



DOSSIÊ: JUSTIÇA REPRODUTIVA: DESIGUALDADES, DISCRIMINAÇÕES E VIOLÊNCIAS

## Reproductive justice and inequalities: the cross-border journeys of Italian lesbian-parented families

*Justicia reproductiva y desigualdades: los recorridos transfronterizos de las familias lesboparentales italianas*

*Justiça reprodutiva e desigualdades: as trajetórias transfronteiriças das famílias lesboparentais italianas*

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**Abstract:** The article examines the practices implemented by Italian lesbian mother couples confronted with the ban on assisted reproductive technology (ART) in their country, a prohibition that compels them to undertake reproductive journeys abroad. Drawing on ethnographic research conducted between 2023 and 2024, the author analyzes the strategies—multiple and sometimes paradoxical—adopted by these couples to circumvent legal norms and obtain recognition of their parenthood. By resorting to practices such as the Ropa method or artificial insemination, these families challenge heteronormative and biogenetic frameworks of kinship, while at times reintegrating biological elements in order to strengthen their legitimacy. This study shows how these trajectories, situated at the intersection of legal, economic, and cultural constraints, progressively contribute to transforming kinship norms in Italy and interrogate the relationships between law, culture, and parenthood within the broader struggle for the recognition of lesbian families.

**Keywords:** Lesbian parenthood. Cross-border ART. Ethnography. Reproductive justice.

**Resumen:** El artículo examina las prácticas implementadas por parejas de madres lesbianas italianas que se enfrentan a la prohibición de la reproducción asistida médicamente (RAM) en su país, una prohibición que las obliga a emprender recorridos reproductivos en el extranjero. Basándose en una investigación etnográfica realizada entre 2023 y 2024, la autora analiza las estrategias —múltiples y a veces paradójicas— adoptadas por estas parejas para sortear las normas legales y obtener el reconocimiento de su parentalidad. Al recurrir a prácticas como el método Ropa o la inseminación artificial, estas familias desafían los marcos heteronormativos y biogenéticos de la filiación, al tiempo que en ocasiones reintegran elementos biológicos para fortalecer su legitimidad. Este estudio muestra cómo estas trayectorias, situadas en la intersección de restricciones legales, económicas y culturales, contribuyen progresivamente a transformar las normas de parentesco en Italia e interrogan las relaciones entre derecho, cultura y parentalidad en el marco más amplio de la lucha por el reconocimiento de las familias lesbianas.

**Palabras clave:** Lesboparentalidad. ART transfronteriza. Etnografía. Justicia reproductiva.

**Resumo:** O artigo analisa as estratégias adotadas por casais de mães lésbicas italianas que enfrentam a proibição da procriação medicamente assistida (PMA) em seu país, o que as obriga a empreender deslocamentos reprodutivos para o exterior. Com base em uma pesquisa etnográfica realizada entre 2023 e 2024, a autora examina as "táticas" múltiplas e, por vezes, paradoxais utilizadas por esses casais para contornar as normas legais e obter o reconhecimento de sua parentalidade. Ao recorrer a práticas como o método Ropa ou a inseminação artificial, essas famílias desafiam os marcos heteronormativos e biogenéticos da



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filiação, ao mesmo tempo em que, ocasionalmente, reintegram elementos biológicos para fortalecer sua legitimidade. Este estudo avalia como essas trajetórias reprodutivas, situadas na interseção de restrições legais, econômicas e culturais, contribuem progressivamente para a transformação das normas de parentesco na Itália, reexaminando as relações entre direito, cultura e parentalidade no âmbito mais amplo da luta pelo reconhecimento das famílias lésbicas.

**Palavras-chave:** Lesboparentalidade. ART transfronteiriça. Etnografia. Justiça reprodutiva.

## Introduction

In the national and international public sphere, the Italian government led by Giorgia Meloni is often perceived as promoting a strict heteronormative ideology, which has been particularly evident since January 2023 with the release of Minister Piantedosi's Circular No. 3. This circular, which called for adherence to the recent ruling of the Supreme Court in decision No. 38162 from December 2022 regarding surrogacy, mandated strict compliance with Law No. 40 (Italia 2004), which only permits Assisted Reproductive Technology (ART) for heterosexual couples.

