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Public Rights Orientations and Views on Long-Term Care Options for Children in the Child Protection System: An Analysis of Representative Samples of Adults in California, USA and Norway

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ABSTRACT

This study examines a representative sample of adults in California (USA) and Norway, and their attitudes toward adoption versus foster care in a child protection case. The results show that a majority of people favour adoption for a child who has been removed due to maltreatment and cannot be reunified with birth parents. The study examines if people's rights orientation, favouring children or adults, or favouring birth parents or adoptive parents, or their institutional context explain their preferences about long-term care options. Data material consist of representative samples of the population in California (USA) and Norway ($n = 2222$), using a vignette survey design. Findings suggest that individuals with a child rights position favour adoption, but attitudes about birth parents' and adoptive parents' rights are not related to care option choices. Institutional context, anchored in policy feedback literature, partly explains the preference for adoption and the population's rights orientation. Further studies are necessary to confirm the role of rights attitudes and institutional context.

1 | Introduction

The U.N. Convention on the Rights of the Child (UNCRC) of 1989, ratified by almost all countries, is widely regarded as a global affirmation that children should be viewed as separate from their parents, with their own rights and interests. According to the UNCRC, children have political, civil and social rights, and Article 19 clearly states they have a right to protection from maltreatment and abuse in the family. In spite of the verbiage of the UNCRC, member states interpret and

implement the UNCRC differently, and not all adults embrace a children's rights perspective with the same degree of commitment. All countries have an obligation to establish child protection systems in law and practice, and empirically it is clear that the design, focus and implementation of these systems differ across countries (Berrick, Skivenes, and Roscoe 2023; Connolly et al. 2014; Gilbert 1997; Gilbert, Parton, and Skivenes 2011; Heatherington et al. 1997; B Merkel-Holguin, Fluke and Krugman 2019). But child protection, at its core, is typified by an often uncomfortable compromise between competing

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principles and rights. These difficult tensions play out at every decision point in the child protection process, whether that includes the decision to sometimes mandate families into needed services, to separate children from parents or to place children in particular settings that may not match the wishes of parents.

Perhaps most notably, the tension between the individual rights of parents and the individual rights of the child are most pronounced in the case of adoption from care against a parent's will (Palacios et al. 2019; Pösö, Skivenes, and Thoburn 2021; Strand-Lobben GC 2019). Typically, an adoption may be decided after opportunities for reunification have been deemed unlikely or impossible (see also CRC article 20), but there are differences between states in how much adoption from care is used. Some nations prioritize adoption as a means of securing children's permanency—a lifetime legal, residential and affective relationship in a family. In this instance, the legal parental rights of the birth parents are terminated and transferred to new parents. Other nations eschew adoption, either disallowing it altogether, or allowing it under extraordinary circumstances (see Berrick, Skivenes, and Roscoe 2023; Pösö, Skivenes, and Thoburn 2021). In these situations, children typically remain in foster care with some of the rights of the original family maintained.

In this study, we examine public attitudes about two care options, adoption versus foster care, in representative samples of the population in California (USA) and Norway. While the policy context for child protection in these two jurisdictions favours foster care for children who cannot live at home, they have very different approaches to adoption and how to secure children's upbringing when children cannot be reunified with their birth parents. In our study, we explore two main explanations for individuals' preferences for adoption or foster care. The first is a person's rights orientation, either favouring the rights of children, the rights of adults or equal rights. Further, if a person's rights orientation leans toward birth parents' or adoptive parents' interests, or equal adult rights. The second is the role of institutional context, anchored in policy feedback literature. The data material includes representative samples of the adult population in Norway and California (USA)¹ ($n = 2222$) using a survey vignette and attitudinal questions about rights orientations.

This research contributes to the scarce literature on public opinion about child protection and care options (e.g., Pösö, Skivenes, and Thoburn 2021; Skivenes and Benbenishty 2022a; Skivenes and Thoburn 2017), and the literature on the effects of a rights orientation and core values on policy preferences and welfare views (e.g., Berrick, Skivenes, and Roscoe 2022b; Schwartz et al. 2001). Furthermore, the study contributes to the literature on policy feedback and the role of institutional context to understand policy preferences (e.g., Loen and Skivenes 2023; Skivenes and Benbenishty, 2022a,b; Svallfors 2012; Valarino et al. 2018).

We first offer a general overview of the literature pertaining to core values, followed by theories about institutional context. Thereafter we outline the empirical field of adoption and care options in the two countries under study. We next describe our study methods and findings. We conclude with a general discussion of the implications of this research for public policy in the area of child protection.

