

The Polytics of Polyamory

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Introduction: Hi everyone. Many of you know my work with the Institute for 21st Century Relationships, the National Coalition for Sexual Freedom, and Chesapeake Polyamory Network. Recently my focus has expanded via the privilege of serving on the LovingMore Board of Directors. There are many exciting programs and projects in the works for LovingMore, so be sure to check the LM website at lovemore.com often for the latest news.

Today's I'll tell you about the polytics of polyamory. I will refer to both polygamy and polyamory, which are increasingly intertwined on the public stage. A lot has taken place there, some good, some not so good, that directly effects our community and our lives.

Media interest in polyamory continues to increase, and it is the playing field where poly advocates seek to win over the hearts and minds of the mainstream.. Through various forms of media we see polyamory being treated respectfully in some instances, derisively in others, and as disingenuously irrelevant by some media savvy individuals for whom doing so suits an agenda. Some references are clearly exploitative, others fairly positive, while others are decidedly against us.

For the record, I consider monogamy a valid relationship choice. Don't let anything I say here about the iconization of traditional marriage make you think otherwise.

- I. Polyamory is no longer socially obscure – what happened?
 - A. Image of polyamory today is being driven by the use of the media by both its advocates and its opponents.
 - B. Popular media sees what is going on in the culture war and reports it. Polyamory's opponents make alarmist, erroneous public statements in an attempt to gain support for their pro-traditional marriage agenda.

- C. The best players have the ability to influence thinking via savvy use of media opportunities, and LovingMore is gaining ground very quickly as THE skilled media clearing house on the subject of polyamory.
- D. To understand what is going on, we need to know the players and their agendas.

II. Media Coverage

1. Many poly stories have appeared in print and internet magazines and newspapers. Some are written for human interest, others are Op-Ed pieces with a specific agenda – usually not in our favor.
2. Internet serves to expand our exposure even more via mainstream websites of news agencies, the Marriage Movement, Religious Extremists, Conservative elite publications, political and social pundits, and bloggers of all stripes

III. Kurtz’s “Slippery Slope”

- A. Our most credible and vocal opponent over the last few years is Stanley Kurtz. Kurtz is an adjunct fellow of Hudson Institute and a fellow at the Hoover Institution with a special interest in America's "culture war." His opinion columns are regularly published in such heavy-hitter conservative publications as The Weekly Standard and the National Review.
- B. Kurtz’s argument against same-sex marriage has its origins in Rick Santorum’s statement in an AP interview in 2003 in anticipation of the US Supreme Court’s decision on *Lawrence v. Texas*, the landmark case that overturned Texas’s sodomy law. Santorum said that if *Lawrence* was upheld, “then you have the right to bigamy, you have the right to polygamy, you have the right to incest, you have the right to adultery. You have the right to anything.”
- C. Kurtz’s explains his Slippery Slope theory as follows: "Among the likeliest effects of gay marriage is to take us down a slippery slope to legalized polygamy and 'polyamory' (group marriage). Marriage will be transformed into a variety of relationship contracts, linking two, three, or more individuals (however weakly and temporarily) in every conceivable combination of male and female. A scare scenario? Hardly. The bottom of this slope is visible from where we stand. Advocacy of legalized polygamy is growing.”

D. Kurtz's stature as a Harvard educated intellectual makes his opinion – and that's all it is – very valuable to those who oppose both polyamory and same-sex marriage. He continues to be frequently quoted on this issue by conservatives of all kinds. His words are regularly repeated by religious extremists in attempts to call the faithful to action.

IV. Who are the Players

A. The Opposition (Red Team) - Varying levels of influence

1. Marriage Movement – Highly influential, aggressively advocates for traditional marriage as the only acceptable standard for **every** family.

a. Players (amongst others)

- Maggie Gallagher, columnist and president of the Institute for Marriage and Public Policy, who I quote:

(i) Quote: ““There isn't a single argument in favor of same-sex marriage that isn't also an argument in favor of polygamy,”

(ii) “Winning the gay-marriage debate may be hard, but to those of us who witnessed the fall of Communism, despair is inexcusable and irresponsible. Losing this battle means losing the idea that children need mothers and fathers. It means losing the marriage debate. ... It means losing American civilization.”