However, although lesbian mothers are legally unable to access reproduction in Italy, many families consisting of two women and their children do indeed exist in the country. This phenomenon, far from being marginal, can primarily be explained by the transnational journeys undertaken by these couples to realize their desire for parenthood. These trips, departing from Italy, are driven less by a desire to escape and more by constraining factors. Indeed, the legal impossibility of accessing ART in their own country – where same-sex couples are sociologically considered infertile<sup>2</sup> – compels them to undertake what can be termed “reproductive exile” (Delaisi de Parseval 2001). This term, proposed by Zanini (2013), is preferred over “reproductive tourism” because it more accurately reflects the numerous legal and social obstacles these couples face in their quest for parenthood (Lomba 2024).

During my encounters with several of these couples, in an ethnographic fieldwork conducted between 2023 and 2024, I observed that all

of them traveled to a European country (Spain, Denmark and Belgium) to conceive, before returning to Italy to give birth. They then attempted to have the intentional mother's name, as listed on the foreign clinic documents where ART took place, recorded on the Italian birth certificate. Throughout this research, I focused particularly on these “intentional mothers”, women who establish the link of filiation not through a biogenetic connection (which they usually lack) but through their intentionality and participation in the parental project, alongside the gestational mother, who is referred to as the “biological mother”. In the absence of a legal link, these women are called “non-statutory mothers”, a term coined by Virginie Descoutures (2010) to highlight the double “disability” they suffer: being neither biological mothers nor legal mothers, despite considering themselves to be intentional mothers.

In this contribution, we will explore how these Italian lesbian couples manage to circumvent the restrictions imposed by Law No. 40 (2004), which excludes same-sex couples from accessing ART, and how they succeed in realizing their family project while redefining the norms of parenthood and filiation. More specifically, based on the cases of nine two-mother families presenting a “biparental structure” – where the conjugal couple coincides with the parental couple – and their children, all conceived through ART with anonymous donation abroad between 2009 and 2022, we focus on the reproductive trajectories they established and how these pathways lie at the heart of their quest for social, symbolic, and legal recognition of their parenthood (Gross 2002). Through an analysis of the “strategies” adopted by these lesbian-parented couples when engaging in cross-border reproduction, we aim to understand these reproductive journeys as spaces of experimentation, circumvention, and reinterpretation of traditional norms of kinship, enabling them to reinvent family ties and legitimize their own way of “making family” (De Certeau 1990).

<sup>2</sup> That is to say, they are considered sterile as a couple, but not individually (Delaisi de Parseval 2001).

## Ethnographing lesbian-parented families in Italy

### *Theoretical framework*

In order to address this complex topic through ethnography, I explored what I call the “plural spaces of lesbian-parented families in Italy”. Inspired by the concept of “plural spaces of kinship” developed by Sarcinelli, Duysens and Razy (2020), this approach provides a relevant analytical framework to capture the transformations and adjustments of family bonds in response to demographic, political, economic, cultural, and technological changes (Sarcinelli, Duysens and Razy 2020). Applied to Italian lesbian-parented families, it allowed me to identify the diversity of models and practices within these families, which evolve in a context marked by legal uncertainty and contradictions. More specifically, and in line with the aforementioned authors, this multidimensional perspective on kinship helped me deconstruct lesbian parenthood as a fixed entity – since kinship spaces interact with one another and each trajectory is unique – to instead approach it as the product of tensions between a constantly changing social reality and a legal framework that struggles to adapt (Sarcinelli, Duysens and Razy 2020; Sarcinelli and Simon 2021).

In the context of this writing on reproductive justice and the inequalities experienced by these families, we will focus more specifically on the medical and biotechnological spaces of kinship – understood as the places where biological references are mobilized to define identities and kinship (Sarcinelli, Duysens and Razy 2020). Engaging with these spaces will allow us to shed light on the choices made by lesbian couples regarding destination and medical method, which depend on a combination of personal motivations and external constraints (legal, cultural, economic) when they travel abroad to conceive. As we will see, analyzing the diversity of these parental trajectories reveals how couples negotiate the relative weight of biological (genetic) and intentional (desire and mutual decision in the parental project) origins based on their quest for social,

symbolic, and legal recognition as parents.

