

Introduction

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The American family has undergone a dramatic restructuring during the past four decades. At the beginning of the 1950s, a large majority of children in the United States lived with both of their biological parents from the time they were born to the age of maturity. Only one of five children born in the 1950s lived apart from their father before reaching adulthood.¹ Today the picture is dramatically different. Over 50 percent of children will live apart from at least one of their parents, usually the father,² before reaching adulthood (Bumpass 1984; Bumpass and Sweet 1989). These changes represent a fundamental shift in the living arrangements of both children and parents. Although a significant minority of children have lived apart from their fathers throughout American history, what is truly new today is the proportion of *fathers* who are living apart from their children. Up until the twentieth century, mortality rates were high, and many children lost fathers as well as mothers through death. Peter R. Uhlenberg (1980) estimates that about 24 percent of children born in 1900 experienced the death of a parent before reaching age fifteen. While mortality rates have declined steadily throughout the twentieth century, divorce and outofwedlock births have increased, and both have skyrocketed since the 1960s, dramatically altering the nature and prevalence of father absence. Today's absent fathers live apart from their children by choice—their own choice, or the mother's, or both. That children in singlemother families have a living father who could contribute to their economic support and upbringing has important implications for these families, for the broader society, and for fathers themselves.

The changes in the causes of father absence are just part of today's markedly different landscape. Significant, too, is the sheer growth in the numbers of children who do not live with their fathers and who never have lived with their fathers. In 1965, when Senator Daniel Patrick Moynihan of New York wrote his famous report *The Negro Family: The Case for National Action*, births outside marriage accounted for 5 percent of all births and for 23 percent of all births to African American women. Today the numbers are 30 percent and 70 percent, respectively.³ These are sobering statistics. The greater number of children living apart from their fathers has important consequences for children, parents, and society at large. Half of all children living in mother-only households have incomes below the poverty line, and another quarter have incomes between the poverty threshold and 200 percent of the poverty line (U.S. Bureau of the Census 1996, P60–194). Not surprisingly in view of the high poverty rates of single-mother households, the increase in their numbers led to a dramatic expansion of the welfare system (Garfinkel and McLanahan 1986). The rise in single-parent families also has lasting consequences for the social mobility of the next generation: growing up with a single parent has been found to increase children's risk of dropping out of high school, becoming teen mothers, and finding themselves out of school and out of steady work as young adults (McLanahan and Sandefur 1994).

FATHERS UNDER FIRE

In response to the increase in divorce and non-marital childbearing, and the resulting impact on public expenditures, poverty, and child welfare, policymakers passed a series of laws aimed at forcing nonresident fathers to provide more economic support for their children. In the mid1970s, the federal government established the Office of Child Support Enforcement and directed states to do the same. Twice in the 1980s, major federal legislation was passed requiring states to strengthen paternity establishment, to create legislative guidelines for setting child support orders, and to withhold obligations from fathers' wages. This process continued into the 1990s, with child support enforcement being a major component of the new welfare legislation—the Personal Responsibility and Work Opportunity and Reconciliation Act, (PRWORA) of 1996. Coupled with the decline in the value of welfare benefits that occurred over this same period, the child support legislation may be seen as an attempt to privatize the cost of children and to shift some of the burden from the state and from mothers onto the shoulders of fathers.

Nonresident fathers, as a consequence, face a very different, more invasive, world. A man who parents a child outside marriage and denies paternity can be required to take a blood or genetic test. The amount of

child support that all fathers must pay is increasingly determined by government regulations. Their obligations are increasingly withheld from their paychecks. Fathers who fail to pay may have their income tax refunds and property seized and their driver's, professional, and trade licenses revoked, and they may no longer receive food stamps. The ultimate sanction for nonpayment continues to be jail. It is no exaggeration, therefore, to say that nonresident fathers are now under fire. Nonresident fathers have become money objects. Fathers who fail to pay child support are labeled "deadbeat dads" without regard to other contributions they may be making to their children. Furthermore, concern about the effects of child support enforcement on the fathers themselves has been minimal. Until recently, researchers have made little attempt to understand fathers in a broader perspective.⁴ What are fathers' capabilities and responsibilities? How do they react to stricter enforcement? What are their needs and concerns? Despite more than twenty years of increasingly strong legislation, child support collections, on average, have not shown much improvement. The lack of attention to the fathers, coupled with the disappointing child support record to date, suggests that it is time to reappraise child support enforcement policy by examining its impact on nonresident fathers.

