of reasons for having taken additional wives. For example: “to have a better life-partner, to be able to have a child because the first wife is barren, and to ameliorate the lack of “homeness” in their homes resulting from the primary wife’s long-term illness.”⁷⁷ Other reasons for taking on additional wives are, “to restore “light and laughter” to their lives, to increase the household income through the additional wife’s wages from employment, and to reduce their level of frustration with the first wife that resulted from her lack of consideration and temperament.”⁷⁸

In 1992, the United Nations Committee on the Elimination of Discrimination against Women issued a general recommendation stating the following:

“Polygamous marriage contravenes a woman's right to equality with men, and can have such serious emotional and financial consequences for her and her dependents that such marriages ought to be discouraged and prohibited. The Committee notes with concern that some States parties, whose constitutions guarantee equal rights, permit polygamous marriage in accordance with personal or customary law. This violates the constitutional rights of women, and breaches the provisions of article 5(a) of the Convention.”⁷⁹

In Egypt, mainstream Feminist have demanded that the practice of polygamy be abolished.⁸⁰ However, the conservative ‘ulama argued that polygamy was a God given right.⁸¹ This is left to the secular courts to resolve.⁸² The courts intervened and stated that although polygamy is a God given right, it is nevertheless one that is of a restricted nature.⁸³

⁷⁷ *Id.*

⁷⁸ *Id.*

⁷⁹ Convention on the Elimination of All Forms of Discrimination against Women, UN News Center, <http://www.un.org/womenwatch/daw/cedaw/> (last visited Jun 13, 2016).

⁸⁰ YVONNE YAZBECK HADDAD & BARBARA FREYER STOWASSER, ISLAMIC LAW AND THE CHALLENGES OF MODERNITY 201, (2004).

⁸¹ *Id.*

⁸² *Id.*

⁸³ *Id.*

Polygamy is not harmful to women.⁸⁴ However, women are allowed to prove in court that in certain instances polygamy was indeed harmful to them.⁸⁵ Ultimately, it is up to the court to determine whether, on a case-by-case basis, this was in fact the case.⁸⁶ Therefore, in Egypt polygamy was neither abolished nor treated as an absolute right.⁸⁷ Polygamy is recognized as a right to be exercised by men in a restricted manner.⁸⁸

In **Contesting Justice: Women, Islam, Law, and Society** author Ahmed E. Souaiaia argues that “in a human rights era scholars of Islam are morally required to reexamine the historical causes and legal reasoning for traditional practices that injure women’s well being.”⁸⁹ Today human beings have evolved and are now in a different situation than when Islamic laws regarding polygamy and inheritance were formulated.⁹⁰ “It might be the case that these laws made sense at the time because of the social order and historical circumstances that existed.”⁹¹ Polygamy is also a form of gender discrimination.

A. Women Under Polygamy In Islam

Most of the research on polygamy has focused on the adults, in particular the wives.⁹² Research on the effects of polygyny on women has found detrimental effects on the mental health of the wives.⁹³ “Studies have shown that polygamous marriages are more likely than are monogamous marriages to be torn by spousal conflict, tension, and

⁸⁴ *Id.*

⁸⁵ *Id.*

⁸⁶ *Id.*

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ AHMED E. SOUAIAIA, *supra* note 5, at 44.

⁹⁰ AHMED E. SOUAIAIA, *supra* note 5, at 44.

⁹¹ AHMED E. SOUAIAIA, *supra* note 5, at 44.

⁹² Mohammad Al-Sharfi, *supra* note 2, at 10.

⁹³ Mohammad Al-Sharfi, *supra* note 2, at 10.

jealousy.”⁹⁴ Particularly, the stress associated with polygamous family life predisposes mothers and children to psychological problems.⁹⁵ “Women in polygamous families are commonly unhappy, and the addition of a second or third wife is typically very distressing to the senior wives.”⁹⁶ Some have perceived this change in the family organization as an abusive or traumatic experience for the wife. Marital distress is linked with suppressed immune function, cardiovascular arousal, and increases in stress related hormones.⁹⁷