Until now, the means deployed by these couples to obtain legal recognition of their status as mothers have often been analyzed through the lens of “tactics”, a notion borrowed from Michel de Certeau (1990), understood as informal maneuvers enabling them to navigate a restrictive legal framework and, despite everything, to assert the legitimacy of their family. In this study, however, the notion of “strategies” – also drawn from the same philosopher and referring to planned actions guided by a long-term vision and objective – is privileged in order to analyze the reproductive trajectories of Italian lesbian couples who pursue parenthood abroad (De Certeau 1990). Indeed, while the term “tactics” sheds light on the art of composing in a punctual and opportunistic manner within a shifting and constraining legal framework, the notion of “strategies” appears more appropriate for accounting for the longer-term planning that underpins the construction of a parental project, prior to any legal recognition (Sarcinelli 2018).

These concepts, originally conceived in relation to *space* – understood by De Certeau (1990) as the very locus of the interplay between strategies and tactics, given the inherently spatialized and spatializing nature of human activity – can therefore be applied to the medical and biotechnological spaces of parenthood. From this spatial perspective, the choices made by lesbian couples can be interpreted as follows: Strategies implemented throughout the procreative trajectory are organized and consolidated around a locus of power and clearly defined territories – for instance, the choice of a destination country in which to access specific medical techniques, where regulations and infrastructures provide possibilities that can be anticipated and managed. Tactics, on the other hand, unfold in practices of recognizing intentional and biogenetic parentage within a legislative framework imposed by others. They embody the “art of the weak” (De Certeau 1990): creative and pragmatic adjustments, operating at the margins, that enable these couples to navigate or circumvent the legal and social

obstacles they face.

### *Problem statement*

When lesbian couples are compelled to travel abroad in order to access assisted reproductive technologies, due to the restrictions imposed in their country of origin – as is the case in Italy – their choice of destination cannot be reduced to a mere act of legal circumvention (Zanini 2013). Rather, it forms part of a genuine process of “reproductive planning”, shaped by an intricate interplay of personal decisions and structural constraints: differing legal frameworks and medical infrastructures, cultural and linguistic proximities, economic and logistical conditions, networks of information and mutual support, as well as prevailing representations and expectations surrounding kinship (Guerzoni 2020).

This article examines how Italian lesbian families, faced with a restrictive legal framework and a lack of institutional recognition, in effect reinvent norms of parenthood and kinship through their transnational reproductive trajectories, mobilizing biogenetic registers, intentional logics, and creative practices in the construction of filiation.

### *Field: between reproductive silence and legal innovation*

Since 2016, same-sex couples in Italy have been granted marital rights but remain deprived of reproductive rights – they have no access to either adoption or assisted reproductive technology (ART) – as well as family rights. Although, in their daily lives, children in these families have two mothers, only one is legally recognized. Yet, in Italy, there are lesbian couples with children, and in some cases, both mothers are legally recognized and listed on the child's birth certificate. *How is this possible?*

In reality, Law No. 76 (Italia 2016) on civil unions left existing adoption regulations unchanged. Judges therefore continue to refer to Law No. 184 (Italia 1983), which restricts second-parent adoption to heterosexual married couples. This legal framework reinforces the uncertainty surrounding the recognition of parentage in same-sex

families, an ambiguity already introduced by Law No. 40 (Italia 2004) on ART. In Italy, no legislation explicitly permits or prohibits access to ART for same-sex couples or intrafamily adoption (also known as “*stepchild adoption*”). This legal void creates ongoing uncertainty regarding the establishment of parentage for same-sex couples, whether for children already born (via adoption) or yet to be born (through ART for lesbian couples or surrogacy for gay couples). As a result, judges are forced to rule on a case-by-case basis, leading to sometimes contradictory judicial decisions (Volpin 2017).

