Brexit rebordering, sticky relationships and the production of mixed-status families

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Abstract

This article examines the Brexit-driven remaking of some EU families into mixed-status families. Drawing on original research conducted in 2021-22 with British, EU/EEA and non-EU/EEA citizens living in the UK or the EU/EEA, it shows how families whose members have previously enjoyed equal rights to freedom of movement across the EU/EEA variously negotiate the consequences of Brexit on their lives. Central to our analysis is the interplay between hardening borders and the stickiness of family relations, and its effects on families' migration and settlement projects. The article brings to the fore these emerging entanglements offering a much-needed relational analysis of the impact of Brexit on the directly affected populations, whilst contributing more widely to expanding the existing scholarship on mixed-status families, by attending to the peculiar ways in which families whose members previously enjoyed equal status under EU law have experienced their transformation into subjects with unequal rights.

Key words

Brexit, EU citizenship, freedom of movement, borders, family migration

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Introduction

> I remember him saying they have just voted against everything that we are. I was like, pretty much … but took it very personally… We are the original EU family, he was there [in London] because the EU made it possible for him to study electronic engineering in London … If it wasn't for freedom of movement we would never have met, *we wouldn't exist* … this is the thing, because I couldn't work out why I have such a powerful emotional reaction to this, isn't this just politics? – Kate, British citizen resident in France [emphasis added]

Kate is married to Jean, a French national. Although they met in London, they moved to Toulouse in the early 2000s, giving up their jobs in the UK to explore what else might be on offer to them. They have three children, all born in France, who had both French and British passports. Her interview with one of the authors (Benson), conducted in 2017 in the aftermath of the UK's 2016 referendum on its future relationship with the EU (hereinafter Brexit referendum), sets the stage for this paper.[1] It shows how the referendum cut right to the heart of their family, a family made possible by one of the pillars of the EU project, EU citizens' freedom of movement. Fast forward five years—through the exit of the UK from the EU after a period of protracted negotiations and the end of free movement between the two—and the strong emotions evoked by the Brexit referendum have taken new form in the depth of feeling about how its outcome has changed the rights and status of individual family members (Zambelli et al., 2022). What becomes clear is that Brexit has had a range of impacts in the sphere of family mobilities and migrations, with particular effects on those that Eleonore Kofman (2017) evocatively labelled 'Brexit families', for whom the end of free movement has produced or amplified differences in family members' legal and citizenship statuses (Zambelli et al., 2022).

In this article, we report on findings from the project *Rebordering Britain and Britons after Brexit*,[2] which examines how the changing legal and political relationship between the UK and EU in consequence of Brexit shapes migration and migrants' experience – including settlement and questions of identity, citizenship and belonging. It considers this through a focus on British citizens in the EU/EEA and EU/EEA citizens and non-EU/EEA nationals in the UK.[3] We particularly focus on the research conducted with people who had settled in their place of residence before Brexit and who self-identified as being part of a 'mixed-status family'– i.e., where the constituent members do not share the same citizenship or migration status in their country of residence (Fix and Zimmermann, 2001). We consider how Brexit-borne changes to statuses within families and shifts in the legal frameworks that structure family rights to mobility and settlement articulate with decisions about staying put or relocating and their impacts on future imaginaries of family mobility alongside personal and familial circumstances.

Our article responds to the call by Katherine Davies (2022) for more research that considers Brexit in the context of personal relationships. In what follows, we show how family and intimate relationships have become integral to the way that families remade as mixed-status by Brexit negotiate its impacts on and transformations to their rights to mobility and settlement. These changes bring borders into the heart of some mixed-status families for the first time, while deepening the impacts of borders on others. In what follows, we explore the uneven outcomes of such changes through a focus on how they have heightened the trade-offs and compromises made by the participants in such families about where to live in the present and future. By showing their ongoing negotiations, as reported to us by those taking part in the research, we consider what they make visible about the remaking of intimate relationships through Brexit. We highlight how people narrate this shift from EU to mixed-status families. In particular, we foreground how Brexit is experienced, mediated and negotiated within intimate relations, including its consequences for family dynamics (see also Sigona and Godin 2019a).

