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**Mom Cares and Dad Pays? The Institutionalised Role of Mothers and  
Fathers in Different Family Forms.**

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## 1. Introduction

Demographic, social and economic changes have affected family arrangements and practices in various ways. On the one hand, rising rates of parental divorce or separation lead to an augmenting prevalence of lone and non-resident parenthood. The linkage between parenthood and partnership has loosened. Simultaneously, gender specific role expectations towards mothers and fathers have change. The discussion of “good” motherhood is increasingly accompanied by aspects of female labour market participation. This holds especially true for lone mothers. Within labour market reforms, e.g. in Great Britain, their activation potential has been emphasised. In Germany, mothers have lost their extended right to maintenance after divorce because of their own employability. In social sciences the perspective on lone mothers after separation, has been prevailing for quite a while.<sup>1</sup> However, social developments have caused and at the same time are based on the process of redefining men’s role within families: they are no longer exclusively considered as providers. From a ‘new’ kind of father a child centred attitude and a more intense relationship towards his children is expected as well as wanted. Recently, non-resident fathers gain increasing attention in the discussion. Fulfilling the ‘new’ caring role of fathers while living in a different household is rather difficult. National discussions on fathers’ responsibilities after parental break up vary. Whereas in Great Britain the focus lies on fathers’ financial responsibilities, the Norwegian public is concerned about their discrimination in terms of care. In Germany, only very recently the Federal Constitutional Court has declared the prevailing legal practice for unmarried fathers not to gain shared custody after parental break-up automatically unlike divorced fathers as discrimination. In these cases the mother is awarded sole custody. So far bringing the strands together – changing role expectations towards mothers as well as fathers and changing family structures after separation - has been neglected. The paper presented will focus on the institutional settings for parents before and after separation. The leading research question is:

*How are maternal and paternal roles in different family forms institutionally shaped?*

That is, are mothers after separation treated differently in terms of caring responsibilities and employment duties? And do caring rights after divorce differ from those within nuclear families? Institutional settings for parents vary across nations. Therefore, answering the research questions the analysis will compare the context of (separated) families in Germany, Norway and Great Britain.

In the following the paper holds subsequent structure: first, dimensions and developments of institutionalising parenthood, respectively motherhood/mothering and fatherhood/fathering, in different family policies will be theoretically framed. The concept of maternalism and the male breadwinner will be introduced. Linking these concepts with indicators for the institutionalized role of mothers and fathers will serve as a guideline for the analysis of different family policy regimes in German, Norwegian and British. Regulations concerning

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<sup>1</sup> Lone parenthood is a dominantly female phenomenon (among others Lewis et al. 2000: 7). Although most of the aspects may be transferred to sole fathers’ situation the following analysis concentrates on lone mothers. There are certain gender specific variations, e.g. concerning labour market integration, which will not be reflected here. Further, lone parenthood due to the death of one parent will be neglected in the following. These family forms have lost importance lately in international comparison (Kilkey 2000: 77).

(sole) mothers' activation potential as well as (non-resident) fathers' caring rights will be compared. Finally, findings will be summed up in evaluating whether forms of parental role models for different family forms vary.

## 2. Institutionalised Parenting in Different Family Forms

National family and social policy instruments are based on specific concepts of “motherhood” and “fatherhood” (Leira 1999: xiii). Thus, parents' day-to-day parenting is influenced by cultural, social and institutional surroundings (Knijn/Selten 2002: 171). The various degrees of institutionalised parenting can be distinguished by the different rights and obligations awarded to women and men as parents in terms of cash and care:

“In policy discourse the question who *pays* for the kids is now paired with that who *cares* for the kids.” (Hobson/Morgan 2002: 2; highlights C.M.)

Being closely related to the controversy on the gendered division of labour, this question is discussed and answered differently within welfare states. Each national family role model implies a more or less explicit understanding about the “right” gendered division of paid and unpaid work between men and women. These gender specific role expectations are reflected in an institutionalised understanding of parents as fathers and mothers (Palkovitz 1997: 206ff; Tölke/Hank 2005: 15). Over a long period of time the *male breadwinner model* including the female carer model complementary was prevailing. Welfare states were - and to different extents many still are - characterised by a traditional gendered division of labour in society as well as in the family. This means, “breadwinning” or earning a living for the family was mainly ascribed to men and fathers, whereas women were domesticated by awarding them the responsibility for home and family life (Ellingsæter 2003: 419; Leira 2006: 28f.; Lewis 2004: 62). Policies promoting the specialization of parental roles are based on the assumption that each household community with children has a male provider. Thus, families can afford to depend on one income while in the meantime the mother provides full-time childcare (Leira 2006: 29). Political instruments to facilitate this model of family arrangements are, for instance, maternity grants, marriage subsidies supporting the sole earner through tax deductions, cash benefits for parental childcare at home, being directly supportive or neutral to a traditional gendered division of work. If these benefits are paid in relatively low flat-rate amounts, they consequently sustain traditional gendered distribution of work by strengthening female dependency on male earnings (Ferrarini 2006: 59).

### 2.1 Parenting in Nuclear Families

Mothers are high on the political and public agenda for several reasons, mainly due to divergent opinions on their right or rather duty to engage in employment despite their family obligations. Thus, the assessment of ‘appropriate’ motherhood varies according to two dimensions: the ascription of caring as well as working responsibilities (Ostner, 2009: 331). Koven and Michel (1993: 4) define maternalism as

“ideologies and discourses which exalted women’s capacity to mother and applied to society as a whole the values they attached to that role: care, nurturance and morality”.

That is, the understanding of mothers is based on male breadwinner model in which women with children are mainly mothers, wives, *carers*, and domestic workers (Orloff 2006: 236). Within a traditional understanding of maternalism mothers are encouraged and expected to stay at home with their children on a full-time basis.

Tab.1: Varieties of maternalism – theoretical approach.

	Maternalism -----	Post-Maternalism
<b>Mothers mainly as</b>	<b>Carers:</b> Mothers are awarded right to stay at home while children in household, no employment required	<b>Workers:</b> Maternal full-time employability enforced at an early state of the child’s life
<b>Institutions affecting mothers in general</b>	no parental leave, universal caring benefits for long duration, poor provision of institutional childcare	Short parental leave, high replacement rate, high provision of childcare for all age groups
<b>Institutions affecting lone mothers</b>	Generous social benefits (long duration, high compensation rate) for lone mothers  Sole custody for mother and generous maintenance rights towards absent father	Means tested social benefits regardless of lone parenthood, highly conditioned entitlements  Restricted or no entitlements of maintenance from the absent father

Source: based on Marten/Ochoa 2009: 3, adjusted by C.M., among others complemented by aspects of lone motherhood

However, increasing female labour market participation accompanied by altering gender role expectations as well as other economic and social changes has caused a re-definition of motherhood. According to Orloff the development can best be described as “*employment for all*” (ibid.: 230) strategy which causes the “*farewell to maternalism*” (ibid.: 232). Women’s full time caring for children loses increasingly support. For various reasons, based on education expansion and a change in gender specific role expectations, women themselves want to be employed. Simultaneously, mothers have to work due to social and economic changes causing insecurity and flexibility within labour markets as well as within family relations. In contrast to maternalism within the concept of post-maternalism mothers are mainly conceptualised as *workers* (Marten/Ochoa 2009: 3). They are supported to engage in full-time employment despite their family obligations. Simultaneously, caring responsibilities are socialised either to the wider society or the father. Welfare states differ in terms of supporting mothers as the main source of care provision on the one hand (Leitner, 2003: 357) – maternalism - and assisting mothers to be economically active on the other – post-maternalism (Ostner, 2009: 327; Lewis, 2001: 166).

Tab. 2: Varieties of institutionalised fathering – theoretical approach.

	Traditional fathering-----	Modern fathering
<b>Fathers mainly (also) as</b>	<b>breadwinners:</b> fathers are main income source for family	<b>carers:</b> equal caring rights for fathers
<b>Institutions affecting fathers in general</b>	Parental leave based on maternal needs (no explicit right for fathers)	Paternal caring rights integrated in parental leave scheme
<b>Institutions affecting absent fathers</b>	Generous maintenance duties towards lone mother  Restricted custody rights: sole custody for lone mother	Restricted or no maintenance duties towards lone mother  Shared custody

Source: own illustration.

Analogue to forms of maternalism models of fathering can be identified within each nation (Rollett/Werneck 2002: 329). Social developments as well as men's expectations themselves have caused a process of redefining men's role within families. They are no longer exclusively considered as providers. Growing emphasis is put on fathers' meaning and importance for a child's development (Kolbe 2001: 190; Knijn 1995: 179). Yet, labour market developments and processes based on globalisation like growing competition impede the construction of a new role as caring fathers (Ostner 2002: 166).

Analysing the care potential of fathers the mode of labour market participation of both men and women has to be taken into account. Paternal involvement is affected by working hours, career orientations and chances, flexibility demands, as well as by individual incomes (Marsiglio 1991: 975). As expectations for active fatherhood have augmented, the compatibility of fathers' working and family life has come under increasing scrutiny (O'Brien 2006: 2). Recently, men – like mothers for quite a while already - are confronted with dual and often conflicting labour market and family obligations (Lammi-Taskula 2006: 79). The increasing recognition of “caring” fathers as well as the augmenting question of paternal reconciliation has caused an active debate on fatherhood within different family policy regimes (among others: Hobson 2002, Ostner/Schmitt 2007). This can be exemplified by the implementation of so called “daddy months” within parental leave arrangements or changes in divorce legislations strengthening paternal rights to care. The development can be described as “new paternal inclusion” and “activation” to child rearing – similar to mothers' activation to labour market participation (Hobson et al. 2006: 269). Especially, the discourse on the emancipated Scandinavian father has received much attention in scientific, public and political debates taking the Nordic concept of fathering as a role model (Jensen 2006: 44). At the same time there is mounting (public) anxiety regarding the ‘absent father’ in all countries due to augmenting divorce rates and births out of wedlock (Skevik 2006a: 114).

Thus, among others, the sketched developments have caused a more or less extended re-definition of the male breadwinner within national family models (Lewis 2004: 72; Knijn 1995: 182). In direct contrast to the male breadwinner the ideal of the *dual earner/dual carer family* started to develop across Europe, especially within Scandinavian welfare states (Ellingsæter 2003: 419f.). This family model represents a distinctly different concept of the ideal mother and father as breadwinners and carers. Both parents are expected to be in gainful employment and at the same time share their caring responsibilities for children equally based on gender equity (Leira 2006: 28f.). Instruments to facilitate gender equity within family arrangements are for instance the institution of paid parental leave or public sponsoring of childcare facilities, the definitions of custody or visiting rights and maintenance obligations of mothers and fathers vis-à-vis their children following family dissolution (Björnberg 2006: 92ff).

