

Artículo / Article

Couples and Companies: Negotiating Fathers' Participation in Parental Leave in Germany / Parejas y empresas: La negociación del uso por los padres del permiso parental en Alemania

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ABSTRACT

This article reports on findings of a study of fathers on parental leave in Germany. Drawing on interviews with couples (n=16) and human resource managers in different companies (n=8), we analyze how fathers' parental leave is negotiated between couples and how employers deal with male employees who claim parental leave. We ask for conducive and obstructive factors to paternity leave. We analyze expected and actual workplace problems, parenting models, gender beliefs, and power relations among the couple as factors in the question of paternity leave. In most organizations, two months have become an organizational routine, but two months also marks the threshold at which these organizations assume being able to manage paternal leave. Among the couple, an extension of paternity leave must be established against an asymmetric cultural tradition of parenthood, which is, despite of a dominant rhetoric of gender equality, still deeply embodied within the everyday routines of most couples.

Keywords: Parental leave, fathers, childcare, gender, Germany.

RESUMEN

Este artículo versa sobre los resultados de un estudio sobre el uso por los padres de la excedencia por cuidado de niños en Alemania. A partir de entrevistas en profundidad a 16 parejas y a 8 responsables de recursos humanos de distintas empresas, se analiza cómo negocian los miembros de la pareja el que el padre utilice parte del permiso parental y cómo reaccionan las empresas cuando los hombres solicitan este tipo de permiso. Nuestro enfoque se centra en los factores que facilitan y dificultan esta opción. Analizamos los efectos esperados y los problemas a los que se han enfrentado, los modelos de parentalidad y los modelos de género así como las relaciones de poder en el seno de la pareja.

Palabras clave: Permiso parental, padres, cuidado de niños, género, Alemania.

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INTRODUCTION

Parents in Germany have an entitlement to up to three years' parental leave. Until 2007, the parent who took the leave received a maximum of 300 euros per month for the first two years of the leave. In 2007, the legislation changed. A parental allowance is paid as a replacement for the wage that the parent earned before taking leave. The most significant change concerning fathers' involvement was the introduction of two 'partner months'. The parental allowance is paid for up to fourteen months. In order to get the full amount, both partners are required to take at least two months' leave. Otherwise, the money is paid for twelve months only. The replacement rate is 67 % of the previous wage, with a floor of 300 and a ceiling of 1800 euros. The introduction of the two 'partner months' was intended to encourage fathers to increase their commitment to household and child-care activities (Possinger, 2013, pp. 86-88). Between 2006 and 2014, the percentage of fathers taking parental leave rose from 3 % to 34 % (BMFSFJ, 2016, p. 16). This increase is often interpreted as indicating a fundamental change towards involved fatherhood. Yet the trend is not as clear as the increase suggests: 79 % of the fathers who take the leave make use of only the two 'partner months'. Most of them take these months during the mother's parental leave. They do not replace the mother (BMFSFJ, 2016, p. 18).

Survey data show that the majority of German fathers wish to participate in the child's development (Li et al., 2015, pp. 26-27). The German law on parental leave provides fathers with an entitlement to realize their desire to participate in childcare - from the minimum of two months up to twelve months. However, that entitlement must be claimed. Taking parental leave, and in particular the length of time to be taken off, must be negotiated at the workplace as well as between the couple themselves.

This article reports on the findings of a study of fathers on parental leave in Germany. Drawing on interviews with couples as well as with human resource managers in different companies, we analyze how fathers' parental leave is negotiated

within couples and how employers deal with male employees who claim parental leave.¹

RESEARCH ON FATHERS TAKING PARENTAL LEAVE

In 2005, the German Journal for Family Research (*Zeitschrift für Familienforschung*) published a special issue entitled "Men - the 'Neglected' Gender in Family Research" (Tölke & Hank, 2005). At that time there was little sociological research on fathers and fatherhood in Germany. One decade later, research on fatherhood is an expanding field in German family research and gender studies, as it is internationally. A growing number of studies is focusing on fathers taking parental leave with the aim of analyzing the impact of the 2007 amendment of the parental leave legislation on father's involvement in childcare and domestic work (Ehnis, 2009; Pfahl & Reuyß, 2009; Vogt, 2010; Possinger 2013; Trappe, 2013; Bünning, 2015; Peukert, 2015).

Internationally, the greatest volume of research on paternity leave has been carried out in the Nordic countries, particularly in Sweden. Sweden has one of the highest rates of fathers taking parental leave (88,3 %; Duvander, Haas & Hwang, 2015, p. 316). According to OECD data (OECD, 2014, p. 11) Swedish fathers spend 26 hours per week caring for and educating children; this is the highest rate in Europe. German fathers spend 19 hours. Sweden and the Nordic countries are often used as a reference point for assessing developments in other countries (cf. Haas & Rostgaard, 2011; Fox, Pascall & Warren, 2009). Due to differences in legal frameworks and the corresponding welfare state regimes as well as cultural differences in gender regimes, findings on the uptake

1 The "Fathers on parental leave: negotiations and decision-making between couples and their employers" project was funded by the Mercator Research Center Ruhr. The participant organizations were TU Dortmund University, Ruhr-University Bochum and the University of Duisburg-Essen. The members of the research team were: Stefanie Aunkofer, Ilse Lenz, Michael Meuser, Benjamin Neumann, Katja Sabisch and Christine Wimbauer.

of parental leave by fathers in the Nordic countries are not simply transferable to other countries.

