“We are three parents, but legally two” : absent legality, present display

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Introduction

Plus-two-parent families and the (absence of) law

Legal scholars Julie Wallbank and Chris Dietz coined the term “plus-two-parent family” to describe families that are characterized by an intended parenting project in which three or more parents have the intention to parent together in accordance with the agreements that were made among them (2013, p. 452). Intentional plus-two-parent families are generally formed by more than two (heterosexual or LGBTQ orienting) individuals/couples who decide to conceive and parent children together. For instance, following a co-parenting structure between on the one hand, a same-sex female or male couple and on the other hand, an involved male or female (heterosexual or LGBTQ identifying) parent. A combination of couple constellations is also reported when a same-sex male and female couple parent together in a four-parent constellation. Because of the combining of both aspects of parental intention and biology, the aforementioned families are, in a sense, ‘families of choice’ (Weston, 1991; Weeks et al., 2001).

Intentional ‘plus-two-parent families’ are currently not legally recognized in Belgium or in the Netherlands, given that both countries limit legal parenthood to two parents, including parents of the same sex. Although extensively reported upon by legal scholars*, only a minority of jurisdictions in the world currently recognize abovementioned constellations: two common law provinces of Canada (British Columbia since 2013 and Ontario since 2017), and some USA states (e.g. California since 2014). Given that most jurisdictions do not legally accommodate these types of parenting constellations, intentional plus-two-parent families largely remain legally and culturally invisible. Consequently, their current social and legal experiences remain uncharted territory, which hinders the distribution of knowledge on this subject among policymakers, legal practitioners and public services. Earlier studies have explored (potential) prospective parents’ views on different pathways to LGBTQ parenthood (e.g. Prałat, 2018) and parents’ views on biogenetic relatedness within parental projects between gay and lesbian individuals (e.g. Ryan-Flood, 2009; Smietana et al., 2014; Herbrand, 2017). Yet, the ways in which plus-two-parent families ‘engage’ with the law that is not accommodating them generally remains underexplored (see e.g. Cahn 2015; Surtées & Brenner 2019).

To probe the interplay between the social practice of plus-two-parent families on the one hand, and the legal implications of this, on the other hand, I will draw on the sociological concept of ‘display work’ (Finch, 2007). Display work, developed by Finch (2007) and influenced by earlier work on family practices (e.g. Morgan, 1996), encompasses the idea that families not only ‘exist’, but are also ‘done’ as well as ‘seen to be done’ (Finch, 2007). ‘Display’ refers to ‘the conveying of meaning though social interaction and the acknowledgment of this by relevant others’ (Finch, 2007, p. 77), while ‘work’ emphasizes the ‘doing’ of the family through performative and repetitive acts of display. Underpinned by the focus of this study on the performative aspect of non-traditional ‘family-making’ in juxtaposition with the current (in)visibility of such practices within law, the concept of display is rendered a valuable theoretical and conceptual tool.

Non-traditional parenthood and (the presence of) display

Family studies have a rich history in making the topic of non-traditional parenthood an inquiry for research through the (additional) lens of display. While display is important for all families, this importance might be felt to a greater extent among families that deviate from traditional two-parent scripts, characterized by coupledom and parental duality of the nuclear or ‘sexual family’ (Fineman, 1995), for instance due to cross-household living (Smart and Neale, 1999 p. 72). The (need for) family display is no constant given, but is characterized by different ‘degrees of intensity’ throughout one’s lifespan (Almack 2011, 117; Finch 2007). Previous empirical work looking into the dynamics of display within families after divorce, for instance, has shown ‘doing family’ in co-parenting structures can go hand-in-hand with an elevated need to demonstrate that one is being a good parent (Smart and Neale, 1999; Finch, 2007, p. 68). However, not much is yet known on how display work manifests itself in intentional plus-two-parent families across different households with no separation or divorce preceding the arrangements. Arguably, it is even more difficult to convey family imagery of and by families that are operating beyond the borders of the law. At the same time this ‘conveying’ is important, as family practices are not done in a vacuum but need to be recognized as such (Dermott et. al., 2011, p. 13). This implies an action as well as the (positive) decoding of that action. The extra focus on display for unrecognized families thus reinforces a normalizing gaze that legitimizes certain displays at the expenses of others (Gabb, 2011, p. 39). Display work is indeed very much a legal matter (Ryan-Flood, 2011, p. 123), as the display of unrecognized families might not be granted the same privileges of recognized parental links, with repercussions on the field of parental responsibility, custody, inheritance, social welfare and so on (Ryan-Flood, 2011, p. 123). Legality in this sense is believed to facilitate or hinder certain expressions of family display. In addition, the lack of legal recognition itself operates as a catalyst for the parents’ need to perform certain acts of display, enhancing or reducing the potential of future family recognition.

