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Legalizing Plural Marriage: The Next Frontier in Family Law
by Mark Goldfeder (review)

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Cotton Mather, or involved witchcraft episodes that today's reading public would recognize, such as those in Salem, Massachusetts in 1692. But most deal with individuals largely unknown to the casual student of witchcraft possession. Gasser's reading of these texts is close, careful, and extensive. In fact, her book needs a companion volume, containing lengthy excerpts from these documents.

I would not recommend this book for an undergraduate course, but it is ideally suited for graduate students interested in delineating the contours of witchcraft studies. Gasser's contribution to this scholarship is noteworthy. She provides a corrective to the direction that many previous studies took—investigating mostly women, perhaps even women only—and failing to appreciate the attitudes about manhood that affected the outcomes of so many witchcraft cases. Gasser isn't the first to point out that by 1700, the older theological paradigms about witchcraft were challenged by a budding scientific worldview regarding supernatural phenomena. Men like Thomas Brattle, though devout, published skeptical assessments of witchcraft. Gasser argues that these male writers—whether a skeptic or a committed champion of supernaturalism, like Mather—relied upon masculine conventions to score points against their opponents in these debates.

W. Michael Ashcraft, Truman State University

Legalizing Plural Marriage: The Next Frontier in Family Law. By Mark Goldfeder. Brandeis University Press, 2017. xiv + 257 pages. \$40.00 paper; ebook available.

The United States is “in the midst of a family law revolution” (1). Mark Goldfeder's book claims that, in its wake, Americans must consider legalizing plural marriage alongside other forms of polyamorous family structure. This book will interest readers interested in the politics of marriage in the United States. Goldfeder's argument is sophisticated but accessible, if also a bit dry. It begins by articulating what makes marriage special. While marriage gives participants access to a number of practical personal and legal benefits, it also entails less tangible elements at the core of its meaning: it is the means by which individuals define themselves by their commitments to other people as part of a shared entity that is socially recognizable to just about everyone they encounter. Goldfeder claims that legalizing plural marriage extends these marital benefits, making them “more fair, equitable, and available for all” (17).

Many Americans already participate in what Goldfeder calls “de facto polygamy” through divorce and remarriage, infidelity, serial monogamy, non-marital sex with multiple partners, extra-legal committed plural

relationships, and so on (63–64). Americans make choices betraying that they are not as committed to monogamy as they think. The legal complexities of these arrangements have already created a vast repertoire of law useful for regulating and administrating polygamy, making legalization relatively simple.

While legalization may be administratively easy, many oppose it because they imagine that polygamy harms children and women. Goldfeder, however, points to the much greater harms coming from the criminalization of polygamy. It drives polygamous communities into the shadows, creating suspicion between polygamists and state officials charged with investigating abuse; it also hides practices such as child marriage, family violence, and so on, behind a veil of secrecy. Legalization, Goldfeder argues, will allow governments to more successfully regulate and investigate these problems.

Goldfeder further argues that the presumed harms opponents decry are neither unique to nor more prevalent in plural marriage, and points to evidence that plural households may be good for children and women. To address the question of harm to children, Goldfeder examines a 15-year longitudinal study by Elisabeth Sheff, which found that children of plural households were well adjusted, articulate, intelligent, and self-confident. Multiple parents not only provided more emotional support, a broader range of interest among parents, and more diverse role models, but also increased “ride availability” (more parents with more motor vehicles) for adolescents (89).

In addressing potential harm to women, Goldfeder references a few feminist proponents of polygamy who argue that polygamy addresses some of the gendered problems of marriage. However, these claims only make sense in relation to how marriage has constituted gender relations under patriarchy. A plural wife may indeed get help with housework from sister wives, benefit from their companionship, and more successfully avoid marrying a lout (Goldfeder’s term), but if men did more housework, were more emotionally available, and were less likely to be louts, these claims would fall flat. The pro-polygamy feminist arguments Goldfeder presents only address women’s ability to more successfully mitigate men’s marital failings, rather than married men’s ability to transform their bad behavior.

For Goldfeder, monogamy will remain the default form of American marriage because most Americans will choose it; plural marriage thus poses no real threat to monogamy. Goldfeder addresses the “slippery slope” argument (which claims that atrocities such as child and animal marriage will follow any expansion of marital rights) by stating that “there is no parade of horrors lurking behind the veil of plural marriage.” Rather, legalization clarifies the “clear bright line” demarcating who may get married—freely mutually consenting adults—from any others who may not (127). This claim is perhaps Goldfeder’s most

significant contribution to debates over the nature and meaning of marriage and may, perhaps, make marriage more fair, equitable, and available to all.

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Oneida: From Free Love Utopia to the Well-Set Table. By Ellen Wayland-Smith. New York: Picador, 2016. 336 pages. \$27.00 cloth; \$19.95 paper; ebook available.

John Humphrey Noyes and the Oneida Community (OC) he founded in mid-nineteenth-century Central New York have attracted perennial scrutiny from historians, sociologists, psychologists, journalists, and, as in the case of Ellen Wayland-Smith (who is also a scholar of comparative literature), descendants of original OC members. Oneida's unique sexual and other social practices—complex marriage, male continence, stirpiculture, mutual criticism, communal childrearing, (relative) gender egalitarianism—intrigue and excite. Despite existing as a communal experiment for only thirty-three years (1848–1881), the OC has been investigated and interpreted from multiple angles since the publication of *Oneida Community: An Autobiography, 1851–1876* (Syracuse University Press, 1970) by another descendant, Constance Noyes Robertson. *Oneida: From Free-Love Utopia to the Well-Set Table* offers one more attempt to penetrate the inner workings of J. H. Noyes' mind, the community, and its later incarnation as the kitchen and dining ware manufacturing firm Oneida, Ltd.; it reads as both a deeply personal investigation into the author's ancestry and a well-researched and well-documented history.

The book tracks the same story as the many previous attempts to grasp the character and motivations of Noyes and the people who followed him into communal and eventually corporate life and to make sense of the unusual practices they adopted for a time and then rejected. It is well-established, familiar territory: most of the history and much of the analysis have been done before. But Wayland-Smith gives them a twenty-first century perspective, in terms of both events, such as Oneida, Ltd.'s bankruptcy in 2006, and interpretations, such as her analysis of "the Burning" in 1947, when an unnamed group of Oneida officials destroyed thousands of pages of community documents (diaries, letters, and other papers). The Burning seems to be a pivotal event for Wayland-Smith—she discusses it within the first few pages of the book and returns to it in the final chapter, where she speculates about why it occurred: it was a "ritual destruction of the utterly wicked," an "exorcism," a "primitive, magic vanishing act," a reflection of the larger witch-hunting fear of communists and homosexuals at the time,