It is a recurrent question whether paternity leave helps to increase gender equality by changing the gendered division of labor (Doucet 2017; Fox, Pascall & Warren 2009; Haas & Hwang 2008; Haas & Rostgaard 2011; Jan & Hildingsson 2009; Johansson 2011; Meil 2013; O'Brien/Wall 2017a; Trappe 2013). In Sweden, promoting gender equality was an objective of parental leave legislation from the outset (Haas & Hwang 2008). According to Haas and Hwang (2008, p. 93), fathers who take parental leave are more "equality-minded than other fathers". Fox, Pascall and Warren (2009), as well as Haas and Rostgaard (2011), point to the impact of proactive work-family policies and non-transferable leave. On the basis of a comparative study of men's uptake of parental leave in EU member states, Meil (2013, p. 568) argues that "the existence of a specific leave for fathers only is very important for fostering involvement". Haas and Rostgaard (2011, p. 193), comparing parental leave systems in the five Nordic countries, found that a father's quota of non-transferable leave has the highest impact on fathers' involvement in childcare. Further, it 'seems to challenge, in varying degrees, the notion of parental care mediation as a female prerogative.' (Wall 2014, p. 208). On the other hand, if non-transferable leave does not exist 'leave can be experienced as a "gift" offered by the mother [...], thereby underlining ... the naturalness of women taking paramount responsibility for the care of young children.' (Wall/O'Brien 2017, p. 208).

Using Socio-Economic Panel data, Bünning (2015) found in the case of Germany that even a short period of paternity leave has the effect of increasing German fathers' involvement in childcare even after the leave. However, a more equal division of labor is not established unless the father takes a longer period of leave or if he takes it while the mother is working (for the impact of taking leave alone cf. O'Brien/Wall 2017a). However, for other countries the reverse is also reported in the literature, so the findings are not consistent (Meil, 2013, pp. 560-561). Overall, paternity leave does not automatically advance gender equality (O'Brien/Wall 2017b, p. 3). It seems to be an important but not sufficient tool (Thomas & Hild-

ingsson, 2009). Paternity leave may potentially pave the way to greater gender equality, but it is often only a transitional phenomenon having little impact on the gendered division of labor.

A major obstacle to gender equality is the organization of work (Johansson, 2011, p. 113). The indispensability of the male workforce still seems to be an indisputable norm to many employers - in contrast to the female workforce (Björnberg, 2002). Many fathers fear that their careers will be damaged if they take parental leave (Possinger, 2013, pp. 204-207). Fathers' claims for parental leave, in particular if they want to take a longer leave, must be implemented against a prevailing ethos that accepts fathers' participation in childcare only in so far as it does not reduce fathers' indispensability in the labor market (Born & Krüger, 2002; Neumann & Meuser, 2017). In companies and other workplaces it is a widespread and usually unchallenged expectation that care work is done by the mother. Against this backdrop, paternity leave is perceived as optional whereas maternal leave is seen as a necessity or the mother's "natural right" (Ehnis, 2009; Richter, 2012, p. 140). This applies in particular to longer periods of paternity leave extending beyond the usual two months (Richter, 2012, pp. 138-139). Nevertheless, employers' attitudes towards fathers taking parental leave seem to change the longer the legislation exists and the more fathers make their claims, as the Swedish case shows (Haas & Hwang, 2009). Further, being supportive of paternity leave helps to enhance a company's image as a family friendly organization, which is seen as an advantage in competing for highly qualified employees (Neumann & Meuser, 2017).

Whether or not fathers take parental leave, and for how long, is influenced by gender ideologies and beliefs about femininity and masculinity. On the organizational level, masculinity norms have a strong impact on fathers' decisions on taking parental leave. Although involved fatherhood is becoming part of cultural patterns of masculinity, it contradicts job-centered masculinity norms that are still highly influential. Paternity leave challenges an important institutional pillar of the established gender order

(Valarino 2017). Masculinity is also at stake in a couple's negotiation of the father's parental leave (Schmidt et al., 2015). Insofar as the breadwinner role is a core feature of "hegemonic masculinity" (Connell, 1987), the shift towards involved fatherhood challenges this culturally dominant pattern of masculinity. Fathers doing care work see themselves challenged to emphasize that this work does not jeopardize their masculinity (Behnke & Meuser, 2012; Merla, 2008). In a study of involved fatherhood, Behnke and Meuser (2012) identified a variety of practices for asserting masculinity by referring to the semantics of masculine strength and autonomy.

According to Lammi-Taskula (2008, p. 145), who did research on paternity leave in Finland, "the parents' gender ideology seems to be a more crucial aspect in relation to sharing parental leave than economic rationality". Besides masculinity concepts, beliefs related to motherhood, and in particular the assumption that mothers have greater expertise in childcare (Doucet 2017, p. 18), have a strong effect on the share of fathers taking parental leave and their involvement in childcare generally. McKay and Doucet (2010, pp. 308-310) point to the influence of breastfeeding on the couple's decision on how to share parental leave. The mother's physical ability to breastfeed legitimates an asymmetric childcare arrangement, at least for the initial period after the birth. This establishes the mother as the primary caregiver and for most couples this is a self-evident fact. It establishes a kind of "hegemonic motherliness" (Ehnis, 2009, p. 146) that is opposed to longer paternity leave and promotes maternal gatekeeping (Trappe, 2013, p. 258). In turn, the usually shorter duration of paternity leave compared to maternal leave helps to further consolidate hegemonic motherliness. Otherwise, being "critical towards the prevailing hegemony of mother care" increases the chances of a father taking paternity leave (Lammi-Taskula, 2008, p. 145). However, this can provoke 'competitive caring' and give rise to a new kind of gendered power struggles and gender conflicts about who is entitled to define the standards for proper care work (Lengersdorf &

Meuser, 2016; Henwood & Procter, 2003, Doucet, 2017). However, only a minority of fathers have a critical attitude to the hegemony of mother care (Thomas & Hildingsson, 2009, p. 150).