Aim of the study

This article posits that ‘displaying’ becomes especially important for plus-two-parent families when their legal (in)existence becomes the topic of policy inquiry, given their family contours are not as readily apparent or as easy to [legally] identify (Finch, 2007, p. 70). Drawing on qualitative data gathered from in-depth interviews with 21 parents living in Belgium and the Netherlands, it demonstrates that signs of display work intersect with legality on both internal and external levels, which often intertwined and overlapped. Below, I first shed light on methods and data. The relevance and conceptualization of internal/external family display in concurrence with the gathered data, is probed in the Results section. To conclude, I reflect on the research findings to explore their possible interplay with the law and, more specially, with the current absence of legality and existing policy controversy surrounding intentional plus-two-parent families. The parents’ internal and external display is characterized by different interactions with the legal domain and policy reformation, and facilitates insight into the everyday complexities in which the participants’ made sense of the (lack) of legal framework in the midst of societal and political debate towards a potential legal enactment.
Methods

Participants

I conducted in-depth interviews with parents in intentional plus-two-parent constellations. After the study was granted ethical approval, intentional sampling was carried out via personal/professional networks, as well as snowball sampling. The participants were selected purposefully. The study was aimed at Dutch-speaking parents living in Belgium or the Netherlands, who had conceived children knowing that they would (co-)raise them with more than two parents. Dutch and Belgian participants were grouped together on grounds of the commonalities of the Dutch language as well as their jurisdictions’ current lack of legal recognition of more than two parents through links of parentage. Participants were well-informed on the aim and goal of the study. Informed consent was obtained and the privacy of the participants was ensured.

A total of 21 participants were interviewed during the course of 2018. Participants were primarily white, educated and middle-class. At the time of the interview, the vast majority of the participants were actively co-parenting with more than two parents. An exception was made for two participants coming from two-parent families in which it was likely that an extra partner would take on parental roles in the future. The participants were aware of my position as a socio-legal researcher looking into the social practices of multiple parent families and its alignment with contemporary family law. In order to avoid conflicting interests as well as to build trust with each interviewee, parents from different parental constellations were selected. Regarding the legality of parental status, five different variations in legal recognition were noticeable within the participant group. At the time of the interviews, around half of the parents interviewed (N=10) had full legal status, encompassing both legal parenthood and parental responsibility. Two parents were granted legal parenthood without parental responsibility. Four parents happened to be a combination of a legal parent with parental responsibility and a non-legal parent without parental responsibility of at least one child in the constellation. In addition, one parent was simultaneously a legal parent with parental responsibility and a non-legal parent with parental responsibility of at least one child in the constellation. Finally, four parents completely held a ‘non-legal’ parental status; meaning they were neither granted legal parenthood nor parental responsibility.

Interviews

Most interviews took place at the participants’ homes. The majority of participants were interviewed without a co-parent present. On a few occasions, a partner/co-parent was present during the interview. In these cases, the partner/co-parent took on a supporting and complementary role. At times, (small) children were additionally present. Children were intentionally kept outside of the interview process. First, ethical permission was granted to interview parents only. Second, the majority of children from the parents within the sample were below speaking age, and/or were not mature enough to engage fully with the conceptualization of the research questions. However, parents often shared children stories and anecdotes, meaning that the accounts of children indirectly made their way into the interview transcripts via parents’ storytelling.

The semi-structured interview guide included a wide range of broad topics, which could be covered in any order to respect the ‘natural flow’ of the interview. The use of open-ended, broad questions made it possible for participants to elaborate on the topic in a way they deemed significant. The interviews lasted between 33 and 140 minutes, with an average of 67 minutes, and were audio-recorded and transcribed in Dutch. Parts of the transcriptions were freely translated to English. Pseudonyms were used during the entire process. Two participants asked me to remove certain (non-relevant) information from the transcripts after the interview due to privacy reasons. In the transcripts, this was signified with the informative line ‘removed at the request of the interviewee’. In the final state, the interview transcripts were carefully reviewed and electronically tagged in NVivo software. This made the identification of repeating themes and concepts possible.

