

“Doing parenthood” within ambivalent orders of recognition

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1 Introduction: who is considered a parent and what is a family?¹

Of general knowledge – at least in sociological, social work and anthropological research – is the fact that conceptions of the family institution and daily practices of families have pluralized. Moreover, the diversity of families has become more visible over the past decades. However, we can still observe that some families are more equal or rather, different than others. Therefore, some questions arise that may be worth examining: Who is considered a parent and what is a family?

In the last few decades, same-sex relationships have been decriminalised across several nations worldwide, and gradually “rainbow families” or families that differ from the heterosexual nuclear family norm are experiencing less marginalisation and achieving more legal recognition. In regions such as the European Union, significant legal changes have been observed: for example, the introduction of same-sex marriage and the right to adopt for same-sex couples (Ayoub 2016). Social movements such as the women’s and LGBTIQ* movements have played an integral role in this change. However, we have not reached a point where societal recognition for all relations of mutual care and responsibility has been achieved, and legal barriers for LGBTIQ* and multi-parent families continue to exist (Teschlade et al. 2020). Against this backdrop, I discuss the question posed above. Such socially and legally complex yet highly relevant questions have substantial implications for everyday family life. My considerations originate from the sociological research project “Ambivalent Recognition Order. Doing Reproduction and Doing Family beyond the Nuclear Family.”² The focus of this research project is to understand how people create, become,

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2 The research project was funded by the German Research Foundation (DFG) from 2018 to 2021 and led by Christine Wimbauer (Humboldt-University of Berlin), Mona Motakef (TU Dortmund), and Almut Peukert (University of Hamburg) (WI 2142/7-1, MO 3194/2-1, PE 2612/2-1). Our team members, Julia Teschlade and Leoni Linek, and our student assistants,

and remain a family (or not) against the backdrop of the changing and ambivalent order of recognition. For this purpose, we interviewed different family constellations with lesbian, gay, trans*, pan, and poly parents in Germany.

Based on the interviews with families beyond the heterosexual two-parent norm, I analyse the recognition of non-normative families and parenthood. How are parenthood and family practiced and what are the kinds of experiences of social inequality, inclusion, and/or exclusion that these families cope with? These questions led me to the reconstruction of family narratives. Considering inclusion and exclusion as key characteristics of recognition order, I focus on two specific fields relevant to social work: stepchild adoption and interactions with educational institutions. I argue that a careful examination of scientific as well as societal concepts and definitions of parenthood and family is mandatory: Concepts of family and parenthood must be more strongly differentiated, to avoid being caught in an overly simplistic conception of who is considered a “parent” or “non-parent” or who can be recognized as a “family” or “non-family” entity.

I begin by presenting a brief overview of earlier research in the field of queer kinship and families in chapter 2, hint at crucial theoretical frameworks on recognition and “Doing Family” in chapter 3, and present the research design in chapter 4. In chapter 5, the findings section, I discuss aspects of inequality produced by the recognition order that the families interviewed need to deal with. As a crucial finding, in the conclusion presented in chapter 6, I discuss the entanglement of the ambivalent order of recognition at the macro level, with the notion of “Doing Family” or everyday family practices at the micro level.

2 State of the art: queer parenthood and family-making

Research on queer parenthood and family-making in different disciplines is constantly evolving (for an overview, see e.g., Biblarz/Savci 2010; Goldberg 2010; Hicks 2011; Golombok 2015; Peukert et al. 2020b). The body of research encompasses studies that reconfigure the family narrative in the non-heterosexual world by creating “families of choice”, which depend on elective ties rather than bloodlines (Weston 1991; Weeks et al. 2001). Researchers have also studied pathways and transitions to parenthood (e.g. Patterson/Tornello 2011; Kokanović et al. 2018; Teschlade/Peukert 2019), different forms of family creation such as foster care and adoption (Goldberg et al. 2011; Goldberg 2012), donor conception (Chabot/Ames 2004; Mamo 2007; Nordqvist 2014), and co-parenting (Bender/Eck 2020; Wimbauer 2021). From an intersectional perspective, research demonstrates how social stratification, class, or

Julia Bringmann, Lena Mobers, and Elena Mayeres, were engaged in data gathering and analysis. I am thankful to the entire research team for our thought-provoking discussions.

