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# Chapter 6

## LGBT Desires in Family Land: Parenting in Iceland, from Social Acceptance to Social Pressure



Marie Digoix

**Abstract** More than 20 years ago, Iceland opened civil union to same-sex couples with its confirmed partnership law (*staðfest samvist*, 1996). Since then, the country has attained a high level of equality between same-sex and different-sex couples in the domain of family law, and the law has strong provisions against discrimination toward LGBT people. The increasing visibility and acceptance of LGBT people is raising questions about the social process of integration. LGBT people are confronted with heterosexual norms, a confrontation that is difficult to bypass. In this context, some may find that they are losing their identity. Iceland is a familialist society, and a key entry into the social acceptance of homosexuality has been through marriage and parenting. There is a clear gender gap in family-making. Lesbians have access to ART whereas adoption is scarcely available and surrogacy still illegal, reducing access to parenthood for gay men. However, in Iceland's small LGBT community, parenting desire has increasingly become a reality for both females and males. Based on a survey consisting of 30 interviews, the paper studies how parenthood meets a wide range of personal desires, but also how it has become a normative pressure.

**Keywords** Same-sex parenthood · Iceland · Family policies · Heteronormativity · Assisted reproduction techniques · LGBT rights

### 6.1 Introduction

In 1994, a committee convened by the Icelandic parliament to report on the situation of homosexuals in society submitted its findings to the government (Forsætisráðuneytið 1994). This report put a spotlight on the legal inequalities

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facing homosexuals. Thus began the march toward equality, with particular attention given to family law. Over the following 16 years, the law was progressively adjusted to grant homosexual couples the same rights as heterosexual couples. From a strictly legal perspective, this equality was achieved in 2010 with the adoption of a single marriage law for same- and different-sex couples (*Ein hjúskaparlög* 2010).

The present study extends a previous socio-historical study on the relationship of LGBT individuals in Iceland to this new legislation, from the first law authorizing same-sex unions in 1996 onward (Digoix 2013b). This research explores how LGBT populations have perceived and experienced recent changes in laws and society, through a series of interviews in 2005, 2009, and 2015 exploring the private lives of LGBT individuals at different stages of life – youth, coming out to self and to others, first sexual relations, unions, parenthood, separations – after three key legal transitions.

This chapter draws on the interview-based survey of 30 LGBT individuals in Iceland conducted within the comparative project *FamiliesAndSocieties*<sup>1</sup> in 2015, almost a decade after the country's principal laws on homosexual parenthood, and nearly two decades after the first law on same-sex unions.

The present analysis is built on their responses in these interviews. Iceland is often described as a social laboratory, made possible by the country's small size, its centralization around the capital city, and its social regime strongly focused on family and children. This aspect is highlighted by its insularity.

The survey sought, first of all, to determine whether the law had an influence, in either direction, on questions of parenthood, or family-making: in the desire for children or its absence, but also in the difficulty or impossibility of having children, from their conception to their reception in society. The aim is thus to describe the world in which individuals make their choices, and how they experience them.

In a system of legal filiation which, in the name of equality, extended the existing heterosexual model, how have homosexuals approached this confrontation with an established social norm? Given the particularity of homosexual couples, the principal targets of these laws – the impossibility of autonomous biological conception – are they able to conform to this norm? Or should they instead invent new models, do they wish to, and are they able to? What place can the homosexual family take in the world of the family in a context of widespread family recomposition, with “plural” heterosexual families? What are the points of convergence between these “new” families? Gender difference and societal microcosms will be examined.

In light of the previous research, one can expect that the youngest cohorts would have an easier time approaching the issues of coming out, daily life, and the desire for children. The study explores their relationship with legislative change over time toward the recognition of homosexuality. Previous cohorts had come to parenthood in a different context, either through other forms of relationships (heterosexual) or

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by circumventing the law (e.g., use of Assisted Reproduction Technology (ART) abroad). In 2015, it was also possible to look for any differences between generations in the logic of conception and the fulfilment of desires for children.

The principal question in the analysis of the respondents' discourse on desires for children and becoming parents is whether and how these major legal changes were integrated into their personal approach to this area of life and on the impact that this may have had on the homosexual collectivity, which, within Iceland's small population, has historically been fairly tight-knit. Beginning in 2010, the homosexual community entered a pivotal period, facing questions around the transition from activist struggle to heteronormative life, where parenthood may represent the final step of integration. Again looking at differences between cohorts, the hypothesis that the advances, not only in family law, but also in the increased visibility of homosexuals, may have had an influence on societal integration in the form of assimilation, is studied. This raises questions on the future of a model of life that had previously been constituted on the basis of circumventing norms, following the various changes toward legal equality (Pollak 1985; Schiltz 1998). The little Icelandic community offers multiple answers.

### **Methodology and Sample Characteristics**

Since the 1996 law allowing the civil registration of same-sex couples, INED has carried out three interview-based surveys in Iceland around the reception of such laws, how individuals from these groups perceive them, and how they make use of them. This research topic has been adapted over the years, and the resulting data offer resources for understanding the effects of legal changes over time in the country. The first survey took place in 2005, 9 years after the adoption of the first law; the second in 2009, 3 years after major changes toward equal rights between same-sex and different-sex couples, notably in access to parenthood and registration of cohabitation in the national register.

The corpus on which the present study is based was gathered during a survey in 2015, after the adoption in 2010 of a gender-neutral marriage law. The study was designed as part of a European project, *FamiliesAndSocieties*, aimed at comparing perceptions and behaviours in different legal contexts. The other countries in the survey were Spain, France, and Italy (Digoix et al. 2018). The semi-structured interviews were performed using a common interview grid to ensure comparability across the four countries. They centred mainly on quality of life within the legal framework available to the respondents (family life, marriage, parenthood, homophobia in society and at work).

The sample was constituted in such a way as to obtain the greatest possible diversity within the relevant population. The respondents' sociodemographic and geographical characteristics were chosen in collaboration with the Spanish, French, and Italian teams for comparative purposes.

The interviews were conducted by Íris Ellenberger and Svandís Sigurðardóttir in Icelandic, with the exception of two respondents who were not native speakers (in these cases English was used). The respondents were recruited through personal acquaintances and the snowball method. Iceland is a country with a small popula-

tion, where homosexual circles are relatively small and well-organized in the capital. While the interviewers are known within this circle, they did not interview people with whom they had close relations.

Thirty LGBT persons were interviewed. They ranged in age from 23 to 53 years at the time of the survey. The youngest had always lived in a society where same-sex couples had the right to form a legal union, while the oldest had experienced the full course of changes in attitudes toward homosexuality.

The respondents were single, married or remarried, divorced from same- or different-sex partners, widowed, living with a partner or separately. Most lived in or around the capital (like two thirds of the country's population), but many originally came from other parts of the country. Six still live in the countryside.

Nineteen of the respondents had, were trying to have, or were considering having children. Configurations differed between cases where respondents already had children, were in the process of becoming parents, or were planning to do so. Five of the respondents had children born in a previous heterosexual relationship.

Five female respondents had had medically assisted procreation within the Icelandic healthcare system.

Three had had children as part of a shared plan for parenthood with friends, through artisanal home insemination. A pair of coparents were interviewed separately.

Finally, one of the respondents lived in a household with his partner's child, whose godfather he was.

The respondents' names, occupations, and places of residence have been changed for purposes of anonymity.

## 6.2 Homosexuality and Society

'I think that society needs to practice acknowledging people.' IS14 Stefan

'Sometimes legal changes have been made but the society is a little longer to change you know' IS21 Elín

### 6.2.1 *Laws in Theoretical Context: From Differentialism to Universalism*

In Iceland, the history of societal and legal questions around homosexuality is relatively recent and compressed into a short period (Kristinsson 2003). In the twentieth century Iceland was a "new" country, which had obtained its full independence from the Kingdom of Denmark only in 1944. A small island country, its social democracy follows more or less the model of its Nordic neighbours (Denmark, Norway, and Sweden) but is culturally and economically connected to these countries through an intergovernmental organization, the Nordic Council. Its own

adaptation of the aforementioned model is quite flexible, but remains within the limits set by the condition of equality of persons within this shared political space.

While homosexuality was decriminalized in 1940 with the adoption of a new criminal code (*Hegningarlög nr. 19/1940*) in a time when the country was still under Danish influence, it was not until 1992 that the age of consent (14 years) was made equal for same-sex and different-sex partners (*Lög nr. 40/1992*). Moreover, the Criminal Code has prohibited discrimination on the basis of sexual orientation since an amendment passed in December 1996 (*Lög um breyting á almennum hegningarlögum nr. 19/1940*). But it is with its law on civil union that Iceland made a major advance, shifting the legal approach to homosexuality in the key domain of the family. This law, inspired by the Danish law on registered partnerships (*Lov om registreret partnerskab af 7. juni 1989*) was adopted/adapted by the other Nordic Council countries following a recommendation of the Council in 1984 suggesting a process of reflection on the social conditions facing homosexuals (*Nordiska rådets rekommendation* 1984). A particularity of this federation of historically linked states is that they mutually honour many social and family rights and entitlements, enabling citizens to circulate freely among them (Eydal 2005). Parenthood was slightly present in Icelandic law beginning with the initial law of 1996 on confirmed partnership (the latest law among the four countries: *Lög um staðfesta samvist nr. 87/1996* – abrogated in 2010 with the opening of marriage to same-sex couples as a gender neutral law), which grants individuals in such partnerships parental authority over their partner's children. This Icelandic specificity reflects a particular focus on children, which is also present to some extent in other Scandinavian countries, but which is more marked in Iceland.

The partnership law was amended first in 2000 in order to allow the “second parent adoption” by individuals in a confirmed partnership of their partner's child (Art. 6, *Lög um staðfesta samvist nr. 87/1996* (abrogated in 2010), amendment nr. 52/2000, in force since 26 May 2000), and then again in 2006. An even greater step was taken with the law of 2 June 2006 modifying the legal status of homosexuals (*Lög nr. 65/2006 um breytingu á lagaákvæðum er varða réttarstöðu samkynhneigðra (sambúð, ættleiðingar, taeknifrjóvgun)*), aimed at establishing equality for same-sex and different-sex couples. It contained amendments to 18 laws regarding the status of couples in a confirmed partnership or registered cohabitation. In the latter case, under the law on shared residence, the couple takes on a set of rights and obligations upon registration in the national register (*Lög nr. 21/1990 um Lögheimili*) (the declaration of residence is obligatory). The Adoption Act (*Lög um ættleiðingar nr. 130/1999*, as amended by law nr. 65/2006) authorizes joint adoption after 3 years of living together in a confirmed partnership, or 5 years of life as a couple declared on the national register. For cohabiting same-sex couples, this disposition is concomitant with the authorization to register. This condition of registration, either in registered cohabitation (*óvígð sambúð*) or in a confirmed partnership (*staðfest samvist*), applies only in laws involving parenthood or filiation through joint adoption, and in the laws on access to Assisted Reproduction Techniques (ART) for female same-sex couples, on children, and on parental leave. (See Table 6.1 for detailed legal dispositions).