The decision to take paternity leave is not one made by the father alone, but is negotiated between the parents. Little is known about such negotiations (McKay & Doucet, 2010; Schmidt et al., 2015). One methodological reason might be that in the majority of studies fathers are interviewed alone. The method of interviewing couples together is used only seldom (cf. for exceptions: McKay & Doucet, 2010; Schmidt et al., 2015; Behnke & Meuser, 2012; Lengersdorf & Meuser, 2016).

DATA AND METHOD

In our own study, we interviewed couples in order to gain insights into their negotiations on how parental leave is timed and shared. Expert interviews were conducted with human resource managers in order to capture employers' views on paternity leave.

In order to reconstruct the negotiations that preceded the fathers' decision to take the leave, the partners were interviewed together. The interviewees not only responded to the interviewers' questions but also (and predominantly) talked to each other. Such interviews are a suitable method for gathering information on couples' arrangements. They generate two sorts of data: a couple's history as reported by both partners (content) and the couple's interaction during the interview (discourse organization). The way in which a couple relates their joint history *in situ* gives clues about the partner's relationship (Hirschauer, Hoffmann & Stange, 2015). The partners' efforts to negotiate certain aspects of their family life also become visible. Thus the couple's interview is particularly well suited to recreating the joint construction of the partnership, the family, private gender arrangements and gendered identities (Behnke & Meuser, 2013; Bjørnholt & Farstad, 2014; Wimbauer & Motakef, 2017).

Human resource managers were interviewed in order to ascertain how organizations deal with

claims for parental leave made by male employees. They were addressed as experts because, due to their status in the organization's hierarchy, they have privileged access to information about the organization's personnel development and their employees' careers (for the methodology of the expert interview cf. Meuser & Nagel, 2009).

Sixteen couples and eight human resource managers were interviewed. The couples belong to different social milieus; a few migrant couples are also included. They work in organizations of different sizes and in different sectors: in public

administration as well as in private enterprises. With one exception, all the couples interviewed were heterosexual. In all couples, except one, both partners were employed. The present article draws on data relating to twelve couples. Some information about their employment status and leave arrangements is listed below. The expert interviews took place predominantly in private enterprises, but also in public organizations. The interviews were conducted in two regions: in North Rhine-Westphalia (where the share of fathers on parental leave is low) and in Bavaria (where the share is high).

Table 1. Couples' employment status and leave arrangements

Couple	Employment Status		Length of parental leave (months)		Parental allowance (Euro)		Father's leave arrangement		
	Father	Mother	Father	Mother	Father	Mother	Completely simultaneously	Partly simultaneously	Seperatly
Albert	P.E.	P.E.	2	10	1800	1000	X		
Cramer	P.A.	P.A.	7	7	980	1800		X	
Dietrich-Dorsten	P.A.	P.A.	4	10	1197	831		X	
Erdmann	P.A.	P.E.	4	10	1800	850			X
Friedrich	P.E.	P.E.	2	17	1600	1140	X		
Graf-Gabler	P.E.	P.E.	2	24	1305	1006	X		
Halil	P.E.	P.A.	2	10	1370	600	X		
Keller	P.E.	P.E.	2	24	N.A.	N.A.	X		
Martens	P.E.	P.E.	3	8	1800	1800			X
Niem	P.A.	P.A.	5	10	1695	1675		X	
Ortmann	P.E.	P.E.	11	4	1800	1800			X
Peters	P.A.	P.E.	10	4	800	1800			X

Source: Own Interviews. PA = Public Administration; PE = Private Enterprise. N.A. = Not Available

The interviews were audio recorded, transcribed and anonymized. Data analysis was carried out using the documentary method of interpretation (Bohnsack, 2010 & 2014). This method is based on Mannheim's (1952) sociology of knowledge and its differentiation of three levels of meaning (objective, expressive and documentary). It not only takes account of the literal (objective) meaning of what is said and of the expressive meaning (the subjective intentions of the actors), but its focus on how the discourse develops also gives "access to the pre-reflexive or tacit knowledge" (Bohnsack, 2010, p. 103) that is documented unintentionally in the respondents' explanations and narrations. Similar to Bourdieu's notion of habitus, it is targeted at "the structure of action and orientation, which exceeds the perspective of those under research" (ibid, p. 101).

FINDINGS

Anticipated and actual workplace problems

We begin by discussing the influence of the workplace on the couples' arrangements and the fathers' parental leave. Both can be greatly influenced by anticipated or expected problems within the workplace (e.g. with colleagues and management or financial problems). However, our findings reveal that anticipation does not necessarily translate into actuality (especially if the leave does not exceed two months) and that actual problems were not always anticipated. Thus in the following chapter we differentiate between cases with and without anticipated and actual problems in the workplace.

The *first group* of our sample consists of couples who did not experience any workplace problems with regard to their paternity leave. However, these fathers mostly work in the public services or took only the two 'partner months'. The majority of fathers in our study made use of the two partner months. The use of these *two months* seems rather unproblematic, both for the organizations and the couples we talked to. This reflects the *institutionalization of the two months' paternity leave*. This arrangement seems to have become well established since its introduction. However, the fact that most

fathers do not take a longer period of leave shows that institutionalization has led to only limited changes in gendered norms in both the workplace and the family.

This institutionalization is reflected in the couples' narratives. They refer to the father's right to take parental leave. The Alberts explained this as follows:

Mr. Albert: There was not really resistance because I didn't put certain things up for debate. Given that I knew about the existing general conditions, that was something I was able to do.

