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Occupational apartheid and human rights: Narratives of Chilean same-sex couples who want to be parents

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ABSTRACT

Theoretical and political background: Human rights can help value human diversity as a natural condition of all societies. In some places, however, not everybody can exercise their rights.

Purpose: This work aims to understand the restrictions experienced by same-sex couples who wish to engage in parenthood.

Method: The study presents the situation of two same-sex couples who have experienced restrictions to becoming parents in Chile. The methodology used to present their experiences is a biographical narrative combined with a life story approach.

Findings: The occupational transition towards motherhood/fatherhood for same-sex couples is restricted due to discrimination and exclusion resulting from current political and sociocultural conditions prevailing in Chile. Those who participated in the study described their experience as restricted because of gender stereotypes associated with raising children and heteronormative occupations. One aspect of the restrictions imposed on the parenthood of same-sex couples is expressed as an occupational apartheid which already impacts LGBTI persons in Chile.

Discussion: These human rights violations have an impact on occupational identity and everyday life, preventing same-sex couples from engaging in meaningful life projects.

Conclusion: This work is a contribution to occupational science as it describes the occupational apartheid experienced by same-sex couples trying to start a family in Chile.

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Occupational science has been gaining increased attention in the past decades. Theoretical approaches have been developed to achieve deeper understanding of the occupational nature of human beings (Kinsella, 2012). These developments have supported the emergence of new approaches that call for reflection on the way the immediate and sociohistorical contexts impact the development of different occupations (Aldrich, 2008; Galvaan, 2014; Ramugondo & Kronenberg, 2015; Townsend, 2015).

In this context, our aim is to understand— from the standpoint of occupational science— the restrictions faced by same-sex couples who wish to engage in parenthood. For this purpose, the narratives of two couples—one formed by males and the other formed by females—are discussed. Their account provides evidence that this restriction represents an occupational apartheid in the process of occupational transition to parenthood, limiting the ability of these families to find happiness.

Theoretical and Political Background

The ongoing debate on how to better guarantee human rights for all is an opportunity to reflect upon the value of human diversity as a natural condition of all societies. It is also an opportunity to discuss how sociocultural policies and practices can safeguard or endanger the rights of all people, regardless of their race, sex, ethnic origin, sexual orientation or other conditions (Álvarez, Del Pino, & Vial, 2015).

One of the most controversial issues in Latin-American societies in recent times has been the struggle for the sexual and reproductive rights and the right to raise a family of the LGBTI (lesbian, gay, bisexual, transgender/transsexual, and intersexed) community. This struggle seeks to break the hegemony held by “religious and political sectors that protect a social order [heterosexualist] exclusively based on heterosexual marriage with procreation purposes” (Vaggione, 2012, p. 28). The lack of entitlement experienced by families of same-sex couples when choosing and experiencing a life plan has a huge impact on their daily lives and family identity.

The structural transformation of present day society is towards increased tolerance of family models that depart from the traditional nuclear family concept of heterosexual father and mother with biological offspring (Gómez, 2004), bringing about the emergence of *non-heteronormative families* that are often unlawful in the eyes of Family Law. In this context, new conceptualizations of families emerge, among them *family diversity*, which emphasize family decisions and the dynamic interrelationship of people who raise a family (Sanz et al., 2013). From an occupational standpoint, these new conceptualizations question the traditional division of roles from a non-heteronormative perspective (Bailey & Jackson, 2005) and the occupational processes through which people become parents. In this sense, the different mechanisms used by same-sex families to become parents, including adoption, artificial insemination (in the case of cisgender women and some transgender men), surrogate pregnancy, and step or blended families (for children born beforehand), are unregulated in most countries (Sanz et al., 2013).

From our point of view, family relationships can be understood as “relations that emerge to

address the fundamental forms of human dependence, which may include birth, raising children, emotional dependence or support relationships, generational bonds, sickness, death and defunction” (Butler, 2006, p. 150). This research addresses potential same-sex parenting families understood as the “legal possibility of two people of the same sex to start a formal family with the ability to support each other, procreate, educate and live together with children recognized as such, and to enjoy full recognition from the state and society” (Castellar, 2010, p. 47).

