Nordic Journal of

LABOUR LAW

KARNOV GROUP

Making ‘Latte Dads’? Examining the Normative Underpinnings of the Finnish and Swedish Parenting Leave Systems

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Dato 2026-02-26

Publisert Nordic Journal of Labour Law (KARNOV-2026-2)

Sammendrag This article traces the evolution of the Finnish and Swedish parenting leave systems from 1900 until 2024 to identify their normative underpinnings and assess how leave policies have contributed to substantive equality between parents and the transformation of the sexual division of labour within the family in Finland and Sweden. In doing so, it places particular emphasis on how the two systems have made ‘latte dads’ – that is, incentivised fathers’ use of parenting leave to normalise participative fatherhood and gender-neutralise parenthood. The article locates the introduction of childbirth leave in the early-1900s, and its evolution until the 1960s, within a maternal care norm phase. It identifies a normative shift from the maternal care norm to a shared parenthood norm with the introduction of paternity leave and shared parental leave in the 1970s and 1980s. With the shared parenthood norm undermined by gender-neutral policies, the article observes the adoption of father-specific policies in the 1990s and early-2000s to reflect a participative fatherhood norm. It identifies the mid-2000s and the 2010s to be characterised by a flexibility norm, with sex equality, freedom of choice, and the diverging interests of parents and employers being balanced through flexible parenting leave policies. The current phase in the normative development of the Finnish and Swedish parenting leave systems is represented by a family diversity norm: beyond sex equality in a heteronormative nuclear family, they facilitate the social inclusion of parents in non-normative families.

Utgiver Karnov Group Norway

Versjon 1. utgave, 1. versjon

Referanse ISSN 2704-1085

Innholdsfortegnelse

Introduction

Sweden and Finland are often cited as the pioneers of parenting leave policies: the former introduced shared parental leave in 1974, the latter paternity leave in 1978.[1] Both are frequently presented – and emulated in parenting leave systems globally – as best-practice examples of leave systems which support substantive equality between the sexes by transforming the sexual division of labour within the family.[2] They are portrayed as the makers of 'latte dads'[3] who congregate in cafés and parks with their children during parental leave.[4] This normative transition from a male-breadwinner to a dual earner-carer family model has been conceived a specific characteristic of the social-democratic Nordic welfare state underpinned by a normative commitment to

substantive equality between the sexes.[5] Through near-universal public childcare provision, the Nordics have enabled women's entry to the labour market, thus facilitating a transition from a male-breadwinner to a dual-earner family model.[6] To address women's 'dual burden' of paid employment and unpaid childcare caused by the infeasibility of redistributing all reproductive labour (e.g. pregnancy and childbirth) to the state, the Nordics have employed paid parenting leave policies to enable parents to be compensated for their reproductive labour outside the labour market and hence to elevate reproductive labour to parity with productive labour to facilitate the transformation of the sexual division of labour between parents.[7] Their particular objective has been to 'induce men to become more like most women are now – that is, people who do primary care work'[8] . By universalising both breadwinning and caregiving, the Nordic welfare state has then prompted a transition from the dual-earner to a dual earner-carer family model in which both parents are equally engaged in paid employment and primary childcare.[9]

Existing policy literature has sought to normatively define the development of the parenting leave system in Sweden. Jenny Julén Votinius has identified three norms – a motherhood norm, a parenthood norm, and a norm of limited responsibility for caring – and two normative conflicts – one between the first and second norms, another between the second and third norms – to underpin the evolution of the Swedish parenting leave system.[10] The motherhood norm was prevalent from 1900 to the 1960s, the parenthood norm from the 1970s to the mid-1990s, and the norm of limited responsibility for caring from 1995.[11] Åsa Lundqvist has identified four phases in the normative foundations of Nordic family and sex equality policies more broadly.[12] Her first phase demonstrates 'the emergence of the gender-neutral family'[13] in the 1960s and 1970s. The second highlights feminist critique of the gender-neutrality of earlier policies in the late-1970s and the 1980s.[14] The third sees a shift 'towards the father-friendly society'[15] by the mid-1990s. The fourth highlights 'the return of the family'[16] in the 1990s and 2000s, with parents' freedom of choice being balanced against sex equality. Lundqvist demonstrates the relevance of her four phases through application to Swedish family and equality policy.

While useful to describe the normative development of Swedish policy, Lundqvist's framework has not been applied specifically to the Swedish parenting leave system. As such, it obscures the motherhood norm phase which Julén Votinius identifies to underpin Swedish parenting leave policy developments before the 1960s and which came into conflict with the emergence of the gender-neutral family in the following decade. Moreover, implicit in Lundqvist's framework is the generalisation that her four phases are applicable to and identifiable in policy developments in all Nordic countries. It has not, however, been applied to family and equality policies in the four other Nordic jurisdictions. There is, overall, a gap in policy literature tracing the normative development of Finnish policies, including the Finnish parenting leave system. Sampo Varjonen has observed that political rhetoric driving Finnish leave reforms was polarised between sex equality and maternal care norms in the 1970s and was dominated by the incentivisation of men's use of leave in the first years of the 2000s.[17] Like Lundqvist's framework, Varjonen's study obscures the evolution of the Finnish system prior to the 1970s and is inevitably outdated with regard to later changes to the Finnish parenting leave system, including the 2022 reform which restructured it in pursuit of substantive equality between the sexes. The existing body of Swedish and Finnish policy scholarship does not offer complete, up-to-date accounts of the normative development of the countries' parenting leave systems. And while the Nordics' reputation as parenting leave policy pioneers and exporters is founded upon the notion that their parenting leave systems facilitate the transformation of the sexual division of labour within the family in order to enhance sex equality, existing scholarship has not focused on describing the development of the two systems from this perspective.

This article presents a complete and up-to-date legal-historical account of the normative development of the Finnish and Swedish parenting leave systems from 1900 until 2024. It traces their evolution chronologically from first leave instruments to most recent legal and policy changes to identify their normative underpinnings. In doing so, the article assesses how parenting leave as the mainstay of Nordic family and sex equality policy has contributed to substantive equality between parents and the transformation of the sexual division of labour within the family in Finland and Sweden. It places particular emphasis on how the two parenting leave systems have incentivised fathers' use of parenting leave to normalise participative fatherhood and gender-neutralise parenthood. In order to limit its scope, the article focuses on statutory entitlements to maternity, paternity, and parental leave and their corresponding allowances, thus excluding the employment protections attaching to said leaves.

To these ends, this article employs Julén Votinius' and Lundqvist's accounts of the normative foundations of Swedish law and policy in this area as the starting point to describing the normative development of the

Swedish and Finnish parenting leave systems. To locate historical legal and policy developments within the different phases of normative development identified by Julén Votinius and Lundqvist, the article examines Finnish and Swedish parenting leave-related policy and legislative documents – namely white papers, legislative proposals, and primary legislation dated between 1900 and 2023 – to identify the norms and normative conflicts underpinning law and policy, as well as to pinpoint similarities and differences in the normative development of the two systems. In so doing, the article adjusts and extends Julén Votinius' and Lundqvist's accounts to present an up-to-date framework for describing the normative development of the Finnish and Swedish parenting leave systems. This framework consists of five distinct phases, each of which represents a norm which underpins the specific legal and policy developments during that phase. Within each phase, the article assesses if, and how, the parenting leave systems transform the sexual division of labour to facilitate substantive equality between women and men by drawing from existing Finnish and Swedish socio-legal parenting leave policy literature.

