

Kan barn tala?

*En genusvetenskaplig undersökning av ålder
i familjerättsliga utredningstexter*

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Can children speak?

A gender studies exploration of age in family law social work reports

Abstract:

The aim of the thesis is to investigate how meanings of age and gender are reflected but also formed, stabilized and challenged in family law custody reports where there is information about violence by the father. I analyse how meanings of age and gender are expressed in relation to three important components within the principle of the best interest of the child: participation, protection and care. A starting point for my study is that the text does not exist in a cultural vacuum but expresses well-established norms and ideas. In a number of ways I regard as highly significant the manner by which the professionals of the family law unit formulate the texts and the linguistic choices they make. My analysis of the texts suggests that very few children gain a voice within the texts and thereby are able to participate in decisions concerning their lives. The hindrance to children gaining a voice consists of norms and ideas about what children are and need which are partly grounded in the concept of the universal child: that the age group of "children" share certain special characteristics. Concerning protection I focus upon how the family law secretaries use children's stories about violence in the text; how the stories becomes significant or not. Children's stories about violence are invalidated in most texts and it seems to be very difficult for the family law secretaries to orient themselves in relation to the stories about violence. The consequence of invalidation is that children's exposure to violence is not understood as a problem in the discourse of the family law. Furthermore, knowledge production is shaped by an adult hegemony. I further analyse how the caring capacities of fathers are accepted and not accepted in the texts. In none of the cases are stories about violence presented as the reason for not accepting the fathers as carers. Violence seems in other words to be unproblematic in relation to fathers caring capacities. When I bring fathers into focus, it becomes obvious how much space the parents are granted in the texts, compared to children. It is the adults that are the important persons in the custody reports and children are not made as significant. Consequently, to speak with Butler, the children's world does not gain legitimacy. The family law practice is thus shaped by the hegemony of adults and the effect of this is that the children are excluded, prevented from having a voice.

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