Mrs. Albert: You knew your rights.

The two months' paternity leave in particular seems to be perceived as an institutionalized *right of fathers* to be more engaged in the family. The Alberts described their knowledge of the legal position as a 'strategic advantage', which they were able to exploit in announcing their intention to take parental leave to their employer. For Mr. Erdmann, 'it was entirely clear that I would take parental leave no matter what reaction might follow, because I knew I was legally entitled to do so.'

Another father, Mr. Friedrich, also told us that his employer was not able to say anything because 'I have the right to do this. And they would just embarrass themselves if they said anything else'. Since there is a legal entitlement, not only do fathers feel legitimized to take parental leave but this also generates a normative pressure for companies to agree to it. This finding is consistent with results from research on the effects of non-transferable leave for fathers in other countries. Taking the so called "daddy months" becomes 'a "normal" decision both in families and in the workplace' (Wall & O'Brien 2017, p. 258).

The different organizational cultures of the various companies seem to have considerable influence not only on paternity leave itself but also on the negotiations between the couple as they seek to identify the factors that might encourage or hamper their efforts to strike a balance between family and work. Furthermore, we observe that the *public services or nonprofit organizations seem to provide advantageous terms* for parents seeking to take parental leave. For example the Dietrich-Dorstens

received positive and even supportive responses to their announcements that they would be taking parental leave:

Mr. Dietrich: In my case there was no problem at all. Far from it, my boss told me, "Yes do it". You will never get a chance like this. In the first place I wanted to take a half year. [...] But then I thought if you want to take eight months you could just as well take a whole year. [...] This was absolutely no problem for my employer.

Mrs. Dorsten: Yes in my case it was unproblematic, too.

The Peters are also an example of a long period of paternity leave without any anticipated or actual workplace problems. Mr. Peters' employer, a non-profit organization, also reacted very 'positively' in his view:

I really felt that they were glad. No one said anything negative not even between the lines. I really felt like ok that's nice. Funnily they didn't ask any questions like 'What? You want ten months?' No, that was not a big issue. It was nice.

An exceptional case can be found in the academic field. The Cramers explained that parental leave was unproblematic for both of them but that reducing working hours is perceived as a disadvantage compared with couples without children. This case also shows very clearly that it is not just one but two careers that have to be negotiated. Both partners reduced their working hours and took parental leave 'fifty-fifty' in order to ensure they both enjoyed the same career prospects.

Even though none of the three couples experienced any explicit problems at their workplace after having taken parental leave, they did acknowledge that reducing their working hours did not exactly enhance their future career prospects. Mr. Dietrich used paternity leave to change direction, at least to some extent: he wants to return to his previous employer, but not in a leading position. Mr. Peters thought that, in taking paternity leave, he had to some extent sacrificed his career, but this did not seem to bother him.

We also observed *anticipated but baseless fears* in terms of the impact on careers. In some cases, even two months were initially thought to be

problematic, especially for fathers in the corporate sector. Mr. Friedrich was afraid that his two months' leave might cause problems for his career, while the mother already knew she would not be able to return to her previous workplace:

Mrs. Friedrich: 'And I really insisted on you taking at least two months and you were afraid of your career being stalled. And I thought to myself: woah, eight weeks (...), eight weeks are nothing compared to the remaining 36 years of your working life.

Mr. Friedrich: Yes I was actually concerned about that, yes.'

Mr. Friedrich was also afraid to tell his boss about his parental leave plans because he was the first one in his department to take the leave. This highlights the importance of general principles and orientations in companies and institutional frameworks (besides the institutionalization of the right to take parental leave), which could help to encourage fathers to be more involved in domestic work and childcare (Neumann & Meuser 2017). In many cases, the fear of suffering disadvantages proved baseless. Mr. Friedrich was surprised that 'no one at my workplace said anything negative to me'. Mr. Erdmann reported: 'I expected more resistance. But it was just accepted'. This could indicate that taking parental leave might actually be less problematic than anticipated.

The *second group* consists of couples who experienced actual problems in the workplace, even if some of them did not anticipate them. Many couples describe their companies as adhering to a traditional gender role model. Some anticipated problems in terms of career, believing that involved fatherhood contradicted the norms of male labor market behavior, in particular the emphasis on full-time employment. Also the norm of mothers' responsibility for care work often goes unquestioned in the world of work. For example, Mr. Albert explicitly described his company as 'conservative' and sees himself as 'revolutionary' and 'exotic'. According to him, in particular older employees in his company regard parental leave as 'maternity protection'. Mr. Martens reported that his boss had declared that he was 'doing female work now'. For companies, paid work seems

to be a largely masculine sphere, while care work is feminized. While the mothers' care work is taken for granted, the fathers' leave and family involvement seems to be optional (Ehnis 2009). If a father wants to be more involved in care and domestic work, he may be confronted with devaluing comments and sneers:

Mr. Gabler: Yes, one is going to be sneered at by some of our colleagues in the company, with comments like 'What? The fathers stay home?' It's simply the traditional role model which is found particularly among elderly colleagues: the father goes to work, the mother stays home. Older bosses and supervisors in particular share a lack of understanding.

A mothers' claim to take parental leave is often seen as an expression of her 'natural' femininity, which may legitimize her commitment to her child. Comparable commitment is not expected of a father. This can lead a company to treat fathers' and mothers' applications for parental leave differently. The two 'partner months' mostly taken by fathers are framed as an *additional* support, while the mother stays in the gendered role of having the primary responsibility for childcare (Neumann & Meuser 2017). Consequently, paternity leave can be seen as a challenge to the hegemonic beliefs about men's labor market behavior. Taking paternity leave can be perceived as a lack of loyalty to the company, even if the father does extend the period of leave.