The article is structured as follows. Section 1 posits that – as observed by Julén Votinius[18] – the first phase in the development of the Finnish and Swedish parenting leave systems from 1900 to the late-1960s is characterised by a distinct *maternal care norm*. Section 2 then adjusts Lundqvist's account of the normative development of Nordic family and equality policy by conceiving her first phase – 'the emergence of the gender-equal family'[19] – as the second phase in the normative development of Finnish and Swedish parenting leave systems in the 1970s and 1980s. This phase is underpinned by a *shared parenthood norm* corresponding to Julén Votinius' parenthood norm.[20] Section 3 combines Lundqvist's second and third phases – feminist critique of the gender-neutrality of policies in the earlier phase and a shift 'towards the father-friendly society'[21] – to represent the third phase in the normative development of the Finnish and Swedish parenting leave systems in the 1990s and early-2000s, one underpinned by a *participative fatherhood norm*. Section 4 utilises Lundqvist's fourth phase – 'the return of the family'[22] – to inform the fourth phase in the normative development of the Finnish and Swedish parenting leave systems in the mid-2000s and the 2010s defined by a *flexibility norm*. Observing the tendency of parenting leave policy research to centre the heteronormative nuclear family and the relatively recent emphasis on studying the availability of parenting leave to e.g. LGBTQIA+ parents and single parents[23] , section 5 extends existing accounts of the normative development of the Finnish and Swedish parenting leave systems by identifying a *family diversity norm* as a distinct fifth phase which underpins policy developments in the 2010s and 2020s.

1 The Maternal Care Norm (1900s-1960s)

Sweden introduced a compulsory four-week unpaid childbirth leave in 1900 to protect the health and safety of female factory workers and their newborns, and to encourage the formation of mother-child relationships, by prohibiting women from working immediately after childbirth.[24] Its scope was subsequently broadened to all female workers, gradually extended to six months and, with the birth of the Swedish welfare state, most female workers became entitled to maternity insurance and universal maternity allowance during the 1930s.[25] The allowance, however, initially only covered childbirth-related expenses and did not compensate women for loss of income: because the mother's income was principally supplementary to the male breadwinner's, the latter was expected to sustain the family during maternity leave.[26] With the introduction of both general and income-related sickness insurance schemes in 1955, maternity leave became a universal statutory entitlement for women regardless of their employment status, although the entire six-month entitlement only became paid under the *General Insurance Act* in 1963.[27] Maternity leave remained compulsory until 1976.[28]

Development of Finnish childbirth leave is broadly compatible with Swedish developments during this phase. Finland introduced a four-week unpaid childbirth leave for industrial workers in 1917 and a six-week leave to shop, office, and public sector employees in 1919.[29] In 1938, prompted by Sweden's introduction of a universal maternity allowance system, it introduced a maternity assistance policy to aid low-income women.[30] This became available to all pregnant workers in 1949.[31] The loss of income associated with childbirth leave was not addressed in Finnish policy until 1964 when a universal maternity allowance system was enacted – latest among the Nordics[32] – as part of universal sickness insurance.[33] Regardless of employment status, all pregnant women insured under the 1963 *Sickness Insurance Act* became entitled to income-related maternity allowance three weeks before and six weeks after childbirth.[34] Entitlement to statutory leave, however, only became equivalent to the maternity allowance period in 1971 when all female workers became entitled to nine weeks of childbirth leave under the *Employment Contract Act*.[35]

Whereas maternity leave has come to be considered a justified derogation from the principle of equal treatment between the sexes in employment to ensure women are not disadvantaged because of their capacity for pregnancy, childbirth, and breastfeeding, early entitlements in Finland and Sweden were not intended to enhance women's position per se.[36] Rather, prohibiting female workers from working immediately before and/or after childbirth served to protect their health and safety while promoting broader social and demographic objectives, such as increasing the birth rate and reducing infant mortality.[37] Disguised behind the health and safety rationale, however, policy development in this first phase was underpinned by *a maternal care norm* equivalent to the motherhood norm identified by Julén Votinius to convey the essentialist presumption that children and parenthood are women's natural responsibility.[38] The maternal care rhetoric is revealed particularly if one examines the gradual extension of maternity leave and its correspondence with the introduction of maternity allowance: the provision of long leave and compensation for childcare within the home incentivised women to stay at home. Thus, corresponding to the maternal care norm was the male-breadwinner family model which reinforced the traditional division of labour between the sexes within the heteronormative nuclear family: while the father provides for his family through productive labour, the mother stays at home to care for the children.[39] The perpetuation of the maternal care norm in the law ensured women's primary responsibility for childcare.[40] Beyond basic protections for pregnancy and childbirth, female workers were left to resolve the work-family conflict on their own.[41]

2 The Shared Parenthood Norm (1970s-1980s)

With the proliferation of Nordic women's labour market participation in the 1950s and 1960s – which had facilitated a shift from the male-breadwinner family norm[42] to a dual-earner family norm, but had not yet challenged gendered parental roles within the family – policy discourse in the 1970s shifted away from protecting women's health and safety towards sex equality.[43] Terminologically, the focus shifted from formal equality (*jämlikhet*, *yhdenvertaisuus*) to substantive equality between the sexes (*jämställdhet*, *tasa-arvo*).[44] Helga Hernes asserts that '[t]he ideological force of this verbal differentiation must not be underestimated'[45] . On the one hand, it denotes the challenge this second phase in the normative development of Finnish and Swedish parenting leave systems presents to the gendered parental roles which had been consolidated in the law during the earlier phase.[46] As identified by Julén Votinius, a key normative conflict underpinning this phase occurs between the maternal care norm and an emerging shared parenthood norm which posits that parenthood should be equally important for both sexes *and* reconcilable with paid employment.[47] That is, the shared parenthood norm challenges the idea that 'women and men have different and complementary functions to fill, each in their own sphere: women in the private, men in the public'[48] . The normative conflict between maternal care and shared parenthood thus concerns the division of parental responsibility between the sexes.[49] On the other hand, the terminological shift conveys the Nordic policy response of universalising women's responsibility for primary childcare in gender-neutral law.[50] Both Sweden and Finland extended their parenting leave systems to fathers in the 1970s.[51] In both countries, *the shared parenthood norm* displaced the maternal care norm during this phase.

This article recognises that the normative conflict underpinning this phase concerns not only *with whom*, but also *where*, responsibility for childcare should lie – i.e. the public or private sphere – to enable both sexes to reconcile paid employment with parental responsibilities. In addition to developing their parenting leave policies, Finland and Sweden expanded public childcare provision during the 1970s.[52] Further discussion of Nordic early childhood care and education policies, however, falls outside the scope of this article.

