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Parental-leave policy for male lawyers in Helsinki and Montreal: Cultural and professional barriers to male lawyers’ use of paternity and parental leaves

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Abstract
Family policies in Finland and French Canada (Québec) include fathers’ rights to paternity and
parental leaves, which have resulted in more fathers using parental leave. And yet, this policy has a limited outreach to male-dominated professions, including the legal profession. In this article, we examine attitudes on paternity and parental leaves among male lawyers and the motives behind their decisions to use or not use them. We approach the issue from the perspective of the legal profession’s professional ethos, which impacts lawyers’ attitudes and practices regarding work-life balance. In our analysis, we draw on 20 Finnish and 18 Quebecois interviews with current and former male lawyers from private law practices in two urban civil-law contexts: Helsinki, Finland, and Montreal, Canada. The findings indicate that in traditionally male-dominated professions, it is not enough to provide men with a statutory right to paternity and parental leave. There is also a need for organisational solutions and peer encouragement in the work environment so that men feel comfortable taking leave.

Introduction

This article approaches gender inequalities in the legal profession by analysing the use of paternity and parental leave among male lawyers as a ruling class that sustains the professional ethos of the profession, which is hostile toward work-life balance and caregiving responsibilities. Our perspective is prompted by the results of previous studies (Brockman, 2001; Epstein, 1993[1981]), which advocated the change in the male-dominated legal culture as central to the inclusion of women as true members of the legal profession. By examining male lawyers’ narratives on paternity and parental leaves, we establish a link between the lawyers’ professional ethos and male lawyers’ attitudes and practices regarding fatherhood and work-life balance. We argue that male lawyers’ use of parental-leave policy may serve as a barometer of gender equality in the legal profession and that men’s greater involvement in childcare may lead to the private law practice becoming less hostile to family life. While women have been the main target group of family policies and flexible work arrangements in law firms, they also have faced negative consequences
from them in their careers (Choroszewicz, 2016; Tremblay, 2013). Women lawyers’ prevalent use of them legitimises their greater caregiving responsibilities compared to their male spouses and male colleagues (Choroszewicz, 2016, p. 133). As women are underrepresented in the upper echelons of professional and organisational hierarchies, they have less power and authority to change the legal culture.

With our focus on male lawyers’ use of parental-leave policies in Helsinki and Montreal—which are similar in terms of civil law jurisdictions and family policies, we seek to expand the debate on work-life balance for men in male-dominated professions. The comparison between male lawyers in these two cities enables us to understand how similarities and differences between Finland and Québec in family policies and professional ethos influence men’s decisions and ideas in work-life balance. Family policies in Finland and in Québec include direct incentives for fathers’ involvement in childcare through paternity leave, which is not transferable to a female spouse, and parental leave, which can be shared between spouses. These policies have existed in Finland since 1978 and in Québec since 2006, with the latter the only Canadian province to include paternity leave. While paternity leaves are popular among Finnish and Quebecois fathers (Salmi and Lammi-Taskula, 2014; Tremblay & Dodeler, 2015), the issue has not been empirically explored among male lawyers. We also know little about the impact of the lawyers’ professional ethos on men’s attitudes toward paternity and parental leaves. Due to changes in family policies, family models, and women’s increasing participation in the workforce, male lawyers may need and want to take on more active roles in childcare and family life. Thus, the current hypercompetitive working culture so prevalent in law firms might no longer be only a ‘women’s issue’, as some scholars suggest (Collier, 2013, 2015a; Thornton 2016a).
Fatherhood and family policies in Finland and Québec

In contemporary society, fatherhood has been receiving increasing attention from researchers, as more countries include non-transferable parental leave for fathers and as gender roles within families change (see Eydal and Rostgaard, 2014; Pilińska, 2017). Men are increasingly recognised for their diverse ideas and practices about father-children relationships (Collier, 2013, p. 424). Traditionally, family policies have been powerful institutional instruments to help women achieve work-life balance. They also have played an important role in shaping fatherhood models, specifically in Nordic countries (Eydal and Rostgaard, 2014; Kangas et al., 2017). Nordic welfare states have a long tradition of policy emphasis on active engagement by fathers in childcare to facilitate women’s return to employment after a childbirth (Salmi and Lammi-Taskula, 2014).