1.1 | The Role of Core Beliefs, Rights and Family Policies

A theory of core values or basic orientations posits that fundamental beliefs have a pervasive influence on individual attitudes and behaviours across various domains of life including personal relationships, work, politics and societal engagement (Feldman 1988; Schwartz et al. 2001). Writing about core values in the field of social psychology, Schwartz's 10 broad values have been recognized across cultures and are a good starting point. These include: Power, Achievement, Hedonism, Stimulation, Self-direction, Universalism, Benevolence, Tradition, Conformity and Security. Core values may serve as a moral compass showcasing individuals' deeply held convictions and providing a framework for decision-making, behaviour and attitudes, that guide a person's actions and views about society. There is no agreed upon list of core political values (see Schwartz et al. 2001), although equality and freedom are often highlighted as particularly important in several policy and attitudinal studies (Arikan and Bloom 2015; Feldman and Elliott 1990). People's rights orientation may be another important core value and has been studied elsewhere (Berrick, Skivenes, and Roscoe 2023). Attitudes about children and children's rights may be especially relevant as they relate to family policy.

From a historical, global perspective, contemporary views about children and children's rights have shifted significantly from object (i.e., children as the property of their parents) to subject (i.e., children as rights-bearing individuals) (Mintz 2006). These views were accelerated with the establishment of the U.N. Convention on the Rights of the Child (UNCRC). Passed by the U.N. General Assembly in 1989, the UNCRC is regarded as the most widely accepted human rights document in history (UNICEF as cited by Waldock 2016) and some countries have used the UNCRC as a framework for crafting national legislation with regard to children's rights. Norway, for example, stands out as taking a particularly assertive stance with regard to promoting children's rights, embedding these rights in national law (Sandberg 2015). The United States, in contrast, has yet to ratify the UN Convention,² and children's rights in that country may therefore be less salient.

Family policy in the area of child protection involves balancing the rights of children with the rights of parents. Regarding care decisions in child protection, one goal is to protect the rights of the child to a safe, durable, legally secure relationship with an adult caregiver—usually the birth parent, when it is safe and the child will be cared for adequately. Another goal, of course, is to ensure parents' right to raise or have access to their children unfettered by government interference. These ideas are difficult to comfortably resolve in child protection as privileging the rights of one party necessarily minimizes the rights of another. Do adults who privilege children's rights, in general, also privilege children's rights in the context of these thorny care option deliberations? Public policy as it pertains to adoption largely focuses on the needs and rights of the child and of the birth parents. Adoptive parents, however, are part of the 'adoption triangle' (Sorosky, Baran, and Pannor 1978) and their interests cannot be discounted. Typically, public policy as it pertains to the potential adoptive parents is silent and in most countries, potential adoptive parents have few, if any,

legal rights, but social workers usually consider the needs and interests of potential adoptive parents in practice since they are relevant and important stakeholders in ensuring children's safety and stability.

1.2 | Policy Feedback and the Institutional Context in Norway and California

In the realm of child protection, differences among countries are to be expected. A factor contributing to these discrepancies may lie within the very systems put in place to safeguard children. Drawing from policy theory, we ask if these differences can be attributed to varying welfare state systems or arrangements. Scholars such as Berrick, Skivenes, and Roscoe (2022a,b), Skivenes (2021), Svallfors (1997), Svallfors (2012) and Valarino et al. (2018) have explored the influence of institutional frames on public attitudes toward the role and status of welfare systems. The underlying premise is that the institutional and cultural contexts in which individuals find themselves shape their perspectives on collective responsibilities and the construction of society. Scholars in the field of welfare state literature engage in ongoing discourse regarding the formation of institutional and cultural contexts, individual preferences, attitudes and their interconnectedness with policy choices (Svallfors 2012; Valarino et al. 2018). Central to our argument is the notion that the popular will represents a reflection of the normative order within a democratic polity and the principles of self-governance. Examining the specific context of families within society sheds light on embedded values, understandings of children and families, and modes of behaviour that may either align with or directly challenge the rights outlined in documents such as the UNCRC. The jurisdictions examined in this study adhere to the principle of the state's monopoly on legitimate coercion and have delegated authority to their respective child protection systems to make decisions regarding intrusive interventions into family life. Our study employs the child protection system as the institutional context (see also Helland, Pedersen, and Skivenes 2022; Skivenes and Benbenishty 2022a; Skivenes 2023; Skivenes, Falch-Eriksen, and Hassan 2023). Child protection systems in high-income countries are typically classified into three categories based on the characteristics of risk from which children are protected (Berrick, Skivenes, and Roscoe 2023; Gilbert, Parton, and Skivenes 2011). These categories include maltreatment protective systems, child well-being protective systems, and child rights protective systems (Berrick, Skivenes, and Roscoe 2023). The United States is considered a maltreatment protective system, setting a relatively high threshold for intervening in family matters and primarily concentrating on ensuring children's safety from harm (Lawson and Berrick, 2023). Meanwhile, a child rights protective system such as Norway, places a strong emphasis on children's rights and needs, considering children as moral individuals equal to other members of society (Hestbæk et al. 2023; Skivenes 2011).