**Table 6.1** Adoption of laws concerning parenthood for same-sex couples, by conjugal status

	Marriage (2010)	Registered partnership (1996)	Cohabitation (2006)
<b>Assisted insemination</b> Is it legally possible in this type of relationship to become pregnant through medically assisted insemination using sperm from a donor?	2010	2006	2006
<b>IVF</b> Is it legally possible in this type of relationship to become pregnant through in vitro fertilisation (IVF) using donated egg or sperm?	2010	2006	2006
<b>Surrogacy</b> Is it legally possible for both partners in this type of relationship to become the legal parents of a child through the help of a surrogate mother in the country?	-	-	-
<b>Legal parenthood</b> When one partner gives birth, will (or can) the other partner then also become legal parent of the child, without having to go through adoption? (for example automatically, or by way of recognition/ acknowledgement.)	2010 (only in case of ART)	2006 (only in case of ART)	2006 (only in case of ART)
<b>Parental authority</b> Is joint parental authority/ responsibility possible for the couple, while only one of the partners is the legal parent of the child?	2010	1996	2006?
<b>Parental leave for both parents</b> When both partners are the legal parents of a child, does each partner then have a statutory right to paid or unpaid parental leave?	2010	2000	2006

(continued)

**Table 6.1** (continued)

	Marriage (2010)	Registered partnership (1996)	Cohabitation (2006)
<b>Second-parent adoption</b> When only one partner is the legal parent of a child, does the other partner then have the possibility of becoming the child's second parent by way of adoption?	2010	2000 (not if children had been adopted from another country)	2006
<b>Joint adoption</b> Can partners jointly adopt a child?	2010	2006 (Conditional on 3 years of living together)	2006 (Conditional on 5 years of living together, but cohabitation was only allowed in 2006)
<b>Individual adoption</b> Can one partner in this type of relationship individually adopt a child?	As a general rule married partners can only engage in adoption together	Before 2006 registered partners were not eligible for joint adoption so they were technically not bound by art. 2 of the Adoption Act. One partner could apply for adoption as an individual but a single person can only be granted permission to adopt under special circumstances, if the person is considered particularly fit to care for a child.	Before same-sex cohabitation was recognized in 2006 a partner in such a relationship could apply for adoption as an individual but a single person can only be granted permission to adopt under special circumstances, if the person is considered particularly fit to care for a child.

Source: H. Friðriksdóttir, "Parenting and legal family formats in Iceland". In: K. Waaldijk et al. (eds.), The LawsAndFamilies Database – Aspects of legal family formats for same-sex and different-sex couples. Paris: INED, 2017, [www.LawsAndFamilies.eu](http://www.LawsAndFamilies.eu)

These laws on the possibility of becoming a parent in Iceland, as in the other Scandinavian countries, owe much to Sweden, which convened a parliamentary committee to report on the situation of children in homosexual families with a view to reforming its legal system (SOU 2001:10). This report, like much jurisprudence in the Scandinavian countries, concluded that it was in the child's interest to have two parents, regardless of their sex.

In 2010, Iceland adopted a gender-neutral marriage law (*Lög um breytingar á hjúskaparlögum og fleiri lögum og um brottafall laga um staðfesta samvist (ein hjúskaparlög)* nr. 65/2010) which abrogated the partnership law (existing partnerships could retain their status, or be converted into marriage simply by filling out a form). *Ein hjúskaparlög*, the 'one marriage law', placed same-sex and different-sex couples on equal footing. Both could now marry in Iceland's state church, which is mainly traditionally responsible for legally registering marriages.

However, in 2015, at the time of the survey, the law left aside questions essentially bearing on the individual, such as transsexualism (monitored by a national

committee), sex reassignment for children born intersex, and surrogate pregnancy (which is particularly central to problematics of parenthood, notably for men). These still-open questions implicitly highlight the difficulty of addressing situations exclusively linked to the individual, to ethics, and to families that do not adopt existing heterosexual arrangements. Icelandic law does not innovate, and, by granting homosexuals rights equal to those of heterosexuals, has limited itself to shifting from a differentialist model to a universalist one (Digoix 2008).

### ***6.2.2 An Insular, Egalitarian, Feminist Society***

Iceland's history, its geographical situation, and its political regime are influential characteristics that have shaped its society, and that shed light on the interacting evolution of the society and its laws. First of all, Iceland is an island with a small population – 330,000 inhabitants in 2015 – whose demographic growth has been fairly rapid, from 78,000 inhabitants in 1900 to 279,000 in 2000, notably thanks to a flourishing economy. In 2008 the subprime crisis put the country in financial difficulty, slowing both economic and demographic growth. It also curbed the Icelandic welfare state, creating a small social crisis, with negative net migration over the following years (Hagstofa Íslands).

Family legislation has accompanied the societal changes of the late twentieth and early twenty-first centuries, and in this context Iceland is often at the leading edge of the movement toward an increasing well-being society. It was only in the late twentieth century that Iceland began to confront the situation of homosexuals in society, but since the state began to pass legislation in this area, the rights of homosexuals have steadily progressed. This progress follows on a long tradition of seeking equality for individuals in society, which emerged very early in Iceland, with actions for women's emancipation.

A feminist politics that began very early in the twentieth century has marked the transformations of the family ever since. Reforms had been implemented to respond to particular demographic configurations of the end of the previous century, notably economic migration to Canada (Karlsson 2000), but also challenges to the traditional roles of women in the family and in society, under the leadership of Bríet Bjarnhéðinsdóttir (Styrkársdóttir 2006). Iceland was not yet independent at the time, and family policies followed the Danish model. Women obtained the right to vote in municipal elections in 1908, in national elections with age restrictions in 1915, and finally without restriction in 1920. Finally, a 1923 legal reform granted women equal property rights within marriage as well as divorce by mutual consent (women are more likely to apply for divorce (Fine 2002)).

In practice, the most significant changes in terms of gender equality, marking the transition from legal to societal equality, surely occurred in practice after the 1960s, with the control of fertility; economic independence for women through access to the labour market; progressive clarification of the rights of children (independently of parental rights) through a specific law (the Children's Act, or *Barnalög*); and

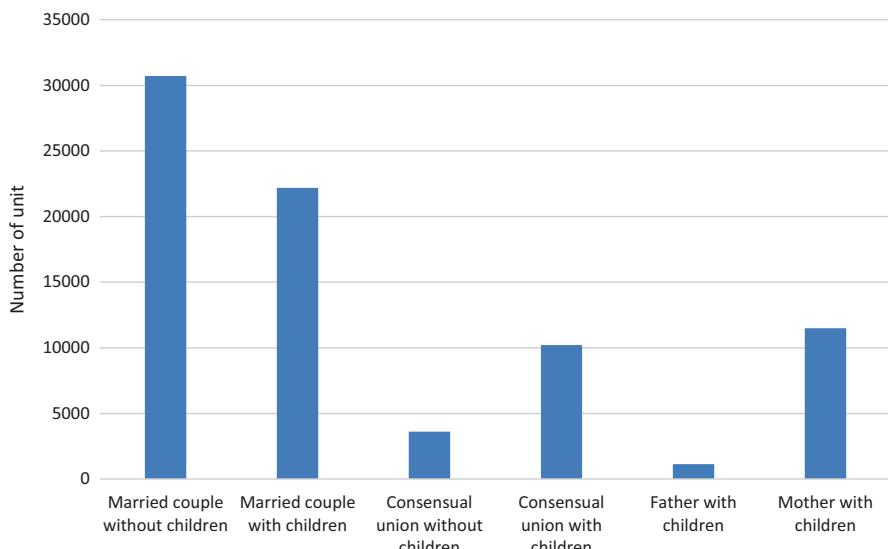
family policies and parental leave supporting fathers' participation in day-to-day child-rearing (Garðarsdóttir 2008). Gíslason (2008) emphasizes that equality in the allocation of parental leave leads to a more egalitarian perception of parenthood: taking care of young children is no longer considered a feminine occupation. "De-feminizing" parenthood is a means to achieve equality.

The integration of feminist policies in Icelandic society can be illustrated by a few significant, even pioneering steps. In 1980, Vigdís Finnbogadóttir was the first woman elected president in a western democracy. She completed four terms, remaining head of state for 16 years. Another emblematic illustration is the naming of Jóhanna Sigurðardóttir as Prime Minister of the coalition government in 2009, after the 2008 subprime crisis, which brought the Icelandic state to the brink of bankruptcy. Jóhanna Sigurðardóttir was the first openly homosexual head of government. When elected she was in a confirmed partnership; she symbolically converted her partnership with Jónína Leósdóttir into marriage in 2010 with the change in the law (Leósdóttir 2013). A little less centrally, but no less significantly, in the same period Agnes M. Sigurðardóttir became the first female Bishop of Iceland, leader of the state church, the Church of Iceland, in 2012.

### ***6.2.3 A Familialist Society***

From the very first reflections on the partnership law, activists (who were sometimes involved in or linked to academic research) highlighted the question of parenthood and the lack of legal provisions concerning children. As mentioned above, Iceland was the only Scandinavian country to include parental authority in its initial partnership law (followed by the adoption of the partner's child in 2000). However, this aspect of the law was already singled out as insufficient in 1996; indeed, more than the fundamental advances in this pioneering law, it was its lacunae around parenthood that were emphasized when it was adopted by the parliament (Friðriksdóttir 1996). This particularly pronounced interest in children and parenthood reflects the tight-knit, family-centred nature of Icelandic society (Rich 1978). Iceland, even more than other Scandinavian countries, has always had a high rate of births outside marriage, which is explained in particular by the tradition of socially recognizing births during the engagement period in the modern era (Björnsson 1971). Indeed, the opening of a family whose legal boundaries are already distended, even vague, may explain why adaptive compromises with existing norms tend to be well accepted by society.

Additionally, in Iceland children are granted particular protection through two laws: the Children's Act (*Barnalög nr.76/2003*) which defines children's rights (and the obligations of their parents), and the Child Protection Act (*Barnaþverndarlög nr. 80/2002*) which sets out the obligations of the state and its child protection services toward children. There is also a Youth Act (*Æskulýðslög nr. 70/2007*), which regulates and promotes activities for young people aged 6–25 years.



