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Double Jeopardy Parenthood: Threats from Outside and from Within to LGBTQ Parenthood

The main argument of this article is that LGBTQ parenting in Israel is subject to external and internal threats. The external threat stems from the government's refusal to recognize the parenthood of the non-biological parent, using arguments such as fear of child trafficking and requiring background checks of the non-biological parents. As demonstrated in the article, virtually all LGBTQ parental rights have been granted by the courts, against the state's objections.

The internal threat to LGBTQ parenthood comes from biological parents who attempt to invalidate the legal parentage of their partners upon a breakup. I survey and analyze all the published petitions to the courts in which such requests have been made, and argue that such requests undermine the LGBTQ struggle for recognition in full of family and parental rights, as they are echoing the heteronormative and patriarchal hierarchy between biological kinship and LGBTQ kinship which is oftentimes formed by other means, such as choice.