It is within this “framework of legislative silence” and through an innovative interpretation of Law No. 40 (Italia 2004) that, starting in the spring of 2018, some Italian mayors began registering children born abroad through ART procedures carried out by lesbian couples (Vitucci 2005). These registrations were influenced by the mayors' administrative discretion and were a response to the legislative inaction concerning evolving family models and forms of parenthood in the country (Saraceno and Naldini 2021). As a result, the task of developing mechanisms to ensure adequate protection for minors involved in shared life experiences has fallen to legal interpreters (Carota 2018).

However, these registrations were halted in several cities following the issuance of the Piantadosi Circular, which, invoking a different interpretation of Law No. 40 (Italia 2004), led many mayors to stop registering birth certificates listing two women as mothers. Additionally, prosecutors in various courts moved to amend previously recorded birth certificates. The contested registrations, challenged by prefects under this directive, reached a critical turning point with the emblematic cases in Padua, where the birth certificates of 37 children from lesbian-parented families – who had been administratively recognized as having two mothers – were simultaneously revoked. This situation has led to a genuine process of *institutional de-kinning* (Sarcinelli 2018; Sarcinelli and Lomba 2024).

## Methodological choices

### Multi-sited approach

The data presented here come from an ethnographic study conducted between 2023 and 2024 as part of the thesis titled *"Between affirmation and caution: the uncertain motherhood of Italian lesbian-parented families"* (Lomba 2024). In this study, I adopted the approach of *multisited ethnography*, which involves following certain elements of the field (individuals, study objects, discourses, practices) to guide the research (Marcus 1995). The guiding thread of the ethnography was therefore not predetermined; it emerged throughout the inquiry, shaped by the fluidity and complexity of the ethnographic space. Consequently, the process of engaging with participants and understanding their activities proved nonlinear and uneven. However, it was structured around three main sites—conceived in terms of flows and relationships within a shifting spatiotemporal framework: the associations *Rete Lenford*<sup>3</sup> and *Famiglie Arcobaleno*<sup>4</sup>, the social media platform *Instagram*, and network sampling, where I asked acquaintances to connect me with lesbian-parented families.

### Entry into the field

From the outset, the virtual dimension played a central role in conducting the fieldwork. Since hearings aimed at removing the names of intended mothers from their children's birth certificates began in Padua before my arrival on the field, I chose to initiate the investigation remotely by immersing myself in the media coverage of these trials, which I continuously updated and enriched throughout the study through a socio-historical analysis of the legal context, a mapping of political and media debates around the recognition of lesbian parenthood, as well as the examination of administrative and judicial documents. Prior to engaging in on-the-ground fieldwork, I also

conducted a videoconference interview with a lawyer from *Rete Lenford*. Turning toward *Famiglie Arcobaleno* – the association closely collaborating with *Rete Lenford* in defending LGBTQ+ parental rights – this initial contact helped shape the subsequent in-person inquiry; moving from one informant to another I conducted a series of biographical interviews with activist mothers from *Famiglie Arcobaleno*, as well as semi-structured interviews with lawyers from *Rete Lenford* and with a judge who had presided over trials following the Piantedosi circular. Simultaneously, two researchers also working on LGBTQ+ parenthood in Italy connected me more closely with two couples of mothers, which enabled me to carry out weekly participant observations within their households throughout the study.

The virtual dimension became particularly significant during the online phase of the study, conducted on the social media platform *Instagram*. This platform served as a complementary entry point within this "multi-sited" ethnographic framework, offering dual access: on the one hand to the public communications of associations, and on the other to the virtual communities of Italian lesbian-parent families. Drawing on the principle of a continuum between online and offline social experiences – each influencing and reshaping the other – *digital ethnography*, as a discipline in its own right, requires specific methodological and epistemological adaptations (Miller 2018). Like in-person fieldwork, it remains bound by the demands of sustained presence in sites of observation and relies on detailed accounts of various social spaces, as well as on close attention to the perspectives of the actors involved (Miller 2018). Observation techniques – peripheral, active, or complete; participant or non-participant – together with informal conversations were therefore systematically employed with all participants in the study – mothers, children, and legal professionals – across a range of settings: virtual, domestic, administrative, and public (Lapassade 2001).

