



Sexual orientation, family and kinship in France, Iceland, Italy and Spain

Marie Digoix, Marina Franchi, José Ignacio Pichardo Galán, Giulia Selmi,
Matias de Stéfano Barbero, Matthias Thibeaud, and Jose A. M. Vela

© Copyright is held by the authors.



Sexual orientation, family and kinship in France, Iceland, Italy and Spain

*Marie Digoix¹, Marina Franchi², José Ignacio Pichardo Galán³, Giulia Selmi⁴,
Matias de Stéfano Barbero⁵, Matthias Thibeaud¹, and Jose A. M. Vela⁶*

Abstract:

The past decades have seen significant changes in the way same-sex sexualities are regulated in European countries, albeit discrimination and heterosexism are still occurring on a daily basis. The research through semi-structured interviews was conducted on lesbian and gay respondents in France, Iceland, Italy and Spain, four European countries with different social contexts and legal frameworks. In a comparative perspective, it examines how laws are perceived to impact one's relationships and one's parental project. Discrimination is still present in the four countries at different degrees, however the existence of laws on access to marriage and parenting is regarded by many as crucial for fostering inclusion. From a social and economic point of view, the narratives evidenced that the law is not only a framework to live within: when legal support is provided, adaptation to the heteronormative structures are facilitated and welcomed by all while this lack of support makes everyday life difficult. In this paper we wish to report on the key results of the research.

Keywords: discrimination, equal citizenship, heterosexism, homophobia, homosexuality, same-sex families, same-sex marriage, sexual orientation law

Affiliation:

- 1) INED, France
- 2) London School of Economics, UK
- 3) Universidad Complutense de Madrid, Spain
- 4) Università di Bologna, Italy
- 5) CONICET - Universidad de Buenos Aires, Argentina
- 6) Universidad Autónoma de Madrid, Spain

Acknowledgement: The research leading to these results has received funding from the European Union's Seventh Framework Programme (FP7/2007-2013) under grant agreement no. 320116 for the research project FamiliesAndSocieties.

Contents

- 1. Introduction** 2
- 2. Social context** 3
 - 2.1. Acceptance of same-sex sexuality and relationships 4
 - 2.3. Marriages and same-sex parents 6
 - 2.4. Conservative oppositions to sexual rights 7
- 3. Methodology and sampling** 8
- 4. Being a same-sex couple in a trans-European perspective** 10
 - 4.1. Visibility and vulnerability 10
 - 4.2. ...in the workplace 11
 - 4.3. The consequences of legal recognition of one’s relationship 13
- 5. Being a same-sex parent in a trans-European perspective** 17
 - 5.1. Becoming parents: ART, surrogacy and adoption within economic constraints and heteronormative frameworks 17
 - 5.2. The experience of parenting: in/visibility, equality and discrimination 21
- 6. Conclusion** 24
- References** 27
- Appendix 1: Interview guide** 29
- Appendix 2: List of respondents** 30

1. Introduction

The past decades have seen significant changes in the way same-sex sexualities are regulated in European countries (Roseneil et al. 2013), albeit discrimination and heterosexism are still occurring on a daily basis. In 1989, Denmark became the first country to offer a legal framework for the recognition of same-sex couples, and other European countries have followed by starting to extend access to legal protections for unions other than heterosexual couples. Often these legal devices have been framed via notions of equality and human rights, which are at the core of most EU interventions and recommendations on LGBT rights (Roseneil et al. 2013). The aim of this research is to gather information on how LGBT individuals are living through these changes. In a moment of ongoing transitions and strong public debates across Europe on same-sex sexualities and parenting rights, this research intends to ascertain how LGBT individuals perceive the impact that the presence (or absence) of laws has on their intimate lives.

The research was conducted in four countries with different social contexts and legal frameworks. Interviews however aimed at collecting comparable information; to that purpose, a common script for semi-structured interviews was drafted. Central to the research are then questions about the legal recognition of relationship, as well as about how laws are perceived to impact one's relationships and one's parental project. In this endeavour we aim to highlight the necessity of overcoming the private/public binary opposition whereby citizenship (a concept related to the public sphere) is set in opposition to intimacy (a concept related to the private) (Plummer, 2003: 68; Weeks, Heaphy and Donovan, 2001; Weeks, 1998: 37; Cooper, 1994). This research hence investigates a selected group of participants' narratives about their daily lives with – and without the support of the law and society – and it also examines the degree to which the respondents define themselves as able to live their relationships safely and securely. In particular questions are asked as to whether strategies for negotiating one's visibility differ between the countries analysed. How are the laws or the absence thereof circumnavigated to accommodate non-normative familial arrangements? How are the material and symbolic impacts of laws (or lack thereof) narrated by our informants?

In our research, Iceland represents the Scandinavian model to cover same-sex couples, first through a 'registered partnership' device created especially for homosexuals and then by opening up of marriage with nearly all parental rights. But Iceland also offers a registered cohabitation protection, which to some extent can be compared to the French PACS (*Pacte civil de solidarité*). This cohabitation pattern offers more flexibility for couples in terms of

union and separation. It also allows for more discretion than registered partnership and marriage laws, which are public, and it broadens the legal offer. Spain went straight from nothing to equal marriage and adoption in 2005, even if regional laws had already been regulating different types of cohabitation and family concerns. In 2011, at the time the project was conceived, France had PACS, a civil contract which does not deal with family matters but only with material aspects of cohabitation. After the project started, France also opened marriage and adoption to same -sex couples in 2013, but it still lacks other parenting rights, such as access to ART (Assisted Reproductive Technologies) for lesbian couples. At first sight, the change of law in France created a scheme that is more or less similar to the Icelandic one. By considering the different timing of these two countries in implementing the two legal devices for unions (although Registered cohabitation in Iceland also grants family rights) and the more extensive parenting provisions in Iceland, much light should be shed on how the people interviewed react towards marriage and cohabitation living arrangements. Italy is lagging far behind the others in granting equal rights to homosexuals; in May 2016 the Parliament approved the legal recognition of same-sex relationships, however no parental rights are recognised. Indeed step-child adoption was not included in the legal framework and women who are not in heterosexual marriage are barred access to ART. However, the interviews analysed in this paper have been collected on 2014 and 2015 when Italy had no law at all. Compared to the other three countries, it is interesting to examine how the participants frame their claim to rights and the impact the absence of law has on their life and well-being.

2. Social context

The legal decriminalization of homosexual acts first took place in France in 1791, in Spain in 1822, in Italy in 1889¹ and in Iceland in 1940 and all the four countries surveyed have an equal age of consent for different and same-sex sexual relations (Spain 1822, Italy 1889, France 1982, Iceland 1992) (Waldijk, 2001). In many European countries legal and social recognition has been claimed since the 1970s and in many countries those have been partially achieved. Uncompleted reforms in terms of both rights and protection from discriminations still generate a degree of vulnerability among those leaving in a same-sex relationship. By reviewing the main statistical data available and the relevant literature, in this paragraph we

¹ The date refers to the introduction of the first national penal code of unified Italy.

will outline the cultural and social scenario within which the research developed in each of the four countries.

2.1. Acceptance of same-sex sexuality and relationships

According to the Pew Research Center (2014), Spain is the most accepting country of sexual diversity out of a sample of 40 countries with regard to homosexuality, with only 6% of the population considering homosexuality as morally unacceptable. This percentage rises to 14% of the population in France and 19% in Italy (Iceland is not surveyed in this study). In May 2015, the male gay and bisexual dating network, PlanetRomeo, released the results of their global Gay Happiness Index (GHI), where Iceland rated 1st in the world ranking as the country where public opinion, treatment of gay men and life satisfaction was more favourable to gay and bisexual men. Spain ranked in the 13th position, France was 21st and Italy positioned 40th out of 127 countries². However, recent polls register a shift in public perception of homosexuality and same-sex relationships also in Italy. A survey conducted by ISTAT in 2011 revealed that the majority of respondents defined same-sex relationships as acceptable, and over 60% of the respondents defined themselves in favour of a law that would recognize equal rights for same-sex couples. 62.8% of respondents agreed with the statement that cohabiting same-sex couples should have the same rights as married couples, against 24.6% who defined themselves as disagreeing (Istat, 2012: 8). However, the collected data also showed that only 21.9% of men and 25% of women interviewed agree with the statement that a lesbian couple should be able to adopt a child. The percentages drop to 17% and 21.7% for those agreeing that a gay couple should be able to adopt a child. These indicators will prove crucial to understand contemporary Italian Sexual Politics where parenting rights symbolise the new entrenchment of institutional homophobia.

Despite the great social and media debate that took place in France in 2013 with regards to the legalization of same-sex marriage, a growing social respect towards homosexuality has been evidenced by a recent major survey on sexuality in France (Bajos and Beltzer, 2008). However, the level of acceptance differs within society. Women, young people or citizens with a high education level tend to be more respectful and accepting. As for same-sex parenting, it is still subject to discrimination. French society is not as divided as may be suggested by the media coverage and the repetitive and massive street demonstrations against same-sex marriage in 2013. The survey 'Context of Sexuality in France' shows that 53% of

² <https://www.planetromeo.com/en/lgbt/gay-happiness-index/> [accessed 12 of January 2016]

women and 46% of men accept the idea that two women can raise a child together. This percentage lowers to 46% and 34% in the case of two men.

