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Polyamory Advocate: Gay Marriage 'Blazing the Marriage Equality Trail'

Supreme Court decisions on marriage unlikely to directly impact status of polygamy, other multiperson relationships

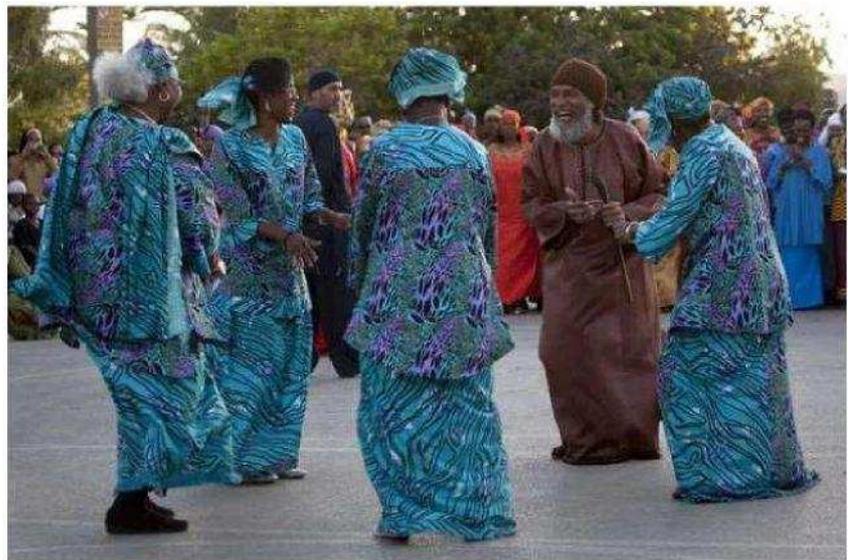
By STEVEN NELSON

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The U.S. Supreme Court could rule any day on challenges to two laws blocking legal recognition for same-sex marriages – the federal Defense of Marriage Act and California's voter-approved Proposition 8 – but advocates for polyamorous couples say marriage equality for that minority group is unlikely in the immediate future.

Anita Wagner Illig, a longtime polyamory community spokesperson who operates the group Practical Polyamory, is unsure of the direct impact of a ruling that would legalize same-sex marriage nationwide.

Until recently, she noted, "the polyamory community has expressed little desire for legal marriage," but now more options seem possible in the future. "We polyamorists are grateful to our [LGBT] brothers and sisters for blazing the marriage equality trail," Illig said.



Ben Ami Ben Israel, leader of the Black Hebrews community, dances with his four wives in Dimona, Israel, May 30, 2010. In the U.S., polyamory advocates say, participants aren't necessarily religious or prone to wearing exotic outfits.

Illig believes there is indeed a "slippery slope" toward legal recognition for polygamy if the court rules in favor of nationwide same-sex marriage, an argument typically invoked by anti-gay marriage advocates. "A favorable outcome for marriage equality is a favorable outcome for multi-partner marriage, because the opposition cannot argue lack of precedent for legalizing marriage for other forms of non-traditional relationships," she said.

But Illig concedes, "there will be quite a lot of retooling of the legal system necessary to establish marriage equality for marriages of more than two people. A marriage of two people of the same sex requires a lot less in terms of adapting today's systems, such as Social Security, for example, to accommodate it."

"It is hard to predict" the possible legal side-effects of the Supreme Court rulings "since [the cases are] about official recognition rather than criminalization," George Washington University law professor Jonathan Turley told U.S. News.

Turley is representing the polygamist Brown family, which has four wives and one husband, in their challenge to Utah's cohabitation law. The Brown family stars in TLC's "Sister Wives," which records the family's day-to-day life, as well as their flight from Utah to Nevada after local authorities began to surveil them and openly mull felony charges.

"There is no reason that the decision should impact polygamy and particularly the Brown case in Utah," Turley said. "Polygamists are where homosexual couples were before 2003 and the Lawrence [v. Texas] decision," a case that struck down laws against consensual same-sex relations, he said. "Our challenge is about the criminalization of plural relationships, not the recognition of such relationships."

In a March interview with NPR, Turley said most polygamist families are like the Browns. "They're very modern. The women believe in divorce. They live in cities. They have jobs. But they are treated as felons," he said.

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Polling shows that public approval of polyamorous relationships is low. As of last month, Gallup found that 59 percent of Americans considered homosexual relations morally acceptable, compared to just 14 percent who approved of polygamy.

Unlike the Brown family, which belongs to a fundamentalist Mormon denomination, the basis of Illig's relationship is nonreligious. She has a husband who also has a girlfriend.

"I would absolutely want to seek multi-partner marriage," she said. "It would eliminate a common challenge polyamorists face when two [people] are legally married and others in their group relationships aren't part of that marriage."



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