

Norway



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Norway has a reputation for being a liberal country with a strong tradition of solidarity and of working towards equality for all members of society. The legal system affords lesbians and gay men many protections although same-sex couples are still not equal to heterosexual couples in all respects.

Lesbians also benefit from progressive legislation on women's issues and a notable presence of women in public life. In 1977 the Norwegian Parliament passed a law on gender equality covering all areas of society except for religious institutions. The current prime minister is a woman, as are close to 40% of the cabinet ministers and state secretaries.

LEGAL SITUATION AND HISTORY

Until 1973, male homosexual acts were illegal in Norway under Section 213 of the Penal Code. There have never been any legal restrictions on sex between women, probably

because the Norwegian Penal Code dates from 1902, and at that time women's sexuality was in general not taken seriously.

In 1981, the Norwegian Parliament added two clauses to the Norwegian Penal Code prohibiting discrimination on the basis of sexual orientation. Section 135a makes it illegal to "threaten or deride, or to incite to hatred, persecution or contempt" against anyone on account of his or her "homosexual inclination, lifestyle, or orientation." Section 349a

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makes it illegal to refuse to give goods or services to anyone on these grounds. The maximum penalty is six months' imprisonment. These provisions made Norwegian lesbians and gay men the first in the world to be specifically afforded legal protection against discrimination.

On April 1, 1993, the Norwegian Parliament passed a partnership law giving lesbians and gay men the right to marry. The Norwegian partnership law is based on the laws that apply to heterosexual married couples. However, there are several distinct differences. Lesbians and gay men cannot get married in church, and lesbian and gay couples do not have the right to adopt children. In addition, members of same-sex partnerships are not accorded any rights regarding their partner's children. Thus, while lesbian and gay rela-

tionships are legally recognized, they are still not seen as morally equivalent to heterosexual marriages.

LESBIANS AND GAY MEN AT WORK

The Landsforeningen for Lesbisk og Homfil Frigjøring (LLH, Norwegian National Organization for Lesbian and Gay Liberation) has documented a large number of cases concerning discrimination in the workplace. We see cases where lesbians are harassed by colleagues and superiors. In some cases the harassment is so severe that lesbians are forced to quit their jobs.

For example, a lesbian working as a service person for local county health care authorities entered into partnership with her lover. They were the first couple to do so in a large city in Norway and the event received media attention. After this event her male colleagues started harassing her verbally to the point where she quit her job. Nobody effectively stepped in to stop the harassment.

In another instance, during reorganization of the county health services, a lesbian working in a high position in a county health administration was pressured from her job for being an open lesbian. The official reason given was that she was not competent to run the health administration after the reorganization.

LESBIAN PARENTING

Only married heterosexual couples are permitted to adopt under Norwegian law. There are no national guidelines for foster care, and the ability of lesbian couples to become foster parents varies from county to county depending on local guidelines. The prejudice that lesbians and gay men cannot be good and competent parents is widespread in Norwegian society. Lesbians who have become pregnant through donor insemination find that their lifetime companions have no legal rights to the children, although their com-

bined income is counted when the local county authorities calculate how much they should pay for day-care.

EDUCATION

Although the Norwegian government and Norwegian society seem to have increasingly liberal attitudes towards lesbians, the educational system has generally failed to provide adequate sex education. On occasion, lesbians and gay men are invited to make presentations, but information on homosexuality is not systematically included in school curricula. Norwegian authorities are now in the process of revising national guidelines on education, and the proposal currently under consideration would limit sex education to basic information on reproduction, eliminating all discussion of sexuality more generally.

HIV/AIDS

The Norwegian Parliament recently passed a law giving the authorities the right to forcibly isolate a person with AIDS if he or she is considered a health hazard. The law also opens the possibility of forcibly testing people for HIV.

MENTAL HEALTH

LLH has received reports of psychologists who are not competent to counsel lesbians. The Norwegian Psychologists Association removed homosexuality as a disease and mental disturbance from its lists in 1978. However, LLH has also received reports of mental health professionals who try to convert lesbians to heterosexuality, and reports of ones who refuse to see clients because they are lesbians.

ASYLUM

While some lesbian and gay refugees have been granted

asylum, Norwegian authorities are still hesitant to view persecution against sexual minorities as valid grounds for granting asylum. Some gains have been made on a case by case basis, but no clear policy has been established.

LESBIANS AND THE CHURCH

The Lutheran Church, which is the Norwegian state church, is run by the Department of Church Matters, Education, and Research. Eleven bishops, who form the top of the church hierarchy, make decisions concerning moral and ethical questions. For many years, one of these questions has been homosexuality, and since 1977 the church's official position has been that being homosexual is no problem, but same-sex sexual practices are. This attitude causes intense conflict and suffering for many lesbians and gay men who have wanted to belong to the church, and for some it has led to suicide. We know of several lesbians who are not allowed to practice as priests within the Lutheran Church because they are in long-term relationships with other women.

In April 1995, the bishops once again discussed the issue of homosexuality. This time three of the bishops expressed the view that lesbians and gay men should have a place in the church and that the church should allow lesbians and gay men to be priests even if they are in relationships.

LESBIAN LIFE IN NORWAY

In 1950, the first lesbian and gay organization formed under the name DNF-48. This organization operated secretly because of the criminalization of male homosexual acts at that time. The first visible spokesperson and secretary general of the organization, Kim Friele, was a lesbian, known today for her great work for the Norwegian lesbian/gay movement. Over the years lesbians have organized both in mixed lesbian and gay groups and in lesbian groups.

In 1988, a group of lesbians toured the country in a bus to inform Norwegians about lesbian life. The bus traveled all over Norway, making stops to hand out brochures, show videos about lesbian life, give lectures, and talk to people. Lesbians who live in larger cities enjoy a range of athletic, social, and cultural groups, but lesbians living in smaller cities and more rural areas have few bars or public spaces of any sort in which to meet one another.

ABOUT THE AUTHOR

Gro Lindstad, 35, is a lesbian living in Oslo, Norway. She has been an activist in the Norwegian lesbian and gay movement for the past 13 years. She works for the Norwegian State Authorities as a senior executive officer for child support reciprocity agreements with the U.S.