When asking about the legal recognition of same-sex relationships, there is not a great divide in Spain. According to a survey conducted in June 2015, 68% of Spaniards agree on naming the union of two same-sex people as ‘marriage’; 22% say it should be legal with a different name; and only 4% believe that it should not be legal. 74% of the sample considers that same-sex couples can adopt children (Assiego, 2015). The acceptance of same-sex marriage is 90% among young Spanish people (aged 18-34), and even among younger people. The opinion of Jorge - a 16-year-old boy identifying as gay - stated in the media when asked about the controversy that accompanied the legalization of same-sex marriage in Spain in 2005 is emblematic of the Spanish youth perception: “What can I tell you? I don’t remember anything about it. I grew up knowing that you could marry anyone you wanted” (Rigal and Escudero, 2015).

Concerning Iceland, there are not much statistical data about the social acceptance of homosexuality. According to a survey conducted by Gallup in 2004, 87% of Icelanders supported same-sex marriage and, in a different survey conducted in 2005, 82.3% supported lesbian rights to Assisted Reproductive Techniques (Traustadóttir R. & Kristinsson T., 2009). In 2009, Jóhanna Sigurðardóttir became the first openly lesbian Prime Minister in the world and held office from 2009 to 2013. This shows a great acceptance of homosexuality in the country and, at the same time, it has increased the social recognition of same-sex sexuality.

As the FRA LGBT 2012 Survey shows, despite all the cultural and legal changes occurred across Europe, homophobia is far from being overcome: 54% of Italian lesbian, gay, bisexual and trans people (LGBT) reported having personally felt discriminated against or harassed on the grounds of their sexual orientation in the last year. The European average is 47%. France and Spain are below this rate; nonetheless, still a significant 41% of LGBT people have felt discriminated against in France and 38% in Spain. Iceland was not surveyed in this study but, according to the Council of Europe, hate crimes and hate speech ‘rarely occurs in Iceland. Verbal attacks on LGB persons primarily take place on blogs written by fundamentalist, religious groups’ (COE, 2010). In fact, the ILGA-Europe 2015 Annual Review reported only some isolated attacks on LGBT people in Iceland.

While Spain, Iceland and France have specific anti-discriminatory legislation, Italy still lacks a law that recognizes homophobia as an aggravating circumstance in hate crimes. Incidents of violence against homosexuals and suicide motivated by homophobic bullying and self-hatred routinely punctuate the Italian news media. In every instance, LGBT associations

raise the alarm and demand action. A draft of a law has been in progress since May 2013 and is still being revised by the Justice Commission of the Senate. The draft has been strongly criticized by representatives of LGBT groups, who question its efficacy in tackling institutional homophobia and the impunity of politicians and religious representatives (Ross, 2009). In particular, the draft includes an amendment proposed by Gregorio Gitti (PD- Partito Democratico), which states that the definition of hate speech cannot be applied to opinions expressed within political parties or religious, cultural and educational institutions.

2.3. Marriages and same-sex parents

Reliable demographic data on same sex couples and their children are still difficult to collect due to the historical invisibility of such unions and the need to update the statistical tool to collect data on this (new) forms of family³. Far more complicated is collecting data about children raised by gay and lesbian parents. Above all in Italy, where the lack of law makes these children invisible and formally orphans of one parent, but also in the other three countries where children born from former heterosexual relationships, raised in LAT couples or with one-single parents unlikely fit in official statistics.

In France, for example, any collection of quantitative data with regard to gay couples and homo-parental families raises significant methodological and theoretical uncertainties. According to the INSEE (2014), 7,000 same-sex marriages took place in France in 2013, 60% of them between two men. From the census, only 1% of the total number of couples is estimated to be same-sex couples (Digoix, Festy, Garnier, 2004). Based on this percentage, Festy estimates that between 24,000 and 40,000 children are living with a same-sex couple in France. The vast majority of them are living with lesbian couples (Festy, 2006). That being said, this estimation applies only to same-sex couples who are living together. No numbers have been compiled for Living Apart Together (LAT) couples or for children living elsewhere with another parent (Rault, 2009). In 2005, Spain legalized same-sex marriage with equal rights for heterosexual and homosexual couples. Since then, 17,701 same-sex couples have married, amounting to 1.91% of all marriages during the subsequent decade and remaining stable at around 2% throughout the period. According to the Spanish National Statistics Institute (INE), almost 2,000 of these same-sex marriages had divorced by 2013 (Rigal and Escudero, 2015). The number of same-sex female marriages has been steadily increasing

³ Efforts toward this direction have been done within the European Family and Society Project. See Clara Cortina and Patrick Festy Deliverable D9.4 « Identification of same-sex couples and families in censuses, registers and surveys » and Deliverable D2.2 « Data contribution to a comparative database on same-sex partnership of WP9 ».

toward 50% of all same-sex marriages over the course of this decade. In Iceland, a small country with 329,000 inhabitants, there are detailed data with the number of unions and divorces among same-sex couples. From 1996 to 2010, 77 same-sex couples received recognition from the state. In Italy the absence of legal recognition of same-sex couples and parenting makes the collection of data dependent on the willingness of the individual to share both their sexual orientation and their parental status. According to ISTAT, the 2011 census in Italy revealed that over 7,000 people declared that they cohabit with a same-sex partner, over 500 of them with children (ISTAT 2011).

2.4. Conservative oppositions to sexual rights

The main resistance to recognizing family rights for LGBT people and couples in all four countries has come from conservative religious groups and institutions mainly Christian. Again, Iceland stands out as the country where public debate on these issues has been less controversial, and a relative consensus among the population speeded up the process for reaching full legal equality for same-sex couples. The civil registration for same-sex couples was approved in 1996 without opposition. However the State Church was opposed to same-sex marriage. Marriage is associated with the Church in Iceland and the State Church refusal to marry same-sex couples generated the reaction of the LGBT communities. Marriage became their main objective. To support the claim, people started to deregister from the State Church (Icelanders are declared members of the state church by birth). This was not only a question of bad publicity for the Church but also a matter of economy, as the taxes of deregistered people (*sóknargjöld*) were going elsewhere than the Church. There was a lot of pressure from the Government for the Church to accept same-sex marriage, and it was finally recognized with a conscience clause for those priests who did not want to marry same-sex couples.⁴

A similar role of opposition was also played by the Spanish Catholic Church. In spite of the fact that in 2004 two-thirds of the Spanish population was in favour of the legal change to allow homosexual couples to marry (CIS, 2004), religious hierarchies and some other conservative groups fiercely campaigned against the amendment during the parliamentary and social debate. The conservative People's Party (Partido Popular) presented an appeal before the Constitutional Court seeking the repeal of the law, after it had been approved with the agreement of all parliamentary parties except the People's Party and the Catalan Christian

⁴ In October 2015, National Church was forced to give up this conscience clause due to media pressure supported by Interior Minister Ólöf Nordal.

Democrats (Unió). In November 2012, however, the Constitutional Court upheld the law and the Spanish Prime Minister (in addition to many other members of his party) has subsequently shown support for same-sex marriage by attending marriages of prominent gay People's Party politicians. Despite this situation, the Hierarchy of the Spanish Catholic Church is still lobbying and campaigning against same-sex marriage. A small group of well-funded homophobic lay activists are being very active on the internet and social media; their campaign opposing same-sex marriage is intertwined with a larger international campaign, as they frame it, 'against gender' (Pichardo and Cornejo, 2015). A campaign, whose contours are difficult to define, that is also embraced by homophobic groups in France and Italy. In France, the recognition of same-sex marriage sparked a major campaign against the so-called 'gender ideology' that was started and fuelled by the Catholic Church Hierarchies and various other groups of well-organized lay people: *La Manif pour Tous* became their slogan against the LGBT claim for '*le mariage pour tous*'; their public discourse involved appropriating many of the LGBT activism strategies and resources. These groups are very active against the recognition of access to assisted reproductive techniques by lesbian women, the struggle against homophobia at schools and any gender equality related policies. In connection with the French *La Manif pour Tous*, a series of demonstrations were organized by a group called *Sentinelle in Piedi* (Standing Sentinels). This, as other conservative groups within the Catholic Church, opposes any law recognizing same-sex couples, as well as reproductive rights campaigns. The group also protests against the possibility of a law that recognizes homophobia as an aggravating circumstance in hate crimes and, again, homophobic hate speech (Garbagnoli, 2014: 259). As their French counterparts, these groups attack what they term *l'ideologia del gender* (the ideology of gender) and *la teoria del gender* (the theory of gender), vociferously opposing any educational program against discrimination (Selmi, 2015).