The paper is structured as follows. We first contextualise the subjects of our research within the existing scholarship on Brexit, families and migration. We then present the outline of our conceptual framework, which uniquely pivots on the interplay of hardening borders in consequence of Brexit and

the stickiness of family relationships (Smart 2007). After presenting the research methodology, we discuss our empirical material, drawing from research participants' narratives to highlight some of the uneven consequences of this rebordering process for their family lives.

Families, citizens' rights and Brexit

Scholars working in the field of migration anticipated the impact of Brexit on families soon after the 2016 referendum on the UK's future relationship with the European Union. At the forefront of this was Eleonore Kofman's (2017) identification of 'Brexit families', a term that denotes those families made up of EU/EEA with non-EU/EEA and/or British citizens, and British citizens with non-EU/EEA family members living in or seeking to return to the UK via the so-called 'Surinder Singh route',[4] for whom changes in citizens' rights would be likely to have significant implications. She highlighted the potential impact of the curtailment of their freedom of movement on their residence and transnational mobility rights, drawing out the possible consequences if they found themselves newly subject to the UK's immigration laws and policies after Brexit. Building on this work, Majella Kilkey (2017) pointed out that Brexit was likely to have uneven outcomes for Brexit families in the UK, with the possibility that class and gender stratification could arise through the convergence of migration laws with welfare systems and the labour market (2017, p. 810).

These early considerations of the impacts on families of the end of freedom of movement between the UK and the EU took place before the citizens' rights provisions were agreed within the framework of the Brexit Withdrawal Agreement. In addition to the families already considered by scholarship in this area, the legal framing and subsequent implementation of citizens' rights shows that Brexit also affected families made up of British and non-EU/EEA citizens living in the EU/EEA. Specifically, the Withdrawal Agreement did not protect their future rights to intra-EU mobility, which they had previously derived from their right to free movement as British and therefore EU citizens,[5] or their access to the Surinder Singh route should they choose to return to the UK once the grace period expired. For these formerly EU families, moving to another EU/EEA country or to the UK now means being subject to domestic immigration controls.

To date, despite the identification of the impacts of Brexit for EU families, most of the empirical research on the impacts of Brexit and the transformation of citizens' rights has concentrated on what the end of freedom of movement between the UK and EU means for *individual* rights and freedoms. As we have noted elsewhere (Benson et al., 2022), it has considered the impacts of Brexit, from the transformations of citizens' rights brought about by the Withdrawal Agreement to the implications of this political process and how it is experienced within everyday lives, through an almost exclusive focus on the changing status of EU/EEA citizens living in the UK—and, to a lesser extent, British citizens living in the EU/EEA—before the end of the Brexit transition period.

Notable exceptions to this are the handful of studies that have addressed how Brexit was experienced in the context of EU families and intimate relations (see for example, Allen and Ögtem-Young, 2020; Brahic, 2020; Kozminska and Zhu, 2021; Sigona and Godin, 2023, 2019b). For example, drawing on research across the UK, Nando Sigona and Marie Godin highlighted the situated politics of Brexit on EU families (2023, 2019b). Within these works, there is limited consideration of the implications for families that were mixed-status prior to Brexit (for notable exceptions see Solanke, 2019, 2020; Zambelli, 2020; Turcatti and Vargas-Silva, 2022). Families have also featured in the broader field of

research on Brexit and migration; family relations have been identified as significant to decision-making about where to live, and family as a social anchor or resource caught up in the decision to stay put (Hall et al., 2020; McCarthy, 2019) or as a motive for repatriation (Sredanovic, 2021). It is also clear that family features in considerations over mobilities relating to the provision of transnational care (Radziwinowiczowna et al., 2020). What this brief review makes clear is that, despite their numerical significance (Lessard-Phillips and Sigona, 2018), the 'Brexit families' newly made or remade as 'mixed-status families' are rarely centred in research on Brexit and migration. Timing is undoubtedly significant here. The full effects of this rebordering process are only now being realised; Brexit has been the cause of significant, sometimes life-changing and ongoing consequences, some of which we discuss further in this article (but see Zambelli et al., 2022; Godin and Sigona, 2021; Sigona and Godin, 2019a).

