



# FAMILY PROFESSIONALS' ATTITUDES AND STANCE-TAKING ON POST-DIVORCE FATHERHOOD: A QUALITATIVE ATTITUDE APPROACH

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Résumé de l'article

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## **FAMILY PROFESSIONALS' ATTITUDES AND STANCE-TAKING ON POST-DIVORCE FATHERHOOD: A QUALITATIVE ATTITUDE APPROACH**

**Leena Autonen-Vaaranemi**

**Abstract:** This article examines divorce professionals' attitudes and stances in response to common criticisms of how they deal with divorce outcomes for fathers, according to which men are discriminated against in negotiations on the custody and living arrangements of their children. The study applied the relatively new qualitative attitude approach, and hence a further aim was to test its fitness for studying attitudes. Eighteen Finnish family professionals who worked with divorce cases — social workers, psychologists, district court judges, and lawyers — participated in semi-structured interviews in which they discussed claims designed to be provocative. The family professionals were found to show both collective, shared attitudes and diversity in attitudes and stances. The participants strove to position themselves as gender-neutral and as promoters of equality between mothers and fathers, and thus in accordance with the ideal of a good professional. The divorce professionals argued that their overriding aim was to secure the well-being of children. The method revealed some attribution bias, manifested as victim blaming, where fathers themselves were in part held accountable for the gendered post-divorce situation. The results highlight potential areas of cooperation between different types of divorce professionals that could lay a foundation for improving services and support for divorced parents and children.

**Keywords:** divorce professionals; divorce; fatherhood; qualitative attitude approach

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Divorce is claimed to erode fatherhood. Although divorced and nonresident fathers are more involved with their children nowadays than in the past (Amato et al., 2009; Andreasson & Johansson, 2019; Forsberg & Autonen-Vaaranemi, 2017), it has been noted that many children lose their fathers when parents split up (Kalmijn, 2015; Kruk, 2010). In many Western countries, while joint legal custody has become more prevalent and post-divorce dual residence arrangements for children are gaining ground, residential fathers and sole father custody have remained low. In the Nordic countries, North America, and the Flanders region of Belgium, for example, custody is granted to mothers in about 80% of divorce cases and children mostly live with their mothers after parental separation (Hakovirta & Rantalaiho, 2011; Meyer et al., 2017; Sodermans et al., 2013). The societal debate on men and fathers has highlighted the unequal position of men in divorce suits. Men's rights activist groups in both North America and Europe have claimed that men are treated unjustly in negotiations on the custody, maintenance, and living arrangements of their children (Autonen-Vaaranemi, 2010; Rosen et al., 2009, p. 514). Some studies on discrimination against men (e.g., Malmi, 2009; Nathanson & Young, 2006) and on the role of cultural gender stereotypes in professionals' decision-making on post-divorce child custody (Costa et al., 2019) have pointed out that one of the obstacles to sole father custody is the overly defensive position taken by women divorce professionals on the mother's right to her child. It has been suggested by others (e.g., Davidson-Arad et al., 2003; Fix & Johnson, 2017, pp. 1845–1849) that there seems to be a tendency to prefer maternal over paternal custody and that a gender bias exists in divorce professionals' custody recommendations and in judicial decisions. In societal debate, and in studies like the present one, it is argued that authorities' decisions are often guided by attitudes, beliefs, and myths related to perceptions of “good” mothering.

As indicated above, the automatic continuance of active fatherhood and the father–child relationship after divorce is not self-evident. The emergence of the “new” caring fatherhood, the growing involvement of fathers in family life, and the importance of the post-divorce father–child relationship for a child's well-being have been acknowledged (e.g., Lamb & Sagi, 2014), a point of view I share. However, the caretaker role of the father continues to be frequently perceived as less important than that of the mother. Divorce professionals may have conflicting and ambiguous interpretations of the complex issue of the child's best interests and the meaning of motherhood and fatherhood in this familial context (Crawford & Bradley, 2016). Hence, post-divorce fatherhood, one of the sites of dispute noted by attitudinal scholars (Billig, 1987/1996), is the topic of this article.

Professionals are generally expected to orient to and conform with legislation and with the expertise acquired through their education and training (e.g., Aarto-Pesonen & Tynjälä, 2017). However, legislation cannot provide clear-cut guidelines for all professional activities and in any case must leave some discretionary leeway. Similarly, the expertise acquired during professional education and training cannot provide models for every possible situation in professional work that entails complicated decision-making about or assessment of people's life situations (Mattison,

2000; Nouman et al., 2016). This study starts from the assumption that divorce-related professional work includes dealing with situations for which ready-made solutions cannot be derived from legislation or education. In such complex situations, attitudes may be of significance, and hence their examination is justified. Previous research on the work practices of social and mental health professionals (e.g., Cook & Gregory, 2020; Mattison, 2000; Sjølie et al., 2013) and divorce professionals (e.g., Nouman et al., 2016) supports this approach, underlining that in their work professionals also draw on their tacit knowledge, including their experiences, emotions, and attitudes.

To summarize, divorce professional work is a social, and thus interactional, occupation and, like all family life concerns, inherently an ethical undertaking. It is important, therefore, to consider norms, values, emotions, and attitudes, both in carrying out and in evaluating the success of this type of work (see also Banks, 2020, pp. 3–6).

### ***Attitudes of Professionals Dealing with Divorce***

When organizing their children's future daily lives, divorcing parents may have encounters with a wide range of professionals. Recent years have seen an increase in professional services and support for families and parents in cases of divorce (Cox et al., 2021). The societal and legislative context of divorce has also changed in many Western countries, with the advent of gender-neutral parenting and divorce laws, no-fault divorce legislation, and the prevalent use of mediation services in custody disputes (Baitar et al., 2013). However, empirical research on divorce professionals' work with parents remains scarce (Baitar et al., 2013, p. 546), while research on their attitudes to parenting is almost nonexistent. The attitudes of professionals in other domains — indeed, attitudes in general — have been widely studied using conventional quantitative methods, such as the Likert scale (e.g., Brasaite et al., 2016; Thomas, 2011), whereas qualitative research is scarce (Vesala & Rantanen, 2007b, pp. 16–17). Attitude studies have mainly relied on statistical methodology, in which attitudes are defined as measurable components and explored by scale-based methods, and in which the data are often collected by attitudinal surveys. In these studies (e.g., Thomas, 2011), the term “attitude” refers to the participant's positive or negative stance on a socially significant issue. However, we still know very little about the kinds of argumentation and reasoning underlying divorce professionals' attitudes to parenting.