3. Methodology and sampling

As discussed above, the research teams used semi-structured interviews in order to allow for rich narratives to be collected, but also to ensure a degree of comparability between the different sets of data. In fact, the collection of individual and couples narratives suited best the necessity of investigating individual and family practices as well as the symbolic meanings attached to them. This strategy complements the quantitative and legal approach to the subject conducted by other teams in the Families and Societies research project. Through network and

snowball sampling, 108 self-identified gay, lesbian and bisexual people were interviewed in the four countries: France (26, including 14 with both members of the couple), Iceland (30), Italy (29, including 7 with both members of the couple) and Spain (23). These 129 interviews were semi-structured audio-recorded conversations that lasted on average between 1 and 2 hours. The following variables were explicitly taken into consideration in order to bring diversity into our sample:

- Across the four countries we interviewed 58 cis-women and 63 cis-man, 2 trans-women and 2 trans-men.
- The sample includes respondents aged between 22 and 63 years old, 39 being the average age of the interviewed group.
- Couple status includes single people (19), couples living apart together (LAT) (13), unregistered cohabitations (54), registered cohabitations / PACS (10), married couples (32) and 1 widower. Three persons were divorced from a previous homosexual marriage.
- Parental status is the most diverse characteristic in the sample and includes 10 different categories: respondents without children (65), respondents who have children conceived in a previous heterosexual relationship (17), respondents who conceived through assisted reproduction techniques (ART) (22), through surrogacy (4), through homemade self-insemination (8), lesbian women who had heterosexual intercourse with an unknown person (2), adoptive parents (3), foster parent (1), co-parentality (4), and respondents who had children through multiple methods (3).
- Geographical locations are not representative of the myriad of local governments and geographical diversity that characterize these four countries. However, in order to gather the most diverse experiences of LGBT families in different urban/rural environments, each research group aimed at including metropolises, cities and towns/villages, as well as taking into account national geographical areas (such as North/ South).
- Due to the sampling strategy employed, the sample over-represents middle- and upper-class respondents. The recruitment method could explain this homogeneity.

More information are included in the final appendices such as the interview guide; the topics covered during the interviews in this survey; each country's sample details, including the respondent's pseudonym, sex, age, couple status, parental status and geographical location.

4. Being a same-sex couple in a trans-European perspective

Four distinct field studies have been carried out in France, Iceland, Italy and Spain. This section focuses on the analysis of the narratives collected in the four countries. We will be concentrating on three dimensions in particular: the respondents' experiences of being visible as a LGBT couple and the instances where they experience discrimination and homophobia, the material consequences of the (im)possibility of a legal recognition of one's relationship, and the symbolic values that our respondents attach to the legal recognition of their relationships.

4.1. Visibility and vulnerability

The interviews collected tell of complex and nuanced experiences that highlight both the differences that characterize the countries investigated as well as the commonalities that can be traced against the background of diverse legal systems. The respondents' narratives touched upon their strategies of being visible as a couple to friends, family members and in the workplace. Part of the interview script was dedicated to understanding how informants frame their decisions to come out to their family of origin. In all countries, it was possible to trace a generational effect, whereby the youngest members in the group narrated a less complicated path to both self-acceptance and acceptance by family members. Being in a stable relationship has been highlighted as one of the triggers for coming out to one's family. The fact of being in a relationship has been perceived as enhancing the chances of positive reactions, for instance as in the cases of Gilles, (40, M, France) and his partner Jacques (47, M, France), and also Gaia (40, F, Italy), who came out to their respective families in the event of their first love and their first relationship, respectively. In both cases, the fact of coming out and simultaneously disclosing a relationship has been narrated as a way to avoid the potential stereotype of homosexuality as promiscuous by defining oneself within a committed relationship. However, in France and Italy, some respondents narrated a lack of a self-contained moment of coming out, pointing to a rupture with conventional narratives of the homosexual identity (Plummer 1995; Seidman 1999).

One's sexual orientation can also remain unsaid. That is the case of 46-year-old Martin (M, France). He met Michel at 32, but never explained their relationship to his parents, even though they sometimes visit Martin's family together. The story of Martin resonates with that of Francesco (32, M, IT). Francesco lives in a different region from his parents and regularly visits them with his long-time partner: Francesco never concealed living and holidaying with his partner, but he feels that openly coming out and labelling his relationship would break the

equilibrium that has been reached through the unsaid. Breaking the equilibrium is perceived as an unnecessary tension that would potentially destabilize his parents. Overall, this strategy in Italy has been traced in particular in the relationship with grandparents or older aunts or uncles. Often this is framed as a decision based on the perceived inability of older generations to understand. Parents and, in general, the older generation within the family are often presented as ill-equipped to discursively negotiate one's coming out (Bertone and Franchi 2008). The decision to not say therefore is framed as instrumental to safe keep familial relationships in a context, Italy, where the family of origin is a crucial source of emotional and economic support for younger generations (Bertone, 2014). The lack of a moment where the sentence 'I am gay/I am lesbian' is uttered, however, does not coincide with hiding one's relationship. Indeed, relationships are maintained and, according to respondents, are accepted most of the time. This choice can be seen as intrinsically disruptive; as heterosexuality is never uttered, as it is assumed to be, so some of the respondents reject the centrality of the coming out as well as a progressive narrative of the definition of one's queer identity. However the moment of coming out to one's family is nonetheless still framed by many in the four countries as a milestone moment that defines one's identity. Indeed, for some, coming out is 'inevitable', as a French respondent puts it:

A road one must take if you want to keep on living. (Laurent 36, M, France)

Strategies of visibility in the family however are often different from visibility within the workplace- as discussed in the section below. Deeply linked to questions of visibility and coming out in the respondents' narratives are experiences of homophobia and discrimination.

4.2. ...in the workplace

The promotion of equal opportunities in the workplace has been at the core of a series of EU provisions such as the 2000 Employment Framework Directive. However, the interviews reveal a far more complicated picture that questions common definitions of discrimination. It is interesting to start with Icelandic informants, almost all of whom revealed to be out in their workplace. However, as Stefan (39, M, Iceland) points out this is not without anxiety,

I think it is important, but I always have this fear of rejection.

Coming out to colleagues and strangers is reported as really dependent on the personal situation. Interviewees who are in a relationship report that they tend to talk about life events that involve a significant other (see Elín, 27, F, Iceland), such as their spouse or partner. However, even in the work place, we can see the trend highlighted above, whereby many of

the respondents are trying to lead a life where, even if not in the closet, they would not mention their sexual orientation if not necessary.

Visibility matters, but sometimes I'm just not in the mood. Can't be bothered discussing something people can't understand and have to make an issue out of it. (Ólöf, 50, F, Iceland).

Ólöf's position is informed by her experience of discrimination in the workplace, and her story is emblematic of how legal protection against discrimination is fundamental. She recalls how, long ago, she lost her job because of her sexuality; however, her boss framed her dismissal as caused by other factors. Ólöf's discrimination was hence difficult to prove; but with the support of the Union, her case went to trial. Ólöf eventually won the case, but the trial was difficult to endure, particularly because of the scrutiny that her life was subjected to in a moment where she already felt especially vulnerable. Ólöf's case is similar to Camila (31, F, Spain). Engaged to her partner, Camila decided to come out in the workplace before her wedding. After her coming out, she started being subjected to mobbing. In Camila's case her colleagues' reactions of support led to her being moved to another section of the firm and to the dismissal of the person responsible for the homophobic harassment. The cases of Ólöf and Camila reveal the power, albeit the difficult applicability, of a legal system that protects and supports against discrimination. In the absence of a law in Italy, the question of coming out in the workplace is particularly tricky. For those respondents in particular who do not have a permanent contract and instead rely on different short-term contracts, coming out is perceived as curtailing one's possibility of having one's contract renewed. Alessandra (F, 36) recalls the story of her partner, how she does not feel confident enough to come out, how she often has to endure the homophobic banter of her colleagues and feels that she is not in a position to react. The increasing instability of the job market in Italy due to economic stagnation makes the case of Alessandra's partner quite common. It is crucial, therefore, to think about how this will especially impact lesbian women, who are more exposed to precariousness than their male counterparts. A situation that was further exacerbated by the lack of recognition of one's relationship and therefore of the welfare protection granted to married heterosexual couples. Across the four countries, it is interesting to point out how certain professions are framed as more conducive to coming out than others. The French informants reveal how, in some professions, being openly gay is defined as easier, as in the cases of Jacques (47, M), who is a singer and actor, Or Gilles (40, M), who works as head of public relation in a theatre. Similarly, in Italy, Marco (40, M) Maurizio (52, M) and Francesco (32, M) report coming out as easier because of the perceived acceptance of non-normative identities in the creative

industry. On the other hand, coming out is less easy in other professions. Among those who reported difficulties in their working environment are, interestingly, teachers and social workers. For instance, Yves (44, M, France) mentions the difficulties he had at the university where he is teaching: when he supported a gay student suffering homophobia, his fellow teachers hinted that he had ‘*come on too strong about his own sexuality*’. The strategy of not coming out in their working environment is also embraced by Lydiane (F, France), a teacher, and Christine (42, F, France), a high-level social worker. This frames one’s sexual orientation as something that needs to be confined to the private sphere. As Christine puts it:

At work, you do like everyone else. One does not display his or her homo- or heterosexuality.