Method of analysis

When transcribing the interviews and carrying out the analysis, I employed a reflexive approach towards the data, which enabled me to place my participants’ legal and social experiences, and my interpretation of these experiences, in their broader social and political context (Alvesson & Skoldberg, 2017). Display work was chosen as a theoretical and conceptual framework for analysis because of its ability to form a ‘sensitising concept’ (Blumer 1954; Gaibb, 2011) for families that are not easily identifiable and representable, as their family forms deviates from their legally recognized counterparts (such as LGBTQ families encompassing two parents). Given that display work entails individuals and groups of individuals conveying family messages to each other as well as to relevant audiences (Finch, 2007, p. 67), I conceptualize ‘internal display’ as the primordial level on which display work is done. Here, internal display appoints family display that is carried out within the family or constellation itself, and therefore principally exists within the closed subsystem of the family. This for instance encompasses (legal or social) relationships with child(ren) and co-parent(s), and how these relationships are experienced and represented within the unit. Given its ‘intra-familial’ nature, ‘internal’ display work encompasses a wide array of personal and situational aspects such as, on the one hand, display within relationship dynamics among the co-parents and, on the other hand, display between child and parent. The recognition of ‘co-parent’ status among the parents as well as the usage of colloquial kinship terminology such as ‘mommy’ (‘mama’) and ‘daddy’ (‘papa’) within the constellation, were found to be important constituents of internal family display. It goes without saying that the stories of parents in this context are solely accounts of such display. They are told stories of lived experiences instead of these experiences themselves. Internal display is therefore not easily distinguishable from its external counterpart. Yet, the conceptualization is useful to adequately represent the multilayered experiences of families with a lack of legal framework. When internal display - say, a colloquial naming practice - is carried out into a public setting, this practice between a child and a parent becomes external. I discerned ‘external display’ as (sometimes obliquely) present display carried out in ways that transcend the private spheres of the family home - by becoming either public, political, or in other ways widespread. Such acts of display not only encompass media visibility and platforming, but are also embedded in the relationship among the participants and their social circle (e.g. extended family members), on the one hand, and in the relationship between participants and relevant (legal) audiences (school teachers, doctors, medical clinics, administration, courtrooms etc.) on the other hand. Finally, I distinguished an indirect form of external display that took place during interviews themselves.

In what follows, I discuss three main thematic discourses that were identified throughout the accounts of parents on (ab)sent legality through the lens of internal/external conceptualization of family display, being: (1) the symbolic significance of language and (sur)namning, (2) the externalization of ‘parental status’ from within the family unit towards external others, and (3) the parents’ navigation of (ab)sent legality
surrounding their plus-two-parent situation. The result section is followed by a discussion on the significance of researcher-positions and the interview process itself, being both an important constitutive and ‘artefact’ of how families are displayed externally.

Results

Displaying through language: the symbolism of kinship terminology and (sur)naming

Language is one of the main tools of display, given that labeling and (sur)naming play an important role in how the display is carried out. If a child happens to have two fathers and two mothers and names these persons as such, the initial display is reflected and reinforced. Through colloquial kinship vocabulary and legal surnaming, parental symbolism is translated into everyday life. When using and selecting adequate terms it is apparent how kinship language often derives from standard kinship terminology (Cahn, 2015, p. 502).

In general, the parents interviewed perceived colloquial naming practices as a naturally occurring phenomenon within their families. According to participants, the limited (legal) kinship terminology of ‘mother’ and ‘father’ (Cammu, 2017) does not pose any serious challenges in reality; the ‘creative’ usage of kinship terminology was rather limited, and ‘traditional’ terminology was widely appropriated in everyday life. In other words, the mere fact there was more than only one father and more than only one mothers, did not mean that children did away with classic kinship terms. Instead, they likewise adopted them for multiple parents. The colloquial terms ‘mommy’ (‘mama’) and ‘daddy’ (‘papa’) were most frequently used. The multiple parent situation led to the social practice of combining mainstream (gendered) kinship terms (e.g. ‘papa’, ‘mama’) combined with the parent’s first name (‘Papa Tom’-, ‘mama Sara’). In addition to ‘mama’ and ‘papa’, other variations were mentioned (e.g. ‘mamie’ and ‘papi’). In some cases, ‘papa’ or ‘mama’ was used as a prefix, in which a new word emerged in combination with the parent’s first name (e.g. [fictive example]: ‘mamanne’ instead of ‘mama Anne’). Some parents reported that children copied a certain kin term to all parents regardless of their sex. John, for instance, recalled how their daughter (having two fathers and a mother) ‘called all three of them daddy’ (‘papa’) in the beginning’, which they found very amusing. It was also reported how children ‘copied’ a certain manner of speaking to their parent from the other-sex, even when this parent was the only parent of a certain gender:

“Our children use ‘papa Karl’ and ‘papa Tom’, the funny thing is, they started to do the same with their mother, calling her ‘mama Mies’. First, Mies objected to that: ‘why do you need to say my first name, I am your only mother’? But in the end she went on with it. The children call her mama Mies because they have two fathers. (Karl)

Furthermore, the use of parental kinship terminology was in most cases not linked to genetic or biological parenthood. That is, being genetically or biologically related to a child was no determining factor at all in the naming (labeling) of mother and father by the child(ren). This alerts to the significance of the social compound of parenthood in parent-child relationships.