<sup>3</sup> *Rete Lenford – Avvocatura per i Diritti LGBTI+* is an Italian association of lawyers, interns, researchers, students, and individuals with recognized experience in the LGBTI+ field, active in defending the rights of homosexual, bisexual, transgender, and intersex individuals.

<sup>4</sup> *Famiglie Arcobaleno. Associazione Genitori Omosessuali* is an association of same-sex parents, activists, and professionals operating in Italy to support the LGBTQI+ community, particularly in its parental rights.

### Mitigating enclave bias

Moreover, engaging with this digital field made it possible to move beyond the limitations of access mediated exclusively through associative networks. It helped mitigate the bias of *enclavage*, that is, the risk of remaining confined to and dependent on the "local clique" that initially facilitated entry into the field, thereby relying solely on those networks to produce data to the detriment of others (Olivier de Sardan 1995, §81). The use of digital spaces has, to some extent, made it possible to diversify the corpus of a relatively homogeneous social group: although sharing economic, cultural, and social characteristics similar to those of mothers involved in associative networks, the families who publicly assert and stage their everyday lesbian parenthood on Instagram stand apart through their practices of visibility, thereby rendering accessible a broader range of trajectories and relationships to the political and associative context.

### Medical and technological spaces of lesbian parenthood

#### Reproductive travel

Beyond restrictive legal and political frameworks, lesbian couples must also navigate numerous external constraints that directly impact their parental project. As a result, it is common for the process to begin with an information-gathering phase about countries that may meet their expectations regarding medical and parental techniques (Guerzoni 2017). This leads to the emergence of recurring trajectories – referred to as "circuits" – which reflect the preferred routes taken by couples abroad and, in the case of Italian mothers, within Europe (Rozée 2011).

Among the nine Italian lesbian couples who participated in this ethnographic study, Spain proves to be the most popular destination among

the study's participants for pursuing assisted reproduction abroad, primarily for linguistic reasons and cultural affinity. Several mothers mention feeling linguistically comfortable with Spanish, in contrast to the predominance of English in other reproductive contexts, and describe a sense of "cultural connection" with the country. This is complemented by financial considerations, as travel and accommodation in Spain are described as less costly, alongside faster medical care and greater visibility of Spanish clinics in information searches. Aware of the strong demand from Italian same-sex couples for ART, these clinics have developed services tailored to this clientele. Marta and Chiara,<sup>5</sup> a couple of mothers whose first child was born in 2018 through ART carried out abroad, explain that, at the outset of their search, they encountered almost exclusively Spanish websites offering comprehensive support in Italian – "ranging from the distribution of informational brochures in Italian to the presence of Italian-speaking medical staff on site". This availability partly accounts for their initial decision to turn to a clinic in Seville for a first insemination attempt, before subsequently pursuing their treatment in Denmark following the failure of that attempt.

Denmark, although more expensive in terms of tourism, logistics, and medical costs<sup>6</sup>, attracts couples who place particular importance on the connection to origins, defined as "the ties linking a child to the people at the origin of their coming into the world through a parenting project and a procreative act" (Sarcinelli and Simon 2021, §2). While Spain imposes donor anonymity, Danish legislation allows the choice between an identified or anonymous donor, thereby guaranteeing the child's right to know their origins (Nordqvist and Smart 2014). Giulia and Giovanna, whose first child was born through ART in 2020, initially considered this option in order to preserve the child's future possibility of accessing the donor's

<sup>5</sup> The first names of the participants have been changed to pseudonyms based on the reflective propositions of Béliard and Eideliman (2008) and Weber (2008) regarding anonymity and confidentiality in ethnographic work.

<sup>6</sup> The country offers fewer structures designed to reduce travel and accommodation costs for international patients (unlike Spain, which often provides partnerships with hotels, interpreters, and transfer services). Moreover, in addition to having higher fees for medical procedures, Danish sperm banks often offer a wider range of donor profiles and very detailed options (such as childhood photos and additional information), which results in additional costs.

identity. However, their intentions had to be revised for practical and feasibility reasons: in reality, Danish donors consenting to a potential lifting of anonymity are relatively rare, which limited the couple's options regarding the child's biogenetic origins. They therefore decided to "prioritize genetic connection over donor identity".