2.1 Sweden

Swedish parental insurance developed out of a concern for facilitating women's engagement in the labour market *and* men's engagement in primary childcare in recognition that the sexual division of labour within the family had to be transformed to enhance sex equality.[53] Thus, maternity allowance was replaced by a gender-neutral parental allowance system – the first of its kind in the world[54] – in 1974 through amendments to the *General Insurance Act* to regulate parental allowance and the subsequent introduction of the 1976 and 1978 *Parental Leave Acts* to regulate parental leave.[55] Parental insurance initially consisted of a family entitlement to parental leave and 180 days of parental allowance – paid at sick-pay level or at a lower 'guaranteed' level

intended to provide parents protection regardless of income and employment status – in connection with a child's birth or adoption.[56] Compensation for the six weeks of statutory maternity leave before the estimated due-date and six weeks after childbirth was included in the 180 days of parental allowance.[57] Pregnant people who did not qualify for this leave due to their employment status (e.g. students) could utilise 60 days of parental allowance before their due-date and up to 29 days after childbirth.[58] After the immediate post-birth period during which the mother enjoyed priority to leave for health and safety protection, the basic principle was that parents were afforded equal opportunity to care for their child.[59] In principle, parental allowance days which were left over from the 180-day entitlement at the end of maternity leave were to be equally divided between parents.[60] This was reasoned to benefit both the development of each parent-child relationship and the establishment of a more equal division of labour between parents.[61] An additional 90-day special parental allowance was introduced in 1978 on this principle of equal sharing.[62] The option of part-time leave was offered from the beginning to ensure flexibility.[63]

1974 is generally understood to mark the normative shift in Sweden from the dual-earner to the dual earner-carer family model and from the maternal care norm to the shared parenthood norm.[64] This article, however, posits that while the normative shift occurs, in principle, with the introduction of shareable parental leave in recognition of both parents' equal responsibility for childcare, the parental allowance system only catches up to this ideal in 1986 when parental leave becomes shared and individualised in practice. The initial system did not facilitate the sharing of parental leave or the transformation of the sexual division of labour between parents. Because parents were afforded the freedom to decide how to share parental leave between themselves in practice – a political concession to the conservative right-wing by the social-democratic left which had favoured compulsory sharing of leave – mothers utilised most of it, while fathers' take-up remained low.[65] Moreover, because parental allowance was to be paid to the parent who provided most of the child's everyday care, the Swedish Government had reasoned it to be imprudent to allow one parent to stay at home in receipt of sick-pay level parental allowance while the other parent was also at home caring for the child.[66] To avoid depriving women whose partners were not insured for sickness benefit above the guaranteed level (e.g. unemployed) from allowance during their parental leave in violation of Sweden's international legal obligations to guarantee all women financial support during leave, only the father's entitlement to parental allowance above the guaranteed level was made contingent on the mother's employment status and income level.[67] The policy rhetoric of the sexes' equal access to parental allowance thus did not translate to practice: the parenting leave system continued to limit fathers' access to it, effectively reproducing the male-breadwinner family model and privileging maternal care of young children.[68]

In the 1980s, to increase men's take-up of parental leave, the parental insurance system was amended in two ways. First, fathers became entitled to a 10-day temporary parental allowance in connection with a child's birth or adoption in 1980.[69] While fathers had been entitled to ten days of parental allowance to care for their older children in connection with the birth of *another* child since 1974, this right was extended to first-time fathers and detached from parental allowance.[70] This was envisioned to enable fathers' presence at childbirth and the post-birth hospital stay to support the mother and bond with the newborn.[71] Second, in 1986, to simplify the system, parental allowance and special parental allowance were combined and extended to a 360-day entitlement, of which 90 days were afforded to each parent individually although they could still be transferred from one parent to the other.[72] This made men entitled to parental allowance on a par with women – their entitlement was no longer subject to the mother's employment status and income level – and thus legitimised the idea that parents bear equal responsibility for childcare.[73] The shared parenthood norm, and the dual earner-carer family, were now supported in both principle and policy.

While policy attention had shifted away from the health and safety of pregnant workers in the 1970s, the introduction of the parental insurance system subsequently led to improvements to pregnancy-related leave. The parental insurance system had made it more difficult for women to access sick leave during pregnancy because it emphasised that pregnancy was not an illness giving rise to the need for sick leave.[74] Representatives of female blue-collar workers argued this to disadvantage women with physically demanding jobs who had to rely on more parental allowance prior to childbirth, thus reducing their post-birth allowance period in comparison to women in white-collar occupations.[75] 1980 thus saw the introduction of pregnancy leave and sick-pay level pregnancy allowance as a last resort for women with physically demanding jobs – and later for women whose work posed risks to the foetus – who were unable to continue working or could not be reassigned to a different role by their employer from 60 days and until 11 days before their estimated due-date.[76] For the last ten days before childbirth, it was assumed that all pregnant workers required leave whereby

there was no need to distinguish between workers in different occupations.[77] Pregnancy leave remained uncontaminated by the maternal care norm underpinning the introduction of maternity leave in the first phase.

2.2 Finland

Finnish policymakers were initially less responsive to sex equality discourse endorsing the dual earner-carer family norm and more persuaded by rhetoric for improving women's position in the labour market.[78] A Committee on the Position of Women had expressed concern over the labour market effects of long childbirth leave and emphasised the importance of men embracing parental responsibilities from birth.[79] Instead of adopting its proposal for shared parental leave, the Finnish Government extended childbirth leave from nine weeks to seven months in 1974.[80] In response to political opposition, another Committee proposed making the last three months of childbirth leave shareable between parents.[81] However, the Finnish Government was more persuaded by the Equality Advisory Board's recommendation for paternity leave in connection with a child's birth.[82] It hence proposed the introduction of paternity leave by way of a two-week extension to childbirth leave to support the mother postpartum by ensuring the family's other children were cared for, but also to facilitate the development of a father-child relationship.[83] Controversially, this extension to childbirth leave was also presented as an economic incentive to improve the employment rate: mothers' prolonged leave would free jobs for younger workers – an argument which was fervently critiqued by the Equality Advisory Board because mothers similarly faced the risk of unemployment.[84] In 1978, Finnish fathers – alongside Norwegian fathers as the first men in the world[85] – became entitled to two weeks of paternity leave in connection with their child's birth.[86] While fathers received the same sick-pay level entitlement to income compensation as mothers did, paternity leave itself remained contingent on fathers being married to and cohabiting with the mother and, because paternity leave was deducted from childbirth leave, on the mother's consent.[87] This meant that only 13% of fathers took paternity leave immediately following its introduction[88] and 'the father [was] understood more as the mother's helper than a parent'[89] . Rather than the shared parenthood norm, the Finnish parenting leave system thus continued to privilege the maternal care norm.

The following year, the Finnish Government acknowledged that because women did not always utilise childbirth leave in full, it was prudent to allow men to take any unused period.[90] It introduced a four-week extension to childbirth leave to act as shared parental leave and, from 1980, these last four weeks of childbirth leave were to be shared between parents with the mother's consent.[91] In 1981, shared parental leave was extended to 16 weeks and made more flexible so that parents could take turns as childcarers after the first 100 days of childbirth leave.[92] After 1982, shared parental leave was extended gradually through reductions to childbirth leave and terminology changed to maternity leave, paternity leave, and parental leave to reflect practice.[93] The concurrent development of a shared parental allowance system detached paternity leave from maternity leave and attached it to parental leave.[94] By 1987, the Finnish parenting leave system had evolved to the 105 working days of maternity leave and 158 working days of shared parental leave which remained standard until 2022.[95] This article hence suggests that the normative shift to the dual earner-carer family model and the shared parenthood norm occurred in the Finnish parenting leave system in 1979, when policy finally conceived men's involvement in childcare as a sex equality issue, not only as a means of supporting women's employment. In practice, the shared parenthood norm became consolidated in Finland during the 1980s.