In surveys with large samples, divorce work has to some extent examined attitudes, perceptions, views, and beliefs regarding professionals' roles and practices among, for example, lawyers, judges, mediators, mental health professionals, and child custody evaluators (e.g., Arroyo & Peek, 2015; Baker, 2007; Bogoch, 2008; Kneer & Bourgeois-Gironde, 2017; Sanders et al., 2015; Taylor, 2004). Studies on how professionals view their expertise and professional role in divorce cases have pointed to the existence of professional boundaries and competition in the judicial and mediation contexts. For example, Bogoch and Halperin-Kaddari (2007) found that while lawyers reported that their domain of divorce practices was being encroached on by

mediators, therapeutic professionals saw mediation as a new field of expertise that could compete with that of legal professionals.

One of the central aims of research on divorce professionals' attitudes and perceptions has been to assess the usefulness or effectiveness of various parenting programs, parenting classes, parenting coordination, and mediation in supporting post-divorce parenting, assisting high-conflict parents in dispute resolution, and promoting child well-being in cases of divorce. The findings of such studies (e.g., Bogoch, 2008; Sullivan & Burns, 2020; Taylor, 2004) suggest that divorce professionals mainly have positive attitudes about the usefulness of parental support methods. The need to increase professionals' awareness of parenting programs, mediation, and the importance of networking have also been highlighted in these studies.

The relationship between parenting agreements — where the post-divorce child custody and child care arrangements have been settled by parents — and divorce professionals' attitudes to parenting has been one topic of research interest. The focus has been on what kinds of post-divorce parenting agreements best support children's well-being. Previous findings (e.g., Baitar et al., 2013) indicate tensions and differences between professionals in their stances on parenting agreements, especially with respect to the primary caregiver. For example, Baitar et al. (2013) found that lawyers mostly viewed shared parenting agreements positively, whereas mediators were more skeptical about them. They also found that the outcomes of professionals' divorce work practices may lead them to support maternal custody agreements or agreements where children live mainly with their mother after divorce (p. 554).

Supporting post-divorce parenting that best ensures children's well-being has been the overriding aim of professionals' divorce-related work and is also a legislative norm in many countries (Andreasson & Johansson, 2019). In contrast, some research on divorce professionals' work in high-conflict divorce cases has dented the ideal of co-parenting by raising questions about the harm suffered by children as a result of intimate partner violence and parental alienation (Nielsen, 2017), which also create challenges for divorce professionals. In this context, researchers (e.g., Baker, 2007) have examined professional custody evaluators' beliefs, opinions, and knowledge on concepts of intimate partner violence and parental alienation in child custody proceedings. According to the results of these studies, professionals who identify intimate partner violence and parental alienation include them in their decision-making and assessment concerning children's custody and living arrangements. As suggested by others, (e.g., Sanders et al., 2015), custody evaluators' beliefs and views on the prevalence of intimate partner violence and parental alienation in divorce tend to exhibit a high level of value bias, and instead of recognizing these problems they place considerable value on cooperative parenting.

Recent gender-sensitive research on divorce professionals' attitudes is also scarce. The few studies available have focused on the role of stereotypical attitudes in divorce professionals' decision-making and assessments pertaining to post-divorce child custody and living arrangements. Some scholars (e.g., Davidson-Arad et al., 2003; Kneer & Bourgeois-Gironde,

2017) have found evidence of a gender bias favoring maternal primacy and maternal custody after divorce. Studies have shown that traditional social norms and gender role models in which the mother is considered the “natural” caretaker of children continue to influence divorce professionals’ decision-making and are reflected in family law systems (Braver et al., 2002; Nouman et al., 2016). These implicit cultural gender stereotypes may help explain the asymmetry in child custody decisions that favors maternal primary custody over sole father or joint custody (Bogoch & Halperin-Kaddari, 2006; Costa et al., 2019; Crawford & Bradley, 2016). However, the findings on gender bias in professionals’ divorce-related work remain conflicting and inconclusive. In sum, these studies have revealed tensions between stereotypical attitudes and egalitarian commitments in divorce professionals’ work.

Findings on divorce professionals’ attitudes on parenting are also mixed. Some studies have found that women social workers are more likely to take the mother’s side in custody disputes and that social workers tend to recommend maternal custody to the court in divorce cases (e.g., Cohen & Segal-Engelchin, 2000; Davidson-Arad et al., 2003; Nouman et al., 2016). Other studies, in contrast, have found that women social workers support fathers (e.g., Arroyo & Peek, 2015, p. 148). To some extent, the positions adopted by practitioners appear to be linked to their own gender (Baum, 2016; Kullberg & Fäldt, 2008).

## **Methodology**

### ***Research Questions and Main Concepts***

This study extends attitude research by systematically examining the attitudes and stances of family professionals who deal with divorce in their work. As noted earlier, the attitudes of divorce professionals have mainly been studied using quantitative methods, whereas qualitative research is scarce (Vesala & Rantanen, 2007b, pp. 16–17). The present study contributes to filling this gap by employing the relatively new and formal methodological approach of qualitative attitude research (Peltola & Vesala, 2013; Vesala & Rantanen, 2007a) in examining family professionals’ attitudes on post-divorce fatherhood. In qualitative research, unlike in quantitative research, an attitude is not regarded as an individual characteristic or inclination. Instead, an attitude is defined as the valuating activity of an individual in social argumentation, especially when commenting on controversial issues (Billig, 1991, pp. 143–145). Another area of interest is the actor positions or roles that are adopted when valuations are made (Vesala & Rantanen, 2007a).