Christine points to the desire of overcoming the division between heterosexuality and homosexuality, where the former is never verbalised as it is considered the norm. However, their concern appears to spring from their particular working environment and their relations to children and teenagers. Such concern can also sometimes inform the reactions of the school management. The story of Régine (50, F, France) a teacher, is recalled by Alexandre, her child’s co-parent. Régine’s coming out initially prevented her from becoming a top manager in her school – a post that she was the only candidate for. As Alexandre frames it:

A more or less openly lesbian headmaster would make waves.

Again, as in the case of Ólöf and Camila, the help of the Union was fundamental in supporting her claim; and, after the initial refusal, she finally got the job. However, while in the case of France same-sex relationships are legal and provisions are in place to oppose discrimination on the grounds of sexual orientation, it is crucial to note that in Italy – especially given the current increasing tensions around education and schooling – coming out as a gay or lesbian teacher is increasingly difficult and can generate reactions and stigma that are thoroughly unprotected by the law. That is the case of Flavia (60, F), a former teacher who describes coming out as incompatible with the teaching profession. On the other hand Tommaso (45, M), a teacher at an elementary school in the south of Italy, instead narrates a constant tension between coming out to his colleagues (in order to make a political statement) and negotiating his relationship with the children and the children’s parents.

4.3. The consequences of legal recognition of one’s relationship

The question of visibility is linked closely to the issue of the legal recognition of one’s relationship. As discussed above, the four countries present very distinct legal frameworks, with Italy being, at the time of the interviews, the only country that does not recognise any

legal status to same -sex relationships. By looking at the ways in which respondents in Spain, Iceland and France frame the material and symbolic consequences of a legal recognition, it is possible to emphasise even more the problematic condition of Italian respondents. The legal recognition of same-sex relationships is perceived as having facilitated acceptance both among family and friends and in society at large. At the same time, however, it is possible to see how respondents across the four countries problematize the intrinsic heteronorms that inform family laws.

Same-sex marriage in Iceland has been legal since 2010. The narratives collected reveal how the marriage law is perceived as a crucial milestone even by those who decided not to enter it. At the core of the narratives, marriage is routinely defined as a question of rights and equality:

It's about human rights. It's about equality, having the same choice. (Vigdís, F, 60).

It's a matter of equality, before the marriage law, I felt like a second class citizen (Þórdís, F, 51).

Access to marriage means there is no difference [...]. It is important to not be marginalized (Kolbrún, F, 41).

Material reasons are flagged as crucial by those who contemplate getting married. Ólöf (F, 50), for example, would only enter marriage to secure more rights and clarify the economic situation of the couple. She states she would not do a ceremony if she were to enter marriage. This is widely endorsed by most of the respondents in Iceland. A lot of them are more interested in the material aspects (taxes, inheritance and pensions) of marriage than the ritual one, or they define it as the quickest way to settle rights between partners and children. 'It's legal aspects solved in one contract' (Bjarki, M, 38). Nonetheless some respondents also point out to the symbolic aspect of the ceremony. Águst (M, 32) offers a good example of the inexplicable attraction of marriage:

It's out-dated, you don't need a ring or a god and people to confirm your love; but I find it beautiful nevertheless!

Particularly crucial is the centrality that the ceremony plays in enhancing a moment of celebration, not only for the couple but also for the families of origin.

It is just, like, you know, between yourselves, and this is, like, and, but the marriage thing is just, like, all of your family will be there, you know, to witness your special day. (Carl, M, 45).

Similarly, Sveinn (M, 41) states:

The ceremony matters for family and friends to celebrate your love with people around.

Likewise, the French respondents combine in their narratives symbolic and material advantages attached to marriage. It appears that a chief concern is the desire to protect one's partner, since marriage offers a stronger protection than PACS in terms of obligations between partners and inheritance. The latter is a key concern, especially for older generations who went through the HIV/AIDS crisis. Further, marriage also offers the possibility for those who are not citizens of the state they reside in of facilitating the citizenship application process for one's partner (as in the case of Tamara (F, 24)).

Crucial, however, in the choice of opting for marriage appears to be the protection it grants in the case of filiation. Central in the narratives of French respondents is the identification of marriage as a crucial moment in a couple relationship; however, this moment is also interpreted in a larger sense as a way to legitimize and improve the negative stereotype associated to homosexuality. Marriage can be used as a vehicle for social integration that reinforces one's relationship legitimacy:

When I say 'Here is my husband,' [...] people are a bit startled at first, but it simplifies the situation. No need to say 'He's my partner', 'He's my friend' or 'I came with a friend'. People seem reassured by it, actually. (Gautier, 55, M France).

In Spain also, same-sex marriage becomes an expression of commitment and stability in the eyes of the community and, again, it is seen as a way getting rid of the stereotype of promiscuity that is usually linked to gay and lesbian people:

People perceive that, as you are married now, everything is more formal now. Because homosexuality is linked to promiscuity. Then, if you are married, you are OK. (Camila, 31 Spain).

When discussing the relevance of marriage, some respondents in both Iceland and France highlighted how, notwithstanding the legal protection, marriage is intrinsically a conservative institution. Marriage can be seen as a normative process. As such it limits the possibilities of familial projects creating a hierarchy where a two married parents remains the ideal parental structure (see for instance Haukur 28, M, Iceland). Some respondents stress that the recognition of homosexuality is conditional on a degree of conformity to heterosexual patterns, as Stefan (49, M, Iceland) says:

We have had to fulfil preconceptions about who we are. So I think that in many ways we have locked ourselves even further into some heteronormative closet, but I still can't regret it because there were so many people who needed it.

In light of Stefan's words, the situation of total anomy in Italy is even more poignant. The absence of a norm on LGBT couples and parenting is identified as a form of institutional homophobia that legitimizes the micro-forms of homophobia in everyday relations between individuals. While both French and Icelandic respondents signalled how marriage enhanced the recognition of LGBT people in their respective countries, Domenico (46, M, Italy) effectively states how homophobic and discriminatory behaviours are de facto legitimised by the absence of a law:

I mean it is the state itself that discriminates against you in the first place [...] because it does not grant you the same rights that other citizens have [...] so, in a way, the state gives the possibility to everyone to discriminate against you [...] because the state itself is the first to discriminate [...]. Then it becomes difficult to say that someone who shouts 'faggot' at you is discriminating against you [...], because if institutions do not recognize you why shouldn't people call you a faggot?

This does not refer only to adult couples, but also to the real and potential discrimination that the children of gay and lesbian families could suffer. The 'illegality' of LGBT families makes them invisible and vulnerable in both symbolic and material terms. It is here crucial to point out how, while civil partnership has been approved since these interviews have been collected, parental rights are routinely denied to same-sex couples. The pedagogical potential of a law is invoked in the narratives collected not only at the macro-level – in terms of culture, society and language – but also at the micro level within family and emotional relationships. Many respondents, in fact, referred to the importance of this recognition for their parents and families of origin. As Sveinn and Carl, quoted above, recognized the centrality of marriage in enhancing the acceptance of family members, so does Giorgio (M, 28, Italy) in imagining how his parents would feel if he could get married:

My parents would probably be prouder, calmer [...]. In a sense they would see it as something that is even more [...] 'Ok, so, as Giorgio's parents, we are accepting [...] but now even those who haven't accepted him so far are in a way forced to, they have to see it as normal.' [...] Actually my mother would probably find the strength to say [...] actually, you know what?, [...] knowing her, she would probably wear it as a badge of honour.

As elsewhere, also in Italy, some of the respondents criticize marriage as a patriarchal and conservative institution: key features of their argument are the normalization and alignment to heterosexual patterns that marriage would produce, as well as the consequent weakening of the transformative potential of the homosexual experience. It is noteworthy, however, that

even people with the most critical positions regarding marriage and its heteronormative symbolism believe that, given the Italian context, it is the most efficient – if not the only possible – way for the recognition of rights. Even if it is an heteronormative institution, Italy is framed as so far behind (namely, the normative vacuum affects so much of the daily lives of LGBT couples and families) that Italian respondents have no other possibilities other than marriage: the approval of any legal recognition different from marriage is perceived as legitimizing partial and hierarchically lower citizenship for LGBT people. Asserting the right to marry, instead, highlights the right of LGBT people to fully participate in the community and to be treated in all respects the same as heterosexual citizens. This is way, the incomplete recognition of rights by the law approved in May 2016, has been unpalatable to many. It will be clear in the following section how the lack of recognition of same-sex parenting and partnership is particularly daunting for couples with children, and how their narratives entail an endless negotiation of the absence of law and laborious work to ensure that their familial project is recognized. But, overall, the collected narratives refer to issues of vulnerability.

5. Being a same-sex parent in a trans-European perspective

Although it may be for different reasons and with different grades of discrimination and/or visibility, same -sex parenting is still a legal and social grey area. In this paragraph we analyse the issues that emerge from the interviews in the four countries by analysing the process of becoming a parent (focusing on ART, surrogacy and adoption) as well as the experiences and challenges LGBT people must face once they become parents.