In both Norway and the United States, the shared policy goal following a placement in foster care is reunification if it is in the child's best interests and the child's safety is secured.³ If reunification is not possible, these countries differ in their emphasis on adoption as a permanency opportunity. The UNCRC Article 20 states the following on care options:

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

During a stay in foster care, the state retains legal responsibility for children and children are placed in care through a judicial determination. The biological parents retain their legal relationship to the child although they do not have custodial rights to the child. Foster parents are trained and certified to serve as children's caregivers and they are paid on contract with the state (or an NGO) to care for a child or children on behalf of the state. The care relationship may be terminated by the foster parent or the state at either party's discretion.

Adoption typically involves the legal and custodial transfer of a child from biological parents to alternative parents. The original parents' legal relationship to the child is terminated and a new, legal and custodial relationship is established with an alternative family. Although some parents may make informal arrangements to transfer their child into the family of another, legal adoption involves state actors, usually at the judicial level. Adoption may be voluntary—that is, the original parents may consent to the adoption—but in some instances, adoption may be involuntary such as when birth parents are deemed unsafe by the state and alternative parents are selected. Although there are a range of adoption avenues available for families, including inter-country adoption⁴ and domestic private adoption, we focus exclusively on adoptions from care for children who have been separated from their parents by the state child protection system.

Adoption has emerged as one avenue to secure children's *permanency*, a term widely used in the United States and many European countries. Adoption supports children's legal permanence (an enduring legal relationship between a parent and child), affective permanence (a sense of family connectedness) and physical permanence (continuity of care with a stable caregiver) (Palacios et al. 2019). Permanency has long been considered a critical component to children's well-being as it affords a sense of stability and security that can support children's development (Goldstein et al. 1986). Research on adoption points to a range of beneficial outcomes for children compared to the outcomes associated with foster care. These include stability of caregiving during childhood, as well as better long-term outcomes into adulthood (for a review, see: Christoffersen 2012; Hjern, Vinnerljung and Brännström 2019; Tregeagle et al. 2019; Triseliotis 2002; Vinnerljung and Hjern 2011). But adoption is considered an extreme state intervention due, in part, to the finality of the outcome, and the degree of intrusion into the private sphere of the family. The European Court of Human Rights has, for example, stated that adoption can only be pursued under exceptional

circumstances and must include a sober review of the child's best interests (Breen et al. 2020). A recent examination of nine countries in Western Europe, Eastern Europe and CA in the United States found that in four countries, cooperation from the birth parent and from the child are considered the norm for allowing adoptions. These include Austria, Finland, Germany and Ireland. In some countries (e.g., Sweden), consent from birth parents is required by law (Pösö, Skivenes, and Thoburn 2021).

In Norway, children may only be adopted by the foster parents that are caring for the child (Helland and Skivenes 2021), and it is a relatively rare event; the percent of children adopted from the total number of children in foster care was 0.62% in 2018 (Pösö, Skivenes, and Thoburn 2021). In general, parental consent is preferred, however adoption decisions may be made by a county board without parental consent. A good deal of evidence from across the judiciary, social workers and youth in Norway suggests that there is support for adoption from care if reunification with birth parents is not possible (Helland and Skivenes 2019). In spite of the high regard for adoption as an alternative to foster care, however, and a government white paper supporting the expansion of adoption opportunities (NOU 2012), the number of adoptions from care in Norway has remained relatively low and has also decreased since 2018 (Helland and Skivenes 2021; NOU 2023).

In contrast to Norway, federal policy and social work practice in the United States encourage adoption in instances when children cannot be reunified with birth parents. This policy approach has been in place since 1980 and the principle of support for adoption has been subsequently strengthened with iterative policies (Tefre 2015). The large majority of adoptions from foster care in the United States are involuntary. Given the imposed nature of adoption proceedings, a number of procedural standards limit the state from actions that might be regarded as capricious. Legal thresholds for pursuing adoption for Native American children are especially high (Berrick 2021). In spite of these limitations, adoption from care is an important permanency outcome. The percentage adopted from care in the United States in 2018 was 14.4% (Pösö, Skivenes, and Thoburn 2021). The large majority of adoptions are by foster parents. The odds of adoption for a child vary significantly by age, race and other factors, but for infants—the largest single age-group of children entering care every year (U.S. DHHS 2021)—the odds of adoption are high. In one study examining all infant entries to care in a large Western state, more than half of the cohort (54.3%) was eventually adopted (Magruder and Berrick 2022).