Here, the term “family professional” is used to refer to persons educated to work with parents and families, and who implement family-related expertise in their work (Vuori, 2001, p. 14). Family professionals’ work, such as in divorce cases, is done in many kinds of institution, and thus transcends institutional and organizational boundaries.



The research questions were:

1. What kinds of attitude do family professionals have concerning post-divorce fatherhood, and how do they justify their views?
2. How useful is the qualitative attitude approach in studying family professionals' attitudes to post-divorce fatherhood?

The study thus had two main aims: first, to investigate the attitudes, argumentation, and justifications of family professionals with respect to post-divorce fatherhood; and second, to contribute knowledge on the value of applying a qualitative attitude approach (Peltola & Vesala, 2013).

The research data consist of interviews with family divorce professionals, such as social workers, psychologists, district court judges, and lawyers. The rationale for examining these professions with their different training backgrounds and different roles in divorce work is to find out to what extent the professionals share attitudes and reasoning. Owing to this focus, the analysis is not based on comparisons between specific professional groups, but on an approach that transcends organizational and occupational boundaries. Instead of examining professional domains and competitive expertise, some scholars (e.g., Bogoch, 2008; Bogoch & Halperin-Kaddari, 2007; Taylor, 2004) suggest shifting the focus to cooperation and networking between divorce professionals. Knowledge on multiprofessional expertise in divorce work is needed to improve services for divorced parents and children. This study aligns with these objectives and offers a new research perspective on divorce work.

### ***Qualitative Attitude Approach***

The qualitative attitude approach is a formal methodological approach for studying attitudes that includes methods for generating and systematically analyzing argumentative interview talk (Vesala & Rantanen, 2007b, pp. 31–44). It has previously been applied in some studies within various disciplines (e.g., Pesonen et al., 2013). The starting points of this approach lie in rhetorical discourse analysis, which draws on the research of Michael Billig (1987/1996, 1991) and on the theoretical research tradition, which stresses the contextuality and relationality of social interaction, language, and experience (Bateson, 1972; Goffman, 1974/1986; Israel, 1979). According to Vesala and Rantanen (2007b), the qualitative attitude approach links rhetorical social psychology, which studies the use of language and argumentation, and the study of attitudes and values (pp. 31–44). Billig (1991) stated that an attitude is defined as the valuating activity of an individual in social argumentation, in which the individual places herself or himself in a relationship to social reality (pp. 143–145).

As Vesala and Rantanen (2007b) pointed out, the principles of the qualitative attitude approach assume that attitudes are social in nature: they are communicative phenomena related to interpersonal relationships and interaction through which the individual and the socially and

culturally shared world become intertwined. Attitude is a relational concept and an entity in an interactional event. Thus, an attitude is a phenomenon in which an individual values an object in some way (pp. 31–38). Billig (1987/1996) stated that attitudes are constructed in “the sphere of justification and criticism”; for him, attitude also refers to “viewpoint or position in contested issues” (p. 2).

Compared to traditional attitudinal surveys and scale-based methods, the advantage of the qualitative attitude approach is that it enables information to be captured on the construction of attitudes and related argumentation. In addition to studying attitude differences between individuals, the qualitative attitude approach enables the investigation of collective, shared attitudes (Peltola & Vesala, 2013). In this study, the qualitative attitude approach reveals the reasoning employed by professionals working with divorcing spouses. The benefit of applying this method is that it enables family professionals to present and justify attitudes and positions to post-divorce fatherhood that transcend their occupational boundaries. The study also indirectly allows the voices of men and fathers critical of the work of family professionals to be heard. Thus, the approach facilitates bringing different parties into dialogue.

### ***Data Collection***

The research data comprise interviews with 18 Finnish family professionals working with divorce cases, including social workers, psychologists, district court judges, and lawyers. Two of the interviewees were men and 16 were women. About half of the interviewees had worked in the domain between 5 and 10 years, and half for over 10 years. The social workers, psychologists, and lawyers were contacted through a municipal Family Affairs Unit in a large urban locality in Finland. These units serve families in matters concerning the investigation and confirmation of paternity, custody agreements, living arrangements, access to children, and child maintenance. They also provide support and guidance during and after divorce. Upon request by a court, the unit’s social workers compile reports to facilitate decisions on child custody, living arrangements, and access rights. The district court judges were contacted through the district court in the same urban locality. Permission for gathering data was obtained from the relevant authority in the city administration. The interviews were conducted in Finnish. Each lasted 50 to 80 minutes and was recorded and transcribed. The excerpts in this article were translated to English by Michael Freeman.

Following the qualitative attitude approach of generating the study data with the help of argumentative material (Vesala & Rantanen, 2007b, pp. 31–44), I collected the data using the argumentative interviewing method combined with semi-structured interviews. In line with the sites of dispute posited by attitudinal scholars (Billig, 1987/1996), post-divorce fatherhood is considered an example of a contested issue that must be argued for. My aim was to construct provocative claims regarding the position of fathers in divorce proceedings, their encounters with divorce professionals, and the impact of gender in these situations. To formulate the provocative claims, I drew on the dominant cultural discourses on post-divorce fatherhood that are contained



in popular written material. I collected this material focusing on divorced fathers with the help of keywords and sentences such as “divorced fathers/fatherhood”, “fathers and divorce”, and “discrimination against fathers in divorce”. The material was gathered from an academic databank, newspapers, and the internet. I formulated provocative statements based on letters to the editor in print media, study guides, textbooks, and the internet pages of a men’s activist group targeted at divorced men.

The provocative claims concerned discrimination against fathers, the favoring of mothers, and the actions of divorce professionals in divorce proceedings. I presented the interviewees with 22 claims on post-divorce fatherhood with the aim of eliciting valuations and stances that could be interpreted as attitudes. I then selected the eight claims in the data that generated the richest and most diverse set of stances and justifications held in common by the family professionals. Owing to limitations on space and the data-driven nature of the analysis, which was based on close reading, it was not possible to include more than these eight claims in this report.