"race" cuts through cohorts defined by sexuality (Moore/Brainer 2013; Mammo/Alston-Stepnitz 2015; Gabb 2018; for an overview, see Teschlade et al. 2020).

Researchers have studied how queer parenthood is discursively produced against the background of legal hurdles and institutionalisation, considering different national legal contexts (Butterfield/Padavic 2014; Goldberg/Allen 2013). The focus is on the question of how law (co-)constitutes, facilitates, and hinders parenthood and family systems (Helms 2016; Kazyak/Woodell 2016; O'Donnell 1999). The main criticism points to the legal construction of the family as an exclusive and restrictive interpretation of what constitutes a valid and legitimate family relationship. It fails to recognise the diversity of family structures experienced by an increasing number of family groups. By recognising certain relationships as "family," the state confirms that these have some positive benefit for wider society. These valuable relationships are worthy of regulation and protection, and the rights and responsibilities of those within them will be recognised and enforced. By contrast, denying legal recognition to non-traditional families strips them of validity and self-worth, and deprives weaker family members of protection (O'Donnell 1999: 78). This "othering" taking place at the legal level continues in the everyday life of queer families (Perlesz et al. 2006; Dionisius 2021; Hartmann 2014; Nay 2017). The limited research available in the pedagogical field shows that sexual and gender diversity is rarely a topic in pedagogical practice (Schmidt et al. 2015) or that queer families find themselves in social work contexts (e.g., schools, daycare centres, or government offices for youth welfare) between experiences of ignorance and othering (Riegel 2017; Leland 2021).

3 Theoretical perspectives: recognition and "doing family"

In the analytical framework of the research project, we draw on theories of recognition, heteronormativity, and coupledness, and integrate a praxeological approach considering the practices, interactions and "doings" of social actors, such as the "doing family" concept (Morgan 1996; Jurczyk 2020a). From a micro perspective, we examine how families experience legal and institutional frameworks and how they act, sometimes obstinately, within these contexts. To grasp theoretically social structures in their relation to practices and social interactions, we combine the praxeological approach with pragmatist approaches and symbolic interactionism (all of them grounded in the interpretative paradigm).³ We capture social structures as more or less stable social entities such as institutions, organisations, stratification systems, and cultural values (Strauss 1978, 1993; Peukert 2015). While structural conditions constitute frames for situated interactions and practices, the structures themselves

3 On the similarities between practice theory and pragmatism cf. Bogusz 2009.

are reproduced or questioned within interactions. Hence, interactions and structures co-constitute each other.

Honneth (1992) theorises society as an “institutionalized order of recognition” (own translation), in which historically changeable cultural norms define who can be recognised. He distinguishes three ideal-typical forms of intersubjective recognition: love, right, and social esteem. Developing on Honneth’s social order of recognition, we integrate Judith Butler’s conceptualisation of recognition in order to grasp the heteronormative order of society: Heterosexuality, in this sense, is the unquestioned norm in the spheres of “love” and “law”, which implies that deviating from this norm can hardly be legally and socially recognised. It helps us understand what people have to do in order to become recognised. From a queer theoretical perspective, Butler (2012) points to the ambivalences of relations of recognition and focuses on the frames of orders of recognition: How do norms determine whose subjectivities are considered recognisable? Norms have a regulating function that is both enabling and constraining. The subject must conform to these normative conceptions in order to become first apprehensible — apprehension being a form of knowing and perception — and consequently intelligible. Systematically interwoven with heteronormativity is a coupledness. Both result in the powerful norm of the heterosexual couple (with children) as the basis for the model of the “normal” or nuclear family.