While colloquial naming practices can be considered first and foremost internal family display, official naming, such as within birth certificates and documents of civil registries, is mainly external. Within this dataset, participants frequently referred to the significance of official naming when talking about their family structure. In most jurisdictions, in both Belgium and the Netherlands, official naming is linked to legal parenthood. A child can be given the name of the mother or the father in Belgium and the Netherlands, or a combined double-barrelled surname in Belgium. In parents in multiple parent settings, the allocation of surnames is limited to those names of the legal parents. Indeed, legal ties trump social relationships in the current practice of naming (Herrings, 2013, p. 318). Problems arise when children within the multiple family parent have different legal parents, as this will inevitably result in the allocation of different names for siblings. In addition, many participants spoke with felt the surname to have the symbolic function of ‘externalizing’ a parental link. Indeed, legal naming practices have been documented to play a role in one’s individual identity, the nature of families as well as power relationships within them (Herrings, 2013, p. 315). Jos, who is both a legal and a non-legal parent, explained how he and the co-parents wanted to give their children the same surname, because this was felt to signify a recognition of their family bond “…I hope that the law will change in due course so we can give them the same name after all.” Also Daisy referred to the significance of surnaming:

“A mother is always a mother, a father is not. Therefore, his surname is passed onto his child. That’s important to us. We could not give our children the same surname because our second child does not have the first father as legal father, while the two fathers are equally fathers, in our view... (Daisy)

Previous empirical research in naming practices of (two-parent) lesbian families showed a wide variation in surname usage (Almack, 2005, p. 242; Dempsey & Lindsay 2018, p. 1026-27). One of the approaches in these studies was the use of double-barrelled surnames, as this was believed to stem from the desire to reflect the equal position of both female parents (Almack, 2005, p. 242; Dempsey & Lindsay 2018, p. 1027). Within my sample of parents, the desire for double-barrelled names did (understandably) not derive from a desire of equal status of parents but from a desire of equal status of siblings.

In order to ‘battle’ the legal hurdle of the law on naming, parents often implemented non-official ways of naming in their social practice. (Jos, both legal and non-legal parent): “We asked the school to use a double-barrelled surname. In this way it feels for them [children] like they are siblings.” Katrien (both legal and non-legal parent) also considered the colloquial use of a double-barrelled surname to be of importance for her children: “Our daughters have different surnames. There was no other way, because they have different legal parents. We use a double-barrelled surname though. Our eldest finds this very important as it makes her feel connected to her sister.” The accounts of Jos and Katrien emphasize the placed significance of (unofficial) surnaming practices in steering feelings of connectedness and family belonging (Dempsey & Lindsay 2018, p. 1018, 1029). In this way unofficial surnaming provides ‘a tool’ enabling parents and children to convey social meaning regarding family identity when the circumstances require such acts of display (Finch 2008, p. 722).

Displaying parental status: family constellations and external others

I concur with Finch’s (2007, p.76) contested view (see e.g. Dermott et al. 2011, p. 14; Gabb 2011, pg. 53) that family display is always in need of reciprocity, for it can only be successful when relevant internal or/and external audiences affirm it as ‘family-like’. Consequently, it is important to explore the parents’ experiences with relevant audiences (co-parents, children, outsiders) who might or might not affirm their family display. Here, I am particularly interested in the role that legality plays in such processes of externalization and affirmation. Internal display in the family unit does not only encompass relational display between parents and children, but also among the parents themselves. That is, parents are believed to not only display their parental status to their children, but also to each other. Although only one perspective has been witnessed per family constellation, it became apparent from the interviews that the presence or absence of legal status clearly interfered with the displaying process. Some parents, Tine being one of them, noticed their precarious (non-legal) status in the aftermath of
legal battles or conflicts between co-parents. Participants like Tine seemed to notice a sense of status inequality; which I believe is a subjective sense of power imbalance that was believed to be deriving from the difference(s) in (legal) status within the family constellation itself: I always felt like I was given favors, because I am not a legal parent […] I do see myself as a victim, because there is no legal framework. The legal co-parent of our child possessed an instrument of power. I had the feeling that if I did not do what was expected, I would lose contact with my child. I felt frustrated. (Tine, non-legal parent)

Here, as a non-legal parent, Tine experienced feeling powerless over the lack of legal framework of her parental position. This fueled her need ‘to present’ as a parent towards the other co-parents in her constellation. Tine’s internal display of her parental status (her being a parent) to the others was hindered by legality, or more specifically, by the lack of legal recognition. Also Felix, who is a non-legal parent, explained how he had experienced first-hand that “a legal parent can really bully a non-legal parent”. Felix’ and Tine’s stories are clear examples of how (internal) display work and legality do interact and reinforce each other. When the internal display of parental status between the parents is not displayed adequately, or when the internal display of non-legal parents is not (or is no longer) recognized by the legal parents, former parents are at risk of sensing the workings of status inequality among them. The ‘bullying’ behavior as perceived by Felix arguably derives from the non-recognition of Felix’ internal parental display by the other co-parents, leading to conflicts within the constellation.