**Fig. 6.1** Nuclear families by type of family (by unit), 2015

Population 1 January. A nuclear family refers to couples (married and in a consensual union) and children below the age of 18, single men and women with children below the age of 18. (Persons above the age of 18 who live with their parents are not included in nuclear families)

Source: Hagstofa Íslands: <https://hagstofa.is/>

Anna Einarsdóttir (2016) shows that same-sex marriage or union facilitates the acceptance of homosexuality within the family unit. She emphasizes the particularity of Iceland as an island country, more familiarly oriented than other countries of the north, which tend more toward individualism and the decline of tradition. This does not mean, however, that Iceland has remained in a stagnant tradition, firmly anchored in an unchanging past. Much to the contrary: the country is continually pursuing its drive toward equal rights (among citizens, between women and men) and demonstrates a plurality of family types (Fig. 6.1), which could also indicate an acceptance of greater diversity.

In a society oriented toward gender equality, where one of the marked obstacles to this equality (notably on the labour market) is motherhood, public policymaking around parenthood has focused notably on parental leave and access to childcare. Iceland is one of the countries which have most emphasized the extension of parental leave to men (Eydal and Gíslason 2015). In his study on family policies, Ingólfur Gíslason (2008) noted that, in the case of men in heterosexual relationships, '*you are regarded as weird if you don't use the paternity leave.*' There is thus a pressure toward motherhood, but also a pressure toward active parenthood for men. The relationship to the child is emphasized. The "new" man is a father exercising his parenthood. This state of mind is reflected in the desire for children expressed by male interviewees – desires that may have been revealed here by the nearness of the possibility of realization. In this connection, Hrefna Friðriksdóttir (2015) argues that

laws on homosexual union have contributed to improving understanding of fatherhood, insofar as they have disrupted the traditionally gendered order of heterosexual parenthood. Legislation has thus challenged traditional family forms by emphasizing fathers' relationship to their children, and their rights and responsibilities with respect to them.

### 6.3 The Heteronormative Family

Having a child in daily life and in interactions with society has a normalizing effect, independently of the parents' intentions and situation, whether they are heterosexual or homosexual. Even in a highly atypical coparenting scenario, Sóley noted a paradoxical aspect of her trajectory: the arrival of a child had given her access to a 'normality' that she simply observed, although she had had no intention to seek it. '*There is now a straight element in my life that people recognize*' (IS18 Sóley). Her son has two homosexual parents who live apart but are raising him together – a model of separate parenthood whose particularity is only brought out when Sóley mentions her female partner.

More generally, the way parents and families view homosexual children has changed. Whereas in the past they raised doubts concerning the future, their social integration and personal happiness, the ability to plan for a future family put this type of difference in a new, less concerning perspective. What would have been worry about non-reproduction transforms into the expectation of becoming a grandparent.

Kolbrún, 41, described this expectation more generally as a form of social pressure.

'People have all sorts of dreams and I am not saying that this is not my dream, but I find it wrong to force it upon you and assume that this is what you want. There is a lot of straight people who do not have kids and are not in a relationship and are happy about it. Why this emphasis? I will not go deep into it, I could talk about it for two hours.' IS27 Kolbrún

Hlynur also perceives motherhood as a social pressure. He himself has two children from heterosexual relationships. He thinks that women face strong pressure to have children, as if it were not an individual freedom, and that not having children is treated as 'abnormal'.

'There was like an interview [in media] with one woman, 37 years old and she often gets, what don't you have a child, really shocked, eh, some people don't want children and there's nothing wrong with that, some don't want a boyfriend and there's nothing wrong with that they just want to be free, and you should respect that.' IS30 Hlynur

In their discourse, the persons interviewed for the survey recognized this attachment to family, which, in the struggle for equal rights for homosexuals, has ultimately taken a predominant place. Pórdís, age 51, saw this shift take place. She expressed some regret that it came at the cost of a 'homosexual culture' that arose during a period when homosexuality was stigmatized and that created and depended on

friendship relations in place of distended family relations – albeit somewhat less in Iceland than elsewhere – as very well described in the research of Jeffrey Weeks and Kate Weston (Weeks 2001; Weston 1997). Among members of older generations who previously struggled to affirm their difference, a non-negligible amount of fear around normalization has developed in the aftermath of laws authorizing same-sex unions and recognizing same-sex parenthood. This is what the Danish sociologist Henning Bech, in his key work of the late 1990s, *When Men Meet*, described as the disappearance of a way of life and the birth of a new homosexual (Bech 1997).

‘Yes, I think these are family rights sort of, the right to form a family, to get married and such. These are very important rights but you would of course like to see more emphasis on diversity, rights as individuals, for instance individuals who live alone. There is a very strong focus on the family here in Iceland. Everyone has to participate in this family package, this heterosexual family package, lesbians and gay men as well. And we have participated and it marks our culture. It is disappearing. There is no culture. There is no visible culture like before when we didn’t have these rights.’ IS04 Þórdís

As these rights were obtained in the name of equality for all citizens, they were constituted based on the dominant heteronormative model. While Iceland’s family life is pluralistic, with notably a high value placed on cohabitation, high rates of births outside marriage, low marriage rates, and reconstituted families, homosexual culture was nonetheless constituted in opposition to it. The oldest respondents in the sample expressed many thoughts about life ‘before’.

‘I think that now all these lesbians who are having children and such, I think they are just entering into an established mould. Have kids and get married and stuff. And you wonder, if they enter this mould, are they still lesbians? Sure, they are still lesbians but they are mothers, and then kind of heterosexual mothers. Are they taking on such roles? Is their family life the same as with heterosexuals? You know, is there something called queer family life.... “how do we use these rights? Are we just conforming to this mould? And then we aren’t visible.’ IS04 Þórdís

Such considerations on changes in life projects since the adoption of the recent laws were often expressed by those who, although they had struggled to obtain equal rights, also had memories of a different socialization – as though the law, in assimilating homosexuals, had changed them.

It is as if the law had had the effect not simply of normalizing private, albeit familial events, but of causing the disappearance of other arrangements or structures that had come into being when homosexual practices were illegal and stigmatized. The power of the law may not be as great in a society as dynamic as Iceland’s, but the situation remains far from the reinvention of ways of life recommended by the twentieth-century theorists such as Foucault (1981) and Bourdieu (1997), and the friendship network has not come to take precedence over the family network.

When speaking of desires for children and realization of plans for parenthood, the respondents continued to strongly emphasize biological family. They described decreasing levels of conflict with family around coming out, and no case of a break with family was observed, although certain reservations and behavioural anomalies persisted, particularly with extended family.

### 6.3.1 *The Normalization of Coming Out: Heteronormative Coming Out?*

Marriage – or cohabitation, a particularly valued model in Icelandic society, to such an extent that a specific law grants cohabiting couples virtually the same rights as married ones (*Lög nr. 21/1990 um Lögehimili*) – and above all parenthood can create social bonds and family emulation. In practice, marriage and parenthood facilitate coming out by inflecting how the “outside world” perceives homosexuality. When homosexuality is revealed through a long-term partner or shared parenthood of a child, sexuality as such no longer needs to be emphasized. It is easier for a man to come out by referring to a ‘husband’ or a woman to a ‘wife’ in an ordinary conversation, revealing their homosexuality without explicitly stating it. The same applies to the exercise of parenthood where, once the first situational revelation of the clear homosexuality of the parents has passed, attention is focused on the child and their well-being. The society’s familialism produces a major tension in the parent-child relationship that is exacerbated at the moment of coming out. A previous study (Digoix 2013a) showed that coming out is facilitated for individuals who have a long-term partner and who are able to have children, as parents expect grandchildren, and before 2006, homosexuals were not in a position to satisfy this expectation with legal support. This characteristic appeared again in the 2015 survey, particularly among the oldest respondents, despite the fact that in much of their experience homosexual issues were not visible, and same-sex couples could not have children together.

Sunna, 41, described her parents’ reaction to her first child as follows: *‘I just think mum was relieved... she has four children so she will get enough grandchildren you know it was just like, I think it just something there that you know I get to have a child, think that was the idea, I am the only girl, maybe that mattered...’* IS26 Sunna.

In some way, then, the birth of a child creates a connection to normality.

Ingibjörg is younger than Sunna (27 at the time of the survey), and has thus been able to eliminate the extreme tension around family and children. When she came out to her mother, the latter emphasized the self-evidence of the desire for children. At the time, although the law on ART was not yet in force, lesbians were able to go to Denmark, where they were legally allowed to use ART.

‘The only thing she basically was worried about was that I couldn’t have kids at that time, because it wasn’t allowed here. But she was just, “I will send you to Denmark, no worries”...’

It would probably be more of a shock for her if I would tell her I, I wouldn’t want to have kids...’ IS20 Ingibjörg

According to this discourse, then, family response is focused not so much on the fact of homosexuality, as in the previous generation, but on the ability to conform to the dominant norm, structured around the reproductive cycle – all the more so in a familialist society like that of Iceland.

### **6.3.2 *The Desire for Children and Its Fulfilment: Contrasting Realities***

Whether it reflects a spontaneous desire or social pressure, access to parenthood emerged as a more important issue in the 2015 survey than in the previous ones, notably because access to legal rights had lifted certain barriers.

Although the interviews were not centred on parenthood, the responses clearly reflected the topic's importance for the respondents, including among those who did not have children, and even those who did not wish to. When the sample was constructed, priority was given to obtaining a diversity of situations, but during the interviews, the respondents' perspective on parenthood almost always converged toward desires for children (or grandchildren), whether or not they had been realized.

Recent legislative advances toward societal recognition of homosexuality mean that new research is needed on how behaviour has been changing, in comparative perspective with work in the 1990s on the desire for children in a homophobic society (Mezey 2013). The internalization of homophobia and the fear of coming out no longer seem to be obstacles to the desire for children. In this respect, Iceland and the Nordic countries are doubtless precursors of new behaviours.

The desire for children is so societally charged that it is perceived and understood as a norm. Ingibjörg, who was 27 at the time of the survey, had already evoked it as essential when she came out to herself. She did so shortly before the right to ART was legally opened to lesbian women. At the time she still associated homosexuality to the inability to procreate.

'I mean also the first time that I realised I was a lesbian then um, the first thing I thought was like "Oh my god you can't have kids", because I then I didn't know, didn't know any better, so that, it has always been, I would always have found out how to do it.' IS20  
Ingibjörg

Elín, 27, realized very early on that she wanted to have a child. Then she met her partner. They had intended to have children first and marry after. Having a child was a priority, although they were still young. But as they had difficulty conceiving a child, they decided to prepare for their marriage in order to relieve some of the pressure on themselves. Their initial choice to have a child before marriage is not an anomaly in the context of Icelandic family norms: as mentioned above, the country has a high rate of births outside marriage, and couples often marry at the time of the baptism of their first child (Björnsson 1971; Eydal and Ólafsson 2002).