In Finland, three-week paternity leave, which can be taken after the child is born together with the mother on maternity leave, exists since 1978 (Lammi-Taskula, 2008). In 2003, paternity leave was extended and changed into so-called ‘father’s month’. In 2010, fathers’ leave was again lengthened to 36 working days. In 2013, paternity leave and fathers’ month were combined into nine weeks of paternity leave that is reserved only for fathers. Fathers can take up to three weeks of it while their spouse is on maternity leave, and the remaining weeks can be used after maternity leave and before the child is two-years-old. Maternity leave lasts 18 weeks, afterward comes 26 weeks of parental leave, which can be taken by either father or mother, or can be shared between both (KELA, 2016). While there is no ceiling on the benefit level, most employed mothers are guaranteed full pay for maternity leave; paternity leave is paid at 70 to 75 percent (Salmi and Lammi-Taskula, 2014, p. 306). In 2012, three-weeks paternity leave for births was taken by 84 percent of fathers, with the extra paternity leave taken by 32 percent of fathers; parental leave of 26 weeks was taken by 2–3 percent of fathers, a trend that has remained stable since 1995 (Salmi and Lammi-Taskula, 2014, p. 306).
Québec began a new parental-insurance program in 2006 that differs from the rest of Canada. It includes a specific paternity leave that is nontransferable to the mother (Tremblay, 2013). In addition, the Québec Parental Insurance Plan (QPIP) offers two plans: basic and special. Fathers can take three or five weeks of leave—either for three weeks at 75 percent of average weekly earnings (special plan), or five weeks at 70 percent (basic plan). Self-employed fathers also qualify if they have earned at least €1,468 in the 52 preceding weeks. Mothers can take 15 weeks at 75 percent of average weekly earnings, or 18 weeks at 70 percent. Spouses also can share 35 weeks of parental leave. QPIP data indicate that 88.3 percent of parents used the public programme in 2015; 80 percent of fathers take the paternity leave, with 75 percent taking the five-week plan, and 25 percent taking the three-week plan (Gouvernement du Québec, 2016, p. 30).

**Professional ethos, gender and work-life balance**

The concept of professional ethos refers to the standards of behaviour and values instilled in each profession and sustained by professional socialisation. Lawyers, like other professional groups, absorb shared conceptions about the demands of professional roles and identities into their own mental structures, integrating them further into their everyday practices (Choroszewicz, 2014, p. 133). The ethos has a strong impact on work organisation and culture, the understanding of career commitment, and the prerequisites for career progress in the legal profession. It also shapes individual ideas and attitudes toward work-life balance (Fusulier, 2011). Finally, it imprints on time spent at work, as well as the attitudes of lawyers toward needed investments and personal life sacrifices. The vertical career progression in law firms is structured around a male breadwinner family model with a clear division of gender roles, in which a male spouse has no or few obligations outside the workplace and thus can devote as much time and energy as is required by his career (Schneer and Reitman, 2002). The contemporary ideal of the flexible lawyer is still more
compatible with this family model and thus is in favour of lawyers who can prioritise demands of work over family (Choroszewicz, 2016).

Yet, the hostility of the lawyers’ professional ethos toward family life and caregiving responsibilities differs across the profession that is divided into distinct hemispheres, i.e. large law firms and solo/small law firms, which vary in terms of organisational policies regarding availability of flexible work arrangements, served clients, work organisation, and professional-logic commitments (Heinz et al. 2005; Macfarlane, 2008). Law firms operate today as the primary locus of professional socialisation and regulation (Faulconbridge and Muzio 2008; Flood 2011), which impacts further lawyers’ opportunities for work-life balance and their sense of professionalism (Wallace and Kay, 2008). The pressure of business development and client recruitment becomes everyday reality, particularly for those lawyers who aspire to become law-firm partners in large transnational firms (Sommerlad, 2011, 2016; Thornton and Bagust, 2007). The current business model of the profession—with the growing corporate sector that favours the competitive and adversarial approaches to lawyering—put lawyers’ commitment to professional core values into question (Collier, 2015b; Macfarlane, 2008). Solo practices and smaller law firms appear often as optimal solutions for lawyers seeking more work-life balance (Choroszewicz 2014; Tremblay and Mascova 2015).