The eight claims were framed as follows:

1. In divorce, the man ends up in a weaker position than the woman. Gender equality is not achieved in divorce situations or in custody disputes.
2. In the event of divorce, the children are automatically awarded to the mother. The father is saddled with maintenance and has right of access. The divorced father is deprived of his children on unfair grounds.
3. Women workers and mothers speak a similar language, which is why they understand each other well in divorce-related issues. Men, on the other hand, are not linguistically as adept as women.
4. It is easier for women workers to identify with mothers, particularly if they are mothers and divorced themselves.
5. Unlike mothers, fathers are not considered responsible parents and capable of running daily family life. A mother must be a really bad mother and a father a true super-father if the decision on who should have custody is to deviate from the norm.
6. Men don’t know how to present themselves as good fathers.
7. Only male professionals can understand men’s and fathers’ feelings in divorce proceedings.
8. In divorce issues and custody disputes, family professionals hardly ever listen to men, but instead listen to women and mothers.

Before starting the interviews, I informed the participants that I would be using provocative claims on the positions of fathers and the actions of divorce professionals in divorce proceedings compiled from popular written material in order to elicit their views and stances on these claims. As the interviews were conducted by generating discussion based on provocative claims, I also

asked the participants about their own ideas on gender roles and notions of gender and told them that they could comment freely on the theme in question.

### ***Data Analysis***

According to Vesala and Rantanen (2007a), the starting point of the qualitative attitude approach is that attitudes are examined as phenomena that can be identified in argumentation. The interest is in what people are valuating when asked to comment on things, especially on controversial issues. Attitudes consist of the object of valuation, the stances taken, and the accounts and justifications related to the stances. Valuation is understood as a process or as doing (*stance-taking*), producing attitudes. The concept of attitude implies a phenomenon that is to some extent stable. Another point of interest is the actor positions or roles that are adopted when valuations are made. The social and cultural context in which the attitudes are expressed is also studied (Vesala & Rantanen, 2007a). To capture these different aspects, attitudes are studied with the help of argumentative material.

In this study, the analysis was data-driven; in other words, the definitions of the attitudes of the informants arose from the process of analyzing the data. Stances and related justifications were identified from the transcribed interviews by comparing their differences and similarities. Thus, the data were not assigned to predetermined classes such as those used in Likert scales (Vesala & Rantanen, 2007a). First, I searched the interview data for speech indicating stance-taking and justifications related to the provocative claims on post-divorce fatherhood, one claim at a time. While some participants partially accepted and some reflected on the claims, most rejected them.

Stances were also justified in various ways. One participant might present multiple justifications for a stance on one claim, and the same justifications might be presented for stances on several claims. Moreover, different justifications might be used at different points during the interview. I also found similar, shared stances and justifications by the family professionals in response to some provocative claims. For closer analysis, I selected clusters consisting of the shared stances and their justifications that were the most prevalent in the data. Further, to thematically structure and classify these clusters, I grouped them into larger entities by comparing the differences and similarities between the stances and their justifications and the factors linking these. The themes were thus conceptualized as patterns of shared meaning across these specific items.

As described above, the data revealed considerable variation in the family professionals' ways of valuating post-divorce fatherhood. My analysis yielded two main themes: the first was intertwined with attitudes, and the other was based on the positions taken. These main themes differed in that the attitudes theme focused on the family professionals' stances and justifications relating to how they resisted taking certain attitudes in their work (presented via provocative claims), while the positions theme concerned larger frames, where stances and justifications were constructed from specific viewpoints, and where the content and issue level were of central importance.

I noticed when analyzing the data that the family professionals largely avoided the question of parental gender in their work. Instead, they mostly emphasized the importance of treating parents equally irrespective of gender.

In the next section, I report the findings on each main theme under separate headings that summarize the family professionals' responses to the eight provocative claims on post-divorce fatherhood. Thus, the first part of the Findings section presents the results on the attitudes theme, in which professionalism manifests as a way of screening for biased attitudes and drawing attention to clients' attitudes. The second part of the Findings section presents the findings on the positions theme, which include considering the child's best interests, everyday-life parenting experiences, and respecting client diversity. Both parts present the participants' stances and justifications in response to several of the provocative claims about post-divorce fatherhood. In the data excerpts used to illustrate the analysis, participants are identified by a number appearing next to their professional designation. In the concluding section, the results are discussed in relation to the literature on the topic, and the usefulness of the qualitative attitude approach is assessed.

## Findings

### *Results Intertwined With Attitudes*

#### *Professionalism as a Way of Screening for Biased Attitudes*

In the main theme related to attitudes, all the family professionals (18/18) responded to the provocative claims on discrimination against fathers in divorce-related work by invoking professionalism — their professional skill and expertise. This was the most frequent justification in my data. The participants argued that professional skill means encountering parents equally irrespective of gender. Their guiding principle, grounded in professionalism, is to treat mothers and fathers equally in matters related to agreements and disputes in divorce. Education and work experience were argued to be the foundation of professional knowledge and to underlie the participants' rejection of biased attitudes. The family professionals' attitude to parenthood thus appeared to be gender-neutral:

If we think about custody disputes here, then in my opinion one can't say that parents are somehow in an unequal position, or that fathers are in a worse position than mothers, but yes they are treated, at least I for my part I try to treat them equally. (District court judge, 8)

Of course we treat clients evenhandedly so that both [parents] can express their own viewpoints with no prior expectations or prejudices that one is better than the other, I don't identify this in myself at least, nor in my colleagues in this unit. (Social worker, 18)

The participants emphasized the importance of treating parents equally irrespective of gender. This line of argumentation can be interpreted as a “politically correct” stance, as the participants are likely to believe that there are politically correct responses to the deliberately provocative claims made in the interview and thus actively produce these. Moreover, by striving to position themselves as gender-neutral and as promoters of equality between mothers and fathers, the participants may also want to appear to conform to the ideal of a “good” professional.

