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Child support following separation : An exploratory study of non-resident fathers' views of the fairness of current contact and child support payment practices

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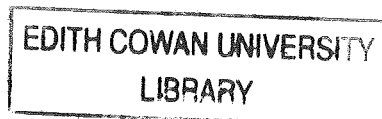
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Child Support Following Separation: An Exploratory Study of Non-resident Fathers'
Views of the Fairness of Current Contact and Child Support Payment Practices.

Marian C. Cook

A report submitted in partial fulfilment of the requirements for the award of
Bachelor of Arts (Psychology) Honours, Faculty of Community Studies, Education
and Social Sciences, Edith Cowan University

October, 2005



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Table of Contents

	Page
Title.....	i
Use of thesis.....	ii
Declaration.....	iii
Acknowledgements.....	iv
Table of Contents.....	v

Literature Review

Title page.....	1
Abstract.....	2
Introduction.....	3
Masculine Identity.....	5
Gender Roles.....	5
Demographic Changes.....	6
Changing expectations of fatherhood.....	6
Fathering Practices.....	7
Fathering after divorce.....	8
Fathers’ Parental Role Identity.....	13
Gender Role Theory.....	15
Perceptions of parenting after divorce.....	15
Perceptions of fairness.....	17
References.....	20

Research Report

Title page.....	25
Abstract.....	26
Introduction.....	27
Method.....	31
Design.....	31
Participants.....	31
Materials.....	32
Procedure.....	32
Analysis.....	33
Findings and Interpretation.....	33
Contact.....	34
Fair.....	34
Flexibility.....	34
Unfair.....	35
Loss of influence.....	35
Loss of control.....	36
Transition difficulty.....	36

CS payments.....	38
Fair.....	38
Private agreements.....	38
Unfair.....	39
Institutional disrespect.....	39
Loss of control.....	39
Transition difficulty.....	41
Role re-negotiation.....	42
Conclusions.....	45
Limitations.....	45
Implications.....	46
Future Directions.....	46
References.....	47
Appendix A: Information Sheet.....	53
Appendix B: Consent Form.....	54
Appendix C: Interview Questions.....	55
Journal Guidelines.....	56

Running Head: CHILD SUPPORT FOLLOWING SEPARATION

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Abstract

In recent years men's rights groups have alleged that post-separation child support (CS) payments and contact arrangements are unfair to non-resident fathers. In this paper men's fathering practices within marriage and after divorce are examined from a social constructionist perspective, within a framework of masculine identity and gender role theories. It is argued that parental role theory may provide a limited understanding of non-resident fathers' perceptions of fairness in CS and contact and that gender role and identity theories may provide important insights in analysing qualitative studies of these perceptions.

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Child Support Following Separation: An Exploratory Study of Non-resident Fathers' Views of the Fairness of Current Contact and Child Support Payment Practices.

In recent years men's rights groups have challenged the fairness of children's residence arrangements, contact with their children (contact), as well as child support payments (CS) made through the Child Support Agency (CSA), following divorce or separation. An example is the Men's Rights Agency in Australia, whose mission is, *inter alia*, to promote and advocate for equal rights for men in matters relating to relationship breakdown, to provide access to professional services for men and to assist with CSA matters (Men's Rights Agency, n.d.).

One issue of concern to non-resident fathers is the amount of contact they have with their children. Following divorce or separation, children reside with their mother in about 88% of cases (Australian Institute of Family Studies (AIFS), 2004). This report also noted research indicating that about 78% of non-resident fathers complain that they do not see enough of their children (AIFS, 2004). A 1997 telephone survey of divorced parents found that many fathers viewed their contact arrangements as unfair (Smyth, Sheehan & Fehlberg, 2001).

More recently, non-resident fathers have voiced concerns over the amount of their CS payments. An article in a recent edition of *The West Australian* newspaper highlighted the frustration of many CS payers in their dealings with the CSA (Gibson, 2005). Complaints cited were principally from fathers and their new partners, who alleged that the CSA treats the needs of the second family as subordinate to those of the children of the previous relationship (Gibson). It is clear that one of the consequences of divorce and separation among couples with children is that many separated fathers feel they are treated unfairly in child support arrangements. Although men's groups seek equal rights for men, Australian legislation is based on the principle that the child's best interests are paramount in all matters relating to the separation of couples with children (Fehlberg & Smyth, 2000).

According to a survey conducted by the Australian Bureau of Statistics, 1.1 million children under 18 years (25% of all such children) lived apart from one parent, usually their father (Australian Bureau of Statistics, 2003). Although most children live in intact couple families, the percentage of such children fell from 78% in 1992 to 72% in 2003 with a corresponding rise in the percentage of children living

with one parent, usually their mother, from 15% to 20% (ABS). The pattern of children's living arrangements shows an increasing trend for children to live apart from one natural parent, usually the father. Most of these children live in single mother households. If, as seems likely, this trend continues into the future it will be important to address fathers' dissatisfaction with contact and CS payments so that the children involved are not disadvantaged, either emotionally or financially. Parental conflict following separation is associated with a range of negative outcomes for children, for example, behavioural problems, self-blame, stress, and poorer interpersonal skills (Pruett, Williams, Insabella, & Little, 2003). Because of perceived adverse outcomes for children, co-operative parenting after divorce is now being encouraged (AIFS, 2004). If such co-operation is to be achieved it is important to address separated fathers' concerns.

Separated fathers complain that they do not spend as much time with their children as they would like and that the CS payment system is unfair to them and to any second family they may have. Such complaints reflect constraints on the fathers' lives after separation. In this literature review the impact of social change on men's fathering after divorce is discussed from a social constructionist perspective, within a framework of masculine identity and gender role theories.

Social constructionism holds that humans' descriptions and explanations of events do not mirror an external reality but are rather constructions that apply in a particular place and time. Individual reports or explanations may differ between cultures and over time. These accounts are based on usually unspoken assumptions that may, nevertheless, be discernible in the language used. Deconstructing language may uncover the unspoken assumptions, which may then be challenged or endorsed (Gergen, 1985). The purpose of this review is to examine the extent to which changes in men's identity and social roles have affected their participation in family life during marriage and after divorce. In this review, it is argued that men's responses to social changes may affect their perceptions of fairness in the divorce process and its outcomes, in particular, separated fathers' perceptions of fairness in CS and contact. Masculine identity, gender roles, demographic changes, and altered expectations of fatherhood are discussed. In addition, fathers' participation in family life during marriage and after divorce, together with findings on fathers' parental

roles are outlined. It is further argued that identity theory and gender role theory may be fruitful in research on non-resident fathers' perceptions of fairness in CS and contact after divorce.

Masculine identity

Traditional masculine identity, or hegemonic masculinity, is based on a standard for men that emphasises power, success, wealth, and status. In addition, men are expected to remain calm in a crisis and to never show emotion, except, of course, anger as aggression. Above all, being masculine is about not being feminine. This impossible and contradictory definition sets men up in competition with each another in a public arena and also serves to confine women to a devalued private domain. (Kimmel, 1994). Indeed, Kimmel suggests that, in this view, women are merely currency used by men to raise their social standing, among other men. Thus, to be a man is to be someone who is strong, successful, capable and in control. This definition of masculinity sets the standard for the ideal man and, in doing so, masculinity becomes about men striving for this ideal. In Western industrialised societies, the ideal man is White, heterosexual (preferably married), well-educated, middle-class, able-bodied, tall and of working age. To differ in any way from this idealized view is to invite derision from other men and thus there is established a hierarchy of social power. The hierarchy accords the highest rewards and privileges to those who most closely meet the standard. Thus men exert power over other men and men exert power over women (Kaufman, 1994; Kimmel). This view of masculinity also establishes a dichotomy between masculinity and femininity. If identity is about personal attributes such as strength, ability, and agency, or who we are, then roles are about how these attributes are used, that is, what we do.

Gender roles

Gender roles are behaviours, expectations and values that are considered either masculine or feminine and, thus, appropriate for men or women, respectively (O'Neil, 1990). A person's gender is socially constructed, that is, ideal attributes and behaviour for men and women differ between cultures and over time. Gender also refers to a set of power relations between men and women, one in which men exert power over women (Kaufman, 1994). To identify as either masculine or feminine incorporates personal attributes and their associated behaviours, expectations and

values. Traditionally, within families, men were assigned a provider role and women were assigned a homemaker role (Pyke & Coltrane, 1996). Identity and roles are thus linked and, being constructed, are subject to change.

Demographic changes

The biggest social changes affecting families in Western industrialised societies in the past 30 years or so have been women's increased participation in the paid workforce and the rise in the divorce rate following the introduction of no-fault divorce.