'I am um one of those women who feels just that my calling in life is to be a mother I just somehow I just woke up one day, I was like 22 years old and I just I have to be a mother it just somehow I don't really know what it is so you know I have look into all options... So um we have been trying now for more than a year but um it isn't going very well so um it is a total it is a total priority and we prioritized it a few years ago we decided we were going to have a child and get married and decided to have the child first because we somehow felt it was just more pressing not that we are running out of time it's just something that is more important to us...' IS21 Élin

A very strong desire to be a father was found even among those who, like Haukur, have a very traditional vision of parenthood which virtually rules out the possibility of a child being raised without a mother. Haukur, 28, did not describe a particularly defined form of parenthood; his desire is a conceptual one, connected to the tradition of descendants and lineages. He explained that he would like to raise a child, not necessarily from birth, and not necessarily continuously; he spoke of the impossibility of adoption, but also of his wish to be a ‘godfather’, sharing through coparenting...

‘I think having children is an important part of adulthood, but it does not need to grow up in your home. For me, it is important for the future to have a family, grandchildren and such.’ IS17 Haukur

Although she emphatically highlighted the importance of the law in organizing the material aspects of parenthood, out of concern for the child and the parent without legal status, Kolbrún thought that her desire for a child would have driven her to flout the law.

‘...The laws are bonus, but not... It is not a demand that if they do not exist then I would just zzzzzip and not do it. I mean, women did this. Women have done this for decades.’ IS27 Kolbrún

She thus recalled the existence of homosexual parenthood before the establishment of laws allowing it, resulting not only from married or cohabiting heterosexual relationships, but also from the use of ART abroad. In a seminal book based on field-work conducted when these laws were under discussion, Traustadóttir and Kristinsson (2003) collected the views of actors in such parental situations.

Both the law and having a partner allow this desire to be fulfilled in a more rational fashion. Although at the time of the survey Erla and her wife were seeking to have a child together, each had been planning to have children before they became partners. Having a partner facilitated the realization of these desires, with access to ART, whereas they had previously thought of resorting to a friend.

‘Yes, at some point, when we were both single, we had talked to our friends about having children with them. I with a single friend of mine and she with a single friend of hers. Before we got together. Somehow relationships didn’t seem to be working out for us so we found other ways to have a family. But when we became a couple then we became a family and the other options just dropped out of the picture.’ IS12 Erla

## 6.4 Reinventing the Family

### 6.4.1 Legal Support

The official recognition of homosexual parenthood through legal dispositions revealed diversified modes of procreation: these reflect, first, situations created by the temporal unfolding of the law, and then the opening of an increasingly complete range of choices, allowing for many more parental configurations. Simplifying

somewhat, it began before the law was passed, in the context of heterosexual relationships or artisanal insemination for lesbians; and continued after 1996 with new legal mechanisms permitting legal authority over the partner's child, the adoption of the partner's child in 2000, and finally in 2016, ART and full adoption.

Regardless of how homosexuals become parents, their parenthood is always the result of a plan, which may be elaborate, or more minimal. Anton emphasized that things are not 'so simple', and that the law offers only support.

'If you want to have a child together and particularly, I mean, gay and lesbian couples have to go the extra mile. I mean, straight couples, it's boy meets girl on a Friday night and nine months later they are parents whether they want to be or not. I mean, and gay and lesbian couples, that's an effort. You have to find a route to basically have child through either surrogacy or through adoption or, I don't know, any programs that are available out there. You have to go through a long process. It's not organic. I'm almost saying it's not natural, but it's not organic in a sense of the ability to reproduce.' IS13 Anton

There is a fairly pronounced difference between generations. The perspectives on parenthood of interviewees from the older age group are clearly connected to the legal situation in the country when they entered their twenties. This split could be observed among those with children from a heterosexual relationship as well as those who had not had children, either because they did not foresee being in a heterosexual relationship (ephemeral or long-term), or because the absence of a law meant familial insecurity to them, in terms of the child's rights or the adult's personal rights with respect to the child.

Many pointed out that in case of conflict during separation or simply problems in daily life, the biological relationship is favoured over the social. This puts the legally unrecognized parent in a position of inferiority, a vulnerability that weighs particularly heavily in case of separation. Pórdís, 51, described the feelings of insecurity around the desires for children that she did not realize in a time when the law was hostile to homosexual parenthood.

'...I also thought about having a child with one of our gay friends. But it was just like, we never went through with it because everything was so insecure... it also shows that these rights, when we obtain them, like here in Iceland, first in '96 and then in 2005, or whenever it was [in fact 2006], it has a different meaning for different generations in this society. For those of us who are of a different generation than those who are younger, our quality of life has been impaired when it comes to issues like children. There is a certain regret there. You could have had children but you weren't given the opportunity and you see that some of the women who belong to the older generation are marked by this lack of rights as well.' IS04 Pórdís

Kolbrún also emphasized the importance of the law and its ability to provide security with regard to the child, who legally has two parents – again, in the context of a normative vision of parenthood.

'...I think the idea of two parents of the same sex is directly connected to the laws. Because before that time, say that I would have been in a relationship with a woman who had had a child, the old-fashioned way still without a dad. And when we break up, I would have no insurance that... And therefore I think that women were having children on their own and being like "This is my child and you are welcome in our lives as long as we stay a couple..."' ...Yes I think those laws really mattered. I think the person that benefited the most was the

child. The child now has two parents. Not one mom and occasional stepmoms... I find it comforting that the legislation is there so everything is clear from day one. Instead of saying "Oh, we will fix this somehow afterwards, I will adopt the child." But what if you break up a month later? It is extremely important to know exactly where you stand. From the very start. I think most people would want that. This is such a huge event. It is like buying a property and there exists no laws regarding real estate business.' IS27 Kolbrún

Elín sees these laws mainly as a simplification. Because the laws exist, her plans for parenthood do not extend beyond the conception of the child. Just as marriage offers legal security to the spouses, the law guarantees it for the parents.

'It of course wouldn't be possible if this law wasn't in place so you know I would think it was really bad if um we couldn't both be mothers from the start or you know had to adopt you know the other mother would have to adopt or something like that so of course the simpler the system the more someone can be bothered doing this.' IS21 Elín

### Access to ART

The legalization of homosexual parenting has disrupted social norms historically anchored in the law. This change made it possible to clearly distinguish filiation and parenthood (Fine 2013). While lesbian motherhood predates the law, the legalization of access to medically assisted procreation for female same-sex couples – first in closely linked Scandinavian countries (Denmark, Sweden) and then in Iceland – had a major impact on the lives of lesbians. With it they could plan to be parents without needing to provide for the presence of a man/father. For some, this had the effect of loosening ties to the homosexual community, and even of bringing them closer to heterosexual couples having technical difficulties procreating, as early as the planning phase. Information on infertility (technical or physical) is transmitted through websites and Facebook groups (and, previously, forums), which are not linked to the participants' sexuality.

Medical acts for this purpose are legal only if they are performed in a clinic accredited by the Ministry of Health. At the time of the survey there was only one such clinic, then operating under the name Art Medica. It has since been bought by a Swedish company and now operates under the name Livio.

The service offers users the possibility of a known or an unknown donor. Under Icelandic law, children have the right to learn the name of a known donor on reaching the age of majority. Conversations around these questions are the first to arise in lesbians' construction of their plans for parenthood.

In this context, one complex topic is the choice of a donor. Contrary to Sweden, which does not allow unknown donors, on grounds of children's right to know their origins, Iceland has offered this option since 2006. In Sweden, the requirement that the donor's identity be known allows the authorities to verify the child's genetic origin. Double gametes donation, of sperm and egg (to allow a woman's female partner to bear her embryo) has only been permitted since 2019 in Sweden (Leibetseder 2018).

Icelandic women make full use of Cryos, the Danish sperm bank, the main European provider in this sector (<https://dk.cryosinternational.com/>).

Little by little, most lesbian couples have come to choose the services of Art Medica/Livio as the simplest way to have children. It allows them to plan to become parents together, situating themselves together in the realm of the biological couple, choosing who will bear what child and whether the sperm donor will be known or anonymous.

#### **6.4.2 Not One, But Many Lesbian-Parented Families**

Before access to ART was legally extended to lesbian couples, it reproduced the heterosexual system of filiation through a legal fiction. In the case of a heterosexual couple using ART, sperm can be drawn from the male in the couple, or, in case of infertility, from a donor. In the latter case, while a third person was in fact involved in the birth, as the sperm donor was typically anonymous, it was as though he did not exist. Couples could even hide the fact that they had used ART, with filiation attributed to the two members of the couple. In contrast, the origin of the child of a lesbian couple is always biologically questioned. In lesbian medically assisted procreation, everyone knows that a sperm donor is involved. Questions around the origin of this sperm are thus often core concerns for lesbian couples. This may also happen for heterosexual couples, with the biological dimension re-emerging after having been legally suppressed: if the possibility of anonymity for donors were to be removed for lesbian couples in the name of children's right to know their origins, this would have to be done for heterosexual couples as well. Children of lesbian couples challenge the legal presumption of 'paternity'. In the context of ART, if the process takes place within the Icelandic healthcare system, the law stipulates that the member of the couple who is not bearing the child must give consent (Art. 3a, *Lög um tæknifrjóvgun og notkun kynfrumna og fósturvísá manna til stofnfrumurannsókna*, nr. 55/1996), regardless of gender. This person is then automatically considered the child's parent. Lesbian access to ART thus challenges the absolute naturalism of heterosexual ART, while establishing or affirming a legal version of lesbian parenthood. As emphasized by Daniel Borrillo, '*procreation could now be conceived as a freedom that merits specific legal protection as a manifestation of private life.*' (Borrillo 2018).

##### **6.4.2.1 A Challenge for Lesbians: A New Model**

The legalization of homosexual filiation brought a new visibility to family configurations that would come to be models. Affirming the equality of homosexuality with heterosexuality, in daily life and in the family context, is fundamental for future generations of homosexuals, notably in facilitating the process of coming out. Equality before the law does not necessarily imply sameness. In the years following the legalization of parenthood, the tension between normalization and assimilation came to the fore. Some saw this period of transition as an occasion to open up

conceptions of the family beyond the heterosexual nuclear model, although these too have shown a strong tendency toward diversification, notably with family recomposition after separations.

Reinventing the family also means changing, not only the meaning of the parental couple, but also its content. The legalization of ART offered female same-sex couples the means to reflect on the meaning of their parenthood, and to work toward new norms. The latter have been diversifying, although the work of construction happens within the intimate sphere. Lesbian plans for parenthood arise through a series of choices negotiated between partners. These include choosing who will bear the child, who will provide the egg, who will be the sperm donor (sperm bank, friend, stranger, etc.), and the method of insemination. These choices relate both to the biological and the societal. And yet the choice of a known or anonymous donor does not necessarily remain confined to the private sphere. Once again, it raises questions about the couple's personal relationship to the biological, but can also provoke the societal gaze to which, *de facto*, lesbian parental couples are exposed.