Three overarching questions must be addressed in this reappraisal. First, are the new child support policies consistent with the capacities and circumstances of nonresident fathers? Second, do child support policies have adverse unintended effects on the fathers? Finally, should policy be reoriented to do more to assist nonresident fathers?

THE QUESTIONS ADDRESSED

What Are the Policies, and Are They Consistent with Fathers' Capabilities?

In order to assess the effects of the new child support system on fathers, we must first understand the different components of the legislation, how they have evolved over time, and the extent to which they are being implemented throughout the country. Although the federal government has been pushing the states to strengthen their child support enforcement systems for more than twenty years, federal authority is relatively weak. When it comes to family matters, federal officials must rely on incentives and moral persuasion to move states in the direction they would have them go. Hence, at any point in time, there is enormous variation across the states with respect to their political will and their capacity (both financial and managerial) to enforce child support obligations. Equally important, although the federal legislation is universal in word, in practice states have a strong incentive to treat different groups of fathers differently. On the one hand, collecting support from low-income fathers is much harder than collecting from middle-income fathers, so the child support agency's performance will look better to the extent that it focuses on middle-income fathers. On the other hand, pursuing the fathers of children on welfare is likely to reduce welfare costs, whereas pursuing middle and upper-income fathers has no such benefit. Moreover, whereas reducing welfare costs is politically popular, pursuing middle and upper-income fathers is less acceptable to the electorate. Indeed, fathers with financial resources are well organized and have been waging strong campaigns in state legislatures throughout the country to protect their rights and lower their financial obligations.

Unfortunately, although we know a great deal about single mothers and their children,⁵ we know comparatively little about nonresident fathers. And we know even less about nonresident fathers at the bottom of the income distribution. In part, our ignorance is due to the fact that we are dealing with a relatively new phenomenon and we lack good data on these men. Many nonresident fathers are missing from our social surveys, and others do not want to be identified and therefore misreport their status. In part, our ignorance may be due to the fact that we, as a society, care more about the status of children, whom we see as having little control over their lives, than adults, whom we view as, by and large, "getting what they deserve."

The need for a better understanding of nonresident fathers goes beyond intellectual curiosity. The knowledge gaps must be filled if social scientists and policymakers are to understand the effect of twenty years of policy changes, estimate the likely effectiveness of new changes on the horizon, and devise new measures that work. What are the lives of the full spectrum of nonresident fathers like? How much income do they have? With whom do they live? How does their situation compare to that of resident fathers? To

that of single mothers and children? How do those fathers who fail to pay child support differ from fathers who pay? What percentage of these men are potentially dangerous or undesirable as fathers? These questions are addressed in part 1 of this volume.

What Are the Likely Repercussions of Stronger Child Support Enforcement?

Since the mid-1970s, opponents of child support enforcement have argued that forcing fathers to pay more child support will only impoverish their new families and that the new laws are simply “robbing Peter to pay Paul.” This critique has not been adequately addressed because most research examines the benefits associated with the receipt of increased child support payments but does not look at the costs associated with the payment of child support dollars.⁶ Other critics worry that strong child support enforcement may discourage nonresident fathers from marrying and starting new families and, in particular, from marrying single mothers with children. There is evidence, though still controversial, that marriage has several benefits for men, including decreased mortality, lower alcohol use, and higher earnings (Akerlof 1998; Waite 1995). Certainly, marriage or cohabitation with a single mother increases the standard of living of the mother and child. Indeed, twenty-five years ago, when the growth of single motherhood was first becoming apparent, many people believed that the best solution to the economic problems of these families was remarriage, which, in those days, was quite common (Ross and Sawhill 1975). Still other critics worry that stronger enforcement will have the unintended effect of reducing fathers’ work effort or forcing them into the underground economy. If this happened, everyone would be worse off, including the father’s first family, his subsequent or current family, and the government, which would collect less in taxes. Whether this fear is well founded depends in part on whether fathers see child support obligations as a tax that may encourage them to work less or as a reduction in income that may encourage them to work more.