In Australia the total workforce increased by 4.0 million between 1978 and 2005, of which 2.4 million were women. Most of these women (1.3 million) moved into part-time jobs. Over this period women increased their employment rate to 45% of the total paid workforce in 2005, up from 35% in 1978 (ABS, 2005b).

Prior to the introduction of no-fault divorce in 1975, the crude divorce rate was about 1 (per 1,000 population). Following a large increase in 1976 to about 4, this rate declined to just under 3 in 1992 (ABS, 1995). Between 1994 and 2003 the rate remained steady at 2.7 (ABS, 2005a). Although the divorce rate has stabilised, other factors affect family dissolution. Because of the decline in marriages, the rise in de facto relationships, and the fact that some couples separate without divorcing, it is likely that family dissolution rates are higher than the crude divorce rates suggest (ABS, 1995). As noted above the trend in children's living arrangements is for a substantial minority to live apart from one parent, usually the father, and to live in single mother households. Thus, for adults and children, there have been marked changes to family life. As women began to spend more time working for money outside the home, men began to be encouraged to spend more time with their children.

Changing expectations of fatherhood

Conceptions of fatherhood have changed from an authoritarian, emotionally detached model to one that emphasises engagement with and responsibility for children and their well-being (Morman & Floyd, 2002; Sanderson & Thompson, 2002). A review by Rohner and Veneziano (2001) traces the construction of fatherhood in the United States of America (U.S.A) over the past 300 years. In the 17th and 18th centuries the ideal father was a stern patriarch. The 19th century ideal

father was a distant provider. Between 1900 and 1970 the image changed again to that of a playmate and gender role model and from 1970 on, the ideal father was a co-parent who shared childcare equally with his partner. However, the authors note that an enduring feature of the 20th century was the assumption that a father's primary role was that of provider and a mother's role was that of nurturer, especially of young children. Fathers were presumed to play only a peripheral and indirect role in their children's lives, principally by supporting the children and their mother financially. There was, however, evidence of fathers' influence on children's psychological well-being from about the 1960s, albeit on the detrimental effects of domineering, sadistic and rejecting fathers.

Later research found that fathers were just as capable of care-giving as mothers and that the father-child bond could be just as strong as that between mothers and children. In addition, some research indicated that father love made a unique contribution to some outcomes beyond the effect of mother love. The key predictor of the effect of father love was not time spent in care-giving, but rather, the quality of parenting, particularly paternal warmth. Moreover, there appeared to be little difference between the effect of mother love and father love on children's well-being (Rohner & Veneziano, 2001). Thus the body of literature providing evidence of the importance of fathers in children's lives appears to show that; men can be competent care-givers, warmth and acceptance are the key factors, time spent in parenting is less important than the quality of parenting and that mothering and fathering are largely similar. Based on this evidence it might be expected that mothers and fathers would spend roughly equal time in providing financial and care-giving support to their children. At the same time as the importance of fathering was being investigated, so too was the division of family work between mothers and fathers.

Fathering practices

The entry or re-entry of women, including mothers, into the paid workforce has led to mothers becoming less financially dependent on their husbands. At the same time, women became more dependent on their husbands to assume responsibility for household work. However, even where women were employed full-time, and in cases where husbands were unemployed, women continued to

perform the bulk of household work, a phenomenon that became known as “the second shift” (Deutsch, Lussier, & Servis, 1993; Greenstein, 1995; Milkie, Bianchi, Mattingly & Robinson, 2002; Sanchez, 1994). A consistent finding on fathers’ involvement with their children is that they spend less time in direct interaction with their children and that they favour play activities over day-to-day care.

Fathers’ work hours are cited as the principal reason for this difference (Aldous, Mulligan & Bjarnason, 1998; Laflamme, Pomerleau, & Malcuit, 2002; Phares, 1993; Segal, 1990). However, mothers’ hours of work appear to make no difference to fathers’ involvement with their children nor do fathers’ recognition of the unfairness to mothers of their unequal workload (Aldous et al.,). The same pattern holds for housework, with women doing most of it whether they work for money or not and whether their partners work for money or not. (Coltrane, 2000; Deutsch et al, 1993; Greenstein, 1996; Martin & Mahoney, 1996). Fathers’ low involvement with their children is consistent with the idea that a father’s principal contribution to his children’s well-being is financial, that is, that the provider role is more salient to fathers than a nurturing role. When men become fathers they work more hours than single men (Eggebeen & Knoester, 2001; Kaufman & Uhlenberg, 2000). Fathers who adhere to the provider role work more hours than fathers who advocate more involvement with their children, although the latter still work more than 40 hours per week (Kaufman & Uhlenberg). Thus fathering in intact families is principally concerned with breadwinning, with little involvement with children or household management.

Fathers’ involvement with childcare within intact couples is largely reproduced after divorce (Arditti, 1995). After divorce, the proxy for fathers’ involvement with their children, or their nurturing role, is contact, while that of fathers’ provider role is payment of CS.

Fathering after divorce

Contact

A well-documented outcome of divorce is the widespread withdrawal of fathers from their children’s lives after divorce, with a substantial minority (estimates vary between 25% and 35%) having no contact at all and with the amount of contact diminishing over time for those fathers who do maintain contact (Arditti, 1995;

Erera, Minton, Pasley & Mandel, 1999; Fox & Blanton, 1995; Kruk, 1992; Shapiro & Lambert, 1999;) Reasons for the majority of fathers' disengagement from their children have been analysed as either structural/demographic or psychological in nature.

Structural or demographic barriers to father's ongoing participation in their children's lives include geographical distance, income, employment schedules, education, ages of children, and re-marriage of self or ex-spouse (Erera et al., 1999; Kruk, 1992). Psychological factors for disengagement include, feelings of loss, grief, depression, anger, powerlessness, pain connected with limited contact, incompetence, loneliness, and ex-spousal obstruction to contact together with dissatisfaction with the legal system (Fox & Blanton, 1995; Kruk; Lehr & MacMillan, 2001; Shapiro & Lambert, 1999)

What is not clear is whether these feelings and perceptions are related to the divorce or to the altered relationships with their children. For example, a study by Shapiro and Lambert (1999) examined whether divorced fathers' relationships with their children had any effect on the fathers' psychological well-being. Divorced fathers reported higher levels of depression than married fathers, whether their children lived with them or not. In addition, contact fathers reported lower quality relationships with their children than either married or co-resident divorced fathers. However, the divorced fathers' well-being was unrelated to the quality of their relationships with their children.

Another study involving divorced couples examined whether initiation of the divorce and the length and difficulty of legal proceedings had any effect on co-parenting and fulfilment of parental responsibilities (Baum, 2003). This study was conducted in Israel and involved 50 formerly married couples. When fathers initiated the divorce and felt responsible for it, they were more likely to be involved as parents. For both mothers and fathers longer and more difficult legal proceedings meant less co-parenting, and for fathers, less parental functioning. Mothers' parental functioning was unaffected by the variables, an unsurprising result considering that mothers usually have the children living with them (Baum). It is possible that when mothers initiate the divorce the fathers' parental functioning is reduced.

In addition, investment in their parental role was not associated with contact in Pike and Vawser's (2005) study. Moreover, parental conflict was not related to co-parenting in Madden-Derdich and Leonard's (2000) study. Conversely, co-operation from mothers was an important facilitator of fathers' co-parenting (Madden-Derdich & Leonard). Although demographic factors can interfere with ongoing contact, the key variable appears to be co-operation with the other parent (Whiteside & Becker, 2000).

In a 2004 paper, Baum provided a possible explanation for fathers' disengagement as an inability to relinquish their spousal roles while retaining their parental roles. Three case studies were presented in which fathers were: engaged in ongoing conflict with the children's mother, disengaged from the children and maintaining a stable paternal role. The first father engaged in behaviours that demonstrated his continuing pre-occupation with conflicts that arose during the marriage. The disengaged father could not bear to see his children because he said they reminded him of his ex-wife. In both cases Baum suggests that these fathers had not yet worked through the grief arising from the divorce, despite each having initiated the divorce and where the disengaged father had re-married. In contrast, the father who had maintained an ongoing parental relationship had gone through a period of mourning after the divorce and gradually relinquished his spousal role. Baum speculated that such an explanation may also account for mothers' behaviours and adjustment after divorce (Baum).