From a legal perspective, having an unknown donor totally prevents children from knowing who provided the sperm needed for their birth. The irreversibility of this choice is at the heart of a debate that sometimes extends far beyond the couple. Having a known donor leaves children free to choose, whereas an unknown donor affirms both legal filiation and the female couple's exclusive status as the child's parents. And yet – whether or not it is expressed – the child's origin is a question to which the couple must constantly respond, as in the case of single mothers or fathers.

Lesbian motherhood offers the possibility of doing without the figure of the father in planning family life. But this remains a precursor at best, as society expects a biological father to exist, if not to be present. Respondents in our sample who made the choice not to involve a male parent in any way explained that others often found this choice more troubling than they did.

Family and friends are not absent from this debate. It is also often discussed in the LGBT circles, both among lesbians and among gay men, particularly as this question raises that of gay fatherhood, which is legally possible but limited in practice. The respondents systematically spoke of the contribution of the sperm donor, known or unknown, whether or not it was directly relevant to them.

In the sample analysed here, men also took part in the discussion around the existence of a father. Among those who expressed a desire for children during the interviews in 2015, the topic of ways of becoming a father brought out the desire to be a coparent (to share parenting with a person or a couple outside your relationship and/or household).

#### **6.4.2.2 The Lesbian Nuclear Model**

A new challenge for lesbian women is to experience their motherhood without letting the judgments of others affect their choices, and to take full advantage of what the law offers them. With the choice of an unknown donor, the two members of the couple are the sole and exclusive parents of the children.

Sigrún, for example, while not denying the involvement of a ‘biological father’ in the conception of her two children, explained that the children had no ‘dad’.

‘Yes, we talked about it and we both wanted to have him unknown. We have had to debate that because people of course don’t agree. People have different views on the issue. But we chose to have him unknown because these are just our children and some sperm donor in Denmark, or wherever he is, would never be our children’s father... These are our boys and we will always be their moms and there is no dad in the picture. Even though there is this biological father then it is just some information on paper you can’t do anything more with.’  
IS10 Sigrún

The respondents offered several reasons for their choice of an unknown donor. For Lilja, it was a matter of centering the birth of her child within the couple. She totally rejected the presence of a father, biological or social. She did not bear the child, but she conceived parenthood as a duality, because “*as the “other mother”, I would just find it difficult*” while rejecting the figure of a biological father, she also did not want a “social” father drawn from a circle of friends.

‘I just want to have a child with my partner and maybe it is also difficult to know immediately when you have the baby that you will have to share it every other week with a person who doesn’t belong to the relationship. Maybe this is a kind of selfishness, I don’t know. But I just can’t see it as a realistic option.’ IS05 Lilja

In discussing the choice of a donor, known or unknown, Lilja nonetheless found it difficult not to think of the figure of the progenitor. She saw this as a point of vulnerability for her as a lesbian – one that she thought she had already left behind.

‘There is an emotion which arises when you are choosing donor sperm. This may be the first time in my life that I feel my sexual orientation inhibits me in doing something. You know, wanting to do something on your own and just not being able to. Needing to get some man to... and that is just a weak spot. And I don’t know why. I just found it really difficult and you know, should you try and match him with your appearance or not and everything like that.’ IS05 Lilja.

Because she is not the biological mother, she also raised the issue of her relationship to the child’s physical appearance, imagining herself in a day-to-day context where heteronormative society looks for the parent’s features in the child.

Erla also mentioned this question of the gaze of others. Her story shows that while the negotiation takes place within the couple, they must also face their family and friends.

‘You know that 50% of the child’s genetic material wasn’t mine but belonged to someone we didn’t know at all. People wanted to ask. Who is he? Where does he come from? Do you know something about him? You know, do you know how the child you are having will look? You know, all these things that were just in the air but people were afraid to ask about them.’ IS12 Erla

Kolbrún, who at the time of the survey was undergoing ART, also chose an unknown donor, after deciding against coparenting. She explained that she wanted to parent exclusively with her partner. She thought that this might be considered selfish, and that the presence of a third parent could be beneficial for the child, but she expressed fears about such multiple relationships.

'I used to think that it would be normal and fine to get some gay friend to be the donor. That was then, and after I paid more thought to it, then I came to the conclusion that it is not fair towards the other parent. You are a non-biological parent, how can you be sure that you are anything to the child unless you are there for at least five years? And you cannot guarantee that your partner will still like you after three years and then you are just no good. The child cannot remember you and what are you going to do?

...There is no solution to this, this is just life. But yes. After a lot of consideration I find it extremely important that this is an option and this is an option that I would choose.

**S: Unknown donor?**

**K:** Yes, like anonymous. But yes, this is a selfish point of view, because maybe it would be best for the child to have three parents. But since you are investing all this time and energy and everything, you want to have some minor chances of playing some role in the child's life.' IS27 Kolbrún

This sensation of selfishness relates to several possible scenarios. The first is ART's facilitation of parenthood without the involvement of a man. Haukur clearly expressed this as he reflected on his limited opportunities to become a father. This subject is clearly at the heart of debates around male parenthood in homosexual circles.

'I also find it, you get a little annoyed with lesbian couples. We have had heated discussions about this, among other things. You feel like they should stand by you. And I experience this as a little selfish, knowing.... I have a close relative, a lesbian and she and her wife went through artificial insemination in Denmark and they have, as so many other lesbian couples that I know, not wanted any known donors. That the kid can never find out anything about its father. We have had this hot discussion once in a gay pride party where there were mostly women there who had kids and the discussion was: There is no father. But for sure there is a father!' IS17 Haukur

#### **6.4.2.3 The Persistence of the Biological Tie**

Like Lilja and Sigrún, Auður chose ART in order to avoid involving a third adult in her family sphere. Contrary to them, however, she and her partner chose a known donor. They thus did not choose to definitively eliminate the reference to the biological in their family by blocking the child's access to its origins, although they did not wish to involve a father. They felt that their child should have access to the donor's identity if the child so desired.

'We both wanted to experience being pregnant and we just somehow wanted to have the child without there being a third party involved. Of course we have the donor but just that it isn't someone we know. But we decided to use, you must know [unclear], to use a known donor because even though we don't have to know who it is then we didn't want to take the possibility away from him [the child] if he would want to know one day. But we just figured that we wanted to have a stranger because if I don't know who it is and I look at the child, then I only see my girlfriend in him. I don't see anyone else. Like "Ah, he has Peter's nose" or something. I would feel like I was the third wheel.' IS09 Auður

This choice was reinforced by the couple's desire to have a second child from the same donor, with Auður as the biological mother. By choosing to use the same

donor for both children, Auður was also creating a common “biological father” for the two, to make them biological half-siblings.

‘I would like to become pregnant later on. We both wanted to experience being pregnant so even when we went to Art medica then we were just “Do you want to begin? Should I begin?” We were almost deciding it in the office. Just, okay, she began, just because she is one year older than I. That was the only deciding factor. And we will try and use the same donor when I have a child. So we are very 50/50 in everything we do.’ IS09 Auður

Another situation where lesbian couples have maintained an attachment to biological filiation is the use of IVF with double donation. In Iceland, the law allows concomitant sperm and egg donation. This offers lesbians the possibility of one of the mothers bearing the other’s embryo, and thus of shared “biological” involvement in filiation. This can be understood as a desire to recreate two realities drawn from heterosexuality, expressed in this case through the mother – understood as necessarily biological – and the father, whose paternity is either presumed (in the case of a husband) or recognized (for other couples). In the case of egg donation within the couple, both women consider themselves de facto biological mothers, conferring a ‘natural’ status that is otherwise seen as absent from lesbian parenthood. This has no legal effect under Icelandic law, which establishes filiation simply through the recognition of parenthood within legally recognized couples, but it is a choice that some couples make in order to naturalize their family. Élin made this choice.

‘We have gone through IVF so we take an egg from [her partner] and fertilise it so she is of course the biological mother but I am of course like I always say jokingly you know that I am the surrogate mother except of course just like I get to then keep the baby but people of course have all kinds of like you know doesn’t she think it’s sad not carrying the child or say to me don’t you think it’s sad that the baby won’t look like you and you and you know we don’t care at all about that you know but um I think it’s amazing to be able to do it the way we are doing it.’ IS21 Élin

Élin’s discourse features a mixture of the justification of equality with a denial of the importance of the views of others. This debate around maternity brings out the social primacy of the biological in the form of the child’s resemblance to the parents. It highlights what the law allows and what society sees.

As we saw above, Lilja did not choose this way of family-making, but she finds it difficult because everything is referred back to the biological.

‘I think it’s just this fear of not connection [with the child]. Fear which is maybe completely irrational and disappears immediately when you have a child in your arms... and also the fear of hearing “Oh, she is just like her mother.” That the child looks biologically like one of the mothers... it is insanity to consider yourself parent if it is not your biological child.’ IS05 Lilja

The interviews performed thus show that the lesbian respondents fully invested in ART in all of their richness (Insemination and IVF), drawing on the complete range of possibilities they offer. A single desire, to become the parents of a child, took form as different realities.

### ***6.4.3 Challenges to the Legal Framework***

#### **6.4.3.1 The Three-Adult Family**

Coparenting is increasingly common, despite the fact that it still conflicts with the law, which recognizes only two parents for a given child. This configuration means a backward step for the children in social terms – a discrepancy in recognition between their legal parents and their social parents. This is the choice that was most often mentioned by male respondents speaking about the desire for children, notably because of the difficulty of adoption. It is also a model that could be adopted when ART was not available, and thus has a relatively long history. It is, if not accepted, at least known.

Sóley (IS18), who at the time of the survey was in an informal couple with a woman, conceived a child with a male friend, Bjarki (IS07). The two close friends developed the plan when Sóley was single; she met her partner only after the insemination had taken place. After several failed attempts at ART with Art Medica, she ultimately became pregnant through personal insemination (which took place outside the medical system, through the use of a syringe and her friend's sperm collected in artisanal fashion), and gave birth to a son.

Personal insemination allowed her male friend to recognize the child without the need for adoption, as in the case of a non-cohabiting heterosexual couple jointly declaring the birth on the national register. This is exactly what they wanted. Indeed, the desire for a child originated with the father, Bjarki, who wanted to coparent, participating in raising the child. Sóley's partner, however, has no legal rights with respect to the child. When the father has recognized the child, the mother's partner can only have rights if the father gives them up. Furthermore, the two women are not bound together by law, not even through a registered cohabitation. The three are raising the child together under these unsatisfactory conditions.

The example of Sóley and Bjarki is atypical of homosexual families which are not protected by the law, in that the two friends had made their plans to become parents in a situation of mutual trust, and the third person was added during the process. They did not sign any contract, or even establish any documentation to compensate for the absence of legal protections for their family.