While we acknowledge the experiences of parents who had children while in a heterosexual relationship, we think those of planned families in the four countries highlight new and somehow different challenges to be taken into account and analysed in a trans-European perspective. We focus on ‘planned families’ (Biblarz and Savci, 2010) (i.e., families where children are the outcome of the choice and desires of the couple) and not on parenthood that results from former heterosexual relationships.

5.1. Becoming parents: ART, surrogacy and adoption within economic constraints and heteronormative frameworks

The interviews collected contained narratives of parenthood that followed the path of ART, surrogacy and adoptions. In the four countries different legal framework regulate the individual and the couple access to support for their parenting projects. In Italy, France and

Spain, becoming mothers through ART⁵ is still problematic. The reasons are varied and impact differently on women's lives. There are not always coinciding with the recognition of relationships: despite having very different legislation on civil/marital rights, both France and Italy have prohibited ART for single women or lesbian couples. Therefore, women/couples in both countries have to turn to private clinics in those European countries where these techniques are legal: within our sample, mainly Spain, Belgium and Denmark. Along with the discrimination between straight and LG citizens, the prohibition of public health access to assisted reproductive technologies in the couples' own country produces a *de facto* class discrimination. It also prevents couples with fewer economic resources from realizing their family project, unless the couple is willing to put a strain on their budget. Going abroad to conceive a child is a very expensive endeavour: it involves the medical costs of insemination as well as the additional expense of last -minute travel and accommodation (in order to fit the timing of ovulation). Also, it normally takes several attempts to get pregnant, and that multiplies the costs.

We started in Spain, but catching the last -minute planes was very stressful for me, and having to leave was tiring – also because of my work... and it was crazily expensive, and after a few times that it doesn't work, you think [...] Also, because at the meetings of the Rainbow Families I often asked other people, 'how many attempts have you made?', and even they said 10, 12. (Serena, 36, F, Italy)

In Spain, the laws passed in 1988 and 2006 allow access to ART for single women and lesbian couples. However, in the last four years – due to the recession and cuts in public expenditures – the government has excluded single women and lesbian couples from publicly funded ART services. They now have to turn to private clinics, just as foreign women do. Even if the law still states that any woman can access ART regardless of her sexual orientation and marital status, this governmental measure introduces *de facto* discrimination between heterosexual and homosexual citizens. Social and economic means therefore become an actual obstacle to becoming parents. As one of the Spanish respondents states, the key point on access or denial to ART within the public health system is fertility:

They pay for your insemination if you have fertility problems. But, as I didn't have a fertility problem, I was not considered. (Camila, 31, F, Spain).

⁵ For a review of the European situation concerning ART usage and legislation see: Patrick Präg and Melinda C. Mills (2015) *Assisted reproductive technology in Europe. Usage and regulation in the context of cross-border reproductive care*, Families and Societies Working Paper Series, n°43.

Somehow, this is the same rationale that underlies the Italian and French laws, where single women or lesbian couples cannot access ART because they are not medically sterile. The economic constraints on ART access that we just analysed can thus be considered an epiphenomenon of a still persisting heteronormative framework on filiation and kinship that is supposedly natural only when it coincides with the heterosexual (natural) couple; certain individuals are considered more deserving of becoming parents than others, and for whom medical assistance is a right. The case of Spain is particularly eloquent in this regard: in times of crisis and budget cuts, an equal regulatory system does not prevent non-heterosexual or single women from being called on to cede part of their rights in favour of heterosexual couples – who are still considered more suitable for parenthood.

Economic constraints also enter the picture for the experience of fatherhood through surrogacy. As shown by the literature (Bergman *et al.* 2010) as well as our fieldwork, that gay fatherhood through surrogacy is still a very complex issue in the European Union. In all four countries, both commercial and altruistic surrogacy is illegal; therefore, gay men and couples who want to conceive a child through this technique have to turn to one of the few foreign countries where this practice is legal. And this – especially in the US – can be extremely expensive. In the four countries the possibility of travelling for surrogacy in order to develop the family project makes money a key point. Moreover, from a legal point of view, it remains difficult for both men to be identified as legal fathers of a child born abroad. This applies in Italy, where there is no law for same-sex unions or for stepchild adoption. The absence of a law makes also the transcription of documents extremely complex: children born through surrogacy in the US can have indeed an American passport where both fathers' are recognised but once in Italy, the child can be registered to only one father. Claiming for recognition in the above cases imply that both fathers sue public offices. This could require the legal assistance of a lawyer, again an expensive endeavour open to only a few.

The above is also true for France, even if that country does allow same-sex marriage and the stepchild adoption of children born through ART abroad. Surrogacy is in fact still a legal grey area that is prohibited by the 1994 French law on bioethics, which calls for criminal sanctions on the child-bearing mother, the future parents and anyone who has helped them. Fathers of surrogacy-born children therefore struggle to be recognized as legitimate parents⁶, and the absence of their children's full French nationality may complicate administrative

⁶ For instance Martin and Michel did not ask for the French Nationality Certificate which is necessary to be identified as parents of a born abroad child fearing they would have trouble with public offices of their residential area which is known to be strict about surrogacy cases. Their daughter then is American but is legally without parents in France.

endeavours: in the experience of the French interviewees, this meant difficulties in receiving government financial help for families and troubles with the health insurance administration. A similar situation occurs in Spain: Spanish consulates do not allow same-sex couples to register children with two fathers; therefore, only one parent is registered in the country where the child is born. Afterwards – if the couple gets married – the other parent can go through a step –adoption, which is actually different from the situation faced by ART born children of lesbian couples and/or to children of heterosexual couples.

Surrogacy is still illegal in Iceland, and the Icelandic fieldwork provides a different perspective on it. In Iceland, interviewees pointed out the complex ethical issues that surround this technique that is lacking a clear ethical framework. This leaves the only option of adoption:

[having children] is not the simplest thing to do for homosexual men. It would really only be possible by adoption. You know, I wouldn't even consider surrogacy. I don't think it is that important to pass my genes along in order to put another person through carrying a child and then have it taken away from her. You know, I just think that would be too selfish. [...] I could never imagine using that option, even if it were legal. That isn't something I can do. (Egill, 28, M, IS).

Formally, in Iceland – as well as in France and Spain – adoption is open to same-sex couples. However, in these three countries, respondents complain about the very few actual possibilities to adopt for LG people and couples. On the one hand, this seems to be due to restrictions on same -sex couples for international adoption and the lack of government commitment to negotiate more open international protocols on adoption.⁷ On the other hand, few children are up for national adoption, and a heteronormative framework persists that favours heterosexual couples as adoptive parents.

We would, you know, go through insemination, here mainly because it takes so long to adopt and we haven't even got contracts with countries that allow us to adopt, so, you know, but we would like to adopt. (Ingibjörg, 27, F, IS).

If your record reflects that you are gay or lesbian or any of the other options, you are automatically without any option of adoption in other countries (Jaime, 49, M, SP).

The formal possibility to become parents through adoption therefore does not seem to have overcome actual discrimination towards same-sex couples, and it reflects the very same

⁷For instance in 2014 the Spanish Government signed an openly homophobic adoption protocol with Russia barring same-sex couples and single people from adopting in that country.

perceived connection between (good) parenting and heterosexuality, which underlies the norm and/or lack thereof on ART and surrogacy.

5.2. The experience of parenting: in/visibility, equality and discrimination

The experience of parenting differs significantly in the countries surveyed. Generally speaking, no interviewee in any country reported violent and/or explicit discrimination⁸ toward them as parents or toward their children. However, homophobia is far from being completely overcome, and it assumes different degrees and nuances in the experience of the respondents.

Icelandic respondents report a generally inclusive environment, both in their family/friend circles and in their relationships with public services like schools, governmental offices and health services.

I think society is more welcoming towards and considers you more as a full -fledged member when you have children. [...] I just think it is very important to spread the message that it is okay to make queer families. And we get very positive comments on it, people view it in a positive light. (Sveinn, 41, M, IS).

The Icelandic culture toward family and childhood as well as the long-time approval of the provision for the legal custody of the partner's children (which dates back to 1996, well before the other Nordic countries) seem to have promoted a deep change in Icelandic society toward the inclusion of same -sex parents.

French respondents also give a generally positive feedback of their experience as parents in relation to the family circle and the institutions. However, the management strategy of their family visibility – especially concerning school – seems to shed light on some persisting, problematic issues. Some parents decide not to declare their sexual orientation to school staff and to ‘pass for’ heterosexual single parents in order to not challenge the heteronormative framework of parenthood. Other respondents decide to use a ‘don’t hide it, don’t flaunt it’ strategy in their homoparentality when enrolling their children at school, in order to assert the ‘normality’ of their family structure. However, the claim of their experience as ‘normal’ happens through a silencing and a lack of inclusion in the spectrum of

⁸ On the one hand this reflects the ongoing change of behaviours and attitudes toward homosexuality and homoparentality in the surveyed countries; on the other hand, however, it can also be interpreted less optimistically by looking at the specificities of the sample and of the dynamics of the interview. Middle/upper class are over represented in our sample and this can suggest a more tolerant behaviour toward same-sex families; moreover the evocation of explicit homophobic acts could alter the positive image of parents (that include being welcomed in the society) the interviewees are trying to give to the interviewer.

legitimate family structures. Even if they are legally parents and legally a couple, their full social recognition as a family needs to be negotiated day to day with a blend of visibility/invisibility strategies.