By looking at Brexit not simply as an event but as an ongoing rebordering process, we redefine 'Brexit families' as the subjects of a process that has transformed EU families into mixed-status families whose members hold unequal rights to movement across the UK-EU/EEA borders and within the EU/EEA. The term 'Brexit families' thus encompasses families whose members' loss of equal status under EU law has reconstituted them as mixed-status families, while for others it has exacerbated the effects of pre-existing intrafamilial status differences (i.e., those consisting of British citizens and third country nationals). Further, our use of the 'mixed-status' qualifier both draws attention to the Brexit-borne formation and reactivation of status differences within families and brings these discussions into conversation with the broader, international body of work in this area, which has eloquently drawn out the nuances in how status differences bear differentially on family members' rights and obligations, opportunities and limitations, mobility horizons and temporalities, along axes that include race, ethnicity and gender amongst others (for Europe, see, for example, the special issue curated by Bonjour and de Hart, 2021; Castañeda, 2019; Gomberg-Muñoz, 2017; Griffiths, 2021; for the US, see, for example, López, 2021; Schueths and Lawston, 2015).

Hardening borders and sticky relationships

Our paper builds on the recognition that Brexit is unevenly experienced – emotionally and otherwise – within families (Zambelli, 2020; Sigona and Godin, 2019a, 2023), drawing on people's narratives to trace some of the consequences of the rebordering process through which their families have been remade as mixed-status. Whether in the UK or in the EU/EEA, these evoke the immanent, pervasive, everyday presence of borders (Yuval-Davis et al., 2017) in their family lives, borders that some may never have conceived of, let alone experienced before, their families having formed in the context of EU-wide freedom of movement for EU citizens and their family members irrespective of nationality. We thus show how Brexit cuts to the heart of these formerly EU families, creating or reactivating intrafamilial status dependencies, and changing the temporalities, scope and/or ease with which they imagine or pursue their family migration and mobility projects.

Our approach introduces a focus on the intersubjective dimensions of how people have experienced and negotiated the Brexit-borne transformations of citizens' rights. We consider this through a conceptual framework that recognises the interplay of hardening borders and the particular tenacity of family relationships, even in the face of conflict, which Carol Smart renders through their qualification as 'sticky' (2007, 45). The latter notion is central in Katherine Davies' (2022) analysis of how families negotiate and endure political difference in the context of Brexit, an undeniably divisive

issue. In this article, we focus on how this stickiness of family relationships operates in the face of an externally imposed but deeply intimate division, in this case the rebordering of families as mixed-status through Brexit. On the one hand, such families find themselves having to reimagine and renegotiate their migration and settlement projects in a viscous time and space, which many narrate through the prisms of waiting and stuckness (Hage 2005, 2009). On the other hand, newly differential statuses – including new or reconstructed dependencies – within families have become sources of uncertainty, loss and strain.

By foregrounding what families feel and do as they learn to adjust to a new, unexpected, and deeply divisive rebordering process, this article allows us to progress discussions about the emotional impacts of Brexit and the changes to rights, identities and belongings that have been a mainstay of research with EU citizens in the UK and British citizens in the EU. Such work has addressed the unsettling impacts of the Brexit referendum (see for example the special issue curated by Kilkey et al., 2020; Guma, 2020; Kilkey and Ryan, 2021), including how this was differently experienced among racialised British and European citizens (Benson and Lewis, 2019; Allen and Ögtem-Young, 2020; Zambelli, 2020), and how the sense of being unsettled has continued over the course of the Brexit negotiations, particularly in relation to questions of belonging and identity (see for example, Rzepnikowska, 2020; Benson, 2020; Botterill et al. 2020; Zontini and Però 2020; Abranches et al., 2020). Our paper thus draws attention to the longer tail of Brexit, and its continuing emotional resonance and influence not only in the present but also on the decisions that people make about their current and future lives. It also shows how the hardening of borders is managed, negotiated and mitigated by the stickiness of family, reconstituting the family and intimate relations in the process.

Methodology

This article is based on responses to the survey 'Migration and Citizenship after Brexit' of 418 British, EU/EEA and non-EU/EEA nationals, living in the UK or the EU/EEA, who identified that they were part of a mixed-status family.[6] Under the term 'family' we group a variety of intimate formations. This significantly departs from the predominant family formation at the heart of other works on Brexit and families, families consisting of two adults of working age in opposite sex relationships with children (see for example, Zontini and Però, 2020; Sigona and Godin, 2019a). For the purposes of our research, partners of any gender may be in opposite- or same-sex relationships, and the families they create and are part of may be formally recognised by the state (for example through a marriage or civil partnership contract) or just by their constitutive members; they may be rooted in one, two or more countries; they may or may not be multigenerational (including either parents and children, or couples only, for example) or have changed shape over time (e.g., following divorce or separation).