‘We have received a lot of criticism, or not criticism, but like questions and..., and doubts from people, we, from both sides. “Hey, hey people don’t you have a contract? Didn’t you sign anything?”, you know, and stuff like that.’ IS18 Sóley

Sóley met her partner in the final months of the process, who then became involved, accompanying Sóley through the different steps, notably medical; but only two people were involved in making the original plan. Sóley's partner spent much of the first months after the child's birth abroad; this period was thus mainly a shared experience for Sóley and Bjarki as a pair; the latter took paternity leave. This almost conventional model of coparenting, one woman and one man, is less subversive socially than it is legally, and led others to express contempt for their situation. Sóley also perceived that this similarity with the heterosexual model had an effect

on her daily life. She is often perceived as the mother of Bjarki's child, and the two as a heterosexual couple.

In another model of coparenting, Sveinn has two children with a female heterosexual friend. They also conceived the children using a syringe, at home, when they had reached their thirties; both were driven by a very strong desire for children. Both of their children were conceived in this way, even though the younger child was born after the law expanding access to ART had been passed:

'We didn't think about it. We were surprised that it had gone through. I think we didn't even check. Also because if we had taken advantage of the laws it would have cost us half a million. But instead we bought a syringe for 330 crowns.' IS08 Sveinn

The mother of Sveinn's children does not have a partner, but he is in a confirmed partnership with a man. He is the biological parent of both children, as the desire for children was more his than his partner's. His conjugal status did not affect or influence his choice to be a parent: '*If I hadn't been in a relationship then I would have had kids at a similar time. I would just be a single father.*' In practice, his husband has no rights with respect to the children. This choice does not currently pose any problem for them in daily life, but he thought it was difficult for his partner's parents.

'Because somewhere is this need to procreate and it is creating a legal uncertainties for a lot of gay couples and it is destroying relationships around us. And I have felt that it is an issue in my home. It can be difficult to deal with, for instance for the grandmothers and grandfathers who are not related by blood. It took them a longer time to connect because people are afraid of starting to love something and then it is taken away from them.' IS08 Sveinn

He offered a normative account of his choices around parenthood, explaining that he thinks it is good for children to have a mother and a father. In framing his own parenthood, he sees the feminine, maternal figure as very important for children. He nonetheless presented the situation by saying: '*I'm married to a man, ... and we have two children with a woman.*'

Contrary to Sóley and Bjarki, who made no plans concerning the organization of daily life, Sveinn and the mother of the children wrote down the material aspects of their planned parental situation together.

'We were preoccupied with writing everything down, to have everything down on paper, even before the child was conceived, so we would have a written agreement about, you know, right of access, finances and everything. We would have shared custody and just everything 50/50 except the children would have their domicile at her house.' IS08 Sveinn

His only worry in relationship to the law concerns his husband's rights with respect to the children. After the initial worries, they were reassured by the initial experiences with the child in public, where they found him to be identified as a child like any other, with an extended family.

'We both thought, since we both know how it is to grow up being different, are we bringing a child into a world where it won't be left alone because it has gay parents? But we stopped thinking about it very quickly. It just came and went in an afternoon. Especially when the kids were in kindergarten. Everyone has two homes and three fathers. It has never been an issue. We had role models. Our friends went down this path with a lesbian couple 16 years ago or something. We spoke to them a little bit.' IS08 Sveinn

His words recall that coparenting existed before the changes in family law, but also highlight the importance of models and their visibility.

### Novelty Within Tradition in Four-Adult Parenting

Hrafnkell (IS23) was married and planning to have a child with his husband. Their preference was for coparenting with a female couple. This choice was motivated by a conception which he explicitly recognized as relatively traditional, with both masculine and feminine figures as parents of the child: '*I think all children benefit from having maybe also a little like, some male role models, and female of course.*' On the other hand, he saw having four parents as a significant protection for the child. He described himself as being in a stable relationship; he had been with his husband for 16 years, and, ideally, he hoped to find another similar couple. Two men and two women: this configuration does not challenge the reality of today's recomposed families, whether heterosexual or homosexual, where couples form, dissolve, and reform around each adult's respective children.

#### 6.4.3.2 Transgender Parenthood

There have as yet been few studies on transgender parenting (Fortier 2015; Marchand 2017; Stotzer et al. 2014), and those few have often approached it from a psychological, clinical, or even legal angle. It raises questions of its own particular order, just as broad as those around homosexual parenting. The present chapter will not survey these questions, as only one of the respondents was in this situation. However, it is worth briefly considering a few points that recall certain problematics around homosexual parenthood discussed above.

The legal framework around transgender identity is not settled, and was still less so at the time of the survey (in particular concerning the control of the state – which defined transsexualism as a psychiatric illness – over different steps in the transition). Like the children of homosexuals born of heterosexual relationships when homosexuality was stigmatized, children born to transsexual parents, or who become transsexual themselves, continue to face the judgments of others in daily life. For some, the transition of the male or female biological parent to the other sex calls into question the terms "mother" and "father". Having a woman as a father or a man as a mother is currently a new situation – one that is poorly understood. This does not facilitate the processes of coming out and transition.

Águst had children within heterosexual relationships, before coming out and beginning a gender transition. The very existence of children in the household – from different fathers who were largely or entirely absent – led Águst to delay the transition, out of the fear that social services would take them away.

Águst is legally registered under his birth gender and the official documents of his children, which leads to difficult situations in daily life.

'...this is something that I want to take out. Not all kids have a mother and not all kids have a father and some kids have two mothers and... So I think this should be changed to parent,

or legal guardian. I have even spoken about this at the county magistrate's office. She totally agreed with me. I don't know what it takes to change this.' IS29 Águst

Águst sees this situation, which is a matter of ongoing debate, as a problematic one.

Because of Iceland's adaptability to individual cases, and the fact that only one informer was interviewed, no generalization can be drawn from Águst's experience. However, given the restricted number of structures – indeed, perhaps only a single one – with some relation to the services that interact in cases of transsexualism, Águst's situation likely reflects the state in which society has reacted to transsexual identity. While the law establishes filiation, it does not construct parenthood. In France, for example, a married transgender woman who kept her male reproductive organs came to be referred to as the 'biological parent' on the birth certificate of her child (Dervieux 2018). This was a compromise allowing the child to be considered to have been born to two mothers. This refusal to consider that two mothers can give birth to a child does not arise in Iceland, where the recognition of maternity applies to both members of married lesbian couples in the ART process for same-sex female couples within the legal healthcare system but it seems not to have been considered in the case of two fathers.

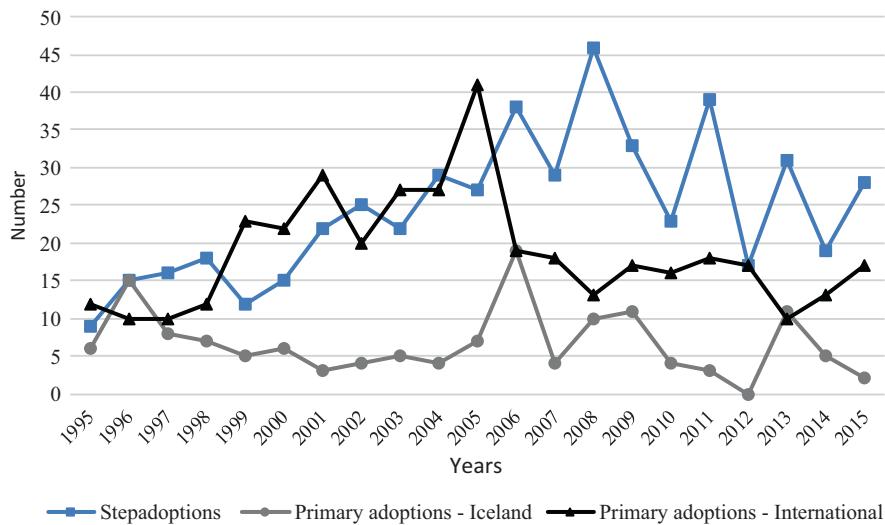
#### **6.4.4 Male Parenthood in Question**

The interviews with male respondents who had not had children in a heterosexual relationship raised other questions. The opening of ART to female same-sex couples offered lesbian women a point of entry into, and even a default option for, desired parenthood. Gay men, however, continue to find themselves in often complex, difficult, and sometimes ethically challenging situations (the same, moreover, as those facing women with difficulty procreating) with regard to access to the child.

'How can we have children? Here is a clear difference between gay and lesbian couples. They can have as many as they want without any hindering or anything. I think that the current discussion is like "Yes you have all rights, you can have children if you want." Yes, it is one thing to be allowed and another to be able to. There has been the right to adopt for years, but not a single gay couple has managed. So Iceland does not have to risk those [international] adoption contracts it has. I think this is a process we have to think about. Even if we do not want to have children right now, we have to take this discussion; this is a five-year process or something.' IS17 Haukur

The men who were interviewed often spoke of coparenting – for example with a single woman, or a lesbian couple. However, since lesbians gained legal access to ART, this has proven quite complicated. Haukur complained of a lack of organization to promote male parenthood.

*'I think this is missing, a club or something. Should I post an ad to Fréttablaðið [Icelandic newspaper]: "A gay couple wishes to donate sperm to a nice woman on the condition that the child will know its father"? Where do I post this? Where do you bring this up in a conversation?' IS17 Haukur*



**Fig. 6.2** Adoptions by type of adoption (1995–2015)

Source: Hagstofa Íslands <https://www.hagstofa.is/>, retrieved April 2019 Stepadoption refers to an adoption of partner's child (or previously adopted child of partner). Primary adoption refers to an adoption of a child other than the child (or previously adopted child) of the partner

#### 6.4.4.1 Elective Filiation: Adoption

'If I have kids, then it is adoption.' IS16 Andri

Both women and men spoke about adoption as a means of becoming a parent, but the difficulty of adopting pushes women to choose other solutions first. References to adoption came mainly from men.

Adoption confronts the Icelandic state with an issue that is not entirely under its control. There are few children to adopt in Iceland, as in most countries with a welfare state. Icelanders thus resort to international adoption, which itself is in decline (Mignot 2015), and which as a result is increasingly selective about the countries and individuals who are granted access. Adopting countries depend on the stance taken by the children's country of origin on homosexuality and same-sex couples.

In Iceland, both adoption overall and international adoption in particular have been in decline for the last decade (Fig. 6.2).

In Iceland there is only one organization with the accreditation to organize the legal process of adoption, *Íslensk aettleiðing* (Icelandic Adoption). Iceland has few agreements with countries where there are children for international adoption, and the conditions of some do not allow adoption by homosexuals, regardless of whether they have a partner<sup>2</sup>. In 2015 it was allowed for children from only one country, Colombia, for children who are older or who have particular characteristics. This

<sup>2</sup><http://www.isadopt.is/is/lond>, accessed April 2019.

situation does not encourage those in Iceland to construct their plans for parenthood based on this highly theoretical possibility. *'Like the situation is today, you don't really look into adoption. This is just a closed door.'* IS01 Kjartan. This raises the possibility of adoption as a single parent, which may be better accepted than adoption by a homosexual couple.