Technological advances, such as smartphones and laptops, contribute to the internal differentiation of the profession, fostering lawyers’ intensive servitude to clients, which further limits lawyers’ private lives (Thornton, 2016a, 2016b). This induces work-life conflict specifically for lawyers with caregiving responsibilities who work in the corporate sector that rests on the norms that are problematic to ensuring work-life balance, i.e. tight deadlines, billable hour targets, long working hours and few workplace accommodations for childcare (Kay and Gorman, 2008; Sommerlad,
While there is a strong trend toward a 24/7 working culture, law firms in Finland and across provinces of Canada are simultaneously addressing flexible work arrangements and parental-leave schemes, which are primarily geared toward women (Brockman, 2001; Choroszewicz, 2016). This is despite of much effort by the Finnish Bar Association and the Québec Bar and family-policy messages calling on fathers to get actively involved in childcare. This makes the Australian scholars’ (Thornton and Bagust, 2007; Thornton, 2016a) arguments of construction of flexible work and parental leaves as feminine career options also relevant for the legal profession in Finland and Québec.

Data and methods

In this study, we analyse 38 interviews with male lawyers who work or have worked in private law practice. The empirical material originates from two separate sets of interviews conducted in 2011, when six Québécois male lawyers were interviewed, and in 2016, when 20 Finnish male lawyers and 12 Québécois male lawyers were interviewed. The interviews lasted 40 minutes to two hours each and were conducted predominantly in lawyers’ work offices. The interviewees were recruited through so-called convenience and snowball sampling methods. First, a call to volunteers was distributed by the Finnish Bar Association and by the Québec Bar among their members. Researchers then collected lawyers’ email addresses from different law firms in Helsinki and in Montreal, then re-sent the call for volunteers directly to lawyers. Some interviewees gave researchers contacts for colleagues from the same or other law firms.

The interviewees ranged in age from 32 to 68. All but one interviewee had children, and the one who did not have, he planned to have them soon. All interviewees were either married or lived in cohabitation. More than half of our interviewees were law-firm partners or solo practitioners with 10 or more years of experience. Twenty-seven interviewees worked in medium (i.e. regional firms
employing between 11-60 lawyers) and large transnational law firms (i.e. employing more than 100 lawyers), two interviewees moved from private practice to work as in-house counsels, and the remaining interviewees worked in solo practices and at small law firms (i.e. employing less than 11 lawyers). While the number of medium and large law firms is increasing in both cities, the majority of Finnish and Quebecois attorneys work in solo practices, small and boutique firms (Barreau du Québec 2011; Choroszewicz 2014).

We used thematic methods to analyse the interviews (Braun & Clarke, 2006). We read the transcriptions of the 38 interviews and made notes on recurrent themes regarding interviewees’ decisions to use or not to use paternity and parental leaves, as well as their motivations. We focused on the experiences, meanings, and interpretations that interviewees indicated as factors in their decisions. In addressing our research questions, we first examined whether our interviewees had taken paternity and parental leaves and how much time they took. Secondly, we investigated the explanations they gave for their decisions on parental leaves. Finally, we compared our findings between Finnish and Quebecois interviewees for differences and similarities. As a result, we structured our analysis into two parts. The first part discusses the limited use of paternity and parental leaves among male lawyers in both cities. The second part describes cultural and professional barriers and their impact on men’s use of leaves. As our findings draw on an unrepresentative sample of the population of lawyers in both cities, the study aims to provide qualitative insights into male lawyers’ narratives on paternity and parental leaves without seeking statistical generalisations. The study findings’ strength lies in the novelty of the studied topic, qualitative nature and number of interviews.

