

Rainbow Families and Policy Responses in Germany

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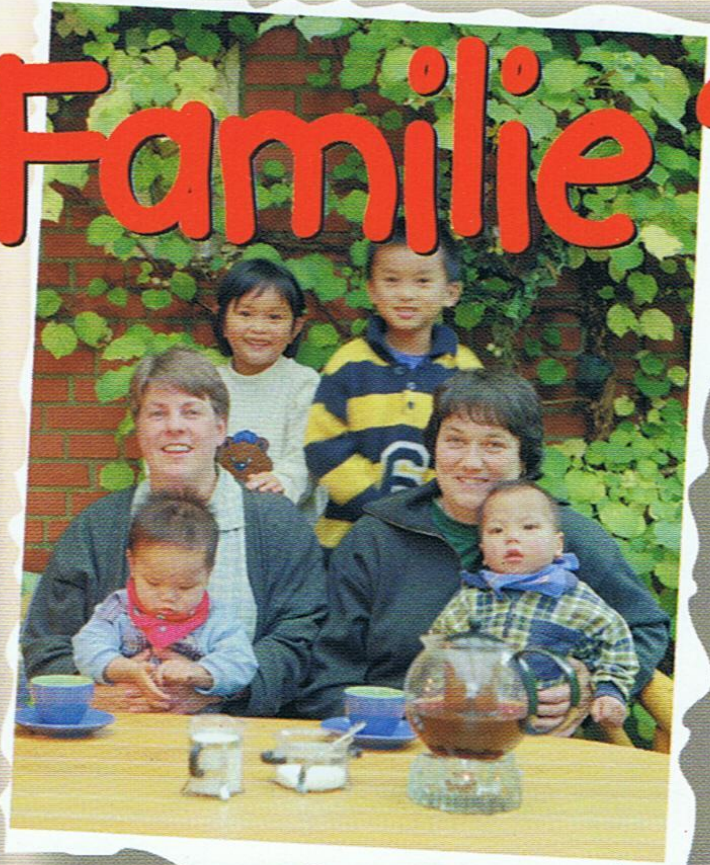
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Wer ist Familie?



Angela Merkel mit Ehemann.
In zweiter Ehe verheiratet,
keine Kinder.



Andrea Kasten und Sylvia Guhl.
Seit 20 Jahren ein Paar,
vier Kinder.

... Liebe verdient Respekt!

The State as Heteronormative

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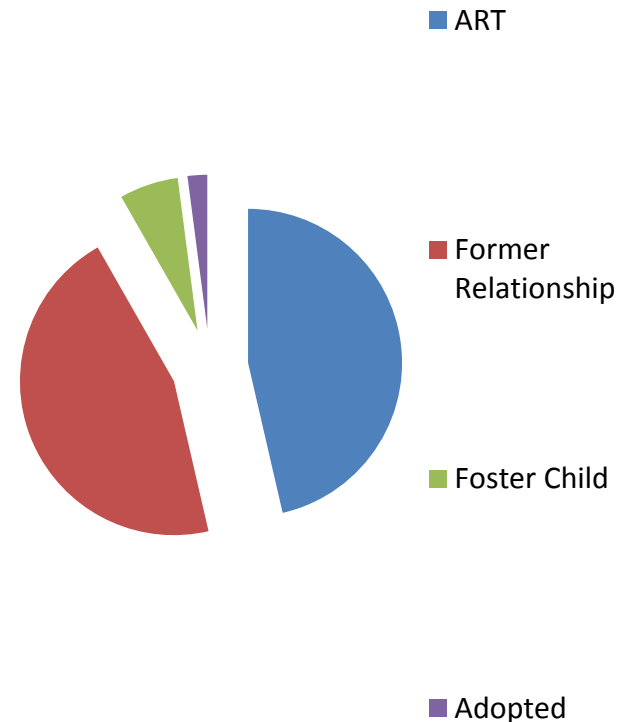


- Laws and policies, especially surrounding family formation, assume (traditional) heterosexual life course
- Marriage → Sex → Procreation → Family (care relationships)
 - Example: Old age care. Assumption: Children / family will provide care in old age
 - Example: Care of children. Assumption: children have two (biological) parents as distinct from “social” parents

Rainbow Families in Germany

(Data from 2006 Microcensus)

- 1 in every 13 same-sex led households has children (ca. 5000 families, 6600 children)
- 92% of these are female-female headed households with lower levels of income/wealth than heterosexual households



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Rainbow Family Policy Preferences



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- Majority feel their family is disadvantaged legally and financially
 - 97% want more rights for social parents
 - 87% want improved financial security/welfare benefits
 - 39% concerned with inheritance rights; 10% with civil servants' pay
- Lesbenring calls for “elimination of all marriage privileges[in favor of] alternative forms of living together that are appropriately supported”

Have these concerns been taken up by

Women's Organization?



LGBT Organization?



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2004 Resolution
calling for right of
LGBT citizens to
adopt

Decade long
struggle to achieve
2001 Life
Partnership Law

German Life Partnerships ≠ Marriage Equality

Family Rights

- No right to adopt
- No right to access ART
- When people are not related, they are not eligible for benefits

Property Rights

- Can inherit less tax free
- Not eligible for the same tax breaks
- Public employees did not get spousal benefits/pay

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EVENTS 2001-2013

- 2002: Supreme Court confirms law is constitutional
- 2005: Revised SPD/ Green law allows partner's biological child to be adopted; changes pension rules
- 2005 – 7: LSVD campaigns for tax equality; files court cases
- 2008: ECJ ruling on employment benefits → changes to civil servants' spousal benefits
- 2009: Constitutional court ruling on marriage equality; inheritance tax law reform
- 2012: Changes to laws on “successive adoption” and taxes



PORTRAYAL OF LESBIAN INTERESTS BY THE LSVD's 2010 10-POINT PROGRAM

1. “We want to accomplish the equating of marriage and life partnerships. ... our goal is, however, the opening of marriage.”
4. Achieving the right to start a family and protecting the economic and social rights of rainbow families

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PORTRAYAL OF INTERESTS BY PARTIES 2013 Election Ratings by LSVD:

	 CDU/CSU	 SPD	 FDP Die Liberalen	 DIE LINKE.	 BÜNDNIS 90 DIE GRÜNEN
Eheöffnung					
Gleichstellung Regenbogenfamilien					
Adoption, Pflegschaft sowie Insemination					

Left Party and Green Party have done the most
to articulate rainbow family needs

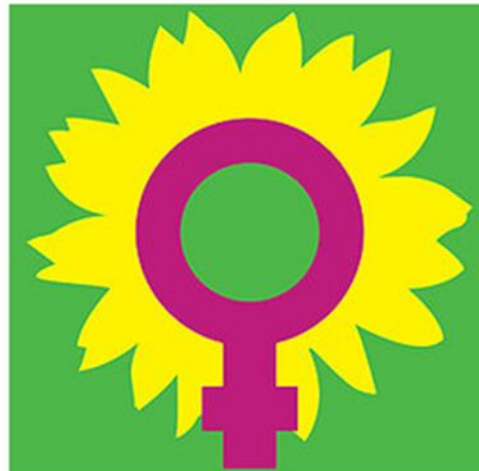
DIE LINKE.queer



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BAG LESBENPOLITIK



Logo der grünen Frauen





SUM

- More changes to property aspect of law than family aspects (life partners still have more responsibilities than benefits)
- Less movement & fewer public campaigns on adoption/ insemination
- No real public debate about marriage alternatives/ social parents
- The concerns of rainbow families remain

Thanks for listening!



GENDER AND GENERATIONS
March 28-29, 2014

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