This said, the shared parenthood norm underpinning shared parental leave in this second phase in the normative development of Finnish parenting leave policy conflicts with concurrent policy developments disguising the maternal care norm behind freedom of choice rhetoric that endorses childcare within the home. And indeed, this article observes that this reflects a key difference in the development of the two Nordic systems. Since the 1960s, Nordic parenting leave politics have been characterised by a conflict between the social-democratic left-wing which has endorsed expansion of public childcare provision to support sex equality within the dual earner-carer family model and the conservative right-wing which has endorsed provision of homecare allowances to promote parents' freedom of choice regarding childcare arrangements.[96] Whereas the Swedish system has developed methodically from a sex equality perspective since the 1970s, the Finnish system has pursued sex equality and freedom of choice policies simultaneously in the 1980s.[97] Thus, rather than constituting a distinct phase in the normative development of the Finnish parenting leave system for the purposes of this article, the following reflects a normative conflict between maternal care and shared parenthood in this second phase.

While Finnish and Swedish parenting leave systems developed parallel in the 1970s and early-1980s, significant policy divergence emerged by the late-1980s with the introduction of care leave and the corresponding homecare allowance in Finland.[98] Implemented gradually from 1985, these applied to all families with children under three by 1990 to facilitate childcare within the home after parenting leave.[99] Whereas the introduction of a universal municipal daycare policy for children under seven[100] had been a success for the social-democrats, the homecare allowance policy was driven by the centre-right to support parents' freedom to choose between municipal daycare and homecare, and – the preference being for homecare – to choose which parent would stay at home with the child.[101] The very idea of freedom of choice, however, obscures the fact that women's choices are already constrained by the sexual division of labour which relies on an essentialist understanding of womanhood as primary caregiving.[102] Rather than affording both parents the freedom to choose how to arrange childcare in accordance with the shared parenthood norm embedded in Finnish parental leave policy, homecare allowance – although gender-neutral in principle – therefore reinforced the maternal care norm.[103]

3 The Participative Fatherhood Norm (1990s-early-2000s)

Here the article subsumes what Lundqvist identifies as the second phase of Nordic family and sex equality policy – feminist critique of earlier gender-neutral policies[104] – to her third phase which she calls a shift 'towards the father-friendly society'[105] in the 1990s and early-2000s. This is because policies in her third phase effectively build on the feminist critique in her second phase. By separating the phases, Lundqvist obscures this connection between policy critique and policy reconstruction. While the second phase in the normative development of Finnish and Swedish parenting leave systems had replaced the maternal care norm with the shared parenthood norm in the 1970s and 1980s, this third phase is underpinned by feminist critique which highlighted that gender-neutral policies had not supported the shared parenthood norm enough for it to be realised in practice. That is, the introduction of paternity leave and shared parental leave in both countries had not facilitated fathers' take-up of parenting leave to ensure equal sharing of parental responsibilities between the sexes and the reconciliation of paid employment and childcare by both parents. The third phase therefore sought to improve the 'father-friendliness' of the systems through the introduction of father-specific leave policies in the 1990s and early-2000s. To denote this policy emphasis on fathers and to draw a distinction from the shared parenthood norm of the second phase, this article treats *the norm of participative fatherhood* – or the making of 'latte dads' – as the third phase in the normative development of the Finnish and Swedish parenting leave systems.

This phase is influenced by both countries' accession to the European Union (EU) in 1995. Indeed, Julén Votinius identifies EU membership to represent the third stage in the development of the Swedish parenting leave system which has produced a conflict between, on the one hand, the shared parenthood norm now irrefutable in Swedish law and, on the other, two distinct norms which underpin EU law: the maternal care norm *and* the norm of limited responsibility for caring (or the primacy-of-working-life norm in her later work).[106] The primacy-of-working-life norm posits that workers' parental responsibilities should not encroach on their employment and thus presupposes that these responsibilities do not lie with the worker.[107] Unlike the maternal care norm, it is hence not inherently grounded in gender.[108] If, however, the maternal care norm prevails in determining the division of labour between parents – as it did in EU law during this phase[109] – the primacy-of-working-life norm presumes division of labour in accordance with the maternal care norm and thus reinforces the breadwinner-caregiver dichotomy.[110] In what follows, this article also discusses the implications of EU law on the normative development of both Finnish and Swedish parenting leave systems.

3.1 Sweden

Beyond changes to the conditions and length of parental allowance (section 2.1), development of the Swedish parenting leave system stalled in the 1980s.[111] It continued in the 1990s when Swedish equality law and parenting leave law started developing in parallel.[112] Feminists in the 1980s had asserted that the opportunity for equal parenthood offered through the introduction of gender-neutral parental leave had not led men to choose to care for their children and hence had not transformed the sexual division of labour between parents.[113] The attention in Swedish politics similarly turned to fathers' low take-up of parental leave – 7% of

parental allowance days in 1990[114] – as the main hindrance to sex equality.[115] It was 'no longer seen as an alternative to wait for fathers to change behaviour without reforms in the leave regulations'[116] . Hence, to facilitate men's take-up of parental leave and promote paternal care, Sweden introduced a 'dad-month' – a month of non-transferable parental allowance for each parent, compensated at 90% income replacement level – in 1995.[117] This transformed parental leave to an individual entitlement, making transferring parental allowance between parents contingent on one parent signing over their days to the other.[118] The policy departed from the conservative rhetoric of the 1970s – which had opposed individualisation of parental leave for restricting parents' freedom of choice and entailing a state intrusion in the private sphere – by recognising that if men were unwilling to acknowledge sex inequality in parenting and voluntarily take parental leave, they must be gently coerced into assuming responsibility for primary childcare.[119]

The dad-month represented a step towards the realisation of shared parenthood within the dual earner-carer family in Sweden.[120] However, Julén Votinius notes that, on average, men already took a month of parental leave whereby the initial policy merely maintained the status quo.[121] While the share of fathers who used parental leave increased from around 40% to almost 80%, and the average number of parental allowance days utilised by fathers during the first two years of their child's life increased from 26 to 36, the dad-month mainly changed the behaviour of fathers who did not already use parental leave, namely lower-educated and lower-income fathers.[122] With the extension of the parental allowance period from 450 to 480 days in 2002, the policy was extended by 30 days.[123] This increased the average of men's leave take-up to 48 days, but still primarily affected educated and middle- to high-income fathers.[124] While the dad-months normalised participative fatherhood by normalising parental leave take-up, they did not transform the sexual division of labour between parents because men did not take half the leave.[125] In part, this is because the aspect of the shared parenthood norm which posits that paid employment must be compatible with parenthood conceded to the primacy-of-working-life norm. The shortness and flexibility of the dad-months did not normalise parental responsibility within the workplace but reflected the expectation that parenthood should not encroach on work and therefore did not improve the situation of fathers who wanted to take more leave than the period reserved for them.[126] It hence did not support the participative fatherhood norm in practice.

