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*At mum’s place, at dad’s place, at home.
How children “do family” in joint physical
custody arrangements*

Abstract

Joint physical custody of children (JPC) after parental separation or divorce is a new phenomenon both in the Polish legal system and in the everyday practices of Polish families. While the number of couples who decide to share childcare equally after separation is growing, there is still no definition of JPC in Polish law and children who live in two homes are considered at risk of harm. The article presents findings of ethnographic research conducted with Polish children and teenagers who live in joint physical custody. It discusses how children who live in two homes do family and how they make sense of the efforts needed to successfully navigate frequent movement between their two homes. The article focuses on the practices and everyday life of children. It shows that children are not helpless subjects of their parents’ choices but competent actors who creatively navigate and make sense of their family lives.

Keywords: joint shared custody, childhood studies, post-divorce family

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Introduction

In Poland, children of divorced parents are conceptualised as at risk of harm – as many as 64% of Poles believe that parental divorce has harmful consequences for the children (CBOS, 2019) and 43% believe that “divorces wreak havoc in children’s lives, which is why even if parents cannot agree, they should remain in a relationship for the sake of the children’s well-being” (CBOS, 2019, p. 5). Postdivorce families are often referred to as broken (Pol. *rodziny rozbite*) or incomplete (Pol. *rodziny niepełne*) not only in popular media but also by psychologists, pedagogists, family judges, and academics.

Joint physical custody of children (JPC) means that after parental separation/divorce, children spend an equal or near equal amount of time living with each of the parents. In Poland, this model of sharing childcare after separation is still new (it is not yet defined in the Family Code), and as such it raises controversies. Both supporters and opponents of the JPC claim that their main concern is the “best interest of the child”. The advocates of JPC are convinced that a child needs to be cared for by both parents. The opponents of JPC claim that for mental health and security, a child needs to have one home. The voices of children are absent in the debate.

This article focuses on children’s experiences and insights by presenting findings of ethnographic research conducted with 24 Polish children who have lived in JPC for at least a year. It examines children’s everyday practices to shed light on what – according to children – is important in the experience of living in two homes and how children who live in JPC experience and “do family”.

Joint physical custody and the well-being of children

The number of children who live in joint physical custody (JPC) in Europe, North America, and Australia has been growing for several decades. However, there is a lack of a single definition of JPC: in some studies, JPC is assumed to be an equal division of care, while in others it is a 30 by 70 division. Therefore, it is difficult to accurately determine how many children live this way. Generally, it is assumed that about 15% of divorced parents’ children live in JPC in Spain (Solsona & Spiker, 2016), approximately 25% in Norway (Nieuwenhuis, 2020), approximately 20% in Denmark (Bergström et al., 2013, 2021), approximately 30% in the Netherlands (Poortman & van Gaalen, 2017), and about 40% in Belgium (Vanassche et al., 2017), and Sweden (Bergström et al., 2015).

Numerous studies have shown that parental separation has a harmful impact on children’s well-being (Amato, 2001; Amato & Booth, 1997; Bjarnason et al., 2021; Carslund et al., 2013), which resulted in conceptualising a child of divorced parents as being especially at risk. In recent years, researchers have increasingly pointed out that it is not the separation itself but the circumstances and consequences that accompany it – such as involvement in parental conflict, deterioration in the child’s material situation, and loss of contact with one of the parents – that are the cause of the poorer well-being among children of divorced parents (Lansford, 2009; Smart, 2006). Many studies have shown that children who live in JPC are less affected by the negative ef-

fects of parental separation than children who live in the sole custody of one of the parents (Bauserman, 2002; Carlsund et al., 2013; Nielsen, 2011, 2013). Such results are attributed to the fact that JPC allows children to maintain close relationships with both parents and benefit from their resources.

In a recent review of research on children's well-being in JPC, Anja Steinbach (2019) writes, "There is largely consensus among researchers, practitioners, and law professionals that joint physical custody arrangements after parental separation or divorce benefit most children if parents cooperate and have low levels of conflict" (Steinbach, p. 357). In the same article, Steinbach quotes Poortman (2018) who stated that "It is not so much the frequency of contact per se that benefits children but, rather, the extent to which postdivorce residence arrangements reflect predivorce parenting arrangements" (Poortman, 2018, p. 11). In other words, an equal division of care after separation is definitely beneficial for children whose parents shared childcare equally before the dissolution of the relationship.