### 2.3 Parenting in Separated Families

There are national variations in expectations towards mothers' employability as well as towards active fathering beyond providing implemented in national family policies. These expectations may vary among family forms. Indicators for maternalism, for instance, may be distinguished in instruments targeting at mothers in general (these apply for lone mothers as well, although, they might have different impacts on maternal employment due to the

described specific situation of lone parents) and those explicitly designed for sole mothers. Identifying the concept of lone mothers as carers respectively workers within social and family policies needs some further reflections on the specific situation of these families. The augmenting decoupling of parenthood and partnership based on separation and divorce has caused an expansion of lone motherhood (Lewis et al. 2000: 7). This family form is characterised by the absence of the “other” parent, therefore, sole mothers have the lone social, emotional and economic responsibility for their children, at least within everyday life (Kilkey 2000: 68). Although fathers are awarded increasing caring rights after parental separation, that is shared custody gains importance, children frequently stay within the maternal household. Paternal care across households has to be organised and negotiated among parents. Studies show that fathering is impeded after separation which might result in termination of contact between fathers and child (for detailed analyses see Bradshaw et al. 1999, FORSA 2002, Skevik 2006a or Marten 2009). The absence of the “other” parent hinders daily and spontaneous sharing of caring and employment burdens. This leads to special reconciliation problems in terms of caring and earning duties for lone mothers compared to mothers in partnerships with the “other” parent (Kilkey 2000: 70). These might lead to an increased risk of poverty (Kjeldstad/Rønsen 2004: 62). Due to missing maintenance payments from absent fathers and frequently low incomes from employment lone mothers have a low economic status respectively they dependent on state support (van Drenth et al. 1999: 624). In general, sole mothers can rely on three different income sources: their own earned income, maintenance from the absent father and welfare state benefits (Lewis/Hobson 1997: 5). The absence of a male breadwinner – a more or less important aspect of welfare state arrangements – leads to the question, whether welfare states substitute the breadwinner or whether they force lone mothers to participate in the labour market (Lewis 1997: 51). The welfare state definition of lone mothers as *carer* is integrated in various social and family policies. One condition to maternal care on a full-time basis is the suspension of the described universally applicable employment duty which has recently gained importance. The right to care implies the right to be absent in the labour forces. This varies according to barriers of means testing, to compensation rate and duration of benefits as well as to conditions of entitlement (Kilkey 2000: 88f). Lately, welfare states are less willing to accept lone mothers’ long term absence from the labour market based on caring responsibilities (Skevik 2005: 59). Sole parents are increasingly expected to gain their own living. Their right to care based on benefit receipt is weakened (Skevik 2006c: 221; Daly 2004: 139). Non-resident fathers combine two main characteristics: on the one hand they do not have a relationship with the child’s mother (anymore) *and* they live in a different household than their minor child. A clear distinction between cash and care is made within legislation, that is, custody rights and maintenance duties are awarded separately. The distinction as well as the awarding of rights and duties after parental break up is based on a traditional division of labour. Children often stay in the maternal household whereas fathers receive restricted caring respectively visiting rights and maintenance duties. As a consequence non-resident fathers are freed from their emotional and social fathering in a degree that may not represent their daily routines before family separation (Napp-Peters 1995: 110). They are less present within the child’s everyday life. Fathering is often restricted to weekends and vacations, that is, to leisure and recreation time. Seeing the child requires appointments, visits follow more or less

strictly organised timetables, in case of longer distances between households they have to be organised. Everyday routines, rules and implicitness of paternal interaction decreases (Matzner 1998: 89, Amendt 2004: 164ff).

Germany, Great Britain and Norway are confronted similarly with the social challenges described above. Yet, the political answers vary. In the following, characteristics of the British, German and Norwegian policies reflecting parental role expectations towards different family forms will be compared.

### 3. Mothers' Employability in Different Family Forms

Parental leave schemes as well as formal childcare provision are important instruments to transfer caring rights from mothers to the public. However, both institutions also effect fathering. Further, their impact on parenting in different family forms may vary.

#### 3.1 Parental Leave Schemes

In Germany parental leave was implemented in 1986. Even though the German law was formulated as gender-neutral and entitlements are now awarded to both parents rather than focussing on mothers as before, the public and political discussion has been based on a traditional understanding of labour division for a long time. Thus, the instrument was mainly aimed at housewives or at employed mothers in order to encourage them to interrupt their employment for child rearing (Kolbe 2002: 412). The measure can be interpreted as an attempt to equalise the status of working and non-working mothers and to acknowledge the care work of the latter by attaching a flat rate benefit to it (Ostner et al. 2003: 18). Thus, the mother was regarded as the main carer especially for very young children (Scheiwe 1999: 305f). As a consequence, fathers had to provide sufficient income for the whole family. Since the early 2000s, the parental leave and benefit scheme was subject to a major reforms. German politicians emphasised the fact that “parents” consists of both mother and father. Fathers were more and more conceptualised as carers who have to be eligible and capable to take up parental leave (Kolbe 2001: 193f). Another rationale behind the reform was the adaptation of existing rules to the needs of *employed* parents, fathers and mothers and to facilitate flexible working (Ostner 2002: 159). The reform was explicitly based on the motivation to increase paternal take-up rates by flexibilising eligibility rules and providing incentives better suiting working fathers (Ostner et al. 2003: 20). Changes within regulations aimed at giving incentives for shorter leave periods, for part-time leave and employment for both parents (Leitner et al., 2008: 196). This trend of flexibilisation and attracting fathers was pushed further within the latest reform implemented in 2007, as will be demonstrated below.

Great Britain resisted European pressure to implement a statutory system of parental leave for quite a long time (Lewis 2002: 148). The refusal to implement leave regulations for parents was justified with the argument that employees and employer have to come to their own agreements (Clarke/Henwood 1997: 187). Parents were dependent on voluntary agreements with their employers or collective bargaining (Scheiwe 1999: 311). The scheme implemented in 1999 was based on the explicit assumption that all adults will (have to) participate actively in the labour market (Lewis 2002: 148). Further, the British government could not resist European pressure to implement a statutory system of parental leave any longer (Weldon

2006: 3f.). However, the British parental leave is formed as “*fallback scheme*”. Employers and employees can agree on their own procedures as long as they take the statutory regulations, described in the following, into account (DTI 2007d). The governmental fallback scheme will apply automatically in workplaces where no other agreement has been implemented (DTI 2007a). This fits perfectly in the liberal understanding of state “non-intervention”. Yet, a recent British survey shows that in 11% of workplaces employers provided parental leave rights beyond the statutory minimum. This mainly involved increased flexibility in how leave could be taken, with only a quarter of these workplaces providing some payment (Moss/O’Brien 2006: 219).

The expansion of parental leave policies in Norway has taken place since the 1970s. Unlike in Germany, regulations were early directed to both parents (Eydal 2006: 11). The Norwegian parental leave legislation favoured the dual earner/dual carer family, emphasising the importance of both parents for children. Providing entitlements to caring fathers represented a very radical approach to changing the gender division of childcare, a new approach to work/family policies. The driving force behind this change, however, was not a large-scale change or demand reported among fathers. Rather, the shift can be interpreted as a follow-up of the political commitment to gender equality (Leira 2006: 38).

### **Unit of entitlement, eligibility and conditions within the parental leave schemes**

In Norway, the entitlement to parental benefit is earned through employment. In order to have the right to paid leave the individual parent has to have worked at least 50% of full-time employment and earned an income over a certain threshold for at least six of the last ten months prior to receipt of the benefit (NIA 2007: 10; Lammi-Taskula 2006: 81). Thus, Norwegian regulations start from the premise that both parents have worked prior the birth of a child. Similar to Norway, parental leave in Britain is also based on employment. Eligible are all full- and part-time employees who have completed one year’s continuous employment with the current employer (DTI 2007a,b,d). Further, the entitled parent has either to be named on the child’s birth certificate or must have legal parental responsibility for the child. These are important conditions for non-resident parents. Unlike in Germany, British as well as Norwegian parents do not have to share a household community with the child in order to qualify for parental leave (Moss/O’Brien 2006: 219; Hakovirta/Rantalaiho 2009). Thus, non-resident parents’ right to care is recognised in cases of family parental divorce or separation.

As in Norway and Great Britain, German parents in employment are eligible to parental *leave* for three years. The leave period is partly paid. Parents can take leave and benefit if they are the main carers for their children after birth, do not work more than 30 hours per week and live with their children in one household. Thus, non-resident fathers are not eligible. Unlike German parental *leave* and unlike the Norwegian and British regulations, in Germany parental *benefit* does *not* depend on employment prior to delivery. Each parent can claim benefit (BMFSFJ 2007b: 7f., 63). As mentioned above, the fact that compensation is also paid to non-employed parents reflects the motive to compensate mothers for caring rather than to compensate employers’ income loss due to caring responsibilities. The former recognizes mothers as carers, whereas the latter emphasizes their role as workers.