Fathers who work in the corporate sector experience greater career disadvantage if they take parental leave, especially if they take more than two months. Overall, according to the company representatives interviewed, it is not so common to extend paternity leave beyond the institutionalized two months.

Normally men do not go on leave for too long but rather work part-time and stay for a few hours during parental leave. Thus it is actually not a real issue, because it is just a natural consequence, that it is that short. (Company D)

The couples (and also the company representatives) referred to different kinds of problems posed by extended paternity leave. Two central difficulties

were mentioned in particular: *career disadvantages* and *financial problems*. For Mr. Albert, two months were unproblematic, but a longer leave would be out of the question because he feared that he would be disadvantaged professionally:

Mr. Albert: For me, a one-year break is out of question. Simply because in my field there's constant technological change and there's so much change that it would be too much to catch up [...]. And to be off for such a long time would put me at considerable disadvantage in career terms.

Mr. Albert's stance towards extended parental leave is supported by his wife's understanding of her role as a mother. She likes 'the versatility that I have with both my child and my work' and wants to 'cover his back'.

The Halils can be seen as an example of how financial aspects determine the negotiation of parental leave. This couple focuses on the financial losses that might be incurred if the father takes extended paternity leave, although both are high earners.

Mr. Halil: It's not possible for everyone to cover this two-month period financially. It was really hard and a balancing act for us and we had to economize for months, almost a year.

Furthermore, most fathers in our sample did not anticipate being disadvantaged in their careers because of the parental leave itself. However, a reduction in working hours after the leave is often described as an enormous disadvantage. For most mothers, accepting responsibility for domestic work and childcare puts them at a disadvantage in their careers. Generally, long career breaks appear to be challenging for companies. Returning to work after a lengthy period of leave seems to be particularly problematic, for both men and women.

For women, the question of the return is always relevant when one takes a lengthy career break. For men, basically, it's well accepted that they take the two months; anything beyond that is problematic, too. (Company A)

Company A, for example, tries to deal with this by making short-term appointments to cover for

employees taking career breaks of about a year (in exceptional cases two years). However, the company representative also told us that this strategy does not work in all cases; it depends on the hierarchical level and/or area of work. The fear of losing one's job or of returning to a different position within the company still remains and is often taken into account by couples when they make their decisions on paternity leave.

For companies *parental leave seems to be unproblematic as long as it fits in with the operational processes* or as long as the operational processes are secured. In the Inans' case, the father perceived a positive reaction to his leave. In the first two months of his leave there were 'absolutely no problems, because it fitted very well' with the company's project status. Taking a longer leave also turned out to be unproblematic because 'it was the end of a project. Yes, it also fitted very well'. Reconciling paternity leave with the project status seems to be crucial in this case. This illustrates the importance of arranging the parental leave not only within the couple but also with the employer. Mr. Keller experienced a very negative response because he did not arrange his leave with his employer:

'I didn't ask for permission I just told my boss that I was going to take parental leave. He reacted very negatively to this. He said something like I should have discussed it with him and the whole team first.'

Small companies are special cases. Both mothers and fathers who work in small companies, report that their parental leave gave rise to some serious issues. These companies are less able to deal satisfactorily with employees' temporary absence. For example, Mrs. Friedrich's contract was terminated after her lengthy period of maternity leave. Although the company was legally required to keep her job open, they made it clear that they did not want to keep her. Mr. Gabler's boss wanted to dismiss him, made insinuations and sent warning letters because of his leave. Insisting on legal rights can mean risking consequences that are certainly not intended in the legislation.

Images of parenthood and the relevance of gender beliefs

In the interviews, the couples outlined different gender beliefs and images of parenthood. These are very important in determining both the extent of fathers' parental leave and families' care arrangements. These images and beliefs range between the twin poles of biological determinism and indeterminism. For some couples, being a parent is intertwined with ideas about gender and 'biological facts'. The limits of gender equality are marked out by this biological determinism. Mr. and Mrs. Albert expressed this as follows:

Mr. Albert: There are simply differences between men and women that women can bear children and men can't. Whatever is done regarding to equity and equality is a fact and can't be solved through discourse. That's given by nature as well as the bond between mother and child is basically more intense. Those are facts that can't be changed [...]. For that reason a mother shouldn't work full-time after giving birth. In my opinion this wouldn't be appropriate for the child's development, either.

Mrs. Albert: I think the same. I don't give birth to a child to pass it on to another person right away.

Within this biological framework, the fact that men cannot give birth has further implications, such as a supposed stronger bond between the mother and the child or even gender equality. From this perspective, a mother working full-time could also impair a child's development. It is important to notice that the couple is in complete agreement on this point. The topos of biology is often linked to a hierarchization between the parents in terms of rights regarding the child, e.g. who is (or should be) the primary caregiver. This issue is especially relevant if the partners' perspectives are not congruent. The following sequence makes clear that a father's wish to be more involved in childcare can lead to conflicts within the couple:

Mrs. Halil: As soon as the baby is coming anyway... as a mother you are likely to be biased by hormones a little bit and we had a serious argument about who takes care of this child and it is still difficult.

Mr. Halil: Sensitive issue.

Mrs. Halil: Because as a mother one has the feeling of having the right to decide on this. Yes, you

Mr. Halil: Which is not necessarily true.

Mrs. Halil: But that is true

Mr. Halil: Well, you have said that as a mother you have more rights.