Zapata (2009) proposed that building democratic societies requires the protection and consolidation of diversities in the public and private spheres, and in intersubjective relationships, with *recognition* as the previous step for its achievement. Similarly, Castellar (2010) argued that “recognizing same-sex couples and families opens new avenues to reflect upon diversity in the contemporary social formation and develops learning spaces for respect and inclusion” (p. 47). As stated by Fonseca and Quintero (2009), differences should not mean marginalization, exclusion or intolerance, but new forms of social realities. This implies understanding that starting a family is an occupational process (Bailey & Jackson, 2005) which, in this case, can be unlawful and result in occupational injustice.

The recognition of these families is reflected in the progress within some countries with the legalization of same-sex marriages and adoptions (Table 1). The obstacles along the path towards equal rights for the LGBTI community are linked with keeping a *status quo* where sexuality is subject to regulations by institutions and discourses, including the State, and by political, religious, and scientific dominance (Vaggione, 2012).

Article 16 of the Universal Declaration of Human Rights—proclaimed by the United Nations (UN) and ratified by Chile—states that men and women of full age, without any limitation, have the right “to marry and to found a family” (UN, 1964). In its Article 23.1, the International Covenant on Civil and Political Rights adopted by the United Nations General Assembly (1966) sets forth that “the family is the natural and fundamental group unit of society and is entitled to protection by society and the State”.

Table 1. Progress in same-sex marriage and joint adoption laws in European and American countries to date. Source: Velastegui (2019)

Countries in Europe and America that have legalized same-sex marriage and adoption					
Europe	Equal Marriage	Same-Sex Adoption	America	Equal Marriage	Same-Sex Adoption
The Netherlands	2000	2001	Uruguay	2013	2009
Belgium	2003	2006	Argentina	2010	2010
Spain	2005	2005	Canada	2005	2011
Norway	2009	2009	Mexico	2015	2015
Sweden	2009	2003	United States	2015	2015 ¹
Portugal	2010	2016	Colombia	2016	2015
Iceland	2010	2006	Brazil	2013	2010 ²
Denmark	2012	2009	Puerto Rico	2015	2018
France	2013	2013			
United Kingdom	2014	2005			
Ireland and Luxembourg	2015	2015			
Finland and Germany	2017	2017			
Malta	2017	2014			
Austria	2019	2016			

Notes:

1 Same-sex adoption is legal in 22 out of the 50 US states reported.

2 Exceptions have been endorsed by Brazil's Supreme Court of Justice, which has allowed adoptions in specific cases of same-sex couples (Santos, Araújo, Negreiros, & Cerqueira-Santos, 2018).

Due to extensive breaches of rights related to sexual orientation and gender identity issues at the global level, the *Yogyakarta Principles* were established in 2006, whereby the following is established in Article 24 on the right to start a family:

Everyone has the right to found a family, regardless of sexual orientation or gender identity. Families exist in diverse forms. No family may be subjected to discrimination on the basis of the sexual orientation or gender identity of any of its members. States shall take all necessary legislative, administrative and other measures to ensure the right to found a family. (International Commission of Jurists and International Service for Human Rights, 2007)

In Chile, same-sex marriage is not legal. The Civil Marriage law sets forth that “family is the fundamental core group of society and marriage is the main base of family” (Library of the National Congress of Chile (BCN), 2004). Article 102 of the Civil Code sets forth that: “marriage is a solemn contract by means of which a man and a woman are united inseparably, forever, in order to live together, procreate and help each other” (BCN, 2000). Thus, Chilean laws establish a direct relationship between heterosexual marriage and family (Álvarez & Vial, 2014).

Facing this, the struggle promoted by the LGBTI community for the recognition of their rights achieved, in 2015, the passing of the *Civil Union Agreement* (AUC) act. Article 1 of the Act recognizes a shared life based on affections by two people, granting effective protection rights and without any differences between heterosexual or homosexual couples, changing the civil status to “civil partner” (BCN, 2015). While we acknowledge this step forward in terms of the rights and legitimacy of same-sex couples, this law “fails to solve the issues resulting from parenting by two mothers or two fathers, nor does it make any mention to the possibility of adoption by these couples” (Álvarez et al., 2015, p. 373). In sum, same-sex parenting is illegitimate for the Chilean State, in an outright violation of human rights that have been both declared and ratified by the country. This undermines the autonomy and dignity of people willing to start a homoparental family, preventing the emergence of spaces and legitimacy for the expression of family diversity.