*Tab. 3: General Parental Leave and Benefit in Germany, Norway and Great Britain.*

Country	Germany	Norway	Great Britain
<b>Eligibility Condition</b>	<ul style="list-style-type: none"> <li>each parent, <i>independently</i> of employment or parental leave</li> <li>main carer for child</li> <li>living with child</li> <li>employment less than 30 hours/week</li> </ul>	<ul style="list-style-type: none"> <li>earning minimum income for at least 6 of the 10 months <i>prior</i> to birth</li> <li>employment above 50% of full-time</li> <li>paternal right, yet mother has to take up employment <i>after</i> birth</li> <li>parents do not have to live with the child</li> </ul>	<ul style="list-style-type: none"> <li>employed parents, 1 year with current employer</li> <li>full time or part-time</li> <li>named on birth certificate or have parental responsibility</li> <li>parents do not have to live with the child</li> </ul>
<b>Duration, Time Frame</b>	<ul style="list-style-type: none"> <li>12 months paid, shareable between parents, plus 2 partner months (see below)</li> <li>up to 14 months after birth</li> <li>3 years unpaid leave for each parent independently until the child turns 4</li> </ul>	<ul style="list-style-type: none"> <li>44 at the full or 54 weeks at the reduced payment level, shareable between parents</li> <li>only the father qualifies: 39 weeks or 29 weeks, no daddy quota entitlement</li> <li>up to 3 years after birth</li> <li>a year unpaid leave per parent until child turns 3</li> </ul>	<ul style="list-style-type: none"> <li>13 weeks per parent</li> <li>until the child turns 5</li> </ul>
<b>Payment</b>	<ul style="list-style-type: none"> <li>67% of average net income</li> <li>min. € 300 for non-employed</li> <li>basis: average income of last 12 months</li> <li>low incomes additionally subsidised</li> <li>level adjusted to income out of part time work</li> </ul>	<ul style="list-style-type: none"> <li>full rate: 100% of income basis</li> <li>reduced rate: 80% of income basis</li> <li>basis: parent's income of the last 4 weeks</li> <li>mother on part-time after birth: father's benefit reduced proportionally</li> </ul>	<ul style="list-style-type: none"> <li>unpaid</li> </ul>
<b>Flexibility</b>	<ul style="list-style-type: none"> <li>part time up to 30 hours/week possible</li> <li>shareable, except maternity leave and partner months</li> <li>benefit takeable simultaneously: half the benefit for twice the period</li> <li>unpaid period: shareable: one parent alone, consecutively or simultaneously</li> </ul>	<ul style="list-style-type: none"> <li>part time work possible with scaled benefit and extended period</li> <li>chosen alternative (100/80%) applies for <i>whole</i> period and <i>both</i> parents</li> <li>concept of consecutively taken parental leave</li> <li>mother's working hours affect father's benefit entitlement</li> <li>father may not receive benefit until at least six weeks after birth</li> </ul>	<ul style="list-style-type: none"> <li>a max: of 4 weeks can be taken in 1 calendar year</li> <li>in one block or multiples of one week</li> </ul>

Source: own illustration

In 2000, Norwegian parental leave regulations were further improved with respect to paternal rights. Before the reform, fathers' leave entitlements were based on mothers' employment and earnings prior to the child's birth. Today, fathers receive parental benefit based on their individual rights independent of mothers' eligibility (Kitterød/Kjeldstad 2003: 40). Nevertheless, parental rights within the parental leave scheme are still neither equally extensive nor totally independent from each other. Fathers' caring right is closely linked to mothers' employment status. That is, if fathers want to take parental leave based on their own eligibility, mothers have to return to the labour market (at least 75%). He is not entitled to parental benefit while the mother stays at home taking care of the child regardless whether the

mother is eligible to parental leave or not (NIA 2007: 12f).<sup>2</sup> Thus, fathers only receive a *derived* right, that is, their replacement level and the length of their parental leave depend on mothers' willingness to return to full-time employment (Brandth/Kvande 2001: 257). Simultaneously, referring to a dual earner/ dual carer model, parents are supposed to take leave periods consecutively (NIA 2007: 13). This represents an understanding of each parent as the main carer on his or her own. However, there are possibilities for parents to share parental leave at the same time. One parent may take his or her share of the unpaid leave, annual holiday or a sabbatical leave (Lammi-Taskula 2006: 80). In Norway, it is quite common in practice that both parents stay at home even though regulations are aimed differently. In Germany and Great Britain, each parent has a right to parental leave individually as well as simultaneously (BMFSFJ 2007b: 65; Finch 2003: 24).

### **Duration and Time Frame for Taking Parental Leave and Benefit**

The meaning of generous leave entitlements in terms of high replacement rates and a long duration is, however, discussed controversially. On the one hand, it is argued that these leaves are associated with a continuous attachment to the labour market. Even after a long break, parents have the right to return to their previous job position. On the other hand, longer discontinuations endanger the labour force re-integration (Kangas/Rostgaard 2007: 245). Parents taking long leaves participate less in the labour market, are confronted with barriers re-integrating into a highly competitive employment market and might be forced into low-pay sectors of economy. This represents an economic risk and undermines labour market opportunities, mainly for women. Empirical findings show: the longer the withdrawal of paid work, the more difficult the re-entry (Wendt/Maucher 2000: 6). Norwegian parents are awarded a maximum of 12 months parental leave together, or as long as they receive parental benefit (NIA 2007: 8). Benefit can either be taken for 44 weeks for a full replacement rate (100% of the calculation basis) or for 54 weeks at a reduced payment level (80%) (Eydal 2005: 158). If only one parent has qualified for parental leave via employment in advance of the benefit period, (s)he may take a period of 39 weeks at a full payment level or 29 weeks with 80% replacement rate.<sup>3</sup> The level of payment chosen is applicable for the *whole* period of benefit receipt for *both* parents (NIA 2007: 11f). This restricts flexibility, and again, individual rights for both parents are closely interrelated. In Norway, each parent has the additional right to one year unpaid parental leave for each child (Brandth/Kvande 2006: 174).<sup>4</sup> Compared to a total of two years leave in Norway with a maximum of three years for each parent (BMFSFJ 2007b: 65), (unpaid) leave entitlements in Germany are rather generous. At first glance, the same accounts for the parental benefit regime. Compared to Norway, the German scheme is a little bit more generous concerning the duration of benefit receipt. For a

<sup>2</sup> If the mother returns to a part time job after birth, the father's parental benefit will be adjusted as a proportion referring to the mother's working hours (Skevik 2003b: 20).

<sup>3</sup> That is, the whole parental leave entitlement together for both parents (54/44 weeks) minus maternity leave before (6 weeks) and after birth (9 weeks).

<sup>4</sup> Parents may take unpaid leave simultaneously (Skevik 2003b: 21; NIA 2003: 13). Under the Cash-for-Care regulations, parents with children aged 12 to 36 months are entitled to receive a cash benefit provided their children are not registered full-time in a publicly-funded childcare institution. Here, the main criterion for eligibility is not the parental employment status, but the renunciation of a particular type of child care service (Brandth/Kvande 2006: 174). The cash-for-care benefit can be taken as income compensation during unpaid parental leave.

maximum of 14 months the parental benefit is paid to fathers and mothers together. The British entitlement to leave entails 13 weeks per parent and child (half a year per family unit), a rather restricted caring. British parental leave can be claimed up to the child's 5th birthday (Finch 2003: 24), the longest time frame in comparison. Yet, the leave may be taken in one block or multiples of one week up to a maximum of four weeks (Moss/O'Brien 2006: 219). Here, parental leave is designed to give parents the opportunity to take care of their children despite work responsibilities. This implies that caring for a child does not necessarily mean being with the child 24 hours a day. Parental leave is considered to be taken on "short-term occasions" like spending more time with the child in early years, accompanying the child during a stay in hospital, investigating a new school or supporting a child to get used to a new childcare arrangement (DTI 2007d). This contrasts with regulations in Norway and Germany where schemes are based on the assumption that parents take leaves of months or even years. Thus, British parents are seen as workers with caring responsibilities, whereas German and Norwegian parents as carers are temporarily released from employment duties.

### **Parental Benefit: Payment and Replacement Rate**

In Britain, the entitlement to parental leave does not include a statutory right to pay, so whether or not the employee will be paid is left to the employer's discretion or to working contract agreements (Boje 2006: 205; Lewis 2002: 148). This is a major disincentive especially for fathers to claim their caring rights. In contrast, the Norwegian and German systems award some compensation in terms of parental benefit, yet, on different levels. The Norwegian parental benefit is based on the income of the parent taking leave (NIA 2007: 11). The replacement rate is relatively high (Björnberg 2006: 97). It covers either 80% or 100% of the net income, yet, is not paid for incomes higher than a certain ceiling (Brandth/Kvande 2006: 174). Whether he is paid 100% or 80% wage level depends on the parental choice which counts for the entire benefit period (NIA 2007: 14). Partners depend on each other to come to an agreement. This accounts also for separated families. Unlike in Norway and Great Britain, in Germany there is no (direct) qualifying period for parental benefit or leave. Yet, the replacement rate is based on the parent's average income over the last 12 months – compared to four weeks' income considered in Norway (NIA 2007: 11; BMFSFJ 2007b: 21). Even though Germany awards around two months more of benefit to parents, the replacement level of 67% average income is much lower than in Norway (BMFSFJ 2007b: 17).

### **Flexibility in Using Parental Leave and Benefit**

If in Norway both parents qualify, the parental leave period is considered a family entitlement, except for six weeks reserved for the fathers (see below the daddy quota). It may be taken by either father *or* mother (Skevik 2003b: 18) and thus, is due to parental negotiation. Similarly in Germany, if both parents are employed and thus qualify for unpaid parental leave, the timing and splitting can be negotiated freely (BMFSFJ 2007b: 66). However, Norwegian fathers depend on the employment activity of the mother, who may not stay at home at the same time, whereas in Germany, each parent is awarded a leave period of three years irrespectively of the other parent using his/her entitlement simultaneously (BMFSFJ 2007a; NIA 2007: 12). Parents are able to stay at home together (for the entire 3 years), take their leave consecutively in shorter periods, leave it up to one parent alone to care

or alternate periods of leave. Similar regulations account for the German parental benefit. Benefit periods can be shared freely between parents with few restrictions: a single parent can take parental leave up to a maximum of 12 months; two additional months are awarded if the father in the household shares some of the child caring and an income loss occurs during this period (see below the partner months) (BMFSFJ 2007b: 65ff.).

In 2003 – four years after implementing a parental leave scheme - the British government introduced a law on flexible working time, which gives employed parents with children under the age of six a right to request flexible working patterns (Perrons 2006: 246). Employees may claim a change in their hours, times and places of work, in order to care for their children provided they have worked for half a year in the company (Kilkey 2004: 14). Within the Norwegian scheme it is also possible to combine reduced working hours with scaled benefit receipt. Parental leave can be taken on a part-time basis with a reception of partial parental benefits for a longer period than the full-time benefit (Lammi-Taskula 2006: 82). Again, the mother’s working hours affect the length of father’s parental benefit entitlement (NIA 2007: 15f.). Combining parental leave with part time work is also possible in Germany. In total an employment up to an average of 30 working hours per weeks is allowed. If both parents are on parental leave they can both work up to 30 hours per week which represents a short full time working week in Germany (BMFSFJ 2007b: 72ff). However, earnings from part time work will be considered in the level of replacement. Unlike in Norway, where parental benefit may be taken on a lower replacement level for a longer time, in Germany as a consequence of part time work benefit entitlements will be lost. Thus, incentives to work are lowered in the German case.