All the countries mentioned in the first paragraph of this section are in the top 10 of the Gender Equality Index 2021 measured by the European Institute for Gender Equality. Sweden is ranked first, while Belgium, the lowest ranked of the mentioned countries, is still in a high 8th place (for comparison, Poland is 24th). In all of them, a high percentage of women work part-time: 75% of employed women work part-time in the Netherlands, 58% in Norway, 56% in Sweden, 55% in Denmark, 52% in Belgium, and 40% in Spain (compared to 32% in Poland) (World Bank, 2019). In most of these countries, there is also a high percentage of men who work part-time: 41% in Norway, 40% in Sweden, 39% in the Netherlands, and 35% in Denmark (in Poland – 20%). The opportunity for flexible employment is one of the factors that enable primarily women, but also men, to combine professional work with caring for children from the beginning of their lives (Grunow & Evertsson, 2019). Therefore, supporting gender equality and enabling parents to combine professional work with childcare seems to result not only in a more equal division of roles (including childcare) during a relationship, but also after its possible end. Bearing this in mind, I would like to move the focus to Poland where gender equality has not been the goal of the legislator and where JPC is still debated.

JPC in Poland

The Polish Family Code does not provide a definition for joint shared custody. The last amendment to the code was made in 2015, and since then, courts may award joint legal custody to both parents, even when one of them objects to such a decision. Joint legal custody does not imply that childcare is equally shared after parental separation, but it is a condition that enables such a division.

There is no data on the number of children who live in JPC in Poland. Nevertheless, it is safe to assume that this number is growing by looking at the court's rulings on the legal custody of children after divorce. According to the Central Statistical Office (GUS), in 2003, out of a total of 30,197 divorces of couples raising children, parental authority was granted to only one of the parents in 67% of cases (in 63.1% of cases to the mother,

in 3.6% of cases to the father), and in 31% of cases – to both parents. In 2017, for a total of 38,262 cases, parental authority was granted in 45% of cases to one of the parents (41% – to the mother, 3.7% – to the father), and in 53% of cases – to both parents. In 2022, for a total of 35,272 cases, parental authority was granted to one of the parents in 30% of cases (27% to the mother, 2.7% to the father) and in 68% of cases to both parents.

In the majority of cases, the court's ruling concerning child custody is consistent with the preferences of the parents (Jeziński & Rostek, 2019). The increase in the number of cases where both parents are granted custody reflects the shift in gender norms and attitudes that have taken place in Poland in the last three decades (Sikorska, 2009; Slany & Ratecka, 2018). For what is called “new parents”, gender equality is an important value. Nonetheless, the Polish government has not implemented policies aimed at deconstructing gendered norms surrounding caregiving, resulting in mothers continuing to shoulder the primary responsibility for childcare (Szelewa, 2015). Compared to countries with a high number of children in JPC, Poland stands out as traditional and gender essentialist, both in attitudes towards gender equality and in everyday practices regarding work and family life (Altintas & Sullivan, 2016; Edlund & Öun, 2016; Grunow & Evertsson, 2019).

Poland is also not part of the “largely consensus” on JPC that Anja Steinbach writes about. The main concern of the legislator, and the one that can be derived from specific courts' rulings, is the best interest of the child (Domański, 2016). As Czech (2011) points out, protecting a child's best interest has become, in recent years, the basic and largely accepted ground rule of Polish family law. However, what is considered to be “in the best interest of the child” is very contextual and often used by adults to reproduce power relations (Monk, 2010). Hence, it is not unexpected that both advocates and adversaries of JPC employ the welfare of the child as the predominant justification (see, e.g., the negative opinion on JPC formulated by the Polish Judges Association “Iusticia” in 2014 and the positive opinions written at the request of the Senate of the Republic of Poland by the “Dajemy Dzieciom Siłę” Foundation or by Professor Elżbieta Trzęsowska-Greszta in 2017). Polish courts and policymakers are rather reluctant to seek the expertise and opinion of children, regardless of the fact that both the Constitution of Poland (in Article 72) and the Convention on the Rights of the Child (in Article 12) grant children the right to express their opinion in all matters that concern them (Cieśliński, 2015; Maciejewska-Mroczek & Radkowska-Walkowicz, 2017).

It is safe to assume that despite this rather unsupportive institutional context (both legislative and normative), the number of Polish children living in JPC is growing. Most adults (policymakers, judges, teachers, and family members) consider these children to be at a double risk: first, because their parents divorced and second because they live in two homes.