This article observes that the shared parenthood norm came into conflict with the maternal care norm during this phase. Like in Finland during the previous phase, freedom of choice rhetoric of the centre-right conservative government prevailed over sex equality considerations to enable the introduction of a homecare allowance policy in 1994.[127] Politically controversial for 'flirting with the maternal care norm'[128] and constituting 'a trap for women'[129] , it was abolished later that same year following the election of a social-democratic government. EU accession, however, similarly represented 'a step backwards for the [shared] parenthood norm'[130] in Sweden. It mandated the extension of Swedish maternity leave entitlement from 12 to 14 weeks under a third *Parental Leave Act* to implement the *Pregnant Workers Directive*.[131] Although stipulated by the Directive, the Act did not introduce a two-week compulsory period of maternity leave.[132] It was considered unnecessary and incompatible with Swedish national practice which was to afford female workers access to leave in connection with pregnancy, childbirth, and/or breastfeeding and for workers to take advantage of said leave.[133] Its compulsoriness also conflicted with Swedish gender ideology – particularly the view that pregnancy, childbirth, and breastfeeding should not be equated to an illness demanding paternalistic protection – whereby it was unwanted from an equality perspective.[134] As such, the existence of statutory maternity leave under Swedish law is a concession to Sweden's international legal obligations, which bind it to retain the protective provisions existing under national law.[135] Compulsory maternity leave was enacted in 2000 after the EU warned Sweden of its failure to appropriately implement the relevant provision.[136] With this, Laura Carlson argues, 'the right for women to make the decision about taking parental leave in essence was thrown back to the 1900 mandatory leave for women having children'[137] . The forced introduction of compulsory maternity leave represented a return to the maternal care norm of the first phase.[138]

3.2 Finland

Going into the 1990s, paternity leave afforded to Finnish fathers remained tied to shared parental leave and conditional on mother's consent, therefore rendering fathers mere 'visiting care assistant[s]'[139] . To improve their position as independent parents, men became entitled to an additional week of paternity leave independent of the shared parental leave period in 1991.[140] The two paternity leave entitlements were combined into a three-week entitlement independent of both parental leave and mother's consent in 1993 when sharing parental leave

came to be based on parents' mutual agreement.[141] One or two weeks of paternity leave had to be taken in connection with the child's birth while the remaining leave could be taken any time during the maternity or parental allowance period.[142] To enable paternal involvement in childcare, this stipulation was removed in 1997.[143] As a result, 'the mother's helper position has lost some of its significance'[144] . Owing to its limited duration which has enabled men from effectively all socio-economic and occupational groups to utilise it, paternity leave has become 'an everyman's mass movement'[145] . It has thus normalised participative fatherhood, at least during the immediate post-birth period.

EU accession affected Finnish parenting leave policy with less controversy than it did Swedish. To implement the *Pregnant Workers Directive*, amendments to the *Employment Contract Act* in the 1990s made two weeks of maternity leave compulsory before the estimated due-date and after childbirth.[146] An earlier amendment had improved the protection of pregnant workers by entitling those unable to work for health and safety reasons to paid 'special maternity leave' before the start of statutory maternity leave.[147] To ensure compliance with the 1996 *Parental Leave Directive* and to streamline application of the various leaves, a 1998 amendment to the *Employment Contract Act* incorporated all leave legislation under a 'family leave' chapter.[148] Parental leave was, in principle, non-transferable under the *Parental Leave Directive* but because the Directive did not set a minimum threshold for non-transferability, Finland retained its shared parental leave policy which allowed one parent to use the entire leave period.[149] As such, this article observes that both normative and policy development of the Finnish parenting leave system lagged behind that of Sweden in the late-1990s and early-2000s. Sweden had already adopted the first dad-month to promote participative fatherhood and further support the shared parenthood norm. It legislated above the EU's minimum standards for parental leave and had normatively rejected the maternal care norm expressed in the EU's maternity leave legislation which it was nevertheless forced to implement. Finnish policy, by contrast, had not yet reached the participative fatherhood phase. Rather, it met the minimum maternity leave and parental leave standards imposed by EU law with very few substantive amendments.[150] Maternity leave – and a certain privileging of maternal care during both maternity and parental leave – remained normative in Finnish law and among Finnish parents.[151] This appears to explain why EU law created the normative conflict pinpointed by Julén Votinius between shared parenthood and maternal care in Swedish parenting leave policy but had no such effect in Finland.

Finnish parental leave only began to develop beyond the EU's minimum standards and converge with the Swedish participative fatherhood phase in 2003. Like the Swedish, Finnish policymakers had observed that the gender-neutral policies of the 1980s had not facilitated men's participation in primary childcare – only 10% of fathers used parental leave in 2003[152] – and hence had not transformed the sexual division of labour to support the shared parenthood norm.[153] In 1999, having recognised that only compulsory leave would incentivise fathers' use of it, a 'Daddy Committee' had recommended a one-month extension to parental allowance to serve as a compulsory dad-month.[154] This, however, only translated to a conditional two-week dad-bonus in 2003: men became entitled to two more weeks of paternity leave immediately following the end of the parental allowance period *if* they utilised the final two weeks of shared parental leave.[155] The policy hence came to constitute a dad-month in practice.[156] It was, however, initially hindered by its contingency on using parental leave, the limited number of bonus days, and the inflexibility of its timing, as the bonus leave would interrupt mothers taking homecare leave immediately after parental leave.[157] It continued to imply that parental leave was expected to be taken by the mother.[158] From 2007, the bonus became more flexible as it could be postponed for up to 180 days from the end of parental leave which had begun immediately following maternity leave, effectively until the child was two years old.[159] It, however, remained conditional on either parent caring for the child at home during the period between parental leave and bonus leave.[160] Fathers were also offered a financial incentive to use parental leave through a higher parental allowance – 75% income replacement rate, compared to the usual 70% sick-pay level- for the first 30 days of parental leave, but this was abolished in 2015.[161] Overall, the policy had some success with facilitating the participative fatherhood norm in practice: the share of Finnish fathers using parental leave had increased to 30% by 2010.[162] It did not, however, challenge the sexual division of labour between parents enough to lead to equal sharing of parental leave and gender-neutral parenthood.

4 The Flexibility Norm (mid-2000s and 2010s)

The foundations of the Finnish and Swedish parenting leave systems, resting on the shared parenthood norm, had been consolidated by the mid-2000s. The late-2000s and 2010s then saw the reiteration of freedom of

choice rhetoric promoting 'the return of the family'[163] which Lundqvist identifies as the fourth phase in the development of Nordic family and sex equality policy. This article adds that similarly prominent in this phase was the aspect of the shared parenthood norm which posits that – in addition to parenthood being the sexes' equal responsibility – parenthood should be reconcilable with paid employment. As identified by Julén Votinius, this created a conflict between parental and employer interests.[164] The Nordic response was to improve the flexibility of parenting leave policies in order to balance sex equality with freedom of choice and to accommodate the needs and preferences of both parents and employers.[165] This article hence treats *the flexibility norm* as the fourth phase in the normative development of the Finnish and Swedish parenting leave systems.

4.1 Sweden

With the shared parenthood norm firmly in place but still failing to translate to equality between the sexes in practice, the Swedish Government sought to extend the dad-months.[166] The 2006 election of a centre-right coalition, however, saw the resurgence of freedom of choice rhetoric against the further individualisation of parental leave.[167] The result of political tension between coalition parties was a parenting leave programme convoluted in its direction, with the main policy contributions of 2008 – an equality bonus and a homecare allowance – pursuing opposing objectives.[168] The former sought to encourage equal sharing of parental leave between the sexes by affording a tax deduction to parents who shared sick-pay level parental allowance days equally.[169] The latter replicated the short-lived 1994 homecare allowance: rather than facilitating parental freedom of choice, it perpetuated the maternal care norm (section 3.1).[170] Because of its unpopularity and negative impact on parents' labour market attachment and income, particularly among low-income and immigrant women, it was abolished in 2016.[171] The equality bonus was similarly abolished in 2017: it had not contributed to a change in either parent's use of leave and eligible parents did not apply for it due to procedural complexity.[172] Ultimately, neither policy had enhanced equality between the sexes or parents' freedom of choice.