- Barbara Defoe Whitehead, co-director of the National Marriage Project at Rutgers University.

(i) “Marriage is unbundling. Alone you can have a child, a house, and sex. What you cannot have is intimacy. For intimacy you need marriage.”

b. The Marriage Movement is federally funded. President Bush's welfare reform legislative package includes a provision that will provide \$200 million in federal grants—with \$100 million in matching state money—to fund programs intended to strengthen the traditional two-parent family. Poly families need not apply.

2. Segments of the Same Sex Marriage Movement – Historically not friendly to polys

- a. Example: Blogger and author Andrew Sullivan, who speaks dismissively of the “polygamy diversion,” arguing that homosexuality and polygamy are categorically different because polygamy is a mere “activity” while homosexuality is an intrinsic state that “occupies a deeper level of human consciousness.” I respect Sullivan generally but think he’s gotten it wrong this time. Columbia law professor Elizabeth Emens determined through her research that polyamory is for some an identity, not a choice.
3. Quasi- Faith Based Non-Profit Pro-Family Groups such as
 - a. Traditional Values Coalition
 - The largest non-denominational, grassroots church lobby in America with over 43,000 churches as members.
 - In addition to believing that “marriage is a God-ordained institution and a lifelong commitment only the union of one man and one woman,” it also says it believes “in intolerance to those things that are evil and advocate[s] for discrimination against those behaviors which are dangerous to individuals and to society.”
 4. Conservative elite think tanks like Kurtz’s Hoover Institute at Stanford
- B. Pro Poly (Blue Team) – Varying levels of influence
1. Family Law academics like Columbia Associate Professor of Law Elizabeth Emens and other academic leaders in the field of family law
 2. Some LGBT editorialists get and aren’t afraid to say that we’re all in this together.
 3. ACLU, and its policy on plural marriage, which says that criminal and civil laws prohibiting or penalizing the practice of plural marriage violate constitutional protections of freedom of expression and association, freedom of religion, and privacy for personal relationships among consenting adults.
 4. Pro-Mormon and Christian Polygamy entities (though some like Truthbearer.org actively distance themselves from polyamory and polyandry):

5. Libertarian leaders like John Tierney want government out of marriage.
6. The LGBT and queer activists, scholars, educators, funders, writers and cultural workers who drafted the poly-inclusive statement entitled "Beyond Same Sex Marriage".
7. Non-profit organizations like
 - a. NCSF
 - b. ITCR
 - c. LM
 - d. SFLDEF (Sexual Freedom Legal Defense and Education Fund)
 - e. WFF
 - f. ATMP
 - g. UUPA
8. Poly activists, educators and community organizers such as
 - a. Robyn Trask of LovingMore
 - b. Ken Haslam of UUPA and father of the Kinsey Institute's polyamory collection
 - c. Florida polys Fritz Neumann and Cherie Ve Ard
 - d. Jim Fleckenstein of ITCR
 - e. Bay area group, Love and Politics
 - f. Nan Wise
 - g. UUPA organizers Jasmine Walston and Harlan White
 - h. SFLDEF Executive Director Valerie White
 - i. Justen Michael and Birgitte Philippides, organizers of Poly-NYC and this event
 - j. And many more too numerous to mention.