Mrs. Halil: Well, you feel like that. But you tend to forget that of course the father has the same or similar rights but

Mr. Halil: Er, the same rights was quite true, darling. You should have finished that statement with the same rights. The rights are fifty-fifty.

Mrs. Halil: Similar, similar er no but honestly speaking as a mother you don't feel it like fifty-fifty.

Mr. Halil: I don't want to talk about this anymore I'm fed up with this.

On the one hand, Mrs. Halil makes her point by referring to a change in hormone levels in the mother's body. The fact that a woman gives birth serves as an argument in favor of unequal parents' rights. Although Mr. Halil claims equal rights, and despite the fact that Mrs. Halil is aware of the actual inequality, the gendered belief defines the extent to which parents' rights can or cannot be equal. Even after his claim of equal rights as a parent, she only grants him similar rights - but not the same. Mrs. Halil's argument can be read as a gender-reverse exemplification of what Bourdieu describes as a core feature of male domination: the somatization of power relations. According to Bourdieu, "the *biological* difference between the male and the female body and, more particularly, the anatomic difference between the sexual organs" *are seen* "as the indisputable justification of the socially constructed difference between the sexes" (Bourdieu 1990, p. 12).

Another couple makes clear that gendered beliefs about parenting can be more influential than economic factors:

Mrs. Niem: Well, it's an infant and it belongs to its mother. And for me it was more important to breastfeed as long as I could - and I mean authentic breastfeeding instead of giving the bottle, in order to give the child a good start. This seems more important to me than to return to work as fast as I can. He

[Mr. Niem] could have handled the care for sure, but there's a physical fact that only women can breastfeed. And that seemed more important to me. And that's why he has to be the breadwinner. [...].

Mr. Niem: But our family income would be higher [if Mrs. Niem worked full-time]

Mrs. Niem: From an economic point of view that would be more efficient.

Mr. Niem: From an economic point of view that is true, but as we already said, that would be against our understanding of roles that only you can breastfeed.²

Besides valuing 'natural' breastfeeding higher than bottle feeding, the couple explains that they would rather accept a loss of family income than give up their traditional gender roles.

The other end of the spectrum of gender beliefs is represented by those couples who see themselves rather as *parents* instead of being 'mother' or 'father' in an essentialist sense. Mr. Cramer explains:

Well, actually I think we're parents [...] - since she stopped drinking from your breast so to say. That means that we're now parents and since we're really sharing fifty-fifty we're two parents caring for a child.

Although there are still differences between Mr. and Mrs. Cramer, they relate them rather to their individual characteristics than to their gender:

Mrs. Cramer: But not because you're a male.

Mr. Cramer: But not because I'm the father but rather because that's my personality, you're bringing in your own personality as well.

Mrs. Cramer: I think that too.

Mr. Cramer: But in principle we're parents, not playing the traditional mother or father role.

The reference to being primarily parents rather than 'mother' and 'father' provides the basis for a *praxis* of parenting that goes beyond the gendered division of parenthood. This implies that the topos

2 The understanding of roles he mentioned is that the mother has to breastfeed the baby instead of giving him the bottle. Therefore even expressing breast milk into a bottle would not be an alternative. This understanding is shared by both partners.

of biology is addressed in a very different way from that observed among the couples quoted above:

Mrs. Cramer: [...] Er that a lot of people think the mother is born this way and knows what the child needs and so on. And especially in our case I'd say that you can assess often better than me what she needs, especially when she was very young because you're very empathic somehow and anyway I'm not born with that. I had to learn and get to know the child as well and so on.

Other couples also challenge biological determinism. The Ortmanns, for example, highlight the 'social' aspect rather than the 'biological' bonds between mother and child. Mr. Ortmann took eleven months of parental leave, whereas his wife returned to work full-time after four months. Mr. Ortmann and his daughter have built a strong relationship. Since their daughter displayed a degree of 'fear of strangers' in Mrs. Ortmann's presence, the couple have tried to establish a strong relationship between Mrs. Ortmann and their daughter as well. Mr. Ortmann captures this in a nutshell:

That's nothing spiritual about the bond between mother and child, you know? It really is a social relationship. My wife is finding this out as well. But this needs continuous involvement!

A leaning towards one or other pole of a heterogeneous spectrum of gendered beliefs about parenting and being a mother/father/parent has an effect on the father's uptake of parental leave. The couple's specific mindset is a very influential factor in fathers' decisions on whether or not to take parental leave. Most of the fathers in the couples whose beliefs about parenting were strongly gendered took only two months, whereas those in couples with a more 'gender-neutral' perspective on parenthood took a significantly longer period of leave (e.g. Mr. Cramer seven and Mr. Ortmann eleven months). The Cramers, who split their leave into two periods of seven months each, also reported an egalitarian sharing of household tasks and care work. Gender beliefs open up (or close down) the space for possible parenting arrangements and practices. A biological framing of mothering and fathering, emphasizing the assumed 'natural'

ties between mother and child, acts as a barrier to extended paternity leave, particularly immediately after the birth. A non-essentialist framing, on the other hand, facilitates different kinds of parental arrangements which can affect the division of domestic and care work.

Not taking a longer period of paternity leave does not necessarily always indicate a lack of interest in childcare on the father's part. It may also be an expression of conflict prevention by the couple. If tasks and responsibilities are more or less strictly divided by gender, greater commitment by the father to childcare and household tasks may challenge the gendered norms on mothering and lead to disputes between the partners. Couples who do not think of parenting in gendered terms do not have to face this kind of conflict. However, this does not necessarily mean that these couples do not face any difficulties in dividing up responsibilities for family and other domestic tasks. Instead of gender, 'individual preferences' or 'competences' could be given as reasons. The specific framing determines what kind of parental practice is possible, e.g. whether a father can take the same number of months as his partner or even a longer period than her. It also shows that the framing of parenthood is closely related to gender as well as to equality within the couple. Mrs. Cramer's statement that she was not born with a mother-instinct and that she had to work on bonding with her child creates space not only for an egalitarian parental leave arrangement but for an egalitarian share of gainful employment and care work more generally.

