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Lawyers: Canada's step to legalize same-sex unions will help in trial

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VANCOUVER, British Columbia - Canada's decision to legalize gay marriage has paved the way for polygamy to be legal as well, a defense lawyer said Wednesday as the two leaders of rival polygamous communities made their first court appearance.

The case is the first to test Canada's polygamy laws.

Winston Blackmore, 52, and James Oler, 44, are each accused of being married to more than one woman at a time. The charges carry a maximum penalty of five years in prison, British Columbia Attorney General Wally Oppal said.

But Blackmore's lawyer, Blair Suffredine, said during a telephone interview that marriage standards in Canada have changed.

"If (homosexuals) can marry, what is the reason that public policy says one person can't marry more than one person?" said Suffredine, a former provincial lawmaker. Canada's Parliament extended full marriage rights to same-sex couples in 2005.

Suffredine said the case is also about religious persecution.

Blackmore and Oler lead rival polygamous factions in Bountiful, a town in southeastern British Columbia. Blackmore is charged with marrying 20 women and Oler is accused of marrying two women.

Blackmore openly acknowledges having numerous wives and dozens of children but has said his community abhors sexual abuse of children.

Bountiful's community

Blackmore, who has an independent sect of about 400 followers in Bountiful, once ran the Canadian arm of the Utah-based Fundamentalist Church of Jesus Christ of Latter-day Saints, but he was ejected in 2003 by that group's leader, Warren Jeffs. Jeffs is in jail awaiting trial in Arizona on four counts of being an accomplice to sexual conduct with a minor.

Oler is the bishop of Bountiful's FLDS community loyal to Jeffs.

Even though many of Bountiful's residents are related, followers of the two leaders are not allowed to talk with each other.

FLDS members practice polygamy in arranged marriages, a tradition tied to the early theology of the Mormon church. Mormons renounced polygamy in 1890 as a condition of Utah's statehood.

The trial of the two men will continue Feb. 18.

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