*'We can, according to Icelandic laws, adopt as a couple. And there are examples of such, although it is just one or two. The thing is, no one has adopted as an individual, even though that is legal. And that is... I saw a post the other day, in the adoption group that no one has ever tried. So that is why we are going to a meeting with the adoption agency to find out which option would be better.... if we are going to adopt as a couple. As things are today, it has to be within Iceland...'* IS28 Hjörtur

Hlynur too spoke of the difficulty, or even impossibility, of adoption for male same-sex couples, both within Iceland and internationally.

*'...I don't know of any homosexual couple in Iceland adopting, because it's so hard for them, because the countries don't want to allow us to adopt, and it is so hard getting an Icelandic child, it is not really possible, to get an Icelandic child.'* IS30 Hlynur

While the law permitting adoption for same-sex couples was passed in 2006, it was not until 2013 that the first male homosexual couple adopted a child (Valgerðardóttir 2013). The child was a girl born to an Icelandic mother living abroad and an unknown father, putting this case in a separate category, which is difficult to generalize.

#### 6.4.4.2 Men Demand That Surrogacy Be Both Legal and Ethical

Despite the obstacles facing them in becoming parents, none of the men interviewed seemed willing to resort to surrogacy in the existing legal situation. Their position here concerned not only the law, but above all ethics. Most of the respondents saw the recent laws as a form of support for parenthood, but not a prerequisite for the decision to become a parent, whereas with respect to surrogacy, opinions diverged. For the respondents, a law was needed to ensure that the practice would not be abusive for the surrogate mother.

Egill ruled out this possibility completely: *'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.'* IS11 Egill. Sveinn was not as categorical, but remained cautious: *'I think that surrogacy should be all right where it is ethically OK. Where you are not abusing people.'* IS08 Sveinn.

Stefan spoke very frankly of surrogacy in India, which he associated to poverty and the exploitation of women, a topic that is discussed internationally (Rozée Gomez and Unisa 2014). *'I couldn't take part in systemic injustices tied to surrogacy. I can argue about it or participate in discussions about it but to go and find an Indian woman and destroy her life or something. No, that wouldn't happen.'* IS14 Stefan.

Similarly, Hrafnkell (IS23), who is seeking a way to have a child, thought that more work should be done to create a law regulating altruistic surrogacy, but who said he *'wouldn't want to take that route'* because he did not wish to take advantage

of a woman in a situation he did not properly understand, referring to surrogacy in India.

Respondents thus emphasized ethical questions, despite the fact that this form of parenthood is legal, and thus regulated, including for non-citizens, in a number of nearby countries – either on an altruistic basis (in Great Britain for example) or a commercial one (United States of America) – and that it is very common among American and European gays (Berkowitz 2013). In Iceland the debate is highly charged: it confronts, on the one hand, a situation where men with a strong desire to be parents are not able to do so with, on the other, a highly feminist society oriented toward social progress but also toward taking great care with the use of the female body. *'There have to be really strict laws and supervision and... so um, it's at least something you can't rush into.'* IS24 Vigdís.

At the time of the survey, the Parliament had plans to discuss a framework for altruistic surrogacy, but this parliamentary process was then indefinitely adjourned.

## 6.5 Normalization, Integration, or Assimilation?

*'I'm not sure it has anything to do with being a lesbian, or just being an Icelandic woman, I think it has more to do with that. That, we, in Iceland, we are so consumed with having children. And we are very consumed about having a man and having children. Or being in a relationship and having children.'* IS18 Sóley

Progressively, legal struggles to gain acceptance for homosexuality have led homosexuals into a tendency to conform to heterosexual social norms, and in particular those around the family. This is an international trend which originated in the process to obtain equal rights, notably the right to have a family. Contrary to marriage equality, which the respondents described more as a symbolic right than as a need, they described rights around parenthood as vital to their lives. Contrary to what might have been expected, few expressed an aspiration to keep their distances from these norms. The principal exceptions were the oldest individuals in the sample and those in the most marginal position with respect to the dominant trends. One example is Áþena, who, possibly due to a disability that meant she was not in the easiest situation to assume the characteristics of a “normal” population, expressed a somewhat skeptical position:

*'We have to stop forcing homosexual individuals into this heterosexual norm. You know, it is ok to be homosexual because you have a wife and a child and everything is normal. When I came out that was the focus at the National Queer Organization. We are normal people and something like that. It poses a bit of a problem. We can be homosexual as long as we are normal.'* IS06 Áþena

Áþena also subversively transformed the desire to be a mother, which others see as a normalization, by provocatively emphasizing the role of her disability in any future parenthood. Nonetheless, the responses seem to show that the most reflexive of the respondents, from Áþena to Ólöf, experienced their own desire for motherhood as a confession.

Kolbrún thought that the attention to laws around marriage and parenthood had diverted the queer movement not only from an ideal of equality for all – including for those who do not wish to marry and have children – but also from struggles toward true integration, rather than normalization. Moreover, more or less in direct opposition to the first LGBT demands, the emphasis on parenthood and the right to have a family has led to pressure to fulfill this goal. In a familialist society, it seems that this choice was not contested, but according to Kolbrún, it marginalized those who do not identify with these aspirations, and who feel they have been robbed of a culture that was once their own.

“[This politics was thought up] by some spin doctors, some women from the Social Democratic Alliance [*Samfylkingin*] 15 years ago and this is politics that was thought up by straight people. Beautiful thought, no evil motives... But what it does is that it marginalizes all the others within the queer community. And it was not until recently that people have started to... like Samtökin 78 to take up the trans issue, which I think is great. But to take this minority which some are thinking about and making it into the central issue. I sometimes feel stupid, because I do not have a child yet. I sometimes see the Facebook discussions of those women that I was hanging out with 15 or 20 years ago and it is just like the sewing circle in [name of a city]. And I think to myself, we have lost something. Is this what we wanted in the first place? I am not saying... I know a lot of cool mommies, but there is something, we have lost something for a higher reward. It is time that we start to look inwards and stop caring about what other people think.’ IS27 Kolbrún

Researchers have recently begun to study the increasing numbers of women in European societies who voluntarily do not have children (Beaujouan et al. 2017). In this context it seems paradoxical that some women experience the greater freedom that should result from the law in Iceland instead as a form of pressure, and even an obligation, to conform to the current norm. Studies on women choosing not to have children have revealed a certain subversiveness on their part, a desire to emancipate themselves from the reproductive function urged on them by the state, turning instead toward greater individual fulfilment and even economic comfort. Icelandic lesbians, however, seem to be moving in the opposite direction. This desire for parenthood, articulated by both male and female respondents, may be an effect of the law that will subside with time, decreasing as it has among heterosexual women. And indeed, the most recent trends<sup>3</sup> show a decline in birth rates and progressively increasing age at first birth, which remains low among Icelandic women in comparison to the rest of Europe (Garðarsdóttir 2008), possibly indicating that this traditionally familialist society has taken a new turn.

It is also possible that this period of transformation, with the particularly favourable climate that surrounds the birth of a child, has seduced younger cohorts who (may still?) have found coming out to be difficult, by suppressing the idea of difference between heterosexual and homosexual parenthood in social mechanisms and collective awareness. The rejection of homosexuality and difference often results from a fear of the unknown, which is lessened in a small society with strong family ties (Digoix 2013a). Supportive legislation is important for multiple reasons. New

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<sup>3</sup><https://www.icelandreview.com/society/in-focus-dropping-fertility/>, 2019 based on Hagstofa Íslands, 2019

family laws have conferred on homosexuality a certain visibility as a sexual behaviour like another, and enabled the establishment of models. They favour the acceptance of homosexuality, facilitating the process of coming out: parents find they can see the future of their children as “normal”, insofar as Icelandic society revolves around the very strong spirit of the family line. Parents expect their children to have children, and homosexuals’ parents too. Over time, lesbians had come to take it for granted that having children would be difficult or even impossible. But a period of legal change has made it possible for homosexuals to reinvest in this familialist society. Homosexuals, both women and men, have desires for children just as heterosexuals do, whether or not they are clearly expressed or fulfilled. These desires are sometimes vague, and not clearly stated as a personal or social desire. The oldest respondents, who had experienced circumstances where there was less opportunity to conform to the norm, were more conscious of this than the others. However, this ideal of parenthood can be frustrated by nature, given the difficulty of having a child, sometimes for women, but mainly for men. It remains to be seen how male parenthood will be constructed in the coming years. Many questions revolve around surrogacy: For most of the respondents, surrogacy can only be acceptable if it is legally regulated. Some raised the possibility of family surrogacy (with a child borne by a sister, for example) as a possibility, a compassionate gift. Discussion of the law has been delayed, while international circuits have changed and developed in more ethical directions.

Contrary to the totally assimilationist interpretation of Icelandic LGBT desires for parenthood, the work of planning for parenthood reflects a reappropriation of gay and lesbian specificity. This work is all more original in the case of lesbians, with the possibilities opened up by ART, and notably IVF techniques, including the double donation of gametes. It is also present, mostly (still) through extra-legal arrangements, in coparenting scenarios involving multiple possible combinations of components, in terms of parents and also of reproductive techniques. In this context, parenthood can involve the construction of pairs, sets of three, or double pairs; bring together heterosexuals and homosexuals, or homosexuals alone; people who are in an intimate relationship or are not; who live together or apart; with partners involved or not. Here, heterosexuals and homosexuals complement one another, tracing the outlines of a new egalitarian society.

Notwithstanding the notion that this attraction to parenthood may be transitory, the interviewed residents of Iceland, whether Icelandic or not, female or male, do not seem to have felt held back in their desire for children, contrary to what has been found in empirical studies on desires for children in other countries (Gato et al. 2017). In Iceland, the negative characteristics which hold back gays and lesbians elsewhere are either absent or not sufficiently strong. Their personal motivations often reproduce the heterosexual model, the analogy on which Icelandic homosexuals drew in demanding full equal rights. Their experiences at workplace remain positive, legal and social determinants are not barriers, and they are able to count on the support of friends and family, as well as social structures surrounding parents, notably schools (Digoix et al. 2018). Here, parenthood – not only the actuality of being a parent, but even the desire to become one – overrides, or at the very least

surpasses, personal specificity. For society, individuals are parents first, before they are lesbian or gay. This process may be seen as assimilation or as integration, but it has the advantage of making coming out – which remains difficult, even if the difficulty of the experience is decreasing with time – less destabilizing. It will be interesting to observe developments over the next decade in order to discover further improvements in the quality of life of homosexuals.

## Profiles of the Interviewees

For reasons of anonymity, the names of the respondents have been changed. Place of residence is mentioned only where it was not Reykjavík and its suburbs.