In addition, most women in polygamous societies are unemployed and thus are economically dependent on their husbands or families.⁹⁸ Since these women cannot support themselves through work, they feel pressure to marry into a polygamous family as a solution to their economic needs.⁹⁹ “With few alternative sources of income, they are unlikely to seek another form of marriage, and so many of them remain with their children in the polygamous marriage.”¹⁰⁰ The mother’s distress has serious implication for her children since it can diminish her level of caring, supervision, and involvement.¹⁰¹ “Some distressed mothers can become withdrawn, depressed, and even hostile towards their children.”¹⁰²

Research has shown an inconsistent relationship between the frequency of polygamy and the education of women.¹⁰³ In 2001, Al-Krenawi found no significant

⁹⁴ Salman Elbedour et al., *The Effect of Polygamous Marital Structure on Behavioral, Emotional, and Academic Adjustment in Children: A Comprehensive Review of the Literature*, 5 CLINICAL CHILD AND FAMILY PSYCHOLOGY REVIEW 255–271, (2002).

⁹⁵ *Id.*

⁹⁶ *Id.*

⁹⁷ *Id.*

⁹⁸ *Id.*

⁹⁹ *Id.*

¹⁰⁰ *Id.*

¹⁰¹ *Id.*

¹⁰² *Id.*

¹⁰³ SALMAN ELBEDOUR ET AL., *supra* note 94, at 257.

difference between the educational levels of two groups of Bedouin-Arab women, composed of senior wives in polygamous marriages and wives in monogamous marriages.¹⁰⁴ In addition, in 1999 Peterson found no significant difference in literacy between monogamous and polygamous women.¹⁰⁵ However, in 1997 Klomegah reported that the majority of women in polygamous marriages have no formal education, fewer have a primary education, and an even smaller number have a secondary education or higher.¹⁰⁶

In Peterson's 1999 study, the women in polygamous marriages were less likely to work outside the home.¹⁰⁷ Lev-Wiesel and Al-Krenawi found in their study that 25% of the mothers from polygamous households worked part-time outside the home.¹⁰⁸ Also, Agadjanian and Ezeh found in their study that more wives from areas with a lower incidence of polygamy worked outside the home and earned cash for their work in comparison to wives from areas with a higher incidence of polygamy.¹⁰⁹ "A study by Klomegah reported that most of the wives in his investigation were employed in clerical/sales, followed by agriculture, unemployed, service/manual labor, and professional, technical, and managerial positions."¹¹⁰ In contrast, the 2002 study by Elbedour et al. documented that none of the 102 women from polygamous families who participated in the study were gainfully employed.¹¹¹

¹⁰⁴ SALMAN ELBEDOUR ET AL., *supra* note 94, at 257.

¹⁰⁵ SALMAN ELBEDOUR ET AL., *supra* note 94, at 257.

¹⁰⁶ SALMAN ELBEDOUR ET AL., *supra* note 94, at 257.

¹⁰⁷ SALMAN ELBEDOUR ET AL., *supra* note 94, at 257.

¹⁰⁸ SALMAN ELBEDOUR ET AL., *supra* note 94, at 257.

¹⁰⁹ SALMAN ELBEDOUR ET AL., *supra* note 94, at 257.

¹¹⁰ SALMAN ELBEDOUR ET AL., *supra* note 94, at 257.

¹¹¹ SALMAN ELBEDOUR ET AL., *supra* note 94, at 257.

For West African women in polygamous marriages life satisfaction has been significantly influenced by wife-order and marital satisfaction.¹¹² Additionally, marital satisfaction is influenced significantly by husband supportiveness, maternal employment, and the husband's age. "The hierarchy of wife happiness from most happy to least happy is as follows: young only wives, older only wives, young subsequent wives, and older subsequent wives."¹¹³ While older senior wives were happier than the younger wives the opposite finding has been reported in the Bedouin-Arab community.¹¹⁴ "Senior wives whose husbands marry subsequent wives often perceive themselves as having failed to meet the standards set by their husband and the community regarding being a successful wife."¹¹⁵ For example, in the Bedouin-Arab society, most of the older wives report somatic symptoms including: "body aches, headaches, insomnia, fatigue, breathlessness, and a state of nervousness encompassing anxiety and tension."¹¹⁶ Also, those women who are perceived as old by their husbands tend to have low self-esteem.¹¹⁷

"American Muslim women of various ethnic backgrounds in polygamous marriages report being abused emotionally, verbally, sexually, and physically by both husbands and the other wives."¹¹⁸ A close association exists between psychopathology and infertile women of polygamous marriages.¹¹⁹ Moreover, in the 1998 study, Eapen et al. found an "increased risk in the manifestation of psychiatric disorders among women of Al-

¹¹² SALMAN ELBEDOUR ET AL., *supra* note 94, at 261.

