

## The child support catastrophe

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Child support is typically framed as state intervention on behalf of children. However, it is more accurately an alternative to marriage for women. Traditionally, women would find a man willing to formally commit to them before having children. By marrying (and staying married to) the man who would be the father of her children, women would ensure investment from the man and the provision of resources both to her and her children. Note that child support isn't *needed* in the traditional model, and that it isn't *relevant* in the case of the death of the father. Even in the case of divorce, child support isn't needed if parents share equal custody. Where child support is needed is if women want to expel the father from the household (or never bring him in). When the facade of *Its for the children!* is stripped away, child support is all about removing fathers from the lives of their children.

If anyone has any doubt as to the *true purpose* of child support, they need only look at how it is enforced in practice. In theory whichever parent can better raise the children should be given custody, and the remaining parent would then be compelled to pay child support. In practice it is almost exclusively a way for women who expelled their children's father from the home to extract money from the man. While the law is written under the guise of being gender neutral, this is a sham; the system is strongly biased towards women at nearly every step of the process. I've created a [separate post to share all of the data](#), but here is a quick summary:

Mothers are far more likely to receive custody (over 80% of custodial parents are mothers). Those few fathers who receive custody are less likely than custodial mothers to have support awarded to them. Those fathers who have support awarded to them have less awarded on average than mothers. Due to all of the biases in the system, **roughly 90% of all child support dollars are paid from fathers to mothers.**

But still there are those who will claim this isn't about money, it is about the best interest of the child. They say this even though the money goes to the mother, not the child, and **the mother is under no legal obligation to spend the money on the children.** If it were about the best interest of the child, the system would concern itself with maintaining the child's relationship with the non custodial parent. But while the system is draconian in its enforcement of money (which almost always goes to the mother), it is generally uninterested in enforcing visitation (which almost always would be for the father). If the system were about protecting the child, it would enforce support and visitation equally. A parent who denies visitation is denying their child access to their parent. A system acting on behalf of the child would work vigorously to ensure that the child isn't denied something which money can't buy; access to and guidance from their father.

Not only does the system not take vigorous action to ensure that visitation orders are enforced, the system is designed to estrange fathers from their children. It uses draconian measures on the father while acting in the name of their children. Support is said to be based on the income of the father, but often it isn't the father's actual income which is considered. The court will often make up a figure which it assumes the father should be able to earn, and assign (impute) that income to him when setting the amount of support to be paid. W.F. Price described his own experience with this in the [comments section of a recent Spearhead post](#):

*There is really no cap on % of income a man can be ordered to pay. Being unemployed when my ex divorced me (she demanded I indulge her and help her get the job she wanted by watching the kids, and I stupidly went along with it thinking this would be temporary and would save my marriage), I was imputed, and therefore the child*

*support was infinity percent of my income. I was imputed at the standard earning for a man my age in Washington state, despite the fact that we were in a recession and nobody was hiring.*

*There is no limit, therefore. Inability to pay is no excuse. You might as well be asking for mercy from the mob. I watched "The Departed" recently, and when one of the bookies said he didn't have the money the enforcer said "this is America — make it" after beating the crap out of him. This is exactly how fathers are treated.*

Keep in mind that men can be thrown in jail for failing to make these payments. Fathers all around the country are put in jeopardy of going to prison for money they don't have, based on actions which are taken in the name of their own children. Undoubtedly the vast majority of fathers make every effort to not allow this injustice to poison their relationship with their children, since they know that their children are merely pawns being used by the child's mother and the system. However, this kind of heavy handed tactic combined frequently with denial of time with and influence over their children has to impact the relationship negatively. Not surprisingly fathers who are less cut off from their children are more likely to pay support. In 2007 the Census found that 78% of non custodial parents who had joint custody and/or visitation privileges with their children made their payments, compared to 67% for those who didn't have either ([source](#), P9).