The ‘normal family’ issue arises also in the narrative of Spanish and Italian respondents, which accounts for the ‘double work’ they are required to do in order to be seen as having ‘a happy and normal situation’ – as if same-sex parenting was a condition that cannot be considered, a priori, as such. With heterosexual privilege on the one hand and the heteronormative structure of society on the other, a visible situation arises in which the micro-practices of homosexual parenting is a condition that has to be constantly negotiated and where, in order to gain full access to the status of a parent, one has to constantly prove his/her own ‘normality’.

As people who start disadvantaged, who always have to clarify their position, I feel the burden of [...] having to be a little more enthusiastic. For instance, I was talking to these mothers from Rainbow family who said, about the kindergarten, that in order to be seen as a normal and happy family they had to work a lot, so they were all [...] class representatives, they organized a lot of parties so that all the kids would go to their house, and their parents would bring them there. [...] I mean [...] a lot more work than other (heterosexual) people who can just say no, I’m not interested in that, period. (Serena, 36, F, IT).

We were looking for excellence. Because, of course, you have to show the world that everything is all right. We have to make a double effort to demonstrate to everyone that we are a normal family. That is doubly exhausting. (Camila, 31, F, SP).

In Italy, at the moment of collecting the interviews this was worsened by the lack of a law recognising both partnering and parenting. Within this scenario, Italian respondents depict a twofold situation of discrimination/inclusion that is mainly related to the lack of recognition on the part of public services in regard to the parental status of the non-biological parent. On the one hand, interviewees’ experiences are mainly positive; that is, they do not refer to episodes of explicit exclusion of the non-biological parent from activities such as picking up the children from school, attending school meetings or caregiving in the case of hospitalization. Furthermore, they generally report an inclusive and welcoming social attitude. However, on the other hand, they also show a clear awareness of the fragility of this ‘non-discriminatory’ condition, which is based exclusively on the sensitivity and behaviours of the

individuals encountered in the public services – namely, teachers, doctors and civil servants – who are, however, not bound by any regulation in this regard.⁹

I'm living this illegitimate situation in a very calm way. [...] Sometimes, though, I think about it. If you are lucky to meet a sensitive person, he understands [...] but it's not granted that you always actually meet a sensitive person [...] ... and the only thing that I can say is "I am the mother's partner and the other mom." [...] but in Italy, in fact [...] I am not that. I am no one. (Isabella, 37, F, IT).

A second element Italian interviewees identify as discriminatory in their parental experience are all the institutional documents – like the proxies for picking up children at school and the documents to be signed for the national health system or for the registration of a newborn. The heteronormative feature of these artefacts (such as the names of the father and mother being the only possible choice when enrolling a child at school) embodies both the discrimination that homoparental families suffer in the country and how their parental experience is still fragile in terms of rights.

It is worth mentioning that Spanish respondents also recounted the heteronormative (thus, discriminating) features of some bureaucratic procedures that make people feel equality is still far from being achieved and that LG citizens are not yet *like the others*. As in the case of Camila and her wife, who found while registering a newborn that same -sex couples are asked for a plethora of documents (in addition to the national ID card, the yellow form and the family book) that are not required for heterosexual couples.

As they told us we were equal, I never thought otherwise than you just have to go with your national identity card, your yellow form and the family book. And my wife went to register our child with these documents (I had just delivered 24h before), as anyone would do, and it wasn't like that for us. (Camila, 31, F, SP).

Camila and her wife were asked to provide an affidavit signed by the biological mother allowing her partner to be a mother and committing to be a good mother, a certification from the ART clinic, a certification of being married for at least one year, a certification of having used an authorized ART clinic, a certification of having delivered in a clinic and not at home, and a certification from the clinic that provided the sperm. It is not so much the numbers of documents, but more their content (the commitment to be a good mother or the marriage

⁹ It is worth noticing that the absence of rules and rights makes especially more vulnerable those couples which lacks the cultural and economic or capital that allows them to implement strategies of resistance and negotiation within the community. As for the process of becoming parents, also the daily experience of parenthood seems to be deeply affected by the socio-economics conditions of the couples.

certificate) that suggests the idea that – even in a context of formal equality – a same -sex couple still needs to demonstrate its ability to become a family.

6. Conclusion

The majority of interviewees' narratives state firmly the importance of equal marriage and parenting legal devices. However, beyond the specific legal devices and their actual use in everyday life of LG individuals, the first issue at stake in the interviewees' narrative is the feeling (or the claim thereof) to be treated equally. However it is also clear to those interviewed how society and, therefore, laws reflect heteronormative norms; the extension of rights to non-heterosexual couples cannot be considered a once for all achievement. Indeed a constant monitoring of existing provisions is framed as necessary, even in the Nordic Countries where equality rights appear to be longstanding.

Legal support is often framed by those interviewed as essential for initiating social inclusion. One example comes from Iceland, where it is clear that the law is seen as a tool for advancing awareness and eliminating injustices. The law is used on regular basis to contest unequal treatment as soon as noticed. It needs effective organisation based on knowledgeable relationships for establishing legal procedures. Most people know they are supported by the law, which affects their behaviour; the legal framework is defined as crucial also in Italy where there is no guarantee from same-sex couples and people feel generally more vulnerable.

The law is a first step; it does not provide everything, but it is to be used as a basis for supporting actions. Even in a country like Iceland, where there is vast provision of legal protection, the missing protections are crucially needed. This shows that even with the good will of a state to support equal policies with laws, heterosexual society is still not spontaneously open to different sexual behaviours. Efforts remain necessary.

The interviews evidenced that the law is not only a framework to live within, but that the practical consequences of laws shape everyday life. Institutional practicalities currently instil a feeling of inequality. This observation is not only valid where no law exists to protect children's and parents' rights, but also where the law does not cover all possible family structures, such as three- or four -parent families, for example.

Having access to the legal consequences provided by the law is not just a question regarding the principles of equal rights, but also a social and economic issue. It is social if the partner is not recognized, for example, when dealing with medical issues or when one parent

has no parental rights concerning child protection. Moreover, marriage appears to carry for some of our interviewees a symbolic aspect since it confers social integration within families, among friends and in the workplace. This is also clear in case of in Iceland when same-sex couples had no access to marriage in the State church. The economic benefits that arise from the legal recognition of the couple and their children are inaccessible in any country where their status remains outside of the law. Furthermore, when a country has no law guaranteeing equal status, this study provides some blatant examples of the extent of this inequality.

Same-sex parenting is still an issue in all the countries, both from a legal and practical point of view. All respondents in our samples are either parents or in favour of parenting rights, even with the current obstacles.

A clear gender difference is noticed when lesbians access to Assisted Reproduction Technologies (ART), as in Iceland and Spain. But it's not that simple for lesbians either. If Iceland has now opened its public system to simplify and reduce the cost of the procedures, they still remain very expensive in Spain, with consequences on people from countries that do not have legal access to these technologies, as it is one of the countries where French and Italian lesbians go in order to access medical care. Other European countries like Belgium opened their health care system, but at still notable costs, not only for the medical intervention itself but also for the travel and other organizational costs. Due to the constraints of the medical procedure, the geographical distance from home and the workplace makes it emotionally and practically difficult, for both the biological candidates and their partners. The case of Iceland shows how inclusion in the health care system simplifies it and facilitates the experience of a sometimes long and difficult procedure.

Adoption is legal in three of the countries. This is the most desired way indicated by male respondents for becoming a parent. However an increasing number of Non- European countries that traditionally that traditionally are in an adoption network with European countries now exclude same-sex couples from the process, making adoption a more difficult endeavour for them. This gives little choice to male couples wishing to become parents. Surrogacy is illegal in all the countries studied. Although some of the respondents in France have made this choice, it is extremely expensive and rare. Some interviewees said that they would favour this way to become parents only if it was clearly framed by the law in order to guarantee the origin of the child and the rights of the surrogate mother, for ethical reasons and to be sure that her human rights are respected.

The situation is not much different from the perspective of administrative constraints for three- and four-parent families, where the non -biological parents have no legal recognition.

This is true even in Iceland, which provides the widest range of parental rights. The existence of legal parents secures children's rights from an emotional and practical point of view, as everyday life gives example of multiple obstacles and the rights are needed for this purpose also.

The parents in our samples come from different origins with different legal backgrounds. From a social point of view, homosexual families are more and more accepted, both by society and their families. Even if legal impediments shape their lives due to a heteronormative conception of society, the visibility of parenting seems to facilitate an implied social insertion of homosexuals who are seen as parents and thus not simply reduced to their sexuality. In Iceland, Lesbians who pursue parenthood through ART are following a simple process that somewhat assimilates them with heterosexuals, and facilitates their forthcoming inclusion in the world of parenting. The legal support provided in Iceland generally indicates good will in adapting the heteronormative parenting structures to homosexual parents, while this lack of support in Italy makes everyday life a problem for them to deal with.