The survey aimed to understand whether and how Brexit and the COVID-19 pandemic have affected respondents' perceptions, plans and decisions on whether to stay put, migrate, or repatriate; how these events have changed, if at all, their attitudes towards the EU, their countries of residence and origin (if and as applicable); and their understandings of citizenship, identity and belonging. It included a mix of open-ended and multiple-choice questions (the latter including open text options to maximise inclusiveness and context-specificity). Before roll-out, we conducted a round of cognitive interviewing (Beatty and Willis, 2007) and field testing with seven volunteers drawn from across the target population,[7] whose insights were subsequently incorporated in the survey's final version (MIGZEN 2022). We administered the survey through Qualtrics by sharing an anonymous link on the

project and project partners' websites,[8] social media (Facebook and Twitter) and emails to relevant migrant and diaspora organisations and networks at the local, national and European levels.

Participation was by self-selection. Our recruitment strategy was designed to reach as many different voices as possible among the target populations and we particularly encouraged the participation of typically underrepresented nationalities and social groups by translating the recruitment materials into the languages of the ten most numerous groups of non-nationals living in the UK, as per the Home Office Immigration Statistics. [9]

The survey was open for five weeks (13 December 2021 - 16 January 2022), during which we collected 2,024 unique and valid responses. Upon its conclusion, we exported the data and cleaned it for use with STATA MP4 and NVivo12 to undertake quantitative and qualitative data analysis, respectively.

Respondents who identified as being part of a mixed-status family were predominantly British citizens living in the EU/EEA (71%), followed by nationals of an EU/EEA (27%) or non-EU/EEA (2%) country. Relationship-wise, they were predominantly married (73%) and with children (75%). Approximately three quarters (74%) held a citizenship or migration status different from their partner or spouse; for approximately one third of these (29%), their status was also different from that of their children. Most respondents self-identified as 'white' (79%), whilst others identified by their nationality or continent of origin (15%), and a few as (in descending order) mixed-race/ethnicity, Asian or South Asian, Arab or Middle Eastern, Black or other ethnicities/groups. Over three quarters of respondents (76%) resided in an EU/EEA country, with significant numbers living in France (13%) and Germany (11%), while the other quarter (24%) resided in the UK or its overseas territories. Respondents were predominantly aged over 50 (66%); people assigned the female sex at birth outnumbered those assigned the male sex (52% vs. 47%, respectively), and most identified as heterosexual (89%), followed by bisexual (5%) and gay or lesbian (4%); 1 in 10 (10%) considered themselves to have a disability. From an educational and occupational perspective, our sample largely included people with higher education (78%) and in employment (60%) – with the latter category consisting largely of 'professionals' (60%) or 'managers' (18%).

This article draws from individual responses to the survey's open-ended questions about whether and how, since Brexit, intrafamilial differences in citizenship and/or migration status had (1) been a source of concern and/or (2) affected their decisions about whether to move or stay put. Whilst responses to these questions were both voluntary and conditional (i.e., they were not offered to respondents who relayed no such impact), most people chose to elaborate on their experiences, giving us a wealth of data that we subsequently analysed qualitatively, by inductively identifying relevant and recurring themes. Wherever possible, we choose to quote at length from respondents' accounts in order to give a flavour of the complex predicaments in which people may find themselves, and which disrupt the migrant/citizen binary (see also Anderson 2019).

Rebordering EU families through Brexit

While we have outlined how the Brexit-borne transformations of citizens' rights have produced and/or exacerbated status differences within families, in what follows we discuss how family members experienced, mediated and negotiated these transformations, and how the changing legal structure remade intimate relations alongside its consequences for intra-familial dynamics. We examine this through a focus on different modes of being and working through one's family migration and settlement projects in the viscous time and space created by Brexit's rebordering process.