### **3.2 Formal Childcare Provision**

In order to support mothers’ employment in general institutional child care provision is high on the political agenda. However, especially lone mothers lacking a second (caring) parent within the household are highly depending on a broad and qualitatively high provision of formal childcare on an affordable level in order to be able to work (full-time) (Rahilly/Johnston 2002: 492; Kosmann et al 2003: 7).

Drawing a picture of German institutional childcare is rather difficult due to its federal structure. Differences occur especially between Eastern and Western parts of Germany due to historically grown structures before reunification. The provision rate for children under the age of three in 1994 lied in West Germany around 1.7% (Wendt/Maucher 2000: 23). In 2002, only 2.8% places for children under three were provided, compared to 37% in East Germany (OECD 2006: 76). Almost all children in this age group are cared for at home, mainly by their mothers (ibid.: 336). A different situation prevails for children in kindergarten. Since 1992, German children at the age of three have a legal right to be cared for on at least a half-day basis in kindergarten until they reach school age (between six or seven) (Wendt/Maucher 2000: 17). Thus, kindergarten facilities expanded severely. The provision rate rose to 90% in 2002. However, only 24% of these childcare centres provided services on a full-time basis and these were mainly located in the Eastern parts of Germany (OECD, 2006: 336).

Despite several reforms since the late 1990s, formal childcare in Great Britain can still be characterised as highly expensive, with poor quality and little provision (Bradshaw et al. 1996: 58). Access to childcare institutions is highly dependent on income since access is

based on market mechanisms. That is, parents pay directly for formal childcare (SOCCARE 2002: 51). Especially lone mothers with low incomes are faced with restrictions using external childcare which affect their own employability severely (Viitanen 2005: 149). For quite a while there has been no special treatment within the British care system providing access to institutional childcare for lone parents (Kilkey 2000: 120). However, since New Labour the expansion of formal childcare has gained importance (Rahilly/Johnston 2002: 492). Implementing a *National Childcare Strategy* the government aims at facilitating access to affordable and qualitative formal childcare (Campbell et al. 2003: 959). More precisely, provision of childcare has been increased, free childcare for children age three to four has been provided, lone parents and parents with special social needs as well as deprived regions have been targeted directly (Rahilly/Johnston 2002: 483; Hansen et al. 2006: 84). Despite the efforts, there are still regional differences and deficits in providing formal childcare in Great Britain (Land 2001: 239). Overall, private nurseries, child minders and playgroups cover around 26% of all under-three-year olds. Aged three to four British children are in 95% of the cases cared for formally. These are the last two years prior to compulsory school. Based on a legal entitlement, these are free of charge (OECD 2006: 77). However, similar to Germany, opening hours do not correspond with working hours. Partly only half day care is provided (Skevik 2006c: 228), that is around 12.5 hours per week (OECD 2006: 80).

As in Germany and Great Britain, formal childcare has been expanded in Norway since the early 2000s (Skevik 2005: 60). Further, parents financial participation has been capped (Ellingsæter 2003: 439). In 2009, Norwegian children under five years (school age) have gained the right to formal day care (Hakovirta/Rantalaiho 2009: 18). Yet, compared to other Nordic countries the Norwegian childcare provisions especially for under-three-year olds suffers deficits (Ellingsæter 2003: 439). All in all, almost half of the children under three are enrolled in institutional childcare mainly based on market provision. Children between three and school age are covered by fulltime provision for 88% of all children in this age (OECD 2006: 76). Lately, lone parents are not treated with priority anymore applying for a day care place. Due to a strengthened right to formal childcare for all parents prioritising is theoretically speaking not necessary (Hakovirta/Rantalaiho 2009: 19). Costs of institutional childcare are compensated via a *Childcare Allowance*. Before a major reform, parents were paid a flat rate amount. Similar to Great Britain, the new scheme now pays back 70% of the incurred costs. Families with low incomes like lone parents receive lost compensation (Skevik 2001: 96ff).

In addition to childcare institutions Norway provides an allowance for private care arrangements for all parents with children under three (Hakovirta/Rantalaiho 2009: 16). The so called *Cash for Care Reform*, implemented 1998, provides a financial benefit amounting the costs of the enrolment in a public childcare institution for parents who do not claim their right on formal care (Kjeldstad/Rønsen 2004: 65). The reform was promoted as giving parents the choice how to care for their children (Ellingsæter 2003: 424). At the same time, this can be interpreted as incentive to stay out of the labour force during the first three years of the child's life (Kilkey/Bradshaw 2001: 222). This reflects a similar rationale as in the case of the parental leave benefit for non-employed parents in Germany. However, Norwegian parents do not necessarily have to care themselves in order to be eligible (Kjeldstad/Rønsen 2004: 65).

Separated parents can agree on splitting the allowance in case of shared custody (Hakovirta/Rantalaaho 2009: 17).

### 3.3 Lone Mothers Activation Potential

Besides family policy instruments, like parental leave and childcare institutions, affecting mothers in general, there are different policies within the national contexts compared aiming at lone parents especially. For a long time, British lone mothers were exempt from their working duty until their child turned sixteen (van Drenth et al. 1999: 627). These mothers were supported as carers. Their main financial resource consisted of *Income Support* with a rather low compensation rate (Gregg/Harkness 2003: 11). Further, the benefit is subject to a comparable strict means test. Thus, other social transfers, e.g. child benefits, decrease entitlements. Due to major lacks of childcare provision and little financial support of employed mothers, for quite a while they did not have much of a choice but care for their children themselves (Kilkey 2000: 137f.).

Besides the increase of lone parenthood, a public and scientific debate on the future of modern welfare states has developed not only in Great Britain (Leitner/Lessenich 2003: 326). Especially within Tony Blair's New Deal policy "activation" gained prominence. That is, formerly universal welfare state benefits as social rights became increasingly linked to individual efforts to take up employment (Skevik 2005: 43). This "welfare to work" strategy also implied lone mothers (Gregg/Harkness 2003: 2). The development can be described as a shift of conceptualising lone mothers as carers towards mothers as workers (Daly 2004: 141, Millar/Rowlingson 2001: 2). Instruments enhancing sole mothers' employment are for instance the *Working Tax Credit*, the *New Deal for Lone Mothers* or the already mentioned *National Childcare Strategy* (Skevik 2006c: 227).

Based on a *make work pay* strategy the aim is to secure lone mothers a sufficient income by employment (Marsh 2001: 11f). The *Working Families' Tax Credit* (short: WFTC) represents a tax relief for families with children under the age of 16 in which at least one parent works 16 hours a week or more (Kaltenborn/Pilz 2002: 18). The credit is income related. That is, low incomes are subsidised in order to make work pay (SOCCARE 2002: 52). Curtailing the necessary working hours for entitlement allows lone mothers to combine short working hours with own childcare respectively combine income from employment with state support (Lewis et al. 2000: 14). This sets incentives to take up work (van Drenth et al. 1999: 630). Further, within the WFTC a new scheme of taking childcare costs into account was implemented (SOCCARE 2002: 52). It aims exclusively at lone parent families (Land 2001: 242). Childcare costs do not longer reduce taxable income but rather are paid as credit. Thus, parents with low taxes due to low income now have a higher eligibility (Gregg/Harkness 2003: 10). Further, the compensation rate was increased up to 70% of all childcare costs within state approved institutions (Skevik 2006c: 227).

Apart from setting incentives to take up employment, the British Government also forced mothers to get involved in the labour market via retrenchment of *out of work* benefits. These include, for instance, the *One Parent Benefit* or the *Lone Parent Premium on Income Support*, which were both abandoned (Kilkey/Bradshaw 2001: 220). Instead, the *New Deal for Lone Parents* should enhance the (re)integration of sole mothers in the labour market (Millar 2001: 196f). Based on voluntariness personal case manager invite lone mothers with children under

school age to job interviews (Skevik 2006c: 227f). However, up to now all lone mothers have to participate in these interviews otherwise benefits will be cut (Rowlingson/Millar 2001: 259) – although without any consequences for their employment afterwards (Gregg/Harkness 2003: 9). This is the first step towards making lone mothers discharge their employment duty.

Norway’s strategy concerning lone mothers’ employability follows a similar track than the British government. As long as in the late 1990s, the maternal right to care after parental separation was emphasised (Kjeldstad 2000: 345). In contrast to British regulations, Norwegian benefits were rather generous (Skevik 2001: 92). However, reforms lead from a renunciation of the *trygdelinje*<sup>5</sup> - that is, the legal insurance of all who do not gain their living by employment – to an orientation towards the *arbeidslinje*<sup>6</sup>, that is, towards activation similar to New Labour’s motives (Skevik 2006c: 227). Hence, benefits are increasingly linked to individual efforts to become independent from state support via gainful employment. Again, this implies a shift of lone mothers becoming workers. The development is based on the assumption that lone mothers should be employed to the same degree as mothers in general (Kjeldstad/Rønsen 2004: 62f.).

The change is well reflected within the reform of the so called *overgangsstønad* (transitional allowance) (Skevik 2005: 44), an instrument directly aiming at lone mothers. It represents a temporary alternative to employment for sole parents. It tries to integrate parental employment and caring responsibilities by guaranteeing a minimum income while caring at home as well as by bulking up insufficient income from gainful employment (Kjeldstad 2000: 345f). In 1998, transitional allowance was reformed. The age limit was reduced from the child’s 11<sup>th</sup> to the 9<sup>th</sup> birthday (Duncan/Strell 2004: 45). More importantly, for the first time, the maximum duration of transfers was restricted to a total of three years (Skevik 2005: 52). At the same time, the compensation rate for this period was raised (Kjeldstad 2000: 346). After these three years, the transfer is conditioned to employment (Kjeldstad/Rønsen 2004: 64). Thus, lone mothers with children under the age of three are seen as main carers, whereas mothers with older children are supported as workers (Skevik 2005: 56). Similar to the British New Deal for Lone Parent the so called *Oppfølgingsordningen for Enslige Forsørgere* (short: OFO) was additionally implemented to increase lone mothers’ integration into the labour market (Skevik 2005: 53).

Within German regulations lone parents had an extensive right to social support as well as maintenance from the non-resident parent. However, until very recently by law a distinction between divorced and unmarried mothers after separation was made. After divorce mothers hold an entitlement to maintenance up to the child’s 15<sup>th</sup> birthday, whereas the right of mothers with children born out of wedlock was restricted to the age of three. Only recently, in 2008, regulations for married and unmarried lone mothers have been adjusted. Now, all mothers are awarded maintenance for the first three years of the child’s life (Wapler 2010: 252f.). Afterwards they are expected to integrate in gainful employment. Although working times and conditions have to be in accordance with the child’s (caring) needs (ibid: 267).