It is not known to which extent the experiences of ‘status inequality’ were taking place among the plus-two-parent constellations in which no conflicts were reported. Generally, parents mentioned the use of certain ‘tools’ to diminish the feeling of power imbalances, for example, in the social practice of making (non-binding) contracts between the legal and non-legal parents. As Karl, a legal parent, put it: “We know that, if we were to have a conflict, then he (non-legal parent) has no legal rights. For that reason, we concluded a contract, so we can at least show our intention to include him.”

Other parents who were in constellations with three parents, consisting of a couple and one single parent, reported a sense of status inequality at times deriving from a two-against-one dynamic. This was reported as something (single) parents wished they had been aware of before starting with the parental project. However, rather than being framed as a problem, the single parents perceived this status inequality more as a sentiment that came along during the journey of parenthood, and of which they were accepting.

In addition to the above, most participants felt all parents in the constellation were equal parents, notwithstanding their (lack of) bio-genetic link with their child. (Karl): “In our contract, it is written all three of us are parents, and that we will be treated equally”. In cases where there are three parents encompassing a couple and a single parent, parents often reflected on the possibility for the single parent to get romantically involved with someone in the future, and what implications this would bring for the constellation. (Richard): “She [female single co-parent] can get a partner, of course! But we want to have a say in the parental role of this partner. We have to approve”. In this regard, the parents within the constellation maintained a form of parent-control, enabling them to monitor acts of internal parental display from one parent to the other parents, and vice versa.

Internal display not only takes place between co-parents, but also between parents and children. Children were indirectly included in the transcripts via parents’ stories, which were often stories about normality and acceptance. Indeed, it has been documented how children in non-traditional families frequently display great amounts of tolerance towards their family (Weeks et al. 2001, 179). Young children were reported to be surprised at times not by the complexity of their family constellation, but by the simplicity of the family constellations of others:

Sometimes our son casually says to another child: ‘go ask your fathers’. […] of course, he does know not all children have two fathers, but he uses ‘fathers’ in plural automatically (Jozefien).

Mature children were reported to be moderate to very open about their family situation to peers, and in the class room or at school settings. However, this openness was not always unlimited, as the interview with co-parent Robin illustrates:

When children grow into teenagers, want to be normal. We were at a party the other day and our children said something like “well ask my father”, implying they only had one father, because there were other children present. For them, it’s not a big deal, its simply about not feeling like explaining their family situation at that moment. It can be a hassle for them to explain it to everyone. (Robin)

A story as Robin’s implies that children of multiple parents are believed to navigate external family display as they seem apt (in similar ways to their parents), rather than being constantly on ‘display mode’. For children, the disclosure or non-disclosure of the multiple parent situation might be done strategically through ‘negotiated levels of outness’ (Almack 2011, p. 104), depending on place and time.

‘Levels of outness’ (Almack 2011) are also woven throughout the parents’ externalizing of family display towards external others. Most participants felt accepted by (extended) family members and friends, as well as in school settings when ‘coming out’ as a multiple parent family. In general, most participants experienced positive responses and few negative ones. When meeting new people, many participants are willing to talk openly about their family situation. (Tine, non-legal parent): “We are very clear and open about it”. Some participants noticed how strangers or acquaintances are often surprised or confused when the multiple parent topic comes up. When telling a family anecdote, John recapitulated:

Mariet has three parents, no one is bothered […] but one time she yelled out in the supermarket that she has two fathers. And then this woman turned to me: “Children are so creative in making up stories!” and I laughed and said: “but it is true!” (John)

Reported negative responses to the ‘outing’ were found to be situated on the level of best interest of the child, which was at times questioned by outsiders. Christine, for instance, recalled how someone said to her that “it [the plus-two-parent situation] is a very bizarre situation for your children” and asked “if she had thought about what they will endure later on?” Similar stories were told. According to John, he was asked twice “what Mariet [daughter] would think about this when she grows up?” However, John countered these remarks by stressing the ‘everyday normality’ of the (according to some) ‘abnormal’ family situation speaking from his insider perspective as family member: (John): “People think this is annoying for a child, but […] it really is no issue. […] For her, this is the most normal thing in the world.”

In addition, participants who experienced negative or un-approving responses thought that these were rooted in people’s ignorance, rather than in bad intentions or homophobic. As Richard explained: “The only negative response we had was that someone said: ‘three parents, that’s overkill.’ But then, when you explain it to people…they understand.” The ignorance, and hence, ‘clumsiness’ of outsider responses was something that was apparent in the data. Many participants reported that they did not get negative responses; rather, they received what they would describe as clumsy responses. (Karl): “Actually lots of my male straight friends think that we, as gay men, had sex with the co-mother to create our children. Then we have to explain again: ‘that’s not what a gay guy does’”.
Similar ‘clumsy’ outsider responses to the initial display were situated on the interplay of social and biological parenthood. Getting asked who the ‘real’ father/mother is, and hence, who the biological parent is, was a common thread throughout the stories of the parents. (Jolien; legal parent): “People sometimes ask: well, who is the real father? And then I answer: well, both the men are fathers! Eventually I will tell them who the bio-father is, but first, I want to make them think about it by stating that both of them are fathers’. Examples like this underline the societal notion that biology and genetics (and not legality) are inextricably linked to parenthood. Of course, this does not diminish the findings of inadequacy with regard to the legal mirroring of existing bio-genetic links and social parenting practices, and the everyday problems this poses for non-legal parents.