The family professionals argued that the potential of each parent to act in a custodial capacity is assessed equitably and openly. In their arguments based on professionalism, the participants stated that both parents are listened to and efforts are made to elucidate the viewpoint of each irrespective of gender. The participants saw it as their responsibility to assess parents’ competence to act as care-givers and child-raisers, rather than it being the parents’ task to “prove” their capability to act as father or mother in the best interests of the child. This argument is illustrated in the following extract:

If you’re a skilled professional then you’ll get the information, or anyway you should be able to somehow find out about the situation without either of them having to really market their [parenting skills]. (Social worker, 10)

In connection with the notion of professionalism, the interviewees also mentioned their experience, accumulated during their working careers, which helped them not only to understand the experiences of fathers and men in divorce cases but also developed their capacity for empathy:

I think now that the work experience I have, having met quite a number of divorced fathers, I have been able to enter that world, know how fathers may experience those issues. (Social worker, 4)

The stated impact of the family professionals’ diverse working careers and educational backgrounds on how they encountered clients conflicted with the idea of professionalism as a mechanism for screening for biased attitudes and treating parents equally. Some of the family professionals (3/18) conceded that a worker with little work experience may become too emotionally engaged in a client’s situation and side with one of the divorcing parents, as described in the following extract:

It’s true that in social services, child welfare, the family counselling center, we have people at different stages of their careers and from different educational backgrounds, and of course mothers may receive support from each other in how to defend themselves, maybe better than fathers can among themselves, so it’s entirely possible that this sort of imbalance exists in some cases, and then you get to read about it in the papers, but at the outset the situation is not fundamentally so unequal. (Psychologist, 15)

The family professionals argued that encountering parents equally means adopting a conscious stance and distancing oneself sufficiently from the client's situation. Thus, the argument based on treating clients equally underlines the idea of professional neutrality and rationality. In the informants' statements invoking professionalism, professional knowledge was presented as a means of monitoring oneself for biased attitudes and as the basis for treating parents equally in divorce situations. This emphasis on gender neutrality has also been noticed in previous studies on professionals' attitudes (see, e.g., Vesala & Rantanen 2007b, 36–37).

### *Impact of Clients' Attitudes*

Some of the family professionals (12/18) countered the provocative claims by invoking clients' attitudes. With respect to divorce-related work, these professionals argued that clients' views on discrimination against fathers derived from the clients' own preconceived assumptions and attitudes:

I think it depends on their [parents'] prior expectations, I mean what ideas they have when they come here. And otherwise too, I think it's about what their attitude is. Like if, say at the outset they think that fathers shouldn't have the children and that in a divorce the children will always stay with the mother. Then they come here and that's how they agree about it then. (Social worker, 13)

So if, for example, the father says, like, no one's going to listen to me anyway, it'll be the mother who gets custody, as always, then you won't really get anywhere because you'll not be able to find out about the things that actually determine which parent would be the better custodial parent. (District court judge, 17)

In the above responses, clients are viewed as harboring the notion that the mother will automatically be preferred as the custodial parent. Decisions on child custody and living arrangements may be left up to parents when they have a shared adherence to the traditional idea that the mother should be prioritized as the custodial parent. These responses also include the belief that the parents have often agreed, before meeting the family professional, that the mother will have custody of the children:

As practitioners we don't automatically assume that the children should live with their mother, but it's true that a great number of people coming here together to agree about residence, access, and maintenance, they share the assumption that the children will stay with the mother. (Social worker, 7)

I have myself encountered the assumption that the children will stay with the mother, you do notice that whenever couples come here for the first time then somehow, it really surprises me when any of them have planned anything different. It's a surprise, so I suppose that is the automatic assumption that everyone starts out with. (Psychologist, 11)

One of the arguments used by the family professionals invoked the attitude of client fathers who believe that the man will not, in any event, be awarded residential custody. The father then relinquishes the children to the mother. The interviewees pointed out that men do not generally understand their importance as fathers and may only become aware of the significance of fatherhood in the event of divorce. In the stances rejecting the statement about bias, some fathers were viewed as excessively passive in discussions on post-divorce child custody and living arrangements. The interviewees argued that the fathers themselves should speak up for their rights and be more active in divorce-related disputes. This could be interpreted as a kind of victim blaming:

I'm sure there are those [men] who are unable to see their own importance as fathers to the extent that they'd have the courage to speak out about it, I'm sure things could be better in that sense and I'm sure that even after the divorce you can sometimes see that the fathers somehow disappear from the lives of their children, so sometimes this may also be because they don't realize their own significance. Like how important they are for their children and how extremely important it would be for them to be involved in their children's lives. (Social worker, 16)

I have experienced quite a lot of men belittling their own meaning for their child, or they belittle or somehow haven't quite realized, understood how important they are for the child. (Psychologist, 11)

As I just said if you don't present any claims you won't get a favorable decision either. And I suppose that in a great many cases the fathers are passive, the fathers go along with things, that is, they themselves consider it's better for the children to live with their mother than with their father. (District court judge, 8)

By invoking client attitudes, the family professionals are shifting attention away from their own beliefs and attitudes to those of the parents. The interviewees thus shifted some of the responsibility for decisions on child custody and living arrangements onto the parents. The above excerpts can also be interpreted as stances on the part of the professionals. Their statements can be seen as exhibiting an attribution bias that manifests in victim blaming, where fathers are partly held accountable for what has happened to them: fathers don't get to live with their children after divorce as often as mothers do, and it's their own fault for not standing up for themselves.