Occupational perspectives of parenthood

Occupational science deals with human life and occupational engagement, particularly in its relationship with health, well-being and social participation. Consequently, shedding light over the social stakeholders and sociopolitical

conditions that promote or restrict health, participation, quality of life, and human experience is important (Clark & Lawlor, 2009). In this respect, Wilcock (1999) has suggested that occupation can be understood as dynamic processes influenced by culture, which assigns meaning to what a person does. Occupations can have a personal growth and transformational potential, both in their context and in their sociocultural order, so they are a synthesis of being, doing, and becoming. Following this conceptual development, Wilcock and Hocking (2015) proposed that being and doing also provide a sense of belonging. These provide the mechanisms for social interaction and societal development, which impacts on the well-being of people and communities.

Kronenberg, Simó, and Pollard (2007) established a connection between well-being and the freedom to 'be' and to 'do', and pointed to the need to facilitate the being, doing and becoming of people and communities from a rights approach. Along these lines, Prilleltensky (2004) suggested that well-being depends on the equitable distribution of resources in a society due to the synergic and balancing effect among personal, relational, and collective needs, where each domain must attain a minimum level of satisfaction. Oppression and discrimination restrict people's abilities to meet these needs, since power differences place obstacles on the route to equality and justice.

This explains why fatherhood/motherhood as an occupation takes place in this context. Thus, parenthood as an occupation considers childcare as a highly meaningful and complex activity for humanity; it is considered a co-occupation where more than one person is involved and which means the acquisition of new roles (Maceira, Rivas-Quarneti, & García, 2018). In addition, it has been described as a life-long occupation, on account of its meaning (Francis-Connolly, 1998).

Therefore, preparing this occupation can involve solid planning and organization, being understood as an *occupational transition* process. Occupational transition is a road of transformation and changes defined by the requirements of the new role (based on the socially expected performance) (Shaw & Rudman, 2009). Occupation transitions can involve

a new shift in occupational meanings, new roles, and challenges or modifications to occupational engagement processes (Maceira et al., 2018; Phoenix & Ghul, 2016). Therefore, a legal framework that restricts the right to parenthood to same-sex couples will have negative implications for the life of a couple (Timothy, 1999), particularly in the processes of occupational transition and occupational identity.

If fatherhood/motherhood is considered a right and a meaningful occupation that organizes a highly meaningful life project (Acharya, 2014; Chapdelaine, Shields, & Forwell, 2017; Downs, 2008; Levin & Helfrich, 2011; Morozini, 2015; Poskey, Pizur-Barnekow, & Hersch, 2014; Segal, 2005; Wada, Backman, Forwell, Roth, & Ponzetti, 2014), and a right that is particularly difficult to achieve for LGBTI people (Biblarz & Savci, 2010; Bosman, 2015; Gato, Santos, & Fontaine, 2017; Hank & Wetzel, 2018; Hollekim, Slaatten, & Anderssen, 2012; Meezan, & Rauch, 2005), it becomes clear that the systematic constraint to exercise this right can actually be considered occupational apartheid, a term coined by Kronenberg, Simó and Pollard (2007), and defined as follows:

Segregation of groups of people by restricting or denying their access to meaningful and purposeful everyday activities, based on race, color, disability, national origin, age, sex, sexual orientation, creed, political ideas, social status or other characteristics. Caused by political forces, its social, cultural, economic, systemic and dominant implications threaten the health and the wellbeing of individuals, communities, and societies. (p. 66)

While the experience of same-sex couples in Chile could be similar to what happens in other regions (as shown in Table 1), fatherhood/motherhood occurs within a restrictive field due to occupational apartheid, with limited legal possibilities and recognition for family structures that differ from the heteronormative perspective. From there, the way these couples experience occupational transition and how this impacts their occupational identity are crucial questions.

Along these lines, the complex occupational transitions of LGBTI people have been

described. For example, the everyday experiences of trans people's occupations and occupational transitions (Beagan et al., 2012; Beagan & Hattie, 2015; Goodman, Knotts, & Jackson, 2007; Schneider, Page, & van Nes, 2018), how 'coming out' impacts certain people (Birkholtz & Blair, 1999; Murasaki, & Galheigo, 2016), and how a predominantly heteronormative culture affects the occupational choices of LGBTBI persons (Aravena, Larsen, Orsini, & Morrison, 2017; Avillo et al., 2015), have been the subject of research.

These situations occur within a heteronormative and restrictive context, where fatherhood/motherhood is a challenging occupational transition (Schneider et al., 2018), with clear impacts on the construction of a person's occupational identity. Therefore, the occupational apartheid experienced by same-sex couples who wish to start a family affects their sense of self, reality, and daily occupations, and impacts the interaction between these families and their context, including extended families, friends, schools, workplaces, and public spaces (Zapata, 2009), their everyday occupational choices, family traits, and their ability to undertake life projects.