Lone mothers are exposed to a higher risk of poverty in various European contexts. This holds also true for German mothers. They are disproportionally relying on social assistance on a

<sup>5</sup> *Trygde* means *to insure*.

<sup>6</sup> *Arbeids* means *work*.

long-term basis. Oriented towards a male breadwinner norm, state support for lone mothers was seen as a compensation of lacking a provider. Although social assistance was constructed to help people out of state dependency, lone mothers were released from employment duties due to their special caring responsibilities (Kosmann et al 2003: 7). Incentives to turn to the state were even set. For instance, other benefits like parental leave were not means tested and young and/or several children were eligible to additional allowances within the social assistance scheme (Kosmann et al 2003: 12). This allowed lone mothers at least temporarily to live on in a traditional division of labour after separation: mothers care whereas the state provides (ibid.: 39).

Although, special regulations within the social assistance scheme in Germany are rare, lone mothers are affected by the major reforms implemented in 2005 merging social assistance and unemployment insurance. Similar to Great Britain and Norway, the reforms imply an increasing emphasis on activation and employability. So far, this did not affect sole mothers' entitlements (Kosmann et al 2003: 169). New regulations, however, force these mothers increasingly to take up employment after the child's third birthday (Wapler 2010: 251). The first three years, parents are free to decide who is caring for their children while they are on social benefits due to unemployment. After the third birthday, they have to register their children in formal childcare based on their legal right on provision (ibid.: 257). In order to be eligible to income support parents have to be available for the labour market. Although the argument is based on a legally guaranteed formal childcare provision, one has to keep in mind that the provision does not necessarily cover flexible or fulltime working hours (Kosmann et al 2003: 181). Lone mothers after separation are therefore conceptualised increasingly as workers. This is not in line with the male breadwinner model still prevailing for mothers in coupled families.

### 3.4 Mothers' Employment Rate in Comparison

In the following institutional settings in Germany, Great Britain and Norway will be filled with rough empirical outline of maternal employment patters in different family forms. Table 4 allows comparing employment rates of women in general and mothers especially depending on the child's age. Employment rates among women are rather similar in all countries compared. In Great Britain differences between mothers in coupled families, lone mothers and women are less pronounced. Germany has with almost two thirds the lowest, Norway with over 70% the highest female employment rate, with Great Britain lying in between.

Tab. 4: Key indicators on female employment.

	employment/population ratio by group				sole
	women		mothers		parents
	2006		2005		2005
	all	part-time	child < 2	child 3-5	
<b>Sweden</b>	72,1	19	71,9	81,3	81,9
<b>Denmark</b>	73,2	25,6	71,4	77,8	82
<b>Finland</b>	67,3	14,9	52,1	80,7	70
<b>Germany</b>	<b>61,5</b>	<b>39,2</b>	<b>36,1</b>	<b>54,8</b>	<b>62</b>
<b>U.K</b>	<b>66,8</b>	<b>38,8</b>	<b>52,6</b>	<b>58,3</b>	<b>56,2</b>
<b>Norway</b>	<b>72,3</b>	<b>32,9</b>	..	..	<b>69</b>

Source: extract from OECD 2007, tab. 1.1., p.16

Differences between women, mothers and sole mothers are rather small in Great Britain. In contrast, German mothers - especially with small children - are distinctly less engaged in employment as long as they are embedded in a coupled family. Sole parents have the same employment rate than women.

Tab. 5: Maternal employment by family form in Norway (percentage).

NORWAY	mothers in couples		lone mothers	
	1980	1999	1980	1999
in full time	16,5	24,7	33,6	28,1
in part time	37,5	35,9	23,6	27,4
outside labour force	38,3	17,5	31	27,7

missings to 100%: temporarily out of labour market and unemployed

Source: extract from Statistics Norway 2002.

Unfortunately, it is rather difficult to obtain employment rates for Norwegian mothers. So far figures show only that sole mothers in Norway have the same employment rate than women in general. Table 5 gives further information on employment patterns among Norwegian mothers although on a rather old data basis. However, it shows that mothers in couples are more likely to participate in the labour market. Although, part time work is more common among mothers who are living with the child's father. Altogether, figures show that Norwegian lone mothers in 1999 are less integrated in the labour market, although figures refer to a time before activation reforms concerning lone mothers were implemented. Table 4 indicates that sole mothers have caught up in their employment rate.

Tab. 6: Maternal employment by family form in Germany (percentage).

GERMANY	mothers in couples		lone mothers	
	1996	2009	1996	2009
in full time	47,3	27,0	61,1	42,0
in part time	52,7	73,0	38,9	58,0

Source: Destatis 2009: 19.

A different pattern can be found in Germany.<sup>7</sup> Here, a vast majority of mothers living with the child's fathers work part time. Lone mothers are also more often engaged in part time as in full time, however, compared to mothers in partnerships they are more often employed full time.

Figures draw a rather rough picture of employment patterns among mothers in different family forms. However, difference can be found, that is, variations among countries as well as among family forms. Thus, maternal employment seems to follow different patterns and mechanisms, which should be taken into consideration in family policies.

#### 4. Fathers' Caring Rights in Different Family Forms

Lately, an augmenting diversity of fathering occurs, for instance, in the form of biological or social fathers who can be present or absent (Clarke/Roberts 2002: 165). These fathers hold different paternal rights and obligations which are reflected within different policy measures for different family forms.

<sup>7</sup> Table 5 and 6 are not comparable since Norwegian figures are percentages of all mothers, whereas German figures show the percentage of employed mothers in couples respectively lone mothers.

#### 4.1 Fathers' Individual Right to Care in Parental Leave Schemes

As the first country, in 1993 Norway implemented a special “daddy quota” as an individual right for fathers within its parental leave scheme which was extended several times since (Skevik 2006b: 183; Leira 2006: 39). By integrating both parents in early child care, the Norwegian government addressed explicitly gendered imbalances in the division of labour within families. The aim was to include fathers in care-work and increase gender-equal labour market participation (Eydal 2005: 155). Emphasizing fathers' role as carers was argued to be in everyone's interest. The daddy quota provided opportunities for a stronger ‘early bonding’ between fathers and children. It was also regarded as an instrument to overcome the obstacles fathers were confronted with at work, and facilitating negotiations at home, thus, equalizing the responsibilities for daily child care (Ferrarini 2006: 41). The emphasis was on paternal rights to care which were also partly be conceptualised as duties (Ellingsæter/Leira 2006: 269). Ellingsæter (1999: 45) refers to a “domestication of men”. Thus, the attempt to bring fathers into child care was based on ‘gentle force’ (Leira 2006: 39).

As late as in 2007, 14 years after Norway, Germany implemented a reform of the parental leave scheme. An important innovation was the introduction of the so called partner months, which are mainly designed for men. The government recognised that modern families are depending on two incomes and increasingly share the caring work for children. Thus, among others partner's months were implemented to create a significant incentive for paternal care despite employment duties (BMFSFJ 2006).

Tab. 7: Paternal caring rights in Parental Leave Schemes in Germany, Norway and Great Britain

Country	Germany (2007)	Norway (1993)	UK
<b>Eligibility, Conditions</b>	<ul style="list-style-type: none"> <li>• additional time for “other” parent caring</li> <li>• Each parent, independent of employment or parental leave</li> <li>• Main carer for child</li> <li>• Living with child</li> <li>• Employment less than 30 hours/week</li> <li>• use-or-lose basis</li> </ul>	<ul style="list-style-type: none"> <li>• Both parents eligible to parental leave for the father to use quota: based on employment <i>prior</i> to birth (see also parental leave eligibility)</li> <li>• use-or-lose basis</li> </ul>	-
<b>Duration, Time Frame</b>	<ul style="list-style-type: none"> <li>• 2 months</li> <li>• during first 14 months of child's life</li> </ul>	<ul style="list-style-type: none"> <li>• 6 weeks of total leave reserved for father</li> <li>• during the child's 1st year</li> </ul>	-
<b>Payment</b>	<ul style="list-style-type: none"> <li>• basis: average income of last 12 months</li> <li>• 67% of average net income</li> <li>• min. € 300 for non-employed</li> <li>• low incomes additionally subsidised</li> <li>• level adjusted to income out of part time work</li> </ul>	<ul style="list-style-type: none"> <li>• basis: father's income of the last 4 weeks</li> <li>• 100% or 80% compensation depends on alternative chosen by parents for entire benefit period</li> </ul>	-
<b>Flexibility</b>	<ul style="list-style-type: none"> <li>• Part-time up to 30 hours/week</li> </ul>	<ul style="list-style-type: none"> <li>• Timing free in child's 1st year</li> <li>• In blocks or as one period</li> <li>• cannot start until at least 6 weeks after birth</li> </ul>	-

Source: own illustration.

The Norwegian daddy quota represents an individual and non-transferable right (Lammi-Taskula 2006: 80). Thus, if the father does not take the quota of six weeks of the total period, it will be lost as a benefit period (Björnberg 2006: 96). This conceptualises fathers explicitly as primary carers (Ferrarini 2006: 41). Within the German scheme similar use-or-lose conditions apply for the partner months. Here, a single parent cannot take up more than 12 months of paid leave. An obligatory and additional benefit period of two months has to be

taken by the parent, who did not take the main caring responsibility for the children up to that point, which usually refers to the father (Erler 2006: 126). In both national schemes replacement rates are similar to those for general parental leave. Thus, Norwegian fathers are compensated more generously. They are free to choose their quota as parts or in a whole during the first year of the child's life (Brandth/Kvande 2006: 174). German fathers have to complete their leave within 14 months after the child's birth.