### ***Results on Positions Taken***

#### *The Primacy of the Child's Best Interests*

In the theme relating to positions taken, all the family professionals (18/18) countered the provocative claims that fathers are discriminated against and mothers favored in divorce proceedings by raising the issue of the child's best interests. This was the strongest position taken in the data by the family professionals. The participants pointed out that the main goal of their divorce-related work is to safeguard as good a life as possible for the child and the continuation of



the child's daily routines post-divorce. The family professionals considered that in divorce agreement and dispute situations, matters related to the child must be settled based on the child's needs and well-being. The child's best interests also provided the weightiest argument when assessing matters affecting custody. The participants described how they assess which of the parents would better serve the child's best interests. The uniqueness of children's situations, the great diversity of families, and attempts to find a solution tailored to the child in question were all emphasized. The child's age is a further consideration. Participants invoking the child's best interests pointed out that deciding about custody is not a matter of preserving gender equality in parenting. Questions about gender equality between divorcing fathers and mothers were secondary when assessing the child's best interests:

It's the child's best interest that we work for. You mustn't turn this into a gender equality issue. It's the child's best interest that is crucial. ... It's just an unfortunate fact that you can't split the child in two. And it doesn't mean that one parent would be a bad parent if the other is recommended to have custody. Because when there's a dispute and the parents themselves can't reach an agreement about these things, which is of course really sad, that the parents themselves cannot decide about their own children, so then we need the viewpoint of an outsider and it'll be for the judge to decide. The matter will have to be settled one way or another, and that doesn't make the other parent any worse. (Social worker, 18)

For instance, how much time a child will spend with each parent cannot be decided based on quantifiable evenhandedness:

It's not about equality between the parents, it's about the child's future, that the child's life should continue as well as possible, as far as it's possible after a divorce. (Social worker, 14)

The family professionals argued that the child's best interests were most effectively secured by continued parenting. This stance presupposes two parents who are capable of cooperating and maintaining a relationship with the child after their divorce. In the best scenario, the parents will support each other and ensure the child's continuing relationship with the noncustodial parent. They will also be flexible in their daily practices and modify their agreed responsibilities according to the child's needs. Co-parenting after divorce might even make the family more workable than it was before the divorce:

What it is, it's that afterwards the parenting should sort of be, that the child will need both parents also after their divorce. The problem is, how should the parenting, how will you manage it together when you don't live under the same roof? (Psychologist, 12)

If the parenting works well after the divorce, then it might happen that the one with custody gets into great — say they fall seriously ill or there's an unexpected crisis

or something, then it's not as if you couldn't change things. Or you sometimes notice that the children need different — that there's a need to change, that it's actually better for one of the children to live alone with one of the parents, the father for instance. Now that's not often spoken about in public, but it does happen a lot. Or say that a child has a hobby that takes up a lot of time, and the other parent continues to take care of that. There's really quite a lot of parenting that is shared in very concrete terms. Sometimes it can even improve the family situation and at best they can become more functional. (Social worker, 10)

While the family professionals conceded that the concept of the child's best interests is multifaceted and ambiguous, its meaning remained rather nebulous. Emphasizing the child's best interests can be interpreted as a “politically correct” response to the provocative claims made in the interview. It can also be seen as supporting professionals' striving to position themselves as “good” family professionals in divorce cases. The primacy of a child's well-being is also culturally a widely shared — indeed essentially uncontested — value.

In the above excerpts, the continuity of parenthood is constructed as harmonious and cooperative. However, little consideration was given to the possibility of intimate partner violence or parental alienation. According to previous studies, the continuity of parenthood and a parent's ability to engage in undisputed co-parenting are key factors supporting a child's well-being after parental separation (Forsberg et al., 2018; Nielsen, 2017). However, the principle of the child's best interests is vague, and determining it in the course of a life-changing situation like divorce may be difficult (Smithson et al., 2015, pp. 620–621). Prolonged custody disputes, sometimes extending over several years, complicate assessments of the impact of the parental relationship (Nielsen, 2017). One is prompted to ponder why the child's best interests are simplistically seen as secured by parental cooperation. Sometimes, for example, the child's best interests might be better served by living with one parent in a family environment free of conflict and violence.

### *The Significance of Everyday-Life Parenting Experiences*

The family professionals (12/18) also responded to the provocative claims about discrimination against fathers and maternal primacy in divorce cases by appealing to parenting experiences in everyday life. The argumentation was based on both client parents' experiences as told to the professionals and on the latter's own experiences with the division of parental work in everyday life and with the parent–child caring relationship. The participants' stance-taking was rejective and, to some extent, based on their gendered roles.

The interviewees justified their stances by referring to how the daily life of the family had been shared between the parents before the divorce and included issues such as the breadwinner role, the division of daily household tasks, and child care:

In cases where the mother has practically run the household during the marriage, I think it's pretty certain that in most of those cases the decision will be that the

children will remain with their mother, and the father will go along with that. Of course, then, in families where both parents have actually shared the daily routines and looked after the children equally, then in such cases I suppose the father will present claims and I think then the question of daily routines won't even come up in concrete terms in the court decision. (District court judge, 8)

If the father has been very much involved in the child's life even before the divorce and care has been shared and daily care, meals, and the rest have been shared in terms of how much time it takes and the father then sticks to his guns, then I'd say it ... will not lead to anything like that [discrimination against fathers in divorce proceedings]. (Psychologist, 15)

Although the "new" caring fatherhood, in which the father is emotionally and closely connected to his child and devoted to caring for the child (Andreasson & Johansson, 2019), was mentioned in the family professionals' interview talk, their stances were also based on the continuity of traditional, gendered parenting roles: a mother who had been a child's primary caretaker before divorce would continue to be the child's primary caretaker care afterwards. In this situation, the participants mostly seemed to consider living with the mother as serving the best interests of children.