The analysis conducted in the four different countries appeared to reveal common threads as well as profound differences due to the different contexts. The approval of equal marriage and the recognition of parenting within the LGBT couple proved to be defining moments towards the inclusion into full citizenship rights. The research findings show that due to the persisting heteronormative cultural models across societies, the enactment of laws is a key feature to promote social change and make room for gays and lesbians experiences within notions of family and citizenship.

References

- Assiego, V. (2015) "No todo se acaba con un "Sí, quiero" ", in *El País*
<http://blogs.elpais.com/metroscopia/2015/07/no-todo-se-acaba-con-un-si-quiero.html>
- Bajos N. et Beltzer N. (2008), "Chapitre 12 : Les sexualités homo-bisexuelles : d'une acceptation de principe aux vulnérabilités sociales et préventives", in Bajos, N., Bozon, M. dir., *Enquête sur la sexualité en France : pratiques, genre et santé*, Paris, La découverte
- Bergman, K. Rubio, R. J. , Green, R -J, and Padron, E, (2010) "Gay Men Who Become Fathers via Surrogacy: The Transition to Parenthood", *Journal of GLBT Family Studies*, 6:111–141.
- Biblarz, T. J. and Savci, E. (2010), "Lesbian, Gay, Bisexual, and Transgender Families". *Journal of Marriage and Family*, 72: 480–497.
- Caielli, M. and Santostefano, V. (2010). "Equal Is Not Enough: Challenging Differences and Inequalities in *Contemporary Societies*, *Challenging differences and inequalities in contemporary societies*, Antwerp.
- CIS (2014) Barómetro de junio 2004. Estudio n. 2.568. Madrid: CIS.
- COE (2010) Study on Homophobia, Transphobia and Discrimination on Grounds of Sexual Orientation and Gender Identity. Sociological Report: Iceland. Strasbourg: COE.
http://www.coe.int/t/Commissioner/Source/LGBT/IcelandSociological_E.pdf
- Cooper, D. (1994) *Sexing the city: lesbian and Gay Politics within the activist state*. London: Rivers Oram Press
- Digoix M., Festy P., Garnier B., (2004), "What if same-sex couples exist after all ?" in Digoix M., Festy P. (éd.), *Same-sex couples, same-sex partnerships and homosexual marriages. A focus on cross national differentials*, Ined, coll. « Documents de travail » n° 124, p. 193-210
- Festy P. (2006) "Le recensement des familles homoparentales", in Cadoret A., Gross M., Mecary C. and Perreau B. (eds), *Homoparentalités. Approches scientifiques et politiques*, Paris, Presses Universitaires de France, p.109-116
- FRA (2012) *LGBT Survey 2012*. <http://fra.europa.eu/DVS/DVT/lgbt.php>
- Garbagnoli, C. (2014) "'L'ideologia Del Genere': L'irresistibile Ascesa Di Un'invenzione Retorica Vaticana Contro La Denaturalizzazione Dell'ordine Sessuale." *AG About Gender* 3 (6):250-263.
- ILGA-Europe (2015) Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe. Brussels: ILGA-Europe.
- INSEE (2014) *Bilan démographique 2013*. Insee: Paris.
- ISTAT (2011) <http://dati-censimentopopolazione.istat.it>
- ISTAT (2012) La popolazione omosessuale in Italia In *Statistiche Report*. Roma: Istat.
- Lister, R (2003) *Citizenship: Feminist Perspectives*, 2nd ed., Basingstoke, Palgrave.
- Marshall, T.H. (1950) *Citizenship and social class and other essays*, Cambridge UP
- Pew Center Research (2014) Global Views on Morality.
<http://www.pewglobal.org/2014/04/15/global-morality/>
- Pichardo, J.I. y Cornejo, M. (2015) "El discurso sobre la 'ideología de género' como contrataque político contra los derechos de las mujeres y de las personas lesbianas, gais, bisexuales y transexuales en España" in *Revue Sextant* (in press).

- PlanetRomeo (2015), *The Gay happiness Index*, <https://www.planetromeo.com/en/lgbt/gay-happiness-index/> [accessed 12 of January 2016]
- Plummer, K. (1995). *Telling Sexual Stories : Power, Change, and Social Worlds*. London ; New York: Routledge.
- Plummer, K. (2003) *Intimate citizenship*, University of Washington Press
- Präg, P. and Mills, M.C. (2015) Assisted reproductive technology in Europe. Usage and regulation in the context of cross-border reproductive care, Families and Societies Working Paper Series, n°43
- Rault, W. (2009) *L'invention du Pacs. Pratiques et symboliques d'une nouvelle forme d'union*, Paris, Presses de Sciences Po
- Rigal, A and Escudero, J. (2015) "Diez años de nuevas familias" in *El Confidencial*. http://www.elconfidencial.com/espana/2015-06-27/10-anos-matrimonio-personas-mismo-sexo-espana_904939/
- Roseneil, S., I. Crowhurst, T. Hellesund, AC. Santos and M. Stoilova (eds.) (2013). "Citizenship and Reproduction/ Reproducing Citizens". Special issue of *Citizenship Studies*, Vol 17 (8).
- Ross, C. (2009) Collective Association in the Lgbt Movement." In *Resisting the Tide: Cultures of Opposition under Berlusconi (2001-06)*, edited by Albertazzi, Daniele, Clodagh Brook, Charlotte Ross and Nina Rothenberg. London: Continuum.
- Seidman, S., Meeks, C., & Traschen, F. (1999). Beyond the Closet? The Changing Social Meaning of Homosexuality in the United States. *Sexualities*, 2(1), 9-34.
- Selmi, G. (2015) "Chi ha paura della libertà? La così detta ideologia del gender sui banchi di scuola" *AboutGender* 4 (7):263-268
- Traustadóttir R. & Kristinsson T. (2009) "Rainbow Families in Iceland" in Jennie Westlund (ed.) *Regnbågsfamiljers ställning i Norden: Politik, rättigheter och villkor*. Oslo: NIKK Publikationer.
- Waldijk, K. (2001) "Towards the Recognition of Same-Sex Partners in European Union Law: Expectations Based on Trends in National Law", in: Robert Wintemute and Mads Andenæs (eds.), *Legal Recognition of Same-Sex Partnership. A Study of National, European and International Law*, Oxford: Hart Publishing 2001, p. 635-651.
- Weeks, J. (1998), "The Sexual Citizen", *Theory, Culture & Society*, August , vol. 15, no. 3 35-52
- Weeks, J. Heaphy, B. and Donovan, C, (2001) *Same Sex Intimacies: Families of Choice and Other Life Experiments* Routledge, 245 p.

Appendix 1: Interview guide

1. Couples and unions: the construction of the family

- Meaning of the different structures
- Officialization of unions
- Ideas on cohabitation, multiple partners, organization of life
- Meanings and reasons for marriage/registration/PACSPACS
- Differences between legal unions and LAT or cohabitation
- Perception of social discrimination regarding the couple
- Right to move
- The role of religion in the making of the family?
- Experiences with the neighbourhood
- Experiences with family of origin
- Meanings of family

2. Parentality

- Desire of child / Interest in parentality
- Interaction between law and decision for parentality
- Importance of marriage/registered structures to parental projects
- Making of the family/Origins of children: techniques/methods, strategies, problems, fears
- The importance of associations, press, books, friends, etc. in the parentality project.
- Social life: continuities, changes, visibility, reactions, homophobia
- Differences in being an LGBT parent or an LGBT family in comparison with the non-LGBT families
- Experiences in schools: parenting in the child's environment, choosing a school,
- The role of grandparents in raising the child
- Would/will/Has marriage improve(d) the situation?
- Impact of the laws or not, adoption, PMA, etc.
- Perceptions of the family project's future

3. Homophobia and discrimination

- How State institutions deal with homophobia
- Program implementation to fight homophobia?
- Do they have an active, visible policy of fighting legally and/or politically?
- Biographical narratives – coming out
- Choosing to come out or not, when and on what occasion? How? Why?
- Family/friends/colleagues/neighbours
- Relation with your children (born previously)
- Relation with your parents when coming out?
- Knowing reference people in school, university, etc., teaching
- Being out: Experience of homophobia, bashing, violence
- Affection in public? Different security perceptions in a homosexual or heterosexual environment
- Discrimination at workplace/at school/university etc. Economic discrimination?
- Do you feel society has changed over the years?
- What would be needed, what do you miss the most?