It is possible that what is perceived by fathers as maternal obstruction, and which is described in the literature by the blanket term 'parental conflict', may reflect unresolved issues from the marriage and/or the divorce process, as suggested by Baum (2004). Difficult and protracted legal proceedings can also interfere with effective co-parenting after divorce (Baum, 2003) and it is likely that they can exacerbate or promote hostile parental relations.

Peripheral support for the idea that fathers' psychological distress may be, to some degree, related to inter-spousal issues is that not all fathers are deeply involved with their children during the marriage. Feelings of grief and loss were greatest for fathers who had spent more time with their children before divorce (Kruk, 1992). Although many fathers would like to spend more time with their children (Smyth,

Sheehan & Fehlberg, 2001) regular contact does not mean better father-child relationships (Spruijt, de Goede, & Vandervalk, 2004). Rather, it is the quality of contact that is more important (Amato & Gilbreth, 1999; Phares, 1993). For those fathers who were not greatly involved with their children during the marriage, divorce can present an opportunity to improve their parenting (Whiteside & Becker, 2000) and many of them do so, as evidenced by the number of children who report better relationships with their fathers after divorce (Ahrons & Tanner, 2003).

The above findings suggest that a non-resident father's nurturing role as evidenced by contact after divorce is influenced by spousal as well as parental roles. It may be that interpersonal dynamics present in the marriage carry over into the parents' post-divorce relationship with each other.

CS payments

Non-resident parents, who are usually fathers, are required to contribute to the financial support of their children. Child support legislation was introduced to improve children's standard of living and the legislative framework was designed to circumvent barriers to payments of support such as spousal conflict after divorce and non-resident fathers' unwillingness to pay (Fox & Blanton, 1995). National estimates of the effects of CS payments in the U.S.A. showed that mothers and children are much worse off than fathers, a position that would be exacerbated without child support payments. In addition, single mothers face a high opportunity cost of raising children (Bartfeld, 2000). Despite increased enforcement of child support orders, payment rates in the U.S.A. changed little during the 1990s. Only about 25% of resident parents received the full amount of child support due to them (Lin, 2000).

In contrast, data from the CSA in Australia shows that about 90% of obligations have been met and that about 70% of payers pay regularly (Child Support Agency, 2005). Despite the relatively high rate of compliance, Australian research shows that being female and a single parent carries the highest risk of economic disadvantage (Fehlberg & Smyth, 2000). The apparent discrepancy is undoubtedly due to the high number of Australian payers who are unemployed or reporting minimal earnings. In Australia 40% of payers pay only the minimal amount of 5 dollars per week (Ministerial Taskforce on Child Support, 2005). This means that, at

most, only 60% of single mothers receive adequate child support from their children's fathers. A recent report noted that while fathers complained of paying too much CS, mothers complained of not receiving enough, especially if the fathers were self-employed (AIFS, 2004).

A study by Lin (2000) examined whether perceptions of fairness and/or income withholding increased compliance with CS orders in the state of Wisconsin, U.S.A. In this sample, compliance rates were higher than the national average. Results showed that income withholding increased compliance among fathers who viewed their CS as unfair from 70% to 88%, but for those who viewed their CS as fair, the increase was from 88% to 92%. Thus enforcement resulted in higher collection rates among all fathers, but the effect was greatest for those who thought their CS was unfair. Lin's study indicates that income withholding is an important part of compliance with CS payments. It is possible that the principal benefit of income withholding to the children's households is payment regularity.

Legislation was also assumed to have an indirect benefit to children on the basis that the payment of CS and contact appeared to be positively linked (Fox & Blanton, 1995).

Nexus between contact and CS

Seltzer, Schaeffer and Charng (1989) found some support for a positive association between paying CS and contact, after allowing for common demographic variables such as fathers' education and geographic proximity, but found that over time, both contact and CS diminish. However, survey data by Arditti and Keith (1993) revealed that the factors affecting contact and CS were different. The variables that directly affected contact were geographical distance, higher education and joint custody. More contact was associated with higher quality of time spent, as was a good relationship with the former spouse. In contrast, the direct effects on CS were income and distance. The further away the children, the less CS was paid. Fathers who were more satisfied with their legal representation and property settlements also reported paying less CS. Contact and CS were not directly linked.

Fehlberg and Smyth (2000) observe that the contact – CS nexus can be quite fluid, affected by both social-psychological factors (interest in children, power plays) and demographic factors (new partners, children or step-children, distance, income,

ages of children). Because of this complexity, it is suggested that policy cannot be based on simple connections, that is, that less CS will lead to more contact and/or more contact would encourage more CS payments.

The need to introduce legislation and a formal system of CS, together with its limited success rate, suggests that the provider role becomes less salient to fathers after divorce.

Fathers' parental role identity

Role theory holds that a particular role comprises a set of internalised meanings and behavioural expectations associated with a particular social position. The internal components of a role comprise an identity based on the social role. A person may have multiple identities, which may be more or less salient or important, that is, the more salient an identity the more likely it is that the person will act in the ways associated with the identity (Minton & Pasley, 1996). Role theory predicts that the more strongly a father identifies with his parental role, the more likely it is he will be involved in his children's lives. Various aspects of parental role identity for married and divorced fathers have been examined.

A study by Madden-Derdich and Leonard (2000) tested the effects of three aspects of parental role identity for men, on their involvement in co-parenting. The study used questionnaires from 62 divorced fathers. The factors tested were the fathers' satisfaction with their own competency, co-parental support, co-parental conflict and fathers' perceptions of their father-child relationships. Results indicate that the more competent fathers felt and the more co-operation they received from mothers, the more they were involved in co-parenting. A surprising result was that while co-operation from mothers was the most important indicator of fathers' involvement, parental conflict was not significantly correlated with co-parenting. This finding suggests that avoidance of conflict with mothers may not be an important reason for disengaged fathers to withdraw from parenting after divorce.

Father role clarity and satisfaction, as well as re-partnering, was found to have positive effects on fathers' well-being after divorce (Stone, 2001). The study involved 94 fathers who had completed a divorce education programme. Re-partnering had the largest effect on well-being, and was also associated with greater role satisfaction for these fathers.

In 1996, Minton and Pasley tested four components of parental role identity and their effects on married and divorced fathers' involvement with their children. For married fathers, role competence, satisfaction and investment were predictive of involvement, but role salience was not. For non-resident fathers, only competence and satisfaction predicted their involvement.

Similar results were found in an Australian study by Pike and Vawser (2005). Non-resident fathers in Australia were found to be as committed to their parental role as married fathers. The study used data from questionnaires completed by 64 married and 46 non-resident fathers and found equivalent levels of parental competence, role salience and role satisfaction in the two groups. However, the degree of investment in their parental role did not predict father-child involvement for either group. The principal predictor for involvement was marital status, with married fathers more involved in child-related activities.

Role theory would predict that the higher the salience of fathers' parental role identification, the more fathers would engage in activities to confirm that role (Minton & Pasley, 1996). However, parental role salience does not seem to be a factor in father's involvement with children. Eggebeen and Knoester (2001) suggested that 'role occupancy' was the best indicator of fathers' psychological and physical health, social connections, family ties and work behaviour. Married fathers' showed higher levels of all four aspects of fatherhood than non-resident fathers, but fatherhood as such was not associated with psychological and physical health. The researchers predicted that involved fathers might seek out regular employment but would work fewer hours on the basis that fatherhood might provide an alternative identity to that of (paid) worker. Contrary to this prediction, fathers were found to work more hours, a finding consistent with previous research.

The findings on parental role salience, the apparent importance of the provider role in marriage but not after divorce, fathers' low involvement with children's care-giving in marriage as well as after divorce, suggests that fatherhood may not be the most salient identity for men. It is possible that men's identification with their occupational role is most salient in their lives, whether married or divorced. Role theory may provide only a partial explanation for fathers'

involvement with their children. In this regard, gender role theory may be more illuminating.

Gender role theory

Gender role theory predicts that men will act in ways that are consistent with hegemonic masculinity, that is, that men will seek power and status in a hierarchical social structure (Kaufman, 1994; O'Neil, 1990; Pyke & Coltrane, 1996). In Western industrialised societies power and status are vested in greater economic resources. Thus men are more likely to be invested in their occupational role and their perceptions of paid work and family work will reflect this emphasis.

Perceptions of parenting after divorce

In 1996, Dudley reviewed five qualitative studies involving interviews with non-resident fathers on the effects of divorce. Four themes emerged from this research: emotional adjustment, problems with custody, contact and CS, dissatisfaction with legal proceedings, and ongoing conflict with ex-spouses. The emotional distress (feelings of loss and grief) experienced by fathers after divorce is well-documented but the interviews revealed fathers' different reactions to this distress.