The Norwegian entitlement, however, is not totally autonomous for fathers. In order for him to be eligible to the daddy quota, both mother and father need to earn the right to use parental leave (Eydal 2005: 168). If the mother is not eligible, meaning that she worked less than 50% of full-employment prior to the benefit period, the father is not entitled to take the quota. In contrast to parental leave, where the father depends on the mother's employment situation *after* birth, in this case he relies on her work status *prior* birth. However, mothers may integrate up to 50% of parental benefit with part-time work during this period (NIA 2007: 14). It seems that the father is not conceptualised as first carer within the daddy quota regulations, unlike in the parental leave scheme, since mothers may be at home at the same time. If only the father has earned a right to parental leave through full-time employment prior to birth he can take his share of parental leave (see above). Taking all parental benefit regulations together, parental benefit and the daddy quota in Norway are awarded to fathers whose partners are entitled to parental leave and return to work after her leave. That is, if the mother works prior and after birth the father can claim parental benefit *and* daddy quota. Working fathers whose partners do *not* have *and* did *not* have paid employment over the last ten months have no right to paid parental leave at all. This is based on two arguments: the mother has not gained the right to parental leave and as a consequence her partner is not awarded the right to leave based on the daddy quota. Secondly, the mother has to return to full-employment in order for the father to be eligible to take paid parental leave. If the mother worked prior to delivery of the child but is not taking up work afterwards, fathers have only the right to the daddy quota, which can be taken while the mother is still at home. And last but not least, fathers are entitled to their parental leave (29 or 39 weeks) provided their partners are without entitlement to parental leave but do go out to work after birth. However, these fathers cannot claim the daddy quota.

In Germany, the same conditions of eligibility apply for partner months as for parental benefit. Parents have to be the main carers for their children after birth, they must not work more than 30 hours per week, live with their children in one household and they need to have German citizenship (BMFSFJ 2007b: 7). Parents are eligible to these two extra months if their income from employment decreases during the months of benefit receipt due to caring responsibilities (ibid.: 14). The concept does not necessarily request that the parent who was the main carer so far has to go back to full-time employment, in contrast to Norway. The condition is focused on income loss due to the so far “non-“ or the “less-“ caring parent taking part in child rearing and reducing his/her labour market activity.

Lacking a certain quota for fathers within the parental leave scheme does not mean that British fathers in employment do not have any parental rights. Besides gender neutral parental leave regulation, in 2003 – 30 years after Norway – paternity leave as an equivalent to maternity protection during the first weeks after giving birth was implemented. The entitlement enables employed fathers to take two weeks leave from work related to a child's

birth (Moss/O'Brien 2006: 218). Unlike in Norway and unlike the British parental leave in general, the statutory paternity leave is paid at the same flat rate level as maternity leave (Finch 2003: 23). As an individual, non-transferable right for British fathers, paternal leave indicates the first governmental recognition of fathers' caring responsibilities (O'Brien/Shemilt 2003: viii). However, the threshold for entitlement is rather strict<sup>8</sup> and entitlements are not comparable with paternal leave rights within parental leave schemes.

#### 4.2 Non-Resident Fathers' Right to Care

Germany, Great Britain and Norway award different caring rights and maintenance duties to non-resident fathers (Bergman/Hobson 2002: 92). In Germany, for instance, the prevailing strong male breadwinner norm is also represented by maintenance regulations and legal practices. The law is based on the assumption that one parent performs everyday care – mainly the mother with whom the child lives – whereas the other parent, normally the father, provides financial support from a distance (FORSA 2002: 14). These monetary transfers are highly standardized and institutionally controlled (Corden 1999: 18ff.). Based on the paternal standard of living non-resident children receive a “sufficient” alimentation in order to preserve their social status (Ostner et al. 2003: 10). Mothers' income is neglected as long as it does not augment the paternal income severely (FORSA 2002: 15). Due to a traditional division of labour in German families this is rather rarely the case.

Caring rights of fathers have been comparatively weak institutionalised within divorce and parental separation legislation for quite a while. Historically, fathers did not have any visitation or contact rights concerning their non-resident minor children. Contact was mainly based on mothers' agreement whereas fathers' rights were restricted to payments (Ostner 1997: 32). Even though, shared custody was already implemented in 1982, it played a minor role within court regulations (Hantrais/Lohkamp-Himmighofen 1999: 11). As of this writing, most German children remain with their mothers after parental break up whereas financial obligations for non-resident fathers continue to be strong. Although, described above, maintenance duties towards their former partner have been weakened. However, in 1998, a reform of the Children Act (*Kindschaftsrechtsreform*) strengthened paternal caring rights after separation regardless of marital status (Hatland/Mayhew 2006: 85). Before these changes in legal regulation, custody was determined via court decision. After the reform married fathers gain shared custody automatically. Only in cases of disagreement between parents courts get involved (FORSA 2002: 17). Now, sole custody for one parent is regarded as exception rather than the norm (Dethloff/Martiny 2004: 7). When children are born out of wedlock their mothers hold sole custody. Nevertheless, shared custody is now an option providing maternal agreement. Thus, while both forms of fathers are obliged to pay maintenance, custody rights are distributed unequally among married and unmarried fathers (FORSA 2002: 23).

Corresponding to the understanding of a liberal welfare state, Great Britain stresses parental self-responsibility in the case of parental break up (Ellingsæter 2003: 420). That is, parents

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<sup>8</sup> Fathers have to meet certain conditions to be eligible. First, men have to be the biological father of the child or the mother's husband and partner respectively. Second, they have to expect to have the responsibility for the child's upbringing. And finally, irrespective from his working hours, the father-to-be must have worked continuously for the current employer over the last 26 weeks (Moss/O'Brien 2006: 218). Eligibility is further tied to an earning at least the Lower Earnings Limit (Finch 2003: 23).

are expected to come to terms who cares and who pays for the children after the dissolution of the partnership. In the early 1990s, against the background of augmenting rates of lone mothers depending on income support non-resident fathers' financial responsibility came high on the political agenda (Skevik 1998: 222). The political aim to hold fathers financially accountable was accompanied by a heated public and political debate. Margaret Thatcher, for instance, phrased in a public speech in 1990:

”No father should be able to escape from his responsibility and that is why the Government is looking at ways of strengthening the system for *tracing* absent fathers and making the arrangements for recovering maintenance more effective.“<sup>9</sup>

Absent fathers came under general suspicion to negate their financial responsibility towards non-resident children (Lewis 2002: 128). Based on the assumption of life long and unconditional parental responsibilities, which cannot be assigned randomly to the state, the aim was to bind fathers financially to their families (Lowe 2004: 2). The demand that fathers should account financially for all their biological children represented a rather new paradigm within British regulations (Lewis 2002: 139). Especially in court practice fathers with insufficient financial resources were discharged from their monetary liabilities towards their non-resident family. Politically and socially, it was accepted that fathers would provide for the new family. The separated family, that is, the lone mother and her children, were referred to income support (Finch 2003: 6). Fathers' financial duties were met by lump-sum settlement or by assigning the family home to the mother (Lewis 2002: 137ff.). Within this tradition maintenance payments were optional and primarily based on the fathers' goodwill (Skinner 1999: 34). The *Child Support Act 1991* broke with this custom of “clean break”. Fathers were argued to only form as many families as they could afford (Lewis 2002: 139). Financial obligations were now forced, failure in providing sanctioned (Willekens 2010: 69). In order to systematically assess and enforce maintenance entitlements a special administration, the *Child Support Agency* (short: CSA) with comprehensive competencies was formed (Clarke/Henwood 1997: 189). The Agency may, for instance, request employers to withdraw overdue child support directly from paychecks without any court decision. The CSA was highly debated in public (Skinner 1999: 13). In accordance to a categorical shaped family policy, within maintenance regulations lone mothers depending on income support were obliged to name the father who is not paying. However, incentives to cooperate were low since every single cent of maintenance exacted reduced income support entitlements. Parents independent from state subsidies were free to use the CSA for maintenance arrangements. These were expected to come to their own terms (ibid.: 81). This led to the inconsistent situation that better off fathers could neglect their financial responsibilities easier than fathers, whose former partner was most probably deprived and who themselves had only little incomes. Conflicts about alimentation between parents with higher incomes were still settled in court (Willekens 2010: 70). The emphasis on financial obligations of fathers after separation is further stressed by the fact, that fathers regardless their monetary situation always have to pay a symbolic amount of child support (Lowe 2004: 1).

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<sup>9</sup> Speech held in front of the National Children's Home (George Thomas Society Lecture) at January 17<sup>th</sup>, 1990, after Bradshaw et al. 1999: 124; highlights C.M..

Contact was no issue in the debates around CSA implementation (Finch 2003: 6). Compared to financial obligations caring and visiting rights of non-resident fathers are less pronounced within the British discussion as well as in legal regulations (Skevik 2006b: 187). Within the *Children Act 1989* parental responsibility is institutionalised as a lifelong enduring duty. This responsibility does not end with the parental partnership (Lowe 2004: 2). However, contact arrangements are subject to parental negotiation. Again, parental self-responsibility is stressed (Lewis 2002: 147). Court decisions are considered to be the exception (Skinner 1999: 80). Thus, fathers are highly depending on mothers' good will and agreement.

The Norwegian state representing a social-democratic welfare regime has broad interventionist rights as well as duties. Benefits are based on individual entitlements. Familial obligations are pronounced weakly. Thus, there are little to no maintenance duties among spouses (Skevik 1998: 234). Parental rights and obligations are derived from parenthood rather than marriage like in Germany. Children born in and out of wedlock are treated equally (Skevik 2003a: 7f.). On an institutional level there is a strict differentiation between rights based on partnership versus rights build upon parenthood. Accordingly, the importance of a close relationship between the child and both of his/her parents is emphasised (Kitterød/Kjeldstad 2003: 49). Since the 1990s, concerns are directed towards paternal caring rights after parental separation (Skevik 2003a: 3) rather than worrying about missing child support payments as in the British case (Lewis 2002: 147). Within political debate as well as within legislation emphasis is laid on preserving contact between child and non-resident father (Skevik 2006a: 115). After a major reform in 2001, maintenance is now determined as percentage of fathers' income depending on the amount of children being entitled (Skevik 2006b: 184). In contrast to other regulations, both parents are equally obliged to provide financially for their children after separation, again, referring to gender equity. According to income relations prior to family dissolution each partner takes his/her share of the costs (Skevik 2006b: 183ff.). Regular visits between the non-resident parent and the child reduce his/her financial obligations. This serves as incentive to remain in contact. Further, it takes contact related costs as indirect costs into account. The aim is to avoid that fathers who maintain a close and active relationship to their children – among others causing travel and visiting costs – pay twice (Hatland/Mayhew 2006: 91f.). The dual earner norm is further reflected within the advanced maintenance scheme. Unlike in Germany and Great Britain, Norwegian lone mothers undergo a means test in order to be eligible to advanced child support (NIA 2007: 27). The whole Norwegian scheme is driven by the presumption of a prevailing dual earner/dual carer family model before separation. That is, before breaking up both parents are employed and involved in active caring. This should be transferred to daily routines after parental dissolution (Hakovirta/Rantalaiho 2009: 12).

