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The FAQs: What You Should Know About Polygamy in America

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1



What just happened?

Earlier this week the Utah Senate unanimously passed a bill that [effectively decriminalizes polygamy](#). The bill, which will be taken up by the state's House of Representatives, would make polygamy an infraction, amending the current penalty punishable by up to five years in prison. As the [Associated Press points out](#), while mainstream members of the Church of Latter-day Saints abandoned the practice of polygamy in 1890, an estimated 30,000 people living in polygamous communities follow teachings that taking multiple wives brings exaltation in heaven.

What is polygamy?

Polygamy is the practice or custom of having more than one wife or husband at the same time. Polygamy has historically taken two forms, polyandry and polygyny. [Polygyny](#) is the state or practice of having more than one wife or female mate at a time, while [polyandry](#) is the practice of having more than one husband or male mate at one time.

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Isn't polygamy illegal in the United States?

Since the Edmunds Anti-Polygamy Act of 1882, bigamy has been a federal crime under U.S. law. [Bigamy](#) is a crime that occurs when a person is married to two different people at the same time as part of two different marriage contracts. If a person is married, it is a requirement for him or her to have the marriage dissolved through death, annulment, or divorce before he or she can legally enter into a new marriage. If a person intentionally fails to have the first marriage dissolved before entering into a new marriage contract, he or she can be charged with bigamy.

While bigamy is technically still a crime in the United States, polygamy is, in essence, already decriminalized. In certain states, a couple could be legally married (husband/wife, husband/husband, or wife/wife), be cohabiting with another married couple, and claim that all four are married to each other (though not legally). Such arrangements are protected under the Supreme Court ruling [Lawrence v. Texas](#) (2003), in which the court claimed, "Liberty presumes an autonomy of self that includes freedom of thought, belief, expression, and certain intimate conduct." As Justice Antonin Scalia recognized in the minority opinion, the *Lawrence* decision could be used to legalize bigamy and would be a "massive disruption of the current social order."

In the on the ruling in the case of [Obergefell v. Hodges](#) (2015), which legalized same-sex marriage in all 50 states, Chief Justice Roberts predicted that the reasoning of the Court's majority allowing would lead to the legalization of polygamy. As Roberts wrote in the minority opinion:

It is striking how much of the majority's reasoning would apply with equal force to the claim of a fundamental right to plural marriage. If "[t]here is dignity in the bond between two men or two women who seek to marry and in their autonomy to make such profound choices," why would there be any less dignity in the bond between three people who, in exercising their autonomy, seek to make the profound choice to marry? If a same-sex couple has the constitutional right to marry because their children would otherwise "suffer the stigma of knowing their families are somehow lesser," why wouldn't the same reasoning apply to a family of three or more persons raising children? If not having the opportunity to marry "serves to disrespect and subordinate" gay and lesbian couples, why wouldn't the same "imposition of this disability," serve to disrespect and subordinate people who find fulfillment in polyamorous relationships?

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Doesn't the Bible endorse polygamy?

No. As Jesus makes clear in his teachings, God's original intention for marriage was one man and one woman ([Matt. 19:1-12](#)). As theologian [John Frame notes](#), "We may infer that the Old Testament tolerance of polygamy, like its tolerance for divorce, was because of the 'hardness of heart' of the people."

Similarly, John Piper represents the view of most evangelical theologians [when he says](#), "I don't believe that the will of God today as revealed in the New Testament and, rightly read, the Old Testament is to give permission or promotion to polygamy."

Since few Americans will choose polygamy, why is it a concern for Christians?

Because the rate of marriage in America is at the lowest point in 150 years, it's not likely that we will see a significant demand for plural marriages. But the increasing acceptance and normalization of polygamy leads to the increasing acceptance and normalization of polyamory.

Polyamory is a form of non-monogamy, an umbrella term for intimate romantic or sexual relationships that involve more than two people. Because this term includes relationships in which one partner is unaware the other is not monogamous (i.e., relationships in which one person is cheating or committing adultery), advocates of this form of non-dyadic structure often refer to their relationships as consensual non-monogamy (CNM) or ethical non-monogamy (ENM).

The [range of consensual non-monogamous relationships](#) includes: [polyamory](#) (multiple romantic/sexual partners), [polygamy](#) (one person married to multiple partners), [group marriage](#) (each person in the relationship is married to the others), [open relationship/marriage](#) (a committed or married couple that is not committed to sexual fidelity), [polyfidelity](#) (a relationship with multiple partners but that restricts sexual activity to within a certain group), [monogamish](#) (couples that are sexually polyamorous but remain "emotionally monogamous"), [swinging](#) (similar to open relationships, but conducted as an organized social activity, often involving some form of group sex; sometimes referred to as wife/husband swapping), triad (a polyamorous relationship of three people), and [relationship anarchy](#) (participants in the relationship are not bound by set rules or norms).

Non-monogamy has [long been a common practice](#) in the LGBT community. Indeed, a significant percentage of persons in same-sex sexual partnerships, including those who are in same-sex marriages, do not view monogamy or sexual exclusivity as part of the

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meaning of marriage. A study by the [Center for HIV Educational Studies and Training](#), found that of gay and bisexual men that were partnered, 42 percent were in non-monogamous relationships. Of those that were non-monogamous, 53 percent were in open relationships, and 47 percent were in “[monogamish](#)” relationships (i.e., couples that are sexually polyamorous but remain “emotionally monogamous”).

It's not a surprising that the increase in acceptance of homosexual behavior has led to broader acceptance of polyamorous practices among heterosexuals. About 1 out of 5 of people younger than 30 have engaged in sexual activity with someone else with the knowledge of their partner, [according to a 2016 poll](#). Overall, 11 percent of Americans said they have had sexual contact with other people with the consent of their partner, while 19 percent have had sexual contact without their consent. Younger Americans are much more likely to report having had sexual contact with other people with the consent of their partners: 17 percent of people younger than 45 say that they have, compared to only 3 percent of people older than 65. However, the vast majority of Americans (68 percent) said they would “not be OK” with their romantic partner engaging in sexual activities with someone else.

This trend should concern all Christians who love their neighbors since those who persist in engaging in such sexually immoral practices will be excluded from the kingdom of God ([1 Cor. 6:9-10](#)).

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