

Takács J – Szalma I: European attitudes on adoption by gay and lesbian couples

(Extended abstract)

This paper focuses on European attitudes on joint adoption by same-sex couples with the intention to highlight individual and country-level factors that can determine the level of social acceptance or rejection of this specific kind of adoption. Our study contributes to the literature on social acceptance of lesbian women, gay men and their adoption practices in Europe, and directs attention to several previously under-researched aspects of social attitudes on same-sex parenting rights. We will concentrate on determinants of European social attitudes towards adoption by same-sex couples, while recognizing that these adoption practices question the absolutism of the traditionally heteronormative family formation processes, and the role homophobic attitudes might potentially play in forming opinions on these issues.

The empirical base of the study is the 4th Family, Work and Gender Roles module of the International Social Survey Programme (ISSP),¹ which was extended in 2012 with two new variables: *A same-sex female couple can bring up a child as well as a male-female couple; A same-sex male couple can bring up a child as well as a male-female couple.*² A great advantage of these new variables is that they can enable the examination of attitudes towards same-sex parenting in a gender specific way. Besides testing the effects of basic socio-demographic factors, we will focus on hypotheses in connection to traditional family formation preferences and gender equality related values. Additionally, a hypothesis about potentially higher levels of social acceptance towards lesbian couples in comparison to gay couples will also be tested.³

Multiple methods will be applied to analyse our datasets. First we will interpret descriptive statistics by comparing mean values. At the next stage explanatory models will be constructed by applying linear regression models. Since both individual and country-level factors are taken into account, we will use multilevel regression models involving country-level aggregated data such as legislative backgrounds towards adoption by same-sex couples from

¹Source: <http://www.issp.org>

² Previous ISSP Family, Work and Gender Roles modules were conducted in 1988, 1994 and 2002 but these did not include any variables that might have been used for measuring homophobic attitudes. See: <http://www.gesis.org/en/issp/issp-modules-profiles/family-and-changing-gender-roles/>

³ The 2012 ISSP data will become publicly accessible in early 2014.

the examined European countries. Our regression analyses will be conducted by the STATA 11.1 statistical program.

The European legal landscape regarding same-sex marriage, registered partnership and joint adoption rights for same-sex couples is very diverse (see: Table 1). Same-sex marriage and joint adoption by same-sex couples became possible for the first time in Europe in 2001 in the Netherlands when that country legislated that the institution of marriage be equally open to same-sex as well as different-sex couples. This new legal framework automatically provided married same-sex couples with joint adoption rights in the Netherlands (and same-sex couples, who had previously entered into same-sex registered partnerships, introduced in 1998, could easily “upgrade” the legal status of their registered partnerships to marriage). However, for example, in Portugal the introduction of same-sex marriage in 2010 did not lead automatically to the extension of same-sex parenting rights.

Same-sex parenting issues, including adoption by same-sex couples, are inseparable from the social definitions of family and kinship relations, reflected also in social and family policy measures that can have serious practical implications for the lives of individuals, couples and the children raised by them. In many places one of the main reasons for the fierce opposition expressed against same-sex parenting rights is that allowing, for example, adoption by same-sex couples would also mean the acceptance of a broader family definition, embracing new(er) family types. Additionally, while one’s sexual orientation can (perhaps) be regarded a private issue, partnership relations, and even more so family life, belong in the social sphere: thus the social visibility of same-sex parenting practices is potentially much higher than that of individual sexual orientation, and can consequently cause higher levels of social rejection.

In a 2010 European research report on families and family policies “rainbow families” were listed under the heading of new and rare types of families as one of the still small but increasing family forms, research on which having a “high potential for scientifically understanding families” (Kuronen 2010: 32). They defined rainbow families by “the presence of two or more people who share a same-sex orientation (e.g., a couple) or by the presence of at least one lesbian or gay adult rearing a child” (Allen – Demo 1995: 113), a definition borrowed from an original study that examined the limited extent to which family relations of lesbians and gay men have been integrated into family literature during the 1980s and the early 1990s. Even though since the 1990s there has been an increasing number of academic

publications on same-sex family and parenting issues both in the United States and in Europe (including Golombok 1999, Stacey – Biblarz 2001, Lambert 2005, Ryan-Flood 2009, Gartrell – Bos 2010, Biblarz – Stacey 2011, Takács – Kuhar 2011, Brodzinsky – Pertman 2012), the following conclusion seems to remain valid: “Lesbians, gay men, and their families are not a demographic anomaly. By ignoring them, family research misinterprets how diverse all families are” (Allen – Demo 1995: 123-124).

One of the main goals of our study is to contribute to a better understanding of individual and country-level factors that can determine the level of social acceptance or rejection of adoption by same-sex couples. These studies can gain practical importance because they can inform policy-makers as well as members of the general public and LGBT communities on what substrates attitudes can be rooted in. Additionally, these studies can also help interpreting attitudinal features of larger populations, which can be used to argue for the introduction and/or the change of legal and/or policy measures.

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Table 1
Introduction of same-sex marriage, registered partnership and joint adoption in 17 European countries (1989–2013)

| Countries | Same-sex marriage | Registered partnership | Joint adoption |
|-----------------|------------------------|------------------------|------------------------|
| Austria | - | 2010 | - |
| Belgium | 2003 | 2000 | 2006 |
| Czech Republic | - | 2006 | - |
| Denmark | 2012 | 1989 | 2007/2009 ⁴ |
| Finland | - | 2002 | 2009 ⁵ |
| France | 2013 | 1999 (PACS) | - |
| Germany | - | 2001 | 2004 ⁶ |
| Hungary | - | 2009 ⁷ | - |
| Iceland | 2010 | 1996 | 2006 |
| Ireland | - | 2010/2011 ⁸ | - |
| Luxembourg | - | 2004 | - |
| The Netherlands | 2001 | 1998 | 2001 |
| Norway | 2008/2009 ⁹ | 1993 | 2009 |
| Portugal | 2010 | - | (2013) ¹⁰ |
| Slovenia | - | 2005 | 2011 ¹¹ |
| Spain | 2005 | - | 2005 |
| Sweden | 2009 | 1994 | 2003 |
| Switzerland | - | 2004 | - |
| United Kingdom | 2013 | 2005 | 2002 ¹² |

⁴ First only second-parent adoption was introduced, followed by the introduction of joint adoption rights for same-sex couples.

⁵ Only second-parent (or step-parent) adoption, i.e. adoption of the biological child(ren) of one's partner.

⁶ Only second-parent (or step-parent) adoption, i.e. adoption of the biological child(ren) of one's partner.

⁷ In Hungary the legal institution of registered partnership for same-sex and different-sex couples was introduced already in 2007, but only same-sex registered partnership came into operation in July 2009.

⁸ In the Republic of Ireland the legal institution of same-sex registered partnership was introduced in 2010 (Civil Partnership and Certain Rights and Obligations of Cohabitants Act), being in effect from January 2011.

⁹ The Norwegian Parliament enacted a gender neutral marriage law in June 2008, which came into operation on January 2009.

¹⁰ On May 17, 2013 the Portuguese Parliament voted in favour of allowing second-parent adoption.

¹¹ Only second-parent (or step-parent) adoption, i.e. adoption of the biological child(ren) of one's partner. It is a special case because there was no new legislation introduced, but in 2011 Slovenian legal experts successfully used the old adoption legislation (originally introduced in 1976 with no specific reference to the gender of adoptive parents) for showing that second-parent adoption is in fact legal.

¹² Adoption & Children Act – England & Wales; 2009 Scotland.