The participants justified this stance with the argument that they assessed the adequacy of parents' experiences caring for and raising their children. They reasoned that parents have first-hand experiential knowledge of everyday-life parenting and hence know best what solutions will serve their child's best interests after divorce. Parents also self-assess their parenthood capability:

Well, we don't make the decisions, it's the parents who do that. It's a process in which they themselves assess their own capabilities and we also help them to understand what daily life involves and sort of help them discuss it. Then they'll think about it together, what it will mean for the children. (Social worker, 4)

The family professionals thus shifted the responsibility for post-divorce solutions onto the parents, who in an ideal situation resolve disputes based on their experiential knowledge of everyday parenting, leaving the professional in a more minor role. By arguing that the divorcing parents themselves should decide on the custodial and living arrangements that would be best for their children, the professionals were emphasizing the importance of parental responsibility:

In these disputes about children, you often get a feeling of powerlessness, that you won't be able to find a solution that's good for the child, because we can't force the parents to agree. Or we can't force the parents to follow any given pattern, and we can't force them, anyone, oblige anyone to seek any kind of treatment, or to deal with the divorce as such. So if the parents themselves can't see it, there's not much the professionals can do about it. (Lawyer, 9)

The family professionals also justified their stances by invoking their personal family backgrounds and life histories. They argued that, irrespective of their gender, their personal experiences of everyday-life parenting helped them to understand the father's position and experiences in divorce. The professional's own parenting history thus served as a mirror in encounters with fathers and helped to transcend the professional–client boundary:

If your client's family is the kind of family where the father is more the custodial parent and the professional's own family is similar, then I would believe that this kind of judge, maybe even in these kinds of divorce proceedings, is able to see the father's situation somehow differently, I could at least imagine this. Because one anyhow in a certain way can view the situation through oneself, if one were to be in such a situation. ... It's rather a question of what the person's own experience is, regardless of gender, about who looks after the children. And in our family it might perhaps have been the father. So I may be a bit more analytical because of my being a professional and the other person may not be, and that may be reflected in that I, for instance, am able to think of the father as a fully potential custodial parent. (District court judge, 17)

It's the case that we are shaped by our own experiences, but professionalism is still the thing that gets you beyond these, that you are not a prisoner of your own experiences. It's not about my being a woman here or like that. There's no way that I could think for example that as the mother of a boy I would relate to men, to the gender of my own son, that in a sort of way, that I would belittle him, that he would somehow be less capable of some things than my daughter. (Social worker, 18)

These research results on the significance of everyday-life parenting experiences support those of earlier studies showing that professionals' encounters with their clients are informed by their own cultural knowledge, perceptions, and experiences of family and parenthood (e.g., Sjølie et al., 2013). This leads one to ask how far professionals allow their personal experiences to influence the way they structure clients' life situations. For example, Astor (2007), who has studied divorce mediators' work, suggested that the neutrality is an impossible goal. She concluded that it is nevertheless important that professionals try to identify and understand the impact on their work of their own family background, values, personality, culture, and professional history (pp. 230–236).

### *Respecting Client Diversity*

On the theme of positions taken, the family professionals (15/18) also countered the provocative claims that fathers are discriminated against and mothers favored in post-divorce agreement and dispute situations by referring to the great variety in clients' life situations. The participants pointed to the diversity of clients, to the different ways of divorcing, and to the diversity of parents, children, and families:

People divorce in so many ways, there are just as many ways [of] divorcing as there are families. (Social worker, 4)

Divorces are so different, every divorce is individual. When you do this work, you are able to see divorce as an overall situation from the viewpoint of both parents. (Social worker, 3)

These stances and their justifications were based on respecting the diversity of clients' family life situations. Respecting the diversity of gender was explicitly mentioned in some participants' (6/18) accounts:

Because one sees here so large a spectrum of men and women, that one meets people who are on the surface very calm and for whom it's very hard to see that some very difficult process is going on and then there are both men and women who are totally broken. (Psychologist, 11)

The lack of attention given to gender in talking about client diversity is interesting, as gender is commonly understood as an element of diversity. It is possible that the professionals were evading referring to parental gender in their justifications for this claim.

Respecting clients' life situations meant emphasizing the effects of divorce on parents and children. The family professionals justified their stances by saying that in divorce there are usually no winners, only losers. Thus, both parents and their children often experience some kind of loss of the nuclear family ideal after divorce. Parenthood in this context should not, therefore, be seen as a question of equality between mothers and fathers:

So everyone loses, both the parents and the children, they definitely lose something in a divorce, and some of them will lose more and others less, but you can't see it as a gender equality issue. (Social worker, 14)

The interviewees underlined, above all, the importance of recognizing the uniqueness of each child's situation in divorce cases, and hence of taking differences between children into account. The best interests of the child is a broader issue than the relative ranking of the mother and father:

And there are many other things linked to this, like the decision about who the child will live with, it's not always based on which one is the better parent so to speak, but rather if you start out from thinking about this particular child and this particular family, which would be a wise solution so to say, then that will involve other things as well. So that both parents would continue to be present in the child's life. (Psychologist, 12)

According to the above excerpt, the decision on a child's living arrangements after divorce need not necessarily be based on an assessment of which parent is likely to provide the child with the best everyday life. This contradicts the argumentation based on professionalism discussed

earlier, where the family professionals saw it as their responsibility to evaluate parents' competence to act as the carers and raisers of their children.

In the family professionals' view, their professional work was based on respecting client diversity. They justified this by saying that, owing to the differences in clients' family situations and the differences between divorce cases, they needed to treat each divorce situation as unique and seek tailored solutions or appropriate models to resolve divorce-related disputes. In contrast to previous studies that have concluded that social and health care systems do not adequately recognize the diversity of the divorce situations of parents and children (e.g., Nielsen, 2017), the present results show that family professionals do consider client diversity important in their work.

### **Conclusion**

This study examined the stances taken by family professionals in response to common criticisms about how they deal with fathers in divorce cases. The study also tested the usefulness of the qualitative attitude approach in exploring the attitudes of family professionals. Interviews in which participants were presented with provocative claims facilitated the generation of argumentative data, and the approach provided tools for its systematic analysis.