¹¹³ SALMAN ELBEDOUR ET AL., *supra* note 94, at 261.

¹¹⁴ SALMAN ELBEDOUR ET AL., *supra* note 94, at 261.

¹¹⁵ SALMAN ELBEDOUR ET AL., *supra* note 94, at 261.

¹¹⁶ SALMAN ELBEDOUR ET AL., *supra* note 94, at 261.

¹¹⁷ SALMAN ELBEDOUR ET AL., *supra* note 94, at 261.

¹¹⁸ SALMAN ELBEDOUR ET AL., *supra* note 94, at 261.

¹¹⁹ SALMAN ELBEDOUR ET AL., *supra* note 94, at 261.

Ain District, United Arab Emirates, involved in polygamous marriages, including a greater incidence of low self-esteem and loneliness.”¹²⁰

On the other hand, some studies indicate that it is not all bad and there are several benefits for polygyny such as: “sharing household workload, site companionship, socializing with other women, greater autonomy because other wives will take care of the children, and other responsibilities.”¹²¹ In research conducted by Al-Krenawi, in Bedouin-Arab communities, when the relationship among wives improved, the relationships among siblings, between wives and the husband, and between the father and the children also improved.¹²² According to a study by Sichona, no more family instability prevailed among polygynous families than occurred among monogamous families.¹²³ On many occasions within the Bedouin-Arab community if the first wife cannot bear any children, she encourages her husband to marry a second wife.¹²⁴

Zainab Salbi interviewed a young Syrian refugee woman by the name of Hind who was now residing in Istanbul, Turkey. Hind was thirty-four years old and she had been the second wife in a polygamous marriage. Hind explains to Salbi that she knew that her ex-husband was married and had four children, but she did not care. Hind says her happiness with her husband was short lived. Hind realized that her husband never told his first wife that he had married a second wife and he was afraid to share the news with anybody. “He spent five days a week with his wife and kids and visited Hind in a nearby town only one

¹²⁰ SALMAN ELBEDOUR ET AL., *supra* note 94, at 261.

¹²¹ SALMAN ELBEDOUR ET AL., *supra* note 94, at 262.

¹²² SALMAN ELBEDOUR ET AL., *supra* note 94, at 262.

¹²³ SALMAN ELBEDOUR ET AL., *supra* note 94, at 262.

¹²⁴ SALMAN ELBEDOUR ET AL., *supra* note 94, at 262.

or two nights a week. Hind didn't like the situation and decided to take action."¹²⁵ Needless to say this story did not end well for any of the members involved.

“Every member of that triangular relationship was miserable and it led to two separations. Hind aborted a pregnancy when she knew she was no longer committed to the marriage, applied for divorce and left for Istanbul. The first wife also separated from the husband, though she did not divorce him. And as for the husband, Hind said he escaped his reality by getting a job in Saudi Arabia and living as a bachelor with neither of his wives.”¹²⁶

IV. Children Under Polygamy

Children start life as totally dependent beings. Children must rely on adults, presumptively their parents, for the nurture and guidance they need to grow towards independence. Children's views are rarely heard and rarely considered in their families or in the political process.¹²⁷ Many changes in society are having a disproportionate, and often negative, impact on children.¹²⁸ The healthy development of children is crucial to the future wellbeing of any society.¹²⁹ “Social research findings show that children's earliest experiences significantly influence their future development. The course of their development determines their contribution, or cost, to society over the course of their lives.”¹³⁰

Polygamous marriages often have a negative impact on children. Not only do the children not receive the necessary attention from their fathers, the mother's are often ill

¹²⁵ Zainab Slab, *Secret Wife Speaks Out About the Illusion of Polygamous Marriage*: Women in the World in Association with The New York Times WITW (2015), <http://nytlive.nytimes.com/womenintheworld/2015/06/04/secret-wife-speaks-out-about-the-illusion-of-polygamous-marriage/> (last visited Jun 10, 2016).

¹²⁶ *Id.*

¹²⁷ Addressing the Needs of Children, UNICEF, http://www.unicef.org/crc/index_30167.html (last visited Jun 7, 2016).