Waiting

For many participants in our survey, waiting was a key, albeit often difficult, mode of being and living through the aftermath of Brexit. In the following account Giacomo, a white Italian-Jamaican dual national, described 'no longer feel[ing] accepted or welcome' in the UK, a country that had recently detained and deported one of his relatives. However, he and his wife had decided to stay put to secure British citizenship for their eldest daughter. As he wrote:

> My wife was born overseas to two British nationals but has always lived in [the] UK. It was only when our first daughter was born – also overseas (in Italy, where we lived for a short while) that we realised she could not pass her British citizenship on to her kids. As a result, two of my daughters are British, my oldest is not – [the] same applies to me.

In the context of the EU Citizens' Rights Directive, these intrafamilial citizenship differences had existed but been relatively irrelevant. Since Brexit, their daughter's ineligibility for British citizenship with the ensuing right to abode in the UK has taken on new significance. The particular circumstances – being born outside the UK to a British citizen also born outside the UK and who therefore has no right to pass on her nationality to their child[10] – may have no consequence in the present but may very well in the future. Hence, waiting to obtain their eldest daughter's right to British citizenship before the family leaves the UK means securing her right to live and work in the UK and avoiding the immigration restrictions that she might otherwise be subjected to as a non-British national.

In other responses, waiting appeared as less of a rational choice and more as a state of precarisation and uncertainty engendered by the 'wicked synergy' (King, 2021) between Brexit and the COVID-19 pandemic. Lisa, a white British citizen, relayed that she moved back to the UK from Italy with her family just before the end of the transition period, 'in order to ensure the father of my child (an EU citizen) would have access to pre-settled status and therefore be able to live and work freely in the same country as me and my daughter (both UK citizens)'. She was adamant that Brexit determined the timing of their migration: 'We would not have moved at this time had it not been for Brexit'. Her response reflected a longstanding concern of British citizens living in the EU/EEA about the terms on which they would be able to return to the UK with non-British family members after Brexit (Benson et al. 2018: 4). A few months later, the Covid-19 pandemic broke out. As her husband had until then been unable to find work in the UK, he returned to his former job in Italy. However, while his spatial and professional mobility was once a privileged hallmark of his status as EU citizen, with the introduction of the UK's post-Brexit migration regime, the length of time spent outside the UK may cause his pre-settled status to lapse.[11] For mixed-status families, the insecurity of one family member's status can have repercussions for the whole family, on both emotional and practical levels. Lisa explains that

they are now 'concerned [that] this period [in Italy] will have invalidated his right to settled status and therefore [we] do not know whether we can rely on continuing to live freely in the UK as a family unit once his pre-settled status expires.'

The examples above foreground how the stickiness of family relationships can mitigate the effects of the hardening of borders, specifically by engendering different forms of waiting. For Giacomo, his discomfort with living in a country where he no longer feels welcome is offset by his and his wife's decision to wait until they can restore intra-family status equality for their daughter's benefit. For Lisa's family, the possibility of such a positive resolution lingers and they remain caught up in the viscous aftermath of Brexit. In what follows, we show how the latter situation can produce status upheavals across the family unit.

Bureaucratic dominos

At times, complex family circumstances emerged or surfaced through Brexit in unprecedented ways. Here, we focus at length on one particular case, which draws attention to various ways in which hardening borders can impact on the relationships constitutive of a family's migration and settlement project.

Julia, a white British-American dual national, moved to Portugal with her Brazilian husband in 2016, when the UK was still an EU member state. Back then, her husband's right to move to and reside in Portugal – or any other EU/EEA country – derived from his position as the spouse of an EU citizen. In cases such as Julia's, freedom of movement extended to her family members. Nevertheless, this affordance also introduced status dependencies in such families and alongside these, a prior awareness of differential and precarious mobility rights that was largely absent from the accounts of respondents for whom Brexit had been the direct cause of their shift from a same-status to a mixed-status family. As Julia – now the mother of two children born in Portugal – relayed, Brexit had multiplied differences in migration and citizenship statuses within their family,

> Me: British (and American), therefore previously EU, now non-EU;
> Husband: Brazilian, therefore originally 'third country national and family member of EU citizen', now just straight up non-EU;
> Child1: British / Brazilian - combination of the above;
> Child2: Portuguese / British / Brazilian - EU AND non-EU citizen, so he is the only one of us with EU free movement rights AND the ability to go live unhindered in the UK. But at 6 months old he's a bit young to do that on his own.

