



*During the late 1990's Lisa Lipkin was a regular contributor to Penthouse Magazine, writing about trends, such as polygamy and sperm donation, years before they became popular subjects of debate.*

## **The End of Monogamy**

By Lisa Lipkin

Poor Bill Clinton has been so busy denying his libidinous nature of late, he seems to have overlooked a simple solution to his troubles, one that would shield the President against any future sex scandals and liberate him in the process: He should convert to Judaism.

It's the perfect strategy, now that monogamy has officially ended for the Jews. Yes, the temporary restraining order on polygamy has finally been lifted, releasing Jewish men, once again, from the shackles of single-wifedom.

Of course, when Germany's chief rabbi at the end of the tenth century, issued the thousand-year edict forbidding Jewish men to take on more than one wife, he was sure that the Messiah would come before the injunction was up, making earthly concerns, like polygamy, irrelevant. Since the Torah allowed multiple marriages for men, he couldn't call for a permanent end to the practice. Thus, by imposing a 'temporary' ban on polygamy, he was able to appease the boiling stew of dissent coming from the Christian majority, while still honoring the Torah.

Now, one thousand years later, Jews are beginning to reassess. Could it be that the Torah knew best? Is it possible that a reintroduction of multiple marriages could curtail infidelity, and slow down the skyrocketing rate of divorce? Can we afford to ignore the fact that of the 1,154 past or present human societies ever studied, 1,000 of them have permitted a man to have more than one wife?

In the safe confines of my New York apartment, three unmarried thirty-somethings recently confided in me that they would happily become some man's second wife. Why not? They know that their chances of marrying decreases significantly with each year, and that in a city like Manhattan there's a strong possibility they'll end up childless or alone. Wouldn't men be at an advantage too, knowing that they don't have to take a mistress or a prostitute in order to fulfill the sexual diversity they clearly need?

Indeed, the newest scientific evidence suggests that infidelity may be hardwired into our genetic make-up, designed to keep the species proliferating, and not the result of moral decline. To accommodate that fact, cultures that permit a man only one wife have



Lately, my male friends keep asking me the same question: Should they donate their sperm to a friend? Chances are, if you're a reasonably healthy guy, living in the 21st century, it's a question you'll be asking too.

The call will come from an adoring ex girlfriend who's single, at 40, and desperate for a shot at motherhood, or your two lesbian buddies who yearn to start a family together. You'll be flattered, even honored, by their desire to reproduce you, and you'll feel ennobled by your generosity. If you're childless, you'll begin to fantasize about the bundle of cuteness you feared was unobtainable, your progeny that will carry on long after you're gone. You'll applaud the courage of these women to redefine traditional notions of family and be relieved by your mutual agreement absolving you of all parental responsibilities.

Think twice, boys. By agreeing to donate your semen, you're opening yourself up to a plethora of hidden legal and emotional entanglements that you better be prepared for.

If you do decide to help a friend by contributing your sperm, know that your entering into minefield of ambiguous statutes which vary from state to state, and which haven't evolved nearly as quickly as our changing definition of family. Suppose, for example, you've donated your sperm to a woman who is co-parenting the child with a gay partner. Unless she is living in a state, like Massachusetts, which allows same sex adoptions, if the child's natural mother dies, the courts may decide to award custody to you-the child's natural father. Or, the state could go after you for child support should the natural mother become destitute and be forced to go on Welfare. If you're married with a family of your own, you're not only putting yourself at risk, but compromising the security of your wife and children too.

How can you protect yourself?

**Know the law in your state.** Since statutes differ so drastically from state to state, it is extremely important for you to familiarize yourself with the laws governing your jurisdiction, before you agree to contribute your sperm. The Legal Defense and Education Fund ([www.lamdalegal.org](http://www.lamdalegal.org)), a national organization with regional offices throughout the United States, can help answer your questions.

**Draft a written agreement.** According to Susan Crockin, a Boston-based attorney and the author of *Family Building Through Egg and Sperm Donation*, it is essential that you draw up an agreement stating what is expected by both parties. "That way, if down the road there is a dispute about how significant a role the man is to play in a child's life and it ends up in court, a written record will carry some weight." Agreements aren't always binding, however, since ultimately the courts decide what's in the best interests of the child. Even with a written agreement, a state may still hold the father responsible for that child's support.

**Terminate your paternal rights.** One option is to terminate all your parental rights at the time of the child's birth. This would legally protect you from any paternity suits down

the road, but it's not always easy to do. Many states frown upon this kind of termination, particularly if there is no adoptive parent to take your place.

**Artificially inseminate.** Anonymous donors at a sperm bank are protected by law from paternity suits since their identities are unknown to sperm recipients. That law has now been extended in about 35 states to include non anonymous donors too, provided the artificial insemination takes place under a physician's supervision. But if your donor recipient decides to use the turkey baster at home, instead of inseminating through her local doctor, she may be opening you up to paternity obligations you never counted on. To make matters worse, if you live in, say Georgia, where artificial insemination by a non physician is considered a felony, or Utah, where it's a criminal misdemeanor, you and the donor could be courting serious legal troubles. But there's another advantage to inseminating through a sperm bank---they can freeze your sperm and send it to the donor recipient each month, without you having to jump on a plane each time she's ovulating.

**Don't have intercourse.** If you decide to inseminate the old fashioned way, watch out! Once you've impregnated through intercourse, you will automatically be recognized by the courts as the legal father and must bear the responsibilities that come with it .

Legal experts have donors running scared. Yet many of those who've conceived a child through directed donation (as it's called in fertility circles) tell a different story altogether. Like Ann and Larry, whose daughter so adores their good friend and donor father, she calls him Papa John and considers him an extra member of the family. Or Julie, a single parent by choice, whose child gained two loving step brothers--the grown children of the man who furnished her with sperm. Or Steve, who is thrilled to be a biological father from afar, without the day to day parental responsibilities his donor recipient has willingly taken on.

"It would be a terrible shame not to donate your sperm, given the impact you can have on someone else's life," says Carol Frost Vecallone, a fertility counselor and author of *Helping the Stork: the Choices and Challenges of Donor Insemination*. The key, she says, is to discuss every aspect of the arrangement ahead of time, so that all parties are clear as to what is anticipated.

She recommends seeking the help of a counselor, who can guide you through some of the questions which should be addressed before the child is born: How active a role will the donor play in the child's life? Are there any kinds of decisions where he will be consulted? Summer camps? Religious affiliations? Circumcision? Schooling? Who will tell the child about how he was conceived? How much money, if any, is the donor expected or willing to pay? How much visitation, if any, can he have? Will the child be named in the donor's will? Will the natural mother request in her will that guardianship of the child go to the donor after her death?

"Insemination is the easy part," says Vecallone. "It's everything else that is complicated. A lot of men don't realize how much they will want to be a part of that child's life once it's born. Going through the process of articulating everyone's expectations, is the most

important part of the process.”

Melissa Ethridge illuminated the trend and Madonna’s recent film, *The Next Best Thing*, may have even popularized it. But life is not a CD or a movie, and conceiving a child is one decision you won’t be able to eject.