As a compromise between freedom of choice and the individualisation of parental leave, Sweden introduced further measures to improve the flexibility of parental leave in the 2010s.[173] Parental leave in Sweden has generally been more flexible than in the other Nordic countries.[174] To balance parents' need for flexibility with employers' need for certainty, part-time and piecemeal parental leave had been introduced in the late-1970s.[175] Importantly, parental leave is not tied to parental allowance, whereby parents can take unpaid leave during the child's first 18 months without spending their parental allowance.[176] This enables parents to reserve allowance days to use later in the child's life.[177] In 2014, to signal that most parental allowance was intended to be used when the child was young and most in need of parental care – and to compel men to take leave – postponing allowance days until after the child's fourth birthday was limited to 20% of the 480 days per child.[178] The age limit for the expiry of parental allowance was, however, increased from the child's eighth birthday to the twelfth.[179] In 2012, to enable parents to establish a more equal division of labour in the long-term and facilitate easier transitions between leave and work, parents had become entitled to use 30 days of parental allowance at the same time during the child's first year of life.[180] In 2019, 12% of parents used all 30 'double-days'.[181] The policy has made men use leave earlier in the child's life, particularly among those groups of fathers who ordinarily postponed leave until the child was older, namely low-income, lower-educated, and immigrant fathers.[182] Overall, it has led to a more equal sharing of parental leave, with 24% of parents who took double-days sharing leave equally, compared to 17% among those who did not.[183] But like the equality bonus, it has been criticised for complicating the system.[184] And while flexible parental leave provision has enabled parents to arrange childcare how it suits the family best, it has not come without a cost. The ability to save parental allowance days has benefited higher-income parents who can afford to take unpaid leave.[185] Moreover, parents have exploited the flexibility by arranging the father's leave to coincide with the mother's holiday, Christmas, the hunting season, or older children's school holidays.[186] It has therefore rendered the purpose of fathers' leave redundant by allowing them to avoid taking primary responsibility for childcare, therefore reinforcing the gendered division of parental responsibilities between the sexes.[187] Particularly with the double-days, the issue has been that 'when parents are at home together, the father becomes more of a mother's helper than an independent carer'[188] . In some ways, the flexibility norm in this phase of the development of the Swedish parenting leave system hence conflicts with the shared parenthood norm underpinning the system and disguises the maternal care ideal behind the notion of parental freedom of choice.

4.2 Finland

The Finnish parenting leave system has traditionally been the least flexible of the Nordics, which has made it fall behind in encouraging fathers' take-up of leave.[189] Part-time parental leave had been introduced in 2003 to encourage more equal sharing of parental responsibilities, but it remained conditional on both parents taking it alongside part-time work for at least two months.[190] Rather than facilitating equality between parents, it merely facilitated women's earlier return to part-time work.[191] Moreover, parental leave was tied to the allowance period, began immediately after maternity leave, and could only be used in two periods during the child's first nine months of life in practice.[192] Because parents considered the child too young to start daycare, most mothers opted to utilise homecare leave.[193] The inflexibility of parental leave therefore explains the stronger influence of the maternal care norm and a more traditional division of labour between parents in Finland, as compared to the situation in Sweden during this phase. This article observes that whereas parental leave remained inflexible, homecare allowance was made more flexible in 2014 to enhance work-family reconciliation by enabling part-time work during homecare leave and to increase the employment rate of parents at risk of marginalisation, such as lower-educated and single mothers.[194] While the reform appeared to have achieved the latter objective[195] , it failed to address the real issue: that the social and economic marginalisation of women is caused by the maternal care norm and the sexual division of labour underpinning the homecare policy. And indeed, the absence of flexible parental leave likely explains Finnish men's use of under 10% of all parental leave throughout the 2010s, as men are known to respond to flexible leave provision.[196] The inflexibility of parental leave under the Finnish system thus worked to undermine the shared parenthood and participative fatherhood norms of the two earlier phases.

Paternity leave, by contrast, has been offered more flexibly in the Finnish system. It had become available in up to four separate periods in 2001 and its flexibility was enhanced in the 2010s.[197] To ensure compliance with the EU's 2010 *Parental Leave Directive's* minimum requirement of one month of non-transferable parental leave, the dad-bonus was extended to a 24-working-day dad-month.[198] Paternity leave and the dad-month were combined into an individual and unconditional nine-week paternity leave entitlement in 2013.[199] Three weeks could be taken simultaneously with the mother's maternity or parental leave in up to four separate periods, while the other six weeks were postponed until after the mother's leave and could be taken in two periods before the child turned two.[200] Paternity leave subsequently became more popular, gradually increasing the share of fathers utilising some of it to 81% and the full nine weeks to 55% in 2020.[201] Like the Swedish policy, the dad-month primarily incentivised high-income and educated fathers.[202] And like in Sweden, there is a suggestion that the fragmentation of men's leave enabled by the flexible provision of the dad-month may have hindered the achievement of its primary aims: the formation of a father-child relationship and the father's independent assumption of primary childcaring responsibilities – and hence the deconstruction of gendered parental roles.[203] Thus, while flexible leave supports the shared parenthood norm by facilitating men's leave take-up, it does not necessarily support the participative fatherhood norm or transform the sexual division of labour in practice.

5 The Family Diversity Norm (2010s and 2020s)

Within her fourth phase, Lundqvist alludes to the emergence of post-colonial critique of the conception of sex equality underpinning Nordic family and sex equality policy in the 2000s.[204] This critique has highlighted the marginalisation of other forms of discrimination – such as sexual, racial, and religious – and their intersections with sex and gender in said policy.[205] In this light, this article observes that Finland and Sweden have generally addressed parenting leave policies to the heteronormative nuclear family consisting of a (married) heterosexual, cisgender couple with (biological) children, thus obscuring the needs of non-normative parents and families. Yet cohabiting partnerships and adoptive parenthood have long been normalised forms of parenthood in the Nordics, reflected in the facilitation of access to paternity and parental leave by adoptive, cohabiting, and non-resident parents in the 1970s and 1980s.[206] The Finnish and Swedish systems have, however, evolved to further accommodate the social inclusion of non-normative parents in the 2010s and 2020s. This article therefore posits that the fifth – and indeed current – phase in the normative development of the Finnish and Swedish parenting leave systems is underpinned by *a family diversity norm*. The most recent changes to the systems have

continued to facilitate equality between the sexes but have also sought to do so between groups of parents, hence accommodating the parenthood-related needs of, for instance, single parents and LGBTQIA+ parents. Conceptually, reference to gendered parental roles like 'mother' and 'father' – and to gendered pronouns in Swedish – have been replaced with gender-neutral terminology (e.g. 'pregnant parent' and 'second parent') in both systems to avoid unnecessary gendering of pregnancy and parenthood and presumptions about parents' sexual and/or gender identities and their relationship to their child in order to improve the social inclusion of non-normative parents.[207]