V. Role of the Courts

- A. *Lawrence v. Texas* has had a profoundly positive effect on the grounds of privacy and equal protection
- B. Polygamy challenges continue to be pursued in the courts
- C. In a USA Today article published 10/3/04, Jonathan Turley, well-known professor of public interest law at George Washington University Law School, spoke very compellingly about the hypocrisy of laws against polygamy

VI. Role of Legislative Bodies

- A. Good News: Federal Marriage Amendment to US Constitution defining marriage as between one man and one woman is dead in the water.
- B. Bad News: Potential for poly marriage equity is being temporarily diminished as the states hasten to enact laws defining marriage as between one man and one woman. These laws will be challenged in time, and many will be thrown out as unconstitutional or illegal under the precedent set by *Lawrence* – but this will take time and considerable amounts of money to accomplish.

VII. What it means to the future of polyamory

- A. Despite the enormity of the opposition, positive things are happening. In the Netherlands polygamy is legal in all but name. In 2005 the first civil union of three partners was registered. Many social changes begin outside the US and then are gradually accepted here.
- B. Favorable treatment in the media helps. Polygamy/polyamory is now commonly referred to as the next big civil rights issue.
- C. Kurtz is right that same sex marriage will open the door to other forms of marriage equality.
- D. There is clearly increased awareness of polyamory in the mainstream
 - 1. Reactions vary according to
 - a. how threatening the listener perceives the concept to be

- b. how open-minded the listener is
 - c. the listener's beliefs about monogamy and morality
2. Increased awareness by family members, employers, family court judges, etc., could well mean greater discrimination against polys until myths are dispelled, especially **the biggest myth of all**, that poly families are bad for children.
- a. Child custody is the number one legal challenge for polyamorists, and there is a lot to be done to educate the public, family therapists and family court judges in order to end discrimination against poly families, which is rampant.
 - b. To manage this issue, proper peer-reviewed studies need to be done that demonstrate what we know anecdotally, that responsible poly families are GOOD for adults and children.
 - c. Poly-friendly family therapists need evidence in order to avoid risking their careers advocating for polys since in their world expertise is established via knowledge of factual data. Right now not one therapist can be found who will act as a desperately needed expert witness for poly parents facing child custody challenges.
 - d. In one 12 month period NCSF responded to 600 calls from poly parents facing such challenges.
- E. The success of the same-sex marriage movement, though not a linear process, will indeed pave the way. Once state legislation against SSM and polyamory are challenged and stricken as illegal under *Lawrence*, SSM will become a reality, and the door to poly marriages will open.
- a. Of course, some polyfolk don't wish to legally marry and prefer the model put forth in the beyondmarriage.org document.
 - b. Legal approval will lead to societal tolerance/acceptance of poly relationships.
- F. The Slippery Slope is a Red Herring
1. Allowing people in non-traditional relationships to marry is not going to change the fact that many others will remain monogamous and wish to marry. The existence of poly relationships, whether legally recognized or

not, has no power to undermine traditional marriage. It will remain a valid option.

VIII. CONCLUSION

- A. The more polyamorists are willing to support with more than words poly leadership and advocacy, the better we will all fare in terms of the way we are treated by our friends, family, co-workers, and society as a whole.
- B. Awareness of our existence **is** increasing and will continue to increase no matter what we do, since the opposition has something to gain by referring to us, and the media sees us as a hot topic.
- C. My deepest concern as a polyamory activist is that by and large polyamorists will sit idly by and permit the opposition to frame the debate and mischaracterize who and what we are.
- D. What can you do?
 1. If poly is who you are, your identity, and not just a chosen lifestyle, say so when it counts. We must raise awareness on this fact to be treated as legitimately as we deserve.
 2. Attend and support poly conferences and gatherings and spread the word on poly activism issues.
 3. Support orgs like LovingMore that advocate for the interests of polyamorists by volunteering your time. making generous cash donations, holding fundraiser, and promoting and attending their events.
 4. Come out if you can! As our LGBT brothers and sisters have demonstrated, familiarity leads to desensitization, which makes acceptance possible.
 5. By doing these things, you can be proud in knowing that you have done your part to make societal acceptance of polyamorous relationships a reality.

Thanks for giving me the honor of your attention and the pleasure of your company today as we celebrate the joys and consider the challenges of living a poly life authentic to who we are.