Who is the primary caregiver? Power relations within couples

As mentioned before, it is a widespread expectation that taking paternity leave contributes to gender equality. Paternity leave has the *potential* to change the gendered division of labor. Who does what kind of care work (as well as domestic work generally) and to what extent becomes potentially a subject for negotiation. In particular, if a couple supports a 'gender-neutral' concept of parent-

hood, gender is no longer taken for granted as the rationale for assigning care responsibilities. However, it is not only the distribution of care and domestic work that is negotiated but also *who is entitled to define the standards* for childcare, i.e. to decide what constitutes “good” childcare and what does not. In the majority of the couples we interviewed, it was agreed that the mother was the one who was entitled to make that decision. The mother is the primary caregiver in a double sense. Despite the father's involvement, the mother shoulders the main burden of care work and also has the authority to define the standards of childcare. As a result, the father remains in the position of secondary caregiver (Lupton and Barclay 1997, p. 126), even if the partners share care work equally. We found only very few exceptions to this general pattern.

In most cases, there was a tacit agreement between the partners about the gendered primary - secondary caregiver constellation. Most fathers do not oppose being the secondary caregiver, especially those who, like Mr. Albert, took the minimum of two months' leave:

Mrs. Albert: Well, basically I have a husband who works hard and spares no effort. Well yes... For example you take out the garbage and load and empty the dishwasher. [...] You also do laundry, although at the moment I am giving orders to you a little bit. I tell you to do the laundry. But whatever needs to be done, for example getting the laundry together.

Mr. Albert: Well, that's because you have a better overview, haven't you? [...] I sometimes ask you and we talk about it but it's true that you basically lay down the guidelines and we proceed accordingly. I don't complain. I'm happy that you've put some thought into it and I just go along with it.

Mrs. Albert recognizes her husband's contribution to the domestic work; she praises him for noting what has to be done and not avoiding it. However, she relativizes that recognition to a certain degree. In the case of the laundry, for example, she explains that she has to prompt or “instruct” him. Mr. Albert does not oppose her statement that she gives “orders”. Rather he supports her by recognizing her greater competence in

domestic work and explicitly confirms his position as her junior partner. He is glad that she organizes the domestic work and is content to go along with her instructions. Both partners are complicit in confirming the wife's authority in domestic work. Endowed with this authority, the wife can legitimately evaluate the husband's contribution to domestic work. This authority is quite independent of the extent of the husband's participation in domestic work. It can also be given in couples who share the domestic work equally.

The mother claims the primary position in particular if interactive childcare is involved. Some mothers do this quite forcefully as Mrs. Graf does, for example. She and her husband disagreed about the extent of his paternity leave:

Mr. Gabler: However, I think two months is almost too short. Afterwards I was sorry that I did not take three months, or four or five, but if I had taken more time off, you probably would have flipped out.

Mrs. Graf: At some point it's enough. I looked forward to experiencing daily life with the baby alone - just me and the baby - both of us alone. That's, that's something completely different, isn't it. I have sole and full responsibility during the day. Yes.

Here, the mother not only decided the extent of her own parental leave but also sought to decide the length of her husband's leave. He took the usual two months, but having experienced the time with the baby as enriching, he wished he had taken longer. However, he anticipated his wife's rejection and she made it clear in no uncertain terms that his aspiration had its limits and that she was the one who set them. She wanted more time alone with the baby. She explained this by referencing the natural bonds between mother and baby.

Mrs. Graf: I would feel weird if I had to go to work now and he would stay at home.

Interviewer: And why?

Mrs. Graf: Because it's my little baby. Of course he would be in good hands but well [...] I don't know how it would seem if he was home more often, if it were the other way round. No, but no, a mother needs to be at home. (.) It is lovely that fathers can stay at home now but somehow it is mama's job.

She cannot imagine the father being responsible for childcare, because it is her child, which implies that the child is not the father's baby to the same extent. With regard to the idea of the father doing the childcare, she recognizes that fathers nowadays are able to do it but she nevertheless concludes that childcare is the mother's job. Such a clear expression of maternal gatekeeping is exceptional in our interviews. However, references to natural bonds or biological phenomena in order to explain or justify a mother's position as the primary caregiver are quite common. Such naturalizing arguments are not limited to couples with a more traditional division of labor; they are also made by couples who have adopted an adult worker model, with both partners working full-time, like the Halil family we referred to above. Mrs. Halil stated that she could not imagine staying at home for a longer period and that the job is existential for her ('the job is the main thing'). Nevertheless, she claims priority in caring for the baby, as already noted. Arguing about this with her husband, she referred to biological reasons: being 'biased by hormones'. She knows that her argument is not reasonable, but her maternal feeling, a 'returning feeling' as she said, is more important to her than (abstract) arguments based on parents' equal rights. The Halils do not agree on the naturalizing argument. Many other couples do concur in this respect. Mr. Albert, for example, is convinced that 'the bond between the mother and the child is basically stronger and tighter'.