In this sense, this research aims to present the narratives of same-sex couples regarding parenthood restrictions in a context of multiple resistances brought about by a State that disapproves of policies supporting sexual diversity (Galaz, Sepúlveda, Poblete, Troncoso, & Morrison, 2018). Therefore, this research will help identify the occupational implications of this unfair situation.

Methodological Considerations

The biographic-narrative method has been used to interview the couples, given our interest in the couple's history. The method involves the systematic use and collection of vital documents, describing moments and tipping points in the life of individuals (Riessman, 2008), such as life stories, used as a way to access the narrative of participants within this research. These stories consider participants as informants about local opportunity contexts and structures that make up their lives, experiences, actions, and perceptions (Seid, 2013). We are not interested in providing general universalities about the findings.

Rather, we attempt to reveal the particular aspects of these experiences, looking for points of convergence between the stories.

The narratives were collected by means of semi-structured in-depth interviews. We systematically studied the data generated with a narrative analysis focus that supports the interpretation of the narrated actions and sequence, intentions and justification of the action (Bernasconi, 2011). The questions focused on the couple's story and their perceptions of Chilean sexual diversity policies, particularly related to parenthood. Additionally, we asked about how they perceived social conceptions regarding non-heterosexual orientations and same-sex parenthood, as well as their own expectations about becoming parents.

The couples were contacted through posts in social media and the selection criterion was for them to have been together for more than 5 years. We selected the first couples who answered the call. We interviewed two same-sex couples: one formed by males and the other by females, between 30 and 40 years of age. Both couples live in Santiago, Chile, have college level qualification, expressed their wish to become parents, and were chosen for convenience. Each couple was interviewed separately. Their participation was voluntary and non-paid. The pseudonyms chosen to protect the identity of those who participated were the following: John and Roger for the men; and Abby and Zoe for the women.

The emphasis of the analysis is the narratives and the meanings that both couples assign to parenthood, as well as the reported legal and occupational restrictions to same-sex parenthood in Chile. A categorical analysis was used to analyse the data, supporting comparisons between the narratives, using the data generated from all the participants' stories (Riessman, 2008). For this purpose, we handed the transcript back to the participants so that they could approve its content. Subsequently, we discussed it individually to identify consistencies/convergences and to highlight specific aspects related to the theoretical framework. The categories emerged from the aspects that we considered more relevant based on the analysis of the narratives; for example, common aspects and others where notable differences were

found based on gender, ideological and political background, etc.

Ethical aspects

To protect their identities and the information collected, the participants signed an informed consent which clarified the purpose, goals, procedures, benefits, and risks of the investigation. The anonymity of the stories was stressed, as well as the voluntary participation and right to abandon it at any step of the process. The study was approved by the Ethics Committee of the Occupational Therapy and Occupational Science Department of the University of Chile.

Findings

The stories of the couples

The female couple had been in a relationship for more than 5 years, and lived together for 3 years. They had no children and lived in the same city as their families of origin. The male couple had been together for 6 years, and lived together for the past 5 years. They had no children and lived far away from their original families. Both couples wanted to be parents as starting a family had been part of their development as a couple. For both couples, assuming their non-heterosexual identity had been a source of discrimination in different contexts: family, work, community, health care centers, etc. The ways they had been discriminated against ranged from homophobic and heterosexist discourses, violence in public spaces, invisibilization, segregation, and violation of rights.

The acceptance process was different in each family, and described as slow and difficult. Both couples were aware of the discomfort experienced by their families as a result of their sexual orientation, including questioning by their parents regarding the way they were raised. Regarding the formation of a family and how they conceived of marriage, recognition was important to consolidate a family and for the legal aspects involved in the ritual. The main issues described were the legal obstacles and gaps found in Chilean laws in terms of the recognition of families with same-sex parents. They considered that marriage acquired meaning

based on the protection of the future children and of the inheritance of common assets.

Meanings assigned to same-sex parenting as an occupation

Raising children is a typical life project that often emerges from a long-term relationship. Many couples are willing to make enormous efforts to achieve this goal. For both members of the male couple, marrying and becoming parents was a deep yearning. This occupational transition was not the same for both couples.