Another concern is that stronger enforcement will increase contact between the parents and possibly exacerbate conflict or violence. The latter would undoubtedly be harmful to children. Fathers who pay child support see their children more often than fathers who do not pay, and one might expect that new fathers who are brought into the system would follow suit. Because greater contact increases the opportunity for conflict, and because these men may have strong feelings about not paying support, the risk of conflict would seem to be high in these families. This problem may be especially acute in low-income families where the mother is receiving welfare and the child support dollars go toward reducing welfare costs rather than to the child. In response to the new welfare legislation, many advocates for women and children have presented numbers suggesting that a large proportion of welfare mothers have been exposed to domestic violence in the past; their data include links between violence and disputes over child support (Allard et al. 1997; Raphael and Tolman 1997). Thus, the answer to this question has important implications not only for child support policy but for welfare policy more generally.

Finally, stronger child support enforcement may have benefits as well as costs. First, strengthening fathers’ obligations to their children is likely to also strengthen their rights to be involved with their children. As noted earlier, a father who pays child support is more likely to spend time with his child and to help make decisions about how his child is raised (Seltzer 1991). When parents get along, more contact with the father and greater father involvement is likely to have benefits for the child (Amato and Rezac 1994; Hetherington, Cox, and Cox 1982). Second, stronger child support enforcement may have an important deterrent effect on nonmarital fertility. Once young men realize that fathering a child incurs a financial obligation, lasting for up to eighteen years, they may take more precautions to avoid an unintended pregnancy. We know that the vast majority of nonmarital births are due to unintended pregnancies (Brown and Eisenberg 1995). We also know that women bear most of the responsibility for contraception. Thus, if fathers were to change their behaviors in this regard, the number of unintended pregnancies would probably decline, as would the number of nonmarital births. The chapters in part II assess the effects of stronger child support enforcement on nonresident fathers’ income, employment, marriage, fertility, and relationships with their child’s mother.

Should We Be Doing More for Nonresident Fathers?

A final question we address in the book is whether society should be doing more to help nonresident fathers meet their obligations and assert their parental rights. Up until recently, fathers in general have been viewed primarily as breadwinners, and child support policies have incorporated this rather limited view. Nonresident fathers have been treated more or less as objects from which money can be extracted, and little thought has been given to their rights as fathers, or to how we might help them meet their obligations, both financial and otherwise. Perhaps the most frequently expressed concern of fathers is that they are denied access to their children. When child support enforcement was lax, nonresident fathers had the option of trading child support for access to their child. As enforcement has become more rigorous, nonresident fathers have relatively less bargaining power, and therefore they have been lobbying for government to enforce their visitation rights. In response, several demonstration programs that seek to improve fathers' access to their children have been funded in different parts of the country.

Another concern of fathers and their advocates is that many men are unable to meet their financial obligations and need help in gaining jobs and job skills. Again, the federal government has responded to their concerns by funding demonstrations in several states. The Parents' Fair Share programs provide employment and training services, peer group support, counseling, assistance in establishing paternity and child support orders, and, if necessary, help in arranging mediation between the father and his child's mother. The programs also help fathers obtain temporary reductions in their child support obligations while they are in the program.

To answer the question of whether government should be supporting these kinds of programs, we need to know whether they actually work. If they do not work, supporting them would simply be wasting the taxpayer's money, regardless of their appeal. Answering the question also requires stepping back from the practical problems and reassessing the basic premise underlying the child support policies that have been legislated during the past twenty years. These policies treat all fathers alike in terms of holding them financially responsible for their biological children. No exceptions are made for fathers who are very poor, and no exceptions are made for fathers who are supporting new families. Is this appropriate? Part III addresses these questions of whether we should be doing more to help fathers.