Theoretical framework

The theoretical background of this study is twofold. Firstly, it is rooted in the so-called new childhood studies in which a child is conceptualised as an agnatic social actor who both shapes and attaches meaning to social life (Christensen & Prout, 2002;

Greene & Hill, 2005; James, 2007; James & James, 2008). Secondly, it is rooted in the studies of family and kinship, which were in the heart of anthropologists' interests since the beginning of the discipline. In recent years, the sociology and anthropology of the family have experienced a paradigm shift, transitioning from perceiving the family in fixed categories ("being family") to understanding it as an active process of "doing family" (Finch, 2007; Morgan, 2011; Sikorska, 2019; Stanisiz, 2014). Family is conceptualised as fluid and in a process of constant change, a set of practices, decisions, and rituals. This shift, as Jon Bernandes emphasises, moves away from normative models and allows for an exploration of the meanings individuals attach to their family lives (Bernandes, 1987). Children, as active participants in the "doing family" process, also possess agency and the ability to make sense of their experiences and practices.

Methodology

The article is based on ethnographic research I was conducting since the spring of 2021, mostly in Warsaw, Poland. I interviewed 24 children (13 boys and 11 girls), who have been living in JPC for at least one year. Three girls and two boys were the only children while all the rest of the interviewees were either siblings or had siblings (who did not want to take part in the research). It happened twice that two brothers wanted to be interviewed together, but except for this one case, siblings always said they wanted to speak to me individually. Depending on the interviewee's age and mood, I was prepared to use different, age-tailored qualitative research methods used in doing research with children (like drawing, making collages, storytelling). In childhood studies, children's artwork is not analysed as such. Rather, it serves as a starting point for the encounter of the child and the researcher. To use Clark's (Clark, 2011) metaphor, I thought of drawings as verbs – something that is happening – not as nouns – an item that becomes a subject of my analysis.

While my main focus was on children's perspective, I also conducted interviews with adults (10 parents, two family mediators, three lawyers, five family judges) to understand the context in which the children lived. In total, I conducted 24 interviews with children, and 18 interviews with adults.

I reached out to the children via their parents. Most of the parents found an invitation to take part in my research on the Facebook page of Fundacja Dajemy Dzieciom Siłę, the largest Polish NGO that helps maltreated children. The parents emailed me saying their children would like to participate in the project and – in response – they received a flier for the children, in which I described the purpose of the research and what an interview would look like if they agreed to take part. Only with the children's explicit consent, I made appointments for the interviews. Polish law only demands parental consent for a child's participation in the research, but I had consent forms for both parents and children (about the meaning of children's consent see: Maciejewska-Mroczek & Reimann, 2016).

I asked the non-adult interviewees about their everyday experience of home and belonging, and their relationships with parents, siblings, parents' new partners etc. I also asked their opinions on how custody should be divided and about advantages,

and disadvantages of living in joint shared custody. Some of the research participants drew their homes or things that come to their mind when they think “home”. Two of the interviews were done via phone, because the interviewed person preferred to take part in the research in such a way. Most of the interviews lasted about 40 minutes. Except for one child, all the interviewees agreed for the interviews to be recorded.

I kept a field journal where I made notes after each interview. I wrote down the details about the interaction (Was the atmosphere rather cheerful or serious? How did the child’s/teenager’s room look like? Was the child sitting or constantly moving during the interview?). I also made notes from the small talks I had with the parents before and after interviewing their children. I wrote down how I felt after the interview and my first thoughts about what I saw and heard. I read experts’ recommendations, Ombudsmen’s addresses, press articles and discussions on social media. I conducted dozens of informal conversations with parents whose children are being raised in shared custody and with parents who are currently going through a separation and considering this custody model.

I analysed all the narratives (transcribed interviews, field journal, articles, social media posts) using thematic analysis (Hammersley & Atkinson, 2010). I identified reoccurring themes and searched for patterns, but also paid attention to what seemed singular and not fitting. During regular meetings, I shared my thoughts with [anonymity] and allowed my colleagues to question and challenge my interpretations.

Ethical considerations

Engaging in research with children presents a greater array of ethical considerations compared to research involving adults (Alderson & Morrow, 2011). These concerns arise from the inherent power imbalance between child participants and adult researchers. When delving into sensitive topics like family dynamics, especially within the context of parental separation, the potential risks are further magnified.