Fathers described their feelings of loss of control related to their decision-making, contact with their children and how the family budget was spent. In these interviews fathers' reactions to this loss of control manifested in different ways. Some men turned to alcohol or drugs. Others rationalised their loss of contact on the basis that their children did not need them, or that their time was limited because of new families or the excessive demands of their employment. Some fathers resorted to violence or threats as a means of re-asserting control over their lives. With regard to difficulty with contact some men used threats of seeking custody as a tactic against mothers' control of contact. Many men were concerned that they were viewed simply as providers and not committed parents. Some men were unhappy with paying money to their former spouses if they did not have access to their children. Some men wanted more control over how their child support money was spent so that their ex-spouses did not divert this money for their own needs (Dudley, 1996).

Dissatisfaction with legal proceedings centred on loss of control as well, with the courts viewed as depriving them of rights to their children and their right to control their earnings. Ex-spouses were often viewed as the instigators of conflict leading to the divorce or the initiators of the divorce and difficulty in negotiating contact was viewed as obstruction by ex-spouses. Fathers' own contributions to the divorce or difficulty in contact negotiation were largely ignored (Dudley, 1996).

Similar themes emerged in a study involving focus groups of young non-resident fathers (Lehr & MacMillan, 2001). The fathers' displayed a general lack of self-esteem, which the authors note was largely due to lack of employment and financial difficulties.

Shapiro and Lambert (1999) found that the parental role was less salient in fathers' lives, whether they were married or not. Arditti (1995) noted that fathers perceive mothers as having enormous power to control fathers' contact with children and that this disproportionate power is inequitable. In addition, mothers and fathers appeared to differ in their internalised view of parental responsibility. Fathers appeared to view fatherhood as a role with limited responsibility, while mothers appeared to view motherhood as a role involving unlimited responsibility (Arditti).

Issues of power and control after divorce were recurring themes in Fox and Blanton's (1995) review of research with non-resident fathers. The authors distinguished between positional power that derives from status and economic control and personal power that derives from relationships in a family or wider social structure. The authors suggested that non-resident fathers lose their personal power after divorce because they can no longer rely on a relationship with ex-spouses in order to meet their physical needs and facilitate their relationships with their children. It is further suggested that some men use their power with regard to CS and contact as a means to exert positional power.

Thus for some non-resident fathers loss of power and control affected their perceptions of their circumstances after divorce, with their difficulties framed as loss of rights. Most studies have not focussed on the analysis of non-resident fathers perceptions of fairness in CS and contact. However, such analyses have been conducted with regard to the unequal division of family work and may elucidate the factors that contribute to perceptions of fairness or unfairness.

Perceptions of fairness

In a 1994 study, Sanchez analysed the perceptions of fairness in the well-documented unequal division of family work, whereby the bulk of this work is undertaken by women. Using a distributive justice framework of outcomes, comparison referents, and justifications, Sanchez found that most couples viewed the unequal distribution of housework as unfair to women. Women's hours of paid work contributed to women's perceptions of unfairness to them, but men's perceptions were unaffected. Thus women's paid work was discounted by men (Sanchez). Although the outcome was viewed as inequitable, the view that housework is solely women's work appears entrenched and may be justified on those grounds or it may be that men's comparison referents are different to those of women.

It is possible that men do not view family work as real work. For example, men described their participation in families as leisure more often than work (Shaw, 1988). Such a view may result from men's participation in family life being undertaken in their leisure time, that is, outside their employment hours. Their participation is voluntary and limited and this view may lead them to believe that women's family work is also voluntary and pleasurable.

Household work allocation between men and women has been analysed in terms of three concepts, namely, relative resources, time availability or gender socialisation/ role attitudes (Coltrane, 2000). The concept of relative resources suggests that the person with the higher income will perform fewer household tasks. The time availability concept suggests that more time spent in paid work will reduce the hours spent in household work. The gender socialisation/ gender role concept suggests that when people are socialised to view men's and women's work as separate, they will act in accordance with those beliefs (Coltrane).

When outcomes are analysed in the light of these concepts a specific picture emerges. Men's low participation in family work persists whether women work full- or part-time, whether women contribute to the household income in full or in part and even where men are not themselves employed (Coltrane, 2000; Deutsch et al, 1993; Greenstein, 1996; Martin & Mahoney, 1996). If relative resources justified low participation, then it does not explain the same outcome when women contribute all of the household income. If time-allocation is used as justification for inequality,

it does not explain the same outcome where women are employed full-time or where men are unemployed. This suggests that gender role ideology is a better explanation for the persistence of men's low involvement in family work. To the extent that men and women have internalised household work as appropriate only to women, and paid work appropriate only to men, both men and women can rationalise men's low involvement.

However, married women's participation in the paid workforce is evidence that they do not view paid work as solely the province of men. In contrast, men appear to discount women's work whether it is paid or unpaid (Sanchez, 1994; Shaw, 1988). This suggests that the meanings attached to paid work and household work are different for men and that the meanings attached to men's paid work do not hold for women's paid work.

Thus justification of inequality appears to be bound up with gender role ideology, that is, the extent to which men and women believe that work should be segregated by gender. Alternatively, it could be that men and women use different comparison referents (Sanchez, 1994). Where women believe that their paid work justifies a more equal distribution of household work, they appear to compare their work efforts to men. However, men appear to use a different referent.

The concept of traditional, or hegemonic, masculinity holds that men pursue power and status in a social hierarchy, whereby men are in competition with each other. This view of masculinity suggests a rigid dichotomy between masculinity and femininity (Kaufman, 1994; Kimmel, 1994). If men do not compare themselves to women, but rather to other men, in their perceptions of fairness in the unequal division of household work, it may explain the apparent dissonance between acknowledging this unfairness but not acting to reduce it. If men view household work as feminine, then participation in such work may be seen as a threat to their masculine identity. That such a perception works to maintain men's exertion of power over women may be discerned in the observation that justifications for inequity in this domain place men's participation in paid work above other considerations.

Masculine identity and gender roles appear to be relevant factors in men's perceptions of fairness in the division of household work. The impact of masculine

identity and gender role ideology on men's perceptions of fairness suggested by this analysis may offer insights into non-resident fathers' perceptions of fairness in CS and contact after divorce. Much of the research on these matters is based on survey data and is quantitative in nature. Thus, qualitative research on fathers' perceptions of the fairness of their CS and child support arrangements may yield insights not revealed by survey methods.

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Running Head: CHILD SUPPORT FOLLOWING SEPARATION

Child Support Following Separation: An Exploratory Study of Non-resident Fathers'
Views of the Fairness of Current Contact and Child Support Payment Practices.

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Child Support Following Separation: An Exploratory Study of Non-resident Fathers'
Views of the Fairness of Current Contact and Child Support Payment Practices.

Abstract

Seven non-resident fathers who were supporting their children from a previous relationship were interviewed to elicit their views on the fairness of current contact and CS arrangements. Most fathers were committed to their parental role and had contact with their children at least every second weekend. Fair contact was that which was flexible around their paid work commitments. Unfair contact was that which was limited by the children's mother. Most fathers viewed their CS as excessive and some had negotiated lower CS than that mandated by legislation. Several fathers wanted a say in how their CS was spent. Some fathers did not believe their CS should rise in line with increases in their earnings. Views that reflected limited financial support for their children may indicate, for some men, the primacy of their identification with their occupational role, consistent with a traditional view of masculinity and appropriate gender roles for men and women. It is suggested that adherence to a traditional gender role ideology may interfere with non-resident fathers' re-negotiation of their parental role with regard to contact with their children. As well, adherence to such an ideology may lead some fathers to exert their power to reduce the children's financial support. In either case, the children's welfare may be put at risk.

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Child Support Following Separation: An Exploratory Study of Non-resident Fathers' Views of the Fairness of Current Contact and Child Support Payment Practices.

In recent years men's rights groups have claimed that they are discriminated against in matters relating to divorce or separation (Men's Rights Agency, n.d.). Complaints by such groups are that Family Court decisions and Child Support Agency (CSA) practices are biased in favour of the children's mother (Men's Rights Agency). Many separated fathers view their arrangements regarding contact with their children (contact) as unfair to them (Australian Institute of Family Studies (AIFS), 2004; Smyth, Sheehan & Fehlberg, 2001). In addition, many separated fathers believe that their child support payments (CS) are excessive and that the children of second families are treated less favourably than those of the first relationship (Gibson, 2005). While men's groups claim to seek equal rights for men, Australian legislation is based on the principle that the child's best interests are paramount in all matters relating to the separation of couples with children (Fehlberg & Smyth, 2000).