Due to the cultural feminization of care, the mother's position as primary caregiver is often reproduced unintentionally. The culture of care has a strong feminine connotation, which leads to the widespread assumption that women are more competent in this area (Burkart 2007, p. 88). Some of the couples reflect on this, but cannot avoid relying on it in certain situations although they try to overcome it. The Dietrich-Dorstens are a good example, because they disapprove of a gender-typical allocation of work. At the time of the interview, the mother was providing for the family and the father had taken time out from his job after having finished his paternity leave.

Mrs. Dorsten: It's not the typical image, where the women does all these tasks and is at home to

take care of the children whereas the man is doing all the men's affairs. Well, that's completely mixed at our house.

Mr. Dietrich: Yes, it just happens I would say.

Mrs. Dorsten: He calls himself housewife [...]

Mr. Dietrich: Well, don't exaggerate.

Mrs. Dorsten: No, it is really true that each of us does everything - from changing the baby to all the other nurturing tasks.

The mother emphasizes that they do not practice the typical gendered division of labor. Both do any kind of domestic and care work. Moreover, according to her, the father perceives himself as the homemaker. Nevertheless, there is an area where she does not trust his competence to do the domestic work correctly: the laundry.

Mr. Dietrich: Well I, I do nearly everything apart from doing the laundry.

Mrs. Dorsten: Nearly everything.

Mr. Dietrich: Completely everything. [...] I would like to do the laundry. Now I'm giving away the surprise.

Mrs. Dorsten: Well, do not hesitate, tell us then.

Mr. Dietrich: But when I hang out the laundry to dry, she always hangs it somewhere else.

Mrs. Dorsten: I rearrange it.

Mr. Dietrich: She rearranges it [...] she can't accept the way I hang out the laundry.

Although she leaves the domestic work nearly completely to him, she sometimes slips into the role of evaluating his way of doing this work and correcting him. The reverse constellation of him correcting her is not reported in the interview. More generally, looking at the organization of the interview's discourse, the mother's entitlement to evaluate the father's care and domestic work becomes evident at a subtle level. She is the one who authenticates his commitment to his family. She reports on this, putting it beyond doubt. Generally in the interviews the mother comments on the father's commitment to domestic work and childcare. Only seldom is it the other way around.

The last case (the Dietrich-Dorstens) reveals that being the primary caregiver means more than doing the bulk of the care work. It also and foremost

means being authorized to evaluate the care work done by the father. It is important to note that, in most of our couples, the position of primary caregiver in the second sense is accomplished by *both* parents (cf. also Lengensdorf & Meuser 2016). The father's participation is often neglected in research on maternal gatekeeping. Maternal gatekeeping is not a one-sided strategy adopted by mothers in order to defend intra-familial power. In the literature, fathers are often portrayed as persons without agency (Dermott 2008, p. 19). It is in fact an arrangement that is accepted tacitly by both parents.

CONCLUSION

The amendment of the German parental leave legislation in 2007 offers new options to fathers who wish to be involved in childcare. It gives them a sounder basis on which to apply to their employers for leave. Nevertheless, they still face obstacles, particularly if they request more than two months' parental leave. However, couples do not always want the father to extend his leave.

In companies and other employing organizations, paternity leave of two months has become commonplace. It can be seen as the standard choice for fathers taking parental leave in Germany (Neumann & Meuser 2017). These two months are even more unproblematic if they are split into two periods of one month each. Companies treat them like an extended vacation. In this sense, the two months have tended to become an organizational routine as well as the maximum period of paternity leave that organizations assume they are able to manage. In contrast to maternity leave, paternity leave seems to be perceived as a vacation and as time for recreation as well as family time. Consequently, a longer period of paternity leave would no longer be seen as a 'longer vacation' and would have to be treated differently. In comparison, longer career breaks for women are taken for granted, and it is accepted that they have to be compensated, while there is still a strong expectation that male employees will be continuously available. The two additional months have been institutionalized as 'daddy months', while the norm of mothers'

responsibility for care work goes more or less unchallenged. However, in the public services and the non-profit sector, there seem to be fewer obstacles preventing fathers from taking a longer period of leave.

Resistance from employers is not the only reason why just a small minority of fathers take extended paternity leave. Some couples found that a longer period of leave could provoke a conflict situation between the partners and therefore waived the extended leave option. This can be discussed in terms of the notion of *maternal gatekeeping* (Allen & Hawkins 1999; Gaunt 2008). The often unintended 'gatekeeping' by mothers can prevent care responsibilities from being shared more equally. This often corresponds with widespread beliefs about mothering, fathering and children's needs that are closely related to gender stereotypes and references to biology. A shorter period of paternity leave may be the result of conflict avoiding behavior based on adherence to common gender and parenthood norms. Although the discourse on 'involved fatherhood' bemoans father's lack of involvement in childcare, our data show that, depending on a couple's gender beliefs, fathers can also be too involved.

Paternity leave can potentially jeopardize the mother's position as the primary caregiver, but in fact in most cases it does not. Paternity leave is only seldom a reason for changing the gendered division of labor fundamentally and for revising intra-familial power relations. The usual case of taking two months' leave does not lead to a sustainable reconfiguration of domestic chores. Thus, paternity leave has only a limited effect on gender equality.

The findings discussed above illustrate the complex relationship between organizational structures and couples' decision-making. A couple's negotiations with their employers mediate their decision on who takes how many months of parental leave - and vice versa. The 2007 amendment of the parental leave legislation established a new legal framework that fathers can rely on. How it is used depends not only on decisions made by employers but also on couples' gender beliefs. An extension of paternity leave - in terms of the number of fathers taking the leave as well as the number of months

taken – must be established against an asymmetric cultural tradition of parenthood that, despite the dominance of a rhetoric of gender equality in politics and public discourses, remains deeply embodied in the everyday routines of both parents.

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