**Limited use of paternity and parental leaves by male lawyers**
Seven interviewees out of 38 have used statutory leave while working for private law practices. Two Quebecois interviewees took paternity leaves prior to their current work at law firms. They argue that it would have been impossible to do that while working at their current firms. These seven interviewees also have combined paternity and parental leaves or a paternity leave with annual holidays so that their leaves of absence were longer than paternity leave alone. Only one Finnish interviewee was fully compensated for a part of his paternity leave, which is an example of a rare gender-neutral organisational policy. The others argued that they accepted the financial loss resulting from their decisions, and that they were able to do so. Their decisions to take longer parental leaves were predominantly motivated by their interest in spending quality time with their children. The prevalent pattern among dual-earning couples is that the female spouse assumes primary responsibility for childcare and takes from a year up to a year and a half of maternity and parental leaves. When mothers return to work, either the child goes to nursery, or the father takes part of the paternity or parental leave to postpone the moment when a child goes to nursery, or sometimes they employ a nanny.

Several nuanced differences emerge between Finnish and Quebecois male lawyers in their use of paternity and parental leaves. The Quebecois interviewees tended to draw on annual holidays instead of paternity leave, while 80 percent of Quebecois fathers take the paternity leave (Gouvernement du Québec, 2016). Only two Quebecois interviewees took a statutory paternity leave, which was facilitated by having a trustworthy team of colleagues who did not pose a danger to their relationships with clients. In addition, they did extensive preparations before their leave, and they remained in touch with their firms throughout their leaves. The Finnish interviewees who work as associates tended to take up to three weeks of leave at the birth of their children, which is common among Finnish fathers (Salmi and Lammi-Taskula, 2014). However, this is not the case among Finnish and Quebecois law-firm partners. If they take any leave when their children are
born, they use their annual holidays instead of subsidised paternity leave, though they refer to these as paternity leaves. During this time, they are often professionally active on a part-time basis. They may follow and reply to emails and phone calls. Occasionally, they may come to the office for a few hours. They consider themselves self-employed due to their position as partners:

*After the birth of both children, I stayed at home for two weeks. I’m self-employed, so I don’t necessarily take any formal leave. Anyway, I stayed at home for two weeks and then, for a couple of weeks more, I took it a little slower and tried to be there more often, but I didn’t take any formal leaves* [Finnish 45-year-old partner at a small law firm, two children].

*I took less time than I might have wanted…I took four weeks of vacation. As I am a partner, the usual parental leave does not apply to me. Again, in November, for the new baby, I plan to take four weeks of vacation* [Quebecois 36-year-old partner at a large firm, one child].

The official stance of law firms on paternity leaves is one of tolerance, as they are part of organisational policies in Finland and Québec. However, the personal attitudes of interviewees suggest otherwise, as most interviewed law-firm partners did not experience the need to take any paternity or parental leave themselves. In their rather traditional family models, they have fulfilled their breadwinner roles in terms of securing the family’s welfare, and their female spouses have assumed most caregiving responsibilities. Drawing on these experiences, they do not necessarily see an immediate need for their younger male colleagues to assume a greater role in childcare. This is specifically salient among Quebecois law-firm partners:

*It is not a good idea for a man to take paternity leave* [Quebecois 50-year-old partner at a medium firm, four children].
Implicit in the interviewees’ narratives is a fear that taking paternity leave would jeopardise their careers. This suggests that while female lawyers’ rights to maternity leaves and thus commitment to family life is normalised at Québec-based law firms, this does not yet extend to male lawyers. This echoes the results from the Australian study on parental leaves in law firms indicating that these are feminine career options that carry the stigma and career costs (Thornton and Bagust, 2007). This explains why Quebecois interviewees prefer to draw on annual holidays rather than paternity leave. As the majority of interviewees work in interprovincial law firms, the weak status of paternity leaves in these firms relates to a short tradition of the paternity leave in Québec as well as its provincial limits. As Quebecois family policies are an exception within Canada and are available primarily to lawyers in Québec-based offices, they appear to have only limited influence on the overall working culture of these firms. On the contrary, Finnish interviewees, especially early in their careers, feel entitled to take paternity leave, which has a strong status in Finland and in Nordic countries.