¹²⁸ *Id.*

¹²⁹ *Id.*

¹³⁰ *Id.*

equipped to provide the best emotional and financial support to their children. The following section focuses on the negative effects of polygamy on Islamic children.

A. The Effects Of Polygamy On Islamic Children

“There is a growing interest in family characteristics that reduce the risk of child development disturbances and psychopathology.”¹³¹ A supportive family offers children a protective factor against developmental risk. Several studies have stressed that a family two biological parents provides the optimal developmental environment for children and plays a decisive role in reducing psychological distress in children.¹³² Disruptive factors such as: a lack of parental involvement, the psychological unavailability of parents, especially the mother figure, dissolution of the family, and change in the family system, create discontinuity in the child’s immediate environment, which can adversely shape a child’s adaptive and developmental health.¹³³

The shift that occurs when a family adds a new spouse and therefore changes from a monogamous to a polygamous family system causes a “major systemic disruption that would pose a major challenge to a developing child’s sense of trust, security, and confidence.”¹³⁴ However, where the practice of polygamy is strongly supported and valued by the culture it may in fact reduce the vulnerability of children to family disruptions that would otherwise lead to maladaptive behavior.¹³⁵

Sisters in Islam a Malaysian women’s rights organization launched a research project across Malaysia and the preliminary findings “show that many children of first

¹³¹ SALMAN ELBEDOUR ET AL., *supra* note 94, at 258.

¹³² SALMAN ELBEDOUR ET AL., *supra* note 94, at 258.

¹³³ SALMAN ELBEDOUR ET AL., *supra* note 94, at 258.

¹³⁴ SALMAN ELBEDOUR ET AL., *supra* note 94, at 258.

¹³⁵ SALMAN ELBEDOUR ET AL., *supra* note 94, at 258.

wives report a strong negative emotional impact.”¹³⁶ Most of the children reported neglect from the father once he got a second wife, and more so when he started having children from her.¹³⁷ “Especially where fathers had more than two wives or more than 10 children, daughters and sons often claim their father can hardly recognize them.”¹³⁸ Some children report that when they went to ask for pocket money or school fees, their father would look at them clueless and ask, “Which mother are you from?”¹³⁹

In cultures around the world including Africa, Asia, the Middle East, and Oceania, it is common for children to live in families with more than two parents.¹⁴⁰ These expanded family structures are based on marriages that may involve: polygamy, which is a husband with two or more wives; polyandry, which is a wife with two or more husbands; or polygynandry, which is two or more wives simultaneously married to two or more husbands.¹⁴¹ The most common form of non- monogamous marriage is polygamy. Polygamy is a family structure that is economically desirable in cultures based on subsistence farming, in which a family’s economic success may be based on the number of children available to work the land. Additionally, in some societies having multiple wives and children is a marker of economic success.¹⁴²

“Among the various family structures experienced by children, polygynous family structures have received less research attention from psychologists.”¹⁴³ Family structure

¹³⁶ Masjaliza Hamzah & Norma Othman, *Stress, Quarrels and Neglect: The 'normal' Polygamous Family* openDemocracy (2010), <https://www.opendemocracy.net/5050/masjaliza-hamzah-norami-othman/stress-quarrels-and-neglect-normal-polygamous-family> (last visited Jun 9, 2016).

¹³⁷ *Id.*

¹³⁸ *Id.*

¹³⁹ *Id.*

¹⁴⁰ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁴¹ Mohammad Al-Sharfi et al., *supra* note 2, at 2.

¹⁴² SALMAN ELBEDOUR ET AL., *supra* note 94, at 256.