To ensure the utmost ethical standards in my research, I implemented several measures that go beyond getting informed consent from children and notifying them that they can withdraw at any time (see: *Kodeks dobrych praktyk...*). First, I decided to only interview children whose both parents agreed to the interview. I wanted to avoid putting interviewees in a potentially stressful situation of feeling disloyal towards one of the parents. Second, I decided not to interview the parents of my interviewees (the adults I interviewed were not related to the interviewed children). I wanted the children to be sure they could trust me and that I would not speak about them or their situation with the parents. I also wanted to empower children by not seeking a second opinion about what they told me. In my previous research with children and parents, I have learned that parents tend to reveal things that children have kept silent about. I, therefore, believe not interviewing parents is a way of protecting the child-interviewee’s secrets and the child-researcher alliance.

The decision to interview only children whose both parents gave consent to the child’s participation resulted in not being able to reach out to children whose parents are in open conflict. I made an exception from this rule once and interviewed a 12-year-old

boy who had already agreed to talk to me and was waiting for me to call when I found out that his mother did not know about the interview. I was told that because of the conflict between the parents, she might not agree to it. I decided to conduct the interview because it did not seem right to me to tell the boy that he was not eligible for the research because his parents were in conflict. For reasons of anonymity, I cannot elaborate on what the boy said (he was the only child that I spoke to whose parents' relationship was hostile, therefore, I will only say that his experience of joint physical custody, which was a solution forced upon his parents by the court, was very different than the experience of other participants of my research). The children of conflicted parents also deserve to be heard. The encounter with the boy made me reconsider the ethical choice I made and in future projects, I will not restrict myself to children whose both parents consent to the child's participation.

Results

In this section, I delve into the various practices that encompass living in two homes in order to show how children “do family” in JPC arrangements and what they consider important and beneficial forms themselves. The categories I employ have emerged from the interviews. It is, however, important to bear in mind that these practices are intertwined and impossible to disentangle in the lives of my interviewees.

1. Commuting

The most evident aspect of living in two homes is the process of commuting. The children I interviewed switch between homes on a weekly or biweekly basis. The act of commuting involves various smaller practices such as packing and unpacking bags, deciding what to bring, remembering (and sometimes forgetting) essential items for the week, carrying the bags, and driving between the two locations. All of the interviewed children expressed their dislike for the commuting practice. They found the frequent moving, including packing, carrying, and unpacking their bags, tiresome and frustrating. Many of them mentioned instances when they forgot to bring something they either needed or wanted to have with them. In most cases, children felt that they carried most of the burden of moving themselves. In one of the families, the father would pack and move the bags between the homes while the children were at school, so they did not have to deal with the inconvenience of moving. In all other families, the children travelled between two homes with their – bigger or smaller – bags. A few children told me that one of the parents would be upset with the other parent if something did not come back with the child (e.g., a piece of clothing that the first parent bought the child).

Furthermore, in addition to the cumbersome practicality of commuting, there is also an emotional distance between the two homes, which is even more difficult to overcome.

Sometimes I just feel that I don't want to separate from one of the homes... because when I am here for some time there is this weird feeling that you want to stay in this home. But then you go to the other one, and then you just keep changing them. I don't have this often, only sometimes, and it is a weird feeling.

(Boy, 9 years old, interview 9)

Usually on the "moving day" I am all stressed out and I cannot focus on anything. Usually, for the whole day, I am unstable, as you can put it.

(Girl, 11 years old, interview 12)

Children commute with their mobile phones, laptops, clothes, and books, but also stories and emotions. Sometimes, like in the case of Zuzia (16 years old) and Zenek (14 years old), the subjective experience of the distance between homes varies between siblings. Zenek did not seem to feel it as much as his sister did, which she found very annoying (and thought he was insensitive not to feel it).

For example, it is difficult for me to speak at my mum's place about life at my dad's place. Because with my mum we live in a much bigger house and we also travel a lot (...) and I think my father is sometimes sad he cannot afford either of them. And my brother, after we return from holiday abroad, goes like "so, dad, when will we go together?". I really don't think it's cool.

(Girl, 16 years old, interview 3)

Zuzia's decision not to speak to her father about the holiday is a way of protecting him from feeling inferior (poorer, unable to afford expensive trips).

2. Decision-making

The children and teenagers I interviewed often said that the children should have a say when it comes to deciding who the child would live with after parental separation. They also frequently emphasised that parents should be honest with children, talk to them, and decide about the details of joint physical custody arrangements together.