From a praxeological perspective, we ask: how do queer families or families beyond the heteronormative construct “do family” in order to become recognisable? For the analytical focus on practices, the doings (Sacks 1984), we use the “Doing Family”-concept in the tradition of Morgan (1996, 2011), Finch (2007), and Jurczyk and colleagues (Jurczyk et al. 2014; Jurczyk 2020a; see also Jurczyk et al. in this volume). According to Jurczyk (2020b: 29), on the one hand, “doing family” is about coordination and everyday organisation to render the family as a shared context that is practically livable in everyday life. On the other hand, under the aspect of meaning-making and social cohesion, it concerns processes in which the family is created in everyday interactions as a special kind of network that is meaningful for its members. This happens in joint action, in mutual reference to each other, and in the symbolically charged representation as a family. Consequently, I argue that parenthood is not simply about being or becoming a parent, but one must do or take actions to fulfill the role. These interactive processes are contingent, such that the production of parenthood can succeed in situ, but also fail.

4 Research design

In this article, I draw on data from a larger sample of LGBTQ* families interviewed in Germany. My research is part of the abovementioned project *Ambivalent Recogni-*

tion Order. Doing Reproduction and Doing Family beyond the 'Nuclear Family', in which we focused on how LGBTQ* people create, become, and remain a family (or not) against the backdrop of changing and ambivalent orders of recognition. Germany presents an interesting case, as same-sex marriage and adoption were legalised in 2017. Yet, significant legal inequalities and hurdles for LGBTQ* families in Germany remain. For instance, at the time of data collection and article writing, the law was that for lesbian couples, the non-birth parent must adopt the child to be legally recognised as a parent. In contrast, the 2021 coalition agreement of the 'traffic light' coalition states that the government plans to abolish stepchild adoption and newly regulate the legal recognition of lesbian parenthood. In another scenario, multi-parent families face legal hurdles because no legal provisions exist for multiple parenthood in Germany, and legal parenthood is only possible for single parents or pairs of parents. Hence, families with more than two parents (LGBTQ* co-parents, heterosexual patchwork, and co-parenting families) must decide who receives and who relinquishes parental rights, with implications for power and (in)equality in the family.

The research design, including data collection, theoretical sampling, data analysis, and theorisation of empirical results, was following the grounded theory approach (Strauss/Corbin 1990; Charmaz 2014; Strauss 1987). We interviewed 13 self-identified LGBTQ* (or non-heterosexual) families. As we talked to some informants twice (first with all family members and second as a couple or individually), we conducted a total of 19 family, couple, and individual interviews between 2018 and 2019. All interview data were translated and anonymised; names used in this article are pseudonyms. We appropriated the term "family" as a sensitising concept for everybody who reliably takes care of children or intends to do so in the future, irrespective of whether this is done as a sole parent, couple, or within a multiple-parent constellation. All adults who deemed themselves part of the family were interviewed together; we did not interview children. As leading sample criteria, we interviewed LGBTQ* families who have or plan to have children.

Couple and family interviews as the method of choice for data collection serve as documents of inner familial negotiations about family and parenthood, also capturing the embedded conflicts and orientations (Wimbauer/Motakef 2017; Heaphy/Einarsdottir 2012). Moreover, interviewing parents together allowed us to witness their interactions and reconstruct their negotiations in situ; for example, about who will start, how they choose to share their story, and whether they interrupt or complement each other (Peukert 2015). The dynamics in narrating their negotiations about family and parenthood and the embedded conflicts and orientations are crucial data and reveal the merit of interviewing them together. The narrative interview technique was employed, beginning with the opening question "How did you become a family?" and followed up with broad questions intended to encourage interviewees to share stories about getting to know each other or becoming a couple, their negotiations about having a child together, daily routines of engaging in and

managing paid and family work, and questions about legal and social recognition and discrimination.

From the total sample, I discuss two cases in this article. The first family, Carolin and Mara, have been married for two years and are mothers of a common child. Since Carolin gave birth to the child, she was immediately recognised as the child's legal mother. Mara, however, had to adopt her child through the complex "stepchild adoption" procedure, which took almost a year. In the meantime, both parents are registered as mothers on the child's birth certificate. The second case, Friederike and her ex-partner, Charlotte, recently ended their partnership. They had been a couple for 12 years. When they met, Charlotte already had a little child (Annika), from a couple relationship with the child's father. During the relationship between the two women, Friederike became a relevant parent for Annika in everyday family life. Legal parenthood, however, is exclusively shared by Charlotte and Annika's father, who lives more than 3,000 km away and does not participate in day-to-day care responsibilities. At the time of the interview with Friederike, Annika lived in alternation with her mothers: one week each with Charlotte and Friederike.