Australian data on the pattern of children's living arrangements between 1992 and 2003 showed that fewer children lived in intact couple households and that there was an increasing trend for children to live apart from one natural parent, usually their father (Australian Bureau of Statistics (ABS), 2003). Most of these children live in single mother households (ABS). If this trend continues into the future it will be important to address fathers' dissatisfaction with contact and CS so that the children involved are not disadvantaged, either emotionally or financially. Parental conflict following separation is associated with a range of negative outcomes for children, for example, behavioural problems, self-blame, stress, and poorer interpersonal skills (Pruett, Williams, Insabella, & Little, 2003). Because of perceived adverse outcomes for children, co-operative parenting after divorce is now being encouraged (AIFS, 2004). If such co-operation is to be achieved it is important to address separated fathers' concerns.

A well-documented outcome of divorce is the widespread withdrawal of separated fathers from their children's lives after divorce, with a substantial minority (estimates vary between 25% and 35%) having no contact at all and with the amount of contact diminishing over time for those fathers who do maintain contact (ABS,

2003; Arditti, 1995; Erera, Minton, Pasley & Mandel, 1999; Fox & Blanton, 1995; Kruk, 1992; Shapiro & Lambert, 1999). Barriers to co-parenting after separation may be demographic, for example, distance, employment schedules, income or remarriage (Erera et al. ; Kruk). As well, psychological factors such as feelings of loss, grief, powerlessness and non-cooperation from ex-spouses have been cited as reasons for separated fathers' withdrawal from contact with their children (Fox & Blanton ; Kruk ; Lehr & MacMillan, 2001; Shapiro & Lambert). However, separated fathers' well-being was unrelated to the quality of their relationships with their children, suggesting that their parental role was less salient for them (Shapiro & Lambert). In addition, investment in their parental role was not associated with contact practices (Pike & Vawser, 2005). Moreover, co-parenting appears to be highly dependent on the cooperation of ex-spouses (Madden-Derdich & Leonard, 2000; Whiteside & Becker, 2000) and it is possible that unresolved issues from the marriage can interfere with co-parenting (Baum, 2004). Research on separated fathers' parental role has demonstrated that parental role salience does not predict fathers' involvement with their children for either married or separated fathers (Minton & Pasley, 1996; Pike & Vawser ; Sanderson & Thompson, 2002).

As well, fatherhood as such was not associated with men's psychological or physical health (Eggebeen & Knoester, 2001). The best predictor of fathers' involvement with children's care-giving is being married (Pike & Vawser, 2005), although the finding that married fathers work more hours than single men (Eggebeen & Knoester ; Kaufman & Uhlenberg, 2000) necessarily limits their care-giving and appears to confirm their primary parental role as that of financial provider. Traditionally, within families, men were assigned a provider role and women were assigned a homemaker role (Barnett & Hyde, 2001; Greenstein, 1995; Pleck, 1987). However, fathers' provider role appears to assume less importance after separation. Legislation requiring non-resident parents to contribute financially to their children's upbringing was introduced in Australia in 1988, in response to the low level of CS leading to the impoverishment of children and their carers (Child Support Agency, n.d.). Research from the United States of America and Australia shows substantial resistance by payers, usually separated fathers, with about 40% of Australian payers contributing the minimum payment of five dollars a week in CS

(Lin, 2000; Ministerial Taskforce on Child Support, 2005). The above findings on fathers' parental role suggest that fatherhood may not be the most salient identity for many men. It is possible that men's identification with their occupational role is most salient in their lives, whether married or divorced. The dominance of the provider role ideal for fathers persisted even as more mothers began to work outside the home.

In the past 30 years or so, the rise in divorce rates was accompanied by a large increase in women entering the (paid) workforce, with women comprising 45% of the Australian workforce in 2005, up from 35% in 1978 (ABS, 2005). As women began to spend more time working for money outside the home, men began to be encouraged to spend more time with their children (Morman & Floyd, 2002). The social construction of fatherhood has provided many models of the ideal married father from the 18th century to the mid-20th century, namely, stern patriarch, distant provider, playmate and gender role model. The most recent representation of the ideal father is that of a co-parent who shares childcare equally with his partner (Pleck, 1987; Rohner & Veneziano, 2001). However, the reality is far different to the co-parent ideal, with most partnered fathers having far less involvement with their children than mothers, due to their paid work commitments (Aldous, Mulligan & Bjarnason, 1998; Bonney, Kelley & Levant, 1999; Laflamme, Pomerleau, & Malcuit, 2002; Phares, 1993; Segal, 1990). These findings are consistent with the number of men in full-time jobs. In Australia, 85% of all men who worked were employed full-time in June 2005 (ABS, 2005). It appears that the model of the partnered father as someone mainly concerned with breadwinning has persisted into the 21st century (Riley, 2003). It is possible that the provider role is congruent with men's primary identification with their occupational role within marriage but that, for many fathers, their occupational role is more salient after divorce, although this has not been of the focus of research. That some men may identify most strongly with their paid work is consistent with traditional masculine identity, in which men seek power, success, wealth and status (Kaufman, 1994; Kimmel, 1994). In Western industrialised societies power and status derive from paid work for most people. A recent study on the construction of gender roles among professional men found that paid work and a provider role defined these men's masculinity (Riley).

There is a dearth of research on the analysis of non-resident fathers' perceptions of fairness in CS and contact. However, such analyses have been conducted with regard to the unequal division of family work. Men's low participation in family work persists whether women work full- or part-time, whether women contribute to the household income in full or in part and even where men are not employed (Coltrane, 2000; Deutsch, Lussier & Servis, 1993; Greenstein, 1996; Martin & Mahoney, 1996). Recent research confirms this pattern in Australia (Baxter, Hewitt, & Western, 2005). Although both men and women view this inequality as unfair to women (Sanchez, 1994) analysis in distributive justice terms of relative resources or time availability does not explain the persistence of this unfair distribution (Coltrane). Only gender role socialisation appears to be a satisfactory explanation in that the more men believe family work to be women's work, the less they will participate in it (Coltrane). Thus, gender identity appears to over-ride considerations of fairness.

There is little qualitative research on matters pertaining to child support following separation. An exception is Dudley's (1996) review of five qualitative studies. Results from this review on separated fathers' perceptions of parenting after divorce reveal that issues of loss of power and control feature prominently in such perceptions. For example, separated fathers were unhappy about such things as paying CS if they did not have contact with their children, losing control of the household budget, losing control over their earnings, and maternal control of contact with their children. Such dissatisfaction with power differentials was framed as loss of rights (Dudley). Thus complaints about bias in favour of mothers after separation may reflect the loss of power enjoyed by men in marriage and may affect non-resident fathers' perceptions of fairness in contact and CS after separation. Stewart and McDermott (2004) suggest that identity theory may usefully incorporate gender as an analytic tool, consistent with psychological social identity and ecological theories that emphasise the importance of social structure and contexts in personal development. In this regard the strength of non-resident fathers' identification with traditional masculine identity and its associated roles may influence their perceptions with regard to the support of their children.

Much of the research on contact and CS is based on survey data and is quantitative in nature. Some research has involved focus groups, for example, the AIFS (2004) study on contact. Few studies involve interviews with separated fathers, such as that by Kruk (1992) on the factors influencing non-resident fathers' disengagement from their children. Interviews may yield insights not revealed by survey methods. There is, thus, a gap in the literature with regard to non-resident fathers' views of the fairness of their CS and child support arrangements, expressed in their own words. The present study was designed to address this gap and to answer the following research questions:

1. What do non-resident fathers believe are fair child support payments and contact arrangements after divorce or separation?
2. What reasons do these fathers give to support their views?
3. How do these views reflect what it means to be a father?

Method

Design

The exploratory nature of the research demanded a qualitative design, one that provides an in-depth, detailed view of the topics under consideration (Creswell, 1998). The data collected are words or images that describe the topics from the participant's point of view, which are then analysed inductively according to the meanings ascribed to them by the participant (Creswell). The study was undertaken within a social constructionist framework. Social constructionism holds that humans' descriptions and explanations of events do not mirror an external reality but are rather constructions that apply in a particular place and time. Individual reports or explanations may differ between cultures and over time (Gergen, 1985).

The focus was on the participants' views of the topics. These views will have been shaped by their interactions with other people within a particular social and cultural context (Creswell, 2003). Each participant was interviewed individually by the researcher using a semi-structured interview format.