**Displaying through legality: social practices, legal reflections**

Law means for its legal subjects that their families are valued (Baumle and Compton, 2015, p. 121). The allocation of full legal status to only two parents of the plus-two-parent constellation brings along a complex set of possible legal relations (Cahn, 2015, p. 502), meaning that multiple parent families navigate the law and its obstacles in day-to-day life (Surtees & Brenner 2019, 515). The interplay between the social practices of multi-parenthood and its lack of representation within the legal field is what I believe to be a core aspect of external family display. That is, the lack of legal framework for multiple parent families has consequences for how the participants themselves externalized their parental status. Indeed, when display work takes place on a macro level without being legally recognized in society, previous research has shown this will have legal repercussions of invisibility and non-existence (Ryan-Flood 2011, p. 123). Legal repercussions are generally found to have different impact levels in the everyday life of non-legal parents, ranging from less ‘serious’ impact (e.g. the need for administrative measures whilst travelling) to serious impact (e.g. the incapacity of urgent medical decision-making) (Cammu, 2019).

Non-legal parents frequently echoed finding it difficult to claim parental status towards society, simply because such a status is not legally available for them. For this reason, parents at times chose to display a different parental status in concurrence with legal reality, for instance, whilst traveling. When taking about a past family trip, Jef recalled:

“We took a trip with all of us [female and male same-sex couple], and when boarding the plane someone asked: ‘where is your husband?’ and then Kat [female co-parent] said: ‘I don’t have one’. So I said: ‘don’t say that! Don’t make it too complex for them’. So sometimes we won’t tell and then people think we are two befriended straight couples travelling together with children. (Jef)

Jef’s story concurs with previous research findings on four-parent families (encompassing a gay and lesbian couple) are sometimes ‘read’ as two heterosexual couples, for instance by children’s daycare assistants (Ryan-Flood 2011, 123). Such findings suggest how people ‘outside’ of queer culture can stay oblivious, as they do not have the tools or knowledge to read the display correctly (Gabb, 2011, p. 44). Therefore, those ‘within’ queer culture might try a different display that is more apt. Here ‘passing’ as two straight couples helped this multiple parent family blending into the mainstream, granting them passing privilege and enabling them to avoid the stigma associated with plus-two and/or LGBT parenting. At times, however, stigma was unavoidable. As another parent, Maja, explained: “When we [two male parents and one female parent] go on holiday together with our children, then the legal father will go through airport security first with our son and the other legal father with our daughter. And then people don’t understand it […], or think I have two men, or that one of them is my ex, or something…” Indeed, intentional multiple parent families are difficult to display. Consequently, misrecognized (external) displays remain invisible and therefore less socially meaningful (Gabb, 2011, p. 51).

Furthermore, non-legal parents often experienced a discrepancy between their social and legal reality. ‘Reminders’ of these discrepancies were apparent. (Karl): “I wanted to legally recognize our second child before birth. It appeared I was not allowed to, as I was already married to my husband, who had recognized our firstborn. Legally speaking I had conceived an extramarital child, so I had to start a legal procedure.” Karl’s story illustrates how the parents themselves experience law as not made for them. Legality here functions not only as a reminder of the discrepancy between the legal and the social reality, but also as a hurdle for family planning and (legal) family arranging. ‘Reminders’ also came from other fields. (Jozefien): “When I fill in my tax forms, it states that I have no children at all, while I am the parent of two. Our children ‘pop up’ on my wife’s tax forms and on those of the children’s father”. Here, the discrepancy between the social and the legal reality ‘popped up’ when Jozefien was doing taxes. Indeed, there can be significant differences between everyday understandings and legal understandings of parenthood (Almack, 2006, p. 8). By implication, display work of parental status will be displayed differently across different ‘visions on reality’. To put it simply: while legality sees a non-parent, non-legality sees a parent. Building further on this argument, it was apparent that parents often framed their legal reality as not being real. Rather, the legal was put aside as something ‘outside them’ they had no affiliation with. Multiple parent realities are clearly forms of queer realities: not officially or legally documented but still existing through repetition and recurrent social practice (Vaccaro, 2010).