5 Findings

In the following presentation of my research findings, I focus on two arenas: 1) trials of recognition in the field of stepchild adoption, and 2) recognition in interactions in the context of educational institutions. In both arenas, we can observe the interactions between parents and institutions. Through interactions, I mean not only direct, face-to-face interactions in the Goffmanian sense, but also when interviewees are implicitly addressed or not addressed as parents or families, institutionally and normatively. In both arenas, the fragility and "making" of family and parenthood became especially evident in the material.

5.1 Trials of recognition: stepchild adoption

Negotiating pregnancy within the legal context of stepchild adoption

Among most lesbian couples, both women can or must (usually) negotiate and decide who in the couple should become pregnant. In addition to practical bodily implications such as pregnancy and birth, this also has legal implications: German law assumes the "ideal of a coincidence of genetic, [natal; A.P.], legal, and social parenthood" (Schwab 2011: 46). According to the German Civil Code, this means: The mother is the woman who gives birth to the child (§ 1591 BGB). The legal protection of dual motherhood in the sense of joint parental care has so far only been possible through stepchild adoption. Even after the introduction of the "Marriage for All Act", the partner of the woman giving birth is not legally considered to be the mother

(for related criticism, see, among others, Chebout/Richarz 2018). The introduction of "co-motherhood" is increasingly the subject of political discussion and will be re-formed according to the coalition agreement of 2021.

How do lesbian families experience this legal framework and how do they act within these contexts? In general, the lesbian families we interviewed experience the necessity of adoption as a hurdle and degradation of the parenthood of the non-birth mother. A detailed analysis shows that stepchild adoption is already having an effect on families far in advance, as in the case of Mara and Carolin. We interviewed them once before and once after the birth of their child (see also Peukert et al. 2020a). The couple recounted how they already anticipated obstacles from the youth welfare office (Jugendamt) in the adoption process when deciding which of the two partners should become pregnant. The two decided that Carolin should be the first to become pregnant. Thus, by virtue of her pregnancy and the child's birth, she was automatically granted legal parenthood. In the interview, Carolin recalled what it could have meant from her point of view if Mara had become pregnant:

"...then I would have a, a worse salary check, I would have separated parents who do not live here, I would not necessarily have the best preconditions that one says; yes, so we find you good as a second mother. This was the reason why we said, I will start, because now they cannot do anything to me."

Carolin names aspects that could be used against her in the adoption proceedings as a non-birth mother who is part of a non-heterosexual relationship: she provides economic reasons such as her income as well as her own family of origin as a potential threat to a positive decision about her "appropriateness" as a parent. She develops a defensive position, indicating that she interprets the normative and legal framework of the adoption procedure as a threat to her family.

Precariousness of being a parent

The couple also talks about their experiences after their child's birth. Here, we can observe how the knowledge of the lack of legal recognition as parents and the necessary adoption procedure shows Mara's fragile position as a parent.

Mara: But I also found it a crazy moment to leave the hospital, because I thought to myself, "this can only be a mistake, that we are now allowed to go home with this worm [little baby]."

Carolin: Then they had just let us go, that was also such a strange feeling.

Mara: So that they just let us go, that, that someone doesn't come running after us and say, oh, excuse me, no, stupid, how, how could you assume that you were really allowed to do that? So, of course, you still have to do twenty courses and three certificates and, uh, in general, we won't let you have a child. ...

Carolyn: That came then with the adoption later again from time to time, (laughing slightly) the feeling.

Mara: Yes. (laughs gently) fear. ... That already existed. Or it was still there, uh, so latent, but that you can then just leave and that you are then just sitting again in the home, where you were two before and then you are suddenly sitting there with three, that was uh, already crazy. I still remember that I went to the supermarket (...) and I thought it was totally weird that everything was so normal. ... and I thought to myself, wow, cool, I 've had this experience somehow, I now have a child.

