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ÖAW



Is legislation of medically assisted reproduction related to reproductive norms in Europe?

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Background: legal access to MAR

- Since the 1980s, assisted reproductive technologies and their regulation in Europe have significantly changed.
- Current social and political controversies about:
 - the techniques
 - **who can access treatments**
 - public coverage for treatments
- European legislation has progressively moved away from the dominant norm (i.e., restriction to different-sex married couples)
- Rules based on sexual orientation and partnership status vary across time and place [Präg and Mills, 2015, Calhaz-Jorge et al., 2020].



Background: changes in public opinion

- MAR participates in the diversification of family forms (**sperm donation for single and lesbian women** / surrogacy for single and gay men).
- Greater acceptance of assisted reproductive technologies and 'new' family forms, single > same-sex parents [Cheng et al., 2022],
- but not for the same reasons [Quadlin et al., 2022].



Background: public opinion & laws

- Public opinion > Policies and evidence of policy feedback effects (e.g., [Aksoy et al., 2020])
- Single women generally associated with a lack of economic resources but single mothers through MAR is a different population [Volgsten and Schmidt, 2021]
- Link between public opinion and laws explored for same-sex marriage (e.g., [Aksoy et al., 2020, Takács and Szalma, 2011]), but rarely regarding reproduction [Takács et al., 2016].



Research questions

- 1 **When and to what extent have European countries adopted more permissive legislation regarding which women can access sperm donation?**
- 2 **What is the relationship between MAR legislation and public opinion regarding 'new' family forms?**



Data I: MAR legislation for 36 European countries

Sources:

- Rainbow Europe (<https://rainbow-europe.org/>)
- International Reproduction Policy Database (<https://irpd.wzb.eu/data/>)
- Country-specific sources



Data I: MAR legislation for 36 European countries

country	first IVF baby	first specific MAR legislation	single women	same-sex female couples	sources
Albania		2002	Not allowed	Not allowed	[1]
Armenia	2004	2002	2004	Not allowed	[2]
Austria	1982	1992	Not allowed	2015	[3]
Belgium	1983	1999	1999	2007	[4], [5]
Bosnia-Herzegovina			Not allowed	Not allowed	[6]
Bulgaria		2003	2004	Not allowed	[7], [8]
Croatia	1983	2009	2012	Not allowed	[9], [10]
Czechia	1982	2006	Not allowed	Not allowed	[11]
Denmark	1983	1997	2006	2006	[12], [13]
Estonia	1995	1997	1997	Not allowed	[8], [14], [15]
Finland	1984	2007	2007	2007	[12], [16]
France	1982	1994	2021	2021	[17]
Germany	1982	1990	2018	2018	[18], [19]
Greece		2002	2002	Not allowed	[20], [21]
Hungary	1989	1997	2005	Not allowed	[22]
Iceland		1996	2010	2006	[12], [23]
Ireland	1987	No specific law	No specific law	No specific law	[10], [24]–[26]
Italy	1994	2004	Not allowed	Not allowed	[27]
Latvia		2002	2002	Not allowed	[8], [28], [29]
Lithuania	1998	1999	Not allowed	Not allowed	[30], [31]
Malta	1991	2012	2018	2018	[32]
Netherlands	1983	2002	2002	2002	[33]
Norway	1984	1987	2020	2008	[12], [34]
Poland	1987	2015	Not allowed	Not allowed	[35]
Portugal	1985	2006	2016	2016	[36], [37]
Romania	1996	No specific law	No specific law	No specific law	[10]
Russia	1986	1993	2003	Not allowed	[38]
Serbia	1987	2009	2017	Not allowed	[39], [40]
Slovakia		1983	Not allowed	Not allowed	[41]
Slovenia	1984	2000	Not allowed	Not allowed	[42]
Spain	1984	1988	1988	1988	[43]
Sweden	1982	1985	2016	2005	[12]
Switzerland	1986	1998	Not allowed	2022	[44], [45]
Turkey	1989	1987	Not allowed	Not allowed	[46]
United Kingdom	1978	1990	2008	2008	[26]
Ukraine		No specific law	2013	Not allowed	[47]