At one point during the interview with John, he promptly stated: “We are three parents - legally two, but that’s only on paper”. Here John perceives his three-parent situation as ‘real’ while the reality of the inadequate legal mirroring of this is seen as being of less importance. The discrepancy between the legal and the social was something that was additionally felt by legal parents co-parenting with non-legal parents. Line, a legal-parent, reported to feel conflicted about ‘being in the privileged position of being legally recognized. (Line): “It doesn’t sit quite right with me. When he [son] was born, we went to the registry with the three of us, but the father was ignored. A bit harsh… He is the father”. At times, legal parents described the discrepancy between the legal and the social leading to (temporary) tensions within the family structure. Legal parent Maya recalled how “the non-legal father felt like an outsider during the pregnancy. He is legally not connected to this child at all […] but he is no less of a parent than we are”. Such remarks clearly illustrate the interconnectedness between internal and external forms of display.

Notwithstanding the lack of legal recognition, parents did often ‘manifest’ themselves as parents to society even though there was no legal status accompanying this display. In addition, non-legal parents often gathered (legal) advice on how to navigate the lack of legal framework, and therefore, on how to strengthen their parental display. (Bruno, non-legal parent): “The notary advised me to ‘give up’ my child, legally speaking, so I can establish ‘family life’. In this view, I can still get visitation rights with my son in case something goes wrong”. Indeed, when the law is not shaped to accommodate those who do not conform to mainstream family standards, the non-conforming will find new, creative ways to come as close to legal protection as possible.

From the stories of participants, it is apparent how display work and legality are intricately interwoven in everyday life. The lack of legal framework elevates the need for a certain family display to be carried out, while simultaneously, recurrent display work itself is a contributing factor to political and legal change. As pointed out earlier, Finch (2007, p. 70) suggested that (familial) relationships might not entirely exist
until they are successfully displayed. Building further on this argument, familial relationships might not entirely exist until they are adequately reflected legally. Here, display can (but does not always) operate as a tool to steer legal change indirectly and/or to raise societal awareness.

**Discussion: ‘indirect’ external display and the role of the researcher**

Explications of display work made apparent the many ways in which legality is experienced, depending on the characteristics of the individuals and the environments in which they are nested. Display work is a constant given in the identity of being a parent, and this is not different for the parents with whom I spoke while carrying out fieldwork. From an ethnographical standpoint, the interviewer takes on a reflexive and observational approach by being susceptible to non-verbal and environmental clues. Indeed, ‘tools’ of display can be subtle, as they often transcend spoken language. Parents might not feel the need to fully enlighten me about their parental status if they can externalize this status.

This is what Finch (2007, p. 77) referred to as ‘indirect tools’ of display. For instance, many parents showed me photos of their children, in their houses, in their wallets, hanging at a key chain. The act of presenting photos was often accompanied with stories about when the photo was taken and what it meant for them. Some parents referred to their past media appearance in news articles or magazine feature stories. At several times, participants stood up to show me material (photos, interviews...) that they had carefully kept and archived. A parent showed me a pair of baby trousers they had bought for their child(ren), on the way to the interview. In addition, in cases where the (young) children (babies or toddlers) were present during the interview itself, I identified the child’s presence as being a form of indirect display. For parents in multiple parent situations such display might contribute to the conveyance of messages about parental status in ways that words simply cannot. Indeed, not the words but the *deeds* of expressing that one is a parent (e.g. showing a photo, child interaction) might be an indirect tool for participants to convey the message ‘this is my family and it works’ (Finch and Mason, 1993; Finch, 2007, p. 70).

However, my argument here is not that the parents’ display is (always) intentional; rather, that display work comes in many forms and that it is an intricate part of being a parent. Undoubtedly, forms of ‘indirect’ display also play out within the family setting, far away from the observation of external parties. Yet a researcher can observe only what is either directly or indirectly presented. For me, this implies that I have to be conscious of the fact I witnessed only ‘a brief glimpse’ of the day-to-day life of a parent. For the participant, this implies that choices need to be made about what will be displayed what will not be displayed (Almack, 2011, p. 117).

Indeed, interviews are by itself ‘performances’ grappling with fluctuating interviewer-interviewee identities of actor and audience (Finch, 2007, p. 76). Hence in the process of personal story narration a researcher does not simply ‘capture’ the accounts of those who are intervieweed. While accounts of interviewees are told and ‘displayed’, they are simultaneously ignited, shaped and co-produced through interactions with the researcher (Heaphy & Einarsdottir 2013, pg. 67). As Heaphy and Einarsdottir note (2013, pg. 67), this shaping process of narration does not take away power of the interviewee to actively construct one’s own narrative: rather narratives are displayed vis-a-vis multiple audiences, of which the researcher is one. Hence, researcher-identity matters because the researcher has the ability to reflect, recapitulate, ask additional questions, provide answers, and express empathy.