Economic, sociocultural, and identity-related factors are not the only elements shaping this reproductive planning. The pathway to Belgium – unique among the trajectories studied – emerged in the early 2010<sup>s</sup>, at a time when the European market for assisted reproduction was still relatively underdeveloped. At that moment, beyond historical contingencies, the choice of destination could therefore depend heavily on structural factors and/or interpersonal connections. For Elena and Valeria, the couple in question, the role of a medical figure proved decisive: they recount having been directed toward Belgium on the direct recommendation of their Italian gynecologist, who was not only willing to support a procreative project prohibited under Italian law, but also already maintained contacts with a clinic in Brussels.

Today, in this same relational aspect, the establishment of the parental project is often influenced by "information exchanges", facilitated by associations or, more recently, social networks (Guerzoni 2017; 2020; Sarcinelli 2018; Lomba 2024). Italian mother couples embarking on a reproductive project join community networks to draw inspiration from the experiences and testimonies of those who have already undergone cross-border ART. These collective spaces for exchange, discussion, and strategic practices – more or less visible – contribute to the construction of cross-border reproductive trajectories (Grilli 2014; Trappolin 2018). However, this informational form of "social capital" now functions more as a tool for acculturation than as a determining factor: final decisions are most often guided by a complex interplay of linguistic, financial, practical, ethical, and identity-related considerations (Bourdieu 1980).

Ultimately, reproductive trajectories remain

fluid and subject to reconfigurations throughout the journey, shaped by ongoing interactions between structural conditions, individual aspirations, and concrete reproductive possibilities – both before and during the parental project, across multiple attempts or successive projects. This decision-making flexibility highlights couples' adaptability to external constraints and evolving personal expectations, always aiming to secure legally recognized parenthood.

### *Between adherence and distancing from kinship norms*

Despite the certain homogeneity they display on social and cultural levels, lesbian-parented families stand out for the wide diversity of their family configurations. In line with the French lesbian mothers studied by Descoutures (2010), the plurality of Italian lesbian-parented configurations reveals ambivalent relationships not only to dominant norms of kinship, but also to the economic constraints and material resources they must mobilize in order to realize a parental project. Overall, these various reproductive pathways converge toward a single goal: legitimizing a reproductive parental project "outside the norm", that is, a model which, both legally and in common understanding, is not yet fully recognized (Grilli 2016).

Among the range of assisted reproduction techniques available to lesbian couples, the most common – though not exclusive – are: artificial insemination (AI), and more specifically intrauterine insemination (IUI), which consists in directly introducing donor sperm into the uterus of one partner; in vitro fertilization (IVF), commonly referred to as "conventional" IVF, in which oocytes are fertilized in the laboratory with donor sperm before the resulting embryos are transferred into the uterus; the Ropa method (Reception of Oocytes from Partner), a particular form of IVF that allows one partner to provide the oocytes while the other carries the pregnancy; and, finally, surrogacy, which involves the use of a gestational carrier. All of these techniques require medical intervention and have gradually become established in the

reproductive pathways of lesbian couples, almost entirely replacing, from the early 2000s onward, so-called "artisanal" conception methods and, to a lesser extent, adoption (Gross 2007).

In the cases examined in our study, IUI emerged as the most frequently chosen method, partly due to its speed, the lower level of medical intervention it requires, and its cost – relatively lower than that of other techniques, a factor particularly emphasized by couples considering multiple successive parental projects or anticipating the need for several attempts within a single project. By choosing this method, mothers also seek to minimize the importance of the biogenetic aspect of filiation: by not distinguishing biological filiation (through gestation) from social filiation (through intention), these couples aim to establish an equal status between both mothers in relation to the child (Courduriès and Fine 2014). In this way, they aim to change the rules of kinship, placing less value on blood ties than on those based on commitment and affection (Schneider 1984).

Simona, the intentional mother of Marco, born in 2021, expresses this vision:

I didn't claim to be the biological mother. I didn't want to fall into the scheme where you have to have a biological link with the child to be considered a mother. If we keep acting like this, we won't change the rules [meaning: of kinship].