Being a mother was a life project for one of the women in the female couple. In fact, she was willing to materialize it regardless of whether she found a partner or not. For the other woman, it was not an option until she began this relationship, stating that the fact that they were two women resulted in more shared nurturing dynamics than in the case of heterosexual couples. Now, parenting meant the consolidation of their project as a couple, even though they recognized that consolidation could be possible without children, considering themselves at present as a “*special family*”. In addition, to them, same-sex parenting meant becoming a family in social terms, and involved a constant education practice related to inclusion and acceptance of diversity in the participation spaces of the future child.

For both couples, parenthood had a sense of transcendence and was seen as a process to hand over to someone else tools, values, and knowledge about the world. In addition, they agreed on their perception of same-sex parenthood as a struggle.

John: *We're not going to stop struggling, ... we're going to keep on trying.*

Zoe: *It's those ... challenges that you have to know will be there, but which in the end are not so big as to prevent you from taking the risk; because it is part of our struggle, to make ourselves visible and to stop hiding.*

Meanings assigned to the restriction of same-sex parenthood as an occupation

Restricting the exercise of same-sex parenthood was understood by the participants as a violation

of their rights based on sociocultural and legal factors. At the *sociocultural level*, both couples spoke about the discrimination they were subject to, and related it to the set of prevailing beliefs towards non-heterosexuals in society. One of the participants felt greatly discriminated against for his same-sex parenthood project, even in his own environment –family, friends, and society at large. He perceived very little social support in the process of becoming a father.

John: *Nobody should need to take a stand and prove to others that even though you are a gay couple you can have children! That yes, you can dream of having children!*

They suggested that the way men are raised, under a hegemonic male perspective, limited their chances of conceiving themselves as fathers of a same-sex family. An instilled stereotype of a successful man was built alienating men from romantic love and nurturing, which is taught to women, therefore revealing an exclusionary and sexist education.

Roger: *There's a strong sexist education that emerges from this gender construction and is expressed in all state agencies, in every system ... To feel it—that we are excluded from being parents by the system—is really hard and extremely distressing.*

The female couple shared situations of “*homophobic attacks*” and verbal violence in the streets which entailed future risks for their families. They stated that they wouldn't dare to walk anywhere with their child. Nevertheless, they acknowledged that they were in an advantageous situation compared to a male couple.

Zoe: *Two men wanting to have a child raises the most terrible prejudice! Because [being] gay [implies] an immediate idea of perversion. And such an idea assumes that the child is going to be raped by the couple ... The prejudice operates as overtly as that. But because we are in a patriarchal family, two women wanting to have a child doesn't appear as harmful.*

Based on her sexual orientation, one respondent acknowledged herself as part of a “*minority*”

outside the norm, as the reason for the obstacles she foresaw to becoming a mother. At the same time, they noted that not only they, as a couple, had to become visible, but also their child since he/she would have two mothers.

Zoe: *I already came out in all respects, but at some point, my daughter will need to come out and say 'my mother is a lesbian'. We also need to empower that child so she/he doesn't hide and feel bad about this; otherwise, he/she will want to hide and leave out a lot of things; other people so easily ask 'and your parents? What does your mother do? What does your father do?'*

Concerning the *acceptance of same-sex families* in Chile, one of the participants connected this with legal and sociocultural elements. The argument was that cultural changes demand new laws, which are expected to suffice for the recognition of family diversity and their inherent rights. However, the concept of a traditional family as an ‘ideal family’ promoted by religious standpoints and supported by public policies combined with other factors that prevent this debate from moving forward. The possibilities for social transformation were therefore questioned, expressing mistrust towards the intentions and pledges for change made by political parties, noting that society at large needs to exert pressure and demand that laws be passed on this matter. On the other hand, one of the participants made it clear that this was not a rebellion against the traditional system but an act of self-determination and autonomy without fear of repression, highlighting the legitimacy of the desire for parenthood, as long as it was more of a ‘desire’ than the ‘power’ to be one.

The participants thought that the Chilean *Civil Union Agreement (AUC)* was not such a great step forward in terms of inclusion and equal rights for the LGBTI community. The male couple stated that while at some point they would sign this AUC, the agreement does not support their family project as it is not constituted as a marriage. Roger expressed his dissatisfaction with the AUC as it is an agreement that fails to consider the emotional bonds existing in the relationship and its constitution as a

family. He also stated his wish for his family to be recognized with the same rights and duties as a traditional family. On the other hand, the female couple pointed to the option of signing the AUC instrumentally for the specific purpose of protecting family assets.