Mara, in particular, expresses how vulnerable and precarious she feels in her situation as a lesbian mother. She could not imagine simply being allowed to leave the hospital without any discussions after the birth of her child. She describes her fears of not being allowed to be a parent, that the child might be taken away from them if she cannot provide more certificates and complete more courses, etc. At the same time, she is very happy and describes a surreal feeling about having a child.

The sequence particularly shows the emotional balancing that lesbian parents must perform against the background of an ambivalent order of recognition. On one hand, they can become parents as a matter of course and leave the hospital with the child. On the other hand, legal procedures, such as stepchild adoption, call their parenthood into question.

Gaps between being a parent in everyday life and a non-parent in institutional and legal contexts

Against this background, Mara reports why it was so important to her to start the stepchild adoption process as early as possible:

“For me, it's actually like that, that makes a difference for me since uh these letters also go to me and I'm allowed to sign them. Before, I could only pass them on, that was also a bit of a strange feeling. And, it was actually one of the reasons why it was super important to me not to wait with the adoption. (...) it's not the most important things now, sure, the most important thing is somehow, how you get along with him [the child] in everyday life. But I actually feel more like a second-class mother when, whenever there's something to sign (laughing lightly), I can just say, here, I'm not allowed or I have to take the letter with me, uh I can't register him at any daycare center. I can actually do nothing in that sense. Um and it was never the case that something didn't work out because of that (...), it's actually more like um yes, it's a stupid feeling when you actually think you could do it exactly like that, but you're just not allowed to.”

Mara expresses her discomfort through the example of official letters because they are not addressed as a family. Only Carolin is addressed as the child's parent, and this has a double sense: the letters are addressed to Carolin in the literal sense; simultaneously, the letters address Carolin as a single-parent family, while Mara is made invisible.

Mara cannot identify any "hard" consequences for everyday life. Does this mean that there is no discrimination? I argue, no, because not addressing her as a parent makes her a "second-class mom." She phrases this as a "strange feeling". The discrepancy that the feelings create becomes clear: in everyday life and their "Doing Family" and "doing parenthood," she is a self-evident and equal parent. However, the official institutions do not address her as a parent. She is incapable of action by law. My argument here is that the implications of law are to be considered on the one hand on a family organisational level, for instance, who can register the child for kindergarden. On the other hand, strong emotional consequences and vulnerabilities become apparent: Mara is not addressed by institutions as a parent. She must emotionally manage the discrepancy between being a parent in their "Doing Family" and not being intelligible and recognised as a parent in official settings.

5.2 Recognition in interactions: educational institutions

Obstacles in "doing family" outside the home

As Morgan (2011) emphasizes, family practices need not necessarily only take place in "homes". In LGBTQ* families, "doing family" and associated everyday practice becomes interesting, especially outside the "private" sphere, since implicit norms and social assumptions become relevant here (Leland 2021). According to Friederike, the participant from the second case, the factual demands of everyday family life conflict with legal framing.

"Oh, at the doctor's it's really (...) I hate going to the doctor with Annika. (...) In the beginning I always tried to pass it on to my ex-partner, because (...) I'm not really allowed to make a decision. So. But the reality of life is different. The reality of life is that the child is sick. It is not life-threateningly ill, it will not need surgery, but it still needs medical care. The other partner cannot. The father lives abroad. (...) So. Then, of course, I go to the doctor with the child. And of course I just hope that the child doesn't (laughing lightly) blab and say something like that. That was always my first hope when she was little. Hopefully she won't say anything (laughing slightly) that will betray us that I'm not the biological mother. That is, I'm always a little worried about this."

A classic situation in which Friederike is caught in the gap between not being the legal mother but caring for the child is during a visit to the doctor. From the narrative, it becomes clear that Friederike's suffering consists not only in the rejection of her own wishes to be legally recognised as a mother, but also in the actual problems that arise from the fact that Friederike does not enjoy any legal recognition as a parent.