As in Great Britain, child support matters will be handled by an agency. Although usage is based on free choice, 90% of all maintenance settlements are arranged by administrative procedure. This reflects a different perception of state intervention when it comes to financial settlements after parental separation as can be found among British parents. Another similarity to Great Britain can be found in the emphasis on parental self-responsibility coming to terms after separation. Nevertheless, Norwegian parents are obliged to take part in an institutionalized mediation process if they separate legally (Skevik 2006a: 117). The argument

is that parents own negotiations concerning child support as well as visiting patterns are easier to accept and to follow (Leira 1996: 61).

Since the *Children Act 1981* shared custody is the legal norm. Before, legislation followed the assumption that it is in the best interest of the child to remain under the sole custody of the mother after separation. With the Act both parents are awarded shared custody in the case of marriage. Divorce does not affect this settlement (Eydal 2006: 5). Only in exceptional cases lone custody should be and is ruled. 75% of divorced parents hold shared custody after breaking up (Hakovirta/Rantalaiho 2009: 6). A similar regulation can be found in Germany since 1998. Norwegian mothers with children born out of wedlock also gain sole custody automatically, however, shared custody can be agreed on between unmarried separated parents (Lødrup/Sverdrup 2004: 2ff.). The agreement on shared custody results in further parental rights. Separated parents can still share other family policy benefits, as e.g. parental leave or the cash for care allowance (Hakovirta/Rantalaiho 2009: 17). However, it should be kept in mind, that especially parental leave regulations in Norway are based on parental consent. Within emotionally stressful separation procedures, this might be an obstacle to put the right into practice.

#### 4.3 Fathers' Caring Efforts in Different Family Forms

Fathers' own concept of providing and caring for their family is reflected within working hours. Table 8 (data for Norway is missing) shows the distribution of working hours among mothers and fathers in coupled families as well as of employed lone parents (without any information on gender). Within both family forms presented children under the age of 14 are living in the household.

Tab. 8: Distribution of working hours of adults in different family forms.

	Men with children 0-14 years old				Women with children 0-14 years old				Sole- Parents with a child aged 0-14			
	1-29 hrs	30-39 hrs	40-44 hrs	45+ hrs	1-29 hrs	30-39 hrs	40-44 hrs	45+ hrs	1-29 hrs	30-39 hrs	40-44 hrs	45+ hrs
Germany	3,9	25,6	48,3	22,2	60,9	21,5	14,8	2,9	45,2	31,4	18,4	5,0
U.K	4,3	22,2	29,6	44,0	55,3	27,0	9,5	8,4	47,7	31,6	10,5	10,3
OECD-17 Average	2,7	18,9	47,6	30,8	29,4	26,1	35,1	9,5	19,4	24,4	44,2	12,1
EU-24 Average	2,4	15,8	56,0	25,8	23,5	23,1	45,4	8,0	18,1	22,5	47,1	12,2

Source: extract from OECD family data base, LMF 2.2.B, LMF 2.3.B

As expected, fathers have longer working hours than mothers and sole mothers. Especially British men with children often work more than 45 hours per week. All fathers are mainly employed full time. Mothers in coupled families, on the contrary, work predominantly less than 30 hours in both countries compared. Only a majority is integrated in labour force longer than 40 hours. Lone parents show similar patterns, however, in general they work longer hours than mothers in coupled families and fewer hours than fathers. Altogether, mothers are more likely to work part time. This gives a first careful impression of gendered working patterns.

Since parental leave in Great Britain is conceptualized as short-term leave periods and take up rates are under 10% even for mothers (Eurofound 2010: 10), the following descriptions will focus on parental leave take ups in Norway and Germany. Norway has the longest tradition of a so called “daddy quota” within the parental leave scheme. Today, around 90% of all eligible fathers leave the labour market temporarily due to caring responsibilities (Marten 2008:

130f.). Although parental leave is designed to take leave periods separately most of the fathers stay home with the child's mother simultaneously.

Tab. 9: Nordic fathers' shares of total maternity, paternity and parental leave benefit days per year (percentage)

Year	Finland	Denmark	Norway	Sweden	Iceland
1990	2.4	4.3	0.6	8.8	
1991	3.2	4.4	0.7	9.2	
1992	3.3	4.6	0.8	9.9	
1993	3.4	4.5	1.0	10.8	
1994	3.6	4.6	3.9	12.0	
1995	3.6	4.6	5.8	10.8	0.1
1996	3.6	4.5	6.3	11.7	0.1
1997	3.8	4.5	6.7	11.1	0.1
1998	3.9	5.1	7.0	11.6	2.3
1999	4.0	5.8	7.0	12.8	3.2
2000	4.2	6.0	7.2	13.7	3.3
2001	4.3	6.2	8.3	15.0	11.5
2002	4.8	5.5	8.6	16.6	19.6
2003	5.2	5.1	8.6	18.3	27.6
2004	5.4	5.5	9.0	19.7	31.8
2005	5.5	5.9	9.3	20.5	32.7
2006	5.7	6.0	10.4	21.5	32.2
2007	6.1	6.2	11.4	21.7	31.2

Source: Social Protection in the Nordic Countries 1995, ..., 2005, 2006/2007 (Nososco website: March 2009: <http://nososco-eng.nos-nos.dk/default.asp?side=209>); Norway 1990–1994: Rigmor Bryghaug, Statistics Unit, Section for Statistics and Research, Directorate of Labour and Welfare 6.5.2009.

Source: Haataja 2009: 8.

Comparing fathers' take up rates in Scandinavian countries reflects comprehensive variations among national contexts, Norwegian usage ranging in the mid field. Starting with less than 1% in 1990 take up rates for fathers rose to 11.4% in 2007. However, representing the share of days taken compared to all possible benefit days, the primary carer seems still to be female. This impression is supported by the duration of days taken averagely. In 2009, half of the fathers taking leave stay home for about 4 weeks. That is less than the daddy quota. Around 17% take longer than 4 weeks care of their children, whereas almost a third are caring less than four, mostly less than 3 weeks despite employment responsibilities. In sum, over the last ten years paternal shares taking parental leave have increased (NAV 2010).

Tab. 10: Frequencies of Parental Benefit Users by Gender and Duration of Benefit Use

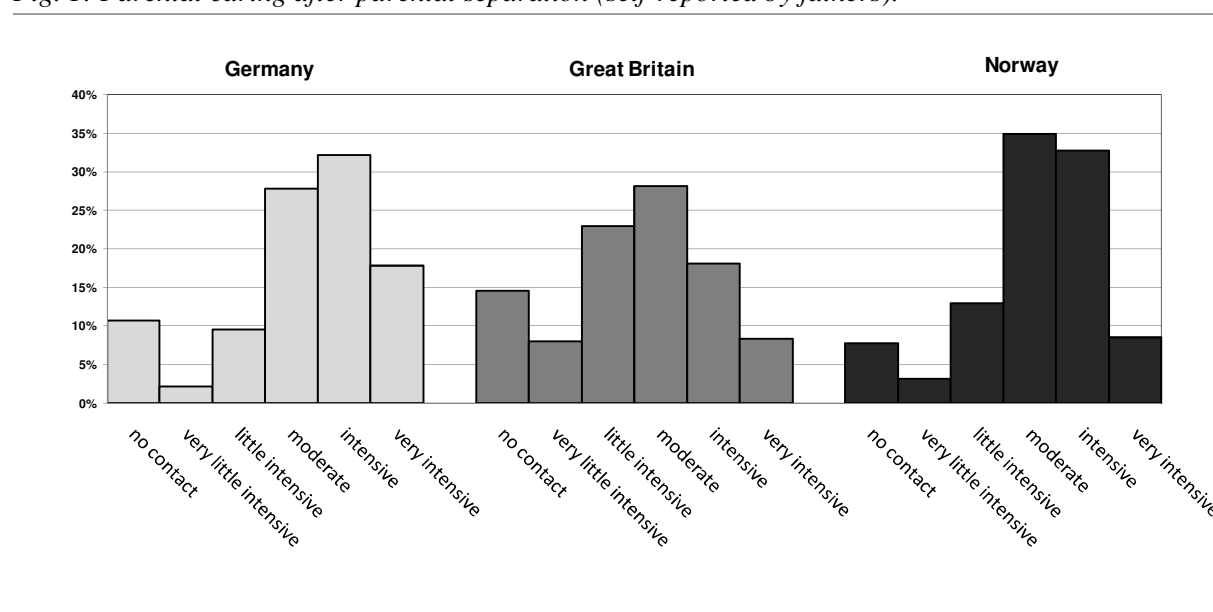
No. of benefit months	Women		Men	
1	133	0.03%	886	1.6%
2	1,337	0.34%	34,323	61.9%
3	506	0.13%	1,578	2.8%
4	655	0.16%	1,250	2.3%
5	774	0.19%	944	1.7%
6	1,419	0.36%	1,513	2.7%
7	1,659	0.42%	1,348	2.4%
8	1,904	0.48%	949	1.7%
9	2,341	0.59%	833	1.5%
10	5,426	1.36%	1,284	2.3%
11	5,473	1.37%	1,751	3.2%
12	357,335	89.71%	8,501	15.3%
13	7,051	1.77%	205	0.4%
14	12,293	3.09%	99	0.2%
Total	398,306	100.00%	55,464	100.0%

Source: Author's calculations from the parental benefit statistic 2007.

Source: Parys/Schwerhoff 2010: 32, table 2.

An even more traditionally shaped pattern of parental leave usage can be found in Germany, though not surprisingly. Calculations of recent parental benefit statistics show that a vast majority of mothers take paid parental leave alone (around 87%), whereas only 5% of fathers make use of their right. Around 8% of parents stay home together (Parys/Schwerhoff 2010: 32). Comparing duration of benefit taking shows that mothers predominantly use their full entitlement, thus 12 months. Two thirds of fathers taking leave make use of the entire “partner months”. The opposite pattern (father taking 12 months, mother using partner months) is much rarer. Only 15% of fathers use the maximum leave period, whereas less than 1% of mothers stay home for two months.

Fig. 1: Parental caring after parental separation (self-reported by fathers).



Source: Marten 2010: 101.