5.1 Sweden

While sex equality and social inclusion both featured in Swedish political discourse in the late-2010s and early-2020s, changes to the parenting leave system reflect the former's prevailing influence at policy-level.[208] To equalise the distribution of reproductive labour between the sexes and to enhance equality in the labour market, the non-transferable period of parental leave was extended to 90 days per parent in 2016.[209] While normalising fathers' take-up of the reserved period of leave, the policy has not incentivised fathers to leave beyond this quota: only 20% of parents shared parental leave equally in 2022.[210] The dad-months became available to parents on basic level allowance – they had initially only attached to sick-pay level allowance – in 2022 to facilitate equal sharing of parental leave among parents with weaker labour market attachment (e.g. unemployed parents, students).[211] This ensured the Swedish system complied with the EU *Work-Life Balance Directive's* requirements for non-transferable leave and parental leave pay.[212] While these measures reinforced the shared parenthood and participative fatherhood norms, less attention was paid to facilitating the social inclusion of non-normative parents. It had, however, become possible for parents to transfer parental allowance to a partner who is not the child's biological parent in 2019, which made the Swedish system more inclusive of cohabiting and same-sex partners.[213]

To avoid repeating the substance of previous sections of this article, the Swedish parental insurance system at the time of writing is outlined below (Table 1). The latest changes to the system in 2024 sought to enhance the flexibility of parental leave and parents' freedom of choice.[214] First, the double-days policy was extended so that two parents can take 60 parental allowance days simultaneously during the child's first 15 months of life.[215] In response to previous critique about parents' concurrent leave failing to encourage the development of fathers' independent parenting skills, the 90 days reserved for each parent can no longer constitute double-days.[216] This article suggests that the policy constitutes a reasonable incentivising measure for men: it offers fathers the opportunity to 'practice' parenthood parallel to the mother for 60 days, while holding them liable to utilising another 90 days of leave on their own. It has the potential to support participative fatherhood and the transformation of the sexual division of labour between parents in the longer-term. Second, parents became able to transfer 45 days of parental allowance – or 90 days in the case of single parents – to persons other than a partner or the child's guardian, such as a grandparent.[217] While broadening the support system available to all parents in caring for young children and balancing work and childcare, this also improves the situation of certain non-normative families, namely one-parent families and multiple-parent families with more than two persons sharing parental responsibility (e.g. reconstituted families, LGBTQIA+ co-parenting families). By broadening the normative picture of a family and detaching childcare from a biological conception of parenthood – that is, by adopting the family diversity norm which recognises, for instance, that parenthood is a social activity – the policy enables the social inclusion of these families and the redistribution of reproductive labour to multiple caregivers.

5.2 Finland

In contrast to Sweden, of the themes of sex equality and social inclusion featuring in Finnish political discourse, it was the latter that translated into parenting leave policy in the late-2010s.[218] Same-sex couples had become entitled to share parental leave in 2007 and a birth mother's female partner who is the child's parent through adoption had become entitled to paternity leave in 2010.[219] A 2015 Working Group on Diverse Families sought to further enhance access to parenting leave of non-normative parents, namely single, non-resident, adoptive, and LGBTQIA+ parents.[220] Some of its suggestions were enforced in 2017: non-resident fathers became entitled to paternity and parental leave; and same-sex unmarried cohabiting partners became

entitled to shared parental leave on a par with different-sex parents.[221] In 2019, because increases in the leave reserved to the father had led to inequality between one-parent and two-parent families, single mothers became entitled to the father's paternity leave.[222] The family diversity norm hence underpinned various policy changes in this fifth phase to mitigate inequalities in access to parenting leave.

However, the most prominent aspect of this phase in the normative development of the Finnish parenting leave system is the 2022 reform. Various reform attempts had previously failed for political and budgetary reasons.[223] In 2021, the left-green government presented a proposal with suggestions for gender-neutralising language; allocating equal quotas for parents to ensure compliance with the *Work-Life Balance Directive*; extending parental leave; and increasing flexibility.[224] The proposal revived sex equality rhetoric in Finnish parenting leave policy. It sought to encourage equal sharing of parental leave and childcare responsibilities between the sexes to strengthen equal parenthood with a view to transforming the sexual division of labour.[225] The reform came into force from August 2022 (Table 2). It restructured the Finnish leave system: paternity leave and most of maternity leave, as well as their corresponding allowances, ceased to exist and were subsumed under parental leave and allowance. Pregnant parents are entitled to up to 40 continuous working days of pregnancy leave from 30 days before their estimated due-date, with two weeks compulsory before this date *and* after childbirth.[226] Pregnancy allowance is paid at 90% income compensation level or at a minimum flat rate.[227] Immediately after pregnancy leave, parents who have given birth are entitled to parental leave to ensure the maintenance of their entitlement to 105 working days of health and safety protection under the previous system.[228] In practice, the immediate post-birth period of parental leave up to 65 working days is thus reserved for the person who gave birth – even if they do not have the child in their care[229] – similarly to the Swedish model. As such, the new Finnish parenting leave system adequately distinguishes between health- and safety-related and childcare-related leave, without conflating the biological capacity for pregnancy, childbirth, and breastfeeding with primary caregiving. It does not disguise a maternal care norm behind health and safety protection.

Up to two parents – whether biological or adoptive – or legal guardians of a child are each entitled to 160 working days of parental leave, of which only 63 days remain transferable between parents.[230] The introduction of individual quotas in conjunction with the extension of the non-transferable period was the main effect of the *Work-Life Balance Directive* on Finnish law.[231] However, rather than making parental leave fully non-transferable which had been recommended to radically incentivise its equal sharing, the Finnish system retained an element of transferability to ensure parents' freedom of choice.[232] Because it is also possible to transfer a period of leave to a non-parent, namely either parent's married or cohabiting partner, the provision of transferable leave enhances the position of reconstituted and LGBTQIA+ families and reinforces the family diversity norm.[233] As such, by applying the parental leave entitlement to parents regardless of gender or family form, the new system facilitates the social inclusion of families outside the heteronormative nuclear family ideal. Whereas the parent who gave birth is eligible for parental leave after pregnancy leave, the second parent is eligible immediately after the birth of the child and until the child's second birthday or until an adopted child has been in the parents' care for two years.[234] During this time, parents can take parental leave simultaneously for 18 working days which in practice constitutes the paternity leave taken parallel to maternity or parental leave prior to the reform.[235] In contrast to the Swedish double-days policy, this period was limited to three weeks to support fathers' independent childcare responsibility.[236] Parental allowance is paid at a raised 90% income replacement rate for the first 16 working days of each parent's entitlement to act as a financial incentive for fathers to use leave.[237] The remaining days are paid at 70% or at a minimum flat rate. The combination of individualised parental leave as an incentive for men's use of it and gender-neutral leave provision which does not distinguish between male and female parental roles with regard to childcare in the new leave model has potential to promote shared parenthood but also to universalise and gender-neutralise primary caregiving – and hence to transform the sexual division of labour within the family.