¹⁴³ SALMAN ELBEDOUR ET AL., *supra* note 94, at 256.

is important for child and adolescent development.¹⁴⁴ While some researches think that there is benefit to children in large polygynous families such as the availability of numerous role models. Others have reported large variations in a child's experience such as: negative outcomes for the children, academic deficiencies, and psychological problems such as mental health issues, internalizing and externalizing problems.¹⁴⁵ Additionally, other factors such as marital conflict, marital distress, father absence, financial stress, parental education, and the happiness or distress of the wives in polygynous marriages are important factors that influence children's developmental outcomes.¹⁴⁶

The research included in the following paragraphs was conducted in South Africa, Nigeria, and United Arab Emirates.¹⁴⁷ The most frequently occurring culture was Bedouin-Arab and Arab Muslim, and the children were between the ages of 6 and 18 years old.¹⁴⁸ "Children and adolescents from polygynous families had higher levels on a range of psychopathological symptoms than those from monogamous families in five papers.¹⁴⁹ This included mental health problems such as: obsessive compulsive symptoms, paranoid ideation, depression, hostility, phobic anxiety, psychoticism, acute affective disorders, externalizing problems, social difficulties, attention problems and delinquent problems.¹⁵⁰ These symptoms were associated with family dysfunction, lower family cohesion, and violence in the home.¹⁵¹

¹⁴⁴ SALMAN ELBEDOUR ET AL., *supra* note 94, at 256.

¹⁴⁵ SALMAN ELBEDOUR ET AL., *supra* note 94, at 256.

¹⁴⁶ Mohammad Al-Sharfi et al., *supra* note 2, at 10.

¹⁴⁷ Mohammad Al-Sharfi et al., *supra* note 2, at 4.

¹⁴⁸ Mohammad Al-Sharfi et al., *supra* note 2, at 4.

¹⁴⁹ Mohammad Al-Sharfi et al., *supra* note 2, at 10.

¹⁵⁰ Mohammad Al-Sharfi et al., *supra* note 2, at 10.

¹⁵¹ Mohammad Al-Sharfi et al., *supra* note 2, at 4.

In Al-Krenawi's 2002 study, there is a significant correlation between mental disorders that require treatment and polygamy.¹⁵² Children from polygynous families had lower self-esteem scores, higher scores of obsessive-compulsive symptoms, depression, paranoid ideation and interpersonal sensitivity. On the other hand, children and adolescents from monogamous and polygynous families did not differ on internalizing problems such as anxiety, hostility, and behavioral problems at school.¹⁵³ Overall, children and adolescents from polygynous families experience more mental health issues than monogamous families.¹⁵⁴

In comparison to their counterparts living in monogamous families with both biological parents, researchers have found that children living in nontraditional family structures exhibit poor adjustment, aggressive and antisocial behavior, conduct disorders, communication difficulties, adjustment problems, poor self-concept, high school-dropout rates, sexual activity, drug abuse, and alcoholism.¹⁵⁵

“Academic achievement as measured by examination results or school reports was found to be lower among children from polygynous families than monogamous families.”¹⁵⁶ Also, in Bamgbade and Saloviita's 2014 research, children from polygynous families reported lower understanding of academic subjects than those from monogamous families.¹⁵⁷ Adolescents from polygynous families had poorer school achievement than those from monogamous families.¹⁵⁸ Also, children from polygynous families reported more

¹⁵² Mohammad Al-Sharfi et al., *supra* note 2, at 4.

¹⁵³ Mohammad Al-Sharfi et al., *supra* note 2, at 5.

¹⁵⁴ Mohammad Al-Sharfi et al., *supra* note 2, at 5.

¹⁵⁵ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁵⁶ Mohammad Al-Sharfi et al., *supra* note 2, at 6.

¹⁵⁷ Mohammad Al-Sharfi et al., *supra* note 2, at 6.

¹⁵⁸ Mohammad Al-Sharfi et al., *supra* note 2, at 7.

difficulties in understanding Math and English.¹⁵⁹ “No statistically significant differences were found between children from polygynous and monogamous households in learning disorder or intelligence.”¹⁶⁰

On a range of social problems differences were found between adolescents from polygynous and monogamous families.¹⁶¹ Compared to adolescents from monogamous families, adolescents from polygynous families reported a higher level of family dysfunction, lower family cohesion, worse relationships with their father, more sibling conflicts, worse relationships with friends, poorer adjustment to the school system and to the society of other children.¹⁶²

Children of polygamous families experience a higher incidence of family violence, family disruptions, and marital conflict than do children of monogamous families.¹⁶³ When the parents experience difficulties, discord, and distress this has a direct effect on the mental health status of the children.¹⁶⁴ “In their study of children aged 8 through 18, Buehlar and Gerard (2002) reported that 11% of the variance in children’s maladjustment could be accounted for by marital conflict and ineffective parenting.”¹⁶⁵

“Developmental outcomes of children predicted by marital problems include the following: poor social competence, a poorly developed sense of security poor school achievement, misconduct and aggression and elevated heart rate reactivity.”¹⁶⁶ Children who grow up in an environment where intense marital conflict is the norm are more prone

¹⁵⁹ Mohammad Al-Sharfi et al., *supra* note 2, at 7.