The long-term residential, relational, social and emotional benefits of adoption have been well documented (see above). But adoption is not without its hazards. First and foremost, adoption decisions may be dramatic for birth parents whose legal role as parent is severed and access to their child may be curtailed or eliminated. Children, too, may experience a profound sense of loss in relation to birth parents, siblings and extended family members. They may lose connections to their cultural heritage, their language and/or their faith. Some children may not have access to medical information or other biological or physiological information that might be helpful (Anderson 2014; Brodzinsky 2011).

Data on public attitudes about adoption from foster care are scarce. In a study including representative samples from the populations in England, Finland, Norway and California (USA), respondents indicated their general support for adoption over foster care (Skivenes and Thoburn 2017). Similar findings were revealed in a recent study of representative samples of populations in eight European countries (Austria, England, Estonia, Finland, Germany, Ireland, Spain, Norway) and California (USA) (Skivenes and Benbenishty 2022b). In addition to the few studies examining public opinion regarding adoption and child protection, there is limited comparative research that assesses the public's views about children's rights, particularly in the context of child protection (Skivenes 2021). This study is designed to begin to fill that gap.

1.3 | Hypotheses

H1. Care options and rights. Because adoption affords a child a new family that has been vetted by social workers and the courts, the legal arrangement is clearly child-focused in its general orientation. As such, we anticipate that respondents who lean toward a children's rights perspective will be more likely to also favour adoption over foster care.

H2. Adoption and adoptive parents' rights. Adoption may be seen as a gift relationship (Titmuss 2018) where unrelated adults extend themselves to support and care for a child as their own. Although the theoretical foundation for this hypothesis is underdeveloped, we anticipate that respondents who favour adoptive parents' rights will also favourably view adoption.

H3. Institutional context. The United States has been referred to as an 'adoption nation', with a very high rate of adoption relative to many other industrialized nations (Pertman 2011). The tax code incentivizes adoption, contemporary media often promotes adoption, and child welfare policy explicitly encourages adoption if reunification is not possible. In contrast, adoption is infrequently invoked in Norway; foster care is a more typical outcome for children in care (Helland and Skivenes 2019). Although foster care and adoption touch the lives of a small proportion of any population, we anticipate that residents of the United States will be more familiar with adoption and will therefore be more likely to favour that policy option.

2 | Methods and Data

This study uses a survey to examine public attitudes about long-term care options and children's rights in an international comparative context. Norway and the United States provide the institutional context for this study. The sample of $n = 2222$ respondents include residents of Norway ($n = 1212$) and California (USA) ($n = 1010$), which is considered a sufficiently large sample to claim it as representative of the population (Hellevik 1988). Data collection research firms in Norway (Respons Analyse—RA) and California (YouGov) were engaged to collect the data in February–March 2020. Respondents in both contexts are representative of their

respective national and state populations on observable characteristics such as age and gender. To ensure representativeness, post-stratification weights were employed during the statistical analysis.⁵ Data may be made available by contacting the authors. To ensure transparency in research we provide an online [Supporting Information Appendix](#) with detailed information about additional analyses: (https://discretion.uib.no/wp-content/uploads/2024/08/Appendix-Paper-27_nov9.pdf). A survey vignette was used (Wilks 2004) to assess public views about care options, children's rights and adoptive parents' rights. Vignettes have been used successfully elsewhere as a strategy to understand and compare underlying values across different country contexts (e.g., see: Madsen et al. 2022). We did not include demographic information about individuals in the vignette; we also did not include the many details that would usually accompany a possible adoption decision. The vignette was originally developed by the third author and has been used in other studies with front line staff and county board decision makers (Helland and Skivenes 2019), as well as with representative samples of the populations in four countries (Skivenes and Thoburn 2017) and nine jurisdictions (Skivenes and Benbenishty 2022a). The same vignette is used in the study reported here, and the vignette reads as follows:

Benjamin was born seven weeks prematurely and spent four weeks in the hospital before his parents could take him home. When Benjamin was ten months old, he was hospitalized. The medical examination indicated that he had been repeatedly physically abused. Due to the suspicion of physical abuse of Benjamin, and to his parents' drug misuse, the child welfare system removed Benjamin from his parents.

When Benjamin turns two years old, his parents are still misusing drugs, and the child welfare agency does not think it is realistic that Benjamin will be reunified with his parents. The child welfare agency therefore considers either adoption or a foster home.

An adoption means that the biological parents' parental rights are terminated and transferred to the adoptive parents on a permanent basis. A foster home can be long term but is not permanent, and foster parents can terminate a contract about being foster parents for a child.