When thinking about materializing the parenthood project, some options emerged for both couples that surpassed the biological hurdle to conceiving a child. One of these was adoption, discarded in both cases due to the legal impediments to make it feasible, due to the lack of legal support for parents outside of matrimonial relationships. The female couple commented that while one of them could have begun the adoption process as a 'single woman', they decided to withdraw due to prevailing bureaucracy and long waiting periods. Another option they dismissed was the search for a sperm donor among acquaintances due to the risk of a third-party eventually wanting to demand parenthood. Finally, and based on the peace of mind and protection for their families that this can entail, the most feasible option was to conceive through assisted fertilization.

For the male couple, surrogate pregnancy emerged as the most feasible option in spite of its high costs and the difficulties involved in getting an ovule donor and a gestational woman. Some friends offered their support, even as the gestational woman, but in time all of them pulled out. This led them to reflect on the prevailing belief of what it means to 'be a mother', understanding that surrogate pregnancy could be experienced as 'giving away a child'. On the contrary, they considered the woman who facilitated this process to be an 'assistant' and surrogacy was seen as a paid assignment whereby the woman collected an amount of money similar to what she would otherwise earn working one full year. They stated that while in other countries surrogacy arrangements were regulated by means of contracts, legal gaps still prevailed in Chile, specifically regarding the protection of the filial bond of parents beginning the assisted fertilization process.

In Chile, a mother is regarded as the woman who gives birth, thereby strengthening the link between the gestational woman and the baby she is carrying, or the woman who provides the embryo's genetic material. At this stage,

they acknowledged that they were in a vulnerable position due to the constant obstacles faced, so today they would choose any option available to bring their dream to fruition:

Roger: *This could be a snag for our lives, but we are both willing to face it. If that were the case, it would be devastating, the worst pain in our lives, but we don't want that fear to stop us. If we were to accept that, we wouldn't be where we are now. I think we are both very happy to be in a position where we feel that this will end very soon.*

Another restriction that impacts the participants is their *socioeconomic condition*. The costs associated with assisted fertilization procedures and surrogacy are extremely high and no state subsidies are available, since government programs that support fertilization are designed only for heterosexual couples.

Human rights infringement

Both couples agreed that Chile is failing in terms of human rights and policies to protect them. At the same time, there has been a misunderstanding of the concept of equal rights. Certain resistances stem from the idea that non-heterosexual individuals are after privileges, when what is actually being claimed is the ability to exercise their rights, among them the right to parenthood.

Roger: *I am living my life now and I am very interested in leaving a future for my children and grandchildren, but what matters the most for me now is to live my life and enjoy my rights today.*

Activism and occupation

Both couples expressed the need to carry out actions that promote social changes to put an end to the violation of rights and the discrimination against the LGBTI community. They conceived education as an activism of sorts where they themselves are the leaders of change, either making their own life story visible, partnering with other groups, and demystifying—through reeducation—the ideas deeply rooted

in society about the LGBTI community. This involved an awareness process about the ways through which their own occupations were developed.

One of the participants perceived activism as a constant struggle arising from the need to address whatever causes they were suffering. The female couple participated in a pro-diversity organization that aimed at making the reality of and discrimination against lesbian and bisexual women visible, and promoting respect for sexual diversity. Their understanding was that this visibility was not an exclusive task of those who fight for their rights, but of society at large.

Abby: If my freedom and rights are limited I need to organize with others and make this visible ... within these barriers there's the feeling that this has been accepted ... it is assumed that we, as LGBTI community, are looking for privileges, when what we actually need is to have equal rights.

These views position everyday life within a 'context of struggle' where occupations performed on a daily basis acquired an offensive meaning and which, from the standpoint of the people interviewed, resonated with social representations. Thus, the expression of their wish to become parents within a same-sex family shaped the way in which they performed their daily occupations.

Discussion

Meanings associated with same-sex parenting as an occupation and the experience of occupational apartheid

The meanings concerning restrictions were mixed for each couple. For the male couple, this restriction was directly connected with the possibility of conceiving a child. Their story shows differences in the level of restrictions within the adoption and surrogacy processes on account of them being men. This is associated with prevailing gender stereotypes whereby the care and/or raising of a child diverges from the tasks and responsibilities culturally assigned to men. Their story is consistent with the occupational restrictions within a heteronormative system (Aravena et al., 2017), where men and

women possess determined and pre-determined gendered occupational fates. Breaking out of these imposed categories involves huge efforts and often suffering on behalf of those failing to conform to such stereotypes, as suggested in research by Beagan and Hattie (2015) and Beagan et al. (2012). Thus, a reality emerges where thinking about being a parent is restricted early on by social harassment that challenges the desire for parenthood, making it invisible. In this respect, these situations also impact on people that fall beyond functional stereotypes (Maceira et al., 2018).