The “unreal mother”—paradoxes of being a social mother

Further paradoxes of social mothering became apparent in the interaction with Annika's school. Friederike remembers an interaction with teachers at a parent–teacher conference:

“I went there and I was greeted by Annika's two teachers. We sat like this at the table and they stood like this and waited. Then they asked me, are you coming alone? And I was like, yes. Yes, but it's a pity. We would have really liked to meet the real mother (laughing slightly). And I went like, uh? The real mother is sitting in front of you, so I don't know.”

Friederike pretends to not understand what the teachers mean by the “real” mother. With Finch (2007), she displays their constellation as a family and enacts herself as a parent. In this context, display is the process by which Friederike conveys to herself and the teachers that her actions constitute “doing family things”; thereby, she confirms or at least tries to confirm that she has the “position” of a mother (ibid.: 67). The teachers speak of the “real” mother, which contains an implicit, ambivalent recognition of Friederike as a mother, even if she is not regarded as “the real mother.” Friederike rejects this: “The real mother is sitting in front of you”. Because of her everyday family involvement, she expects to be addressed as a “real” mother in recognition of her care work and the parent-child relationship between Annika and herself. However, Friederike is being treated as a “failing parent” by the teachers. This relates to a partial invisibilisation of her care work and a hierarchisation of her relationship with the child as “real” and “non-real.”

In connection with my previous findings, emotions play a key role. Friederike feels like she is being excluded, although she engages in a great deal of care work—more than the father who is recognised as a legal parent. This can become problematic if, at some point, the focus is no longer on the children's issues, but on the parents' conflicts about their social and legal non-recognition versus recognition.

6 Discussion and conclusion

Based on the interview sequences of the two families, this article illustrates that in the case of stepchild adoption and in the interactions with medical and educational institutions, family-making does not occur exclusively within families in the "private" sphere. Rather, it involves negotiations between families, parents, children, and other relevant actors and institutions. Thus, two fundamental questions emerge for the "Doing Family" concept as well as for associated research: "Who are the parents?" and "What if two (or more) mothers, fathers, or, generally, more parents are involved in 'Foing Family?'" The answers differ depending on which arena we examine, whether it is law, everyday life, social work, social sciences, or policies.

The focus on the everyday practices of families shows that the definition of parenthood is inadequately regulated by law (Peukert et al. 2018; Linek et al. 2022). From a family life course perspective, it becomes clear that people separate, caring family members leave, or new ones join; that is, as the concept of "doing family" emphasises, a family is a fluid social arrangement (Morgan 2011). At first glance, this is contrary to the logic of family law, which is directed toward stability. A second look reveals that families, in their "Doing Family" practices and despite the inherent fluidity therein, are also fundamentally oriented toward stability and reliability in their social relationships.

At present, an adequate institutional legal response to the concurrent nature of family fluidity and stability is lacking. This applies not only to same-sex families, but also to patchwork families and other constellations. If we examine the consequences for the "doing family" these changes imply that the work of demonstrating one's family relationships becomes more complex. It requires more "work" on the part of relevant participants to become intelligible as parents, as family (Butler 2012). With Finch (2007: 73), the need to display family increases as a way of stating, "These are my family relationships, and they work". Moreover, we need stronger differentiation within the concept of parenthood. While currently there are only two distinct legal options, parenthood or non-parenthood, my findings show that involvement in a family can be diverse and it can change from a family life course perspective.

Furthermore, I have highlighted the intertwined nature of the process of "doing family" and the institutional "making of family." Occasionally, the "Doing Family" approach is criticised for overemphasising the "agency at the expense of structure," as Morgan (2011: 66) points out. Therefore, in future research, the normative, legal, and societal frames must be considered for non-heterosexual family constellations and, more generally, for "doing family" in all constellations. As I have empirically shown, looking at orders of recognition is instructive for an understanding of "doing family" as families (inter)act within these social frames, (re)produce as well as change them. In this relational approach, interactions and practices can be theoret-

ically thought of in conjunction with persistent and changing structures of recognition orders.

Lastly, as I have shown, emotions and feelings in particular play a role in “doing family,” especially when it comes to supposedly rational areas such as adoption processes or legal recognition. This aspect should be given further attention in future studies.

7 Literature

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