Staying put in Portugal emerged as a potential solution to some of the intrafamilial status differences re-signified by Brexit that were at the heart of the narrative supporting this conscious decision. As Julia described, '[we] realised the most secure situation for our family would be to remain in Portugal for long enough to obtain permanent residency … [to] benefit [again] from the same residency rights in the same country.' This orientation also informed the family's longer-term plan to obtain Portuguese and thus EU citizenship, reinstating their intra-EU mobility rights and granting them, 'equal immigration status wherever we go'.

In a further twist, at the time of the survey, the family's plans were on hold. Julia had been waiting a year for the Portuguese immigration authorities to issue her biometric ID card. However, in summer 2022, it became clear that the country had fallen behind in its Withdrawal Agreement obligation to provide resident British citizens with these documents, leaving the estimated 34,500 such residents in limbo, their ability to change jobs and travel in and out of the country compromised (O'Carroll, 2022). As Julia's status in Portugal was similarly unconfirmed, her family was rendered unable to move on as a family.

The administrative delays in issuing these cards have had undeniable consequences for Julia and her family. This is despite assurances by the Portuguese Immigration and Border Services (SEF) that proof of application and previous residence documents were sufficient to access health and social care, and to be able to travel into and out of Portugal. She continued her account by describing how the renewal of her husband's residency card relied on hers, which she did not have. Similarly, she was worried that if their 4-year-old son's residency permit expired, she would lose child benefit. Indeed, she had received correspondence from the local social security office to this effect. Whatever the reassurances from the SEF, to be effective in practice, border officials, healthcare providers, local bureaucrats and other gatekeepers that people encounter as they go about their daily lives needed both to be aware of the official guidance recommending that the proof of application was sufficient and to be willing to act in accordance with it (Benson, 2022). As this example starkly reveals, while in principle people had rights secured through the Withdrawal Agreement, in the absence of the 'right' documents attesting to these – the issue of which is often beyond their control – they experientially inhabited the position of undocumented migrants. Julia's story is testament to this, as the state-issued proof she was able to provide was not recognised. Nor could this be used to support the renewal of her husband or son's residence permits, since their residence rights derived from hers. This predicament made starkly visible Brexit's knock-on effects on family life.

This series of unfortunate events also deepened. Without valid residence permits and with the Covid-19 pandemic ongoing, the family was unable to take advantage of the narrow grace period that ended on 29 March 2022, which allowed British citizens to use the Surinder Singh route to return to the UK.[12] Indeed, concerns about the latter's closure featured in many of the responses of British citizens with non-British family members. Returning to the UK after the deadline, in fact, implies subjection to British family migration rules, which are particularly restrictive, and include a high-income threshold for the British sponsor (Sirriyeh, 2015).

As Julia concluded,

> Were it not for Brexit, we could have moved freely back to the UK at any time, having lived in the EU together as a family. Now I may not ever be able to return to live in my home country unless our family splits up.

Julia's story illustrates how the precarisation of some family members' status may obstruct families' migration and settlement projects in contingent and indefinite ways (Abrego, 2014; Dreby, 2010; López, 2021), including the risk of breaking them up.

Stuckness

The mobility constraints introduced by Brexit were often a source of tensions, trade-offs and difficult choices. Repeatedly, those in mixed-status families taking part in the research emphasised feeling 'stuck in place', caught between the stickiness of familial relationships and the hardening of Brexit-borne borders. Broadly, research participants highlighted that, while they were in their place of residence because of the freedom of movement that they and their family members had all once enjoyed equally, since Brexit, moving on to another EU country or repatriating to their country of origin would mean doing so on very different terms.

For many, this awareness had translated into making an active decision about where to live for the foreseeable future. For some, the anticipation of the challenges that the new UK-EU/EEA migration regime might bring to their rights to move as a family had led them to do so before the end of the Brexit transition period – when these rights were formally curtailed. For example, Harry, a white British man in his 60s, relayed that '[w]ith a wife who is an EU citizen, [we] had to decide whether to move to the relevant EU country or stay in [the] UK.' They settled for Belgium, his wife's country of origin. Immediately after, however, he laconically underlined the loss that accompanied this decision, adding that now, his family 'cannot move back to Britain … [We] have lost the right to migrate as a family'.

