

Parents' decisions about children's residence and contact after divorce: a longitudinal qualitative study

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Project

This study was part of a 3-year project carried out in Sweden

Aims of project: to investigate how parents communicate and interact about their children when having legal joint custody following divorce

Project

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In collaboration with professor Martin Richards, Centre for Family Research, University of Cambridge

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Context: Sweden

- Divorce procedure relatively simple
- Joint custody of children granted automatically
- Parents expected to consult each other about important decisions with regard to the children
- 20% of children of divorce now share their time equally between their parents

Gender equality? Conflict resolution? Or the child's best interest?

“If alternate living is chosen it is important to remember that it is for the child's best interest, not because of fairness between parents. A precondition for it to work is that the parents agree and that they respect each other. Alternate living is highly demanding on the parents, they have to be able to cooperate and show each other generosity.”

The National Board of Health and Welfare, 1999

...and also

“It is important that the parents don't try to solve conflicts through making the child move between the parents.”

The National Board of Health and Welfare, 1999

Aims of study

Investigate how parents made decisions about children's living arrangements while looking at:

- Preferences
- Principles and assumptions guiding the process
- Whether and how disputes were negotiated and resolved
- Satisfaction with situation
- Change over time
- What was driving change

Design Longitudinal qualitative

First interview	Telephone interviews	Follow-up interview
3 yrs after divorce	2-4/person 2 week intervals	5 yrs after divorce
Face-to-face	Focused on recent past	Face-to-face
Explorative	Detailed data on everyday interaction	Semi-structured building on analysis of earlier data

Participants

- 55 parents, from 44 families
- 21 fathers and 34 mothers
- Recruited from county court registers and a voluntary organisation for single parents
- Most been divorced for 3 years at first interview
- All had joint custody of children > 18

Living arrangements

Shared 50/50	21
With mother	16
With father	4
Mixed*	2
Split*	1

Mixed=siblings have different systems

Split=siblings split between parents

Assumptions about children's best interests

- Good contact with both parents
- Stability and structure
- Good care
- Being involved/or not in decision-making regarding one's own life

Assumptions about parents' interests

- Fairness
 - Parents' equal need for the children
 - Equal need for childfree time
 - Fair distribution of financial assets and costs
- A good relationship with the other parent
- Support in parenthood

Alternate living: taken-for-granted approach

- Commitment to the idea of gender equality in parenthood
- Children's need for both parents interpreted in terms of equal time with each parent.
- Potential conflicts of interest subordinated the higher value of the above

Taken for granted

I don't think we ever discussed any alternative. And I don't think it is healthy, not for anyone involved. To do it differently. It, it would be...completely wrong. But then I am sure each of us, say... I would have liked to have them all the time, no problem. But eh...eh...that is not an option. And it is not right and...to act as if I wanted to. That would mean I would snatch something away from them (the children), you know.

Peter, 2 daughters 10 and 13

Moving towards 50/50

- 5 families
- Driven by fathers and/or children
- Mothers initially opposing or hesitating
- 3 turned to Family Law Centres, 1 to court

More structure = 50/50

So, we talked about it, and said that we could try alternate living instead...the children would stay one week here and one week with her and then she has to solve her working hours when she has the children and work less that week. ...and suddenly everyone knew where they were going to be and there were no surprises ...

Carl, 3 children younger school ages

One home base + contact

- Preference varied. Most preferred this system while others would have wanted alternate living.
- Reasons: Geographical, problematic parenting, disengaged fathers
- Contact often was an issue. Many wanted more contact for the child with the other parent, a few less.
- Assumptions concerned contact: Children's need for fathers, and mother's need for parental support and childfree time.
- Angry, lonely or content mothers/fathers

Pulling father into parenting

"I had to go through these (hard feelings) in some way and I did that with her (the counsellor) and, eh...because I was able to go on and forgive him, I was also able to see more clearly how immensely important it was for Anton that I didn't let go of him (the father). I think I was rather...low-voiced in my demands after all. I didn't ask too much, I asked little things of him and it started to work better and better."

Lovisa, son 11 yrs

Moving towards single parenting

- Children's age
- Sometimes children clearly acted as delegates for parents
- Geographical distance

Pushing child to decide to one's own advantage

So I forced Ella, for her sake, to make up her mind about living in one place, so she could concentrate on her studies and herself and for her social life and what would come (at graduation)

Later:

So it must have been last fall that she (sic!) decided to live here. And it wasn't easy for her. Because he (father) wasn't pleased.

Camilla, 3 teenage daughters

Ongoing conflicts about residence

- 7 families in ongoing conflicts.
- In 3 of these fathers wanted to change from mother based to 50% of the time, in one case despite substantial geographical distance.
- One father had 50/50 but mother filed for sole custody.
- 3 mothers wanted to change 50/50 to mother based.

Conclusions

- Swedish parents apparently have absorbed the Swedish gender equality political discourse with regard to post-divorce parenting.
- To "be equal" means to many parents to be "equally" important to the child and the consequence of this is that both parents spend an equal amount of time with the child.

Conclusions

- Also parents who choose another arrangement than 50/50 argue for their chosen option within the discourse of gender equality in parenting and tell the interviewer why this isn't possible in their case, or why they don't believe it should apply to parenting.
- Thus, in Sweden the child's best interest is framed within a gender equality discourse.