To enhance the flexibility of the Finnish system, parental leave can now be taken in up to four periods of at least 12 working days.[238] The provision of part-time leave was similarly improved: one parent can work part-time for up to five hours a day and use parental allowance to care for the child the other half of the day.[239] In practice, it is thus possible to save parental allowance days to be used later.[240] While the increased flexibility could incentivise fathers' use of parental leave, the retention of the child's second birthday limit for using parental leave will likely render leave inaccessible for some working parents; particularly fathers, given that the first period of leave is, in principle, intended for the parent who has given birth. As such, this article questions if the provision is compatible with the EU's requirement that any time limit imposed in national law for the

availability of parental leave is determined in a way which 'ensure[s] that each parent is able to exercise their right to parental leave effectively and on an equal basis'[241] . Moreover, the reform retains the existing right to homecare leave and allowance that is known to hinder equal sharing of parental leave between the sexes.[242] As such, by failing to abolish homecare allowance, the new parenting leave system continues to reinforce the normative conflict between shared parenthood and maternal care, which perpetuates the traditional sexual division of labour between Finnish parents (section 2.2).

Conclusion

This article has traced the evolution of the Finnish and Swedish parenting leave systems from 1900 until 2024. It presents a complete, up-to-date, five-phase framework for describing the normative development of these systems. First, the article has located the introduction of compulsory childbirth leave in the early-1900s, and its evolution until the 1960s, within *a maternal care norm* phase. Second, it has identified a normative shift from the maternal care norm to *a shared parenthood norm* with the introduction of paternity leave and shared parental leave in the 1970s and 1980s. Third, it has observed the adoption of father-specific policies in the 1990s and early-2000s to reflect *a participative fatherhood norm*. Fourth, it has identified the mid-2000s and the 2010s to be characterised by *a flexibility norm*, with sex equality, freedom of choice, and the diverging interests of parents and employers being balanced through flexible parenting leave policies. And finally, it has identified the current phase in the normative development of the Finnish and Swedish parenting leave systems to be represented by *a family diversity norm* to facilitate the social inclusion of parents who do not conform to a heteronormative nuclear family ideal.

Of these, the second phase – underpinned by the shared parenthood norm – provides what has been the guiding objective of Finnish and Swedish parenting leave policy since the 1970s: substantive equality between women and men, pursued through the transformation of the sexual division of labour within the family. As such, the article has assessed how the two systems have contributed to the transformation of the sexual division of labour. The shared parenthood norm continues to underpin policy developments in both Finland and Sweden and has supported the sharing of parental leave, and thus reproductive labour, between the sexes. It has not, however, led to the *equal* sharing of parental leave or parental responsibilities. That is, while the two systems have contributed to the making of 'latte dads' through the incentivisation of men's use of parental leave and participative fatherhood, both the use of parental leave and the division of reproductive labour remain gendered.

This said, the shared parenthood norm has been more systematically pursued and better institutionalised within the Swedish system, whereas Finnish policy has been more influenced by the maternal care norm – particularly as disguised behind freedom of choice rhetoric – and hence a more traditional division of labour between parents. The current phase in policy development, however, demonstrates increasing convergence between the two systems. Finland – 'determined to close in on Sweden'[243] – now offers men a longer period of individualised parental leave than Sweden. Within two years of the reform, the proportion of all parental allowance days used by men had increased from 12.6% to 20.5%.[244] Time will tell if the new system affects the further sharing of parental leave and transformation of the sexual division of labour between Finnish parents.

Table 1. The Swedish Parenting Leave System in 2024[245]

	Pregnancy Allowance	**Temporary Parental Allowance in Connection with Birth or Adoption**	**Parental Allowance**	
Corresponding Leave	Pregnancy leave	Paternity leave	Maternity leave	Parental leave
Addressed to	Pregnant workers with reduced capacity to work or prohibited from	Second parents, prospective adoptive parents of adopted	Workers who are pregnant and workers who have	Parents

	working on account of risk to health or the foetus, who cannot be transferred to other work	children under ten	given birth	
Purpose	Health and safety protection	Newborn care, parent-child bonding, caring for family's other children	Health and safety protection	Childcare
Length	Up to fifty working days	Up to ten working days	14 weeks	Full leave until the child is 18 months, 240 paid allowance days per parent, of which 90 days non-transferable between parents
Timing	From 60 days up to 11 days before the estimated due-date	In connection with birth or adoption until up to 60 working days from when the child came home after birth or when the parents received the child in their care, parallel to other parent's parental allowance	Seven weeks before estimated due-date and seven weeks after childbirth, two weeks compulsory before or after childbirth	384 days per child must be used before child's fourth birthday or before the child has been in adoptive parents' care for four years, 96 days may be postponed until the child turns twelve
Income compensation	Sick pay (approx. 80%) or basic level (SEK 250 per day in 2024)	Sick pay or basic level	Sick pay or basic level	Sick pay or basic level for the first 90 days and for 105 days of the remaining 150 days, minimum level for 45 days (SEK 180 per day in 2024)
Flexibility	Available part-time through reduction in working hours	Available part-time through reduction in working hours		Available part-time through reduction in working hours and in a piecemeal way in up to three periods each calendar year, 60 double-days available during days during the first 15 months of

				child's life
Notes		Multiple births entitle to ten working days per child, two adoptive parents share the entitlementAvailable to non-parents to support a single parent who gives birth	Pregnant people ineligible by reason of employment status eligible for basic level allowance from 60 days prior to estimated due-date and up to 29 days after childbirth	Multiple births entitle to 180 days per child, single parents entitled to 480 days45 days transferable to a non-parent, 90 days if transferring parent a single parent

Table 2. The Finnish Parenting Leave System in 2024[246]

	Special Pregnancy Allowance	**Pregnancy Allowance**	**Parental Allowance**
Corresponding Leave	Special pregnancy leave	Pregnancy leave	Parental leave
Addressed to	Pregnant workers subject to health risks, whether to them or the foetus, in employment who cannot be reassigned to a different role	Pregnant parents and parents who have recently given birth	Parents
Purpose	Health and safety protection	Health and safety protection	Childcare
Length		Up to 40 continuous working days	160 working days per parent, of which 97 days non-transferable between parents
Timing	Until the beginning of pregnancy allowance period	From 14-30 days before the estimated due-date, 2 weeks compulsory before estimated due-date *and* after childbirth	Immediately after the end of pregnancy leave to ensure 105 continuous working days' leave to parent who gave birth; immediately after the child's birth to second parent or after adoption to both parents; available until the child's second birthday or until an adopted child has been in the parents' care for two years
Income compensation	Sick pay or minimum flat rate (EUR 31.99 per day in 2024) for those	Income-related allowance at 90% or the minimum flat rate	First 16 working days for each parent compensated at an

	without income or income below a minimum threshold		income-related allowance rate of 90%, remaining days at sick pay level (70%) or the minimum flat rate
Flexibility			Can be taken simultaneously by two parents or parallel to pregnancy allowance for up to 18 working days; available part-time and in a piecemeal way in up to four blocks of at least 12 working days
Notes			Multiple births entitle parents to an additional 84 working days per child, shared equally between parents63 days transferable to a non-parent partner, 126 if transferring parent a single parent

Acknowledgements

This research was supported by the Arts and Humanities Research Council [grant number AH/R012717/1]. The article was researched during visits to Lund University and Tampere University in early 2023, during the author's PhD research at the University of Strathclyde, Glasgow, UK. The author wants to thank Professor Jenny Julén Votinius, Dr Martina Axmin, and members of the NORMA Research Programme at Lund for their insight on the Swedish system; Professor Jukka Viljanen for facilitating the visit to Tampere; and Dr Anna Elomäki and Dr Johanna Närvi for discussions about the Finnish leave reform.

Conflict of Interest

The author declares no conflict of interest.

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Notes

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