¹⁶⁰ Mohammad Al-Sharfi et al., *supra* note 2, at 8.

¹⁶¹ Mohammad Al-Sharfi et al., *supra* note 2, at 8.

¹⁶² Mohammad Al-Sharfi et al., *supra* note 2, at 9.

¹⁶³ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁶⁴ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁶⁵ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁶⁶ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

to use aggressive behavior to solve problems and hostile patterns of interaction. There is a connection between the mother's negative view of her marriage and negative interaction among older siblings and between the mother and child.¹⁶⁷ "For example, 50% of parents report that they experience tense interactions with their children as a result of marital tension."¹⁶⁸

It is reasonable to infer that stressful experiences in polygamous families are more likely to be associated with "maladjustment in children, including depression and externalized aggression."¹⁶⁹ "Children of polygamous marriages may become the displaced targets of their parents' frustrations and be treated as scapegoats. Due to family violence and parental confrontation, older children may assume the role of parents and function as parents for the rest of the family, including the parents themselves; these children then pay the emotional price as the result of serving dual roles in the household."¹⁷⁰

Polygamous marriages often lead to family dissolution thus separating the children from one of the primary caregivers and leaving the children vulnerable. An example of this is a man who leaves his first wife and their children in order to live with his later wives and their children.¹⁷¹ In these cases, the father may not participate in the upbringing of all of his children, and the children who are left behind may experience feelings of grief and abandonment, and lower levels of parental supervision.¹⁷² Studies show that the father's absence is negatively associated with poor academic performance, teenage pregnancy, and

¹⁶⁷ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁶⁸ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁶⁹ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁷⁰ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁷¹ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁷² SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

a higher incidence of high-risk behavior.¹⁷³ According to Hetherington and Stanley-Hagan, growing up without a father affects male children strongest; boys experience difficulties with self-control, sex role, gender identity, and academic performance.¹⁷⁴ “Specifically, there are four key correlates of a father’s absence that have the strongest effect on children:

1. economic distress, which is associated with academic and psychosocial maladjustment;
2. the child’s perception of abandonment by the father;
3. social isolation; and
4. parental conflict.¹⁷⁵

In some societies, like for example, Arab Muslim communities, children of separated polygamous parents are expected to remain with the father and are subsequently raised by his other wives.¹⁷⁶ “In addition to the grief that the children experience as a result of being separated from their mother, in many cases, this kind of scenario greatly increases the likelihood that they will suffer from abuse and neglect by their stepmother.”¹⁷⁷

The same negative facts previously identified in Islamic polygamous families also exist in FDLS families. Mothers have very little education and therefore are limited in the jobs that they can obtain. Therefore, women lack financial independence and have to remain in polygamous marriages. Often, women do not even know that they have other options, like monogamy for example, because like members of the FDLS polygamy is all

¹⁷³ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁷⁴ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁷⁵ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁷⁶ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

¹⁷⁷ SALMAN ELBEDOUR ET AL., *supra* note 94, at 259.

they have ever known. The following section explores the challenges that women and children faced as members of the FDLS living in polygamous marriages.

V. The Effects Of Polygamy On FDLS Women and Children

Brent Jeffs, the nephew of Warren Jeffs, describes growing up in a world of “sexual terror, familial confusion, and religious brainwashing.”¹⁷⁸ Brent’s father had three wives, two of the wives were sisters, and twenty children. Brent recalls being raped by his uncle Warren when he was in kindergarten. Brent describes the world of fundamentalist Mormon polygamy as a system of unchecked power, which ineluctably produces child sexual abuse. Brent recalls that in his family wives and children were always fighting for attention.¹⁷⁹

“The kids allied themselves with their mothers in the battle to be seen and acknowledged by their father. It got so bad between Brent’s mother and her sister—his father’s second wife—that Brent’s dad actually decided to physically divide their house into two separate dwellings to get some peace.”¹⁸⁰

In a 20/20 special Sabrina Broadbent a young mother shares her story of leaving the FDLS and fighting to get legal custody of her four children. Like most of the members of the FDLS, Sabrina was born into the lifestyle and does not know anything else. Sabrina defected from the FLDS in 2008 and her children fell into the custody of her husband’s sister. Sabrina grew up in a household where her father had two wives and twenty-two children in total.¹⁸¹ For FLDS standards Sabrina’s family tree is actually a small family. She was married when she was seventeen years old to a man who was assigned to her.