The results show that the interviewed family professionals seemed mainly to avoid talking about parental gender in regard to their divorce-related work. They rejected the provocative statements asserting that there is discrimination against fathers in divorce proceedings and that gender has a role in divorce outcomes. Instead, they emphasized the importance of treating both parents equally. The family professionals strove to position themselves as gender-neutral and as promoters of equality between mothers and fathers, thereby conforming to an ideal of a good professional. This could be interpreted as reflecting the shared parenting discourse in Finland, which may in turn hide the inequality between mothers and fathers in everyday family life and hence also in family professionals' work with parents (Vuori, 2009). The criteria based on the family's everyday division of labor and the parent-child care relationship before divorce that the family professionals reported using in assessing parenthood and the child's best interests in divorce situations may reproduce gendered parenting and traditional gender roles. This result parallels earlier findings (e.g., Solsona et al., 2020) suggesting that parents' post-divorce family practices and child care responsibilities are affected by the gender roles that prevailed during their marriage. These results of my study support also previous findings on the complex interplay between the dominant cultural gender discourses and the dedication to egalitarianism of divorce professionals (Bogoch & Halperin-Kaddari, 2006; Vuori, 2009).

In this study, the stances taken by the family professionals were hierarchical: the child's best interests outweighed gender equality between parents. Previous studies (e.g., Crawford & Bradley, 2016) have also indicated that the overriding aim of divorce professionals is to secure the well-being of children. However, the meaning of the child's best interests remained rather nebulous in the reasoning of the present group of family professionals.



The family professionals' responses to the provocative claims on the unequal position of fathers in divorce cases referred not only to professional factual knowledge and references to legislation and norms but also to the individual professional's family background and personal experiences of parenting. These results are in line with previous research results showing that legislation and guidelines alone do not offer complete solutions to the complicated situations of divorcing parents and their children. In addition to education and professional expertise, tacit knowledge based on divorce professionals' everyday life experiences and emotions is needed (Cook & Gregory, 2020; Mattison, 2000; Nouman et al., 2016; Sjølie et al., 2013).

The results obtained by combining a qualitative attitude approach with the argumentative interview technique to study family professionals' responses to claims of bias in their decision-making on post-divorce fatherhood reveal both the method's potential and its challenges as a tool for researching this and other topics. The approach revealed both the collective, shared nature of the attitudes of the various divorce professionals — social workers, psychologists, district court judges, and lawyers — included in this study and the variation in their stances and justifications. Instead of focusing on the construction of professional boundaries and competition between experts in divorce cases (Bogoch & Halperin-Kaddari, 2007), my research results highlight their shared attitudes as potential points of cooperation between different types of divorce professionals, which could be utilized to improve services and support for divorced parents and children. Thus, the results of this study open up a new perspective on professional practices in the field of divorce.

The method also revealed some attribution bias — manifested as victim blaming — where fathers themselves were in part held accountable for the prevalence of the gendered post-divorce situation in which children live mainly with their mothers. The participants' stances citing clients' attitudes and parental responsibility in deciding the post-divorce custody and living arrangements of their children may have the effect of favoring maternal custody. Although fatherhood is supported by legislation and social politics, and despite the professional interest and concern shown towards fathers during the last few decades, especially in the Nordic countries (Vuori, 2009, pp. 48–50), my results suggest that the continuity of the father–child relationship after divorce is not automatic but rather remains a contested issue that must be negotiated and argued for (Andreasson & Johansson, 2019).

Limitations of the qualitative attitude approach emerged during this study. It is hard to know to what extent the interviews captured family professionals' true attitudes on post-divorce fatherhood and to what extent they were instead giving “politically correct” answers to the provocative interview questions. People are also aware of social perceptions and the role of attitudes in constructing their impressions of themselves (Billig, 1987/1996; Vesala, 2005); for example, this is often the case when interviewing professionals (Vesala & Rantanen, 2007b, pp. 42–51). This may explain why the interviews in my study produced attitudes that were related to the participants' roles as representatives of their professions, as well as the way in which the attitudes were constructed in social interaction and argumentative communication.

It must also be borne in mind that speech as such does not necessarily convey objective information about the reality outside it (Vesala & Rantanen, 2007b, pp. 38–49). We cannot know how the family professionals actually encountered divorced fathers in their work. It may also be asked to what extent the family professionals' attitudes and positions taken were typically Finnish phenomena and thus culturally and locally constructed. However, in accordance with the principles of the qualitative attitude approach, argumentation was examined as an example of the phenomenon being studied (Vesala & Rantanen, 2007b, p. 14). My results confirm the idea that, as part of human communication and interaction, attitudes and positions are essentially constructed as phenomena that are manifested in argumentation (Billig, 1987/1996).

The fact that the interviewees reported that men do not generally understand their importance as fathers and may only become aware of this in the event of divorce indicates a need for further research on men's experiences of their roles and identities as fathers at different phases of the family life course. Research on support and services targeted to men and fathers facing various life crises is also called for. The importance of supporting fatherhood via family policies and services is essentially a matter of gender equality in the sense that not only men themselves but also mothers and children would benefit from more father involvement in everyday family life.

My research results showing the existence of shared understandings and attitudes between different types of divorce professionals indicate the potential for cooperation between them aimed at improving services and support for divorced parents and their children. This finding supports the view of some scholars (e.g., Saini et al., 2012) that collaboration between family professionals is essential for effectively assisting families throughout the divorce process. Shared resources and expertise may strengthen multiprofessional cooperation and prevent interprofessional competition and entrenching of professional boundaries, which can lead to inconsistency in services for divorced parents and their children. High-conflict divorce cases, prolonged custody disputes, intimate partner violence, and parental alienation are experienced by family professionals as especially burdensome and resource-demanding in their divorce-related work (e.g., Nielsen, 2017; Sanders et al., 2015). These issues also require cooperation and coordination among divorce professionals specializing in, among others, child protection, mental health services, and the judicial system. To conclude, more gender-sensitive empirical research on divorce professionals' work practices, multiprofessional cooperation, and views on parenting is needed to develop services for divorcing couples that better serve their diverse families and the well-being of their children.

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