The case is different for female couples. In their experience, the search for individual motherhood is an issue that has been solved and legitimized at the social level due to the naturalization of care and rearing tasks associated to women (Galaz et al., 2018). This, however, does not hold true in the case of joint motherhood.

The meanings associated with same-sex parenthood restrictions emerge when the rearing of a potential child and their relationship with the rest of society projected into the future. Anticipating a reality that discriminates and segregates causes frustration, helplessness, and fear (Gato et al., 2017). This potential occupational transition is restricted by a legal, political, and economic context that attempts to determine individual occupational choices (Galvaan, 2014). The inability of same-sex couples to be legally married in Chile limits—in legal terms—their chance of starting a family. That undermines the right to equality and non-discrimination, and the right to form a family, as established by the American Convention on Human Rights (ACHR) (Organization of American States (OAS), 1969), and reflects a "limited and stereotyped perception of the concept of family" (Álvarez & Vial, 2014, p. 485). Given the systemic nature of this occupational restriction—stressing the underlying political factors—this issue must be considered to be occupational apartheid. This explains why the attempt by the participants to exercise same-sex parenthood has become an experience of visibilization and struggle, where activism is understood as the main tool for social change and for coping with occupational apartheid.

Doing, being, becoming and belonging

Occupational apartheid had a huge impact on the daily lives of the participants, with severe effects for their self-perception, sense of belonging, and the feeling of having a place in the world (Wilcock & Hocking, 2015). Firstly, the couples shared how their life stories had been strained by their struggle for recognition and acceptance of their sexual orientation at the personal, family, and social levels. Consequently, their own perception as citizens had been in conflict when they acknowledged the denial of their rights for failing to conform to an heteronormative paradigm. This situation, as mentioned above, is shared by the entire LGBTI community and has negative impacts on their integrity (Aவில் et al., 2015; Beagan & Hattie, 2015; Beagan et al., 2012; Birkholtz & Blair, 1999; Goodman et al., 2007; Murasaki & Galheigo, 2016; Schneider et al., 2018), and consequently, upon their doing, being, becoming, and belonging.

Their stories also reveal how this situation caused such distress so as to determine and limit occupational choices and the way through which the participants engaged in different life scenarios—work, leisure and public places—requiring that they concealed the expression of their sexuality to avoid risk situations.

Restricting the exercise of same-sex parenting had driven them to develop actions focused on transforming their reality—called ‘fight actions’—which were aimed at making visible and educating about the inequalities and the infringement of rights they suffered, based on their sexual orientation. This *doing* is understood as the result of individual experiences and also as a tool to raise awareness, enforce their rights, and pave the way to materializing their life projects. In terms of *becoming*, they agreed that this struggle will last for the rest of their lives since in the future, it could be one of the ways to cope with the potential difficulties faced by a child belonging to a family that fails to conform to socially accepted patterns. Thus, they declare, building a family legitimized by the State is the only way to exercise citizenship and experience the *sense of belonging* to a just society.

Occupational justice and normative occupations

We consider it relevant to consciously practice as occupational scientists, understanding ourselves as political subjects and framing occupational science research within a human rights approach. Occupational science methods should help to critically reflect and understand occupational justice (Farias, Rudman, & Magalhães, 2016), being able to extrapolate this situation of occupational apartheid to other experiences of rights infringements that impact people’s occupational choices. As occupational scientists, we believe we have a role to play in terms of the social validation of family diversity, understanding same-sex parenthood as a reproductive, sexual, and occupational human right.

On the other hand, reflecting upon how normative occupations restrict the performance of other occupations is a matter of interest for occupational science. The studies that address marginalized, illegal, or disruptive occupations demonstrate that the focus of occupational science has been on occupations considered the ‘norm’ (Barlott, Shevellar, & Turpin, 2017; Kiepek, Beagan, Rudman, & Phelan, 2018). For this reason, it is crucial to unpack those mechanisms where normative occupations reproduce occupational injustice (Bustamante, Catalán, Salgado, & Spuler, 2017). Considering that LGBTI persons face occupational apartheid in their daily occupations, there is a need to question the role of occupational science in this context.