Thus, in a context where the legal recognition of social parentage is often absent or limited, as in Italy, couples of mothers often claim the primacy of the desire for children and the emotional experience of parenthood over the biogenetic link (Fine 2001; Gross and Bureau 2015; Courduriès and Fine 2014). However, although social parentage is often emphasized, some couples also incorporate elements of the biogenetic realm to achieve a form of equity in motherhood, revealing a gap between the discourses and actual practices of these families (Descoutures 2010).

This ambivalence can be seen in Giulia and Giovanna, who have chosen to be mothers in turn; they have two children, each of whom they carried 1 and a half years apart. Giulia explains

that this decision was driven by a desire to create a "balance" in motherhood. Indeed, according to her, even though the affection for the child is the same in all cases, there is a slight difference in the act of carrying and giving birth to the child, in other words, in being the gestational mother:

I can't explain it... When you become a mother, I mean, when you carry the child in your womb, you realize more things. That's what happened to Giovanna when she became a mother in turn, she understood me on many points, little things we didn't necessarily understand before.

Giulia, by referencing an "additional" dimension linked to gestational motherhood, strengthens the biological bond of filiation between the partners and their children, on which she bases the family unit. This aspect is further emphasized by the mothers' choice to use the same sperm donor for both children, so they would share genetic material. This desire for genetic transmission is not unique to Giulia and Giovanna but can be observed as a subtle undercurrent in all the family journeys within the study. Indeed, although reproductive methods vary from one couple to another, all have opted for pregnancy as a means of establishing a parental configuration.

While some lesbian couples seek to minimize the traditional association between filiation and childbirth, particularly by choosing IUI as a method of reproduction to dissociate parenthood from the strictly biological bond, bodily experiences, such as pregnancy, paradoxically serve to reinforce that bond. Among the lesbian couples in this study, the choice for one of the mothers to carry the child serves to strengthen the family unit with the non-gestational mother, rather than weaken it. In fact, they believe that pregnancy constitutes a genealogical continuity between the couple and the child, which, according to them, adoption or surrogacy cannot provide. This approach, referred to as "rebiologization", allows for a reinterpretation of the biological rules of kinship, embedding the non-gestational mother within a social and symbolic genealogy, while limiting the conception of parenthood to purely bodily aspects (Imaz 2017).

These ambivalences surrounding biological filiation can be made more explicit, particularly when mothers practice the Ropa method, which allows mothers to participate together in the reproductive process, one being the genetic mother and the other the gestational mother (Roca i Escoda 2016).

In the case of Ropa, the goal is to strengthen the family unit by relying on biological continuity, much like a pregnancy resulting from the IUI method. However, unlike the latter, the biological participation of only one of the two mothers is considered insufficient here.

For lesbian couples where both women aspire to be equal mothers, Ropa technically allows the distribution of motherhood, through the separation of bodily motherhood, by dividing a genetic component (egg) and a biological component (gestational) (Roca i Escoda 2016, §16).

By adopting this approach, the mothers seek not only to avoid a biological asymmetry between them in relation to their child but also to prevent an unequal social distribution of their parental roles and maternal recognition solely based on the biological bond. Marta, identified as the biological mother because she carried and gave birth to two children conceived through the Ropa method with anonymous sperm donation, speaks about Chiara – her spouse and legally recognized co-parent, who provide the eggs and is therefore genetically related to the children – and argues:<sup>7</sup>

"With Ropa, we made it impossible for Chiara not to be considered the mother of the children, even for someone who sees motherhood solely through the biological connection with the child".

For her part, Chiara adds that Ropa allowed them not to use the same sperm donor for both children. From this perspective, "biogenetic co-participation" is based on a sharing of biogenetic

material between the two mothers, rather than through the intervention of a third-party reproductive donor, whose involvement they seek to minimize (Roca i Escoda 2016).

Furthermore, the use of Ropa is often driven by political motivations, particularly to establish legal parenthood (Roca i Escoda 2016):

Ropa was the right fertilization technique, it allowed us to go against the principles of the law in Italy: since the mother who is pregnant is recognized because she gives birth, then the argument of not recognizing the other (mother) doesn't hold because she also participated in the biological conception.