But the ultimate proof of what child support is all about is the end result for children. While there is a grain of truth to the old canard that divorce is caused by philandering or abusive men who either abandon or mistreat their children, the vast majority of divorces are actually requested by women. Professors [Margaret F. Brinig](#) and [Douglas W. Allen](#) set out to understand why this was in their paper "[These Boots Are Made for Walking](#)": [Why Most Divorce Filers Are Women](#):

*Because of the financial and social hardship faced after divorce, most people assume that generally husbands have instigated divorce since the introduction of no-fault divorce. Yet women file for divorce and are often the instigators of separation, despite a deep attachment to their children and the evidence that many divorces harm children.*

Here is what they found (emphasis mine):

*Our results are consistent with our hypothesis that filing behavior is driven by self-interest at the time of divorce. Individuals file for divorce when there are marital assets that may be appropriated through divorce, as in the case of leaving when they have received the benefit of educational investments such as advanced degrees. However, individuals may also file when they are being exploited within the marriage, as when the other party commits a major violation of the marriage contract, such as cruelty. Interestingly, though, cruelty amounts to only 6% of all divorce filings in Virginia. **We have found that who gets the children is by far the most important component in deciding who files for divorce**, particularly when there is little quarrel about property, as when the separation is long.*

Keep in mind that getting custody not only determines which parent has their children ripped away from them, but that because of the child support system the children also often come with a [hefty payment stream](#) the 'winning' parent can spend however they want. The 'loser' on the other hand is compelled at risk of imprisonment to pay amounts which can exceed their actual ability to earn. While this money is extracted from them in theory on behalf of their children, it robs them of their ability to be seen as wanting to take care of their children. Fathers can't spend money on their children which

the mother has already taken by force. Making this winner take all game even more lopsided, in the US the receipt of the payments is considered tax free, since [the support payer must pay the income tax on it](#).

This system which is supposedly about the children encourages mothers to expel their children's fathers from their lives. [One divorcée](#) explains how many women think about this:

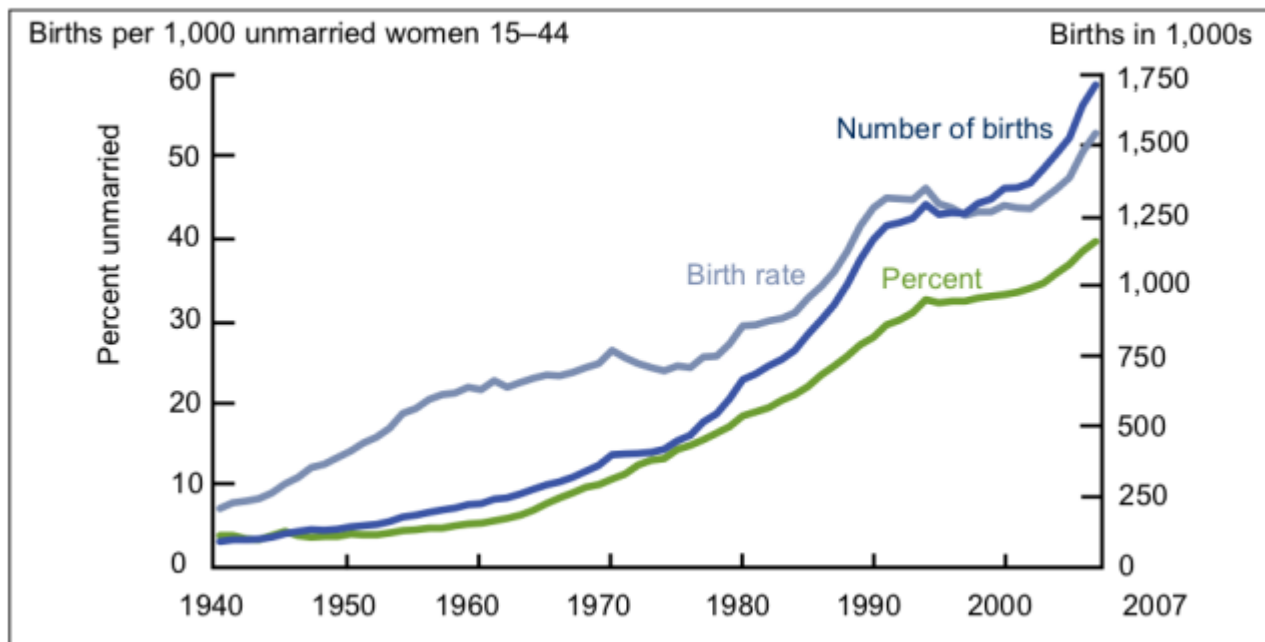
*The problem with my life, as I saw it then, was my husband, and I imagined divorce as a process that would remove him but change little else — a sort of neutron bomb that eliminated men but left the rest of the world intact.*