All participants were informed at the outset that the research was a socio-legal exploration into the social and legal experiences of parents in a multiple parent context. This implies that they were aware of the potential impact of their contribution on academic knowledge, and perhaps even (indirectly) on legal change and policymaking. In addition, the participants who were willing to contribute to the study are all members of a society in which legal multi-parentalism is currently absent, albeit a highly debated topic. Consequently, all interviewees entered this research study with their own set of opinions, personal beliefs and experiences in mind. Taking this into consideration, the expectations of participants regarding future policymaking in this domain were by no means uniform. A couple of participants chose to contribute to the research study in order to convey ‘words of warning’ and/or critical reflections on their family constellations. Often, these stories derived from participants who were in conflicting situations with co-parents at the time of the interview, or who had been in such situations in the past. These parents wanted to share their first-hand expertise on the legal and social difficulties that they had experienced during their journey in a multiple parent family. In this vein, display work might be used not only indirectly and/or subconsciously to steer legal change, but also to criticize the possibilities of legal change and the modalities of its future enactment.

**Conclusion**

The display of ‘family-making’ in all its social and legal facets is especially important for those who deviate from the mainstream. By taking a closer look at different facets of display work among parents in intentional plus-two-parent constellations, this article contributes to the limited body of research looking into the manner in which multiple parent families interact with and understand legality. The parents within this sample made use of a wide array of levels of display work to position themselves vis-à-vis the complexity of everyday experiences regarding their parental situation. I discerned internal and external levels through which display work was manifested across three apparent themes for analysis. These levels operated as a conceptual framework to better understand and represent the participants’ legal experiences.

With regard to internal display work, legality did not seem to pose a problem in the relationship between parents and children. That is, the social practice of naming largely adheres to prevailing mother/father dichotomies within legal kinship terminology in Belgium and the Netherlands. Internal display among the parents tells a different story. Here, the lack of a legal framework for all parents resulted in a different legal/non-legal parental status. Such a difference in status was reported to lead to forms of internal power struggles, of which the participants’ reported being mildly to very strong aware. For this reason, it is possible that the current lack of legal framework leads to additional tensions or struggles within the family constellation, and thus (paradoxically) to an increase of conflicts.

External display then, which takes place from parents to (social) environment, was hindered by legality in several domains. Parents expressed the importance of symbolism of (surname) naming. For this reason, children were at times given a (unofficial) surname consisting of double-barrelled names, in the event that they could not have the same name due to having different legal parents. The symbolism of the surname was additionally mentioned as a tool for a non-legal parent to feel connected. The lack of legal framework was felt most deeply in the domain of external display from parents to the outside world - aimed, for instance, at schools, extended family, friends as well as public services. There appeared to be a clear discrepancy between the social experience and its (lack of) legal mirroring. The social practice was perceived as ‘real’, while the legal reflection of this reality was reported to be inadequate, subordinate or ‘unreal’. This suggests a different ontological view of ‘reality’ among legal practitioners/scholars on the one hand and parents/participants on the other hand.

The general discussion of results as outlined above offered a reflection on the interview process itself as an indirect form of external family display. That is because the researcher who is conducting interviews is (or becomes) a relevant audience as long as the interview takes place. When participants/parents believe a researcher before them has a contributing ability to lead to any form of legal change (or conversely, to
hinder such change), certain displays might be carried out over others. Some legal stories might be told while other stories might remain hidden, and non-verbal imagery can enter the stage.

In sum, this article explores how display work proves to be a necessary tool in mapping the legal complexity that parents in multiple parent settings grapple with. By doing so, this article adds further insights into the broader theoretical debate surrounding the concept of display work, along with its practical applications. Although existing links between members of multiple parent families are not (or only partly) recognized by law as being 'of family nature', the way in which these families are internally and externally 'done' or 'carried out' paints a different picture. Display work not only makes apparent the existing discrepancies between legal and social realities in the everyday life of parents, but also the importance placed on the legal mirroring of the unrecognized acts of family making and family display preceding such recognition.

Data in this article was gathered from 21 primarily white, educated and middle-class parents living in urbanized areas in Belgium and the Netherlands. As is often the case in purposeful sampling, working-class and non-white parents were represented only to a limited extent. Given that the experiences of participants from socially privileged groups were already accompanied by stories of everyday difficulties and insecurities, similar experiences might well be playing out to an even greater extent among individuals from invisible or hard-to-reach social groups. Therefore, future research should aim to include participants in multiple parent settings from other demographics, race and social background in order to explore the possible intersections between such variables, display work, and the legal domain.

Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Notes

In this article, the term ‘plus-two-parent families’ and ‘multiple parent families’ (Wallbank and Dietz, 2013, p. 451-2.) refers to families in which the actual practice of childrearing is carried out by more than two intended parental figures. These may or may not have legal status. Within socio-legal and family law jargon, the term ‘legal multi-parenthood’ signifies links of parentage with more than two persons, while the term ‘multi-parenting rights’ refers to the allocation of parental responsibility (and not legal parenthood) to more than two persons.


(ABelgium) Article 335 §1 Belgian Civil Code (the Netherlands) Article 1:5 Dutch Civil Code.


References