For others, this awareness translated into the feeling of being stuck in the country where they resided with their families at the time Brexit happened. For John, a white British man in his 30s with a temporary residence status in the Netherlands, his loss of EU citizenship appears to be the cause of involuntary family settlement in a country that was not 'home' to either him or his spouse (i.e., a kind of third country settlement):

> My spouse – an EU citizen – would not be able to move with me to the UK without great difficulty. It would be the same for me to move to her country of origin – France. In a sense, we are 'stuck' in the Netherlands. [Now] there is no option to move anymore without one of us being dependent on an – expensive - spouse visa.

We want to highlight here that neither Harry's nor John's accounts are correct in strictly legal terms. British citizens did not 'lose' the right to return to the UK with their non-British family members. Brexit, however, has made this move more difficult, for they will all be subject to UK immigration controls, including the financial requirements, which may prove challenging to meet (Justice and Home Affairs Committee, 2023) especially for retirees, such as Harry, and others on limited or no income. Analogously, John would need no spousal visa to move to France with his wife: as a French citizen, the latter's freedom of movement rights extend to her family members regardless of their nationality.[13]

Nevertheless, we argue that it is important to take seriously how people narrate and understand what the loss of free movement means for their own and their family lives. Their perceptions, we suggest, reflect their 'situated knowledge' (Haraway, 1988) of the complex and arguably convoluted norms that operationalise the Withdrawal Agreement in their everyday lives. Far from shaping only the present, these perceptions also bear on their imaginaries of what roads they may, or may no longer, be able to

travel in the future. They are thus constitutive of their own and their families' positions and orientations in their post-Brexit world.

Participants' perceptions of loss and stuckness were equally voiced across nationality – this evenness reflecting the newly intricate entanglement of British, EU/EEA and non-EU/EEA citizens' positions within mixed-status families. For Hannah, Brexit had a radical impact on her feelings of home. She explained that '[i]t is ONLY because of Brexit that I am contemplating to leave my home of 33 years' (original emphasis). However, her family members oppose her wishes, with her British husband fiercely refusing to undergo a loss in status: 'My spouse only has British citizenship and is unwilling to relocate [to the EU] if he has to depend on our relationship for his immigration status and cannot have a status in his own right'. She added that, since he 'does not want to leave if it means that he has to become a third country family member, […] our marriage (since 2003) will have to end'. This suggests that the intrafamilial borders newly engendered by Brexit have the potential to undo the stickiness of the ties that hold families together. Contra Davies' (2022; see also Davies and Carter, 2021) argument that over time the stickiness of family relationships mitigates against their fracturing due to political polarisation over Brexit, this example demonstrates how the hardening of borders might produce long-term instabilities within families.

Overall, the analysis we present of the effects of the loss of freedom of movement on families that Brexit has made or remade as mixed-status gives us a hint of how mobilities – past and future – have been negotiated, the trade-offs made within families, and who is being called to compromise their position by the hardening of the Brexit-borne borders.

Conclusion

Brexit has remade some mobile European families living on both sides of the Channel as mixed-status families. Drawing on the qualitative responses offered by participants to the survey 'Migration and Citizenship after Brexit' who are part of these, in this paper we have considered how people narrate this process and its consequences for their present and future migration and settlement plans and intrafamilial dynamics. What becomes clear is that their Brexit-borne predicaments are never solely individual but always intrinsically relational. Therefore, the stickiness of family relationships is always implicated in their experience and negotiation, albeit in different ways, and with different outcomes.

In this paper, we have highlighted how formerly EU and now mixed-status families were adjusting their plans, horizons and mutual demands and expectations in the viscous time and space in which they were unexpectedly caught in the aftermath of Brexit. We particularly highlighted how many narrated changes in their lives, as they described their migration and settlement plans as having been slowed down, put on hold, or forever abandoned, with sometimes potentially devastating effects on the tenability of their family unit. For some, waiting emerged as a rational temporary strategy aimed at resolving some of the Brexit-borne complications for future mobilities; for others, waiting was an externally imposed condition filled with anxieties and uncertainties, as their migration and settlement plans were contingent on securing some members' legal statuses in sometimes messy and unpredictable circumstances. Finally, for some the interplay of hardening borders and sticky family relationships resulted in the anticipated renunciation of the possibility of returning to live jointly in one partner's country of origin on the grounds that – to their minds – they would be ineligible under its domestic family migration laws. In the face of this scenario, some appeared resigned to live stuck in their country of residence, while others anticipated their family's breakup.