Living in two homes requires making many bigger and smaller decisions concerning the practicalities of such an arrangement. For how long should a child stay at each of the parent's places? Which day should be the day on which the child moves between places? What if the child feels like seeing the parent she currently does not live with? The children I interviewed were very clear about their desire to take part in the decision-making process. They demanded that the parents remain flexible when it comes to the details of moving between homes, allowing for minor changes in schedules depending on the children's needs. For example, in one family Tuesday was always "mother's day" regardless of whom the children lived during the week, in another – one of the siblings came to the mother's place for lunch every day after school. The children I interviewed knew that the parents (in those two cases, the fathers) might be more content if the child did not go to the mother's place on the "father's week" but they believed this is something the fathers should accept.

Living in a reorganised family requires reflecting on things that in an intact family can be taken for granted, like where home is and who belongs to the family. Those questions become a matter of symbolic decision-making and while the children I spoke to did not explicitly speak about it, they did make such decisions by, e.g., drawing or not drawing their parent's new partners on the picture, or just speaking or not speaking about them in the interview.

3. Getting along

It is important for children that there is no strong conflict between the inhabitants of both homes. A nine-year-old boy told me, *I had this one problem – I don't have it anymore – that my second father [stepfather] does not tolerate the first one (...). But mum explained it to me, and now it's okay.* The boy had lived in joint physical custody since he was two years old. His two homes are physically far from each other. From the boy's 18-year-old brother, I know that the relationship between the parents is very dry and that the father told the older son that the only occasion at which he could stand being together with the boy's mother is the son's wedding. And still, for the younger brother the idea that the "second father" does not like "the first one" was difficult to handle. The older brother told me, he did not care so much anymore and that he felt quite far from both homes already, and tried to spend as much time as he could at his girlfriend's place.

Children and teenagers know it is not always easy for the parents to stay in a good relationship, but they seem to demand that the parents make the effort. As one of the interviewed girls put it:

When the [divorced] parents don't get along, well, it's a bit of a problem, and maybe they should really do something about it.

(Girl, 16 years old, interview 3)

There is something funny in the way the girl said, "it's a bit of a problem" and "they should really do something about it", but there also is a conviction that the parents are obliged to get along and some trust in that they are able to do that. Another interviewee, a 17-year-old girl, appreciated her parents for not involving children in any of their conflicts:

They had never... when I was younger there was zero bitching about the other side. When I was 11, or 13, I never heard anything like that. Then when I was older, I became interested in it and started asking, so they started to say some things, but they were still stepping very carefully.

(Girl, 17 years old, interview 16)

The interviewed children were conscious of the fact that being in a good relationship is not always effortless for the parents. What is maybe more interesting is that the children themselves also felt at times that maintaining good relationships is demanding for them.

On birthdays, yes, we meet [both parents and children]. We also spend the Christmas Eve together. But... to be honest, I don't like it so much when we are all together. It's just uncomfortable and I feel tension all the time. I don't know if it is really there, or it's just me. But I think usually it is there. Quite often it ends with a misunderstanding or a fight. But I still think it is nice that we meet for birthdays. It's just that I don't always feel good then.

(Boy, 16 years old, interview 21)

For the teenager quoted above, the fact that the family is together for big celebrations is more important than his “feeling good”. The same teenager told me that he thinks his parents made the right decision by divorcing and that it was better for children to have separated parents than parents who were unhappy together. Therefore, his appreciation of the reunions does not mean he hopes or wishes that the parents become a couple again, but rather that he appreciates the fact that they can still be a family.

Somehow similarly, a nine-year-old girl, when I asked her to draw things that she associates with home, drew her mother and father standing next to each other (each of them with a dog of their own). The parents separated when the girl was five years old, they live a 30-minute drive away from each other, each of them has a new partner (whom she did not draw in her picture). The girl often spoke about them as one (“my parents”). For example, she said: *the normal face of my parents is like that* (and made an unhappy face) almost as if they had one face. As if, regardless of the fact that they are not together, she still saw herself vis-à-vis two parents, not vis-à-vis each of them separately.

4. *Staying close to both parents*

All of the children I interviewed were convinced that joint physical custody was a superior solution compared to sole custody. Their conviction stemmed from the fact that joint custody allowed them to maintain an equal level of closeness with both parents. Even a 13 year-old girl who – after 8 years in joint physical custody – decided to live solely with the mother because of a tense relationship with the father's new partner, believed that JPC was the best way for a child to learn what her or his preferred way of living was.