Non-resident fathers are strongly institutionalised as providers for their separated families, although financial obligations vary in their degree and enforcement across countries. Based on a secondary analysis of three separately surveyed national data sets, the patterns of caring and paying for non-resident children among fathers have been analysed (Marten 2009).<sup>10</sup> Parental care was constructed as an index based on the contact intensity and the quality of father-child interaction referring to activities during visits as well as other forms of participation in child rearing.<sup>11</sup> Different intensities of caring are distinguished reaching from termination of contact on the one end up to very intense care on the other. Results show that only a minority fails keeping up contact after parental separation. Around 10% of German,

<sup>10</sup> The quantitative analysis is based on the data sets “*Unterhaltszahlungen für Kinder in Deutschland*“ for Germany (financed by the German family ministry, see also FORSA 2002), “*Absent Fathers?*” for Great Britain (Preparation of original data set by Julie Williams, Jonathan Bradshaw, Carol Stimson and Christine Skinner, data was surveyed in 1995/96 by NOP Market Research Limited and by the Office of Population Censuses and Surveys, the study was financed by the Economic and Social Research Council and the Department of Social Security. Data access was provided by UK Data Archive, see also Bradshaw et al. 1999) and “*Samvær fedrenes situasjon: økonomiske og normative problemstillinger*“ for Norway (data access was provided by Norwegian Social Science Data Service (NSD). Statistics Norway (SSB) is responsible for the sampling and interviewing in 2001/02, see also Skevik 2006a: 122; Skevik/Hyggen 2002: 125). Results presented are based on calculations by Carina Marten who is solely responsible for the analysis.

<sup>11</sup> Detailed information on the construction of the index see Marten 2009: 142ff.

15% of British and 8% of Norwegian fathers do not keep in contact with their non-resident children, whereas a majority does care on an intense level.

Within the same analysis, maintenance patterns were compared. Comparing fathers having problems to support their non-resident children financially and father fulfilling their monetary responsibilities shows that fathers predominantly pay maintenance after parental separation. On the other hand, 18% of German, 28% of Norwegian and over half of the British fathers interviewed could not accomplish financial transfers (Marten 2010: 106).

## **5. Discussion: Male Breadwinner for Couples only?**

Descriptions show that some differences concerning parental role expectations towards different family models within family policy institutions persist. Great Britain, for instance, represents the latecomer concerning the recognition of caring fathers within the parental leave scheme among the nations compared. This does not come as a surprise, since the British family policy does not have a long lasting tradition in acknowledging parental responsibilities of employees in general. The absence of a paternal right to care as well as the lack of compensation within the parental leave scheme indicates that British fathers are not conceptualised as carers. Since the male breadwinner model is still the norm in practice many British families cannot afford to lose the main income due to the father taking parental leave. Fathers' position in negotiating caring rights is weakened both towards their partners as well as towards their employers. Altogether, in Britain fathers' share of caring for children is mainly recognised as reducing employed mothers double burden of caring and working. This accounts also for non-resident fathers. Their caring right is left to parental negotiation. Financial obligations, however, are forced by administrative procedures. Especially, separated families with low incomes are obliged to use the agency to settle and enforce financial transfers. There is no comparable obligation to arrange contact routines. Mothers are still considered to be the main carers for (young) children, as opposed to fathers (Finch 2003: 25; Kilkey 2004: 16). Nevertheless, for quite a while, family obligations were seen as private matter. This is reflected, for example, in marketized childcare provision, the parental leave scheme providing rather short term leave periods or in the increasing emphasis on lone mothers' employability.

German reforms aimed at making parental leave more attractive for fathers by increasing its flexibility and replacement rate as well as implementing a special quota for fathers. Working fathers now are also considered as caring parents. A similar development can be found within post-separation legislation. However, changes have not lead from one paradigm – the male breadwinner – to the other– the dual earner/dual carer model. The first implementation of parental benefit and leave was understood as a symbolic recognition of caring contributions of parents, mainly mothers. Combined with a rather long period of absence from the labour market still available through parental leave, incentives to take leave reached mainly employed mothers, rather than fathers. Opposed to a total turn away from the male breadwinner, the German scheme still subsidises the female homemaker and childcarer. Parental benefit – unlike in Norway – is not linked to employment and it is awarded without means testing. Thus, on the one hand, the system encourages parental employment, especially by curtailing the benefit period to 12 respectively 14 months instead of a maximum of 24 months before. On the other hand, simultaneously and in contrast, the scheme awards parents

taking care for their children in absence of the labour market a benefit, which recognises at least on a symbolic level the value of caring work (Bothfeld 2006: 102f.). Compared to Norwegian entitlements, the replacement level of parental benefit in Germany is rather low, not giving incentives for men to take up leave. In terms of flexibility, the German reform improved the possibility to combine parental leave and benefit with part time work. Yet, income from employment will lower benefit entitlements giving disincentives to take up work. In contrast to the Norwegian system, within the German parental leave regulations parents are able to take their parental leave and especially their benefit simultaneously. This does not necessarily indicate a concept of each parent as an individual carer. Caring rights for non-resident fathers have also been strengthened, however, there are less comprehensive as for fathers in coupled families. Parental leave, for instance, is based on household community. Further, especially unmarried fathers still depend on maternal agreement in terms of sharing custody. In contrast, financial obligations after separation applied for fathers in different family forms equally. Nevertheless, lone mothers' entitlement to maintenance decreased recently. Further, newly announced reforms – based on economic crisis – include that leave benefits will be assessed in means test for income support. For quite a while – similar to British and Norwegian developments – mothers lacking a male income due to separation could rely on state provision. This right has weakened in favour of higher employment expectations. These are less pronounced for mothers in couples.

In comparison, Norway has the most comprehensive parental leave scheme in terms of paternal rights. This refers on the one hand to the timing of implementing the different instruments and on the other hand to the extensiveness of the measures. Regulations do not provide for parents taking leave simultaneously - although that is possible and not unusual in practice. Accordingly, fathers are recognised as carers on their own and not as “helpers for mothers”. Yet, fathers' entitlement to leave within the scheme is highly depending on negotiations with mothers, even after separation. Norwegian fathers' rights to parental benefit rely on the mother's employment status *before* and *after* birth. Even though fathers are awarded individual caring rights, these are not that “individual” after all.

After separation, fathers' are considered to share childcare equally with the mother regardless of their partnership status. Both parents' income is assessed for maintenance calculations. Child support duties are linked to contact patterns and parental leave rights are based on parenthood rather than on household sharing. Norwegian institutions follow the assumption that parents allocate parental responsibilities equally even after separation (Hakovirta/Rantalaiho 2009: 20). Simultaneously, lone mothers are increasingly seen as employable. Formerly unconditioned state support for sole parents is more and more linked to employment efforts.

All three nations compared show similar developments with different timing, pacing and degree: first, fathers caring rights are increasingly recognised, yet, the process occurs differently for fathers in coupled families and non-resident fathers. Whereas (especially German and Norwegian) fathers within coupled families are more or less “gentle” forced to participate in childcare, (mainly German and British) non-resident fathers are predominantly perceived as provider for their separated family. However, exercising caring rights implies several barriers for fathers. Most of the parental leave period is left to parental negotiations. Thus, governments make no explicit suggestion to change the status quo of (traditional)

gender relations (Lammi-Taskula 2006: 94). Argumentation often refers to “parental choice” in this context (Ellingsæter/Leira 2006: 269). For a good reason, since facilitating “parental choice” equals with the highest degree of flexibility. However, there are limits offering free choice and achieving a less gendered division of unpaid and paid labour (Ferrarini 2006: 32). Only very few fathers actually took time off to care for their children while parental leave was open to free choice, not only in Norway (Leira 2006: 45; Björnberg 2006: 97). One could argue, if it is left to parents’ choice who stays at home and this results in a majority of mothers taking leave, than this represents parents’ preferences. Maybe mothers do want to stay at home and away from the labour market, and at the same time maybe fathers prefer to be the single provider for their family. The question remains whether this gendered division of labour is (mainly or only) based on “free choice”. Both mothers and fathers do make real choices. However, normative and practical demands of parenthood, restricted resources of time and money as well as different opportunity structures challenge the political argument of giving parents “free choice” (Ellingsæter/Leira 2006: 270). In general, the combination of long leave periods and/or low replacement rates, like in Germany or Great Britain, does not attract men to take up leave. The unequal sharing of breadwinning and care giving makes economic sense, since fathers are generally in better paid jobs and the family risks to lose financially more if the father takes (long) leave (Leira 2006: 45). As long as the gender pay gap exists, the economic justification for mothers’ parental leave continues as one of the main arguments against fathers’ care (Lammi-Taskula 2006: 96).

A second trend observable in all three countries concerns mothers’ employment rights and duties. These have been stressed for quite a while. Their activation potential, however, has aroused even stronger attention in sole parent families. Recommitting lone mothers to gainful employment is based on the assumption that all abled-bodied adults are able to work and to gain a sufficient living on the labour market (Giddings et al. 2004: 118). These premises apply only limited for lone mothers as well as mothers in general (Lewis 2001: 154). A gendered-division of labour (see the argument referring to restrictions of free choice above) and a gender segmented labour market lead to a reduced income based on maternal employment. Compared to fathers, mothers still generate lower incomes. This can be explained by higher discontinuity of employment over the life course mainly due to family responsibilities, a higher percentage of part time work as well as a higher rate within the low income sector (Kilkey 2000: 91; Lewis 2001: 164). In order to escape state dependency lone mothers have to be in full time employment (Kosmann et al 2003: 7) which collides with full time caring responsibilities as sole parent. Further, lone mothers have a lower education level compared with other mothers. This decreases income chances further (van Drenth et al. 1999: 624).

(Full time) Employability of mothers, especially lone mothers lacking a second (caring) parent within the household, is highly depending on a broad and qualitatively high (full time) provision of formal childcare on an affordable basis. However, childcare patterns are further based on individual preferences. Provision has to be *used* in order to allow employment. Studies show that British mothers prefer informal childcare. That is, they engage relatives to take care for their children rather than enrol in childcare institutions (Land 2001: 241f). Accruing costs will not be considered within the WFTC. German parents favour maternal care based on a strong breadwinner norm, especially when the child is still young (Marten/Ochoa

2009: 14). Norwegian parents, on the contrary, prefer formal childcare institutions (Ellingsæter 2003: 439). This counters the Cash for Care reform. Consequently, besides economic rationale care preferences have to be taken into account while discussing the employability of mothers. Although mothers increase their labour market participation – regardless whether this is based on economic, individual or institutional reasons – their caring responsibility prevails. So far, neither fathers nor the state have been able to fill the occurring caring gap in case of maternal full time employment.

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