¹⁷⁸ Maia Szalavitz, *A Cult Child's Journey Through Hell*, The Daily Beast (2009), <http://www.thedailybeast.com/articles/2009/05/22/life-in-a-polygamous-cult.html> (last visited Jun 4, 2016).

¹⁷⁹ *Id.*

¹⁸⁰ *Id.*

¹⁸¹ DAVID MUIR & ELIZABETH VARGAS, *FDLS: A HOUSE DIVIDED* (2010).

Sabrina knew that the job of an FLDS wife was to obey her husband and bear children.¹⁸² Boys started working manual labor as early as ten years old without receiving any pay.

The FLDS has been investigated for child abuse because Warren Jeff has been quoted saying that, “if a child wants to play with a doll give her a baby” and if “a boy wants to ride a bicycle give him a shovel.”¹⁸³ Children are used as a commodity as a way to make money for the church. Joe Broadbent, Sabrina’s brother, recalls that the FLDS would shut down the schools and take the children to work.¹⁸⁴ Sabrina’s faith was shaken when her husband revealed to her that he wanted to take on a second wife and he wanted it to be Sabrina’s fourteen year old little sister.

Charlene Jeffs, Lyle Jeffs former wife, is also trying to obtain custody of her two youngest children who now reside with her husband. Charlene was the senior wife out of nine wives and between all they had a total of thirty-four children. Charlene fears that her children will fall victim of the rituals that take place in the FLDS church. For example, Charlene claims that there is a seed bearer ritual and she does not want her daughter or son to fall into this abuse.¹⁸⁵

“A seed bearer is an elect man of worthy bloodline chosen by the Priesthood to impregnate the FLDS women. Under this new doctrine, FLDS men are no longer permitted to have children with their multiple wives. That privilege belongs to the seed bearer. It is the husband’s responsibility to hold the hands of their wives while the seed bearer spreads

¹⁸² *Id.*

¹⁸³ *Id.*

¹⁸⁴ *Id.*

¹⁸⁵ *Id.*

his seed. The husband is required to sit in the room while the chosen seed bearer, or a couple of them, rape his wife or wives.”¹⁸⁶

The last example of the abuses that women and children endured by the FLDS is Ron Rohbock’s experience. Ron was banned from the church in 2002 and all of his seven wives and fifty children were reassigned to another man.¹⁸⁷ A tipster informed the police that Ron’s youngest daughter who was now a teenager was being punished. Ron’s daughter was living in a trailer with no food and no running water. The FBI took Ron’s daughter into custody until Ron and his new wife were granted legal custody. However, after spending a few days with her father, Ron’s daughter went back to the FLDS.

Sabrina, Charlene, and Ron’s children were brainwashed because they had been taught, as all the other children that the outside world was evil. Initially, Sabrina’s children were angry and called her the devil. Her oldest son cut all the cords to her television screen. Sabrina’s children refused to watch television and they refused to change their clothing.

The child labor that the FLDS subjects their children to is robbing them of their childhood. “The majority of child laborers are hidden from view and beyond the reach of the law. Many of them are denied basic health care, education, adequate nutrition, and the protection and security of their communities and families.”¹⁸⁸ Children who work full-time and who do not attend school are prevented from developing necessary cognitive skills.¹⁸⁹

¹⁸⁶ *Id.*

¹⁸⁷ *Id.*

¹⁸⁸ Child Labour Robs Children of Childhood, Impedes Development, UNICEF (2006), http://www.unicef.org/media/media_34504.html (last visited Jun 5, 2016).

¹⁸⁹ Allison Gamble, Developmental Effects of Child Labor 'Labor is Not a Commodity' (2011), http://laborrights/international_labor_right/2011/09/developmental-effects-of-child-labor.html (last visited Jun 9, 2016).