**IS01 Kjartan**, 33, childless and in a non-registered cohabiting relationship, grew up outside the capital region. He and his partner had already discussed how they planned to have a child. Their preferred option was coparenting: they were very aware of the difficulty of adopting and mistrustful of surrogacy, particularly if it was not legalized. He was counting on the law to help him to become a father.

**IS02 Ólöf**, 50, childless, in a registered cohabiting relationship. Her position on lesbian parenthood was ambiguous: on the one hand, she defended it in the name of equal rights, while on the other hand, she described it as the decline of queer culture. She would have liked to have had a child at some point in her life, but her partner did not want children. She did not want to embark on becoming a parent alone, as she was from a generation where '*it was complicated, but doable.*' She liked the idea of coparenting, and thought of it as a way to help men.

**IS03 Katla**, 40, single and childless. She did not have a partner and thought that this had 'restricted' her personally in considering having a child, whereas this was not a problem for heterosexual single mothers or fathers. She liked the idea of adoption, of helping a child, but knew that it is rare in Iceland.

**IS04 Þórdís**, 51, childless, was divorced from a sham marriage with a gay man used to stay in the country where she previously lived with her partner. At the time of the survey she lived with her partner and was raising her partner's child. Although the partnership was not registered, she had parental authority. Her feelings were slightly mixed, between pleasure at the legal advances in favour of homosexuals and the conformism into which the gay community had fallen in its desires for children.

**IS05 Lilja**, 27, in a registered cohabiting relationship. She and her partner had begun the process of medically assisted reproduction. She had a strong desire for a child and '*would have had a child, even if it weren't possible in Iceland.*' She had used a forum to learn about ART methods and share information and experiences. She found Art Medica impersonal, but was satisfied with how she and her partner had been treated. If ART did not work she hoped to adopt, although she knew it was difficult. She did not wish to involve a third party.

**IS06 Ápëna**, 23, single and childless. Ápëna was a student and an activist. She enjoyed being provocative. She felt doubly stigmatized, as a queer woman and as

disabled. Her thoughts revolved largely around her disability, how she could manage it in society and its role in her future plans. She wished to have children, with or without a partner.

**IS07 Bjarki**, 38, single, coparent of a child with Sóley (IS18). He liked the idea of raising his child with the mother, a very good friend. He is from outside the capital region. Coming out had been difficult for him. He thought that there were too many ethical problems with surrogacy.

**IS08 Sveinn**, 41, married, coparent of two children with a heterosexual single woman. They conceived the children on their own, at home. He had divorced from a man and remarried. His husband had no rights with respect to the children. Sveinn, his husband and the children's mother shared the task of rearing the children, planning everything together. Their life revolved around the children.

**IS09 Auður**, 29, in a cohabiting relationship. She had had a child via ART with a known donor, because she and her partner wanted the child to have the option of learning about the donor. She wanted to get married for the sake of material security. All of her friends were heterosexual, and she felt very well integrated in society.

**IS10 Sigrún**, 33, married, two children via ART. She married for material security. Her parents and those of her partner were relieved to have grandchildren.

**IS11 Egill**, 28, single and childless. Egill had never been in a stable relationship. In his view, marriage and registered cohabitation are the same thing, and it is important to be in one of the two before having a child. He said that it was not easy for men to become parents, and that the law had changed little in this regard. He wanted the state to establish contracts with countries that allow homosexuals to adopt.

**IS12 Erla**, 29, in a registered cohabiting relationship. At the time of the survey, she was expecting a child borne by her partner. They chose ART through Art Medica. The legislation on this was very important for her, as it made the situation with respect to the child and her partner clear: with Art Medica, they had signed a contract, and they were mothers of the child from the beginning of the procedure. Genetics was not important to her, and she did not wish to resort to double donation of egg and sperm.

**IS13 Anton**, 50, born abroad, divorced from a woman, with two children from different heterosexual relationships, and a grandfather. Living outside the capital region. He had had difficulty owning up to his homosexuality and coming out. He had worked in occupations where homosexuality is stigmatized. His children had reacted well to his recent coming out. He considered himself a gay man but a 'straight parent', as until then he had presented himself as a heterosexual to his children.

**IS14 Stefan**, 49, divorced from a man and a woman, grandfather. He had two children from a heterosexual relationship when he was quite young, and had played the role of father for two others. When he came out to himself, he sank into alcoholism. He saw marriage as good for the recognition of homosexuals, but remained attached to heteronormative reality. He was formally opposed to surrogacy.

**IS15 Halldór**, 23, single and childless. His dream since his earliest youth was to marry and have children. He was very attached to the idea of family, structured by marriage. He said he would like to resort to surrogacy if it were legal, but in Iceland. He had female friends who had volunteered to bear the child.

**IS16 Andri**, 34, married and childless. The couple had married without a precise plan for having children, but with a desire to do so and the idea that a couple had to be married for 5 years to adopt. He saw adoption as the solution he would choose in order to ‘save’ a child, but he knew that this was difficult because few countries allow gay couples to adopt. He thought that relations with the mother in a coparenting situation would be complicated if she were a friend. He thought that men should fight for access to parenthood.

**IS17 Haukur**, 28, childless. He is from a little village and lived outside the capital. He did not live with his partner, and although they were preparing to marry, he wanted to do ‘something else’ other than the heterosexual norm. Speaking of the social pressure of having a wife and children, he said that being gay had, in a way, kept him at a distance from that pressure. He thought that the law was not sufficient, as it allowed homosexuals to have children, but doing so was nearly impossible for men. He spoke of adoption. He also said he would like to give his sperm to a female couple and be a father, for his personal fulfilment and to help out, without necessarily coparenting as defined by rules for joint custody.

**IS18 Sóley**, 41, had a child with Bjarki (IS07). She grew up outside the Reykjavík area. She did not live with her partner. She did not have a very clear-cut position concerning her legal situation, was not thinking of marriage, and did not have a contract with Bjarki, although he was her child’s legal father and they had shared custody. She did not feel she had faced prejudice against her coparenting situation, but said they had been criticized for not enshrining it in a legal agreement.

**IS19 Ásgeir**, 22, single, childless, living outside the capital region. Spoke of a desire for a child during the interview. A child with his own DNA. He related marriage to family, but for him, having a partner was not necessary. He wanted to have a good relationship with the child’s mother. If surrogacy were legal, he would want to choose it.

**IS20 Ingibjörg**, 27, in a non-cohabiting relationship, childless. Said she would marry only to have access to the associated rights. She wanted to have children and thought she would have succeeded even without changes in the law. She was thinking of ART because adopting is a very long and complicated process, and she wanted to have the child within the legal system, without a father.

**IS21 Elín**, 27, engaged. She was preparing for marriage because she had had problems conceiving a child, although doing so was a priority. She had chosen to have a child by means of IVF with double donation of sperm and her partner’s egg, so that both would be biologically connected to the child. She found Art Medica very competent.

**IS22 Carl**, 45, divorced from a woman. He is not Icelandic but had been living in the country for more than 10 years. He had married a woman in his country of origin because he wanted a child, but had divorced very soon afterward. He was still reluctant to speak about his homosexuality to those around him. His family

was not very accepting of his homosexuality, but his parents wanted a grandchild. He had a very marked desire to be a father. He wanted to have and raise a child.

**IS23 Hrafnkell**, 37, married for nearly 10 years, childless but planned to have a child in the very near future. He preferred coparenting as there were examples around him where it worked very well. He complained of the difficulty of finding a reliable network for establishing a coparenting situation. He supported altruistic surrogacy.

**IS24 Vigdís**, 51, single, two children from a heterosexual union, grandmother. She came out at age 35. Had chosen to revive a group for children and parents to better manage her parental situation. She had not wanted children in her heterosexual relationship: the first happened by chance, the second to accompany the first.

**IS25 Ísak**, 27, single, childless. Ísak lived outside the capital region. He said that legal mechanisms such as marriage facilitate the decision to have children, although this was more turned toward women than men for the time being. He saw surrogacy as acceptable only if it took place under ethical conditions. He had thought a little about coparenting, and had followed the debates on surrogacy, but did yet not feel ready.

**IS26 Sunna**, 41, divorced from a woman, had a child with that woman and a step-daughter. Her son was born within that relationship. Formalizing her union in a confirmed partnership was not important for her, but at the time when her son was born, having a wife was a condition for access to ART.

**IS27 Kolbrún**, 41, divorced from a woman, in a registered cohabiting relationship, living outside the capital region. She did not have children but was trying to do so using ART. She explained that this is difficult outside the capital region because the only clinic, Art Medica, is in Reykjavík. She chose an anonymous donor because she was thinking of the non biological mother. She felt under pressure to have children, and thought this was a shame.

**IS28 Hjörtur**, 27, in a relationship, living in outside the capital region. Before coming out to himself, he saw himself having children and sometimes a wife. He was planning to have a child, and before registering with his partner, he was planning to make an appointment with the adoption agency to see if his chances of adopting as single would be better. Thought it was a shame that Iceland was so lacking in links to countries that allow adoption by homosexual couples. He was against surrogacy, above all in commercial form.

**IS29 Águst**, 32, divorced from a man before his transition. Had three children in heterosexual relationships before coming out and then thinking of transitioning. Waited to be certain he would be able to keep his children before beginning the transition. Wanted another child. Thought that surrogacy could be a beautiful gesture if it were undertaken altruistically and ethically, but would not use this method. Preferred ART with a sperm donor.

**IS30 Hlynur**, 53, divorced from a woman and widower of a man. Two children from his heterosexual relationship. His wife had reacted very badly to his coming out, and refused to allow him to be with his youngest son for some time. The divorce was very difficult because of his homosexuality. He was hoping to have grandchildren.

## References

### *Icelandic Laws*

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*Barnaverndarlög nr. 80/2002*  
*Hegningarlög nr. 19/1940*  
*Hjúskaparlög nr. 31/1993*  
*Lög nr. 21/1990 um Lögheimili*  
*Lög nr. 40/1992 um breyting á almennum hegningarlögum nr. 19/1940*  
*Lög nr. 55/1996 um tæknifrjóvgun og notkun kynfrumna og fósturvísa manna til stofnfrumurannsókna*  
*Lög nr. 87/1996 um staðfesta samvist (abrogated in 2010)*  
*Lög nr. 65/2006 um breytingu á lagaákvæðum er varða réttarstöðu samkynhneigðra (sambúð, ættleiðingar, tæknifrjóvgun)*  
*Lög nr. 130/1999 um ættleiðingar*  
*Lög nr. 65/2010 um breytingar á hjúskaparlögum og fleiri lögum og um brottafall laga um staðfesta samvist (ein hjúskaparlög)*  
*Æskulýðslög nr. 70/2007*

### *Danish Law*

- Lov om registreret partnerskab af 7. juni 1989*

### *Nordic Council Recommendation*

- Nordiska rådets rekommendation om homosexuellas sociala situation i samhället nr.17/1984/j*

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