In these ways, we have contributed to existing scholarship on mixed-status families by attending to the peculiar ways in which formerly EU families experienced their reconstitution as mixed-status families via Brexit, as their members were turned into subjects with unequal mobility, residence and ensuing rights. We have offered initial insights into the uneven outcomes of this process, focusing on the viscous time and space that these families were navigating, as they adjusted life to the violence of an externally imposed rebordering process, which cut to the heart of their current and future imaginings of place, as well as of their family members' status and positions within it. Our analysis has particularly highlighted that the diverse legal constitution of mixed-status families intersects with temporal and spatial contingences that shape the outcomes that Brexit brings. It also structures families' ability to navigate and overcome the latter's impacts on their lives in the present, whilst moulding their opportunities and constraints for future migrations and mobilities. Further research may explore how this difference in status interplays with other axes of difference, engendering or reproducing families' uneven positioning within hierarchies of privilege and disadvantage based on class, race, gender and other salient characteristics.

Notes

[1] The interview was conducted as part of the project *BrExpats: Freedom of Movement, citizenship and Brexit in the lives of British citizens resident in the EU27*, led by Michaela Benson, which was funded by the Economic and Social Research Council (Grant Number ES/R000875/1) through the UK in a Changing Europe Initiative.

[2] The mixed-method project *Rebordering Britain and Britons after Brexit (MIGZEN)* is funded by the Economic and Research Council through the Governance After Brexit Scheme (part of the UK in a Changing Europe initiative) (Grant Number ES/V004530/1).

[3] In this paper, we use the term 'non-EU/EEA nationals' to describe individuals that EU law classifies as 'third country nationals' (TCNs). Since the UK left the EU, and from the perspective of UK law, the distinction between EU/EEA and non-EU/EEA nationals is no longer salient, having been substituted for by non-national status. However, the distinction remains for the EU/EEA nationals whose experiences we discuss in this paper, most of whom migrated to and/or settled in the UK before the end of the transition period and who therefore enjoyed a privileged status vis-à-vis non-EU/EEA nationals – hence, our decision to maintain this distinction.

[4] The Surinder Singh route takes its name from the Court of Justice of the European Union judgement in which it was first established (Court of Justice of the EU (CJEU), 1992). The process envisages that '[c]itizens moving to another Member State can utilise EU family reunification laws that are more accommodating than national laws and can then return to their own member state with their family member, still using EU law' (Wray et al., 2021, p. 448). The judgement was based on the principle that 'the right in European Union law for a person to move from one EU member state to another must include a right to return, otherwise a person would be deterred from moving in the first place' (Yeo, 2018). It is therefore EU rather than domestic law that applies to EU citizens returning to their home (EU) country, as well as their family members.

[5] For those EU citizens in families where one or more members would be considered as TCNs, the EU Citizens' Rights Directive (European Parliament and Council of the European Union, 2004) permitted qualifying family members of any nationality to enjoy similar intra-EU freedom of movement rights.

[6] We did not define a priori the meaning of either 'close family member' or 'family'; while we offered a multiple-choice menu, respondents also had an open text option.

[7] Cognitive interviewing helped us to further develop the questions' clarity and effectiveness, whilst field testing was key to identify any branching failures in the survey logic.

[8] The project partners are (in alphabetical order): British in Europe, Migrant Voice and the3million .

[9] These were (in alphabetical order): Albanian, Arabic, Bengali, Chinese, Farsi, French, Romanian, Spanish, Thai, Turkish.

[10] UK laws on the transmission of nationality from parents to children is complex and their provisions vary based on a number of factors, including the British parent's country of birth, see the UK Government's webpage 'Apply for citizenship if you have a British parent' https://www.gov.uk/apply-citizenship-british-parent/print (last accessed 24 August 2022).

[11] EU/EEA citizens with pre-settled status who have been 'outside the UK for more than six months in any 12-month period […] will now only be able to upgrade to settled status if they returned to the UK before 31 December 2020'; if they returned after this date, '[t]heir permission to be in the UK will end on the date their pre-settled status expires' (Hickman, 2021). Settled status, however, 'only lapses if the person has been out of the UK for five years' (ibid.)

[12] Although provisions are in place for late applications based on 'reasonable grounds' (Benn, 2022).

[13] As enshrined in art. 2 of the Citizens' Rights Directive.

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