“Even children who work part-time while studying generally perform 12% lower than those children who can devote themselves fully to their education.”¹⁹⁰

These young FLDS children who are being forced to work for free instead of receiving an education in school will continue working like slaves for rest of their lives essentially brainwashed without an opportunity to improve their lives.¹⁹¹ Without an education the children of the FLDS will not have the ability to find better paying jobs in the future to provide for themselves and their future family.¹⁹² Not only is child labor problematic because it robs a child of their education, but working can also impact a child’s social development because the children spend more time engaging in free labor than engaging with peers in social play; learning how to interact properly.¹⁹³ “Even adolescents who work are impacted negatively.”¹⁹⁴ For example, teenagers who work more than 20 hours per week are at risk to develop a drug addiction abuse and display increased aggression.¹⁹⁵

The FLDS children who are forced to work may also experience overall issues with their social development. These children have such a high number of siblings but they are not allowed to engage in age appropriate behavior or spend time with children in their own age group. “Children need to build personal positive relationships in order to thrive and feel confident.”¹⁹⁶ Additionally, “spending long hours at work, even part-time, prevents the

¹⁹⁰ *Id.*

¹⁹¹ *Id.*

¹⁹² *Id.*

¹⁹³ *Id.*

¹⁹⁴ *Id.*

¹⁹⁵ *Id.*

¹⁹⁶ *Id.*

children from properly developing these relationships, leading to insecure adults who are also at risk for other emotional problems.”¹⁹⁷

In fact, children who work often also experience isolation and depression. This prevents the children from continuing to develop healthy emotions as they grow, and can lead to many physical effects.¹⁹⁸ These children are at higher risk for developmental delays as a result of the high health risks both from dangerous working conditions and from taking on physical tasks that are too advanced for them.¹⁹⁹

Some of the children of the FLDS have also been victims of childhood sexual abuse. The psychological effects of childhood sexual abuse include: fear, helplessness and powerlessness, guilt and shame, responsibility, isolation, betrayal, anger, sadness, and flashbacks among other symptoms.²⁰⁰ “Sexual abuse is usually accompanied by coercion, bribery or threats.”²⁰¹

The child lives in a state of fear thinking that if they tell someone something bad will happen to them, thinking that people know what is going on but no one is doing anything to defend them from the abuse, or even worse thinking that the abuse is normal and they are fulfilling God’s plan. Children who are victims of sexual abuse feel that they have no voice and no control over their own lives or their own bodies.²⁰² The child feels that there is something wrong and blames himself or herself.²⁰³ Sometimes the child even

¹⁹⁷ *Id.*

¹⁹⁸ *Id.*

¹⁹⁹ *Id.*

²⁰⁰ Psychological Effects, South Eastern Centre Against Sexual Assault & Family Violence (2015), <http://www.secasa.com.au/pages/the-effects-of-childhood-sexual-abuse/psychological-effects/> (last visited Jun 8, 2016).

²⁰¹ *Id.*

²⁰² *Id.*

²⁰³ *Id.*

feels responsible for keeping the family together and this burden interferes with the child having a normal childhood experience. If the abuser is a family member then the child may feel different from other children and thus isolating the child from other children and from “the non-offending parents, brothers and sisters.”²⁰⁴

The child may also feel betrayed if the child is dependent on the adult that sexually abused him or her for nurturing and protection. Children may also feel betrayed by the parents who failed to protect them, by their siblings or community.²⁰⁵ Anger and sadness are the most common emotions for children who have been victims of sexual assault; anger against the abuser, anger against those who didn’t protect them, and anger against themselves.

The long-term effects of childhood sexual abuse include: “depression, anxiety, trouble sleeping, low self esteem, negative body image, dissociation from feeling, social isolation, inability to trust in relationships, poor social skills, self destructive behaviors such as substance abuse, fear of sex or intimacy, promiscuity, and parenting problems.”²⁰⁶

VI. Conclusion

Both in Muslim and FDLS communities polygamy has a negative impact on women and the children. The only people who substantially benefit from polygamous marriages are men. While men view having multiple wives and children as a sign of prosperity and prestige, women and children are used for sexual satisfaction and free labor. Even when women enter into a polygamous marriage knowingly and willingly the emotional strain

²⁰⁴ *Id.*

²⁰⁵ *Id.*

²⁰⁶ *Id.*

that is placed on all of the women involved is stressful and detrimental to the emotional well-being and mental health of the women, and the children born into those unions.