Another relevant aspect is the places where such discrimination is experienced. Both couples noted that this takes place mostly in public spaces, which could be closely related to the social unease caused by expressions of nonstandard sexualities and identities, which are considered “suspicious and dangerous for society, or threatening for social order and public morals” (Gómez as cited in the Inter-American Commission on Human Rights, 2015, p. 39). These ideas—based on prejudices and negative stereotypes—can help legitimize violence against LGBTI people as they restrict their occupations (Aவில் et al., 2015; Beagan et al., 2012).

Final Remarks

The relationship between sexuality and power within society underpins the infringement of equality and non-discrimination principles described in this paper. The regulatory system establishes a sexual order that stratifies society. At the top of the pyramid are sexual attitudes, practices, and identities considered legitimate; other identities remain at the bottom: invisible, forbidden, or even criminalized. Thus, the regulatory framework that encompasses social discourses, and State and national religious, scientific, and political powers, shape concepts of sexuality and establish a hierarchical sexual order with an unequal distribution of rights and privileges (Vaggione, 2012). This system produces a framework that shapes occupations, as identified in other occupational science literature (Avillo et al., 2015; Bailey & Jackson, 2005; Beagan et al., 2012; Birkholtz, & Blair, 1999; Schneider et al., 2018). In this sense, these frameworks underpin *hegemonic occupations* that turn unpredicted and cutting-edge occupational undertakings invisible (Bustamante et al., 2017). In this particular condition, heteronormativity works as a macrostructure that determines occupations which are more or less acceptable (Aravena et al., 2017). For this reason, parenthood between same-sex couples encompasses occupations and occupational performances outside sanctioned norms.

At the cultural level, understandings that heterosexuality is the only possible sexual orientation results in a series of behaviors linked with the polarization of genders and sexes (Galaz, Troncoso, & Morrison, 2016), reducing sexuality to reproductive goals and the formation of traditional families, suitable to support a social order based on the sexual division of labor. Presently, the Latino-American political, economic, and social system deepens inequalities and fails to guarantee the exercise of their rights by its citizens. From a social and historical point of view, it is important to revise the Chilean Constitution, overcoming the legacy of a civic-military dictatorship that transformed the country by imposing economic liberalism and social conservatism (Balbontin, 2013).

Conservative policies impose the moral and intellectual standards reinforced by the Chilean

Church in the public and private spheres (Balbontin, 2013), within families, in everyday life, and upon bodies. For the participants, the connection between politics and religion within Chile's conservative groups has been an element that has resisted change towards equal rights for the LGBTI community.

The oppression and violence against same-sex couples who wish to become parents threaten their well-being and become an obstacle to meeting their needs at different levels: personal, relational, and collective. At the personal level, both couples felt unsatisfied with their ability to exercise self-determination. At the relational level, they reported their frustration facing discrimination, insecurity, violence, and segregation against non-heterosexual people, making it difficult to find social support and engage meaningfully in different contexts. We claim that this reality infringes upon the healthy development of children and the formation of homoparental families that are both socially legitimized and visible.

Finally, the current political, economic, and social system has left same-sex couples with unmet collective needs in terms of equality, justice, and freedom. Several restrictions prevent these couples from accessing certain types of rights due to their sexual orientation, with ensuing impacts on their well-being and their role as citizens. This study sheds light on how normative occupations restrict not only people's engagement and access to rights but also well-being and health.

Limitations and implications of this research

This article provides a description of a subject insufficiently studied within the discipline. These findings might help to elucidate occupational apartheid experiences and can be used to develop tools and strategies to work with disadvantaged groups. The study developed a situated, limited, and initial vision where the narratives may have been unable to grasp all the elements related to the individual life story of each participant. This is explained by the fact that the focus was on the desire for the *occupational transition to joint parenthood*. Further

qualitative studies that involve the experiences of individuals that have experienced restrictions in their opportunities to be, do, become and belong could be useful to explore in more depth the impacts of occupational injustice on other disadvantaged groups, among them, LGBTI persons who wish to become parents.

On the other hand, the methodology also may present some restrictions, because the context of a person's daily life is not analyzed at all times, contrasting with public policies. Therefore, it might be interesting to relate narratives to public policies using a discourse analysis or other methodologies that may generate better understanding of the relationship between people and their context.

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