**Cultural and professional barriers to men’s use of paternity and parental leaves**

*Breadwinning fathers*

The decisions on the use of paternity and parental leaves by Finnish and Quebecois interviewees are made in relation to their perception of female spouses’ greater entitlement to parental leaves. They see women’s careers as more flexible to incorporate caregiving responsibilities compared to their own legal careers. This is the case, even when a female spouse is self-employed or a lawyer:
I think it was understood that if any leave was to be taken, it would be my wife. I would not be taking a leave. Simply because she’s in a more flexible position, given the fact that she owns a business (...) then when she had to be more present at her place of business, we decided that we would retain the services of a nanny for our first child, or send the child to a day care with respect to our second child. But it was always understood that as far as my personal career was concerned, that wasn't possible. I mean I wasn’t interested, personally, in seeking any form of parental leave [Quebecois 45-year-old male partner at a medium firm, two children].

The law-firm partners justify their limited use of paternity leaves through the gendered organisation of family life, in which their female spouses are formally entitled to more generous and better-paid maternity leaves. This is also reflected in organisational policies at their workplaces, which offer women generous maternity leaves and opportunities for flexible work arrangements, making work-life balance a ‘women’s issue’ (see Choroszewicz, 2016; Thornton and Bagust, 2007). In contrast, fathers’ leaves are not only shorter, but also accompanied by financial disincentives compared with maternity leaves (see KELA, 2016; Salmi and Lammi-Taskula, 2014). For example, while law firms in Montreal tend to top-up maternity leave up to 100 percent of salary, this is not necessarily the case for paternity leave. Both factors sustain waves of male professional elites in law firms, which are tied to the norms of traditional masculinity (Thornton, 2016b, p. 11). In both cities, law-firm partners see themselves mainly as breadwinning fathers, whose roles and self-worth are strongly linked to career progress and providing for their families. While career sacrifices still feel like a high price to pay for many of them, family sacrifices appear normal.
In the case of dual-earner couples in their 30s with a solid financial situation, there is more diversity in their use of parental leaves. For example, a Quebecois interviewee combined a five-week paternity leave with unpaid leave to care for a newly born child together with his wife:

We knew that my wife had access to good benefits, a full-year maternity leave at full salary. For me, it was a little bit more novel because there weren’t really so many precedents. There was a fellow associate at the time who had taken the five weeks that are available under the Quebec parental-leave policy. (...) I went to talk to him and see what his experience was, and ultimately, I announced here that I was gonna become a father, and I asked for paternity leave on that basis. The deal was that I took three months off, which were from the employer's perspective unpaid leave. I benefitted from the five weeks of the paternity leave, and for the rest, I was just self-funded basically [Quebecois 35-year-old associate at a medium firm, two children].

Finnish interviewees took on average between three weeks and five months if they took any leave. Only one Finnish interviewee took a longer parental leave than his wife. Yet, he continued to work part-time throughout the leave. Thus, the popularity of paternity leave among specifically Finnish interviewees only slightly disturbs the traditional family model, in which female spouses take full maternity leave and most of parental leave, even when they work as lawyers. Furthermore, family finances do appear to influence Finnish and Quebecois interviewees’ decisions not to take parental leave as they earn higher wages compared to their wives (cf. Salmi and Lammi-Taskula, 2014, p. 316).

Unbroken career progress up to partnership level
Since the mid-1980s, the population of generalist lawyers working as solo practitioners has been declining in favour of different types of salaried lawyers employed as specialists at law firms (Choroszewicz 2014; Macfarlane, 2008). This change has resulted in elongated organisational hierarchy, with lawyers’ career promotions increasingly dependent on their workplaces (Faulconbridge and Muzio, 2008; Sommerlad, 2016). While becoming an equity partner remains a goal for many lawyers, only few can do that nowadays due to restructuring of law firms (Thornton, 2016b, p. 2). Furthermore, the expectation that partners bring in work and clients has increased with the creation of two-layer partnerships, i.e., non-equity and equity partners (Epstein and Kolker, 2013). While the first title generally has only symbolic value, an equity partnership provides actual, concrete status due to the decision-making power and shares in the profits of the firm. Yet, becoming a non-equity partner does not guarantee that one will ever become an equity partner, yet it is cheaper and less risky for the firm (Regan and Heenan, 2010).