Participants

Study participants were seven English-speaking, adult, non-resident fathers who are currently making payments in support of their children from a previous relationship. Participants were European-Australians, of whom six had been legally

married. In four cases the children's mother had initiated the separation, in one case it was the father. Five of the participants had re-partnered at the time of the interviews. The average time since separation was 5 years, with a range of 1.5 years to 12 years. Five of the participants had two children, one had three children and one had five children. The children's ages ranged from 3 to 17 years, with an average age of 10 years. Contact arrangements varied widely from an irregular pattern of a few times a year (one father) to every second weekend (three fathers) to at least once a week (three fathers). One participant cared for his children for two days and two nights each week. Participants were recruited by referral and by advertisements in shopping centres and a local newspaper in the northern suburbs of Perth, Western Australia.

Materials

An information sheet (Appendix A) was provided to participants detailing the purpose and structure of the proposed research. A signed consent form (Appendix B) was obtained from each participant prior to the interview. A schedule of four open-ended questions (Appendix C) was used to elicit each participant's views on the topics in addition to general demographic information. Examples of questions were "Do you think that your arrangements are fair?" and "What changes, if any, would you like to see in child support and contact policies?" A portable tape recorder was used to tape each interview.

Procedure

The interviews were conducted at a mutually agreed time and took place either at participants' homes or in hired rooms in public libraries/universities.

The participants were advised of the matters to be considered in the study and that the results would be available at the end of the study. It was also made clear that they could choose not to answer specific questions and could terminate the interview at any time. In addition, they were assured that their privacy would be respected. No identifying information appeared in any printed material associated with the study. Permission was sought to tape record the interviews. A signed letter of consent detailing the above issues was obtained before commencing the interview. It was possible that the matters under consideration may have evoked emotional responses from participants. The information sheet (Appendix A) alluded to this possibility

and contained the telephone numbers of agencies the participants could call in the event of distress arising from the interview. Each interview was audio taped throughout. The interviews were transcribed in full and the tapes were then erased.

Analysis

The data were analysed using a thematic content analysis procedure. Data reduction was achieved by assigning codes that link common themes in the transcripts. These codes may be descriptive or inferential (Miles & Huberman, 1994). Dependability was addressed by a comprehensive analysis of the data, identifying both common themes and deviant cases. Identifying cases that do not correspond to the common themes and including them in the analysis avoids biased selection of data (Silverman, 2000). Credibility was addressed by supervisor’s checking of coding (Silverman). In addition an audit trail of transcripts, researcher’s notes and coding details was maintained (Miles & Huberman). Transferability was considered by comparing findings to previous research, providing participant details and including participant quotations to facilitate the findings’ utility in other settings (Miles & Huberman).

Findings and Interpretation

Themes associated with participants’ views of fairness or otherwise in contact and CS practices are summarised in Table 1 below.

Table 1

Summary of findings on perceptions of fairness and unfairness in contact and CS payments

Role re-negotiation		
	Fair	Unfair
Contact	Flexibility	Loss of influence Loss of control Transition difficulty
CS payments	Private agreements	Institutional disrespect Loss of control Transition difficulty

The overarching theme was that of non-resident fathers re-negotiating their parental role following separation. Successful re-negotiation enabled some fathers to fulfil the co-parenting ideal. For others, negotiation was more difficult and appears to be an ongoing process. Analysis of the fair and unfair themes in contact and CS is detailed below, followed by analysis of role re-negotiation.

Contact

Fair

Flexibility.

The ability to change contact arrangements to suit work commitments was important to some fathers, for example, some fathers' work involved travel.

Every 2nd weekend... but it's also fairly flexible, so like, I went to [eastern state] with my work this weekend and I was supposed to have them...but because I was in [eastern state] I'll have them for the next 2 weekends in a row.

Shared parenting, where children spend equal time with each parent was not considered practical for most fathers, with work commitments and distance cited as obstacles. Another father had cared for his children on a 50/50 basis soon after separation but had reduced his contact because of time constraints, as he put it: *I just wasn't getting enough time for myself.*

Flexibility was dependent on the co-operation of the children's mother. The importance of focussing on the children and making contact arrangements that were fair to all parties were highlighted by one father.

Me and my ex-wife have total agreement in visiting the children... I won't say it's a, it's a, good relationship with her...we both realise that the welfare and the feelings of the kids are paramount over the way we feel.

We almost take a background to what's best for the kids. In that respect, we sort of get on well enough in that scenario that we are, sort of, trying to put the kids first... You try and weigh it up as best you can but you've gotta consider the ex-

missus, you've gotta consider yourself and you've gotta consider the kids.

The above views demonstrated the parents' ability to bracket their feelings about each other and focus on the children. Putting the children first and being committed to making shared parenting work were important components of co-operative parenting in Smyth, Caruana and Ferro's (2003) study of parents who shared equal time with their children after divorce. In addition, non-resident fathers were found to be more likely to remain in their children's lives if their ex-partners were supportive and approving of the fathers' parental competence (Madden-Derdich & Leonard, 2002).

Contact was also facilitated by the fathers' commitment to their parental roles.

The marriage relationship came to an end, not my love for my children... I don't understand how blokes abandon their children.. Genuinely we try to work as a team, to raising our children.

My children to me are more important than anything else in the world.

I want to have contact with my kids because I want to see the children. It's as simple as that.

These fathers' commitment to their parental role is consistent with previous research that shows non-resident fathers to be as committed as co-resident fathers (Minton & Pasley, 1996; Pike & Vawser, 2005).

Unfair

Loss of influence.

Those fathers who had little contact with their children expressed the loss of influence over their children's development keenly.

Between the ages of, what, 9 and 15, that's 6 years. That's a lot of time to kind of lose, and have no input, just to find out

that your boy may be growing up into someone that he shouldn't be.

Limited time spent with their children can lead to strained relationships between non-resident fathers and their children (Shapiro & Lambert, 1999). Moreover, children's well-being is enhanced by non-resident fathers' authoritative parenting, including such tasks as helping with homework, providing emotional support and setting limits. It is the quality of such parenting, rather than the frequency of contact, that has positive effects for children (Amato & Gilbreth, 1999).

Loss of control.

Maternal control of the contact process was expressed by some fathers.

She, eh, dictates and manages and manages the times and the resources... she does dictate how things work... she had the reins, she was driving it and, at the end of the day, you just have to give in and take what you can.

As well, limited contact was seen to increase the children's mother's power to influence the children's perceptions of their father.

I feel like in my case because the children are staying with their mother, they feel they have to please the mother... You're gradually changing that pattern and turning them against ... against me.

The kids live with their mother so she's able to feed them exactly what she wants. She filters anything else out, you know... But I don't like the fact that they can be, eh, fed, little bits all the time.

This finding is in line with Dudley's (1996) review that found non-resident fathers resented maternal control over contact.

Transition difficulty.

For several fathers, contact immediately after separation was compromised by emotional turmoil.

It was a horrendous time, it really was absolutely horrendous... I wasn't eating, I wasn't looking after myself, I'd just about lost the will to live to a certain extent.

I couldn't even manage to look after myself... I took a kind of an easy out and went back overseas.

In the above two cases, the fathers' ex-wives had initiated the divorce. Their experiences are consistent with findings that the initiators of divorce experience the greatest distress prior to the marriage ending, while their partners do so after the divorce (Amato, 2000; Hopper, 2001). In addition, men whose wives initiate divorce find it much more difficult to re-gain a sense of control, which can interfere with their co-parenting (Baum, 2003). Moreover, non-resident fathers perceive that mothers have extensive and inequitable power over the fathers' relationships with their children (Arditti, 1995).

Two fathers felt that information or support was either limited or lacking.

My company... they gave me a counsellor, to work with. But even then, the company only paid for 6 sessions...[we] got to the 6th session... they said "Well, I reckon you're pretty much all right now, and you'll be OK" and I was like "Yeah? Yeah?" and I walked out and there was no way, in hindsight looking back, I was an absolute mess... [men's support groups] I didn't even know there were any.

This participant also felt that men are less likely to seek help.

The traditional Australian male does not show, does not want to show weakness. They do not want to ask for help... Emotionally, they keep things in.

Factors associated with men's known reluctance to seek help for physical illness or psychological distress include a need for control, problem minimisation, privacy and emotional control (Mansfield, Addis, & Courtenay, 2005), traditional masculinity ideology (Berger, Levant, McMillan, Kelleher, & Sellers, 2005) as well as socioeconomic status and age (Galdas, Cheater, & Marshall, 2005).

In contrast, another participant had been helped by counselling.