Following the vignette, respondents were asked whether they would suggest foster care or adoption for the child (a measure of their preference regarding *care options*). Respondents also had an option to select, 'I do not wish to answer'. Ten percent chose this option, see Table A2 in [Supporting Information Appendix](#), and they are coded as missing in the analysis.

The questions pertaining to respondents' rights orientation builds on the work of Berrick, Skivenes, and Roscoe (2022b) in their research examining public attitudes about *children's* versus *parents' rights orientation*. Respondents were thereafter presented with the following:

Rights are things every person should have or be able to have. Some people have more rights than others. Which of the following three statements about Benjamin and his parents do you align with the most? (Our underlying concept is provided in italics in parentheses):

Benjamin should have fewer rights than his parents (*parents' rights*).

Benjamin should have the same rights as his parents (*equal rights*).

Benjamin should have more rights than his parents (*children's rights*).

Respondents were then asked about *adoptive parents'* versus *birth parents' rights orientation* which were presented as follows:

Rights are things every person should have or be able to have. Some people have more rights than others. Which of the following three statements do you align with the most? (Our underlying concept is provided in italics in parentheses):

Benjamin's parents should have fewer rights than the family who wants to adopt Benjamin (*adoptive parents' rights*).

Benjamin's parents should have the same rights as the family who wants to adopt Benjamin (*equal adult rights*).

Benjamin's parents should have more rights than the family who wants to adopt Benjamin (*birth parents' rights*).

2.1 | Statistical Analysis

We apply two approaches for our empirical analysis to understand public attitudes about children's care options. First, a descriptive analysis of care options and rights orientation hypotheses, producing cross tables and testing for significant differences using the program Zigne Signifikans 5.9⁶ applying a one-tailed, single random sample *t*-test.⁷ Additionally, we conduct a multiple binary logistic regression analysis to examine the influence of the independent variables (*children's rights, adoptive parents' rights and institutional context*)⁸ on the dependent variable (*care option preference* measured as foster care = 0 (ref); adoption = 1). The statistical program SPSS 28 was used for logistic regression analysis and descriptive output.

In the statistical models we include the following demographic variables: Gender (female = 0 (ref); male = 1), age (18–34 years = 0 (ref); 35–54 years = 1; 55 and older = 2), education (lower

education=0 (*ref.*); higher education=1), income (low and average income=0 (*ref.*); high income=1), political orientation (right-wing oriented=0 (*ref.*); left-wing oriented=1); urbanicity (rural city <100,000 population=0 (*ref.*); urban city >100,000 population=1) (see [Supporting Information Appendix tables A1 and A1.1.](#) for operationalization and distribution of the variables). We report significant differences at $p < 0.05$ (**), $p < 0.01$ (***) with the awareness that $p < 0.05$ is at the margin of what is relevant to report as statistically significant.

3 | Results

Starting with the descriptive results (see [Table 1](#)), over two thirds of respondents favoured adoption (72.2%) over foster care (27.8%) ($p < 0.01$) and there are significant differences between Californians (82.6%) and Norwegians (63.5%) ($p < 0.01$). H1 and H3 are confirmed. A slim majority (51.6%) favoured children's rights, followed by equal rights (43.8%), and a small percentage of the sample favoured parental rights (4.6%) ($p < 0.01$), also showing significant differences between California and Norway ($p < 0.01$). When asked to consider the adoptive parents' and birth parents' rights, a similar percentage of respondents favoured the adoptive parents' rights (45%), and balancing both the adoptive parents' and the birth parents' rights (44.5% equal adult rights). A much smaller percentage of respondents (10.5%) favoured privileging the rights of the birth parents ($p < 0.01$). There were few difference between Californians and Norwegians.

Those who favoured foster care were similarly likely to be oriented toward children's rights, equal rights and parents' rights. The same was true among respondents who favoured adoption (see [Figure A1](#) in [Supporting Information Appendix](#)). Respondents who privilege adoptive parents' rights (81.4%) are more likely to favour adoption compared to those who privilege birth parents' rights (44.5%) or equal adult rights (68.2%) ($p < 0.01$) (see [Figure 1](#)).

3.1 | Results of Multivariate Analysis

Findings from the multiple logistic regression including four models have low explanatory power in general, but model 4, where all independent and demographic variables are included, explains 16.8% of the variance. Results from model 4 show that compared to those who favour parents' rights, respondents preferring children's rights are 3.1 times ($p < 0.001$) as likely to favour adoption over foster care, whilst those who favour equal rights between children and parents are 2.3 times ($p < 0.001$) as likely to choose adoption (see [Table 2](#)). H2 is confirmed. Those preferring adoptive parents' over biological parents' rights are almost six times as likely ($p < 0.001$) to favour adoption over foster care. Favouring equal rights for birth and adoptive parents also increases the likelihood of choosing adoption over three times ($p < 0.001$).