The goal of becoming a partner is also salient in our interviewees’ narratives from medium and large law firms who consider it as the pinnacle of a successful legal career. While they struggle with the competing demands of family life and legal career, they feel widespread expectations to comply with the organisational prerequisites for career progress, that is, years of hard work; loyalty to the organisation; long working hours during the week, weekends, and often holidays; extensive booking of clients; and some family sacrifices. Only a few dare to challenge them. The long-hours culture appears stronger among law-firm partners in both cities and Quebecois associates:

*I was usually the first one to be at the office, and I started my day early. I could easily work, like, 14- to 16-hour days before my son was born. So, I really worked hard. But I guess that's also a...a workaholic is perhaps the wrong term, but I am very committed to my work (...)*
Then all the holidays, I never travel to any holiday without having my laptop with me and a work phone [Finnish 45-year-old partner at a medium firm, two children].

During the week, I'm not there much [at home]. I leave early, I come back late. Usually, I can see my ... [children] early morning, a few minutes, maximum an hour, and I will see them at night occasionally because they go to sleep very early. Seven o'clock, they're in bed. So, I do not see them much, but during the weekend, I try not to work and be with the family then... If I need to work, I will try to concentrate on work on Saturday morning or Sunday morning before our family day starts [Quebecois 46-year-old partner at a large law firm, three children].

The working patterns of Finnish and Quebecois law-firm partners are very similar. They start work early in the morning and end late in the evening. Some of them also work late at nights and during weekends. Contrary to common belief, becoming a partner does not decrease the performance pressure. Instead, the pressure of business development increases enormously, as it is one of the most crucial skills for lawyers promoted to equity partnerships (see Sterling and Reichman, 2016). The most promising lawyers at law firms obtain the symbolic title of non-equity partner, which provides them with more recognition among clients. It also motivates lawyers to continue performing to secure their positions in the firm by becoming an equity partner:

When you finally become a partner, you realise that the journey has just started. You are the most junior and you know that others are watching you...you need to continue performing [Quebecois 50-year-old partner at a medium firm, four children].
Face time continues to be important in the interviewees’ workplaces, and alternative solutions to work, that is, part-time work; telecommuting; and flexible work arrangements, are being used mainly in unusual situations, such as parental leave, sick leave and holidays to keep lawyers professionally active outside the office hours. These are more easily executed today due to technological advances (laptops and smartphones) that enable lawyers to work remotely at nights, on weekends, and during holidays, in addition to official work hours spent at the office:

*With today's technology, it is certainly possible to work remotely, from home. It is a question of decisions. Do you want to dedicate yourself completely to your newborn child, or do you want to, also, work. This possibility does exist much more today than it did before...It's a way of keeping in touch with work. It allows easier access to work. Because through your personal computer, you can access the server remotely. (...) I can say there is an increase in... the possibility for or the offer of people on maternity or paternity leave, to perform work during that period* [Quebecois 45-year-old partner at a medium firm, two children].

By imposing these expectations on subordinates, the Finnish and Quebecois law-firm partners assume that their younger colleagues have possibility and will to prioritise work demands over family, even during parental leaves. While the family models are changing, and today’s male lawyers are more likely to have spouses with equally demanding careers, the professional ideal of unbroken career progress with long work hours not only remains, but also increases with the intensification of work culture and technological advances (see Sommerlad, 2011; Thornton, 2016b).