You, you look at things in a different perspective, in a different light. You know, all this, sort of psychology and counselling ... before it was like, "Aw, it's all crap", OK? I mean, I wouldn't even consider the things that I did, I'm a bloke and I know what's going on, sort of thing. They sit you down on your arse and make you re-think things and you're not the know-it-all you thought you were. Yeah, in some respects, it's changed me for the better, that's for sure...

Non-residential fathers are often difficult to reach but can benefit from support programmes (Lehr & MacMillan, 2001) that provide stress reduction techniques and, especially, techniques to improve negative interactions with their ex-partners so that contact might be facilitated (Frieman, 2002). One policy recommendation in the AIFS (2004) study on post-divorce contact was the provision of professionally led support groups for non-resident fathers.

CS payments

Fair

Private agreements.

Some fathers had negotiated their CS payments with their ex-partners and preferred to avoid dealing with the Child Support Agency.

A thousand dollars a month is a big slug out of my wages... So I said, "How about we make it 800?" I still think that's exorbitant but at least it's a little bit fairer than a thousand. So we came to an agreement.

Now we had already agreed to the maintenance figure... 12 months later I got a letter from Child Support saying "You will pay this" and it was more than what we had agreed to, not much more, I can't remember now how much it was but it wasn't much more... So I immediately phoned up my accountant when I got this letter... the only way around it was

to form a company and make myself an employee of the company and pay myself a minimum wage...

These fathers had negotiated payments that were lower than that mandated by legislation. In contrast, one participant paid more than the statutory amount.

Unfair

Institutional disrespect.

Several fathers were unhappy with their treatment by the Child Support Agency.

The Child Support Agency was more interfering than helpful... And they were very, very, very abusive towards me and not very helpful towards my ex-wife either.

And this night thing, zero to 109 nights is nil-care according to our Child Support and I love those words and they said "Oh, you're a nil-care father. How many days do you have them?"

Institutional disrespect can contribute to non-resident fathers' feelings of marginalisation (Arditti, 1995; Nielsen, 1999). Changes in terminology could have a positive impact on interactions between the CSA and non-resident fathers.

Institutional support can be lacking because non-resident fathers are not viewed as real parents (Bailey & Zvonkovic, 2003). In contrast, one father found the CSA to be very fair.

Loss of control.

Several fathers expressed the desire to have more control over CS expenditure, although this was also seen as impractical.

I would like a greater say in how the money is spent, the maintenance. I have no say, I have no rights. It's, it's a disgraceful situation, I believe.

I don't want to hand over my money to dress my ex-wife. And, you know, put money in her pocket as well, to enjoy herself at the weekend... you can't detail, you can't get

parents to detail that the money is actually going to the children, cos that's just not feasible.

I'd prefer to have better control of where the money is used... she went and re-financed the house... and she didn't use the money on what she was planning to, to do improvements. She squandered it, on presents for the kids and things like this.

Many non-resident fathers resent the children's mother's control of child support and may justify non-payment on the basis that the money is not being used for the children's needs (Shapiro & Lambert, 1999). However, in none of these fathers' accounts was there any suggestion that the children were being neglected.

Two of the fathers commented on the financial positions of their ex-wives.

She works 2 days a week now... [later in interview] I mean, so you're looking at say, 27, maybe 30 thousand dollars. That's in the hand. So that's not a bad salary for someone who doesn't have to work... I wouldn't mind staying home and getting 30,000 dollars a year tax-free.

But it would scare you if I actually told you how much money she's actually got in her hand, in a month... She'd need to be on a 50,000 dollar a year salary to earn what she's actually getting... [later in interview] that money's coming from the money that I give to them, the government, and then she actually works as well... I know she's actually clearing about 3,000 dollars a month in her hands at the moment, which isn't bad for a woman with two kids, you know.

These fathers did not acknowledge that part of the maternal income came from the mother's own earnings (Sanchez, 1994) and that the mothers were also providing the bulk of the everyday care of the children. Seemingly, childcare was not considered work (Shaw, 1998). Absent from these accounts is the recognition of the high opportunity costs of childcare for women, which limits their ability to engage in full-

time paid work. The impact of broken earnings extends throughout women's lives up to and including retirement from paid work (Bartfeld, 2000; Human Rights and Equal Opportunity Commission, 2005).

Two fathers also felt that it was unfair that their child support be increased in line with their earnings.

Really, I mean, when you're in family life, your family was used to that 40,000 dollar a year so, it's unfair to a degree to think that, because you've managed to go on and do something else with your life, that then she should be able to get the benefits out of it. To me, you'd almost want to look at, say, a five year period of what they're earning before and base your payments on that. Whether that's realistic or not, I don't know.

If they were to then earn 100,000 dollars a year, then they'd pay ... the child support payments they have to make goes up. And I think that's not really fair. Because you may have years of ...

These views are inconsistent with children's rights to share in their parents' wealth although, presumably, should the fathers' income reduce for any reason in the future, the children's households would be forced to accept a lower income.

Transition difficulty.

In addition to the emotional turmoil experienced by some fathers immediately after separation, several fathers experienced financial difficulty at this time.

I had nothing. I didn't even have beds for them to sleep on... And I remember having them for 2 weeks at one stage and I could do nothing with them. But I was still paying the 800 dollars a month, in maintenance.

And there was one period after that where I was paying the rental and I paid 5 weeks rent because there was 5 weeks in

this one month and I had 10 dollars to last me for the next 4 weeks.

Non-resident fathers who are in financial difficulty because they are supporting their children while re-establishing their lives after separation could benefit from transitional financial assistance, for example, assistance with rent.

Role re-negotiation.

Role theory holds that a particular role comprises a set of internalised meanings and behavioural expectations associated with a particular social position (Minton & Pasley, 1996; Sanderson & Thompson, 2002). The internal components of a role comprise an identity based on the social role. A person may have multiple identities, which may be more or less salient or important, that is, the more salient an identity the more likely it is that the person will act in the ways associated with the identity. Role theory predicts that the more strongly a father identifies with his parental role, the more likely it is he will be involved in his children's lives. (Minton & Pasley ; Sanderson & Thompson). Research with non-resident fathers suggests that parental role identity is conditional upon a father's relationship with his children's mother and that its saliency can vary by choice and circumstance (Fox & Bruce, 2001).

Mothers and fathers are faced with re-construction of their parental roles after divorce to allow them to co-parent in the absence of a marital relationship (Baum, 2003; Madden-Derdich & Leonard, 2002; Stone, 2001). That this is a matter of negotiation is based on the recognition that there are no social norms governing such roles, especially for non-resident parents (Arditti, 1995; Baum ; Madden-Derdich & Leonard ; Seltzer, 1991). Research suggests that disengagement from their spousal role is necessary to enable non-resident fathers to remain engaged as parents, but that unresolved issues from their previous relationship can impede this process (Baum, 2004; Stone).

Findings from the present study make it difficult to assess what meaning was attached to fatherhood for the participants. However, there is evidence to suggest that some fathers have successfully re-negotiated their parental role such they can co-parent effectively. Co-operative parenting is the current ideal for fathers (Rohner & Veneziano, 2001) and is also the aim of current social policy in Australia with regard

to separated parents (AIFS, 2004). Two fathers appeared to have good relationships with the children's mother and did not have concerns about maternal control or CS expenditure. One of these fathers had reduced his work hours to care for his youngest child. As one father put it: *Genuinely we try to work as a team, to raising our children.* Most fathers were, at least, reasonably happy with their contact arrangements but most were also unhappy with their financial arrangements. The issues appeared to be separate in that some fathers who were happy with their contact were unhappy with their financial arrangements. This is consistent with their views on the nexus between contact and CS. When asked if they agreed that non-resident parents who support their children financially should have the right to contact with their children, most fathers disagreed. Although they felt that non-resident parents had a right to see their children, they qualified this by acknowledging that it would be inappropriate where there were issues of violence or abuse. Two fathers expressed the pragmatic view that the regulatory system linked contact with CS such that more time spent caring for children reduced the amount of CS paid. These views were inconsistent with Dudley's (1996) review that found some fathers were unhappy about paying CS when they did not have contact with their children.