Institutional context is significantly associated with choice of care option: California (USA) respondents are three times as likely to choose adoption over foster care ($p < 0.001$).

On the question of rights orientation and preferences for adoption, there are clear findings that respondents' rights orientations impact their choice of care options (models 1, 2 and 4).

Of the demographic characteristics, only age significantly influences a preferred placement option. Respondents in the oldest age group (55 years and older) are about one-third less likely ($p < 0.001$) to choose adoption over foster care, compared to the youngest age group (18–34 years).

4 | Discussion

All nations prioritize the parent–child relationship, and out-of-home care is only considered when children's health, safety, and—in some country contexts—well-being cannot be secured

TABLE 1 | Percentage and frequencies by country and total.

Care option	Total ^a (n = 1996)	CA (USA) (n = 912)	Norway (n = 1084)	Country difference
Suggest adoption	72.2% (1441)	82.6% (753)	63.5% (688)	Sig. $p < 0.01$
Suggest foster care	27.8% (555)	17.4% (159)	36.5% (396)	Sig. $p < 0.01$
Children's vs. parents' rights	Total (n = 2222)	CA (USA) (n = 1010)	Norway (n = 1212)	
Children's rights	51.6% (1147)	39.7% (401)	61.6% (746)	Sig. $p < 0.01$
Equal rights	43.8% (973)	51.2% (517)	37.6% (456)	Sig. $p < 0.01$
Parents' rights	4.6% (102)	9.1% (92)	0.8% (10)	Sig. $p < 0.01$
Adoptive parents' vs. birth parents' rights	Total (n = 2222)	CA (USA) (n = 1010)	Norway (n = 1212)	
Adoptive parents' rights	45.0% (1000)	47.5% (480)	42.9% (520)	Sig. $p < 0.05$
Equal adult rights	44.5% (989)	42.3% (427)	46.4% (562)	Sig. $p < 0.05$
Birth parents' rights	10.5% (233)	10.2% (103)	10.7% (130)	Not sig.

Note: Weighted distribution.

^aNot including individuals responding 'I do not wish to answer' (n = 226), but see [Supporting Information Appendix Tables A2 and A2.1](#) for this information.

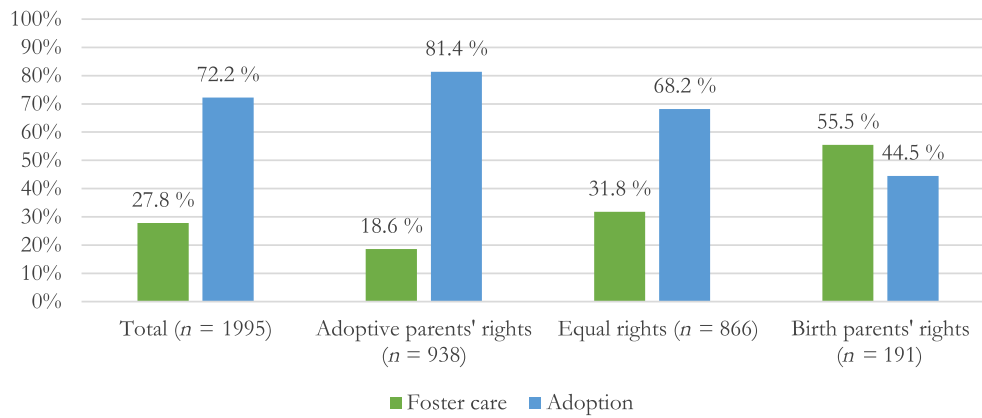


FIGURE 1 | Care options decision by adoptive parent versus birth parent rights position (total sample). [Colour figure can be viewed at [wileyonlinelibrary.com](https://onlinelibrary.wiley.com/doi/10.1111/spo.13081)]

TABLE 2 | Dependent variable: Placement option = adoption.

