

Two mommies and a daddy: The future of polygamy

by [Elizabeth Marquardt](#) in the [July 25, 2006](#) issue

This spring HBO debuted a television series, *Big Love*, that features a likable polygamous family in Utah. An article in a March issue of *Newsweek*, headlined “Polygamists Unite!” quotes a polygamy activist saying, “Polygamy is the next civil rights battle.” He argues, “If Heather can have two mommies, she should also be able to have two mommies and a daddy.” That weekend on the *Today Show*, hosts Lester Holt and Campbell Brown gave a sympathetic interview to a polygamous family.

Western family law has so far not permitted children to have more than two legal (biological or adoptive) parents. This limitation could soon be a thing of the past. Trends in science, law and culture are threatening the two-person understanding of marriage and of parenthood. Though most advocates of same-sex marriage say they do not support group marriage, the partial success of the gay-marriage movement has emboldened others to borrow the language of civil rights to break open further our understanding of marriage.

During the same month that *Big Love* debuted, the *New York Times* devoted much attention to the subject of polygamy. One article featured several polygamous women watching *Big Love*’s first episode and sharing their view that polygamy “can be a viable alternative lifestyle among consenting adults.” In an article in the paper’s business section, an economist snickered that polygamy is illegal mainly because it threatens male lawmakers who fear they wouldn’t get wives in such a system. In a separate piece, columnist John Tierney argued that “polygamy isn’t necessarily worse than the current American alternative: serial monogamy.” He concluded: “If the specter of legalized polygamy is the best argument against gay marriage, let the wedding bells ring.”

It is not just *Big Love* that is putting polygamy in play in North America. In a development that shocked many Canadians this winter, two government studies

released by the Justice Department in Ottawa recommended that polygamy be decriminalized. One report argued that the move is justified by the need to attract skilled Muslim immigrants.

Besides this movement for polygamy (“many marriages”), there is a movement on behalf of polyamory (“many loves”). Polyamory involves relationships of three or more people, any two of whom might or might not be married to one another. Whereas polygamists are generally heterosexual, polyamorous people variously consider themselves straight, gay, bisexual or just plain “poly.” Polyamorists distinguish themselves from the “swingers” of the 1970s, saying that their relationships emphasize healthy communication and what they call “ethical nonmonogamy.”

Polyamorous unions have been around for a while, but now they and their supporters are seeking increased visibility and acceptance. A recent *Chicago Sun-Times* article mentioned the “Heartland Polyamory Conference” to be held this summer in Indiana. (A similar Midwestern polyamory conference was held two years ago in Wisconsin.) A *Chicago Tribune* article in February featured Fred, Peggy, Bill, John and Sue, the latter two a married couple, who share their beds in various ways. The reporter termed them an “energetic bunch” of polyamorists. And articles about polyamory routinely appear in alternative periodicals such as the *Village Voice* and *Southern Voice* and, increasingly, in campus newspapers.

Support for polyamory and polygamy is found not only on the fringes. The topic is also emerging at the cutting edge of family law. Dan Cere of McGill University cites some examples, including: a substantial legal defense of polyamory published by University of Chicago law professor Elizabeth Emens in the *New York University Law Review*; a major report, “Beyond Conjuality,” issued by the influential Law Commission of Canada, which queried whether legally recognized relationships should be “limited to two people”; and *An Introduction to Family Law* (Oxford University Press), in which a British law professor observes that “the abhorrence of bigamy appears to stem . . . from the traditional view of marriage as the exclusive locus for a sexual relationship and from a reluctance to contemplate such a relationship involving multiple partners.”

Columnist Stanley Kurtz recently noted that a number of legal scholars are calling for the decriminalization of polygamy, including Jonathon Turley of George Washington University, who wrote a widely noticed opinion piece in *USA Today* in

October 2004. According to Kurtz, a significant number of legal scholars argue that “the abuses of polygamy flourish amidst the isolation, stigma, and secrecy spawned by criminalization.” In other words, the problem is not polygamy but the stigmatizing of it.

Meanwhile, the Alternatives to Marriage Project, whose leaders are often featured by mainstream news organizations in stories on cohabitation and same-sex marriage, includes polyamory among its “hot topics” for advocacy. Among religious organizations the Unitarian Universalists for Polyamorous Awareness hope to make theirs the first to recognize and bless polyamorous relationships (see www.uupa.org).

Advocates for polyamory often explicitly mimic the language used by gays, lesbians and bisexuals and their supporters. They say they must keep their many loves in the closet; that they cannot risk revealing their personal lives for fear of losing their jobs or custody of their children; that being poly is just who they are.

Web sites for practitioners of polyamory devote considerable space to the challenges of being a poly parent. On a blog at LiveJournal.com, one mom says, “Polyamory is what my kids know. They know some people have two parents, some one, some three and some more. They happen to have four. Honestly? Kids and polyamory? Very little of it affects them unless you’re so caught up in your new loves you’re letting it interfere with your parenting.”

An older mom advises a young poly mother-to-be who isn’t sure how to manage a new baby and her poly lifestyle: “Having a child . . . and being poly isn’t exactly a cakewalk, but . . . it is possible. Sometimes it means that you take the baby with you to go see your OSO [other significant other], or your OSO spends more time at the house with you, your husband, and the baby. . . . There is a lot of patience that is needed from all parties involved, but it can be done. The first six months are extremely hard.”

A pro-poly Web site despairs: “One challenge that faces poly families is the lack of examples of poly relationships in literature and media.” A sister site offers the “PolyKids Zine.” This publication for kids “supports the principles and mission of the Polyamory Society.” It contains “fun, games, uplifting PolyFamily stories and lessons about PolyFamily ethical living.” Its book series includes *The Magical Power of Mark’s Many Parents* and *Heather Has Two Moms and Three Dads*.

A different set of challenges to the two-person understanding of marriage and parenthood is emerging from medical labs. Scientists are experimenting with creating artificial sperm and eggs and fusing them in unexpected ways to create human embryos for implantation in the womb. Last year, British scientists at Newcastle University were granted permission to create a human embryo with three genetic parents. A team in Edinburgh announced that it had tricked an egg into dividing and created the first human embryo without a genetic father. But evidence from experiments with animals suggests that the physical—not to mention psychological—risks for such embryos and children are enormous. In Japan in 2004, scientists created a mouse with two genetic mothers and no genetic father. To achieve this result, they created over 450 embryos, of which 370 were implanted. Only ten were born alive, and only one survived to adulthood.

In the current explosion of reproductive technology the law is gasping to stay in last place. For example, only now are some nations beginning to recognize the moral and health risks of sperm donation, a relatively low-tech reproductive technology that has been in use for at least 40 years. Responding to donor-conceived adults who say they desperately wish to know and have a relationship with their sperm-donor fathers, expert commissions last year in New Zealand and Australia recommended allowing sperm and egg donors to opt in as third legal parents for children.

Such a move promises to create as many problems as it solves. Just one likely result: as soon as children are assigned three or more legal parents, the argument for legalizing group marriage will almost certainly go something like this, “Why should children with three legal parents be denied the same legal and social protections as children with only two parents have?”

Pity the children. We frequently see the havoc wreaked on children’s lives when two parents break up and fight over their best interests. Imagine when three or more adults break up and disagree over the children to whom each has an equal claim. How many homes will we require children to grow up traveling between to satisfy the parenting needs of all these adults?

If two parents are good for children, are three even better? Should scientists try to make babies from three people, or babies with no genetic father (or mother)? Is the two-parent, mother-father model important for children, or does it just reflect a passing fixation of our culture? The debate is upon us.