This stance, defended by Valentina – an intentional and biogenetic mother of two of her three children, born in 2013 following ART using the Ropa method – resonates particularly within the Italian context, where the legal and social framework surrounding non-biological parenthood was already fragile when the lesbian couples in the study resorted to Ropa. This resonance is further amplified since the birth certificates are at risk of being modified to remove the name of the intentional mother (non-gestational mother) from the child's birth certificate, even though she can, in fact, be a biological mother (when she transmits her genetic material).

Legal professionals are also aware of the political implications associated with this biogenetic sharing, especially in a context marked by persistent hostility toward forms of parenthood that deviate from the dominant biogenetic model. In this regard, a lawyer who represented several lesbian couples during the Padua trials<sup>8</sup> stated that the defense strategy to maintain the birth certificates listing both mothers' names was based on the primacy of the biological link between the parents involved, particularly in cases where lesbian couples used Ropa. The lawyer emphasized that if the prosecutor decided to challenge

<sup>7</sup> Even though Chiara has a genetic link to the children (having provided the oocytes), only Marta is socially and legally recognized as the biological mother since she is the gestational mother. From this perspective, the maternal status legally granted to Chiara rests solely on intentionality – her active participation and her role as a co-founder of the parental project – which places her in the category of intentional mother (or social mother) as defined in the literature.

<sup>8</sup> As mentioned in the introduction, the Padua trials refer to a legal case that began in June 2023, in which the birth certificates of 37 children (from 33 different families) were simultaneously challenged by the public prosecutor's office in Padua following the dissemination of the Piantedosi Circular.

a mother's maternity within a lesbian couple by citing the lack of sharing biological gametes with the child, and if the defense could demonstrate that this aspect of parenthood was indeed respected in practice, the prosecution's argument would be weakened.

## Conclusion

The analysis of the reproductive trajectories of Italian lesbian couples abroad reveals a plurality of strategies aimed at legitimizing lesbian parenthood within a restrictive legal framework. Oscillating between adaptation to and subversion of dominant norms, these couples navigate between aligning themselves with traditional family models – through practices such as the Ropa method or the use of the same donor for multiple children – and asserting a form of parenthood grounded in affective bonds and shared parental intention, notably through artificial insemination. Paradoxically, although biology is often relegated to the background in discourses on parenthood, it becomes a strategic tool for securing the legal and social recognition of same-sex families. Biological elements, far from being understood as natural and immutable data, are thus reappropriated and mobilized in response to legal constraints and individual aspirations, reflecting a desire for emancipation from a heteronormative and biogenetic framework while – consciously or not – incorporating some of its references in order to navigate them or subvert them (Imaz 2017).

Far from being reducible to legal constraints alone, these trajectories are also shaped by economic, cultural, and social factors which, despite the relative homogeneity of the profiles studied, produce significant differences in reproductive pathways. One of the key contributions of this article is to show that these pathways are also embedded in specific historical configurations: the period in which the mothers embarked on their parenting project plays a decisive role, not because of their age, but because of the medico-legal conditions and technical infrastructures then available. Thus, couples who began their journey in the 2000s – at a time when transnational "cir-

cuits" were still isolated and relied more heavily on interpersonal contacts or medical referrals – did not have access to the same opportunities as those who, later on, could benefit from established associative networks, online support platforms, and a much more developed European market for reproductive technologies. The "generational variable", as an additional structural constraint, therefore partly shapes these trajectories, without however eliminating the scope of agency left to couples, who constantly negotiate between personal choices and the opportunities afforded by their reproductive moment (Sarcinelli and Simon 2021; Sarcinelli and Lomba 2024).

Ultimately, these reproductive mobilities do not merely circumvent legal restrictions; they form part of a broader set of plural, and at times paradoxical, strategies through which Italian lesbian couples negotiate with, and reinterpret, dominant norms. While biology is often set aside in discourses, it is nevertheless reappropriated as a strategic resource by these families to progressively and creatively transform the legal and social frameworks of filiation in Italy. In so doing, they actively inscribe their quest for recognition within a broader struggle for reproductive justice and the parental rights of same-sex couples.

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