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Giving the children of alternative families better legal protection is one of the objectives of the "Marriage for all" project.
Photo: Keystone



Alternative families are here to stay – now they want greater recognition

Alternative families are becoming more commonly accepted in Switzerland. Now they face an important milestone. On 26 September, voters will decide whether same-sex couples can marry.

EVELINE RUTZ

Alternative or "non-traditional" families live more openly in Switzerland than they did a decade or two ago. Same-sex couples are fulfilling their wish to have children. Members of the LGBTIQ community who used to live "conventionally" are coming out and reaffirming their relationships. The Reformed Church has given same-gender partnerships its blessing. Even some Catholic ministers are doing likewise in complete contradiction to the Vatican's position. "Society has changed a great deal," says Maria von Känel, managing director of the umbrella organisation representing alternative families in Switzerland, and co-chair of the "Marriage for all" committee. Increased acceptance means that alternative families have become more mainstream, she adds. Even conservative circles have sat up and taken notice.

Switzerland has, to date, been fairly slow in giving legal recognition to diverse lifestyles. It introduced registered partnerships in 2007 and stepchild adoption in 2018. Now the Federal Council and parliament want to go one step further with the "Marriage for all" proposal, under which

same-sex couples would be able to get married and have the same rights as married heterosexual couples when it comes to areas such as naturalisation, inheritance, pension provision, and hospital visits. In future, they would also be able to identify themselves as "married" on official forms.

Furthermore, married female couples in Switzerland would have the chance to receive sperm donations. Their children would have the same rights from birth as the children of heterosexual married couples. "Families with two mothers are here to stay. They are a part of our society and should have the same rights as everyone else," says GLP National Councillor Kathrin Bertschy, who began calling for a change in the law back in 2013. For Bertschy, the issue at stake in the 26 September referendum feels behind the times. Indeed, 28 other countries have already extended marriage to same-sex couples – starting with the Netherlands in 2001.

Tortuous path through parliament

In Switzerland, the ball began rolling over 20 years ago.

However, it was not until 2020 that the National Council and the Council of States declared their support for the “Marriage for all” initiative. The new make-up of parliament is a factor that led to this “milestone” and “incredible leap forward”, as jubilant supporters described it – the liberal part of the political spectrum having made substantial gains in the 2019 elections.

Switzerland has difficulty digesting social reforms, says Bertschy. “The advantage of our democracy is that it stops us from making overhasty decisions. On the flip side, it is slow to produce legislation quickly enough to reflect social change.”

Parliament’s decision goes too far, according to conservative groups, which have collected more than 60,000 signatures to give the electorate the last word. Their arguments are partly religious. Marriage is reserved solely for heterosexual couples in the Bible, they say. It is a symbiosis of man and woman for the purpose of having children. What opponents dislike most about the initiative is that it paves the way for married female couples to receive sperm donations. The children of these couples will be deliberately deprived of a father, and their well-being will suffer as a result, they lament. Critics also fear that it will lead to lobbying for other things like egg donations and surrogacy. “It simply goes way too far,” says the EVP party chair Marianne Streiff.

No, it does not, and no, this certainly is not the thin end of the wedge, insists the “Marriage for all” committee. No, the aim is for equality – to which every person is entitled under the constitution, regardless of how they lead their lives. Supporters point out that children can find out the sperm donor’s identity as soon as they turn 18. The proposal makes no mention of egg donations or surrogacy, both of which remain illegal in Switzerland.

“An ideal that is past its sell-by date”

Alternative families are part and parcel of today’s world, says Yv E. Nay of the Zurich University of Applied Sciences. All studies have shown that a child’s well-being does not depend on the sexual preference of its parents but on the quality of the relationship and the family environment. Nay finds that political discussions about the rights of LGBTIQI parents are based on traditional, preconceived notions that have little to do with real life as far as alternative families are concerned. “People are still hanging on to an ideal that is actually past its sell-by date and, in truth, only existed for a very short time, if at all.”

The “Marriage for all” proposal would confer parental rights from birth to lesbian couples starting a family. At



When it comes to the notion of family, Yv E. Nay says that people are “hanging on to an ideal that is actually past its sell-by date”.

Photo: Keystone



Kathrin Bertschy: “Families with two mothers are here to stay. They are a part of our society.”

Photo: Keystone



Maria von Känel: “Society has changed a great deal. The majority of people in Switzerland want to see equality.”

Photo: Keystone



Marianne Streiff fears that the new legislation will lead to lobbying for things like egg donations and surrogacy: “It simply goes way too far.”

Photo: Keystone

The “99 per cent initiative”

Voters on 26 September will also answer the following question, posed by the Young Socialists in their “99 per cent initiative”: should tax on capital income increase? The electorate must decide whether tax on capital income such as interest, rental income, and dividends should be one and a half times higher than regular income tax, albeit with a tax-exempt annual personal allowance (100,000 Swiss francs, say the authors of the initiative) applying to this arrangement. The extra revenue would be used to ease the tax burden on low-income earners, although social welfare in areas such as education and healthcare would also benefit. (ERU)

present, only the biological mother is legally recognised as a parent. Her female partner can apply for stepchild adoption, but the adoption process can only begin one year after the child’s birth at the earliest and will often take several years to complete. “The child has insufficient legal protection during this time,” says von Känel. The new legislation would correct this inequality and save all concerned a great deal of anguish. It would grant same-sex couples many other fundamental rights that a registered partnership is unable to cover. “This is why ‘Marriage for all’ is an absolute necessity.”

Greater acceptance

The odds of “Marriage for all” getting an emphatic yes at the polls are looking good. According to a government study published in 2019, society has become more accepting of alternative families, with 58 per cent of women and 43 per cent of men saying that a child can also grow up happily in a same-sex family. More than half of respondents (65 per cent of women and 53 per cent of men) think that same-sex couples should have the same rights as heterosexual couples. A survey conducted by the gfs.bern research institute on behalf of Pink Cross, Switzerland’s national umbrella organisation of gay and bisexual men, also reveals widespread acceptance. Asked whether they were in favour of “Marriage for all”, 63 per cent of respondents answered with “yes” and 18 per cent with “generally yes”. “The majority of people in Switzerland want to see equality,” von Känel concludes.

LGBTQI, which appears in this article, is the abbreviation for lesbian, gay, bisexual, transgender, queer and intersex people.