*24/7 client service*
The importance of client service, especially in the case of powerful and prestigious clients, has been increasing in the legal profession (Heinz et al., 2005). In the last decade or so, lawyers have felt more pressure to turn a profit from clients, resulting in an asymmetry of power relations between lawyers and clients (Sommerlad, 2016). The commercial pressure of 24/7 client service is also salient in the interviewees’ narratives in both cities. Clients become assets in the race to become a partner. Thus, pressure to be attentive to clients’ needs and wishes is a factor that contributes to the extensions and fluctuations of working time. The demand for 24/7 client service is rationalised by most interviewees who are or aspire to the position of a partner as an indicator of their career commitment and loyalty to clients. This is especially true for interviewees who work in medium and large law firms, in which 24/7 client service is a new ‘norm’, as it generates bigger profits. The high fees charged for lawyers’ services make it rather impossible to limit lawyers’ availability to clients, when other lawyers, especially men, are not doing so:

*Our clients are loyal to the firm, and maybe more loyal to specific individual lawyers; they create links with individual lawyers. We can sometimes transfer some work, but we don’t do it much, as there is always a risk they might prefer the colleague or new young lawyer ... We have to stay visible and available* [Quebecois 48-year-old partner at a large law firm, two children].

*I did work long hours, and this was a funny thing - not because the partners were pushing me or requiring me to do so. I didn’t have any billing quota or anything like that, but I became very quickly closely acquainted with my clients. Clients were giving me work directly, and I was helping them out. So, the client pressure is much, much more motivating, but it's also more demanding because if you promise something to a client, it's not that easy to say that*
you can't deliver it. (...) I can't just tell them, it's six o'clock, I can't talk to you today, let's talk tomorrow. [Finnish 45-year-old partner at a medium firm, two children]

In both countries, the interviewees are equally concerned with losing or missing the opportunity to get new clients, so they are unwilling to take leaves, which may have a long-term negative impact on their careers. In exchange for high wages and profits, these lawyers carry the individual costs of 24/7 client service—costs that are not only paid by them, but also by their spouses and children, who must tolerate clients’ calls on evenings, weekends, and during holidays. Logistically, 24/7 client service is facilitated by current technological advances that have transformed client-service expectations, which now involve prompt responses to clients’ emails and calls, as well as making oneself almost limitlessly available to clients’ inquiries.

Conclusions

In this study, we have examined the use of paternity and parental leaves and the motives behind their decisions among male lawyers in Helsinki and Montreal. The use of paternity leave, particularly the portion of it that can be combined with maternity leave, is less stigmatised among lawyers in Finland, likely due to its longer tradition and national outreach. In Montreal, paternity leave policy is relatively young and is limited to the Québec province. To avoid jeopardising their careers, Quebecois male lawyers refrain from using parental leave and instead use annual holiday time. Additionally, work organisation at Finnish law firms enables men to use it, especially if they are at an early stage in their careers. However, more individualistic work organisation at law firms in Montreal—which places extensive expectations on young lawyers in the areas of marketing, networking, and recruiting potential clients—discourages their use of paternity leave. Only those who feel very confident about their careers and have collegial support from their peers take the leave. While society has evolved in Finland and Québec, where fathers are offered paternity leave
and the chance to share parental leave, the gendered organisation of work in law firms does not yet acknowledge men as caregiving parents. Thus, the existence of paternity leave at law firms is not enough to make men feel comfortable using it if there are few incentives. Law firms are doing very little to encourage male lawyers to claim their statutory rights as fathers.

The findings contribute further to the debate over work-life balance for male lawyers (see Collier, 2013, 2015a; Thornton 2016a) by indicating cultural and professional barriers on men’s use of the parental leaves, which are breadwinning fatherhood, unbroken career progress and 24/7 client service. These barriers relate to the expectations around lawyers’ professional ethos and prevalent career model in law firms and are sustained by the current primarily male professional elite, i.e. law-firm partners in Helsinki and Montreal. These barriers have enabled law-firm partners to establish their dominance and maintain their control over mobility within their firms. Thus, the hopes put in Generation Y regarding greater commitment to work-life balance (see Thornton and Bagust, 2007, pp. 806-807) and supported partially by our findings are endangered by the prevailing profit-oriented professional ethos. This ethos continues to be entrenched in the norm of traditional breadwinning masculinity, without caregiving responsibilities, which does not benefit all men equally, reflecting the complicated dynamics of power relations among men (Connell 1995). The kinds of men who aim to pursue a successful legal career, i.e. a partnership, are still expected to suppress their desires for active fatherhood so that it does not limit their commitment to hypercompetitive legal culture.

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