Results I: The timing of MAR legislation in Europe

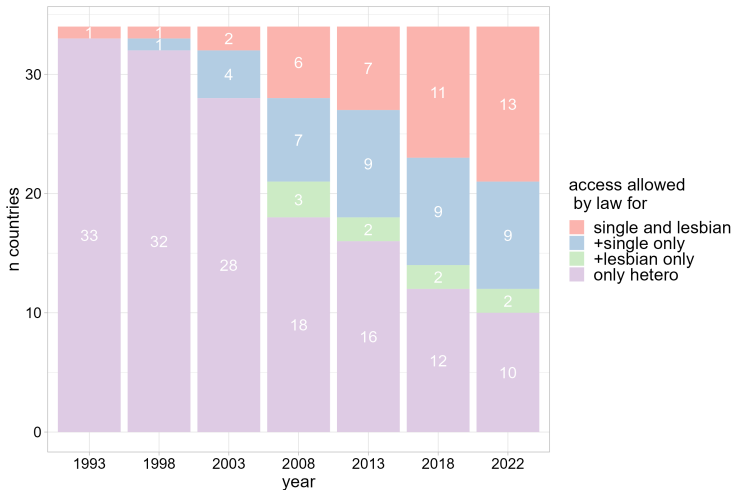


Figure: MAR legislation over time



Results I: The sequence of MAR legislation in Europe

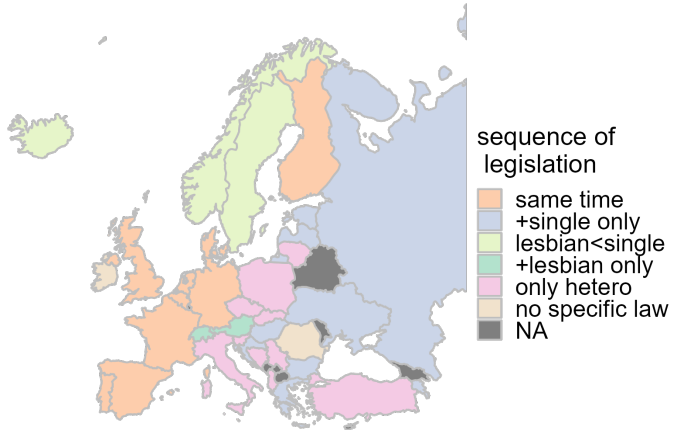


Figure: Sequence of shifts towards more permissive MAR legislation



Data II: attitudes

From waves of the *European Values Study* (cross-sectional):

1 **Approval of solo motherhood:**

- *If a woman wants to have a child as a single parent, but she does not want to have a stable relationship with a man* (approve/disapprove/depends)
- Waves 2 to 4 (1990, 1999, 2008)

2 **Justification of the use of medically assisted reproduction**

- *Whether you think it can always be justified, never be justified* (continuous scale from 1 to 10)
- Waves 4 (2008-10) and 5 (2017-20)

3 **Acceptance of same-sex parenthood/ing**

- *Homosexual couples should be able to adopt children / Homosexual couples are as good parents as other couples*, 5-point Likert scale
- Waves 4 (2008-10) and 5 (2017-20)



Method

- Public opinion = aggregate of individual attitudes within one country
 - % of approval of solo motherhood
 - average acceptance of MAR use
 - average acceptance of same-sex parents

'weighted' by the share of acknowledgement of an opinion (1 - share of 'Don't know', between 0.03 and 0.16).

To assess the link with legislation assessed descriptively

- Multilevel mixed-effect models (controls: sex, age, education, marital status and employment, religiosity, perception of assisted reproduction, political views).



Results II.1: Legislation and public opinion towards single women

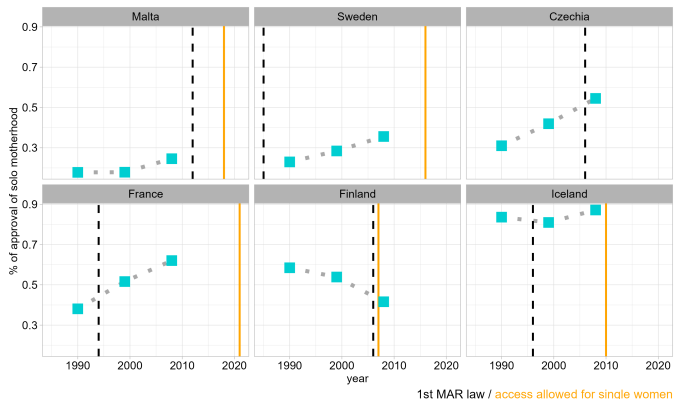


Figure: Approval of solo motherhood over time in selected countries and timing of legislation