Appendix 2: List of respondents

Italy					
Pseudonym	Sex	Age	Couple Status	Parental Status	Geography
Carlo	Male	46	LAT	No children	North - City
Gaia	Female	41	Cohabitation	No children	North - City
Alessandra	Female	36	Cohabitation	No children	North - City
Silvia	Female	40	Cohabitation	No children	North - City
Lara	Female	36	Cohabitation	2 children, ART	North - City
Cristina	Female	51	Cohabitation	1 children, previous hetero relation	North - City
Ernesto	Male	60	Cohabitation	2 children, surrogacy	North - City
Marco	Male	40	Cohabitation	No children	North - City
Enrica	Female	44	Cohabitation	2 children, self-insemination	North - City
Silvio	Male	62	Cohabitation	No children	North - City
Maurizio	Male	52	Cohabitation	2 children, previous hetero relation	North - City
Daniele	Female	45	Cohabitation	No children	South - city
Andrea	Female	43			
Giorgia	Female	38	Cohabitation	1 children, ART	South - city
Tiziana	Female	36			
Flavia	Female	60	Cohabitation	2 children, previous hetero relation	South - city
Anna	Female	46	Cohabitation	No children	South - city
Irene	Female	22	LAT	No children	South - city
Francesco	Male	32	Cohabitation	No children	South - city
Domenico	Male	46	LAT	No children	South - city
Giorgio	Male	28	Cohabitation	No children	South - city
Benedetta	Female	38	LAT	Pregnant, ART	South - city
María	Female	34	Cohabitation	No children	North - City
Elisabetta	Female	34			
Amanda	Female	38	Cohabitation	1 children, ART	North - City
Isabella	Female	37			
Serena	Female	36	Cohabitation	Pregnant, self-insemination	North - City
Donatella	Female	46	LAT	2 children, previous hetero relation	North - City
Chiara	Female	40	Cohabitation	2 children, ART	North - City
Valeria	Female	40			
Tomasso	Male	45	Cohabitation	2 children, previous hetero relation	South - city
Elia	Male	55			
Riccardo	Male	59	Cohabitation	No children	South - city
Luigi	Male	54			
Stefano	Male	49	Cohabitation	1 child, foster	South - city
Fulvio	Male	56	Cohabitation	No children	North - City

Iceland					
Pseudonym	Sex	Age	Couple Status	Parental Status	Geography
Águst	Trans Male	32	Hetero-divorced, single	3 children, previous hetero relations	Reykjavík & suburbs
Andri	Male	34	Married	No children	Reykjavík & suburbs
Anton	Male	50	Hetero-divorced, single	2 children, previous hetero relation	Countryside
Ásgeir	Male	22	Single	No children	Countryside
Apena	Female	23	Single	No children	Reykjavík & suburbs
Audur	Female	29	Cohabitation	1 child, ART	Reykjavík & suburbs
Bjarki	Male	38	Single	1 child, homemade	Countryside
Carl	Male	45	Single	No children, would like	Reykjavík & suburbs
Egill	Male	28	Single	No children	Reykjavík & suburbs
Elín	Female	27	To get married	Trying	Reykjavík & suburbs
Erla	Female	29	Registered cohabitation	Expecting carried by partner through ART	Reykjavík & suburbs
Halldór	Male	23	Single	No children	Reykjavík & suburbs
Haukur	Male	28	LAT, plans to marry	No children	Countryside
Hjörtur	Male	27	LAT	No children	Reykjavík & suburbs
Hlynur	Male	53	Hetero-divorced, widower	2 children, previous hetero relation	Reykjavík & suburbs
Hrafnkell	Male	37	Married	Plans	Reykjavík & suburbs
Ingibjörg	Female	27	LAT	No children	Reykjavík & suburbs
Ísak	Male	27	Single	No children	Countryside
Katla	Female	40	Single	No children	Reykjavík & suburbs
Kjartan	Male	33	Unregistered cohabitant	No children	Reykjavík & suburbs
Kolbrún	Female	41	Homo-divorced, registered cohabitation	No children, trying	Countryside
Lilja	Female	27	Registered cohabitation	In process through ART	Reykjavík & suburbs
Ólöf	Female	50	Registered cohabitation	No children	Reykjavík & suburbs
Sigrún	Female	33	Married	2 children, ART	Reykjavík & suburbs
Sóley	Female	41	LAT	1 child, homemade with gay friend	Reykjavík & suburbs
Stefan	Male	49	Hetero divorced	2 children, previous hetero relation + 2 father role	Reykjavík & suburbs
Sunna	Female	41	Homo divorced	1 child, ART	Reykjavík & suburbs
Sveinn	Male	41	Homo divorced, remarried	2 children with partner and heterofriend	Reykjavík & suburbs
Vigdís	Female	51	Single	2 children, previous hetero relation	Reykjavík & suburbs
Þórdís	Female	51	Unregistered cohabitant (hetero divorced from convenience marriage)	None, but "guardian" of her unregistered partner child	Reykjavík & suburbs

France					
Pseudonym	Sex	Age	Couple Status	Parental Status	Geography
Alexandre	Male	26	Single	1 child, co-parentality with a lesbian couple, "homemade"	City
Bernard	Male	47	Married	2 children from previous hetero relation + 1 child surrogacy	Paris and suburbs
Bertrand	Male	55		1 child (surrogacy)	
Christine	Female	42	Cohabitant	1 child (ART)	Countryside
Catherine	Female	57			
Christian	Male	32	Cohabitant	None	Countryside
Clément	Male	50			
Emmanuel	Male	37	Cohabitant	2 children from previous hetero relation	Paris and suburbs
Eric	Male	27			
Fabrice	Male	35	PACS	None	City
Francis	Male	41			
Gabriel	Male	52	Married	None	Paris and suburbs
Gautier	Male	55			
Gilles	Male	40	Cohabitant	None	Paris and suburbs
Guillaume	Male	25	Single	None	City
Isabelle	Female	40	Cohabitant, plans to register (PACS)	3 children from previous hetero relation	City
Irène	Female	43			
Jacques	Male	47	Cohabitant	1 child, adoption	Paris and suburbs
Jérémy	Male	27	PACS	None	Paris and suburbs
Julien	Male	25			
Jules	Male	26	Cohabitant	None	Paris and suburbs
Laure	Female	41	Married	1 child (homemade)	City
Lydiane	Female				
Laurent	Male	36	Married	1 child, co-parentality with a lesbian couple, "homemade"	Paris and suburbs
Lucie	Female	33	Married	2 children previous hetero relation + 1 child (ART)	Countryside
Luke	Male	47	Married	None	Countryside
Magalie	Female	34	Homo-separated, cohabitant	2 children, homemade, with her first partner	Countryside
Michel	Male	41	Married	1 child, surrogacy	City
Martin	Male	46			
Nathan	Male	27	Married	1 child, adoption, previous hetero relation	City
Nicolas	Male	44			
Oriane	Female	52	Married	3 children from previous hetero relation + 1 child (ART)	City
Odile	Female	26		1 child (ART)	
Paul	Male	24	Single	None	Paris and suburbs
Philippe	Male	43	Single	2 children, co-parentality with an hetero friend	Paris and suburbs
Tamara	Female	24	Married	None	City
Tracy	Female	29			
Thomas	Male	37	PACS	None	Paris and suburbs
Valentin	Male	39			
Yves	Male	44	In relationship, LAT	2 children, previous heterosexual relation	Paris and suburbs

Spain					
Pseudonym	Sex	Age	Couple Status	Parental Status	Geography
Matilde	Female	36	Married	Pregnant, ART	City (Logroño)
Laura	Female	31	Cohabitation	Plans	Metropolis (Madrid)
María	Female	39	Married	1 child, pregnant of another, both ART	City (Santander)
Eduardo	Male	46	Married	No children	Town (Santoña)
Soffa	Trans Female	51	Cohabitation	2 children, intercourse and ART	City (Valladolid)
Carlos	Male	43	Married	No children	City (Melilla)
Julia	Female	38	Cohabitation	No children	Metropolis (Madrid)
Camila	Female	31	Married	2 children, ART	Metropolis (Madrid)
Martina	Female	41	Cohabitation, plans of marriage	1 child, ART	Metropolis (Madrid)
Bea	Female	28	LAT	No children	Metropolis (Madrid)
Mariana	Female	55	Married	2 children, ART	Metropolis (Madrid)
Raúl	Male	23	LAT	No children	Metropolis (Madrid)
Diego	Male	50	Cohabitation	1 child, homemade for a lesbian friend	Metropolis (Madrid)
Mario	Male	58	Married	No children	Metropolis (Madrid)
César	Male	30	LAT	No children	Metropolis (Madrid)
Denia	Female	32	Cohabitation, plans of marriage	1 child, her partner has heterosexual intercourse with a stranger	Metropolis (Madrid)
Victoria	Female	30		1 child, heterosexual intercourse with a stranger	
Estela	Female	45	Married	2 children, previous heterosexual relation	City (León)
Germán	Male	36	Single	1 child, previous heterosexual relation	Metropolis (Sevilla)
María Alberta	Trans Female	38	Married	No children	Metropolis (Madrid)
María Rocío	Female	45	Married	2 children, previous heterosexual relation	City (Valladolid)
Jaime	Male	49	Married	1 child, adoption	Metropolis (Madrid)
Pablo	Trans Male	49	Single	No children	Metropolis (Madrid)