When I imagine that I would only go to my dad's, or mum's, whatever, every second weekend, it makes me feel sad. I don't know. Like, it's too little.

(Boy, 14 years old, interview 14)

The children and teenagers, judging from their peers' experience know that most children of divorced parents in Poland live with the mother and see the father on weekends (or every other weekend). According to my interviewees, such a situation might lead to the dissolution of the relationship between the father and the child, and in consequence, have a negative influence on the child's well-being.

I think that having a home is much less important than having a parent. It's the lack of a parent that can later result in serious problems in life.

(Boy, 18 years old, interview 8)

The children I interviewed believed that both their mothers and fathers were equally capable and equipped in terms of caring for them. A few children spoke about the parents providing different kinds of care – one girl told me the father was more open to her friends visiting, another girl said her father was too strict, and one of the boys said that for a reason he did not understand, he missed the mother more than he missed the father during the week at the other parent's place. Despite those differences and difficult feelings (like being angry with the strict father or missing the mother during the father's week), the interviewed children were very explicit about it being a price worth paying for being able to stay close to both parents.

One of the interviewees, a 13-year-old girl, told me that at first all children should live with both parents interchangeably in order to decide if this is their preferred way of living, or *they would like to live with mum or with dad more*. I quote this sentence to highlight that in the narratives of the children I interviewed mothers and fathers are considered equally good carers. It might be, as the quoted girl suggests, that the child *likes to live with one of the parents more*, but it is not predetermined which of the parents it would be. Similarly, in a few cases, when the child told me she or he felt “a bit more at home” in one of the parent's places, it was not attributed to the parent's gender, but to the fact that one of the parents stayed in the apartment where the family lived before the separation.

5. Living everyday life

Finally, I would like to draw attention to the fact that the children might not consider the fact that their parents had divorced to be defining of their identity. As one of the interviewees, a 10-year-old boy told me: *not much had changed in my life* [after the parents separated a couple of years earlier]. *It's just that I live differently now* [in two homes instead of one]. The things that were important to him – like school, friends, playing sports – stayed the same. Another interviewee, a 12-year-old girl, told me that for the JPC to be a good solution for children: [everything] *should be like it used to be* [before the separation]. *There should still be a fish every Friday*. The girl has lived in JPC for almost two years. She told me that at first, when the parents had just separated, she felt sad about it but now she feels happy in both homes. When she speaks about things being the same as before the separation, she does not mean that the parents should get back together, she means all the other aspects of life which are important and constitute who she is and what the family is. For this particular family, closeness is built by going for long cycling trips, watching movies together, baking cakes, and eating fish on Fridays. Doing all these things in two homes can be interpreted as things being like they used to be.

Concluding remarks

According to the children I interviewed, joint physical custody is a preferable model of family life after parental divorce. While the children admit that frequent moving between two homes is organisationally and emotionally demanding and, especially for the smaller children, sometimes saddening, they still consider JPC the preferable solution because it allows children to stay equally close to both parents. What they considered a threat to the well-being of children of divorced parents was losing a close relationship with the non-residential parent.

The children and teenagers I interviewed did not use the term “gender equality” but it was clear from the way they spoke about their parents they consider them equally capable of providing care and creating a place that the child can call home and where she or he feels secure and taken care of. They also considered both parents equally important and necessary for the child’s development and well-being.

The interviewees did not consider themselves helpless subjects of their parents’ decisions, but rather competent family members who – by moving between two homes – made the close relationships with both parents possible. I argue that with the awareness of how important their contribution to those relationships was, children gained extra bargaining power vis-à-vis their parents and felt that the parents should also make some effort in order for the family life to be satisfying for all family members. According to the interviewees, the parents whose children live in joint physical custody should stay in a good relationship with each other, be flexible about the details of the arrangement, be honest with the children and allow their participation in decisions that consider them.

Seen from the perspective of my interviewees, their families are neither “broken”, “incomplete”, nor a threat to the children’s well-being. They are a network of relationships in which all involved parties act for the common good. Children see their role in the family as active and influential. They are reflexive about both their own and their parents’ efforts to make the post-separation life work for the benefit of all family members. I argue that being conscious of their own contribution to the welfare of the family – the act of children’s moving between the places creates JPC families – empowers them vis-à-vis the parents and allows them to say, in a slightly bossy and impatient way that if the parents do not get along “they should really do something about it”. Because family is a set of practices, things that people do with and for other people, and if the children can move between places every week, the parents should be able to get along after separation.

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