	Model 1	Model 2	Model 3	Model 4
	OR	OR	OR	OR
Parent's rights (ref.)				***
Equal rights	1505 (0.272)			2319*** (0.296)
Children's rights	1714** (0.272)			3149*** (0.302)
Birth parents' rights (ref.)		***		***
Equal adult rights		2900*** (0.194)		3120*** (0.204)
Adoptive parents' rights		5774*** (0.200)		5729*** (0.206)
Male	1007 (0.123)	1016 (0.125)	0.899 (0.124)	0.980 (0.130)
18–34 years (ref.)	***	***	***	***
35–54 years	1063 (0.156)	1072 (0.160)	1044 (0.158)	1038 (0.164)
55 years and older	0.654*** (0.150)	0.664*** (0.154)	0.668*** (0.152)	0.646*** (0.158)
Higher education	1506*** (0.156)	1674*** (0.160)	1065 (0.162)	1197 (0.168)
High income	1124 (0.122)	1081 (0.126)	1155 (0.125)	1154 (0.130)
Left-wing orientation	1033 (0.124)	1046 (0.128)	0.993 (0.127)	1032 (0.132)
Urban	1376*** (0.124)	1394*** (0.127)	1207 (0.126)	1289 (0.131)
Country (California [USA])			2591*** (0.132)	3077*** (0.147)
Constant	1164 (0.334)	0.485 (0.274)	1816*** (0.206)	0.152*** (0.410)
Pseudo R^2 (Nagelkerke)	0.034	0.109	0.082	0.168
Prob > χ^2	< 0.001	< 0.001	< 0.001	< 0.001
$N=$	1495	1495	1495	1495

Note: Odds ratio (Exp(B)) and standard error in parenthesis. Ref. category: Foster care.

** $p < 0.05$.

*** $p < 0.01$.

with their parents. Most countries also prioritize children's return home to their parents following a stay in foster care if a safe reunification can be arranged. This study contributes to the limited knowledge base on public attitudes about child protection responsibility and rights orientation in possible child protection situations. Our results show that a majority in both

countries favour adoption over foster care in the described situation. This is in alignment with previous population studies (Skivenes and Benbenishty 2022a; Skivenes and Thoburn 2017). The results also show that six out of ten Norwegians favour children's rights, compared to four out of ten Californians. A majority of Californians are supportive of equal rights, compared to

about two-fifths of Norwegians, and about 10% of respondents from California favour parents' rights, whereas less than 1% of Norwegians hold similar views. Our findings are in alignment with previous research that suggests that people lean toward a children's rights perspective when faced with a situation concerning an infant at risk (Berrick, Skivenes, and Roscoe 2022b). The codification of the UNCRC and more awareness of states' responsibilities to protect children's rights (e.g., Archard 2004; Gilbert, Parton, and Skivenes 2011; Prout 2004) are factors that may weigh in favour of public support for children's rights. Children's rights are instantiated in national law in Norway, though children have a more ambiguous legal standing in the United States. Conversely, considerable evidence from the United States suggests that parents' rights are strongly supported by state and federal law. In particular, rights to family privacy and integrity have been affirmed by the United States Supreme Court on multiple occasions (see *Prince v Massachusetts*, 321 U.S. 158 1944; *Troxel v Granville*, 530 U.S. 57 2000). Prior research has also shown that public attitudes in California lean toward a parents' rights perspective (Berrick, Skivenes, and Roscoe 2022b). In California, about one in ten respondents favoured parental rights and this finding is curious in the context of contemporary debates in the United States that are parents' rights focused. In recent years, several states have introduced legislation to strengthen parents' rights, whether it is in the context of education (Doyle 2023), health care or child protection (Hager 2023). California has been an outlier state in this regard where these contested issues have not been as prevalent as in other states, but concerns about parents' rights have even made their way into presidential politics (Quilantan 2023). Findings from this study are in accord with a previous study of public attitudes about child protection in California and Norway, though the focus of that research examined decisions about initial government intervention where harm to the child was more ambiguous (Berrick, Skivenes, and Roscoe 2022b).

The findings on public attitudes about adoptive parents' rights and parents' rights suggest few differences between respondents in California and Norway. We know of no prior research documenting public opinion toward potential adoptive parents, though we anticipate that proximity to the child, and the safety and stability of the home offered to the child might be determinative in shaping the public's views. In general, respondents in both countries favoured adoptive parents' rights over birth parents' and equal adult rights. The finding is important as it underscores public support for adoption when reunification with the parent is deemed impossible, even in countries with notably different policy contexts and opportunities for adoption.

This study examines two main explanations for popular attitudes about care options: first, if peoples' essential rights orientation sheds light on care option preferences in the field of child protection. Second, if institutional context explains differences between countries. We have three hypotheses, stipulating that respondents favouring children's rights (H1) and those favouring adoptive parents' rights (H2) favour adoption, and that California respondents will favour adoption more than Norwegians (H3). In general, our three hypotheses are largely confirmed. We also find that respondents with an equal rights orientation favour adoption.

The effect of institutional context with regard to strongly favourable attitudes about adoption in California may be related to the large proportion of adults who have previously considered adopting a child. Findings from a U.S. based survey shows that nearly one-quarter of U.S. adults have considered adopting a child, the majority considering adoption from foster care (Dave Thomas Foundation 2017). Similar surveys have not been conducted in Norway. Public views about parents' and children's rights are likely context-specific and can shift, based on circumstances of risk and parental behaviour. Although parents' rights are prioritized in law, some circumstances can shift public perceptions. This requires further study.