Results II.2: Legislation and public opinion towards same-sex (female) couples

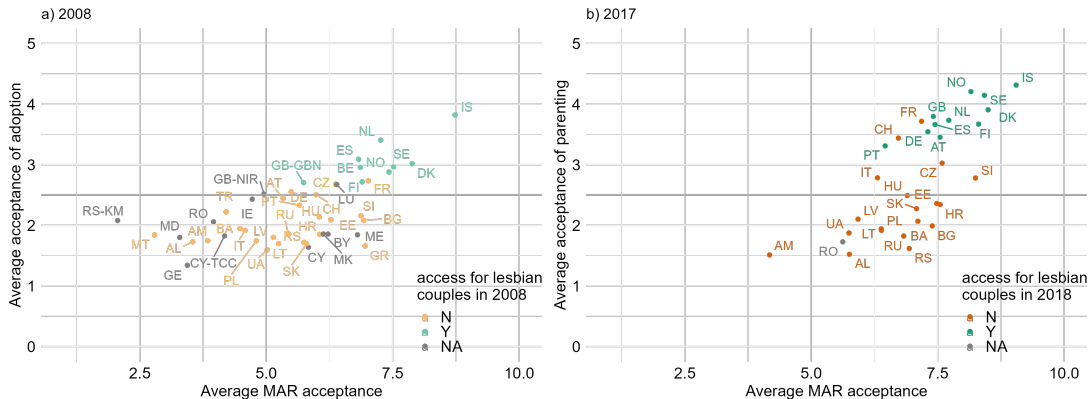


Figure: Acceptance of same-sex parents, assisted reproduction and legislation



Results II.2: Legislation and attitudes towards same-sex (female) couples

Table: Estimated relationship between attitudes towards same-sex parents in 2017-20 and legislation in 2018

Access extended to:	Estimates
both single women and lesbian couples (<i>ref</i>)	
no specific law	-0.612
only heterosexual couples	-0.641*
+only lesbian couples	0.056
+only single women	-0.880**

** $p < .01$. Multilevel regressions controlling for sex, age, education, marital status, employment, religiosity, perception of assisted reproduction, political views. $N=32,891$, 28 countries.



Conclusion

- Differences in perceptions of same-sex parents explains a regional divide in Europe
- The legislation of MAR access for single women seems more disconnected from public opinion than for same-sex parents
- then, what can explain differences in the timing of MAR legislation regarding access for single women?



(c) Maddalena Carrai for RIVA Illustration



For further investigation

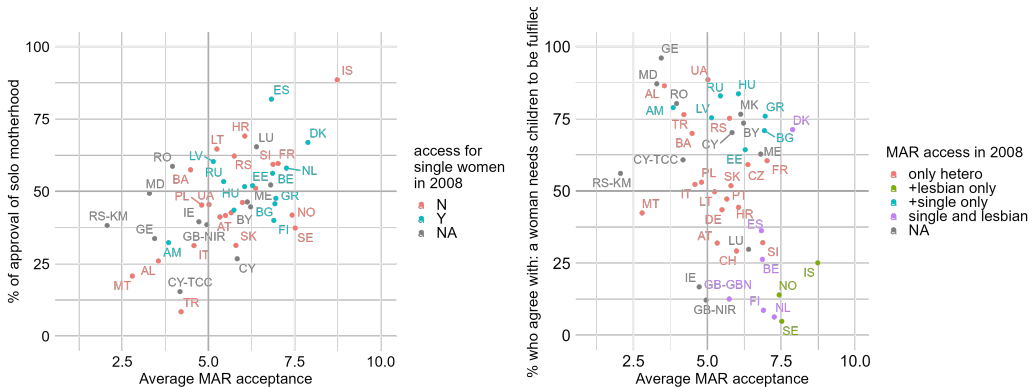


Figure: Approval of assisted reproduction, solo motherhood, motherhood as a fulfilment and MAR legislation in 2008-10



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