Although all the fathers paid CS and thus, de facto, accepted their obligations in this regard, one father expressed the following view: *I think if the female creates the dissolution (sic) of the relationship, I can't see why the male should be burdened with high child support payments.* The findings that many fathers were unhappy with the amount of CS paid and wanted a say in how it was spent is consistent with Dudley's (1996) review that found non-resident fathers resented losing control over their earnings and household budget expenditure. That some fathers expressed resentment about maternal control of contact is also consistent with Dudley's findings. However, the loss of control over finances is difficult to explain in terms of parental role theory. The persistence of the provider model of fatherhood might predict that non-resident fathers would be happy to provide financial support to their children. However, these findings are consistent with the apparent resistance to financial support in aggregate terms whereby 40% of non-resident fathers in Australia contribute only five dollars per week in CS (Ministerial Taskforce on Child Support, 2005). For most fathers interviewed, financial support after divorce was

viewed in strictly limited terms. Some had negotiated lower payments than mandated by legislation and others viewed as unfair increases in child support in line with increases in their earnings. Masculine identity theory and its associated masculine gender role may provide a better explanation than parental role theory.

Although masculinity can be defined in many ways, traditional or hegemonic masculine identity is based on the idea that men pursue power, success, wealth and status. This view is associated with a rigid dichotomy between masculinity and femininity and appropriate roles for men and women (Kaufman, 1994; Kimmel, 1994; O'Neil, 1990). Because power and status accrue from paid work in Western industrialised societies, men who adhere to this view of masculinity are likely to identify most strongly with an occupational role and also to view housework and child care (family work) as feminine. Burck and Daniel (1995) observe that couples separating have the opportunity to re-construct their gender identity but that many individuals cling to their previous beliefs. In addition, men's feelings of powerlessness in the face of their wives' decision to separate may challenge their idea of masculinity (Burck & Daniel). It is notable that most of these fathers viewed as fair contact practices that fitted around their paid work and private agreements on CS that reduced their payments. Within marriage couple negotiations with regard to the division of paid work and unpaid family work are limited by unequal access to, and power over, resources (Martin & Mahoney, 1996) so that women's unequal bargaining power leads to them performing the bulk of family work whether they are employed or not (Coltrane, 2000; Deutsch, Lussier, & Servis, 1993; Greenstein, 1996; Martin & Mahoney; Pyke & Coltrane, 1996; Sanchez, 1994; Shaw, 1998).

It is possible that the allocation of resources to mothers after separation by means of CS and government support is viewed as inappropriately empowering and that non-resident fathers who hold to traditional gender views face difficulty in negotiating with their ex-wives on a more equal footing than that which prevailed during the marriage. The desire to control the expenditure of their CS may reflect a reluctance to acknowledge the shift in power that has occurred after divorce. The extent to which non-resident fathers hold to traditional gender views may be an important determinant of their interactions with their ex-wives after separation and may interfere with the successful re-negotiation of their parental role separate from

their previous spousal role. Such successful re-negotiation is essential to enable both mothers and fathers to focus on the children and the children's welfare. Where non-resident fathers' adherence to traditional gender role ideologies either creates difficulty in negotiating contact or leads to their exertion of power to reduce their financial support, the children's welfare may be put at risk.

Conclusions

The fathers interviewed for this study appeared highly connected to their children and most had contact at least every second weekend. Two fathers appeared to have a good working relationship with the children's mother that enabled them to co-parent effectively, with an emphasis on the children's welfare. Some fathers that were happy with their contact had negotiated less CS than that mandated by legislation, while other fathers had difficulty in negotiating contact. Several fathers described great emotional and financial distress immediately after the separation.

Where contact was limited fathers expressed distress over losing influence over their children's development. In addition, maternal power over contact and over the children's perceptions of their father was a concern to some fathers. Most of the fathers also felt that CS arrangements were unfair to them in terms of the amount paid and the fact that fathers could not influence their CS expenditure. The findings with regard to the excessive amount of CS, lack of influence over their CS expenditure and concern over maternal control of contact are consistent with Dudley's (1996) review. Issues of loss of power and control were notable in most of these fathers' accounts and suggest that the strength of fathers' adherence to a traditional gender role ideology may influence their perceptions of fairness and lead to difficulties in negotiating contact with their ex-partners. Alternatively, identification with traditional masculinity and the power to control resources may lead to their exertion of this power to limit the financial support of their children. In either case, the welfare of the children may be put at risk.

Limitations

It was difficult to locate participants willing to be interviewed, perhaps because of the personal nature of these matters. The sample may also be biased towards those fathers who were unhappy with aspects of their arrangements.

Implications

Whether mothers and fathers adhere to traditional gender roles may be an important consideration in clinical practice and in post-divorce education or mediation programmes for couples in conflict. In addition, identity/role theory may be extended by incorporating issues of power and control resulting from adherence to particular gender role ideologies.

The emotional and financial difficulties faced by some non-resident fathers immediately after separation, particularly where they have not initiated the separation, could be addressed by offering transitional support. For example, non-resident fathers could benefit from access to professionally led support groups. In addition, financial hardship arising from fathers' support of their children could be ameliorated by providing access to government help with housing.

Future Directions

Separated resident mothers' views on the fairness or otherwise of current contact and CS practices could be compared to non-resident fathers views. In addition, community views of such matters, incorporating such issues as fairness in process, fairness in outcome, and gender role orientation, could inform social policy with regard to children's welfare after parental separation.

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Appendix A

Information Sheet for Potential Participants

June 2005

Dear Potential Participant,

Re: "Child Support Following Separation: An Exploratory Study of Non-resident Fathers' Views of the Fairness of Current Contact and Child Support Payment Practices"

Thank you for offering to help me with my research. My name is Marian Cook and I am a student at Edith Cowan University. This research study is a requirement of my Honours Psychology course.

I am interested in looking at how separated fathers who do not live with their children feel about arrangements regarding contact and child support payments. Although these topics have been the subject of media reports recently I would like to know what individual fathers think about how fair their current arrangements are and what the consequences are for them as fathers.

The study will involve a conversational interview with perhaps 3 to 5 questions. The interview will be tape-recorded and should take between 30 and 45 minutes. Because the questions will be dealing with your ideas and feelings, some may feel a bit personal. You do not have to answer any question you are not comfortable with and are free to stop the interview at any time. In case you feel any distress arising from the interview I have provided contact numbers of agencies you can call at the bottom of this page.

This study has been approved by the Faculty of Community Services, Education and Social Sciences Ethics Committee of Edith Cowan University. Please be assured that any information you give me will be held in strict confidence, and at no time will your name be reported along with your responses. All information will be reported anonymously and your name will not appear in any written material associated with this study. The audio tape will be erased before the end of the study. Findings from the study will be made available should you wish to see them.

If you have any questions, or would like to discuss anything about the study, you can contact me on (08) 9307 6725. Alternatively, if you would like to speak to my supervisor, you can contact Dr. Deirdre Drake on (08) 6304 5020. Should you wish to speak to someone not associated with this study you can contact Dr. Julie Ann Pooley on (08) 6304 5591.

If you would like to participate please complete the attached consent form (indicating your first name only). Your help with this project is greatly appreciated.

Yours sincerely,

Marian Cook

Please keep this information sheet for your own reference.

Men's Line Australia: Tel: 1300 789 978

Lifeline: Tel: 13 11 14

Appendix B

Consent Form for Participants

June 2005

Re: "Child Support Following Separation: An Exploratory Study of Non-resident Fathers' Views of the Fairness of Current Contact and Child Support Payment Practices"

Please read the following statements. If you agree to participate in the study, please sign your name at the bottom of the consent form.

- I have read the information sheet provided;
- I was given an adequate opportunity to ask questions;
- The questions asked were answered to my satisfaction;
- I understand the content of the information sheet provided;
- I understand that I am not obliged to participate in the study;
- I understand that I can refuse to answer questions and withdraw from this study at any time;
- I realise that there will be NO penalty should I decide not to participate or stop participating;
- I confirm that my participation is voluntary;
- I agree to the interview being audio-taped;
- I agree that any information gathered from this study may be published, provided I am not identified.

 Participant's signature

 Date

 Participant's name (First name only)

 Contact Phone Number

 Researcher's signature (When returned)

 Date

Appendix C

Interview Questions

1. I understand that you are separated from your former partner and that you are supporting your children from that relationship.

Before we begin, could you give me some details about yourself?

How many children do you have?

How old are they?

Are any of them living with you just now?

How long have you been separated?

How often do you get to see your children?

2. Do you think that your arrangements are fair?

(To you?)

(To your children?)

(To you former partner?)

3. Some people believe that parents who pay child support should be entitled to spend time with their children.

Do you agree?

(Why?)

(Why not?)

4. What changes, if any, would you like to see in child support and contact policies?

(In financial arrangements?)

(In parent contact?)

5. What do you think about shared parenting?

(Is it practical for you?)

(Are there any obstacles to making it work for you?)

Journal Guidelines

This paper has been prepared in accordance with the fifth edition of the *Publication Manual of the American Psychological Association* (2001).