A SPECIAL FOCUS ON LOW-INCOME FATHERS

A theme running throughout the chapters in this volume is an interest in and concern for low-income fathers. Most discussions today assume that nonresident fathers are a homogeneous group, at least in terms of their ability to provide for their children. Hence the term "deadbeat dad" is applied rather indiscriminately to all nonpaying fathers. In truth, the reasons for failing to pay child support may be very different, ranging from the inadequate resources of poor fathers who are doing all they can to the attitudes of very wealthy fathers who are, as the term "deadbeat dad" suggests, shirking their responsibilities. Whether a father is poor also affects his experiences with the child support system. Although universal in principle, in practice the new child support laws treat fathers from different income strata differently. Whereas middle and upper-income fathers usually negotiate their child support agreements in private and with the services of a lawyer who represents their interests, poor fathers often find themselves without counsel and confronted by public officials who represent the interests of the state. Poor fathers are treated differently in part because they cannot afford a lawyer. Even more important, however, children of poor fathers are likely to be on welfare, and therefore state officials have a much stronger incentive to collect child support payments as a way of reducing welfare costs. Indeed, middleclass mothers often report that they have a hard time getting state agencies to help them collect unpaid child support since the money goes to the mother rather than to the state.⁷

Finally, we might expect low-income fathers to respond differently to stronger child support enforcement, in part because they are less able to meet their obligations, in part because their contributions are less likely to go directly to their child, and in part because of differences in social norms regarding the obligations of fathers who never were married to their child's mother. Although nonmarital childbearing occurs among all social classes, low-income fathers are less likely to marry than fathers from other income strata. To make sure that we would have information on poor fathers, we asked each of the authors to look not only at nonresident fathers in general but also at poor nonresident fathers in particular. Thus, each of the analyses

in this book contains information that improves our understanding of the conditions and responses of poor nonresident fathers.

A CONFERENCE ON NONRESIDENT FATHERS

To answer the questions we have posed, the editors of this volume, with funding from the Annie E. Casey Foundation, the Ford Foundation, and the Russell Sage Foundation, commissioned a large group of social scientists and a small group of legal scholars to write and discuss a set of papers. The papers were subjected to written criticism by two formal discussants and to open discussion by all participants at a conference held September 14–16, 1995, at Princeton University. (See xi for a list of conference participants, along with their institutional affiliations.) The papers were revised in light of the criticisms and suggestions of the discussants, outside reviewers commissioned by the Russell Sage Foundation, and the editors, and they are presented in final form as chapters 1 through 10 of this book. Two teams of authors were asked to write about the policies and the fathers' capabilities. Their chapters are in part I of this volume. Five were asked to examine the possible side effects of stronger child support enforcement, and their chapters make up part II. Finally, three were asked to address the question "Should we do more?" and their chapters are in part III. Each of the chapters is described in more detail in the preface to each part. In the concluding chapter, we revisit the original questions and make policy recommendations, using evidence from the ten chapters in this volume.

NOTES

1. Our measure of living apart from a father excludes children who lost a father because of death. Information on the exposure to father absence among women born during the 1950s comes from the National Survey of Family Growth (1995) and was provided by Dana Glei at Princeton University.
2. The proportion of children in single-parent families who live with their fathers rather than their mothers is only 15 percent but has been growing (see Garasky and Meyer 1996).
3. However, 25 percent of children born nonmaritally are born to cohabiting parents (Bumpass, Raley, and Sweet 1995), so these children do live with their fathers for at least part of their lives.
4. *Making Fathers Pay* by David Chambers is an early notable exception (1979). For more recent exceptions, see Nichols-Casebolt (1986), Haskins (1988), Braver, Fitzpatrick, and Bay (1991), Lerman and Ooms (1993), Sullivan (1993), Seltzer and Brandreth (1995), Sorensen (1997), and Sorensen and Mincy (1998).
5. See, for example, Garfinkel and McLanahan (1986), Ross and Sawhill (1975), Kamerman and Kahn (1988), Cherlin and Furstenberg (1993), Furstenberg and Harris (1993), and Seltzer (1994).
6. For an exception, see Nichols-Casebolt (1986).
7. Some evidence is provided by court cases. In *Carter v. Morrow*, 526 F. Supp. 1225 (W.D.N.C. 1981), non-welfare mothers sued the state of North Carolina to get child support services comparable to those being provided to welfare mothers. In *Clay v. Austin*, Civ. No. 85–86 (E.D. Ky. 1986), the state of Kentucky was sued because it would not modify awards for non-welfare mothers. We also have very recent anecdotal evidence from a number of personal acquaintances in different states that documents the unwillingness of the child support offices in those states to provide services to mothers who are not on welfare. Finally, Current Population Survey (CPS) data indicate a big increase in the proportion of AFDC (Aid to Families with Dependent Children) cases with child support payments over time, but no comparable increase for non-AFDC cases.