But divorce is only one way that child support encourages women to become ~~unwed mothers~~ *single parents*. The direct route to unwed motherhood is to simply get knocked up without getting married. This wouldn't have guaranteed unwed mothers child support in the past. However, the rules were changed in the latter part of the 21st century, as Betsey Stevenson and Justin Wolfers explain in their paper [Marriage and Divorce: Changes and their Driving Forces](#):

*Supreme Court rulings in the 1960s and 1970s also changed the nature of family relationships by eliminating many of the legal distinctions stemming from the marital status of a child's parents. In 1968, the Supreme Court ruling in *Levy v. Louisiana* (391 U.S. 68) granted equal protection under the Fourteenth Amendment to "illegitimate" children. Five years later, the 1973 ruling in *Gomez v. Perez* (409 U.S. 535) overturned state laws exempting men from financial responsibility for "illegitimate" children. These rulings reduced both the social and economic cost to women of bearing a child out-of-wedlock...*

Not surprisingly, this along with welfare payments has led to an explosion of children being born out of wedlock. You can see the impact in the chart below from NCHS Data Brief No. 18 May 2009, [Changing Patterns of Nonmarital Childbearing in the United States](#):

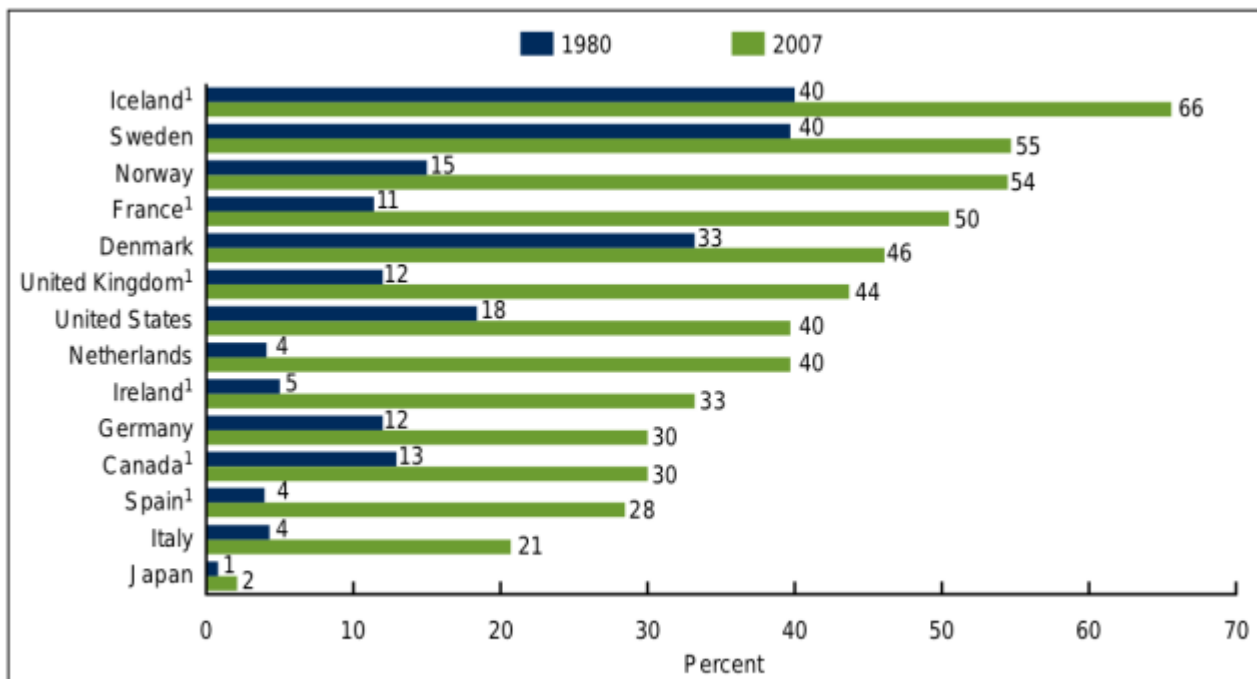
Figure 1. Number of births, birth rate, and percentage of births to unmarried women: United States, 1940-2007



SOURCE: CDC/NCHS, National Vital Statistics System.