And the effect of institutional context with regard to strongly favourable views about children's rights in Norway may be related to the legal and political focus on children's rights which that country has enjoyed. Clearly, Norway has exceeded the 'tipping point' on public attitudes toward children and children's rights that may be a model for other countries with similar aspirations.

4.1 | Limitations

This study offers important insights about public attitudes relating to long-term care options for children in out-of-home care and the rights-orientation to which the public ascribes. The study, nevertheless, has limitations. Child protection often involves complicated family circumstances that cannot be fully described in a vignette, and the vignette has a strict scope. Rights are also multi-dimensional notions, yet we asked respondents to narrowly assess their rights positions in general terms. The inclusion of an 'equal rights' option also may have made respondents less inclined to be explicit about their core values in a complex situation. The institutional context is measuring one jurisdiction for each type of child protection system, and ideally we would have more U.S. states and countries included. As for all survey-based studies, we cannot determine the veracity of responses, and the sample from California does not represent the United States as a whole, especially given its demographic heterogeneity compared to the rest of the country. The vignette only refers to a very young child; a study including an older child might elicit different responses from the public. There are a range of pitfalls with using panel data as these panels may miss out on respondents with lower socio-economic status, undocumented persons, as well as individuals who lack internet access (about 8% of California residents and 2% of Norwegian residents). Although we use weights in our analyses, the results may not sufficiently capture some groups of respondents.

5 | Conclusion

In countries throughout the world there are children in dire situations in need of an alternative family. Many high-income countries have developed public policy to support care for children who cannot be reunified with their parent, though some country contexts privilege foster care, and others privilege adoption. It is unclear the degree to which the public is informed about the general nature, policies or procedures

involved in child protection. In particular, the nuanced, competing tensions often at play in adoption between the interests of children, birth parents and potential adoptive parents may not be evident to the layperson. Nevertheless, available research suggests that the public expresses broad support for adoption. This is controversial, as media debates in some European countries and the European Court of Human Rights (ECtHR) have shown. For example, the ECtHR made clear as recently as 2019 that adoption could only be considered legitimate in 'exceptional circumstances' (Strand-Lobben GC 2019). The findings from this study, showing clear public support for adoption, signals the public's positive regard for care options that offer permanency solutions that are binding and lasting. Public sentiments on these issues may be more nuanced and less restrictive than current public policy in some countries, and in contrast to limitations placed on states by the ECtHR (see also Breen et al. 2020; Pösö, Skivenes, and Thoburn 2021). This study expands our knowledge about the impact of core values, showing how an orientation toward children's rights may have stronger standing in Norway, but that the concept overall has broad appeal and may impact views pertaining to children's care options. Further studies, including more countries and from other states in the United States, as well as other aspects of child protection, are recommended.

Data Availability Statement

The data that support the findings of this study are available from the corresponding author upon reasonable request.

Endnotes

¹The study sample in the United States is limited to one state—California. Child protection policy varies considerably across the 50 U.S. states and territories; the selection of one U.S. state is therefore warranted. California, as the most populous state in the United States with the largest number of children and families involved with the child protection system, offers an important window into some public opinion in the United States on this topic.

²The convention was signed by U.S. officials, thereby endorsing the underlying principles, but ratification, which requires a two-thirds majority vote in the U.S. Senate, has not taken place (Alderson 2000).

³An increasing proportion of children in care are placed with relatives (referred to as kin care), many of whom are unfamiliar with, or uncomfortable with adoption as a permanency outcome. In countries such as the United States, legal guardianship is frequently considered as an alternative to adoption for kin, as parental rights are not terminated, but legal custody is transferred to the legal guardian.

⁴Intercountry adoption, which is not a focus of this paper, is regulated by the Hague Convention of 29 May 1993 on Protection of Children and Cooperation in respect of Intercountry Adoption and the UNCRC article 21.

⁵The weight variables are provided by the data collection company.

⁶Zigle is a free program that calculates whether a result from a sample survey is statistically significant or not: <https://aardal.info/zigle-hva-er-signifikantesting/>.

⁷The model has been verified to meet key assumptions for logistic regression, see notes in [Supporting Information](#) Appendix.

⁸*Children's rights*: parent's rights = 0 (*ref.*); equal rights = 1; children's rights = 2. *Adoptive parents' rights*: Birth parents' rights = 0 (*ref.*); equal rights = 1; adoptive parents' rights = 2. Institutional context (*country*): Norway = 0 (*ref.*) and California (USA) = 1.

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Supporting Information

Additional supporting information can be found online in the Supporting Information section.