The [2011 Statistical Abstract of the United States](#) provides the breakdown of out of wedlock births by race (Table 86 [pdf](#) or [image](#)) for 2007, the latest year data is available. 40% of all babies born in the US in 2007 were out of wedlock. This figure was 51% for Hispanics, 28% for whites, and 72% for blacks. The US isn't exceptional for its out of wedlock birth rates either:

Figure 6. Percentage of births to unmarried women, selected countries, 1980 and 2007



<sup>1</sup> Latest data are for 2006.  
SOURCE: CDC/NCHS, National Vital Statistics System; Stat Canada; Population Statistics of Japan; European Commission. Eurostat. Accessed 3/11/2009.

But the direct approach to unwed motherhood isn't preferred by all would be baby mommas. Some have a strong sense of tradition, and prefer the classic approach of marrying the father and then

divorcing him after the children are born. Fortunately for them child support along with biased family courts makes this nearly as easy as the direct approach. As an added bonus, they get to attend a big party held in their honor, where they (get this!) promise in front of everyone they know to stay married to the father for life. This more classic approach to baby mamma-hood is also on the rise, as you can see in [Figure 1](#) in *Marriage and Divorce: Changes and their Driving Forces*.

Divorce has gone from almost unheard of to extremely common. According to the US Census [2009 SIPP data](#), 39% of all white women aged 50-59 had divorced at least once. This works out to 42% of all white women that age who ever married. For Hispanic women the figures are 27%&30%, and for Black women the figures are 38%&48%.

All of this action supposedly in the interest of children has resulted in millions of kids growing up with little or no access to their fathers. A small percentage of these kids are better off because of the system. They had fathers who either abandoned them or were abusive. Far more have [lost something irreplaceable](#); the chance to grow up with both their mother and father. There is a huge body of research showing how [detrimental](#) this is to children. In the interest of space I'll only share one small quote from [Dan Quayle Was Right](#) (emphasis mine):

*Even for fathers who maintain regular contact, the pattern of father-child relationships changes. The sociologists Andrew Cherlin and Frank Furstenberg, who have studied broken families, write that the fathers behave more like other relatives than like parents. Rather than helping with homework or carrying out a project with their children, nonresidential fathers are likely to take the kids shopping, to the movies, or out to dinner. Instead of providing steady advice and guidance, divorced fathers become "treat" dads.*

*Apparently—and paradoxically—it is the visiting relationship itself, rather than the frequency of visits, that is the real source of the problem. According to Wallerstein, the few children in the California study who reported visiting with their fathers once or twice a week over a ten-year period still felt rejected. The need to schedule a special time to be with the child, the repeated leave-takings, and the lack of connection to the child's regular, daily schedule leaves many fathers adrift, frustrated, and confused. Wallerstein calls the visiting father a parent without portfolio.*

This is built into *any* child support scenario, and simply cannot be changed or wished away. The profoundly negative result of fatherless children is widely acknowledged, even by those who enthusiastically support the new family structure child support encourages. However, instead of blaming the process which created the problem, most now blame the very fathers who had their children ripped away from them. This is the final insult by a system which sees fathers as no more than a walking wallet. Instead of blaming the concerted social push to allow women to raise children outside of marriage, the fathers themselves are blamed for being *absent*! Following the London riots many have pointed out that a major cause of the out of control youths is a [lack of fathers](#). The headline of *The Telegraph* reads:

[London riots: Absent fathers have a lot to answer for](#)

**Edit Aug 15:** Updated with more recent US Census Child Support Data.